

Sayers, Margery

From: erushe@verizon.net
Sent: Monday, November 06, 2017 11:54 PM
To: CouncilMail
Subject: NOT SUPPORT CB60

Honorable Council Members,

I hereby respectfully ask that you NOT SUPPORT CB60 to be voted on this coming Monday, Nov. 6th. Trucking in and out waste for resale is a business and belongs only in the State of Maryland's industrial zoned properties M1/M2, NOT on farmland in Howard County, certainly not in a rural area with many multi-million dollar homes, extremely narrow roads, and public schools in the immediate vicinity.

Thanks in advance for honoring my request.

James/Elizabeth Rushe
13681 Gilbride Lane
Clarksville, MD 21029

erushe@verizon.net

Sayers, Margery

From: Shun Lu <shunlu88@yahoo.com>
Sent: Monday, November 06, 2017 7:41 PM
To: CouncilMail; Kittleman, Allan; Wilson, B Diane; Joel Broida jbroida1@gmail.com [HOWARD-CITIZEN]
Cc: Broida Joel; Broida Gail; HCCA; sunnyside1998@aol.com; brian.niland@yahoo.com; Rong R.; Brian Snow
Subject: Re: [HOWARD-CITIZEN] Fwd: The Votes on Two Most Important Bills - APFO and Mulching

Dear Howard County Council Members,

Before you make a decision on CB60, another controversial conditional use case – if an industrial mulching operation should be approved on rural residential community using well and septic system, please allow me to share with you one of the shockingly negative precedents -- risk for tremendous waste of taxpayers' money in mitigating water resources, and almost irreparable damage to our environment. Hopefully, we can draw a lesson from this precedent.

As you see the Clarksville mortuary with an intense embalming business is now up on a 3 acre rural residential site, using well and septic system along MD 108, in spite of the residents' vehement opposition to this project since 2010.

In 2015 and 2016 while the County ignored potential risk of this project to the public health and safety, an independent environmental expert hired by Clarksville residents presented to the County Executive and DPZ his detailed research and conclusion: the subject site drains into a Tier II stream, one of the few rare high quality streams in Howard County. The stream has no assimilative capacity any longer, meaning any new construction here will cause a degradation of the high quality water. Any treatment for the precious environmental elements will be extremely expensive, and the damage is likely to be irreversible.

Unfortunately, the alert on the danger to our environment was again ignored, and the construction was approved with an unbelievably high, 40% impervious cover of the site, 4 times more than the 10% maximum in HoCo General Plan. The built structure includes about 18,000 SQ. FT. mortuary building, plus massive driveway, plus about 90 parking spaces on this small 3 acre residential site.

What is more shocking is just a few months after the approval for SDP-14-059 in March 2016, a County stream/wetland/forests mitigation project was being designed for a small parcel in Windy Knolls downstream of the mortuary site. The starting mitigation budget is 1 million tax payers' money. The County project confirms on a serious erosion of the streams/wetlands/forests in this stretch of route 108, and restoration/treatment is required.

It is well documented in HoCo General Plan that the most cost effective way to protect our environment is to be preventive, and not to approve any new projects that put our environment at risk. The approval for Clarksville Mortuary sets a terrible precedent for slaughtering our precious environmental resources. Do we need to follow the blueprint, HoCo General Plan at all? Why has the County had to approve such irresponsible projects at the enormous costs of taxpayers money while letting the environment worsen at rapid speed?

It makes business sense for the owners/investors of the commercial operation to buy at a low residential price and then apply for a conditional use to convert the residential property into intense commercial site. But what sense does this make to the residents who live around these businesses? And the community where the business is in? If this is done regardless of the risk to the public health, safety, and our environment, this business is harmful to the best interest of the public and our society.

Please carefully consider the potential risk to the health, safety, and environment of the people you represent, and potential waste to the public funds before you make a decision on CB 60, the conditional use of bringing industrial mulching to Howard County's rural residential community.

Thank you!

Respectfully,

Shun Lu
Clarksville resident

On Monday, November 6, 2017, 10:48:50 AM EST, Joel Broida jbroida1@gmail.com [HOWARD-CITIZEN] <HOWARD-CITIZEN@yahoogleroups.com> wrote:

We are unable to attend the County Council session this evening, but want you to know that both my wife and I strongly urge you to support and amend the APFO and environmental bills ([CB60](#), [CB61-2017](#) & [CB62-2017](#)).

We depend on you as elected officials of Howard County to fulfill your responsibilities and obligations to protect the health and safety of all residents of Howard County. Doing otherwise must be considered as a dereliction of the oath and obligation of those duties.

Finally, we as residents and citizens of Howard County are counting on each and every one of you to do the right thing.

Joel & Gail Broida, residents of Columbia and the whole of Howard County since 1970
5400 Vantage Point Road Apt 413
Columbia, MD 21044
410.992.1033

443.996.0095

jbroida1@gmail.com

Sent from my iPad

On Nov 6, 2017, at 9:08 AM, Stuart Kohn stukohn@verizon.net [HOWARD-CITIZEN] <HOWARD-CITIZEN@yahogroups.com> wrote:

FYI,

Please see a Very Much Appreciated email from Councilwoman Terrasa (see below) regarding our posting on the HCCA Listserve. The bottom line is that Councilwoman Terrasa heard us and I am convinced has tried to include Quality of Life issues in APFO. Unfortunately from the beginning of the APFO review and making some Quality of Life motions on the Task Force regarding the Police, and Emergency Room we anticipated nothing of this kind would be included. Even as mentioned, Fire Chief Butler proposed a couple of motions for Fire to be a category. This too failed even though there are 8 of the 14 Counties in Maryland who have Fire as a category in APFO.

Once again the mere fact that Councilwoman Terrasa took the time to respond is commendatory and appreciated.

Sincerely,

Stu Kohn
HCCA, President

Sent from my iPhone

Begin forwarded message:

From: "Terrasa, Jen" <jterrasa@howardcountymd.gov>
Date: November 5, 2017 at 11:23:26 PM EST
To: "stukohn@verizon.net" <stukohn@verizon.net>
Cc: "Terrasa, Jen" <jterrasa@howardcountymd.gov>
Subject: RE: The Votes on Two Most Important Bills - APFO and Mulching

Stu-

I am very disappointed that we were not able to do these health and safety (quality of life) items in APFO this time around. I have tried repeatedly to find some way to incorporate hospitals and have also worked on police and fire amendments as well. With respect to the police and fire, I was not able to draft something that would pass Office of Law scrutiny and get my colleagues support. I tried a number of times with these. As for hospitals, I still do not understand why there is no legal way to incorporate a hospital test into our APFO. I tried every way I could think of to be able to move this forward, and was told that it could not be done, despite the fact that there are other Maryland counties that do.

I know that HCGH asked for funding last year and were turned down, and they plan to make a larger request this year, which I will definitely support

if we can get the County Executive to put it in the budget. From my perspective, we either need to consider how development impacts our emergency room and the hospital generally, or we need to put the money into increasing the capacity of the ER and the hospital as a whole.

Regarding amendments, I want to make sure you got a copy of my amendment summary chart and comments. I know there were way too many amendments posted on Friday to expect input at this point, but if there is something in particular you want me to know after looking at the chart (or even without looking at the chart), please let me know. I have attached that chart with my comments which also has links to the amendments.

If you want an easy access to the bill, click below:

[CB61-2017](#)

[CB62-2017](#)

Click [here](#) to see the amendments, the bill and any other related documents.

All the best,

Jen

Jennifer Terrasa

Councilwoman, District 3

Howard County Council

(410) 313-2001 jterrasa@howardcountymd.gov

“Like” my page on [Facebook](#) and follow me on [Twitter!](#)

From: stukohn@verizon.net [<mailto:stukohn@verizon.net>]
Sent: Sunday, November 05, 2017 10:21 AM
To: CouncilMail <CouncilMail@howardcountymd.gov>; Kittleman, Allan <AKittleman@howardcountymd.gov>; Wilson, B Diane <BDWilson@howardcountymd.gov>; howard-citizen@yahoogleroups.com
Subject: The Votes on Two Most Important Bills - APFO and Mulching

FYI,

Tomorrow, 6 Nov at 7PM our County Council will be deliberating and voting on two Bills that will have a major impact on our County for years to come. They are APFO, the Adequate Public Facilities Ordinance, CB61/62 and the Mulching - Composting - Natural Wood Waste, CB60. The Howard County Citizens Association, HCCA was a proud representative in both of these respective Task Forces. We spent 22 and 24 meetings on these subjects which I personally have no regrets. Each Bill has an extensive number of amendments and amendments to amendments - 24 Amendments for APFO and 21 Amendments for Mulching at last count. This is mind boggling as it just shows the seriousness of attempting to get these Bills right. The Council is trying to ensure citizens are protected to the fullest and developers and farmers to ensure their occupation does not suffer. The problem is it is very difficult to have an equal balance in this endeavor. The question that is continually being asked is what has precedent - the Economy or Quality of Life Issues? We simply can not afford to have a weak APFO where it becomes ALPO - A Lousy Protective Ordinance. Unfortunately without incorporating any Quality of Life Issues such as Fire, Police, Emergency Medical Services, and the Hospital for measurements in an attempt to control growth then we have a problem. We are extremely disappointed especially when these items are contained in PlanHoward 2030. The Fire/Police Chiefs and the President of the Howard County General Hospital were brought in at the Council's Work Session to testify. The sad thing is there are

no amendments at this time to include these most important ingredients for our new APFO.

We sincerely appreciate the enormous amount of time our Council has spent to try and get it right. As stated before the fact that Dr. Velculescu was denied the opportunity to testify in front of the Council on CB60 is just plain wrong. The public should have had the right to hear what he had to say regarding the Health and Safety of the impact of passing CB60. The Planning Board when they deliberated in their Work Session completely chose to ignore the Health and Safety concerns by the concerned citizens. Why?

We hope to see many of you in attendance at tomorrow's Council's Legislative Session regarding the outcome of these most important Bills. They will have a monumental lasting effect on everyone's future.

Yes - the future is in our Council's hands and their decision will undoubtedly be their legacy.

Sincerely,

Stu Kohn

HCCA, President

<Apfo Amendment Summary with JT Comments ~11-6-17.xlsx>

Posted by: Joel Broida <jbroida1@gmail.com>

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Sayers, Margery

From: Williams <rawmlw@gmail.com>
Sent: Monday, November 06, 2017 5:06 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: Opposition to CB60 Without Major Amendments

Importance: High

County Council,

We are very concerned with CB60 which will allow for industrial mulching and composting on ag preserve farmland and on all of RR/RC throughout Howard County. The current zoning language contained in CB60 is unacceptable and not only puts the rural communities at risk for well-documented safety and health concerns from industrial mulching, but now also makes this a countywide issue. This matter affects everyone, whether on farms or not!

As it currently reads, there are clear loopholes that will allow those posing as tree farmers to conduct industrial mulching activities from 2 acres up to 5 acres, depending on whether on Howard County ag (ALPP), RR or RC parcels. This will result in unacceptable risks to ensuring the well-being of children, families and all individuals living in affected areas. Furthermore, DPZ has demonstrated a clear inability to enforce clear violators of CB20. We now ask, how can DPZ protect our families when loopholes in CB60 will allow for industrial mulching to occur, making enforcement even more challenging?

County Executive Kittleman, through CB60 introduced on his behalf, has simply not kept to his campaign promise to ensure that there is no possibility of industrial mulching on both Howard County and State of MD ag preserve parcels, despite his recent claims to the contrary. There is no separate section in CB60 that deals with State of MD ag (MALPF) restrictions (only Howard County ag). We worked hard to get State of MD ag restrictions included in the current zoning language for CB20 and are disappointed that it has been omitted from CB60.

There are many other key amendments needed in CB60 to make it acceptable to the health and well-being of thousands of families throughout Howard County. We are counting on the County Council to course correct with amendments added to CB60 to clearly prevent any chance of industrial mulch facilities from operating throughout farmland in Howard County, other than in M1/M2 commercially zoned land. This is the only way our Councilmembers will ensure everyone in potentially affected areas continues to be protected by current zoning regulations defined in CB20. Please take this matter seriously and add needed amendments to CB60 that we feel is unacceptable as it now stands.

Bottom line: What good are zoning laws when it is not being enforced? Industrial means industrial, and agricultural preserve means agricultural preserve.

Thank you.

Sayers, Margery

From: Dan Shaw <dshaw@chamberlaincontractors.com>
Sent: Monday, November 06, 2017 5:02 PM
To: CouncilMail
Subject: CB60 VOTE

Good Evening

I respectfully ask that you NOT SUPPORT CB60 to be voted on tonight.

This operation would certainly create a large number of truck trips on the rural roads that lead to the site. Trucking in and out waste for resale is a business and belongs only in the State of Maryland's industrial zoned properties M1/M2, NOT on farmland in Howard County, certainly not in a rural area with many multi-million dollar homes, extremely narrow roads, and public schools in the immediate vicinity.

Thank you very much

Daniel and Dawn Shaw
13622 Gilbride Lane
Clarksville, MD.

Sayers, Margery

From: jdmullinixinc@aol.com
Sent: Monday, November 06, 2017 4:42 PM
To: CouncilMail
Subject: CB-60

As you vote this evening keep the Stuarts of the land in mind. We are not bad people as they say. We have lived here for generations. They come and go as their children age out of schools.

If we can't do composting on our farms than you need to make it against the law in the hole county. Composting on farms should be a matter of right. We have been doing seance the begging of time.

Mulch has different levels. If mulch is as bad as P.R.D. makes it to be. Than we need to outlaw it in the hole county. From all public and private property. But once you gave the zoning you should not take it away.

Now with that all said if you vote for this just tell us you want us to quit. You don't want to see people who get their hands dirty for a livelihood.

Thanks Mark Mullinix
born and raised in Dayton
not a transplant.

Sayers, Margery

From: jrphase@aol.com
Sent: Monday, November 06, 2017 4:20 PM
To: CouncilMail; erichardson2626@aol.com
Subject: Please Vote AGAINST CB60, or I will not vote for Greg Fox again! I'm in the environmental lab business and know first hand this business doesn't belong in a neighborhood.

Please Vote AGAINST CB60, or I will not vote for Greg Fox again! I'm in the environmental lab business and know first hand this business doesn't belong in a neighborhood.

Sincerely, John Richardson
13640 Gilbride Lane
Clarksville, Maryland 21029

Sayers, Margery

From: Werther Mitchell <wertherm@yahoo.com>
Sent: Monday, November 06, 2017 11:41 AM
To: CouncilMail; Weinstein, Jon; Ball, Calvin B; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg; Kittleman, Allan
Subject: Do NOT support CB60

Honorable Council Members,

I hereby respectfully ask that you NOT SUPPORT CB60 to be voted on this evening, Monday, Nov. 6th.

Trucking waste in and out for resale is a business and belongs only in the State of Maryland's industrial zoned properties M1/M2, NOT on farmland in Howard County, and certainly not in a rural area with many multi-million dollar homes, extremely narrow roads, and public schools in the immediate vicinity.

Thanks in advance for honoring my request.

Sincerely,

Mitchell & Christina Werther
13645 Gilbride Lane
Clarksville, MD 21029
410-531-6201

Sayers, Margery

From: Sandy Renovetz <Sandy.Renovetz@avispl.com>
Sent: Monday, November 06, 2017 11:20 AM
To: Kittleman, Allan; CouncilMail
Subject: CB60 - Who is it that you are trying to protect?

Dear Mr. Kittleman and Howard County Council members:

Although I have not been active in the fight against industrial mulching on Howard County farmland in several years, I have continued to follow the issue. I drive by the Sykesville farm on MD-32 where a commercial mulching facility was proposed, and give thanks that I have the pleasure and privilege of seeing pumpkins and sweet corn growing, not piles of mulch and clouds of airborne particulates. I do not have to encounter dangerous heavy truck traffic turning onto MD-32 at that location. I do not listen to grinding equipment. I do not constantly worry about the quality of the water from my well. I do not constantly worry about how exposure to airborne particulates is affecting the health of my family, my neighbors, or my friends at the local schools.

The good fortune that we experienced in Sykesville when the property owner chose to sell the MD-32 farm to a farming family instead of a commercial mulching operator is a tenuous position, though. What farm could be next? The owner of the Ag preservation farm on my street, Day Road, recently passed away. Will we be fighting a commercial mulching facility there next, if you do not amend CB60?

Commercial NWWR mulch manufacturing does not belong in residential proximity - it belongs in M1/M2 only. And even there, with proper safeguards against air and water pollution.

Please do a better job protecting the families in Howard County.

Sandy Renovetz
1180 Day Road
Sykesville, MD 21784
Mobile 410-960-6569
Sandy.Renovetz@avispl.com

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Sayers, Margery

From: James Nickel <james.nickel55@gmail.com>
Sent: Monday, November 06, 2017 10:06 AM
To: Sigaty, Mary Kay
Cc: info@hoganvictory.com; ben.grumbles@maryland.gov; hilary.miller@maryland.gov; dennis.schrader@maryland.gov; oag@oag.state.md.us; Kittleman, Allan; CouncilMail; Lazdins, Valdis; Gowan, Amy; Plummer, David; Mayer Tim & Amber; Navarre Mike; Hooper Bethany; Bundy Rob; GHCA; Royle Andrew; Markovitz Lisa; Garber Susan; Gray Jane; Ocheltree Janet; Allen Erin Donohue; Allen John; Risdorfer Al; Tony Bono V; Morris Paul; Paul Retzbach; Colleen Retzbach; Robertson Kristin; Houck Lora; Kloser Trip; Ostrom Craig; Akintade Julius; Shankar C. P.; Banwarth Dave M.; dave.kromer@tunnellgov.com; Leary Sylvia; Schneider Alan; Shoffeitt Paul; Bucci Mike and Kim; Robert Scales; Williams China; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; <darbus37@gmail.com>; Bush Jennifer; SHARON KEENY; tilycog@comcast.net; Datz Cathy; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; bstrickland@wtplaw.com; ST Balimtas; Susan Gray; Michael Burns; Retzbach Paul; fernandesgj@washpost.com; Eric Goldberg; benabili@hotmail.com; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; jthensel61@gmail.com; Benjamin Lee; joelhouck66@yahoo.com; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawscales@gmail.com; Richard and Susan Taber; Marisa Montag; estrickland@offitkurman.com; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; jmbovello@comcast.net; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; s.hensel@live.com; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno; Mariani Ted; Lober Rick; Loveless Brent; Stu Kohn; Long Leslie; Groves Jessica; Velculescu Victor; Harp Jeff; Harp Jeff; Tegeris Lorraine; andrew.green@baltsun.com; Tegeris John; Kate Madill; Yeager Amanda
Subject: Re: CB60-2017 and Dayton property

Good morning to you Ms. Sigaty,

It's nice to know that compacted aggregate is a soil conservation program. I had thought that Rt. 32 widening was a road construction effort. Now I know it's a soil conservation effort.

What type of agricultural products would you suggest, or perhaps would Mr. Feaga suggest, that would best thrive on compacted aggregate? Corn or soybean? Perhaps a pumpkin patch?

From very early on in this effort it became quite clear that the sponsors and co-sponsors of CB60-2017 do not care one iota about the health and safety concerns of residents that would be adjacent to industrial operations adjacent to rural residents. You specifically, have claimed repeatedly that CB60-2017 does not allow industrial operations on multiple occasions without any justification for that claim. As has the Office of the County Executive.

Yet, I have provided MDE documentation that shows that 12,000 tons of mulch per year can and has been produced on 1 acre. Which means 60,000 tons can be produced on a 5 acre lot. 60,000 tons per year is not industrial production? Let me put that in a different visual perspective that would be the equivalent in weight of about 30,000 cars per year. I've ask you and the office of the County Executive in light of that information available from the MDE, if 60,000 tons/year is not industrial, then what is industrial?

I'm sure you will not be shocked that neither the Office of the County Executive or you choose to answer that question.

I need to point out that the initial draft of CB60-2017 is sufficient proof that the sponsors and co-sponsors of CB60-2017 make no consideration of the health and well being of Howard County residents. None. Not one iota.

Let me point to your own words that Mr. Bonner is a "bad actor" and other farmers should not be judged based on what Mr. Bonner has done at Oak Ridge Farms. The sponsors and co-sponsors of CB60-2017 are fully aware of the years of complaints raised by residents that are downwind of the operation. For at least 7 years that operation has been in violation of state or county regulations and it continues to operate to this very day. That's been documented by at least 17 residents.

How did you respond to that in the first draft of CB-60-2017? You drafted it to exempt that operation from county regulation. You exempted a "bad actor" from county regulatory oversight. Yes, that was corrected after the uproar that followed. But the point is that you were willing to condemn the residents of Woodbine to all the noise, dust and health risks in perpetuity. That I believe is reprehensible and I was disgusted by it.

How many scientific studies have you been presented with that document the health risks of wood dust and fungal spores? The sponsors and co-sponsors of CB60-2017 have blithely dismissed every one of them. Any testimony that you have received to the contrary has been unsupported by any evidence whatsoever. I can't even get the Office of the County Executive to answer how the Health Department responded to the New York study on water contamination from waste sites handling negative waste. Back in 2014 I couldn't even get the Howard County Health Department to question the affected people in Woodbine. The Director at that time stated at the Task Force meeting that they wouldn't examine that situation because they had no authority to do anything if they found there was a problem. They didn't even want to know if there was a health problem.

I can document that after CB20-2014 passed and was signed by the County Executive there were those members of DPZ that conspired to push through the approval of Mr. Bonner's operation before CB-20 went into effect. It appears from their internal correspondence that the only reason that failed was because Mr. Bonner's attorney did not return a phone call. I provided that proof to the current County Executive and Director of DPZ and received no response or acknowledgement.

That provides me a credible explanation of why Mr. Bonner continues to operate in full force to this day. There are no "magically disappearing trucks" as the Director of DPZ asserts. Mr. Bonner knows he has at least tacit approval from this Administration to continue his operation unfettered.

You won't even acknowledge that the State Legislature and Gov Hogan have require a study by MDE that will examine the health risks of waste refuse. Instead this bill has to be rushed through before that study is completed.

When Mr. Orndorff gave the Council Members a demonstration of the wood waste processing did he point out that the greatest dispersion of wood dust and fungal spores occurs after some aging, aka decomposition, and when the piles are turned? Which council members have the ability to see wood dust and fungal spores of 3.5 microns in size? That is the size that exists and makes it way into the lower respiratory tracts.

I'm not sure what higher priority a county government is supposed to provide their residents if not the health and safety of residents. The question before the Council will be which is more important, risking the health and safety of residents or mulch and compost?

I won't ask any of the sponsors or co-sponsors of CB60-2017 to withdraw the bill. I'm not that naive and won't pretend to be. Though I do ask the other Council Members to vote NO to CB60-2017.

Regards,
James Nickel

Dayton, MD.

On Nov 3, 2017, at 10:35 AM, Sigaty, Mary Kay <mksigaty@howardcountymd.gov> wrote:

JBRK, LLC – CONDITIONAL USE

13825 Howard Road and Green Bridge Road, Dayton, Maryland 21036
Tax Map 28, Block 7, Parcel 13, Parcels A and B
150 acres, more or less

REPORT OF PRE-SUBMISSION COMMUNITY MEETING
HELD AT 6 P.M. ON THURSDAY, JANUARY 9, 2014 AT
FIFTH DISTRICT VOLUNTEER FIRE STATION, COMMUNITY ROOM
5000 SIGNAL BELL LANE, CLARKSVILLE, MARYLAND 21029

A Pre-Submission Community Meeting was held on Thursday, January 9, 2014 at 6:00 p.m. at the Fifth District Volunteer Fire Station, 5000 Signal Bell Lane, Clarksville, Maryland 21029.

The following people were in attendance at that meeting:

Robert Orndorff (JBRK, LLC), Stan Merson (JBRK, LLC), Joseph Rutter (Consultant), and Sang W. Oh (*attorney*).

After a brief presentation by Petitioner of its request for a mulch and soil manufacturing and composting facility, the floor plan of the building and the proposed improvements to the Property, the following questions and answers were provided.

1. Could you explain the regulation for why you would have to use Green Bridge Road for the access point? *Green Bridge Road is a collector road. The traffic for this use is only allowed to use a collector road or higher?*
2. What is a collector road? *It is a road designated on the General Plan to handle higher volumes of traffic than a local road.*
3. But is it a 2 lane road. *Yes. That is its classification.*
4. But Howard Road and Green Bridge Road are similar. *They have, however, different classifications.*
5. How many vehicles will be caused by this use? *We will have 25 to 50 trucks per day.*
6. What types of vehicles? *There will be dump trucks and tractor trailers.*
7. Will you be doing a traffic study? *Yes.*
8. What is the time-frame for the traffic study? *We hope to have it before we file for the conditional use. Should be in February.*
9. You said that the Bauer property could continue to use Howard Road. Could they also use Green Bridge Road? *Yes.*
10. You said that Howard Road will be restricted. Why is that? *The Zoning Regulations do not allow us to access Howard Road for this use.*
11. How much traffic will you have? *It is difficult to say exactly, but our current facility has 25 to 50 trucks during a day. As we are also pursuing another site for*

this conditional use, we would expect the number of trips at this site to be reduced by roughly 50%.

12. The new driveway will have to be a pretty big road in order to allow tractor trailers to pass each other. *The driveway will probably be 16' wide with pull offs so as to allow trucks to pass one another. We do not intend to create a really wide road through the farm.*
13. What will be your hours of operation? *6:30 a.m. to 5 p.m. Grinding will be done between 7 a.m. to 4 p.m.*
14. How loud will the operation be? *We will evaluate the levels of noise and make sure we are in compliance with laws. Remember that most of the primary grinding is done off site so the less noisy grinding will occur on this site.*
15. Our property is on Howard Road. There are complex noise corridors among the fields and we worry that the noise could be different than some theoretical number. *We will have to study that, but we have positioned the windrows to try to block the noise to our western and northern neighbors.*
16. What is a windrow? *They are the piles of mulch that are composting.*
17. So there will be piles of mulch? *Yes, long and straight.*
18. What about chronic noise? What is the noise ordinance? *Between 7 a.m. to 10 p.m., you cannot exceed 90 decibels for construction equipment. We will have limited hours for grinding, however. We will not be grinding and running our machines 10 hours per day. One week, we will grind twice; other weeks we will grind four times. Some weeks we don't grind at all. Also, we have the latest machines which do not produce as much noise.*
19. How are you going to be accessing the new residence? *The new residence will be able to access either Howard Road or Green Bridge Road.*
20. Is there any facility like this nearby? *J. Rhine in Sykesville on Rt. 32 runs a similar operation.*
21. The Howard County landfill has a similar operation. *Not really. They grind everything at the landfill including large wood pieces to the 6" piece. Remember that most of our grinding of 6" pieces to the 2" piece is done off-site.*
22. Is there any permit required for the equipment that you will be using? *No.*
23. Any air quality permit? *No, not to our knowledge.*
24. Where is your current facility? *7531 Cemetery Lane in Elkridge.*
25. What is the size of the feed on your grinder? *36"*
26. Are you aware of the new residential subdivision south of the subject site? *Yes.*
27. What kind of road will be used to access Green Bridge Road? *It will be paved.*
28. Will there be public access to that road? *No. It will be private.*
29. Will you be farming the remainder of the property? *Yes.*
30. Around the access road? *Yes.*
31. How far will the grinding equipment be from Green Bridge Road? *About 2400'.*
32. We are the Nickel/Taylor property. How far are we from the mulching operations? *1400'. 1200' to the property line.*
33. How about the creek? That will have to be bridged for the new road? *Yes.*
34. Do you add dyes to the mulch? *Yes. Brown and black.*
35. Are the dyes toxic? *They are not toxic.*

36. There are tons of wells in this area. What are you going to do about the stormwater? *We will have to show that stormwater will be captured by our devices. We will have to demonstrate the safety of the mulch and dyes. This is the same stuff that is spread in your yards on top of your wells.*
37. Are you going to use water in the operations? From where? *We have a pond and we will need a well, but agricultural wells are usually deeper.*
38. It's all rock around here. You'll have to go deep because of the fractured rock and go 400 to 500 feet deep for water.
39. Will there be fueling tanks? *No.*
40. What types of projects/sites will you be collecting the wood waste from? Residential? Commercial? How about the top soil? *Both.*
41. Will the trucks have air brakes? *Yes.*
42. So we'll hear air brakes all day? *The trucks are similar to the grain trucks that are already on farms throughout this area.*
43. Green Bridge Road is not a wide road. This doesn't fit in this residential area. *This is a conditional use allowed on farms, which itself is an industrial use. Farming and these types of uses are the preferred uses in the rural west.*
44. What will be truck traffic be like? *This is not a trucking terminal. There will be trucks but it won't be 50 trucks in one hour.*
45. This is not like a farm that grows wheat. *No. Of course not. If it were just like growing wheat, we wouldn't need a conditional use.*
46. I'm a little surprised that this merits consideration under the criteria.
47. Is there someone from the County at this meeting? *No.*
48. Do you take back the concerns raised in this meeting to the County? *Yes.*
49. What will be the impact on our property values? They will most certainly be impacted. Is that a criteria? *It is not a specific criteria, but it is often raised as an adverse impact to be considered.*
50. Although the County may not care about our property values, do you as neighbors care about our property values? *Yes. We don't think this will impact your property values.*
51. There is a house on Howard Road that has been on the market for \$1.2 million for a long time. There are three huge silos behind it. I can't help but believe that the aesthetics of those silos has something to do with it not selling.
52. We live in the Oaks at Bridle Creek. We back to your field. This is upsetting to us because we just spent \$40,000 to build a porch to overlook the field. Now you're going to have this. This will clearly impact the value of my house.
53. If you meet the criteria, we don't have much to say. *That is not true. We can work with you on landscaping and other measures to reduce the impact.*
54. Are other people concerned about mulch?
55. With Green Bridge Road having trucks up and down the road, our property values will depreciate.
56. I know what I'm going to say is not going to be popular, but Bob Orndorff has lived in this community for 39 years. RLO has been in this community. I trust Bob Orndorff to be a good neighbor. He will landscape and I think we will thank him for being a good neighbor.

57. I just wanted to echo the previous comments. Bob Orndorff is a good businessman. He is a man of his word. He will enhance this property. The property is a mess and has been that way for that last three years.
58. Thank goodness that you are not going to build new houses on this land. It is better as a farm.
59. But that's not on the table – to build houses. It is in preservation.
60. I'm comfortable knowing that this is the proposal for this property. This has been a on-off affair. It used to be a game farm with all of the shooting and I'm happy now that this property is going to be cleaned up and put to a good use.
61. I live on Lot 5. I would have never purchased my house had I known that this industrial use would occur on this property.
62. Seems out of place because land prices are so high.
63. I want to add to some prior comments. I think we all have very short memories. The last two owners of this property did not do a good job with this property. Bob lives on Triadelphia Mill Road. His son, Ryan, is going to live on this property. They are going to take care of it. The property is currently a disgrace. It's overgrown and run-down. Kids party in the fields and start fires. There are much worse options.
64. There's also the existing gun range that also produces noise.
65. This property looks horrible. Its needs to be farmed. Bob keeps a good place. It will be cut. People on Green Bridge should push for landscaping.
66. We're not doubting Bob's integrity. I've lived in Dayton my whole life. We're concerned about noise and property values. We know there's a gun range next to the farm, but we've come to accept that. The noise from trucks and the visual impact is what we're concerned about.
67. We don't doubt your good intentions, but people who are not as close to the farm and not impacted do not have the same perspective. No amount of landscaping will solve the problem. This is not a landscaping issue. We just don't want to be victimized.
68. Things could be worse. The farm has access through Bridle Creek. They could be coming up through that.
69. Could be worse is a poor reason. Something could always be worse.
70. Will you have traffic all of the time? *We are busier in the spring.*
71. What days do you want to operate? *Monday through Friday. ½ day on Saturday.*
72. Will it be just your company? *Yes.*
73. Do you own this property or is your contract contingent? *We do not own, but we are committed to its purchase.*
74. You mentioned the other site. Will you go forward on both sites and have 2 facilities? *That is our current plan.*
75. Who is going to farm the property? *There are many good farmers in the County. We will rent the farm rights to someone.*
76. Do you have a contingency plan? In other words, if you don't get approved for everything, will you step down to just topsoil or abandon the whole project? *We would like to do the mulching and composting operation and do not have alternate plans.*

The meeting concluded at approximately 8:00 p.m.



The County Council is voting on CB60!

Monday Nov 6th

PLEASE PLAN TO ATTEND!!!

Final legislative vote is scheduled for

Monday November 6th @ 7pm

George Howard Building, Banneker Room
3430 Court House Dr, Ellicott City, MD 21043

Let's finish strong together!

We need a large turnout on Nov 6th to show the County Council that the community **STILL** opposes industrial mulching and composting, or industrial processing of any kind, on farmland in Howard County

1,000 People, 1 Voice



Dayton Rural Preservation Society ♦ www.PreserveDayton.com

CB60 carries concerns for compost/mulch trucks – sixteen wheelers on our roads, airborne allergens, noise pollution and a loss of residential property values.

To share your response, please immediately contact:

Council Member	Email	Phone
Jon Weinstein	JWeinstein@HowardCountyMD.gov	(410) 313-3110
Dr. Calvin Ball	CBBall@HowardCountyMD.gov	(410) 313-2001
Jen Terrasa	JTerrasa@HowardCountyMD.gov	(410) 313-3108
Mary Kay Sigaty	MKSigaty@HowardCountyMD.gov	(410) 313-2001
Greg Fox	GFox@HowardCountyMD.gov	(410) 313-2001

County Executive Kittleman:

akittleman@howardcountymd.gov 410-313-2013

Sayers, Margery

From: Shiris Patel <spatel100@yahoo.com>
Sent: Monday, November 06, 2017 9:32 AM
To: CouncilMail
Subject: CB60
Attachments: mulch1.pdf; mulch2.pdf; image001.png

To: councilmail@howardcountymd.gov
Subject: Do NOT support CB60

Honorable Council Members,

-

I hereby respectfully ask that you NOT SUPPORT CB60 to be voted on this coming Monday, Nov. 6th.

Trucking in and out waste for resale is a business and belongs only in the State of Maryland's industrial zoned properties M1/M2, NOT on farmland in Howard County, certainly not in a rural area with many multi-million dollar homes, extremely narrow roads, and public schools in the immediate vicinity.

Thanks in advance for honoring my request.

Dr Shiris Patel.

Sayers, Margery

From: Ricky & Leslie Bauer <rrfarm@verizon.net>
Sent: Monday, November 06, 2017 8:59 AM
To: Sigaty, Mary Kay
Cc: james.nickel55@gmail.com; Kittleman, Allan; CouncilMail; Lazdins, Valdis; Gowan, Amy; Plummer, David; im Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; darbus37@gmail.com; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; bstrickland@wtpaw.com; ST Balimtas; Michael Burns; Paul Retzbach; fernandesgj@washpost.com; Eric Goldberg; benabili@hotmail.com; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; jthensel61@gmail.com; Benjamin Lee; joelhouch66@yahoo.com; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawcales@gmail.com; Richard and Susan Taber; Marisa Montag; estrickland@offitkurman.com; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; jmbovello@comcast.net; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; s.hensel@live.com; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris
Subject: Re: CB60-2017 and Dayton property

To the Dayton community and others:

This is just ridiculous!!! This is the second photo I have seen in about as many weeks, that has provided inaccurate misleading information to the community designed to create fear. The first photo - a piece of farm equipment used to harvest grain that was being moved to a nearby farm, being labeled as a NWWR grinder. And now this.

I have farmed the JBRK property since they bought it, and at other times through the years, and have never once tried farming in any way the section of the farm shown in Mr. Nickel's photo. Actually it was a challenge to even try to mow it because of the deep, almost uncrossable ditches. Besides living next to the JBRK property for the past 27 years and passing that area everyday, I grew up visiting this farm my whole life and have never seen that area of the farm in anything other than pasture because of the terrain.

In addition to the questionable methods he used to obtain this photo, please note that Mr. Nickel is also the same person who was alleged to be involved with trespassing, but never charged, for breaking into the RLO mulch facility in Elkridge and taking pictures. Don't any of these people respect property lines?!? I believe Mr. Nickel was also the same person to testify that the pond located on the JBRK property would not be adequate for a fire suppression pond because it dried up during the summer. Again, in all the years I have driven through this property, I have never seen the pond go dry, and in fact, I can recall at least two times when the pond has been used just for that purpose.

Lastly, as far as I know, the only trucks in at least the past two weeks that have crossed through the JBRK property have been the many trucks I have had in and out, hauling grain each day and sometimes even late into the night as we try to

complete our harvest. To Ms. Hensel, who resides on Big Branch Drive, and claims that “the farm near her house has already started industrial mulching” and that she can “hear the grinding all hours of the day”, I would suggest that what she is actually hearing are the fans and driers in the grain bins on our farm, the Mullinix Farm, and one other local grain farm. So the next time you are in doubt, I would strongly encourage you to ask a farmer to learn the true facts.

Thank you,
Ricky Bauer

On Nov 3, 2017, at 10:35 AM, Sigaty, Mary Kay <mksigaty@howardcountymd.gov> wrote:

Good Morning Mr. Nickel,

I have shared with the public at several of our meetings that the work represented by your enclosed photo was a conservation practice. Clearly you don't believe me, so I'm sharing with you and the many others who have had the opportunity to see your photos my recent communication with the District Manager of the Howard Soil Conservation District.

Hopefully you will find David Plummer's description of the activities at the Orndorff's farm informative.

Mary Kay Sigaty

Howard County Council
District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

From: David Plummer <dplummer@howardcountymd.gov>
Date: Thursday, November 2, 2017 at 9:00 AM
To: "Sigaty, Mary Kay" <mksigaty@howardcountymd.gov>
Subject: RE: CB60-2017 and Dayton property

Good Morning Mary Kay,
What an engaged citizenry you have! It appears that someone took the time to fly a drone over Mr. Orndorf's farm to capture photos of this beautiful conservation practice. This is actually a better photo of this practice than we can usually get from the ground (we haven't been able to afford a drone yet for the office). This practice is called a Water and Sediment Control Basin or WASCOB for short, and yes it is an approved NRCS standard conservation practice.

If you look closely at the second photo, which looks like an aerial from Google Earth or similar program, you will see the gullying that was occurring in this section of field due to the slopes (the crooked line running down the middle of the field). The fact that this shows up on an aerial photo indicates that it was a pretty significant problem. This gullying means that sediment was being transported downstream on a regular basis. I believe the majority of this area was simply planted to grass in an attempt to stabilize it, as opposed to crops. Geotextile material is used on a variety of conservation and stabilization projects.

The goal of the WASCOD is to prevent this gully erosion, create a level area that can be productively farmed, and reduce the runoff to the equivalent of forest land cover. Lofty goals, but we are always trying to design and implement projects that will help protect our local waters and the Chesapeake Bay.

I don't see any correlation between this conservation practice and CB60-2017? We help landowners with conservation practices like this all the time, and it has nothing to do with mulch or compost. Thanks for sharing this with me, I hope you have a great day! - David

David C. Plummer, District Manager
Howard Soil Conservation District
14735 Frederick Road
Cooksville, MD 21723
410-313-0680; www.howardscd.org

From: Sigaty, Mary Kay
Sent: Thursday, November 02, 2017 6:47 AM
To: Plummer, David <dplummer@howardcountymd.gov>
Subject: FW: CB60-2017 and Dayton property

Good Morning David,

I need a little help—Can you or one of your folks tell whether the work shown in the photo included below is in keeping with the conservation plan that you helped Bob create? If so, could you describe what we are seeing?

Thanks.....MK

Mary Kay Sigaty
Howard County Council Member
District 4

3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

From: James Nickel <james.nickel55@gmail.com>
Date: Wednesday, November 1, 2017 at 7:44 PM
To: CouncilMail <CouncilMail@howardcountymd.gov>
Cc: Allan Kittleman <akittleman@howardcountymd.gov>, Val Lazdins <vlazdins@howardcountymd.gov>
Subject: CB60-2017 and Dayton property

Council Members,

Please see the attached aerial photo, i.e., JBRK property Dayton.jpg.

You can see at the edges of the fresh dirt what appears to be an application of Geotextile Fabric. Frequently used for roadway or driveway stabilization or leachate containment. On top of that is a white material, possibly crushed stone. That is hardly conducive to farming. Is that allowed on Howard County Preservation property? It even looks as if some crop was destroyed to accomplish this effort.

See also the attached photo, i.e., Prior to Fill.jpeg. That same section of property has been used for crop

production. It may be this section of property is being prepared for some commercial operation not currently allowed under Howard County regulations.

Is this what Mr. Kittleman has intended with CB60-2017?

Best Regards,
Jim Nickel
Dayton, MD

<image001.jpg>



Sayers, Margery

From: Tony Romano <tonyromano3@outlook.com>
Sent: Monday, November 06, 2017 8:25 AM
To: CouncilMail
Subject: Do NOT support CB60

Honorable Council Members,

I hereby respectfully ask that you NOT SUPPORT CB60 to be voted on this coming Monday, Nov. 6th. Trucking in and out waste for resale is a business and belongs only in the State of Maryland's industrial zoned properties M1/M2, NOT on farmland in Howard County, certainly not in a rural area with many multi-million dollar homes, extremely narrow roads, and public schools in the immediate vicinity.

Thanks in advance for honoring my request.

Antonio Romano
13682 Gilbride Lane
Clarksville MD 21029

Sayers, Margery

From: Jerry Tabelaing <wjtableing@aol.com>
Sent: Monday, November 06, 2017 7:48 AM
To: CouncilMail; Weinstein, Jon; cbbal@howardcountymd.gov; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg; Kittleman, Allan
Subject: Do NOT support CB60 Commercial Mulching Bill

Subject: Do NOT support CB60

Honorable Council Members,

I hereby respectfully ask that you NOT SUPPORT CB60 to be voted on this evening, Monday, Nov. 6th.

Trucking waste in and out for resale is a business and belongs only in the State of Maryland's industrial zoned properties M1/M2, NOT on farmland in Howard County, and certainly not in a rural area with many multi-million dollar homes, extremely narrow roads, and public schools in the immediate vicinity.

Thanks in advance for honoring my request.

*Jerry & Gail Tabelaing
13675 Gilbride Lane
Clarksville, MD 21029*

Jerry Tabelaing
443-506-3813 (c)
888-507-2268 (f)
wjtableing@aol.com

Sayers, Margery

From: Rob Surtis <rsurtis@gmail.com>
Sent: Monday, November 06, 2017 7:47 AM
To: Fox, Greg; Kittleman, Allan; Lazdins, Valdis; Levy, Joy; dcoyne@sha.state.md.us;
Weinstein, Jon; Ball, Calvin B; Terrasa, Jen; Sigaty, Mary Kay; CouncilMail
Subject: NO! to CB60 and Industrial Mulching

As a resident, father and voter, please vote against CB60. Your position on this issue will guide my future votes, political support and activism.

Regards,
Rob Surtis
Sent from my iPhone

On Oct 2, 2017, at 3:31 PM, Rob Surtis <rsurtis@gmail.com> wrote:

I'm writing again to voice my opposition to industrial mulching in Howard County. My family and I moved here to be away from this type of environment. **How would you feel if I planned on setting up this type of operation near your home and family?**

This issue needs to be fully heard, evaluated and worked out, not ram rodded through. I urge you to delay the vote, and seriously consider the below amendments:

1. **No NWWR on RR or RC in Howard County (no commercial sale of mulch, no large 3-axle/tractor trailer trucks carrying wood product in or mulch/logs off the farm).**
2. **No NWWR 'by right' on M1/M2. Appropriate control measures (i.e., covering of mulch piles, adequate distances/setbacks from residential communities/schools) need to be in place through Conditional Use hearing.**
3. **No Tier 2 materials of food waste, animal mortality or manure trucked onto the farm or M1/M2 for composting (only Tier 1 materials) and only use on/by/for the farm.**
4. **Maximum allowable and escalating fines permitted by the State of MD for continuous violators of current zoning regulations (need better deterrents given DPZ's inability or unwillingness to properly enforce these regulations to protect our communities).**

Resident, father & voter,
Rob Surtis
Woodbine, MD (yes, near the facility off Rt 94)

On Tue, Sep 5, 2017 at 8:31 AM, Rob Surtis <rsurtis@gmail.com> wrote:

Dear representative,

Thank you for your service to Howard County.

As a resident, father, and Howard County voter, I'm strongly opposed CB60 and industrial mulching in Howard County.

CB60 and industrial mulching in Howard County does not align with the reasons I moved and reside in Howard County. I live not far from the Woodbine site.

In addition to the quality of life issues (which I'll leave to Preserve Dayton and other concerned stakeholders) I would

like to express my view that from an economic development perspective this type of business is a dead end. It does not promote or maximize the overall potential economic growth and prosperity of Howard County and it's residents.

I'm not usually politically active. As a voter, be assured, I will promote candidates and representatives who are opposed to CB60 and industrial mulching, and work against those who are not.

Regards,
Rob Surtis
Woodbine, MD

Sayers, Margery

From: John Tegeris <johntegeris@gmail.com>
Sent: Sunday, November 05, 2017 9:55 PM
To: CouncilMail; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy; Peter Jensen; pwood@baltsun.com; mdzwonchyk@baltsun.com; aburnett@wjz.com; Kim Dacey; srorman@sbgvtv.com; bzumer@sbgvtv.com; ambarnett@sbgvtv.com; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris
Cc: Tim Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; James Nickel; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; <darbus37@gmail.com>; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; <bstrickland@wtplaw.com>; ST Balimtas; Michael Burns; Paul Retzbach; <fernandesgj@washpost.com>; Eric Goldberg; <benabili@hotmail.com>; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; <jthensel61@gmail.com>; Benjamin Lee; <joelhouck66@yahoo.com>; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawscases@gmail.com; Richard and Susan Taber; Marisa Montag; <estrickland@offitkurman.com>; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; <jmbovello@comcast.net>; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; <s.hensel@live.com>; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno
Subject: CB60: Thanks to All as We Head into the Legislative Vote on Nov 6

It's been a long, often challenging, road with many community meetings, County Council meetings, Mulch Task Force meetings, and meetings with the County Executive and DPZ. We've all worked hard to do our part and hopefully keep dangerous industrial processes off Howard County farmland. The safety and health risks are real. This has been my only agenda the entire time: to keep our families and our community safe. It seems a shame that as a community we've had to fight such an uphill battle to try to even the odds just to make that happen. I imagine that in an ideal world, our elected officials would do the same for us.

So, a huge Thank You to everyone for staying engaged through these past 4 years, and stepping up to be heard and seen when that's what was needed. Thank you for your time, thank you for your energy, and thank you for the sacrifices you made in order to do right by the community we've all chosen to be a part of.

Now it's time to let the County Council finish up the issue for now with their vote on Nov 6. It's fitting that the Council Chair will play such a critical role in the fate of this issue and the fate of Howard County's immediate future. From what I've seen, Council Member Weinstein has been engaged, reflective and thoughtful as both sides have presented their opinions, facts and arguments. With the title of Council Chair comes great responsibility, perhaps never more important given a Council that appears to be divided right down the middle on the fate of CB60. Regardless of the outcome, the future of CB60 will be an enduring part of each Council Member's legacy, like it or not.

I hope it's obvious to everyone, supporters and others, that we are not against farming. We are not against sustainable solutions that allow farmers to flourish. We don't live in rural Howard County because we took the land from anyone,

but because we choose to be in an area with an appreciation of farming and an understanding that we ALL are needed to make the community as a whole work.

For the sake of clarity, listed below are the amendments to CB60 that we feel are necessary in order to protect our families in a manner consistent with the protections now afforded to us under CB20-2014. Finally, it is important to note and interesting to remember that CB20 was passed by all Council Members voting in 2014, and had the support of our current County Executive. My, how times have changed.

Again, many thanks. Hope to see everyone tomorrow night for a strong turnout and to witness the events unfold firsthand.

John Tegeris, PhD
President, DRPS

CB60: Don't Defend It, Amend It!

CB60 Amendments Needed

In summary, here are our concerns that we want to make sure are handled with the amendments and the amendments to the amendments. Where we currently see language addressing the issue, or portions of the issue, is in brackets { }.

1. {A1A3} Limit truck size for NWWR and/or composting on all RR and RC including ALPP and MALPF.
 - a. No 3-axle trucks in/out
 - b. No tractor-trailers in/out
2. {A1A3} No commercial sale of mulch or compost: retail or wholesale.
3. {A5, A1A5, A2A5} Prohibit all Type 2 feedstock from being trucked in for composting.
 - a. Includes ALL food waste. Needs to be added - *A1A5 and A2A5 only addresses animal-based food waste*
 - b. Includes animal mortality
 - c. Includes manure
 - d. What exists on/for/by the farm is acceptable (animal mortality, manure produced on the farm)
 - e. This is a reasonable restriction. Even those abutting an Interstate (Brendel Bros, Brent Rutley) are only doing Type 1 feedstock (yard waste)

4. {A7} M1/M2 NWWR needs:

- a. Covering of the facility (not covering directly on the pile)
- b. Spraying while grinding
- c. Impermeable base, if possible
- d. These facilities will likely be much larger than on the farmland, and therefore need these restrictions to protect residents from primarily airborne risks, such as mulch dust and endospores

5. {A1A7} M1/M2 composting needs:

- a. Covering
- b. Impermeable base

6. No possible transfer station activity such as what is ongoing at Bonner/Oak Ridge. This activity is not allowed per CB20-2014, and will be somewhat mitigated by not allowing 3-axle trucks and tractor-trailers in/out, however DPZ is clearly unable to enforce this. As such, we need to make sure the appropriate zoning language is included in CB60 to prevent this type of activity from continuing on RR and RC, including ALPP and MALPF.

7. We are very concerned about what CB60 allows for NWWR where no MDE permit is required. The limits and rules for that type of activity are not clearly defined. As a minimum, CB60 should mirror State regulations to define restrictions and limitations on size and use of activity where no permit is needed.

As always, we are advocating FOR any activity that is truly on/by/for the farm.

Sayers, Margery

From: Carol Montgomery <freshwindblow@gmail.com>
Sent: Sunday, November 05, 2017 8:26 PM
To: CouncilMail; Kittleman, Allan
Subject: CB60...PROFIT over PEOPLE?

Dear Council Members and County Executive Kittleman,

CB 60 is a matter of LIFE and BREATH.

Or, is CB 60 a matter of PROFIT over PEOPLE?

You know people are already **taking advantage of farming tax breaks** by “following the rules” (e.g., Mr. Orndorff)—and not following the rules (e.g., Oak Ridge Farm). Commercial (i.e., industrial) mulch (& compost) production for profit poses more risks than benefits to the community of Dayton and ALL of Howard County. Please, stand up for what is right—people’s health and safety.

Facts:

1. We have read the letter from Hopkins’ medical expert Victor Velculescu, M.D., Ph.D. (Professor of Oncology and Pathology). In his letter to the council he reminded you all that wood dust (even in composting activities) is **carcinogenic**, plus mulching and composting can pose **health risks at SIGNIFICANT distances due to infectious agents**.
2. According to Dr. Harriet Burge, Chief Aerobiologist and Director of the Scientific Advisory Board of EMLab P&K, **“Fungal spores can be transported long distance and can survive for many (even hundreds) of years.”** (See article for references: https://www.emlab.com/s/sampling/env-report-06-2011.html#fungal_aerosols)
3. We have seen the school children waiting for buses and getting off of buses locally. And, we have seen an increase in heavy trucks on our rural Dayton roads. We have seen commercial buses and trucks crossing the yellow line (e.g., little Ten Oaks bridge). **We need fewer trucks, not more on our Dayton rural roads for safety reasons.** Commercial (i.e., industrial) mulching (and composting) will bring in more big trucks.
4. We have seen the aerial photos and progress of the Orndorff farm. There appears to be NO intent to farm crops on this ag preserve parcel in the middle of family homes. Mr. Orndorff is NOT a farmer and appears to be biding his time until he can “follow the rules,” do what he wants, and move his commercial mulching to Dayton—PROFIT over PEOPLE.

Would YOU want to live next to the proposed mulching project long-term? There’s a **cumulative effective to those hazardous exposures**. (I doubt that Mr. Orndorff would live on the site.)

Please, be PROACTIVE in protecting the health and safety of current and future Dayton and Howard County generations. It’s a matter of LIFE and BREATH.

Sincerely,

Alan and Carol Montgomery & family

Sayers, Margery

From: Karen Simpson <simpsoncbsr@aol.com>
Sent: Sunday, November 05, 2017 3:54 PM
To: CouncilMail
Subject: CB60

It is requested that you do not pass this CB60. It may not affect you and other citizens today, but it will be costly for our health, and our children's health, and in turn their children's health. It will be a very costly mistake for everybody. Please consider the future consequences of your actions today. My husband works on the pipeline and he says the liners that are proposed will break down and will allow leakage. Long term effects should be what you think of instead of granting the wishes of a person at your bank or who has the most influence. Do the right thing today for your children and grandchildren tomorrow. You should watch the movie "Erin Brockovich" and see what people are afraid of because this is what will inevitably happen.

I will pray your decisions are for future generations.

Karen Simpson
5230 Green Bridge Rd
Dayton, MD

Sent from my iPad

Sayers, Margery

From: jtbork1221 <jtbork1221@gmail.com>
Sent: Sunday, November 05, 2017 12:29 PM
To: jtbork1221; CouncilMail; Kittleman, Allan
Subject: RE: CB60-2017 (Mulching/Composting on AG land)

Updated to fix County Exec email address.

----- Original message -----

From: jtbork1221 <jtbork1221@gmail.com>
Date: 11/05/2017 12:23 PM (GMT-05:00)
To: councilmail@howardcountymd.gov, akittleman@howardcounty.gov
Subject: CB60-2017 (Mulching/Composting on AG land)

I have lived in Howard County my entire life. My parents live here as do my brother and sisters and their families. I went to St. Louis Catholic School and Glenelg High. My wife and I have built multiple homes in the county and continue to raise our kids and pay a lot of taxes here. Additionally, I work in Howard County and my wife and I voted for Mr. Kittleman who previously stated his objection/opposition to CB60. Our current residence is located off Roxbury Rd and I travel Howard and Ten Oaks Roads daily as do my wife and oldest son.

Howard County has been losing its rural appeal in the last number of years to increased traffic and sprawl. Just look at what is happening with the Rt. 32 expansion which only serves to increase the traffic/noise/safety issues through the western county by providing easy access from Carroll County and I70 for larger amounts of traffic, including truckers, to find a faster path to I95. Now we hear people within the council are considering approval of Mulching/Composting on AG designated land. AG designated land is intended to preserve the western county, not increase the commercialization/industrialization of that land. It has been noted, by experts involved, that toxins and antibiotic resistant bacteria/pathogens could enter our air and ground water, on which we in the western county rely. Additionally, the western rural roads can not handle the weight and size of the vehicles used in these operations...it becomes hazardous to drive these roads when these trucks barrel down narrow roads, crossing the centerline often.

We elect representatives to look out for the best interest of the residents of the county...to provide a safe and healthy place to live, work and raise our children. There is nothing about CB60 that provides a safer, healthier environment for its residents to live, work or raise their children. It only serves to impact the quiet enjoyment of our homes, impact our health and reduce our property values, which in turn, will reduce the taxes Howard County collects.

My wife and I object to CB60 and request the Council deny CB60 as drafted and modify it to prevent the various risks it presents to our county, its residents and environment.

Sincerely,

Jim and Lynne Borkowski
Roxbury Lake Dr.
Glenelg, MD 21737
443-621-0488

Sent from Samsung tablet

Sayers, Margery

From: wolfrinke@aol.com
Sent: Sunday, November 05, 2017 12:27 PM
To: CouncilMail
Subject: Do NOT support CB60

Honorable Council Members,
I hereby respectfully ask that you NOT SUPPORT CB60 to be voted on this coming Monday, Nov. 6th.

Trucking in and out waste for resale is a business and belongs only in the State of Maryland's industrial zoned properties M1/M2 and NOT on farmland in Howard County, certainly not in a rural area with many multi-million dollar homes, extremely narrow roads, and public schools in the immediate vicinity.

Thanks in advance for honoring my request.

Wolf

Dr. Wolf J. Rinke, RDN, CSP

Management Consultant, Executive Coach, Keynote Speaker, Seminar Leader and Author of several popular books including *"Don't Oil the Squeaky Wheel and 19 Other Contrarian Ways to Improve Your Leadership Effectivness"* (McGraw Hill).

Wolf Rinke Associates, Inc.

13621 Gilbride Lane, Clarksville, MD 21029, USA

Tel. 800-828-9653, 410-531-9280, Fax 410-531-9282

Email: WolfRinke@aol.com

Sayers, Margery

From: jtbork1221 <jtbork1221@gmail.com>
Sent: Sunday, November 05, 2017 12:23 PM
To: CouncilMail; akittleman@howardcounty.gov
Subject: CB60-2017 (Mulching/Composting on AG land)

I have lived in Howard County my entire life. My parents live here as do my brother and sisters and their families. I went to St. Louis Catholic School and Glenelg High. My wife and I have built multiple homes in the county and continue to raise our kids and pay a lot of taxes here. Additionally, I work in Howard County and my wife and I voted for Mr. Kittleman who previously stated his objection/opposition to CB60. Our current residence is located off Roxbury Rd and I travel Howard and Ten Oaks Roads daily as do my wife and oldest son.

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My wife and I object to CB60 and request the Council deny CB60 as drafted and modify it to prevent the various risks it presents to our county, its residents and environment.

Sincerely,

Jim and Lynne Borkowski
Roxbury Lake Dr.
Glenelg, MD 21737
443-621-0488

Sent from Samsung tablet

Sayers, Margery

From: Joanne Heckman <joanne.heckman@mdsierra.org>
Sent: Sunday, November 05, 2017 11:42 AM
To: Lorraine Tegeris
Cc: CouncilMail; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy; Peter Jensen; pwood@baltsun.com; mdzwonchyk@baltsun.com; aburnett@wjz.com; Kim Dacey; srorman@sbgvtv.com; bzumer@sbgvtv.com; ambarnett@sbgvtv.com; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; andrew.green@baltsun.com; John Tegeris; Tim Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; James Nickel; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; <darbus37@gmail.com>; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; <bstrickland@wtplaw.com>; ST Balimtas; Michael Burns; Paul Retzbach; <fernandesgj@washpost.com>; Eric Goldberg; <benabili@hotmail.com>; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; <jthensel61@gmail.com>; Benjamin Lee; <joelhouck66@yahoo.com>; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawwscales@gmail.com; Richard and Susan Taber; Marisa Montag; <estrackland@offitkurman.com>; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; <jmbovello@comcast.net>; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; <s.hensel@live.com>; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno
Subject: Re: CB60: Can We Pause the Fight for a Minute?

What the Sierra Club objects to is manufacturing on farmland. Industrial processing means importing raw material, altering it, and exporting finished products. It has nothing to do with farming. No farm is generating enough raw materials to export mulch (and that includes tree farms -- by definition tree farms sell whole trees, not lumber! They don't USE mulch OR generate it!)

Here are some examples of manufacturing: import wood waste, chip it, export mulch. Import bull-waste, age it, export compost. Import pig-ears, cook them, export baloney. Import red herrings, grind them up, export anchovy paste. You get the idea.

I'm expressing my personal opinion here. What I thought was most idiotic was testimony of these sorts:

1) "Mulch and compost are great for my farm!" Implication: without this bill, there will be no mulch on Earth!

Counterargument: You can already buy as much mulch and compost as you want anywhere you like. It's cheap and plentiful already.

2) "I have tree branches on my farm and I want to chip them"; and: "I ask my neighbors to bring their tree branches over because I need the mulch"; and: "I have a compost bin on my residential property for my leaves and coffee grounds". Implication: this is against the law without CB60!

Counterargument: The first case doesn't import material and the second case doesn't export it; the third case does neither. These cases are not what we're objecting to. No farm generates enough mulch or compost through its own operations to need a tractor-trailer to haul it away; no farm is in such need of mulch or compost that they need a tractor-trailer to deliver it, or even the raw materials for it. This puzzles Mary Kay Sigaty, but it shouldn't bewilder anyone else.

3) "Farmers can't make a living and we need to find other uses for farmland." Implication: we need manufacturing on farmland.

Counterargument: conditional uses cover a wide range of retail operations. I don't think we're arguing that a farmstand can't sell apple juice as well as apples. And some conditional uses don't even involve farming (snowball stands).

If a farmer can't make a living within these parameters, we have a problem, but not one that warrants changing the entire definition of agricultural land to fit the definition of some other zoning category, like manufacturing.

Mulching and composting only SOUND like agricultural activities. If you allow imports, processing, and exports, it's manufacturing. If you allow tracks, it's racing. If you allow betting, it's gambling. If you allow Walmart, it's commercial. If you allow Disneyland, it's disgusting. But it's not agricultural no matter how profitable it may be for the owner of agricultural land!! We're not giving up every zoning category in the

county just so every landowner can say "I have the right to do whatever I want on my property, from composting dead animals to enriching uranium! Yee-ha!"

End of editorial! The opinions expressed may or may not be those of the Sierra Club!

On Sat, Nov 4, 2017 at 9:29 PM, Lorraine Tegeris <lctegeris@gmail.com> wrote:

As the "mulch fight" nears its moment of truth with the legislative vote on November 6th, only one thing is clear to me: this "fight" is not just about mulch and compost.

Granted this is only my opinion, but it seems to me that both "sides" of this so-called battle actually want the same thing, and are actually afraid of the same thing.

What we all want: *What we think is best for our family and our community.*

I'm guessing that pro-mulchers (just a made up label to keep things simple) want to make sure that they have the means to provide a good living for their families, without outsiders trying to tell them how to run their business. And not just any outsiders, but outsiders who likely have no clue what it takes to make a successful living running a farming operation. On top of that, it seems to me that the pro-mulchers feel as though the anti-mulch outsiders (another made up label for the sake of simplicity) are trying to tell them what to do, and let's be real – no one likes being told what to do, especially by someone who doesn't seem to know what they're talking about.

On the other hand, anti-mulchers want to make sure that the water they drink, the air they breathe and the streets they wait for the school bus on are safe. They want to make sure they do everything they can to protect their children from cancer later in life (that's something I'm sure both "sides" want). The anti-mulchers believe that the proposed industrial mulching and composting operations will contaminate the groundwater, lower air quality, make the roads unsafe for walkers, joggers, cyclists and children waiting for their school buses, and will end up increasing their risk of getting cancer or persistent infections. They're also worried about mulch pile fires putting nearby residents and homes in jeopardy.

Looking at those two sides, I'm baffled that, as a group, we haven't been able to come up with a more workable solution than CB60: one that allows farmers to earn a great living that's sustainable through generations without creating potential health and safety risks for residents living nearby (I thought the solar energy solution was a good idea).

What we're all afraid of: *If this is allowed to happen, what horrible things will happen to us next?*

Again, just a guess, but the pro-mulchers may be thinking, if the anti-mulchers can tell me that I can't make a living mulching and composting now, what are they going to try and take away from me next?

While the anti-mulchers are thinking, if they're allowed to do industrial mulching and composting now, are smoke stacks next? I'm obviously being dramatic here, but hopefully you get the point.

So as this fight draws to a close, or at least to its next phase, I'm left wondering... What might have happened if we all had been able to set aside emotion and ego and direct our considerable collective time and energy towards finding a solution that addresses our common "want" and our common "fear"? What greatness could we have accomplished together for the future of Howard County?

We're all living on this planet together; we should try to get along. Maybe that could be our next step.

Thank you,

Lorraine Tegeris

Sayers, Margery

From: Donna Smeins Howard <daeva77@verizon.net>
Sent: Sunday, November 05, 2017 11:27 AM
To: CouncilMail; Kittleman, Allan
Subject: CB60

Dear Council Members,

I am writing to express my ongoing concern regarding CB60. As written and amended, CB60 does not protect the health and safety of the residents of Howard County. I do not believe due diligence has been applied to these health and safety concerns or the enforcement of zoning regulations. As written and amended, this bill provides many loopholes and ambiguities that will allow for unintended consequences at the cost of the health and safety of residents. I am very disappointed that this bill is even being considered for a vote and more disturbed that my vote may have helped elect some of you to office in the last election. My voting mistake can easily be rectified in the next election. However, voting yes for this bill cannot be easily rectified and will cause harm to the residents of the county. It is irresponsible to vote yes for a bill when you have not considered the medical implications attested to by medical professionals or when you have not developed a plan for enforcing zoning regulations. You are entrusted with protecting the health and safety of this county and for that reason, I am requesting that you vote no on CB60.

Donna Smeins Howard
daeva77@verizon.net
13839 Dayton Meadows Ct.
Dayton, MD 21036

Sayers, Margery

From: Heidi T <TroutFarm1@msn.com>
Sent: Sunday, November 05, 2017 10:27 AM
To: CouncilMail; Fox, Greg; Weinstein, Jon; Ball, Calvin B; Terrasa, Jen; Sigaty, Mary Kay
Cc: Kittleman, Allan
Subject: Vote on CB60

Dear Council Members,

I thank you all in advance for taking the time to read this email.

I have been a resident of Howard County for over 25 years. During that time, I have trusted the county leadership to make choices that will ensure the long term sustainability of this area. The vote tomorrow on CB60 concerns me.

On the surface, CB60 seems to address agricultural sustainability issues. Yet, it also affords commercial business entities ways to exploit county zoning policies for financial gains. RLO Contractors, Inc is one of those business entities. Bob Orndorff is not a farmer, he is a commercial business owner. He has absolutely no interest in farming other than exploiting our agricultural zoning laws to further his business interests. He is taking advantage of agriculture preservation tax benefits that should only be used to support actual Howard County farmers seeking to preserve the integrity of their agricultural properties. If you have seen the website for RLO Contractors, Inc., you would see that RLO is not an agricultural business. Here is a link to the site if you have not seen it:

<http://www.rlocontractors.com>

RLO Contractors "is a full-line residential and commercial excavating company that specializes in site development, land clearing, excavation and grading." RLO Contractors, Inc is a member of the Maryland Business Industry Association. I don't know many farmers who would bother to pay \$500+ to join an organization whose primary goal is to advocate for the home building industry, much less a farmer who would find that a practical expense or option. Trying to pawn off RLO Contractor's current, and future, industrial mulching activities as farming is ridiculous. I am pretty sure that if CB60 goes through without necessary amendments that RLO Contractors will be just one in a line of several, if not many, businesses that will seek to exploit agriculturally preserved farmlands in our county.

Allowing large business entities to exploit rural lands for financial gains is just one of the concerns I have about CB60. I am alarmed by the reputable health and environmental information that has been presented to the County Council regarding industrial mulching operations. I am also concerned about the ability of our DPZ to effectively regulate and uphold zoning laws that affect the health and wellbeing of residents. A current example, from February of this year, is when local residents had to point out infractions by RLO Contractors at their Dayton site that DPZ officials had missed during an inspection. Will residents have to act as unpaid volunteers for the DPZ to ensure they are kept safe from the unlawful activities of industrial businesses?

I hope the vote you cast for CB60 is with a clear conscience, and takes into consideration the health and safety of the people you seek to serve in Howard County and not just the financial interests of current and future large business owners. Your vote will set a precedent for the future of Howard County's diminishing rural

landscape. And it will set a precedent for how well the residents can trust our county leadership to look out for our best interests. I know my future votes will reflect my trust in you.

Thank you again for your consideration and time.

Sincerely,

Heidi Trout

3518 Rosemary Ln

Ellicott City, MD 21042

ph#410-531-8113

Sayers, Margery

From: Paul Retzbach <pretzbach@verizon.net>
Sent: Sunday, November 05, 2017 10:16 AM
To: johnteigeris@gmail.com; CouncilMail; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy; peter.jensen@baltsun.com; pwood@baltsun.com; mdzwonchyk@baltsun.com; aburnett@wjz.com; kdacey@hearst.com; sorman@sbgvtv.com; bzumer@sbgvtv.com; ambarnett@sbgvtv.com; theodore.f.mariani@me.com; rick.lober@gmail.com; brentloveless@aol.com; stukohn@verizon.net; sunnyside1998@aol.com; daytonsociety@gmail.com; velculescu@gmail.com; jabh@outlook.com; jeffandbhakti@hotmail.com; lctegeris@gmail.com; andrew.green@baltsun.com; newtips@baltimoresun.com; letters@washpost.com; wjzwebalert@cbs.com; newstips@wbaltv.com; newsroom@wmar.com
Cc: tmayer7@gmail.com; noman@caaflog.com; bethanyhooper2@gmail.com; thomas.bundy@lawrencebundy.com; danielol12832h@gmail.com; royleaw@gmail.com; lmarkovitz@comcast.net; buzysusan23@yahoo.com; dragonladye@verizon.net; jeocheltree@yahoo.com; erin@contemps.com; johnl.k.allen@me.com; arisdorfer@yahoo.com; tonybono25@yahoo.com; pmorrishome@verizon.net; pretzbach@gmail.com; Colleen_Retzbach@hcpss.org; ksr111@aol.com; lorahouck@me.com; tripkloser@verizon.net; cdostrom@yahoo.com; jtakintade@yahoo.com; cpshankar@me.com; james.nickel55@gmail.com; dmbanwarth@verizon.net; dave.kromer@tunnellgov.com; Sylvie.Leary@tunnellgov.com; ajs333@aol.com; drivinghorses@gmail.com; mkbucci@verizon.net; roberthscales@gmail.com; china_22@hotmail.com; katiefryhester@gmail.com; mike@crossenhomes.com; Patricia.soffen@gmail.com; joanne.heckman@mdsierra.org; darbus37@gmail.com; liljenwi@gmail.com; sharon.keeny@Inf.com; tilycog@comcast.net; cathydatz@yahoo.com; valentin@us.ibm.com; manseur@verizon.net; xu67@hotmail.com; rbtaber@gmail.com; philip.montag@honeywell.com; bstrickland@wtplaw.com; st@imt-pc.com; mp_burns@live.com; fernandesgj@washpost.com; egoldder@medicine.umaryland.edu; benabili@hotmail.com; rbovello@aol.com; paul@tanksdirect.com; michael.price@hmshost.com; dpl758@comcast.net; jaybhalani@yahoo.com; ajaysoodan@yahoo.com; jmathew@acidd.us; omgupta1@gmail.com; jthensel61@gmail.com; bshleemd@hotmail.com; joelhouck66@yahoo.com; tgshrader@verizon.net; sdwerlinich@aol.com; rawmlw@gmail.com; zhangz3z@gmail.com; wblehma@gmail.com; lm_valentine@yahoo.com; denisehowze@aol.com; hafida1@verizon.net; nhu67@hotmail.com; dianawwscales@gmail.com; sctaber@comcast.net; mmontag@verizon.net; estrickland@offitkurman.com; robinb@imt-pc.com; klynburns@gmail.com; cretzbach@verizon.net; dahngoldberg@hotmail.com; mmoney1159@comcast.net; jmbovello@comcast.net; deliavelculescu@yahoo.com; annette.lober1@gmail.com; rajput31@yahoo.com; kravalmel@yahoo.com; jyotiguptamd@gmail.com; s.hensel@live.com; cwerlin@umd.edu; paulandmirra@verizon.net; ostromsl@yahoo.com; karenkloser@verizon.net; laurielehman6@verizon.net; kf321jump@verizon.net; uvmass@verizon.net; joeav@verizon.net; randolphkruger@gmail.com
Subject: Say NO to Industrial Operations - Protect our Farms

Mr. Kittleman,

I implore you and the council members to listen to the neighbors that elected you to protect them and their interests - the interests of a large majority. I understand several of the council members won't be seeking re-election, so the assumption

by those watching from the side line is that they don't care. They are on their way out. However, if history is our teacher, we are at an important crossroads and the decisions taken might not just fade away with time.

Your website (<https://kittleman.com/everything-you-wanted-to-know-about-cb60zra180/>) articulates your position on CB60/ZRA180 in a way I unfortunately find misleading. Below is an excerpt from your website in which I have altered a couple of words in Red, but it says the same thing. **YES, ALPP properties CAN perform Industrial Mulching with a couple of conditions.**

Will CB60/ZRA180 permit industrial mulching on Agricultural Land Preservation Program (ALPP) Properties?

~~No.~~ **YES**

The proposed amendment ~~only~~ allows Natural Wood Waste Recycling Facilities ~~that~~ **provided they** have an MDE permit on ALPP Easements, ~~if they~~ are accessory to a tree farm and are able to obtain Conditional Use approval by the Hearing Authority through a public hearing.

Industrial operations belong on Industrial Zoned property. I see CB60/ZRA180 as an alteration to a previously agreed position between two parties. Property owners joined the ALPP under their own "choice". They would preserve the farmland under the rules and conditions presented and Howard County residents, via the County Council, would give them money. In order for this contract to be changed, shouldn't the residents agree to the conditions? Furthermore, if an agreement can't be found then the agreement should remain intact.

Today we do have a path to perform industrial mulching, composting, processing of food waste and animal carcasses. It is on Industrial Zoned Properties. If this was just for a farmer's own personal use, it would be a concern for myself.

What we seem to have is the threat of an industrial operation in which corporations will be shipping in truckloads of waste from surrounding counties/states onto locally "protected" farms. I am sorry if the money previously taken to join ALPP was done by a prior family member, prior owner, or just wasn't the deal someone expected. CB60/ZRA180 will change the previously agreed conditions and place more large vehicle traffic through our neighborhoods thus reducing roadway safety (my children), reduce air quality (my air), and jeopardize ground water tables (my drinking water).....All against my choice.

I really enjoyed reading the position from Lorainne Tegeris. Many of the great farmers looking to renegotiate the terms are also my neighbors. I want them to be successful in their farming endeavors. I get it and can't blame them for wanting to increase the marketability, and thus value, of their land. Surely there is a way to find common ground, as I find the current conditions being "renegotiated" against the best interests of the majority.

Keep us safe - from a concerned citizen,

Paul Retzbach
pretzbach@verizon.net

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

From: John Tegeris <johntegeris@gmail.com>
To: councilmail <councilmail@howardcountymd.gov>; Allan Kittleman <akittleman@howardcountymd.gov>; vlazdins <vlazdins@howardcountymd.gov>; agowan <agowan@howardcountymd.gov>; Peter Jensen <peter.jensen@baltsun.com>; pwood <pwood@baltsun.com>; mdzwonchyk <mdzwonchyk@baltsun.com>; aburnett <aburnett@wjz.com>; Kim Dacey <kdacey@hearst.com>; srorman <srorman@sbgvtv.com>; bzumer <bzumer@sbgvtv.com>; ambarnett <ambarnett@sbgvtv.com>; Ted Mariani <theodore.f.mariani@me.com>; Rick Lober/Annette <rick.lober@gmail.com>; Brent Loveless <brentloveless@aol.com>; Stu Kohn <stukohn@verizon.net>; Rob Long <sunnyside1998@aol.com>; Preserve Dayton <daytonsociety@gmail.com>; Velculescu Victor <velculescu@gmail.com>; Jeff Harp <jabh@outlook.com>; Jeff Harp <jeffandbhakti@hotmail.com>; Luv of My Life <lctegeris@gmail.com>; andrew.green <andrew.green@baltsun.com>; John Tegeris <johntegeris@gmail.com>

Cc: Tim Mayer <tmayer7@gmail.com>; Mike Navarre/Lynn <noman@caaflog.com>; Bethany Hooper <bethanyhooper2@gmail.com>; Rob Bundy <thomas.bundy@lawrencebundy.com>; Dan O'Leary <danielol12832h@gmail.com>; Andrew Royle <royleaw@gmail.com>; Lisa Markovitz <lmarkovitz@comcast.net>; Susan Garber <buzsususan23@yahoo.com>; Carol Jane Gray <dragonladye@verizon.net>; Ocheltree Janet <jeocheeltree@yahoo.com>; Erin Allen <erin@contemps.com>; John Allen <johnl.k.allen@me.com>; Al Risdorfer <arisdorfer@yahoo.com>; Bono Tony V <tonybono25@yahoo.com>; Paul Morris <pmorrhishome@verizon.net>; Paul Retzbach <pretzbach@gmail.com>; Colleen Retzbach <Colleen_Retzbach@hcpss.org>; Kristin Robertson <ksr111@aol.com>; Lora Houck <lorahouck@me.com>; Trip Kloser <tripkloser@verizon.net>; Craig Ostrom <cdostrom@yahoo.com>; Julius Tunji Akintade <jtakintade@yahoo.com>; Chelakara Shankar <cpshankar@me.com>; James Nickel <james.nickel55@gmail.com>; Banwarth Dave <dmbanwarth@verizon.net>; dave.kromer <dave.kromer@tunnellgov.com>; Sylvie Leary <Sylvie.Leary@tunnellgov.com>; Alan Schneider <ajs333@aol.com>; Paul Shoffeitt <drivinghorses@gmail.com>; Mike Bucci <mkbucci@verizon.net>; Robert Scales <roberthscales@gmail.com>; China Williams <china_22@hotmail.com>; Katie Hester <katiefryhester@gmail.com>; Mike <mike@crosenhomes.com>; Patricia Soffen <Patricia.soffen@gmail.com>; Joanne Heckman <joanne.heckman@mdsierra.org>; <darbus37@gmail.com> <darbus37@gmail.com>; Jennifer Bush <liljenwi@gmail.com>; SHARON KEENY <sharon.keeny@Inf.com>; tilycog <tilycog@comcast.net>; cathydatz <cathydatz@yahoo.com>; Richard Valentine <valentin@us.ibm.com>; Belkacem Manseur <manseur@verizon.net>; Alex Xu <xu67@hotmail.com>; Richard Taber <rctaber@gmail.com>; Phil Montag <philip.montag@honeywell.com>; <bstrickland@wtplaw.com> <bstrickland@wtplaw.com>; ST Balimtas <st@imt-pc.com>; Michael Burns <mp_burns@live.com>; Paul Retzbach <pretzbach@verizon.net>; <fernandesgj@washpost.com> <fernandesgj@washpost.com>; Eric Goldberg <egoldber@medicine.umaryland.edu>; <benabili@hotmail.com> <benabili@hotmail.com>; Rob Bovello <rbovello@aol.com>; Paul Robertson <paul@tanksdirect.com>; Michael Price <michael.price@hmshost.com>; Doug Lee <dpl758@comcast.net>; Jay and Santa Bhalani <jaybhalani@yahoo.com>; Ajay soodan <ajaysoodan@yahoo.com>; jmathew <jmathew@acidd.us>; Om Prakash Gupta <omgupta1@gmail.com>; <jthensel61@gmail.com> <jthensel61@gmail.com>; Benjamin Lee <bshleemd@hotmail.com>; <joelhouck66@yahoo.com> <joelhouck66@yahoo.com>; Ty Shrader <tgsrader@verizon.net>; sdwerlinich <sdwerlinich@aol.com>; Williams <rawmlw@gmail.com>; Z Zhang <zhangz3z@gmail.com>; Brian Lehman <wblehma@gmail.com>; Lisa Valentine <lm_valentine@yahoo.com>; Denise Howze <denisehowze@aol.com>; Hafida Manseur <hafida1@verizon.net>; Ning Hu <nhu67@hotmail.com>; dianawscases <dianawscases@gmail.com>; Richard and Susan Taber <sctaber@comcast.net>; Marisa Montag <mmontag@verizon.net>; <estrickland@offitkurman.com> <estrickland@offitkurman.com>; Robin Balimtas <robinb@imt-pc.com>; Kathy Burns <klynburns@gmail.com>; Home <cretzbach@verizon.net>; Dahna Goldberg <dahnagoldberg@hotmail.com>; Michelle Meney <mmeney1159@comcast.net>; <jmbovello@comcast.net> <jmbovello@comcast.net>; Delia Velculescu <deliavelculescu@yahoo.com>; Annette Lober <annette.lober1@gmail.com>; rajput31 <rajput31@yahoo.com>; Melissa and Larry Kramer <kravalmel@yahoo.com>; Jyoti Gupta <jyotiguptamd@gmail.com>; <s.hensel@live.com> <s.hensel@live.com>; Carol Werlinich <cwerlin@umd.edu>; Mirra Morris <paulandmirra@verizon.net>; Sally Ostrom <ostromsl@yahoo.com>; Karen K <karenkloser@verizon.net>; Laurie Lehman <laurielehman6@verizon.net>; kf321jump <kf321jump@verizon.net>; Paul Capodanno <uvmass@verizon.net>
Sent: Sat, Nov 4, 2017 1:01 am
Subject: CB60: DPZzzzzzzzz...Asleep at the Wheel

We're not holding our breath (we may, though, if the county allows food and animal waste in compost for industrial processing), but we really do think the Concerned Citizens core team that has helped DPZ with its enforcement mandate has earned the right to receive a Certificate of Appreciation from DPZ for outstanding service to help catch violators in the act. But don't take our word for it, see for yourself what transpired from Mar 9 - Apr 21, 2017 (attached document showing chronology of events, especially April 19 meeting summary), and all that we did to help them enforce their own zoning regulations in the face of blatant violations to CB20 ongoing at Bonner/Oak Ridge.

We could summarize the highlights from what is contained in the document, but think what we copied below tells the real story, one that is almost laughable if this weren't such a serious issue. Here you go, read for yourself and see if you agree that we had an impact on the outcome. We maintain that the burden should not be placed on residents to hold DPZ accountable to do the job they are paid and expected to do to protect the citizens of this county:

From DPZ letter dated March 9, 2017: *"In response to your complaint received...please be advised, a representative of this Division inspected the property on February 24, 2017. The inspection failed to reveal any violations of the regulations."*

From DPZ letter dated April 21, 2017 (after we supplied proof of ongoing unallowed activities): *"In response to your complaints received...a representative of this Division inspected the property on February 24, 2017. The inspection revealed the following violations of the Howard County Zoning Regulations..."*

County Executive Kittleman, who owns CB60, also must own DPZ's poor track record of enforcement for even the most blatant of violators. Last night you saw yet more proof, as the 5+ year journey of constant zoning violations continues on this parcel of MD ag farmland for Bonner/Oak Ridge, now extending to industrial soil processing.

Do the math. A bill (CB60) that allows for industrial mulching and composting with food/animal waste and many other loopholes + blatant violators with only a \$1,000 fine for years of operating a business with continuous zoning violations + an ineffective DPZ, incapable of enforcing its own zoning regulations with any consistency = safety and health risks for our children and families.

It is simple math that truly does equate to a recipe for disaster for families residing in Howard County nearby to these types of industrial processing facilities that will be popping up on farmland all over the county. All of this is unacceptable, and we will continue to fight no matter how long it takes.

Bottom line, keeping our families healthy and safe does require better leadership from the County Executive, Council Members who authored CB60, and DPZ leadership to protect our families. Please email County Executive Kittleman (akittleman@howardcountymd.gov) and the County Council (councilmail@howardcountymd.gov) to ask them to do a better job protecting you and your children.

Thank you for distributing to your network.

John Tegeris, PhD
President, DRPS

"CB60: Don't Defend It, Amend It!"
Your voice and your vote matter. Elections are drawing near.

Sayers, Margery

From: Emily Schweich <emilycschweich@gmail.com>
Sent: Sunday, November 05, 2017 10:06 AM
To: CouncilMail
Subject: Re: CB60: Concern about ground water pollution and fire hazards

Members of the Howard County Council,

I understand that CB60 has several amendments, but I am still extremely concerned about the pollution of groundwater and the health and safety of my family, the 1,000+ children who attend the **FOUR public schools within four miles** of the proposed Dayton mulching facility who rely on well water for their drinking water, and the hundreds of Howard County employees at who work at these four schools.

As a taxpayer, I think it is unfair that my tax dollars used to protect and preserve farmlands are provided to proprietors who intend to practice industrial operations, like the large-scale mulching operation proposed in Dayton. **These farmland preservation protections should have absolutely NO LOOPHOLES OR AMENDMENTS** that might allow industrial operations to cause health and safety concerns to area citizens and the 1,000+ children who attend public school nearby.

Thank your for your attention to this matter, and I appreciate your support and concern for the citizens and children of Howard County who rely on well water.

Best,

Emily Schweich

Emily Schweich

On Fri, Sep 8, 2017 at 8:07 PM, Terrasa, Jen <jterrasa@howardcountymd.gov> wrote:

Greetings,

Thank you for sharing your concerns with me on [Council Bill 60-2017 \(ZRA 180\)](#) regarding mulch/natural wood recycling and composting. We have received a lot of feedback on this bill, and I want you to know I take your concerns very seriously. Since you took the time to contact me regarding this legislation, I wanted to make sure to remind you that on Monday, September 11, 2017, the County Council will hold a Special Public Hearing beginning at 6pm to continue hearing testimony on CB60-2017 (ZRA 180) as well as CB61 and CB62 (our APFO legislation).

On Monday, July 17, 2017, the County Council held a public hearing on all [current legislation](#), including CB 60. Unfortunately, we had a very full agenda that evening and only got to the Administration's presentation of the bill and the testimony of the first 15 people, even though there were many more who had signed up. Because we were not able to hear from everyone who wanted to speak, we tabled CB 60, CB61, and CB62 and will continue hearing testimony at our Special Hearing on Monday, September 11, 2017 at the George Howard Building, [3430 Courthouse Drive, Ellicott City, MD 21043](#) beginning at 6pm. If you signed up to testify at the July 17 hearing but did not get to provide your testimony, you are automatically signed up to testify on September 11. If you haven't signed-up yet, you can still *sign-up using the [electronic sign-up](#) before the hearing. And as always, if you can't join us in person, the session will be televised on GTv or you can watch the sessions live or at your convenience online at [Watch Us](#).*

For your convenience, I have included information that was presented to the council regarding CB60 below.

- Presentation to the County Council on CB 60 at the County Council Monthly Meeting on Monday, July 10. To view the presentation or see the power point, click below:
 - [Watch the presentation](#)
 - [View the power point](#)
- Chart's comparing existing law on mulch and composting to what is being proposed:



Comparison – Natural Wood Waste

Natural Wood Waste Recycling				
	Current		CB 60	
	MDE Permit Not Required	MDE Permit Required	MDE Permit Not Required	MDE Permit Required
RC & RR	Accessory to a principal Farm	Conditional Use	Accessory to a principal Farm	Conditional Use - Up to 5 acres or 10 %
ALPP	Accessory to a principal Farm	Not Permitted	Accessory to a principal Farm	Not permitted unless accessory to a principal Tree Farming Use Only (Conditional Use) - Up to 2 acres or 15% of area actively farmed
M-1	By-Right	By-Right	By-Right	By-Right
M-2	By-Right	By-Right	By-Right	By-Right



Comparison- Composting

Composting						
	Current			CB 60 *		
	MDE Permit Not Required	MDE Tier I	MDE Tier II	MDE Permit Not Required	MDE Tier I or Tier II Small Permit	MDE Tier II Large Permit
RC & RR	Accessory to principal use	Conditional Use - only yard waste composting	Not Permitted	Accessory to principal use	By Permit - 3 acres accessory to a farm All Other - Conditional Use - Up to 5 acres or 10 %	Conditional Use - Up to 5 acres or 10 %
ALPP	Accessory to principal use	Not Permitted	Not Permitted	Accessory to principal use	By Permit - 3 acres accessory to a farm	Not Permitted
M-1	Accessory to principal use	Conditional Use - only yard waste composting	Not Permitted	Accessory to principal use	By-Right	Conditional Use
M-2	Accessory to principal use	Not Permitted	Not Permitted	Accessory to principal use	By-Right	By-Right
SW	Accessory to principal use	By-Right	Not Permitted	Accessory to principal use	By-Right	By-Right

HOWARD COUNTY GOVERNMENT, DEPARTMENT OF PLANNING AND ZONING

- Administration’s presentation and testimony on CB60 from July 17, can be seen by clicking [here](#). (To see the discussion of CB 60, scroll down in the index until you see CB 60 and then click on it or go to about 3:13 on the recording).

The work session for September legislation is Monday, September 25, 2017 at 4:30pm, and CB60 will most likely be on the agenda. Following this work session, a vote on September legislation, as well as tabled August legislation including CB 60, CB 61, and CB 62, is scheduled for Monday, October 2, 2017 at 7pm.

Throughout the various discussions on CB60 since its introduction, a number of amendments have been discussed. I look forward to hearing more details about these and to hearing the rest of the testimony on September 11. Again, thank you for sharing your thoughts with me. I will be sure to keep them in mind as we move forward on this issue.

All the best,

Jen

Jennifer Terrasa
 Councilwoman, District 3
 Howard County Council

[\(410\) 313-2001](tel:4103132001) jterrasa@howardcountymd.gov

“Like” my page on [Facebook](#) and follow me on [Twitter!](#)

From: Emily Schweich [mailto:emilycschweich@gmail.com]
Sent: Monday, July 17, 2017 8:42 AM
To: CouncilMail <CouncilMail@howardcountymd.gov>
Subject: CB60: Concern about ground water pollution and fire hazards

Members of the Howard County Council:

My family has lived in Glenelg for 18 years, and, like most of Western Howard County, we use well water as our water source. I am extremely concerned about the potential for additional groundwater pollution and local fire hazards that arise from protected farmlands being allowed to conduct industrial mulching on their land. Public schools in Western Howard County rely on well water, and there are TWO ELEMENTARY schools, ONE MIDDLE SCHOOL, and ONE HIGH SCHOOL located less than four miles away from the proposed mulching facility in Dayton, Maryland. (Dayton Oaks Elementary 2 miles; Triadelphia Ridge Elementary 3 miles; Folly Quarter Middle 2.9 miles; and Glenelg High 4 miles). Studies show that the runoff from industrial mulching facilities pollute groundwater, and my family and I are extremely concerned about the long-term health effects on our family and on the children who attend Howard County Public Schools that use well water. In addition, we have concerns about the potential for large fires that such a facility poses.

As a taxpayer, I think it is unfair that my tax dollars used to protect and preserve farmlands are provided to proprietors who are practicing industrial operations, like the large-scale mulching operation proposed in Dayton.

In addition, the current zoning language contained in CB60 not only puts the rural communities at risk for well-documented safety and health concerns from industrial mulching, but now also makes this a countywide issue.

As CB60 currently reads, clear loopholes will allow those posing as tree farmers to conduct industrial mulching activities from 2 acres up to 5 acres, depending on whether they are on Howard County ag (ALPP), RR or RC parcels. This will compromise the well-being of children, families and all individuals living in affected areas. Furthermore, DPZ has demonstrated a clear inability to enforce clear violators of CB20. How can DPZ protect our families when loopholes in CB60 will allow for industrial mulching to occur, making enforcement even more challenging?

CB60 was introduced on behalf of County Executive Allan Kittleman. In doing so, he has not upheld his campaign promise to ensure that there is no possibility of industrial mulching on both Howard County and State of MD ag preserve parcels, despite his recent claims to the contrary. There is no separate section in CB60 that deals with State of MD ag (MALPF) restrictions (only Howard County ag). Concerned Western Howard County residents worked hard to get State of MD ag restrictions included in the current zoning language for CB20, and we are disappointed that these restrictions were omitted from CB60.

There are many other key amendments needed in CB60 to make it acceptable to the health and well-being of thousands of families throughout Howard County. We are counting on the County Council to course correct with amendments added to CB60 to clearly prevent any chance of industrial mulch facilities from operating throughout

farmland in Howard County, other than in M1/M2 commercially zoned land. This is the only way our Council members will ensure everyone in potentially affected areas continues to be protected by current zoning regulations defined in CB20. Please take this matter seriously and add needed amendments to CB60 to protect the health and well-being of Howard County residents.

Thank you for your attention to this matter,

Emily Schweich

Sayers, Margery

From: Lori Schweich <schweich3@comcast.net>
Sent: Sunday, November 05, 2017 9:08 AM
To: CouncilMail
Subject: PLEASE READ BEFORE NOV. 6 VOTE AND PROTECT HoCo CITIZENS AND CHILDREN

Members of the Howard County Council,

I understand that CB60 has several amendments, but I am still extremely concerned about the pollution of groundwater and the health and safety of my family, the 1,000+ children who attend the **FOUR public schools within four miles** of the proposed Dayton mulching facility who rely on well water for their drinking water, and the hundreds of Howard County employees at who work at these four schools.

As a taxpayer, I think it is unfair that my tax dollars used to protect and preserve farmlands are provided to proprietors who intend to practice industrial operations, like the large-scale mulching operation proposed in Dayton. **These farmland preservation protections should have absolutely NO LOOPHOLES OR AMENDMENTS** that might allow industrial operations to cause health and safety concerns to area citizens and the 1,000+ children who attend public school nearby.

Thank your for your attention to this matter, and I appreciate your support and concern for the citizens and children of Howard County who rely on well water.

Lori Schweich

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

From: Lori Schweich <schweich3@comcast.net>

To: councilmail@howardcountymd.gov

Date: July 15, 2017 at 7:49 PM

Subject: Concern about Ground Water Pollution and Fire Hazzard with Passage of CB60 Without Major Amendments

Members of the Howard County Council,

My family has lived in Glenelg for 18 years, and, like most of Western Howard County, we use well water as our water source. I am extremely concerned about the potential for additional groundwater pollution and local fire hazards that arise from protected farmlands being allowed to conduct industrial mulching on their land. Public schools in Western Howard County rely on well water, and there are TWO ELEMENTARY schools, ONE MIDDLE SCHOOL, and ONE HIGH SCHOOL located less than four miles away from the proposed mulching facility in Dayton, Maryland. (Dayton Oaks Elementary 2 miles; Triadelphia Ridge Elementary 3 miles; Folly Quarter Middle 2.9 miles; and Glenelg High 4 miles). Studies show that the runoff from industrial mulching facilities pollute groundwater, and my family and I are extremely concerned about the long-term health effects on our family and on the children who attend Howard County Public Schools that use well water. In addition, we have concerns about the potential for large fires that such a facility poses.

In addition, we are very concerned with CB60 which will allow for industrial mulching and composting on ag preserve farmland and on all of RR/RC throughout Howard County. The current zoning language contained in CB60 is unacceptable and not only puts the rural communities at risk for well-documented safety and health concerns from industrial mulching, but now also makes this a countywide issue.

As it currently reads, there are clear loopholes that will allow those posing as tree farmers to conduct industrial mulching activities from 2 acres up to 5 acres, depending on whether on Howard County ag (ALPP), RR or RC parcels. This will result in unacceptable risks to ensuring the well-being of children, families and all individuals living in affected areas. Furthermore, DPZ has demonstrated a clear inability to enforce clear violators of CB20. We now ask, how can DPZ protect our families when loopholes in CB60 will allow for industrial mulching to occur, making enforcement even more challenging?

County Executive Kittleman, through CB60 introduced on his behalf, has simply not kept to his campaign promise to ensure that there is no

possibility of industrial mulching on both Howard County and State of MD ag preserve parcels, despite his recent claims to the contrary. There is no separate section in CB60 that deals with State of MD ag (MALPF) restrictions (only Howard County ag). We worked hard to get State of MD ag restrictions included in the current zoning language for CB20 and are disappointed that it has been omitted from CB60.

There are many other key amendments needed in CB60 to make it acceptable to the health and well-being of thousands of families throughout Howard County. We are counting on the County Council to course correct with amendments added to CB60 to clearly prevent any chance of industrial mulch facilities from operating throughout farmland in Howard County, other than in M1/M2 commercially zoned land. This is the only way our Council members will ensure everyone in potentially affected areas continues to be protected by current zoning regulations defined in CB20. Please take this matter seriously and add needed amendments to CB60 that we feel is unacceptable as it now stands.

Thank you for your attention to this matter,

Lori Schweich

Sayers, Margery

From: China Williams <china_22@hotmail.com>
Sent: Sunday, November 05, 2017 9:02 AM
To: Lorraine Tegeris; CouncilMail; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy; Peter Jensen; pwood@baltsun.com; mdzwonchyk@baltsun.com; aburnett@wjz.com; Kim Dacey; srorman@sbgvtv.com; bzumer@sbgvtv.com; ambarnett@sbgvtv.com; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; andrew.green@baltsun.com; John Tegeris
Cc: Tim Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; James Nickel; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; <darbus37@gmail.com>; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; <bstrickland@wtplaw.com>; ST Balimtas; Michael Burns; Paul Retzbach; <fernandesgj@washpost.com>; Eric Goldberg; <benabili@hotmail.com>; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; <jthensel61@gmail.com>; Benjamin Lee; <joelhouck66@yahoo.com>; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawscases@gmail.com; Richard and Susan Taber; Marisa Montag; <estrickland@offitkurman.com>; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; <jmbovello@comcast.net>; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; <s.hensel@live.com>; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno
Subject: Re: CB60: Can We Pause the Fight for a Minute?

Great perspective, Lorraine! Thanks for sharing. I was just discussing this issue yesterday and someone provided a very similar insight.

Here is a paraphrasing of her assessment: This debate comes down to risk and benefit. For the residents who don't have farms, there is little to no benefit to allowing an activity with such health and safety risks. For the farmers, the benefits potentially outweigh the risks.

I have a few questions for the community to consider as we move past the vote:

- Can newcomers, residents, and farmers come together to help build understanding on a variety of matters (not just mulching)? What is the best way to do that?
- If CB-60 passes, what safety controls should individual residents take to monitor and safeguard their wells, air quality, etc?
- If CB-60 passes, what safeguards or assistance with safeguards will the county provide us?

Thanks for listening.
China Williams

Connect: www.facebook.com/ChinaWilliamsfor5

Contribute: chinawilliams.com/donate



By Authority: Friends of China Williams. Lucie Geinzer, Treasurer

From: Lorraine Tegeris <lctegeris@gmail.com>

Sent: Sunday, November 5, 2017 1:29 AM

To: councilmail@howardcountymd.gov; Allan Kittleman; vlazdins@howardcountymd.gov; agowan@howardcountymd.gov; Peter Jensen; pwood@baltsun.com; mdzwonchyk@baltsun.com; aburnett@wjz.com; Kim Dacey; sorman@sbgvtv.com; bzumer@sbgvtv.com; ambarnett@sbgvtv.com; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris

Cc: Tim Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; James Nickel; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; <darbus37@gmail.com>; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; <bstrickland@wtplaw.com>; ST Balimtas; Michael Burns; Paul Retzbach; <fernandesgj@washpost.com>; Eric Goldberg; <benabili@hotmail.com>; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; <jthensel61@gmail.com>; Benjamin Lee; <joelhouch66@yahoo.com>; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawscales@gmail.com; Richard and Susan Taber; Marisa Montag; <estrickland@offitkurman.com>; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; <jmbovello@comcast.net>; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; <s.hensel@live.com>; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno

Subject: CB60: Can We Pause the Fight for a Minute?

As the "mulch fight" nears its moment of truth with the legislative vote on November 6th, only one thing is clear to me: this "fight" is not just about mulch and compost.

Granted this is only my opinion, but it seems to me that both "sides" of this so-called battle actually want the same thing, and are actually afraid of the same thing.

What we all want: *What we think is best for our family and our community.*

I'm guessing that pro-mulchers (just a made up label to keep things simple) want to make sure that they have the means to provide a good living for their families, without outsiders trying to tell them how to run their business. And not just any outsiders, but outsiders who likely have no clue what it takes to make a successful living running a farming operation. On top of that, it seems to me that the pro-mulchers feel as though the anti-mulch outsiders (another made up label for the sake of simplicity) are trying to tell them what to do, and let's be real – no one likes being told what to do, especially by someone who doesn't seem to know what they're talking about.

On the other hand, anti-mulchers want to make sure that the water they drink, the air they breathe and the streets they wait for the school bus on are safe. They want to make sure they do everything they can to protect their children from cancer later in life (that's something I'm sure both "sides" want). The anti-mulchers believe that the proposed industrial mulching and composting operations will contaminate the groundwater, lower air quality, make the roads unsafe for walkers, joggers, cyclists and children waiting for their school buses, and will end up increasing their risk of getting cancer or persistent infections. They're also worried about mulch pile fires putting nearby residents and homes in jeopardy.

Looking at those two sides, I'm baffled that, as a group, we haven't been able to come up with a more workable solution than CB60: one that allows farmers to earn a great living that's sustainable through generations without creating potential health and safety risks for residents living nearby (I thought the solar energy solution was a good idea).

What we're all afraid of: *If this is allowed to happen, what horrible things will happen to us next?*

Again, just a guess, but the pro-mulchers may be thinking, if the anti-mulchers can tell me that I can't make a living mulching and composting now, what are they going to try and take away from me next?

While the anti-mulchers are thinking, if they're allowed to do industrial mulching and composting now, are smoke stacks next? I'm obviously being dramatic here, but hopefully you get the point.

So as this fight draws to a close, or at least to its next phase, I'm left wondering... What might have happened if we all had been able to set aside emotion and ego and direct our considerable collective time and energy towards finding a solution that addresses our common "want" and our common "fear"? What greatness could we have accomplished together for the future of Howard County?

We're all living on this planet together; we should try to get along. Maybe that could be our next step.

Thank you,
Lorraine Tegeris

Sayers, Margery

From: Joe Morrone <tttrarj@aol.com>
Sent: Sunday, November 05, 2017 8:06 AM
To: CouncilMail
Subject: CB60

Dear Madam or Sir,

I am a resident of western Howard County.

Please do the right thing and amend CB60 to prohibit industrial processing of any kind on RR and RC in Howard County!

Joseph A. Morrone

Sayers, Margery

From: Laura Halsor <lshalsor@gmail.com>
Sent: Saturday, November 04, 2017 11:19 PM
To: CouncilMail
Subject: CB60

Please do not pass this bill! VOTE NO to industrial mulching in Howard County. Our lives depend on it!

Jack and Laura Halsor

Sent from my iPad

Sayers, Margery

From: Lorraine Tegeris <lttegeris@gmail.com>
Sent: Saturday, November 04, 2017 9:30 PM
To: CouncilMail; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy; Peter Jensen; pwood@baltsun.com; mdzwonchyk@baltsun.com; aburnett@wjz.com; Kim Dacey; srorman@sbgvtv.com; bzumer@sbgvtv.com; ambarnett@sbgvtv.com; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris
Cc: Tim Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; James Nickel; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; <darbus37@gmail.com>; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; <bstrickland@wtplaw.com>; ST Balimtas; Michael Burns; Paul Retzbach; <fernandesgj@washpost.com>; Eric Goldberg; <benabili@hotmail.com>; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; <jthensel61@gmail.com>; Benjamin Lee; <joelhouck66@yahoo.com>; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawscases@gmail.com; Richard and Susan Taber; Marisa Montag; <estrickland@offitkurman.com>; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; <jmbovello@comcast.net>; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; <s.hensel@live.com>; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno
Subject: CB60: Can We Pause the Fight for a Minute?

As the "mulch fight" nears its moment of truth with the legislative vote on November 6th, only one thing is clear to me: this "fight" is not just about mulch and compost.

Granted this is only my opinion, but it seems to me that both "sides" of this so-called battle actually want the same thing, and are actually afraid of the same thing.

What we all want: *What we think is best for our family and our community.*

I'm guessing that pro-mulchers (just a made up label to keep things simple) want to make sure that they have the means to provide a good living for their families, without outsiders trying to tell them how to run their business. And not just any outsiders, but outsiders who likely have no clue what it takes to make a successful living running a farming operation. On top of that, it seems to me that the pro-mulchers feel as though the anti-mulch outsiders (another made up label for

the sake of simplicity) are trying to tell them what to do, and let's be real – no one likes being told what to do, especially by someone who doesn't seem to know what they're talking about.

On the other hand, anti-mulchers want to make sure that the water they drink, the air they breathe and the streets they wait for the school bus on are safe. They want to make sure they do everything they can to protect their children from cancer later in life (that's something I'm sure both "sides" want). The anti-mulchers believe that the proposed industrial mulching and composting operations will contaminate the groundwater, lower air quality, make the roads unsafe for walkers, joggers, cyclists and children waiting for their school buses, and will end up increasing their risk of getting cancer or persistent infections. They're also worried about mulch pile fires putting nearby residents and homes in jeopardy.

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So as this fight draws to a close, or at least to its next phase, I'm left wondering... What might have happened if we all had been able to set aside emotion and ego and direct our considerable collective time and energy towards finding a solution that addresses our common "want" and our common "fear"? What greatness could we have accomplished together for the future of Howard County?

We're all living on this planet together; we should try to get along. Maybe that could be our next step.

Thank you,

Sayers, Margery

From: John Tegeris <johntegeris@gmail.com>
Sent: Saturday, November 04, 2017 1:01 AM
To: CouncilMail; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy; Peter Jensen; pwood@baltsun.com; mdzwonchyk@baltsun.com; aburnett@wjz.com; Kim Dacey; srorman@sbgvtv.com; bzumer@sbgvtv.com; ambarnett@sbgvtv.com; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris
Cc: Tim Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; James Nickel; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Buccic; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; <darbus37@gmail.com>; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; <bstrickland@wtplaw.com>; ST Balimtas; Michael Burns; Paul Retzbach; <fernandesgj@washpost.com>; Eric Goldberg; <benabili@hotmail.com>; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; <jthensel61@gmail.com>; Benjamin Lee; <joelhouck66@yahoo.com>; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawscases@gmail.com; Richard and Susan Taber; Marisa Montag; <estrickland@offitkurman.com>; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; <jmbovello@comcast.net>; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; <s.hensel@live.com>; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno
Subject: CB60: DPZzzzzzzzz...Asleep at the Wheel
Attachments: BonnerOak Ridge 2017 Zoning Violations .pdf

We're not holding our breath (we may, though, if the county allows food and animal waste in compost for industrial processing), but we really do think the Concerned Citizens core team that has helped DPZ with its enforcement mandate has earned the right to receive a Certificate of Appreciation from DPZ for outstanding service to help catch violators in the act. But don't take our word for it, see for yourself what transpired from Mar 9 - Apr 21, 2017 (attached document showing chronology of events, especially April 19 meeting summary), and all that we did to help them enforce their own zoning regulations in the face of blatant violations to CB20 ongoing at Bonner/Oak Ridge.

We could summarize the highlights from what is contained in the document, but think what we copied below tells the real story, one that is almost laughable if this weren't such a serious issue. Here you go, read for yourself and see if you agree that we had an impact on the outcome. We maintain that the burden should not be placed on residents to hold DPZ accountable to do the job they are paid and expected to do to protect the citizens of this county:

From DPZ letter dated March 9, 2017: *"In response to your complaint received...please be advised, a representative of this Division inspected the property on February 24, 2017. The inspection failed to reveal any violations of the regulations."*

From DPZ letter dated April 21, 2017 (after we supplied proof of ongoing unallowed activities): *"In response to your complaints received...a representative of this Division inspected the property on February 24, 2017. The inspection revealed the following violations of the Howard County Zoning Regulations..."*

County Executive Kittleman, who owns CB60, also must own DPZ's poor track record of enforcement for even the most blatant of violators. Last night you saw yet more proof, as the 5+ year journey of constant zoning violations continues on this parcel of MD ag farmland for Bonner/Oak Ridge, now extending to industrial soil processing.

Do the math. A bill (CB60) that allows for industrial mulching and composting with food/animal waste and many other loopholes + blatant violators with only a \$1,000 fine for years of operating a business with continuous zoning violations + an ineffective DPZ, incapable of enforcing its own zoning regulations with any consistency = safety and health risks for our children and families.

It is simple math that truly does equate to a recipe for disaster for families residing in Howard County nearby to these types of industrial processing facilities that will be popping up on farmland all over the county. All of this is unacceptable, and we will continue to fight no matter how long it takes.

Bottom line, keeping our families healthy and safe does require better leadership from the County Executive, Council Members who authored CB60, and DPZ leadership to protect our families. Please email County Executive Kittleman (akittleman@howardcountymd.gov) and the County Council (councilmail@howardcountymd.gov) to ask them to do a better job protecting you and your children.

Thank you for distributing to your network.

John Tegeris, PhD
President, DRPS

"CB60: Don't Defend It, Amend It!"

Your voice and your vote matter. Elections are drawing near.



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Valdis Lazdins, Director

www.howardcountymd.us
FAX 410-313-3467
TDD 410-313-2323

March 9, 2017

Robert Long, Jr.
Leslie Long
2701 Woodbine Road
Woodbine, MD 21797

RE: CE 17-012; 2700 Woodbine Road

Dear Mr. & Mrs. Long:

In response to your complaint received January 23, 2017 and January 27, 2017 concerning the above mentioned property, please be advised, a representative of this Division inspected the property on February 24, 2017. The inspection failed to reveal any violations of the regulations. The activity that is occurring on the property is accessory to the principle use (tree farm) per the definition of "Farming" found in Section 103.0.Farming.h. As no violations of the Howard County Zoning Regulations were observed, there is no cause for further action by this Department and the case is being closed.

If you are interested in reviewing the case file for more details, please submit a written request to me at 3430 Court House Drive Ellicott City, MD 21043 or via email to alarose@howardcountymd.gov.

Thank you for referring this matter to the Division of Public Service and Zoning Administration. If you have any questions, please contact me or Inspector Tamara Frank at (410) 313-2350.

Sincerely,

Anthony N. LaRose, Zoning Supervisor
Division of Public Service and
Zoning Administration

YOU HAVE THE RIGHT TO APPEAL THIS DECISION TO THE HOWARD COUNTY BOARD OF APPEALS HEARING EXAMINER WITHIN 30 DAYS. ADMINISTRATIVE APPEAL PETITIONS MAY BE OBTAINED FROM THE DEPARTMENT OF PLANNING AND ZONING, 3430 COURTHOUSE DRIVE, ELLICOTT CITY, MD (410) 313-2350 OR ONLINE AT WWW.HOWARDCOUNTYMD.GOV

ANL:taf

March 12, 2016

County Executive Kittleman,

I just read the March 9 letter detailing the DPZ finding that no zoning violations were observed at the Bonner/Oak Ridge property after their Feb 24th inspection. The letter stated that "the activity that is occurring on the property is accessory to the principal use (tree farm) per the definition of farming...As no violations of the Howard County Regulations were observed, there is no cause for further action by this Department and the case is being closed."

As documented in multiple photographs that we have taken (including the photos we sent you earlier this week), we know that is not an accurate description of what is actually taking place at Bonner/Oak Ridge on days that the facility is not being inspected. Among other things, these photos clearly show large amounts of woodstock being imported onto the farm, as opposed to originating on the farm itself.

To put it bluntly, this is an unacceptable situation that goes against what you promised to the residents of Howard County during your election campaign in 2014. As part of your election campaign you declared that you were strongly opposed to industrial processing on ag preserve farmland, and you promised that this type of activity would absolutely not be allowed in Howard County. We rallied behind you on the basis of that promise.

As a community, we worked very hard to see CB-20 passed, and with the invaluable help of Dr. Calvin Ball and Mr. Greg Fox, we saw to it that the bill encompassed both Howard County and State of MD ag preserve farmland. We have not changed our mind about the importance of keeping industrial processing off of ag preserve land. At this point, however, given the finding of "no violation" at a facility that is currently under Consent Order for unapproved industrial operations that have recently been observed and photographed, we are concerned that after two additional years of work with the Mulch Task Force, the draft ZRA soon being released by DPZ will not protect the health and safety of the residential communities as CB-20 now does.

DPZ reports directly to you as county executive, which, in our opinion puts responsibility for this situation squarely on your shoulders. We consider this to be a very serious matter and a precedent we simply cannot allow to happen without organized and strenuous opposition on our part. The community came together in forceful objection to industrial processing on ag preserve farmland at the time of your election, and we are prepared to again come together to ensure that the work we did with Dr. Ball and Mr. Fox remains in place to keep our community safe.

It may be that, given your many priorities throughout the county, this situation has escaped your notice. It has not, however, escaped ours. We would be grateful if you would make time in your schedule to meet with us at your earliest convenience.

Best,
John Tegeris, PhD
President, DRPS
cell: [301-996-5102](tel:301-996-5102)



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Valdis Lazdins, Director

www.howardcountymd.us

FAX 410-313-3467

TDD 410-313-2323

March 15, 2017

Robert Long, Jr.
Leslie Long
2701 Woodbine Road
Woodbine, MD 21797

RE: CE 17-012; 2700 Woodbine Road

Dear Mr. & Mrs. Long:

Please be advised, the letter closing the case was sent prematurely. **This case remains open**, and the issues raised in your complaints are still being studied by this Department. I apologize for any inconvenience.

If you are interested in reviewing the case file for more details, please submit a written request to me at 3430 Court House Drive Ellicott City, MD 21043 or via email to alarose@howardcountymd.gov.

Thank you for referring this matter to the Division of Public Service and Zoning Administration. If you have any questions, please contact me or Inspector Tamara Frank at (410) 313-2350.

Sincerely,

Anthony N. LaRose, Zoning Supervisor
Division of Public Service and
Zoning Administration

ANL:taf

March 24, 2017

County Executive Kittleman,

Hope all is well. We thought it worth a moment of your time to review the attached follow up letter from Rob Long who represents many families from Woodbine that are a part of the complaint filed with DPZ regarding industrial processing activities ongoing on Mr. Bonner's Oak Ridge ag preserve parcel.

Although we are pleased that the case was reopened due to a mistake to close it prematurely, we remain very concerned that, as evident in the attached photo of recent activity from earlier this week, Mr. Bonner continues to truck in woodstock in large quantities on a continual basis for industrial processing at Oak Ridge. As stated in my previous correspondence to you, this is clearly not allowed based on CB-20 zoning restrictions and the related Consent Order that was issued to Mr. Bonner for Oak Ridge. It is astonishing how a businessman that has a majority ownership interest in the industrial mulching operation Recycled Green which he founded in 2004 (also in Woodbine/Carroll County), who has exploited the ag preserve program, has been allowed to go essentially unchecked by Howard County/DPZ for the past five years to conduct industrial processing activities with no authority to do so. It is a travesty that these industrial activities have amounted to a total in only \$1,000 in fines from Howard County throughout the entire five year period where no conditional use has been granted for any such activities whatsoever.

After three years representing rural communities and related community organizations across the County (i.e., CCWHC, HCCA, DRPS) who have banded together in opposition to industrial processing activities operating on ag preserve farmland due to the well-documented health, safety and environmental risks, we remain extremely concerned about the lack of DPZ enforcement when action is certainly warranted. As some of the attached letter points out, there is also countywide concern about selective DPZ enforcement discretion that is showing clear partiality to some at the expense of others. This is not acceptable.

We still await communication from Ms. Meek to find a good date/time to speak with you and we stand ready to meet soon to further discuss the situation (in attendance will be Ted Mariani, Rick Lober, Stu Kohn, Brent Loveless and myself). We are concerned but hopeful that this unfortunate situation has drawn your attention to the bigger issue regarding the upcoming final ZRA draft which must protect ag preserve farmland from being purchased on the cheap only to conduct industrial operations that pose health and safety risks to the rural communities that are nearby to such industrial activities. Along these lines, please see the attached presentation from MDE colleague Jeff Harp that presents startling facts from industrial mulch facilities in NY and elsewhere in the US that created significant health risks (heavy metals groundwater contamination) for neighboring rural communities that are on well water.

We cannot and will not allow a dangerous precedent of this serious nature to be set on any ag preserve farmland in our great County. We will stay vigilant and committed to oppose industrial activities on ag preserve farmland on behalf of our large support base and count on the language in the pending mulching and composting ZRA to be reflective of your clear campaign promise to keep these types of industrial operations off ag preserve farmland so that the welfare of the families, both children and adults, is not put

at risk. We look forward to seeing you again soon to openly discuss these matters before we will need to turn our attention to the County Council in preparation for the eventual vote on the ZRA by the Council members. Thank you for giving this matter the attention it now deserves.

Best,
John Tegeris, PhD
President, DRPS
cell: [301-996-5102](tel:301-996-5102)

April 19, 2017

Meeting with County Executive Kittleman and DPZ Director Lazdins

The Concerned Citizens Group met with County Executive Kittleman and DPZ Director Lazdins to ensure that the bill coming out further to the Mulch Task Force meetings would prevent industrial mulching and composting of any kind on the farmland, especially on Howard County and MD ag preserve.

The Concerned Citizens Group included Ted Mariani/CCWHC, Rick Lober/County Executive Rep, Mulch Task Force, Stu Kohn/HCCA, Brent Loveless/District 3, Rob Long/Woodbine, and John Tegeris/DRPS.

We presented photos confirming the ongoing industrial processing activities (land clearing debris transfer station, mulch piles, and 3-axle tractor-trailer trucks coming in and out of the facility, as well as industrial processing activities going on after dark). These photos were presented by us accompanied by a call to action to swiftly enforce these violations.

At this meeting, Director Lazdins told us “it is hard to catch violators in the act” (what a surprise when inspections are given advance notice, as in this case with the Bonner/Oak Ridge violations). Maybe that explains the lack of willingness (or lack of ability) to enforce even the most blatant violations of the zoning regulations, even though those violations were ongoing for years.



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Valdis Lazdins, Director

www.howardcountymd.us

FAX 410-313-3467

TDD 410-313-2323

April 21, 2017

Robert & Leslie Long
2701 Woodbine Road
Woodbine, MD 21797

RE: CE 17-12
2700 Woodbine Road
Woodbine, MD 21797

Dear Mr. & Mrs. Long:

In response to your complaints received January 23, January 27 and March 6, 2017 concerning the business operating at 2700 Woodbine Road, a representative of this Division inspected the property on February 24, 2017. The inspection revealed the following violations of the Howard County Zoning Regulations:

Operation of a land clearing debris transfer station and/or sawmill, including the storage of related equipment and materials on RC (Rural Conservation) zoned property.

A zoning violation case was opened for this property and a Zoning Violation Notice was issued on April 20, 2017. Should the violations not be corrected in a timely manner, the County will pursue enforcement actions that include referring the case to the Howard County Hearing Examiner where civil fines of \$250 to \$500 per day may be imposed or referring the case to the Office of Law Seeking an injunction in the District Court.

Thank you for referring this matter to the Division of Public Service and Zoning Administration. If you have any questions concerning this case, please contact me at (410) 313-2350.

Sincerely,

Anthony N. LaRose,
Zoning Supervisor
Division of Public Service and
Zoning Administration

ANL:al.viol

Sayers, Margery

From: stukohn@verizon.net
Sent: Friday, November 03, 2017 8:36 PM
To: Kittleman, Allan; Wilson, B Diane; Lasser, Caryn; CouncilMail; howard-citizen@yahoogroups.com
Subject: Fwd: Food for Thought

FYI,

I just wanted to share the email (see below) I received from County Executive, Allan Kittleman's office regarding our recent inquiry about the "BTS Bioenergy" which we read about in the Press Release, dated 31 October 2017, see -- <https://www.howardcountymd.gov/News/ArticleID/1015/News103117>.

The email is appreciated. We only ask that in the future our elected officials will take the time to have the courtesy to simply respond to our inquiries.

Sincerely,

Stu Kohn
HCCA, President

From: Lasser, Caryn [<mailto:classer@howardcountymd.gov>]
Sent: Friday, November 03, 2017 6:45 PM
To: stukohn@verizon.net
Cc: Kittleman, Allan; Wilson, B Diane
Subject: RE: Fwd: Food for Thought

Hi Stu,

I reviewed your inquiry with the County Executive and he asked me to respond on his behalf.

This is a new process to Maryland and the code doesn't explicitly address biodigesters. DPZ has not yet received a formal proposal for the biodigesters, so they have not as yet determined where they are permitted.

DPZ will be looking to see how MDE categorizes them in helping to make this determination.

CB 60 does not apply because it only addresses aerobic decomposition. A biodigester is an anaerobic closed loop system. A biodigester requires an oxygen free environment in a closed loop system, not open to the air.

Have a great weekend.

Caryn D. Lasser
Deputy Chief of Staff
Howard County Executive Office
3430 Courthouse Drive
Ellicott City, Maryland 21043

410-313-4308 Direct Office
410-313-2013 Main Office
443-537-3501 Cell

From: stukohn@verizon.net [<mailto:stukohn@verizon.net>]
Sent: Thursday, November 02, 2017 7:51 PM
To: CouncilMail <CouncilMail@howardcountymd.gov>; Kittleman, Allan <AKittleman@howardcountymd.gov>; Wilson, B Diane <BDWilson@howardcountymd.gov>; howard-citizen@yahoogroups.com
Subject: Fwd: Food for Thought

FYI,

I just wanted to share the following email below that I received from Councilwoman, Jen Terrasa. It is certainly appreciated as once again she has the courtesy to respond to an inquiry. As I have stated before that is all we ask even if the response to our concern(s) might be negative.

In this case, Councilwoman Terrasa was already ahead of the inquiry as she basically was asking similar questions to the Administration and the Economic Development Authority, approximately 10 1/2 hours prior to our inquiry. The questions that are being asked are important whereby the public should have the opportunity to obtain some insight.

Sincerely,

Stu Kohn
HCCA, President

Begin forwarded message:

From: "Terrasa, Jen" <jterrasa@howardcountymd.gov>
Date: November 2, 2017 at 8:55:54 AM EDT
To: "stukohn@verizon.net" <stukohn@verizon.net>
Subject: Re: Food for Thought

I share your concern and questions about these two new facilities in Howard County. See below or the email I sent to the administration yesterday asking for more information about these facilities and how they relate to cb60.

Jen Terrasa

Sent from my iPhone

Begin forwarded message:

From: jterrasa@howardcountymd.gov
Date: November 1, 2017 at 10:14:01 AM EDT
To: "akittleman@howardcountymd.gov" <akittleman@howardcountymd.gov>, Valdis Lazdins <vlazdins@howardcountymd.gov>, "Lawrence F. Twele" <ltwele@hceda.org>
Subject: North American Biodigestion Facilities In Howard County

Good morning, Mr. Kittleman, Mr. Lazdins, and Mr. Twele,

<https://www.howardcountymd.gov/News/ArticleID/1015/>

I read the this news release with great interest. As you noted, it has the potential to offer benefits to the county. I have a few questions that I hope you can help me with.

1. Where will this be located?
2. Where is it permitted under current zoning and land use regulations?
3. How, if at all, does cb60 impact this? In other words, where would it be permitted under existing law and does that change with the passage of cb60?

Shared via the [Google app](#)

Jen Terrasa

Sent from my iPhone

Jen Terrasa

Sent from my iPhone

On Nov 1, 2017, at 8:42 PM, "stukohn@verizon.net" <stukohn@verizon.net> wrote:

On the County Website there is an article about "Howard County selected as location for North American headquarters for BTS Bioenergy" – see -

<https://www.howardcountymd.gov/News/ArticleID/1015/News103117>. The last sentence in the article states, "BTS Bioenergy is not currently disclosing the specific site locations for its North American headquarters or bio-digester facilities."

How does this new development affect CB60 – Mulching, Composting and Natural Wood Waste. Shouldn't we know or when will we find out where these sites will be located in Howard County? Will they be close to residents? Will they generate noise? Are there any safety or health risks?

We just need to be sure that all and any risks (if any) are completely examined prior to any installation of such facilities.

Will anyone of our elected officials please answer the mail?

Sincerely,

Stu Kohn
HCCA, President

Sayers, Margery

From: Dan O'Leary <danielol12832h@gmail.com>
Sent: Friday, November 03, 2017 6:53 PM
To: Howie Feaga
Cc: Sigaty, Mary Kay; james.nickel55@gmail.com; Kittleman, Allan; CouncilMail; Lazdins, Valdis; Gowan, Amy; Plummer, David; im Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; darbus37@gmail.com; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; bstrickland@wtplaw.com; ST Balimtas; Michael Burns; Paul Retzbach; fernandesgj@washpost.com; Eric Goldberg; benabili@hotmail.com; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; jthensel61@gmail.com; Benjamin Lee; joelhouck66@yahoo.com; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawscales@gmail.com; Richard and Susan Taber; Marisa Montag; estrickland@offitkurman.com; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; jmbovello@comcast.net; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; s.hensel@live.com; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris
Subject: Re: CB60-2017 and Dayton property

Mr. Plummer,

Assuming creation of such a WASCOB requires plans and approvals, (this does deal with altering existing run-off) was this particular WASCOB approved through your District approval process?

Yes or no, please,

Dan O'Leary
Highland

On Fri, Nov 3, 2017 at 6:15 PM, Howie Feaga <howie@merryacresfarm.com> wrote:

Thanks Mary Kay for getting the truth about the pictures, it's a disgrace that we farmers are spied upon with drones and then those pictures are interpreted as an illegal activity, when in fact the illegal activity is using a drone within 400 feet of our properties. My father always taught me, that those that mistrust you are usually the ones that cannot be trusted, it amazes me how right he was!!!! Thanks!!!! HOWIE

From: Sigaty, Mary Kay [mailto:mksigaty@howardcountymd.gov]

Sent: Friday, November 3, 2017 10:36 AM

To: james.nickel55@gmail.com; Kittleman, Allan <AKittleman@howardcountymd.gov>; CouncilMail <CouncilMail@howardcountymd.gov>; Lazdins, Valdis <vlazdins@howardcountymd.gov>; Gowan, Amy <agowan@howardcountymd.gov>; Plummer, David <dplummer@howardcountymd.gov>

Cc: im Mayer <tmayer7@gmail.com>; Mike Navarre/Lynn <noman@caaflog.com>; Bethany Hooper <bethanyhooper2@gmail.com>; Rob Bundy <thomas.bundy@lawrencebundy.com>; Dan O'Leary <danielol12832h@gmail.com>; Andrew Royle <royleaw@gmail.com>; Lisa Markovitz <lmarkovitz@comcast.net>; Susan Garber <buzysusan23@yahoo.com>; Carol Jane Gray <dragonladye@verizon.net>; Ocheltree Janet <jeocheltree@yahoo.com>; Erin Allen <erin@contemps.com>; John Allen <johnl.k.allen@me.com>; Al Risdorfer <arisdorfer@yahoo.com>; Bono Tony V <tonybono25@yahoo.com>; Paul Morris <pmorrishome@verizon.net>; Paul Retzbach <pretzbach@gmail.com>; Colleen Retzbach <Colleen_Retzbach@hcpss.org>; Kristin Robertson <ksr111@aol.com>; Lora Houck <lorahouck@me.com>; Trip Kloser <tripkloser@verizon.net>; Craig Ostrom <cdostrom@yahoo.com>; Julius Tunji Akintade <jtakintade@yahoo.com>; Chelakara Shankar <cps Shankar@me.com>; Banwarth Dave <dmbanwarth@verizon.net>; dave.kromer@tunnellgov.com; Sylvie Leary <Sylvie.Leary@tunnellgov.com>; Alan Schneider <ajs333@aol.com>; Paul Shoffeitt <drivinghorses@gmail.com>; Mike Bucci <mkbucci@verizon.net>; Robert Scales <roberthscales@gmail.com>; China Williams <china_22@hotmail.com>; Katie Hester <katiefryhester@gmail.com>; Mike <mike@crosenhomes.com>; Patricia Soffen <Patricia.soffen@gmail.com>; Joanne Heckman <joanne.heckman@mdsierra.org>; darbus37@gmail.com; Jennifer Bush <liljenwi@gmail.com>; SHARON KEENY <sharon.keeny@Inf.com>; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine <valentin@us.ibm.com>; Belkacem Manseur <manseur@verizon.net>; Alex Xu <xu67@hotmail.com>; Richard Taber <rctaber@gmail.com>; Phil Montag <philip.montag@honeywell.com>; bstrickland@wtplaw.com; ST Balintas <st@imt-pc.com>; Michael Burns <mp_burns@live.com>; Paul Retzbach <pretzbach@verizon.net>; fernandesgj@washpost.com; Eric Goldberg <egoldber@medicine.umaryland.edu>; benabili@hotmail.com; Rob Bovello <rbovello@aol.com>; Paul Robertson <paul@tanksdirect.com>; Michael Price <michael.price@hmshost.com>; Doug Lee <dpl758@comcast.net>; Jay and Santa Bhalani <jaybhalani@yahoo.com>; Ajay soodan <ajaysoodan@yahoo.com>; jmathew@acidd.us; Om Prakash Gupta <omgupta1@gmail.com>; jthensel61@gmail.com; Benjamin Lee <bshleemd@hotmail.com>; joelhouck66@yahoo.com; Ty Shrader <tgshrader@verizon.net>; sdwerlinich@aol.com; Williams <rawmlw@gmail.com>; Z Zhang <zhangz3z@gmail.com>; Brian Lehman <wblehma@gmail.com>; Lisa Valentine <lm_valentine@yahoo.com>; Denise Howze <denisehowze@aol.com>; Hafida Manseur <hafida1@verizon.net>; Ning Hu <nhu67@hotmail.com>; dianawscales@gmail.com; Richard and Susan Taber <sctaber@comcast.net>; Marisa Montag <mmontag@verizon.net>; estrickland@offitkurman.com; Robin Balintas <robinb@imt-pc.com>; Kathy Burns <klynburns@gmail.com>; Home <cpretzbach@verizon.net>; Dahna Goldberg <dahnagoldberg@hotmail.com>; Michelle Meney <mmeney1159@comcast.net>; jmbovello@comcast.net; Delia Velculescu <deliavelculescu@yahoo.com>; Annette Lober <annette.lober1@gmail.com>; rajput31@yahoo.com; Melissa and Larry Kramer <kravalmel@yahoo.com>; Jyoti Gupta <jyotiguptamd@gmail.com>; s.hensel@live.com; Carol Werlinich <cwerlin@umd.edu>; Mirra Morris <paulandmirra@verizon.net>; Sally Ostrom <ostromsl@yahoo.com>; Karen K <karenkloser@verizon.net>; Laurie Lehman <laurielehman6@verizon.net>; kf321jump@verizon.net; Paul Capodanno <uvmass@verizon.net>; Ted Mariani <theodore.f.mariani@me.com>; Rick Lober/Annette <rick.lober@gmail.com>; Brent Loveless <brentloveless@aol.com>; Stu Kohn <stukohn@verizon.net>; Rob Long <sunnyside1998@aol.com>; Preserve Dayton <daytonsociety@gmail.com>; Velculescu Victor <velculescu@gmail.com>; Jeff Harp <jabh@outlook.com>; Jeff Harp <jeffandbhakti@hotmail.com>; Luv of My Life <lctegeris@gmail.com>; andrew.green@baltsun.com; John Tegeris <johntegeris@gmail.com>

Subject: FW: CB60-2017 and Dayton property

Good Morning Mr. Nickel,

I have shared with the public at several of our meetings that the work represented by your enclosed photo was a conservation practice. Clearly you don't believe me, so I'm sharing with you and the many others who have had the opportunity to see your photos my recent communication with the District Manager of the Howard Soil Conservation District.

Hopefully you will find David Plummer's description of the activities at the Orndorff's farm informative.

Mary Kay Sigaty

Howard County Council

District 4

[3430 Court House Drive](#)

[Ellicott City, MD 21043](#)

[410-313-2001](#)

From: David Plummer <dplummer@howardcountymd.gov>

Date: Thursday, November 2, 2017 at 9:00 AM

To: "Sigaty, Mary Kay" <mksigaty@howardcountymd.gov>

Subject: RE: CB60-2017 and Dayton property

Good Morning Mary Kay,

What an engaged citizenry you have! It appears that someone took the time to fly a drone over Mr. Orndorf's farm to capture photos of this beautiful conservation practice. This is actually a better photo of this practice than we can usually get from the ground (we haven't been able to afford a drone yet for the office). This practice is called a Water and Sediment Control Basin or WASCOB for short, and yes it is an approved NRCS standard conservation practice.

If you look closely at the second photo, which looks like an aerial from Google Earth or similar program, you will see the gullying that was occurring in this section of field due to the slopes (the crooked line running down the middle of the field). The fact that this shows up on an aerial photo indicates that it was a pretty significant problem. This gullying means that sediment was being transported downstream on a regular basis. I believe the majority of this area was simply planted to grass in an attempt to stabilize it, as opposed to crops. Geotextile material is used on a variety of conservation and stabilization projects.

The goal of the WASCOB is to prevent this gully erosion, create a level area that can be productively farmed, and reduce the runoff to the equivalent of forest land cover. Lofty goals, but we are always trying to design and implement projects that will help protect our local waters and the Chesapeake Bay.

I don't see any correlation between this conservation practice and CB60-2017? We help landowners with conservation practices like this all the time, and it has nothing to do with mulch or compost. Thanks for sharing this with me, I hope you have a great day! - David

David C. Plummer, District Manager

Howard Soil Conservation District

[14735 Frederick Road](#)

[Cooksville, MD 21723](#)

[410-313-0680](#); www.howardscd.org

From: Sigaty, Mary Kay

Sent: Thursday, November 02, 2017 6:47 AM

To: Plummer, David <dplummer@howardcountymd.gov>

Subject: FW: CB60-2017 and Dayton property

Good Morning David,

I need a little help—Can you or one of your folks tell whether the work shown in the photo included below is in keeping with the conservation plan that you helped Bob create? If so, could you describe what we are seeing?

Thanks.....MK

Mary Kay Sigaty

Howard County Council Member

District 4

[3430 Court House Drive](#)

[Ellicott City, MD 21043](#)

[410-313-2001](#)

From: James Nickel <james.nickel55@gmail.com>
Date: Wednesday, November 1, 2017 at 7:44 PM
To: CouncilMail <CouncilMail@howardcountymd.gov>
Cc: Allan Kittleman <akittleman@howardcountymd.gov>, Val Lazdins <vlazdins@howardcountymd.gov>
Subject: CB60-2017 and Dayton property

Council Members,

Please see the attached aerial photo, i.e., JBRK property Dayton.jpg.

You can see at the edges of the fresh dirt what appears to be an application of Geotextile Fabric. Frequently used for roadway or driveway stabilization or leachate containment. On top of that is a white material, possibly crushed stone. That is hardly conducive to farming. Is that allowed on Howard County Preservation property? It even looks as if some crop was destroyed to accomplish this effort.

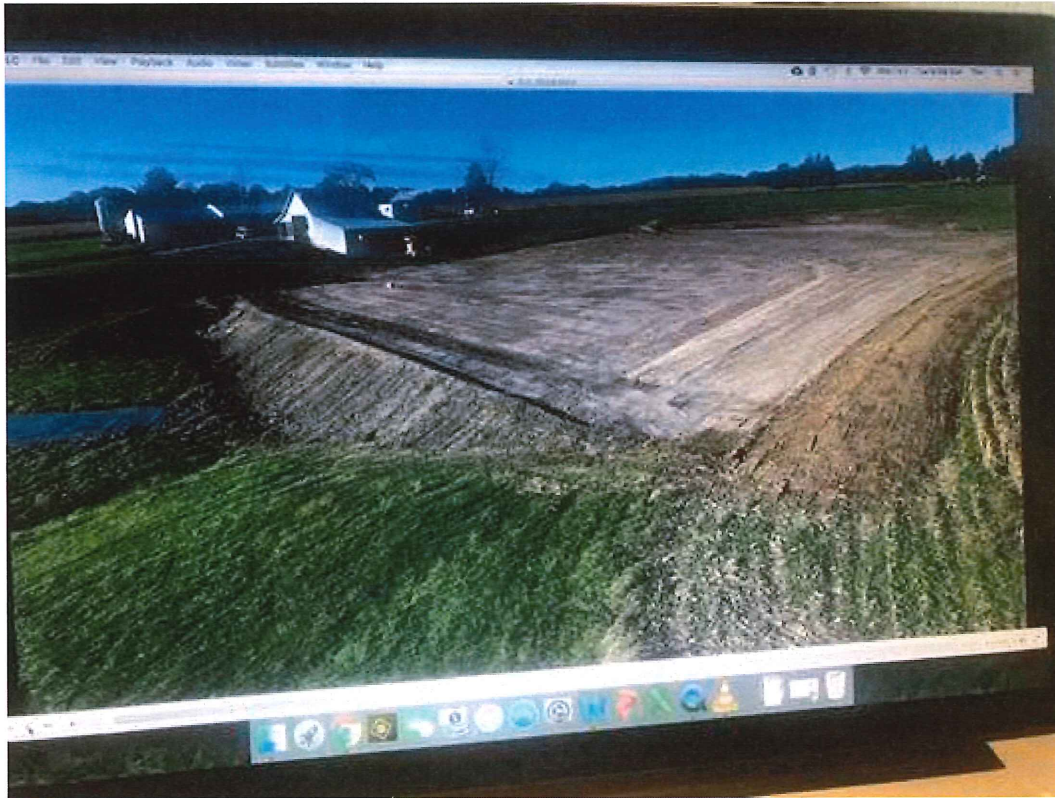
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Is this what Mr. Kittleman has intended with CB60-2017?

Best Regards,

Jim Nickel

Dayton, MD





Sayers, Margery

From: Howie Feaga <howie@merryacresfarm.com>
Sent: Friday, November 03, 2017 6:16 PM
To: Sigaty, Mary Kay; james.nickel55@gmail.com; Kittleman, Allan; CouncilMail; Lazdins, Valdis; Gowan, Amy; Plummer, David
Cc: im Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; Banwarth Dave; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; darbus37@gmail.com; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; bstrickland@wtplaw.com; ST Balimtas; Michael Burns; Paul Retzbach; fernandesgj@washpost.com; Eric Goldberg; benabili@hotmail.com; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; jthensel61@gmail.com; Benjamin Lee; joelhouch66@yahoo.com; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawscases@gmail.com; Richard and Susan Taber; Marisa Montag; estrickland@offitkurman.com; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; jmbovello@comcast.net; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; s.hensel@live.com; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris
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Cc: im Mayer <tmayer7@gmail.com>; Mike Navarre/Lynn <noman@caaflog.com>; Bethany Hooper <bethanyhooper2@gmail.com>; Rob Bundy <thomas.bundy@lawrencebundy.com>; Dan O'Leary <danielol12832h@gmail.com>; Andrew Royle <royleaw@gmail.com>; Lisa Markovitz <lmarkovitz@comcast.net>; Susan Garber <buzysusan23@yahoo.com>; Carol Jane Gray <dragonladye@verizon.net>; Ocheltree Janet <jeocheltree@yahoo.com>; Erin Allen <erin@contemps.com>; John Allen <johnl.k.allen@me.com>; Al Risdorfer <arisdorfer@yahoo.com>; Bono Tony V <tonybono25@yahoo.com>; Paul Morris <pmorrishome@verizon.net>; Paul Retzbach <pretzbach@gmail.com>; Colleen Retzbach <Colleen_Retzbach@hcpss.org>; Kristin Robertson <ksr111@aol.com>; Lora Houck <lorahouck@me.com>; Trip Kloser <tripkloser@verizon.net>; Craig Ostrom <cdostrom@yahoo.com>; Julius Tunji Akintade <jtakintade@yahoo.com>; Chelakara Shankar <cpshankar@me.com>; Banwarth Dave <dmbanwarth@verizon.net>; dave.kromer@tunnellgov.com; Sylvie Leary

<Sylvie.Leary@tunnellgov.com>; Alan Schneider <ajs333@aol.com>; Paul Shoffeitt <drivinghorses@gmail.com>; Mike Bucci <mkbucci@verizon.net>; Robert Scales <roberthscales@gmail.com>; China Williams <china_22@hotmail.com>; Katie Hester <katiefryhester@gmail.com>; Mike <mike@crosenhomes.com>; Patricia Soffen <Patricia.soffen@gmail.com>; Joanne Heckman <joanne.heckman@mdsierra.org>; darbus37@gmail.com; Jennifer Bush <liljenwi@gmail.com>; SHARON KEENY <sharon.keeny@Inf.com>; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine <valentin@us.ibm.com>; Belkacem Manseur <manseur@verizon.net>; Alex Xu <xu67@hotmail.com>; Richard Taber <rftaber@gmail.com>; Phil Montag <philip.montag@honeywell.com>; bstrickland@wtplaw.com; ST Balintas <st@imt-pc.com>; Michael Burns <mp_burns@live.com>; Paul Retzbach <pretzbach@verizon.net>; fernandesgj@washpost.com; Eric Goldberg <egoldber@medicine.umaryland.edu>; benabili@hotmail.com; Rob Bovello <rbovello@aol.com>; Paul Robertson <paul@tanksdirect.com>; Michael Price <michael.price@hmshost.com>; Doug Lee <dpl758@comcast.net>; Jay and Santa Bhalani <jaybhalani@yahoo.com>; Ajay soodan <ajaysoodan@yahoo.com>; jmathew@acidd.us; Om Prakash Gupta <omgupta1@gmail.com>; jthensel61@gmail.com; Benjamin Lee <bshleemd@hotmail.com>; joelhouck66@yahoo.com; Ty Shrader <tgshrader@verizon.net>; sdwerlinich@aol.com; Williams <rawmlw@gmail.com>; Z Zhang <zhangz3z@gmail.com>; Brian Lehman <wblehma@gmail.com>; Lisa Valentine <lm_valentine@yahoo.com>; Denise Howze <denisehowze@aol.com>; Hafida Manseur <hafida1@verizon.net>; Ning Hu <nhu67@hotmail.com>; dianawscates@gmail.com; Richard and Susan Taber <sctaber@comcast.net>; Marisa Montag <mmontag@verizon.net>; estrickland@offitkurman.com; Robin Balintas <robinb@imt-pc.com>; Kathy Burns <klynburns@gmail.com>; Home <cretzbach@verizon.net>; Dahna Goldberg <dahnagoldberg@hotmail.com>; Michelle Meney <mmeney1159@comcast.net>; jmbovello@comcast.net; Delia Velculescu <deliavelculescu@yahoo.com>; Annette Lober <annette.lober1@gmail.com>; rajput31@yahoo.com; Melissa and Larry Kramer <kravalmel@yahoo.com>; Jyoti Gupta <jyotiguptamd@gmail.com>; s.hensel@live.com; Carol Werlinich <cwerlin@umd.edu>; Mirra Morris <paulandmirra@verizon.net>; Sally Ostrom <ostromsl@yahoo.com>; Karen K <karenkloser@verizon.net>; Laurie Lehman <laurielehman6@verizon.net>; kf321jump@verizon.net; Paul Capodanno <uvmass@verizon.net>; Ted Mariani <theodore.f.mariani@me.com>; Rick Lober/Annette <rick.lober@gmail.com>; Brent Loveless <brentloveless@aol.com>; Stu Kohn <stukohn@verizon.net>; Rob Long <sunnyside1998@aol.com>; Preserve Dayton <daytonsociety@gmail.com>; Velculescu Victor <velculescu@gmail.com>; Jeff Harp <jabh@outlook.com>; Jeff Harp <jeffandbhakti@hotmail.com>; Luv of My Life <lctegeris@gmail.com>; andrew.green@baltsun.com; John Tegeris <johntegeris@gmail.com>

Subject: FW: CB60-2017 and Dayton property

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Howard County Council
District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

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David C. Plummer, District Manager
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14735 Frederick Road
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Howard County Council Member
District 4

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Subject: CB60-2017 and Dayton property

Council Members,

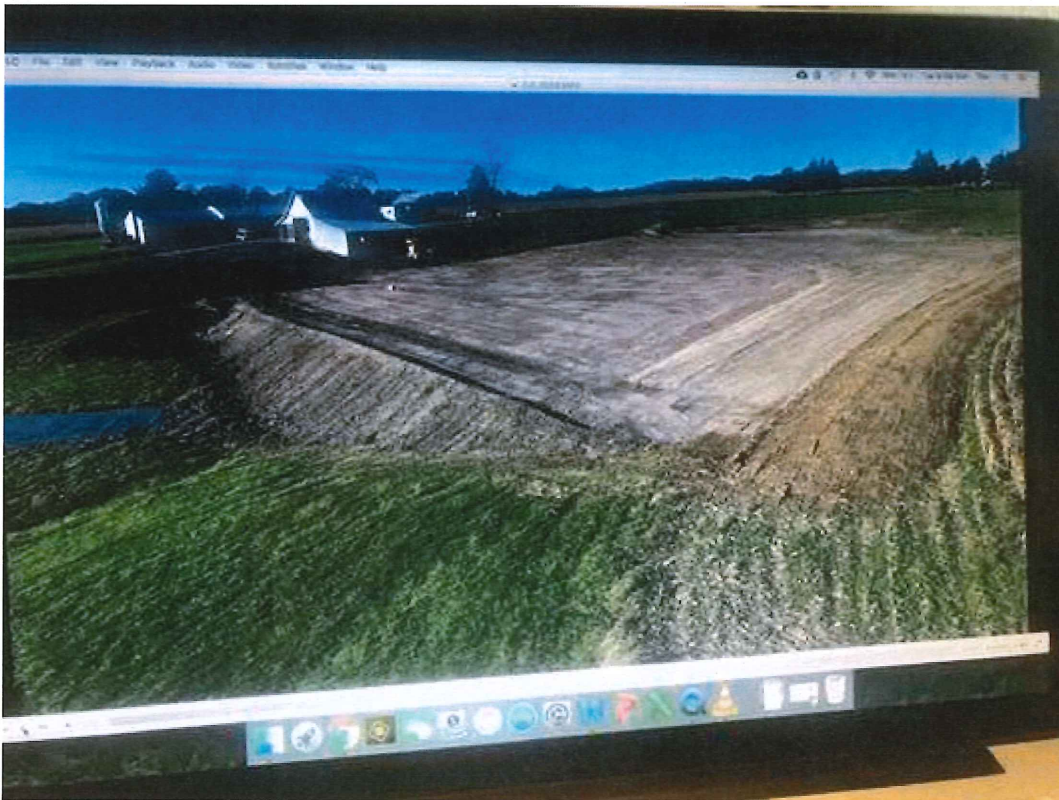
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Is this what Mr. Kittleman has intended with CB60-2017?

Best Regards,
Jim Nickel
Dayton, MD





Sayers, Margery

From: Thomas Bundy <Thomas.Bundy@lawrencebundy.com>
Sent: Friday, November 03, 2017 5:28 PM
To: David M Banwarth; Sigaty, Mary Kay; james.nickel55@gmail.com; Kittleman, Allan; CouncilMail; Lazdins, Valdis; Gowan, Amy; Plummer, David
Cc: im Mayer; Mike Navarre/Lynn; Bethany Hooper; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; darbus37@gmail.com; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; bstrickland@wtplaw.com; ST Balimtas; Michael Burns; Paul Retzbach; fernandesgj@washpost.com; Eric Goldberg; benabili@hotmail.com; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; jthensel61@gmail.com; Benjamin Lee; joelhouch66@yahoo.com; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawwscales@gmail.com; Richard and Susan Taber; Marisa Montag; estrickland@offitkurman.com; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; jmbovello@comcast.net; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; s.hensel@live.com; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris; Kittleman, Allan; Fox, Greg; CouncilMail; Rob and Leslie Long; Jess Groves
Subject: RE: FW: CB60-2017 and Dayton property

Councilwoman Sigtay,

Thank you for your longtime service to Howard County. I have received many emails relating to industrial mulching on Ag Preserve against which so many of my fellow Howard County citizens advocate passionately. I read the email chain today after seeing your name pop up in my inbox. I was interested to see an email response from our government leaders. Thank you for sharing.

As a lawyer who has defended government entities in the past in litigation arising from contamination claims – claims that carcinogenic materials deposited in ground soil later resulted in clusters of severe illnesses and the deaths of innocent people (including children) because the government looked away in the name of business or dismissed it as “crazy” environmentalists zealots – I can attest the issues advocated in support of preventing industrial mulching on Ag Preserve are not only real, but also involve incredibly dire consequences if ignored or not appropriately remediated.

Mr. Banwarth's response to Mr. Plummer's email seems very compelling, particularly given Mr. Plummer focuses his discussion more on the second photo of the gully and failed to address several critical points from Mr. Nickel's initial email – principal of which seems to be that the appearance of crushed stone together with the Geotextile Fabric would negate any credible contention the land is being prep for farming. It appears Mr. Nickel's point is that the use of Geotextile Fabric combined with gravel or crushed stone is designed principally to create a surface on which vehicles and equipment can travel in high traffic areas (even if this process has a possible tangential benefit of erosion control). This use seems more in lined with a mulching operation. Moreover, noticeably absent from Mr. Plummer's response to your request for assistance based on the fact that Mr. Plummer (or his team) helped create a conservation plan for Bob (presumably at the location being photographed) is a statement that Mr. Plummer's plan design in fact included the Water and Sediment Control Basin and gullying system he alleges appears to be represented in the photographs. I hope you share Mr. Plummer's response to Mr. Banwarth's email too.

Of course, you suggest, without naming, in your email that "many others" share Mr. Plummer's view. But without specifics, against the backdrop of Mr. Banwarth's email tying together the significant and compelling photographic evidence, your complaints that Mr. Nickel "doesn't believe me" quite literally poses the age old adage: Who are we going to believe you or our lying eyes? This position seems untenable at best, particularly where you have health and welfare concerns on one side and profits on the other.

I would like to remind you of wise words from a dedicated Howard County public servant who said (in advance of seeking re-election): "I think that as I look at the work that we do, we don't always agree, but we're not afraid to tell each other what we think, to challenge each other's ideas, and then to work really hard to come up with the best solutions that we can, hoping that we are in fact moving Howard County forward in ways that benefit each and every person here."

<http://www.baltimoresun.com/news/maryland/howard/columbia/ph-sigaty-council-announcement-story.html>

Is CB60 truly the best solution that we can hope to move Howard County forward in ways that benefits each and every person here?

Thank you for your consideration and service. Enjoy your weekend.

Respectfully,

Thomas Bundy / Partner / 240-786-4998

LAWRENCE & BUNDY LLC



From: David M Banwarth [mailto:dmbanwarth@verizon.net]

Sent: Friday, November 03, 2017 3:19 PM

To: Sigaty, Mary Kay <mksigaty@howardcountymd.gov>; james.nickel55@gmail.com; Kittleman, Allan <AKittleman@howardcountymd.gov>; CouncilMail <CouncilMail@howardcountymd.gov>; Lazdins, Valdis <vlazdins@howardcountymd.gov>; Gowan, Amy <agowan@howardcountymd.gov>; Plummer, David <dplummer@howardcountymd.gov>

Cc: im Mayer <tmayer7@gmail.com>; Mike Navarre/Lynn <noman@caaflog.com>; Bethany Hooper <bethanyhooper2@gmail.com>; Thomas Bundy <Thomas.Bundy@lawrencebundy.com>; Dan O'Leary <danielol12832h@gmail.com>; Andrew Royle <royleaw@gmail.com>; Lisa Markovitz <lmarkovitz@comcast.net>; Susan Garber <buzysusan23@yahoo.com>; Carol Jane Gray <dragonladye@verizon.net>; Ocheltree Janet <jeocheltree@yahoo.com>; Erin Allen <erin@contemps.com>; John Allen <johnl.k.allen@me.com>; Al Risdorfer <arisdorfer@yahoo.com>; Bono Tony V <tonybono25@yahoo.com>; Paul Morris <pmorrishome@verizon.net>; Paul Retzbach <pretzbach@gmail.com>; Colleen Retzbach <Colleen_Retzbach@hcpss.org>; Kristin Robertson <ksr111@aol.com>; Lora Houck <lorahouck@me.com>; Trip Kloser <tripkloser@verizon.net>; Craig Ostrom <cdostrom@yahoo.com>; Julius Tunji Akintade <jtakintade@yahoo.com>; Chelakara Shankar <cpshankar@me.com>; dave.kromer@tunnellgov.com; Sylvie Leary <Sylvie.Leary@tunnellgov.com>; Alan Schneider <ajs333@aol.com>; Paul Shoffeitt <drivinghorses@gmail.com>; Mike Bucci <mkbucci@verizon.net>; Robert Scales <roberthscales@gmail.com>; China Williams <china_22@hotmail.com>; Katie Hester <katiefryhester@gmail.com>; Mike <mike@crosenhomes.com>; Patricia Soffen <Patricia.soffen@gmail.com>; Joanne Heckman <joanne.heckman@mdsierra.org>; darbus37@gmail.com; Jennifer Bush <liljenwi@gmail.com>; SHARON KEENY <sharon.keeny@Inf.com>; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine <valentin@us.ibm.com>; Belkacem Manseur <manseur@verizon.net>; Alex Xu <xu67@hotmail.com>; Richard Taber <rctaber@gmail.com>; Phil Montag <philip.montag@honeywell.com>; bstrickland@wtplaw.com; ST Balimtas <st@imt-pc.com>; Michael Burns <mp_burns@live.com>; Paul Retzbach <pretzbach@verizon.net>; fernandesgj@washpost.com; Eric Goldberg <egolbber@medicine.umaryland.edu>; benabili@hotmail.com; Rob Bovello <rbovello@aol.com>; Paul Robertson <paul@tanksdirect.com>; Michael Price <michael.price@hmshost.com>; Doug Lee <dpl758@comcast.net>; Jay and Santa Bhalani <jaybhalani@yahoo.com>; Ajay soodan <ajaysoodan@yahoo.com>; jmathew@acidd.us; Om Prakash Gupta <omgupta1@gmail.com>; jthensel61@gmail.com; Benjamin Lee <bshleemd@hotmail.com>; joelhouch66@yahoo.com; Ty Shrader <tgshrader@verizon.net>; sdwerlinich@aol.com; Williams <rawmlw@gmail.com>; Z Zhang <zhangz3z@gmail.com>; Brian Lehman <wblehma@gmail.com>; Lisa Valentine <lm_valentine@yahoo.com>; Denise Howze <denisehowze@aol.com>; Hafida Manseur <hafida1@verizon.net>; Ning Hu <nhu67@hotmail.com>; dianawscates@gmail.com; Richard and Susan Taber <sctaber@comcast.net>; Marisa Montag <mmontag@verizon.net>; estrickland@offitkurman.com; Robin Balimtas <robinb@imt-pc.com>; Kathy Burns <klynburns@gmail.com>; Home <cretzbach@verizon.net>; Dahna Goldberg <dahnagoldberg@hotmail.com>; Michelle Meney <mmeney1159@comcast.net>; jmbovello@comcast.net; Delia Velculescu <deliavelculescu@yahoo.com>; Annette Lober <annette.lober1@gmail.com>; rajput31@yahoo.com; Melissa and Larry Kramer <kravalmel@yahoo.com>; Jyoti Gupta <jyotiguptamd@gmail.com>; s.hensel@live.com; Carol Werlinich <cwerlin@umd.edu>; Mirra Morris <paulandmirra@verizon.net>; Sally Ostrom <ostromsl@yahoo.com>; Karen K <karenkloser@verizon.net>; Laurie Lehman <laurielehman6@verizon.net>; kf321jump@verizon.net; Paul Capodanno <uvmass@verizon.net>; Ted Mariani <theodore.f.mariani@me.com>; Rick Lober/Annette <rick.lober@gmail.com>; Brent Loveless <brentloveless@aol.com>; Stu Kohn <stukohn@verizon.net>; Rob Long <sunnyside1998@aol.com>; Preserve Dayton <daytonsociety@gmail.com>; Velculescu Victor <velculescu@gmail.com>; Jeff Harp <jabh@outlook.com>; Jeff Harp <jeffandbhakti@hotmail.com>; Luv of My Life <lctegeris@gmail.com>; andrew.green@baltsun.com; John Tegeris <johntegeris@gmail.com>; Allan Kittleman <akittleman@howardcountymd.gov>; Greg Fox <gfox@howardcountymd.gov>; Council Mail <councilmail@howardcountymd.gov>; Rob and Leslie Long <sunnyside1998@aol.com>; Jess Groves <daytonsociety@gmail.com>

Subject: Re: FW: CB60-2017 and Dayton property

Ms. Sigaty,

In your comments to Mr. Nickel that you shared, you referred to whether to "believe" your assurances regarding CB60. And, while I do appreciate the additional information you provided, I respectfully find it very hard to rely on your assurances in the face of the photos of what is actually happening.

Lets review the facts and photos:

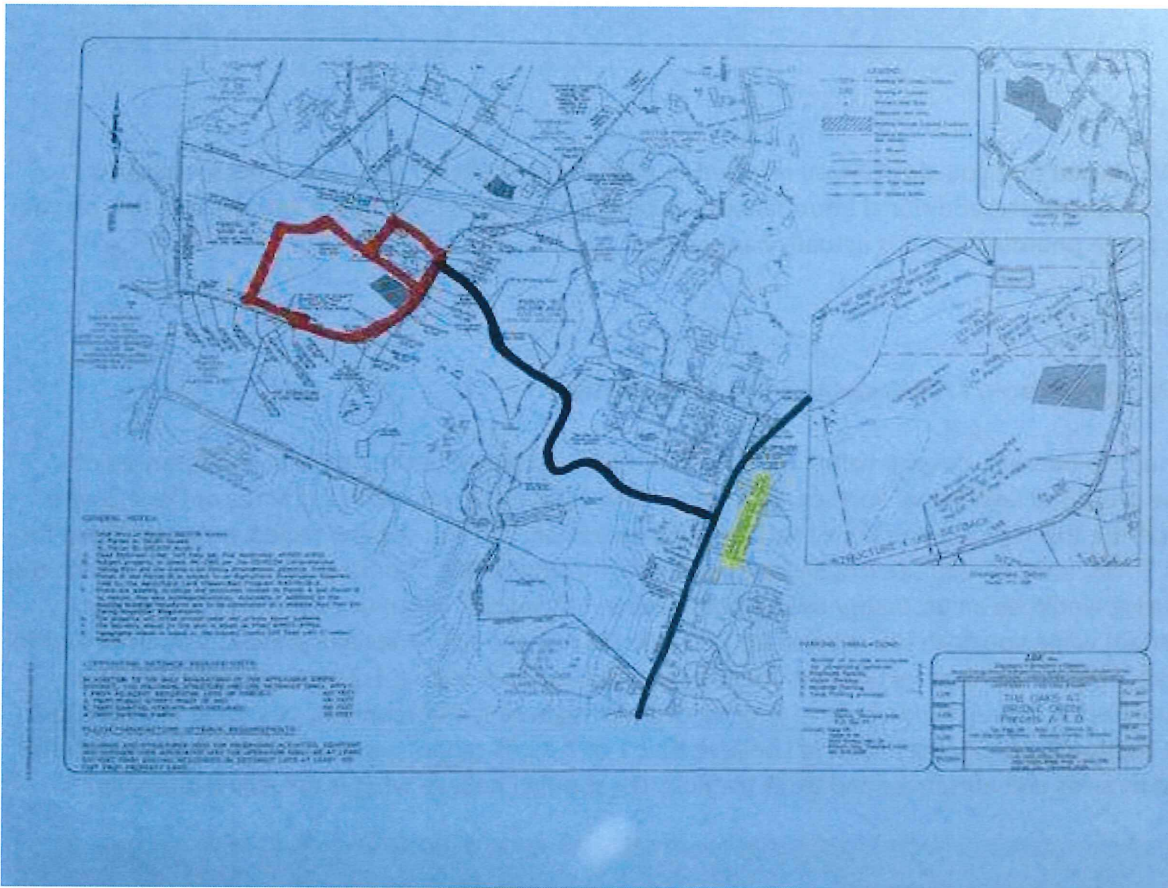
1. Erich Bonner and Oak Ridge Farm, 2700 Woodbine Road, Woodbine

Oak Ridge Farm continues to operate, despite being in violation of CB20, as shown in the **photo** and assurances of enforcement under the proposed legislation. Further, Oak Ridge Farm appears to only need 1-2 acres of the 4.2 acre total site in order to operate this high volume industrial mulching operation. Do you see any balled specimen trees for sale on this "tree farm"? No. Instead, you see heavily compacted earth, supposedly "farming" we are told, of which tree farm mulch manufacturing would be an accessory use? Unbelievable, but yet this continues every day (under Mr. Kittleman's administration) while you both say regulations will be enforced and size limits will prevent industrial mulch sites in residential areas. Yet, we see that regulations are not enforced and that even a 1-2 acre site operates as an Industrial Mulch Manufacturing site. Should I believe your assurances regarding enforcement, or should I believe the current photo of what is actually happening? Should I believe that 1 or 2 acres cannot support an Industrial Mulch site (with all the associated hazards and nuisances and truck traffic)? Or, should I believe what is actually happening?



2. JBRK Property, Dayton

Mr. Orndorff filed a pre-submission plan to construct an industrial mulch manufacturing plant on his farm 3 years ago. We adjoining residents received official notifications of that filing. To date, we residents have not received any official notification that the submission has been rescinded or cancelled. That submission plan designated a location for primary development of the industrial mulch manufacturing operation (red square rectangular area in this **photo**).



It appears to be the same location as where this new base pad is recently constructed, seemingly of heavily compacted aggregate. Is this coincidental? Which are we to believe? Your assurances, or the actual photos and official documents?



Mr Plummer states "The goal of the (water and sediment control basin) is to ... create a level area that can be productively farmed..."

Now, you present Mr Plummer's statement that the newly created "level area" of compacted aggregate materials is going to be productively farmed"? Again, I will believe the photo instead. It's obviously no longer "green and growing" or tillable/farm-able, as it previously was despite assurances otherwise.

Unfortunately, this all doesn't look good for residents' health and safety because of your and Mr. Fox's and Mr.

Kittleman's proposal, known as CB60. You should withdraw this terrible proposed legislation until the State completes its ongoing study of the health and safety effects of commercial mulch and compost manufacturing. **Commercial NWWR mulch manufacturing does not belong in residential proximity - it belongs in M1/M2 only.** And even there, with proper safeguards against air and water pollution.

NWWR mulch and grinding manufacturing on Ag Pres lands in particular is an abomination of the original program intent, payed for with taxpayer funds. The Ag Pres Program's intentions were set out as follows:

https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKEwju8964hqPXAhVI72MKHYWDCo0QFgg4MAE&url=http%3A%2F%2Fcc.howardcountymd.gov%2FLinkClick.aspx%3Ffileticket%3DyyD5fww7APM%253D%26portalid%3D0&usg=AOvVaw37L3HbG_6E06Ygq_JSrMLX

"Farming." "... shall not include the acceptance or disposal of land clearing debris or rubble that originates offsite..." What could be clearer than that?

Farming. The use of land for agricultural purposes, including agriculture, apiaries, horticulture, orchards, agricultural nurseries, viticulture, aquaculture, silviculture, and animal and poultry husbandry. Farming includes basic processing of agricultural products as defined in this section (see "agricultural processing, primary"), but shall not include the acceptance or disposal of land clearing debris or rubble that originates offsite or the commercial feeding of garbage or offal to swine or other animals. The breeding, raising, training, boarding and general care of livestock for uses other than for food, such as sport or show purposes, as pets, or for recreation shall be considered a normal farming function, but kennels are excluded from this definition (Howard County Zoning Regulations, Definitions, Section 103.A.54).

Please withdraw CB60 now to protect resident's health and safety.

David Banwarth
Dayton, MD

On 11/3/2017 10:35 AM, Sigaty, Mary Kay wrote:

Good Morning Mr. Nickel,

I have shared with the public at several of our meetings that the work represented by your enclosed photo was a conservation practice. Clearly you don't believe me, so I'm sharing with you and the many others who have had the opportunity to see your photos my recent communication with the District Manager of the Howard Soil Conservation District.

Hopefully you will find David Plummer's description of the activities at the Orndorff's farm informative.

Mary Kay Sigaty

Howard County Council
District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

From: David Plummer <dpplummer@howardcountymd.gov>
Date: Thursday, November 2, 2017 at 9:00 AM
To: "Sigaty, Mary Kay" <mksigaty@howardcountymd.gov>
Subject: RE: CB60-2017 and Dayton property

Good Morning Mary Kay,

What an engaged citizenry you have! It appears that someone took the time to fly a drone over Mr. Orndorf's farm to capture photos of this beautiful conservation practice. This is actually a better photo of this practice than we can usually get from the ground (we haven't been able to afford a drone yet for the office). This practice is called a Water and Sediment Control Basin or WASCOB for short, and yes it is an approved NRCS standard conservation practice.

If you look closely at the second photo, which looks like an aerial from Google Earth or similar program, you will see the gullying that was occurring in this section of field due to the slopes (the crooked line running down the middle of the field). The fact that this shows up on an aerial photo indicates that it was a pretty significant problem. This gullying means that sediment was being transported downstream on a regular basis. I believe the majority of this area was simply planted to grass in an attempt to stabilize it, as opposed to crops. Geotextile material is used on a variety of conservation and stabilization projects.

The goal of the WASCOB is to prevent this gully erosion, create a level area that can be productively farmed, and reduce the runoff to the equivalent of forest land cover. Lofty goals, but we are always trying to design and implement projects that will help protect our local waters and the Chesapeake Bay.

I don't see any correlation between this conservation practice and CB60-2017? We help landowners with conservation practices like this all the time, and it has nothing to do with mulch or compost. Thanks for sharing this with me, I hope you have a great day! - David

David C. Plummer, District Manager
Howard Soil Conservation District
14735 Frederick Road
Cooksville, MD 21723
410-313-0680; www.howardscd.org

From: Sigaty, Mary Kay
Sent: Thursday, November 02, 2017 6:47 AM
To: Plummer, David <dpplummer@howardcountymd.gov>
Subject: FW: CB60-2017 and Dayton property

Good Morning David,

I need a little help—Can you or one of your folks tell whether the work shown in the photo included below is in keeping with the conservation plan that you helped Bob create? If so, could you describe what we are seeing?

Thanks.....MK

Mary Kay Sigaty
Howard County Council Member
District 4

3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

From: James Nickel <james.nickel55@gmail.com>
Date: Wednesday, November 1, 2017 at 7:44 PM
To: CouncilMail <CouncilMail@howardcountymd.gov>
Cc: Allan Kittleman <akittleman@howardcountymd.gov>, Val Lazdins <vlazdins@howardcountymd.gov>
Subject: CB60-2017 and Dayton property

Council Members,

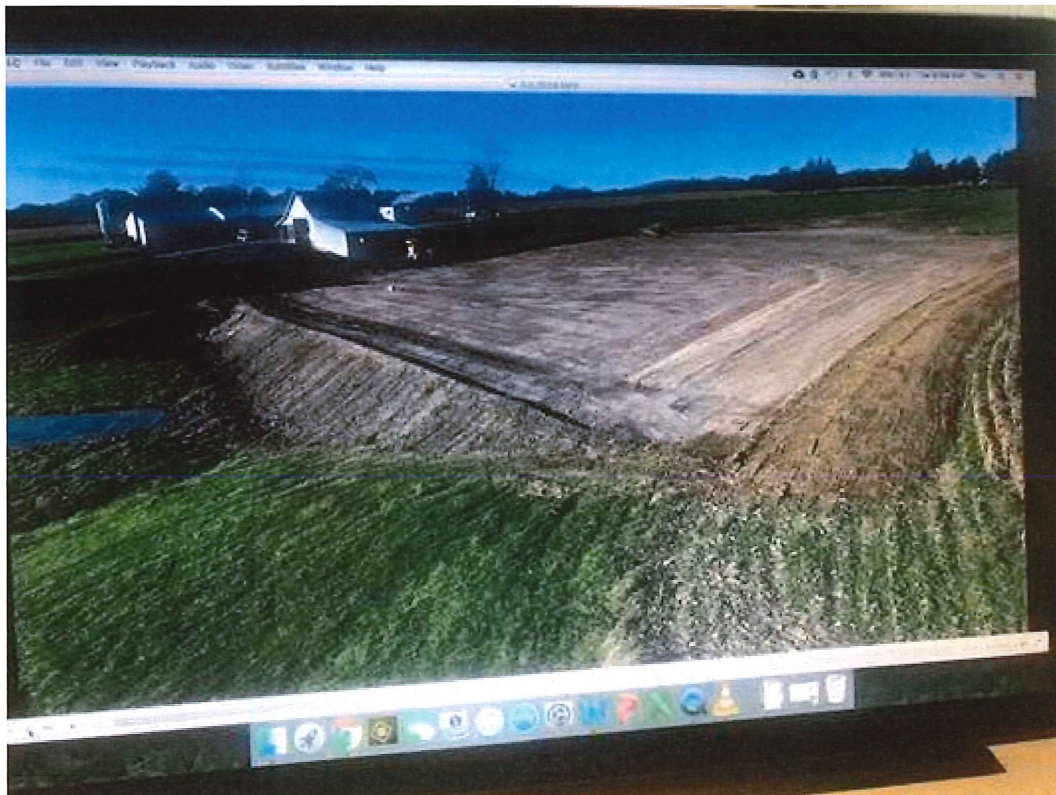
Please see the attached aerial photo, i.e., JBRK property Dayton.jpg.

You can see at the edges of the fresh dirt what appears to be an application of Geotextile Fabric. Frequently used for roadway or driveway stabilization or leachate containment. On top of that is a white material, possibly crushed stone. That is hardly conducive to farming. Is that allowed on Howard County Preservation property? It even looks as if some crop was destroyed to accomplish this effort.

See also the attached photo, i.e., Prior to Fill.jpeg. That same section of property has been used for crop production. It may be this section of property is being prepared for some commercial operation not currently allowed under Howard County regulations.

Is this what Mr. Kittleman has intended with CB60-2017?

Best Regards,
Jim Nickel
Dayton, MD





Sayers, Margery

From: Fernandes, Gregg <Gregg.Fernandes@washpost.com>
Sent: Friday, November 03, 2017 3:27 PM
To: David M Banwarth; Sigaty, Mary Kay; james.nickel55@gmail.com; Kittleman, Allan; CouncilMail; Lazdins, Valdis; Gowan, Amy; Plummer, David
Cc: im Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; darbus37@gmail.com; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; bstrickland@wtplaw.com; ST Balimtas; Michael Burns; Paul Retzbach; Eric Goldberg; benabili@hotmail.com; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; jthensel61@gmail.com; Benjamin Lee; joelhouck66@yahoo.com; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawscales@gmail.com; Richard and Susan Taber; Marisa Montag; estrickland@offitkurman.com; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; jmbovello@comcast.net; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; s.hensel@live.com; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris; Kittleman, Allan; Fox, Greg; CouncilMail; Rob and Leslie Long; Jess Groves
Subject: RE: FW: CB60-2017 and Dayton property

Ms. Sigaty and the rest of the council, I would like to second Mr. Banwarth's final statement. Please withdraw CB60 now to protect resident's health and safety. Mr. Kittleman made express assurances that he would prevent these types of operations in residential neighborhoods in HoCo. Anyone who has experienced the traffic generated by Mr. Orndorff's efforts in Dayton can attest to what a commercial operation will look like. I bike on these roads, my children's school buses drive these roads, they were not meant for commercial trucks.

Gregg Fernandes, Dayton MD

From: David M Banwarth [mailto:dmbanwarth@verizon.net]
Sent: Friday, November 03, 2017 3:19 PM
To: Sigaty, Mary Kay <mksigaty@howardcountymd.gov>; james.nickel55@gmail.com; Kittleman, Allan <AKittleman@howardcountymd.gov>; CouncilMail <CouncilMail@howardcountymd.gov>; Lazdins, Valdis <vlazdins@howardcountymd.gov>; Gowan, Amy <agowan@howardcountymd.gov>; Plummer, David <dplummer@howardcountymd.gov>
Cc: im Mayer <tmayer7@gmail.com>; Mike Navarre/Lynn <noman@caaflog.com>; Bethany Hooper <bethanyhooper2@gmail.com>; Rob Bundy <thomas.bundy@lawrencebundy.com>; Dan O'Leary <danielol12832h@gmail.com>; Andrew Royle <royleaw@gmail.com>; Lisa Markovitz <lmarkovitz@comcast.net>; Susan Garber <buzysusan23@yahoo.com>; Carol Jane Gray <dragonladye@verizon.net>; Ocheltree Janet

<jeocheltree@yahoo.com>; Erin Allen <erin@contemps.com>; John Allen <johnl.k.allen@me.com>; Al Risdorfer <arisdorfer@yahoo.com>; Bono Tony V <tonybono25@yahoo.com>; Paul Morris <pmorrishome@verizon.net>; Paul Retzbach <pretzbach@gmail.com>; Colleen Retzbach <Colleen_Retzbach@hcpss.org>; Kristin Robertson <ksr111@aol.com>; Lora Houck <lorahouck@me.com>; Trip Kloser <tripkloser@verizon.net>; Craig Ostrom <cdostrom@yahoo.com>; Julius Tunji Akintade <jtakintade@yahoo.com>; Chelakara Shankar <cpshankar@me.com>; dave.kromer@tunnellgov.com; Sylvie Leary <Sylvie.Leary@tunnellgov.com>; Alan Schneider <ajs333@aol.com>; Paul Shoffeitt <drivinghorses@gmail.com>; Mike Bucci <mkbucci@verizon.net>; Robert Scales <roberthscales@gmail.com>; China Williams <china_22@hotmail.com>; Katie Hester <katiefryhester@gmail.com>; Mike <mike@crosenhomes.com>; Patricia Soffen <Patricia.soffen@gmail.com>; Joanne Heckman <joanne.heckman@mdsierra.org>; darbus37@gmail.com; Jennifer Bush <liljenwi@gmail.com>; SHARON KEENY <sharon.keeny@Inf.com>; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine <valentin@us.ibm.com>; Belkacem Manseur <manseur@verizon.net>; Alex Xu <xu67@hotmail.com>; Richard Taber <rctaber@gmail.com>; Phil Montag <philip.montag@honeywell.com>; bstrickland@wtplaw.com; ST Balintas <st@imt-pc.com>; Michael Burns <mp_burns@live.com>; Paul Retzbach <pretzbach@verizon.net>; Fernandes, Gregg <Gregg.Fernandes@washpost.com>; Eric Goldberg <egoldber@medicine.umaryland.edu>; benabili@hotmail.com; Rob Bovello <rbovello@aol.com>; Paul Robertson <paul@tanksdirect.com>; Michael Price <michael.price@hmshost.com>; Doug Lee <dpl758@comcast.net>; Jay and Santa Bhalani <jaybhalani@yahoo.com>; Ajay soodan <ajaysoodan@yahoo.com>; jmathew@acidd.us; Om Prakash Gupta <omgupta1@gmail.com>; jthensel61@gmail.com; Benjamin Lee <bshleemd@hotmail.com>; joelhouch66@yahoo.com; Ty Shrader <tgshrader@verizon.net>; sdwerlinich@aol.com; Williams <rawmlw@gmail.com>; Z Zhang <zhangz3z@gmail.com>; Brian Lehman <wblehma@gmail.com>; Lisa Valentine <lm_valentine@yahoo.com>; Denise Howze <denisehowze@aol.com>; Hafida Manseur <hafida1@verizon.net>; Ning Hu <nhu67@hotmail.com>; dianawscales@gmail.com; Richard and Susan Taber <sctaber@comcast.net>; Marisa Montag <mmontag@verizon.net>; estrickland@offitkurman.com; Robin Balintas <robinb@imt-pc.com>; Kathy Burns <klynburns@gmail.com>; Home <cretzbach@verizon.net>; Dahna Goldberg <dahnagoldberg@hotmail.com>; Michelle Meney <mmeney1159@comcast.net>; jmbovello@comcast.net; Delia Velculescu <deliavelculescu@yahoo.com>; Annette Lober <annette.lober1@gmail.com>; rajput31@yahoo.com; Melissa and Larry Kramer <kravalmel@yahoo.com>; Jyoti Gupta <jyotiguptamd@gmail.com>; s.hensel@live.com; Carol Werlinich <cwerlin@umd.edu>; Mirra Morris <paulandmirra@verizon.net>; Sally Ostrom <ostromsl@yahoo.com>; Karen K <karenkloser@verizon.net>; Laurie Lehman <laurielehman6@verizon.net>; kf321jump@verizon.net; Paul Capodanno <uvmass@verizon.net>; Ted Mariani <theodore.f.mariani@me.com>; Rick Lober/Annette <rick.lober@gmail.com>; Brent Loveless <brentloveless@aol.com>; Stu Kohn <stukohn@verizon.net>; Rob Long <sunnyside1998@aol.com>; Preserve Dayton <daytonsociety@gmail.com>; Velculescu Victor <velculescu@gmail.com>; Jeff Harp <jabh@outlook.com>; Jeff Harp <jeffandbhakti@hotmail.com>; Luv of My Life <lctegeris@gmail.com>; andrew.green@baltsun.com; John Tegeris <johntegeris@gmail.com>; Allan Kittleman <akittleman@howardcountymd.gov>; Greg Fox <gfox@howardcountymd.gov>; Council Mail <councilmail@howardcountymd.gov>; Rob and Leslie Long <sunnyside1998@aol.com>; Jess Groves <daytonsociety@gmail.com>

Subject: Re: FW: CB60-2017 and Dayton property

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Lets review the facts and photos:

1. Erich Bonner and Oak Ridge Farm, 2700 Woodbine Road, Woodbine

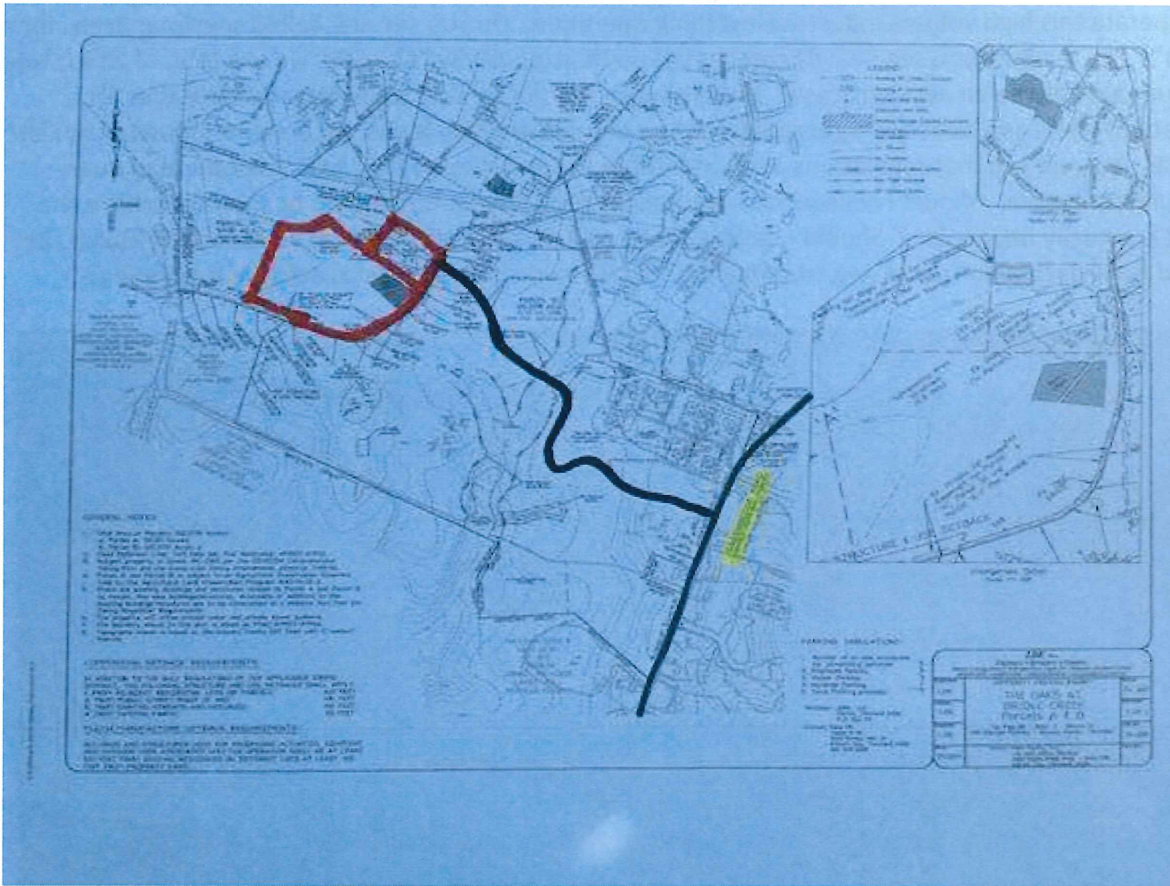
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total site in order to operate this high volume industrial mulching operation. Do you see any balled specimen trees for sale on this "tree farm"? No. Instead, you see heavily compacted earth, supposedly "farming" we are told, of which tree farm mulch manufacturing would be an accessory use? Unbelievable, but yet this continues every day (under Mr. Kittleman's administration) while you both say regulations will be enforced and size limits will prevent industrial mulch sites in residential areas. Yet, we see that regulations are not enforced and that even a 1-2 acre site operates as an Industrial Mulch Manufacturing site. Should I believe your assurances regarding enforcement, or should I believe the current photo of what is actually happening? Should I believe that 1 or 2 acres cannot support an Industrial Mulch site (with all the associated hazards and nuisances and truck traffic)? Or, should I believe what is actually happening?



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Dayton, MD

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District 4
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Ellicott City, MD 21043
410-313-2001

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Date: Thursday, November 2, 2017 at 9:00 AM
To: "Sigaty, Mary Kay" <mksigaty@howardcountymd.gov>
Subject: RE: CB60-2017 and Dayton property

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410-313-0680; www.howardscd.org[[howardscd.org](http://www.howardscd.org)]

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Subject: CB60-2017 and Dayton property

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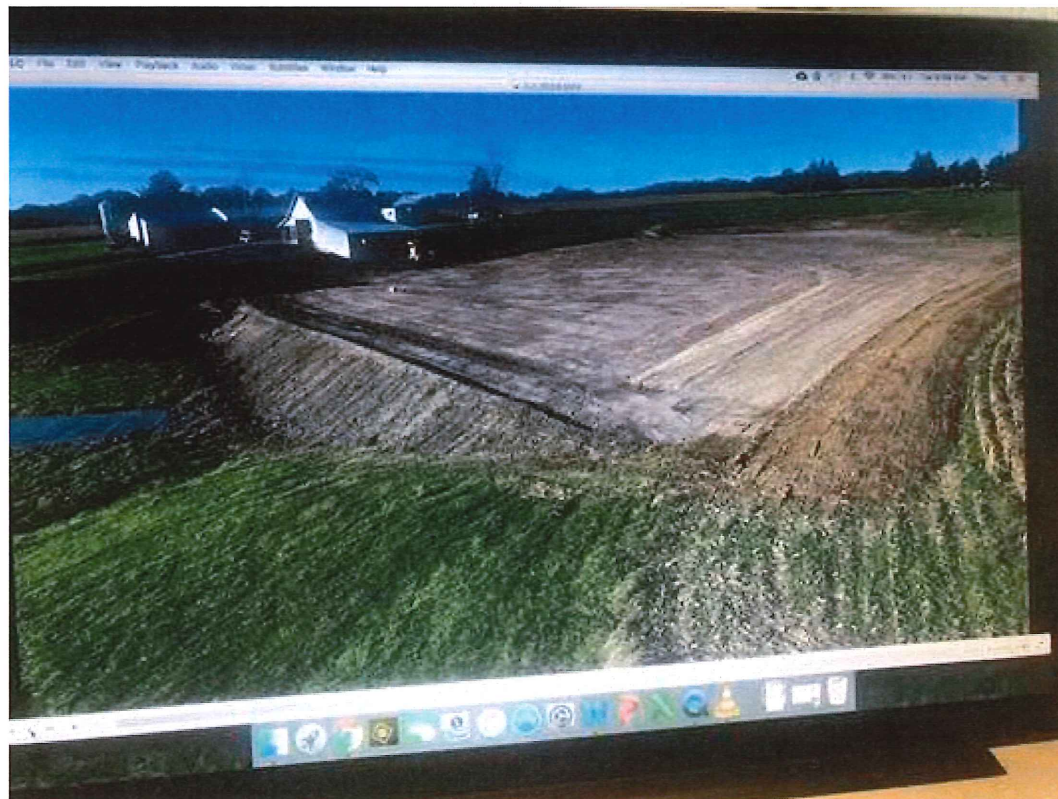
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Is this what Mr. Kittleman has intended with CB60-2017?

Best Regards,
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Sayers, Margery

From: David M Banwarth <dmbanwarth@verizon.net>
Sent: Friday, November 03, 2017 3:19 PM
To: Sigaty, Mary Kay; james.nickel55@gmail.com; Kittleman, Allan; CouncilMail; Lazdins, Valdis; Gowan, Amy; Plummer, David
Cc: im Mayer; Mike Navarre/Lynn; Bethany Hooper; Rob Bundy; Dan O'Leary; Andrew Royle; Lisa Markovitz; Susan Garber; Carol Jane Gray; Ocheltree Janet; Erin Allen; John Allen; Al Risdorfer; Bono Tony V; Paul Morris; Paul Retzbach; Colleen Retzbach; Kristin Robertson; Lora Houck; Trip Kloser; Craig Ostrom; Julius Tunji Akintade; Chelakara Shankar; dave.kromer@tunnellgov.com; Sylvie Leary; Alan Schneider; Paul Shoffeitt; Mike Bucci; Robert Scales; China Williams; Katie Hester; Mike; Patricia Soffen; Joanne Heckman; darbus37@gmail.com; Jennifer Bush; SHARON KEENY; tilycog@comcast.net; cathydatz@yahoo.com; Richard Valentine; Belkacem Manseur; Alex Xu; Richard Taber; Phil Montag; bstrickland@wtplaw.com; ST Balimtas; Michael Burns; Paul Retzbach; fernandesgj@washpost.com; Eric Goldberg; benabili@hotmail.com; Rob Bovello; Paul Robertson; Michael Price; Doug Lee; Jay and Santa Bhalani; Ajay soodan; jmathew@acidd.us; Om Prakash Gupta; jthensel61@gmail.com; Benjamin Lee; joelhouch66@yahoo.com; Ty Shrader; sdwerlinich@aol.com; Williams; Z Zhang; Brian Lehman; Lisa Valentine; Denise Howze; Hafida Manseur; Ning Hu; dianawscales@gmail.com; Richard and Susan Taber; Marisa Montag; estrickland@offitkurman.com; Robin Balimtas; Kathy Burns; Home; Dahna Goldberg; Michelle Meney; jmbovello@comcast.net; Delia Velculescu; Annette Lober; rajput31@yahoo.com; Melissa and Larry Kramer; Jyoti Gupta; s.hensel@live.com; Carol Werlinich; Mirra Morris; Sally Ostrom; Karen K; Laurie Lehman; kf321jump@verizon.net; Paul Capodanno; Ted Mariani; Rick Lober/Annette; Brent Loveless; Stu Kohn; Rob Long; Preserve Dayton; Velculescu Victor; Jeff Harp; Jeff Harp; Luv of My Life; andrew.green@baltsun.com; John Tegeris; Kittleman, Allan; Fox, Greg; CouncilMail; Rob and Leslie Long; Jess Groves
Subject: Re: FW: CB60-2017 and Dayton property

Ms. Sigaty,

In your comments to Mr. Nickel that you shared, you referred to whether to "believe" your assurances regarding CB60. And, while I do appreciate the additional information you provided, I respectfully find it very hard to rely on your assurances in the face of the photos of what is actually happening.

Lets review the facts and photos:

1. Erich Bonner and Oak Ridge Farm, 2700 Woodbine Road, Woodbine

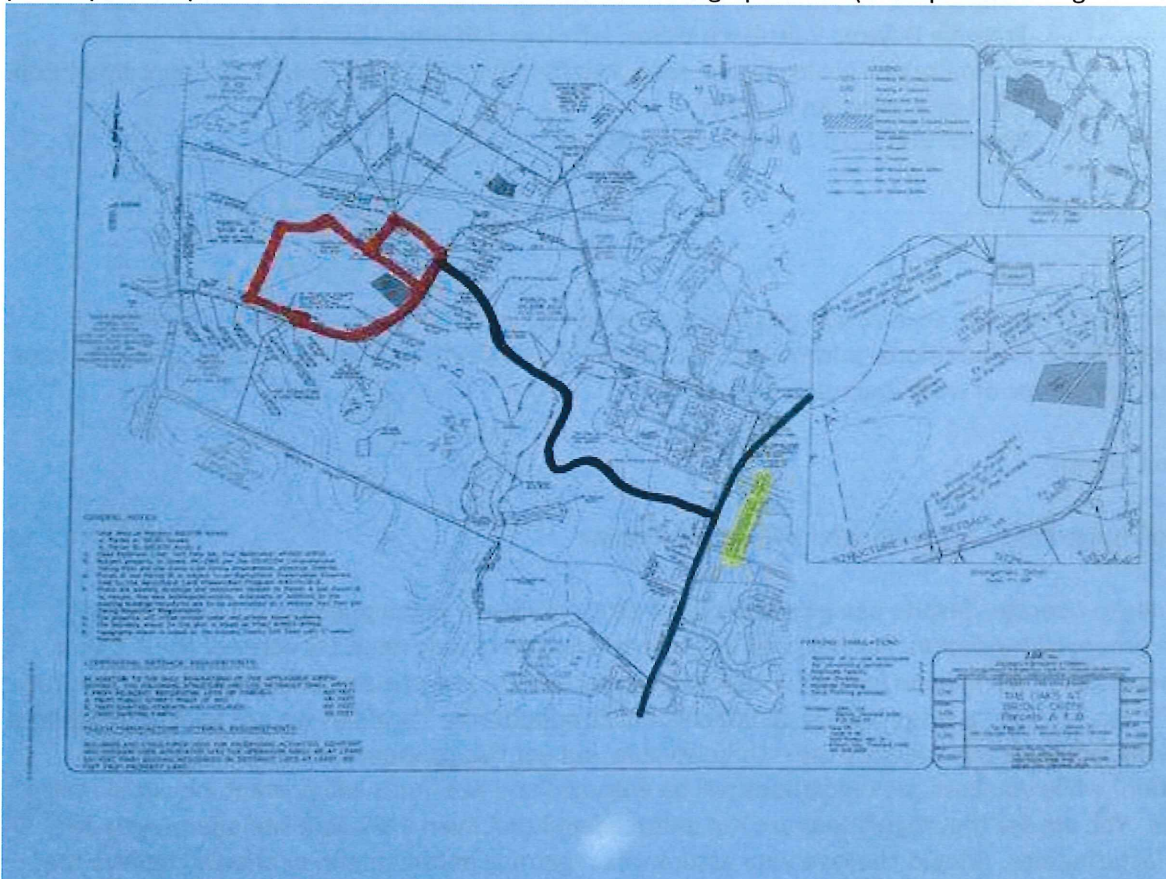
Oak Ridge Farm continues to operate, despite being in violation of CB20, as shown in the **photo** and assurances of enforcement under the proposed legislation. Further, Oak Ridge Farm appears to only need 1-2 acres of the 4.2 acre total site in order to operate this high volume industrial mulching operation. Do you see any balled specimen trees for sale on this "tree farm"? No. Instead, you see heavily compacted earth, supposedly "farming" we are told, of which tree farm mulch manufacturing would be an accessory use? Unbelievable, but yet this continues every day (under Mr. Kittleman's administration) while you both say regulations will be enforced and size limits will prevent industrial mulch sites in residential areas. Yet, we see that regulations are not enforced and that even a 1-2 acre site operates as an Industrial Mulch Manufacturing site. Should I believe your assurances regarding enforcement, or should I believe the

current photo of what is actually happening? Should I believe that 1 or 2 acres cannot support an Industrial Mulch site (with all the associated hazards and nuisances and truck traffic)? Or, should I believe what is actually happening?



2. JBRK Property, Dayton

Mr. Orndorff filed a pre-submission plan to construct an industrial mulch manufacturing plant on his farm 3 years ago. We adjoining residents received official notifications of that filing. To date, we residents have not received any official notification that the submission has been rescinded or cancelled. That submission plan designated a location for primary development of the industrial mulch manufacturing operation (red square rectangular area in this **photo**).



It appears to be the same location as where this new base pad is recently constructed, seemingly of heavily compacted aggregate. Is this coincidental? Which are we to believe? Your assurances, or the actual photos and official documents?



Mr Plummer states "The goal of the (water and sediment control basin) is to ... create a level area that can be productively farmed...".

Now, you present Mr Plummer's statement that the newly created "level area" of compacted aggregate materials is going to be productively farmed"? Again, I will believe the photo instead. It's obviously no longer "green and growing" or tillable/farm-able, as it previously was despite assurances otherwise.

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