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This correspondence provides the status after the most recent Anne Arundel County (AAC) Board of Appeals (BOA) Landfill hearings last week. It is organized by: 1 brief history; 2 recap of BOA hearing; 3 what to expect next; and 4 how can you get involved.

**1. Brief history.**

In 1990, National Waste Managers (NWM) applied for a permit to operate a landfill. The County provides zoning approval where a landfill can be located, while the Maryland Department of the Environment (MDE) provides approval of the design meeting environmental protections. NWM could not meet all zoning requirements and their application was denied. However, they appealed that decision to the AAC BOA and was provided a Special Exception in 1993 with specific conditions that had to be met. An applicant has a time limit on obtaining County zoning permits, and if they require more time they must apply for an extension. There have been multiple extensions, as well as court litigation, that has filled the passage of time. The last extension in 2018 approved a 2-year extension. However, the Forks of the Patuxent Improvement Association (FOTPIA) filed a court case contending the applicant did not address a zoning requirement to address impact to the community for the extension. The courts agreed and instructed the AAC BOA to complete that review.

**2. Hearing recap.**

NWM wants the extension approved. FOTPIA and AAC want the extension denied. Obviously so do we!

Primary to the opposition is that NWM cannot meet the conditions of the special exception, so there is no need to provide an extension and further impact the community.

After 4 hearings, NWM and FOTPIA have completed presenting their case.

On March 1, the hearings continue with Anne Arundel County presenting their case.

Per the published agenda, public comments will be taken at the conclusion of the County's case. However, there were a few minutes left at the end of Thursday's hearing, and one resident presented her comments.

**3. What to expect next.**

We expect the BOA to perform a site visit in February, and the BOA hearings continue March 1, 2, 3.

The County should complete its case at the next hearing on March 1, and the balance of public comments begin.

On March 2<sup>nd</sup> and/or 3<sup>rd</sup> NWM, FOTPIA, and the County provide any rebuttals and closing arguments.

Usually, within 60 days after the termination of the hearings, the BOA will file its findings and conclusions.

**4. How can you get involved?**

1. Attend the next hearing.

Attendance at the first 4 hearings has decreased each time, from about 100 to 25.

A full house (200 seats) would certainly get the BOA's attention that we are watching them.

2. Provide public comments.

TRR-LOC members will provide comments first, and we'd recommend as many of the attendees as possible consider signing up to provide comments. It is obvious from the hearings to date, as well as the first resident's comments, that it is important to stay on track to the purpose of these hearings.

The BOA is 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."

The chairman will likely interrupt attempts to argue environmental concerns, indicating that is the job of the MDE. So, the following are some guidelines to consider if you are willing to provide comments. Focus on how extending the time to obtain a permit affects one or more of the impacts.

Well known - when did you learn, how did you learn, would you have bought had you known

Character - the group of qualities that make a person or group different from others  
describe what you like about TR, and how a landfill affects that,  
including a delay in knowing if there will be a landfill

Appropriate - suitable or proper in a residential community

how to adjust life-style without knowing if a landfill will be nearby

Welfare - good fortune, happiness, well-being, or prosperity.

Why you moved here, and impact on selling, modifying,

How can you prepare until you know if the extension is approved

You can contact any TRR-LOC member if you would like them to review any comments you'd like to make.

3. Donate for legal expenses.

Possible results: The prior two years obviously expired in 2020, so if the BOA denies the extension based on impact to the community, their application is void. If the BOA approves the extension, NWM has filed a request for a new extension, that has been on hold awaiting results of these hearings. And as with prior hearings, either side will likely file an appeal, and/or court case and the beat goes on. It's not dead, until it is dead!

Approximately 100 of 1500 residents have contributed thus far.

See our email on January 25<sup>th</sup> for options to contribute.

<http://ourtworivers.com/landfill/TR-LOC%20documents/2022-01-25%20Landfill%20Follow-Up.pdf>

In addition to the County hearings, if the MDE determines the design meets all laws and regulatory requirements, they will schedule a formal public hearing to obtain comment from the local community concerning the application.

If you have any questions or feedback, please email us at [tworiversloc@gmail.com](mailto: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

Woodlands - Christie Roberts

For prior community emails, click here: <http://ourtworivers.com/landfill/TR-LOC-Documents.html>

If interested to read our document library on the 30 year history, click here.

<http://ourtworivers.com/landfill/landfill.html>