

Habicht, Kelli

From: Tolliver, Sheila
Sent: Monday, May 19, 2014 4:24 PM
To: Rick Lober
Subject: RE: Testimony this evening

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: Rick Lober [<mailto:rick.lober@gmail.com>]
Sent: Monday, May 19, 2014 4:21 PM
To: Tolliver, Sheila
Cc: Ball, Calvin B; Fox, Greg; John Tegeris
Subject: Re: Testimony this evening

Sheilla-

Please find attached, testimony for CB-21 this evening.

Thanks
Rick Lober

On Mon, May 19, 2014 at 7:50 AM, Tolliver, Sheila <STolliver@howardcountymd.gov> wrote:

Thank you. Please visit our website, www.cc.howardcountymd.gov, to sign in to testify. As I mentioned earlier, the ZRA's will be the last items on tonight's agenda. I'll see you later!

Sheila

Sheila Tolliver
Administrator
Howard County Council

[410 313-2001](tel:4103132001)

From: Rick Lober [mailto:rick.lober@gmail.com]
Sent: Monday, May 19, 2014 7:17 AM
To: Tolliver, Sheila
Cc: Fox, Greg; Ball, Calvin B; John Tegeris
Subject: Testimony this evening

Sheila-

Wanted to give you some idea of who may testify on CB-20/21 this evening. They all will sign up as required.

Dr John Tegeris - Representing DRPS - 5 min.

Individuals not affiliated with above (3 minutes each):

Jeff Harp, Geologist - water quality
Dave Banwarth, PE - fire
Dr Victor Velculescu - health
Jim Nickel - Woodbine test case
Kristen Robertson, PTA - traffic safety
Rob Long - farming perspective/health
Mark Martin - farming perspective/traffic
Paul Shulleitt - farming perspective/noise

Rick Lober - wrap up (if allowed)

Thanks

Rick Lober

--

Rick Lober
rick.lober@gmail.com
[410-531-7479](tel:410-531-7479) (H)
[858-774-5705](tel:858-774-5705) (C)

--

Rick Lober

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410-531-7479 (H)

858-774-5705 (C)

Habicht, Kelli

From: Tolliver, Sheila
Sent: Monday, May 19, 2014 4:23 PM
To: Habicht, Kelli
Subject: FW: Testimony for County Council Meeting Monday May 19, 2014
Attachments: Mulch Factory Health Effects Velculescu.pptx; Velculescu Howard County Council Testimony May 19 2014.doc

Cb 20 and 21 file

From: Victor Velculescu [<mailto:velculescu@jhmi.edu>]
Sent: Monday, May 19, 2014 4:08 PM
To: CouncilMail; Tolliver, Sheila
Cc: 'James Nickel'; 'John Tegeris'; 'Victor Velculescu'; 'jabh@outlook.com'; 'Dave Banwarth'
Subject: Testimony for County Council Meeting Monday May 19, 2014

Dear Ms. Tolliver and Members of the Howard County Council,

Please find attached documents related to Howard County Council meeting for this evening related to the health effects of the proposed industrial mulch facilities. Please share these with other members of the Council.

Many thanks,
Victor Velculescu

Victor E. Velculescu, M.D., Ph.D.
Professor of Oncology
Co-Director of Cancer Biology
Johns Hopkins Kimmel Cancer Center
Koch Cancer Research Building
1550 Orleans St., Rm 144
Baltimore, MD 21287
tel 410-955-7033
FAX 410-502-5742
email velculescu@jhmi.edu

WARNING: E-mail sent over the Internet is not secure. Information sent by e-mail may not remain confidential. DISCLAIMER: This e-mail is intended only for the individual to whom it is addressed. It may be used only in accordance with applicable laws. If you received this e-mail by mistake, notify the sender and destroy the e-mail.

Health Hazards of Industrial Wood Waste

Victor Velculescu, M.D., Ph.D.

Sidney Kimmel Comprehensive Cancer Center
Johns Hopkins University

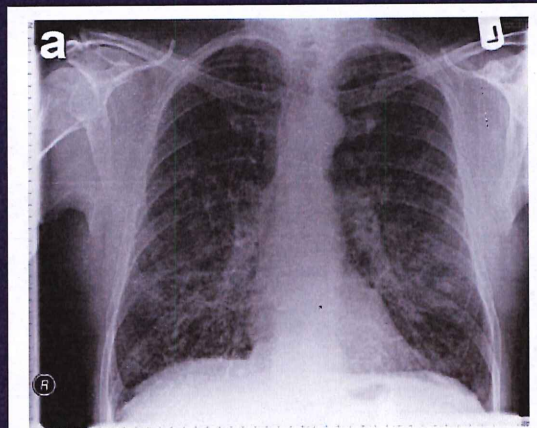
Health Hazards

- Industrial mulch processing results in increased health risks

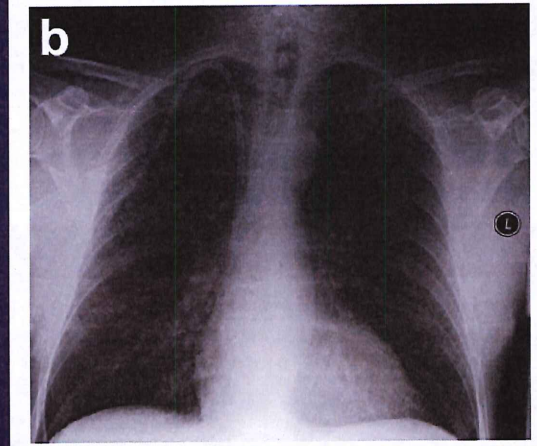
- Infectious agents – fungi and bacteria
- Wood dust – allergic effects
- Wood dust – cancer

Example: Acute fungal pneumonia

At presentation



2 months later



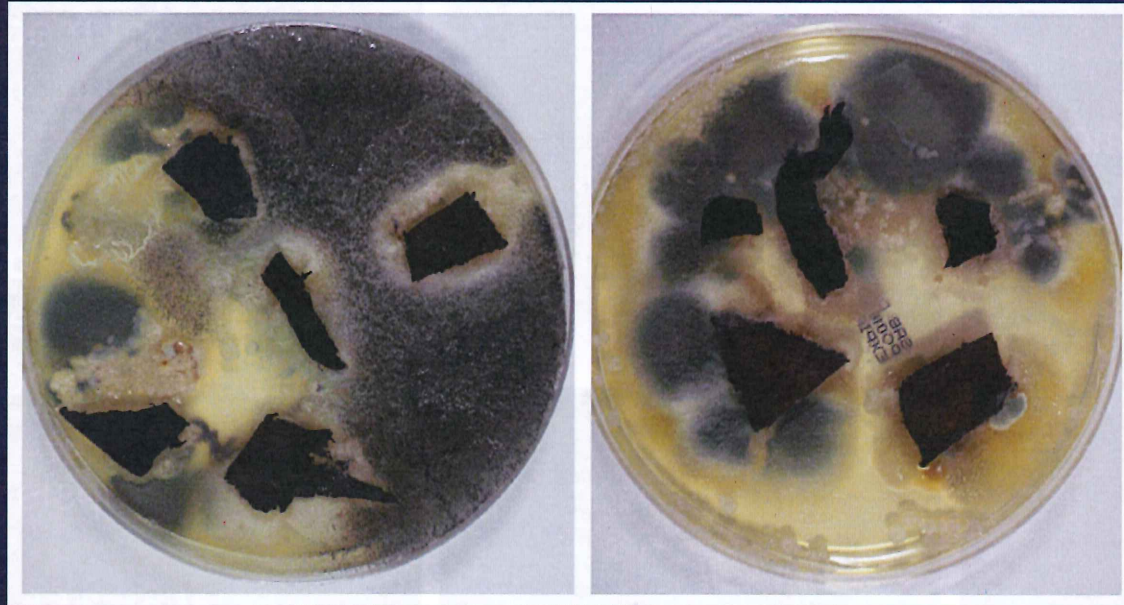
A 69 year old retired man with no significant medical history. Developed acute pneumonia after spreading tree bark mulch.

Hospitalized, developed kidney injury and failure. Remained dialysis dependent and housebound.

Died of sepsis 10 months later.

Inhalation of fungal spores from mulch was determined be the likely route of infection.

Example: Acute fungal pneumonia



**Mulch culture showing growth of microorganisms
(*Aspergillus fumigatus*, *Rhizopus* spp., *Sporobolomyces* spp. and bacteria)**

Many examples of mulch related infections in medical literature

1: Ameratunga R, Woon ST, Vyas J, Roberts S. Fulminant mulch pneumonitis in undiagnosed chronic granulomatous disease: a medical emergency. Clin Pediatr (Phila). 2010 Dec;49(12):1143-6. doi: 10.1177/0009922810370057. Epub 2010 Aug 19.

2: Siddiqui S, Anderson VL, Hilligoss DM, Abinun M, Kuijpers TW, Masur H, Witebsky FG, Shea YR, Gallin JI, Malech HL, Holland SM. Fulminant mulch pneumonitis: an emergency presentation of chronic granulomatous disease. Clin Infect Dis. 2007 Sep 15;45(6):673-81. Epub 2007 Aug 8.

3: Veillette M, Cormier Y, Israël-Assayaq E, Meriaux A, Duchaine C. Hypersensitivity pneumonitis in a hardwood processing plant related to heavy mold exposure. J Occup Environ Hyg. 2006 Jun;3(6):301-7.

4: Nagai K, Sukoh N, Yamamoto H, Suzuki A, Inoue M, Watanabe N, Kuroda R, Yamaguchi E. [Pulmonary disease after massive inhalation of Aspergillus niger]. Nihon Kokyuki Gakkai Zasshi. 1998 Jun;36(6):551-5. Japanese.

5: Weber S, Kullman G, Peterson E, Jones WG, Olenchock S, Sorenson W, Parker, Marcelo-Baciu R, Frazer D, Castranova V. Organic dust exposures from compost handling: case presentation and respiratory exposure assessment. Am J Ind Med. 1993 Oct;24(4):365-74.

6: Johnson CL, Bernstein IL, Gallagher JS, Bonventre PF, Brooks SM. Familial hypersensitivity pneumonitis induced by Bacillus subtilis. Am Rev Respir Dis. 1980 Aug;122(2):339-48. PubMed PMID: 6774642.

Dozens of examples of scientific articles from throughout the world related to infectious agents in mulch.

Particularly important and dangerous for immune compromised individuals.

Recent study found that of patients with fulminant mulch pneumonitis, half of those died of due to infection and underlying kidney disease.

Health Hazards

- Industrial mulch processing results in increased exposure to
 - Infectious agents – fungi and bacteria
 - Wood dust – allergic effects
 - Wood dust – cancer
-

Health Effects of Wood Dust

From Centers for Disease Control and Prevention:

“Exposure to wood dust has long been associated with a variety of adverse health effects, including dermatitis, allergic respiratory effects, mucosal and nonallergic respiratory effects, and cancer. The toxicity data in animals are limited, particularly with regard to exposure to wood dust alone; there are, however, a large number of studies in humans.”

1988 CDC OSHA PEL Documentation

Health Effects of Wood Dust

- From *Ann Agric Environ Med* 2010, **17**, 29–44.

- **Abstract:** This paper reviews the literature on associations between dry wood dust exposure and non-malignant respiratory diseases ... The results support an association between dry wood dust exposure and asthma, asthma symptoms, coughing, bronchitis, and acute and chronic impairment of lung function. In addition, an association between wood dust exposure and rhino-conjunctivitis is seen across the studies.”

Dermatitis

- “Dermatitis. There are a large number of case reports, epidemiological studies, and other data on the health effects of wood dust exposure in humans. Dermatitis caused by exposure to wood dusts is common, and can be caused either by chemical irritation, sensitization (allergic reaction), or both of these together. As many as 300 species of trees have been implicated in wood-caused dermatitis.”

Asthma

- “Allergic respiratory effects. Allergic respiratory responses are mediated by the immune system, as is also the case with allergic dermatitis. Many authors have reported cases of allergic reactions in workers exposed to wood dust ... Asthma is the most common response to wood dust exposure”

Other Lung Effects

- “Mucosal and nonallergic respiratory effects (changes in the structure and function of the nasal mucosa and respiratory tract that are caused by exposure to wood dust). These changes include nasal dryness, irritation, bleeding, and obstruction; coughing, wheezing, and sneezing; sinusitis; and prolonged colds.”

Health Hazards

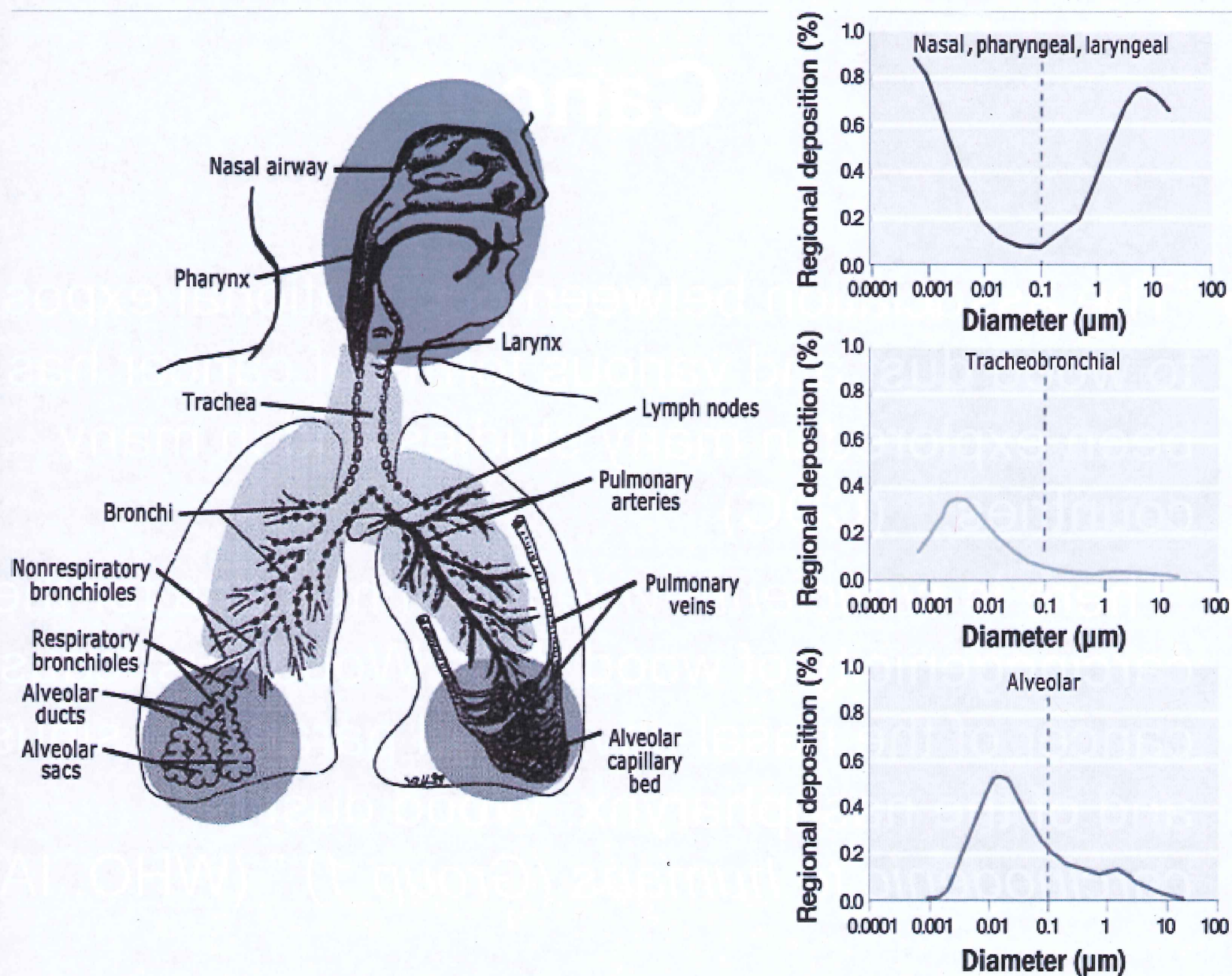
- Industrial mulch processing results in increased health risks

- Infectious agents – fungi and bacteria
- Wood dust – allergic effects
- Wood dust – cancer

Cancer

- “The association between occupational exposure to wood dust and various forms of cancer has been explored in many studies and in many countries.” (CDC)
- “There is *sufficient evidence* in humans for the carcinogenicity of wood dust. Wood dust causes cancer of the nasal cavity and paranasal sinuses and of the nasopharynx. Wood dust is *carcinogenic to humans (Group 1)*.” (WHO, IARC)

Fig. 4.1 Deposition of inhaled particles in the human respiratory tract during nasal breathing



From [Oberdörster et al., \(2005\)](#). Drawing courtesy of J Harkema. Reproduced with permission from Environmental Health Perspectives.

Nasal Cancer

- “Summary of evidence for nasal and sinus cavity cancers. The literature clearly demonstrates an association between wood dust exposure and nasal cancer. “
- English studies first identified this link by showing a 10- to 100 times-greater incidence of nasal adenocarcinoma among those exposed to wood dust than in the general population.
- “In the United States, three studies have reported a fourfold risk of nasal cancer or adenocarcinoma ... and wood dust exposure.”

Lung Cancer

- “Pulmonary cancer. A number of studies investigating the association between wood dust exposure and the development of lung cancer have been conducted.”
- Milham (1974/Ex. 1-943) found a significant excess of malignant tumors of the bronchus and lung in workers who exposed to wood dust.

Hodgkin Lymphoma

- “Hodgkin's disease. Milham and Hesser concluded, on the basis of a case-cohort study of 1,549 white males dying of this disease ... that there was an association between Hodgkin's disease and exposure to wood dust.”
- Other studies concluded that men working in the wood industries in the eastern United States as well as Washington state were at special risk for Hodgkin's disease.

Other Cancers

- “Other cancers. NIOSH (1987a/Ex. 1-1005) concluded that the data on the relationship between occupational exposure to wood dust and the development of cancers other than nasal, Hodgkin's disease, or lung cancers are insufficient and inconclusive.”
- Emerging evidence that risks of oral cancer increase with exposure to wood dust.

Summary

- Mulch processing can pose risks for human health due to increased exposure of infectious and hazardous agents. These include
 - infections due to fungal spores
 - Increased risk of dermatitis, allergic respiratory effects, and mucosal and nonallergic respiratory effects
 - Increased risk of cancer, including nasal, lung, and Hodgkin lymphoma

Testimony from Victor Velculescu, M.D., Ph.D. regarding proposed Mulch Facility

My name is Victor Velculescu and I reside in Dayton, MD. I am a professor of oncology at Johns Hopkins University School of Medicine where I am the Co-Director of Cancer Biology at the Sidney Kimmel Comprehensive Cancer Center. I am also on the Board of Directors of the American Association of Cancer Research, the largest cancer research organization in the United States.

I am here today to speak about the health implications of the proposed mulching operations in the residential area of Dayton. It is clear from the medical literature that industrial wood waste recycling processes result in the generation of wood fragments or mulch that have a number of inherent dangers. You have heard about some of these already in the form of fire risks and water pollution. I would like to focus on health hazards and you will hear from Jim Nickel next on the effects that have already been felt in another community in Maryland.

The two primary hazards from industrial mulch processing are increased exposure to infectious agents, such as fungi and bacteria, and carcinogenic effects of wood dust. Although we often think of wood fragments as something natural, the amount, type, and storage of materials that are generated in an industrial mulch facility are no longer on a scale that we would encounter naturally or that are inherently safe.

These are not theoretical risks. I have shared with you in my submitted testimony a recent case report of a healthy retired gentleman that developed fungal pneumonia after exposure to mulch. He developed kidney injury and failure and died of infections months later. It was clear that fungal spores from mulch were the route of infection. There are dozens of reports in the literature from throughout the world that are related to infectious agents in mulch, primarily fungi and bacteria. Fungal spores can travel large distances on the order of miles and are of particular risk to immune comprised individuals, including children and the elderly. A recent study found that of patients with the disease called fulminant mulch pneumonitis, half of those died to infection and underlying kidney disease.

The second clear health risk is from exposure to wood dust. The Centers for Disease Control (or CDC) has documented that wood dust particles are associated with a variety of health effects including dermatologic effects such as dermatitis, allergic respiratory effects including asthma, and mucosal and nonallergic respiratory effects, including bronchitis, irritation, bleeding, and obstruction, as well as coughing, wheezing, sinusitis, and prolonged colds.

However, the health effect that is of most concern to me is that wood dust has been categorized by the World Health Organization (WHO) and the Centers for Disease Control as a carcinogen. The CDC states: "The association between exposure to wood dust and various forms of cancer has been explored in many studies and in many countries." And the WHO indicates "Wood dust causes cancer of the nasal cavity and paranasal sinuses, and of the nasopharynx. It is carcinogenic to humans." There are hundreds of papers in the medical

literature that document the increased risk from wood dust for nasal cancers, lung cancers, Hodgkin's lymphoma, and potentially other kinds of cancers.

Carcinogens by definition increase the risk of cancer, especially to those exposed over longer periods of time. Dayton is in part a residential community where there are a large number of children and many residents that spend a significant amount of time outdoors and would be directly exposed to the health risks I have described. And of course, many residents plan to live in the community for many years, even their entire lives. To allow exposure to infectious and carcinogenic agents from this type of facility to a large number of individuals in a residential area does not seem to be in the public interest. This would make Dayton the equivalent of a petri dish of health experimentation. Given this and other testimony that you will hear today, I would urge members of the Howard County Council to support legislation that would limit these type of industrial mulching operations to industrial areas and prevent them from occurring in farming, agricultural, conservation, and residential areas like those of Dayton.

Habicht, Kelli

From: Tolliver, Sheila
Sent: Monday, May 19, 2014 2:55 PM
To: dabandel@gmail.com
Subject: RE: CB20 and CB21

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: dabandel@gmail.com [<mailto:dabandel@gmail.com>]
Sent: Monday, May 19, 2014 2:48 PM
To: CouncilMail
Subject: CB20 and CB21

Data from form "Contact Howard County Government" was received on 5/19/2014 2:47:29 PM.

Contact Howard County Government

Field	Value
HCGEmailAddr	councilmail@howardcountymd.gov
YourEmailAddr	dabandel@gmail.com
Name	David Bandel
Subject	CB20 and CB21
MessageBody	Dear Sir or Madam, I would like to express my opposition to CB20 and CB21. As written, they are unworkable to our farmers who rely on their ability to compost as part of normal farm operations that have existed for decades. Respectfully, -David Bandel

Email "CB20 and CB21" originally sent to councilmail@howardcountymd.gov from dabandel@gmail.com on 5/19/2014 2:47:29 PM.

Habicht, Kelli

From: Tolliver, Sheila
Sent: Monday, May 19, 2014 12:53 PM
To: Habicht, Kelli
Subject: FW: CB21 Wood processing on County Farm Preservation

Cb 20 and 21

From: Ken Derrenbacher [<mailto:KDERREN@schnabel-eng.com>]
Sent: Monday, May 19, 2014 12:45 PM
To: CouncilMail
Subject: CB21 Wood processing on County Farm Preservation

As a Dayton resident, I am interested in this bill. However, I am against modifying it, ie. Restricting the composting to 1 acre on "farms"

I very much appreciate the rural nature of western Howard County and would like to see more of it preserved. By continuing to limit the uses for the preserved farmland, you reduce the number of landowners wanting to enter the program. The result is more houses.

I believe that farmers in the program can use their farms for conditional uses- as long as they meet good neighbor criteria concerning noise, dust, pollution. In other words meet all the normal permitting requirements. In the Dayton case, it sounds to me like the owner is locating the area out of sight, in the center of the farm, where disruption is minimal.

The local home owners are being the typical NIMBYs. They feel they are entitled to the open rolling farmland, without regard to how the farmers can sustain it. They must be willing to compromise If the farmers can't make a living, the farms will fall into disrepair, not be farmed, and will not serve the neighbors or the County well. I understand this is the case for the Dayton farm property.

If we continue to restrict the farmers, the rural Howard County will be no more. I encourage you to seek middle ground. There must be reasonable measures to allow the farmers to make a living and sustain their farms, yet protect the surrounding neighbors from unreasonable disturbances.

Thank you.

Ken Derrenbacher

Habicht, Kelli

From: Tolliver, Sheila
Sent: Monday, May 19, 2014 12:53 PM
To: Ken Derrenbacher
Subject: RE: CB21 Wood processing on County Farm Preservation

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Sheila Tolliver
Administrator
Howard County Council

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Thank you.

Ken Derrenbacher

Habicht, Kelli

From: Tolliver, Sheila
Sent: Monday, May 19, 2014 8:41 AM
To: Habicht, Kelli
Subject: FW: Presentation to the Council - 19 May 2014
Attachments: Nickel - County Council Presentation - 19 May 2014.ppt

Also, please file with CB 20-21

From: James Nickel [<mailto:james.nickel55@gmail.com>]
Sent: Monday, May 19, 2014 8:29 AM
To: Tolliver, Sheila
Subject: Presentation to the Council - 19 May 2014

Attached is a copy of the presentation I plan to give this evening on the health hazards resulting from mulch production operations. Please copy the presentation to your laptop for presentation.

I will also bring 10 black and white printed copies.

Best Regards,
Jim Nickel

Health Hazards Associated with Wood Dust and Fungi from Mulch Producing Facilities

19 May 2014

Presentation to the Howard County Council

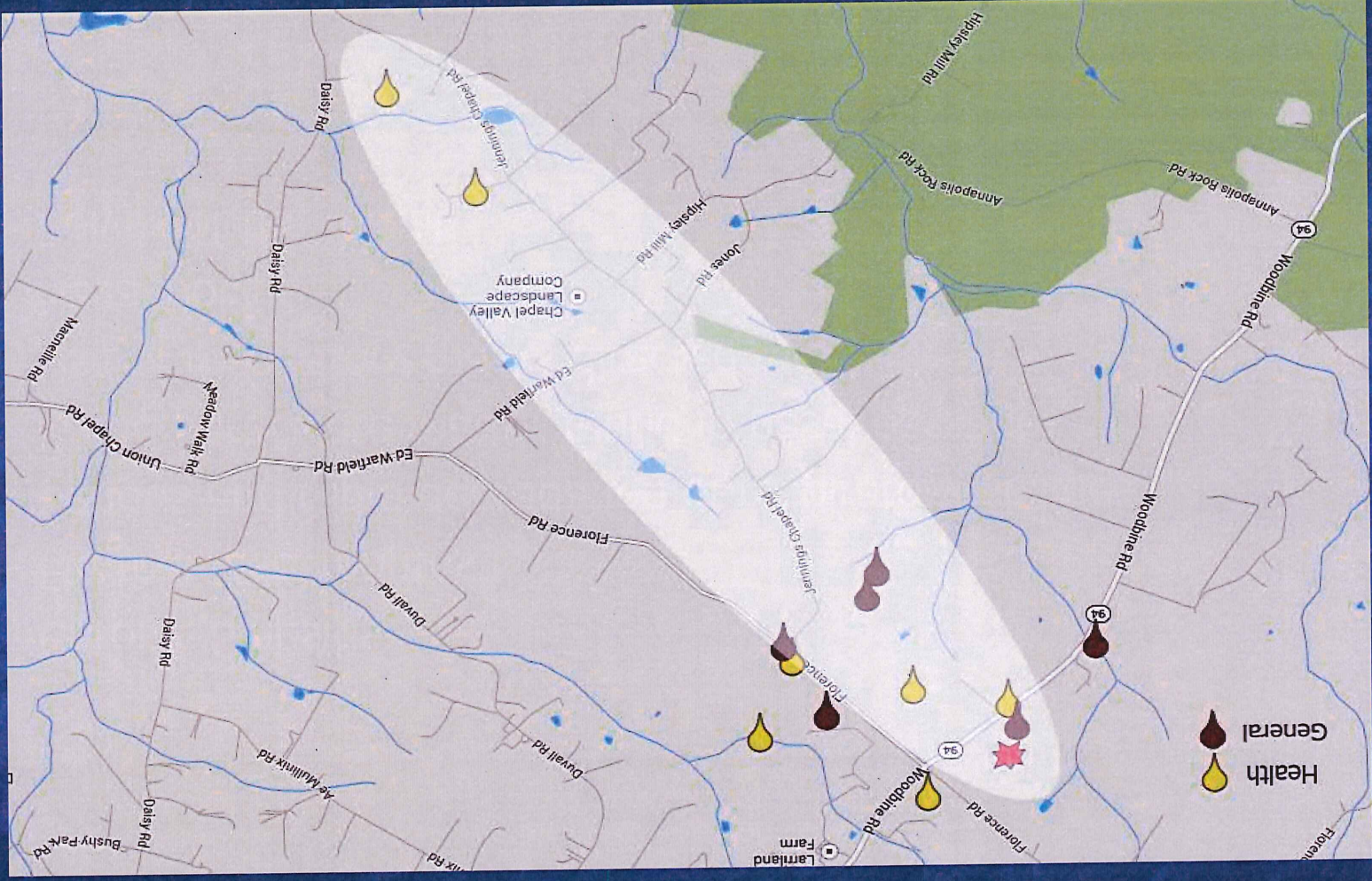
James and Cynthia Nickel
4904 Green Bridge Rd., Dayton, MD 21036

Contributors: Rob and Leslie Long
2701 Woodbine Rd., Woodbine, MD 21797

Zoning Inspections Requests Oak Ridge Farms

- Residents of Woodbine made a minimum of 17 requests to DPZ [Nov-Dec 2013]
- 9 Requests explicitly stated respiratory related issues
 - All with health issues were age 51 and older
 - 2 residents under care at Johns Hopkins were tested and found to have wood particulate matter in their respiratory system
 - Distance between the Oak Ridge facility and most distant health issue was 3.1 miles [airborne fungi spores can travel longer distances than wood dust]
- 8 Requests were of a general nature
 - Traffic
 - Pollution & contaminants
 - Decline in air quality
 - Odor
 - Noise, e.g., “louder than a combine”
 - Residents can feel the vibrations of the grinding equipment
 - Occurring 6 or 7 days a week

Inspection Requests - Clustering



Prevailing North West Winds Affecting Residents to 3.1 Miles
Florence and Jennings Chapel Roads may provide "corridors" for wind

Follow on Data Gathering

- Chronic Sinusitis
- Flu that last "months"
- Serious and rapid degradation of respiratory abilities
- Wood particulate matter found in nasal passages
- Use of respiratory masks directed by ENT
- Nasal polyps
- Polyps of the throat

Habicht, Kelli

From: Tolliver, Sheila
Sent: Monday, May 19, 2014 8:43 AM
To: Ball, Calvin B; Courtney Watson; Fox, Greg; Greg Fox (Greg.Fox@Constellation.com); Sigaty, Mary Kay; Terrasa, Jen
Cc: Habicht, Kelli
Subject: FW: Submission to the County Council
Attachments: Nickel - County Council Submission - Black and White.ppt; Nickel - County Council Presentation - Black and White.ppt; Nickel - County Council Submission - 19 May 2014.ppt

Members, for your information, testimony on CB 20 and 21.

Kelli, please file with those bills.

Sheila

From: James Nickel [<mailto:james.nickel55@gmail.com>]
Sent: Monday, May 19, 2014 8:34 AM
To: Tolliver, Sheila
Subject: Submission to the County Council

Ms. Tolliver,

In addition to the presentation material, I would like to provide for further consideration by the council members more detailed materials that my 3 minute time does not allow.

I have also included a black and white version of the presentation material.

Best Regards,
Jim Nickel

Health Hazards Associated with Wood Dust and Fungi from Mulch Producing Facilities

19 May 2014

Submission to the Howard County Council

James and Cynthia Nickel
4904 Green Bridge Rd., Dayton, MD 21036

Contributors: Rob and Leslie Long
2701 Woodbine Rd., Woodbine, MD 21797

Mulch, Fungi and Wood Dust

Peer Reviewed Studies

- Mulch is generally considered “safe” for residential application. The production of mulch produces high concentrations of wood dust and fungal spores that are hazardous.

Here are but five studies that begin to touch on the potential consequences.

- Fulminant Mulch Pneumonitis: An Emergency Presentation of Chronic Granulomatous Disease
- Infectious Diseases Society of America
- Fungal spores: hazardous to health
- US National Library of Medicine, NIH
- Adverse Human Health Effects Associated with Molds in the Indoor Environment
- American College of Occupational and Environmental Medicine
- Pulmonary responses after wood chip mulch exposure.
- US National Libratory of Medicine, NIH
- Binding of *Aspergillus fumigatus* spores to lung epithelial cells and basement membrane proteins: relevance to the asthmatic lung.
- I.M. Bromley and K. Donaldson

Fungal Spores: Hazardous to Health

- “Fungi have long been known to affect human well being in various ways, including disease of essential crop plants, decay of stored foods with possible concomitant production of mycotoxins, superficial and systemic infection of human tissues, and disease associated with immune stimulation such as hypersensitivity pneumonitis and toxic pneumonitis. The spores of a large number of important fungi are less than 5 micron aerodynamic diameter, and therefore are able to enter the lungs. They also may contain significant amounts of mycotoxins. Diseases associated with inhalation of fungal spores include toxic pneumonitis, hypersensitivity pneumonitis, tremors, chronic fatigue syndrome, kidney failure, and cancer.”

W.G. Sorenson – US Library of Medicine, NIH

Wood Dust: Hazardous to Health

- “Cancers have been associated with wood dust exposure. The National Institute for Occupational Safety and Health (NIOSH) considers both hardwood and softwood dust to be potentially carcinogenic to humans. The three types of cancers associated with wood dust exposure are nasal and sinus cavity cancer, lung and other cancers, and Hodgkin's disease. The wood and cancer relationship was studied by Milham (1974), who conducted a mortality study involving the AFL-CIO United Brotherhood of Carpenters and Joiners of America. This study supports the hypothesis that wood contains carcinogenic agents. The cancer mortality patterns found were:
 - Excess lung cancer in acoustical tile applicators and insulators.
 - Excess gastrointestinal cancer in pile drivers.
 - Excess leukemia lymphoma group cancers in millwrights, mill workers, and lumber and sawmill workers.
 - Excess lung and stomach cancer in construction workers with the greater excesses found in workers in major urban areas.
- Hodgkin's disease has also been associated with wood dust.”

Wood Dust Exposure Hazards AEX-595.1-2006

Thomas L. Bean, in collaboration with Timothy W. Butcher and Timothy Lawrence
Ohio State University

Wood Dust and Fungi Risk Mitigation

- It is inevitable that mulch dust and fungal spores will be carried by prevailing winds
 - Grinding wood and frequent churning of mulch piles ejects dust and fungal spores into the air.
 - Fungal Spores can't be seen with the naked eye [< 5 microns] and are airborne to greater distances than mulch dust. Mulch processing requires the use of water to reduce mulch dust both as a irritant and to mitigate against mulch fire risk.
 - Moisture stimulates the growth of mold.
 - Fungi/fungal spores are dormant when dried and reactivated when inhaled.

Howard County Test Case

Sponsored by Oak Ridge Farms, LLC

- Oak Ridge Farms, LLC has inadvertently provided Howard County with a test case of the possible consequences of mulching and composting facility on Agricultural Preservation Properties.
- The residents of Woodbine, including farmers and livestock, have been the unwitting and unwilling subjects in this test case.
- We can learn a lesson from this experiment on Woodbine Residents.
- Observation, sample collection and analysis of the Woodbine experience is necessary.

Zoning Inspections Requests

Oak Ridge Farms

- Residents of Woodbine made a minimum of 17 requests to DPZ [Nov-Dec 2013]
- 9 Requests explicitly stated respiratory related issues
 - All with health issues were age 51 and older
 - 2 residents under care at Johns Hopkins were tested and found to have wood particulate matter in their respiratory system
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Inspection Requests - Clustering



Prevailing North West Winds Affecting Residents to 3.1 Miles
Florence and Jennings Chapel Roads may provide “corridors” for wind

Summary – Health Hazards

- Fungal Spores and wood dust from mulch are known health risks to humans.
- Hazards of mycotoxins and mycotoxigenic fungi are well documented in peer reviewed studies within the US and Internationally.
- Wood dust has been long established as a carcinogen.
- Fungal spores are also related to some types of cancer.
- There are no practical mitigation strategies.

Summary - Woodbine Test

- Woodbine Residents have been unwitting participants in a “test” resulting from operations by Oak Ridge Farms, LLC.
- In a relatively short period of time, residents and livestock are showing symptoms commonly associated with fungal spore contamination and wood dust inhalation.
- The clustering of those affected is consistent with prevailing winds.
- The affected persons in Woodbine are more than 3 miles away from the Oak Ridge Farms, LLC facility.
- Horses and livestock are showing respiratory distress.

Health Hazards Associated with Wood Dust and Fungi from Mulch Producing Facilities

19 May 2014

Submission to the Howard County Council

James and Cynthia Nickel
4904 Green Bridge Rd., Dayton, MD 21036

Contributors: Rob and Leslie Long
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 - US National Libratory of Medicine, NIH
- Binding of *Aspergillus fumigatus* spores to lung epithelial cells and basement membrane proteins: relevance to the asthmatic lung.
 - I.M. Bromley and K. Donaldson

Fungal Spores: Hazardous to Health

■ “Fungi have long been known to affect human well being in various ways, including disease of essential crop plants, decay of stored foods with possible concomitant production of mycotoxins, superficial and systemic infection of human tissues, and disease associated with immune stimulation such as hypersensitivity pneumonitis and toxic pneumonitis. The spores of a large number of important fungi are less than 5 micron aerodynamic diameter, and therefore are able to enter the lungs. They also may contain significant amounts of mycotoxins. Diseases associated with inhalation of fungal spores include toxic pneumonitis, hypersensitivity pneumonitis, tremors, chronic fatigue syndrome, kidney failure, and cancer.”

W.G. Sorenson – US Library of Medicine, NIH

Wood Dust: Hazardous to Health

- "Cancers have been associated with wood dust exposure. The National Institute for Occupational Safety and Health (NIOSH) considers both hardwood and softwood dust to be potentially carcinogenic to humans. The three types of cancers associated with wood dust exposure are nasal and sinus cavity cancer, lung and other cancers, and Hodgkin's disease. The wood and cancer relationship was studied by Milham (1974), who conducted a mortality study involving the AFL-CIO United Brotherhood of Carpenters and Joiners of America. This study supports the hypothesis that wood contains carcinogenic agents. The cancer mortality patterns found were:
 - Excess lung cancer in acoustical tile applicators and insulators.
 - Excess gastrointestinal cancer in pile drivers.
 - Excess leukemia lymphoma group cancers in millwrights, mill workers, and lumber and sawmill workers.
 - Excess lung and stomach cancer in construction workers with the greater excesses found in workers in major urban areas.
- Hodgkin's disease has also been associated with wood dust."

Wood Dust Exposure Hazards AEX-595.1-2006

Thomas L. Bean, in collaboration with Timothy W. Butcher and Timothy Lawrence
Ohio State University

Wood Dust and Fungi Risk Mitigation

- It is inevitable that mulch dust and fungal spores will be carried by prevailing winds
 - Grinding wood and frequent churning of mulch piles ejects dust and fungal spores into the air.
 - Fungal Spores can't be seen with the naked eye [< 5 microns] and are airborne to greater distances than mulch dust. Mulch processing requires the use of water to reduce mulch dust both as an irritant and to mitigate against mulch fire risk.
 - Moisture stimulates the growth of mold.
 - Fungi/fungal spores are dormant when dried and reactivated when inhaled.

Howard County Test Case

Sponsored by Oak Ridge Farms, LLC

- Oak Ridge Farms, LLC has inadvertently provided Howard County with a test case of the possible consequences of mulching and composting facility on Agricultural Preservation Properties.
- The residents of Woodbine, including farmers and livestock, have been the unwitting and unwilling subjects in this test case.
- We can learn a lesson from this experiment on Woodbine Residents.
- Observation, sample collection and analysis of the Woodbine experience is necessary.

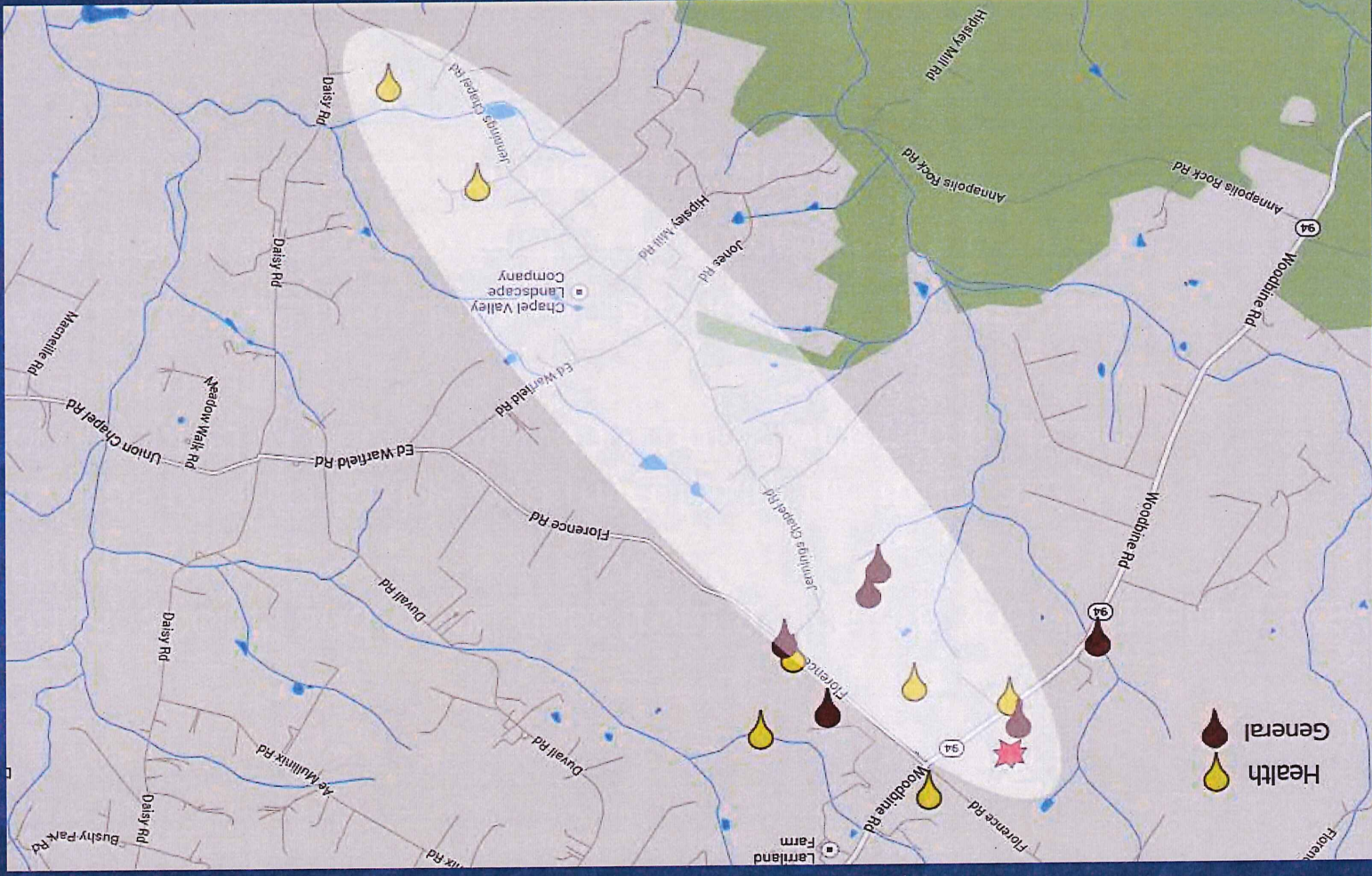
Zoning Inspections Requests Oak Ridge Farms

- Residents of Woodbine made a minimum of 17 requests to DPZ [Nov-Dec 2013]
- 9 Requests explicitly stated respiratory related issues
 - All with health issues were age 51 and older
 - 2 residents under care at Johns Hopkins were tested and found to have wood particulate matter in their respiratory system
 - Distance between the Oak Ridge facility and most distant health issue was 3.1 miles [airborne fungi spores can travel longer distances than wood dust]
- 8 Requests were of a general nature
 - Traffic
 - Pollution & contaminants
 - Decline in air quality
 - Odor
 - Noise, e.g., “louder than a combine”
 - Residents can feel the vibrations of the grinding equipment
 - Occurring 6 or 7 days a week

Follow on Data Gathering

- Chronic Sinusitis
- Flu that last "months"
- Serious and rapid degradation of respiratory abilities
- Wood particulate matter found in nasal passages
- Use of respiratory masks directed by ENT
- Nasal polyps
- Polyps of the throat

Inspection Requests - Clustering



Prevailing North West Winds Affecting Residents to 3.1 Miles
Florence and Jennings Chapel Roads may provide "corridors" for wind

Summary – Health Hazards

- Fungal Spores and wood dust from mulch are known health risks to humans.
- Hazards of mycotoxins and mycotoxigenic fungi are well documented in peer reviewed studies within the US and Internationally.
- Wood dust has been long established as a carcinogen.
- Fungal spores are also related to some types of cancer.
- There are no practical mitigation strategies.

Summary - Woodbine Test

- Woodbine Residents have been unwitting participants in a “test” resulting from operations by Oak Ridge Farms, LLC.
- In a relatively short period of time, residents and livestock are showing symptoms commonly associated with fungal spore contamination and wood dust inhalation.
- The clustering of those affected is consistent with prevailing winds.
- The affected persons in Woodbine are more than 3 miles away from the Oak Ridge Farms, LLC facility.
- Horses and livestock are showing respiratory distress.

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: 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 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 <cbball@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



Maryland Department of Agriculture

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Anthony G. Brown, Lt. Governor
Earl F. Hance, Secretary
Mary Ellen Setting, Deputy Secretary

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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, Kelehan, Bresler, Bennett & Scherr LLP
Craig Nielsen, Assistant Attorney General, Maryland Department of Agriculture
Amanda Gibson, Assistant Attorney General, Maryland Department of Agriculture



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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.

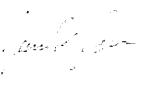
KCI recommends additional measurements if the grinding operation is moved closer to the property line or is significantly altered.

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.

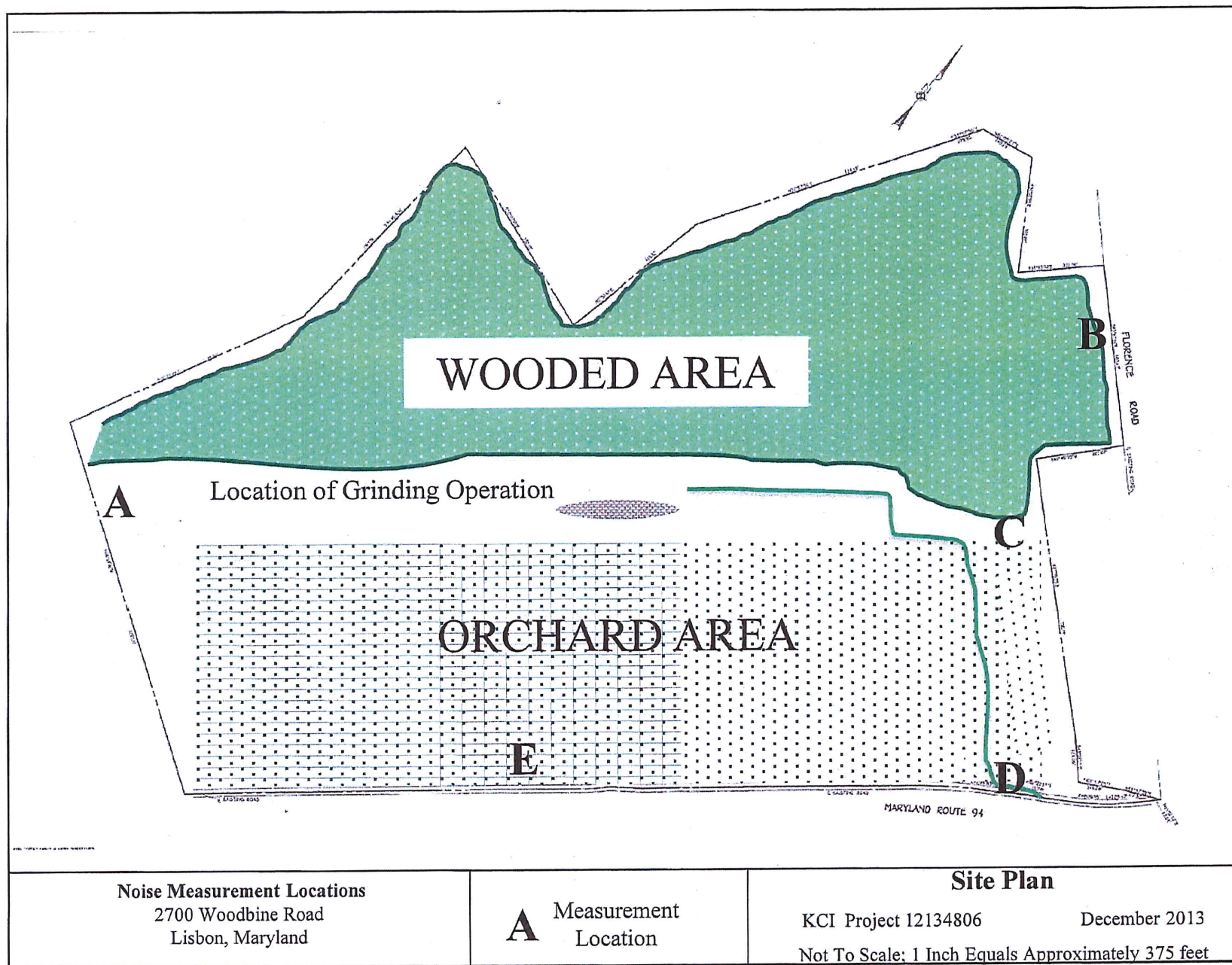

Josh Julius, CIH
Certified Industrial Hygienist

Attachments:
Attachment A: Site Sketch

KCI TECHNOLOGIES, INC.

www.kci.com

Employee-Owned Since 1988



Attachment B
Calibration Certificate



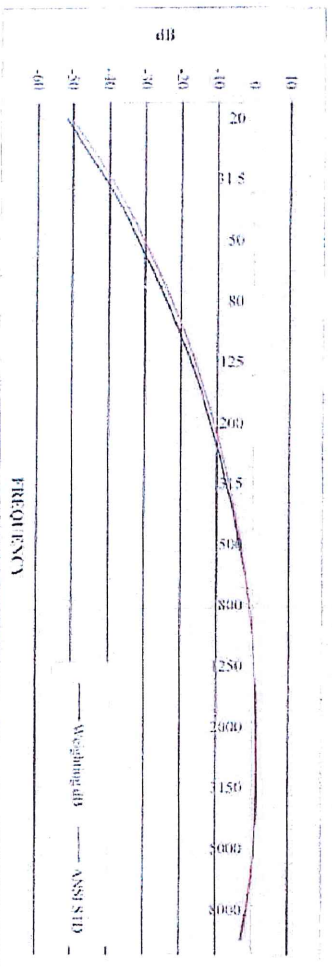
CERTIFICATE OF CALIBRATION

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



Manufacturer	Description	Model No.	Serial No.	Certificate No.	Due Date
RIEN	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 SI-A-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 - Sr. Calibration Technician

Date: 07/31/13

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](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 Coblenz 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 Coblenz 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 my 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 08/20/03

Mailed Eric Bonner a copy, 1/10/14.



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)

No mulching for today
Dear, Sir

9th M 200, 18/11/19

5033
25
233
MS

I don't want the Mulch plant. If I see 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 trucks and
loud noises.

I am in the 1st grade in my school.
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.

4-162019

James
Hu!

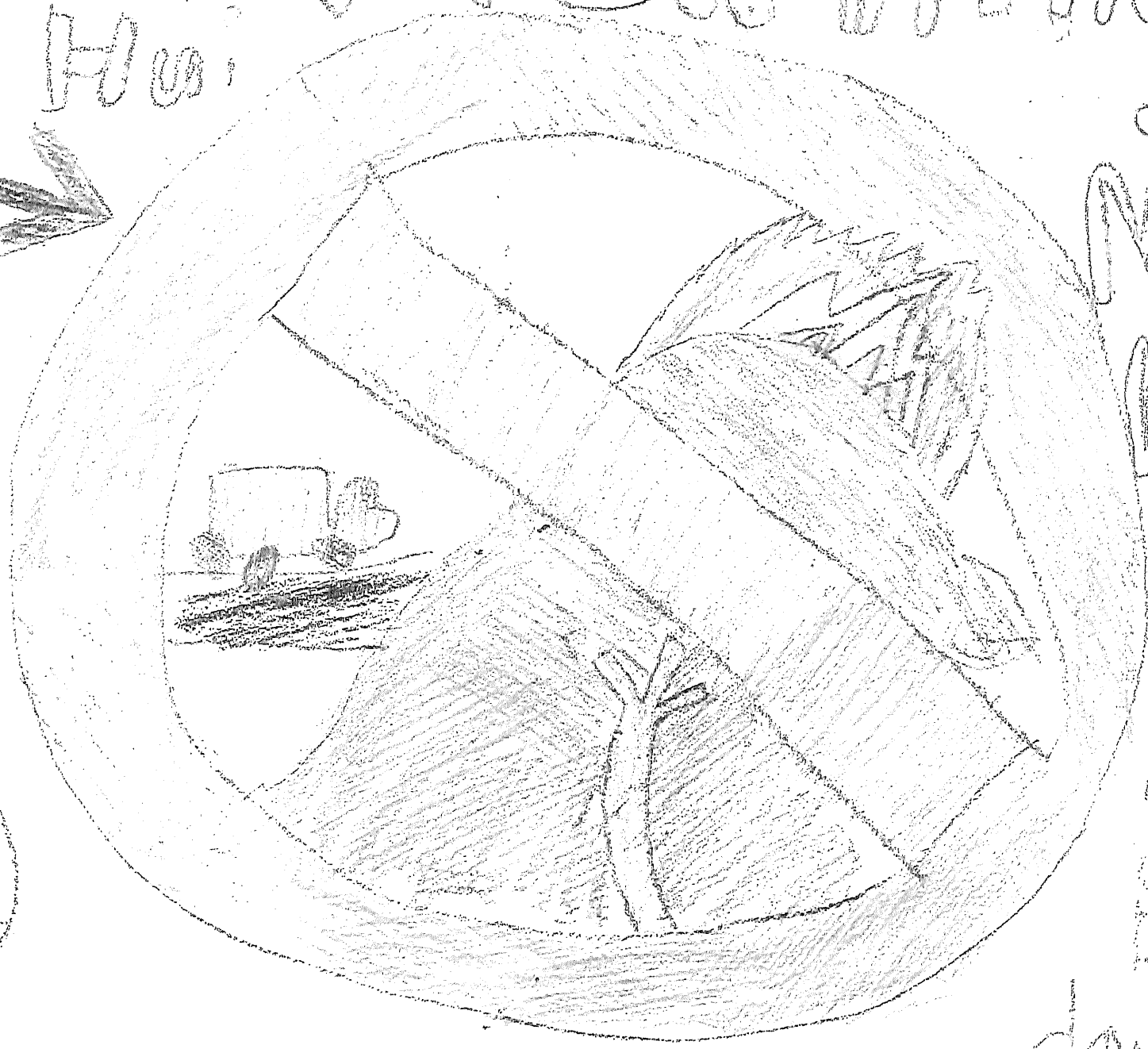
James V. Vourning

Hm



184

grade



NE

mm

le
et

no

day to

No Mulching factory

Wk 10 20/11/94

CF
CW
SE
TJ
3rd Grade MS
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 go really scared). PLEASE, NO MULCHING FACTORY!

Sincerely

Jaelyn Ann

NO Mulching Factory in Dayton



John Wain

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!

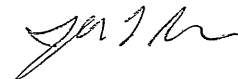
Please Keep the Promise of Fundamental of Agricultural Preserved Farmland for *The Children's of Dayton! They are the Future of Dayton! Keep Them Safe!*

"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

CB
GF
CW
GF
ST
MB
TW
~~SD~~

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
SP

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.
- 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

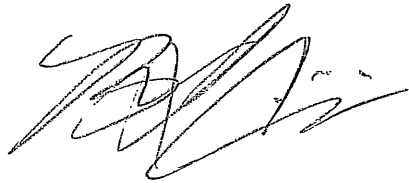
well as the carcinogenic properties of wood dust and fine particles that travel far distances through the air.

- 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,

Handwritten signature of Monica Cimini in cursive script.

Monica Cimini
Ben Cimini

Handwritten signature of Ben Cimini in cursive script.

Porter Leggett ZRA 148/149

CW
ST
TW
EMB
-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 cursive script, appearing to read "John and Jane Hayes".

John and Jane Hayes

1000

2004 MAR 20 P 1:37

future Legis File 12RA #18-149 MVS
GF
TW
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SP
ST

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,

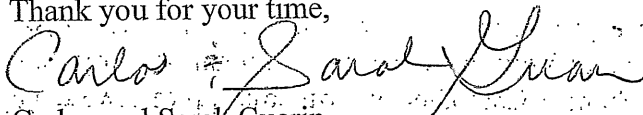
We have been Howard County residents since 2004 and small business owners since 2012. We are writing to let you know that we **strongly oppose** the proposed industrial-scale composting and mulch manufacturing operation in Woodbine. This industrial mulch grinding operation is attempting to get a conditional 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
3232 Starting Gate Court
Woodbine, MD 21797

Legis file
ZRA 148/49

GF
ST
MB
TW
— 8

Gugli
3430 Courthouse Dr
Ellicott City, MD 21043

Dear *Buz*,

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,

J. J. Tye
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."

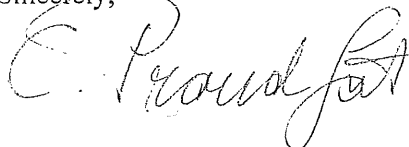
County Executive Ulman said during the most recent Batch 14 easement acquisition process, "Preserving our farmland goes hand-in-hand with protecting the quality of life in Howard County. Local farms provide us with healthy, locally-grown food, scenic landscapes, jobs and recreational opportunities." 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,



John & Beverly McCleaf
5217 Kalmia Drive
Dayton, Maryland 21036

*legis file
2/28/14*

GF
ST
MB
RW
SP

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, reading "John & Beverly McCleaf". The signature is written in dark ink and is positioned above the typed name.

Sincerely,
John & Beverly McCleaf

Date: March 11, 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 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

CMRS
ST
MB
TW
SP

per file
2/28/14 8/14/14

lgis
2/28/14
hick

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

Member

Please

do not vote

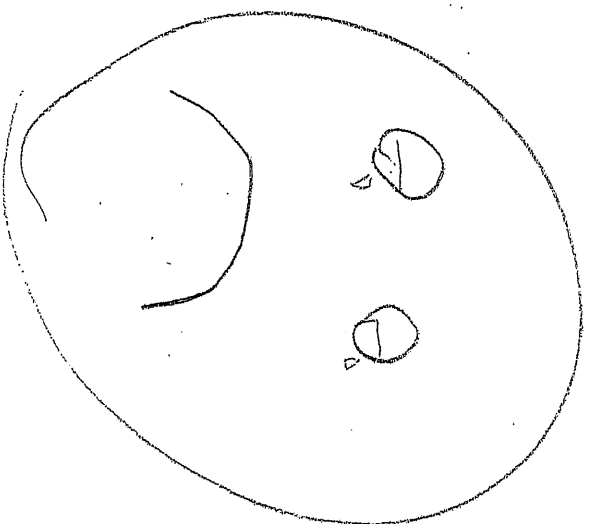
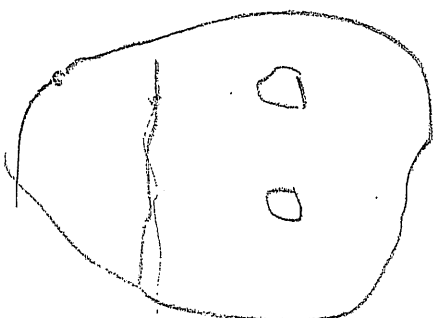
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Payton,

John

17-01-16



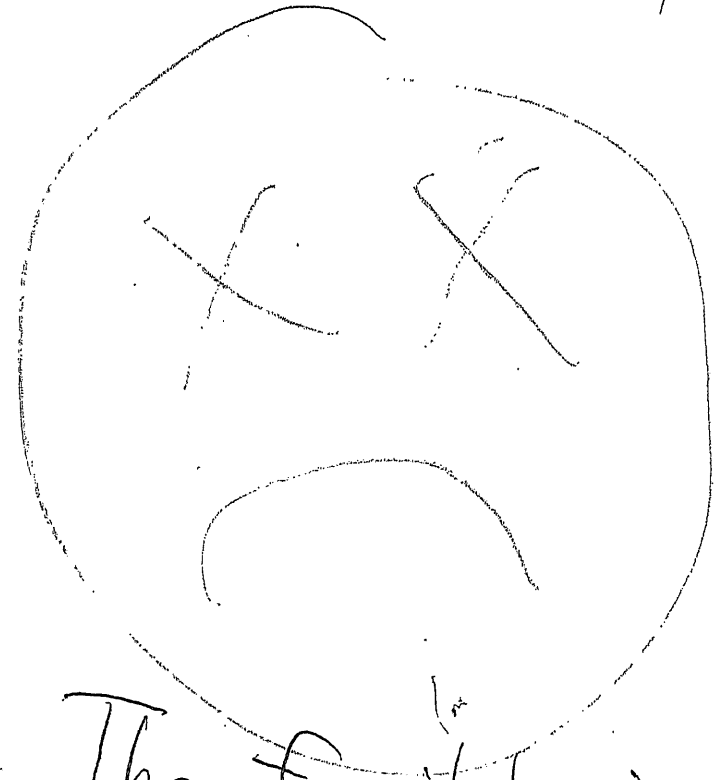
March 3, 2011

Dear Council Member

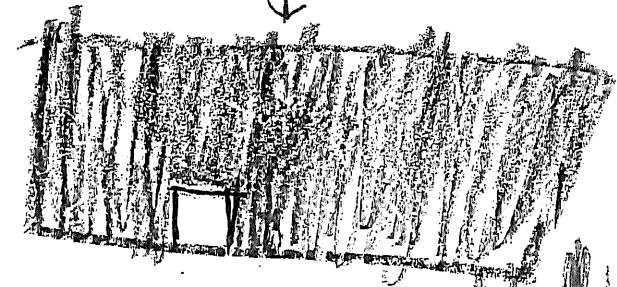
Please don't vote
for the mulching
facility because I
live less than a mile
away from the facility
site. I also hate waking
up with noise! I don't
want to get sick either!

Please don't vote for the facility!!

David Taylor, 8



The facility is by
a school



Legis file
2/28/14 1/48/149

GF
ST
MB
TW
SP

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

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

1/8th - 2nd RT 1/8/11

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.

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. We are also concerned about our property value.

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."*

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.

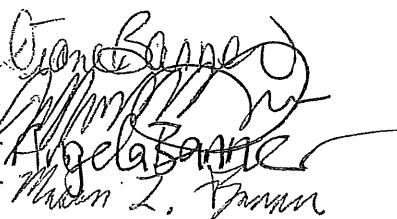
Sincerely,

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.

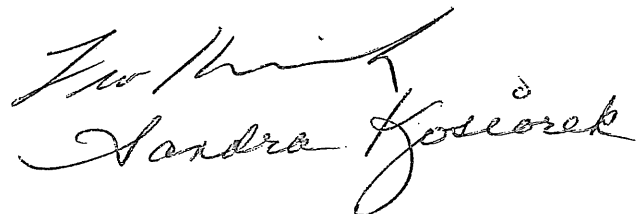
Industrial-scale composting and mulch manufacturing facilities are currently being proposed in Dayton and Woodbine. These operations – planned for agricultural preservation land – would not have been a permissible conditional use prior to the 2013 Comprehensive Zoning Plan changes.

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



lyg
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March 2014

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,

Law.

JAMES N. ROBEY
13th Legislative District
Howard County

MAJORITY LEADER

Budget and Taxation Committee

Chair

Health and Human Services Subcommittee

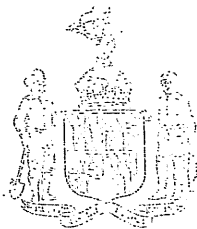
Pensions Subcommittee

Senate Chair

Joint Advisory Committee on

Legislative Data Systems

Joint Committee on Pensions



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

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MB
TW
SP

US 228 148 749

March 10, 2014

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

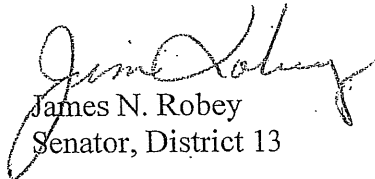
Dear Mr. and Mrs. Roesler:

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. Robey
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

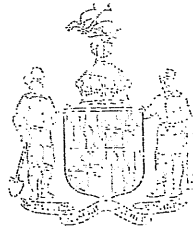
Health and Human Services Subcommittee

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

Dear Mr. and Mrs. Anderson:

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,

A handwritten signature in cursive script, appearing to read "Jim Robey".
James N. Robey
Senator, District 13

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

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regis file
ZRA 149

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EP

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

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.

2/24/14

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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."*

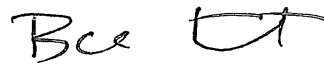
We are asking Mr. Ulman and the County Council to approve the zoning amendments recently proposed that correct loopholes which will ruin the vision he stated above and allow large industrial uses on our local farms in Howard County.

Sincerely,

A handwritten signature in cursive script, appearing to read "Heidi C. Trout".

Heidi Trout

Sincerely,

A handwritten signature in cursive script, appearing to read "Bruce Trout".

Bruce Trout

Brett Taylor
13816 Holly Crest Lane
Dayton, MD 21036

lyg
2/24/14

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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

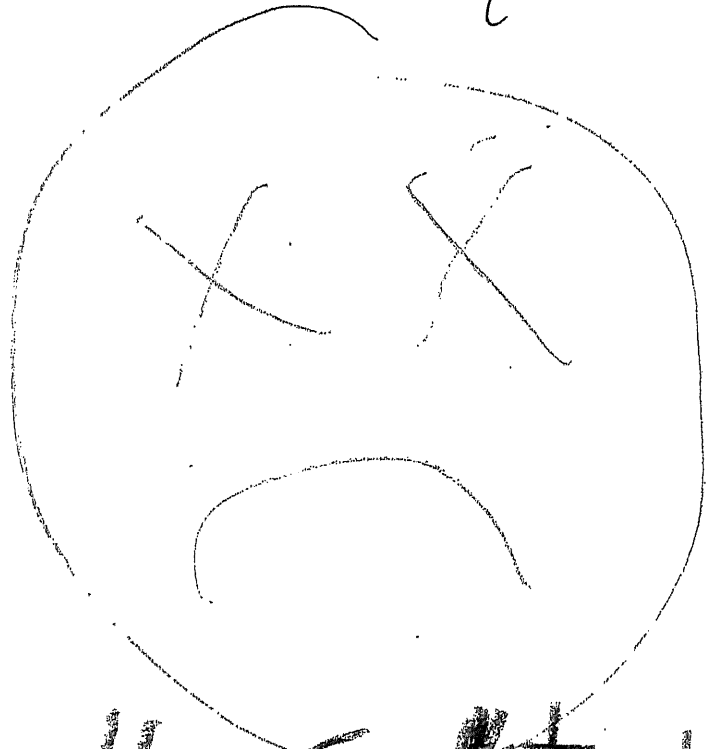
March 3, 2011

David Taylor, 8

Dear Council Member

Please don't vote
for the mulching
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!

Please, don't vote for the facility!!



Dear
council

member

please

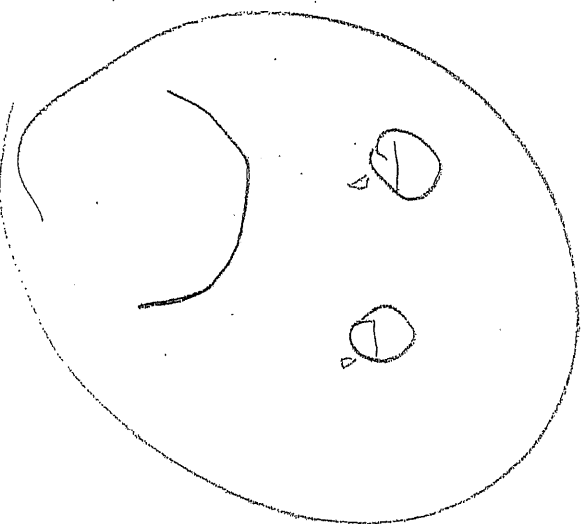
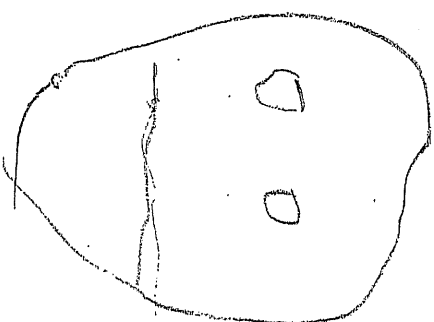
dot vote

for the
multiplying

facility in
payfon,

Thank you

2



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

*Super file
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2/28/148/149
legislation*

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RW*

3430 Courthouse Dr
Ellicott City, MD 21043

Dear *Ten Tension*,

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,

Shirley J. Fritter



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

Tim and Susan Mako
1731 Underwood Road
Sykeville, MD 21784

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 How
you and the County Council t
recent Comprehensive Zoni

ing these farms, I strongly encourage
sequences resulting from the
t and consideration.

Sincerely,

Tim and Susan

Kelli
Please hold these
for legs put in
for the morning till re:
ZRA 148/149

ZRA 148/149

GF
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SP

Tim and Susan Mako
1731 Underwood Road
Sykeville, MD 21784

2/14/14

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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,

Tim and Susan Mako

Pat Heinz
13572 Argo Drive
Dayton, Md. 21036✓

PA 148/149

GR
ST
PMB
TW
SP

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 of file
2/27/14 9/1/19

CB
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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 CMBS
ST
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

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

copy file
2/28/14 5/1/14

OMBS
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14th day Feb
ZRA 148/149

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,

Joan Ann Colee
Joan Ann Colee

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

*Legis file
compt 2/24 148/149 MB-RS*

*ST
MB
TW
Sp*

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

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!

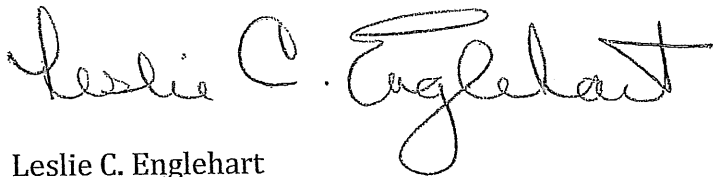
- Recent zoning changed allow for mulch and composting but we believe an industrial operation was not foreseen by those making these allowances as a conditional use of agricultural preservation land zoned RC. We also object to these kinds of zoning changes being snuck in without any obvious notification 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 dark ink and is positioned above the printed name.

Leslie C. Englehart

JAMES N. ROBEY
13th Legislative District
Howard County

MAJORITY LEADER

Budget and Taxation Committee

Chair

Health and Human Services Subcommittee

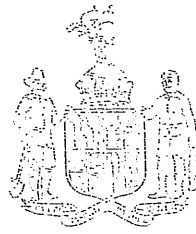
Pensions Subcommittee

Senate Chair

Joint Advisory Committee on

Legislative Data Systems

Joint Committee on Pensions



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

*hold for future ZRA/line
re: cr resting*

*GF
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3p*

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,

A handwritten signature in cursive script, appearing to read "Jim Robey".
James N. Robey
Senator, District 13

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

*Held for legislative file
for zoning ZRA re:
composting*

MKS
JT
CW
CB
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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 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,

A handwritten signature in black ink, appearing to be 'F. Hazeltine Jr.', written in a cursive style.

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
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2/24/14
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SP

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

Signature	Name	Address
Anne Marie Russell	Anne Marie Russell	5136 Danvel Circle Columbia 210