

For Office Use Only

CASE # 2020-0129-V

FEE PAID \$ 585.00

DATE 10 02 2020



For Office Use Only

ZONE RA

CRITICAL AREA: IDA LDA RCA

BMA: Yes No

NO. OF SIGNS 3

VARIANCE APPLICATION

NOTE: This form can be downloaded to your computer and filled out utilizing Adobe Reader (or similar product). It can also be printed and filled out by hand.

Applicant(s): National Waste Managers, Inc./Chesapeake Terrace

(Applicant must have a financial, contractual, or proprietary interest in the property)

Property Address: 481-6 acres on Patuxent Rd, Odenton; 107.99 acres on Patuxent Rd, Odenton (sand & gravel and rubble landfill)

Property Location: 4300' & 695' feet of frontage on the (N, S, E, W) side of Patuxent Road ;
(Enter Street Name)
1500 feet (N, S, E, W) of (Nearest intersecting street) Bragers Road ;
(Enter Street Name)

12-digit Tax Account Number 04-000-90051052 Tax District (4) Council District (4)
04-000-04452000

Waterfront Lot: Y ☐ N ☒

Corner Lot: Y ☐ N ☐

Deed Title Reference 3687/83

Zoning District RA

Lot # Tax Map

36 Block/Grid 7 Parcel 241
36 8 20

Area 481.6 (Sq Ft, or Acres) Subdivision Name 107.99

Description of Proposed Project and Variance Requested (Brief, detail fully in letter of explanation)

Variance to AA Code Sec. 18-16-405, requiring special exception use as sand & gravel and rubble landfill

to be implemented within two years with building permits, MDE refuse disposal permit takes longer.

The applicant hereby certifies that he or she has a financial, contractual, or proprietary interest in the property; that he or she is authorized to make this application; that the information shown on this application is correct; and that he or she will comply with all applicable regulations of Anne Arundel County, Maryland.

Applicant's Signature

Stephen N. Fleischman
President

Owner's Signature

Stephen N. Fleischman
Vice President

Print Name National Waste Managers, Inc.

Print Name National Waste Managers, Inc.

Mailing Address 2900 Linden Lane, Suite 300

Mailing Address 2900 Linden Lane, Suite 300

City, State, Zip Silver Spring, MD 20910

City, State, Zip Silver Spring, MD 20910

Work Phone 301 495-1520

Work Phone 301 495-1520

Home Phone

Home Phone

Cell Phone

Cell Phone

Email Address sfleischman@hallecompanies.com

Email Address sfleischman@hallecompanies.com

*** Below For Office Use Only ***

Application accepted by Anne Arundel County Office of Planning and Zoning:

Initials

Date

Variance to

VARIANCE TO ALLOW AN EXTENSION IN TIME FOR THE IMPLEMENTATION AND
COMPLETION OF A PREVIOUSLY APPROVED VARIANCE AND SPECIAL EXCEPTION
FOR A RUBBLE LANDFILL

For Office Use Only

CASE # 2020-0130-VFEE PAID \$ 585.00DATE 10 02 2020

For Office Use Only

ZONE RACRITICAL AREA: IDA LDA RCA BMA: Yes No NO. OF SIGNS 3

VARIANCE APPLICATION

NOTE: This form can be downloaded to your computer and filled out utilizing Adobe Reader (or similar product). It can also be printed and filled out by hand.

Applicant(s): National Waste Managers, Inc./Chesapeake Terrace

(Applicant must have a financial, contractual, or proprietary interest in the property)

Property Address: 481-6 acres on Patuxent Rd, Odenton; 107.99 acres on Patuxent Rd, Odenton (sand & gravel and rubble landfill)Property Location: 4300' & 695' feet of frontage on the (N, S, E, W) side of Patuxent Road ;
(Enter Street Name)1500 feet (N, S, E, W) of (Nearest intersecting street) Bragers Road ;
(Enter Street Name)12-digit Tax Account Number 04-000-90051052 Tax District (4) Council District (4)
04-000-04452000Waterfront Lot: Y ☐ N ☒ Corner Lot: Y ☐ N ☐ Deed Title Reference 3687/83Zoning District RA Lot # Tax Map 36 Block/Grid 7 Parcel 241
36 8 20Area 481.6 (Sq Ft, or Acres) Subdivision Name 107.99

Description of Proposed Project and Variance Requested (Brief, detail fully in letter of explanation)

Variance to AA Code Sec. 18-16-405, requiring special exception use as sand & gravel and rubble landfill

to be implemented within two years with building permits, MDE refuse disposal permit takes longer.

The applicant hereby certifies that he or she has a financial, contractual, or proprietary interest in the property; that he or she is authorized to make this application; that the information shown on this application is correct; and that he or she will comply with all applicable regulations of Anne Arundel County, Maryland.

Applicant's Signature [Signature]Owner's Signature [Signature]Print Name National Waste Managers, Inc.Print Name National Waste Managers, Inc.Mailing Address 2900 Linden Lane, Suite 300Mailing Address 2900 Linden Lane, Suite 300City, State, Zip Silver Spring, MD 20910City, State, Zip Silver Spring, MD 20910Work Phone 301 495-1520Work Phone 301 495-1520Home Phone Home Phone Cell Phone Cell Phone Email Address sfleischman@hallecompanies.comEmail Address sfleischman@hallecompanies.com

*** Below For Office Use Only ***

Application accepted by Anne Arundel County Office of Planning and Zoning:

Initials

Date

Variance to

VARIANCE TO ALLOW AN EXTENSION IN TIME FOR THE IMPLEMENTATION AND
COMPLETION OF A PREVIOUSLY APPROVED SPECIAL EXCEPTION FOR A SAND AND
GRAVEL OPERATION

HENLEY & HENLEY

Attorneys at Law
47 West Street
Annapolis, MD 21401
www.henleylaw.net

Susanne K. Henley, Esq.

Robin K. Henley, Esq.

Annapolis (410) 280-0530

Centreville (410) 758-2217

Facsimile (410) 280-2029

September 28, 2020

Office of Planning and Zoning
Anne Arundel County
2664 Riva Road
Annapolis, Maryland 21401

Re: National Waste Manager, Inc./Chesapeake Terrace

Dear Sir or Madam:

On behalf of National Waste Managers, Inc./Chesapeake Terrace, I am writing to explain the request for variances to Anne Arundel County Code, Section 18-16-405 that requires a special exception to be implemented and operational within two years after an approval and the Code requirement that County building permits be obtained and completed within two years.

The applicant received approval of special exceptions and variances to allow a rubble landfill and sand and gravel operations for properties located in the Odenton area of Anne Arundel County proximate to Patuxent Road and Bragers Road, Case Numbers BA 120-90S, BA 26-91S and BA 27-91V. The State of Maryland requires a refuse disposal permit before this special exception use may be implemented. The State's permitting process takes many years to complete. It is an intensive geologic, hydrogeologic, and engineering five stage process involving submissions, responses requiring additional submissions, public hearings, all in order to protect public safety. The refuse disposal permit application process is nearing conclusion through the Maryland Department of Environment. The applicant cannot submit and obtain review of the required County permits until the State refuse disposal permit has been issued. The applicant can not implement the use because necessary permits have not been issued due to of the lengthy State permit process.

The most recent previous extension of time on these special exceptions and variances for a period of two years was granted by the Board of Appeals for Anne Arundel County on October 19, 2018, Case Numbers BA 12-13V, BA 13-13V. (2012-

0300-V and 2012-0301-V). At that time, the Maryland Department of Environment again began processing this permit application after having suspended all activity on the matter for a five year period of time due to pending litigation concerning the 2012 variance for extension of time request. The State agency began processing the permit application again upon notification by Anne Arundel County that the project once again met all applicable County zoning laws on November 8, 2018.

Accordingly, this applicant is requesting an extension of three years to allow it to finalize the State permit process and to obtain the required County permits to implement the use. The COVID-19 pandemic has affected the review of documents by the Department of Environment and has slowed the review process. The application is approaching the finalization of the State refuse disposal permitting process and the agency reviewers will be soon scheduling the final public hearing through the Maryland Department of Environment. After the State permit is issued, required County permits will be pursued. This applicant continues to diligently pursue this project.

Please contact me if you require any additional information. Since the previous planner on this project, John R. Fury, is no longer with your office, please advise me of the name and contact information of the person assigned to this request.

Sincerely,

A handwritten signature in cursive script, reading "Susanne K. Henley". The signature is written in dark ink and is positioned above the printed name.

Susanne K. Henley

cc: Steve Fleischman