

Task Force to Study Mulching, Composting, and Wood Processing

Approved Minutes

January 14, 2015

Mr. Goldman called the meeting to order at 6:12 p.m. in the C. Vernon Gray Room, Howard Building, 3430 Courthouse Drive, Ellicott City, MD.

Members Present: Lynn Moore, Theodore Mariani, Martha Clark, Sean Harbaugh, Brent Loveless, Richard Goldman, Howie Feaga (for Mr. Rutley), Rick Lober, John Tegeris, Jeff Dannis, Kathy Zimmerman, Cathy Hudson, Stu Kohn, Bert Nixon, Zack Brendel, Justin Brendel (for Mr. Ensor), Robert Orndorff, and Gary Felton.

Others Present: Jacquie Sentell, Howard County Citizens Association, Cindy Hamilton, Department of Planning and Zoning, and Jeff Meyers, Task Force staff. Several members of the public were in attendance.

Mr. Goldman indicated the Task Force has been interesting and the members endearing but that there is a need to limit discussion so as to move along more quickly. Mr. Kohn moved that after 18 Task Force meetings this be the final meeting and then develop our recommendations to the Council., Mr. Lober seconded. Mr. Mariani suggested that the end of the month should be the Task Force's target, but the chairs may need to call meetings beyond that date. Mr. Lober suggested that the Task Force should finish by Valentine's Day and reminded the Task Force of the need to review the report before it is issued. Mr. Kohn's motion was not voted on but the consensus of the Task Force was that every effort should be made to finish by the end of the month.

Mr. Goldman asked for comments about the December 17 minutes, but none were offered. Ms. Moore moved approval of the minutes, Ms. Clark seconded. The minutes were approved by voice vote.

The Task Force resumed its discussion of the updated table provided by Ms. McLaughlin, a copy of which is appended below.

The Task Force discussed Row 1, which covers properties that process natural wood waste if all of the feedstock is generated on site and all of the product is used on site. Mr. Mariani moved and Mr. Kohn seconded the following motion:

Row 1 facilities may occupy up to 10% of the land, with a maximum of 5 acres and setbacks for facilities up to 40,000 square feet: 50 feet to property line; 300 feet to adjoining residence; 100 feet to a stream or well, except 200 feet to a down gradient

domestic wells and for facilities greater than 40,000 square feet: 200 feet to property line; 500 feet to adjoining residence; and 100 feet to a stream or well, except 200 feet to a down gradient domestic wells.

The motion failed on a vote of 7 for, 10 opposed, and 1 absent.¹

Mr. Lober and Mr. Kohn were concerned that a natural wood waste facility could present a fire hazard. Mr. Loveless moved that a facility larger than 1 acre must be approved by the fire marshal as part of an administrative permit process. Mr. Lober seconded. The motion failed on a vote of 7 for, 10 against, and 1 absent.²

Mr. Mariani moved that the reference to “encourage provision of” processing facility site information to the Fire Department for advice on fire suppression be revised to state “provide”. Ms. Zimmerman seconded. The motion passed by voice vote.

Ms. Hudson moved that the parenthetical “(farms in other residential districts?)” be deleted because farms are allowed in those districts. Mr. Feaga seconded. The motion passed by voice vote.

Dr. Felton moved to change the maximum facility size to 10% of the parcel size. Mr. Z. Brandel seconded. The motion passed by voice vote.

Mr. Dannis moved that a setback of 100 feet to the property line be required for constructed material storage. Mr. Mariani seconded. The motion failed on a vote of 9 for and 9 against.³

Mr. Orndorff moved that the maximum processing pile height be set at 10 feet. Mr. J. Brendel seconded. The motion passed by voice vote.

Mr. Goldman moved that Row 1 be approved as amended. Dr. Felton seconded. The motion passed on a vote of 13 for and 5 against.⁴

The Task Force discussed Row 2, which covers properties that process natural wood waste if the product is used on site. Some of the feedstock may come from off-site.

As this kind of facility requires a permit from MDE, Ms. Hudson sought clarification on whether accepting already ground material would trigger the permit requirement. Mr. Dannis thought that directly using the material, e.g. for animal bedding, would not, but stockpiling or further processing the material would.

¹ Voting yes: Mariani, Harbaugh, Loveless, Goldman, Dannis, Kohn, Nixon; voting no: Moore, Clark, Feaga, Lober, Zimmerman, Hudson, Z. Brendel, J. Brendel, Orndorff, Felton; absent: Tegeris.

² Voting yes: Mariani, Loveless, Lober, Dannis, Kohn, Nixon, Felton; voting no: Moore, Clark, Harbaugh, Goldman, Feaga, Zimmerman, Z. Brendel, J. Brendel, Orndorff; absent: Tegeris.

³ Voting yes: Mariani, Loveless, Goldman, Lober, Tegeris, Dannis, Kohn, Nixon, Felton; voting no: Moore, Clark, Harbaugh, Feaga, Zimmerman, Hudson, Z. Brendel, J. Brendel, Orndorff.

⁴ Voting yes: Moore, Clark, Harbaugh, Goldman, Feaga, Dannis, Zimmerman, Hudson, Nixon, Z. Brendel, J. Brendel, Orndorff, Felton. Voting no: Mariani, Loveless, Lober, Tegeris, Kohn.

Mr. Lober moved that a facility of this type be limited to a 2 acre maximum and that the product be used on-site or on other sites controlled by the same operator but that shipment not be allowed as an end product for commercial sale. Mr. Kohn seconded. The motion failed on a vote of 4 for and 14 against.⁵

Ms. Zimmerman moved that the size limit be set at 10% of the parcel up to 5 acres and that the setbacks be 100 feet to a property line, 300 feet to an adjoining residence, and 100 feet to a stream or well, except 200 feet to a down gradient domestic well. Mr. Feaga seconded. Mr. Mariani and Mr. Kohn noted that a Row 2 facility is an on-going operation and that the setbacks need to be larger for larger facilities. Mr. Kohn distributed a picture that shows land being cleared (appended below) to show that a 50 foot setback is ridiculous. Ms. Hudson and Mr. Orndorff noted that the picture is not of a wood waste processing facility. The motion passed on a vote of 14 for and 4 against.⁶

Ms. Zimmerman moved that the reference to “encourage provision of” processing facility site information to the Fire Department for advice on fire suppression be revised to state “provide”. Dr. Felton seconded. The motion passed by voice vote.

Mr. Dannis noted that MDE regulations require a permit application to include a fire management plan, but the regulations do not require review by or even notification to the local fire department or a fire safety professional. The Task Force discussed how this might be addressed. Mr. Dannis moved that “the Fire Marshal’s Office shall review and comment on the fire safety plan” that is included in the MDE permit application. Mr. Feaga seconded. The motion passed on a voice vote.

Dr. Felton moved to approve Row 2 as amended. Mr. Harbaugh seconded. The motion passed on a vote of 13 for and 5 against.⁷

The Task Force discussed Row 3, which covers facilities that use feedstocks not generated on site, with the resulting product being used both on site and distributed off site.

Mr. Lober noted that this row covers commercial industrial facility and that these should be subject to a conditional use process and limited to 10% of the parcel up to 2 acres. These facilities should not be allowed on agricultural preservation parcels.

The Task Force discussed what activities are required and allowed on agricultural preservation parcels and how that may have changed over time. Mr. Lober indicated that he was seeking a middle ground that would allow farms to remain economically viable but would still protect residents. Dr. Tegeris noted that these facilities present problems of traffic and health risks

⁵ Voting yes: Loveless, Lober, Tegeris, Kohn; voting no: Moore, Mariani, Clark, Harbaugh, Goldman, Feaga, Dannis, Zimmerman, Hudson, Nixon, Z. Brendel, J. Brendel, Orndorff, Felton.

⁶ Voting yes: Moore, Clark, Harbaugh, Loveless, Goldman Feaga, Dannis, Zimmerman, Hudson, Nixon, Z. Brendel, J. Brendel, Orndorff, Felton; voting no: Mariani, Lober, Tegeris, Kohn.

⁷ Voting yes: Moore, Clark, Harbaugh, Goldman, Feaga, Dannis, Zimmerman, Hudson, Nixon, Z. Brendel, J. Brendel, Orndorff, Felton; voting no: Mariani, Loveless, Lober, Tegeris.

from runoff and airborne materials. Furthermore, facilities that import feedstocks and export products are of a commercial nature prohibited by agricultural preservation easements. Allowing a facility of 10% of a parcel would allow businessmen who are not farmers to engage in wood processing, with minimal farming underway.

Ms. Zimmerman noted that value added activities are an important part of farming. She noted that Row 3, which she sees as applying to farms, should be distinguished from Row 4, which applies to industrial operations. She suggested that the Task Force consider for Row 3 a requirement that a certain percentage of the product be used on site. Mr. Kohn and Ms. Hamilton described the difficulties of trying to enforce a percentage requirement.

Mr. Loveless indicated that money that was used to purchase agricultural preservation easements might have been better spent on expanding school capacity. In addition, up-zoning in the east led to higher assessments that forced farmers out of business; a problem not faced in the west.

Ms. Sentell stated that agricultural preservation parcels must be used only for animals or for food production and not as a “table top” for other activities.

Mr. Lober originally moved to require Row 3 facilities to be subject to the conditional use process with specified size limits and controls for agricultural preservation parcels. Mr. Mariani seconded. Based on on-going discussion, Mr. Lober then modified the motion to just the conditional use matter. As Dr. Tegeris and Mr. Mariani recommended deferring further action on Row 3 to the next meeting, Mr. Lober withdrew his motion.

Mr. Dannis reminded the Task Force of the need to discuss the Fire Department’s recommendations.

Mr. Loveless was concerned that the Task Force was being subject to “mission creep” related to the State’s “zero waste initiative”.

The Task Force adjourned at 9:12 p.m.

The Task Force will meet next on January 21, 2015.

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
Natural Wood Waste	1	No permit	Sec. 26.04.09.02.B(5)(b) exempts single individual /business that recycles materials <u>generated on site.</u>	No permit, DPZ enforcement.	<p><u>Similar to Cell # 6???</u></p> <p>Allow by right on farms including County and State agricultural preservation easements, using MDE criteria regarding on site generated materials , (farms in other residential districts?)–</p> <p>Use Zoning definition of farm, but incorporate MDE definitions of wood waste and wood waste recycling facility (Section 26.09.02.B.)</p> <p>Minimum parcel size of 3 acres (Zoning defines “farm” as at least 3 acres).</p> <p>May occupy up to 5% of the land, with a maximum of 5 acres ???</p> <p>Must have and be implementing a conservation plan ??</p> <p>Must comply with MDE General Restrictions (COMAR Section 26.09.03).</p> <p>Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12ft; maximum processing pile height of 8 feet. Encourage provision of processing facility site information to Fire Dept for advice on fire suppression.</p> <p>VOTE:</p>	<p>DRPS</p> <p><i>Any “compost” produced is solely from wood waste for all NWWR categories.</i></p> <p>Allow by right in RC and RR, including HoCo and State Ag Preserve, using MDE criteria regarding on site generated materials – limited to 1 acre. Only for material generated and used on site. Fire Marshal approval. (how?)</p>

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
	2	NWWR Permit COMAR, Title 26, Subtitle 04, Chap.09.	Any properties that recycle materials <u>not generated on site, but to be used on site</u>	No permit, DPZ enforcement	<p>Similar to CELL #8??</p> <p>Allow by right on farms in RC and RR, including County and State Ag. Preservation easements.</p> <p>Use Zoning definition of farm, but incorporate MDE definitions of wood waste and wood waste recycling facility (Section 26.09.02.B.)</p> <p>MDE regulations don't set a size limit, but should we? Perhaps limit to 40,000 SF like CELL # 8?? More??</p> <p>MDE Application must be submitted to County Executive, DPW Environmental Services, Health Dept and Howard Soil Conservation District.</p> <p>Must comply with MDE General Restrictions (COMAR Section 26.09.03).</p> <p>Must have and be implementing a conservation plan ??</p> <p>Setbacks: (MDE setback is simply 50 ft to property line) 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</p> <p>Meet MDE General Restrictions (COMAR Sec. 26.09.03)</p> <p>Meet MDE General Requirements and Operating Procedures regarding buildings, screens, buffers, access roads, environmental protection, Emergency Preparedness Manual; cleanliness,</p>	<p>DRPS HoCo Sec 128 permit</p> <p>Allow with permit in RC and RR, including HoCo and State ag. 2 acre maximum. 500 feet from property lines, streams and wells. For use on site or on other sites owned by operator but does not allow shipment as an end product for commercial sale. At elevation less than 25 feet above surrounding area. Controlled run-off. Adequate source of water as approval by certified fire safety engineer. Noise kept below 55 dBA at set back. Misting to control dust. Operating hours 7:30 AM to 4:30 PM.</p>

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>sanitation, fire control and other requirements (COMAR Sec.26.09.07)</p> <p>Encourage provision of processing facility site information to Fire Dept for advice on fire suppression.</p> <p>VOTE:</p>	
3	NWWR Permit Sec. 26.04.09	Any properties that recycle materials <u>not generated on site, that may be both used on site and distributed off site</u>	DPZ administrative permit (Sec. 128.0 of Zoning Regs)	<p>Similar to CELL #9??</p> <p>Allowed on farms in RC and RR, including County and State Ag Preservation easements.</p> <p>Use Zoning definition of farm, but incorporate MDE definitions of wood waste and wood waste recycling facility (Section 26.09.02.B.)</p> <p>Size limit ?? (MDE regs don't have) Up to 10% of the parcel up to a maximum of 5.5 acres (use MDE definition of what is included in facility area. Remainder of land to be actively farmed or managed per current Conservation Plan</p> <p>Setbacks: (MDE setback is simply 50 ft to property line) 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</p> <p>Administrative permit application must include MDE Application (submitted to County Executive, DPZ, DPW Environmental Services, Health Dept and Howard Soil Conservation District).</p> <p>Meet MDE General Restrictions (COMAR Sec. 26.09.03)</p>	<p>DRPS</p> <p>HoCo Conditional Use Hearing</p> <p>RC and RR zoned property up to 10% of property but no more than 2 acres. Not allowed on HoCo or State Ag preserve. Set back at 500 feet from property lines, streams and wells. At elevation less than 25 feet above surrounding areas. Run-off controlled, adequate roads study, adequate water supply as approved by certified fire safety engineer. Misting to control dust. Noise at 55 dB at set back.. Operating hours from 7:30 AM to 4:30 PM. All permits approved and supplied to County before hearing. Past violations considered by hearing examiner.</p>	

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>Meet MDE General Requirements and Operating Procedures regarding buildings, screens, buffers, access roads, environmental protection, Emergency Preparedness Manual; cleanliness, sanitation, fire control and other requirements (COMAR Sec.26.09.07)</p> <p>VOTE:</p>	
	4	NWWR Permit Sec. 26.04.09	<p>Same as #3, but larger:</p> <p>Any properties that recycle materials <u>not generated on site, that may be both used on site and distributed off site</u></p>	Conditional Use (Sec. 131.0.N of Zoning Regs)	<p>Similar to CELL #10</p> <p>May be allowed on farms in RC and RR, including County and State Ag Preservation easements.</p> <p>Use Zoning definition of farm, but incorporate MDE definitions of wood waste and wood waste recycling facility (Section 26.09.02.B.)</p> <p>Size limit ?? (MDE regs don't have) Up to 10% of the parcel up to a maximum of 10 acres ?? Remainder of farm to be actively farmed or managed per current Conservation Plan.</p> <p>Setbacks: (MDE setback is simply 50 ft to property line) 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</p> <p>Conditional use application must include MDE Application (submitted to County Executive, DPZ, DPW Environmental Services, Health Dept and Howard Soil Conservation District).</p>	DRPS – same as #3

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>Meet MDE General Restrictions (COMAR Sec. 26.09.03)</p> <p>Meet MDE General Requirements and Operating Procedures regarding buildings, screens, buffers, access roads, environmental protection, Emergency Preparedness Manual; cleanliness, sanitation, fire control and other requirements (COMAR Sec.26.09.07)</p> <p>Conditional use criteria:</p> <ul style="list-style-type: none"> • Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells ? • Forest or landscape buffers (minimum 50 ft?) • How dust and odors will be controlled - siting? Windbreak per NRCS standard #380? Misting? • Adequate access for trucks & emergency vehicles (road classification, site distance) • Adequate year round water supply and sufficient access to fire equipment (as determined by DFRS vs MDE permit requirements)? • Limits on days and hours of operation? 7 am – 6pm? or Mon-Friday?, Saturday: 9-4?? (MDE limits to daylight hours?) • Other conditions VS use MDE permit requirements? <p>The Hearing Examiner can impose other conditions to prevent adverse impacts on adjoining parcels.</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies</p>	

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>(addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued</p> <p>VOTE:</p>	
	5	NWWR Permit Sec. 26.04..09	Any properties that recycle materials <u>not generated on site, that may be both used on site and distributed off site</u>	Permitted by right in M-1 and M-2 district	<p>Requires submission of a Site Development Plan for review by County agencies (addresses access, traffic, fire code stormwater management, etc.).</p> <p>SDP submission to include MDE permit application</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Must meet MDE noise restrictions (COMAR Sec.26.02.03.00) . MDE limits to daylight hours;??</p> <p>Meet MDE General Requirements and Operating Procedures regarding buildings, screens, buffers, access roads, environmental protection, Emergency Preparedness Manual; cleanliness, sanitation, fire control and other requirements (COMAR Sec.26.09.07)</p> <p>A fire hydrant shall be located on site or within 400 ft</p> <p>Zoning requires 75-150' setback from residential properties, depending on the zoning.</p> <p>Shall be located within an enclosed facility</p>	<p>DRPS</p> <p>DRPS recommends allowed in M-1 and M-2 by conditional use, not permitted by right.</p> <p>M1 and M2 properties only. 10 acre limit. Other permit criteria:</p> <ul style="list-style-type: none"> • Setbacks from residential property lines of 500 feet • Setback from streams and wells - 500 feet • Forest or landscape buffers (minimum width of 100 ft) • Run-off controlled and control of smell to neighboring properties. • Mist when grinding and turning for dust control • Grinders, processing and winrows in an enclosed facility • Adequate access for trucks & emergency vehicles (road study) • Limits on days and hours of operation -7:30 Am to 4:30 PM, M-Sat • Requires submission of all approved permits to County • Noise at less than 55 dBA at setbacks <p>Fire hydrant capable of 1000 gpm at 20 psi within 1000 feet of facility with adequate</p>

		Natural Wood Waste and Composting				
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>unless the applicant can demonstrate that the proposed design, setbacks, and technology will prevent an outdoor facility from becoming a nuisance that adversely affects neighboring properties. SDP can't be approved until MDE permit is issued and submitted to County.</p> <p>VOTE:</p>	<p>roads for fire trucks as approved by a certified fire safety engineer.</p> <p>The County can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels. Requires submission of a Site Development Plan and all permits to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc). SDP can't be approved until MDE permit is issued and past compliance is considered.</p>
<p>Composting Tier 1 (Yard waste and other low risk materials approved by MDE. (see definition in Sec.26.04.11.02 (37))</p>	6	<p>No permit Sec.26.04.11.05 (c)(1) and 26.04.11.06.C</p>	<p>Farms that compost organic materials generated and used on the site or other sites controlled by the same operator (No size limit for farms)</p> <p>Must meet MDE General Restrictions</p> <p>Type 1 materials (grass and leaves) do not include manure, food scrap, seafood scrap, dead poultry or animals.</p>	<p>No permit, DPZ enforcement</p>	<p>Allowed by right on farms including County and State agricultural preservation easements, in all residential districts.</p> <p>Use Zoning definition of farm, but incorporate components for MDE definition (Section 26.04,11.02.17.a&b) . Add MDE definition of composting</p> <p>Minimum parcel size of 3 acres (Zoning defines "farm" as at least 3 acres).</p> <p>May occupy up to 5% of the land, with a maximum of 5 acres</p> <p>Must have and be implementing a conservation plan, as well as a nutrient management plan if required by the State</p> <p>Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</p> <p>Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Meet Howard County Fire Code. Maximum</p>	<p>Maximum of 10% of farm up to 2 acres as initially suggested by Brent Rutley and voted on earlier.</p> <p>Controlled run-off,</p> <p>Set backs of 500 feet from property lines, streams and wells.</p> <p>Noise at 55 dBA max at set backs.</p> <p>Misting when grinding if excessive dust</p>

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>feedstock pile height of 12ft; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.</p> <p>Allows composting of dead animals raised on the farm. VOTE: 12 in support; 7 opposed</p>	<p>generated. Fire marshal approval.</p> <p>Opposed: DRPS, HoCo Exec, HCCA, Dist 3 ???</p>
	7	No permit Sec. 26.04.11.06.E and Sec. 26.04.11.05.C	Farm and residential properties using 5,000 SF or less area. Material to be used on site.	No permit, DPZ enforcement	<p>Allowed by right on all farms, including County and State agricultural preservation easements. Also single family detached lots and community open space or gardens in all zoning districts if materials are used on site.</p> <p>May not exceed 10% of parcel acreage.</p> <p>No setback if pile is 4 ft or less within an enclosing frame or bin. Freestanding piles are to be set back 2.5 ft for each 1 ft of pile height.</p> <p>Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft ; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.</p> <p>On farms, allows composting of dead animals raised on the farm.</p> <p>VOTE: all supported</p>	
	8	No permit Sec. 26.04.11.06.D	Farm facility using no more than 40,000 SF that: -complies with General	No permit, DPZ enforcement	<p>Allowed by right on farms in all districts, including County and State agricultural preservation easements</p> <p>Must meet MDE thresholds and NRCS</p>	

		Natural Wood Waste and Composting				
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
			Restrictions in Sec. 26.04.11.04.B --has a soil conservation & water quality mgt plan - composts only organic material generated on site or another farm controlled by the same operator; animal manure and bedding regardless of origin; & Type 1 feedstocks regardless origin. -May distribute off-site.		standard #317.. Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells Must comply with MDE General Restrictions (COMAR 26.04.11.04.B) Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression. On farms, allows composting of dead animals raised on the farm. VOTE: 15 support , 2 pass, and 2 no	No votes: do not allow in the East? Don't allow composting of dead animals
	9	Tier 1 Composting Permit Sec.26.04.11.06.D	<u>Farm facility greater than 40,000 SF</u> that complies with General Restrictions (Sec. 26.04.11.04.B) & all MDE permit requirements. MDE doesn't limit off site distribution	DPZ administrative permit and enforcement	Allowed on farms in RC and RR, including County and State Ag Preservation easements up to a maximum of 10% of the parcel up to 5.5 acres (use MDE definition of what is included in facility area. Remainder of land to be actively farmed or managed per current Conservation Plan Zoning permit submission to include MDE permit application (to be shared with DPW and DFRS) Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells Must meet MDE stormwater management requirements	Allowed on farms in RC and RR, including County and State ag preservation up to a maximum size of 10% of farm, up to 2 acres. Majority (75%) of end product is for use on the farm or other farms owned by operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product (mulch, compost) for distribution off-site. Set backs of 300 feet from property lines, streams and wells. All MDE permits in place and past

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>No limits on hours of operation (10 support; 5 oppose, 1 abstained)</p> <p>Compost facility meets: NRCS standard #317 for design; NRCS standard #380 (includes buffers and dust suppression); and nutrient mgmt. plan per MDA standard.</p> <p>Meet MDE standards for height of feedstock and composting piles. Provide composting site information to Fire Dept for advice on fire suppression.</p> <p>On farms, allows composting of dead animals raised on the farm</p> <p>Vote: ---support?? 4 oppose ??</p>	<p>compliance to be considered before 128 permit is issued. ??</p> <p>Operating limited to daylight hours</p> <p>Controlled run-off, misting when grinding if excessive dust generated. ??</p> <p>Adequate water supply as determined by a certified fire safety engineer. ??</p> <p>Type 1 only – no animal mortality</p> <p>4 support: DRPS, HoCo Exec, HCCA, Dist 3</p>
10	Tier 1 Composting Permit Sec. 26.04.11.05 & .06	<u>Same as above:</u> <u>Farm facility greater than 40,000 SF</u> that complies with General Restrictions (Sec. 26.04.11.04.B) & all MDE permit requirements. MDE doesn't limit off site distribution	Conditional use	<p>Allowed on farms in RC and RR, including Ag Preservation easements up to a maximum 10 % of the parcel up to a maximum of 10 acres . Remainder of land to be actively farmed or managed per current Conservation Plan. At least 50% of the finished compost is to be used on the farm or another property farmed by the operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product for distribution off-site.</p> <p>Conditional use submission to include MDE permit application (share with DPW and DFRS), Must meet MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Compost facility meets: NRCS standard #317</p>	<p>Not allowed on RC and RR farms requiring more than 2 acres.</p> <p>4 support: DRPS, HoCo Exec, HCCA, District 3 ???</p>	

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>for design; NRCS standard #380 (includes buffers and dust suppression); and nutrient mgmt. plan per MDA standard</p> <p>.</p> <p>Meet Howard County Fire Code maximum feedstock pile height of 9 ft; maximum compost processing pile height of 8 feet. and other requirements related to access and fire suppression based on proposed design</p> <p>Conditional use criteria:</p> <ul style="list-style-type: none"> • Setbacks: 150 ft to property line; 500 ft to adjoining residence; 100 ft to a stream or well, but 200 ft to a down gradient domestic wells • Adequate site access for trucks & emergency vehicles (road classification, driveway entrance) • Reliable, year round water supply as determined by DFRS • Operating limited to daylight hours., Monday - Saturday <p>The Hearing Examiner can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels based on comments from reviewing agencies (see General Criteria for all conditional uses).</p> <p>After conditional use approval, require submission of a Site Development Plan to be reviewed by County agencies (addresses detailed design related to regulations on access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued.</p> <p>Copies of a permit renewal or revision by</p>	

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>MDE must be submitted to DPZ and shared with DPW and DFRS</p> <p>Vote: 10 support; 6 oppose; 1 pass</p>	
11	Tier 1 Composting Permit	<p>Non-farm operations</p> <p>Non-farm operations shipping compost as an end product for use by others.</p>	<p>M-1 and M-2 zoning districts permitted with a Solid Waste Overlay.</p>	<p>M1 and M2 properties only with Solid Waste Overlay.</p> <p>Zoning petition to include MDE permit application (share with DPW and DFRS),</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B) and noise restrictions (COMAR Sec.26.02.03.00)</p> <p>Shall be located within an enclosed facility unless the applicant can demonstrate that the proposed design, setbacks, and technology will prevent an outdoor facility from becoming a nuisance that adversely affects neighboring properties.</p> <p>The Zoning Board may limit hours of operation, require increased setbacks or buffering, or impose other conditions to prevent adverse impacts on adjoining property as part of the SW zoning case decision.</p> <p>A fire hydrant shall be located on site or within 400 ft</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued and submitted to County.</p>	<p>Limits on days and hours of operation - 7:30 AM to 4:30 PM, M-Sat</p> <p>Noise at less than 55 dBA at setbacks</p> <p>The County can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels.</p> <p>Fire hydrant capable of 1000 GPM at 20 PSI within 1000 feet of facility with adequate roads for fire trucks as approved by a certified fire safety engineer.</p> <p>SDP can't be approved until MDE permit is issued and past compliance is considered</p> <p>Vote: Rick John, Stu, Brent wants fully enclosed and/ unless an economic model??</p> <p>Dr Felt ???</p>	

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					VOTE: 12 support; 5 oppose; 1 absent	
Composting Tier 2 Source separated food scraps, manure, food processing materials, etc. per MDE as “moderate” risk materials approved by MDE. (see definition in Sec.26.04.11.02 (38))	12	No permit Sec.26.04.11.05.C(1)	Farms that compost organic materials generated and used on the site (No size limit)	No permit DPZ enforcement	Allowed by right on farms including County and State agricultural preservation easements, in all residential districts. Use Zoning definition of farm, but incorporate components for MDE definition (Section 26.04,11.02.17.a&b) . Add MDE definition of composting Minimum parcel size of 3 acres (Zoning defines “farm” as at least 3 acres). May occupy up to 5% of the land, and maximum of 5 acres Facility setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells Must have and be implementing a conservation plan, as well as a nutrient management plan if required by the State Must comply with MDE General Restrictions (COMAR 26.04.11.04.B) Compost facility design meets NRCS standard #317; nutrient management plan per MDA standard. Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.	Sec 128 Permit -- For single family properties in RC and RR including HoCo and State ag preserve. 2 acre max. Set backs of 500 feet from property lines, streams and wells. Controlled run-off, noise at 55 dBA max from set backs, misting when grinding if excessive dust generated. Fire Marshal approval. Control of smell at neighboring properties if manure is used. Dead animals at TBD percentage. No discussion of above material by opponents

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>On farms, allows composting of dead animals raised on the farm</p> <p>VOTE: 13 support; 5 oppose</p>	
13	No permit Sec.26.04.11.05.C(3)	Farm and residential properties using 5,000 SF or less area (with 12 ft height limits for composting piles). Material to be used on site, but no limit on where generated	No permit DPZ enforcement	<p>Allowed by right on all farms, including County and State agricultural preservation easements. Also single family detached lots and community open space or gardens in all zoning districts if compost materials are used on site, but composting may only include plant materials, not dairy, seafood, meat or animal waste</p> <p>May not exceed 10% of parcel acreage.</p> <p>No setback if pile is 4 ft or less within an enclosing frame or bin. Freestanding piles are to be set back 2.5 ft for each 1 ft of pile height.</p> <p>Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Compost facility design meets NRCS standard #317; nutrient mgmt. plan per MDA standard.</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft ; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.</p> <p>On farms, allows composting of dead animals raised on the farm.</p> <p>VOTE ???</p>	<p>DRPS</p> <p>Sec 128 Permit</p> <p>Allowed in RC and RR including HoCo and State ag preserve, and single family detached properties in R-ED,R-20 and R-12 zoning districts if 3 acres or greater. Material from site and used on-site use only. 2500 sq ft max facility. Set backs of 100 feet from property lines, streams and wells. Pile height no more than 6 feet. Controlled run-off and smell. No dead poultry, animals or seafood. Covered facility. Fire marshal approval</p> <p>No discussion of above material by opponents</p>	

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
14	Tier 2 Permit Sec. 26.04.11.06.D	Farm facility of no more than 40,000 SF that: -complies with General Restrictions in Sec. 26.04.11.04.B --has a soil conservation & water quality mgt plan - composts only organic material generated on site or another farm controlled by the same operator; animal manure and bedding regardless of place of generation; & Type 1 feedstocks regardless of place of generation. Also allows import of Type 2 feedstock (grocery stores, restaurants) for use on the farm	No permit DPZ enforcement	<p>FROM CELL #8 –do we want to amend ?????</p> <p>Allowed by right on farms in all districts, including County and State agricultural preservation easements</p> <p>Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells (Ted: 100 ft to property line & 500 ft to adjoining residence)</p> <p>Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Compost facility design meets NRCS standard #317; nutrient mgmt. plan per MDA standard.</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft ; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.</p> <p>On farms, allows composting of dead animals raised on the farm.</p> <p>VOTE:</p>	<p>DRPS Sec 128 Permit but conditional use if food waste is used</p> <p>Allowed by right in RC and RR districts including HoCo and State ag preserve. 40,000 sq ft max facility. Set backs of 500 feet from property lines, streams and wells. Controlled run-off, noise at 55 dBA max from set backs, misting when grinding if excessive dust generated. Majority (75%) of end product is for use on the farm or on other farms owned by operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product (mulch, compost) in itself. Any use of manure will require control of smell to neighboring properties. Fire marshal approval.</p> <p>Dead animals at a TBD percentage.</p>	
15	Tier 2 Permit Sec.26.04.11.06.C	Farm facility greater than 40,000 SF that complies with General Restrictions (Sec. 26.04.11.04.B) & all MDE permit	DPZ administrative permit (Sec.128.0.I of Zoning)	<p>FROM CELL #9 – do we want to amend something????</p> <p>Allowed on farms in RC and RR, including County and State Ag Preservation easements up to a maximum of 10% of the parcel up to 5.5 acres (use MDE definition of what is included in facility area. Remainder of land</p>	<p>DRPS 128 permit, but conditional use if food waste is used?? Allowed on farms in RC and RR districts including HoCo and State ag preserve up to a maximum size of 10 percent of farm</p>	

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
			requirements. Allows food scrap and manure in addition to Type 1 materials		to be actively farmed or managed per current Conservation Plan Zoning permit submission to include MDE permit application (share with DPW and DFRS) Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells. ????? Must meet MDE stormwater management requirements Must meet MDE General Restrictions (COMAR 26.04.11.04.B) and noise restrictions (COMAR Sec.26.02.03.00) Compost facility meets: NRCS standard #317 for design; NRCS standard #380 (includes buffers and dust suppression); and nutrient mgmt. plan per MDA standard. Meet MDE standards for height of feedstock and composting piles. Provide composting site information to Fire Dept for advice on fire suppression. Allows composting of dead animals raised on the farm VOTE:	but not more than 2 acres. Majority (75%) of end product is for use on the farm or is used on other farms owned by the operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product (mulch, compost) in itself. . Set backs of 500 feet from property lines, streams and wells. Controlled run-off, noise at 55 dBA max at set backs, misting when grinding if excessive dust generated. All MDE permits in place and past compliance to be considered before 128 permit is issued. Adequate water supply as determined by a certified fire safety engineer. Operating hour limited to 7:30 AM to 4:30 PM Mon-Sat. Any use of manure will require control of smell to neighboring properties. Fire marshal approval. Dead animals at a TBD percentage. RC and RR – not allowed on farms composting over 2 acres.
16	Tier 2 Permit Sec. 26.04.11.05	Non- farms, as well as farm operations not covered above	Conditional use	FROM CELL #10 –do we want to amend something????? Allowed on farms in RC and RR, including Ag Preservation easements up to a maximum 10 % of the parcel up to a maximum of 10 acres . Remainder of land to be actively	DRPS Non-farm operations shipping mulch and compost as an end product to others Potential conditional use criteria: <ul style="list-style-type: none"> Setbacks from residential properties 	

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>farmed or managed per current Conservation Plan.</p> <p>At least 50% of the finished compost is to be used on the farm or another property farmed by the operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product for distribution off-site</p> <p>Conditional use submission to include MDE permit application (share with DPW and DFRS),</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Compost facility meets: NRCS standard #317 for design; NRCS standard #380 (includes buffers and dust suppression); and nutrient mgmt. plan per MDA standard</p> <p>Meet MDE maximum feedstock and compost processing pile height limits and other requirements related to access and fire suppression based on proposed design</p> <p>Potential conditional use criteria:</p> <ul style="list-style-type: none"> • Setbacks: 150 ft to property line; 500 ft to adjoining residence; 100 ft to a stream or well, but 200 ft to a down gradient domestic wells • Adequate site access for trucks & emergency vehicles (road classification, driveway entrance) • Reliable, year round water supply as determined by DFRS • Operating limited to daylight hours., Monday – Saturday 	<p>(300 ft?? from lot lines or 500 ft from existing houses?)</p> <ul style="list-style-type: none"> • Setback from streams (150ft? 200 ft?) • Forest or landscape buffers (minimum width of 100 ft? 200 ft?) • How dust and odors will be controlled (siting?) • Adequate access for trucks & emergency vehicles (road classification, site distance) • Adequate water supply as determined by DFRS • Limits on days and hours of operation • Requires submission of MDE permit application <p>The Hearing Examiner can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels (see General Criteria for all conditional uses).</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc). SDP can't be approved until MDE permit is issued.</p> <p>RC and RR farms – not allowed to exceed 2 acres</p>

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>The Hearing Examiner can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels based on comments from reviewing agencies (see General Criteria for all conditional uses).</p> <p>After conditional use approval, require submission of a Site Development Plan to be reviewed by County agencies (addresses detailed design related to regulations on access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued.</p> <p>Copies of a permit renewal or revision by MDE must be submitted to DPZ and shared with DPW and DFRS</p> <p>Vote:</p>	
17	Tier 2 Permit	<p>Non-farm operations</p> <p>Non-farm operations shipping mulch and compost as an end product to others</p>	<p>Non-farm operations</p> <p>Non-farm operations shipping mulch and compost as an end product to others</p>	<p>M-1 and M-2 zoning districts only, permitted with a Solid Waste Overlay.</p>	<p>FROM CELL #11 – do we want to amend something????</p> <p>M1 and M2 properties only with Solid Waste Overlay.</p> <p>Zoning petition to include MDE permit application (share with DPW and DFRS),</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B) and noise restrictions (COMAR Sec.26.02.03.00) ?? or use Howard County noise restrictions which apply in industrial zones?</p>	<p>DRPS</p> <p>10 acre limit ?</p> <p>Other permit criteria:</p> <ul style="list-style-type: none"> • Setbacks from residential property lines of 500 feet • Setback from streams and wells - 500 feet • Forest or landscape buffers (minimum width of 100 ft) • Run-off controlled and control of smell to neighboring properties. • Mist when grinding and turning for dust control • Grinders, processing and in an

		Natural Wood Waste and Composting				
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>Shall be located within an enclosed facility unless the applicant can demonstrate that the proposed design and technology will prevent an outdoor facility from becoming a nuisance that adversely affects neighboring properties.</p> <p>The Zoning Board as part of the SW zoning case decision may limit hours of operation, require increased setbacks or buffering, or other conditions to prevent adverse impacts on adjoining property</p> <p>Other criteria ?? vs the Zoning Board may impose other restrictions as part of the SW zoning case decision.</p> <p>A fire hydrant shall be located on site or within 400 ft</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued.</p> <p>VOTE:</p>	<p>enclosed facility</p> <ul style="list-style-type: none"> Winrows covered with closed air recirculation system for odor and pathogen control Adequate access for trucks & emergency vehicles (road study) Limits on days and hours of operation -7:30 Am to 4:30 PM, M-Sat Requires submission of all approved permits to County Noise at less than 55 dBA at setbacks <p>Fire hydrant capable of 1000 GPM at 20 PSI within 1000 feet of facility with adequate roads for fire trucks as approved by a certified fire safety engineer.</p>
<p>Composting Tier 3 Sewage sludge, biosolids, mixed municipal solid waste and other materials MDE</p>	18	Tier 3 Composting Permit Sec. 26.04.11.05	Non-farm operations	M-1 and M-2 zoning districts permitted with a Solid Waste overlay. y	<p>FROM CELL #11 – do we want to amend something?????</p> <p>M1 and M2 properties only with Solid Waste Overlay.</p> <p>Zoning petition to include MDE permit application (share with DPW and DFRS),</p>	<p>DRPS M1 and M2 with solid waste overlay only. Must be an enclosed facility;</p> <p>Minimum setback to residential property of 500 ft; Zoning Board may impose other restrictions as part of the SW zoning case decision.</p>

Natural Wood Waste and Composting

		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
<p>determines to be a “higher” risk than Type 1 and 2 Sec.26.04.11.02 (39)</p>					<p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B) and noise restrictions (COMAR Sec.26.02.03.00) ?? or use Howard County noise restrictions which apply in industrial zones?</p> <p>Shall be located within an enclosed facility unless the applicant can demonstrate that the proposed design and technology will prevent an outdoor facility from becoming a nuisance that adversely affects neighboring properties.</p> <p>The Zoning Board as part of the SW zoning case decision may limit hours of operation, require increased setbacks or buffering, or other conditions to prevent adverse impacts on adjoining property</p> <p>Other criteria ?? vs the Zoning Board may impose other restrictions as part of the SW zoning case decision.</p> <p>A fire hydrant shall be located on site or within 400 ft</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can’t be approved until MDE permit is issued.</p> <p>VOTE:</p>	<p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can’t be approved until MDE permit is issued.</p>

Deer Spring / High Ridge Meadows —

Imagine @ fence line you are looking out window
and @ fence line 50 feet / what area is about 5 acres
size

