

Habicht, Kelli

From: Tolliver, Sheila
Sent: Monday, May 12, 2014 8:34 AM
To: Habicht, Kelli
Subject: FW: LAND

ZRA 148-149 file

From: JDMULLINIXINC@aol.com [<mailto:JDMULLINIXINC@aol.com>]
Sent: Saturday, May 10, 2014 8:28 AM
To: CouncilMail
Subject: LAND

I FORGOT TO SAY ALL THE PEOPLE WHO WANT TO CHANGE THE ZONNING IN DAYTON HAD THIER HOUSE BUILT ON FARM GROUND. THEY DID NOT CARE ABOUT THE GROUND THEN WHY NOW.
THANKS AGAIN MARK A MULLINIX YES I ALWAYS USE CAP LOCKS, NOT SCREAMING

Habicht, Kelli

From: Tolliver, Sheila
Sent: Tuesday, May 13, 2014 8:21 AM
To: karen.herriotts@verizon.net
Subject: RE: "Mulch Bill"

Thank you for your e-mail to the members of the County Council. They appreciate your interest in the matters before them and will bear in mind your comments as they consider this item.

Sheila Tolliver
Administrator
Howard County Council

From: karen.herriotts@verizon.net [<mailto:karen.herriotts@verizon.net>]
Sent: Tuesday, May 13, 2014 7:31 AM
To: CouncilMail
Subject: "Mulch Bill"

Data from form "Contact Howard County Government" was received on 5/13/2014 7:30:58 AM.

Contact Howard County Government

Field	Value
HCGEmailAddr	councilmail@howardcountymd.gov
YourEmailAddr	karen.herriotts@verizon.net
Name	Karen Herriotts
Subject	"Mulch Bill"
MessageBody	I oppose CB20 and CB21.

Email "'Mulch Bill'" originally sent to councilmail@howardcountymd.gov from karen.herriotts@verizon.net on 5/13/2014 7:30:58 AM.

Habicht, Kelli

From: Tolliver, Sheila
Sent: Tuesday, May 13, 2014 4:12 PM
To: Habicht, Kelli
Subject: FW: Oak Ridge Farm
Attachments: Scan0014.pdf

Please file with CB 20 and 21

From: Sigaty, Mary Kay
Sent: Tuesday, May 13, 2014 2:02 PM
To: Tolliver, Sheila
Subject: FW: Oak Ridge Farm

Sheila,

Info on Bills 20 & 21.....MK

--

Mary Kay Sigaty
Howard County Council Member
District 4

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

From: Tom Meachum <tmm@carneykelehan.com>
Date: Tuesday, May 13, 2014 at 11:31 AM
To: Calvin Ball <cball@howardcountymd.gov>, Courtney Watson <cwatson@howardcountymd.gov>, Jen Terrasa <jterrasa@howardcountymd.gov>, Mary Kay Sigaty <mksigaty@howardcountymd.gov>, Greg Fox <gfox@howardcountymd.gov>
Subject: Oak Ridge Farm

There have been some allegations made about characteristics of my client's mulch operation. Attached are some reports from agencies that have been called out to Oak Ridge's place of business, and the observations made by the inspectors that are not in accord with the allegations. Further, Erich Bonner and another employee have been operating the grinder for years, in the middle of the operation, and have no medical conditions from being in the center of the operation.

Let me know if you have any questions.

Regards

Tom

**Carney, Kelehan
Bresler, Bennett
& Scherr LLP**

ATTORNEYS AT LAW

Thomas M. Meachum, Esq.

10715 Charter Drive, Suite 200

Columbia, MD 21044

Voice (410) 740-4600 x206

Fax (410) 730-7729

Please respond to:

tmm@carneykelehan.com

No mulching factory
Dear, Sir

Mc M 20A, 48, 1149

GT
EW
ST
TW
MB
GT

I don't want the Mulch plant. If I were you
I will live like the Lorax. Lorax speaks
for the trees, birds and fishes. The mulch
plant will pollute Dayton. There
will be no more trees, birds and fishes.
There will be a lot of Big truck and
loud noises

I am in the 1st grade in Dayton oak
elementary school. I live here in
Dayton. I like to play in my backyard.
Don't make the mulch plant in Dayton.
It causes fire.

James
Hu;

4-16-2014

James Watson King

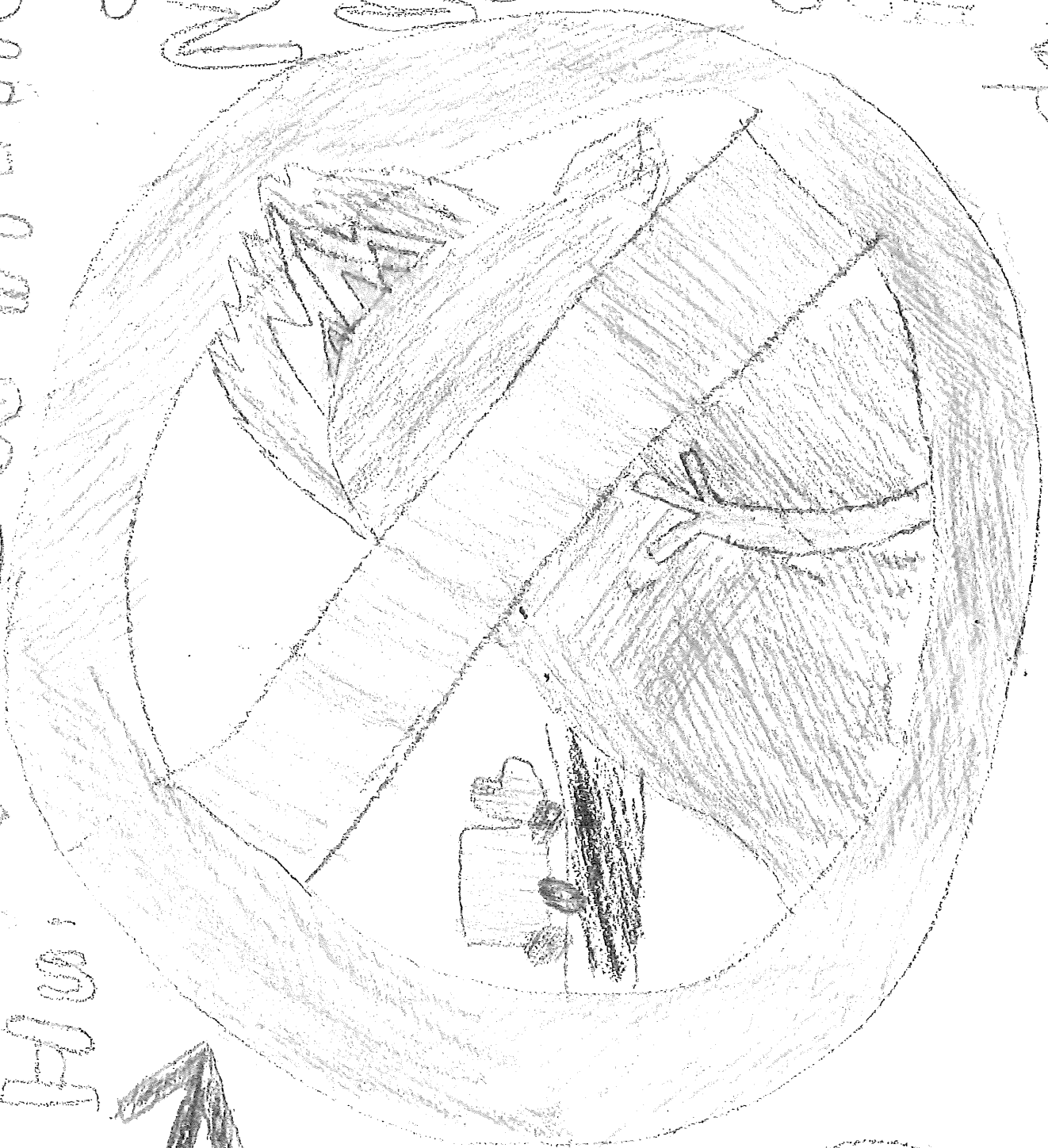
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No Mulching factory

hgh file 2PA 148/49

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4/16/14

(3rd Grade Student)

Dear Sir

I have lived in Dayton since I was 5. I love to play outside in the back and front yard. I also like to bike around my neighborhood. I always had lots of fun. One reason I don't want to have the mulching factory in Dayton is that mulch causes FIRE! I have had fire in my yard and it is terrible. And so I don't want any more FIRE! And I also don't want any trucks in our neighborhood because I am AFRAID of trucks. I had always been afraid of them because they are SO big. The factory will also pollute Dayton and that means I will get sick a lot easier. And that also means no more bike riding with my friends (I will be very sad) My brother and I have been worrying about the mulch factory being built (I get really scared) PLEASE, NO MULCHING FACTORY!

Sincerely

Jaelyn Hui

NO Mulching Factory in Dayton!



John Hai

Call - from ZRA 148/149

GF
CW
ST
TW
MB
Sp

Jack and Ellen Hui
4995 Centaurus Ct.
Dayton, MD 21036
April 15, 2014

Councilman Greg Fox
Howard County Council (District 5)
3430 Courthouse Drive
Ellicott City, Maryland, 21043

RE: Mulch Plant in Dayton Preserved Farmland,

Dear Honorable Councilman Greg Fox,

Thank you for your support and attending the Dayton Community Meeting on March 2, at Dayton Oaks Elementary School.

My family moved here from Prince George's County, Bowie, it had higher crime rate, lots of traffic, with many shopping center around the corner, but it wasn't what I wanted from my two young children, whom were 3 and 5 at the time. I wanted to look for a peaceful community with good school and provide a good upbringing of playing outdoor and less traffic. We found Dayton through my children's Godparent who lives on Green Bridge Road. They had told us all about the community and invited us to look around Dayton Community for our home. We were encouraged about the Peace and Tranquility of Dayton.

We moved in to Dayton in August 2010 and have enjoyed the peace, safety good neighbors. The kids attend Dayton Oaks Elementary School. The kids can safely play outdoors and enjoy the peace and quietness of Dayton. We have proudly told our friends and family of our Home and School at the Dayton in Howard County.

The move for my family had many risk and reward. Our Mortgage has almost tripled and the commute to work has increased. The summer days are quiet and peaceful, with the only the noise from birds, crickets and other nature sound.

Ten Oaks Road is a small curvy road that often frightens my wife and kids when the trucks fly up and down Ten Oaks Road. There are already too many large vehicles on this road, if the Mulch Plant is approved, there will be more than 50 heavy trucks blasting up and down the road. Based on my calculation there will be a truck every 7 minutes. My wife and kids are already very scared of the increase traffic and potential accident involving kids on school bus, with the increase of Heavy Truck traffic.

Before purchasing our HOME in a rural part of Howard County, we have studied the surrounding area and would never have thought a Mulch Plant would be considered for the Agriculture Preserved Farmland.

Please Keep Dayton a Rural Community!

Please Keep Dayton Safe for the Children!

Please Keep Dayton Pollution Free! Free from Loud Chipper Noises, Air and Water Pollution.

Please Keep Heavy Truck Traffic Out of Dayton!

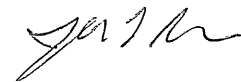
Please Keep the Promise of Fundamental of Agricultural Preserved Farmland for *The Children's of Dayton! They are the Future of Dayton! Keep Them Safe!*

"I want to thank these landowners and the Agricultural Land Preservation Board for helping us protect the Rural West now and for future generations. Preserving our farmland goes hand-in-hand with protecting the quality of life in Howard County. Local farms provide us with healthy, locally-grown food, scenic landscapes, jobs and recreational opportunities.", written by Ken Ulman.

We love Dayton and the Great Outdoor.

No Mulch Plant in Dayton.

Yours faithfully,



Jack and Ellen Hui

Habicht, Kelli

From: Tolliver, Sheila
Sent: Tuesday, April 15, 2014 12:27 PM
To: Habicht, Kelli
Subject: FW: Phone call regarding mulch zra

Zra 148-149 file

From: Sayers, Margery
Sent: Tuesday, April 15, 2014 11:52 AM
To: Tolliver, Sheila
Subject: Phone call regarding mulch zra

Sheila-

I just received a call from a constituent regarding the "mulch issue". She received a letter and was told to call us. She is against it!

She is from District 5

Amil Korangy
13607 Sheepshead Ct
Clarksville
410-988-8114

- Margery

Monica Cimini
4063 Candle Light Drive
Dayton, MD 21036

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March 4, 2014

Howard County Council
ATT: Council Member Calvin Ball
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

Dear Council Member Calvin Ball,

As a resident of Howard County, Maryland, I am writing to express concern over two proposed industrial scale projects that are planning to be built on properties in the Dayton and Sykesville areas – both of which are zoned rural conservation and in agricultural preserve.

I grew up in Howard County where I received a top-notch public education, made lifelong friends, thrived in recreational sports, and spent a great deal of my youth outdoors playing with my siblings, engaging in make believe, and exploring nature. My husband and I bought a home in Dayton hoping to raise our children in a safe rural setting. I am very concerned about the health risks associated with wood dust from mulching facilities. We do not want to subject our children and our neighbors' children to health risks that cannot be controlled as the carcinogens spread through the air. Please consider the children of Dayton, Sykesville, Woodbine, Lisbon, and other rural areas when you consider and/or vote on this matter.

- Recent zoning changed allow for mulch and composting but we believe an industrial operation was not foreseen by those making these allowances as a conditional use of agricultural preservation land zoned RC.
- JBRK, LLC proposes an industrial operation of 16 acres of Dayton farmland to manufacture mulch, soil processing and a composting facility.
- They proposed to pave a new road through beautiful, scenic farmland to provide a road wide enough to reach the proposed facility that up to 50 large commercial dump trucks and tractor trailers can enter and exit onto a tiny residential road, Green Bridge Road.
- The project affects local traffic for residents, which is already overwhelmed with school busses and commuters to work and school each day. Cyclists and athletes ride and run on these residential roads around the farm land. Children get on and off busses and play in their front yards.
- Large grinding machines and machines with a back-up beepers will make noise from early in the morning to 5PM each day including Saturday morning. The smell of an industrial mulch and compost facility will affect residents and school children for miles.
- There are serious environmental concerns to air and ground water being explored, as

well as the carcinogenic properties of wood dust and fine particles that travel far distances through the air.

- Spontaneous mulch fires can occur and with homes only 100 feet from the new road to 600 feet from the mulch facility, this should cause great pause. See the ABC2 news story on Upper Marlboro mulch fire in 2013.
- Undoubtedly, home values will decline and affect household finances greatly!

Sincerely,



Monica Cimini
Ben Cimini



Monica Cimini
4063 Candle Light Drive
Dayton, MD 21036

MKS
ST
TW
MB
EP

March 4, 2014

Howard County Council
ATT: Council Member Mary Kay Sigaty
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

Dear Council Member Mary Kay Sigaty,

As a resident of Howard County, Maryland, I am writing to express concern over two proposed industrial scale projects that are planning to be built on properties in the Dayton and Sykesville areas – both of which are zoned rural conservation and in agricultural preserve.

I grew up in Howard County where I received a top-notch public education, made lifelong friends, thrived in recreational sports, and spent a great deal of my youth outdoors playing with my siblings, engaging in make believe, and exploring nature. My husband and I bought a home in Dayton hoping to raise our children in a safe rural setting. I am very concerned about the health risks associated with wood dust from mulching facilities. We do not want to subject our children and our neighbors' children to health risks that cannot be controlled as the carcinogens spread through the air. Please consider the children of Dayton, Sykesville, Woodbine, Lisbon, and other rural areas when you consider and/or vote on this matter.

- Recent zoning changed allow for mulch and composting but we believe an industrial operation was not foreseen by those making these allowances as a conditional use of agricultural preservation land zoned RC.
- JBRK, LLC proposes an industrial operation of 16 acres of Dayton farmland to manufacture mulch, soil processing and a composting facility.
- They proposed to pave a new road through beautiful, scenic farmland to provide a road wide enough to reach the proposed facility that up to 50 large commercial dump trucks and tractor trailers can enter and exit onto a tiny residential road, Green Bridge Road.
- The project affects local traffic for residents, which is already overwhelmed with school busses and commuters to work and school each day. Cyclists and athletes ride and run on these residential roads around the farm land. Children get on and off busses and play in their front yards.
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- There are serious environmental concerns to air and ground water being explored, as

well as the carcinogenic properties of wood dust and fine particles that travel far distances through the air.

- Spontaneous mulch fires can occur and with homes only 100 feet from the new road to 600 feet from the mulch facility, this should cause great pause. See the ABC2 news story on Upper Marlboro mulch fire in 2013.
- Undoubtedly, home values will decline and affect household finances greatly!

Sincerely,



Monica Cimino
Ben Cimino



Butteridge Rego file ZRA 148/149

CW
ST
TW
BMB
-SP

5435 Harris Farm Lane
Clarksville, MD 21029
March 13, 2014

Courtney Watson
Howard County Council
3430 Courthouse Drive
Ellicott City, MD 21043

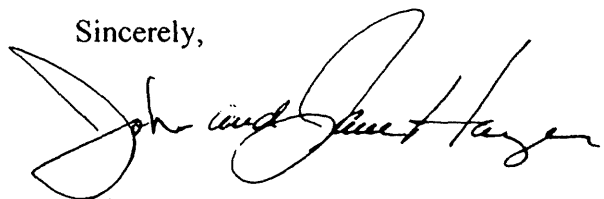
Dear Councilmember Watson,

We are writing to you regarding the proposed industrial mulch facility in Dayton, Maryland. This facility is currently allowed as a result of recent zoning changes to conditional uses on agricultural land. We do not believe that an industrial mulch facility is compatible with the rural nature of this area of the county, nor what was intended when the zoning was changed. This facility poses potential health and environmental risks from noise, dust, and toxic contamination, as well as hazards from heavy commercial truck traffic on rural roads.

We ask you to support the recently proposed amendment to the zoning plan that would prohibit industrial facilities on any RR or RC zoned property, and restrict such facilities to M1 zoned land.

Every effort should be made to preserve the quality of life in our county. The promise to maintain properties placed in agricultural preservation as "Farmland Forever" should be honored.

Sincerely,

A handwritten signature in black ink, appearing to read "John and Jane Hayes". The signature is written in a cursive, flowing style with large loops and flourishes.

John and Jane Hayes

2018 MAR 20 P 1:37

1007

future
Legis File
DRA #18-
149
MKS
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MR
/SP
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March 20, 2014

Mary Kay Sigaty
Howard County Council (District 4)
3430 Courthouse Dr
Ellicott City, MD 21043

RE: Industrial-scale Composting/Mulching Operation in Woodbine, Maryland

Dear Council Member Sigaty,

We have been Howard County residents since 2004 and small business owners since 2012. We are writing to let you know that we **strongly oppose** the proposed industrial-scale composting and mulch manufacturing operation in Woodbine. This industrial mulch grinding operation is attempting to get a conditional use allowance on preserved farmland at Rt. 94 and Florence Road in Woodbine. One mulching operation has already been established in Woodbine (2600 Woodbine Road). With regards to this operation, in 2013, a resident of Woodbine wrote to the Baltimore Sun:

"...this enterprise trucks in hundreds of tractor trailer loads of off-site wood debris from around the state causing truck traffic and noise. When they process the waste material with tremendous bulldozers, loaders, elevators and a tub grinding machine, they pollute our pristine residential-agricultural neighborhood with toxic dust, noxious odor and horrendous noise."

We moved to this area from Montgomery County for the clean air, peace and quiet and beautiful surroundings. These encroaching mulching and composting operations will destroy all of this and as a result, the quality of life for residents. We live less than 1 mile from this proposed development. **We do not want to breathe toxic dust and smell noxious odors emanating from this operation** as we try to enjoy our three acres of property. Why would we continue to live here? We have considered selling our home, Howard County-based small business and moving if farmland continues to be sold for these extremely toxic and dangerous operations. We have talked to neighbors who are furious and also want to leave Howard County.

Millions of Howard County taxpayer dollars have been spent on preserving these farms, so we strongly encourage you and the County Council to take action or continue to take action to stop this.

Thank you for your time,

Carlos and Sarah Guarin

Carlos and Sarah Guarin
3232 Starting Gate Court
Woodbine, MD 21797

Legis file
ZRA 148/149

GF
ST
MB
TW
P

Gregory

3430 Courthouse Dr
Ellicott City, MD 21043

Dear *Greg*,

As a resident of Howard County, I am proud to see the commitment to agricultural preservation that you and other county leaders have demonstrated over the years. However, I am concerned that recent changes to the Comprehensive Zoning Plan will have unintended consequences that threaten to undermine that commitment.

Under the recent 2013 Comprehensive Zoning changes, several new types of conditional uses are permitted on agricultural preservation land. These include communications towers, golf courses, shooting ranges, mulch manufacture, and composting facilities. While these types of commercial operations have their place in the county, they are not in keeping with the intent of the Program, which is described in the Howard County Code as being "to protect the health, safety and well-being of present and future residents of Howard County by conserving and protecting 30,000 acres of agricultural land as an environmental resource of major importance."

As County Executive Ulman said during the most recent Batch 14 easement acquisition process, "Preserving our farmland goes hand-in-hand with protecting the quality of life in Howard County. Local farms provide us with healthy, locally-grown food, scenic landscapes, jobs and recreational opportunities." The non-traditional conditional uses permitted under the Comprehensive Zoning changes of 2013 do not contribute to the enhancement of Howard County quality of life, and they run counter to the stated goals of the Agricultural Land Preservation Program.

Industrial-scale composting and mulch manufacturing facilities are currently being proposed in Dayton and Woodbine. These operations – planned for agricultural preservation land – would not have been a permissible conditional use prior to the 2013 Comprehensive Zoning Plan changes.

The proposed facilities are expected to bring in and grind significant quantities of wood waste from off-property, resulting in airborne contaminants such as wood dust particles that may impact the health of community residents. The coal dust and chemicals used to dye the mulch could contaminate the well water supply and local streams, which feed the Patapsco River and Chesapeake Bay. In addition, the impact commercial dump trucks and tractor-trailers on an already congested and dangerous roads, could be significant, and even deadly. Finally, conducting industrial and commercial operations on properties assessed under agricultural property tax rates increases the tax burden on true farmers that the Agricultural Land Preservation Program are meant to protect.

Having spent millions of Howard County taxpayer dollars on preserving these farms, I strongly encourage you and the County Council to take action to avoid these unintended consequences resulting from the recent Comprehensive Zoning Plan changes. Thank you for your support and consideration.

Sincerely,

DJ for Tom

12621 Howard Lodge Dr

Sykesville MD 21784-5412

CMBRS
ST
MB
TW
SP

February 28, 2013

Mr. Calvin Ball
Howard County Council (District 2)
3430 Courthouse Dr
Ellicott City, MD 21043

Dear Mr. Ball,

As a resident of Howard County, I am proud to see the commitment to agricultural preservation that you and other county leaders have demonstrated over the years. However, I am concerned that recent changes to the Comprehensive Zoning Plan will have unintended consequences that threaten to undermine that commitment.

Under the recent 2013 Comprehensive Zoning changes, several new types of conditional uses are permitted on agricultural preservation land. These include communications towers, golf courses, shooting ranges, mulch manufacture, and composting facilities. While these types of commercial operations have their place in the county, they are not in keeping with the intent of the Program, which is described in the Howard County Code as being "to protect the health, safety and well-being of present and future residents of Howard County by conserving and protecting 30,000 acres of agricultural land as an environmental resource of major importance."

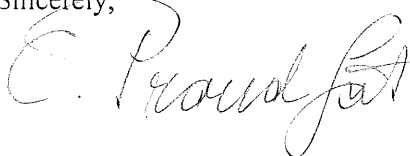
County Executive Ulman said during the most recent Batch 14 easement acquisition process, "Preserving our farmland goes hand-in-hand with protecting the quality of life in Howard County. Local farms provide us with healthy, locally-grown food, scenic landscapes, jobs and recreational opportunities." The non-traditional conditional uses permitted under the Comprehensive Zoning changes of 2013 do not contribute to the enhancement of Howard County quality of life, and they run counter to the stated goals of the Agricultural Land Preservation Program.

A pre-submission community meeting was held on December 19, 2013 for an industrial-scale composting and mulch manufacturing facility at 1500 Rt 32, Sykesville. Over 100 concerned citizens attended the meeting and voiced opposition after hearing the presentation. This operation – planned for agricultural preservation land – would not have been a permissible conditional use prior to the 2013 Comprehensive Zoning Plan changes.

The proposed facility is expected to bring in and grind significant quantities of wood waste from off-property, resulting in airborne contaminants such as wood dust particles that may impact the health of community residents. The coal dust and chemicals used to dye the mulch could contaminate the well water supply and local streams, which feed the Patapsco River and Chesapeake Bay. In addition, the impact commercial dump trucks and tractor trailers turning across Rt 32, an already congested and dangerous road, could be significant, and even deadly. Finally, conducting industrial and commercial operations on properties assessed under agricultural property tax rates increases the tax burden on true farmers that the Agricultural Land Preservation Program are meant to protect.

Having spent millions of Howard County taxpayer dollars (\$2.75 million on the Stedding property at 1500 Rt 32) on preserving these farms, I strongly encourage you and the entire County Council to take action to avoid these unintended consequences resulting from the recent Comprehensive Zoning Plan changes. Thank you for your support and consideration.

Sincerely,



*Copy file
2/28/14
2/28/14*

GF
SA
MB
DW
AB

John & Beverly McCleaf
5217 Kalmia Drive
Dayton, Maryland 21036

March 13, 2014

Greg Fox
Howard County Council
3430 Courthouse Drive
Ellicott City MD 21043

Dear Mr Fox,

As a resident of Howard County, Maryland, I am writing to express concern over two proposed industrial scale projects that are planning to be built on properties in the Dayton and Sykesville areas - both of which are zoned rural conservation and in agricultural preserve.

We are concerned about the amount of noise that will permeate our quiet peaceful community. Green Bridge Road is a small road, not constructed for large trucks traveling all day. Some of the houses are built very close to the road and will have the noise and vibration of trucks all day.

We have neighbors with lung issues. They are concerned and fear they will have to stay indoors most of the time. Also, we don't want to take any chances on contamination of our well water that feeds this area. We moved here for a quiet country setting, not an industrial production taking place six days a week.

- Recent zoning changed allow for mulch and composting but we believe an industrial operation was not foreseen by those making these allowances as a conditional use of agricultural preservation land zoned RC.
- JBRK, LLC proposes an industrial operation of 16 acres of Dayton farmland to manufacture mulch, soil processing and a composting facility.
- They proposed to pave a new road through beautiful, scenic farmland to provide a road wide enough to reach the proposed facility that up to 50 large commercial dump trucks and tractor trailers can enter and exit onto a tiny residential road, Green Bridge Road.
- The project affects local traffic for residents that is already overwhelmed

with school busses and commuters to work and school each day. Cyclists and athletes ride and run on these residential roads around the farm land. Children get on and off busses and play in their front yards.

- Large grinding machines and machines with a back-up beepers will make noise from early in the morning to 5PM each day including Saturday morning. The smell of an industrial mulch and compost facility will affect residents and school children for miles.
- There are serious environmental concerns to air and ground water being explored, as well as the carcinogenic properties of wood dust and fine particles that travel far distances through the air.
- Spontaneous mulch fires can occur and with homes only 100 feet from the new road to 600 feet from the mulch facility, this should cause great pause. See the ABC2 news story on Upper Marlboro mulch fire in 2013.
- Undoubtedly, home values will decline and affect household finances greatly!

A handwritten signature in cursive script that reads "John & Beverly McCleaf". The signature is written in black ink and is positioned above the typed name.

Sincerely,
John & Beverly McCleaf

Date: March 11, 2014

*Person file
2014, 148/149*

*MBRS
ST
MB
TW
JP*

Mr. Calvin Ball
Howard County Council (District 2)
3430 Courthouse Dr.
Ellicott City, MD 21043

Dear Mr. Ball,

As a resident of Howard County, I am proud to see the commitment to agricultural preservation that you and other county leaders have demonstrated over the years. However, I am concerned that recent changes to the Comprehensive Zoning Plan will have unintended consequences that threaten to undermine that commitment.

Under the recent 2013 Comprehensive Zoning changes, several new types of conditional uses are permitted on agricultural preservation land. These include communications towers, golf courses, shooting ranges, mulch manufacture, and composting facilities. While these types of commercial operations have their place in the county, they are not in keeping with the intent of the Program, which is described in the Howard County Code as being "to protect the health, safety and well-being of present and future residents of Howard County by conserving and protecting 30,000 acres of agricultural land as an environmental resource of major importance."

As County Executive Ulman said during the most recent Batch 14 easement acquisition process, "Preserving our farmland goes hand-in-hand with protecting the quality of life in Howard County. Local farms provide us with healthy, locally-grown food, scenic landscapes, jobs and recreational opportunities." The non-traditional conditional uses permitted under the Comprehensive Zoning changes of 2013 do not contribute to the enhancement of Howard County quality of life, and they run counter to the stated goals of the Agricultural Land Preservation Program.

Industrial-scale composting and mulch manufacturing facilities are currently being proposed in Dayton and Woodbine. These operations – planned for agricultural preservation land – would not have been a permissible conditional use prior to the 2013 Comprehensive Zoning Plan changes.

The proposed facilities are expected to bring in and grind significant quantities of wood waste from off-property, resulting in airborne contaminants such as wood dust particles that may impact the health of community residents. The coal dust and chemicals used to dye the mulch could contaminate the well water supply and local streams, which feed the Patapsco River and Chesapeake Bay. In addition, the impact commercial dump trucks and tractor trailers on an already congested and dangerous roads, could be significant, and even deadly. Finally, conducting industrial and commercial operations on properties assessed under agricultural property tax rates increases the tax burden on true farmers that the Agricultural Land Preservation Program are meant to protect.

Having spent millions of Howard County taxpayer dollars on preserving these farms, I strongly encourage you and the County Council to take action to avoid these unintended consequences resulting from the recent Comprehensive Zoning Plan changes. Thank you for your support and consideration.

Sincerely,

Sharon L. Stewart

*WFS
2/28/14
48/149*

*CS
ST
MB
TW
SP*

Brett Taylor
13816 Holly Crest Lane
Dayton, MD 21036

March 4, 2014

Dear Mr. Ball,

I am writing as a concerned citizen of Dayton and resident of Howard County, Maryland. I am writing to ask you to support recently submitted county zoning amendments that will be voted on in upcoming legislative sessions this spring. These amendments correct loopholes in the 2013 rezoning plan approved last summer that are allowing industrial mulching facilities previously allowed only in industrially zoned (M1) areas to be placed in rural conservation (RC) and rural residential (RR) areas. I was also surprised to see that this type of facility would now be allowed on farms in Agricultural Preserve and that the former one acre cap on these conditional uses has been removed thus allowing for industrial sized projects on these farms that the County and its tax payers paid to keep in Agricultural Preserve in perpetuity.

Specifically, we have three projects in Howard County where large mulching operations are being proposed on farms that are very near our homes. Of most concern at present is a project in Dayton, MD proposed by JBRK, LLC.

Dayton is a rural community with small two lane roads often with no shoulder and several blind corners. It is because of our long roads and beautiful landscape that many bicyclists, runners, and other athletes choose our roads to work out on. Homes are also directly off these roads, some of which have young children that play in their front yard (as well as being picked up and dropped off from school buses). The addition of several large 18-wheelers on these roads would cause multiple accidents and possible fatalities.

The air pollution and health concerns from the toxic wood dust that settles miles around are my largest concern. At a local community meeting, a person who lives near one of these facilities does not go outside in his own yard due to the toxins in the air. His horses have had heart attacks and tumors, and people living near the mulching facility have developed cancer. The majority of homes out here have wells and the chemicals, residue, and dust from the facility could contaminate our groundwater. I do not want to keep my children from their childhood by keeping them inside for fear of their health. My two sons attend Dayton Oaks Elementary, which is in close proximity to the proposed site. What does it say about our county when we put our children at such a large health risk?


There is also a huge safety issue if this plant comes to Dayton. We have learned that the huge mulch piles can spontaneously combust. If that should happen we do not have the water resources that would put out a fire of that magnitude quickly. A

recent fire at a similar facility took ten hours to put out and fire trucks had to run hoses from the local elementary school for several feet (if not miles) to the fire site (see the ABC2 news story on an Upper Marlboro mulch fire in 2013.e). Our area, due to open fields and farmland is very windy. Fire could start and spread very easily and we simply do not have the county resources to deal with it efficiently.

Three years ago, the County spent millions to buy another 1200 acres of farmland to place into Agricultural Preserve. At that time Howard County Executive Ken Ulman stated *"I want to thank these landowners and the Agricultural Land Preservation Board for helping us protect the Rural West now and for future generations. Preserving our farmland goes hand-in-hand with protecting the quality of life in Howard County. Local farms provide us with healthy, locally-grown food, scenic landscapes, jobs and recreational opportunities."*

I am asking Mr. Ulman and the County Council to approve the zoning amendments recently proposed that correct loopholes, which will ruin the vision he stated above, and allow large industrial uses on our local farms in Howard County. This is a rural community and the mulching facility is an industrial plant. It should NOT be allowed to come to any residential or agricultural zoned area. We do not want this industrial business here nor do we want the noise, the trucks, the pollution, and the increased safety hazards. To allow such industrial uses would be at the detriment of our children, our safety, and our community.

Sincerely,


Brett Taylor

Dear
council
members

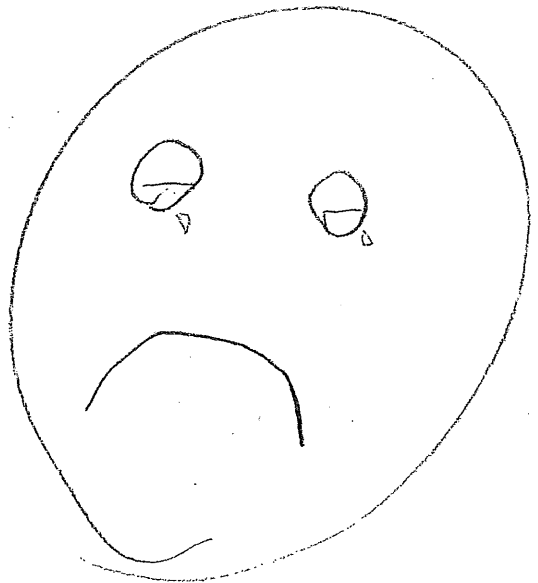
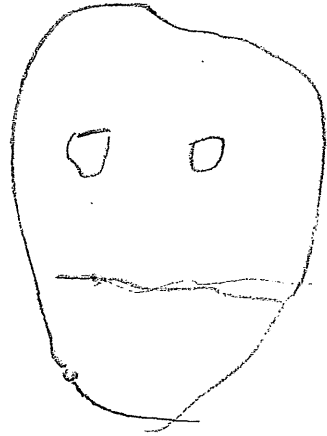
please
do vote

for the
mulching

facility in
Dayton,

Jonathan

TAYLOR, G



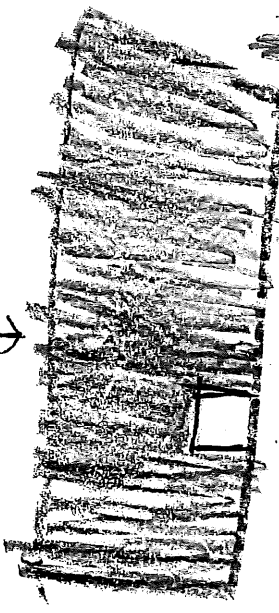
March 3, 2011
Dear Council Members

Please don't vote
for the muckling
facility because I
live less than a mile
away from the facility
site. I also hate waking
up with noise! I don't
want to get sick either!

David Taylor, 8



The facility is by
a school



Please don't vote for the facility!!

Diane, Jeff, and Angela Banner
4921 Green Bridge Road
Dayton

Jeff's file
2/28/14 1/18/14

GF
ST
RNB
TW
SP

March 10, 2014

The Honorable Greg Fox
George Howard Building
3430 Court House Drive
Ellicott City

Dear Councilman Fox,

As residents of Howard County, Maryland, we are writing to ask you to support recently submitted county zoning amendments that will be voted on in upcoming legislative sessions this spring. These amendments correct loopholes in the 2013 rezoning plan approved last summer that are allowing industrial mulching facilities previously allowed only in industrially zoned (M1) areas to be placed in rural conservation (RC) and rural residential (RR) areas. We were surprised to learn that this type of facility would now be allowed on farms in Agricultural Preserve and that the former one acre cap on these conditional uses has been removed thus allowing for industrial sized projects on these farms that the County and its tax payers paid to keep in Agricultural Preserve in perpetuity.

Our family of four lives on Green Bridge Road. This is a narrow two lane road with no shoulder that is used often by joggers and bike riders. It is not fit to handle the proposed traffic—particularly the heavy trucks. Our home and many others are only approximately 20 yards from the road. The heavy traffic will be a safety hazard for children, pets, and other residents, as well as the bike clubs that like to use Green Bridge Road as a route. We are also greatly concerned about the air pollution this facility will create and the associated health risk. We are disheartened that land set aside as “farmland forever” is now subject to this industrial use because of a loophole created in the zoning laws by 2013 amendments. Our property value is also a concern.

While we believe that the Howard County Council and Executive had good intentions in mind when these new conditional uses were proposed to help our farming community, some of the changes are allowing for uses that we cannot imagine the Council had intended when the zoning amendments were approved last summer.

Specifically, there are three projects in Howard County where large mulching operations are being proposed on farms that are very near our home. Of most concern at present is a project in Dayton, MD proposed by JBRK, LLC that would:

- Involve paving a new road through beautiful, scenic farmland that would allow up to 50

large commercial dump trucks and tractor trailers a day to enter and exit the facility via Green Bridge Road and then travel on other local Dayton roads to Rt. 32.

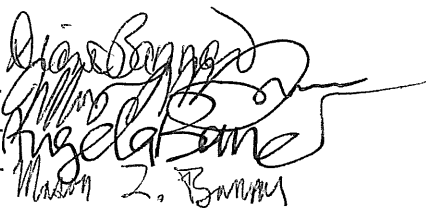
- Affect local traffic for residents that is already overwhelmed with school busses and commuters travelling to work and school each day. Cyclists and athletes ride and run on these residential roads around the farm land. Children get on and off busses and play in their front yards.
- Allow large grinding machines and construction vehicles with a back-up beepers to make noise from early in the morning to 5PM each day including Saturday morning. The smell of an industrial mulch and compost facility will affect residents and school children for miles.
- Allow for potential environmental issues with our air and ground water and the generation of carcinogenic wood dust and fine particles that can travel far distances to our homes and families.
- Allow potential spontaneous mulch fires on a farm with an inadequate water supply and homes as close as 600 feet from the facility. See the ABC2 news story on an Upper Marlboro mulch fire in 2013.

Three years ago, the County spent millions to buy another 1200 acres of farmland to place into Agricultural Preserve. At that time Howard County Executive Ken Ulman stated *"I want to thank these landowners and the Agricultural Land Preservation Board for helping us protect the Rural West now and for future generations. Preserving our farmland goes hand-in-hand with protecting the quality of life in Howard County. Local farms provide us with healthy, locally-grown food, scenic landscapes, jobs and recreational opportunities."*

We are asking Mr. Ulman and the County Council to approve the zoning amendments recently proposed that correct loopholes which will ruin the vision he stated above and allow large industrial uses on our local farms in Howard County.

Sincerely,

Diane Banner
Jeffery Banner
Angela Banner
Mason Banner



Councilman Fox,
my husband and I were present at the meeting at Dayton Oaks and we are counting on you to introduce an ordinance to prohibit this use.

Sincerely,
Diane Banner

Diane, Jeff, and Angela Banner
4921 Green Bridge Road
Dayton

1486 - 2227-148/149

CB
ST
MKS
CW
ST
MB
TW
SP

March 10, 2014

The Honorable Calvin Ball
George Howard Building
3430 Court House Drive
Ellicott City

Dear Councilman Ball,

As residents of Howard County, Maryland, *we are writing to ask you to support recently submitted county zoning amendments that will be voted on in upcoming legislative sessions this spring. These amendments correct loopholes in the 2013 rezoning plan approved last summer that are allowing industrial mulching facilities previously allowed only in industrially zoned (M1) areas to be placed in rural conservation (RC) and rural residential (RR) areas.* We were also surprised to learn that this type of facility would now be allowed on farms in Agricultural Preserve and that the former one acre cap on these conditional uses has been removed thus allowing for industrial sized projects on these farms that the County and its tax payers paid to keep in Agricultural Preserve in perpetuity.

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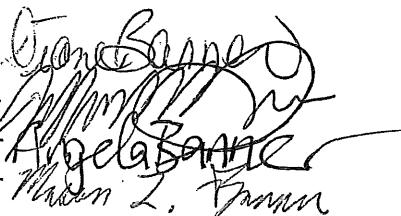
Sincerely,

Diane Banner

Jeffery Banner

Angela Banner

Mason Banner



BOARD OF APPEALS AGENDA
TUESDAY, MARCH 11, 2014 @ 6:30 p.m.
Banneker Room
(Legal Counsel: Barry Sanders, Esquire)

I. WORKSESSION/HEARING:

Worksession:

Board to vote for Chairperson and Vice Chairperson of BOA for 2014

Hearing:

BA 12-018C&V Peralynna Properties, Inc., t/a The Columbia Inn at Peralynna
Conditional use for a Guest House with 19 guest rooms and indoor
Limited social assemblies
(10605 Clarksville Pike)

ENCLOSED IN YOUR FOLDER ARE THE FOLLOWING DOCUMENTS:

1. none

II. TO BE DISCUSSED BY BOARD OF APPEALS:

- None

III. TO BE SIGNED:

- Order to Dismiss BA 11-021N&V, Cromwell Builders.

IV. HEARINGS/WORKSESSIONS TO BE SCHEDULED

- None

V. HEARING SCHEDULED FOR THE NEXT TWO WEEKS

- None

V. STATUS OF DECISIONS AND ORDERS

A. CASES/ISSUES TO BE DECIDED BY THE BOARD

- * none

B. D&Os TO BE DRAFTED BY OFFICE OF LAW

Mar 9, 2014

Mr. Calvin Ball
Howard County Council (District 2)
3430 Courthouse Dr
Ellicott City, MD 21043

Dear Mr. Ball,

As a resident of Howard County, I am proud to see the commitment to agricultural preservation that you and other county leaders have demonstrated over the years. However, I am concerned that recent changes to the Comprehensive Zoning Plan will have unintended consequences that threaten to undermine that commitment.

Under the recent 2013 Comprehensive Zoning changes, several new types of conditional uses are permitted on agricultural preservation land. These include communications towers, golf courses, shooting ranges, mulch manufacture, and composting facilities. While these types of commercial operations have their place in the county, they are not in keeping with the intent of the Program, which is described in the Howard County Code as being "to protect the health, safety and well-being of present and future residents of Howard County by conserving and protecting 30,000 acres of agricultural land as an environmental resource of major importance."

As you said during the most recent Batch 14 easement acquisition process, "Preserving our farmland goes hand-in-hand with protecting the quality of life in Howard County. Local farms provide us with healthy, locally-grown food, scenic landscapes, jobs and recreational opportunities." The non-traditional conditional uses permitted under the Comprehensive Zoning changes of 2013 do not contribute to the enhancement of Howard County quality of life, and they run counter to the stated goals of the Agricultural Land Preservation Program.


Industrial-scale composting and mulch manufacturing facilities are currently being proposed in Dayton and Woodbine. These operations – planned for agricultural preservation land – would not have been a permissible conditional use prior to the 2013 Comprehensive Zoning Plan changes.

The proposed facilities are expected to bring in and grind significant quantities of wood waste from off-property, resulting in airborne contaminants such as wood dust particles that may impact the health of community residents. The coal dust and chemicals used to dye the mulch could contaminate the well water supply and local streams, which feed the Patapsco River and Chesapeake Bay. In addition, the impact commercial dump trucks and tractor trailers on an already congested and dangerous roads, could be significant, and even deadly. Finally, conducting industrial and commercial operations on properties assessed under agricultural property tax rates increases the tax burden on true farmers that the Agricultural Land Preservation Program are meant to protect.

Having spent millions of Howard County taxpayer dollars on preserving these farms, I strongly encourage you and the County Council to take action to avoid these unintended consequences resulting from the recent Comprehensive Zoning Plan changes. Thank you for your support and consideration.

Sincerely,

Leo & Sandra Kosiorek



CMBS
ST
TW
MB
SP

lyg
2/27/14 148/149

March 2014

CW
ST
SE

Councilwoman Watson,

Thank you for the continuing support for
the Fairness for All Marylanders Act. your leadership
in Howard County on trans equality and strong
support for the state bill are very appreciated.

Best,
Jan.

GF
ST
MB
TW
-SP

James Senate Office Building
11 Bladen Street, Room 120
Annapolis, Maryland 21401
410-841-3572 · 301-858-3572
800-492-7122 Ext. 3572
Fax 410-841-3455 · 301-858-3455
James.Robey@senate.state.md.us

*copy
2/28/14 8-149*



JAMES N. ROBESY
13th Legislative District
Howard County

MAJORITY LEADER

Budget and Taxation Committee

Chair

Health and Human Services Subcommittee

Pensions Subcommittee

Senate Chair

Joint Advisory Committee on
Legislative Data Systems

Joint Committee on Pensions

The Senate of Maryland
ANNAPOLIS, MARYLAND 21401

March 10, 2014

Mr. and Mrs. David Roesler
4305 Ten Oaks Road
Dayton, MD 21036

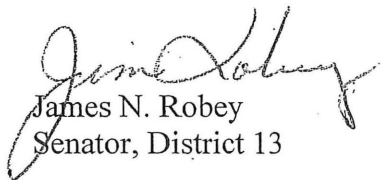
Dear Mr. and Mrs. Roesler:

Thank you for contacting me regarding a proposed mulch-manufacturing site in the Dayton area. Since this is a local zoning issue, I have contacted the Director of Howard County Planning and Zoning to make her aware of your concerns. Ms. McLaughlin has advised that a conditional use application for a mulching facility has not yet been submitted. However, your concerns will be noted when the application is received and DPZ prepares their recommendation to the Hearing Examiner.

I understand that Councilman Greg Fox will be submitting a ZRA to address some of the changes that were made during the comprehensive rezoning process related to 1) the difference in definitions between yard waste composting facilities (old definition) and composting facilities (new definition); and 2) the ability to now utilize composting facilities in Agricultural Land Preservation Parcels. I encourage you to request the Department of Planning and Zoning to expedite the process, and also urge other council members to consider those changes.

I appreciate your taking the time to share your concerns with me on issues of importance to you.

Sincerely,


James N. Robesy
Senator, District 13

cc: The Honorable Ken Ulman, County Executive
The Honorable Greg Fox, County Councilman
Ms. Marsha McLaughlin, Director, DPZ

JAMES N. ROBESY
13th Legislative District
Howard County

MAJORITY LEADER

Budget and Taxation Committee

Chair

Health and Human Services Subcommittee

Pensions Subcommittee

Senate Chair

Joint Advisory Committee on
Legislative Data Systems

Joint Committee on Pensions



The Senate of Maryland

ANNAPOLIS, MARYLAND 21401

James Senate Office Building
11 Bladen Street, Room 120
Annapolis, Maryland 21401
410-841-3572 · 301-858-3572
800-492-7122 Ext. 3572
Fax: 410-841-3455 · 301-858-3455
James.Robey@senate.state.md.us

GF
ST
WB
TW
SP

March 10, 2014

Mr. and Mrs. Gerald Anderson
4948 Ten Oaks Road
Dayton, MD 21036

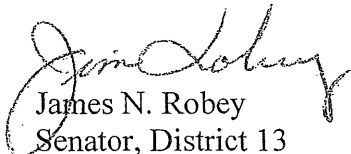
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Sincerely,


James N. Robesy
Senator, District 13

cc: The Honorable Ken Ulman, County Executive
The Honorable Greg Fox, County Councilman
Ms. Marsha McLaughlin, Director, DPZ

future
legis file
ZRA # 149

GF
ST
MB
TW
sp

Heidi and Bruce Trout
3518 Rosemary Ln
Ellicott City, MD 21042

March 7, 2014

Greg Fox
Howard County Council
3430 Courthouse Drive
Ellicott City, Maryland 21043

Dear Councilman Fox,

As 19-year residents of Howard County, Maryland, we completely support your recently submitted county zoning amendments that will correct loopholes in the 2013 rezoning plan approved last summer. We were shocked and dismayed to learn that changes to the Comprehensive Zoning plan are now allowing industrial mulching facilities, previously allowed only in industrially zoned (M1) areas, in rural conservation (RC) and rural residential (RR) areas.

We are very concerned about the negative environmental, noise, safety, and transportation impacts that these types of industrial facilities will create for ourselves and our neighbors here in rural Howard County.

We were heartened to hear of your ZRA filing, which if approved, will reverse the potentially devastating consequences of allowing industrial mulching and composting facilities on agriculturally preserved land. Thank you for your time and work in this matter.

Sincerely,



Heidi Trout

Sincerely,



Bruce Trout

2/24/14

CB
ST
BLW
MKS
ST
MB
TW
58

Heidi and Bruce Trout
3518 Rosemary Ln
Ellicott City, MD 21042

March 7, 2014

Calvin Ball
Howard County Council
3430 Courthouse Drive
Ellicott City, Maryland 21043

Dear Councilman Ball,

As 19-year residents of Howard County, Maryland, we are writing to ask you to support recently submitted county zoning amendments that will be voted on in upcoming legislative sessions this Spring. These amendments correct loopholes in the 2013 rezoning plan approved last summer that are allowing industrial mulching facilities, previously allowed only in industrially zoned (M1) areas, in rural conservation (RC) and rural residential (RR) areas.

We were shocked and dismayed to see that this type of facility would now be allowed on farms in Agricultural Preserve and that the former one acre cap on these conditional uses has been removed thus allowing for industrial sized projects on these farms that the County and its tax payers paid to keep in Agricultural Preserve in perpetuity.

Of most concern at present is a project in Dayton, MD proposed by JBRK, LLC that would:

- Involve paving a new road through beautiful, scenic farmland that would allow up to 50 large commercial dump trucks and tractor trailers a day to enter and exit the facility via Green Bridge Road and then travel on other local Dayton roads to Rt. 32.
- Affect local traffic for residents that are already overwhelmed with school busses and commuters travelling to work and school each day. Cyclists and athletes ride and run on these residential roads around the farm land. Children get on and off busses and play in their front yards.
- Allow large grinding machines and construction vehicles with back-up beepers to make noise from early in the morning to 5PM each day including Saturday morning. The smell of an industrial mulch and compost facility will affect residents and school children for miles.
- Allow for potential environmental issues with our air and ground water and the generation of carcinogenic wood dust and fine particles that can travel far distances to our homes and families.
- Allow potential spontaneous mulch fires on a farm with an inadequate water supply and homes as close as 600 feet from the facility. See the ABC2 news story on an Upper Marlboro mulch fire in 2013.

Three years ago, the County spent millions to buy another 1200 acres of farmland to place into Agricultural Preserve. At that time Howard County Executive Ken Ulman stated *"I want to thank these landowners and the Agricultural Land Preservation Board for helping us protect the Rural West now and for future generations. Preserving our farmland goes hand-in-hand with protecting the quality of life in Howard County. Local farms provide us with healthy, locally-grown food, scenic landscapes, jobs and recreational opportunities."*


We are asking Mr. Ulman and the County Council to approve the zoning amendments recently proposed that correct loopholes which will ruin the vision he stated above and allow large industrial uses on our local farms in Howard County.

Sincerely,



Heidi Trout

Sincerely,



Bruce Trout

Brett Taylor
13816 Holly Crest Lane
Dayton, MD 21036

*lyb
2/24/14*

*CW
DT
MKS
ST
MAB
TW
P*

March 4, 2014

Dear Ms. Watson,

I am writing as a concerned citizen of Dayton and resident of Howard County, Maryland. I am writing to ask you to support recently submitted county zoning amendments that will be voted on in upcoming legislative sessions this spring. These amendments correct loopholes in the 2013 rezoning plan approved last summer that are allowing industrial mulching facilities previously allowed only in industrially zoned (M1) areas to be placed in rural conservation (RC) and rural residential (RR) areas. I was also surprised to see that this type of facility would now be allowed on farms in Agricultural Preserve and that the former one acre cap on these conditional uses has been removed thus allowing for industrial sized projects on these farms that the County and its tax payers paid to keep in Agricultural Preserve in perpetuity.

Specifically, we have three projects in Howard County where large mulching operations are being proposed on farms that are very near our homes. Of most concern at present is a project in Dayton, MD proposed by JBRK, LLC.

Dayton is a rural community with small two lane roads often with no shoulder and several blind corners. It is because of our long roads and beautiful landscape that many bicyclists, runners, and other athletes choose our roads to work out on. Homes are also directly off these roads, some of which have young children that play in their front yard (as well as being picked up and dropped off from school buses). The addition of several large 18-wheelers on these roads would cause multiple accidents and possible fatalities.

The air pollution and health concerns from the toxic wood dust that settles miles around are my largest concern. At a local community meeting, a person who lives near one of these facilities does not go outside in his own yard due to the toxins in the air. His horses have had heart attacks and tumors, and people living near the mulching facility have developed cancer. The majority of homes out here have wells and the chemicals, residue, and dust from the facility could contaminate our groundwater. I do not want to keep my children from their childhood by keeping them inside for fear of their health. My two sons attend Dayton Oaks Elementary, which is in close proximity to the proposed site. What does it say about our county when we put our children at such a large health risk?

There is also a huge safety issue if this plant comes to Dayton. We have learned that the huge mulch piles can spontaneously combust. If that should happen we do not have the water resources that would put out a fire of that magnitude quickly. A

David Taylor, 8

March 3, 2011

Dear Council Member

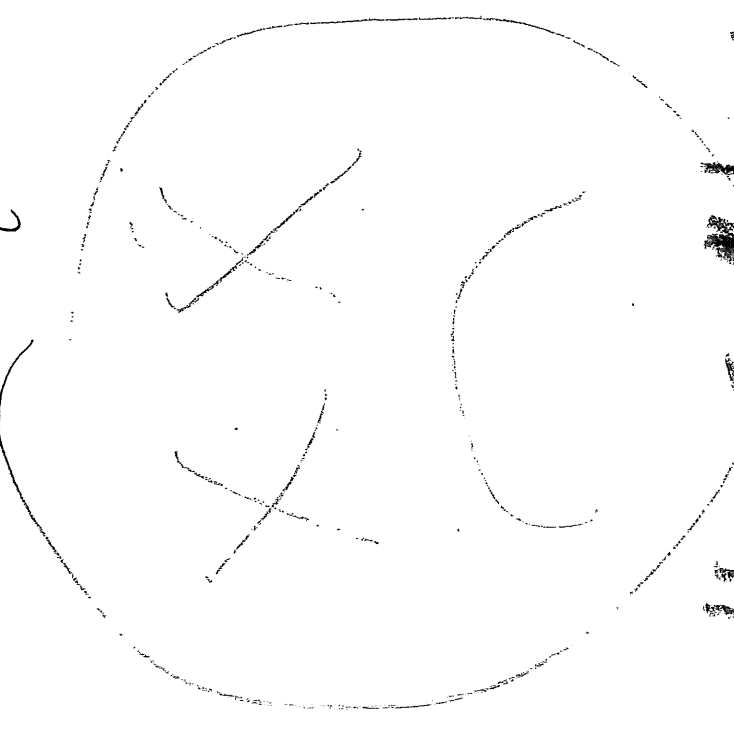
Please don't vote for the muleking facility because I

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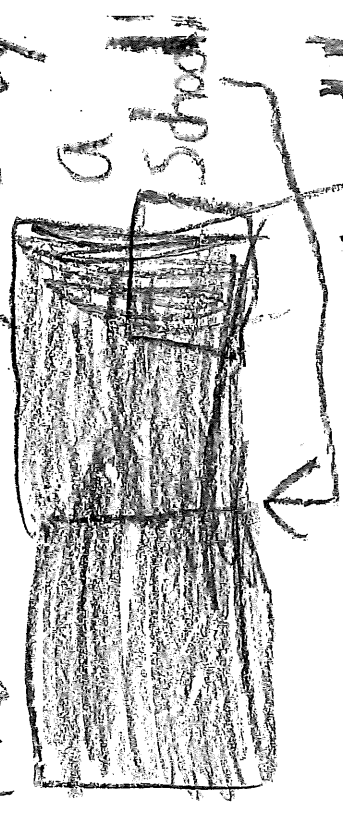
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want to get sick either!

Please don't vote for the facility!!



the facility is by



a school!!

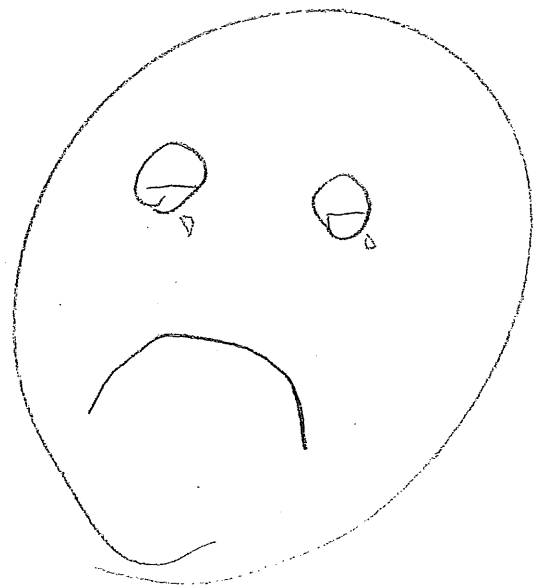
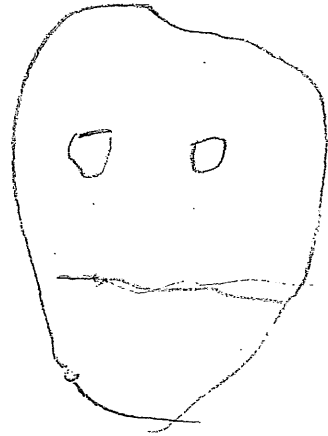
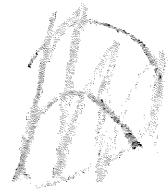
Dear
council
members

please
do vote

for the
mulching

facility in
Dayton,

June
1986



recent fire at a similar facility took ten hours to put out and fire trucks had to run hoses from the local elementary school for several feet (if not miles) to the fire site (see the ABC2 news story on an Upper Marlboro mulch fire in 2013.e). Our area, due to open fields and farmland is very windy. Fire could start and spread very easily and we simply do not have the county resources to deal with it efficiently.

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Sincerely,



Brett Taylor

*Copy file
Howard
2/28/14
Legislation*

*ST
ST
SP
MB
TW*

3430 Courthouse Dr
Ellicott City, MD 21043

Dear *Jen Ferraro*,

As a resident of Howard County, I am proud to see the commitment to agricultural preservation that you and other county leaders have demonstrated over the years. However, I am concerned that recent changes to the Comprehensive Zoning Plan will have unintended consequences that threaten to undermine that commitment.

Under the recent 2013 Comprehensive Zoning changes, several new types of conditional uses are permitted on agricultural preservation land. These include communications towers, golf courses, shooting ranges, mulch manufacture, and composting facilities. While these types of commercial operations have their place in the county, they are not in keeping with the intent of the Program, which is described in the Howard County Code as being "to protect the health, safety and well-being of present and future residents of Howard County by conserving and protecting 30,000 acres of agricultural land as an environmental resource of major importance."

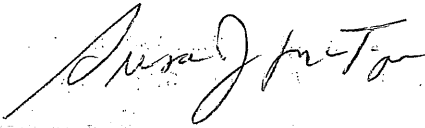
As County Executive Ulman said during the most recent Batch 14 easement acquisition process, "Preserving our farmland goes hand-in-hand with protecting the quality of life in Howard County. Local farms provide us with healthy, locally-grown food, scenic landscapes, jobs and recreational opportunities." The non-traditional conditional uses permitted under the Comprehensive Zoning changes of 2013 do not contribute to the enhancement of Howard County quality of life, and they run counter to the stated goals of the Agricultural Land Preservation Program.

Industrial-scale composting and mulch manufacturing facilities are currently being proposed in Dayton and Woodbine. These operations – planned for agricultural preservation land – would not have been a permissible conditional use prior to the 2013 Comprehensive Zoning Plan changes.

The proposed facilities are expected to bring in and grind significant quantities of wood waste from off-property, resulting in airborne contaminants such as wood dust particles that may impact the health of community residents. The coal dust and chemicals used to dye the mulch could contaminate the well water supply and local streams, which feed the Patapsco River and Chesapeake Bay. In addition, the impact commercial dump trucks and tractor-trailers on an already congested and dangerous roads, could be significant, and even deadly. Finally, conducting industrial and commercial operations on properties assessed under agricultural property tax rates increases the tax burden on true farmers that the Agricultural Land Preservation Program are meant to protect.

Having spent millions of Howard County taxpayer dollars on preserving these farms, I strongly encourage you and the County Council to take action to avoid these unintended consequences resulting from the recent Comprehensive Zoning Plan changes. Thank you for your support and consideration.

Sincerely,



Mr. & Mrs. John McTague
12621 Howard Lodge Dr
Sykesville, MD 21784-5412

Tim and Susan Mako
1731 Underwood Road
Sykeville, MD 21784

2/28/14

GF
SF
MB
TW
SP

March 3, 2014

Mr. Greg Fox
Howard County Council (District 5)
3430 Courthouse Dr
Ellicott City, MD 21043

Dear Mr. Fox,

Thank you for submitting the proposed zoning amendment to correct the possibility of industrial mulching business from operating on preserved agricultural lands. Although we are confused as to how this could have happened in the first place, we appreciate the time and effort that you are putting forth in correcting this issue.

Like many of our neighbors, we purchased our property with the understanding that we were surrounded by farmland that would remain agricultural for years to come. We value the rural nature of our community, the quality of our environment, and the hard work of the farmers who bring food to our table. We are proud of Howard County's commitment to the environment and to its farming community. We want to support small local farms, to know where our food is coming from, and to eat at restaurants that feel the same way.

Having spent millions of Howard County taxpayer dollars on preserving these farms, I strongly encourage you and the County Council to take action to avoid these unintended consequences resulting from the recent Comprehensive Zoning Plan changes. Thank you for your support and consideration.

Sincerely,

Tim and Susan Mako

Tim and Susan Mako
1731 Underwood Road
Sykeville, MD 21784

2 RA 148/149

CB
MKS
JT
CW
ST
MB
TW
SP

March 3, 2014

Mr. Calvin Ball
Howard County Council (District 2)
3430 Courthouse Dr
Ellicott City, MD 21043

Dear Mr. Ball,

As a resident of Howard County, Maryland, I am writing to ask you to support recently submitted county zoning amendments that will be voted on in upcoming legislative sessions this Spring. These amendments correct loopholes in the 2013 rezoning plan approved last summer that are allowing industrial mulching facilities previously allowed only in industrially zoned (M1) areas to be placed in rural conservation (RC) and rural residential (RR) areas.

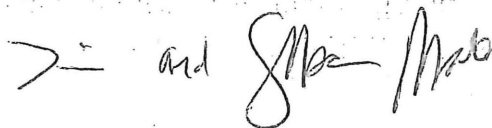
As County Executive Ulman said during the most recent Batch 14 easement acquisition process, "Preserving our farmland goes hand-in-hand with protecting the quality of life in Howard County. Local farms provide us with healthy, locally-grown food, scenic landscapes, jobs and recreational opportunities." The non-traditional conditional uses permitted under the Comprehensive Zoning changes of 2013 do not contribute to the enhancement of Howard County quality of life, and they run counter to the stated goals of the Agricultural Land Preservation Program described in the Howard County Code as being "to protect the health, safety and well-being of present and future residents of Howard County by conserving and protecting 30,000 acres of agricultural land as an environmental resource of major importance."

Industrial-scale composting and mulch manufacturing facilities are currently being proposed in Dayton and Woodbine. These operations – planned for agricultural preservation land – would not have been a permissible conditional use prior to the 2013 Comprehensive Zoning Plan changes.

The proposed facilities are expected to bring in and grind significant quantities of wood waste from off-property, resulting in airborne contaminants such as wood dust particles that may impact the health of community residents. The coal dust and chemicals used to dye the mulch could contaminate the well water supply and local streams, which feed the Patapsco River and Chesapeake Bay. In addition, the impact commercial dump trucks and tractor trailers on an already congested and dangerous roads, could be significant, and even deadly.

Having spent millions of Howard County taxpayer dollars on preserving these farms, I strongly encourage you and the County Council to take action to avoid these unintended consequences resulting from the recent Comprehensive Zoning Plan changes. Thank you for your support and consideration.

Sincerely,

 and Susan Mako

Pat Heinz
13572 Argo Drive
Dayton, Md. 21036

PA 48/49

GF
SA
MB
EW
A

March 3, 2014

Greg Fox
Howard County Council (District 5)
3430 Courthouse Drive
Ellicott City, Maryland 21043

Dear Mr. Fox:

As a resident of Howard County, Maryland, I am writing to express concern over the proposed industrial scale project that is planned to be built on properties in the Dayton areas which is zoned rural conservation and in agricultural preserve.

- Recent zoning changed allow for mulch and composting but we believe an industrial operation was not foreseen by those making these allowances as a conditional use of agricultural preservation land zoned RC.
- JBRK, LLC proposes an industrial operation of 16 acres of Dayton farmland to manufacture mulch, soil processing and a composting facility.
- They proposed to pave a new road through beautiful, scenic farmland to provide a road wide enough to reach the proposed facility that up to 50 large commercial dump trucks and tractor trailers can enter and exit onto a tiny residential road, Green Bridge Road.
- The project affects local traffic for residents that is already overwhelmed with school busses and commuters to work and school each day. Cyclists and athletes ride and run on these residential roads around the farm land. Children get on and off busses and play in their front yards.
- Large grinding machines and machines with a back-up beepers will make noise from early in the morning to 5PM each day including Saturday morning. The smell of an industrial mulch and compost facility will affect residents and school children for miles.
- There are serious environmental concerns to air and ground water being explored, as well as the carcinogenic properties of wood dust and fine particles that travel far distances through the air.
- Spontaneous mulch fires can occur and with homes only 100 feet from the new road to 600 feet from the mulch facility, this should cause great pause. See the ABC2 news story on Upper Marlboro mulch fire in 2013.
- Undoubtedly, home values will decline and affect household finances greatly!

Please stop this from happening!

Sincerely,
Pat Heinz

Pat Heinz
Pat Heinz

Janine Hastings
4996 Morning Star Drive
Dayton, MD

Hand for file
2/28/14 11:49

CB
CW
FMS
OT
ST
MB
TW
SP

March 06, 2014

Calvin Ball
Howard County Council (District 2)
3430 Courthouse Drive
Ellicott City, Maryland 21043

Dear Mr. Ball,

As a resident of Howard County, Maryland, I am writing to ask you to support recently submitted county zoning amendments that will be voted on in upcoming legislative sessions this Spring. These amendments correct loopholes in the 2013 rezoning plan approved last summer that are allowing industrial mulching facilities previously allowed only in industrially zoned (M1) areas to be placed in rural conservation (RC) and rural residential (RR) areas. I was also surprised/shocked to see that this type of facility would now be allowed on farms in Agricultural Preserve and that the former one acre cap on these conditional uses has been removed thus allowing for industrial sized projects on these farms that the County and its tax payers paid to keep in Agricultural Preserve in perpetuity.

My family moved to Dayton to enjoy a peaceful, rural environment. Given all the evidence, this Mulching Facility plan will destroy any future hopes of that kind of surroundings.

While I believe that the Howard County Council and Executive had good intentions in mind when these new conditional uses were proposed to help our farming community, some of the changes are allowing for uses that I cannot imagine the Council had intended when the zoning amendments were approved last summer.

Specifically, we have three projects in Howard County where large mulching operations are being proposed on farms that are very near our homes. Of most concern at present is a project in Dayton, MD proposed by JBRK, LLC that would:

- Involve paving a new road through beautiful, scenic farmland that would allow up to 50 large commercial dump trucks and tractor trailers a day to enter and exit the facility via Green Bridge Road and then travel on other local Dayton roads to Rt. 32.
- Affect local traffic for residents that is already overwhelmed with school busses and commuters travelling to work and school each day. Cyclists and athletes ride and run on these residential roads around the farm land. Children get on and off busses and play in their front yards.
- Allow large grinding machines and construction vehicles with a back-up beepers to

make noise from early in the morning to 5PM each day including Saturday morning. The smell of an industrial mulch and compost facility will affect residents and school children for miles.

- Allow for potential environmental issues with our air and ground water and the generation of carcinogenic wood dust and fine particles that can travel far distances to our homes and families.
- Allow potential spontaneous mulch fires on a farm with an inadequate water supply and homes as close as 600 feet from the facility. See the ABC2 news story on an Upper Marlboro mulch fire in 2013.

Three years ago, the County spent millions to buy another 1200 acres of farmland to place into Agricultural Preserve. At that time Howard County Executive Ken Ulman stated *"I want to thank these landowners and the Agricultural Land Preservation Board for helping us protect the Rural West now and for future generations. Preserving our farmland goes hand-in-hand with protecting the quality of life in Howard County. Local farms provide us with healthy, locally-grown food, scenic landscapes, jobs and recreational opportunities."*

I am asking Mr. Ulman and the County Council to approve the zoning amendments recently proposed that correct loopholes which will ruin the vision he stated above and allow large industrial uses on our local farms in Howard County.

Sincerely,

Mrs. Janine Hastings

not GF
CMBES
TW
MB
SP

PRISCILLA TRUBIN 5162 GREEN BRIDGE RD DAYTON, MD 21036

March 6, 2014

Calvin Ball

Howard County Council (District 2)

3430 Courthouse Drive

Ellicott City, MD 21043

*copy file
2/28/14/14/14*

Dear Mr. Ball;

As a happy resident of Dayton MD, I am writing to you to reinforce our community's dismay at the proposed industrial mulching project on agricultural preservation land. JBRK, LLC proposes a commercial operation on 16 acres with a new road to be built using no-shoulder, winding, school bus-driven Green Bridge Road as the entrance and exit to this facility. I believe, by now, you know the facts of this proposal, but you may not know how this little community has pulled together in majority agreement that this is A VERY BAD IDEA.

The original purpose for these new conditional uses makes sense: our farming families need to be able to earn livings and sustain a way of life which is valuable for all of us, but the costs of the conditional uses have to be weighed in a prudent and fair way. Our family represents three Howard County voters and we are completely OPPOSED to this mulching, dying and composting business being placed in a rural, residential community on a small road with water runoff right into the Triadelphia Reservoir at the bottom of Green Bridge Road.

You now know that we are concerned for the safety of our children, walkers, bicyclists; we are worried about noise, water and air pollution as well as long term potential for carcinogens in the immediate environment.

Please take a few minutes to drive to Dayton and look around our community. Follow Green Bridge Road down the hill to the reservoir. Look at the farm and see the proximity to houses and people. Imagine five dump trucks or tractor trailers an hour coming and going. Thank you for your consideration.

Sincerely, 

Priscilla Trubin oldtrube@aol.com 410-925-4357

OMBRS
ST
MB
TC
SP

*1 Wood legacy file
ZRA 145/149*

February 28, 2013

Mr. Calvin Ball
Howard County Council (District 2)
3430 Courthouse Dr
Ellicott City, MD 21043

Dear Mr. Ball,

As a resident of Howard County, I am proud to see the commitment to agricultural preservation that you and other county leaders have demonstrated over the years. However, I am concerned that recent changes to the Comprehensive Zoning Plan will have unintended consequences that threaten to undermine that commitment.

Under the recent 2013 Comprehensive Zoning changes, several new types of conditional uses are permitted on agricultural preservation land. These include communications towers, golf courses, shooting ranges, mulch manufacture, and composting facilities. While these types of commercial operations have their place in the county, they are not in keeping with the intent of the Program, which is described in the Howard County Code as being "to protect the health, safety and well-being of present and future residents of Howard County by conserving and protecting 30,000 acres of agricultural land as an environmental resource of major importance."

County Executive Ulman said during the most recent Batch 14 easement acquisition process, "Preserving our farmland goes hand-in-hand with protecting the quality of life in Howard County. Local farms provide us with healthy, locally-grown food, scenic landscapes, jobs and recreational opportunities." The non-traditional conditional uses permitted under the Comprehensive Zoning changes of 2013 do not contribute to the enhancement of Howard County quality of life, and they run counter to the stated goals of the Agricultural Land Preservation Program.

A pre-submission community meeting was held on December 19, 2013 for an industrial-scale composting and mulch manufacturing facility at 1500 Rt 32, Sykesville. Over 100 concerned citizens attended the meeting and voiced opposition after hearing the presentation. This operation – planned for agricultural preservation land – would not have been a permissible conditional use prior to the 2013 Comprehensive Zoning Plan changes.

The proposed facility is expected to bring in and grind significant quantities of wood waste from off-property, resulting in airborne contaminants such as wood dust particles that may impact the health of community residents. The coal dust and chemicals used to dye the mulch could contaminate the well water supply and local streams, which feed the Patapsco River and Chesapeake Bay. In addition, the impact commercial dump trucks and tractor trailers turning across Rt 32, an already congested and dangerous road, could be significant, and even deadly. Finally, conducting industrial and commercial operations on properties assessed under agricultural property tax rates increases the tax burden on true farmers that the Agricultural Land Preservation Program are meant to protect.

Having spent millions of Howard County taxpayer dollars (\$2.75 million on the Stedding property at 1500 Rt 32) on preserving these farms, I strongly encourage you and the entire County Council to take action to avoid these unintended consequences resulting from the recent Comprehensive Zoning Plan changes. Thank you for your support and consideration.

Sincerely,

*Jean Ann Colee Anne
Duce Colee Anne*

We must assume you are more concerned about the health of the "BAY" than the health of your citizens.

Leslie Collier Englehart
5200 Kalmia Dr.
Dayton, MD 21036
301-922-6004

Leslie Collier Englehart
Compost 2014 148/1/49
MB
TW
Sp

March 4, 2014

Mr. Calvin Ball
George Howard Building
3430 Courthouse Drive
Ellicott City, MD 21043

Dear Mr. Ball:

As a resident of Howard County, Maryland, I am writing to express concern over a proposed industrial scale project that is planning to be built on a property in the Dayton area which is zoned rural conservation and in agricultural preserve.

My husband and I have lived in Dayton for 33 years. We are retired and spend much of our time outdoors minding our chickens, working in our large vegetable garden, and enjoying our clean rural air and our peace and quiet. We pay quite a healthy property tax for that privilege, and we don't want it spoiled by someone willing to make money at the expense of his neighbors' health, peace, and property values!

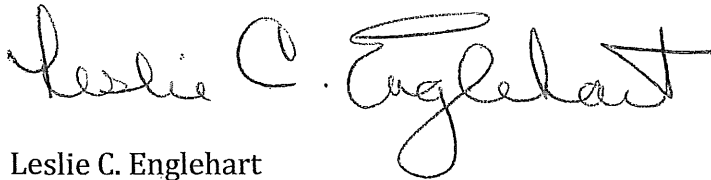
- Recent zoning changed allow for mulch and composting but we believe an industrial operation was not foreseen by those making these allowances as a conditional use of agricultural preservation land zoned RC. We also object to these kinds of zoning changes being snuck in without any obvious notification of opportunity for objection.
- JBRK, LLC proposes an industrial operation of 16 acres of Dayton farmland to manufacture mulch, soil processing and a composting facility.
- They proposed to pave a new road through beautiful, scenic farmland to provide a road wide enough to reach the proposed facility that up to 50 large commercial dump trucks and tractor trailers can enter and exit onto a tiny residential road, Green Bridge Road. If the past deceptions of other businessmen are any indication, this is probably a vast under statement of traffic.
- The project affects local traffic for residents that is already overwhelmed with school busses and commuters to work and school each day. Cyclists and athletes ride and run on these residential roads around the farm land (I am also a cyclist who strenuously objects to the increase of industrial trucks on rural roads that this project entails). Children get on and off busses and play in their front yards.
- Large grinding machines and machines with a back-up beepers will make noise from early in the morning to 5PM each day including Saturday morning. The smell of an

industrial mulch and compost facility will affect residents and school children for miles. (We are within earshot of this disaster!!!)

- There are serious environmental concerns to air and ground water being explored, as well as the carcinogenic properties of wood dust and fine particles that travel far distances through the air.
- Spontaneous mulch fires can occur and with homes only 100 feet from the new road to 600 feet from the mulch facility, this should cause great pause. See the ABC2 news story on Upper Marlboro mulch fire in 2013.
- Undoubtedly, home values will decline and affect household finances greatly!

Please, I beg of you, do not allow this project to proceed. It will, quite literally, ruin the quality of my life and my husband's.

Sincerely,

A handwritten signature in cursive script that reads "Leslie C. Englehart". The signature is written in black ink and is positioned to the right of the typed name.

Leslie C. Englehart

hold for future ZRA/line
re: c. roasting

GF
ST
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JAMES N. ROBEY
13th Legislative District
Howard County

MAJORITY LEADER

Budget and Taxation Committee

Chair

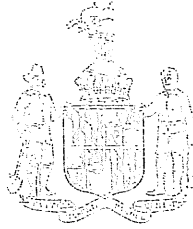
Health and Human Services Subcommittee

Pensions Subcommittee

Senate Chair

Joint Advisory Committee on
Legislative Data Systems

Joint Committee on Pensions



James Senate Office Building
11 Bladen Street, Room 120
Annapolis, Maryland 21401
410-841-3572 · 301-858-3572
800-492-7122 Ext. 3572
Fax 410-841-3455 · 301-858-3455
James.Robey@senate.state.md.us

The Senate of Maryland
ANNAPOLIS, MARYLAND 21401

February 24, 2014

Mr. and Mrs. Thomas Brewer
14230 Triadelphia Mill Rd
Dayton, MD 21036-1224

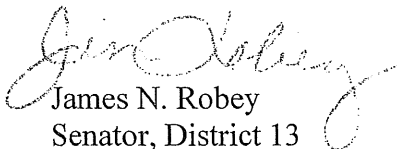
Dear Mr. and Mrs. Brewer:

Thank you for contacting me regarding a proposed mulch-manufacturing site in the Dayton area. Since this is a local zoning issue, I have contacted the Director of Howard County Planning and Zoning to make her aware of your concerns. Ms. McLaughlin has advised that a conditional use application for a mulching facility has not yet been submitted. However, your concerns will be noted when the application is received and DPZ prepares their recommendation to the Hearing Examiner.

I encourage you to review the file and attend the hearing when it gets scheduled.

I appreciate your taking the time to share your concerns with me on issues of importance to you. By copy of this letter, I am alerting local legislators to your concerns.

Sincerely,


James N. Robey
Senator, District 13

cc: The Honorable Ken Ulman, County Executive
The Honorable Greg Fox, County Councilman
Ms. Marsha McLaughlin, Director, DPZ

Hand for legislative file
A zoning ZRA is
composting

MKS
JT
CW
CB
ST
SP
TW

Fred E Hazeltine Jr.
14620 Triadelphia Mill Rd.
Dayton, Md. 21036

February 23rd, 2014

Howard County Council
ATT: Councilwoman Mary Kay Sigaty
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

Dear County Councilwoman Sigaty,

As a resident of Howard County, Maryland, I am writing to express concern over two proposed industrial scale projects that are in planning on properties in the Dayton and Sykesville areas – both of which are zoned rural conservation and in agricultural preserve. This land use issue currently under discussion in Howard County could serve as a blueprint for how to drive a Mack Truck-- actually up to 50 Mack trucks per day in this case-- through a loophole in the agricultural preservation zoning laws. *If it is approved, it will set a precedent that could destroy the intent of agricultural preservation, not only in Howard County, but in all of Maryland and perhaps even throughout the country.*

Recently held community meetings by JBRK, LLC outlined plans to purchase two entire farms that are in agricultural preserve and utilize approximately 10% of these farms for a large, industrial grade mulch and soil composting facility. These facilities would result in over 50 large, 18-wheel trucks with gross weights of over 100,000 pounds to traverse our small local and scenic roads every day for 6 days a week at a rate of about one every 12 minutes passing through our community. It is my hope that our local and state officials did not have this scale of an operation in mind when these zoning laws were passed.

These projects are ostensibly the result of well intentioned zoning laws and state regulations that are designed to help those in the farming community preserve the rural and agricultural nature of Western Howard County and the State of Maryland. Specifically, they allow for conditional uses such as wineries, ice cream stands, and mulching/composting facilities. I welcome these uses by our neighboring farming community but feel that in this these two cases, the zoning regulations are being mis-used to allow for the construction of a light manufacturing facility in these rural areas.

I use the word "ostensibly" in the paragraph above because as much as allowing farmers sources of additional revenue on it's face is a commendable idea, It is worth noting that *the change in zoning that may allow this to happen only occurred a few months before Mr. Orndorff gave notice of his intent to buy this 150 acres of preservation land. In my discussions with others in the area, it is difficult to find anyone who doesn't suspect that the zoning was in reality changed at least in part to allow this specific transaction to occur*

In addition to the trucks which raise safety and adequacy of roads issues (our community's children wait for school busses on these small roads and the biking and jogging community are active on these roads), our local community of over 250 homes near this proposed facility will be impacted by continuous noise (large truck brakes, backhoes, beeping reverse warning signals, etc) all day long. I also understand that the fine dust that these mulching facilities produce has been known to cause lung problems and is a known carcinogen. Zoning law permits mulching within 500 feet of our homes and this dust carries in the air for up to 2000 feet. These large scale facilities also contribute to issues with our local water tables and can result in leaching of pollutants into the nearby Triadelphia watershed.

While smaller scale conditional uses such as this can benefit our local farming community, we understand that in this case the land will be purchased by Robert Orndorff (JBRK, LLC) who is a local business man, the owner of the RLO Contractors, Inc., and is Chairman of the Board of Sandy Spring Bank. While the land will be purchased by an individual, our belief is Mr. Orndorff has no intention of living on the property or farming the property (that will be done by local farmers) but only in moving a current facility located at 7531 Cemetery Lane in Elkridge, MD. (zoned light industrial) to our rural community for the benefit of RLO Corporation – a local excavating company that collects wood and trees in its daily operation for mulching at these facilities.

We are concerned that current regulations allow for large scale business operations to move onto our local farms under the guise of an individual farmer and urge you to work with other elected officials in stopping the light industrial industries from moving into our rurally zoned farms using loopholes in the current law.

Sincerely,



Fred E. Hazeltine Jr.

To: Howard County Council
Attn.: Mary Kay Sigaty
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

Date: 23 April 2014.

Legis file
CB
2 APR 14/149
MKS
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RE: Proposed Mulch Factories in Western Howard County

Dear Ms. Sigaty;

We live in your district, and were appalled to learn of the proposed mulching factories to be built on agricultural preserve land in western Howard County. We are writing to state our case against this happening and request that the zoning laws be changed to not allow this.

Preserving the beauty of western Howard County is important to us – we take scenic drives on a lovely day, bike and bike race along the country roads, pick apples at Larriland, visit Sharp’s at Waterford Farm, and cut down Christmas trees at TLV Farm. If the zoning laws are not changed and if these mulch factories are built, this beauty would be marred by the stench of mulch and the deafening noise of grinding machines, and bikers will be exposed to the danger of constant dump truck traffic on narrow, windy roads.

We understand that this outcome is an effect of recent changes to the Howard County zoning laws which changed mulching from light industry. However, at the time the changes were made, we were promised that unintended consequences and problems would be fixed. Building mulch factories on agricultural preserve land in western Howard County is an unintended consequence and we request that this problem be fixed by changing the zoning laws to not allow it. We also do not support this being allowed under conditional use.

Our tax dollars pay for the agricultural preservation program and subsidize the lower taxes on agricultural land, and we have an investment in conserving western Howard County as a resource for us all. We seek Democratic leadership in protecting the interests of your constituents and all Howard County residents, and look forward to your thoughts on the matter at the May 19, 2014 meeting.

Sincerely,

District 4

<u>Signature</u>	<u>Name</u>	<u>Address</u>
Anne Marie Russell	Anne Marie Russell	5136 Danvel Circle Columbia 210



Maryland Department of Agriculture

Agriculture | Maryland's Leading Industry

Office of the Secretary

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
Earl F. Hance, Secretary
Mary Ellen Setting, Deputy Secretary

The Wayne A. Cawley, Jr. Building
50 Harry S. Truman Parkway
Annapolis, Maryland 21401
Internet: www.mda.state.md.us

410.841.5700 Baltimore/Washington
301.261.8106 Washington, D.C.
410.841.5914 Fax
800.492.5590 Toll Free

MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION

March 26, 2013

Oak Ridge Farm LLC
7310 Woodrow Place
Cabin John, Maryland 20818-1615

RE: MALPF Easements 13-79-02 & 13-80-04
Tax Map 13, Parcel 346, 83 acres, West side of Woodbine Road, South of Florence Road

Dear Mr. Hughes & Mr. Bonner:

The Board of Trustees for the Maryland Agricultural Land Preservation Foundation (MALPF) voted to approve your seasonal mulch operation on your easement property at its meeting on March 26, 2013. The Board has interpreted that your use meets the overall intent of the Uses Guidelines as a mulch operation.

As discussed at the meeting, if there is a change in your use, or if you feel that the use should be expanded, please contact the Foundation so we can make sure that the use continues to meet intent of the Uses Guidelines.

The Board and staff appreciate your taking the time to attend the meeting and answer questions regarding your use. Thank you for your participation in the preservation of some of Maryland's finest agricultural land. If you have any questions, please call me at (410) 841-5860.

Sincerely,

Deb Vaughan,
Administrator

cc: Joy Levy, Howard Co. Program Administrator
Thomas Meachum, Carney, Kelchan, Bresler, Bennett & Scherr LLP
Craig Nielsen, Assistant Attorney General, Maryland Department of Agriculture
Amanda Gibson, Assistant Attorney General, Maryland Department of Agriculture



ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

936 RIDGEBROOK ROAD • SPARKS, MARYLAND 21152 • 410-316-7800 • (FAX) 410-316-7935 • WWW.KCI.COM

December 26, 2013

Mr. Erich Bonner
Oak Ridge Farm and Nursery
7398 Gaither Road
Sykesville, MD 21784

Re: Noise Measurement at Oak Ridge Farms – Draft Report
2700 Woodbine Road
Lisbon, MD 21797
KCI Job Number 12134806

Dear Mr. Bonner:

KCI Technologies, Inc. (KCI) is pleased to submit this report detailing the findings of perimeter noise measurements during wood grinding activities at Oak Ridge Farms property located at 2700 Woodbine Road near Lisbon, Maryland.

The noise measurements were performed between 9:00 and 10:00 am on December 24, 2013, by KCI representative, Josh Julius, CIH. Mr. Julius discussed operations and property boundaries with Mr. Erich Bonner and Mr. Mike Toole of Oak Ridge Farm and Nursery.

On the morning of the noise survey, an equipment operator used a front end loader to deposit wood chips into a grinder that was continuously operating. Mr. Bonner and Mr. Toole reported that the operations occurring on the morning of the survey were typical of the operations of concern. Mr. Julius observed that the noise emanating from the grinder was relatively constant over time, with the exception of occasional impact noise caused by a stone in the grinder. During the noise survey, a light wind was blowing from the southwest.

Mr. Julius selected locations to measure noise that were in close proximity to the portions of the property line that were adjacent to residential properties. The measurement locations are indicated on a site sketch included as Attachment A.

Mr. Julius measured noise at each location for a period of approximately five minutes. During this time, Mr. Julius noted the maximum sound pressure level during periods without interference from other noise sources, including vehicle traffic, airplanes, birds, and gunshots. Measurements were taken with a Type II sound level meter (Quest Technologies Model 210) set to measure A-weighted decibels (dBA) with a slow response. A certificate of calibration is included as Attachment B.

The measurements of noise emanating from the subject property during grinding operations ranged from less than 40 dBA to 59 dBA and are summarized in the table below.

Maximum Sound Pressure Levels Emanating from Oak Ridge Farms, December 24, 2013				
Location ID	Location Description	Approximate Distance from Grinder	Noise Measurement	
			Normal Operations	Impact (Rock in Grinder)
A	Southwest border	1,300 feet	< 40 dBA	44 dBA
B	Northeast border, on driveway at gate.	1,200 feet	45 dBA	Not Observed
C	Northeast border with residential property	1,000 feet	47 dBA	59 dBA
D	East side of property, where driveway meets Woodbine Road	1,100 feet	48 dBA	52 dBA
E	At Woodbine Road, opposite driveway to neighboring property	750 feet	48 dBA	52 dBA

Oak Ridge Farm is located in Howard County, Maryland. The Howard County noise ordinances and the Code of Maryland Regulations (COMAR) 26.03.02 set maximum noise levels at the property line of a residential receiver of 65 dBA in the daytime (7am – 10pm) and 55 dBA during nighttime hours (10pm – 7am). Mr. Bonner reported that the grinding operations occur only during daytime hours.

Based on the noise measurements, observations of operations, and interviews with representatives, the grinding operations at Oak Ridge Farms do not generate noise that exceeds State of Maryland or Howard County noise regulations.

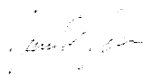
KCI recommends additional measurements if the grinding operation is moved closer to the property line or is significantly altered.

Additionally, KCI was asked to comment on odors or dust emanating from the grinding operations. Odors are highly subjective and variable based on weather conditions, but KCI's representatives did not note any odors at the property line from the grinding operations. KCI did not observe visual emissions of dust at the property line.

If you have any questions or comments about this report, please contact me at (410) 891-1811.

Sincerely,

KCI Technologies, Inc.



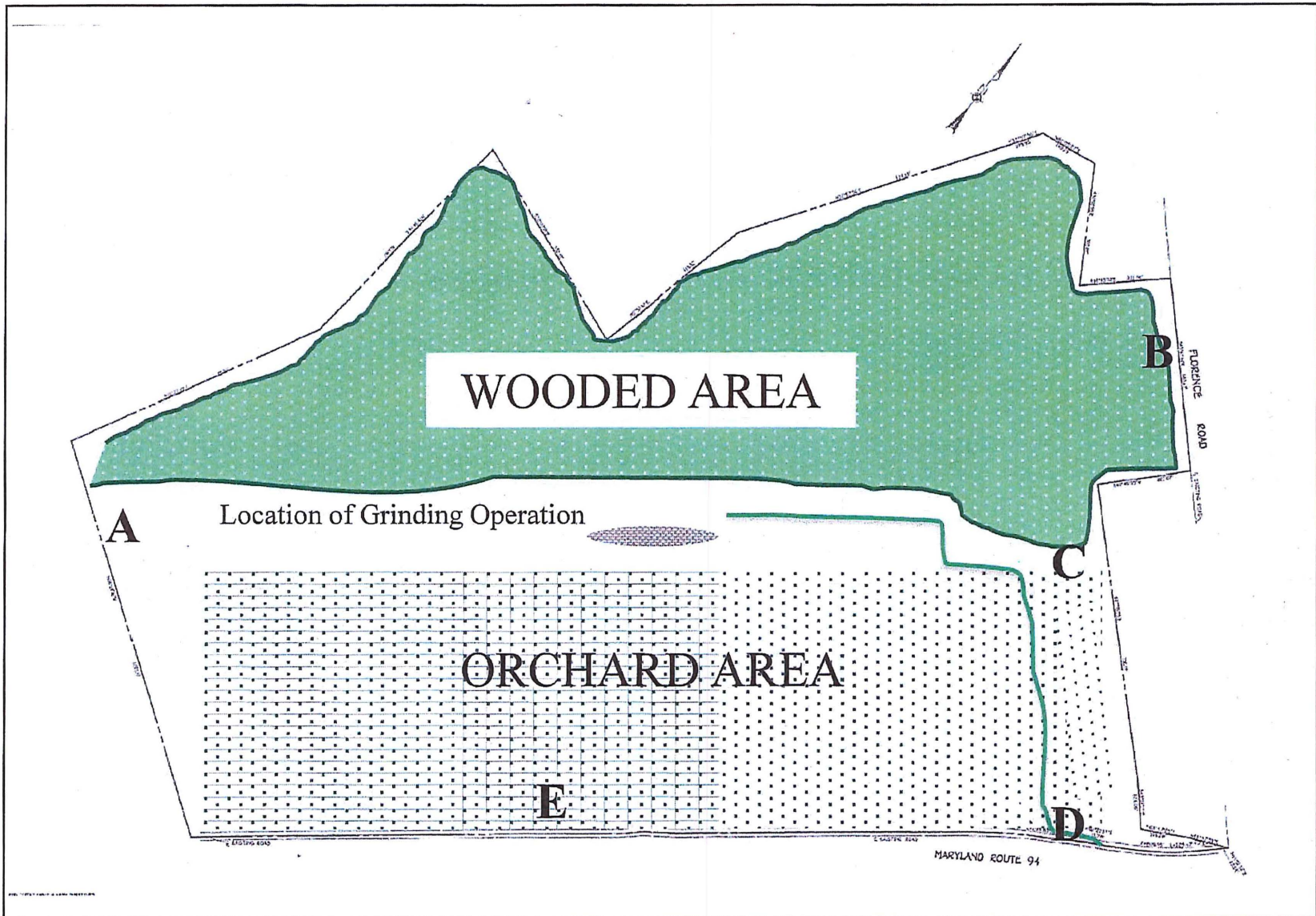
Josh Julius, CIH
Certified Industrial Hygienist

Attachments:
Attachment A: Site Sketch

KCI TECHNOLOGIES, INC.

www.kci.com

Employee-Owned Since 1988



Noise Measurement Locations
 2700 Woodbine Road
 Lisbon, Maryland

A Measurement Location

Site Plan

KCI Project 12134806

December 2013

Not To Scale: 1 Inch Equals Approximately 375 feet

Attachment B
Calibration Certificate



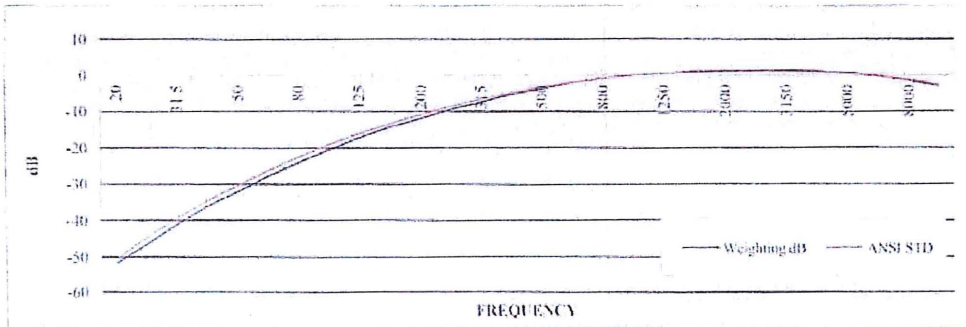
CERTIFICATE OF CALIBRATION

Sound Level Meter Type 2

Manufacturer: Quest
 Model Number: 210
 Serial Number: DCE020005
 Service Order: 13865
 Reference Number: 13865-210-DCE020005

Calibration Date: July 31, 2013
 Date Due: July 31, 2014
 Temperature: 78.2 °F
 Relative Humidity: 51 %
 Barometric Pressure: 29.71 inHG

Frequency (Hz)	Meter Actual Display (dB)	Meter Weighting dB	ANSI STD	Tolerance	Relative Difference
20	62.4	-51.6	-50.5	± 3	-1.1
25	67.5	-46.5	-44.7	± 3	-1.8
31.5	72.9	-41.1	-39.4	± 3	-1.7
40	77.9	-36.1	-34.6	± 2	-1.5
50	82.0	-32.0	-30.2	± 2	-1.8
63	86.2	-27.8	-26.2	± 2	-1.6
80	90.0	-24.0	-22.5	± 2	-1.5
100	93.6	-20.4	-19.1	± 1.5	-1.3
125	96.8	-17.2	-16.1	± 1.5	-1.1
160	99.8	-14.2	-13.4	± 1.5	-0.8
200	102.1	-11.9	-10.9	± 1.5	-1.0
250	104.7	-9.3	-8.6	± 1.5	-0.7
315	106.6	-7.4	-6.6	± 1.5	-0.8
400	108.8	-5.2	-4.8	± 1.5	-0.4
500	110.3	-3.7	-3.2	± 1.5	-0.5
630	112.0	-2.0	-1.9	± 1.5	-0.1
800	113.1	-0.9	-0.8	± 1.5	-0.1
1000	114.0	0.0	0.0	± 1.5	0.0
1250	114.6	0.6	0.6	± 1.5	0.0
1600	115.1	1.1	1.0	± 2	0.1
2000	115.3	1.3	1.2	± 2	0.1
2500	115.3	1.3	1.3	± 2.5	0.0
3150	115.4	1.4	1.2	± 2.5	0.2
4000	115.2	1.2	1.0	± 3	0.2
5000	114.6	0.6	0.5	± 3.5	0.1
6300	113.8	-0.2	-0.1	± 4.5	-0.1
8000	112.7	-1.3	-1.1	± 5	-0.2
10000	111.0	-3.0	-2.5	± 5 to -∞	-0.5



STANDARDS

Manufacturer	Description	Model No.	Serial No.	Certificate No.	Due Date
RION	Sound Calibrator	NC-72	502474	28194	2/28/2014
Stanford Research	Function Generator	DS360	33001	A1199700	8/30/2013

CIH Equipment Calibration Laboratory certifies that the instrument specified above meets the manufacturer's specifications and was calibrated using standards and instruments also listed below where the accuracy is traceable to National Institute of Standards and Technology (NIST), and the calibration systems and records are in compliance to ANSI S1.4-1983

The reported uncertainty of measurement is stated as the combined standard uncertainty multiplied by a coverage factor $k = 2$. The measured value and the associated expanded uncertainty represent the interval $(y \pm U)$, which contains the value of the measured quantity with a probability of approximately a 95% confidence interval. The uncertainty was estimated following the guidelines of the ISO 17025 and the GUM, $U = \pm 0.37dB$

Calibrated By: Adam Hunt Date: 07/31/13

Adam Hunt - Sr. Calibration Technician
 1806 South Highland Ave • Clearwater, FL 33756-1762 • USA • PH: (727) 584-5063 • FX: (727) 581-5921
 Toll Free: (888) 873-2443 • Website: <http://www.cihequipment.com>

MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard, Suite 605 • Baltimore Maryland 21230-1719
(410) 537-3315 • 1-800-633-6101 • http:// www. mde. state. md. us

Solid Waste Program-Land Management Administration
Report of Observations

Case # 2014-NW-039

Page 1

Type of Inspection/Observations: (NWW) Natural Wood Waste: Complaint Investigation

Date Mon. 12/02/13

Site/Facility Name: Oak Ridge Farm & Nursery Property

Time In: 10:38 AM

Location: ~2600 Woodbine Road (Rte 94); Woodbine, MD 21797 (Howard County)

Time Out: 4:19 PM

Remarks (Background): This is a complaint I received from Brian Coblentz of MDE on 11/26/13. The incident sequence number for the complaint is in the upper right corner of the page. The complaint alleges that the wood waste mulch at this facility is making the complainant and the complainant's neighbors sick. Previous recent emails from Brian Coblentz indicated that Howard County had been investigating the site and that the issue was dust from the facility blowing off site. (See my reports of 2/14/12 and 9/10/12 for further background on this facility.)

(Observations & Actions): (Weather today is cloudy, ~48°, humid. Little wind was noted in the morning, but in the afternoon I noted a slight occasional breeze to the SW).

I detected no odors or dust at the entrance to the site, adjacent to Woodbine Road. I walked up to the top of the site where NWW activity was occurring in the past. (There was a cable across the road up to the site, but I saw no postings indicating that I should not enter.) Up top, I met employee Allen Franklin who was working on a tub grinder. He indicated that material on site was being ground to the product mulch pile that was at the NE end of the site, (although grinding was not occurring in the morning (10:18 AM- 12:18PM) when I was up top). I took the photos indicated at the bottom of page 2 during by investigation today. (See photo notes at the bottom of page 2 for further details.) There were fire lanes around piles. I asked Allen about other fire prevention measures on site and noted the following. There was a fire extinguisher on the grinder. I saw and photographed a spigot protruding from the ground E of the trailer, which is toward the W side of the site up top, adjacent to the grinding site. There was a manhole cover indicating a water meter just SW of the spigot. There was also a fire hose stored under the trailer. There was a well head near this general area. I informed Allen of the reason for my visit, that the facility needs a NWW Recycling Facility Permit for its mulch-making activities. However, after Allen asked, I stated that I would not "shut him down" today, and I indicated that he could proceed with his work.

I left the site at 12:18 PM. I noted that the site, with the cable across the road, and a mound of soil to the right of the access road, would not be easily accessed by emergency vehicles.

I phoned the complainant and arranged to meet same on complainant's property. Before going to the complainant's property I returned to the site at 2:19 PM and heard a motor running, which I presumed to be the grinder. The noise was slight to moderate in my estimation, near the cable mentioned above, (at the bottom of the access road which leads up to the facility.) I noted a very slight, occasional breeze to the SW at this time. The wind was not directly toward the complainant's property. I did not note any odor or dust here at this time.

I was on the complainant's property, from ~2:32-3:00 PM. There, I, the complainant, and the complainant's spouse could hear the sound coming from the Oak Ridge Farm site, however, I detected no odors or dust. The noise was slight in my estimation. The complainant pointed out a hazy area over the trees that same asserted as possible dust from the facility, but I do not believe this was dust from the facility, but a natural phenomenon (possibly humid air). The complainant's spouse mentioned that same has sinusitis which is alleged to be the result of dust from the facility. The complainant's spouse blew same's nose and showed me the nasal secretion that was alleged to contain dust, as I understand. However, the complainant's stated that dust has not been a problem since August of this year.



Dark colored mulch under the end of the grinder



Dark colored mulch has been incorporated into the mulch product pile.

[Continued on p.2]

Observer: James P. Wagner
James P. Wagner, Regional Inspector

Person Interviewed: _____

Form Number MDE/WAS/COM.030
Revision Date 08/09/09

Mailed Eric Banner a copy, 11/10/14.



Oak Ridge Farm & Nursery
2600 Woodbine Rd, Woodbine, MD 21797

A follow-up joint site inspection was conducted on 02/10/2014 in response to a complaint concerning particulate emissions from a tub grinder/ mulching operation in Woodbine. The initial complaint was received on 11/13/2013. Inspectors Sally Smith (ARMA), James Wagner (Solid Waste Program) and I conducted an inspection of the facility. The tub grinder is not required to have an air permit, and no other equipment requiring an air permit is located at the site. The facility is required to take reasonable precautions to control dust.

We met with the owner, Mr. Eric Bonner, and toured the facility. The mulching equipment (tub grinder) was operating at the time of the inspection. Particulate emissions were minimal and no dust was observed leaving the site. The roadways are paved and no vehicular traffic was observed at the time of the inspection. The tub grinder is ~1500feet from the main road.

No air violations were noted during the inspection. See Inspector Wagner's report regarding Solid Waste issues.

2013-0282

Mary Ogunjinmi
Environmental Sanitarian
MD Department of the Environment
ARMA, Air Quality Compliance Program
(P) [410-537-4132](tel:410-537-4132)
(f) [410-537-3202](tel:410-537-3202)