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Neighbors vow to fight ruling for landfill

Developer is allowed more time to get permits; Decadelong battle continues; Residents to file appeal with county by July 3

By Lynn Anderson

Sun Staff

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Correction

Residents of the Forks of the Patuxent - a semi-rural area south of Odenton - are vowing to appeal an Anne Arundel County hearing officer's decision to grant a developer more time to process the permits he needs to open a landfill and gravel pit.

"How can anyone imagine how a landfill could be put there without contaminating everything around it," said Buz Meyer, president of the Forks of the Patuxent Improvement Association. Meyer and his neighbors have been fighting the landfill, which would be located near Wilson Town, a historic African-American community, for more than a decade.

An attorney for the Forks of the Patuxent community said Tuesday that he will file an appeal with the county's Board of Appeals by July 3. He said he still hopes to prove that developer Warren E. Halle of Silver Spring failed to keep up with the state permitting process and that he doesn't deserve an extension.

"He has not been diligent," said Towson attorney G. Macy Nelson. "If he had been, he would have met the deadline."

Residents could file in Circuit Court if the Board of Appeals effort fails.

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Meyer said that he and other homeowners fear that pollution from the landfill could leak into the Patuxent and Little Patuxent rivers, as well as nearby residential wells. There is also concern that truck traffic to and from the landfill could clog local roads and create clouds of dust.

He said residents were "absolutely flabbergasted" when acting county hearing officer Roger Perkins recently granted Halle a two-year extension on existing land-use variances.

Residents begged Perkins to deny the request during a three-hour hearing April 29 at the Arundel Center in Annapolis.

In his report filed June 3, Perkins said evidence showed that Halle had been "dilatatory."

Annapolis attorney Susanne K. Henley, one of several local attorneys who represent Halle, could not be reached for comment yesterday.

At the April hearing, Henley said her client had been actively pursuing permits through the state. She implied that county officials were slow to notify the state that Halle had the permits he needed to proceed with his landfill. Henley also pointed out that applications with the state take about three years to process, or longer than the two-year time limit on county special exceptions and variances.

"At all times, he has done what he was required to do," she said in April.

Halle won the right to open a landfill and gravel pit on roughly 600 acres near Odenton in 2001 despite moves by elected officials to exclude the project from the county's solid waste management plan. The project has since been added to the plan.

Meyers, who has lived on his family's 500-acre farm all of his life, said the homeowners group voted to appeal the Perkins decision at a June 17 meeting. He said the community remains resolved in its fight to defeat the landfill.

"If you can find me one place where a landfill liner has been 100 percent successful, I might change my opinion," he said. "But every one has broken down at one place or another. Would you want everything to be killed in the Patuxent River?"

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