

Date: January 10, 2022
Subject: Landfill Update/Information

DO NOT REPLY TO THIS EMAIL -If you have any questions or feedback, please email us at: tworiversloc@gmail.com

The Anne Arundel (AAC) County Board of Appeals (BOA) public hearings on the National Waste Managers (NWM) Chesapeake Terrace Rubble Landfill (CTRL) are scheduled to continue Tuesday, January 25th, at 5 p.m. in the Arundel Center. See attached.

The BOA erroneously approved the most recent two year time extension to obtain permits to operate CTRL, and was ordered by the Maryland Court of Appeals to take into account the impact, if any, of the requested extension beyond 2017 on the character of the neighborhood, the appropriate use or development of adjacent property, and the public welfare. In previous time extensions, NWM addressed this by indicating the community hadn't changed from when the special exception was approved in 1993. That however, is not the case since 2015 with the development of Two Rivers.

As we detailed in our November 2nd email, the additional January, and March if needed, hearings allow for the completion of presentations by NWM, FOTPIA, and AAC, public testimony, rebuttals, and closing arguments. TRR-LOC members plan to attend all future meetings and present testimony addressing the impact issues and changes in the neighborhoods that have occurred since 2017.

Although we cannot predict when the public will get to present input to the impact, it would send a clear message to the BOA that we are opposed and watching them every step of the way if we can exceed the capacity of the meeting room (~200) and force a postponement of the meeting. Parking will be validated for the Whitmore parking garage on Clay St, directly across from the entrance to the Arundel Center.

We understand concerns for the pandemic, weather, and rush hour commute may impact your ability to attend and we have again inquired about an option for a Zoom meeting. We will advise of any changes as we become aware.

If you have any questions or feedback, please email us at tworiversloc@gmail.com. You are also welcome to contact anyone on the TRR-LOC if you prefer.

Highlands - Rick Bock

Regency - Pete Baer & Bill Radlinski

Bluffs - Dick Talbot

Watershed - Cathy Buckman, Jack Jacobs, Ed Riehl

+++++

Historical Background Info

For those of you who are new to Two Rivers, the below info will help you get up to speed on the proposed landfill.

Since 1990, National Waste Managers (NWM) has been trying to complete the permitting process for their proposed Chesapeake Terrace Rubble Landfill (CTRL). Before construction can begin, permits are required from the Federal Government (Army Corps of Engineers), the State (MDE), and the County (AAC Planning & Zoning). NWM has been unable to obtain the State & County permits during the last 32 years due to the efforts of local opposition groups, particularly the Forks of the Patuxent Improvement Association (FOTPIA). The location of the proposed landfill is just north of Two Rivers (see attached sketch).

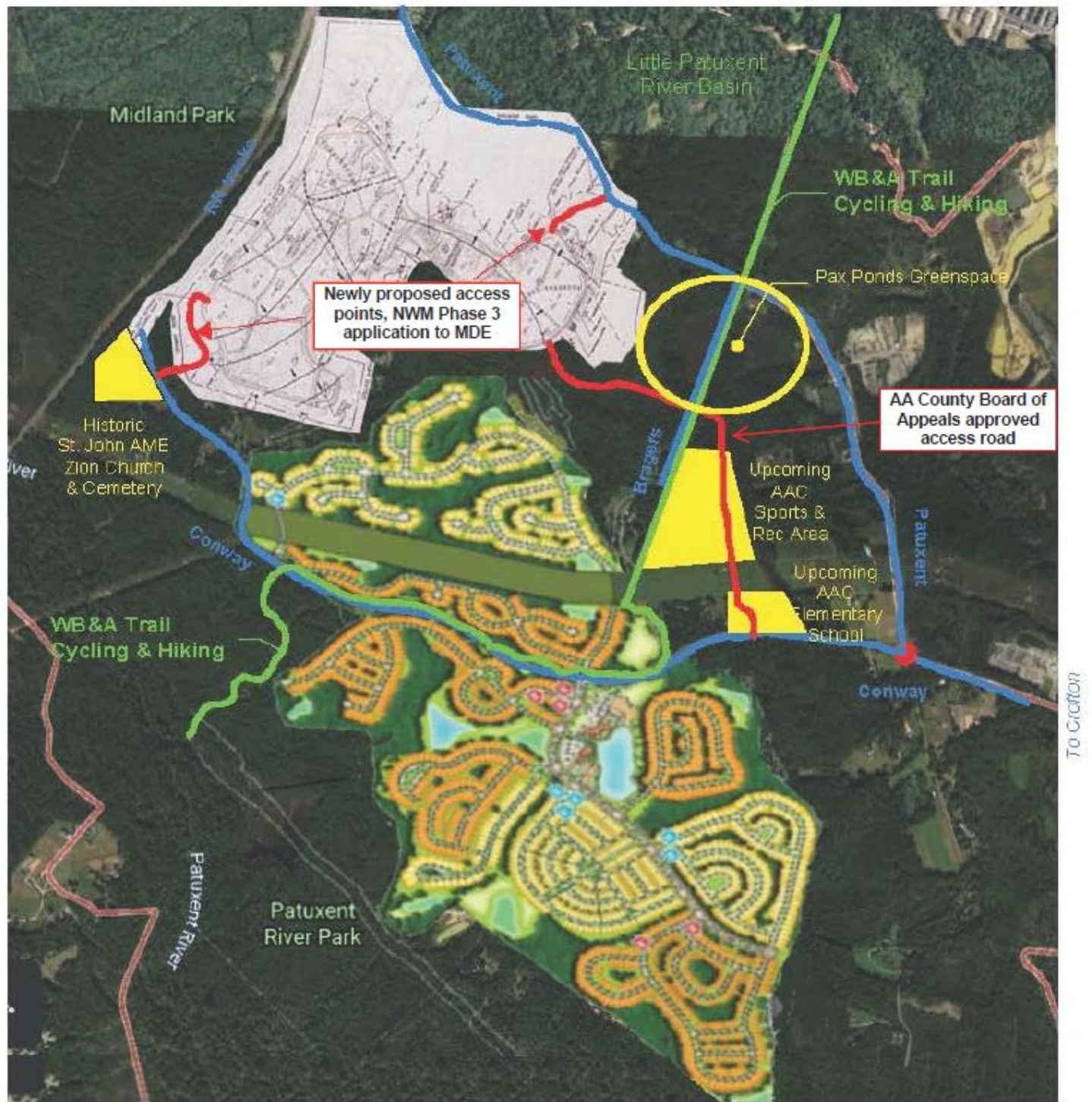
The permit clock stopped in October 2020. NWM would like to get approval to restart the permit clock for a three year period so they can try to get all of the permits necessary to begin construction of the landfill. If approved, the landfill would be operational for 12 years based on one of the Special Exceptions in the BOA's Dec 1993 decision. The current proceedings before the BOA is one step in the legal process that NWM must overcome. The legal proceedings are moving very slowly, which is good for the opposition groups.

In response to a MD Circuit Court decision in May 2021, MDE has resumed processing the State environmental permit. MDE is currently in Phase 3 of 5 phases. To date, FOTPIA & TRR-LOC have been unsuccessful in stopping the processing of this State Permit. There will be an opportunity for the public to weigh in during Phase V of the permitting process. If the MDE Permit is issued, NWM must still get a permit from AAC. We know that Stuart Pittman is opposed to the landfill, so we expect AAC to continue fighting the landfill application. There will also be more MD Court challenges.

In October 2019, a small group of volunteers formed the TRR-LOC. We have been reviewing documents from the last 31 years, developing opposition arguments, and contacting government officials & local opposition groups.

If you would like to review historical documents, you can find them at:
<http://ourtworivers.com/landfill/landfill.html>.

To Piney Orchard



Location of (Proposed) Chesapeake Terrace Landfill shown in relation to Two Rivers, Patuxent River watershed, St. John AME Zion Church and cemetery, WB&A Trail,



BOARD OF APPEALS
P O BOX 2700
44 CALVERT STREET, RM. 160
ANNAPOLIS, MARYLAND 21404
410-222-1119

September 20, 2021

NOTICE OF APPEAL HEARING

BA 12-13V, BA 13-13V
National Waste Managers, Inc./ Chesapeake Terrace

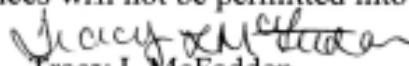
The Board of Appeals will conduct public hearings on the above case on Wednesday, October 27, 2021, at 5:00 p.m., Tuesday, January 25, 2022, at 5:00 p.m., Wednesday, January 26, 2022, at 5:00 p.m., and Thursday, January 27, 2022, at 5:00 p.m., in Council Chambers, First Floor, Arundel Center, 44 Calvert Street, Annapolis, Maryland.

This matter is before this Board as a remand from Circuit Court of Anne Arundel County in Case No. C-02-CV-18-003469. This is an appeal of the conditional granting of a variance to allow an extension in the time required for the implementation and completion of a previously approved special exception and variance for a rubble landfill and an appeal of the conditional granting of a variance to allow an extension in the time for the implementation and completion of a previously approved special exception for a sand and gravel operation, for property known as 515 Patuxent Rd., Odenton.

Interested persons are advised to contact the Board of Appeals at dbussey@aacounty.org or 410-222-1119 to confirm that the hearing will proceed as advertised. The Board may choose to close a portion of the meeting as authorized by the General Provisions Article Section 3-305(b) of the Open Meetings Act.

Anyone needing accommodations must contact the office or via Maryland Relay 7-1-1 at least 7 days in advance of the event. All materials available in alternative formats upon request.

Please note: For security purposes, attendees will not be permitted into the Arundel Center after 6:30 p.m.


Tracy L. McFadden
Clerk to the Board

cc:	Property Owners	Forks of the Patuxent Imp. Assoc., Inc.
	Critical Area Commission	Jennifer Weiland
	News Media	Gregory Lane
	Susanne K. Henley, Esq.	Ulis Fleming
	Joseph F. Devlin, Esq.	Diana Lane
	Ana L. Henry, Esq.	Sue Meyer
	Kelly Phillips Kenney, Esq.	Andrew Meyer
	Sterling Seay (2012-0300-V, 2012-0301-V)	Stacy Murphy
	Paul Stratman	Sue Ellen Meyer
		Mike Murphy
		Edward Dexter
		Robert Fleshman, Sr.
		Cathy Fleshman
		Stephen Fleishman
		Ann Marie Thomas
		Leon Thomas