

1 **BEFORE THE**  
2 **MARY KAY SIGATY,** \* **PLANNING BOARD OF**  
3 **GREG FOX, PETITIONERS** \* **HOWARD COUNTY, MARYLAND**  
4 **ZRA-183** \*

5 \* \* \* \* \*  
6 **MOTION:** *To recommend approval of the petition in accordance with the Department*  
7 *of Planning and Zoning recommendation and to add criteria to verify*  
8 *ongoing compliance with Special Farm Permits*

9 **ACTION:** *Recommended approval; Vote 5 to 0.*

10 \* \* \* \* \*

11 **RECOMMENDATION**

12 On January 11, 2018, and March 1, 2018, the Planning Board of Howard County, Maryland,  
13 considered the petition of Councilmembers Mary Kay Sigaty and Greg Fox to amend Sections 103.0, 104.0,  
14 105.0, 106.1, 122.0, 123.0, 124.0, 128.0, 131.0 of the Howard County Zoning Regulations (HCZR). The  
15 proposed amendments address wood waste processing and composting activities in the RC, RR, M-1, M-2  
16 zoning districts and Solid Waste Overlay district.

17 The Planning Board considered the petition, Department of Planning and Zoning (DPZ) Technical  
18 Staff Report, public testimony, and DPZ's recommendation to approve the petition. Councilmember Sigaty  
19 introduced the item and explained that when Council approved Council Bill 60-2017 (CB-60) in November,  
20 2017 they miscounted days resulting in an invalid bill and triggering the need to go through the process again.  
21 The proposed ZRA 183 is the same as ZRA 180 with ten amendments that were adopted by Council in the  
22 final CB-60. The Planning Board's review should focus on the ten amendments, which represent the changes  
23 to ZRA 180.

24 Testimony

25 Councilmember Sigaty testified that ZRA 183 balances needs of the farming community to operate  
26 viable farms and manages risks, while protecting neighbors. ZRA 183 promotes environmental sustainability  
27 and sound waste management; supports agriculture and the County's investment in the Agricultural  
28 Preservation Program; protects residential communities in or adjacent to the RC, RR, M-1 and M-2 zones;  
29 and limits the size of facilities and sale of product. Councilmember Sigaty informed the Planning Board that  
30 the Council heard expert testimony during the work sessions on CB 60. It included Maryland Department of  
31 the Environment composting staff, a University of Maryland specialist who certifies composting operations  
32 and teaches composting programs; a US Department of Agricultural contractor who specializes in the use of  
33 composting to meet Clean Air and Water Act requirements; and a Meteorologist/Soil Scientist with expertise

1 in air pollution. Both Councilmembers Sigaty and Fox discussed Council Bill 78- 2017, which requires the  
2 County to apply state regulatory standards for wood waste pile heights and distances between piles even if a  
3 state permit is not required. It also provides additional enforcement opportunities through the Fire Department  
4 to address potential health and safety issues.

5 Councilmember Fox mentioned that the County's landfill is surrounded by residential. Jeffery  
6 Dannis, Bureau of Environmental Services, Alpha Ridge Manager, testified that the County has not received  
7 any complaints about the Alpha Ridge Landfill operation.

8  
9 The Board heard public testimony on ZRA 183. The agricultural community, including the Farm  
10 Bureau, testified in general support of ZRA 183. However, they expressed concerns with the proposed  
11 restrictions on sales and discussed state initiatives to encourage counties to find other outlets for waste  
12 disposal. Residential homeowners testified in support of some aspects of ZRA 183 and also expressed  
13 concerns about a number of issues including: the need for additional limits on the sale of excess product;  
14 compliance with agriculture preservation easements, potential health and safety impacts, ground water  
15 contamination, safety concerns with tractor trailer traffic, and ability of the County to enforce regulations. Mr.  
16 McAliley motioned to close the public hearing and continue the work session to a future meeting. Mr.  
17 Coleman seconded the motion, which passed by a vote of 4-0.

#### 18 19 Board Discussion and Recommendations

20 On March 1, 2018, the Planning Board convened in a work session to discuss ZRA 183. Mr. Engelke  
21 stated for the record that while he did not attend the January 11, 2018, Public Hearing he has reviewed the  
22 video and materials and is prepared to participate in the work session. He recommended that the Board focus  
23 their discussion on the items that changed from the last hearing on ZRA 180. Board members commented that  
24 the amendment was well thought out and commended the sponsors for their effort. Misters Engleke and  
25 Coleman remarked that the approach is balanced and reasonable. Ms. Adler expressed support for protecting  
26 and encouraging farming in Howard County and also raised a concern that compliance monitoring for Special  
27 Farm Composting Permits should extend beyond two years. The board agreed monitoring beyond the first two  
28 years should occur and they recommended the County determine a consistent approach and timeframe to  
29 confirm ongoing compliance.

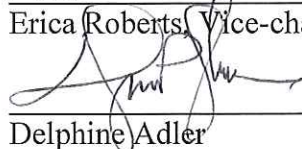
30 Mr. Coleman motioned to recommend approval of ZRA 183 and include a measure to ensure there is  
31 consistent and continuing compliance of Special Farm Composting Permits. Ms. Adler and Ms. Roberts  
32 seconded the motion. The motion passed by a vote of 5 to 0.

1 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 15th day of  
2 2018, recommends that ZRA-183, as described above, be APPROVED.

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4 HOWARD COUNTY PLANNING BOARD

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6   
Phillips Engelke, Chair

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8 Erica Roberts, Vice-chair

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10   
Delphine Adler

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Ed Coleman

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Kevin McAiley

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16 ATTEST:

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18 Valdis Lazdins, Executive Secretary