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VIA ELECTRONIC MAIL
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Shannon Bohrer, Chair
And Members of the Frederick County
Board of Appeals
30 N. Market Street
Frederick, MD 21701

Re: Appeal B277447
Site Development Plan SP 19-17 (AP SP277005 APFO277003) (“Site Plan”)
Compost Crew at Utica Bridge Farms

Dear Chair Bohrer and Members of the Board:

Compost Crew, Inc., A Benefit Corporation (“Compost Crew”), is the applicant of the Site Plan for construction of a limited food-waste composting (commercial activity) facility in the Agricultural (A) District at 7245 Lakeview Road in Frederick (the “Property”). The composting facility will divert food waste from Frederick County’s landfills for composting into a nutrient rich soil amendment for use by farmers, landscapers and residents under the purview of the Maryland Department of Environment (“MDE”) and Frederick County (the “County”).¹ The Site Plan was approved by the Frederick County Planning Commission (“Planning Commission”) on January 12, 2022 (“2022 Approval”), and reapproved on February 12, 2025 (“2025 Reapproval”).² Appellants participated in both Planning Commission public hearings, failed to appeal the 2022 Approval, but filed this appeal of the 2025 Reapproval.³

¹ The Property has a mailing address of 10661 Stull Road, Thurmont, Maryland 21788, which is associated with the GCF Permit (defined herein).

² The public hearing for the 2022 Approval is linked here and incorporated herein:
https://frederick.granicus.com/MediaPlayer.php?view_id=10&clip_id=8547
The public hearing for the 2025 Reapproval is linked here and incorporated herein:
https://frederick.granicus.com/MediaPlayer.php?view_id=10&clip_id=10185

³ Luke Myers, Zachary Matter, Shannon St. Angelo, Ashley St. Angelo did not participate at the Planning Commission’s February 12, 2025, public hearing, and are not on the respective speaker sign-up sheet.

Compost Crew submits this reply to Appellants' March 14, 2025, April 21, 2025 and June 5, 2025 letters appealing the 2025 Reapproval (collectively "Appellant's Letters" and individual, respectively, the "March Letter" "April Letter" and "June Letter"). As demonstrated below, the Site Plan meets all applicable Frederick County Code ("FCC") requirements for reapproval, including, without limitation, §§ 1-19-8.408 and 1-19-3.300.4 of the Frederick County Zoning Ordinance ("FCZO"). This appeal is unsupported by fact and law and must be denied.⁴

I. Introduction

On April 21, 2025, the Board of Appeals ("Board") decided to hold a *de novo* hearing on this appeal. Under Maryland law, only those issues requested for review by the appellant are considered in a *de novo* hearing. *Board of County Commissioners for St. Mary's County v. Southern Resources Management, Inc.*, 154 Md.App. 10 (2003) ("[w]hether an appeal is on the record, substantially *de novo*, or purely *de novo*, the agency must determine the issue or issues being heard and decided. Even in the purely *de novo* appeal, only those matters appealed are heard and decided, not every matter that was involved in the underlying application").

Appellants appeal of the 2025 Reapproval raises the following issues: 1) the legality of the existing composting operations at the Property; 2) the Site Plan's satisfaction of 4 of 12 composting facility design standards - FCZO §§ 1-19-8.408(D), (G), (J) and (K); 3) the satisfaction of the minimization approval criteria addressing Site Plan compatibility in FCZO § 1-19-3.300.4; 4) the impact of the State composting permits on this Board's Site Plan review; 5) various stormwater related issues that are outside the scope of this Site Plan review for the reasons stated herein; and 6) that Stull Road cannot be widened to 20 feet as proposed by the Site Plan. Appellants make numerous unsupported allegations and draw significant erroneous inferences against Compost Crew to advance these issues.

To set the record straight and alleviate confusion, Compost Crew details below the background facts and facts relative to the existing composting operations, Appellants' complaints, the Site Plan, the State composting permits and then addresses Appellants' issues in the order they are listed above. Although Appellants' first issue (the legality of the existing composting operations) is also not within the scope of Site Plan review, it's clearly an attack on Compost Crew's credibility and therefore fully addressed below.

II. The Background - Existing Composting Operations v. Site Plan Approved (Proposed) Composting Operations

In 2020, Resolution Solutions, Inc. (d/b/a Key City Compost)⁵ (hereinafter collectively "Key City") commenced approximately 5,000 square feet of composting activities and operations

⁴ Compost Crew's April 18, 2025 and April 24, 2025 letter submitted into this record are attached hereto and incorporated herein as **Exhibit A** and **B**.

⁵ Phil Westcott was the founder of Key City.

on the western portion of the Property.⁶ The Property is 29 acres in size, trapezoidal in shape, bound by public roads on 3 sides – Stull Road (west), Lakeview Road (north) and Maryland Route 15 (south) – and abuts land in the A District to the east improved with 3 homes that front on and have access to Hessong Bridge Road. It is owned by Richard L. Jefferies.



Key City's business was embraced by the County and grew, expanding to include service contracts for food scrap pick-up from businesses and residents within the City of Frederick and throughout Frederick County.⁷ This expanded the on-site composting activities at the Property to ***a limited food waste composting: agricultural activity*** use, which is a use permitted by right in the A District (without site plan approval), up to 5 acres in size and subject to certain design standards in FCZO § 1-19-8.408.⁸ Despite the erroneous allegations in Appellant's Letters, which are contradicted by the evidence of record, including their own attachment 17b), composting on the Property operates today as a permitted by right ***limited food waste composting: agricultural***

⁶ Section 1-19-8.408 of the FCZO includes three levels of limited food waste composting uses, all permitted by right in the A District; as follows: (1) a limited food waste composting up to 5,000 square feet in size, a use permitted by right in the A District and exempt from the use standards set forth in FCZO § 1-19-8.408; (2) a limited food waste composting: agricultural activity, which is a use permitted by right in the A District on up to 5 acres and subject to the noncommercial use standards set forth in FCZO § 1-19-8.408; and (3) a limited food waste composting: commercial activity which is a use permitted by right in the A District on up to 10 acres and subject to site plan approval and the use standards set forth in FCZO § 1-19-8.408.

⁷ Compost Crew also provides food scrap pick-up from at least 4 Frederick County Schools.

⁸ See Footnote 6.

activity and not as a commercial activity requiring site plan approval. This has been confirmed by the County. See **Exhibit C**.⁹

The Site Plan, for which Key City originally obtained approval from the Planning Commission on January 12, 2022, and is the subject of this appeal, is for the ultimate composting facility build out of a 5.95 acre (6.2 acres including access) **limited food waste composting: commercial activity** use.¹⁰ **Exhibit D-1 through D-7**. The Site Plan was not implemented by Key City due to funding. Ultimately, Key City sold to Compost Crew, an experienced and financially stable sustainable composting operation with a proven record for the successful takeover of stressed composting businesses.¹¹ Compost Crew embraced the opportunity to further its mission.¹²

Compost Crew assumed the composting operations at the Property in June 2024 with the goal to implement the Site Plan. However, this appeal has delayed that implementation while the existing composting business continues to grow. In the meantime, Compost Crew continues to make significant operational investments and improvements to ensure the neighbors, its employees, the governing authorities, Frederick County and MDE, are satisfied with the existing composting operations at the Property.

The improvements Compost Crew has implemented at the Property since its acquisition of Key City, include but are not limited to the following:

Health & Safety

- Invested in a larger piece of equipment to safely and efficiently manage composting operations;
- Provides full time employment with full benefits to staff, operator safety training, high-visibility PPE with ASTM shoe wear, first aid and emergency kits;
- Purchased upgraded equipment like fire extinguishers, fuel tank, spill kits and spill containment pallet;

Composting Best Management Practices

- Maintained constant contact with MDE regarding composting operational permits for the Property;
- Increased on-site water collection and storage to 3,000 gallons for site safety, nuisance control and quality control;

⁹ All exhibits referenced herein or in the Exhibit list are attached hereto and incorporated herein.

¹⁰ See Footnote 6.

¹¹ In 2018, Ben Parry acquired The Compost Crew, LLC at a time it needed customer service improvements, and has since expanded Compost Crew into a fiscally responsible and service oriented sustainable business focused on its mission. In 2018, Compost Crew acquired Fat Worm, a struggling compost business that it successfully incorporated into its existing composting operations. Under similar circumstances, Compost Crew acquired Key City in June, 2024.

¹² Compost Crew is a Public Benefit Corporation with a legal obligation to create a general public benefit. Compost Crew's mission: "Our mission is to protect the planet, reduce waste and build community wealth. We are committed to recovering compostable waste, reducing dependence on landfills and incinerators, and revitalizing our soils. We will never compromise on that commitment."

- Installing a water pump system to increase moisture on the compost piles for quality control and to mitigate dust concerns;
- Reduced the amount of onsite compost to reestablish setbacks and prepare for Site Plan implementation by diverting food scraps to its other composting facilities through rerouting collection vehicles and via roll-off containers;¹³
- Increased the biofilter cover (“carbon cap”) of the existing compost piles for compost quality control and to mitigate concerns for dust, odor, visual appeal, and vector scavenging;
- Added a windsock to anticipate higher wind speeds to stop operations and check wind direction before turning compost piles to mitigate concerns of odors and dust;

Nuisance Concerns

- Worked with a local nonprofit to humanely capture and rehome 15 cats at the Property upon acquisition of Key City;
- Added physical and audio deterrents to repel birds from the Property;
- Completes a daily site cleanup to pick up any materials exposed during the composting processes;
- Completes an end-of-day site check along Property perimeter to clean up any light-weight materials that may have blown from U.S. 15 or composting operations to mitigate concerns of litter and visual appeal;
- Invested in additional labor to assist with manual cleanup of the composting site; and
- Removed an old trailer from the Property and installed security cameras.

Compost Crew has also undertaken the following, pending Site Plan implementation, in response to the neighbors: (1) parking their trucks off-site; (2) directing all trucks to enter the Property to eliminate vehicles idling within the public right-of-way; (3) added internal site signage to restrict left-out turning movements towards Stull Road until the road improvements required by the Site Plan are constructed; and (4) reduced the number of carbon source deliveries throughout the day. Most recently, Compost Crew held a tree planting community outreach event on May 24, 2025 to enhance the landscape screening of the composting operations along Stull Road.

A. *The Existing Composting Operations are a Use Permitted by Right on the Property without Site Plan Approval.*

Appellants attempt to confuse the issues before this Board by incorporating allegations pertaining to the status of the existing composting operations. To clarify, the existing composting operations at the Property are distinguishable from the Site Plan approved composting operations. As noted above, the existing composting operations are a **limited food waste composting: agricultural activity** less than 5 acres in size and therefore, a use permitted by right at the Property without site plan approval and subject to certain design standards. FCZO § 1-19-8.408(A)(2). In the event Compost Crew was “managing nearly two acres of compost on the Property,” as alleged

¹³ Appellant has erroneously alleged that this activity was to dump food waste and organic matter into the landfills.

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by Appellants, that is allowed by right. Regardless, the size of the existing compost operations is shrinking to prepare for Site Plan implementation.

The Site Plan proposes composting operations for a *limited food waste composting: commercial activity*, a use permitted by right, not to exceed 10 acres in size and subject to site plan approval and the design requirements set forth in FCZO § 1-19-8.408(B) – (M). FCZO § 1-19-8.408(A)(3). The difference between the existing composting operations and the Site Plan approved composting operations is that the Site Plan expands the size of the existing composting activities and operations to 6.2 acres (including access) and provides for the on-site retail sales of the finished compost product.

On-site retail sales is the characteristic that elevates the existing use to a commercial use because the sales are occurring on-site and that has the potential to generate additional truck and vehicular peak hour trips. See FCZO § 1-19-8.408(L) (“[c]ommercial sales of on-site generated compost to the general public are allowed only for the limited food waste composting: commercial activity use. Such commercial sales shall not be allowed for the limited food waste composting: agricultural activity use”). Because this position is consistent with the County’s interpretation of FCZO § 1-19-8.408, as confirmed on at least once to Appellants, it is owed deference by this Board. See, Appellants Letter attachment 17b; *Board of Liquor License Commn. for Baltimore City v. Kogul*, 451 Md. 507, 514 (2017) (“Appellate courts should ordinarily give ‘considerable weight’ to ‘an administrative agency’s interpretation and application of the statute which the agency administers. (internal citations omitted) In this regard, ‘the expertise of the agency in its own field of endeavor is entitled to judicial respect.’” (internal citations omitted)).

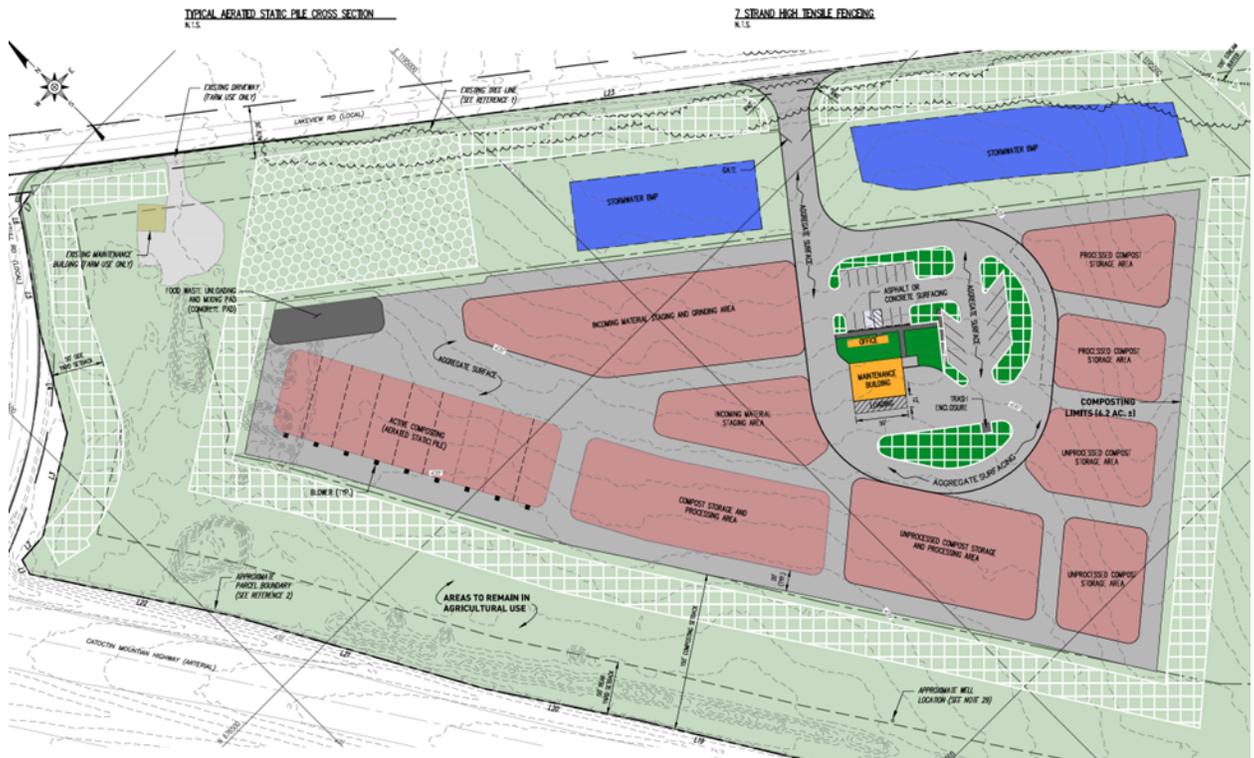
The food scrap pick-up subscription offered by Compost Crew is not a commercial activity like on-site retail sales. Rather, it is a means of obtaining the food scraps for composting and the use of food sourced off-site is an inherent component of the limited food waste composting use as stated in FCZO § 1-19-8.408(H). See, FCZO § 1-19-8.408(H) (“[l]imited food waste composting activities may include delivery and incorporation of off-site generated food waste into the on-site composting operation”). Accordingly, no site plan is required for the existing composting operations and it can continue to operate.

B. Appellant’s Alleged Zoning Violations Resulting from the Existing Operations are not Supported by Fact.

The “multiple zoning enforcement requests” Appellants have made generated County inspections of the Property on March 11, 2025, April 17, 2025, and May 23, 2025. These multiple inspections and requests resulted in one noncompliance at the Property - the 150-foot setback from the public rights-of-way. This is confirmed via communications with the County post-issuance of the April 21, 2025, Notice of Violation. **Exhibit C**. As confirmed by the County’s May 23rd inspection, Compost Crew has already moved the active composting piles 150 feet from the Lakeview Road right-of-way. Compost Crew did, however, request and was granted an extension of the time to move the compost piles 150 feet from Stull Road and U.S. 15 while ensuring the site layout optimizes best management practices and complies with MDE requirements. Compost

A. Access, Parking and Circulation

As depicted below, the Site Plan provides for vehicles and trucks to access the Property via a new 30-foot-wide driveway on Lakeview Drive approximately 735 feet east of the existing site entrance. **Exhibit D2 and D3**. The driveway extends 150 feet from Lakeview Road through the tree lined frontage, past stormwater management facilities and loops around the proposed office, pole barn and parking lot. **Id.** The parking lot contains 23 parking spaces, including 1 ADA parking space, green islands and is shaded with trees that provide parking lot canopy coverage. **Id.** The loading space is situated behind the pole barn to further eliminate views from Lakeview Drive. **Id.**



To maintain safe and efficient internal circulation, the parking lot layout includes 3 approved parking modifications that increase the loading space size to accommodate the truck sizes inherent to the composting operations, increase the number of parking spaces from 16 to 23 to accommodate the employees, who are full time and not shift workers, and the 9 trucks to be parked on-site, and extend the lengths of certain parking spaces to avoid trucks overhanging into the drive aisle.¹⁵ **Exhibit E**. The driveway and aisle widths, as labeled on the Site Plan drawings

¹⁵ The requested and approved parking modifications stated: “1. The Applicant requests a variance from 1-19-6.210 to allow one (1) large loading space. Due to the nature of operations, process material and equipment may arrive on transfer trailers, which require larger unloading space than standard small loading areas. 2. The Applicant requests a variance from 1-19-6.220.A to allow 23 total parking spaces. The site will employ 12 full-time and 1 part-time personnel in addition to staging 9 company owned vehicles on-site. The proposed parking spaces will allow all 13 employees and 9 company vehicles to be parking while providing 1 additional space for visitors or accessible parking.

overlooked by Appellants, are approximately 30 feet and 24 feet wide, respectively. **Exhibit D4.** The aisle widths between composting areas are labeled as 20 feet. **Exhibit D3.**



The turning radii for the driveway and circulation around the office and parking lot are maximized to serve a semi-truck, the largest and most infrequent truck size for the Property. **Exhibit I.**

The Site Plan's Trip Generation Memorandum allocates 5 entering truck trips out of the 18 trips during the a.m. (7-8 a.m.) and the p.m. (5-6 p.m.) peak hour.¹⁶ **Exhibit J.** The 5 am and pm truck trips include 2 entering food waste truck trips, 1 entering carbon source truck trip, 1 entering finished compost truck and 1 entering miscellaneous truck trips. Contrary to Appellants' unreasonable inference, the facts provide for 1 food waste truck entering trip every 30 minutes during the a.m. and p.m. peak hour.

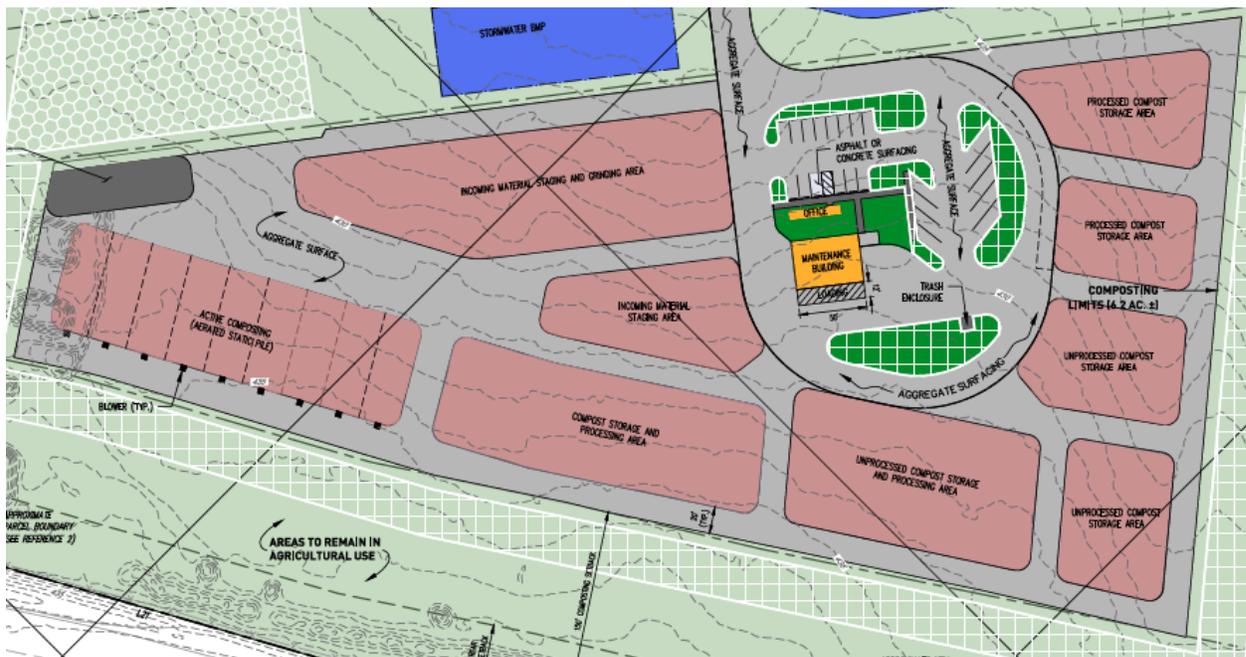
The Applicant requests a variance from 1-19-6.220.B to allow an increase in the stall dimensions for 5 parking spacing [sic]. These spaces will accommodate single-axled trucks (under 26,000 gross vehicle weight) without obstructing aisle access."

¹⁶ The 18 a.m. peak hour trips include 10 truck trips and 8 vehicle trips. In the peak hour the: 1) truck trips include 2 incoming and 2 outgoing food waste truck trips, 1 incoming and 1 outgoing carbon truck trips, 1 incoming and 1 outgoing compost truck trip and 1 incoming and 1 outgoing miscellaneous truck trips for a total of 10 truck trips; and 2) vehicle trips include 6 incoming (or 6 outgoing) employee trips and 1 incoming and 1 outgoing miscellaneous vehicle trip for a total of 8 vehicle trips.

B. Proposed Composting Operations

The Site Plan is designed to produce less than 10,000 cubic yards of finished compost per year utilizing Type 1 and Type 2 feedstocks. The food scrap composting mixes 25-30% food waste with 70-75% carbon sources, such as landscaping materials or wood chips for an ideal 3 to 1 carbon-to-nitrogen ratio (3:1 C:N). That means that the site expects to receive a maximum of 20,000 tons per year of feedstocks. These feedstocks are estimated to be 5,000-6,500 tons per year of food scraps and 13,500-15,000 tons per year of carbon materials, which will produce annually no more than 10,000 cubic yards (approximately 5,000 tons) of finished compost.

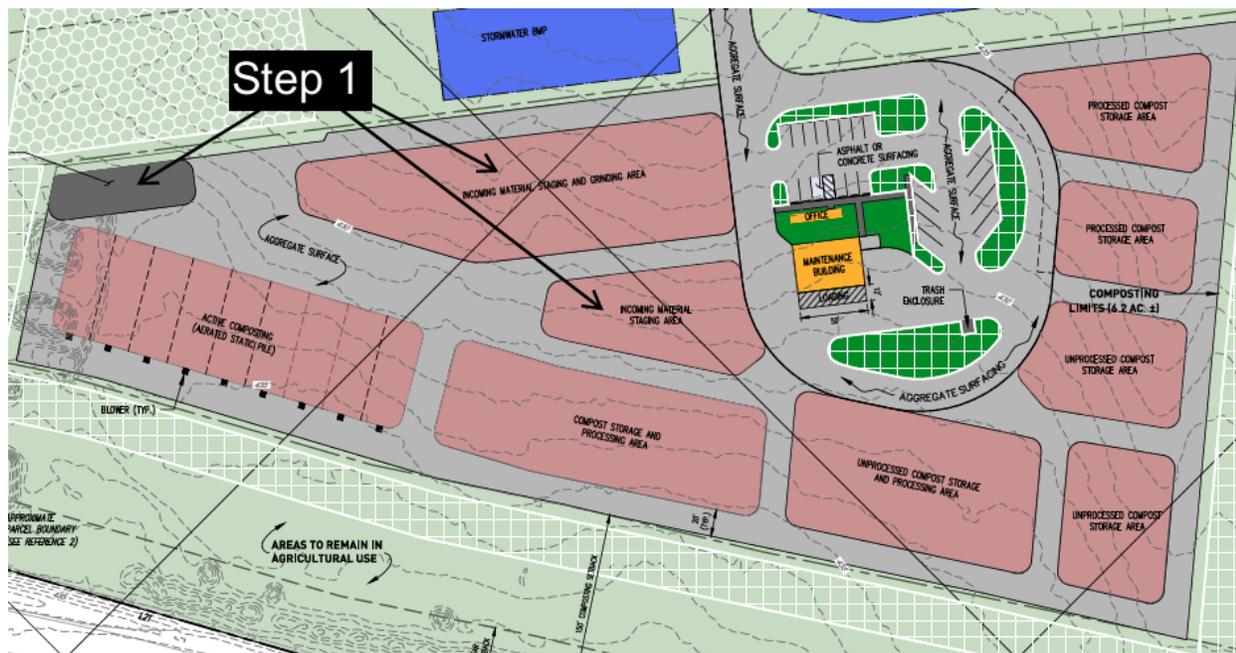
As depicted below, the composting operations will function in a counterclockwise movement upon entering the Property.¹⁷ **Exhibit D3.**



The process starts with the feedstock reception where incoming vehicles are checked in and inspected. The vehicles then tip its contents into the appropriate receiving area - the “incoming material staging and grinding area” for carbon sources (such as leaves or wood chips) or the “food waste unloading and mixing pad” for food scraps. **Exhibit D3.** The mixing pad is prepared with a base of carbon materials and designed to trap liquids from the food scraps and are then mixed into the material. Upon receipt, composting staff inspect and dispose of all non-acceptable items. The materials are then mixed together in an ideal composting recipe balancing the mixture’s bulk

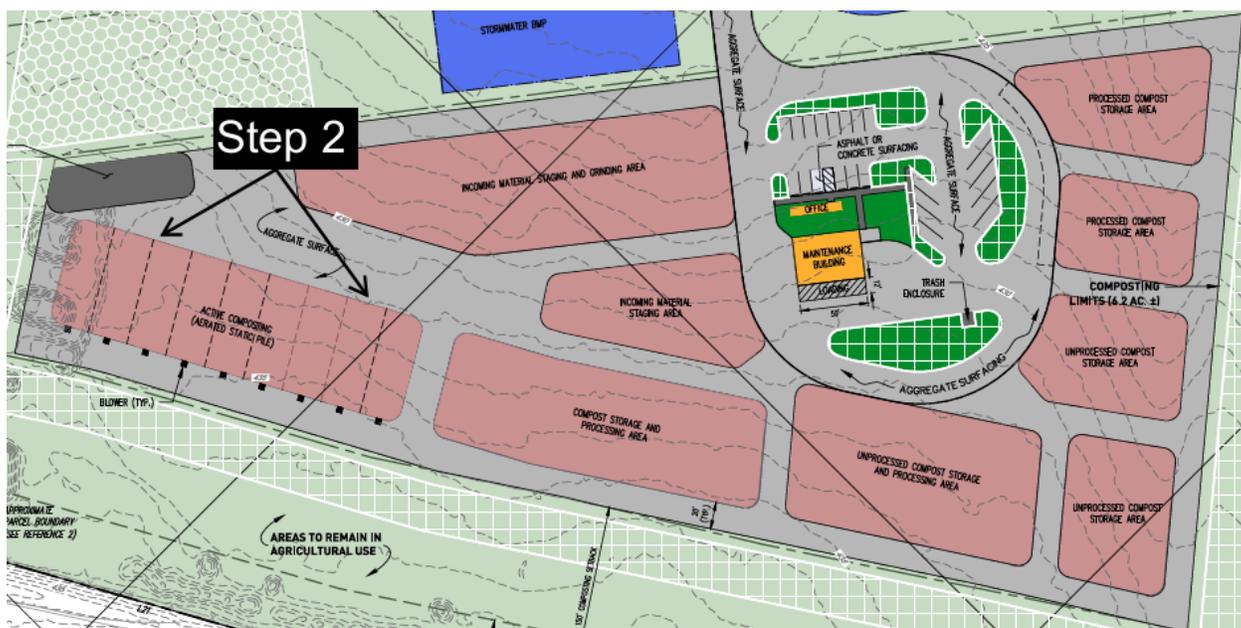
¹⁷ The composting process will follow the MDE-approved CFOP (defined below).

density, carbon to nitrogen ratio, and moisture. Moisture will be incorporated as well as misting to mitigate dust and odor. COMAR 26.04.11.08.E, § 9-1725, Env. Art., Md. Ann. Code.



The mixed materials are then moved to “active composting,” placed on a bed of carbon materials and carbon capped for the first phase of composting. **Exhibit D3**. This phase uses aerated static pile (ASP) technology which uses perforated pipes to force air through the piles to keep them aerobic, speed up decomposition, and prevent malodors. Id. (Noted as “blower” on Site Plan). Aeration will be managed through scheduled aeration to the piles to create ideal conditions for microbial life to breakdown the feedstocks with limited need to turn the piles. Any liquid organics from these piles are also collected and reincorporated into the mixture to provide adequate moisture. These piles are also monitored for process control (temperature and moisture).¹⁸ COMAR 26.04.11.09.

¹⁸ This first phase is the thermophilic stage of composting that will reduce pathogens (PFRP) at greater than 131 degrees Fahrenheit and destroy weed seeds at greater than 145 degrees Fahrenheit.



The mixture is then moved to the secondary phase where it is windrowed¹⁹ and monitored during this mesophilic stage (lower temperatures) of the composting process. This is also known as the curing stage. **Exhibit D-3.** Once the curing stage is complete and the material is ready for market, it is screened into finished compost. The overs (large pieces of composted material, mostly composted wood chips) from the screening process are recycled into the composting process as a carbon feedstock or carbon capping. This recycling reduces the amount of new carbon material (wood chips and leaves) that has to come into the site. Finished compost pickup is available to vehicles in the compost loading zone, after check-in. ***Id.***

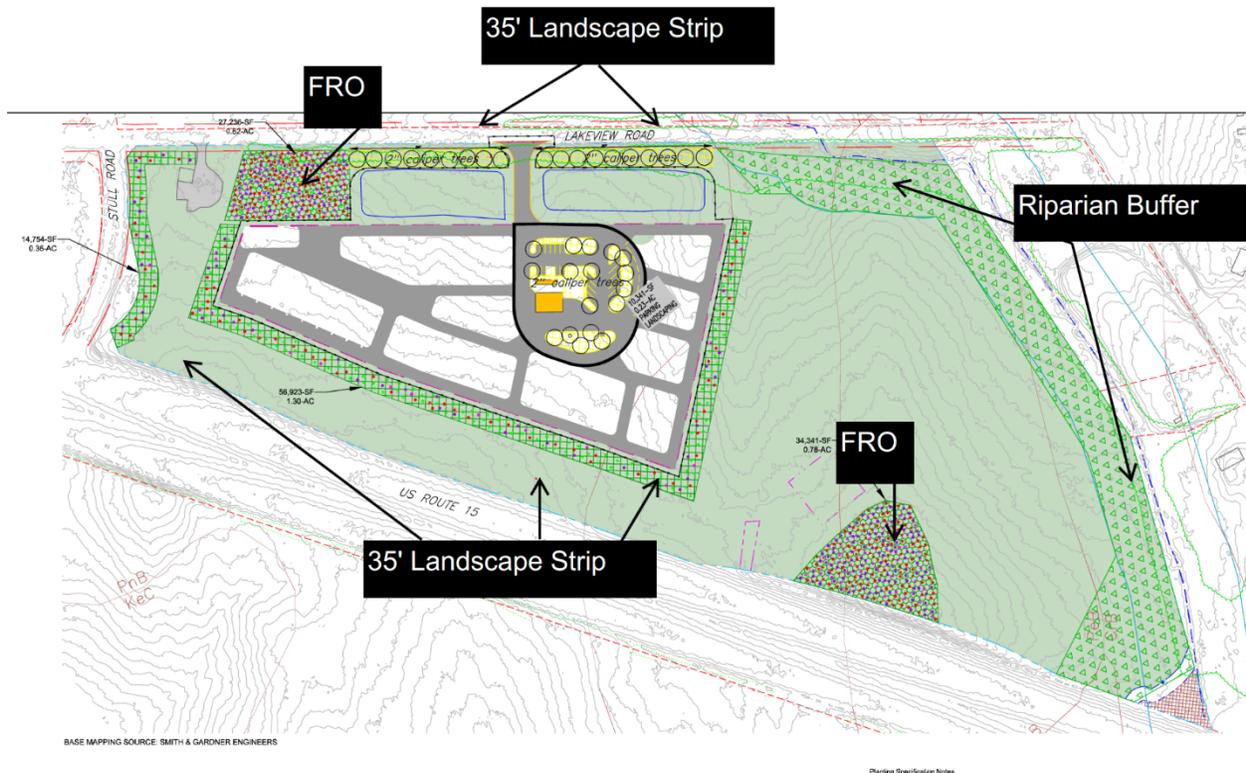
¹⁹ Windrow composting consists of placing a mixture of composting feedstocks in long narrow triangular piles called “windrows” that are then agitated or “turned” to assist in the decomposition. Unlike the ASP systems where aeration is forced in through perforated pipes and a blower, windrows use natural convection or the “chimney effect” to draw fresh air in. During the composting process, composting microbes break down the feedstocks and generate heat in the pile. This heat rises and leaves through the top of the pile (creating a chimney effect of steam leaving the top of the piles seen during cold mornings). This creates a slightly negative pressure area at the bottom of the pile and this draws air from the outside of the windrow into the core of the pile, bringing in new fresh air with oxygen for the microbes to continue to break down the material. Through its breakdown, the pile compacts, and turning helps to mix the materials and recreate its structure so more air can flow through the pile.



C. Proposed Landscape Screening

The composting operations will be screened by layers of landscaping and agricultural activities, including a 35-foot-wide landscaping strip on all 4 sides of the composting operations containing a mix of strategically placed native evergreen trees, deciduous trees and shrubs. See Site Plan, Planting Plan. **Exhibits D1 and D6**. A second 35-foot-wide landscape strip is proposed at and along the Stull Road frontage and additional County reviewed plantings were installed on May 24, 2025. *Id.*

To further screen the composting operations, there are dense pockets of native evergreen and deciduous trees and shrubs within Forest Resource Ordinance easements, respectively 0.62 acres and 0.78 acres in size, situated on Lakeview Road and US 15. *Id.* A riparian buffer that includes 1,200 trees extends the entirety of the southern Property boundary and part of Lakeview Road, all as depicted below:



Two (2) large stormwater management features on either side of the proposed driveway further separate the composting operations from Lakeview Road. The remainder of the Property (over 20 acres) will remain agricultural in-use to encapsulate the composting operations on the Property with a farming operation that will demonstrate the finished compost application. The farming operation is also envisioned to include an incubator farm to develop future sustainable agricultural farmers, and a greenhouse using heat recovery technology from the composting ASP system to demonstrate compost yield rates, all to promote sustainable closed loop agricultural practices (food scraps to compost to healthy food).

IV. The Site Plan Satisfies FCZO §§ 1-19-8.408(D), (G), (J) and (K) for the Limited Food Waste Composting: Commercial Activity.

The Appellants asserts that the Site Plan does not satisfy FCZO §§ 1-19-8.408(D), (G), (J) and (K). As for FCZO §§ 1-19-8.408(D), (J) and (K), Compost Crew commits in the Composting Notes on Site Plan (Sheet 3 - Compost Operations Plan) to comply with these requirements.²⁰

²⁰ Compost Note 3 states that “Limited food waste composting activities and operations shall not cause any odor, dust, smoke, vibration, or unreasonable noise which can be detected at or beyond any property line.”

The Planning Commission approved the Site Plan on January 12, 2022 (and February 15, 2025) on that basis finding that the affirmative statements evidence Compost Crew's intent to comply with the ongoing obligations imposed by FCZO §§ 1-19-8.408(D), (J) and (K) because they are enforceable by the County. Appellants failed to appeal that decision and are therefore legally bound by the Planning Board's decision, which prevents Appellants as set forth in **Exhibit S** and Compost Crew's April 18, 2025 letter to this Board, from reasserting this position. Notwithstanding, Compost Crew demonstrates below that in addition to the Composting Notes, the Site Plan satisfies all the requirements:

A. Site Plan Satisfies FCZO § 1-19-8.408(D)

FCZO § 1-19-8.408 (D) states that “[l]imited food waste composting activities and operations shall not cause any odor, dust, smoke, vibration, or unreasonable noise which can be detected at or beyond any property line.” The Site Plan satisfies FCZO § 1-19-8.408 (D) through the compost pad layout, landscaping, operational parameters and the addition and incorporation of new equipment into the composting operations.

Appellants contend that the proposed location of the concrete food waste mixing pad will not “minimize noise, odor, and contaminated contact water runoff, and noxious animal attractant impacts on closest properties...”²¹ The basis thereof, however, is not supported by the evidence of record. First, the composting pad configuration minimizes the potential for noise, odors, runoff and attracting animals by siting the screening and grinding operations at a location within the Property that will receive the densest screening. **Exhibit D2**. Second, based on prevailing wind patterns at the Frederick Municipal airport, the Appellants homes are located upwind of the composting operations. During certain months, wind directions shift and blow parallel to the alignment of the homes, rather than directly toward them.

Third, the machinery used at the Property is commercial and agricultural machinery. Noise is inherent in the subject A District, which expressly gives preference to the operation of farm machinery. FCZO § 1-19-7.300(A). Furthermore, any noise at the Property is competing with the noise generated from the 34,000 plus vehicles a day that travel U.S. 15, the 4-lane divided highway abutting the southwest side of the Property.

Fourth, food waste deliveries do not account for all 18 peak hour a.m. and p.m. trips. This is an over exaggeration that is contradicted by Appellants' own submissions. Appellants June 5, 2025, submittal includes a copy of the Trip Generation Memorandum for the Site Plan that

Compost Note 7 states that “All materials at the limited food waste composting facility shall be sorted and processed in a manner that prevents harboring or breeding of insects or animals, and prevents creation of odor, litter, or other nuisances that may be harmful to the public health or the environment.”

Compost Note 8 states that “All incoming materials associated with food waste must be incorporated into the composting processes within 24 hours. Liquids must be controlled to prevent run off during offloading, storage, and processing of all received wastes.”

²¹ Vector control is addressed in FCZO § 1-19-8.408 (D) and not addressed in FCZO § 1-19-8.408 (D)

identifies the truck and vehicle trips comprising the 18 peak hour a.m. and p.m. trips. Only 2 of those trips in the a.m. and p.m. peak hour are food scrap deliveries. This equates to 1 food scrap delivery every 30 minutes during the peak hour, rather than every 3 minutes during the peak hour as Appellants suggest. Furthermore, considering the ideal ratio for food scraps to carbon sources at this composting facility, more carbon waste will be received at the Property than food scraps.

Fifth, the food scraps are mixed with bulking and carbon material (wood chips or overs) and then covered with a biofilter cover (wood chips, compost, or overs) to prevent odor, dust and the scavenging by vectors. Compost Crew has not experienced vectors at the Property since they rehomed the 15 cats. Compost Crew has documented Appellants surveilling the Property on approximately 30 occasions since March at various times and highlights that no photographs are included in Appellants' voluminous filings evidencing vector at the Property or the alleged vector that leaves food waste (or the food waste itself) on the Appellants' properties. There is also no record of vector or noxious odors on the Property from the 7 recent governmental inspections.

Sixth, to prevent the release of odors, the Site Plan composting operations include measures to limit turning active compost piles to times with low or no wind or the wind direction is towards any residences. The Site Plan composting operations will also implement an ASP system to increase the aeration of active compost piles, thereby reducing the pile movement/turning that can release odors and dust. Strategies also include incorporating the food scraps with carbon-rich materials quickly upon receipt as well as monitoring ideal composting conditions such as temperature and moisture. The Composting Facility is designed to accept and manage food scraps appropriately while minimizing nuisances.

The Site Plan also proposes approximately 70 feet of landscaping within the 220 feet between the food waste pad and Stull Road and a variable width of 35 to 125 feet of landscaping, plus stormwater management facilities, within the 150-foot setback between the composting pads to Lakeview Road. **Exhibit D3 and D6.** As discussed below, food waste will not sit on the concrete pad for 24 hours or more because State law requires it to be processed by the end of each operating day. COMAR 26.04.11.09.C.

Finally, Appellants suggest that the existing composting operations have caused child illnesses. Compost Crew is not dismissing that 2 of the neighborhood children may be sick. However, it is unreasonable to infer, given the totality of facts and circumstances, that the existing composting operations have caused those illnesses. Appellants' mischaracterize the contents of the physician letter they submitted into the record, which merely says without specific data (testing of the alleged particulate matter and bacteria), justification or an understanding of proximity of the child's home to the composting operations, that there is a mere "possibility" for a connection. In fact, 10700 Stull Road, where the child resides, is approximately 950 feet from the Property. Plus, we cannot overlook the numerous other reasons for illness, including that U.S. 15 generates particulate matter from the thousands of vehicles that travel on it daily and the fact that the Compost Crew on-site employees do not share these symptoms.

B. Site Plan Satisfies FCZO § 1-19-8.408(G)

The below statements demonstrate that the Site Plan satisfies the applicable portions of FCZO § 1-19-8.408(G) by proposing 24-foot-wide 2-way internal drive aisles, a 30-foot-wide commercial driveway and 3 parking and loading modifications. **Exhibit D4.** FCZO § 1-19-8.408 (G) states that “[t]he applicant shall submit a vehicle circulation plan indicating that adequate turn radius is provided both to and from the subject property. Adequate space for the safe movement of all proposed vehicles and equipment being utilized on site shall be provided.”

The Site Plan proposes a 30-foot-wide commercial driveway that includes turning radii appropriate for the trucks that enter and exit the Property. **Exhibit D4 and I.** As such, a separate vehicle circulation plan is not necessary because these widths can be dimensioned using the scale on the Site Plans. **Id.** The internal circulation pattern includes 2 loops, 1 around the parking lot and 1 through the composting pads. **Id.** There is also 20 feet between composting pads. **Exhibit D3.** Thus, fire trucks and other trucks can safely enter, maneuver the loops throughout and exit the Property.²² This also ensures that equipment can maneuver around the pads.

The parking modifications also ensure safe onsite movements for vehicles and equipment by eliminating trucks overhanging into the drive aisles by extending the parking space length and eliminating vehicles parked within internal drive aisles by providing a parking space for each employee.

C. Site Plan Satisfies FCZO § 1-19-8.408(J)

The Site Plan provides that “[a]ll materials at the limited food waste composting facility shall be sorted and processed in a manner that prevents harboring or breeding of insects or animals, and prevents creation of odor, litter, or other nuisances that may be harmful to the public health or the environment” in accordance with FCZO § 1-19-8.408(J). The Site Plan depicts an operational layout that includes compost pads arranged in specific locations and in a specific order for the quick and efficient sorting and processing of food waste, in part, to prevent the harboring or breeding of insects or animals at the Property. **Exhibit D3.**

The Site Plan also includes significant landscape screening around the compost operations to prevent odor, dust, unreasonable noise, visual nuisance, litter or other nuisances that may be harmful to the public health or the environment. **Exhibit D2 and D6.** Compost Crew also testified at the 2025 Reapproval public hearing that incoming food waste is immediately tended to by employees, sorted and mixed into the composting operations, all to prevent odor, litter or other harmful nuisances, and the harboring or breeding of insects or animals as set forth in FCZO §§ 1-19-8.408(J). See also, COMAR 26.04.11.09.C.

The Site Plan also provides for employees to be on-site 5 - 6 days a week between the hours of 7 a.m. to 6:00 p.m. **Exhibit D3** The presence of employees and their continued site monitoring

²² See Footnote 2.

will prevent the harboring and breeding of insects and animals on site. These employees also perform daily site clean ups to remove any litter that may have blown within the Property, monitor and cover piles to prevent odors and harmful nuisances. As set forth on the Site Plan, signage is posted on the Property that includes Compost Crew’s office number for immediate attention to the composting operations and employees live in the immediate vicinity of the Property for quick response times. *Id.*

D. Site Plan Satisfies FCZO § 1-19-8.408(K)

The composting operations are subject to more stringent State regulations that will ensure the Site Plan’s satisfaction of FCZO § 1-19-8.408(K), which provides that “[a]ll incoming materials associated with food waste must be incorporated into the composting processes within 24 hours. Liquids must be controlled to prevent run off during offloading, storage, and processing of all received wastes.”

COMAR 26.04.11.09 requires Type 2 feedstocks (food waste) to be processed, contained or mixed and covered by the end of each operating day.²³ Compost Crew’s operating day ends at 6 p.m. **Exhibit D3.** It is, therefore, erroneous for Appellants to infer the food waste will sit on the mixing pad for more than 24 hours.

The Site Plan includes various methods for controlling any liquid from the composting operations. **Exhibit D3.** The concrete pad for the Type 2 feedstock, including food waste receipt, will limit liquid infiltration into the existing ground surface and ease clean-up of that area. Feedstock moisture and liquids will be controlled by mixing it with drier feedstocks, bulking material, or compost so that the liquid is absorbed and not allowed to flow from the concrete pad. **Exhibit D3.** The stormwater design plan includes a pretreatment system in the form of an organic filter, similar to a sand filter, to treat runoff. Proper management of liquid runoff will be confirmed through benchmark testing under an ISW permit issued by MDE. See also the CFOP (defined below).

Appellants attempt to show Compost Crew has failed to control liquids on-site under existing composting conditions with a water test from a ditch on Lakeview Road dated May 15, 2025 and the potable water test results for 10670, 10700 and 10690 Stull Road. It is completely unreasonable to infer that Compost Crew is the cause of E. coli in the groundwater and surface waters, but more importantly, the well potability and surface waters are under MDE’s jurisdiction and governed by the State and therefore, not part of this Board’s review. § 9-102, Env. Art., Md. Ann. Code (“[i]n addition to the duties set forth elsewhere, the health officer...shall inspect and report on the sanitary conditions or streams, sources of public water supply, and the sewer facilities in the county”); §§ 9-1305 and 9-1305.1, Env. Art., Md. Ann. Code, COMAR 24.04.04; *Sugarloaf Citizens Assoc., v. Frederick County Board of Appeals*, 227 Md. App. 536, 548 (2016) (the Board did not err in recognizing that the jurisdiction delegated to the Frederick County Health

²³ Under “conflict preemption,” local laws that conflict with State law are preempted by State law. *Dabbs v. Anne Arundel County*, 232 Md.App 314, 338 (2017).

Department by MDE constituted State matters for which the Board had no jurisdiction). Under the State's jurisdiction, Compost Crew is required to monitor any runoff from the Property through the ISW Permit (defined below) that includes benchmark testing for nitrogen, lead, zinc, and phosphorus. E. coli is not a listed pollutant from compost facilities under MDE or US EPA requirements.

The reasonable inference to draw from this allegation is that the entire surrounding area is predominantly agricultural and led MDE to establish Total Maximum Daily Loads (TMDL) for the Upper Monocacy River Basin.²⁴ The investigation by MDE to establish TMDL's reported the seasonal (May-September) steady state geometric mean concentrations for E. coli between 300 and 1,140 MPN/100 ml. The surface water sampling results provided in the Appellants June letter identified concentrations (648.8 MPN/100 ml) in Stull Road (which is uphill of the compost facility) within the observed ranges by MDE, which could be expected within runoff from agricultural areas.

Furthermore, it is unreasonable to infer that Compost Crew is the cause of E. coli and Total Coliform in any potable water test for the following reasons:

- The water test results submitted by Appellants include no information on the immediate area land uses, soil geology and depth, and surface and sub-surface flow paths, which are critical to identifying the source of bacteria, location of septic systems and large holding ponds.
- The well water test results are potable water tests to obtain a Certificate of Potability, required for new wells to be put into service, typically following construction. Total coliform was the only constituent identified at unsafe levels following well installation and there were no detections (less than 1 MPN/100 ml) of E. coli. The unsafe levels of total coliform gradually decreased over time and the wells were recently considered safe as of January 28, 2025.
- Appellants June Letter states that the Appellants reside on "child lots." This inherently means in a land use context that farm land was subdivided for residential development. It is reasonable to infer that the E. coli in the potable water tests is from the prior farm use of the land.
- Appellants falsely claim that the Compost Crew incorporated zoo animal waste into the existing compost operations via a hay donation from the Maryland Zoo in Baltimore ("Baltimore Zoo"). Compost Crew did not source hay from the Baltimore Zoo used by animals. The hay was from a hay maze for children that the Baltimore Zoo provided at its annual Halloween event. **Exhibit K.**

²⁴ See

https://mde.maryland.gov/programs/water/TMDL/DocLib_UpperMonocacy_02140303/Upper_Monocacy_Bacteria_TMDL_09_28_09_Final.pdf

E. Site Plan Satisfies Remainder of FCZO § 1-19-8.408.

The Site Plan's satisfaction of the remaining provision of FCZO § 1-19-8.408, which includes (A)(3), (C), (E), (F), (H), (I), (L) and (M) are set forth in the Statement of Site Plan Justification prepared by the engineers of record Smith Gardner, Inc. (**Exhibit L**), provided, however, § 1-19-8.408 (B) is inapplicable to the Site Plan because the Property is not within a floodplain district.

F. Satisfaction of Site Plan Approval Criteria - § 1-19-3.300.4

Appellants' appeal challenges the Site Plan's satisfaction of only 1 of the 5 site plan approval criteria in § 1-19-3.300.4 – “existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been **minimized** through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.”

The design of the Site Plan more than adequately **considered** the existing and anticipated land uses and **minimizes** any negative impacts through means beyond those dictated by code. The Site Plan is located on Property abutting U.S. 15 and will serve to buffer the surrounding properties from this highway. The Site Plan locates the composting operations central to the Property to establish larger than required setbacks. **Exhibit D2.** The Site Plan includes demonstration farming and installation of significant swaths of landscaping throughout those setbacks, including at the composting operations boundaries, to minimize odor, dust, scavenging by vectors, and harmful nuisances. **Id.** The Site Plan also restricts the use of the grinder to certain hours to minimize noise. **Exhibit D3.** The Site Plan locates the composting area that will generate the most noise (e.g., grinding and screening operations) at an internal location that is densely buffered. **Id.** As further detailed above, the Site Plan minimizes the potential for contact water runoff by controlling liquids at the Property. The Site Plan will be implemented and the use operated by a responsive sustainable small business.

Most importantly, these considerations go beyond the Appellants to consider **all neighbors**, including the abutting residences to the south, to balance the Site Plan features in a way that minimizes any negative impacts upon the surrounding uses.

V. The Status of the MDE Permits for the Proposed Composting Operations does not Impact this Board's Approval of the Site Plan

In addition to County oversight and inspections for compliance with the FCZO and other local laws and regulations, MDE will oversee the composting facility through the issuance of state permits. The MDE Permits include a: (1) General Composting Facility Permit (“GCF Permit”) and Composting Facility Operations Plan (“CFOP”); (2) Industrial Stormwater Permit (“ISW Permit”) and Stormwater Pollution Prevention Plan (“SWPPP”); and (3) Air Quality Permit, depending on the type of equipment used onsite (electric or gas powered). The Maryland Department of

Agriculture requires compost product registration prior to sale and compost operator certification for distribution of compost that is continuously tested for pathogens.

The GCF Permit approves the tonnage, type of feedstock (e.g. food scraps) to be received, the amount of compost to be generated onsite and requires annual reporting. A CFOP is filed and approved with the GCF Permit and details the facility operations and includes a site plan. The ISW Permit monitors the contact water controls, requiring quarterly monitoring of the outfall. By way of the MDE Permits, all the environmental concerns raised by Appellants will be governed and enforceable by MDE.

A. MDE Permit History

Key City obtained in 2020, the original GCF Permit (2020-GCF-0022) for a Type 2-Small (less than 10,000 cubic yards per year) composting facility at the Property. It expired a year later and in 2021, Key City obtained GCF Permit (2021-CGF-0023) (valid for 6 years) for the same sized composting facility. The CFOP approved with GCF Permit 2021-CGF-0023 provided for submittal of the stormwater management plan after Site Plan approval. See Appellants' attachment 5a.

Upon acquisition of Key City, Compost Crew received its first MDE inspection of the Property on October 4, 2024. The October 4th inspection report included a request for an ISW Permit and updated CFOP under 2021-CGF-0023 to reflect the existing composting operations prior to Site Plan implementation and noted the joint composting operations of Key City and Compost Crew. These comments were not typical and generated correspondence, discussion and meetings with MDE. Those communications continued while MDE responded to Appellants' complaints with inspections of the Property on March 5, March 18, March 25 and June 9, 2025.

On May 16, 2025, Compost Crew filed a revised CFOP and site plan for MDE review. On June 6, 2025, MDE issued updated guidance for Compost Crew operations under 2021-CGF-0023 that directs Compost Crew to file an application for a GCF Permit for the Property with an updated CFOP by July 11, 2025 that reflects the existing composting conditions and the Site Plan approved composting operations. Despite that Compost Crew acquired 100% equity in Key City, MDE viewed it being the primary operator of the composting operations and that triggered a new GCF Permit and CFOP. On June 12, 2025, at the request of MDE, Compost Crew filed a letter confirming its intent to obtain coverage under a GCF Permit. **Exhibit M.**

B. The MDE Permit Status Does Not Impact Site Plan Approval.

Appellants' argument for Site Plan denial on the basis that the CFOP stormwater management plan conflicts with the Site Plan is wholly misplaced for the following reasons:

- The CFOP provides that the County's approved stormwater management plan will be incorporated into the CFOP following Site Plan approval. As such, the plan upon which the Appellants' argument relies is not the final CFOP site plan.

- MDE Permit documents, such as the CFOP and SWPPP, are iterative “living” documents that are amended and updated from time to time. Despite Appellants’ argument, the CFOP site plan can be updated and per MDE, "a revised [CFOP] site plan triggers a reassessment of compliance with Compost Facility siting requirements, per COMAR 26.04.11.08.B."
- Appellants’ argument is moot because as of June 6, 2025, MDE has directed Compost Crew to obtain a GCF and CFOP for the Property. The GCF and CFOP will include a site plan for the existing composting operations at the Property and the Site Plan approved composting operations.
- This Board’s Site Plan approval does not include review of a stormwater management plan. FCZO § 1-19-3.300.4. Therefore, Appellants’ argument is outside the purview of this Board.

Overall, the status of the GCF Permit and the CFOP do not impact and are outside the scope of this Board’s authority to review and approve the Site Plan. Pursuant to FCZO § 1-19-8.408(M) “[l]imited food waste composting activities and operations shall comply with all applicable federal, state, and local regulations and shall conform to the requirements of all federal and State of Maryland permits and other approvals.” This obligates Compost Crew to comply with state law and obtain the MDE Permits to implement the Site Plan. By imposing this affirmative and enforceable obligation on Compost Crew, the Board may approve the Site Plan prior to MDE’s issuance for the GCF Permit and approval of the CFOP. The plain language of FCZO § 1-19-8.408(M) contemplates any sequence for Site Plan approval and MDE Permit issuance because it provides for any County approval to “conform to the...State...permits...”

VI. Appellants’ Water Related Allegations are not a Site Plan Issue and, in any event, are Unfounded.

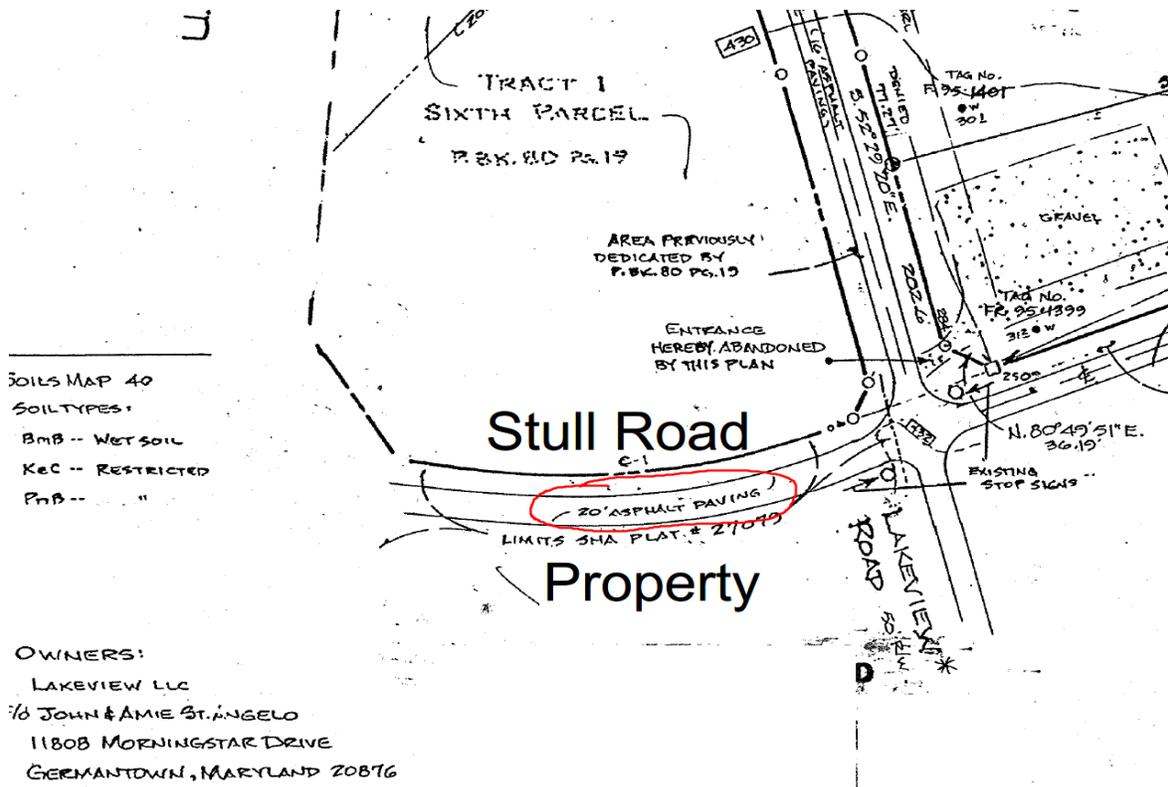
Appellants attempt to confuse this Board by making unfounded allegations outside the scope of Site Plan review. Appellants argue that the existing composting operations require a stormwater management (“SWM”) plan. However, this is not an appeal of the existing agricultural composting operations that operate by right and therefore, outside the scope of this Board. The County’s Environmental Compliance inspected the existing composting operations on April 14, 2025, and did not mention the need for a SWM plan. Regardless, MDE is monitoring the Property through the ISW Permit.

Appellants’ also allege that the proposed stormwater management (“SWM”) for the Site Plan approved composting operations is inadequate. Again, the concept, development and final SWM plans are not within the scope of the Site Plan approval and therefore not part of this

appeal.²⁵ Site plan approval is separate from SWM plan approval, although the plans may be submitted simultaneously. See, FCZO § 1-19-3.300.1(C) and FCC § 1-15.2-5.1(C).²⁶ The processes are even governed by separate FCC Chapters. Site plan approval is governed by FCC Chapter 19, Article III, Division 3 and the application requirements and approval criteria do not include SWM plan approval or review. SWM Plan approval is governed by FCC Chapter 15.2 and final SWM plans are not even approved until after Site Plan approval as part of the improvements plans. FCC § 1-15.2-5.2(C). Thus, Appellants' arguments are outside the purview of this appeal. Notwithstanding, the concept/development SWM plans has undergone two review cycles and is pending approval by the County following this appeal.

VII. Stull Road is not a Rustic Road and may be Widened at Site Plan Implementation

Appellants argue that Stull Road cannot be expanded 2 feet to 20 feet because it is a rustic road. This allegation is unsupported. It is curious that Appellants' contest the proposed widening of Stull Road to 20 feet because, as excerpted below, the plat, Lots 1-4, Section 1, LakeView Station, Plat Book 88, Plat 173, that recorded the "child lots" at which various Appellants' reside already identifies Stull Road as having a 20-foot paved width. **Exhibit N.**



²⁵ This Board's Site Plan approval does not include review of a stormwater management plan. FCZO § 1-19-3.300.4.

²⁶ FCC § 1-15.2-5.1(C) state that "[a]pproval of a SWM concept plan, a SWM development plan, or a final SWM plan under this chapter shall not relieve the developer from the obligation to comply with all other applicable requirements for development".

More importantly, Stull Road and Lakeview Road are not rustic roads. **Exhibit O.** Rustic Roads are designated by the Frederick County Council. FCC §1-15-52(D)(3). Stull Road is on the list of candidate roads that may be considered in the future for designation by the County Council as rustic roads, but it is not a rustic road. Lakeview Road is not a rustic road or even a candidate road. In addition, the Rustic Roads Commission has authority to remove any road from the candidate list.

There is no prohibition against Compost Crew widening Stull Road to 20 feet as part of the Site Plan approval. Appellants' cite to *A Rustic Road Program for Frederick County, Maryland: Recommendations for Criteria, Nomination, Policies, Education, and Promotion* as the governing authority for candidate rustic roads in attempt to thwart the Site Plan's compliance with FCZO § 1-19-8.408(F). FCZO § 1-19-8.408(F) (“[t]he subject property must have road frontage and access on a minimum 20-foot-wide paved public road”). However, these **recommendations** purport to address “detrimental” changes to candidate roads. The proposed widening of Stull Road to 20 feet is not a detrimental change because it increases the paved width by typically 2 feet. This is a positive change, even for Appellants' who testified that they take family walks in that road. The February 12, 2025, Staff Report to the Planning Commission on the Site Plan further demonstrates that widening Stull Road is not “detrimental” because it memorializes the county agencies, including Public Works, Planning and Transportation Engineering, that approved the Site Plan, along with its proposed road widening.

According to Plat 27092, State Highway Administration has right-of-way adjoining the segment of Stull Road Compost Crew proposes to widen. **Exhibit P.** This would effectively allow SHA to widen Stull Road regardless of its classification. Therefore, Compost Crew should be allowed to do the same.

VIII. *Site Plan Implements the Livable Frederick Master Plan*

Fundamentally it is important to recognize that the Site Plan aligns and implements the goals under 3 of the 4 vision themes of the Livable Frederick Master Plan (“Master Plan”), which is a document prepared from community input, participation and feedback. **Exhibit Q.** Specifically, a goal for the environmental vision theme of the Master Plan is that Frederick will have zero waste by 2040 and a waste diversion goal of 60% by 2025. **Exhibit Q** p. 187 and 188. The Site Plan meets these goals by reducing waste through the diversion of food scraps from the landfills and composting them into a nutrient rich soil amendment that will off-set the current fertilizer shortage. According to the April 2025 draft Five-Year Evaluation of the Master Plan, the County has not yet achieved the 60% diversion goal further supporting the need for composting under the Site Plan. **Exhibit R.** A goal of the Master Plan's economic vision is promoting locally based small businesses like Compost Crew and those that Compost Crew serves. **Exhibit Q** p. 168. The community vision theme identifies goals relative to the strong restaurant culture in

Shannon Bohrer, Chair
And Members of the Frederick Co.
Board of Appeals
June 16, 2025



Frederick. **Exhibit Q** p. 113. The Site Plan promotes and supports the restaurant scene by diverting their food waste from landfills and promoting sustainability initiatives in small businesses.

IX. Conclusion

For the foregoing reasons, Compost Crew respectfully requests that this Board approve the Site Plan to develop the proposed limited food waste composting: commercial activity at the Property. This goal will further the County's and Compost Crew's mutual goal to divert food waste from the County's landfills for composting into a sustainable and nutrient rich alternative to fertilizer for use by County residents, farmers and small business owners.

Should you need any additional information in support of this request, please do not hesitate to contact the undersigned.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read 'Scott C. Wallace'.

Scott C. Wallace

A handwritten signature in blue ink, appearing to read 'Casey L. Cirner'.

Casey L. Cirner

cc: Ben Parry, CEO, Compost Crew, Inc.
Kristie Blumer, Senior Director, Composting, Compost Crew, Inc.
John Fearington, Smith Gardner, Inc.
Stacey Gardner, Smith Gardner, Inc.
Michele Rosenfeld, Esquire, Attorney for Appellants
Tolson DeSa, Zoning Administrator
Michael Paone, Zoning Planner 1
Katrina Anderson, Administrative Specialist
Thomas P. Sinton, Assistant County Attorney
Kathy L. Mitchell, Senior Assistant County Attorney



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April 18, 2025

VIA ELECTRONIC MAIL

(Mpaone@frederickcountymd.gov)

Shannon Bohrer, Chair
And Members of the Frederick County
Board of Appeals
30 N. Market Street
Frederick, MD 21701

Re: Appeal B277447
Site Development Plan SP 19-17 (AP SP277005 APFO277003) (“Site Plan”)
Compost Crew at Utica Bridge Farms

Dear Chair Bohrer and Members of the Board:

We represent Compost Crew, Inc., a public benefit corporation (“Compost Crew”) and the Applicant of the Site Plan for a limited food-waste composting (commercial activity) in the A District at 7245 Lakeview Road in Frederick (the “Property”) approved by the Frederick County Planning Commission (“Planning Commission”) on January 12, 2022, and reapproved on February 12, 2025.¹ On behalf of Compost Crew, we are writing to enter our appearance in the above-captioned matter and to respectfully request that the Frederick County Board of Appeals (the “Board”) hear this appeal of the Planning Commission’s February 12, 2025, decision to approve the Site Plan on the administrative record compiled before the Planning Commission.² Compost Crew’s request that this Board deny the appeal and affirm the Planning Commission’s decision on the Site Plan and its responses to the allegations in Appellants’ March 14, 2025 letter to this Board (“Appellants’ Letter”) are forthcoming.

¹ The Property has a mailing address of 10661 Stull Road, Thurmont, Maryland 21788, which is associated with the GCF Permit (defined herein).

² To the extent necessary, the Compost Crew requests that this Board consider this letter as a motion to intervene in the above-captioned matter as the applicant of the approved site development plan that is being challenged by this appeal.

However, on April 24, 2025, this Board will determine the applicable standard of review for this appeal. The Appellants request that this Board hear their appeal *de novo*, which would mean starting the process of review over from the beginning. That request is an improper attempt to introduce evidence that the Appellants could have introduced at the Planning Commission's February 12th public hearing but did not for reasons unknown to Compost Crew. In other words, they are asking for a "third bite of the apple," which is not justified in this case.³ For this and the reasons articulated below, the appropriate standard of review for this appeal is an on the record review applying the substantial evidence test that gives the appropriate deference to the Planning Commission's decision:

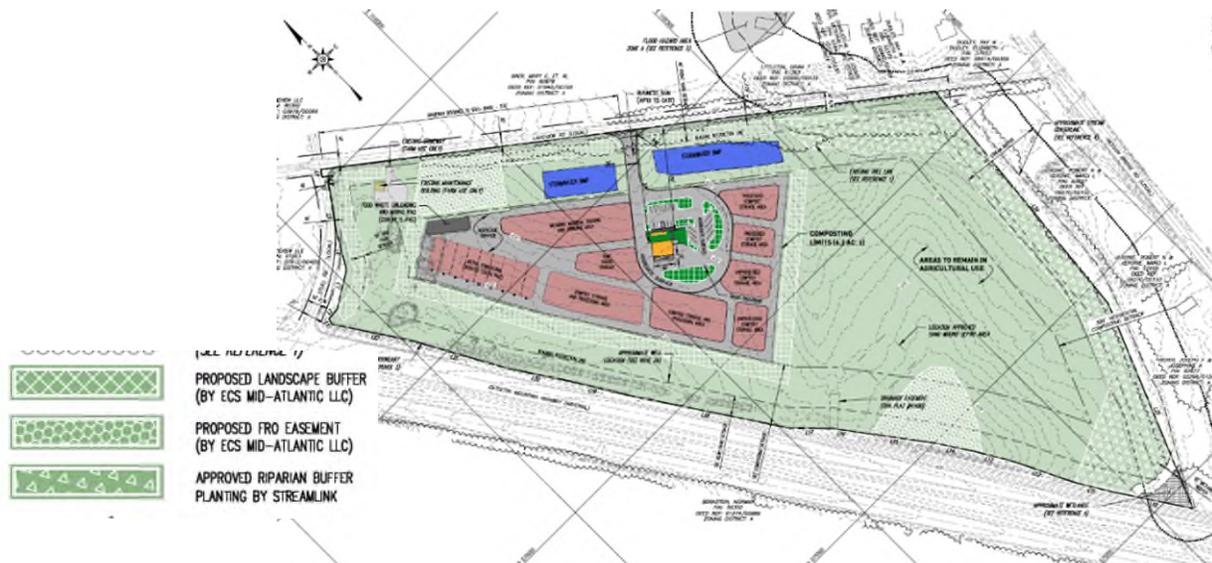
I. Project Background

On January 12, 2022, the Planning Commission approved, with conditions, the Site Plan and 3 modifications to establish a limited food-waste composting use (commercial activity) approximately 5.95 acres in size, plus access, within the Property, which is a 29-acre farm within the A District.⁴ The Property is trapezoidal in shape, bound by public roads on 3 sides – Stull Road (west), Lakeview Road (north) and Maryland Route 15 (south) – and abuts land in the A District to the east improved with 3 homes that front on and have access to Hessong Bridge Road. Since 2020, composting has been conducted on the western portion of the Property.

The approved Site Plan proposes a new Lakeview Road access, a pole barn, office, 23 parking spaces, to include 1 ADA parking space, and composting pads within the interior of the Property. The composting operations will be screened by layers of landscaping and agricultural activities, including a 35-foot-wide landscaping strip on all 4 sides of the composting operations. An additional landscape strip is proposed at and along the Stull Road frontage. Trees are located within a Forest Resource Ordinance easement on Lakeview Road, along with 1,200 trees that have been planted to reestablish the riparian buffer along part of Lakeview Road and the southern Property boundary. The remainder of the Property will remain in agricultural use as a demonstration farm applying composting best practices, all as depicted here:

³ See Section 4 below.

⁴ The requested and approved parking modifications stated: "1. The Applicant requests a variance from 1-19-6.210 to allow one (1) large loading space. Due to the nature of operations, process material and equipment may arrive on transfer trailers, which require larger unloading space than standard small loading areas. 2. The Applicant requests a variance from 1-19-6.220.A to allow 23 total parking spaces. The site will employ 12 full-time and 1 part-time personnel in addition to staging 9 company owned vehicles on-site. The proposed parking spaces will allow all 13 employees and 9 company vehicles to be parking while providing 1 additional space for visitors or accessible parking. 3. The Applicant requests a variance from 1-19-6.220.B to allow an increase in the stall dimensions for 5 parking spacing [sic]. These spaces will accommodate single-axled trucks (under 26,000 gross vehicle weight) without obstructing aisle access." In summary, the parking modifications replace the required small loading spaces with larger loading spaces to accommodate the truck sizes inherent to the composting operations, add 7 parking spaces to the 16 required parking spaces to provide parking for all the employees, which are not shift workers, and the 9 trucks to be parking on-site, and extend certain parking space lengths to avoid trucks overhanging into the drive aisle.



The approved Site Plan is a multi-million-dollar composting project to divert food scraps from the landfill for composting into a nutrient rich soil amendment for use by farmers, landscapers and residents and will supplement the existing fertilizer shortage. The Site Plan was originally captioned as Key City Compost at Utica Bridge Farms and was approved by the Planning Commission on January 12, 2022. Appellants and their counsel participated virtually and by telephone at the January 12th public hearing, cross-examining Planning Commission staff, with the applicant and property owner (Utica Bridge Farms LLC and Key City Compost) and its consultants providing direct testimony.⁵ The Planning Commission, having 6 members at the time with 2 necessarily absent, unanimously approved the Site Plan in a 4-0-0-2 vote with conditions.⁶ No appeal was taken from the Planning Commission decision.

The Site Plan was not vested before the expiration of its 3-year validity period because the improvements to Stull and Lakeview Roads required prior to building permit issuance were not completed due to lack of funding. In June 2024, prior to the expiration of the Site Plan and adequate public facilities ordinance (“APFO”) approval, Compost Crew acquired Key City Compost and related entities. In the absence of an available process to extend a site plan and

⁵ The Appellants are identified in the March 14, 2025, letter submitted in the above-captioned matter by The Law Office of Michele Rosenfeld, LLC as John and Aime St. Angelo; Zachary Matter and Victoria St. Angelo, Luke and Valerie Myers; Nicholas and Shannon St. Angelo; Christopher and Ashley St. Angelo. Those that participated in the January 12, 2022, Planning Commission public hearing are underlined. At that hearing Ms. Rosenfeld represented John and Aime St. Angelo and testified on their behalf.

⁶ On January 12, 2022, the Planning Commission was comprised of Chair Sam Tressler III, Vice-Chair Craig Hicks, Joel Rensberger, Secretary Carole Sepe, Michael Sowell and Terry Bowie. Mr. Bowie and Mr. Rensberger necessarily absent. The condition incorporates the applicant’s proffer to limit the use of the grinder during the composting process to certain times during the day and was made in response to the Appellants’ testimony.

APFO validity period, Compost Crew filed an application with the Planning Commission for reapproval of the Site Plan, 3 modifications and APFO approval.

As articulated in the Planning Commission's February 12, 2025, staff report, the Site Plan included the same 3 modification requests. No substantive changes were proposed. Only minor (ministerial) changes were made to the Site Plan to update the: (a) Site Plan name from Key City Compost at Utica Farms to Compost Crew at Utica Bridge Farms; (b) file numbers from AP-19894 and APFO-19895 to AP SP277005 and APFO A277003; (c) Site Plan General Note 1 to reference the Site Plan reapproval; (d) date, title and Compost Crew signatories for the APFO Letter of Understanding; and (e) applicant name from Utica Bridge Farms LLC to Compost Crew.

Appellants participated in person at the Planning Commission's February 12, 2025, public hearing on the Site Plan reapproval.⁷ The Planning Commission, having 7 members with 2 necessarily absent, approved the Site Plan subject to conditions, the 3 modifications and APFO in a 3-2-0-2 vote.⁸ Appellants filed an appeal of the Planning Commission's February 12th reapproval of the Site Plan.

A. The Appropriate Standard of Review of this Appeal is on the Record.

The law and facts and circumstances surrounding this Site Plan dictate that the appeal should be heard on the record with this Board giving deference to the Planning Commission's decision. For the following reasons, the substantial evidence test is the appropriate legal standard of review to apply to this appeal:

1. A De Novo Hearing is not Required.

This Board is not bound by State statute, charter, code or its rules of procedure to conduct a *de novo* hearing of this appeal. *See*, § 10-305(b), Local Gov. Art., Md. Ann. Code (the Express Powers Acts allows a county board of appeals to have original jurisdiction or jurisdiction to review the action of the Planning Commission); *Boehm v. Anne Arundel County*, 54 Md. App. 497, 507 (1983) (a purely *de novo* hearing was required on appeal because the Anne Arundel County charter expressly required the Board of Appeals to apply that standard of review). Rather, § 1-19-3.230(A) of the of the Frederick County Code ("FCC") supports a record review of the Planning Commission's decision because it requires that the Planning Commission's record, upon which it

⁷ The Appellants are identified in the March 14, 2025 letter submitted in the above-captioned matter by The Law Office of Michele Rosenfeld, LLC as John and Aime St. Angelo; Zachary Matter and Victoria St. Angelo, Luke and Valerie Myers; Nicholas and Shannon St. Angelo; Christopher and Ashley St. Angelo. Those that participated in the February 12, 2025, Planning Commission public hearing are underlined. At that hearing Ms. Rosenfeld represented John and Aime St. Angelo and testified on their behalf.

⁸ On February 12, 2025, the Planning Commission was comprised of Chair Tim Davis, Vice-Chair Mark Long, Secretary Carole Sepe, Joel Rensberger, Craig Hicks, Sam Tressler III, and Barbara Niklas. Craig Hicks and Carole Sepe necessarily absent.

rendered its decision, be transmitted to the Board. Section 1-19-3.230(D) of the FCC gives this Board authority to reverse, affirm, or amend the Planning Commission's decision on appeal, indicating that the Board may review and give deference to the Planning Commission's decision. Accordingly, Compost Crew urges this Board to review this appeal on the Planning Commission's record.

2. *A Third De Novo Hearing on the Site Plan is Unwarranted.*

The Planning Commission has already held 2 *de novo* hearings on the Site Plan. The Appellants participated in both public hearings, individually and through counsel, and therefore, a third *de novo* hearing is unwarranted and prejudicial to Compost Crew. This fact alone supports an on the record review of this appeal.

The Planning Commission held a *de novo* public hearing on the Site Plan on January 12, 2022, and February 12, 2025. Each public hearing lasted at least 2 hours. The Site Plan reviewed by the Planning Commission at both public hearings was identical, except for the nominal updates listed above. The 3 requested modifications approved at both public hearings were identical and the APFO approval was identical at both public hearings. Ultimately, the Planning Commission rendered the identical decision at both public hearings, which was to approve the Site Plan.

The Appellants participated, individually and through counsel, at both public hearings, were extended certain courtesies at both hearings, presented testimony at both public hearings, had the opportunity to present evidence and cross-examine Planning Commission staff, the Compost Crew and its witnesses at both public hearings, although cross-examination was only conducted at the January 12, 2022 public hearing.⁹ The extent of time, resources and deliberations undertaken by the Planning Commission in rendering its decision to approve the Site Plan on two separate occasions and the level of participation and opportunities afforded to Appellants at the Planning Commission's public hearings negates the need for this Board to give the Appellants a third opportunity to present "new" evidence at a public hearing on the identical Site Plan.

3. *The Planning Commission's Form of Decision does not Trigger a De Novo Hearing.*

Contrary to Appellants' argument, the Planning Commission's oral decision to approve the Site Plan at the February 12th public hearing, which included and incorporated findings of fact and conclusions of law, does not trigger a purely *de novo* hearing on this appeal. Appellants' argument improperly applies a judicial review standard to an administrative entity that is reviewing the decision of another administrative entity on appeal. Unlike this Board, there is no statutory

⁹ See Footnote 4 for those who participated in person and through counsel at the January 12, 2022, public hearing. Per the Planning Commission Meeting Minutes for January 12, 2022, the order of the Planning Commission January 12th agenda was altered to accommodate Ms. Rosenfeld's schedule in order to facilitate her participation in the public hearing. At the February 12, 2025, public hearing, Ms. Rosenfeld was provided 6 minutes of testimony, 3 minutes for each of her 2 clients (John and Aime St. Angelo).

requirement for the Planning Commission to issue written decisions. See, § 10-305(c), Local Gov. Art., Md. Ann. Code; Board Bylaws, Section V.I; Rules of Frederick County Planning Commission, Section 8.2. This is consistent with the view held by Maryland courts that when there are 2 administrative entities from a county participating in the decision, the courts will review the decision from the second entity, i.e., the final one. *Department of Health and Mental Hygiene v. Shrieves*, 100 Md. App. 283, 302 (1994) (the Court reviewed the agency’s decision that occurred subsequent to the administrative law judge’s hearing). Thus, this Board is tasked with articulating its decision for the court’s review. As a practical matter, the Planning Commission need not issue a written decision because its decision, with findings of facts and conclusions of law, which were based on the application, the staff report, and evidence presented at the public hearing, is memorialized in the February 12th public hearing video readily available amongst the County’s administrative entities and to the public.

4. *Appellants should not get a Third Bite at the Apple.*

Appellants’ request for a *de novo* hearing is clearly an inappropriate attempt to reargue their position from the February 12, 2025, public hearing before the Planning Commission. Appellants attach to or include within their March 14, 2025, letter to this Board exhibits and links to internet articles that are public records that were available to Appellants prior to the February 12th Planning Commission public hearing.

The Appellants failed to submit five of the eight exhibits attached to Appellants’ Letter (Exhibits 2, 3, 4, 5 and 6) to the Planning Commission at or before its February 12th public hearing. Exhibit 2 is a copy of the tax map that includes the Property. Exhibits 3-5 relate to the General Composting Facility Permit issued by the Maryland Department of Environment for composting at the Property (“GCF Permit”). Exhibit 6 includes letters dated June and July 2024 from the Frederick County Rustic Roads Commission on the Hessong Road Bridge improvements. The two internet articles on composting in footnotes 4 and 5 were authored prior to February 12, 2025, one having a 1996 copyright date and the other being almost 10 years old.

It is not the substance of these Exhibits or articles that concern Compost Crew. It is the Appellants’ blatant attempt to circumvent the Planning Commission’s authority to approve site plans by submitting evidence to this Board that they had available but failed to submit to the Planning Commission. In fact, Appellants submit Exhibits 3-5 to support their erroneous assertion that Compost Crew cannot operate under the GCF Permit. However, Compost Crew acquired 100% of the equity of the MDE permit holder, Resolution Solutions, LLC. Therefore, in accordance with Paragraph C on the last page of Exhibit 5, that corporate acquisition negates the need to transfer the MDE permit.

Appellants alleged at the February 12th Planning Commission public hearing that Stull Road and Lakeview Road are rural roads but did not submit Exhibit 6 into the record or request the Planning Commission take “administrative notice” thereof. Regardless, Stull Road is not a rustic road. Rustic Roads are designated by the Frederick County Council. Stull Road is on the list of candidate roads that may be considered in the future for designation by the County Council

as Rustic Roads, but it is not a Rustic Road. And Lakeview Road is not a rustic road or even a candidate road. In addition, the Rustic Roads Commission has authority to remove any road from the candidate list. A *de novo* hearing on the appeal is fundamentally unfair to Compost Crew because it enables the Appellants to submit evidence that it could have but did not submit into the Planning Commission's record.

5. *The Planning Commission Approved the Site Plan Twice.*

Appellants allege that the Planning Commission's application of the doctrine of impermissible change of mind resulted in its approval of the Site Plan on February 12, 2025. The Compost Crew believes that the doctrine of impermissible change of mind was applicable to the Planning Commission's February 12th decision on the Site Plan application and that there is no "new" evidence preventing its application thereto. However, the Planning Commission did not seem to apply the doctrine. Rather, the Planning Commission carefully considered the substance of the application, testimony presented and applicable law before it and decided to approve the Site Plan again. That is evidenced by the Planning Commission's vote to approve the Site Plan, which was a vote of 3-2-0-2, where one of the members who voted to approve the Site Plan on January 12, 2022, voted to deny the Site Plan on February 12, 2025. Therefore, Appellants' argument that the doctrine of impermissible change of mind requires a *de novo* hearing of this appeal is misplaced.

B. Appellants are Collaterally Estopped from Challenging Certain Aspects of the Planning Board's Decision.

Setting aside Appellants' request for a *de novo* hearing, Appellants are collaterally estopped from asserting that there is a lack of affirmative evidence to satisfy §§ 1-19-8.408(D), (G), (J) and (K) of the FCC in Paragraphs 1 - 4 of Appellants' Letter because these issues were finally decided by the Planning Commission on January 12, 2022. Collateral estoppel prevents a party from relitigating an issue that was previously decided in a dispute involving the same parties. *Garrity v. Maryland State Bd. Of Plumbing*, 447 Md. 359, 369 (2016). The supporting judicial policy is "...that a losing litigant deserves no rematch after a defeat fairly suffered, in adversarial proceedings, on an issue identical in substance to the one he subsequently seeks to raise." *Department of Human Resources v. Thompson*, 103 Md. App. 175, 194 (1995). Collateral estoppel is traditionally applied when the following 4-prong test is met:

1. Was the issue decided in the prior adjudication identical with the one presented in the action in question?
2. Was there a final judgment on the merits?
3. Was the party against whom the plea is asserted a party or in privity with a party to the prior adjudication?

4. Was the party against whom the plea is asserted given a fair opportunity to be heard on the issue?

Garrity, 447 Md. at 369.

The first prong of the collateral estoppel test is met if the issue in the first proceeding is “identical” to the issue in the second or third proceeding. *Batson v. Shiflett*, 325 Md. 684, 706 (1992) (“[u]nder [] Maryland law, the principle of collateral estoppel should only be applied where the *identical* issue sought to be relitigated was actually determined in the earlier proceeding”) (emphasis added). Appellants argued at the first Planning Commission proceeding held on January 12, 2022, that the Site Plan application lacked affirmative evidence from the applicant to support a determination that it will meet §§ 1-19-8.408(D), (G), (J) and (K) of the FCC.¹⁰ Specifically, Appellants argued that the notes on the Site Plan attesting compliance with §§ 1-19-8.408(D), (J) and (K) of the FCC were inadequate and that affirmative evidence demonstrating compliance therewith was necessary. Appellants also argued that Compost Crew did not provide evidence to satisfy § 1-19-8.408(G) of the FCC related to vehicle circulation. In response thereto, Planning Commission staff stated and restated that it is typical that site plan applicants commit to compliance with various zoning requirements through site plan notes where compliance cannot be demonstrated on the site plan. *See*, Composting Notes, Site Plan, Sheet SP2. Staff further advised that following construction and/or implementation of the site plan approved use, if the zoning requirements are not met, it becomes a County enforcement action, potentially prompting an investigation, mitigation of any alleged zoning violation and/or an enforcement action. Staff also testified that the vehicle circulation proposed by the Site Plan met § 1-19-8.408(G) of the FCC. The Planning Commission accepted its staff’s response and approved the Site Plan. No appeal of that Planning Commission decision ensued, rendering its decision final. Appellants appear not to have raised these arguments at the February 12, 2025, public hearing.

Appellants raise the same exact arguments in Appellants’ Letter. However, no “new” evidence set forth in Appellants’ Letter changes the fact that §§ 1-19-8.408(D), (J) and (K) of the FCC must be met through notes on the site plan. Here, the requirements are met through the Composting Notes on the Site Plan that bind Compost Crew to compliance with §§ 1-19-8.408(D), (J) and (K) of the FCC. Moreover, there is no “new” evidence contradicting that the vehicular circulation proposed by the Site Plan satisfies § 1-19-8.408(G) of the FCC.

¹⁰ § 1-19-8.408(D) of the FCC states that “[l]imited food waste composting activities and operations shall not cause any odor, dust, smoke, vibration, or unreasonable noise which can be detected at or beyond any property line.” § 1-19-8.408(G) of the FCC states that “[t]he applicant shall submit a vehicle circulation plan indicating that adequate turn radius is provided both to and from the subject property. Adequate space for the safe movement of all proposed vehicles and equipment being utilized on site shall be provided.” § 1-19-8.408(J) of the FCC states that “[a]ll materials at the limited food waste composting facility shall be sorted and processed in a manner that prevents harboring or breeding of insects or animals, and prevents creation of odor, litter, or other nuisances that may be harmful to the public health or the environment.” § 1-19-8.408(K) “[a]ll incoming materials associated with food waste must be incorporated into the composting processes within 24 hours. Liquids must be controlled to prevent run off during offloading, storage, and processing of all received wastes.”

With regard to prong 2 of the collateral estoppel test, Maryland courts will “[] grant an agency decision preclusive effect for purposes of collateral estoppel upon satisfaction of the three-part test arising from *Exxon Corp. v. Fischer*, 807 F.2d 842, 845-46 (9th Cir. 1987), referred to as the Exxon Test.” *Garrity*, 447 Md. at 380. The Exxon Test is met when: “(a) the agency acted in a judicial capacity; (2) the issue presented to the fact finder in the second proceeding was fully litigated before the agency; and (3) resolution of the issue was necessary to the agency’s decision.” *Id.*, citing, *Batson*, 325 Md. at 701.

The Exxon Test is satisfied because the Planning Commission acted in a judicial capacity by holding a quasi-judicial public hearing on January 12, 2022, where it heard and received testimony and evidence from the parties and cross-examination was conducted. The issue of compliance with §§ 1-19-8.408(D), (G), (J) and (K) of the FCC was fully litigated. The Appellants’ counsel presented direct testimony on the issue and cross-examined Planning Commission staff on the issue. Planning Commission staff provided direct testimony on multiple occasions during the hearing to refute Appellants’ assertion. After given due consideration to the evidence of record, the Planning Commission approved the Site Plan and Appellants did not take an appeal of that decision. As a result, the Planning Commission’s decision is final. It was necessary to the Planning Commission’s decision to resolve the issue of Site Plan compliance with §§ 1-19-8.408(D), (G), (J) and (K) of the FCC because they are zoning requirements applicable to the Site Plan.

Prongs 3 and 4 of the collateral estoppel test are also met because the Appellants, against whom collateral estoppel is being asserted, participated in the January 12, 2022, public hearing. *Bank of New York Mellon v. Georg*, 456 Md. 616 (2017), citing *Mathews v. Cassidy Turley Md., Inc.*, 435 Md. 584, 628 (2013) (“[f]or purposes of collateral estoppel, an analysis of privity ‘focuses on whether the interests of the party against whom estoppel is sought were fully represented, with the same incentives, by another party in the prior matter’”). Appellants’ participation included direct testimony on their assertion that the Site Plan must demonstrate compliance with §§ 1-19-8.408(D), (J) and (K) of the FCC through affirmative evidence other than the Site Plan notes, that the Site Plan did not comply with the vehicle circulation requirements set forth in § 1-19-8.408(G) of the FCC, and an opportunity to cross-examine Planning Commission staff. They even participated in the February 12th public hearing. Accordingly, Appellants are collaterally estopped from arguing that the Site Plan approval was in error because it includes the Composting Notes committing Compost Crew to the continuing obligations to comply with §§ 1-19-8.408(D), (J) and (K) of the FCC and that the Site Plan lacks evidence to support compliance with § 1-19-8.408(G) of the FCC.

C. Conclusion

For the foregoing reasons, Compost Crew respectfully requests that this Board conduct an on the record review of this appeal. Compost Crew appreciates your consideration of this request to review the Planning Commission's decision on the record pursuant to the substantial evidence test. Should you need any additional information in support of this request, please do not hesitate to contact the undersigned.

Very Truly Yours,



Casey L. Cirner



Scott C. Wallace

cc: Ben Parry, CEO, Compost Crew, Inc.
Kristie Blumer, Senior Director, Composting, Compost Crew, Inc.
Michele Rosenfeld, Esquire, Attorney for Appellants
Tolson DeSa, Zoning Administrator
Michael Paone, Zoning Planner 1
Katrina Anderson, Administrative Specialist
Thomas P. Sinton, Assistant County Attorney
Kathy L. Mitchell, Senior Assistant County Attorney



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Scott C. Wallace
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April 24, 2025

Shannon Bohrer, Chair
And Members of the Frederick County
Board of Appeals
30 N. Market Street
Frederick, MD 21701

Re: Appeal B277447 - Site Development Plan SP 19-17 (AP SP277005 APFO277003) (“Site Plan”)
Compost Crew at Utica Bridge Farms
Response to Appellants’ April 21, 2025, 4:49 p.m. Filing (“Appellants’ Letter”)

Dear Chair Bohrer and Members of the Board:

Compost Crew, Inc., a Benefit Corporation (“Compost Crew”) asserts that the erroneous allegations set forth in Appellants’ Letter do not warrant a *de novo* hearing because:

- **The Planning Commission correctly interpreted the scope of its statutory authority in approving the Site Plan.**
- **Compost Crew did not make misrepresentations or mislead the Planning Commission at its February 12, 2025, public hearing (“2025 Hearing”).**
 - Maryland Department of Environment (“MDE”) has oversight of the environmental concerns raised by Appellants through the composting permits, including approved Composting Facility Permit (2021-CGF-0023) “CF Permit.”
 - The CF Permit approves the tonnage of feedstock (e.g. food scraps) to be received and the amount of compost to be generated onsite and remains valid because Key City Compost is a trade name for Resolution Solutions, LLC, which was acquired by Compost Crew.
 - Kristie Blumer, Senior Director, Composting, Compost Crew testified at the 2025 Hearing that Compost Crew “...would need from [MDE] multiple pieces of permits and preapprovals for the site to make sure that we are operating safely for everyone” See, 2025 Hearing video at 6:28:40 https://frederick.granicus.com/MediaPlayer.php?view_id=10&clip_id=10185
 - This includes updating the CF Permit and the associated Composting Facilities Operations Plan with the Site Plan.
 - Compost Crew engaged directly with MDE following receipt of the October 4, 2024, inspection report because MDE had not previously requested an industrial stormwater permit for on-farm composting on this site. Ultimately, on April 9, 2025, Compost Crew received MDE approval of the Industrial Stormwater Permit (20SW3922) that was filed on March 12, 2025. This permit application was pending with MDE during its March 18, 2025, inspection, as referenced in attachment 3 (p. 1) to Appellants’ Letter.
- **Appellants’ Letter asserts no new evidence.**
 - Appellants were aware of MDE’s oversight of composting activities as of the January 12, 2022, Planning Commission public hearing and again, failed to submit any related information at the 2025 Hearing. See, 2022 Public Hearing Video at 5:04:21 at

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Shannon Bohrer, Chair
And Members of the Frederick Co. Board of Appeals
April 24, 2025
Page 2



https://frederick.granicus.com/MediaPlayer.php?view_id=10&clip_id=8547.

The foregoing negates the allegations set forth when reviewing Appellants' Letter therein, as well as the request for a *de novo* hearing. For this reason, Compost Crew respectfully requests that this Board conduct an on the record review of this appeal.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read 'Casey L. Cirner'.

Casey L. Cirner

A handwritten signature in blue ink, appearing to read 'Scott C. Wallace'.

Scott C. Wallace

cc: Ben Parry, CEO, Compost Crew, Inc.
Kristie Blumer, Senior Director, Composting, Compost Crew, Inc.
Michele Rosenfeld, Esquire, Attorney for Appellants
Tolson DeSa, Zoning Administrator
Michael Paone, Zoning Planner 1
Katrina Anderson, Administrative Specialist
Thomas P. Sinton, Assistant County Attorney
Kathy L. Mitchell, Senior Assistant County Attorney

Cirner, Casey L.

From: Cirner, Casey L.
Sent: Wednesday, May 21, 2025 9:28 AM
To: Kathy L. Mitchell (kmitchell2@frederickcountymd.gov); Green, Joe; Sinton, Thomas; DeSa, Tolson
Cc: Wallace, Scott C.; Ben Parry; Kristie Blumer
Subject: Compost Crew - NOV

Dear Tolson,

Thanks to you, Kathy Mitchell, Joe Green and Tom Sinton for meeting with Ben Parry, Kristie Blumer and me on May 8, 2025, to discuss the Courtesy Notice of Violation dated April 21, 2025 (“NOV”) issued in relation to the composting operations at 7245 Lakeview Road in Frederick.

I want to reiterate that Compost Crew is working towards zoning compliance with the NOV by moving the compost on the Property to meet the 150-foot setback from the Property lines as set forth in § 1-19-8.408(E) of the Frederick County Code (“FCC”). As mentioned, the compost is already 150 feet from the Lakeview Road boundary, which we understand Mr. Green will verify at his May 22nd follow inspection. However, the process to reestablish the 150-foot setback from the Stull Road and US 15 Property lines will require an additional 2-3 months beyond the May 22, 2025 compliance date in the NOV. During that time, we offer to provide monthly updates to record Compost Crew’s progress should you find that beneficial.

This time estimate is less than originally anticipated because the on-site crew expedited moving the active compost piles to comply with the NOV. Compost Crew’s progress on the 150’ setback requirement is visually apparent, as Mr. Green will see when he’s onsite this week. However, this is not yet fully representative of the final setback as the compost operations will continue to shift over the next few months as Compost Crew finalizes the reestablishment of the 150 foot setbacks. The additional projects Compost Crew is working on to finalize the compost locations are, as described below.

1. Add the appropriate all-weather pad for safe compost management and storm water gradient. This is best practice but also required by the State (MDE). Prior to receiving the NOV, Compost Crew had reduced the amount of truck traffic to and from the Property in response to concerns raised by the St. Angelo family and therefore, woodchips deliveries were infrequent. We appreciate you confirming that FCC § 1-19-8.408 does not restrict the truck traffic to and from the Property for the current agricultural limited food waste composting operations because Compost Crew was able to ramp up woodchip deliveries in preparation to move the compost. Due to the impacts to trees within the County from recent storms, Compost Crew has been able to get enough woodchips for a site pad to move a good portion of the active compost to the 150’ setback to safely manage. However, Compost Crew will need to source more woodchips to extend the site pad to move the compost further into the field to make room for the finished compost. Woodchips are also needed and will be added to the access roads and aisles for further movement of the compost.

2. Rotate and sift the piles of cured compost material. This will cause the compost piles to be temporarily within the 150’ setback prior to being moved offsite.

3. Move the finished compost and carbon storage areas. Compost Crew prioritized relocation of the active compost piles and therefore the finished compost is still on the highest point of the site for proper storage and to make it accessible for distribution. The carbon storage is being actively received and will be moved continuously, but Compost Crew is working on creating a more substantial area to receive woodchips outside the 150' foot setback.

It is important to note that Compost Crew has not processed fresh food scraps at the site for about a month to focus on adjusting the site per State and County requirements. The food scraps have been diverted to partner food scrap recycling and composting facilities in Maryland and Virginia. Eventually, Compost Crew will recommence processing new food scraps once it has addressed the NOV and has more carbon feedstock for composting.

Finally, we understand from our discussions that the NOV does not require Compost Crew to reduce its operational footprint at the Property as it operates as a limited food waste composting: agricultural activity, which is allowed up to 5 acres in size. See, FCC § 1-19-8.408(A)(2). The NOV does not mention the remaining trailer left onsite by the Property owner, but as discussed, Compost Crew is working towards having that removed and has advertised it for free pick up. We also appreciate you confirming that FCC § 1-19-8.408 does not deter Compost Crew's educational tours and activities at the Property.

Compost Crew intends to bring its operations at the Property into compliance with the 150-foot setbacks as quickly as it can and appreciates your assistance and patience as it moves forward.

Should you have any questions or concerns, as always, do not hesitate to contact me and we look forward to your response.

Regards,
Casey

Casey L. Cirner (She/Her/Hers)

Principal

11 N. Washington Street | Suite 700 | Rockville, MD 20850-4229

D: +1 301.517.4817 | C: +1 301.642.3450 | F: +1 301.841.7986



vCard | ccirner@milesstockbridge.com



COMPOST CREW AT UTICA BRIDGE FARMS

MONDAY - SATURDAY
7:00 AM - 6:00 PM
7245 LAKEVIEW ROAD



EMERGENCY CONTACT
KRISTIE BLUMER
PHONE: (301) 202-4450

BUSINESS SIGN
N.T.S.

LINE TABLE (REFERENCE 2)		
LINE #	DIRECTION	LENGTH
L1	S16° 37' 06"W	15.50'
L2	S86° 16' 57"W	30.14'
L3	S58° 11' 10"W	100.67'
L4	S30° 05' 22"W	102.52'
L5	S39° 51' 24"W	97.49'
L6	S30° 05' 06"W	15.03'
L7	S75° 08' 30"W	22.45'
L8	S52° 29' 26"E	25.90'
L9	S39° 03' 37"W	18.29'
L10	S33° 26' 25"E	204.04'
L11	S30° 34' 40"E	100.13'

LINE TABLE (REFERENCE 2)		
LINE #	DIRECTION	LENGTH
L12	S25° 50' 44"E	151.33'
L13	S30° 34' 40"E	100.13'
L14	S33° 26' 25"E	100.00'
L15	S36° 52' 26"E	200.36'
L16	S36° 52' 26"E	50.09'
L17	S44° 45' 00"E	101.98'
L18	S33° 26' 25"E	400.00'
L19	S31° 31' 53"E	150.08'
L20	S33° 26' 25"E	150.00'
L21	S28° 51' 58"E	250.00'
L22	S33° 26' 25"E	197.00'

LIFE AND SAFETY NOTES

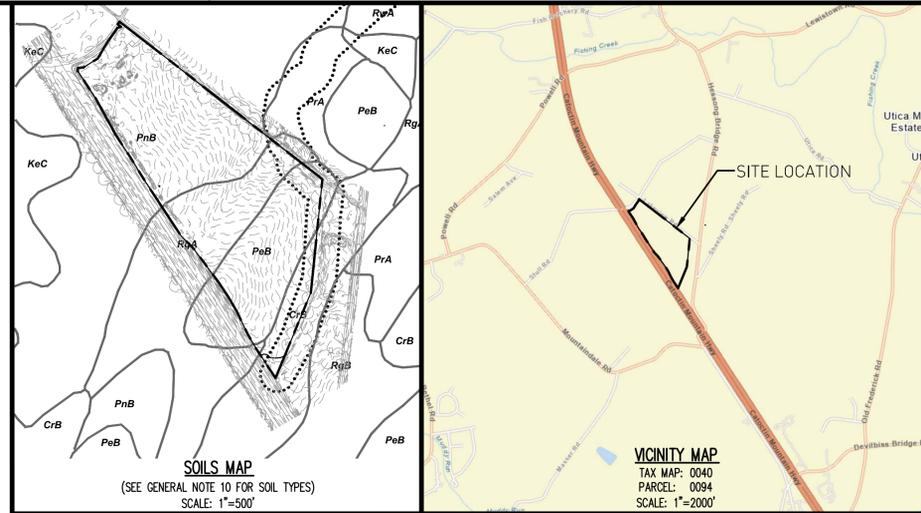
- PREMISES IDENTIFICATION SHALL BE COMPLIANT WITH FREDERICK COUNTY ORDINANCE 05-01-362. THIS INCLUDES THAT DESIGNATION OF THE ADDRESS SHALL BE INCORPORATED IN ALL MONUMENTAL OR SITE SIGNS.
- FIRE DEPARTMENT AND EMERGENCY RESPONSE ACCESS ROADS SHALL BE ACCESSIBLE DURING ALL TYPES OF WEATHER AND AT ALL TIMES.
- FIRE DEPARTMENT AND EMERGENCY RESPONSE ACCESS ROADS SHALL HAVE AN UNOBSTRUCTED WIDTH OF 20 FEET.
- FIRE DEPARTMENT AND EMERGENCY RESPONSE ACCESS ROADS SHALL HAVE AN UNOBSTRUCTED VERTICAL CLEARANCE OF NOT LESS THAN 13'-6".
- FIRE DEPARTMENT AND EMERGENCY RESPONSE ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS AND SHALL BE PROVIDED WITH A DURABLE ALL-WEATHER DRIVING SURFACE.
- EACH COMMERCIAL BUILDING SHALL HAVE AN ACCESS BOX (KNOX BOX) FOR FIRE DEPARTMENT USE AT THE MAIN ENTRANCE.

REFERENCES

- EXISTING TOPOGRAPHY PROVIDED BY CME ENGINEERING, DATED FEBRUARY 8, 2021.
- BOUNDARY SURVEY INFORMATION PREPARED BY EXACTA LAND SURVEYORS DATED MARCH 22, 2019.
- SURROUNDING PARCEL BOUNDARY INFORMATION OBTAINED FROM FREDERICK COUNTY GIS.
- WETLAND AND STREAM DELINEATION PREPARED BY ENVIRONMENTAL SYSTEMS ANALYSIS, INC. DATED FEBRUARY 12, 2019.
- FLOOD HAZARD AREAS AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP (FIRM) NO. 24021C045D, EFFECTIVE SEPTEMBER 19, 2007.

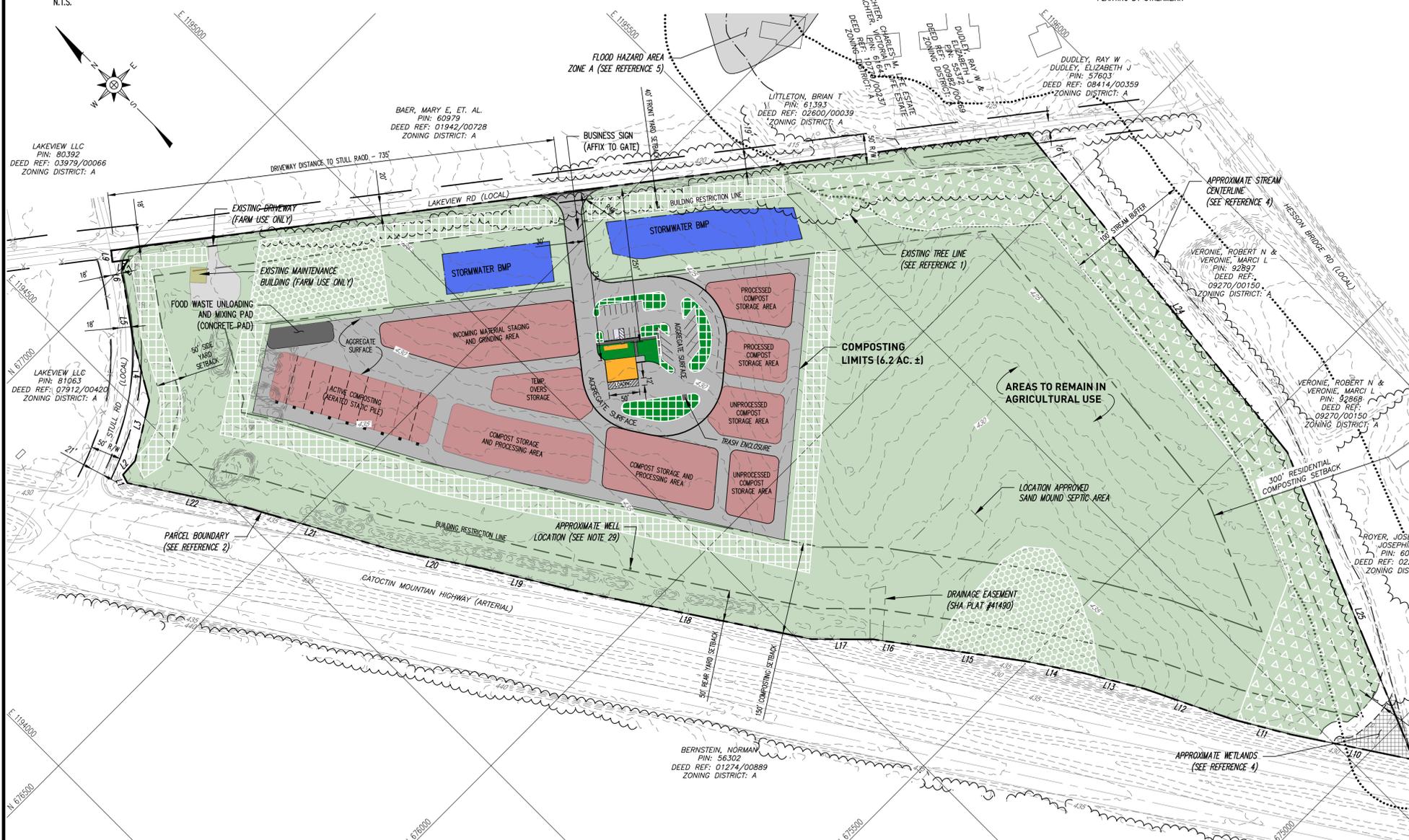
LEGEND

- EXISTING 10' CONTOUR (SEE REFERENCE 1)
- EXISTING 2' CONTOUR
- PARCEL BOUNDARY (SEE REFERENCE 2)
- APPROXIMATE ADJACENT PARCEL BOUNDARY (SEE REFERENCE 3)
- APPROXIMATE STREAM LOCATION (CENTERLINE) (SEE REFERENCE 4)
- 100' STREAM BUFFER
- EXISTING CATTLE FENCE
- FLOOD HAZARD AREA ZONE A (SEE REFERENCE 5)
- APPROXIMATE WETLANDS (SEE REFERENCE 4)
- 25' WETLANDS BUFFER
- COMPOSTING SETBACK
- PROPERTY SETBACKS
- EXISTING TREE LINE (SEE REFERENCE 1)
- PROPOSED LANDSCAPE BUFFER (BY ECS MID-ATLANTIC LLC)
- PROPOSED FRO EASEMENT (BY ECS MID-ATLANTIC LLC)
- APPROVED RIPARIAN BUFFER PLANTING BY STREAMLINK



GENERAL NOTES

- PROPOSED USE: THIS TYPE I SITE PLAN IS BEING RESUBMITTED AS THE EXISTING APPROVAL EXPIRES ON JANUARY 12, 2025 COMPOST CREW WILL DEVELOP A LIMITED FOOD WASTE COMPOSTING FACILITY OPERATING AS A COMMERCIAL ACTIVITY; A PERMITTED USE SUBJECT TO SITE DEVELOPMENT PLAN APPROVAL IN THE FREDERICK COUNTY CODE OF ORDINANCES. THE FACILITY IS PERMITTED WITH THE MARYLAND DEPARTMENT OF THE ENVIRONMENT AS A TIER 2 SMALL COMPOST FACILITY WHICH CAN PRODUCE UP TO 10,000 CUBIC YARDS PER YEAR OF COMPOST.
- THE PROPERTY IS LOCATED AT 7245 LAKEVIEW ROAD, THURMONT, MARYLAND 21788
- LIBER 15016 / FOLIO 00491
- THE PROPERTY IS LOCATED WITHIN THE AGRICULTURE (A) ZONING DISTRICT
- THE PROPERTY IS IDENTIFIED AS AGRICULTURAL / RURAL IN THE COMPREHENSIVE PLAN
- THE PROPERTY IS WITHIN THE MOUNTAINDALE PLANNING REGION.
- THERE IS 'NO PLANNED SERVICE' IN THE FREDERICK COUNTY WATER AND SEWER PLAN.
- THE PROPERTY LIES WITHIN 'ZONE X' OF THE FLOOD INSURANCE RATE MAP NO. 24021C045D PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), EFFECTIVE SEPTEMBER 19, 2007.
- THERE IS ONE EMERGENT WETLAND LOCATED ALONG THE SOUTHERN BOUNDARY OF THE PROPERTY, IDENTIFIED IN A FEBRUARY 12, 2019 REPORT BY ENVIRONMENTAL SYSTEMS ANALYSIS, INC.
- SOIL TYPES WITHIN THE PROPERTY ARE:
CRB - CROTON-ABBOTTSTOWN SILT LOAMS, 3 TO 8 PERCENT SLOPES
PNB - PENN SILT LOAM, 3 TO 8 PERCENT SLOPES
PEB - PENN CHANNERY LOAM, 3 TO 8 PERCENT SLOPES
RGA - READINGTON SILT LOAM, 0 TO 3 PERCENT SLOPES
- LOT DIMENSIONS
REQUIRED: 5 ACRES, 28 ACRES
PROPOSED: 29 ACRES, 1,550 FEET
LOT WIDTH: 300 FEET, 1,550 FEET
- AREA SUMMARY
PROPERTY: 29.0± ACRES
COMPOST OPERATIONS AREA: 6.2± ACRES
- SETBACKS
FRONT YARD: 40 FEET
SIDE YARD: 50 FEET
REAR YARD: 50 FEET
- HOURS OF OPERATION: 7:00 AM - 6:00 PM MONDAY - SATURDAY
OPERATIONS MAY LIMIT THESE HOURS BASED ON THROUGHPUT OF THE COMPOST PROCESS OR DURING PERIODS OF SHORT DAYLIGHT HOURS.
- BUILDING HEIGHT
MAXIMUM HEIGHT: 30 FEET
PROPOSED OFFICE: 13.5 FEET (ONE-STORY)
PROPOSED POLE BARN: 24 FEET (ONE-STORY, TO RIDGE OF ROOF)
GROSS FLOOR AREA: 2,120 SQUARE FEET
- THIS DEVELOPMENT IS PROJECTED TO GENERATE BETWEEN 6 AND 50 TOTAL VEHICLE TRIPS DURING THE HIGHEST DAILY PEAK HOUR OF THE ADJACENT STREET TRAFFIC, AND IS THEREFORE EXEMPT FROM APFO ROADS TESTING (81-20-12(H)) AS OUTLINED IN THE ATTACHED LETTER OF UNDERSTANDING (LOU). THE DEVELOPMENT IS PROJECTED TO GENERATE 18 AM AND 18 PM WEEKDAY PEAK HOUR TRIPS.
EXPECTED VEHICULAR TRIPS
WEEKDAY AM PEAK: 18 TOTAL TRIPS
WEEKDAY PM PEAK: 18 TOTAL TRIPS
- THE MAXIMUM NUMBER OF EMPLOYEES IS 13.
- THE MAXIMUM NUMBER OF BUSINESS VEHICLES STORED ON SITE IS 9.
- PARKING AS REQUIRED BY 1-19-6.220.A.4 FOR ALL INDUSTRIAL USE AND SOLID WASTE OPERATION REQUIRED PARKING: 13 EMPLOYEES/2+ 9 VEHICLES = 16 SPACES
PARKING PROVIDED: 17 SPACES AND 1 HANDICAP SPACE, 23 TOTAL
- LOADING
REQUIRED: 1 SMALL LOADING SPACE FOR TOTAL BUILDING FLOOR AREA OVER 1,000 SF AND LESS THAN 5,000 SF.
PROVIDED: 1 LARGE LOADING SPACE, 12 FEET BY 50 FEET.
- NO BICYCLE PARKING IS REQUIRED.
- IMPERVIOUS SURFACE
EXISTING: 5,800 SF (0.4%)
PROPOSED: 267,900 SF (21.2%)
TOTAL: 273,700 SF (21.6%)
- ALL LANDSCAPING SHALL BE MAINTAINED IN A LIVING CONDITION.
- STORMWATER MANAGEMENT WILL BE PROVIDED IN ACCORDANCE WITH MARYLAND'S STORMWATER MANAGEMENT ACT OF 2007.
- A COMBINED PRELIMINARY/FINAL FOREST CONSERVATION PLAN HAS BEEN SUBMITTED UNDER AP 19896. FRO MITIGATION IS PROPOSED TO BE PROVIDED BY ON-SITE AFFORESTATION PLANTING AND LANDSCAPE CREDIT. FRO MITIGATION PROVIDED PRIOR TO APPLYING FOR GRADING OR BUILDING PERMITS, AND PRIOR TO ANY EARTH DISTURBANCE.
- THE OWNER/DEVELOPER SHALL SCHEDULE AND HOLD A PRE-CONSTRUCTION MEETING WITH THE ENVIRONMENTAL COMPLIANCE SECTION OF THE DIVISION OF PLANNING AND PERMITTING PRIOR TO ANY EARTH OR SITE DISTURBANCE.
- SIGNAGE AS REQUIRED BY 1-19-6.320 FOR BUSINESS IDENTIFICATION WITHIN THE RC OR A DISTRICTS' MAXIMUM SIZE: 25 SQUARE FEET, 15 FEET HIGH
PROPOSED SIZE: 24 SQUARE FEET, 8 FEET HIGH
- THE SITE WILL NOT HAVE ANY POLE MOUNTED FIXTURES AND WILL SUPPLY ONE (1) WALL PACK FIXTURE MOUNTED ABOVE THE DOOR TO THE TRAILER FOR SAFETY PURPOSES. ALL LIGHTING WILL BE DOWNWARD FACING TO PREVENT GLARE AND LIGHT TRESPASS TO ADJACENT PROPERTIES.
- EXISTING WELL WILL BE CONVERTED TO COMMERCIAL USE PRIOR TO COMPOST OPERATIONS.
- TRASH WILL BE DISPOSED IN A DUMPSTER LOCATED WITHIN THE TRASH ENCLOSURE AND COLLECTED BY A PRIVATE HAULER.
- MODIFICATION REQUEST:
A. THE APPLICANT REQUESTS A VARIANCE FROM 1-19-6.210 TO ALLOW A LARGE LOADING SPACE. THE APPLICANT MAY RECEIVE PROCESS MATERIALS OR EQUIPMENT ON TRANSFER TRAILERS AND A LARGE LOADING SPACE WILL ALLOW THESE VEHICLES TO UNLOAD AND WOULD BE MORE ADEQUATE FOR THE PROPOSED USE THAN A SMALL LOADING SPACE.
B. THE APPLICANT REQUESTS A VARIANCE FROM 1-19-6.220.A TO ALLOW 23 TOTAL PARKING SPACES. THE SITE WILL EMPLOY 12 FULL-TIME AND 1 PART-TIME PERSONNEL AND WILL MAINTAIN 9 COMPANY OWNED VEHICLES ON-SITE. THE PROPOSED PARKING SPACES WILL ALLOW ALL 13 EMPLOYEES AND 9 COMPANY VEHICLES TO BE PARKED WHILE MAINTAINING ONE (1) ADDITIONAL PARKING SPACE FOR VISITORS OR ACCESSIBLE PARKING.
C. THE APPLICANT REQUESTS A VARIANCE FROM 1-19-6.220.B TO ALLOW AN INCREASE IN STALL DIMENSIONS FOR FIVE (5) PARKING SPACES. THESE SPACES PROPOSED WILL ALLOW SINGLE AXLE TRUCKS (LESS THAN 26,000 GROSS VEHICLE WEIGHT) TO PARK WITHOUT BLOCKING AISLES.



PERMIT ISSUE NOT FOR CONSTRUCTION



FILE #: SP19-17
A/P #: 277005
DUE DATE:

PREPARED FOR:
COMPOST CREW
AT UTICA BRIDGE FARMS

PREPARED BY:
NC LIC. NO. F-1370 (ENGINEERING)
SC COA NO. C01488
SMITH+GARDNER
ENGINEERS
14 N. Boylan Avenue, Raleigh NC 27603 | 919.828.0577
1526 Richland St., Columbia SC 29201

SEAL
Signed by:
Stacy A. Smith
Professional Engineer
2/22/2025
STATE OF MARYLAND
PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

REV.	DATE	DESCRIPTION
1	12/19/24	RESPONSE TO FREDERICK CO. COMMENTS, 12/6/2024.
2	2/21/25	APPLICANT CONTACT UPDATE.

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PROJECT TITLE:
**COMPOST CREW AT
UTICA BRIDGE FARMS**

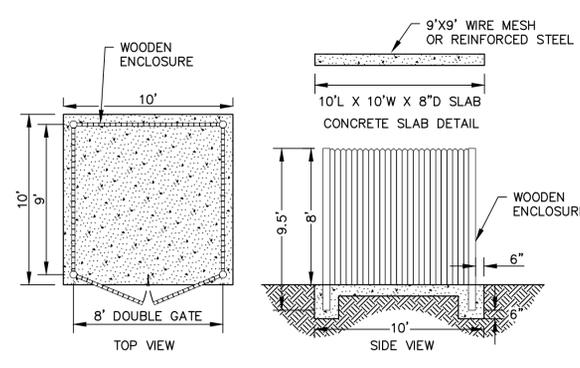
SITUATED AT 7245 LAKEVIEW ROAD

FREDERICK COUNTY COUNCIL
ELECTION DISTRICT NO. 5

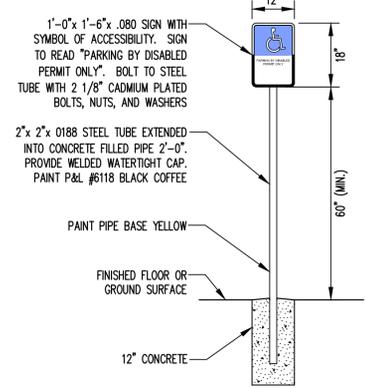
FREDERICK COUNTY, MARYLAND

DRAWING TITLE:
**TYPE I SITE PLAN
SITE OVERALL
SP 277005
APFD A277003
FRO 19896**

DESIGNED	J.R.F.	PROJECT NO.	COMPOST CREW 24-1
DRAWN	C.T.S.J.	SCALE	AS SHOWN
APPROVED	[Signature]	DATE	MARCH 2021
TITLENAME	CCREW-00001	DRAWING NUMBER	
SHEET NUMBER	2	DRAWING NUMBER	SP1



TRASH ENCLOSURE
N.T.S.



ACCESSIBLE PARKING SPACE SIGN
N.T.S.

- REFERENCES**
- EXISTING TOPOGRAPHY PROVIDED BY CMC ENGINEERING, DATED FEBRUARY 8, 2021.
 - BOUNDARY SURVEY INFORMATION PREPARED BY EXACTA LAND SURVEYORS DATED MARCH 22, 2019.
 - SURROUNDING PARCEL BOUNDARY INFORMATION OBTAINED FROM FREDERICK COUNTY GIS.
 - WETLAND AND STREAM DELINEATION PREPARED BY ENVIRONMENTAL SYSTEMS ANALYSIS, INC. DATED FEBRUARY 12, 2019.
 - FLOOD HAZARD AREAS AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP (FIRM) NO. 24021C0450, EFFECTIVE SEPTEMBER 19, 2007.

- LEGEND**
- EXISTING 10' CONTOUR (SEE REFERENCE 1)
 - EXISTING 2' CONTOUR
 - PARCEL BOUNDARY (SEE REFERENCE 2)
 - APPROXIMATE ADJACENT PARCEL BOUNDARY (SEE REFERENCE 3)
 - APPROXIMATE STREAM LOCATION (CENTERLINE) (SEE REFERENCE 4)
 - 100' STREAM BUFFER
 - EXISTING CATTLE FENCE
 - FLOOD HAZARD AREA ZONE A (SEE REFERENCE 5)
 - APPROXIMATE WETLANDS (SEE REFERENCE 4)
 - 25' WETLANDS BUFFER
 - COMPOSTING SETBACK
 - PROPERTY SETBACKS
 - PROPOSED FRO LANDSCAPE (BY ECS MID-ATLANTIC LLC)

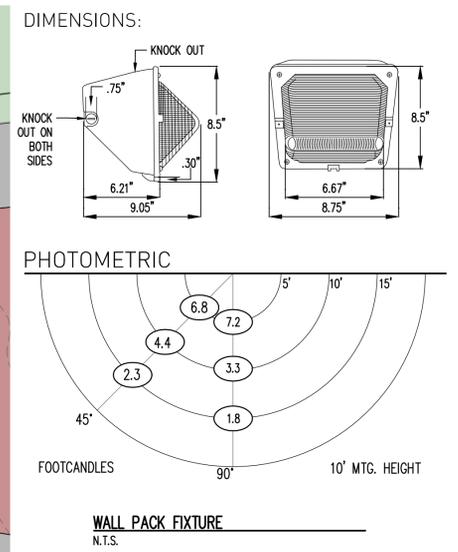
PREPARED FOR:

COMPOST CREW
AT UTICA BRIDGE FARMS

PREPARED BY: NC LIC. NO. F-1370 (ENGINEERING)
SC COA NO. C01488

SMITH+GARDNER
ENGINEERS

14 N. Boylan Avenue, Raleigh NC 27603 | 919.828.0577
1526 Richland St., Columbia SC 29201



- GENERAL NOTES**
- PROPOSED USE: THIS TYPE I SITE PLAN IS BEING RESUBMITTED AS THE EXISTING APPROVAL EXPIRES ON JANUARY 12, 2025. COMPOST CREW WILL DEVELOP A LIMITED FOOD WASTE COMPOSTING FACILITY OPERATING AS A COMMERCIAL ACTIVITY. A PERMITTED USE SUBJECT TO SITE DEVELOPMENT PLAN APPROVAL IN THE FREDERICK COUNTY CODE OF ORDINANCES. THE FACILITY IS PERMITTED WITH THE MARYLAND DEPARTMENT OF THE ENVIRONMENT AS A TIER 2 SMALL COMPOST FACILITY WHICH CAN PRODUCE UP TO 10,000 CUBIC YARDS PER YEAR OF COMPOST.
 - THE PROPERTY IS LOCATED AT 7245 LAKEVIEW ROAD, THURMONT, MARYLAND 21778
 - LIBER 15016 / FOJ01 00491
 - THE PROPERTY IS LOCATED WITHIN THE AGRICULTURE (A) ZONING DISTRICT
 - THE PROPERTY IS IDENTIFIED AS AGRICULTURAL / RURAL IN THE COMPREHENSIVE PLAN
 - THE PROPERTY IS WITHIN THE MOUNTAINDALE PLANNING REGION.
 - THERE IS 'NO PLANNED SERVICE' IN THE FREDERICK COUNTY WATER AND SEWER PLAN.
 - THE PROPERTY LIES WITHIN 'ZONE X' OF THE FLOOD INSURANCE RATE MAP NO. 24021C0450 PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), EFFECTIVE SEPTEMBER 19, 2007.
 - THERE IS ONE EMERGENT WETLAND LOCATED ALONG THE SOUTHERN BOUNDARY OF THE PROPERTY, IDENTIFIED IN A FEBRUARY 12, 2019 REPORT BY ENVIRONMENTAL SYSTEMS ANALYSIS, INC.
 - SOIL TYPES WITHIN THE PROPERTY ARE:
CRB - CROTON-ABBOTTSTOWN SILT LOAMS, 3 TO 8 PERCENT SLOPES
PNB - PENN SILT LOAM, 3 TO 8 PERCENT SLOPES
PEB - PENN CHANNERY LOAM, 3 TO 8 PERCENT SLOPES
RGA - READINGTON SILT LOAM, 0 TO 3 PERCENT SLOPES
 - LOT DIMENSIONS
REQUIRED: 5 ACRES
PROPOSED: 29 ACRES
LOT WIDTH: 300 FEET
1,550 FEET
 - AREA SUMMARY
PROPERTY: 29.0± ACRES
COMPOST OPERATIONS AREA: 6.2± ACRES
 - SETBACKS
FRONT YARD: 40 FEET
SIDE YARD: 50 FEET
REAR YARD: 50 FEET
 - HOURS OF OPERATION: 7:00 AM - 6:00 PM MONDAY - SATURDAY
OPERATIONS MAY LIMIT THESE HOURS BASED ON THROUGHPUT OF THE COMPOST PROCESS OR DURING PERIODS OF SHORT DAYLIGHT HOURS.
 - BUILDING HEIGHT
MAXIMUM HEIGHT: 30 FEET
PROPOSED OFFICE: 13.5 FEET (ONE-STORY)
PROPOSED POLE BARN: 24 FEET (ONE-STORY, TO RIDGE OF ROOF)
GROSS FLOOR AREA: 2,120 SQUARE FEET
 - THIS DEVELOPMENT IS PROJECTED TO GENERATE BETWEEN 6 AND 50 TOTAL VEHICLE TRIPS DURING THE HIGHEST DAILY PEAK HOUR OF THE ADJACENT STREET TRAFFIC, AND IS THEREFORE EXEMPT FROM APFD ROUTES TESTING (\$1-20-12(H)) AS OUTLINED IN THE ATTACHED LETTER OF UNDERSTANDING (LOU). THE DEVELOPMENT IS PROJECTED TO GENERATE 18 AM AND 18 PM WEEKDAY PEAK HOUR TRIPS.
EXPECTED VEHICULAR TRIPS
WEEKDAY AM PEAK: 18 TOTAL TRIPS
WEEKDAY PM PEAK: 18 TOTAL TRIPS
 - THE MAXIMUM NUMBER OF EMPLOYEES IS 13.
 - THE MAXIMUM NUMBER OF BUSINESS VEHICLES STORED ON SITE IS 9.
 - PARKING AS REQUIRED BY 1-19-6.220.A.4 FOR 'ALL INDUSTRIAL USE AND SOLID WASTE OPERATION' REQUIRED PARKING: 13 EMPLOYEES/2 + 9 VEHICLES = 16 SPACES
PARKING PROVIDED: 17 SPACES AND 1 HANDICAP SPACE, 23 TOTAL
 - LOADING
REQUIRED: 1 SMALL LOADING SPACE FOR TOTAL BUILDING FLOOR AREA OVER 1,000 SF AND LESS THAN 5,000 SF.
PROVIDED: 1 LARGE LOADING SPACE, 12 FEET BY 50 FEET.
NO BICYCLE PARKING IS REQUIRED.
 - IMPERVIOUS SURFACE
EXISTING: 5,800 SF (0.4%)
PROPOSED: 267,900 SF (21.2%)
TOTAL: 273,700 SF (21.6%)
 - ALL LANDSCAPING SHALL BE MAINTAINED IN A LIVING CONDITION.
 - STORMWATER MANAGEMENT WILL BE PROVIDED IN ACCORDANCE WITH MARYLAND'S STORMWATER MANAGEMENT ACT OF 2007.
 - A COMBINED PRELIMINARY/FINAL FOREST CONSERVATION PLAN HAS BEEN SUBMITTED UNDER AP 19896. FRO MITIGATION IS PROPOSED TO BE PROVIDED BY ON-SITE AFFORESTATION PLANTING AND LANDSCAPE CREDIT. FRO MITIGATION PROVIDED PRIOR TO APPLYING FOR GRADING OR BUILDING PERMITS, AND PRIOR TO ANY EARTH DISTURBANCE.
 - THE OWNER/DEVELOPER SHALL SCHEDULE AND HOLD A PRE-CONSTRUCTION MEETING WITH THE ENVIRONMENTAL COMPLIANCE SECTION OF THE DIVISION OF PLANNING AND PERMITTING PRIOR TO ANY EARTH OR SITE DISTURBANCE.
 - SIGNAGE AS REQUIRED BY 1-19-6.320 FOR BUSINESS IDENTIFICATION WITHIN THE IRC OR A DISTRICTS' MAXIMUM SIZE: 25 SQUARE FEET, 15 FEET HIGH
PROPOSED SIZE: 24 SQUARE FEET, 8 FEET HIGH
 - THE SITE WILL NOT HAVE ANY POLE MOUNTED FIXTURES AND WILL SUPPLY ONE (1) WALL PACK FIXTURE MOUNTED ABOVE THE DOOR TO THE TRAILER FOR SAFETY PURPOSES. ALL LIGHTING WILL BE DOWNWARD FACING TO PREVENT GLARE AND LIGHT TRESPASS TO ADJACENT PROPERTIES.
 - EXISTING WELL WILL BE CONVERTED TO COMMERCIAL USE PRIOR TO COMPOST OPERATIONS.
 - TRASH WILL BE DISPOSED IN A DUMPSTER LOCATED WITHIN THE TRASH ENCLOSURE AND COLLECTED BY A PRIVATE HAULER.
 - MODIFICATION REQUEST:
A. THE APPLICANT REQUESTS A VARIANCE FROM 1-19-6.210 TO ALLOW A LARGE LOADING SPACE. THE APPLICANT MAY RECEIVE PROCESS MATERIALS OR EQUIPMENT ON TRANSFER TRAILERS AND A LARGE LOADING SPACE WILL ALLOW THESE VEHICLES TO UNLOAD AND WOULD BE MORE ADEQUATE FOR THE PROPOSED USE THAN A SMALL LOADING SPACE.
B. THE APPLICANT REQUESTS A VARIANCE FROM 1-19-6.220.A TO ALLOW 23 TOTAL PARKING SPACES. THE SITE WILL EMPLOY 12 FULL-TIME AND 1 PART-TIME PERSONNEL AND WILL MAINTAIN 9 COMPANY OWNED VEHICLES ON-SITE. THE PROPOSED PARKING SPACES WILL ALLOW ALL 13 EMPLOYEES AND 9 COMPANY VEHICLES TO BE PARKED WHILE MAINTAINING ONE (1) ADDITIONAL PARKING SPACE FOR VISITORS OR ACCESSIBLE PARKING.
C. THE APPLICANT REQUESTS A VARIANCE FROM 1-19-6.220.B TO ALLOW AN INCREASE IN STALL DIMENSIONS FOR FIVE (5) PARKING SPACES. THESE SPACES PROPOSED WILL ALLOW SINGLE AXLE TRUCKS (LESS THAN 26,000 GROSS VEHICLE WEIGHT) TO PARK WITHOUT BLOCKING AISLES.

SEAL

signed by: **Stacy K. Smith**
Professional Engineer
2/21/2025

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

REV.	DATE	DESCRIPTION
1	12/19/24	RESPONSE TO FREDERICK CO. COMMENTS, 12/2/2024.
2	2/21/25	APPLICANT CONTACT UPDATE.

PROJECT TITLE:
COMPOST CREW AT UTICA BRIDGE FARMS

SITUATED AT 7245 LAKEVIEW ROAD

FREDERICK COUNTY COUNCIL
ELECTION DISTRICT NO. 5

FREDERICK COUNTY, MARYLAND

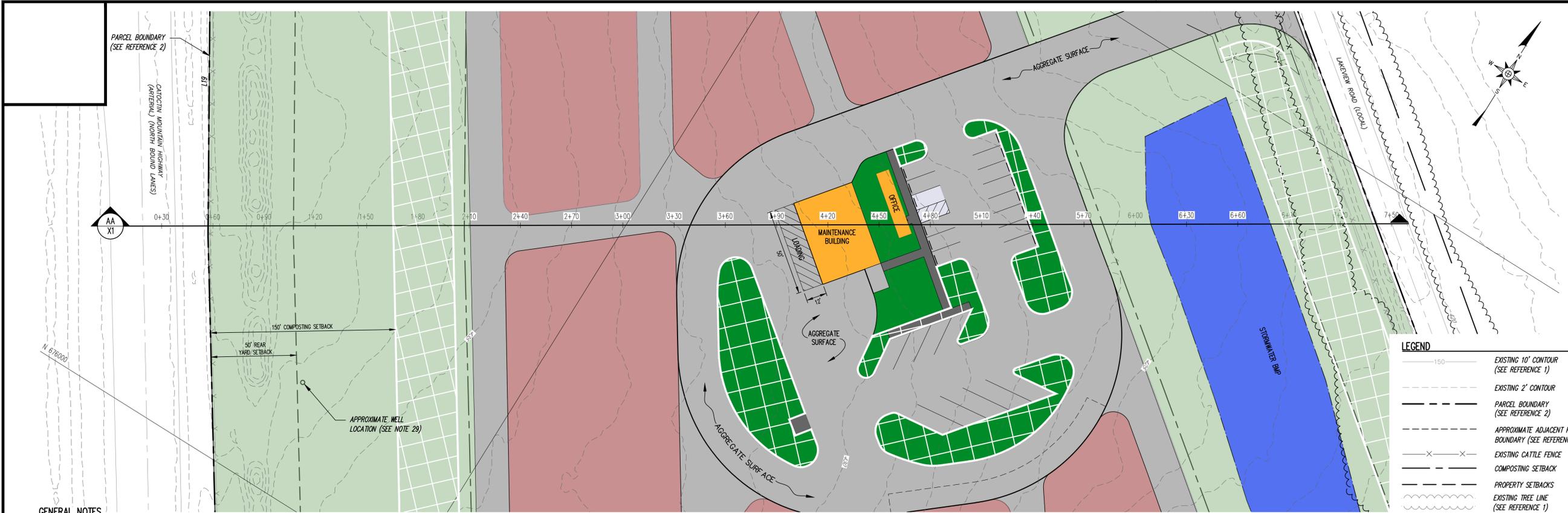
DRAWING TITLE:
**TYPE I SITE PLAN
PARKING AND
BUILDING PLAN
SP 277005
APFD A277003
FRO 19896**

DESIGNED	PROJECT TITLE
J.R.F.	COMPOST CREW 24-1
DRAWN	SCALE
AS SHOWN	
APPROVED	DATE
MARCH 2021	
TITLENAME	
CCREW-D0001	
SHEET NUMBER	DRAWING NUMBER
4	SP3

PERMIT ISSUE
NOT FOR CONSTRUCTION

FILE #: SP19-17
A/P #: 277005
DUE DATE:





PREPARED FOR:

COMPOST CREW
 good to grow
 COMPOST CREW
 AT UTICA BRIDGE FARMS

PREPARED BY:
 NC LIC. NO. F-1370 (ENGINEERING)
 SC COA NO. C01488
SMITH+GARDNER
 ENGINEERS
 14 N. Boylan Avenue, Raleigh NC 27603 | 919.828.0577
 1526 Richland St., Columbia SC 29201

SEAL

 Stacy H. Stephens
 3360FREDERICK
 2/21/2026
 PROFESSIONAL ENGINEER

PROFESSIONAL CERTIFICATION
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

REV.	DATE	DESCRIPTION
1	12/19/24	RESPONSE TO FREDERICK CO. COMMENTS, 12/6/2024.
2	2/21/25	APPLICANT CONTACT UPDATE.

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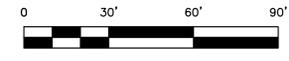
PROJECT TITLE:
COMPOST CREW AT UTICA BRIDGE FARMS
 SITUATED AT 7245 LAKEVIEW ROAD
 FREDERICK COUNTY COUNCIL ELECTION DISTRICT NO. 5
 FREDERICK COUNTY, MARYLAND

DRAWING TITLE:
TYPE I SITE PLAN SIGHT DISTANCE CROSS SECTION
 SP 277005
 APFD A277003
 FRO 19896

DESIGNED: J.R.F.	PROJECT NO: COMPOST CREW 24-1
DRAWN: C.J.S.	SCALE: AS SHOWN
APPROVED: [Signature]	DATE: MARCH 2021
TITLENAME: CCREW-D0001	DRAWING NUMBER:
SHEET NUMBER: 5	DRAWING NUMBER: SP4

LEGEND

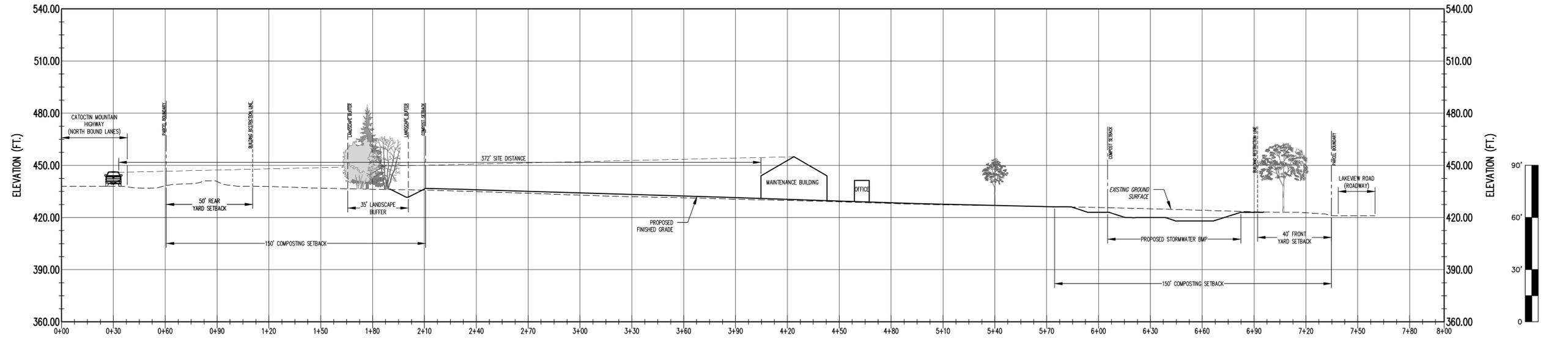
- 150' EXISTING 10' CONTOUR (SEE REFERENCE 1)
- EXISTING 2' CONTOUR (SEE REFERENCE 2)
- PARCEL BOUNDARY (SEE REFERENCE 2)
- APPROXIMATE ADJACENT PARCEL BOUNDARY (SEE REFERENCE 3)
- EXISTING CATTLE FENCE
- COMPOSTING SETBACK
- PROPERTY SETBACKS
- EXISTING TREE LINE (SEE REFERENCE 1)
- PROPOSED LANDSCAPE BUFFER (BY ECS MID-ATLANTIC LLC)



- REFERENCES**
- EXISTING TOPOGRAPHY PROVIDED BY CME ENGINEERING, DATED FEBRUARY 8, 2021.
 - BOUNDARY SURVEY INFORMATION PREPARED BY EXACTA LAND SURVEYORS DATED MARCH 22, 2019.
 - SURROUNDING PARCEL BOUNDARY INFORMATION OBTAINED FROM FREDERICK COUNTY GIS.
 - WETLAND AND STREAM DELINEATION PREPARED BY ENVIRONMENTAL SYSTEMS ANALYSIS, INC. DATED FEBRUARY 12, 2019.
 - FLOOD HAZARD AREAS AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP (FIRM) NO. 24021C0450, EFFECTIVE SEPTEMBER 19, 2007.

GENERAL NOTES

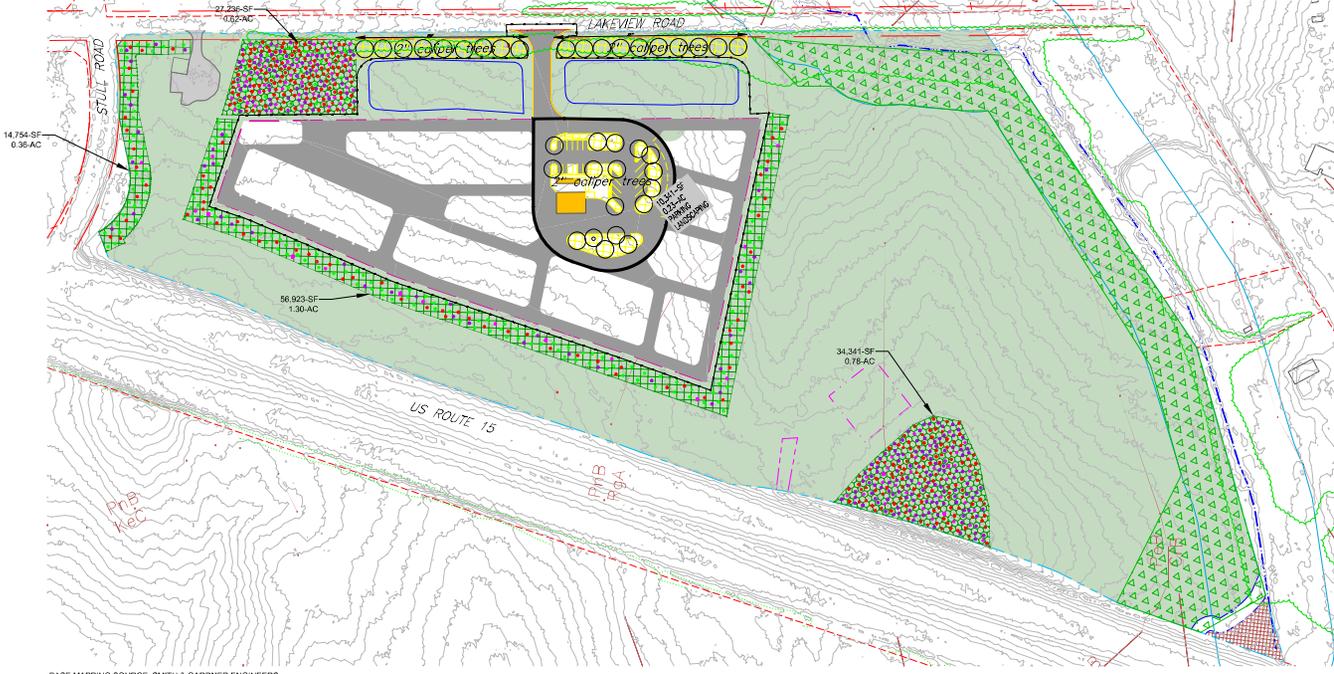
- PROPOSED USE: THIS TYPE I SITE PLAN IS BEING RESUBMITTED AS THE EXISTING APPROVAL EXPIRES ON JANUARY 12, 2025. COMPOST CREW WILL DEVELOP A LIMITED FOOD WASTE COMPOSTING FACILITY OPERATING AS A COMMERCIAL ACTIVITY; A PERMITTED USE SUBJECT TO SITE DEVELOPMENT PLAN APPROVAL IN THE FREDERICK COUNTY CODE OF ORDINANCES. THE FACILITY IS PERMITTED WITH THE MARYLAND DEPARTMENT OF THE ENVIRONMENT AS A TIER 2 SMALL COMPOST FACILITY WHICH CAN PRODUCE UP TO 10,000 CUBIC YARDS PER YEAR OF COMPOST.
- THE PROPERTY IS LOCATED AT 7245 LAKEVIEW ROAD, THURMONT, MARYLAND 21778 LIBER 15016 / FOLIO 00491
 - THE PROPERTY IS LOCATED WITHIN THE AGRICULTURE (A) ZONING DISTRICT
 - THE PROPERTY IS IDENTIFIED AS AGRICULTURAL / RURAL IN THE COMPREHENSIVE PLAN
 - THE PROPERTY IS WITHIN THE MOUNTAINDALE PLANNING REGION
 - THERE IS NO PLANNED SERVICE IN THE FREDERICK COUNTY WATER AND SEWER PLAN.
 - THE PROPERTY LIES WITHIN 'ZONE X' OF THE FLOOD INSURANCE RATE MAP NO. 24021C0450 PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), EFFECTIVE SEPTEMBER 19, 2007.
 - THERE IS ONE EMERGENT WETLAND LOCATED ALONG THE SOUTHERN BOUNDARY OF THE PROPERTY, IDENTIFIED IN A FEBRUARY 12, 2019 REPORT BY ENVIRONMENTAL SYSTEMS ANALYSIS, INC.
 - SOIL TYPES WITHIN THE PROPERTY ARE:
 CRB - CROTON-ABBOTTSTOWN SILT LOAMS, 3 TO 8 PERCENT SLOPES
 FNB - FENN SILT LOAM, 3 TO 8 PERCENT SLOPES
 FEB - FENN CHANNERY LOAM, 3 TO 8 PERCENT SLOPES
 RGA - READINGTON SILT LOAM, 0 TO 3 PERCENT SLOPES
 - LOT DIMENSIONS
 REQUIRED LOT AREA: 5 ACRES
 PROPOSED LOT AREA: 29 ACRES
 LOT WIDTH: 300 FEET
 LOT DEPTH: 1,550 FEET
 - AREA SUMMARY
 PROPERTY: 29.0± ACRES
 - COMPOST OPERATIONS AREA: 6.2± ACRES
 - SETBACKS
 FRONT YARD: 40 FEET
 SIDE YARD: 50 FEET
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 - BUILDING HEIGHT
 MAXIMUM HEIGHT: 30 FEET
 PROPOSED POLE BARN: 24 FEET (ONE-STORY, TO RIDGE OF ROOF)
 GROSS FLOOR AREA: 2,120 SQUARE FEET
 - THIS DEVELOPMENT IS PROJECTED TO GENERATE BETWEEN 6 AND 50 TOTAL VEHICLE TRIPS DURING THE HIGHEST DAILY PEAK HOUR OF THE ADJACENT STREET TRAFFIC, AND IS THEREFORE EXEMPT FROM APFD ROADS TESTING (§1-20-12(H)) AS OUTLINED IN THE ATTACHED LETTER OF UNDERSTANDING (LOU). THE DEVELOPMENT IS PROJECTED TO GENERATE 18 AM AND 18 PM WEEKDAY PEAK HOUR TRIPS.
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 PARKING PROVIDED: 17 SPACES AND 1 HANDICAP SPACE, 23 TOTAL
 - LOADING
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 - PROVIDED: 1 LARGE LOADING SPACE, 12 FEET BY 50 FEET.
 - NO BICYCLE PARKING IS REQUIRED.
 - IMPERVIOUS SURFACE
 EXISTING: 5,800 SF (0.4%)
 PROPOSED: 267,900 SF (21.2%)
 TOTAL: 273,700 SF (21.6%)
 - ALL LANDSCAPING SHALL BE MAINTAINED IN A LIVING CONDITION.
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 - A COMBINED PRELIMINARY/FINAL FOREST CONSERVATION PLAN HAS BEEN SUBMITTED UNDER AP 19896. FRO MITIGATION IS PROPOSED TO BE PROVIDED BY ON-SITE AFFORESTATION PLANTING AND LANDSCAPE CREDIT. FRO MITIGATION PROVIDED PRIOR TO APPLYING FOR GRADING OR BUILDING PERMITS, AND PRIOR TO ANY EARTH DISTURBANCE.
 - THE OWNER/DEVELOPER SHALL SCHEDULE AND HOLD A PRE-CONSTRUCTION MEETING WITH THE ENVIRONMENTAL COMPLIANCE SECTION OF THE DIVISION OF PLANNING AND PERMITTING PRIOR TO ANY EARTH OR SITE DISTURBANCE.
 - SIGNAGE AS REQUIRED BY 1-19-6.320 FOR 'BUSINESS IDENTIFICATION WITHIN THE RC OR A DISTRICTS'
 MAXIMUM SIZE: 25 SQUARE FEET, 15 FEET HIGH
 PROPOSED SIZE: 24 SQUARE FEET, 8 FEET HIGH
 - THE SITE WILL NOT HAVE ANY POLE MOUNTED FIXTURES AND WILL SUPPLY ONE (1) WALL PACK FIXTURE MOUNTED ABOVE THE DOOR TO THE TRAILER FOR SAFETY PURPOSES. ALL LIGHTING WILL BE DOWNWARD FACING TO PREVENT GLARE AND LIGHT TRESPASS TO ADJACENT PROPERTIES.
 - EXISTING WELL WILL BE CONVERTED TO COMMERCIAL USE PRIOR TO COMPOST OPERATIONS.
 - TRASH WILL BE DISPOSED IN A DUMPSTER LOCATED WITHIN THE TRASH ENCLOSURE AND COLLECTED BY A PRIVATE HAULER.
 - MODIFICATION REQUEST:
 A. THE APPLICANT REQUESTS A VARIANCE FROM 1-19-6.210 TO ALLOW A LARGE LOADING SPACE. THE APPLICANT MAY RECEIVE PROCESS MATERIALS OR EQUIPMENT ON TRANSFER TRAILERS AND A LARGE LOADING SPACE WILL ALLOW THESE VEHICLES TO UNLOAD AND WOULD BE MORE ADEQUATE FOR THE PROPOSED USE THAN A SMALL LOADING SPACE.
 B. THE APPLICANT REQUESTS A VARIANCE FROM 1-19-6.220.A TO ALLOW 23 TOTAL PARKING SPACES. THE SITE WILL EMPLOY 12 FULL-TIME AND 1 PART-TIME PERSONNEL AND WILL MAINTAIN 9 COMPANY OWNED VEHICLES ON-SITE. THE PROPOSED PARKING SPACES WILL ALLOW ALL 13 EMPLOYEES AND 9 COMPANY VEHICLES TO BE PARKED WHILE MAINTAINING ONE (1) ADDITIONAL PARKING SPACE FOR VISITORS OR ACCESSIBLE PARKING.
 C. THE APPLICANT REQUESTS A VARIANCE FROM 1-19-6.220.B TO ALLOW AN INCREASE IN STALL DIMENSIONS FOR FIVE (5) PARKING SPACES. THESE SPACES PROPOSED WILL ALLOW SINGLE AXLE TRUCKS (LESS THAN 26,000 GROSS VEHICLE WEIGHT) TO PARK WITHOUT BLOCKING AISLES.



CROSS SECTION AA XI
 NOT TO SCALE



PERMIT ISSUE
 NOT FOR CONSTRUCTION



BASE MAPPING SOURCE: SMITH & GARDNER ENGINEERS



LEGEND

- PROPOSED LANDSCAPE BUFFER
- PROPOSED FRO EASEMENT
- 1-FOOT CONTOURS
- STREAM
- STREAM BUFFER
- SOILS
PnB
RgA
- APPROXIMATE WETLAND AREA
- 25' WETLAND BUFFER
- FLOOD HAZARD ZONE (OFFSITE)
- PROPOSED STORMWATER FEATURE
- PROPOSED PAVEMENT
- PROPOSED BUILDING
- EXISTING SEPTIC AREA
- STREET TREES
- EXISTING STRUCTURE
- ADJACENT PARCEL BOUNDARIES
- PROPOSED LIMITS OF DISTURBANCE (LOD)
- APPROVED RIPARIAN PLANTINGS BY STREAMLINK
- EXISTING TREELINE

- NOTES:**
- NO FOREST AREA CURRENTLY EXISTS ONSITE.
 - RIPIARIAN AREA HAS BEEN PLANTED BY STREAMLINK DNR GRANT AND THEREFORE CANNOT BE PLANTED IN ASSOCIATION WITH FRO.
 - STREET TREE REQUIREMENT IS BEING MET VIA PROPOSED STREET TREES, FRO, EXISTING TREE LINES, AND LANDSCAPING SCREENING PLANTINGS.

LANDSCAPING LEGEND		
SYMBOL	COMMON NAME	BOTANICAL NAME
EVERGREEN TREES		
	EASTERN WHITE PINE*	PINUS STROBUS
	VIRGINIA PINE*	PINUS VIRGINIANA
	EASTERN RED CEDAR*	JUNIPERUS VIRGINIANA
	AMERICAN RED PINE	PINUS RESINOSA
	WHITE SPRUCE	PICEA GLAUCA
	HEMLOCK FIR	ABIES PROSPERA
	BALD CYPRESS**	TAXODIUM DISTICHUM
DECIDUOUS TREES		
	YELLOW BIRCH*	BETULA ALLEGHANIENSIS
	SWAMP WHITE OAK*	QUERCUS BICOLOR
	TULIP POPLAR*	LIRIODENDRON TULIPIFERA
	SWEET BIRCH*	BETULA LINDERA
	WHITE OAK*	QUERCUS ALBA
	BLACK LOCUST*	ROBINIA PSEUDOACACIA
	BLACK WALNUT*	JUGLANS NIGRA
	PIN OAK*	QUERCUS PALATINSIS
	SHAGBARK HICKORY**	CORNUS SHELDONII**
	RED OAK*	QUERCUS RUBRA
	RED MAPLE*	ACER RUBRUM
	AMERICAN SHELDONII**	LOQUAGNIA STYRACIUM
	BLACK WILLOW*	SALEX NIGRA
	SWEET GUM**	CAPRI LICHINA
	BASSWOOD**	TILIA GLABRA
SPIRUBS		
	ELDERBERRY*	SAMBUCUS CANADENSIS
	DRUM DOBSON**	CORNUS INCHOUSA
	BUTTERNUTSH**	CERAMIATHUS OCCIDENTALIS
	RIVERBUSH**	CECIS DAVIDSONIS

* NATIVE TO FREDERICK COUNTY
** NATURALIZED ADDITION TO FREDERICK COUNTY

- Flora Specification Notes**
- Type: see planting schedules this sheet and cover sheet.
 - Plant Quality Standards: The plants selected shall be healthy and sturdy representatives of their species. Seedlings shall have a minimum top growth of 18". The diameter of the root collar (the part of the root just below ground level) shall be at least 3/8". The roots shall be well developed and at least 8" long. No more than twenty-five percent (25%) of the root system (both primary and auxiliary roots) shall be pruned. Plants that do not have an abundance of well-developed terminal buds on the stems and branches shall be rejected. Plants shall be shipped by the nursery immediately after filling from the field or removal from the green house, and planted immediately upon receipt by the landscape contractor. If the plants cannot be planted immediately after delivery to the restoration site, they shall be stored in the shade with their root masses protected from direct exposure to sun and wind by the use of straw, peat moss, compost, or other suitable material and shall be maintained through periodic watering, until the time of planting.
 - Plant Handling: The quantity of seedlings taken to the field shall not exceed the quantity that can be planted in a day. Seedlings, once removed from the nursery or temporary storage area shall be planted immediately.
 - Timing of Planting: The best time to plant seedlings is while they are dormant, prior to spring budding. The most suitable months for planting are March and April, when the soil is moist, but may be planted from March through November. No planting shall be done while ground is frozen. Planting shall occur within one growing season of the issuance of grading/bidding permits and/or reaching final grades and stabilization of planting areas.
 - Seeding/Planting: Tree seedlings shall be hand planted using a dibble bar or sharp-shooter shovel. It is important that the seedling be placed in the hole so that the roots can spread out naturally; they should not be twisted, balled up or bent. Moist soil should then be packed firmly around the roots. Seedlings should be planted at a depth where their roots lie just below the ground surface. Air pockets should not be left after closing the hole which would allow the roots to dry out. See planting details for further explanation. If the contractor wishes to plant by another method, the preparer of this tree conservation plan must be contacted and give his approval before planting may begin.
 - Soiling: See Landscaping Plan for soiling requirements. Also refer to the Landscaping Plan for a description of the general planting theory details this sheet.
 - Soil: Upon the completion of all grading operations, a soil test shall be conducted to determine what soil preparation and soil amendments, if any, are necessary to create good tree growing conditions. Soil samples shall be taken at a rate that provides one soil sample for each area that appears to have a different soil type (if the entire area appears uniform, then only one sample is necessary), and submitted for testing to a private company. The company of choice shall make recommendations for improving the existing soil. This soil will be tested and recommended for contents of soil texture, pH, magnesium, phosphorus, potassium, calcium and organic matter.
 - Soil Improvement Measures: The soil shall then be improved according to the recommendations made by the testing company.
 - Fencing and Signage: Final protective fencing shall be placed on the visible and/or development side of planting areas. The final protective fence shall be installed upon completion of planting operations unless it was installed during the initial stages of development. Signs shall be posted per the signage detail on this sheet.
 - Planting Method: Consult the Planting Details shown on this sheet.
 - Mulching: Apply two-inch thick layer of woodchip or shredded hardwood mulch (as noted) to each planting site (see detail shown on the Landscaping Plan).
 - Groundcover Establishment: The remaining disturbed area between seeding/planting sites shall be seeded and stabilized with an appropriate mix from the Natural Resources Conservation Practice Standard for Conservation Cover (Code 327). Table C-3 Selected List of Invasive Cover Species below contains the complete list of the site.
 - Mowing: No mowing shall be allowed in any planting area.
 - Source of Seedlings: site name, address, and phone number of nursery or supplier.

This Forest Stand Delineation has been prepared in accordance with all State and local ordinances which were in effect as of the date shown below. The undersigned is a qualified professional in accordance with COMAR 08.19.06.01.

Jennifer Anderson
Jennifer Anderson 02/22/2022



VICINITY MAP
TAX MAP 40, GRID 21, PARCEL 84
ACCOUNT NO. 20-384129
SOURCE: POINTFINDER SUITE



Map Unit Symbol	Map Unit Name	Hydric Soil	K-Value
CrB	Croton-Abbotstown silt loams, 3 to 8 percent slopes	Yes	.37
PeB	Penn chamney loam, 3 to 8 percent slopes	No	.324
PnB	Penn silt loam, 3 to 8 percent slopes	No	.37
RgA	Readington silt loam, 0 to 3 percent slopes	Yes	.43

STREET TREE CALCULATION (ROADWAY FRONTAGE):
LAKEVIEW ROAD:
295-ft / 35-ft = 8.4 trees (9 trees provided)
327-ft / 35-ft = 9.3 trees (10 trees provided)

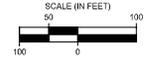
STULL ROAD:
373-ft / 35-ft = 10.6 trees (provided via landscaping buffer)

US-15:
2,136-ft / 35-ft = 61.0 trees (provided via landscaping buffer)

20% PARKING LOT CANOPY CALCULATION:

PARKING LOT PAVEMENT COVERAGE:
51,705-sf
51,705-sf x 0.2 = 10,341-sf
10,341-sf / 707-sf = 14.6 trees (17 provided)

PLANTING QUANTITY CALCULATION:
1.40-ac x 350 stems/ac = 490 stems (875 provided)



CELEBRATING
OVER 30 YEARS
OF EXCELLENCE
ECS
"SETTING THE STANDARD FOR SERVICE"



Compost Crew
7245 LAKEVIEW ROAD
FREDERICK COUNTY, MARYLAND

PLANTING PLAN
UTICA BRIDGE FARM

ECS REVISIONS
12/10/2021 LSC
2/22/22 JDA
ENGINEER AMM
DRAFTING LSC
SCALE 1" = 100'
PROJECT NO. 47-11763
SHEET SP5
DATE 11/16/2021



FREDERICK COUNTY PLANNING COMMISSION

February 12, 2025

TITLE: **Compost Crew at Utica Bridge Farms
(Reapproval)**

FILE NUMBER: **SP19-17 (AP SP277005 APFO A277003)**

REQUEST: **Site Development Plan Approval**
The Applicant is requesting Site Development Plan reapproval for the establishment of a limited food waste composting facility located on a 29-acre Site.

PROJECT INFORMATION:

ADDRESS/LOCATION: Located at 7245 Lakeview Road
TAX MAP/PARCEL: Tax Map 40; Parcel 94
COMP. PLAN: Agricultural/Rural
ZONING: Agricultural (Ag)
PLANNING REGION: Mountindale
WATER/SEWER: No Planned Service

APPLICANT/REPRESENTATIVES:

APPLICANT: Utica Bridge Farms, LLC
OWNER: -same-
ENGINEER: Smith + Gardner
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Cody Shaw, Principal Planner II

RECOMMENDATION: **Conditional Approval**

Enclosures:

Exhibit #1 – A/P 19894 Staff Report (to be printed under a separate cover)
Exhibit #2 – APFO Letter of Understanding
Exhibit #3 – Modification Requests

STAFF REPORT

ISSUE

Development Request

The Applicant is requesting a new Site Development Plan approval for the establishment of a limited food waste composting facility located on a 29-acre Site that recently expired. The plan under review proposes no changes to the previously approved site plan.

Background

The original site plan for this proposed development was approved for a limited food waste composting facility on a 29-acre Site. The Frederick County Planning Commission approved the original Site Development Plan application (A/P 19894 titled “Key City Compost at Utica Bridge Farms) on January 12, 2022.

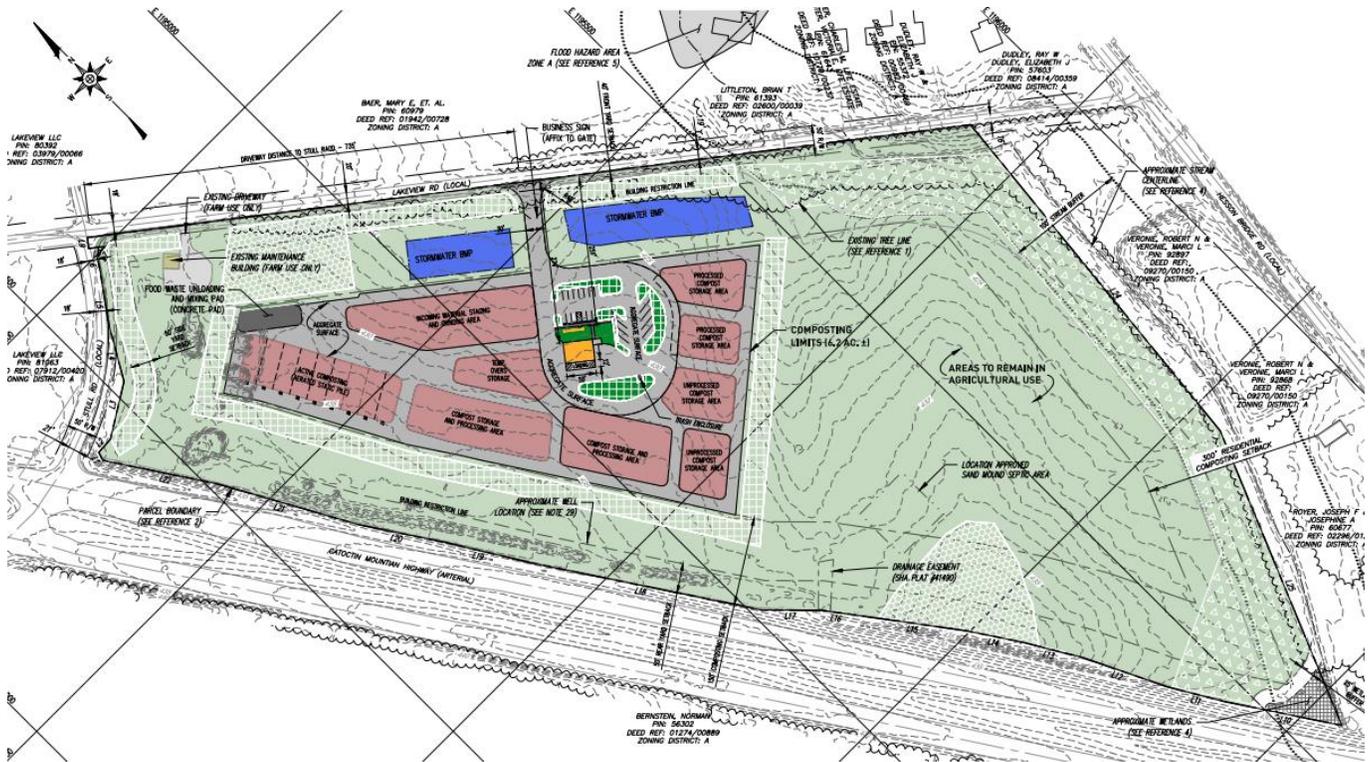
The original Site Development Plan (A/P 19894) approval is valid for three (3) years, or until January 12, 2025, in accordance with the Frederick County Zoning Ordinance. The APFO associated with the original site plan was valid for a period of three years and also expired on January 12, 2025.

ANALYSIS

The application is identical to the previously approved plan. There are no proposed alterations or change of design with this current site plan application. The only differences with this current application are as follows:

- Updated county file numbers
- Updated name for the Site (originally named “Key City Compost at Utica Bridge Farms” and proposed to be titled “Compost Crew at Utica Bridge Farms”)
- Updated notes explaining the reasoning for why this application has been submitted
- Revised and updated APFO Letter of Understanding

Graphic 1- Project Rendering



The staff report and all associated modifications originally submitted and approved for A/P 19894 Site Development Plan has been attached in support of this current application (Exhibit #1).

Other Applicable Requirements

Forest Resource Ordinance (FRO) – Chapter 1-21

The FRO Plan (A/P 19896) for the original site plan was approved on February 4, 2022. The plan set outlines the forest conservation mitigation requirements for the 8.32-acre Net Tract Area. This Net Tract Area contains no existing forest. The Applicant is required to provide 1.66 acres of afforestation. Total mitigation provided is 1.81 acres, comprised of 1.40 acres of afforestation planting and 0.41 acres of street tree and landscape credits.

Conditions of Approval

FRO mitigation must be provided prior to applying for grading permits or building permits, whichever is applied for first.

Adequate Public Facilities Ordinance (APFO) – Chapter 1-20

Schools: The Project is non-residential and not subject to schools testing.

Water and Sewer: This Project Site is classified as no planned service. The Site will be served by well and septic.

Road Improvements: This Project generates 18 am and 18 pm new weekday peak hour trips and is not subject to APFO testing because it generates less than 51 trips during the peak hour of the adjacent street, per Section 1-20-30. In accordance with Section 1-20-12(H) of the APFO, the Applicant is required to pay its proportionate contributions toward existing road escrow accounts, a total of \$26,975. Additionally, per Section 1-20-31, Stull Road and Lakeview Road shall be widened to 20 feet and restriped to meet commercial access requirements, as noted in the attached Letter of Understanding (LOU).

Period of Validity: The APFO approval is valid for three (3) years from the date of Commission approval; therefore, the APFO approval will expire on February 12, 2028.

APFO for this Site was previously approved on January 12, 2022 and subject to Letter of Understanding 19895. This APFO approval expired on January 12, 2025 prior to meeting the requirements listed in the LOU. The Site is subject to a new LOU (A277003) documenting a slight increase in the required pro rata escrow contributions and the identical road widening requirement.

Modifications

Several modifications were granted for the original Key City Compost at Utica Bridge Farms (A/P 19894). This application requests the reapproval of all previously approved modifications. The modifications that need reapproval are as follows:

1. A parking space modification to allow for 23 parking spaces, or 7 more spaces than the required 16 spaces.
2. A loading space modification to allow for one large loading space, rather than the one small loading space required.
3. A parking space modification to allow for 5 spaces to have an increased stall length of 22' over the 18' required.

Summary of Agency Comments

Other Agencies:	Comment
Office of Life Safety (DOLS)	Approved
Development Review Planning (DPZ)	Approved
Development Review Transportation Engineering (DRTE)	Approved
Division of Water and Sewer Utilities (DWSU)	Not applicable
Health Department (EH)	Approved
Public Works Development Review (PWDR)	Approved
Forest Conservation (FRO)	Approved
Adequate Public Facilities (APFO)	Approved
Street Name Review (STRNAME)	Approved
Historic Preservation (HISTORIC)	Approved
State Highway Administration (SHA)	Approved
Board of Education/Frederick County Public Schools (BOE)	Not applicable

RECOMMENDATION

Staff has no objection to the conditional approval of the Compost Crew at Utica Bridge Farms Site Development Plan.

If the Planning Commission approves the Site Development Plan, the site plan is valid for a period of three (3) years from the date of Planning Commission approval (valid through February 12, 2028).

Based upon the findings and conclusions as presented in the original staff report, the application meets or will meet all applicable Zoning, APFO, and FRO requirements once the following conditions are met and modifications granted:

Planning Commission reapproval of the following modification requests from the Applicant:

1. Approval of a Parking Space Modification Request under §1-19-6.220(A)(2) to allow for 23 parking spaces, or 7 more spaces than the required 16 spaces.
2. Approval of a Loading Space Modification Request under §1-19-6.210(A) to allow for one large loading space, rather than the one small loading space required.
3. Approval of a Parking Space Modification Request under §1-19-6.220(B) to allow for 5 spaces to have an increased stall length of 22’ over the 18’ required.

Staff-proposed conditions of approval:

1. The Applicant shall comply with all Staff and agency comments through the completion of the plan.
2. FRO mitigation must be provided prior to applying for grading permits or building permits, whichever is applied for first.

PLANNING COMMISSION ACTION

MOTION TO CONDITIONALLY APPROVE

I move that the Planning Commission **CONDITIONALLY APPROVE** Site Development Plan SP19-17, AP SP277005, APFO A277003, **with conditions and modifications** as listed in the staff report for the Compost Crew at Utica Bridge Farms Site Plan, based on the findings and conclusions of the staff and the testimony, exhibits, and documentary evidence produced at the public meeting.



FREDERICK COUNTY GOVERNMENT

DIVISION OF PLANNING AND PERMITTING

Deborah A. Carpenter, AICP, Division Director

Jessica Fitzwater
County Executive

ADEQUATE PUBLIC FACILITIES LETTER OF UNDERSTANDING

Compost Crew at Utica Bridge Farms

SP277005, F277004, A277003

In General: The following Letter of Understanding ("**Letter**") between the Frederick County Planning Commission ("**Commission**") and Compost Crew Inc, A Benefit Corporation ("**Developer**"), together with its/their successors and assigns, sets forth the conditions and terms which the Commission deems to be the minimum necessary improvements dealing with school, water, sewer, and road improvements that must be in place for the property identified below to be developed, as shown on the proposed Compost Crew at Utica Bridge Farms site plan (the "**Project**"), in compliance with the Frederick County Adequate Public Facilities Ordinance ("**APFO**").

The Developer, its successors and assigns, hereby agrees and understands that unless the required improvements (or contributions to road escrow accounts, as specified below) are provided in accordance with this Letter, APFO requirements will not be satisfied, and development will not be permitted to proceed.

This Letter concerns itself with the Developer's 29.0 +/- acre parcel of land, which is zoned A (Agricultural) and located east of US 15, bounded by Stull Road on the north and Lakeview Road to the east. This APFO approval will be effective for the new development of a 6.2-acre composting facility as shown on the site development plan for the above-referenced Project, which was conditionally approved by the Commission on February 12, 2025.

Schools: Schools are not impacted because this is a commercial development

Water and Sewer: This property is classified as No Planned Service. The property will be served by private well and septic system.

Road Improvements: This Project generates 18 am and 18 pm weekday peak hour trips which does not exceed the 50 peak hour trip threshold required for APFO testing. In accordance with Section 1-20-31, the following improvements must be guaranteed and completed prior to the issuance of any permits:

1. Widen and restripe Stull Road and Lakeview Road from US 15 to the proposed site access on Lakeview Road to provide a 20' pavement width.

In accordance with Section 1-20-12(H) of the APFO, the Developer is required to pay its proportionate contributions toward the following existing road escrow account in the Project area:

1. US 15 at Auburn Road: The applicant shall contribute the appropriate pro-rata share to Existing Escrow Account No. 4050 for median reconstruction at Auburn Road and turn lane enhancements at Fish Hatchery Road. The estimated cost of this Road Improvement is \$533,391. As determined by Traffic Engineering Staff, the Developer's proportionate share of this Road Improvement is 0.69%. Therefore, the Developer hereby agrees to pay \$ 3,680 to the escrow account for this Road Improvement.
2. US 15/Hessong Bridge Road Intersection: The applicant shall contribute the appropriate pro-rata share to Existing Escrow Account No. 3805 for the northbound acceleration lane. The estimated cost of the intersection improvement is \$59,613. As determined by Traffic Engineering Staff, the Developer's proportionate share of this Road Improvement is 0.38%. Therefore, the Developer agrees to pay \$227 to the escrow account for this Road Improvement.
3. US 15 Median Reconstruction at Devilbiss Bridge Road: The applicant shall contribute the appropriate pro-rata share to Existing Escrow Account No. 3742 for the J-turn median construction. The estimated cost of the intersection improvement is \$6,070,607. As determined by Traffic Engineering Staff, the Developer's proportionate share of this Road Improvement is 0.38%. Therefore, the Developer agrees to pay \$23,068 to the escrow account for this Road Improvement.

Therefore, prior to the issuance of any permits, the Developer hereby agrees to pay \$26,975 to the escrow accounts described above for these Road Improvements. Should these payments not be made within one year of the execution of this Letter, the County reserves the right to adjust this amount, based on an engineering cost index.

Period of Validity: The APFO approval is valid for three (3) years from the date of Commission approval; therefore, the APFO approval expires on February 12, 2028.

Disclaimer: This Letter pertains to APFO approval only and shall not be construed to provide any express or implied rights to continue the development process. The Project remains subject to all applicable rules and regulations, including but not limited to those related to zoning, water and sewer, and subdivision. The Planning Commission's jurisdiction and authority is limited by State and County law, and approvals may be required from other local or state governmental agencies before the proposed development can proceed.

[Signatures Next Page]

DEVELOPER: Compost Crew Inc, A Benefit Corporation

By: *Keith Shur*_____

Date: 01/09/2025

Developer/Owner/Contract Purchaser

FREDERICK COUNTY PLANNING COMMISSION:

By: _____

Date: _____

Chair or Secretary

ATTEST:

By: _____

Date: _____

Gary Hessong, Deputy Director

Exhibit #3 – Modification Requests

November 22, 2024

Mr. Cody Shaw
Principal Planner
Frederick County Planning & Permitting
30 N. Market St.
Frederick, MD 21701



**RE: Modification Request
Compost Crew at Utica Bridge Farms (A/P: SP277005)**

Dear Mr. Shaw:

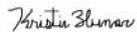
Compost Crew Inc, A Benefit Corporation is submitting this modification request for site plan approval of Application Number SP277005: Compost Crew at Utica Bridge Farms. As you are aware, the Applicant's previous approval¹ expires on January 12, 2025. This request, along with the accompanying site plan drawings, reflects the same conditions as the prior approval. The requested modifications are restated below:

1. The Applicant requests a variance from 1-19-6.210 to allow one (1) large loading space. Due to the nature of operations, process material and equipment may arrive on transfer trailers, which require larger unloading space than standard small loading areas.
2. The Applicant requests a variance from 1-19-6.220.A to allow 23 total parking spaces. The site will employ 12 full-time and 1 part-time personnel in addition to staging 9 company owned vehicles on-site. The proposed parking spaces will allow all 13 employees and 9 company vehicles to be parked while providing 1 additional space for visitors or accessible parking.
3. The Applicant requests a variance from 1-19-6.220.B to allow an increase in the stall dimensions for 5 parking spacing. These spaces will accommodate single-axle trucks (under 26,000 gross vehicle weight) without obstructing aisle access.

If you have any questions or require additional information, please contact me at (301) 202-4450 or by email, below.

Sincerely,

Compost Crew Inc, A Benefit Corporation



Kristie Blumer
Senior Director, Composting
kristie@compostcrew.com



FREDERICK COUNTY PLANNING COMMISSION
January 12, 2022

TITLE: Key City Compost at Utica Bridge Farms

FILE NUMBER: SP19-17, AP-19894 (APFO-19895, FRO-19896)

REQUEST: **Site Development Plan Approval**
The Applicant is requesting Site Plan approval for the establishment of a limited food waste composting facility on a 5.95-acre Site within a 29-acre parcel.

PROJECT INFORMATION:

LOCATION: 7245 Lakeview Road, Thurmont, MD
TAX MAP/PARCEL: Tax Map 40, Parcel 94
COMP. PLAN: Agricultural/Rural
ZONING: Agricultural
PLANNING REGION: Frederick
WATER/SEWER: Water -No Planned Service/Sewer – No Planned Service

APPLICANT/REPRESENTATIVES:

APPLICANT: Utica Bridge Farms, LLC
OWNER: – same -
ENGINEER: Smith + Gardner Engineers
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Cody Shaw, Principal Planner

RECOMMENDATION:

Conditional Approval

ATTACHMENTS:

Exhibit 1 – Close view of Site
Exhibit 2 – Modification Requests
Exhibit 3 – Letter of Understanding

STAFF REPORT

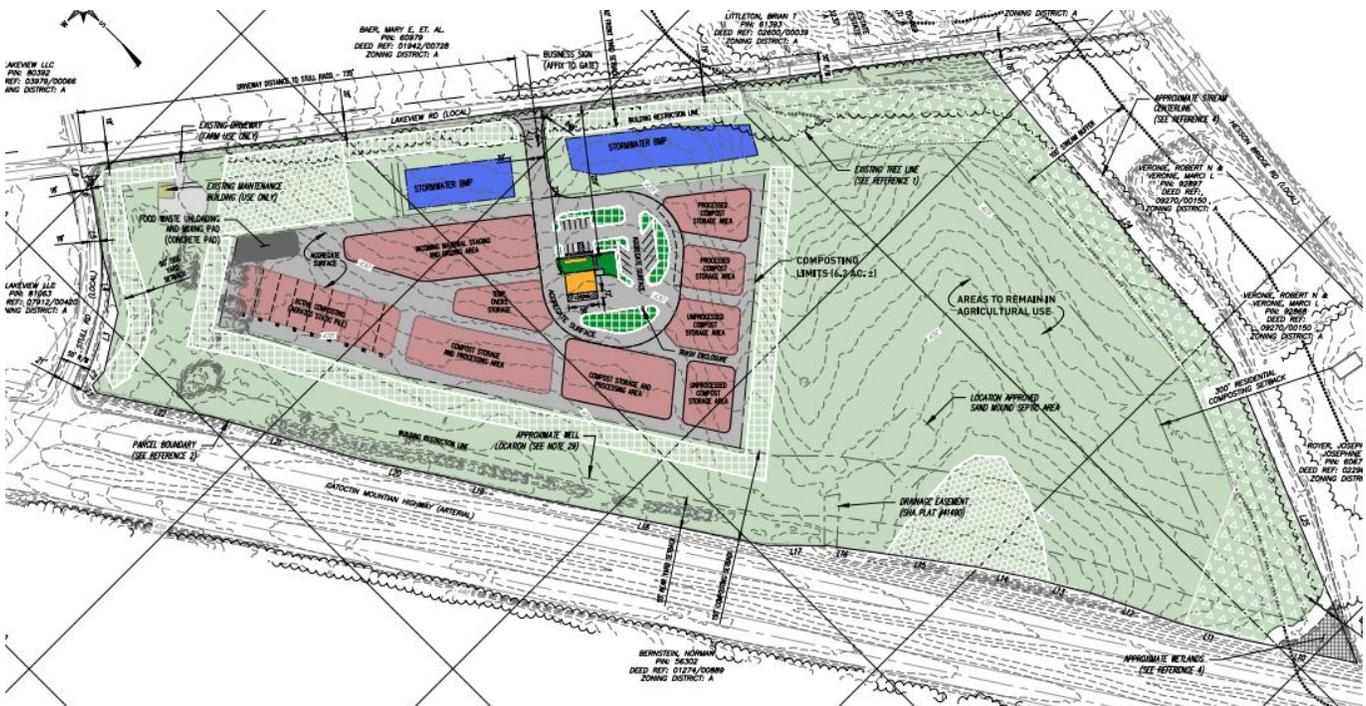
ISSUE

Development Request

The Applicant is requesting Site Plan approval to establish a limited food waste composting use on a portion of a 29-acre parcel. The Project is subject to the requirements of the Frederick County Code, specifically Sections 1-19-3.300 through 1-19-3.300.4 for Site Development Plan Review. The request is being reviewed under the use “limited food waste composting: commercial activity” per §1-19-5.310 Use Table in the Zoning Ordinance.

The Site is zoned ‘Agricultural’ and the proposed use is being reviewed under §1-19-8.408 Limited Food Waste Composting in the A District of the Zoning Ordinance. The site proposes several improvements, including a 320 sq ft office, a 6,800 sq ft maintenance building, and several areas that serve the composting operations. Composting operations areas include incoming material staging and grinding, compost storage and processing, and processed compost storage.

Figure 1 – Site Overview



BACKGROUND

Development History

The subject property is located in the Agricultural Zoning District. The Site has been an active agricultural field for many years. On September 4, 2018, Bill No. 18-22 was introduced to allow the use “limited food waste composting.” It became effective December 15, 2018.

The Site has been operating recently performing composting operations on a scale of less than 5,000 sq ft, as permitted under 1-19-8.408 of the Zoning Ordinance. All necessary permits and approvals to do this have been obtained. This proposed site plan application is to allow the composting to increase in size.

Existing Site Characteristics

The 29+/- acre property is located on the south side of Lakeview Road and on the north side of US 15. The subject Site, which consists of a 5.95 acre portion of the property, is currently an active agricultural field.

Figure 2 – Site Aerial – Existing Conditions

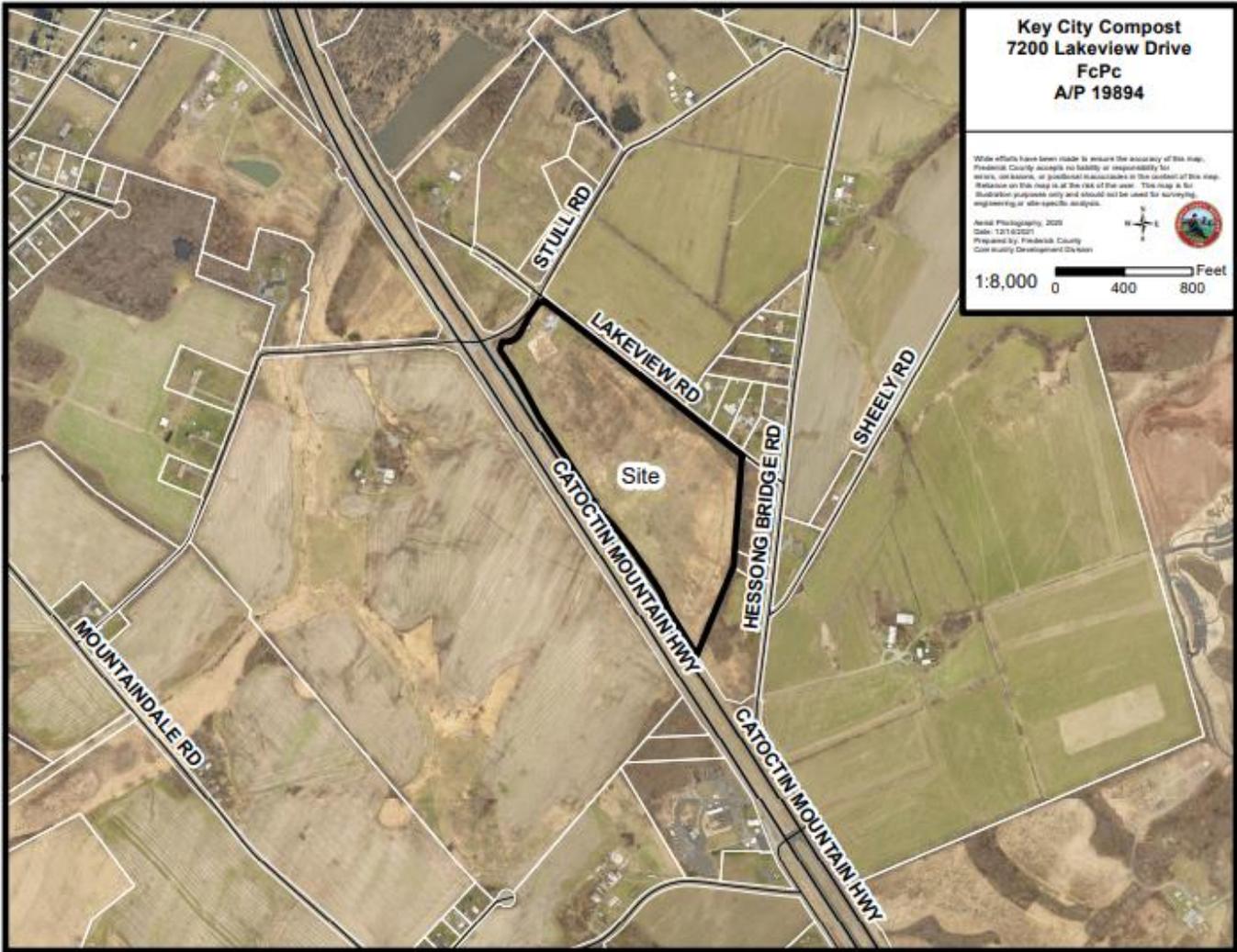
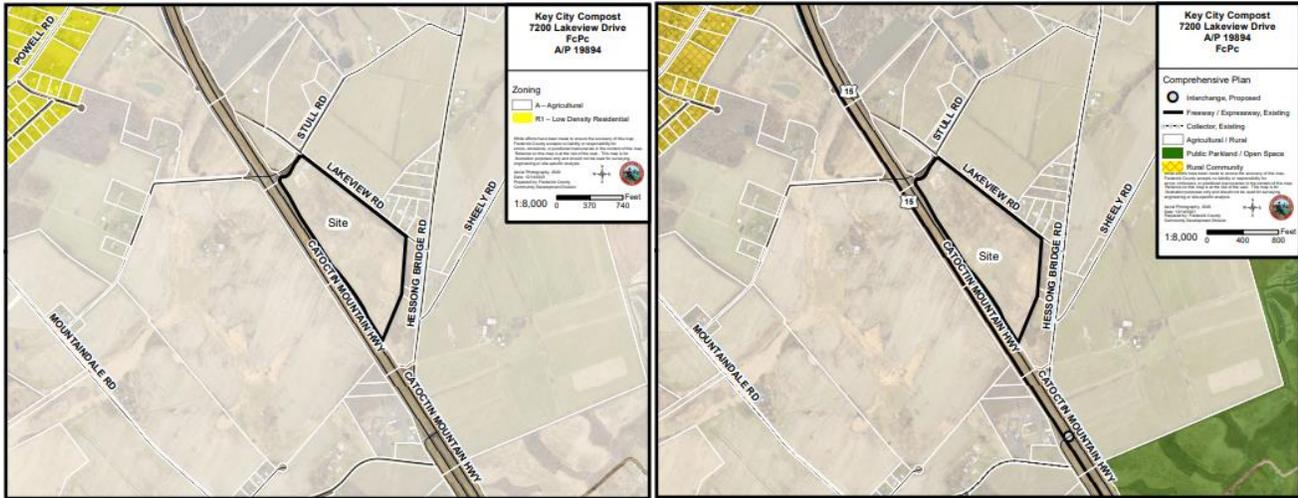


Figure 3 – Zoning / Comprehensive Plan



ANALYSIS

Summary of Development Standards Findings and Conclusions

The primary issues associated with this development are:

- Demonstrating compliance with site design standards
- Demonstrating compliance with Maryland Historic National Road Model Design Guidelines.
- Demonstrating compliance with §1-19-8.408 Limited Food Waste Composting in the A District

Modification Requests:

- §1-19-6.220(A)(2): The Applicant is requesting a parking space modification to allow for 23 parking spaces, or 7 more spaces than the required 16 spaces.
- §1-19-6.210(A): The Applicant is requesting a loading space modification to allow for one large loading space, rather than the one small loading space required.
- §1-19-6.220(B): The Applicant is requesting a parking space modification to allow for 5 spaces to have an increased stall length over the standard 9'x18' to accommodate single axle trucks.

Detailed Analysis of Findings and Conclusions

Site Plan Approval shall be granted based upon the criteria found in:

Site Development §1-19-3.300.4 (A): Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.

Findings/Conclusions

Dimensional Requirements/Bulk Standards §1-19-6.100:

1. Per §1-19-6.100, setbacks require a 40' front yard, 50' side yard, and 50' rear yard. In addition to this, §1-19-8.408 states a minimum setback of 150 feet must be provided from the property lines and at least 300 feet must be provided from a dwelling not owned or operated by the operator of

the composting facility. All setbacks and dimensional standard have been met.

2. **Signage §1-19-6.300:** The appropriate sign category is “Business Identification within the RC or A District”. The proposed signage is 24 sq ft and 8 feet high and meets the code requirements.
3. **Landscaping §1-19-6.400:** The landscaping shown on this plan contains a variety of plant species, which provide screening for the proposed commercial composting Site. The plan proposes a mix of evergreen and deciduous trees, and meets the predominately native species requirement with 84.7% of the plantings being native to Frederick County.

The ordinance requires one street tree for every 35 feet of public street frontage, which equates to 91 street trees. Due to the nature of the site, the street tree requirement is being met with a combination of street trees, existing tree lines, FRO easements, and landscaping/screening buffers.

4. **Lighting §1-19-6.500:** The Site is proposing one lighting fixture to be mounted to the office structure, at a proposed 10 feet height. It will be downcast and will not emit light trespass or glare onto neighboring properties.

Transportation and Parking §1-19-3.300.4 (B): *The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.*

1. **Access/Circulation:** One 30 +/-' wide entrance is proposed off of Lakeview Road. Site access requires the use of Stull Road and Lakeview Road and there are portions of each road that do not meet the 20' wide public road requirement. These deficient roads will be brought up to minimum width, allowing for safe truck access, as documented in the Letter of Understanding.
2. **Loading:** One small loading space is required, and one large loading space has been provided. A modification request has been submitted for this.
3. **Public Transit:** There is no local bus service for this Site.
4. **Parking:** 16 parking spaces are required, and 23 have been proposed. A modification request has been submitted to add the 7 additional spaces. A modification has also been submitted for 5 parking spaces to have an increased stall length of 22', instead of the 18' required by Code.
5. **Pedestrian Circulation and Safety §1-19-6.220 (G):** The Site is not intended to have public visitors. There is a 24' wide aisle around the parking area and 24' wide aisle through the parking lot.
6. **Bicycle Parking §1-19-6.220 (H):** No bicycle parking is required or proposed.

Public Utilities §1-19-3.300.4 (C): *Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where*

proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.

Findings/Conclusions

1. **Water and Sewer Classifications:** The Site is not served by public water or by public sewer and is currently classified as Water - No Planned Service and Sewer – No Planned Service in the Frederick County Water and Sewerage Plan.

Natural features §1-19-3.300.4 (D): Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.

Findings/Conclusions

1. **Topography:** The Site has rolling topography with varying areas of elevation changes.
2. **Vegetation:** The Site is comprised of trees and is currently an agricultural field.
3. **Sensitive Resources:** There is a stream buffer located on the eastern portion of the Site and a wetland located on the southeast corner of the site.
4. **Natural Hazards:** There are no natural hazards located on Site that affect the development proposal.

Common Areas §1-19-3.300.4 (E): If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.

Findings/Conclusions

No common areas are required or proposed.

Other Applicable Regulations

Adequate Public Facilities Ordinance (APFO) – Chapter 1-20

Schools: The Project is non-residential and not subject to schools testing.

Water and Sewer: This Project Site is classified as no planned service. The Site will be served by well and septic.

Road Improvements: This Project generates 18 am and 18 pm new weekday peak hour trips and is not subject to APFO testing because it generates less than 51 trips during the peak hour of the adjacent

street, per Section 1-20-30. In accordance with Section 1-20-12(H) of the APFO, the Applicant is required to pay its proportionate contributions toward existing road escrow accounts, a total of \$22,337. Additionally, per Section 1-20-31, Stull Road and Lakeview Road shall be widened to 20 feet and restriped to meet commercial access requirements, as noted in the attached Letter of Understanding (LOU).

Period of Validity: The APFO approval is valid for three (3) years from the date of Commission approval; therefore, the APFO approval will expire on January 12, 2025.

Stormwater Management – Chapter 1-15.2

Stormwater Management will be provided via onsite facilities located throughout the Site.

Limited Food Waste Composting in the A District – Chapter 1-19-8.408

Findings/Conclusions

(A) All limited food waste composting activities and operations shall be located on land zoned agriculture. Food waste composting activities and operations shall be limited in size as follows:

(1) 10-acre limit: Limited food waste composting activities and operations that exceed 10 acres must obtain approval of a solid waste floating zone designation.

The proposed food composting operations are under 10 acres in size.

(2) Limited food waste composting: agricultural activity. Activities and operations up to 5 acres in size shall not require site plan approval.

Not applicable.

(3) Limited food waste composting: commercial activity. Activities and operations require site plan approval and shall not exceed 10 acres in size.

This site plan application has been applied for and is under 10 acres in size.

(B) No portion of the limited food waste composting activity or operation shall be located within the floodplain district as defined in § [1-19-9.100](#).

None of the proposed food waste composting operations are located in a floodplain.

(C) All limited food waste composting activities and operations shall be set back a minimum of 25 feet from the floodplain district and 100 feet from the banks of rivers, streams, or other bodies of water.

All setbacks have been adhered to.

(D) Limited food waste composting activities and operations shall not cause any odor, dust, smoke, vibration, or unreasonable noise which can be detected at or beyond any property line.

This requirement must be complied with throughout the operation's lifespan.

(E) All activities and operations associated with the limited food waste composting facility shall be located a minimum of 150 feet from the property lines and at least 300 feet from a dwelling not owned or operated by the operator of the composting facility.

These setbacks are shown on the plan and have been met.

(F) The subject property must have road frontage and access on a minimum 20-foot-wide paved public road. Commercial/Industrial entrance standards shall be utilized in the design of any point of access to a public road as determined to be necessary by the Frederick County traffic engineer.

The Applicant has proposed to widen Lakeview Road to the required 20’.

(J) All materials at the limited food waste composting facility shall be sorted and processed in a manner that prevents harboring or breeding of insects or animals, and prevents creation of odor, litter, or other nuisances that may be harmful to the public health or the environment.

This requirement must be complied with throughout the operation’s lifespan.

(M) Limited food waste composting activities and operations shall comply with all applicable federal, state, and local regulations and shall conform to the requirements of all federal and State of Maryland permits and other approvals.

All required federal/state/local permits will be required at the time of permitting.

Forest Resource Ordinance (FRO) – Chapter 1-21

The Applicant has submitted a Combined Preliminary/Final Forest Conservation Plan. The plan set outlines the forest conservation mitigation requirements for the 8.32-acre Net Tract Area. This Net Tract Area contains no existing forest and no specimen trees. The Applicant is required to provide 1.66 acres of afforestation. Total mitigation provided is 1.81 acres, comprised of 1.40 acres of afforestation planting and 0.41 acres of street tree and landscape credits.

Conditions of Approval

The Preliminary/Final FRO plan must be approved prior to Site Plan approval. FRO mitigation must be provided prior to applying for grading permits or building permits, whichever is applied for first.

Historic Preservation – Chapter 1-23

This property does not have a historic designation.

Maryland Historic National Road

This application was reviewed for compliance with the *Corridor Management Plan for the US 15 Catoclin Mountain Scenic Byway*. This plan’s vision is for the byway to serve as the gateway to Frederick County’s scenic, natural, recreational, and historic opportunities with protected scenic views of farmsteads, orchards, and the Catoclin Mountains. To accomplish this vision, the *Management Plan* identifies several management strategies including strategies for conserving the intrinsic qualities along the Byway. For commercial development, the *Management Plan* identifies potential issues with building mass and size, parking lot design, and landscaping as these elements may impact the view from the Byway. The *Management Plan* suggests that adequately landscaped setbacks should be established to screen buildings and parking areas. The size of the landscaped setback area should be determined based on the height of the buildings and the position of the driver. Additionally, building mass should be broken down in scale through the use of fenestration, variation in roof and building height, and creative use of color and materials.

The Applicant has incorporated several of these strategies into the proposed project. The area is set 150 feet from the road with a landscape buffer surrounding the north, east, and south edges of the project. This landscape buffer will adequately screen the composting areas, parking lot, and buildings. Additionally, the proposed maintenance building is a simple design with the massing broken up with fenestration on the east, south, and west elevations and the use of different wall colors to provide a faux foundation. No renderings of the proposed office building were requested due to its very low impact to the scenic views. It is a one story building that will be obscured by the maintenance building and the

landscaping. Additionally, both buildings have taken advantage of the topography on the site and are sited lower than the existing Byway. Staff has no objection to the proposed project.

Findings/Conclusions

Based upon the review and analysis as provided above, Staff finds that the proposed application meets or will meet the Site Plan review criteria as set forth in §1-19-3.300.4 including items related to site development, transportation, parking, public utilities, natural features, and common areas. Staff will continue to work with the Applicant as the project moves through the remainder of the development process to address all agency comments as the plan proceeds through to completion.

Summary of Agency Comments

<i>Other Agency or Ordinance Requirements</i>	<i>Comments</i>
<i>Public Works Department:</i>	Approved
<i>Development Review Planning:</i>	Conditionally Approved
<i>Forest Resource (FRO):</i>	Approved
<i>Health Dept.:</i>	Approved
<i>Office of Life Safety:</i>	Approved
<i>Street Naming:</i>	Approved
<i>DPDR Traffic Engineering:</i>	Approved
<i>State Highway Administration:</i>	Approved
<i>Historic Review:</i>	Approved
<i>APFO Review:</i>	Approved

FINDINGS

Based on the discussion in this report and with the conditions listed below, Staff finds that the application meets and/or will meet all applicable Zoning, APFO and FRO requirements once the conditions of approval have been met.

RECOMMENDATION

Staff has no objection to conditional approval of the Site Plan for Key City Compost at Utica Bridge Farms. If the Planning Commission conditionally approves the Site Plan, it is valid for a period of three (3) years from the date of Planning Commission approval (valid through January 12, 2025).

Based upon the findings and conclusions as presented in the staff report, Staff finds that the application meets or will meet all applicable Zoning, APFO, and FRO requirements once the following modifications are granted and conditions met:

Planning Commission approval of the following modification requests from the Applicant:

1. Approval of a Parking Space Modification Request under §1-19-6.220(A)(2) to allow for 23 parking spaces, or 7 more spaces than the required 16 spaces.
2. Approval of a Loading Space Modification Request under §1-19-6.210(A) to allow for one large loading space, rather than the one small loading space required.
3. Approval of a Parking Space Modification Request under §1-19-6.220(B) to allow for 5 spaces to have an increased stall length of 22' over the 18' required.

Staff-proposed conditions of approval:

1. Address all agency comments as the plan proceeds through to completion.
2. Remove FRO details from landscape plan and update the planting schedule to show the correct sizes of materials at planting (street trees and parking lot trees).
3. The Preliminary/Final FRO plan must be approved prior to Site Plan approval. FRO mitigation must be provided prior to applying for grading permits or building permits, whichever is applied for first.

PLANNING COMMISSION ACTION

I move that the Planning Commission **APPROVE** the **Site Plan (SP19-17, AP 19894), including FRO (19896) and APFO (19895) with modifications and conditions** as listed in the staff report for the proposed **Key City Compost at Utica Bridge Farms**, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

Exhibit 1 – Close view of site



Exhibit 2 – Modification Requests

Cody Shaw
Planning and Permitting Division, Frederick County
30 N. Market Street
Frederick, MD 21701

RE: Key City Compost at Utica Bridge Farms (AP 19894)

Mr. Shaw:

This letter is to respond to two (2) comments issued by the County on December 3, 2021. We are requesting a modification request to have more parking spaces than what is required and to have a larger loading space area than what is required.

Comment: If you are providing more parking spaces than what's required, you will need to provide a modification request. Provide a modification request with a statement of justification as to why you're requiring additional parking. Be sure to note it on the site plan as well. If you don't want a modification, please revise the parking so that you're providing the same amount of spaces that's required.

Request 1. I request a variance from 1-19-6.220.A to allow 23 total parking spaces. The site will employ 12 full-time and 1 part-time personnel and will maintain 9 company owned vehicles on-site. The proposed parking spaces will allow all 13 employees and 9 company vehicles to be parked while maintaining one (1) additional parking space for visitors or accessible parking.

Request 2. I request a variance from 1-19-6.220.B to allow an increase in stall dimensions for five (5) parking spaces. These spaces proposed will allow single axle trucks (less than 26,000 gross vehicle weight) to park without blocking aisles.

Comment: If a larger loading space is being provided than what's required, you will need to provide a modification request. Provide a modification request with a statement of justification as to why you're requesting a larger loading space than what's required. Be sure to note it on the site plan as well. If you don't want a modification, please revise the loading space so that you're providing the same size of loading space that's required.

Request 3. I request a variance from 1-19-6.210 to allow a large loading space. We may receive process materials or equipment on transfer trailers and a large loading space will allow these vehicles to unload and would be more adequate for the proposed use than a small loading space.

If you have any questions, please feel free to contact me at 818-762-4771 or rjp9999@aol.com.

Sincerely,



Richard Jefferies
Owner, Utica Bridge Farms

Exhibit 3 – Letter of Understanding



FREDERICK COUNTY GOVERNMENT

DIVISION OF PLANNING AND PERMITTING
Department of Development Review and Planning

Jan H. Gardner
County Executive

Steve Horn, Division Director
Mike Wilkins, Director

ADEQUATE PUBLIC FACILITIES LETTER OF UNDERSTANDING

Key City Compost at Utica Bridge Farms

SP 19894, APFO 19895, FRO 19896, #SP19-17

In General: The following Letter of Understanding ("**Letter**") between the Frederick County Planning Commission ("**Commission**") and Key City Compost ("**Developer**"), together with its/their successors and assigns, sets forth the conditions and terms which the Commission deems to be the minimum necessary improvements dealing with school, water, sewer, and road improvements that must be in place for the property identified below to be developed, as shown on the proposed Key City Compost at Utica Bridge Farms site plan (the "**Project**"), in compliance with the Frederick County Adequate Public Facilities Ordinance ("**APFO**").

The Developer, its successors and assigns, hereby agrees and understands that unless the required improvements (or contributions to road escrow accounts, as specified below) are provided in accordance with this Letter, APFO requirements will not be satisfied and development will not be permitted to proceed.

This Letter concerns itself with the Developer's 29 +/- acre parcel of land, which is zoned A (Agricultural) and located east of US 15, bounded by Stull Road on the north and Lakeview Road to the east. This parcel This APFO approval will be effective for the new development of a 6.2 acre composting facility as shown on the site development plan for the above-referenced Project, which was conditionally approved by the Commission on January 12, 2022.

Schools: Schools are not impacted because this is a commercial development

Water and Sewer: This property is classified as No Planned Service. The property will be served by private well and septic system.

Road Improvements: This Project generates 18 am and 18 pm weekday peak hour driveway trips which does not exceed the 50 peak hour trip threshold required for APFO testing. In accordance with Section 1-20-31, the following improvements must be guaranteed and completed prior to the issuance of a building permit:

1. Widen and restripe Stull Road and Lakeview Road from US 15 to the proposed site access on Lakeview Road to provide a 20' pavement width.

In accordance with Section 1-20-12(H) of the APFO, the Developer is required to pay its proportionate contributions toward the following existing road escrow account in the Project area:

1. US 15 at Auburn Road: the Developer shall contribute the appropriate pro-rata share to Existing Escrow Account No. 4050 for median reconstruction at Auburn Road and turn lane enhancements at Fish Hatchery Road. The estimated cost of this Road Improvement is \$500,000. As determined by Traffic Engineering Staff, the Developer's proportionate share of this Road Improvement is 0.69%. Therefore, the Developer agrees to pay \$3,450 to the escrow account for this Road Improvement.
2. US 15/Hessong Bridge Road Intersection: the Developer shall contribute the appropriate pro-rata share to Existing Escrow Account No. 3805 for the northbound acceleration lane. The estimated cost of the intersection improvement is \$48,334. As determined by Traffic Engineering Staff, the Developer's proportionate share of this Road Improvement is 0.38%. Therefore, the Developer agrees to pay \$184 to the escrow account for this Road Improvement.
3. US 15 Median Reconstruction at Devilbiss Bridge Road: the Developer shall contribute the appropriate pro-rata share to Existing Escrow Account No. 3742 for the J-turn median construction. The estimated cost of the intersection improvement is \$4,922,000. As determined by Traffic Engineering Staff, the Developer's proportionate share of this Road Improvement is 0.38%. Therefore, the Developer agrees to pay \$18,703 to the escrow account for this Road Improvement.

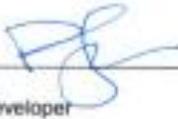
Therefore, prior to the issuance of building permits, the Developer hereby agrees to pay \$22,337 to the escrow accounts described above for these Road Improvements. Should these payments not be made within one year of the execution of this Letter, the County reserves the right to adjust this amount, based on an engineering cost index.

Period of Validity: The APFO approval is valid for three (3) years from the date of Commission approval; therefore, the APFO approval expires on January 12, 2022.

Disclaimer: This Letter pertains to APFO approval only, and shall not be construed to provide any express or implied rights to continue the development process. The Project remains subject to all applicable rules and regulations, including but not limited to those related to zoning, water and sewer, and subdivision. The Planning Commission's jurisdiction and authority is limited by State and County law, and approvals may be required from other local or state governmental agencies before the proposed development can proceed.

[Signatures Next Page]

DEVELOPER: ^{UTICA} ~~UTICA~~ BRIDGE FARMS, LLC

By:  Richard L. Jefferson Date: 12/9/2021
Developer

FREDERICK COUNTY PLANNING COMMISSION:

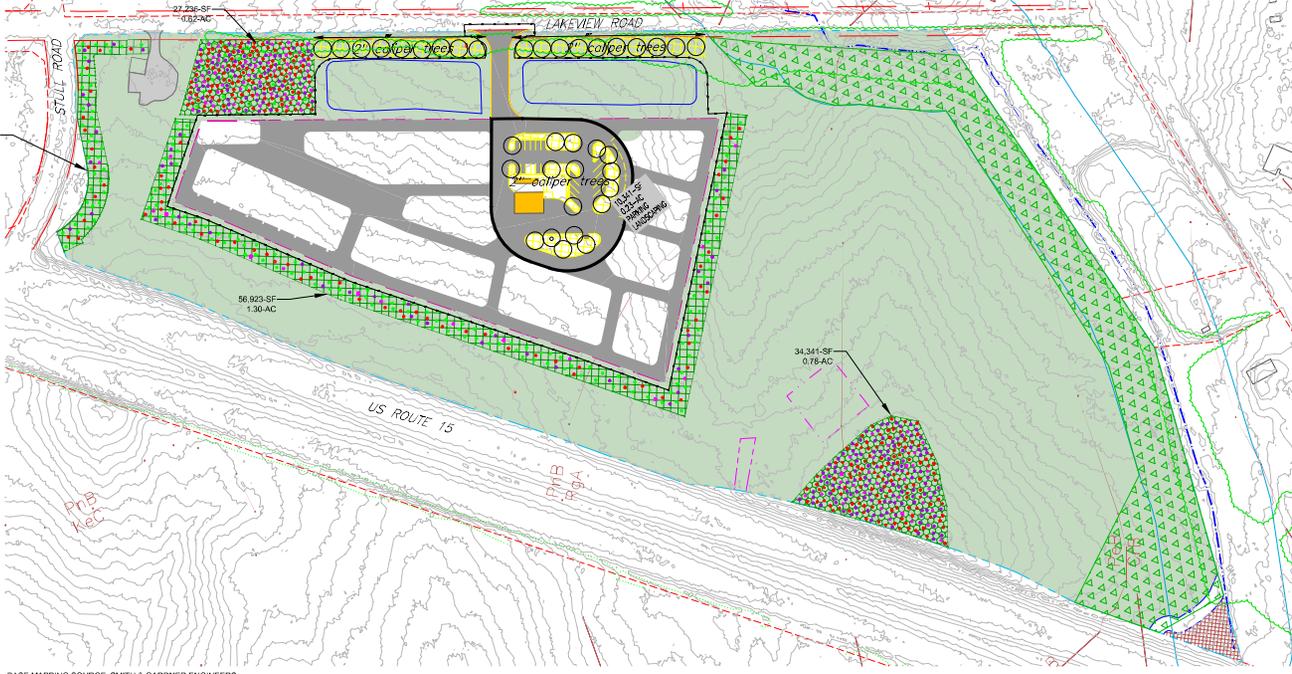
By: _____ Date: _____
Chair or Secretary

ATTEST:

By: _____ Date: _____
Gary Hessong, Deputy Director

Planner's Initials / Date _____
(Approved for technical content)

County Attorney's Office Initials / Date _____
(Approved as to legal form)



BASE MAPPING SOURCE: SMITH & GARDNER ENGINEERS



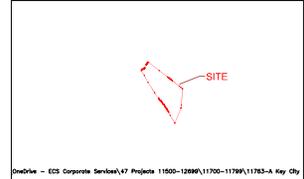
LEGEND

- PROPOSED LANDSCAPE BUFFER
- PROPOSED FRO EASEMENT
- 1-FOOT CONTOURS
- STREAM
- STREAM BUFFER
- SOILS
- APPROXIMATE WETLAND AREA
- 25' WETLAND BUFFER
- FLOOD HAZARD ZONE (OFFSITE)
- PROPOSED STORMWATER FEATURE
- PROPOSED PAVEMENT
- PROPOSED BUILDING
- EXISTING SEPTIC AREA
- STREET TREES
- EXISTING STRUCTURE
- ADJACENT PARCEL BOUNDARIES
- PROPOSED LIMITS OF DISTURBANCE (LOD)
- APPROVED RIPARIAN PLANTINGS BY STREAMLINK
- EXISTING TREELINE

- NOTES:**
- NO FOREST AREA CURRENTLY EXISTS ONSITE. RIPARIAN AREA HAS BEEN PLANTED BY STREAMLINK DNR GRANT AND THEREFORE CANNOT BE PLANTED IN ASSOCIATION WITH FRO.
 - STREET TREE REQUIREMENT IS BEING MET VIA PROPOSED STREET TREES, FRO, EXISTING TREE LINES, AND LANDSCAPING SCREENING PLANTINGS.

LANDSCAPING LEGEND		
SYMBOL	COMMON NAME	BOTANICAL NAME
EVERGREEN TREES		
	EASTERN WHITE PINE*	PINUS STROBUS
	VERGINA PINE*	PINUS VIRGINIANA
	EASTERN RED CEDAR*	JUNIPERUS VIRGINIANA
	AMERICAN RED PINE	PINUS RESINOSA
	WHITE SPRUCE	PICEA GLAUCA
	BELLMAN FIR	ABIES balsamifera
	HAWKRI FIR	ABIES PROSPERA
	BALD CYPRESS**	TAXODIUM DISTICHUM
DECIDUOUS TREES		
	YELLOW BIRCH*	BETULA ALLEGHANIENSIS
	SWAMP WHITE OAK*	QUERCUS BICOLOR
	TULIP*	LIRIODENDRON TULIPIFERA
	SHITTLEBARK*	BITULA LINDERA
	WHITE OAK*	QUERCUS ALBA
	BLACK LOCUST*	ROBINIA PSEUDOACACIA
	BLACK WALNUT*	JUGLANS NIGRA
	PN OAK*	QUERCUS PALATINSIS
	SHAGBARK HICKORY**	CORNUS FLORIDA
	RED OAK*	QUERCUS RUBRA
	RED MAPLE*	ACER RUBRUM
	AMERICAN SHELLBARK**	LIQUIDAMBAR STYRACIUM
	BLACK WILLOW*	SALEX nigra
	SMOOTH LEAF HICKORY**	CORNUS LACINOSA
	RUSSWOOD**	TILIA GLABRA
SPIRUBS		
	ELDERBERRY**	SAMBUCUS CANADENSIS
	DRUM DOBSON**	CORNUS INCHOUSA
	BUTTERNUTSH**	CERAMIAUS OCCIDENTALIS
	PLUM**	PRUNUS DOMESTICA
* NATIVE TO FREDERICK COUNTY ** NATURALIZED ADDITION TO FREDERICK COUNTY		

- Planting Specifications Notes**
- Type, see planting schedules this sheet and cover sheet.
 - Plant Quality Standards: The plants selected shall be healthy and sturdy representatives of their species. Seedlings shall have a minimum top growth of 18". The diameter of the root collar (the part of the root just below ground level) shall be at least 3/8". The roots shall be well developed and at least 8" long. No more than twenty-five percent (25%) of the root system (both primary and auxiliary roots) shall be pruned. Plants that do not have an abundance of well-developed terminal buds on the leaders and branches shall be rejected. Plants shall be shipped by the nursery immediately after filling from the field or removal from the green house, and planted immediately upon receipt by the landscape contractor. If the plants cannot be planted immediately after delivery to the restoration site, they shall be stored in the shade with their root masses protected from direct exposure to sun and wind by the use of straw, peat moss, compost, or other suitable material and shall be maintained through periodic watering, until the time of planting.
 - Plant Handling: The quantity of seedlings taken to the field shall not exceed the quantity that can be planted in a day. Seedlings, once removed from the nursery or temporary storage area shall be planted immediately.
 - Timing of Planting: The best time to plant seedlings is while they are dormant, prior to spring budding. The most suitable months for planting are March and April, when the soil is moist, but may be planted from March through November. No planting shall be done while ground is frozen. Planting shall occur within one growing season of the issuance of grading/bidding permits and/or reaching final grades and stabilization of planting areas.
 - Soiling: See Landscaping Plan for soiling requirements. Also refer to the Landscaping Plan for a description of the general planting theory details this sheet.
 - Soil: Upon the completion of all grading operations, a soil test shall be conducted to determine what soil preparation and soil amendments, if any, are necessary to create good tree growing conditions. Soil samples shall be taken at a rate that provides one soil sample for each area that appears to have a different soil type (if the entire area appears uniform, then only one sample is necessary), and submitted for testing to a private company. The company of choice shall make recommendations for improving the existing soil. This soil will be tested and recommended for corrections of soil texture, pH, magnesium, phosphorus, potassium, calcium and organic matter.
 - Soil Improvement Measures: The soil shall then be improved according to the recommendations made by the testing company.
 - Fencing and Signage: Final protective fencing shall be placed on the visible and/or development side of planting areas. The final protective fence shall be installed upon completion of planting operations unless it was installed during the initial stages of development. Signs shall be posted per the signage detail on this sheet.
 - Planting Method: Consult the Planting Details (shown on this sheet).
 - Mulching: Apply two-inch thick layer of woodchip or shredded hardwood mulch (as noted) to each planting site (see detail shown on the Landscaping Plan).
 - Groundcover Establishment: The remaining disturbed area between seeding planting sites shall be seeded and stabilized within appropriate time from the Natural Resources Conservation Practice Standard for Conservation Code (Code 327). Table C Selected List of Invasive Cover Species below provides specific recommendations of the site.
 - Mowing: No mowing shall be allowed in any planting area.
 - Source of Seedlings: site name, address, and phone number of nursery or supplier.



VICINITY MAP
TAX MAP 40, GRID 21, PARCEL 84
ACCOUNT NO. 20-384129
SOURCE: POINTFINDER SUITE



Map Unit Symbol	Map Unit Name	Hydric Soil	K-Value
CrB	Croton-Abbotstown silt loams, 3 to 8 percent slopes	Yes	.37
PeB	Penn chamney loam, 3 to 8 percent slopes	No	.324
PnB	Penn silt loam, 3 to 8 percent slopes	No	.37
RgA	Readington silt loam, 0 to 3 percent slopes	Yes	.43

STREET TREE CALCULATION (ROADWAY FRONTAGE):

LAKEVIEW ROAD:
295-ft / 35-ft = 8.4 trees (9 trees provided)
327-ft / 35-ft = 9.3 trees (10 trees provided)

STULL ROAD:
373-ft / 35-ft = 10.6 trees (provided via landscaping buffer)

US-15:
2,136-ft / 35-ft = 61.0 trees (provided via landscaping buffer)

20% PARKING LOT CANOPY CALCULATION:

PARKING LOT PAVEMENT COVERAGE:
51,705-sf
51,705-sf x 0.2 = 10,341-sf
10,341-sf / 707-sf = 14.6 trees (17 provided)

PLANTING QUANTITY CALCULATION:

1.40-ac x 350 stems/ac = 490 stems (875 provided)



OWNER/APPLICANT:
UTICA BRIDGE FARMS, LLC
7245 LAKEVIEW ROAD,
FREDERICK MD 21701
818-762-4771

This Forest Stand Delineation has been prepared in accordance with all State and local ordinances which were in effect as of the date shown below. The undersigned is a qualified professional in accordance with COMAR 08.19.06.01.

Jennifer Anderson 02/22/2022
Jennifer Anderson

CELEBRATING
OVER 30 YEARS
OF EXCELLENCE
IN LANDSCAPE ARCHITECTURE
(P) 410/334-9400



Compost Crew
7245 LAKEVIEW ROAD
FREDERICK COUNTY, MARYLAND

PLANTING PLAN
UTICA BRIDGE FARM

ECS REVISIONS
12/10/2021 LSC
2/22/22 JDA

ENGINEER
AMM
DRAFTING
LSC

SCALE
1" = 100'

PROJECT NO.
47-11763

SHEET
SP5

DATE
11/16/2021



Compost Crew
7245 LAKEVIEW ROAD
FREDERICK COUNTY, MARYLAND

PLANTING PLAN
UTICA BRIDGE FARM

ECS REVISIONS	
12/10/2021_LJC	
2/22/22_LJC	
ENGINEER	DRAFTING
AMM	LSC
SCALE	
NTS	
PROJECT NO.	
47-11763	
SHEET	
SP6	
DATE	
1/17/2021	

Evergreen Species				
Scientific Name	Common Name	Planting Stock Type	Size	Total Number Planted
<i>Pinus strobus</i>	Eastern white pine*	Balled & burlapped	1/4"-1/2"	104
<i>Pinus virginiana</i>	Virginia pine*	Balled & burlapped	1/4"-1/2"	2
<i>Juniperus virginiana</i>	Eastern red cedar*	Balled & burlapped	1/4"-1/2"	4
<i>Pinus resinosa</i>	American red pine	Balled & burlapped	1/4"-1/2"	25
<i>Pinus glauca</i>	White spruce	Balled & burlapped	1/4"-1/2"	25
<i>Abies balsamea</i>	Balsam fir	Balled & burlapped	1/4"-1/2"	10
<i>Abies fraseri</i>	Fraser fir	Balled & burlapped	1/4"-1/2"	10
<i>Taxodium distichum</i>	Bald cypress*	Balled & burlapped	1/4"-1/2"	10
Deciduous Species				
<i>Betula alleghaniensis</i>	Yellow birch*	Balled & burlapped	1/4"-1/2"	52
<i>Quercus bicolor</i>	Swamp white oak*	Balled & burlapped	1/4"-1/2"	22
<i>Liriodendron tulipifera</i>	Tulip poplar*	Balled & burlapped	1/4"-1/2"	52
<i>Betula lenta</i>	Sweet birch*	Balled & burlapped	1/4"-1/2"	77
<i>Quercus alba</i>	White oak*	Balled & burlapped	1/4"-1/2"	35
<i>Robinia pseudoacacia</i>	Black locust*	Balled & burlapped	1/4"-1/2"	40
<i>Lagotis nigra</i>	Black walnut*	Balled & burlapped	1/4"-1/2"	40
<i>Quercus palustris</i>	Pin oak*	Balled & burlapped	1/4"-1/2"	3
<i>Carya ovata</i>	Shagbark hickory*	Balled & burlapped	1/4"-1/2"	8
<i>Quercus rubra</i>	Red oak*	Balled & burlapped	1/4"-1/2"	25
<i>Acer rubrum</i>	Red maple*	Balled & burlapped	1/4"-1/2"	7
<i>Liquidambar styraciflua</i>	American sweetgum*	Balled & burlapped	1/4"-1/2"	10
<i>Salis nigra</i>	Black willow*	Balled & burlapped	1/4"-1/2"	7
<i>Carya tobinia</i>	Shelbark hickory*	Balled & burlapped	1/4"-1/2"	5
Shrubs				
<i>Sambucus nigra</i>	Elderberry*	Container	1/4"-1/2"	52
<i>Cornus racemosa</i>	Gray dogwood*	Container	1/4"-1/2"	54
<i>Euonymus alatus</i>	Butanbush	Container	1/4"-1/2"	54
<i>Cercis canadensis</i>	Redbud*	Container	1/4"-1/2"	55

Alternative Species				
Scientific Name	Common Name	Planting Stock Type	Size	
<i>Thuja occidentalis</i>	Mountain laurel	Balled & burlapped	1/4"-1/2"	
Deciduous Species				
<i>Cornus florida</i>	Flowering dogwood	Balled & burlapped	1/4"-1/2"	
<i>Cornus coccinea</i>	American horned	Balled & burlapped	1/4"-1/2"	
<i>Cornus sericea</i>	Red osier dogwood	Balled & burlapped	1/4"-1/2"	
<i>Chionanthus virginicus</i>	Fringe tree	Balled & burlapped	1/4"-1/2"	
Shrubs				
<i>Cornus amomum</i>	Silly dogwood	Container	1/4"-1/2"	
<i>Eleutheran paniculatus</i>	Blackhaw	Container	1/4"-1/2"	

STREET TREE CALCULATION (ROADWAY FRONTAGE):
325-R / 35-ft = 8.4 trees (9 trees provided)
297-R / 35-ft = 9.3 trees (10 trees provided)

LAKEVIEW FRONTAGE:
297-R / 35-ft = 8.4 trees (9 trees provided)
297-R / 35-ft = 9.3 trees (10 trees provided)

STULL ROAD:
373-R / 35-ft = 10.6 trees (provided via landscaping buffer)

US-15:
2,136-ft / 35-ft = 61.0 trees (provided via landscaping buffer)

20% PARKING LOT CANOPY CALCULATION:
51,705-sf x 0.2 = 10,341-sf
10,341-sf / 707-sf = 14.6 trees (17 provided)

PLANTING QUANTITY CALCULATION:
1.40-ac x 350 stems/ac = 490 stems (provided)

20% NATIVE TO FREDERICK COUNTY
**** NATURALIZED ADDITION TO FREDERICK COUNTY**

TOTAL # OF NATIVE PLANTINGS: 741
TOTAL # OF NON-NATIVE PLANTINGS: 134
TOTAL PLANTINGS: 875
741 native plantings / 875 total trees/shrubs planted = 84.7% native plantings

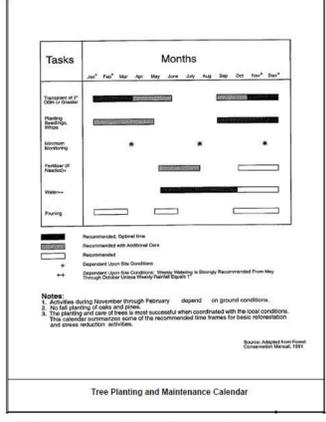
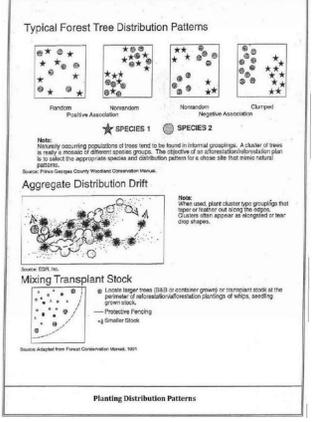
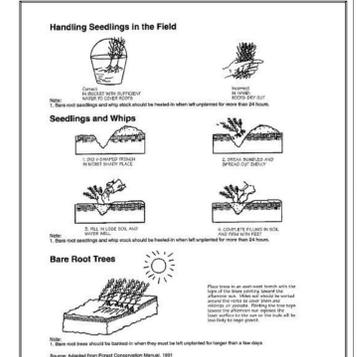
Deciduous Species- Parking Lot				
Scientific Name	Common Name	Planting Stock Type	Size	Total Number Planted
<i>Betula alleghaniensis</i>	Yellow birch*	Balled & burlapped	2"	3
<i>Betula lenta</i>	Sweet birch*	Balled & burlapped	2"	3
<i>Tilia americana</i>	Basswood*	Balled & burlapped	2"	8
<i>Salix nigra</i>	Black willow*	Balled & burlapped	2"	3

Deciduous Species- Lakeview Road				
Scientific Name	Common Name	Planting Stock Type	Size	Total Number Planted
<i>Quercus bicolor</i>	Swamp white oak*	Balled & burlapped	2"	3
<i>Liriodendron tulipifera</i>	Tulip poplar*	Balled & burlapped	2"	3
<i>Acer rubrum</i>	Red maple*	Balled & burlapped	2"	3

Evergreen Species				
Scientific Name	Common Name	Planting Stock Type	Size	Total Number Planted
<i>Pinus strobus</i>	Eastern white pine*	Balled & burlapped	2"	3
<i>Pinus virginiana</i>	Virginia pine*	Balled & burlapped	2"	4
<i>Juniperus virginiana</i>	Eastern red cedar*	Balled & burlapped	2"	3

Planting Specification Notes

- Type: See planting schedule on this sheet and cover sheet.
- Plant Quality Standards: The plants selected shall be healthy and sturdy representatives of their species. Seedlings shall have a minimum top growth of 18". The diameter of the root collar (at the top of the root below ground level) shall be at least 3/8". The roots shall be well developed and at least 8" long. No more than twenty-five percent (25%) of the root system (both primary and secondary roots) shall be present. Plants that do not have an abundance of well developed terminal buds on the leaders and branches shall be rejected. Plants shall be shipped by the nursery immediately after lifting from the ground in the grow house, and planted immediately upon receipt by the landscape contractor. If the plants cannot be planted immediately after delivery to the installation site, they shall be stored in the shade with their root masses protected from direct exposure to sun and wind by the use of straw, peat moss, compost, or other suitable material and shall be maintained through periodic watering, until the time of planting.
- Plant Handling: The quantity of seedlings taken to the field shall not exceed the quantity that can be planted in a day. Seedlings, once removed from the nursery or temporary storage area shall be planted immediately.
- Timing of Planting: The best time to plant seedlings is while they are dormant, prior to spring budbreak. The most suitable months for planting are March and April, when the soil is moist, but may be planted from March through November. No planting shall be done while ground is frozen. Planting shall occur within one growing season of the issuance of grading building permits and/or reaching the final grade and stabilization of planting areas.
- Soeding Planting: Tree seedlings shall be hand planted using a dibble bar or sharp-shooter shovel. It is important that the seedling be placed in the hole so that the roots can spread out naturally; they should not be twisted, balled up or bent. Most soil should be packed firmly around the roots. Seedlings should be planted at a depth where their roots lie just below the ground surface. Air pockets should not be left after closing the hole which would allow the roots to dry out. See planting details for further explanation. If the contractor wishes to plant by another method, the preparer of this tree conservation plan must be contacted and give his approval before planting may begin.
- Spacing: See Landscaping Plan for spacing requirements. Also refer to the Landscaping Plan for a description of the general planting theory, details this sheet.
- Soil: Upon the completion of all grading operations, a soil test shall be conducted to determine what soil preparation and soil amendments, if any, are necessary to create good tree growing conditions. Soil samples shall be taken at a rate that provides one soil sample for each area that appears to have a different soil type (if the entire area appears uniform, then only one sample is necessary), and submitted for testing to a private company. The company of choice shall make recommendations for improving the existing soil. The soil will be tested and recommended for soil texture, pH, magnesium, phosphorus, potassium, calcium and organic matter.
- Soil Improvement Measures: The soil shall be improved according to the recommendations made by the testing company.
- Fencing and Signage: Final protective fencing shall be placed on the visible and/or development side of planting areas. The final protective fence shall be installed upon completion of planting operations unless it was installed during the initial stages of development. Signs shall be posted per the signage detail on the sheet.
- Planting method: Consult the Planting Details shown on this sheet.
- Mulching: Apply two-inch thick layer of woodchips or shredded hardwood mulch (as noted) to each planting site (see detail shown on the Landscaping Plan).
- Groundcover Establishment: The remaining disturbed area between seedling planting sites shall be seeded and stabilized with appropriate mix from the Natural Resources Conservation Practice Standard for Conservation Cover (Code 327).
- Table 2: Selected list of Herbaceous Cover Mixes based on the specific characteristics of the site.
- Mowing: No mowing shall be allowed in any planting area.
- Source of Seedlings: state name, address, and phone number of nursery or supplier.



PLANTING SPECIFICATIONS FOR WHIP AND SEEDLING INSTALLATION

- SEEDLING STOCK HANDLING SHALL BE PERFORMED BY THE CONTRACTOR IN THE PLANTING AREA TO: CONTINUE NECESSARY AIR CIRCULATION FOR PLANT GROWTH.
- SEEDLING SOIL SHALL BE TREATED, IF NECESSARY, SO AS TO ELIMINATE ANY HARMFUL OR INHIBITORY MICROBES AND PATHOGENS THAT MAY BE PRESENT. SOIL AMENDMENTS SUCH AS LIME AND FERTILIZER SHALL BE ADDED AS NEEDED IF NECESSARY. WHEN SOME RESIDUAL SOIL BACKFILL IS USED TO PLANT THE TREE, IT MUST BE A MINIMUM OF ONE TOP SOIL INCH APPLICATION TO A MINIMUM OF NINE INCHES DEEP. THE PLANTING AREA, IF NECESSARY, SHALL BE TREATED BY INCORPORATING NATURAL MULCH WITHIN THE TOP THREE (3) INCHES OF SOIL.
- ALL PLANTING AND CARE/MAINTENANCE OPERATIONS SHALL BE PLANNED TO OCCUR DURING THE WARMER MONTHS OF THE YEAR. PLANTING SHALL BE SCHEDULED TO OCCUR DURING THE WARMER MONTHS OF THE YEAR. PLANTING SHALL BE SCHEDULED TO OCCUR DURING THE WARMER MONTHS OF THE YEAR. PLANTING SHALL BE SCHEDULED TO OCCUR DURING THE WARMER MONTHS OF THE YEAR.
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**FREDERICK COUNTY GOVERNMENT****DIVISION OF PLANNING & PERMITTING**

Department of Development Review & Planning

*Deborah A. Carpenter, AICP, Division Director**Michael L. Wilkins, Director***FCPC DECISION LETTER**
Site Development Plan for Compost Crew at Utica Bridge Farms
SP19-17, AP SP277005, APFO A277003*February 13, 2025*Kristie Blumer
Compost Crew
12343 Carroll Avenue
Rockville, MD 20852

This letter is to inform you that the Site Development Plan for the above referenced project was conditionally approved by the Frederick County Planning Commission (FCPC) on February 12, 2025. The approval is subject to the following conditions:

Modifications:

1. Approval of a Parking Space Modification Request under §1-19-6.220(A)(2) to allow for 23 parking spaces, or 7 more spaces than the required 16 spaces.
2. Approval of a Loading Space Modification Request under §1-19-6.210(A) to allow for one large loading space, rather than the one small loading space required.
3. Approval of a Parking Space Modification Request under §1-19-6.220(B) to allow for 5 spaces to have an increased stall length of 22' over the 18' required.

Staff Conditions:

1. The Applicant shall comply with all Staff and agency comments through the completion of the plan.
2. FRO mitigation must be provided prior to applying for grading permits or building permits, whichever is applied for first.

Once all conditions have been met, the plan will be stamped and signed as approved and will be available for download from the ProjectDox site. The Site Development Plan approval is valid for a period of 3 years from the date of Planning Commission approval (valid through February 12, 2028). Start of construction, as defined under 1-19-11.100 of the Zoning Ordinance, must begin under valid permits prior to the Site Plan expiration date.

If you have any questions concerning the matters stated herein, please do not hesitate to contact me.

Cody L. Shaw
Principal Planner II
Division of Planning and Permitting
Phone: 301-600-1145
cshaw@frederickcountymd.gov



FREDERICK COUNTY GOVERNMENT

DIVISION OF PLANNING & PERMITTING

Department of Development Review & Planning

Exhibit G

Jessica Fitzwater
County Executive

Deborah A. Carpenter, AICP, Division Director

Michael L. Wilkins, Director

SITE PLAN APPROVAL LETTER

February 26, 2025

Kristie Blumer
Compost Crew
12343 Carroll Avenue
Rockville, MD 20852

Re: File #SP19-17 AP SP277005 Compost Crew at Utica Bridge Farms - Type 1 Site Plan approval

Dear Applicant:

The aforementioned plan has been approved. A digital stamped-approved PDF is available to download from the ProjectDox website.

This approval is granted with the understanding that all applicable conditions will be satisfied as the project moves forward to completion.

The approval period for this project is three (3) years from the date of the site plan approval and will expire on February 12, 2028.

If you have any questions concerning the matters stated herein, please do not hesitate to contact me.

Best regards,

Cody L. Shaw
Principal Planner II
Division of Planning and Permitting
Phone: 301-600-1145
cshaw@frederickcountymd.gov



FREDERICK COUNTY GOVERNMENT

DIVISION OF PLANNING AND PERMITTING *Deborah A. Carpenter, AICP, Division Director*

ADEQUATE PUBLIC FACILITIES LETTER OF UNDERSTANDING

Compost Crew at Utica Bridge Farms

SP277005, F277004, A277003

In General: The following Letter of Understanding (“**Letter**”) between the Frederick County Planning Commission (“**Commission**”) and Compost Crew Inc, A Benefit Corporation (“**Developer**”), together with its/their successors and assigns, sets forth the conditions and terms which the Commission deems to be the minimum necessary improvements dealing with school, water, sewer, and road improvements that must be in place for the property identified below to be developed, as shown on the proposed Compost Crew at Utica Bridge Farms site plan (the “**Project**”), in compliance with the Frederick County Adequate Public Facilities Ordinance (“**APFO**”).

The Developer, its successors and assigns, hereby agrees and understands that unless the required improvements (or contributions to road escrow accounts, as specified below) are provided in accordance with this Letter, APFO requirements will not be satisfied, and development will not be permitted to proceed.

This Letter concerns itself with the Developer’s 29.0 +/- acre parcel of land, which is zoned A (Agricultural) and located east of US 15, bounded by Stull Road on the north and Lakeview Road to the east. This APFO approval will be effective for the new development of a 6.2-acre composting facility as shown on the site development plan for the above-referenced Project, which was conditionally approved by the Commission on February 12, 2025.

Schools: Schools are not impacted because this is a commercial development

Water and Sewer: This property is classified as No Planned Service. The property will be served by private well and septic system.

Road Improvements: This Project generates 18 am and 18 pm weekday peak hour trips which does not exceed the 50 peak hour trip threshold required for APFO testing. In accordance with Section 1-20-31, the following improvements must be guaranteed and completed prior to the issuance of any permits:

1. Widen and restripe Stull Road and Lakeview Road from US 15 to the proposed site access on Lakeview Road to provide a 20’ pavement width.

In accordance with Section 1-20-12(H) of the APFO, the Developer is required to pay its proportionate contributions toward the following existing road escrow account in the Project area:

1. US 15 at Auburn Road: The applicant shall contribute the appropriate pro-rata share to Existing Escrow Account No. 4050 for median reconstruction at Auburn Road and turn lane enhancements at Fish Hatchery Road. The estimated cost of this Road Improvement is \$533,391. As determined by Traffic Engineering Staff, the Developer's proportionate share of this Road Improvement is 0.69%. Therefore, the Developer hereby agrees to pay \$ 3,680 to the escrow account for this Road Improvement.
2. US 15/Hessong Bridge Road Intersection: The applicant shall contribute the appropriate pro-rata share to Existing Escrow Account No. 3805 for the northbound acceleration lane. The estimated cost of the intersection improvement is \$59,613. As determined by Traffic Engineering Staff, the Developer's proportionate share of this Road Improvement is 0.38%. Therefore, the Developer agrees to pay \$227 to the escrow account for this Road Improvement.
3. US 15 Median Reconstruction at Devilbiss Bridge Road: The applicant shall contribute the appropriate pro-rata share to Existing Escrow Account No. 3742 for the J-turn median construction. The estimated cost of the intersection improvement is \$6,070,607. As determined by Traffic Engineering Staff, the Developer's proportionate share of this Road Improvement is 0.38%. Therefore, the Developer agrees to pay \$23,068 to the escrow account for this Road Improvement.

Therefore, prior to the issuance of any permits, the Developer hereby agrees to pay \$26,975 to the escrow accounts described above for these Road Improvements. Should these payments not be made within one year of the execution of this Letter, the County reserves the right to adjust this amount, based on an engineering cost index.

Period of Validity: The APFO approval is valid for three (3) years from the date of Commission approval; therefore, the APFO approval expires on February 12, 2028.

Disclaimer: This Letter pertains to APFO approval only and shall not be construed to provide any express or implied rights to continue the development process. The Project remains subject to all applicable rules and regulations, including but not limited to those related to zoning, water and sewer, and subdivision. The Planning Commission's jurisdiction and authority is limited by State and County law, and approvals may be required from other local or state governmental agencies before the proposed development can proceed.

[Signatures Next Page]

DEVELOPER: Compost Crew Inc, A Benefit Corporation

By: 

Date: 01/09/2025

Developer/Owner/Contract Purchaser

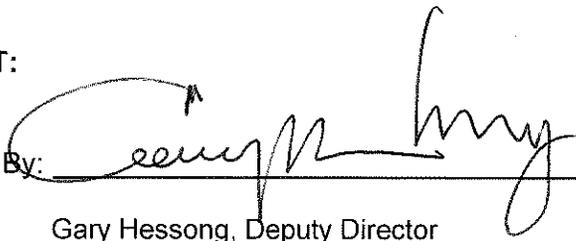
FREDERICK COUNTY PLANNING COMMISSION:

By: 

Date: 2-12-2025

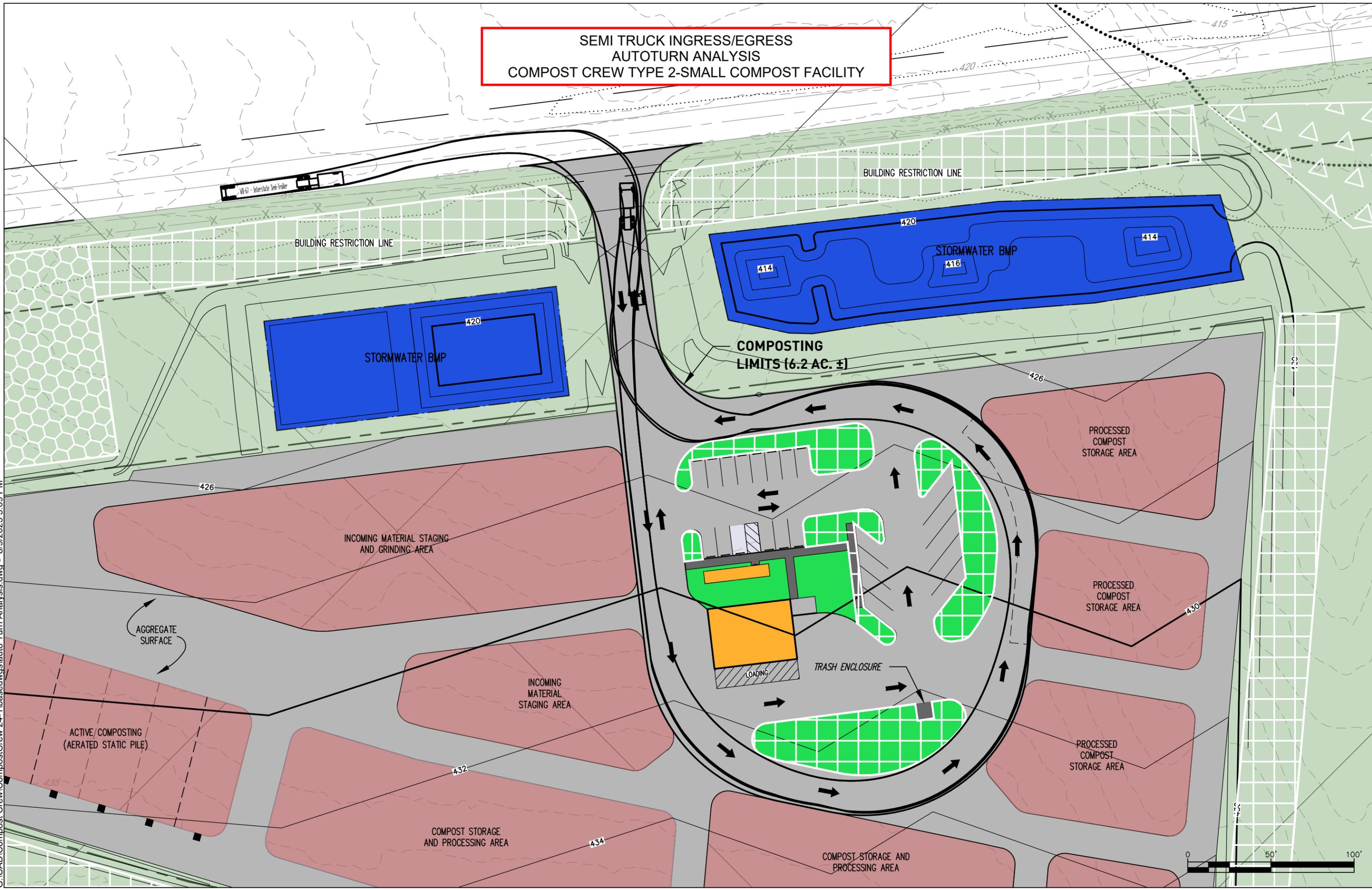
Chair or Secretary

ATTEST:

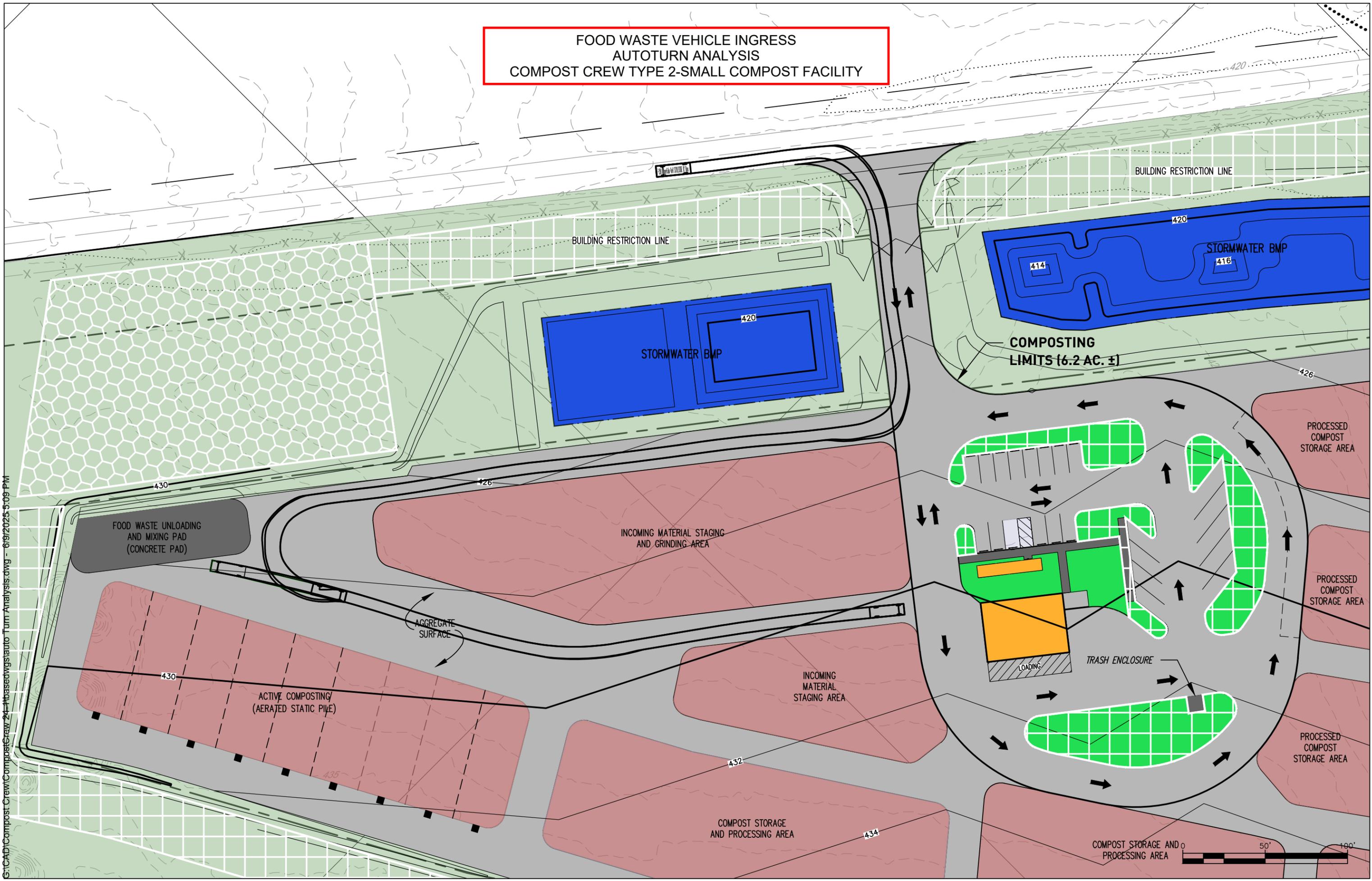
By: 
Gary Hessong, Deputy Director

Date: 2-13-25

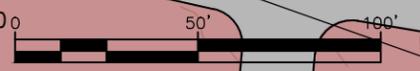
SEMI TRUCK INGRESS/EGRESS
AUTOTURN ANALYSIS
COMPOST CREW TYPE 2-SMALL COMPOST FACILITY



FOOD WASTE VEHICLE INGRESS
AUTOTURN ANALYSIS
COMPOST CREW TYPE 2-SMALL COMPOST FACILITY



G:\CAD\Compost Crew\Compost Crew 24-H based\vgstauto Turn Analysis.dwg - 6/19/2025 5:09 PM





Memorandum

To: Mark Mishler
 Transportation Engineering
 Supervisor
 Division of Planning & Permitting
 Frederick County, MD

Date: February 22, 2021

Project #: 39187.01

From: Daniel L. Lovas, PE
 Senior Transportation Engineer

Re: Key City Composting Trip Generation Memorandum –
 Frederick County, MD

Andrew Topp, PE, PTOE
 Senior Project Manager

Project Background

Key City Composting is proposing to construct a new composting facility for processing food waste and carbon-based materials. The site will be located at a parcel between US 15 (Catoclin Mountain Highway) and Lakeview Road, just east of Stull Road in Frederick County, Maryland. The project will develop up to 10 acres of the 29-acre parcel located at 10661 Stull Road. According to the Frederick County Notice of Intent to Develop (NID) form, a Traffic Impact Analysis (TIA) may be considered, but not necessarily required for a site that is expected to generate between 6 and 25 new peak hour trips during the adjacent street peak hour. This memorandum will outline the expected trip generation for the new composting facility, including a breakdown of the various types of trips expected at the facility.

Trip Generation Methodology and Results

The ITE Trip Generation Manual, 10th Edition is most often used to estimate trips for a TIA. However, the proposed facility is a unique land use that is not covered within the manual. The most appropriate methodology for this proposed land use is to estimate a maximum trip generation associated with both employee and loading activity on the property. The site will have maximum permitted tonnage requirements, which can be converted into vehicular trips based on the site operational characteristics. The composting facility is estimated to take in daily truckloads of raw material, both food waste and carbon-based, and send out truckloads of compost. In addition, there will be a rotating staff of employees at the site, working in shifts, as well as other miscellaneous visits to the site via trucks or other personal vehicles. Table 1 displays the estimated volume of vehicular trips expected at the proposed facility, as well as approximated daily volume based on these values.



1775 Greensboro Station Place
 Suite 200
 Tysons, VA 22102
 P 703.847.3071



Table 1: Site Trip Generation Information

Site Information	Incoming Food Waste	Incoming Carbon Waste	Outgoing Compost	Employee Traffic
Annual Material Quantities (tons/year)	6,500	13,500	5,000	-
Average Truck Capacity (tons/load)	2	10	12	-
Yearly Loads	3,250	1,350	417	-
Weekly Loads	62.5	26.0	8.0	-
Working Days per Week	5	5	5	5
Loads/Day	12.5	5.2	1.6	-
Trucks/Day (rounded up)	13	6	2	-
Arrival/Departure Window (hrs)	8.0	8.0	8.0	-
Trucks (vehicles)/Hour during Weekday AM Peak	2.0	1.0	1.0	6.0
Trucks (vehicles)/Hour during Weekday PM Peak	2.0	1.0	1.0	6.0

As shown in Table 1, the site expects to receive up to 6,500 tons per year of food waste and 13,500 tons per year carbon waste material, which will be mixed to process up to 5,000 tons of finished compost. The arrivals are expected to arrival uniformly across the workday and year. This results in approximately 4 trucks entering and exiting during the peak hour periods. The site’s six on site employees were assumed to drive independently to the site and all enter during the AM peak and exit during the PM peak.

Table 2 presents the estimated daily and peak hour trips based on the amount of truck and employee traffic utilizing the proposed composting facility. The site is not expected to have retail sales or substantial visitor activity; however, an additional two trips were added to each peak in the event of an occasional delivery or other miscellaneous trip to the site. The analysis assumes no reduction in trips due to internal capture or alternative transportation modes. All trips generated by the proposed facility are assumed to be new trips being added to the network.



Table 2: Key City Composting Facility Trip Generation Results

Trip Type	Daily (2-Way)	Weekday AM (7-8 AM)			Weekday PM (5-6 PM)		
		Enter	Exit	Total	Enter	Exit	Total
Incoming Food Waste Truck Trips	26	2	2	4	2	2	4
Incoming Carbon Truck Trips	12	1	1	2	1	1	2
Outgoing Compost Truck Trips	4	1	1	2	1	1	2
Misc Additional Truck Trips	20	1	1	2	1	1	2
Total Truck Trips	62	5	5	10	5	5	10
Employee Trips	40	6	0	6	0	6	6
Misc Non-Truck Trips	20	1	1	2	1	1	2
Total Non-Truck Trips	60	7	1	8	1	7	8
Total Truck and Non-Truck Trips	122	12	6	18	6	12	18

As reported in Table 2, the composting facility is expected to generate 122 daily site trips with 18 site trips (12 entering, 6 exiting) occurring during the AM peak hour and 18 site trips (6 entering, 12 exiting) occurring during the PM peak hour. The peak trip rate is equivalent to over three minutes between a vehicle arriving or departing the site.

The site will have a single driveway that will access Lakeview Road, near its intersection with Stull Road. Site generated traffic will use these two roads to access US 15. A TIA for this site may be considered, but this analysis indicates no significant impact on the surrounding roadway network, due to the low number of trips generated.

Cirner, Casey L.

From: Cirner, Casey L.
Sent: Monday, June 16, 2025 11:33 AM
To: Cirner, Casey L.
Subject: FW: [EXTERNAL] Fwd: Baltimore Zoo/Compost Crew Connection



Casey L. Cirner (She/Her/Hers) | *Principal*
Miles & Stockbridge
direct: +1 (301) 517-4817 | cell: +1 (301) 642-3450

----- Forwarded message -----

From: Kirby Fowler <kirby.fowler@marylandzoo.org>
Date: Fri, Jun 13, 2025, 5:36 PM
Subject: Re: Baltimore Zoo/Compost Crew Connection
To: Andrew Young <andrew.young@marylandzoo.org>
Cc: Ben Parry <ben@compostcrew.com>, Mike Evitts <mike.evitts@marylandzoo.org>

Thanks!

MARYLAND ZOO

J. KIRBY FOWLER, JR. (he/him)
President & Chief Executive Officer
THE MARYLAND ZOO IN BALTIMORE
[1876 Mansion House Drive](#)
Baltimore | [MD](#) | [21217](#)
P 443.552.5254
kirby.fowler@marylandzoo.org
www.marylandzoo.org



On Fri, Jun 13, 2025 at 5:34 PM Andrew Young <andrew.young@marylandzoo.org> wrote:

Hi Ben,

Sorry about that. You should have viewing access now. I updated the document to say that anyone with the link can view it.

Sent from my iPhone

On Jun 13, 2025, at 11:14 AM, Ben Parry <ben@compostcrew.com> wrote:

Thank you so much! Could you grant access to the Google doc or send as a separate attachment?

Ben Parry
CEO
Compost Crew
ben@compostcrew.com | 240-535-2472
<https://calendly.com/ben-compostcrew>



On Fri, Jun 13, 2025, 11:05 AM Mike Evitts <mike.evitts@marylandzoo.org> wrote:

Begin forwarded message:

From: Andrew Young <andrew.young@marylandzoo.org>
Date: June 10, 2025 at 1:37:54 PM EDT
To: Mike Evitts <mike.evitts@marylandzoo.org>
Cc: Ellen Bronson <ellen.bronson@marylandzoo.org>, Kirby Fowler <kirby.fowler@marylandzoo.org>
Subject: Re: **Baltimore Zoo/Compost Crew Connection**

Attached is the signed document as requested. If it needs to be edited at all please let me know.

Thank you
[Affidavit- Maryland Zoo](#)

On Mon, Jun 9, 2025 at 9:28 AM Mike Evitts
<mike.evitts@marylandzoo.org> wrote:

Here's the updated document...

Begin forwarded message:

From: Ben Parry <ben@compostcrew.com>
Date: June 9, 2025 at 8:43:05 AM EDT
To: Mike Evitts <mike.evitts@marylandzoo.org>
Subject: Re: Baltimore Zoo/Compost Crew Connection

Here is the corrected version. Would it be possible to receive the signed copy by Wednesday?

Sincerely,

Ben Parry
CEO
Compost Crew
ben@compostcrew.com | 240-535-2472
<https://calendly.com/ben-compostcrew>



On Fri, Jun 6, 2025 at 5:39 PM Mike Evitts
<mike.evitts@marylandzoo.org> wrote:

Either way. Your call.

On Jun 6, 2025, at 3:49 PM, Ben Parry
<ben@compostcrew.com> wrote:

Thank you Mike. Do you need me to correct the name before you get final approval and sign, or will you change the name?

Many thanks,

Ben Parry
CEO
Compost Crew
ben@compostcrew.com | 240-535-2472
<https://calendly.com/ben-compostcrew>



On Thu, Jun 5, 2025 at 9:21 AM Mike Evitts
<mike.evitts@marylandzoo.org> wrote:

One factual correction in the meantime,
we're the Maryland Zoo, not the Baltimore
Zoo.

On Wed, Jun 4, 2025 at 3:09 PM Ben Parry
<ben@compostcrew.com> wrote:

Hi Mike,

The affidavit template is attached, with the
blanks highlighted in yellow that need to be
filled out. Feel free to call me if you have
any questions.

Many thanks!

Ben Parry
CEO
Compost Crew
ben@compostcrew.com | 240-535-2472
<https://calendly.com/ben-compostcrew>

On Fri, May 30, 2025 at 10:12 AM Mike
Evitts <mike.evitts@marylandzoo.org>
wrote:

Happy to help. Just give me a day or two to turn it around.

-Mike

On Fri, May 30, 2025 at 10:02 AM Ben Parry <ben@compostcrew.com> wrote:

Thank you Kat and Mike! We will be in touch with a template for your review.

Sincerely,

Ben Parry

CEO

Compost Crew

ben@compostcrew.com | 240-535-2472

<https://calendly.com/ben-compostcrew>

On Thu, May 29, 2025 at 4:32 PM

Katharine Mantzouris

<katharine.mantzouris@marylandzoo.org> wrote:

Hi All,

I am including Mike Evitts into this conversation to sign off on, our Senior Director of Marketing & Communications who will be able to move this forward

Thanks

Kat

----- Forwarded message -----

From: **Rita Bernert**

<rita@thecompostcrew.com>

Date: Thu, May 29, 2025 at 12:13 PM

Subject: Baltimore Zoo/Compost Crew Connection

To: Katharine Mantzouris

<katharine.mantzouris@marylandzoo.org>, Ben Parry

<ben@compostcrew.com>

Hi Ben,

I am connecting you with Kat from the Baltimore Zoo. Please send her whatever you need for her to sign and put on their

letterhead. Thanks again
Kat!

Rita Bernert
Director of Commercial Sales
410.615.9915

[Compost Crew was named
Organics Diversion Program of the
Year by USCC](#)

Boost your sustainability by:

- composting your food scraps with [Compost Crew](#)
- shopping for 100's of compostable products at keycompostables.com
- purchasing nutrient-rich [Farm Feast](#) compost!

--

**Katharine
Mantzouris (she/her)**
Conservation Programs Manager
THE MARYLAND ZOO IN
BALTIMORE
[1876 Mansion House Drive](#)
Baltimore [| MD | 21217](#)
P 443.552.3377
F 443.320.0009
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ACCREDITED BY THE
ASSOCIATION
OF ZOOS &
AQUARIUMS

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MARYLAND ZOO

MARYLAND ZOO

ANDREW YOUNG

Commissary Manager

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ASSOCIATION
OF ZOOS
AQUARIUMS &



Please consider the environment before
printing this email.

THE FREDERICK COUNTY BOARD OF APPEALS

**In re Compost Crew, Inc., a
Benefit Corporation**

**Appeal of Site Development Plan SP 19-17
(AP SP277005 APFO277003**

Compost Crew at Utica Bridge Farms

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*
*
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*
*
*

Appeal: B277447

AFFIDAVIT OF Maryland Zoo

I, Andrew Young, under penalty of perjury, declare and affirm that:

1. I am more than eighteen (18) years of age, have personal knowledge of the facts contained herein, and am competent to testify thereto as a witness.

2. I am an employee of The Maryland Zoo in Baltimore located at One Safari Place, Baltimore, Maryland 21217 (the “Maryland Zoo”).

3. My job title at the Maryland Zoo is Commissary Manager and my job duties include, without limitation, the following oversee the removal of animal bedding and straw used for special public events.

4. During the year, the Maryland Zoo holds various seasonal events to attract visitors.

5. From October 4, 2024 through October 27, 2024, the Maryland Zoo held its annual Halloween event called Zoo Boo!

6. The event festivities included many children’s activities, such as a hay maze, hay rides, train ride, pumpkin smash, moon bounce, costume contests, trick or treating, face painting, and scarecrow making experience.

7. Upon conclusion of Zoo Boo!, the Maryland Zoo hired Compost Crew, Inc., a benefit corporation (“Compost Crew”) to collect and haul the hay from the hay maze.

8. The collection of hay to Compost Crew included a few hundred bales of hay.

9. The collected hay bales were only from the children’s hay maze and were or had not been used by or for any animal at the Maryland Zoo prior to donation.

10. There were no other materials, including materials from the Maryland Zoo or any animal from the Maryland Zoo, mixed into the bales of hay collected by Compost Crew.

11. On November 21, 22 and 24, 2004, Compost Crew picked up the bales of hay from the Maryland Zoo.

I SOLEMNLY SWEAR AND AFFIRM UNDER THE PENALTIES OF PERJURY AND UPON PERSONAL KNOWLEDGE THAT THE CONTENTS OF THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT.

6/10/25
Date

Andrew Young _____
TBD

June 16, 2025

Shannon Bohrer, Chair
And Members of the Frederick County
Board of Appeals
30 N. Market Street
Frederick, MD 21701

**RE: Proposed Limited Food Waste Composting: Commercial Activity
7245 Lakeview Road (SP 19-17, AP 277005)
Frederick, Maryland**

Dear Chair Bohrer and Members of the Board:

Smith Gardner Inc. (S+G) is pleased to provide an environmental and technical review in support of the Site Plan for a proposed limited food waste composting: commercial activity at 7245 Lakeview Road (the Property), near Frederick, Maryland. This review and accompanying documentation are submitted to support the upcoming *de novo* hearing regarding the appeal of a previously approved Site Plan.

S+G was retained by Richard Jefferies (the Property Owner) and Compost Crew to submit the Site Plan for the composting facility. In our professional opinion, the proposed development meets the applicable regulatory requirements and is suitable for limited food waste composting as a commercial activity under the Frederick County Zoning Ordinance.

Background

Compost Crew currently operates a limited food waste composting facility: agricultural activity on the Property, permitted by right without Site Plan approval. To expand this use into a commercial Tier 2-Small (limited food waste) composting facility, the previous operator, Resolutions Solutions, Inc. (d/b/a Key city Compost), obtained a General Composting Facility Permit (No. 2020-GCF-0022) from the Maryland Department of the Environment (MDE). As a condition of the permit, local zoning and development approvals were required.

S+G supported Key City Compost in preparing a Site Plan based on conceptual drawings submitted to MDE. The Frederick County Planning Commission (Commission) unanimously approved by the Site Plan on January 12, 2022, with the approval valid for three (3) years (expiring on January 12, 2025).

In 2024, Compost Crew acquired Key City Compost and resubmitted the previously approved Site Plan with no substantive changes. The Commission approved the Site Plan on February 12, 2024, by a 3-2 vote. However, the approval has since been appealed, prompting a *de novo* review.

Compliance with Regulatory Buffers and Environmental Siting Criteria

There are several vertical and horizontal separation requirements established by the Code of Maryland Regulations (COMAR) and Frederick County Zoning Ordinance (FCZO). Each requirement is presented in italics, followed by its applicability to the proposed Facility.

Floodplain Restrictions

COMAR 26.04.11.08.B(3): A composting facility may not be located in a flood plain.

FCZO 1-19-8.408(B): No portion of the limited food waste composting activity or operation shall be located within the floodplain district.

The Property is not located within the 100-year floodplain.

Critical Area Restrictions

COMAR 26.04.11.08.B(5): A composting facility may not be located in conflict with the Chesapeake Bay Critical Area Commission Criteria...or any locally adopted Critical Area Plan.

The Facility is not located within a critical area, which is defined as land within 1,000 feet of Maryland's tidal waters and tidal wetlands, or in conflict with the Chesapeake Bay Critical Area Commission Criteria.

Compost Boundary Buffers and Setbacks

COMAR 26.04.11.08.B(1) Except where a greater setback is required by local, State, or federal law or regulations, feedstock receipt, feedstock storage, active composting, curing, and compost storage areas of a composting facility may not be located closer than:

- (a) 50 feet to the property line of a property not owned or controlled by the operator of the composting facility;*
- (b) 300 feet to a dwelling not owned or operated by the operator of the composting facility;*
- (c) 100 feet to a domestic well; and*
- (d) 100 feet to a stream, lake, or other body of water except an impoundment for use in the composting process.*

FCZO 1-19-8.408(C) All limited food waste composting activities and operations shall be set back a minimum of 25 feet from the floodplain district and 100 feet from the banks of rivers, streams or other bodies of water.

FCZO 1-19-8.408(E) All activities and operations associated with the limited food waste composting facility shall be located a minimum of 150 feet from

the property lines and at least 300 feet from a dwelling not owned or operated by the operator of the composting facility.

A preliminary delineation of nontidal wetlands and surface water features was performed by Environmental Systems Analysis, Inc. in 2019. A perennial stream and emergent wetland were identified along the southern boundary of the Property. The proposed composting pad (i.e., composting operations area) will be located at least 100 feet from the stream bank. Additionally, a 25-foot protective buffer will be maintained around the delineated wetland.

The composting operations will also meet or exceed the required setbacks of 150 feet from property lines and 300 feet from residential dwellings.

Groundwater Buffers

COMAR 26.04.11.08.D(1)(ii): The composting facility shall be constructed and located to comply with the following minimum vertical distances between the seasonal high water table and any surfaces used for feedstock receiving, feedstock storage, active composting, curing, or compost storage:

(a) For a composting facility located outside the coastal plain province...the minimum distance shall be 4 feet.

In 2020, SCS Engineers evaluated the seasonal high-water table elevation for the composting area. Based on their review of historical documents and on-site investigations, they estimated the static water table in the on-site supply well to be approximately 21 feet below existing ground surface. The compost pad will be constructed near existing grade and will maintain the necessary 4-foot separation from groundwater.

Access and Circulation

Traffic

FCZO 1-20-30(A): ...this article does not apply to developments which are expected to generate 50 or less total vehicle trips during the highest daily peak hour of the adjacent street traffic, as defined by the most recent edition of the Institute of Transportation (ITE) "Trip Generation Manual," or the Frederick County Guidelines for the use category determined by the Division.

VHB prepared a trip generation memorandum to estimate the expected traffic for the proposed composting facility. Because composting facilities are not included in the ITE Manual, VHB developed, with input from Key City Compost and S+G, a methodology based on the facility's maximum permitted throughput and anticipated incoming material volumes. Their evaluation considered incoming truck trips, employee vehicles, and occasional deliveries.

The analysis concluded that the facility would generate 18 total trips (truck and non-truck combined) during both the weekday AM (7–8 AM) and PM (5–6 PM) peak hours. These volumes fall below the thresholds requiring a Traffic Impact Analysis (TIA) or additional Adequate Public Facilities Ordinance (APFO) testing. Compost Crew will provide proportional contributions to existing road escrow accounts based on the estimated increase in traffic in an APFO Letter of Understanding (LOU).

Road and Driveway Access

FCZO 1-19-8.408(F): The subject property must have road frontage and access on a minimum 20-foot-wide paved public road. Commercial/Industrial entrance standards shall be utilized in the design of any point of access to a public road as determined to be necessary by the Frederick County traffic engineer.

A topographic survey was completed by CME Engineering, LP in 2021 to support Site Plan development. Based on this survey and aerial imagery, S+G identified sections of Lakeview Road and Stull Road where the paved width is less than 20 feet. As part of the executed APFO Letter of Understanding (LOU), Compost Crew is required to widen these roads to meet the 20-foot paved width requirement.

Frederick County traffic engineer Mark Mishler¹ confirmed that this widening will require full-depth reconstruction using a 6-inch stone subbase and a 5-inch asphalt surface (3-inch base and 2-inch surface course), with tie-in to the existing pavement.

Currently, the site has an existing farm access driveway connecting to Lakeview Road. This driveway will remain in use for agricultural purposes only and will not serve the composting operation.

A new 30-foot-wide driveway will be constructed approximately 735 feet southwest of the Lakeview–Stull intersection to provide access for composting operations. The width was selected based on S+G's experience with commercial solid waste facilities and verified through AutoTURN vehicle path analysis (**attached**) to accommodate semi-truck deliveries.

Internal Vehicular Circulation

FCZO 1-19-8.408(F): The applicant shall submit a vehicle circulation plan indicating that adequate turn radius is provided both to and from the subject property. Adequate space for the safe movement of all proposed vehicles and equipment being utilized on site shall be provided.

S+G worked with Key City Compost to design a counterclockwise site circulation pattern that facilitates safe and efficient material flow, reduces front-end loader movements, and minimizes conflict points between incoming material, delivery vehicles and compost operations.

¹ Email: M. Mishler to J. Fearrington, *road widening correspondence*, January 21, 2022

The layout includes 20-foot-wide aisles to accommodate front-end loaders and emergency vehicles, consistent with solid waste facility standards in similar jurisdictions. Vehicle movements, including semi-trucks and smaller collection vehicles, were modeled using AutoTURN software (**attached**) to ensure the internal road layout allows for safe maneuvering, particularly in tighter site areas such as the food waste unloading zone.

Compost Operations

FCZO 1-19-8.408(D): Limited food waste composting activities and operations shall not cause any odor, dust, smoke, vibration or unreasonable noise which can be detected at or beyond any property line.

The composting operation will process both Type 1 and Type 2 feedstocks, as defined in MDE regulations:

- **Type 1:** Yard waste, leaves, grass, wood chips, garden trimmings, etc.
- **Type 2:** Source-separated food scraps, non-recyclable paper, animal manure, and select compostable products.

To minimize the potential for off-site impacts, S+G evaluated site operations most likely to generate odor, noise, or dust. These include the unloading of incoming materials, as well as grinding and screening activities. If not effectively managed, unloading can contribute to odor generation, while grinding and screening may produce mechanical noise and airborne particulates.

Seasonal wind patterns (**attached**) were reviewed to assess the potential for odor and dust transport across property lines towards adjacent residences. Prevailing winds are from the west-northwest (October–May), south-southwest (May–August), and north-northeast (September–October). To reduce potential impacts, the most intensive operations have been sited either in the northwest corner or along the southwestern boundary of the property, adjacent to US-15, locations that are least likely to result in off-site migration of odor, noise, or dust with the prevailing winds.

Based on the facility's Operations Plan and its detailed protocols for handling Type 2 materials, S+G believes the site design, operational layout, and consideration of local wind conditions will effectively minimize the detection of odors, dust, smoke, or noise beyond the property boundary.

Stormwater

COMAR 26.04.11.08.F(1): The composting facility shall be designed to manage any stormwater discharges associated with industrial activity, as defined in 40 CFR §122.26(b)(14), in accordance with:

- (a) the NPDES permit issued by the Department;*
- (b) State and local stormwater requirements; and*
- (c) State and local erosion and sediment control requirements.*

Key City Compost initiated stormwater management planning following the original 2022 Site Plan approval. Concept Development Plans were developed to align with the updated Site Plan and underwent two rounds of review (**attached**) with Frederick County. All technical comments related to on-site stormwater management have been addressed. Final approval is pending, subject to integration of road widening improvements required by the APFO LOU.

The proposed facility will include a single "end-of-pipe" discharge point for the collection of stormwater samples in accordance with NPDES Industrial Permit monitoring requirements. Water Quality Volume (WQ_v), Channel Protection Storage Volume (Cp_v), and Overbank Flood Protection Volume (Q_{p10}) will be met using a shallow wetland while an organic filter will serve as pretreatment to remove hydrocarbons, trace metals and toxicants.

The Environmental Site Design Volume (ESD_v) was evaluated to ensure the entire stormwater volume will be contained within the proposed stormwater features. The design ensures that post-development peak discharges will not exceed pre-development conditions for both the ten-year (Q_{p10}) and 100-year (Q_{p100}), 24-hour design storm events.

Summary

Significant design and permitting efforts are required to develop and operate a composting facility landfill in Maryland, including Site Plan approval at the local level. The Site Plan along with this narrative demonstrates the proposed development complies with applicable local, State, and Federal requirements. It is our professional opinion that the Site Plan satisfies the regulatory standards set forth in the Frederick County Zoning Ordinance and Maryland Regulations.

Sincerely,
SMITH GARDNER, INC.



John R. Ferrington, P.E. (NC)
Project Engineer, x125
johnf@smithgardnerinc.com



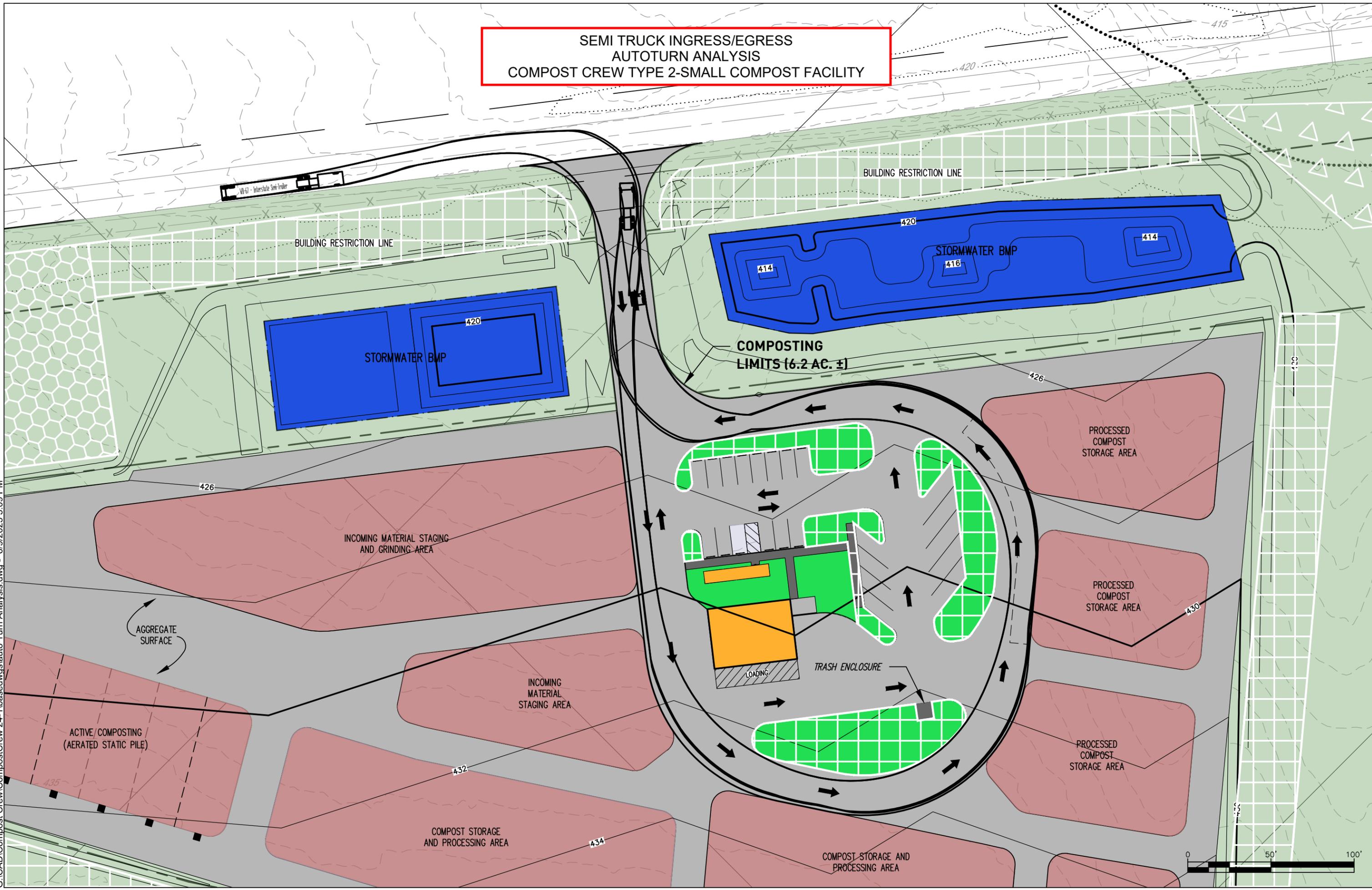
Stacey A. Smith, P.E.
Senior Engineer, x127
stacey@smithgardnerinc.com



Att.

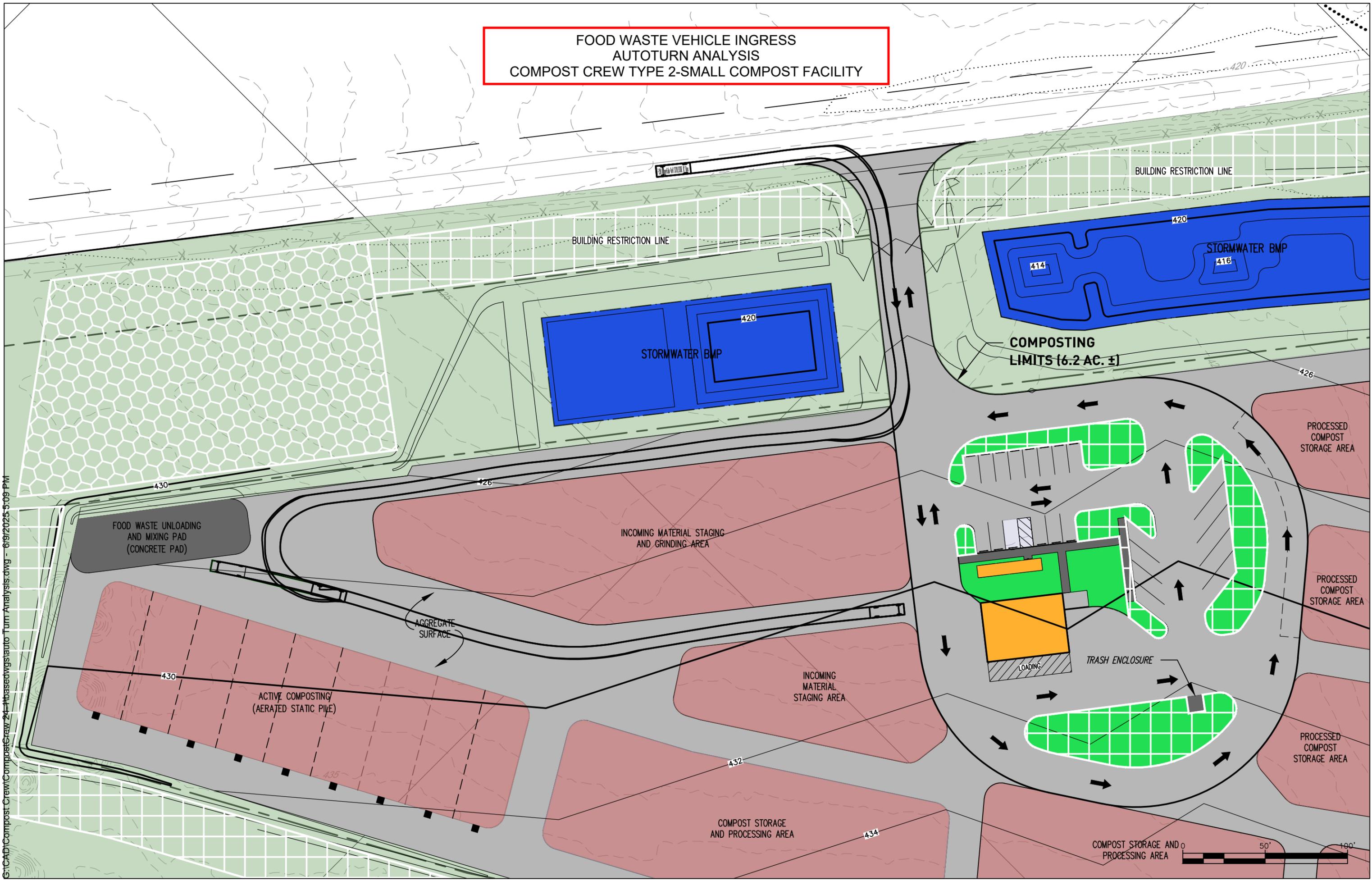
cc: Ben Parry, Compost Crew
Kristi Blumer, Compost Crew
Casey L. Cirner, Miles & Stockbridge
Jorge Montezuma, Wanu Organics
File

SEMI TRUCK INGRESS/EGRESS
AUTOTURN ANALYSIS
COMPOST CREW TYPE 2-SMALL COMPOST FACILITY



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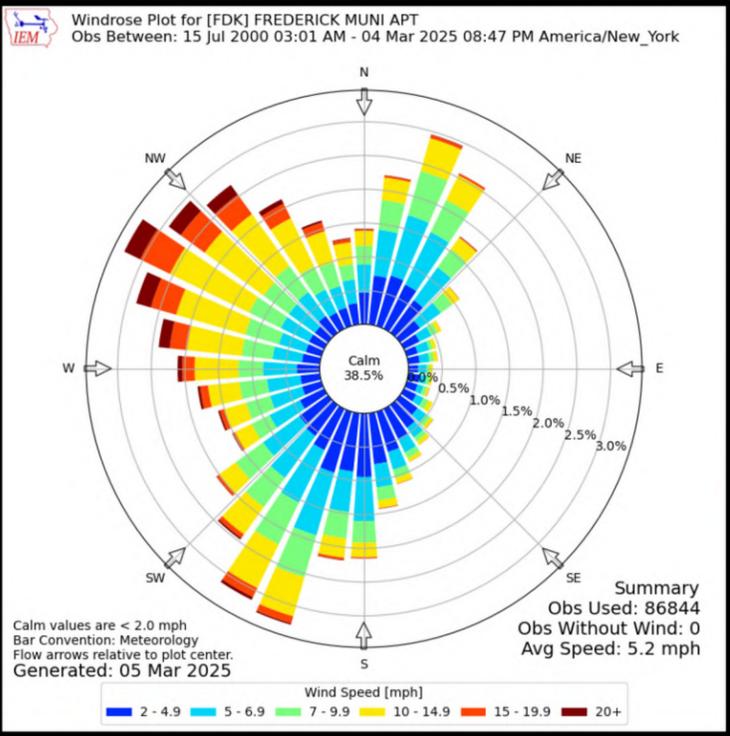
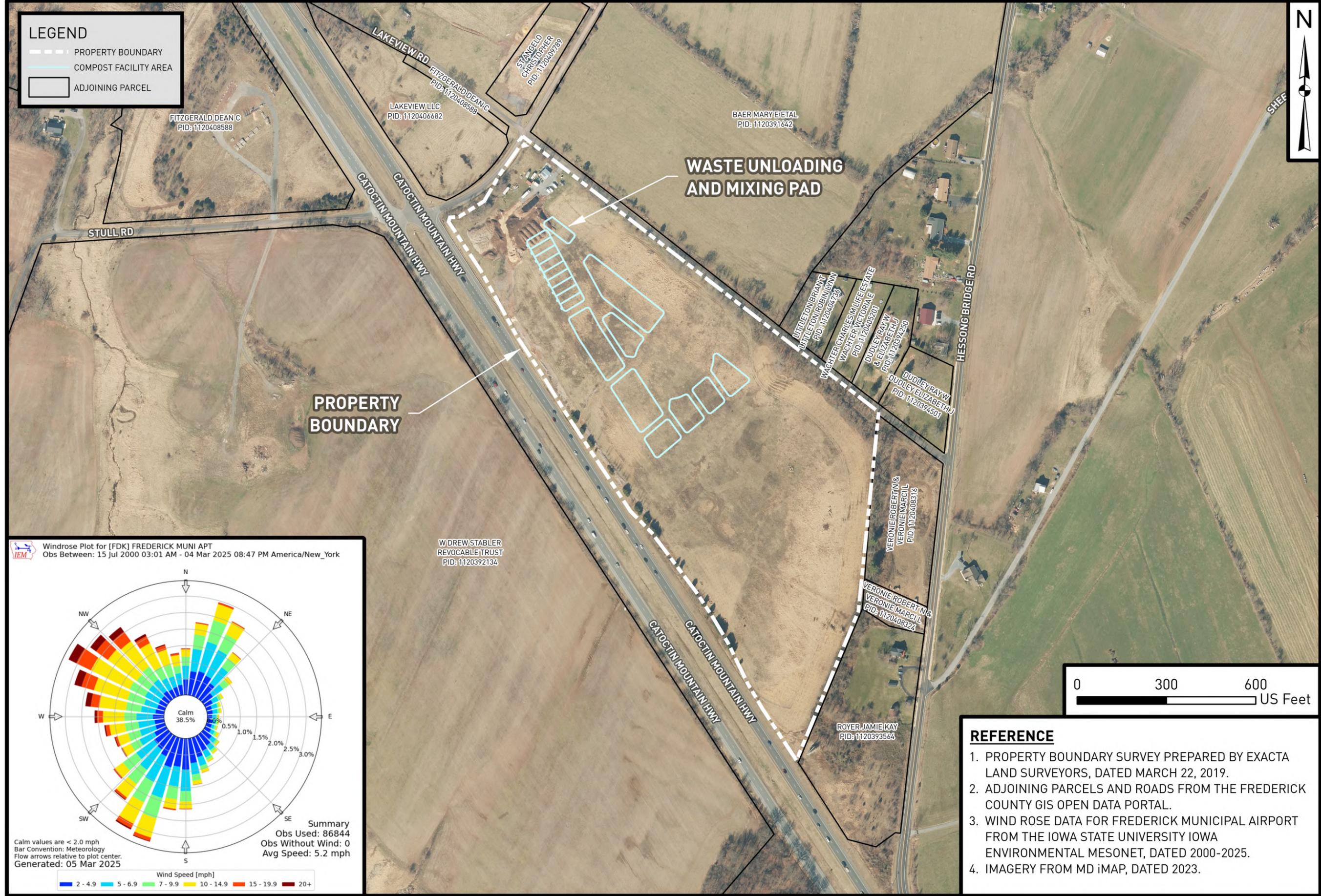
FOOD WASTE VEHICLE INGRESS
AUTOTURN ANALYSIS
COMPOST CREW TYPE 2-SMALL COMPOST FACILITY



G:\CAD\Compost Crew\Compost Crew 24-H based\gstauro Turn Analysis.dwg - 6/19/2025 5:09 PM

LEGEND

- PROPERTY BOUNDARY
- COMPOST FACILITY AREA
- ADJOINING PARCEL



- REFERENCE**
1. PROPERTY BOUNDARY SURVEY PREPARED BY EXACTA LAND SURVEYORS, DATED MARCH 22, 2019.
 2. ADJOINING PARCELS AND ROADS FROM THE FREDERICK COUNTY GIS OPEN DATA PORTAL.
 3. WIND ROSE DATA FOR FREDERICK MUNICIPAL AIRPORT FROM THE IOWA STATE UNIVERSITY IOWA ENVIRONMENTAL MESONET, DATED 2000-2025.
 4. IMAGERY FROM MD iMAP, DATED 2023.

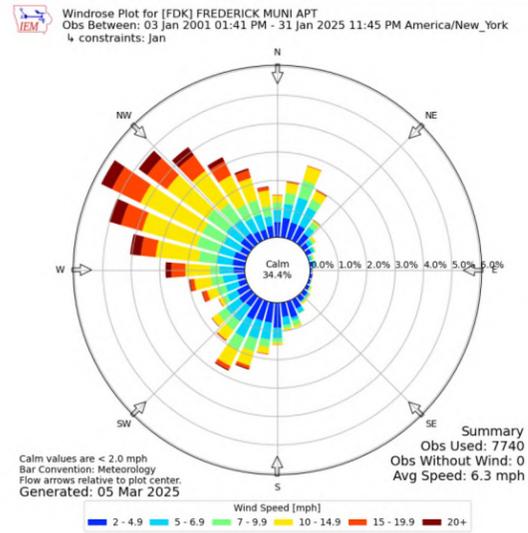
9188281577

SMITH + GARDNER
ENGINEERS

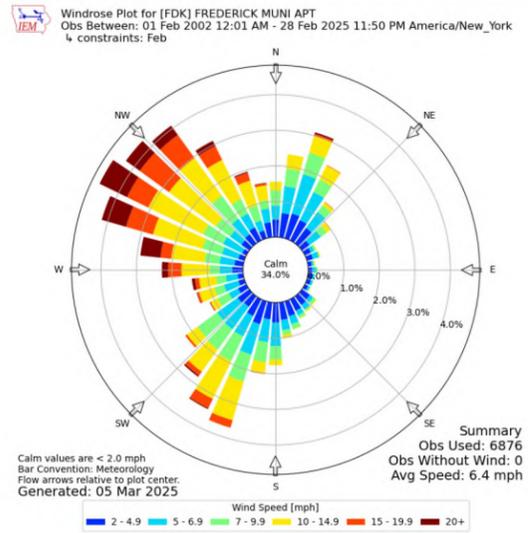
14 N. Boylan Avenue, Raleigh, NC 27603 | NC LIC. NO. E-1370 (ENGINEERING)

FIGURE NO.:	FIG 1
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APPROVED:	JRF
PROJECT NO.:	COMPOSTCREW-24-1
DATE:	Jun. 2025
FILENAME:	CCREW-B0003

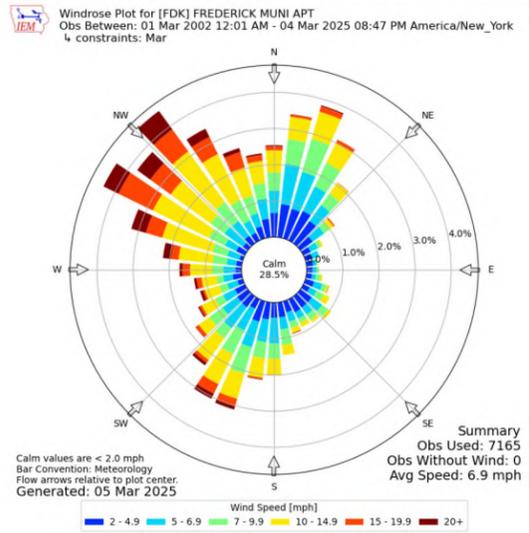
PREVAILING WIND (JULY 2000 - MAR 2025)
 7245 LAKEVIEW ROAD
 FREDERICK, MD 21701



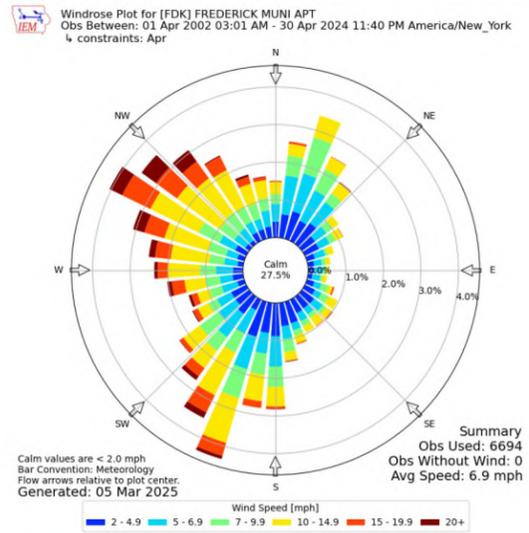
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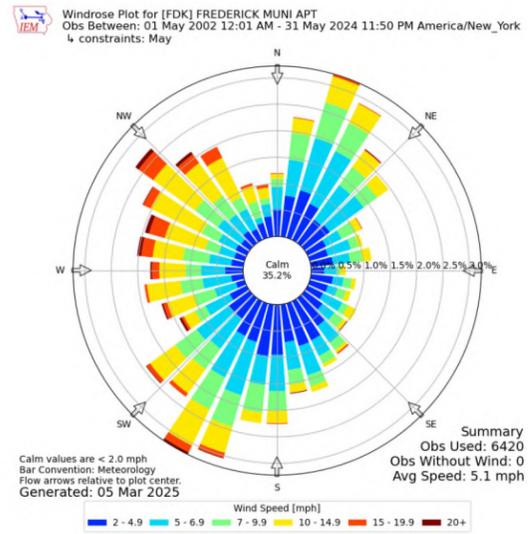
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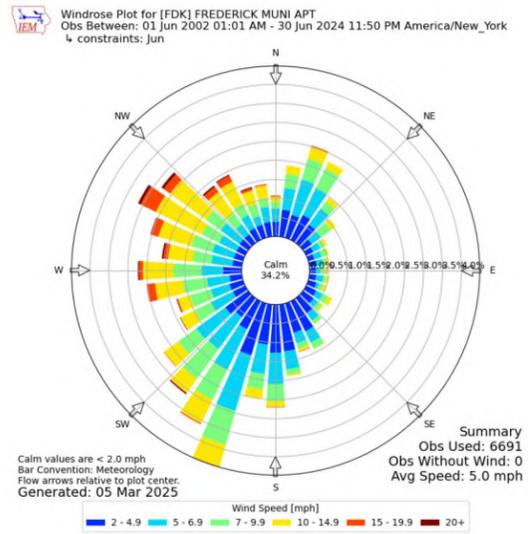
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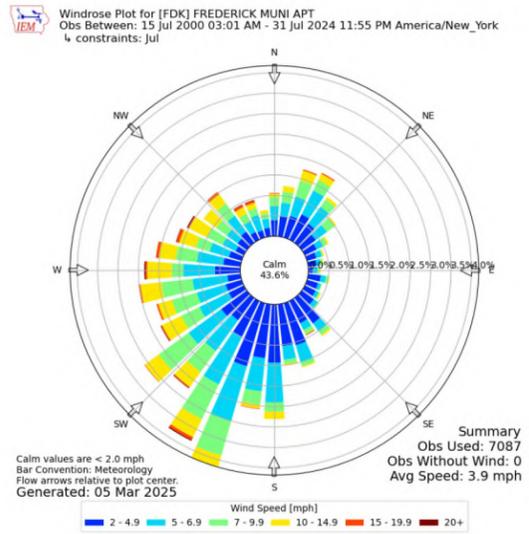
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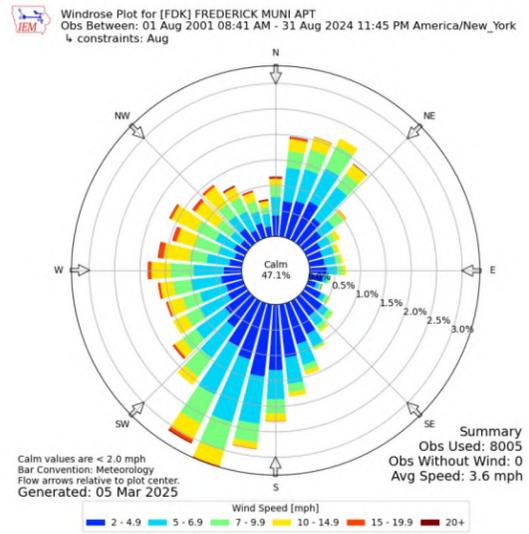
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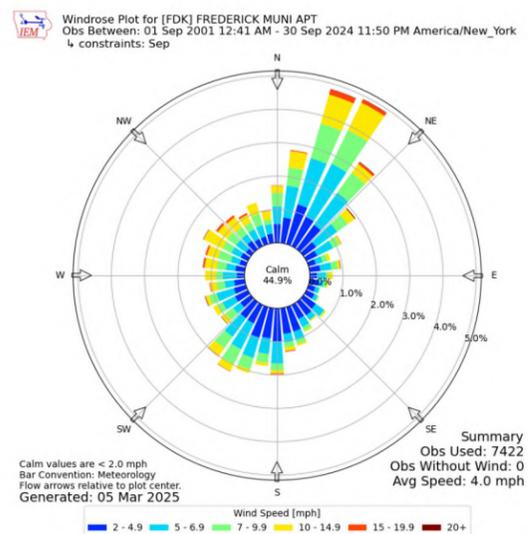
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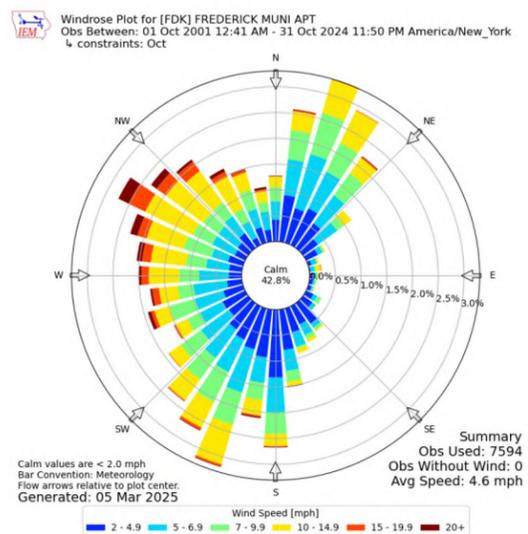
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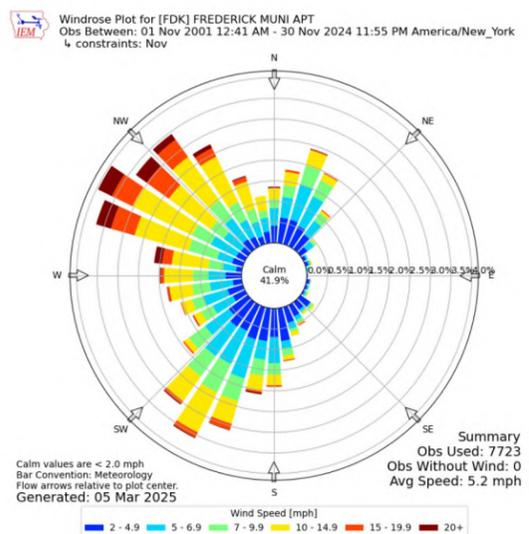
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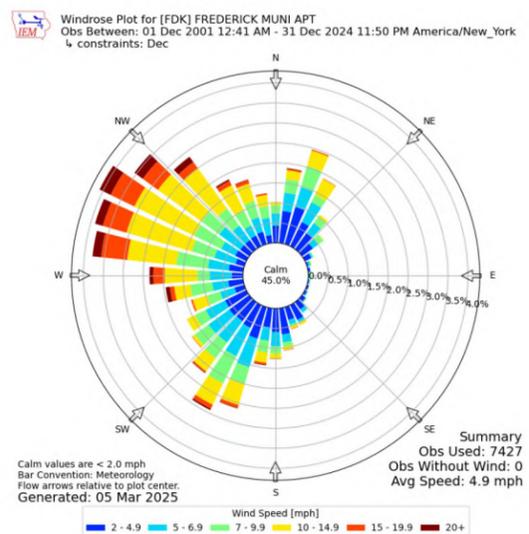
SEPTEMBER



OCTOBER



NOVEMBER



DECEMBER

SOURCE:
WIND ROSE DATA FOR
FREDERICK MUNICIPAL
AIRPORT FROM THE IOWA
STATE UNIVERSITY
IOWA ENVIRONMENTAL
MESONET, DATED 2000-2025.

FIGURE NO.:	FIG 2
SCALE:	N/A
APPROVED:	JRF
PROJECT NO.:	COMPOSTCREW-24-1
FILENAME:	CCREW-B0003
DRAWN:	JDM
DATE:	Jun. 2025

PREVAILING WIND BY MONTH
7245 LAKEVIEW ROAD
FREDERICK, MD 21701

**OUTSTANDING COMMENTS FROM FREDERICK COUNTY
 SWM CONCEPT-DEVELOPMENT PLAN
 COMPOST CREW TYPE 2-SMALL COMPOST FACILITY**

REF #	REVIEWED BY	TYPE	VIEW	ENTER YOUR COMMENT RESPONSE HERE	DISCUSSION	CYCLE	STATUS
24	DPZ Cody Shaw 5/16/22 11:09 AM	Comment DPZ Plan review approval entered				2	Info Only
28	DPZ Cody Shaw 3/11/22 9:04 AM	Comment Please see changemarks and resubmit				1	Info Only
26	DRTE Mark Mishler 5/16/22 1:07 PM	Comment DRTE - see comment, 5.16.2022				2	Info Only
23	DRTE Mark Mishler 5/16/22 1:07 PM	Markup S2 - Key City Compost - Site Development Plan.pdf DRTE - Changemark #01 LOU Per LOU 19895, widening along Stull Road and Lakeview Road is required and will add impervious area. These improvements will need to be shown on a plan.	open			2	Unresolved
27	FRO Graham Hubbard 3/11/22 1:42 PM	Comment FRO mitigation must be provided prior to applying for grading or building permits, and prior to any earth disturbance or tree clearing activities.				1	Info Only
20	FRO Graham Hubbard 3/11/22 1:41 PM	Library Comment FRO mitigation must be provided prior to applying for grading or building permits, and prior to any earth disturbance or tree clearing activities.				1	Not Met
25	PWDR Vijay Kapoor 5/12/22 12:34 PM	Comment Please address pending comments and resubmit. For any comments on PWDR review comments, please contact Vijay Kapoor @ 301-600-1560.				2	Info Only
29	PWDR Vijay Kapoor 3/4/22 7:38 PM	Comment Review will be done when revised/corrected submission in accordance with review comments is submitted. For any PWDR comments please contact: Vijay Kapoor @ 301-600-1560 OR vkapoor@frederickcountymd.gov				1	Info Only
21	PWDR Vijay Kapoor 5/12/22 12:33 PM	Markup EC1 - Key City Compost - E&SC Details (Sheet 1 of 3).pdf SCD Provide a SCD signature block on all SEC sheets and the cover sheet.	open			2	Unresolved
22	PWDR Vijay Kapoor 5/12/22 12:33 PM	Markup EC1 - Key City Compost - E&SC Details (Sheet 1 of 3).pdf SCD signatures SCD signed plans are required for final batch stamp. Project will be in resubmit status till then.	open			2	Unresolved
30	Review Coordinator Ashley Reed 2/17/22 9:30 AM	Comment Prescreen Review			<i>Coordinator Response: Ashley Reed - 2/17/22 9:30 AM</i> Please upload as PDF's. I apologize for the confusion. dwg files give the reviewers trouble. Thanks.		Info Only

Exhibit List

Exhibit A	Compost Crew April 18, 2025 Letter
Exhibit B	Compost Crew April 24, 2025 Letter
Exhibit C	Tolson DeSa E-mail Dated May 21, 2025
Exhibit D1	Type 1 Site Plan (SP 277005) Sheets – Cover Sheet
Exhibit D2	Type 1 Site Plan (SP 277005) Sheets – Site Overall (SP1)
Exhibit D3	Type 1 Site Plan (SP 277005) Sheets – Composting Operations Plan (SP2)
Exhibit D4	Type 1 Site Plan (SP 277005) Sheets – Parking and Building Plan (SP3)
Exhibit D5	Type 1 Site Plan (SP 277005) Sheets – Sight Distance (SP4)
Exhibit D6	Type 1 Site Plan (SP 277005) Sheets – Plantin Plan (SP5)
Exhibit D7	Type 1 Site Plan (SP 277005) Sheets – Planting Plan Details (SP6)
Exhibit E	February 12, 2025 Staff Report
Exhibit F	FCPF Decision Letter dated February 13, 2025
Exhibit G	Site Plan Approval Letter dated February 26, 2025
Exhibit H	Adequate Public Facilities Letter of Understanding (SP27705, F277004, A277003)
Exhibit I	Autoturn Analysis
Exhibit J	Trip Generation Memorandum
Exhibit K	The Maryland Zoo in Baltimore (typed signed) Affidavit and E-mail Transmitted dated 6.13.25
Exhibit L	Smith and Gardner, Inc. Letter to Board dated June 14, 2025
Exhibit M	MDE letter dated June 12, 2025
Exhibit N	Plat Book 88 Plat No. 173
Exhibit O	Candidate and Rustic Roads Map & Excerpt
Exhibit P	State Highway Administration Plat 27079
Exhibit Q	Livable Frederick Master Plan - Excerpts
Exhibit R	Livable Frederick Draft 2025 Monitoring Report – Excerpts
Exhibit S	Collateral Estoppel Argument
Exhibit T	US 15 Catocin Mountain Scenic Byway – Excerpts
Exhibit U	Site Rendering – Site Plan
Exhibit V	Site Rendering – Lakeview Road
Exhibit W1	Ben Parry CV
Exhibit W2	Stacey A. Smith, P.E., CV
Exhibit W3	Kristie L. Blumer CV
Exhibit W4	Jorge Montezuma, PE CV
Exhibit X	Compost Crew PowerPoint
Exhibit Y	USDA Grant Funding



Date: June 12, 2025

To: Bradley Baker, MBA, PMP
Program Manager, Resource Management Program (RMP)
Land and Materials Administration (LMA)
Maryland Department of the Environment (MDE)
1800 Washington Boulevard
Baltimore, Maryland 21230

CC: Tariq Masood
Dave Mrgich
Reuben Krofft
Brian Coblentz

Re: Intent to submit a new application to obtain coverage under the General Composting Facility Permit

The purpose of this cover letter is to provide our intent to submit a new application to obtain coverage under the General Composting Facility Permit, as requested by the email sent by Bradley Baker on June 6th, 2025.

Background

In the summer of 2024, Compost Crew acquired Resolution Solutions, LLC (“Key City”). At the time of acquisition, Key City was operating a limited composting program (the “Current Site”) on the northwestern portion of Utica Bridge Farms, located at 7245 Lakeview Road, Frederick, Maryland 21701. Concurrently, Key City was in the process of securing local approvals for the development of a Tier 2 – Small Composting Facility (the “Future Site”) on the central portion of the same parcel (District 20, Account Number 394129). This parcel is associated with a pre-existing Maryland Department of the Environment (“MDE”) General Composting Facility Permit listed under the address 10661 Stull Road, Thurmont, Maryland 21788. As noted in your email dated June 6, 2025, MDE has requested that Compost Crew obtain a new General Composting Facility Permit under the name Compost Crew for coverage of the Current Site, including a description of the proposed transition to the Future Site at Utica Bridge Farms.

Management of Feedstock and Compost Product Accumulated at the Current Site

The feedstocks and the compost product at the Current Site are being managed in accordance with MDE and Frederick County guidelines. The feedstocks accepted include Type 1 and Type 2 MDE-approved feedstocks, to include but not limited to yard waste, food scraps, non-recyclable paper, and compostable products. When Compost Crew acquired Key City, the site had accumulated approximately 3,000 cubic yards of finished compost along with over 5,000 cubic yards of active and/or cured composting material. Recently, through our active management of the accumulated material, the total volume onsite has been



reduced by approximately 40%. We have implemented approximately 30 investment and improvement initiatives to improve safety, quality control, stormwater management and other conditions at the Current Site. We are limiting the acceptance of new incoming feedstocks and diverting loads to other composting facilities in order to properly manage the pre-existing material according to BMPs while we are simultaneously shifting the site layout to comply with the 150-foot setback from all property boundaries required by Frederick County zoning regulations.

Our limitation of incoming feedstock is temporary. Once the Current Site has been shifted to meet these setback requirements, we plan to restart processing new incoming feedstocks.

Development Details and Tentative Schedule of the Future Site

The Current Site will have an estimated annual throughput of 3,000 tons of total feedstock and approximately 3,000 cubic yards of total finished compost generated annually while the local permitting to build the Future Site is being obtained. As permitting and construction of the Future Site progresses, operations at the Current Site will be scaled down. Compost Crew anticipates securing all required local approvals by approximately summer 2026 to include but not limited to: a stormwater management plan approval for the public access roads and for the site, an entrance apron, a grading permit, the Forest Resource Ordinance permit, permits to build an agricultural building, and utility and occupancy permits. Prior to initiating any construction for the Future Site, Compost Crew will coordinate a pre-construction meeting with MDE and other relevant stakeholders. Construction of the Future Site will commence following that meeting, with full operations anticipated to begin by approximately late 2027. The Future Site is designed to process 20,000 tons per year of total Type 1 and 2 feedstocks and produce up to 10,000 cubic yards of finished compost annually.

Thank you for your time. We appreciate your continued collaboration and look forward to working closely with MDE as we advance through the permitting and development process. Please don't hesitate to contact us with any questions or if further information is needed.

Sincerely,

Michael Benjamin Parry

Michael Benjamin Parry, CEO
Compost Crew Inc, A Benefit Corporation

CURVE DATA

CURVE	CENTRAL ANGLE	RADIUS	ARC	TANGENT	CHORD BEARING & DISTANCE
C-1	35° 34' 39"	440.65'	273.63'	141.39'	S. 48° 14' 04" W. 209.27'
C-2	8° 45' 14"	1375.00'	210.08'	105.24'	S. 56° 51' 51" E. 209.87'
C-3	9° 12' 53"	1425.00'	229.18'	114.84'	N. 57° 05' 47" W. 228.93'

AREA TABLE

TOTAL AREA LOTS	4.5773 AC.±
REMAINDER	10.6167 AC.±
DEDICATION	0 AC.±
AREA OF SUBDIVISION	15.1940 AC.±

FOREST RESOURCE ORDINANCE (FRO) DECLARATION OF INTENT - LOT 4
INTER-FAMILY TRANSFER
 LOT 4 IS EXEMPT FROM THE FRO BEING CREATED FOR A SINGLE DWELLING FOR THE OWNER, CHILD OF THE OWNERS UNDER THE CONDITION THAT IT REMAIN IN THEIR OWNERSHIP FOR AT LEAST FIVE YEARS FOLLOWING THE DATE OF PLAT RECORDATION, AND IN ACCORDANCE WITH THE SIGNED FRO DECLARATION OF INTENT.

COORDINATES

NO.	NORTH	EAST
250	5444.015	5339.738
155	6808.839	5361.979
156	6147.441	4985.567
157	5658.650	4949.168
28A	5438.249	5304.014
251	6240.533	5813.617

COORDINATES BASED ON LAKEVIEW STATION P. 84-80 Pg. 19

TOPOGRAPHY PROVIDED BY POTOMAC AERIAL SURVEYS DATED MARCH, 1997

U.S. ROUTE 15 SHA PLAT # 27079

SOILS MAP 40
 SOIL TYPES:
 BmB - WET SOIL
 KcC - RESTRICTED
 PnB - "

OWNERS:
 LAKEVIEW LLC
 c/o JOHN & AMIE STANGELO
 11808 MORNINGSTAR DRIVE
 GERMANTOWN, MARYLAND 20876
 301-540-4214

APPROVED: 5-26-10
 FREDERICK COUNTY PLANNING COMMISSION
 C. Jones
 SECRETARY OR CHAIRMAN

APPROVED: 5-21-2010
 FREDERICK COUNTY HEALTH DEPARTMENT
 S. L. Keller
 APPROVING AUTHORITY

- NOTES:**
- 1) ALL SEPTIC AREAS ARE 10' MINIMUM FROM ALL LOT LINES.
 - 2) THERE MUST BE GRAVITY FLOW OF SEWERAGE FROM THE HOUSE LOCATION TO THE ENTIRE SEPTIC AREA.
 - 3) NO BUILDINGS, EASEMENTS, RIGHTS OF WAY, WELLS, PERMANENT OR PHYSICAL OBJECTS (MAN-MADE STRUCTURES) ARE ALLOWED IN THE SEPTIC AREA.
 - 4) THERE ARE NO WELLS OR SEPTICS WITHIN 100' OF TR. PROPERTY LINES UNLESS SHOWN HEREON.
 - 5) A SIX (6) FOOT DRAINAGE AND UTILITY EASEMENT IS RESERVED ALONG ALL LOT LINES.
 - 6) ZONING: (A) AGRICULTURE
 - 7) THERE ARE NO WET LANDS OR WET LAND BUFFERS AFFECTING THESE LOTS, NONE EXIST
 - 7) *ROAD WIDTH MEETS THE REQUIREMENTS OUTLINED IN SECTION 1-16-12(B)(1)(C)1 OF THE FREDERICK COUNTY SUBDIVISION ORDINANCE FOR STILL ROAD & LAKEVIEW ROAD.

SYMBOLS

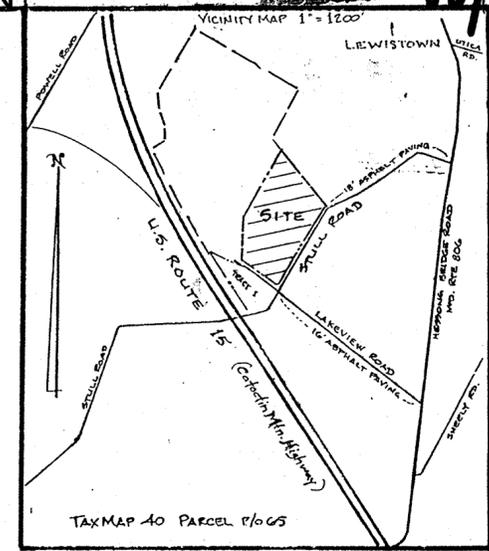
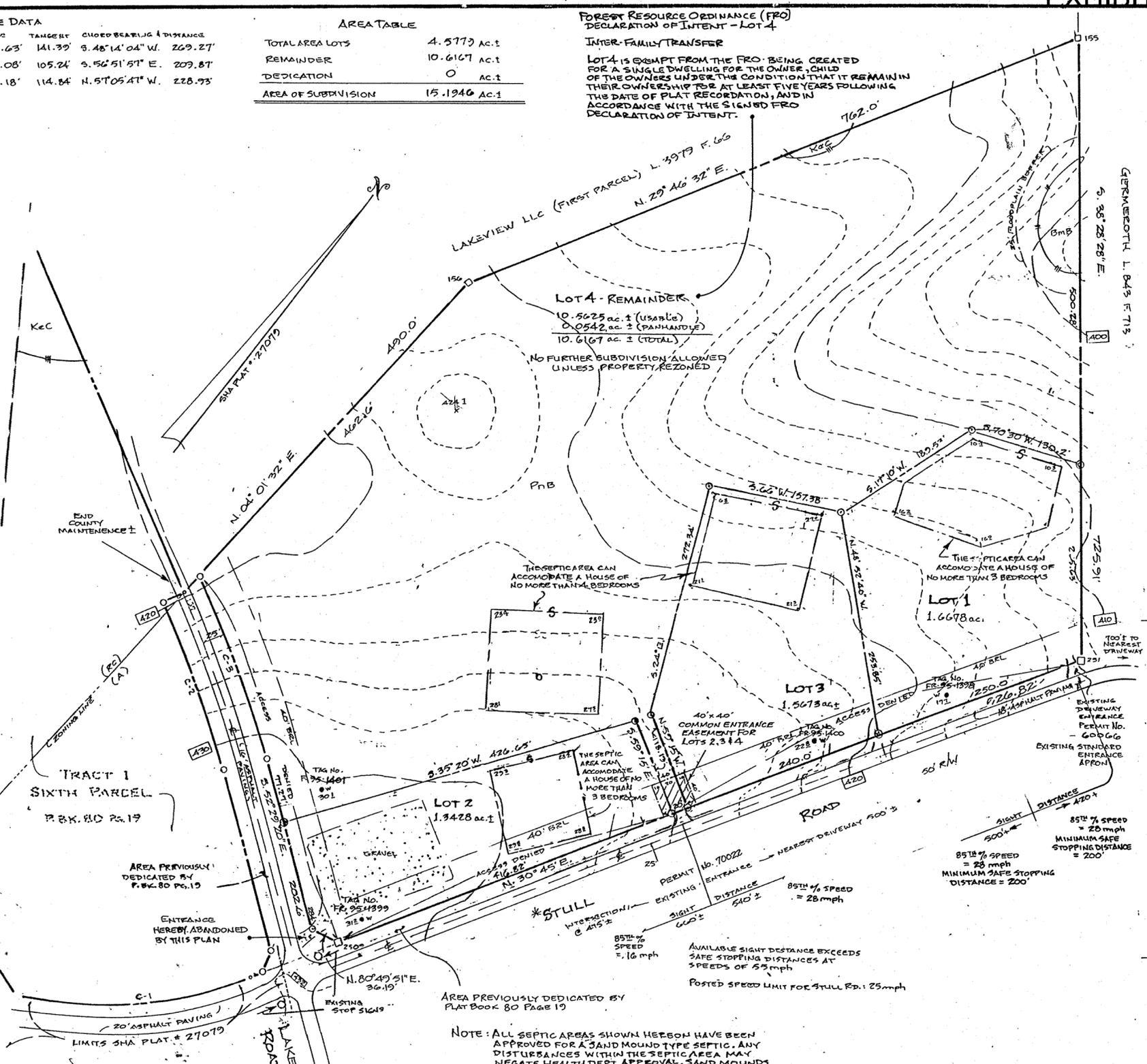
[S]	SEPTIC AREA
• W	WELL
○	IRON PIN/PIPE SET OR FOUND
□	STONE OR MONUMENT

MINIMUM	BRL'S
FRONT	40'
REAR	30'
SIDE	10'
FLOOD PLAIN	25'



THE OWNERS HAVE SWORN TO AND SUBSCRIBED BEFORE ME THIS 19th DAY OF April, 2010
 James T. Bands
 NOTARY PUBLIC
 MY COMMISSION EXPIRES 5/18/2012

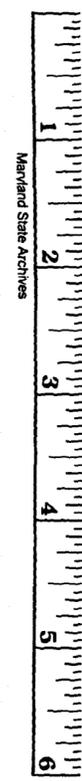
COMBINED PRELIMINARY/FINAL PLAT
 of TRACT 2, SIXTH PARCEL
 (PREVIOUSLY RECORDED IN PLAT BOOK 80 PAGE 12)
 LOTS 1-4, SECTION 1
LAKEVIEW STATION
 LEWISTOWN ELECTION DISTRICT NO. 20
 FREDERICK COUNTY, MARYLAND
 scale: 1" = 100' Date: MAY, 2009
 ZENITH SURVEYS
 200 DILL AVENUE
 FREDERICK, MARYLAND
 301-695-5594



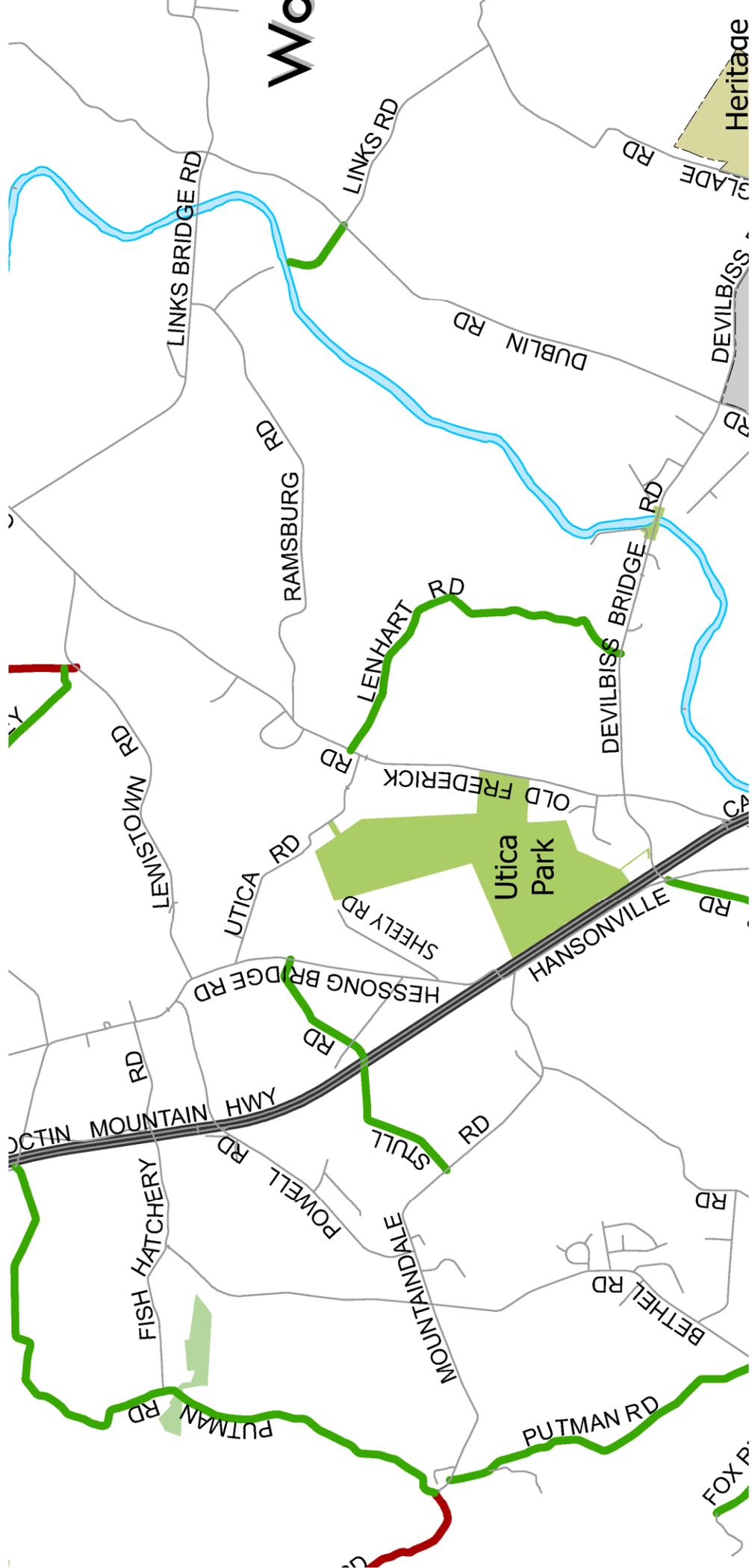
SURVEYORS CERTIFICATE
 I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT, THAT IT IS A PLAT OF SUBDIVISION OF THE LAND CONVEYED BY TIMOTHY J. CONWAY AND ESLS. CONWAY TO LAKEVIEW, LLC BY DEED DATED MAY 1, 2003 AND RECORDED AMONG THE LAND RECORDS OF FREDERICK COUNTY, MARYLAND IN LIBER 3979 AT FOLIO 66; AND THAT THE REQUIREMENTS OF THE ANNOTATED CODE OF MARYLAND, REAL PROPERTY BOOK, TITLE 3, SUBTITLE 1, SECTION 3-108, 1974 EDITION AND THE REQUIREMENTS OF THE FREDERICK COUNTY CODE, SECTION 1-16-108, 1979 EDITION, AND AS ENACTED OR AMENDED SO FAR AS IT MAY CONCERN THE MAKING OF THIS PLAT AND THAT THE SETTING OF MONUMENTS AND MARKERS HAVE BEEN COMPLIED WITH.
 4/8/2010
 DAVID L. HALLER
 PROPERTY LINE SURVEYOR
 140-1000-2440
 FOR ZENITH SURVEYS, INC.

OWNERS CERTIFICATION AND DEDICATION
 WE, LAKEVIEW, LLC, OWNERS OF THE PROPERTY SHOWN HEREON, CONSENT TO AND ADOPT THIS PLAN OF SUBDIVISION, AND IN CONSIDERATION OF THE APPROVAL OF THE FINAL PLAT BY THE PLANNING COMMISSION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND DEDICATE THE STREETS, WALKWAYS, AND OTHER EASEMENTS TO PUBLIC USE UNLESS OTHERWISE NOTED ON THIS PLAT. WE CERTIFY THAT THERE ARE NO SUITS, ACTIONS OF LAWS, LEASES, LIENS, MORTGAGES, TRUSTS, EASEMENTS OR RIGHTS OF WAY AFFECTING THE PROPERTY INCLUDED ON THIS PLAN OF SUBDIVISION, AND THAT THE REQUIREMENTS OF THE ANNOTATED CODE OF MARYLAND, REAL PROPERTY BOOK, TITLE 3, SUBTITLE 1, SECTION 3-108, 1974 EDITION AND THE REQUIREMENTS OF THE FREDERICK COUNTY CODE, SECTION 1-16-108, 1979 EDITION, AND AS ENACTED OR AMENDED SO FAR AS IT MAY CONCERN THE MAKING OF THIS PLAT AND THAT THE SETTING OF MONUMENTS AND MARKERS HAVE BEEN COMPLIED WITH.

4/12/2010
 James T. Bands
 For LAKEVIEW LLC.
 JAMES T. BANDS
 Notary Public
 Frederick County
 Maryland
 My Commission Expires May 18, 2012



FREDERICK COUNTY CIRCUIT COURT (Plat Book) Plat Book SKD 88, P. 173, MSA C2311, 16815, Date available 2010/05/28, Printed 06/11/2025



Rustic Roads

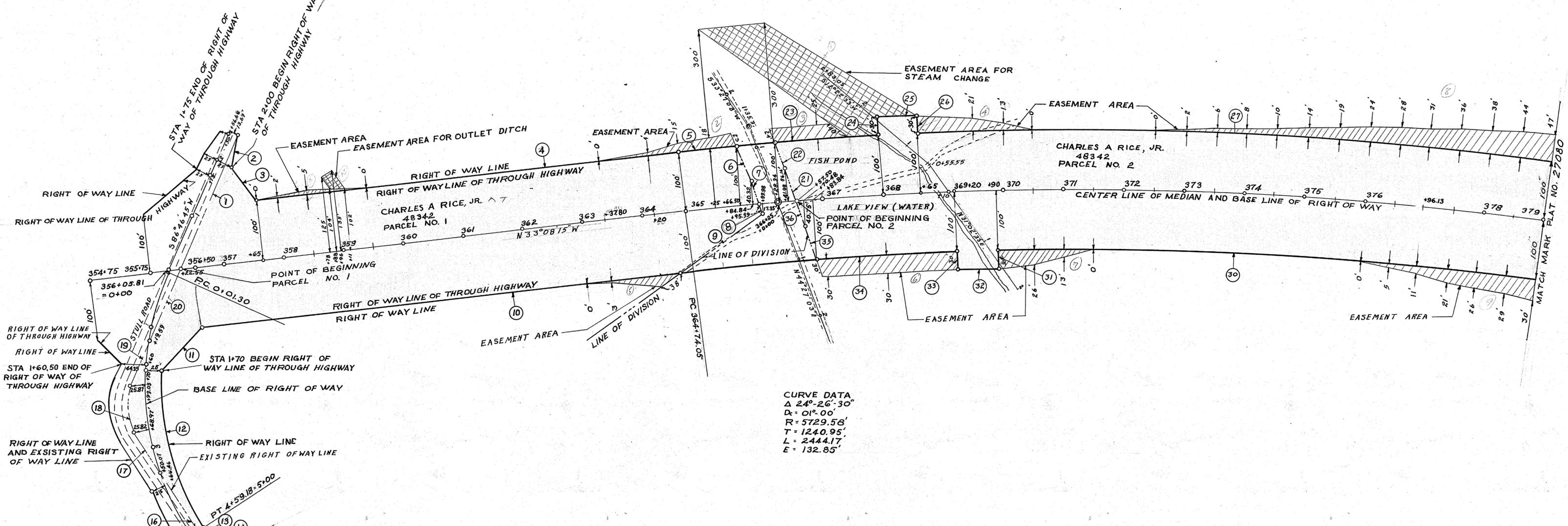
— Candidate Roads

— Rustic Roads

— Other Streets

LEGEND FOR DRAINAGE STRUCTURES
 DRAINAGE STRUCTURES CALLED FOR IN THE DEED OR DEEDS TO THE STATE OF MARYLAND TO THE USE OF THE STATE ROADS COMMISSION ARE PLANNED AT APPROXIMATELY THE FOLLOWING STATION LOCATIONS: HOWEVER, THE COMMISSION RESERVES THE RIGHT TO LOCATE OR LATER MOVE SAID DRAINAGE STRUCTURES NOT MORE THAN TWENTY-FIVE (25) FEET, PLUS OR MINUS, FROM SAID DESIGNATED STATIONS.

Exhibit P



CURVE DATA
 $\Delta = 24^{\circ}-26'-30''$
 $D_c = 01^{\circ}-00'$
 $R = 5729.58'$
 $T = 1240.95'$
 $L = 2444.17'$
 $E = 132.85'$

CURVE DATA
 $\Delta = 56^{\circ}-20'-00''$
 $D_c = 12^{\circ}-18'-12''$
 $R = 465.69'$
 $L = 457.88'$
 $T = 249.35'$
 $E = 62.56'$

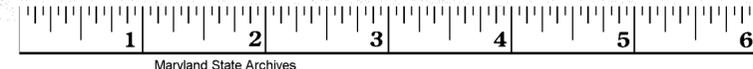
PARCEL NO. 1	FEE SIMPLE AREA = 1.72 ± Ac.	SHOWN THUS	
PARCEL NO. 2	FEE SIMPLE AREA = 9.97 ± Ac.	SHOWN THUS	
PARCEL NO. 3	FEE SIMPLE AREA = 0.12 ± Ac.	SHOWN THUS	
PARCEL NO. 4	FEE SIMPLE AREA = 0.10 ± Ac.	SHOWN THUS	
PARCEL NO. 5	FEE SIMPLE AREA = 0.37 ± Ac.	SHOWN THUS	

NAVES OF RECORD PROPERTY OWNERS AS SHOWN ON THIS PLAN ARE THOSE OF ORIGINAL GRANTORS TO THE COMMISSION. THE APPROXIMATE PROPERTY LINES SHOWN WERE NOT ESTABLISHED BY ACTUAL SURVEY, BUT ARE INTENDED FOR AN APPROXIMATE GUIDE ONLY.

LOCATED IN **FREDERICK** COUNTY

PREPARED BY
BUREAU OF DESIGN
Henry J. Chem
 CHIEF - CONDEMNATION SECTION

APPROVED BY THE STATE ROADS COMMISSION PURSUANT TO CHAPTER 88, ACTS OF THE GENERAL ASSEMBLY OF MARYLAND, 1929	BOOKS 21-1, 21-16/ 12703, 14383	REVISIONS PART OF PLATS 24741, 24742, 24743, 24744, 24910, 24936	STATE ROADS COMMISSION OF MARYLAND (U.S. RTE 15) 1.5 MI. S. OF LEWISTOWN TWD, MT PROSPECT CHURCH SCALE: 1"=100' ISSUED June 14, 1962 <i>LeRoy C. Moser</i> RIGHT OF WAY ENGINEER
	DATE		



MSA 5162-27079

27079

State Highway Administration (State Road Plats) F-522-13-720, Dist. 27079, MSA 5162-27079, Date available 6/14/1962, Printed 6/14/1962.



The Livable Frederick Master Plan

Frederick County, Maryland

Adopted September 3, 2019



ACTION FRAMEWORK

A VISION FOR OUR COMMUNITY



IT IS THE YEAR 2040...

OUR LIVABLE FREDERICK IS A *place and a community that offers the freedom and the equity of opportunity necessary for everyone who lives and works here to prosper and thrive throughout their lives.*

WE ARE A DIVERSE *community of healthy, self-sufficient, contributing members of society.*

WE ARE A CONNECTED *community. Cooperation and communication exists among the many interest groups in Frederick County. We work collaboratively to ensure that fairness and equity are interwoven in providing for the housing, services, health, safety and livelihood needs of all citizens and groups.*

FREDERICK COUNTY IS A SAFE *place to live, work, and play. Our law enforcement agencies protect and serve us honorably, fairly, and ethically, and are appreciated by the public. Crime levels are consistently low and people feel safe as they conduct their daily lives. Active living is fostered by easy access to places to be physically active and by a built environment that promotes safe travel by walking, bicycling and non-motorized means of travel.*

**Initiative: Physical Identity**

Locate, designate, and then protect and maintain Frederick County's most important historic structures and districts, archaeological sites, distinctive natural features, and cultural landscapes.

Supporting Initiatives:

- 1) Update the historic preservation ordinance to provide better protection for critical historic and archaeological resources.
- 2) Encourage nominations to the National Register of Historic Places and increase listings on the Maryland Inventory of Historic Places.
- 3) Encourage nominations to the county Register of Historic Places and set a goal of increasing the number of listed properties to 30 by the year 2025.
- 4) Incorporate the preservation of important historic buildings, structures, archaeological resources (including historic burial sites and cemeteries), and contextual environments into all planning and development processes.
- 5) Develop processes and guidelines for development proposals to ensure that the evaluation and documentation of potentially historic above-ground and archaeological resources is made part of the application process for new development seeking development review approval by the county.
- 6) Ensure that, if preservation of the historic or archaeological resource is not physically possible, the history and local significance of the resource is preserved through documentation, interpretation, and other approved methods or techniques.

Initiative: Differentiation

Strengthen efforts to differentiate Frederick County from other communities through the maintenance and promotion of its distinct historic character.

Supporting Initiatives:

- 1) Market and promote the county's historic places, not only for heritage tourism purposes but to embrace local historic character as an attractant for economic and institutional investment in the community.
- 2) Embrace our agricultural roots and take necessary actions to maintain future farming activity in the county.
- 3) Celebrate small town culture, building on existing strong community ties to inoculate our neighborhoods from the "placelessness" infecting many communities in the region.
- 4) Maintain local possession of our traditional material culture.
- 5) Support public art projects to highlight our unique historic and cultural character per the Public Art Master Plan.

Goal: Remembering History

Inspire and educate residents and visitors through investing in new and creative ways to communicate our stories to future generations and reinforce their value and meaning through vigorous documentation.

Initiative: Creative Communication

Find new and creative ways to tell our stories to future generations.

Supporting Initiatives:

- 1) Promote local history efforts that tell local stories to future generations through oral histories, personal diaries, presentations, or new media (digital film, social media, and animation).
- 2) Develop and support private sector, non-profit, and local government efforts to identify, document, and archive local history.
- 3) Promote and support the efforts of local partners - such as the Heritage Frederick, the C. Burr Artz Library (Maryland Room), and the Frederick County Landmarks Foundation - to share information and resources.



- 4) Partner with local artists to find creative ways to educate about preserving the presence of our local traditions, such as music and handicrafts.
- 5) Use art projects, in any media, sited in community places that are open to the public as a tool for promoting local history and to tell local stories for future generations.

Initiative: Comprehensive Documentation

Comprehensively document our county’s physical heritage and places of historic significance.

Supporting Initiatives:

- 1) Continue to update and improve the quality of information included in the Maryland Inventory of Historic Places (MIHP) to bolster local understanding of historic and cultural resources.
- 2) Produce a geographically complete Inventory of Historic Places (MIHP) and Frederick County Register database that would allow the county to identify significant historic structures and resources that remain unacknowledged.
- 3) Support efforts to document the recent past to build a local historic record of events such as the Cold War, the Civil Rights Movement, and the Great Depression, and places such as Camp David, Fort Detrick, and our post-war suburbs.
- 4) Engage in outreach efforts which target under-represented county populations, seeking to broaden our knowledge of local experiences while telling a more complete and truthful story about who we are as a community.
- 5) Work with county and state agencies to protect and digitally archive primary historic documents under county ownership.
- 6) Evaluate potential funding sources to be used for documenting Frederick County history.

Goal: Teaching History

Foster public education and greater appreciation and understanding of historic and archaeological resources, and public support for heritage preservation in Frederick County.

Initiative: Educating the Public

Work with our libraries and the Office of Economic Development to provide opportunities for public education and appreciation of our history, heritage, and culture.

Supporting Initiatives:

- 1) Encourage the study of the history of Frederick County and its architectural and historical resources in our public and private schools.
- 2) Integrate new technologies into the history education environment to allow for a broader sensory experience.
- 3) Develop a historical and cultural preservation outreach plan for key community events.
- 4) Support the Frederick Arts Council as a primary partner in providing opportunities for public education and appreciation of our history, heritage, and culture.

Initiative: Experiential Learning

Capitalize on the “power of place” to illustrate and teach how our places and physical surroundings have shaped our thoughts, actions, and emotions throughout our history.

Supporting Initiatives:

- 1) Provide on-site opportunities for education and appreciation of historic, natural, and archaeological resources by integrating field trips into the local educational curriculum.
- 2) Encourage educational programming at historic sites to provide critical context for older structures and landscapes.



- 3) Investigate collaborative efforts between local students and local historic sites to combine on-site learning and project-based participation in the restoration of older buildings, structures, and landscapes.
- 4) Nurture a life-long appreciation for local Frederick County history by providing opportunities for older residents to participate in local preservation and interpretation efforts.
- 5) Provide technical assistance to the historical societies and museums in Frederick County in their public education and preservation efforts.
- 6) Provide additional opportunities for older residents to share personal experiences with young students in order to build a stronger connection between our friends and neighbors and the events of historic import that they experienced and helped to shape.

Goal: Heritage Tourism

Support tourism geared toward experiencing the places, artifacts and activities that authentically represent the stories and people of the past and present in Frederick County, including cultural, historic, and natural resources, while maintaining the integrity of those irreplaceable resources.

Initiative: Building on Assets

Maximize the use of our historic and natural assets toward the economic benefit of our county through investment, access, and marketing.

Supporting Initiatives:

- 1) Invest in the heritage tourism economy by protecting and maintaining the integrity of local historic resources.
- 2) Promote tourism associated with Maryland's Scenic Byways program, the Historic National Road, and the multi-state "Journey Through Hallowed Ground" initiative.
- 3) Promote tourism associated with the Heart of the Civil War Heritage Area (HCWHA).
- 4) Support efforts to provide a robust infrastructure for heritage tourists visiting Frederick County, including the development of educational programs in the hospitality sector through Frederick County Public Schools and Frederick Community College.
- 5) Nurture strategic partnerships between private sector, non-profit, and local governments to enhance heritage and ecotourism tourism efforts.
- 6) Support local small-business development in the tourism sector while maintain the integrity of local historic resources.

Initiative: Small Business Support

Maintain a thriving ecosystem of small businesses serving the heritage tourism industry in Frederick County while maintaining the integrity of local historic resources.

Supporting Initiatives:

- 1) Invest in the people that are the foundation of our heritage tourism economy by providing educational and training opportunities through our local schools (Frederick County Public Schools Career and Tech Center and Frederick Community College).
- 2) Ensure that county regulations, when feasible, provide flexibility for heritage tourism-related businesses operating within an historic structure or site, while maintaining clarity of purpose.
- 3) Encourage the adaptive re-use of older and historic structures to provide an economic means by which owners can invest in their continued maintenance and upkeep.

Initiative: Viewsheds and Corridors

Protect and maintain the integrity of the grand views and critical corridors within our working and historic landscapes.



Supporting Initiatives:

- 1) Document and assess the quality of viewsheds that are critical to the heritage tourism industry in Frederick County.
- 2) Support the protection of the most important viewsheds.
- 3) Work with public and private partners such as the National Park Service and Civil War Trust to leverage local resources in the preservation and protection of critical landscapes.

Goal: Food and Drink

Celebrate Frederick County’s rich heritage of food production, meal traditions, and the culinary and fermentation arts.

Initiative: Food History

Document and preserve our “edible past” composed of the recipes, local historic food dynamics, stories, and experimentation that have characterized our food history.

Supporting Initiatives:

- 1) Celebrate local traditions centered on food preparation and the family table, and support the documentation of recipes and cooking techniques passed down through the generations.
- 2) Promote and nurture a rich and innovative restaurant culture in Frederick County to build upon the success of Frederick’s downtown “foodie” culture.

Initiative: Local Fermentation Economy

While ensuring the protection of adjacent farms and communities, provide policy support for local breweries, distilleries, and vineyards throughout the county. The maximization of economic gain must meet the test of the triple bottom line of social, environmental, and financial factors.

Supporting Initiatives:

- 1) Support local food and drink tourism in Frederick County by encouraging events, marketing, and programming that links local producers to eager customers.
- 2) Support efforts that celebrate our local traditions of fermented beverages, as well as those traditions arriving in recent years from around the nation and the world.

Initiative: Food Preparation Traditions

Teach local traditions surrounding the preparation of food and drink.

Supporting Initiatives:

- 1) Establish or support programs and initiatives that teach local food preparation skills to hobbyists and professionals through mentorship, community kitchens, church feasts, FCC/CTC educational programs, Frederick Farm To School initiatives, and cultural organizations.
- 2) Exploit the interest in food culture in Frederick County to teach related lessons in local history and heritage by using food and drink as an alternate gateway to learning.
- 3) Support regulations that encourage food-based businesses in historic structures through policies and regulations that encourage and incentivize adaptive re-use.
- 4) Create greater opportunities for hands-on experiential learning regarding food production, meal traditions and the culinary arts to enhance classroom education related to food, health, agriculture and nutrition in area schools through Frederick Farm to School initiatives.



A VISION FOR OUR ECONOMY



IT IS THE YEAR 2040...

FREDERICK COUNTY

continues to be a great place to live, work and raise a family. It is a place where creativity meets innovation, where educated workers find employment opportunities in world-class bioscience and advanced technology sectors, and where manufacturing and agriculture traditions blend our rich heritage with our cultural amenities.

OUR QUALITY OF LIFE ASSETS

make Frederick County a very desirable place for business and industries to grow and thrive. Businesses provide worthwhile goods and services, while valuing and compensating their workers. Full time work provides sufficient compensation and benefits to cover the cost of living here. The county maintains a business-ready climate, adapting to changing economic conditions and maximizing opportunities, by using data-driven strategies to diversify our existing enterprises and be an incubator and accelerator for new ones.

OUR SMALL BUSINESSES

bring innovation to the community and help stimulate our economic growth by providing employment opportunities and attracting the talent to invent new products or implement new solutions for existing ideas. Our larger businesses also often benefit



- 6) Explore expanding agritourism operations, including the manufacturing and marketing of agricultural products from local to international arenas, and support rural businesses through development regulations geared toward those opportunities.
- 7) Evaluate the need and address the benefits of offering additional resources and technical support to farmers.

Initiative: Farmland Transition

Assist with the transition of farmland from one generation to the next to ensure the continuation of the family farm concept.

Supporting Initiatives:

- 1) Partner with appropriate agencies to review existing transition programs and evaluate expansion possibilities.
- 2) Continue to support the Critical Farms Program, while exploring new programs beyond critical Farms that help the next generation of farmers get on the land.
- 3) Promote easements and agricultural land preservation as an estate planning tool or a catalyst for transferring farmland to future generations or young farmers.

Initiative: Preservation and Conservation

Maximize the present and future viability of our agricultural assets through the permanent preservation of a minimum of 100,000 acres of land in the county by 2040 and the retention of a total agricultural land base of at least 200,000 acres.

Supporting Initiatives:

- 1) Evaluate alternative and increased funding options for agricultural land preservation programs or tax credit programs targeted at increasing the number of acres in permanent preservation.
- 2) Explore other programs that provide funding for easements, such as the federal preservation program.
- 3) Support the development of a functional and active land trust that works to preserve land through obtaining land preservation funds from the private sector, including foundations.
- 4) Strengthen our local land trust network and/or evaluate the potential for combining existing land trusts in a regional effort to have an accredited land trust.
- 5) Partner with the Maryland Environmental Trust to form a regional partnership for land conservation that includes the Middletown Valley and Catoctin Creek Watershed for conservation, and provide technical assistance for the initiative as needed.
- 6) Explore the development of some form of agricultural impact assessment tied to new development.
- 7) Evaluate the potential for a private Transfer of Development Rights (TDR) program.

Goal: Creativity and Industry

Support the development of businesses, enterprises, arts and technologies that focus on creativity, innovation, and alternative business models and that encourage vibrant business activity and growth in Frederick County communities.

Initiative: The Arts

Find innovative ways to employ the arts to improve and strengthen communities and businesses in Frederick County.

Supporting Initiatives:

- 1) Encourage local businesses, nonprofit organizations, and municipalities to develop close working partnerships with the Frederick film industry to promote the county as a film-friendly location and to promote a film and media hub within the county.



- 2) Develop partnerships with municipalities, the county and the state to support the development and promotion of local arts and entertainment districts.
- 3) Examine regulatory obstacles to the arts industry and pursue changes if needed.

Initiative: Creative Economy

Support entrepreneurship and small business that is focused on creativity and the generation of new knowledge or information, and on the use of creativity and imagination to create economic value.

Supporting Initiatives:

- 1) Establish enterprise zones, arts or cultural districts, or overlay zoning that encourages businesses in the creative industries to cluster together and integrate with surrounding neighborhoods.
- 2) Provide entrepreneurial and workforce development training programs that serve artists, writers, designers, and other creative industries professionals.

Goal: Small Business

Build on existing and explore new ways to support the growth and longevity of locally-based small businesses in the county.

Initiative: Buying Local

Support buying local through promotional campaigns to encourage residents to buy from local, small, and independent businesses and retailers in the county, as well as through the prioritization of local government purchasing.

Supporting Initiatives:

- 1) Explore small business opportunities for local food processing and preservation for institutional markets such as public and private schools.

Initiative: Business Support

Explore and build on existing direct measures to help small businesses in the county, such as assistance for improving facilities and increasing energy efficiency, and through training and counseling such as that offered by the Frederick County Small Business Development Center.

Supporting Initiatives:

- 1) Support mixed-use commercial facilities that offer affordable options to small business owners.
- 2) Recognize the distinct challenges faced by small business in the county, as compared to larger businesses, and explore ways to provide support, especially through review of the regulatory review and approval process.

A VISION FOR OUR ENVIRONMENT





IT IS THE YEAR 2040...

WE LIVE IN A COUNTY, A PLACE, of great physical richness and beauty. We are fulfilling our stewardship by making Frederick County an environmentally sustainable place with clean air, clean water, healthy soil, protected farmland and open space.

OUR COUNTY HAS MAINTAINED the commitment to respond to our ongoing climate change crisis in a manner that reflects the magnitude of the threat to our community and our share of the responsibility for the problem. We have been resolute and innovative in our efforts to reduce our contribution to greenhouse gas emissions, to sequester carbon, and to be adaptive and resilient in the face of the changes and challenges associated with our changing climate.

WE SUPPORT FLEXIBLE AND efficient electric grids by enabling the integration of growing deployments of distributed energy resources powered by renewable energy resources. These improve the reliability and resiliency of the county's electrical grid.

WE ARE SHEPHERDS OF OUR county and leave to successive generations healthy soil that sustains our agricultural bounty, clean air and water, lessons from our rich heritage, and the fruits of our planning together for an intentional future.

WE HAVE ENSURED THAT THE contributions of natural resources to human well-being are explicitly recognized and valued. We are committed to preserving and improving their health and being in harmony with nature, and our county is greenhouse gas negative.

WE CONTINUE TO PROTECT AND enhance Catoclin Mountain, the Monocacy River, and all of Frederick County's watersheds for residents and visitors alike. Our county supports efforts in Maryland and the region to foster clean air and water resources. We support reduced carbon, heavy metal, and other toxic emissions into air, soil, and water through a variety of energy, transportation, building, agricultural, and active living initiatives.

FREDERICK COUNTY HAS IT ALL: beauty, prosperity, convenience, sustainability, and safety. It continues to offer a small town feel with 21st century, urban opportunity. We are a model for counties nationwide.

Making Our Environment Vision a Reality

The Our Environment theme supports the following State of Maryland Visions: Quality of Life and Sustainability, Public Participation, Community Design, Growth Areas, Infrastructure, Transportation, Housing, Economic Development, Environmental Protection, Resource Conservation, Stewardship, Implementation



Category: Land

Goals in this category concern preserving and protecting our land systems from degradation due to natural forces and human interventions and increasing their resilience.

Natural Resources and Green Infrastructure	Green Infrastructure Plan	<ol style="list-style-type: none"> 1) Regular review cycle for green infrastructure 2) Green infrastructure in growth areas 3) Parkland in green infrastructure 4) Voluntary and incentive based protection of resources 5) Site plan review 6) Invasive species control
	Tree Canopy and Forest Coverage	<ol style="list-style-type: none"> 1) Numerical goal for forest coverage 2) Riparian forests along waterways 3) Significant resources in growth areas 4) Forest Resource Ordinance for resources in growth areas 5) Programs for forest coverage
	Outreach for Ecology	<ol style="list-style-type: none"> 1) MS4 permit and outreach expansion 2) Outreach with educational institutions 3) Educational elements in parks
	Local Agriculture	<ol style="list-style-type: none"> 1) Environmentally friendly agriculture 2) Community information sharing network 3) Local distribution incentives 4) Waterway protection in farming 5) Regenerative agriculture
Solid Waste and Recycling	Recycling and Composting	<ol style="list-style-type: none"> 1) Solid waste program expansion 2) Source pollution reduction 3) Inspections and clean up for dumping sites 4) Amortization for dumping sites
	Development	
Built Environment	Energy Audit and Retrofit	<ol style="list-style-type: none"> 1) Energy conservation program expansion, PSC 2) Energy conservation program expansion, MEA 3) Sustainability staffing 4) Green remodeling incentives 5) Smart technologies in county facilities
	Environment Supportive Design	<ol style="list-style-type: none"> 1) Construction techniques/sinkholes 2) Sinkhole education and outreach 3) Critical open spaces 4) Natural resource preservation 5) Wildlife and pedestrian crossings at major infrastructure
	Evaluation of Impact	<ol style="list-style-type: none"> 1) Comprehensive review of natural resources 2) Protection of green infrastructure
	Building Codes and Policies	<ol style="list-style-type: none"> 1) High performance green building program 2) Energy efficient criteria for capital projects 3) Incentives for sustainable construction 4) Adopt green building code 5) Revise code for climate

Goal: Natural Resources and Green Infrastructure

The natural environment and its habitat provision and ecosystem services are critical to our quality of life, and so they should be the primary consideration in all land planning and governmental decision-making processes.

Initiative: Green Infrastructure Plan

Develop and implement a functional green infrastructure plan to protect, connect, and enhance the county's natural assets and support their role in ensuring future resiliency in the county.

**Supporting Initiatives:**

- 1) Establish a regular cycle of review of environmental protection and conservation ordinances and processes with the aim of ensuring protections for clean air, land, and water.
- 2) Critically examine the land use designations and zoning applied to Green Infrastructure and other sensitive environmental resources within Community Growth Areas.
- 3) Incorporate natural resource protection and restoration in addition to active recreational elements in the development of all county parkland.
- 4) Enhance the protection measures for significant natural resources and highly sensitive environmental features through regulatory, voluntary, and incentive based programs.
- 5) Improve the site plan review process to identify, confirm, and protect natural resources.
- 6) Control and mitigate invasive and exotic species (flora and fauna) to help maintain the diversity and health of forestlands, native plants, animal populations, waterways, and habitats.

Initiative: Tree Canopy and Forest Coverage

Increase tree canopy coverage and riparian forest acreage in Frederick County.

Supporting Initiatives:

- 1) Analyze and identify a numerical goal to achieve – primarily through the voluntary efforts of Frederick County landowners - an increase in the 2040 forest coverage in Frederick County to enhance forest corridors and hubs.
- 2) Develop goals to increase and enhance the performance of riparian forests and vegetation along Frederick County's waterways for years 2025 and 2040 through voluntary and incentive-based programs.
- 3) Examine our Community Growth Areas for the presence of significant natural resources and develop enhanced measures to minimize their degradation and loss.
- 4) Enhance the Forest Resource Ordinance for development occurring in growth areas to protect significant and connected forestlands.
- 5) Expand and fully utilize voluntary and incentive-based programs, including the county's Creek ReLeaf program, to increase tree canopy and riparian forest acreage in the county.

Initiative: Outreach for Ecology

Increase the public's general knowledge about ecology and environmental sustainability.

Supporting Initiatives:

- 1) Expand public outreach for the county's Stormwater Program (MS4 Permit) and communicate ways to reduce nutrient and sediment loads in areas dominated by non-point source pollution.
- 2) Develop and implement an effective public outreach program with the Board of Education, libraries, and other educational institutions.
- 3) Work with the Division of Parks and Recreation to include educational elements in county parks.

Initiative: Local Agriculture

Support locally produced agricultural products and sustainable and innovative farming practices, such as regenerative farming, which build healthy, biologically active soil and protect water resources.

Supporting Initiatives:

- 1) Draw on State resources to create or enhance an outreach and educational program for farmers regarding new agricultural practices that increase soil organic matter and have less intensive chemical applications.
- 2) Create a farming community information sharing network.
- 3) Provide incentives to the local farming community to sell products locally.



- 4) Assist farmers to develop practices that reduce inputs and protect waterways by building healthy, biologically active soil, such as agroforestry cover cropping, multi-species pasture, compost application, and permaculture.
- 5) Support programs that encourage the transition of agricultural acreage to regenerative agricultural practices.

Goal: Solid Waste and Recycling

Plan for a “zero waste” future by 2040.

Initiative: Recycling and Composting

Increase recycling and composting for all residential dwellings, businesses, and institutions.

Supporting Initiatives:

- 1) Expand the county’s Solid Waste Program to include operational facilities for materials recovery and recycling, food waste composting, and yard trimmings composting.
- 2) Promote source reduction from manufacturers to generate less waste.
- 3) Increase inspection for dumping sites and salvage yards, including clean-up and enforcement actions.
- 4) Develop an amortization schedule for grandfathered dumping sites and salvage yards.

Initiative: Development

Increase the practice of material salvaging and reuse within the development industry.

Goal: Built Environment

Increase energy efficiency and environmental standards in existing and new built infrastructure.

Initiative: Energy Audit and Retrofit

Establish large-scale energy audit and retrofit programs to reduce energy consumption and increase economic efficiencies.

Supporting Initiatives:

- 1) Encourage the Public Service Commission (PSC), which requires electric and gas utilities under its jurisdiction to offer energy efficiency programs to their retail customers, to expand the funding of energy audit activities in their programs by offering financial incentives for professional energy audits.
- 2) Encourage the Maryland Energy Administration (MEA) to offer incentives to qualified engineers to provide energy audits to customers of utilities who are not served by a utility under PSC jurisdiction.
- 3) Ensure that the Office of Sustainability and Environmental Resources staff, and any contractors they hire, are trained in the principles of energy efficiency and conservation, and are familiar with the available incentives.
- 4) Provide incentives for green remodeling and redevelopment.
- 5) Explore the use of “smart” technologies in county facilities and systems.

Initiative: Environment Supportive Design

Ensure that the location and scale of the future built environment preserves green infrastructure and other sensitive environmental resources.

**Supporting Initiatives:**

- 1) Research, develop, and employ construction techniques designed to protect roads, buildings and utilities in areas prone to develop sinkholes.
- 2) Develop an education program to inform the public about how to identify, prevent, and avoid the three types of sinkholes: solution, subsidence, and collapse.
- 3) Protect critical open spaces within the built environment.
- 4) Preserve natural resources during the development process.
- 5) Advocate for wildlife and pedestrian connections, especially at I-270 at the Monocacy River, in the design and construction of future I-270 improvements.

Initiative: Evaluation of Impact

Evaluate land development's overall ecological "footprint" and minimize its environmental impact and externalities.

Supporting Initiatives:

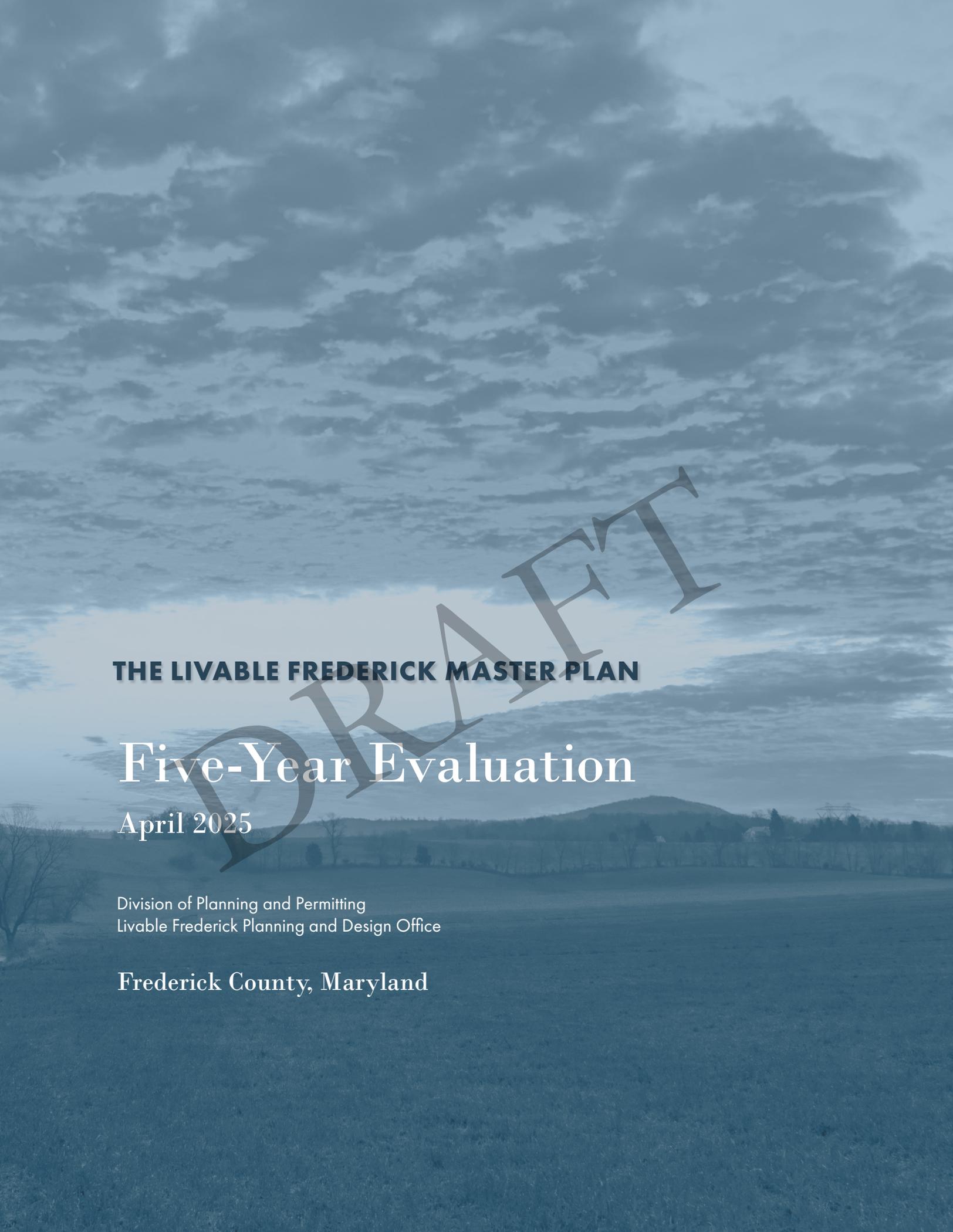
- 1) Include a comprehensive review of natural resources during the creation of community and corridor plans and during the development review process.
- 2) Ensure Frederick County's Green Infrastructure is protected through the adoption and implementation of a functional green infrastructure plan.

Initiative: Building Codes and Policies

Foster sustainability and resiliency through the improvement of ordinances, building codes, and environmentally supportive policies.

Supporting Initiatives:

- 1) Create a Frederick County High Performance Green Building Program.
- 2) Establish energy efficient criteria and requirements for all capital projects that are funded with state or county resources.
- 3) Create incentives for sustainable and resilient construction practices.
- 4) Consider adopting the International Green Construction Code and the Energy Conservation Code, as used in surrounding jurisdictions.
- 5) Explore revisions to codes, ordinances, and policies to address Frederick County's changing climate to 2040 and beyond.



THE LIVABLE FREDERICK MASTER PLAN

Five-Year Evaluation

April 2025

Division of Planning and Permitting
Livable Frederick Planning and Design Office

Frederick County, Maryland

Introduction

The Livable Frederick Master Plan was adopted on September 3, 2019 after a multi-year public outreach process. Livable Frederick articulates a Vision for the county – a shared expression of the future that we desire for our families, our neighborhoods, and the entire Frederick County community. The actions that our government, non-profit institutions, businesses, and households need to take to advance our shared goals and achieve the Vision are identified in the Action Framework. The Development Framework addresses the geography of growth and preservation.

This five-year evaluation addresses the status of Livable Frederick implementation, as well as challenges and opportunities for continued progress to achieve the Vision in the years to come.

IT IS THE YEAR 2040.

FREDERICK COUNTY IS

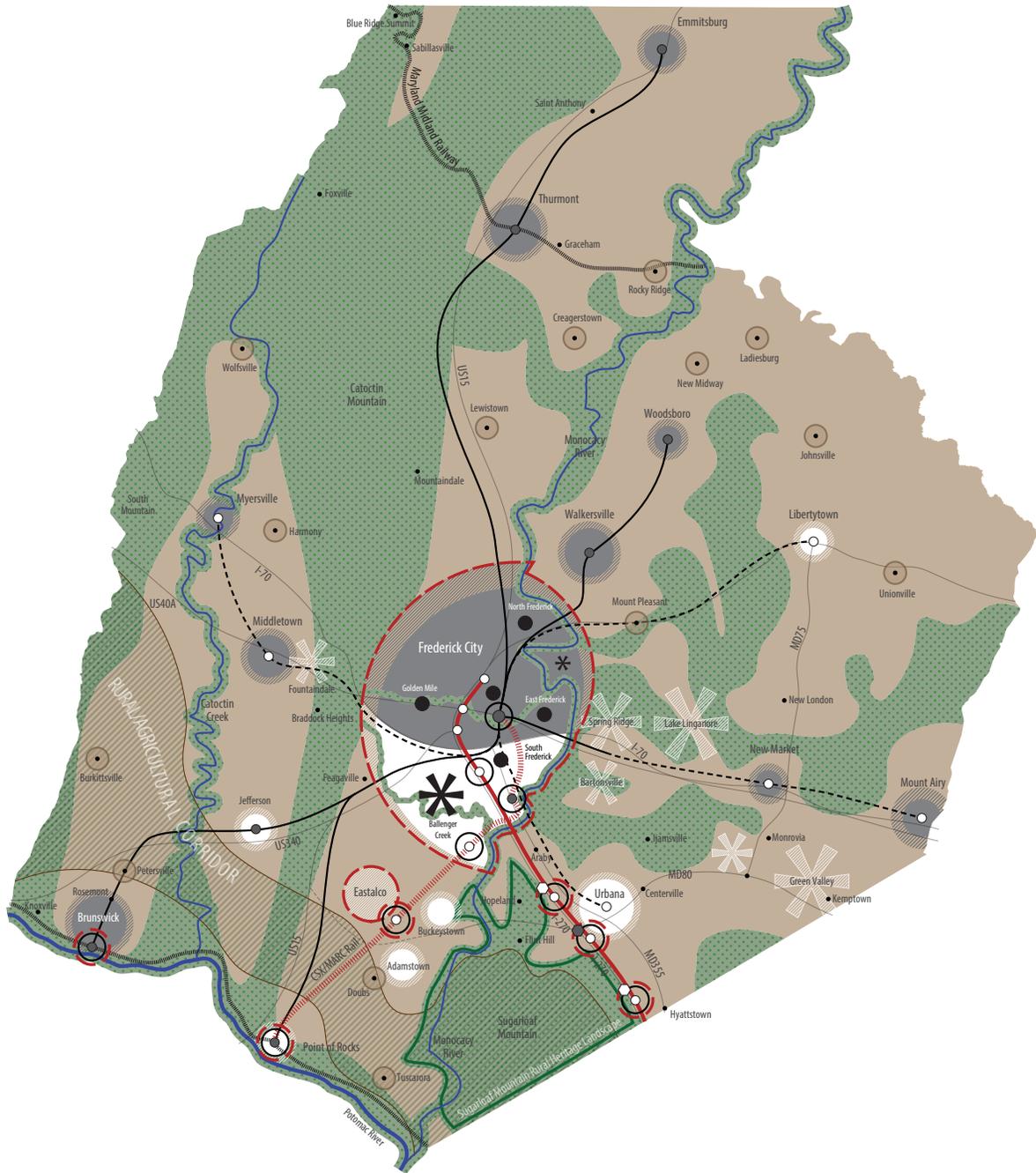
A VIBRANT AND UNIQUE COMMUNITY

WHERE PEOPLE LIVE, WORK, AND THRIVE

WHILE ENJOYING

A STRONG SENSE OF PLACE

AND BELONGING.



Thematic Plan Diagram



Primary Growth Sector

- Primary Growth Area
- Rail Corridor
- Highway Corridor
- Development Focus Area
- Multi-Modal Places (1/2 mile radius)
- Multi-Modal Spokes

Secondary Growth Sector

- County Growth Area
- Municipal Growth Area
- Suburban Retrofit

Agricultural Infrastructure Sector

- Agricultural Lands
- Rural Hamlet / Agricultural Support
- Agricultural/Rural Corridor

Green Infrastructure Sector

- Natural Resource Lands
- Major Waterway
- Sugarloaf Mountain Rural Heritage Landscape

- E P
- ○ Transit Center
- ○ Highway Interchange
- E=Existing P=Proposed



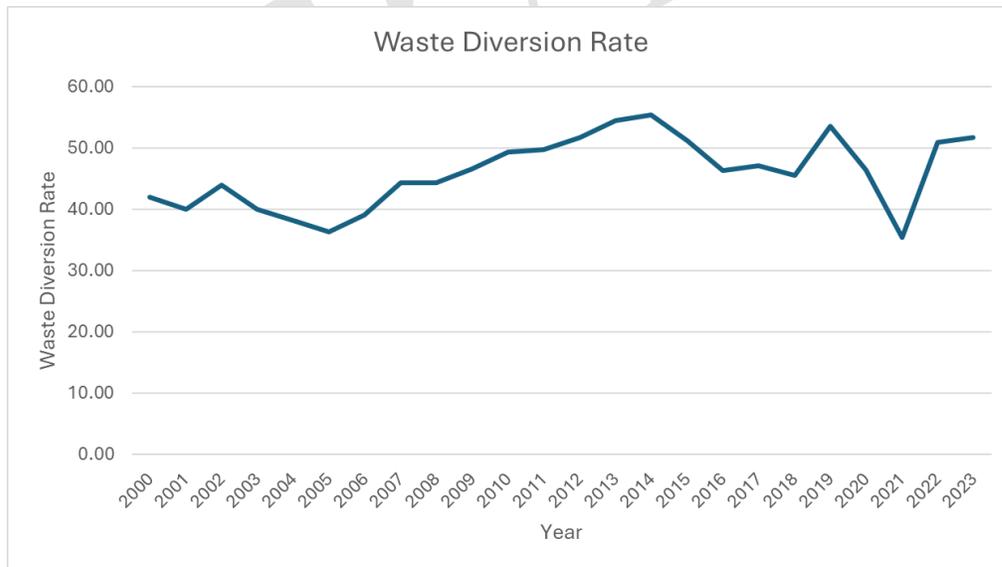
Waste Diversion

Waste diversion in Frederick County is calculated annually by the County’s Solid Waste and Recycling Department, based on the previous year’s waste generation and diversion data. This calculation incorporates the county’s recycling rate combined with the Source Reduction (SR) credit.

To compile this data, the Solid Waste and Recycling Department collaborates with Frederick County businesses to quantify recycling activities that fall outside the direct purview of the agency. The data included in this 5-Year Report is current as of 2023.

The Livable Frederick Master Plan, adopted in 2019, set a countywide goal to achieve a waste diversion rate of 60% by 2025. However, progress toward this goal was significantly affected by the COVID-19 pandemic. In 2021, waste diversion efforts hit a low of 35.35%. Since then, the county has made notable improvements, with recent rates at 51.69%.

As of this report, Frederick County has not yet achieved its 60% waste diversion goal. Additionally, data for 2024 will not be available until January 2026, as the reporting process requires businesses to submit recycling activity data, which must then be analyzed and verified for accuracy.







Division of
Planning and Permitting
Livable Frederick Planning and Design Office

Frederick County
Government *Maryland*

EXHIBIT S

I. The Appellants are Collaterally Estopped from Arguing that the Site Plan lacks the Necessary Information to Satisfy FCZO §§ 1-19-8.408(D), (J) and (K).

Despite the Board's decision to hold a *de novo* hearing, Appellants are still collaterally estopped from arguing to this Board that there is a lack of affirmative evidence to satisfy §§ 1-19-8.408(D), (G), (J) and (K) of the FCZO in Paragraphs 1 - 4 of Appellants' Letter because these issues were finally decided by the Planning Commission on January 12, 2022. Collateral estoppel prevents a party from relitigating an issue that was previously decided in a dispute involving the same parties. *Garrity v. Maryland State Bd. Of Plumbing*, 447 Md. 359, 369 (2016). The supporting judicial policy is "...that a losing litigant deserves no rematch after a defeat fairly suffered, in adversarial proceedings, on an issue identical in substance to the one he subsequently seeks to raise." *Department of Human Resources v. Thompson*, 103 Md. App. 175, 194 (1995). Collateral estoppel is traditionally applied when the following 4-prong test is met:

1. Was the issue decided in the prior adjudication identical with the one presented in the action in question?
2. Was there a final judgment on the merits?
3. Was the party against whom the plea is asserted a party or in privity with a party to the prior adjudication?
4. Was the party against whom the plea is asserted given a fair opportunity to be heard on the issue?

Garrity, 447 Md. at 369.

A. Site Plan Procedural Background

The Site Plan was originally captioned as Key City Compost at Utica Bridge Farms and was approved by the Planning Commission on January 12, 2022. Appellants and their counsel submitted written comments, participated virtually and by telephone at the January 12th public hearing, cross-examining Planning Commission staff, with the applicant and property owner (Utica Bridge Farms LLC and Key City Compost) and its consultants providing direct testimony. The Planning Commission, having 6 members at the time with 2 necessarily absent, unanimously approved the Site Plan in a 4-0-0-2 vote with conditions. No appeal was taken from the Planning Commission decision.

The Site Plan was not vested before the expiration of its 3-year validity period because the improvements to Stull and Lakeview Roads required prior to building permit issuance were not completed due to lack of funding. In June 2024, prior to the expiration of the Site Plan and adequate public facilities ordinance (“APFO”) approval, Compost Crew acquired Resolution Solutions LLC (d/b/a Key City Compost) and its related entities. In the absence of an available process to extend a site plan and APFO validity period, Compost Crew filed an application with the Planning Commission for reapproval of the Site Plan, the 3 modifications and APFO approval.

As articulated in the Planning Commission’s February 12, 2025, staff report no substantive changes were proposed to the Site Plan. Only minor (ministerial) changes were made to the Site Plan to update the following: (a) Site Plan name from Key City Compost at Utica Farms to Compost Crew at Utica Bridge Farms; (b) file numbers from AP-19894 and APFO-19895 to AP SP277005 and APFO A277003; (c) Site Plan General Note 1 to reference the Site Plan reapproval; (d) date, title and Compost Crew signatories for the APFO Letter of Understanding; and (e) applicant name from Utica Bridge Farms LLC to Compost Crew.

Appellants participated in person at the Planning Commission’s February 12, 2025, public hearing on the Site Plan reapproval. The Planning Commission, having 7 members with 2 necessarily absent, approved the Site Plan subject to conditions, the 3 modifications and APFO in a 3-2-0-2 vote. Appellants filed an appeal of the Planning Commission’s February 12th reapproval of the Site Plan.

B. Application of Collateral Estoppel to the Facts.

The first prong of the collateral estoppel test is met if the issue in the first proceeding is “identical” to the issue in the second or third proceeding. *Batson v. Shiflett*, 325 Md. 684, 706 (1992) (“[u]nder [] Maryland law, the principle of collateral estoppel should only be applied where the *identical* issue sought to be relitigated was actually determined in the earlier proceeding”) (emphasis added). Appellants argued at the first Planning Commission proceeding held on January 12, 2022, that the Site Plan application lacked affirmative evidence from the applicant to support a determination that it will meet §§ 1-19-8.408(D), (G), (J) and (K) of the FCZO. Specifically, Appellants argued that the notes on the Site Plan attesting compliance with §§ 1-19-8.408(D), (J) and (K) of the FCZO were inadequate and that affirmative evidence demonstrating compliance therewith was necessary. Appellants also argued that Compost Crew did not provide evidence to satisfy § 1-19-8.408(G) of the FCZO related to vehicle circulation. In response thereto, Planning Commission staff stated and restated that it is typical that site plan applicants commit to compliance with various zoning requirements through site plan notes where compliance cannot be demonstrated on the site plan. *See*, Composting Notes, Site Plan, Sheet SP2. Staff further advised that following construction and/or implementation of the site plan approved use, if the zoning requirements are not met, it becomes a County enforcement action, potentially prompting an investigation, mitigation of any alleged zoning violation and/or an enforcement action. Staff also testified that the vehicle circulation proposed by the Site Plan met § 1-19-8.408(G) of the FCZO. The Planning Commission accepted its staff’s response and approved the Site Plan. No appeal of that Planning Commission decision ensued, rendering its decision final. Appellants appear not to have raised these arguments at the February 12, 2025, public hearing.

Appellants raise the same exact arguments in Appellants' Letter. However, no "new" evidence set forth in Appellants' Letter changes the fact that §§ 1-19-8.408(D), (J) and (K) of the FCZO must be met through notes on the site plan. Here, the requirements are met through the Composting Notes on the Site Plan that bind Compost Crew to compliance with §§ 1-19-8.408(D), (J) and (K) of the FCZO. Moreover, there is no "new" evidence contradicting that the vehicular circulation proposed by the Site Plan satisfies § 1-19-8.408(G) of the FCZO.

With regard to prong 2 of the collateral estoppel test, Maryland courts will "[] grant an agency decision preclusive effect for purposes of collateral estoppel upon satisfaction of the three-part test arising from *Exxon Corp. v. Fischer*, 807 F.2d 842, 845-46 (9th Cir. 1987), referred to as the Exxon Test." *Garrity*, 447 Md. at 380. The Exxon Test is met when: "(a) the agency acted in a judicial capacity; (2) the issue presented to the fact finder in the second proceeding was fully litigated before the agency; and (3) resolution of the issue was necessary to the agency's decision." *Id.*, citing *Batson*, 325 Md. at 701.

The Exxon Test is satisfied because the Planning Commission acted in a judicial capacity by holding a quasi-judicial public hearing on January 12, 2022, where it heard and received testimony and evidence from the parties and cross-examination was conducted. The issue of compliance with §§ 1-19-8.408(D), (G), (J) and (K) of the FCZO was fully litigated. The Appellants' counsel presented direct testimony on the issue and cross-examined Planning Commission staff on the issue. Planning Commission staff provided direct testimony on multiple occasions during the hearing to refute Appellants' assertion. After given due consideration to the evidence of record, the Planning Commission approved the Site Plan and Appellants did not take an appeal of that decision. As a result, the Planning Commission's decision is final. It was necessary to the Planning Commission's decision to resolve the issue of Site Plan compliance with §§ 1-19-8.408(D), (G), (J) and (K) of the FCZO because they are zoning requirements applicable to the Site Plan.

Prongs 3 and 4 of the collateral estoppel test are also met because the Appellants, against whom collateral estoppel is being asserted, participated in the January 12, 2022, public hearing. *Bank of New York Mellon v. Georg*, 456 Md. 616 (2017), citing *Mathews v. Cassidy Turley Md., Inc.*, 435 Md. 584, 628 (2013) ("[f]or purposes of collateral estoppel, an analysis of privity 'focuses on whether the interests of the party against whom estoppel is sought were fully represented, with the same incentives, by another party in the prior matter'"). Appellants' participation included direct testimony on their assertion that the Site Plan must demonstrate compliance with §§ 1-19-8.408(D), (J) and (K) of the FCZO through affirmative evidence other than the Site Plan notes, that the Site Plan did not comply with the vehicle circulation requirements set forth in § 1-19-8.408(G) of the FCZO, and an opportunity to cross-examine Planning Commission staff. They even participated in the February 12th public hearing. Accordingly, Appellants are collaterally estopped from arguing that the Site Plan approval was in error because it includes the Composting Notes committing Compost Crew to the continuing obligations to comply with §§ 1-19-8.408(D), (J) and (K) of the FCZO and that the Site Plan lacks evidence to support compliance with § 1-19-8.408(G) of the FCZO.

Corridor Management Plan *for the*

US 15 Catoctin Mountain Scenic Byway

April 2004

Prepared for:
Frederick County, Maryland
as part of
the State of Maryland Scenic Byway Program

Prepared by:
Lardner/Klein Landscape Architects, P.C.
in association with
Daniel Consultants, Inc.
John Milner Associates
Bay Area Economics
Watson Heritage Strategies
Shelley Mastran



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Sister Mary Clare Hughes, Administrator, National Shrine of Saint Elizabeth Ann Seton
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George Smith, Planning Commission, City of Frederick
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Dianne Walbrecker, Parks and Recreation Committee/Citizen, Town of Emmitsburg
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George Wunderlich, Executive Director, National Museum of Civil War Medicine
Barbara Wyatt, Staff, Frederick Town Historic District Commission

** On Management Team*

Corridor Management Plan *for the*

US 15 Catoctin Mountain Scenic Byway

April 2004

Prepared for:
Frederick County, Maryland
as part of
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More forested areas are preserved, protecting existing wildlife habitat. Flood prone land areas can be preserved. Water quality will benefit with less non-point source pollution than from a more spread out standard development due to higher amount of road surface. From the point of view of the byway, Open Space Design practices tend to have a better “fit” with the natural landscape and therefore has less visual contrast.

Frederick County’s community design guidelines point out that there is a need to consider the “urban to rural transect” and the geographic context within which a proposed development sits. The Catoclin Mountain Scenic Byway cuts through that urban to rural transect in a very distinct manner. The landscape character zones discussed in Chapter 2 identify the approximate boundaries for that transect. The most critical segment of the byway in terms of planned community development is the section from MD 26 to Biggs Ford Road. The highest priority for incentives and the need for creative land development practices are in this segment.

Commercial Development

New commercial shopping centers are being planned and constructed at the outskirts of Frederick and Thurmont. Issues of signs, building mass and siting, parking lot design, lighting, and landscaping need to be addressed, especially as they relate to the view from the byway. A landscaped setback is recommended as part of the Roadside Character strategies in the section under Roadside Character.

From a byway perspective, the three most critical issue in the design of new commercial projects include signs, landscape of parking lots and buffer yards, and the massing of big box retail centers.

Commercial Development Signs

Recognizing that business and property developers need visibility and recognition from a high volume roadway like US 15 is an important first step in byway management. However, that does not mean that a sign needs to be constructed as tall and as large as humanly possible. Lacking a tourist oriented destination signage system similar to Vermont’s, (see Chapter 4.5) other techniques are needed to help put the best face forward for a commercial development project.

First, the need for a large sign can be reduced by taking better advantage of the development project’s community context. It is to the advantage of the developer to relate the identity of a commercial development to that of an existing destination already signed from the highway.

Second, selectively framing a few of the most distinguishing features of the design, such as an attractively designed entrance feature will associate a visitor's first impression with a high quality environment— one with higher property values and lease rates.

Third, a well-placed sign of modest size can be just as visible as a very large sign that will cost more and cheapen the overall first impression of the development project.

Parking Lots and Setback Areas

While a prospective customer is always pleased to know that there is a lot of parking, hitting them over the head with a sea of asphalt often causes a higher degree of anxiety than a well-designed entry sequence. Transitioning from the major route (in this case it happens to be the byway) to the destination should be designed as a safe, comfortable and aesthetically pleasing experience. Establishing a clear order to the entrance experience using the following guidance is the best way to achieve that goal:

- SEE – making sure that the entrance to the destination is clearly visible and attractively marked.
- ARRIVE – making sure that the arrival sequence leads the visitor for the entrance towards the parking lot. Landscaped areas can do this very attractively by framing views in the general direction of desired travel.
- PARK – parking lots should be designed as outdoor rooms defined by landscape. Each identifiable room helps the visitor to relate their experience to a more personal scale.
- PROMENADE– visitors should then be able to clearly walk to the desired destination on shaded sidewalks directly to the entrance.
- ENTER – a clearly marked and attractive building entrance.

Using these simple terms as a guide, the end result will be an attractively designed landscape that takes best advantage of the required buffers, setbacks and parking lot landscaping. It will also have the added benefit from the byway perspective of breaking down the scale of the parking areas and building masses that are visible from the byway. Parking lots should be designed to accommodate all intended uses (large trucks, buses, RV's, etc. and by following these basic guidelines for parking areas, even the most demanding parking requirements can be met in a safe and attractive manner.

Building Scale and Mass

The mass of large structures is also an important byway management issue. Too often, the back side of large commercial structures faces the most heavily traveled route. If that is the case on US 15, then adequately landscaped setbacks should be established to screen the large buildings. The size of the landscaped setback area should be determined based on the height of the buildings and the position of the driver. Sufficient setback can be achieved by tree plantings that are high enough to block the sightline of the driver and deep enough so that it is difficult to see through. See section 4.5 for discussion of landscaped setbacks.

Alternatively, the design of the building should take into account the visibility from all sides. Building mass should be broken down in scale through the use of fenestration, variation in roof and building height, creative use of color and materials, and through the use of light and shadow. A prospective building project can be designed so that it is attractive when seen from the byway, thereby eliminating the need for extensive landscaped setbacks. Perspective sketches or computer-generated simulations can be developed that demonstrate the appearance of the project as seen from the byway.

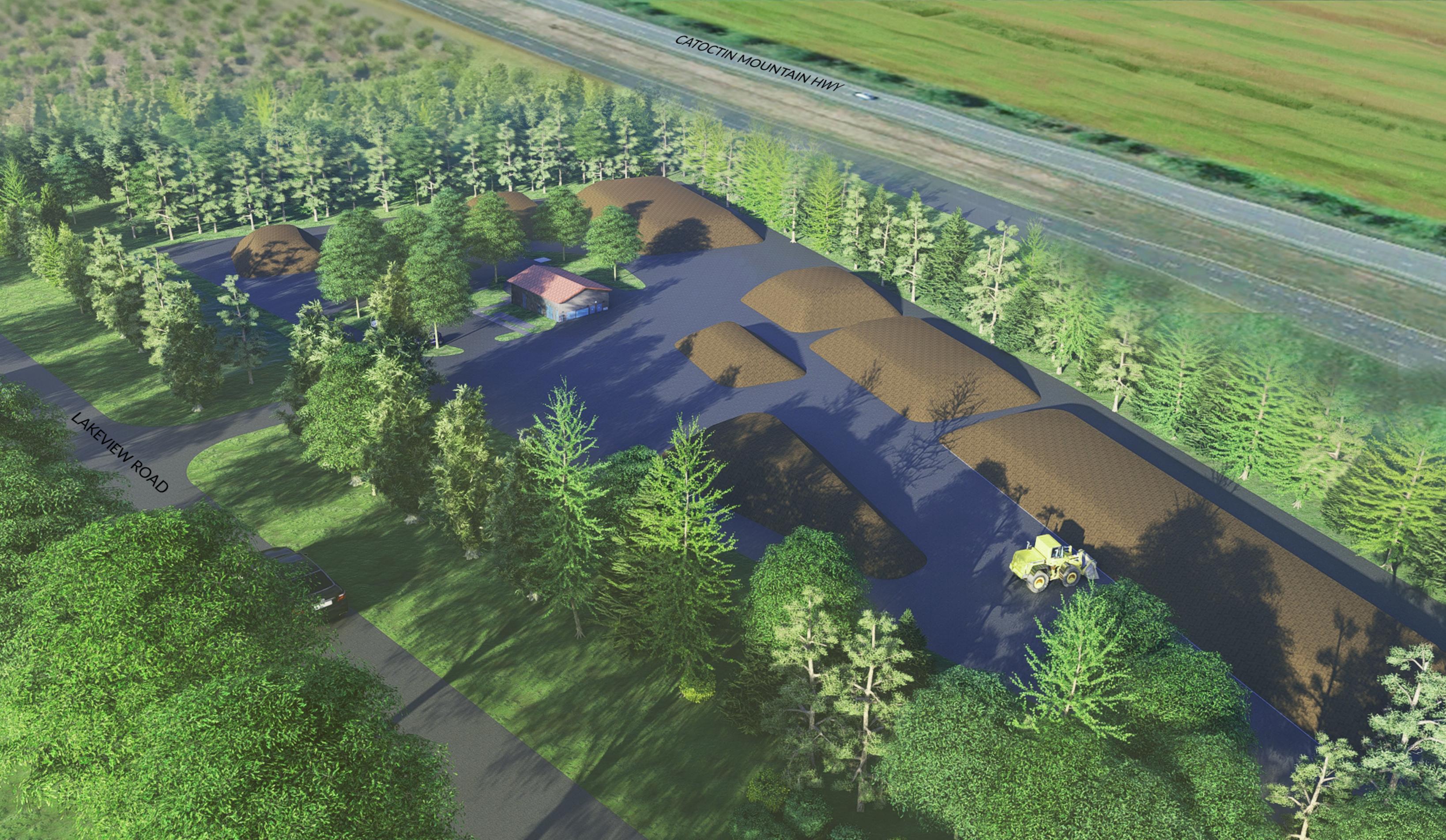
Interchange Design and Development Issues

As US 15 further develops into a limited access highway over time, more pressure will evolve for development of the interchange areas. The goal of creating a more parkway-like character for US 15 should extend to the design of interchanges (further discussed in section 4.4). The development associated with future interchanges should also extend the parkway-like character into attractively designed communities, using the arrival sequence described above. The first thing that a visitor should come to off of an interchange is a “park” that creates an identity to the place that is being created at the interchange.

Figure 4-11: Before (top) and after (bottom) photo simulation illustrating how new bridge structures can be designed to serve as a gateway to Frederick







CATOCTIN MOUNTAIN HWY

LAKEVIEW ROAD



BEN PARRY

12809 Spring Dr • Rockville, MD 20850 • 240.535.2472 • ben.parry32@gmail.com

Executive and business leader fighting to protect the health of our planet. Over 20 years experience primarily working for high-growth environmental companies in operations, management, finance, and development roles.

WORK EXPERIENCE

COMPOST CREW
CEO

ROCKVILLE, MD
JULY 2018 - PRESENT

I acquired Compost Crew in 2018 when it was a small food scrap hauler with 3 trucks, 5 employees, and several hundred customers. The company has since grown to a diversified and nationally-recognized composting business with over 20,000 customers, 40 trucks, and 80 employees. The company operates several distributed composting systems - its Compost Outposts - in partnership with area farms and municipalities to process high quality compost and build food system resiliency. As CEO, I drive overall strategic, operational, and financial leadership to the organization

TERRAFORM GLOBAL (GLBL)
VICE PRESIDENT, OPERATIONS

BETHESDA, MD
AUGUST 2016 - JANUARY 2018

TerraForm Global was launched in 2015 as a publicly-traded subsidiary of SunEdison, a global clean energy company which subsequently collapsed and filed for bankruptcy. TerraForm Global was controlled and partially owned by SunEdison, which TerraForm Global depended on for its management, operations, and systems.

Following SunEdison's collapse, I left SunEdison and joined TerraForm Global as part of a core leadership team to stabilize and rescue the value of TerraForm Global. Over the course of approximately 18 months we saved TerraForm Global from collapse, established independent operations and systems, and successfully sold the company to Brookfield Renewable Energy Partners.

I led operations for TerraForm Global, which owned a fleet of over 30 solar and wind power plants with capacity of 1,000 MW across seven countries. I supervised a team located in ten emerging market countries across five continents, including over 200 employees and contractors in field services, operations, engineering, asset management, finance, legal, and compliance. The operations team was primarily responsible for (i) maintaining and monitoring the power plants, (ii) developing the health, safety, security and environmental strategy and compliance programs, (iii) managing all commercial matters for the global project and service companies located in Brazil, Uruguay, South Africa, India, China, Malaysia, Thailand, Spain, and Netherlands; (iv) supporting establishment of processes and best practices across the company, including procure-to-pay, document management, and others.

Following the acquisition of TerraForm Global, I exited the company to pursue entrepreneurial ambitions.

TERRAFORM GROUP / SUNEDISON
DIRECTOR, ASSET MANAGEMENT

BETHESDA, MD
SEPTEMBER 2014 – AUGUST 2016

Led asset management activities for the company's fleet in Asia Pacific, including solar and wind plants in India, China, South Africa, Thailand, and Malaysia. Asset management scope of work included commercial management, O&M and contract management, billing and collections, accounts payable, regulatory and statutory compliance, loan compliance, environmental/health/safety compliance, financial accounting and reporting, cash management, and performance optimization. Specific responsibilities and achievements included:

- Led a team of seven direct reports and 30 indirect reports to run a fleet of ~900 MW utility-scale solar and wind power plants across Asia and South Africa.
- Supported the \$675 million initial public offering of TerraForm Global:
 - Played a key role in the formation of the asset management function.
 - Managed a 20 person team underwriting the power plants in the IPO portfolio.
- Upon joining TerraForm after the acquisition of Silver Ridge Power, ran asset management activities for a portfolio of 10 solar plants with 426 MW capacity in the US.
- Involved in a variety of transactions, including:

BEN PARRY

12809 Spring Dr ▪ Rockville, MD 20850 ▪ 240.535.2472 ▪ ben.parry32@gmail.com

- o Negotiations and closure of ~\$200 million tax equity agreements.
- o Closure of sale-leaseback transactions totaling ~\$80 million.
- o Deleveraging (prepayment) of term debt for eight plants.
- o 25 acquisitions and transfers of operating power plants.

SILVER RIDGE POWER (FORMERLY AES-SOLAR)
ASSET AND FINANCE MANAGER

ARLINGTON, VA
JUNE 2013 – SEPTEMBER 2014

Prior to the sale of Silver Ridge Power to SunEdison, directed a wide range of activities at this solar development company with over 500 MW under management, including asset management, loan compliance, fundraising, financial modeling, budgeting, and financial analysis. Ran asset management and loan compliance activities for the company's US solar PV projects, including the 266 MW Mount Signal solar PV plant. Managed relationships with various investors, lenders, and other stakeholders, including US Treasury, Google, and MetLife. A summary of my responsibilities is below:

Project Finance & Asset Management

- Asset manager for \$925 million US solar PV projects with aggregate capacity of about 290 MW; in charge of all financial planning, analysis, budgeting, accounting, tax, and loan compliance activities for these projects. Each project involved construction debt, long-term debt, and tax equity.
- Oversaw tax equity financial model update and supported \$100 million tax equity financial close.
- Managed \$200 million disbursements under construction financing agreements and coordinated depository agreement fund flow during transition from construction to operations.
- Led preparation and submission of applications for US Treasury Section 1603 cash grants; total grants received exceeded \$200 million.
- Produced deliverables and monitored covenants to ensure projects remained in compliance with all loan agreements and tax equity agreements; total value of agreements approximately \$800 million.

Financial Modeling, Financial Analysis, & Reporting

- Built long-term tax equity financial models to forecast pre-tax and after-tax earnings, cash flow, debt service coverage ratios, returns, and other metrics for investors and lenders.
- Created and maintained a global budget model, consolidating the company's fleet of 51 projects in Europe, US, and India for monthly liquidity forecasting and management reporting.
- Completed monthly financial model updates for operational projects and submitted HLBV calculations to accounting for monthly, quarterly, and annual GAAP reporting of non-controlling equity interest.

Leadership and Project Management

- Steered cross-functional project teams including accounting, finance, business development, project management, construction, legal, and management to complete \$210 million cash grant applications and complete two-year plant and G&A budgets.
- Trained and supervised one financial analyst and loan compliance manager.

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AZURE POWER
VP PROJECT FINANCE

WASHINGTON DC / NEW DELHI
MAR. 2009 – MAY 2013

One of the first employees of Azure Power and drove many aspects of the company's growth from startup to India's leading solar developer. Led modeling, project finance, and other activities ranging from procurement to recruitment. Relocated to New Delhi, India for one year to lead the finance team and to be onsite with company leadership. Highlights of my accomplishments and various focus areas are below:

Financing & Transactions

- Closed and managed the following non-recourse term loans:
 - \$63 million term loan for 35 MW solar PV power plant in Rajasthan.
 - \$27 million term loan for 10 MW solar PV power plant in Gujarat.
 - \$16 million term loan for 5 MW solar PV power plant in Rajasthan.
 - \$6 million term loan for 2 MW solar PV power plant in Punjab.
- Created and managed working capital and trade finance products:
 - Total amount raised: \$5 million receivables financing facility from Silicon Valley Bank.
 - Negotiated letters of credit totaling \$60 million and managed disbursements under letters of credit.
 - Structured an innovative working capital facility with the bank, coordinated issuance of standby letters of credit and documentary letters of credit required by the bank, and managed the disbursements.
- Raised corporate and project equity totaling \$22 million, including a \$12 million hold-co investment and a \$2 million project-co investment.

Project Development & Operations

- Contracts:
 - Worked with counsel and advisers to establish company's first contracts for EPC, O&M, and project investor shareholder and share purchase agreements.
 - Negotiated changes to power purchase agreements with government institutions and utilities.
- Procurement & logistics:
 - Led procurement for two large scale solar projects with combined \$50 million budget.
 - Managed international logistics for \$85 million project.
 - Wrote company's standard supply agreement templates and negotiated supply contracts ranging in size from \$500K to \$15 million.
- Recruited finance, operations, and engineering personnel, including the SVP Design & Engineering, civil and electrical engineers, financial analysts, procurement managers, and marketing managers.

Growth & Strategy

- Developed growth strategies and operating plans for the company's first two years of full operations. Operating plans included long-term valuation models, P&L and cash flow budgets for hold-co & project companies, and department budgets and metrics.
- Formulated company's EPC business model to monetize company's EPC capabilities, which created a new \$20 million revenue stream.

EDUCATION

GEORGETOWN UNIVERSITY, MCDONOUGH SCHOOL OF BUSINESS
MASTER OF BUSINESS ADMINISTRATION (MBA)

WASHINGTON, DC
2007 - 2009

TEMPLE UNIVERSITY, FOX SCHOOL OF BUSINESS
BACHELOR OF BUSINESS ADMINISTRATION (BBA)

PHILADELPHIA, PA
1999 - 2003

Academic Credentials:

B.S. Civil Engineering (Construction), 1992
North Carolina State University, Raleigh, NC
M.C.E. Civil Engineering (Geotechnical), 2004
North Carolina State University, Raleigh, NC

Duties:

2006 - Present – President
2000 - Present – Board of Directors

Professional Credentials:

Professional Engineer – AR, CT, DC, FL, GA, IL, IA, LA, MD,
MI, MO, NC, OK, PA, SC, TN, TX,
USVI, VA, WI, NCEES & USCEIP

Employment Record:

1996 - Present – Smith Gardner, Inc. (formerly G.N.
Richardson & Associates, Inc.)
1995 - 1996 – S.T. Wooten Corporation (STW)
1992 - 1995 – Hazen & Sawyer, P.C.
1991 - 1992 – G.N. Richardson & Associates, Inc. (GNRA)

Principal Areas of Expertise:

Solid Waste Landfill Siting and Design
Renewable Energy Development
Landfill Gas Collection System Design & Management
Environmental Remediation
Construction Management and Administration

Professional Activities:

American Society of Civil Engineers (ASCE)
Professional Engineers of North Carolina (PENC)
Solid Waste Association of North America (SWANA)
North Carolina Board of Examiners for Engineers &
Surveyors (Emeritus)
Environmental Research and Education Foundation
(EREF)
NC State University Industry Advisory Board (Past
Chair)

Selected Publications & Presentations:

Smith, Stacey A., "Responsible Charge" The North
Carolina Bulletin, October 2016, North Carolina
Board of Examiners for Engineers and Surveyors.
Richardson, G.N., Smith, Stacey A. and Scheer, Pieter
K., "Active LFG Gas Control: An Unreliable Aid
to Stability", Proceedings from the First Pan
American Geosynthetics Conference 2-5 March
2008, Cancun, Mexico; SC SWANA Conference
18-20 May 2016
Smith, Stacey A. and Smyth, Joan A., "Passive Aquifer
Mining for Landfill Expansion". North Carolina
Section Annual Meeting, 26 Sept. 2006, American
Society of Civil Engineers

STACEY A. SMITH, P.E.

Senior Engineer - Raleigh, NC



Mr. Smith brings a career of design, construction and operational experience in all aspects of solid waste management and remediation. He specializes in unique challenges of waste recovery, special construction, renewable energy systems, and containment systems. His work includes siting, design, permitting, construction, operations and closure services.

Mr. Smith has demonstrated throughout his career a bottom-up approach, beginning as a technician with GNRA and then advancing to managing partner with now, Smith Gardner.

He has provided services for public and private clients throughout the industry both locally and nationally. Mr. Smith has managed solid waste facility elements such as containment systems, leachate management and recirculation, site infrastructure, final cover systems, landfill gas collection and control, groundwater recovery, compost systems, and special waste applications. Mr. Smith has been integral to our company for his ability to design and permit these elements as well as providing "hands-on" field assistance during implementation.

Mr. Smith strives to bring a technical competency to projects for the clients benefit. This is demonstrated in the Sampson County Landfill Gravity Groundwater Intercept (GGI) project. The GGI system recognized, and took advantage of, medium to coarse sand veins throughout the site to implement a large scale (200 Acre) dewatering project. The GGI system lowered the site base grades by 20 feet, providing necessary soil resources, improved stability, and increased site volume.

Mr. Smith has been active in the development of numerous waste material recovery and re-utilization projects. These include excavation of older LCID landfills for wood waste recovery and processing, a Superfund landfill project in Columbia, SC that won EPA's Excellence in Site Reuse Award, compost material enhancement on landfill covers, utilizing waste paint in alternate daily cover, and has completed numerous landfill gas to energy and solar projects. Resource recovery is at the forefront of his project development.

He continues to assist the needs of our industry through advancement of research, technology and innovation. Most recently, he is participating as the engineering representative on NC's 2022 Statewide Mapping Advisory Committee reference frame working group and works with N.C. State University on research to improve transfer station tipping floors.

Mr. Smith strives to be a leader in industry through active involvement with organizations and institutions such as the Environmental Research and Education Foundation (EREF) Research Council, and assistance with the NC State University Department of Civil, Construction and Environmental Engineering Industry Advisory Board. He maintains an active collaboration with the students and department to advocate research in the industry. He also does committee work with NCEES and is an Emeritus member of the NC Board of Examiners for Engineers and Surveyors.

Kristie Lynn Blumer

Falls Church, Virginia | C: (301) 323-8493 | Kristie@compostcrew.com

Professional Objective: Identify sustainable strategies to design infrastructure for societal needs that entails significant client engagement.

Professional Experience

Compost Crew, Inc. A Benefit Corporation, Rockville, MD
Senior Director, Composting

February 2019 to Present

- Manage all composting operations at the largest food scrap recycling company in the DC, Maryland, and Virginia area.
- Manage compost infrastructure sales, development, construction, ongoing operations, budget, outreach, and education.
- Developed a fellowship program for education, apprenticeship, training, and research development.
- Lead finished compost development, distribution, and sales.
- Assist with company forecasting and planning.
- As the former Organic Solutions Senior Manager: developed and led the operations/collections team, customer service team, growth team including the organic solutions representative market team, and safety team. In addition, experience managing and developing improvements to the company's Standard Operating Procedures (SOPs), CRM, routing, and accounting systems.

Living Classrooms Foundation, Washington, D.C.
Kingman Island Green Zone Employment Facilitator

July 2018 to August 2018

- Develop and implement environmental restoration programs and park revitalization initiatives, including coordinating subcontractor work and reviewing technical reports and plans.
- Lead and organize groups of trainees in habitat restoration, trail maintenance, neighborhood site assessments for storm water solutions, invasive plant identification and removal, community garden work, and other activities.
- Plan and prepare environmental education activities to facilitate a well-rounded outdoor experience while conducting necessary park work.

EE&G Environmental Services, LLC., Miami Lakes, FL
Environmental Consultant

August 2014 to April 2018

- Manage and perform real estate due diligence assessments throughout South Florida, to include; Prepare Phase I and II Environmental Site Assessments (ESAs), Site Assessment Reports, Soil Management Plans, U.S. Department of Housing and Urban Development (HUD) Form-4128, Florida Department of Environmental Protection (FDEP) Low-Scored Site Initiative (LSSI) work, and Monitoring Only Plans.
- Technical leadership of environmental management projects execute detailed reporting and proposal writing, budget management, conduct event organization, and perform business liaison efforts.
- Create long-term plans and systematic reports associated with environmental Health and Safety Plans (HASP) and construction management.
- EE&G Hazardous Substances Health and Safety Officer and Field Supplies Manager

PMT & Associates, Inc., Baltimore, MD
Environmental Scientist

April 2012 to May 2014

- Head of all real estate due diligence transactions and assessments, including Phase I ESAs, Environmental Compliance Audits, Storm Water Pollution Prevention Plans, Spill Prevention Control and Countermeasures plans, general environmental permitting, and providing field technical assistance.
- Provide comprehensive environmental consulting to residential, commercial and government entities, identify potential environmental concerns, and offer acceptable assessment, cleanup, or alternate methods.
- Provide technical, management, and research assistance to environmental law and regulation interpretation, environmental management procedures, and risk assessment.

- Assist in groundwater studies and remediation initiatives and quarterly sampling events.
- Performed services throughout the Mid-Atlantic and Central region of the United States.

Education

Towson University Honors College, Towson, MD

December 2011

Bachelor of Science in Environmental Science and Studies

- Minors in International studies and in Spanish
- Graduate Cum Laude (3.5 GPA)

Academic Highlights: Dean’s list (4 semesters); CAA’s Commissioner’s Academic Award (4 years); Division 1 National Academic Squad (4 years); Hungerford Lamotte Leadership Award; Cultural Diversity Award; President’s Education Award Outstanding Academic Excellence; Maryland Scholars Certification; and Athletic Scholar’s Medallion.

Professional Certifications and Skills

- MDA Composting Operator Certification Jan 1, 2021-Dec 31, 2026
- Certificate of Completion for the Compost Manufacturing: Principles and Practices course Sept 15-17, 2020
- An OSHA certified HAZWOPER Supervisor/Manager Expired 2019
- Skilled in use of Microsoft Office, Google Workspace, Deltek Vision, Hubspot, Asana, Xero, Gusto, and Stopcheckr
- Proficient in verbal and written Spanish

Presentations and Publications

- Blumer, K., Falco, A. (2016) “Field Hockey Advances Female Graduation Rates in Miami-Dade County.” Abstract approved to be submitted in the *2017 International Association of Physical Education for Girls and Women (IAPESGW) Abstract Book*.
- Presentation, “Field Hockey Advances Female Graduation Rates in Miami-Dade County,” the IAPESGW 18th World Congress on Women and Girls in Sport – Research to Action, Miami, Florida, May 2017.

Extracurricular Experience

Catholic University of America Athletic Department, Washington, D.C.

September 2018 to May 2020

Part-Time Assistant Varsity Field Hockey Coach

- Develop and implement practice and game plan; scout and organize key performance indicators from our team and opposing teams; conduct video review and organize film sessions; and organize away game stay and logistics.
- Motivate and mentor athletes to inspire a positive atmosphere on and off the field.

Towson University, Towson, MD

September 2007 to September 2011

Environmental Student Advisor

- Research and recommend sustainability and green building initiatives for the campus community and greater Baltimore area under the Towson Environmental Initiatives Subcommittee of the University Civic Engagement Advisory Board.
- Prepare Subcommittee initiatives through the annual environmental conferences and promotional events.

Western Tracking Institute, San Diego, CA

May 2011 to August 2011

Wildlife Tracking Intern

- Conduct environmental impact studies using global positioning system (GPS) mapping and motion detecting cameras.
- Participate in field research and data analysis for wildlife surveys and monitoring projects, to include habitat development related to grassland restoration; and migration patterns of bighorn sheep associated with wind turbine development.

Peruvian Embassy, Washington, D.C.

May 2009 to June 2009

Environmental Policy Intern

- Present sustainable initiatives with economic and environmental benefits to the Peruvian Embassy associated with current United States' policies and legislation.
- Research current events and needs of the Peruvian Indigenous people and their surrounding environment.

Volunteer Work and Leadership

- Field Hockey Coach for a variety of Clubs, Camps, Programs, and High School 2003 to Present
- Chairwoman of the Non-Profit Miami Surf Field Hockey Club in Miami, Florida 2016 to 2018
- NCAA Division 1 athlete at Towson University Field Hockey and All-CAA 2nd Team selection 2007 to 2010
- Volunteer for sustainable activism, food recovery, and park clean-up programs 2007 to Present



JORGE MONTEZUMA, PE

Principal Consultant, Owner

Wanu Organics PLLC

Hillsborough, NC

(919) 883-5368

jorge@wanuorganics.com

www.wanuorganics.com

Mr. Montezuma is a versatile composting and organics recycling consultant with over 13 years of experience working in the public and private sectors, including 5 years in composting operations. He has worked on over 30 composting projects across the country and visited more than 130 large and small organics recycling operations—110 being composting operations. His experience spans from site design and permitting through commissioning, optimization, and trainings.

Before Wanu, Mr. Montezuma worked for Atlas Organics leading a team focused on technical services and environmental compliance for 13 composting operations. The sites were located in 7 states and processed over 500,000 tons per year of organic waste materials. He oversaw technical due diligence, site design, permitting, environmental compliance, product quality, operator training, remote monitoring systems, and operational improvements.

Other significant projects include remote aeration control and temperature monitoring for Aerated Static Pile (ASP) composting; remote solar-powered ASPs; contamination removal using AI robots for curbside source-separated organics; biosolids ASP emissions research; sourcing carbon materials for during Hurricane Matthews; permitting/implementation of ASP biosolids composting at wastewater treatment plant; compliance for 450K WTPY biosolids; and management of \$350K in state grants for organics projects.

Beyond project-level involvement, Mr. Montezuma served on the Board for the NC Composting Council and the US Composting Council (USCC) and was actively involved in the CA and MD-DC state chapters. He participated in developing the *USCC Model Zoning Template and Guidelines*, is a Contributing Editor for *BioCycle Magazine*, is an USDA-APHIS Sr. Composting SME (Subject Matter Expert) on animal mortality composting, and has presented and moderated panels at multiple conferences. Notably, since 2013 Mr. Montezuma has trained composting professionals through CREF Compost Operations Training Course, and has developed multiple free composting web calculators for operators, including CompostCalc—a free online composting mixture recipe calculator. The combination of these diverse experiences equipped him with a vast knowledge base, broad network, and creative problem-solving abilities.

AREAS OF EXPERTISE

- Strategic Planning
- Due Diligence
- Site Design and Permitting
- Educational Trainings

LICENSES

Professional Engineer:
NC, SC, MD, FL, and CO.

EDUCATION

Master's Biological & Agricultural
Engineering, NC State University
B.S. Environmental Engineering,
Cal Poly San Luis Obispo

EMPLOYMENT

2023–Present Wanu Organics
2019–2023 Atlas Organics
2017–2019 LA County Sanitation
2015–2017 NC DEQ
2012–2015 Smith Gardner
2011–2012 Peace Corps Panama
2010–2011 AmeriCorps

PROFESSIONAL ACTIVITIES

US Composting Council (former Board
member; past committees:
conference, zoning, and
membership)
NC Composting Council (former Board
Secretary)
Solid Waste Association of North
America (SWANA)

SELECTED PUBLICATIONS &

PRESENTATIONS

*Operations Math: Making Sense of
Composting Designs*, Workshop,
COMPOST2025, Jan 2025
Compost Operations Training Course,
CREF, Instructor/Facilitator, Since 2013
Organic Waste Composting Programs,
HalfMoon Education, Nov 2024
*Co-Locating Composting Facilities at
Landfills*, NC SWANA, Sep 2024
Commercial Composting 101,
NC Composting Council, Aug 2024
What's your Ideal Composting Recipe?,
Biocycle, Dec 2023

COMPOST CREW AT UTICA BRIDGE FARMS

Site Plan Overview



June 16, 2025

ABOUT COMPOST CREW

Compost Crew is a Maryland-based business that recycles nearly **30 million pounds** of food scraps each year through a network of composting sites.



We serve over **20,000** residents, businesses and schools across the Maryland, DC and Virginia, including **nearly 2,000** in Frederick

"OUR MISSION IS TO PROTECT THE PLANET, REDUCE WASTE & BUILD COMMUNITY WEALTH.

WE ARE COMMITTED TO RECOVERING COMPOSTABLE WASTE, REDUCING DEPENDENCE ON LANDFILLS & INCINERATOR & REVITALIZING OUR SOILS. "

-Ben Parry, *Compost Crew CEO*



COMPOST CREW HISTORY



FOUNDED

Started in Maryland to recycle residential food scraps

2011



ACQUISITION

Ben Parry acquires Compost Crew and Fat Worm Compost

2018



DIVERSIFICATION

Invented Compost Outpost to support distributed composting

2020



INVESTMENT

Closed Series A investment, expanded to 20,000+ customers, ~80 staff, 40 vehicles, 6 composting sites, acquired Key City in June 2024

2022-25

To date, 14 Compost Crew staff have successfully passed the MD certified compost operator exam, reinforcing the company's commitment to operational excellence and environmental stewardship



We service over 50 schools in Maryland, DC and Virginia



COMPOST OUTPOSTS

Compost Crew operates six decentralized composting sites in Maryland, including these examples:

ONE ACRE FARM

This composting site was featured on an episode of Maryland Farm & Harvest!



<https://www.youtube.com/watch?v=IIR8dmKxZUk>

BUTLER'S ORCHARD



ECO CITY FARMS (BLADENSBURG)



GREENBELT



SUPPORTING LIVEABLE FREDERICK VISION 2040

Zero Waste

Master Plan Goal: **Plan for a “zero waste” future by 2040**

Initiative: Increase recycling and composting for all residential dwellings, businesses and institutions.

Supporting initiatives include:

Expand the County’s solid waste program to include operational facilities for materials recovery and recycling, food waste composting, and yard trimmings composting

*-Liveable Frederick Master Plan, adopted Sept. 3, 2019
p. 188*

Solid Waste and Recycling Goal Progress



Liveable Frederick Dashboard
June 15, 2025
<https://livable-frederick-fcgm.d.hub.arcgis.com/>



SUPPORTING LIVEABLE FREDERICK VISION 2040

Healthy Soils

Master Plan Goal: **Natural Resources and Green Infrastructure**

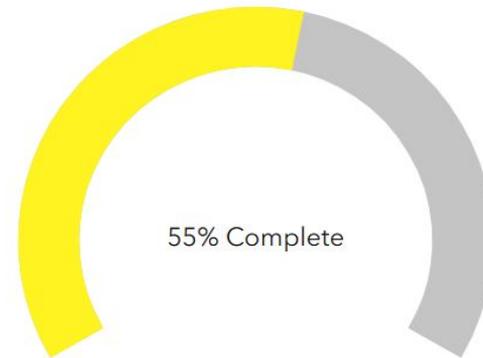
Initiative: Support locally produced agricultural products and sustainable and innovative farming practices, such as regenerative farming, which build healthy, biologically active soil and protect water resources.

Supporting initiatives include:

Assist farmers to develop practices that reduce inputs and protect waterways by building healthy, biologically active soil, such as agriforestry cover cropping, multi-species pasture, compost application, and permaculture.

-Liveable Frederick Master Plan, adopted Sept. 3, 2019
p. 187-188

Natural Resources and Green Infrastructure Progress



Liveable Frederick Dashboard
June 15, 2025
<https://livable-frederick-fcgmd.hub.arcgis.com/>



UTICA BRIDGE FARMS VISION

- Composting process overview
- Vision for site and farm
- **USDA grant funding**
\$2.68 million grant through the Fertilizer Product Expansion Program (FPEP) to expand the manufacturing and processing of fertilizer and nutrient alternatives and their availability in the United States.
- **Benefits to Frederick County**



UTICA BRIDGE FARMS SITE TIMELINE

1912 - 2016	2020	2022	2023	2024	2026-2027
<p>Homes built on Lakeview and Hessong Bridge</p> <p>10422 Hessong Bridge Rd built in 1912</p> <p>4 homes on Lakeview built from 1958-1971</p>	<p>Key City starts operations</p> <p>MDE General Compost Facility Registration granted in 2020</p>	<p>County Site Plan Approval</p> <p>Type 1 Site Plan approved by Frederick County Division of Planning and Permitting, with an expiration date of January 12, 2025.</p>	<p>10670 Stull Rd built</p> <p>Home on the corner of Stull & Lakeview built after initial site plan approval</p>	<p>Compost Crew acquisition</p> <p>Compost Crew acquires Key City to continue composting operations and site development in Frederick</p>	<p>Site development</p> <p>Road improvements to start in 2025, permitting complete in 2026, and site operational by 2027</p>

SITE UPGRADES COMPLETED TO DATE

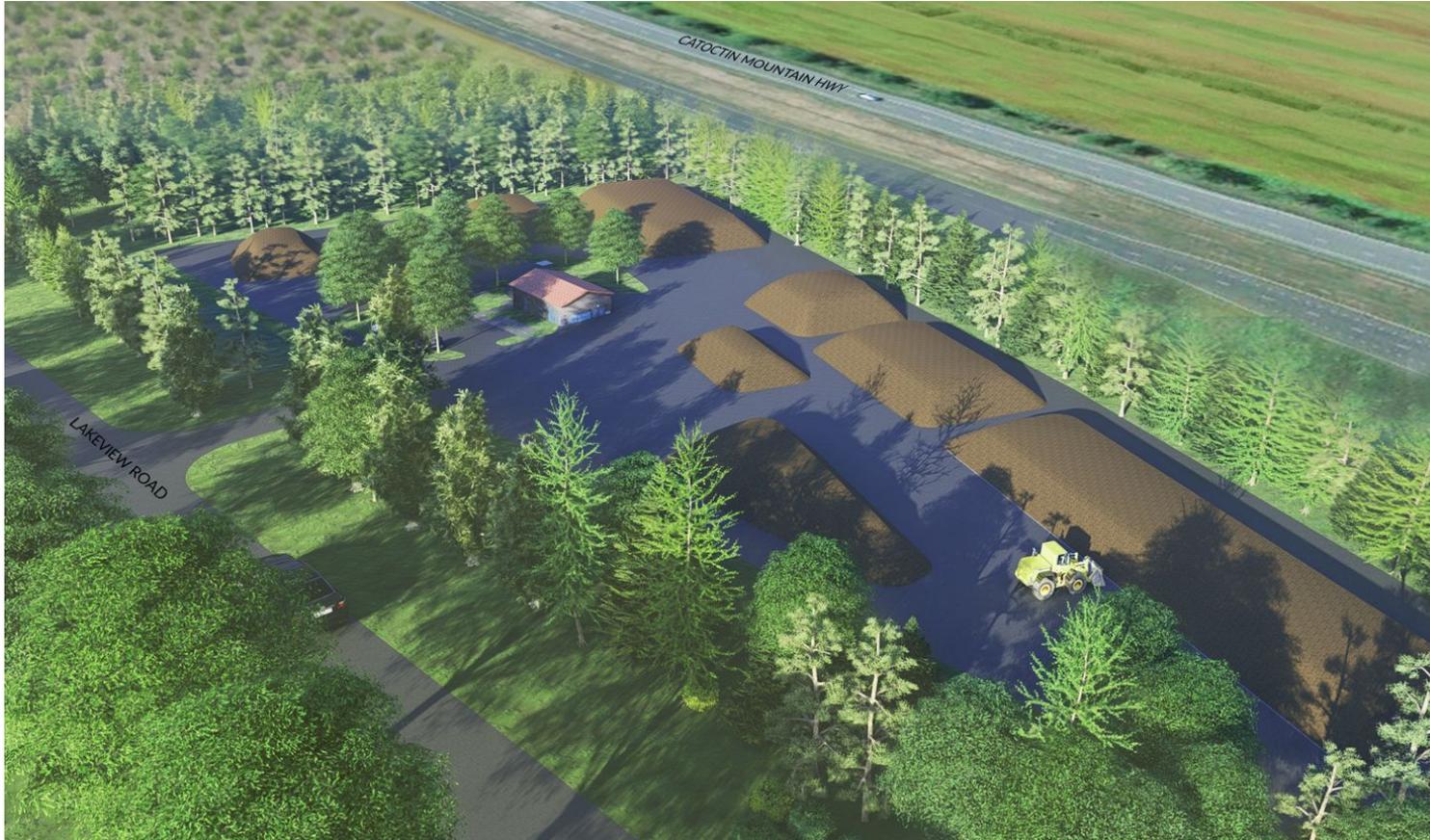
~30 safety and operational investments and improvement initiatives completed since Compost Crew acquired Key City

Some examples

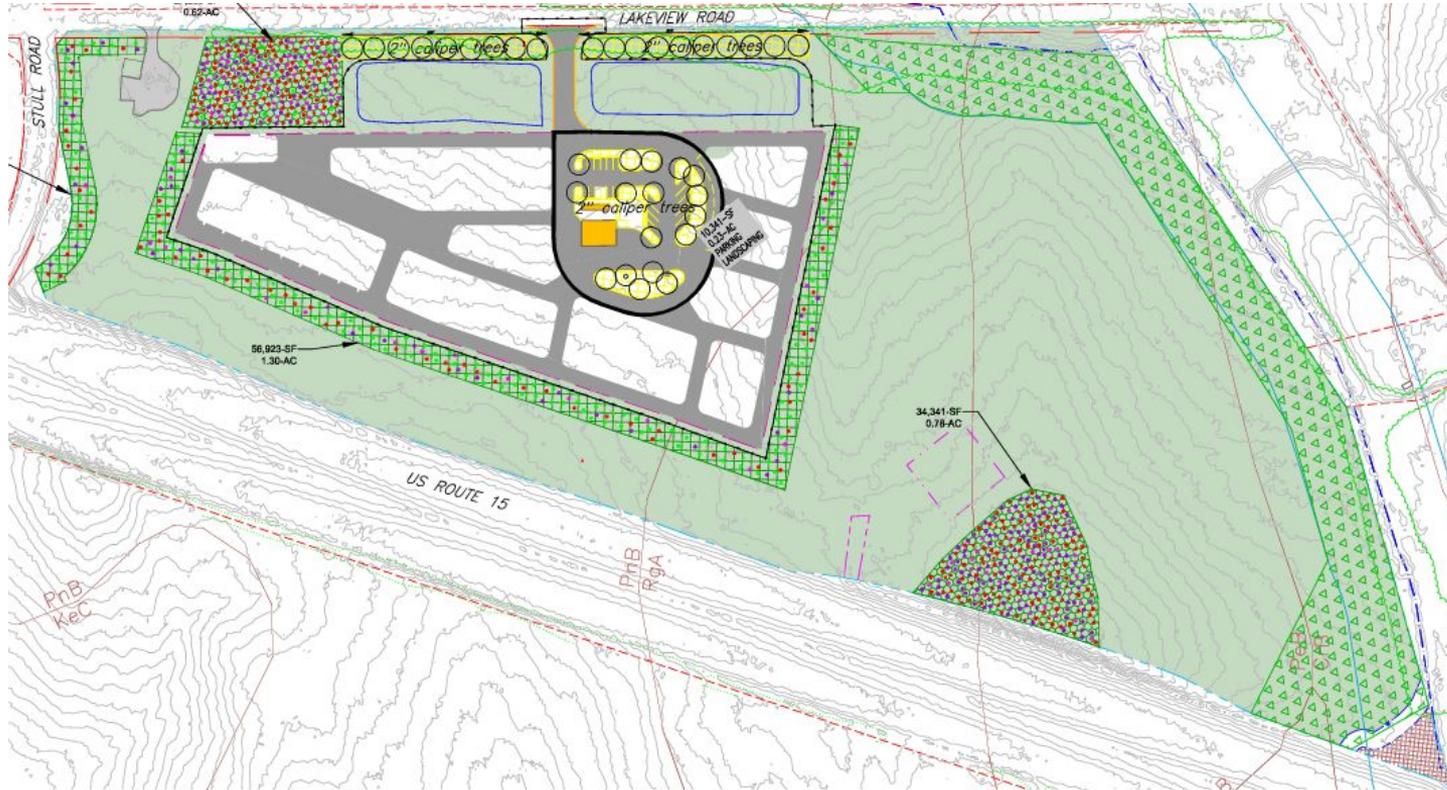
- Health & safety equipment investments: fire extinguishers, 3K gallons of water for fire safety, upgraded double-walled fuel tank, spill kit and pallet
- Improved site layout and quality control procedures to enhance safety, manage stormwater flow, minimize risk of odors and nuisances, improve composting process
- Alleviate neighbor concerns: limited truck traffic and material inflow, eliminated late working hours, redirected traffic flow, instituted traffic rules for contractors
- Better working conditions for Frederick employees: increased compensation & benefits, and purchased PPE
- Environmental and community enhancements: Planted 112 native trees along road, regular site and road cleanups



NEW UPGRADED SITE PLAN (1 of 4)



NEW UPGRADED SITE PLAN (3 of 4)



NEW UPGRADED SITE PLAN (4 of 4)



RURAL BUSINESS-COOPERATIVE SERVICE FINANCIAL ASSISTANCE AGREEMENT

This Agreement, which includes Attachments A and B, for the Project and Amount described below (the “Project Description”) and for the Program identified below, is between the Recipient (you) and the United States of America acting through the Rural Business-Cooperative Service (RBS or we).

Type of Award (mark one):	Program and CFDA Number (mark one):
Cooperative Agreement	Rural Energy for America Program (REAP) – 10.868
Grant X	Rural Economic Development Grant (REDG)–10.854
	Rural Business Development Grant (RBDG) – 10.351
	Rural Microenterprise Assistance Program (RMAP) – 10.870
	Agricultural Marketing Resource Center (AgMRC) – 10.352
	Appropriate Technology Transfer for Rural Areas (ATTRA) – 10.782
	Delta Health Care Services (DHCS) – 10.874
	Federal-State Research on Cooperatives (RSRC) – 10.350
	Rural Cooperative Development Grant (RCDG) – 10.771
	Rural Development Cooperative Agreement (RDCA) - 0.890
	Socially-Disadvantaged Groups Grant (SDGG) – 10.871
	Value Added Producer Grant (VAPG) – 10.35
	XX Fertilizer Production Expansion Program

I. GENERAL AWARD INFORMATION

1. Recipient Name & Address Compost Crew Inc. 12343 Carroll Avenue Rockville, MD 20852	2. UEI No. G4DDA5MK1DL4	3. CAGE code
	4. Case No. 24-016-853702236	
5. Federal Award Identification Number (FAIN)	6. Award Date 4/4/2025	
7. Performance Start Date 4/21/2025	8. Performance End Date 4/30/2030	
9. Amount of Federal Funds Obligated for this Action, and Total Amount of Federal Funds Obligated \$2,683,792	10. Amount of Matching/Other Funds (if applicable) \$2,907,442	
11. Total Project Cost (Budget Approved Amount) \$5,591,234	12. Award as Percentage of Total Project Cost 48%	
13. Indirect Cost Rate (if applicable)	14. Does this award involve Research & Development? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
15. Recipient Contact (Name, Title, Contact Info) Kristie Blumer 301-202-4450	16. Agency Contact (Name, Title, Contact Info) Kasey Watson 406-585-2542	

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 0570-0067. Public reporting for this collection of information is estimated to be approximately 21 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information.

All responses to this collection of information are voluntary, however in order to obtain or retain a benefit the information in this form is required (citing authority). Rural Development has no plans to publish information collected under the provisions of this program. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Rural Development Innovation Center, Regulations Management Division at ICRMTRRequests@usda.gov.

II. RESPONSIBILITIES

A. Recipient. The Recipient shall remain in compliance with all applicable laws, regulations, Executive Orders, and other generally applicable requirements for the duration of the Agreement including 2 CFR parts 200, 400, 415, 416, 417, 418, 421, and 422. The most commonly-referenced provisions are identified below.

1. Financial and Program Management. You must follow the financial and performance management requirements in 2 CFR §§ 200.300-.309.

- a. **Financial Management.** You must maintain a financial management system in compliance with 2 CFR § 200.302.
- b. **Internal Controls.** You must maintain internal controls in compliance with 2 CFR § 200.303.
- c. **Payments.** You must comply with the payment requirements described in 2 CFR § 200.305. Payment must be requested by using the SF-270, “Request for Advance or Reimbursement” or SF-271, “Request for Reimbursement for Construction Programs” (as applicable). Receipts, hourly wage rate, personnel payroll records, or other documentation must be provided upon request from RBS if the request is for an advance; otherwise, the documentation must be provided at the time of the request. Requests for payment must be sent to the Agency contact listed in Section I.16.
- d. **Revisions of the Work Plan and Budget.** You must complete all elements of the Work Plan in Attachment B in accordance with that Attachment and must use project funds only for the purposes and activities specified in Attachment B - Approved Work Plan and Budget. You must further complete the outcomes shown for each Work Plan items within the time and scope constraints shown in Attachment B. You must report any changes and request prior approvals in accordance with 2 CFR § 200.308.
- e. **Period of Performance.** You may only incur costs chargeable to the award in accordance with 2 CFR § 200.309.
- f. **Bonding.** You must maintain your fidelity bond coverage in the amount of \$ 0.00 for the Period of Performance of the award. (See 2 CFR § 200.304.)
- g. **Program Income.** You must comply with the requirements of 2 CFR § 200.307. Additionally, if program income is earned during the period of performance, you may use it in accordance with 2 CFR § 200.307(e)(2), provided that you inform us in writing of your intent prior to the award date. However, if you earn program income in excess of what can be used under 2

CFR § 200.307(e)(2) or if you earn unanticipated program income, you must comply with 2 CFR § 200.307(e)(1). Costs incidental to the generation of program income may be deducted from gross income to determine program income, provided these costs have not been charged to the award.

- 2. Procurement and Property Standards.** You must follow the procurement standards requirements in 2 CFR §§ 200.310-.327.
- 3. Performance and Financial Monitoring and Reporting.** You must follow the requirements in 2 CFR Part 170, including Appendix A, and 2 CFR §§ 200.328-.330, and submit reports as outlined below. Unless otherwise directed in the addendum to this Agreement, the reports are due as indicated below.
 - a. Form SF-425, “Financial Status Report.”** Reports are due 30 calendar days after the reporting period ends. A final report is due within 90 days after the Performance End Date specified in Section I.8. of this Agreement or at the completion of your project, whichever date is sooner. Your reporting periods are:

Semi-Annually: April 1 – September 30 and October 1 – March 31
 - b. Performance Reports.** Reports are due 30 calendar days after the reporting period ends. A final report is due within 90 days after the Performance End Date specified in Section I.8. of this Agreement or at the completion of your project, whichever date is sooner. Your reporting periods are below (mark one):

Semi-Annually: April 1 – September 30 and October 1 – March 31
- 4. Subrecipient Monitoring and Management.** You must monitor and manage any subrecipients in accordance with 2 CFR §§ 200.331-.333.

5. **Record Retention and Access.** You must retain records related to this work performed under this Agreement and allow access to them in accordance with 2 CFR §§ 200.334-.338.
 6. **Closeout.** You must comply with the closeout requirements in 2 CFR § 200.343.
 7. **Post-Closeout Adjustments and Continuing Responsibilities.** You must continue to comply with the requirements in 2 CFR § 200.344 even after the Period of Performance for this Agreement has ended.
 8. **Cost Principles.** You must comply with the provisions in 2 CFR Part 200, most of which are contained in Subpart E.
 9. **Audits.** You must comply with the provisions in 2 CFR Part 200, Subpart F.
 10. **Civil Rights Compliance.** Unless otherwise provided in the addendum, you must comply with Executive Order 12898, Executive Order 13166- Limited English Proficient, the Americans with Disabilities Act of 1990, Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973 as applicable. Your compliance, shall include collection and maintenance of data on race, sex, and national origin of your membership, ownership, and employees. These data must be available to us for Civil Rights Compliance Reviews. Unless otherwise provided in Attachment A, you must submit to a post-award compliance review conducted after the final disbursement of grant funds have occurred.
 11. **Universal Identifier and Central Contractor Registration.** You must comply with 2 CFR Part 25, including Appendix A. Note that the Central Contractor Registration is now available through the System for Award Management at www.sam.gov.
 12. **Special Conditions.** You must comply with any special conditions identified in Attachment A – Program Addendum.
- B. Rural Business-Cooperative Service (RBS).** RBS shall remain in compliance with all applicable laws, regulations, Executive Orders, and other generally applicable requirements for the duration of the Agreement. The most commonly-referenced provisions are identified below.
1. **Payments.** We will advance or reimburse funds up to the Award Amount identified in Section I.9 upon the Recipient’s proper request according to Section II.A.1.c.

2. **Monitoring and Enforcement.** We will monitor the project to ensure that you are in compliance with the terms of the award. If we find that you are not in compliance, we will enforce the terms of this Agreement using the provisions of 2 CFR §§ 200.338-.342.

C. **Both Parties.** The Recipient and RBS agree to the following:

1. **Invalid Clauses.** The invalidity of any one or more phrases, clauses, sentences, paragraphs, or provisions of this Agreement shall not affect the remaining portions of the Agreement.
2. **Conflict between this Agreement and Other Applicable Regulations or Laws.** If there is a conflict between this Agreement and the applicable Program Regulation, the applicable Program Regulation shall prevail. If there is a conflict between this Agreement and another law or regulation, RBS shall seek a legal opinion to determine which provision applies.
3. **Dates.** When the date fixed for the performance of an act under this Agreement is on a weekend or Federal holiday, then the performance by the close of business on the next Federal work day shall have the same force and effect as if made performed or exercised on the specified date.

The signatories below certify that they have authority to enter into this Agreement.

Approved by an Authorized Representative of the Recipient:

Michael Benjamin Parry

Name (Please Print)

CEO

Title (Please Print)

Michael Benjamin Parry
Signature

May 2, 2025
Date

Approved by the United States of America, Rural Business-Cooperative Service by:

Kasey Watson

Name (Please Print)

RBCS Specialist

Title (Please Print)

KASEY WATSON
Signature

 Digitally signed by KASEY WATSON
Date: 2025.05.05 07:14:54 -06'00'

Date

Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Wednesday, June 18, 2025 12:46 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Support For Compost Crew

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Michael Protas

Address: 14607 Carrollton Rd, Rockville, MD 20853, United States

Email: michael@oneacrefarm.com

Subject: Support For Compost Crew

Message: Compost Crew have been tenants of mine since their beginning. I have found them to be fantastic collaborators towards our common goal of a more sustainable agricultural ecosystem. They are conscience stewards of the land and produce a high quality product that I use on my own operation.

Above and beyond that, they provide up to 2 free bags of compost for participants in their home composting program that directly benefits Frederick county residents. I hope they are successful in continue to use the Utica Bridge site.

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Friday, June 20, 2025 2:33 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Compost Crew

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Lauri Gross

Address: 30 Main Street, Walkersville, MD 21793, United States

Email: laurigrossohio@gmail.com

Subject: Compost Crew

Message: I am writing to add my voice to those who want the Frederick County Planning Commission to allow Compost Crew to maintain their site plan and continue to serve the community as they have been: responsibly and in full compliance with county requirements. Like so many others, I do not want the county to lose this valuable local composting solution. Closing the facility would force Frederick County's growing volume of food scraps to be hauled elsewhere, which would increase costs and greenhouse gas emissions. Composting contributes to the County's climate and sustainability goals, supports local farmers with high-quality compost for healthier soils, provides a convenient option for residents who want to participate in composting, reduces landfill waste and cuts greenhouse gas emissions by composting locally, creates jobs in Frederick County, aligns with Maryland's Organics Recycling and Waste Diversion Law (HB 264). Please don't shut down Composting Crew or force them to relocate.

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Friday, June 20, 2025 3:01 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - I support Compost Crew and community composting of food waste.

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Becky Lyon

Address: 403A Magnolia Ave, Frederick, MD 21701-8501, United States

Email: beckyjlyon@gmail.com

Subject: I support Compost Crew and community composting of food waste.

Message: I have used Key City Compost since well before the county began to make it cost free to some residents. I believe this is a critical service that greatly reduces needless food waste and also reduces by many thousands of tons the waste that goes to landfills. Although the number of subscribers continues to grow, the service is still not well known in the community. It is important for our county to have concern for the impact food waste has on our future. They are turning this waste into compost that enriches the soil and contributes to agricultural sustainability, not simply creating a landfill. It is a public good and a positive benefit to the community that must be encouraged, not squelched.

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Anderson, Katrina

From: Brenda Platt <bplatt@ilsr.org>
Sent: Friday, June 20, 2025 3:43 PM
To: Paone, Michael
Subject: letter in support of Compost Crew for 6/26 hearing
Attachments: ILSR written testimony Frederick County 2025-06-20.pdf

[EXTERNAL EMAIL]

Dear Michael Paone,

Please find attached a letter in support of Compost Crew's Frederick County compost site and site plan. This pertains to the upcoming Frederick County Board of Appeals hearing on June 26th.

Please do not hesitate to contact me if you have any questions or I can provide further information.

I'd appreciate confirmation of receipt of this email.

Best regards,
Brenda

--

Brenda Platt
Director, Composting for Community Initiative
Institute for Local Self-Reliance
www.ilsr.org/composting
<https://www.linkedin.com/in/brendaplatt/>

Join our next webinar: Post-Fire Soil Contaminants + Bioremediation Approaches Using Compost (Aug. 14th): [more info here.](#)



January 20, 2025

Michael Paone
Zoning Administration
30 N. Market St.
Frederick, MD 21701
submitted via email to: mpaone@frederickcountymd.gov

Dear Michael Paone,

I am writing on behalf of the Institute for Local Self-Reliance (ILSR) in support of Compost Crew's Frederick County compost site. ILSR is a 51-year-old national nonprofit organization that supports environmentally sound and equitable community development. Since our inception, we have advanced waste reduction, reuse, recycling, and composting as means for local economic development and healthy communities. I direct ILSR's [Composting for Community Initiative](#) and have 39 years experience promoting non-burn solutions to trash problems. My work includes researching and writing multiple guides and reports on the best recycling and composting programs in the country, developing permitting regulations at the Maryland state level for composting sites, amplifying best management practices for compost sites, offering compost site training, [researching how composting protects groundwater and the Bay](#), and facilitating a national Community Composter Coalition, which has members in 46 states, including many in Maryland.

Based in the DC region, ILSR has been supportive of zero waste planning in Frederick County for many years, including helping to defeat the planned trash incinerator in the county. That incinerator would have caused tremendous pollution, imported trash from a neighboring county, and put the County in serious financial debt due to the high capital cost of the incinerator (it had a price tag in the hundreds of millions of dollars), likely contributing to much higher taxes for County businesses and residents.

It's with this background that I write today to urge you and the Frederick County Board of Appeals to deny the appeal putting the approved compost site plan in jeopardy.

To be crystal clear, compost sites do not present anywhere near the same pollution and nuisance problems that landfills and incinerators do. A well-run and operated compost site can eliminate potential nuisance odors and nutrient run-off issues. Steps include prompt mixing of food scraps with high-carbon materials (such as wood chips); preventing excessive moisture in piles, covering piles, or collecting and reusing "contact" water; and regular aeration of compost piles. I can tell you unequivocally that Compost Crew is one of the best community-scale food scrap collection and composting enterprises in the country. I can attest to their integrity as well as their expertise in composting and following best management practices.

Local composting sites and operations such as those operated by Compost Crew are essential and have many benefits. They have the unique ability to:

- Provide low-cost/low-tech organics processing infrastructure and capacity;
- Educate and directly engage with food waste generators on what, why, and how to compost;
- Manage the decomposition process, with careful attention to adhering to best practices and minimizing contaminants;
- Create local green jobs;
- Demonstrate first-hand why good compost is important for sustaining our food systems;
- Provide an accessible option for residents to participate in composting their food waste;
- Apply compost to improve soil within the same community from where the material was generated, helping to “close the loop” locally and meet local demand for high-quality compost to improve local soils;
- Provide farmers with needed high-quality compost for healthier soils;
- Divert food waste and other organic materials from landfill disposal (Maryland’s recycling level has stagnated and landfills are approaching capacity);
- Cut landfill methane emissions (methane is ~85 times more potent than carbon dioxide in its global warming potential and Maryland’s landfills are emitting four times more methane than previously estimated);
- Address the lack of infrastructure in the County and wider state (less than 23% of the 1,060,014 tons of wasted food in Maryland is recycled, and a major report found that policies to fund and incentivize food waste reduction and composting in Maryland are weak); and
- Build local resilience to extreme weather events.

Expanding waste prevention, reuse, repair, recycling, and composting will bring myriad benefits and co-benefits to Frederick County: jobs, Bay protection, cleaner air and water, climate resiliency (see attached infographics). On a per-ton basis, making compost employs twice as many workers as landfills and four times as many workers as incinerators.

I urge you to retain approval for Compost Crew’s compost site and site plan in Frederick.

Sincerely,



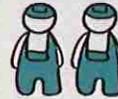
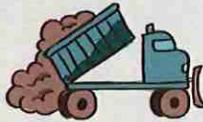
Brenda Platt
Director, Composting for Community
Institute for Local Self-Reliance, Washington, D.C. office
bplatt@ilsr.org

Composting Creates Jobs

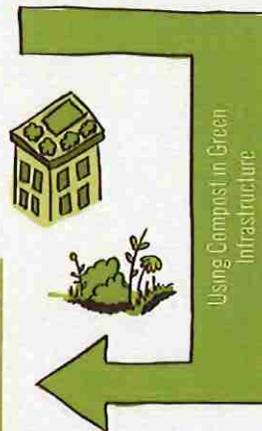
Jobs are sustained in each stage of the organics recovery cycle.

PER 10,000 TONS WASTE/YEAR

JOBS SUSTAINED



On a per-ton basis, making compost alone, employs 2x more workers than landfills and 4x more than incinerators.



Green infrastructure uses compost in rain gardens, green roofs, bioswales, vegetated retaining walls, and on steep highway embankments to control soil erosion and storm water. Using compost in green infrastructure creates **even more jobs**.



SOURCES:

Brenda Platt, Bobby Bell, and Cameron Marsh, *Pay Dirt: Composting in Maryland to Reduce Waste, Create Jobs & Protect the Bay*, Institute for Local Self-Reliance (ILSR), May 2013.
 Brenda Platt, Nora Goldstein, Craig Colter, and Sally Brown, *The State of Composting in the U.S.: What, Why, Where, & How*, Institute for Local Self-Reliance (ILSR), June 2015.
 Brenda Platt and Neil Seldman, *Wasting and Recycling in the United States 2000*, Institute for Local Self-Reliance (ILSR), 2000

Composting Enhances Soil and Protects Watersheds

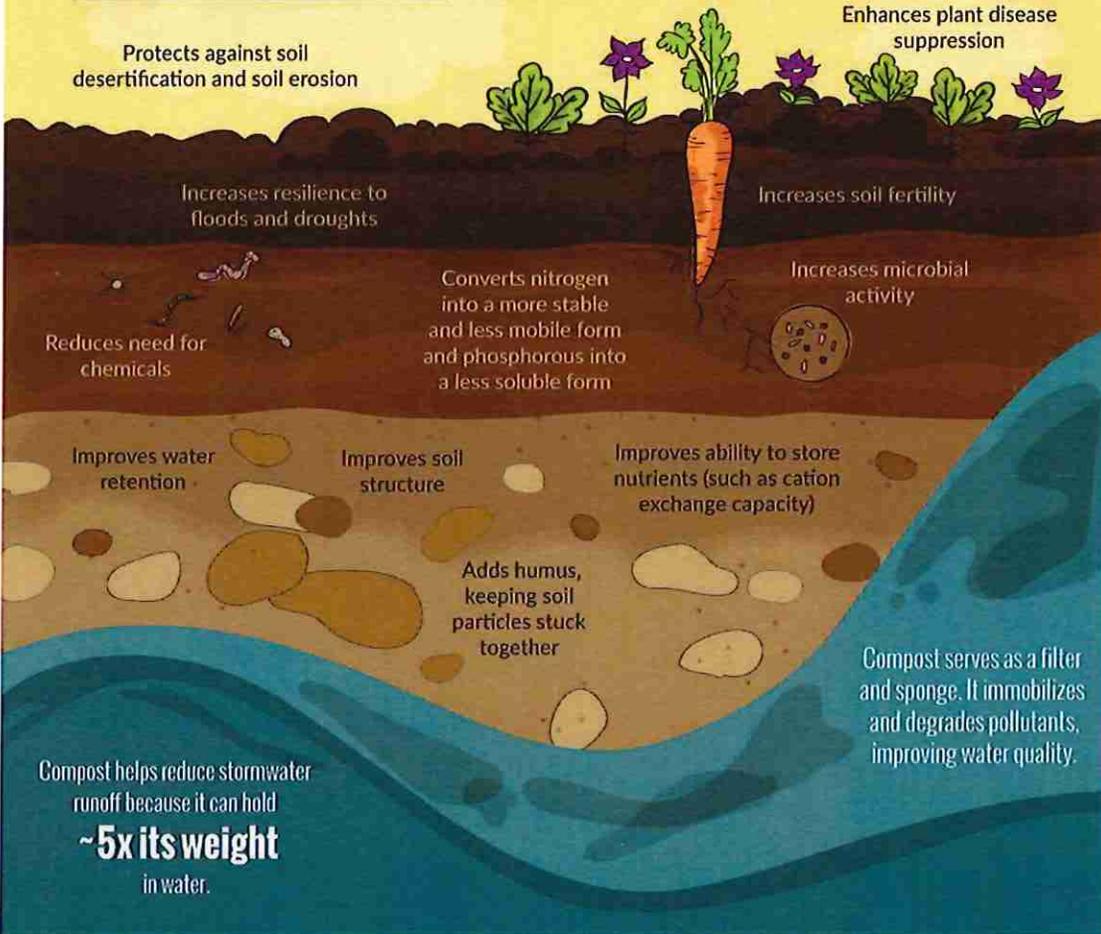
Healthy soils are essential for protecting watersheds. Compost is the best way to add organic matter—which is vital—to soils.

When added to soil, compost can filter out urban stormwater pollutants by an astounding **60-95%**



IT'S ALL ABOUT THE SOIL

COMPOST improves biological, chemical, and physical characteristics of soil.

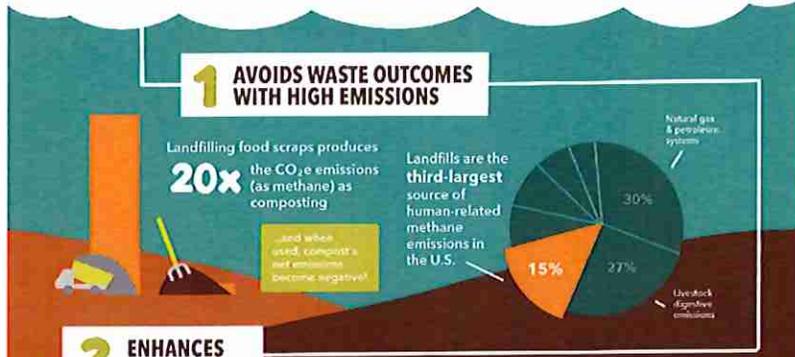


SOURCES:

- Bobby Bell and Brenda Platt, *Building Healthy Soils with Compost to Protect Watersheds*, Institute for Local Self-Reliance (ILSR), June 2014.
- Brenda Platt, Nora Goldstein, Craig Colner, and Sally Brown, *The State of Composting in the U.S.: What, Why, Where, & How*, Institute for Local Self-Reliance (ILSR), June 2015.
- "Why Build Healthy Soil?" Washington Organic Recycling Council (WORC) Soils for Salmon Project, accessed April 2016.
- United States Composting Council (USCC), "Specify and Use COMPOST for LEED & Sustainable Sites Projects: A Natural Connection"
- "Soil Health Key Points," Natural Resources Conservation Service, USDA, February 2013.
- "Increasing Soil Organic Matter with Compost," *Compost: The Sustainable Solution*, US Composting Council, July 2014.
- "Strive for 5%," US Composting Council's campaign to promote 5% organic matter in soils, US Composting Council.

HOW COMPOSTING COMBATS THE CLIMATE CRISIS

1 AVOIDS WASTE OUTCOMES WITH HIGH EMISSIONS



2 ENHANCES SOIL QUALITY

Compost increases:

Nutrients in soil

- Grows healthier, more nutritious plants & food
- Reduces use of synthetic nitrogen & fossil-fuel-intensive fertilizers

Synthetic nitrogen accounts for **80%** of human-related nitrous oxide emissions

Water holding capacity

Increases soil resiliency to extreme heat & flooding

Soil aggregation

Prevents erosion & runoff, thus protecting & restoring waterways

Normally it takes **1,800 years** to build **6 inches** of topsoil but with compost, it takes only **6 months**

3 SEQUESTERS CARBON

World soils hold **1.5 trillion** tons of carbon in the form of organic matter

What's one of the best ways to build soil organic matter?
Compost!

Degraded soil actually **RELEASES** carbon

But a **1-time** application of compost can make soil a carbon sink again!

Just 1 acre amended with compost can sequester up to **75%** of a car's annual emissions

Compost also increases crop yield & vegetation, leading to even more carbon sequestration

4 BUILDS COMMUNITY RESILIENCY

Healthy soil =

- Food security
- Profitable farms
- Enhanced habitat & biodiversity
- Resilient ecosystems

Degraded soil has been linked historically to the fall of civilization!

Community composting =

- Local jobs
- Environmental education
- Community bonds & safety
- Physical activity & healthy diets
- Social inclusion & empowerment

Anderson, Katrina

From: Jackie Hanlon <hanlonj30@gmail.com>
Sent: Friday, June 20, 2025 5:14 PM
To: Paone, Michael
Subject: Composting

[EXTERNAL EMAIL]

Hi Mr. Paone,

I am an FCPS teacher. It is imperative we continue programs such as the compost crews use of the Utica Bridge Farms property to promote sustainability. We have to be part of the solution in transforming waste.

Please support the use of this land for this project.

Thank you,
Jackie Hanlon

Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Friday, June 20, 2025 7:01 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Support for the Compost Crew facility approval.

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Michael Kennedy

Address: 5113 White Flint Dr, Kensington, MD 20895-1038, United States

Email: nrgcoop@gmail.com

Subject: Support for the Compost Crew facility approval.

Message: I strongly support Compost Crews important community-serving, professional composting operation as it was re-approved in February/2025!

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Friday, June 20, 2025 7:52 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Composting

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Barbara Schectman

Address: 2705 Monocacy Ford Rd, Frederick, MD 21701, United States

Email: bschectman@comcast.net

Subject: Composting

Message: I'm writing in support of the composting program in Frederick. I appreciate the service personally and believe that it has a positive impact on the environment.

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Friday, June 20, 2025 7:58 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Composting and Utica Bridge Farms

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Deborah Portney

Address: 822 Mews Lane, Frederick, MD 21701, United States

Email: dlportney@yahoo.com

Subject: Composting and Utica Bridge Farms

Message: To Michael Paone, Zoning Administration

I am in favor of expanding the Utica Bridge Farms composting location and expanding the present Composting Program. . Composting kitchen scraps and extra food is an easy and important way to reduce Frederick County and City of Frederick's carbon footprint and reduce our need for landfill space (and save money). I subscribe to Key City Compost's program in the City of Frederick and it is an excellent service.

Sincerely,
Deborah Portney

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Friday, June 20, 2025 9:05 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Compost Site at Utica Farms

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Susan Giacinto

Address: 406 Lee Pl, Frederick, MD 21702, United States

Email: addsusan@gmail.com

Subject: Compost Site at Utica Farms

Message: I am writing to ask that you approve site planning for Compost Crew at Utica Farms for continued and increased use for composting. It is important we continue this important reuse of our food scraps. My household of two has diverted over 800 lbs of food scraps in 2 years. Many of my neighbors are part of this program. It is a GREAT benefit to the community in so many ways. I can't imagine going back to throwing all the waste in regular trash collections. I am proud to live in a county/city that is diverting this waste in a sensible way. Thank you for your consideration!

Susan

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Friday, June 20, 2025 10:36 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Agenda item B-25-14

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Nora Wade

Address: 903 Shawnee Dr, Frederick, MD 21701, United States

Email: norajwade@mac.com

Subject: Agenda item B-25-14

Message: Please support Compost Crew's use of the Utica Bridge Farms property as a professional compost operation that serves our community. I am a customer of Compost Crew/Key City Compost and I strongly support their efforts to divert food waste from our landfills. Thank you for your support.

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Anderson, Katrina

From: Lauren Burr <lauren@theburrs.co>
Sent: Friday, June 20, 2025 11:02 PM
To: Paone, Michael
Subject: In Strong Support of City Composting Program

[EXTERNAL EMAIL]

Dear Members of the Zoning Administration,

I am writing to express my enthusiastic support for the City Composting initiative. My household has been actively participating in the weekly compost pickup, and we consistently fill our bucket each week. This program has made a significant difference in how we manage our household waste, and I believe it is one of the most effective sustainability efforts our city has undertaken.

In fact, I often find myself telling friends and family in other counties about how fortunate we are to have this incredible program. The ease and accessibility of weekly compost collection make it possible for residents like me to divert a meaningful amount of waste from landfills — likely even more than traditional recycling programs accomplish. The long-term environmental benefits are invaluable, from reducing methane emissions to creating nutrient-rich soil that can be returned to our community.

I urge the board to continue supporting and expanding the composting program. This initiative not only reflects our city's commitment to environmental stewardship but also engages residents in practical, everyday action toward a more sustainable future.

Thank you for your time and for your leadership on this important issue.

Sincerely,

Lauren Burr

732 Bond St

Frederick, MD 21701

Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Saturday, June 21, 2025 6:02 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Agenda Item B-25-14

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Amy Rembold

Address: 5538 Etzler Road, Frederick, Maryland 21702, United States

Email: mcrembold@icloud.com

Subject: Agenda Item B-25-14

Message: I am writing in support of allowing CompostCrew to remain at their location and continue to turn Frederick County's food waste into compost, a sustainable, environmental-friendly resource. When produced locally, the compost can be used by gardeners and farmers within Frederick County. Composting provides a natural way to recycle food scraps and yard waste, transforming them into nutrient-rich soil amendments that can improve soil health and reduce the need for synthetic fertilizers. CompostCrew delivered a beautiful mound of compost to Lincoln Elementary School and the Earth Science Space Laboratory to be used to amend the soils. The students saw first hand how their school lunch waste could be turned into a beautiful compost soil. The students learned that by keeping their food waste out of the trash, that they could help the environment and use the final product of compost in their school gardens. They learned that food waste breaks down anaerobically into methane and that this is not good for the entire planet's future. I support CompostCrew and the service they provide within our community to mitigate food waste into a usable, environmental sound product.

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Anderson, Katrina

From: Catherine McKalip-Thompson <cmckalip@hotmail.com>
Sent: Saturday, June 21, 2025 11:32 AM
To: Paone, Michael
Subject: Support composting

[EXTERNAL EMAIL]

Dear Mr Paone,

I am writing to ask you to vote in support cor continued composting in Frederick County. Rhis is a win-win solution to managing organic waste, which would generate methane - a potent greenhouse gas - if rots in landfills. Instead, composting follows the natural process to create needed fertilizer.

Thank you for your thoughtfulness and consideration.

Sincerely

Catherine Thompson

Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Saturday, June 21, 2025 2:08 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Composting at Utica Bridge Farms

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Rachel Rice

Address: 207 Wyngate Dr, Frederick, MD 21701, United States

Email: ricerachel98@gmail.com

Subject: Composting at Utica Bridge Farms

Message: Hello,

I'm a lifelong Frederick resident who is an avid advocate of composting for its environmental benefits. I use Key City Compost's program religiously and have gotten several other residents to join in. We all love participating in this ecologically helpful program. Please do not make any cuts to this or any other environmental programming, the planet cannot afford it.

Best,
Rachel Rice

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Does this submission look like spam? [Report it here.](#)



Anderson, Katrina

From: Danny Hill <danielpatrickhill@gmail.com>
Sent: Saturday, June 21, 2025 2:59 PM
To: Paone, Michael
Subject: Compost in Frederick

[EXTERNAL EMAIL]

When I moved to Frederick and found out about the compost program, I signed up immediately. It reduces the weight and smell of my trash can and I get compost in return without having to manage a compost heap in my own yard. I would like to continue participating in this program and would like the board to continue its support for the program to ensure Frederick residents continue to reap the benefits of the lis program. Thank you for the consideration.

Regards,

Danny Hill

Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Saturday, June 21, 2025 3:03 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Please support Compost Crew

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Margaret Underwood

Address: 9671 Bothwell Lane, Frederick, MD 21704, United States

Email: margiewagner@gmail.com

Subject: Please support Compost Crew

Message: I am a constituent of Frederick County and am asking you to please support the continued work of Compost Crew. We must each do our part to protect our planet. Compost Crew is making it easier for Frederick residents to reduce their waste. Please support their efforts, so they can continue to grow their programs and enable composting for more and more residents. Thank you!

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Saturday, June 21, 2025 3:08 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Frederick Composting

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Caroline Dato

Address: 911 N Market St, Frederick, MD 21701, United States

Email: cdatao@terpmail.umd.edu

Subject: Frederick Composting

Message: To Whom It May Concern,

I have had the privilege of utilizing compost services through the City of Frederick for several years now and have been able to divert so much food waste from the dump into this compost program to reduce greenhouse gas emissions. At a time when our federal administration is rolling back so many sustainability programs to fill pockets of corporations who don't care about our beautiful world, it is important to continue that we care for our environment. Not to mention the harm this can cause to our local farmers who use compost to enrich their soil.

The sentiment "we keep us safe" is so imperative - now more than ever. WE the fredrick community - cannot control what happens on the federal level. But we can control our actions here at the local level.

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Anderson, Katrina

From: Paone, Michael
Sent: Tuesday, June 24, 2025 11:01 AM
To: Anderson, Katrina
Subject: FW: Form Submission - Take Action Form - Compost Crew's use of the Utica Bridge Farms property

From: Squarespace <form-submission@squarespace.info>
Sent: Saturday, June 21, 2025 3:11 PM
To: Paone, Michael <MPaone@FrederickCountyMD.gov>
Subject: Form Submission - Take Action Form - Compost Crew's use of the Utica Bridge Farms property

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Julie Heatherly

Address: 320, Frederick, MD 21704, United States

Email: juls.heatherly@gmail.com

Subject: Compost Crew's use of the Utica Bridge Farms property

Message: To the Frederick County Planning Commission,
In reference to the Utica Bridge Farms property use of composting, if this site is severely limited for composting or shut down entirely it would force Frederick County's growing volume of food scraps to be hauled elsewhere, increasing both costs and greenhouse gas emissions.

Why Composting Matters in Frederick:

- Contributes to Frederick County's climate and sustainability goals.
- Supports local farmers with high-quality compost for healthier soils.
- Provides a convenient option for residents who want to participate in composting.
- Reduces landfill waste and cuts greenhouse gas emissions by composting locally.
- Creates jobs in Frederick County.
- Aligns with Maryland's Organics Recycling and Waste Diversion Law (HB 264)

Sincerely,
Julie Heatherly

Anderson, Katrina

From: Paone, Michael
Sent: Tuesday, June 24, 2025 11:02 AM
To: Anderson, Katrina
Subject: FW: Composting

-----Original Message-----

From: Jan Knox <janknox11@gmail.com>
Sent: Saturday, June 21, 2025 3:19 PM
To: Paone, Michael <MPaone@FrederickCountyMD.gov>
Subject: Composting

[EXTERNAL EMAIL]

Good afternoon, my name is Jan Knox and I am a Frederick City resident. My address is 501 Pearl St. I have been using the free composting for almost a year now and between that and the recycling program I usually only have 1 or 2 small bags for my garbage pick up. I would certainly dislike going back to throwing food scraps in the garbage pick up. I see many composting buckets out by the curb for pickup days in my neighborhood. Let's continue to move forward with our environmental projects, not go backwards. Thank you

Jan Knox/President
Greater Frederick Maryland Wild Ones

Sent from my iPhone

Anderson, Katrina

From: Paone, Michael
Sent: Tuesday, June 24, 2025 11:00 AM
To: Anderson, Katrina
Subject: FW: Form Submission - Take Action Form - Support of composting in Frederick County

From: Squarespace <form-submission@squarespace.info>
Sent: Saturday, June 21, 2025 5:22 PM
To: Paone, Michael <MPaone@FrederickCountyMD.gov>
Subject: Form Submission - Take Action Form - Support of composting in Frederick County

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Dawn Myscowski

Address: 16 Mount Olivet BLVD, Frederick, MD 21701, United States

Email: dmmysc@gmail.com

Subject: Support of composting in Frederick County

Message: I'm writing in support for Compost Crew's use of the Utica Bridge Farms property for local professional composting. Composting of food waste is a very important environmental priority for me and my neighbors.

Thank you for your time and attention to this issue.

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Anderson, Katrina

From: Paone, Michael
Sent: Tuesday, June 24, 2025 11:00 AM
To: Anderson, Katrina
Subject: FW: Form Submission - Take Action Form - Composting

From: Squarespace <form-submission@squarespace.info>
Sent: Saturday, June 21, 2025 9:20 PM
To: Paone, Michael <MPaone@FrederickCountyMD.gov>
Subject: Form Submission - Take Action Form - Composting

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Gaël Le Guellec

Address: 3627 Bealls Farm Court, Frederick, MD 21704, United States

Email: gael.leguellec@gmail.com

Subject: Composting

Message: Dear Sir:

As a 20-year proud and grateful resident of Frederick County where my wife and I raised two children, I ask you to support Compost Crew's use of the Utica Bridge Farms property as a compost operation. Composting is such an affordable, low-tech, common sense approach to contributing to solutions to some of the existential challenges that we face. Why forgo such opportunity? I don't know what your vision for Frederick County is, but I have not doubt that you deeply/truly want your/my/our community to strive and remain one where a humble resident like me can raise a family, find his place, and finally grow roots.

With my deepest respect,
Gaël Le Guellec

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Anderson, Katrina

From: DeSa, Tolson
Sent: Sunday, June 22, 2025 9:25 AM
To: Paone, Michael; Anderson, Katrina
Subject: Fw: Composting Frederick

FYI

Get [Outlook for iOS](#)

From: Deborah Boots <debboots5@gmail.com>
Sent: Sunday, June 22, 2025 6:28:31 AM
To: DeSa, Tolson <TDeSa@FrederickCountyMD.gov>; Debby Boots <debboots5@gmail.com>
Subject: Composting Frederick

[EXTERNAL EMAIL]

I am new to area and emailing you as only link I can find to Board of Appeals email contacts. Could you possibly have your office forward this to Shannon Bohrer, Dan Lawton and the other members on Appeals Board that I encourage them to approve continuation of Compost Crew to keep Frederick aware of all ways to improve our personal behavior and environmental health. I can't attend meeting, but thank you for helping to circulate my support for such a positive operation. Debby Boots, 5955 Quinn Orchard Road, Frederick 21704, 240-566-5701

Anderson, Katrina

From: Paone, Michael
Sent: Tuesday, June 24, 2025 11:03 AM
To: Anderson, Katrina
Subject: FW: Form Submission - Take Action Form - Compost

From: Squarespace <form-submission@squarespace.info>
Sent: Sunday, June 22, 2025 9:09 AM
To: Paone, Michael <MPaone@FrederickCountyMD.gov>
Subject: Form Submission - Take Action Form - Compost

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Jeffrey DiVietro

Address: 717 Fairview Ave, Frederick, MD 21701, United States

Email: fred@mail.jeffydv.com

Subject: Compost

Message: Hi Michael,
I'm writing to voice my strong support for continuing Frederick's compost program. My wife, I, and my neighbors love this program. With two kids, we create plenty of food waste that would otherwise pile up in landfills. The program is a benefit to all of Frederick by not only reducing waste, but creating compost used to grow fruits and vegetable. Please do all you can to keep this program going.
Thank you,
Jeff DiVietro

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Anderson, Katrina

From: Paone, Michael
Sent: Tuesday, June 24, 2025 11:08 AM
To: Anderson, Katrina
Subject: FW: Form Submission - Take Action Form - Compost Crew's use of Utica Bridge Farms

From: Squarespace <form-submission@squarespace.info>
Sent: Sunday, June 22, 2025 10:13 PM
To: Paone, Michael <MPaone@FrederickCountyMD.gov>
Subject: Form Submission - Take Action Form - Compost Crew's use of Utica Bridge Farms

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Dawn Hardgrave

Address: 9000 Amelung st, Frederick, MD 21704, United States

Email: dawnhardgrave@gmail.com

Subject: Compost Crew's use of Utica Bridge Farms

Message: Dear Mr. Paone,
Composting is an important environmental solution for the large amount of food waste in Frederick County. It is a win-win as it keeps food out of our landfills where it may decompose to harmful methane gases, while creating beneficial compost for local farms and green spaces. Please reaffirm Compost Crew's use of the Utica Bridge Farm property to continue this important community service. Thank you.

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Sunday, June 22, 2025 10:16 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Transforming waste into infinite life

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Anthony Frank

Address: 3A W 5th St, Frederick, Maryland 21701, United States

Email: anthonycfrank@gmail.com

Subject: Transforming waste into infinite life

Message: Hello Michael Paone and all other deciders,
I stand for the compost crew facility to keep operating. They transmute the area's waste into something my business uses to grow an optimal tree that can overcome obstacles in the environment. We have surge eroding the countryside and organic matter in landfills. It continues this cycle of destruction by waste... stop the waste by the greed of the few. What trivialities they suggest for stopping them will continue to support the disposal of our lands for subdivision and exploitations by the elite~

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Sunday, June 22, 2025 10:20 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Keep compost program

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Robert Kambic

Address: 10 S Jefferson St., Frederick, MD 21701-4802, United States

Email: robert.kambic@gmail.com

Subject: Keep compost program

Message: I used the pilot program and now the program in Fredrick. We are able to divert a substantial amount of material every week to compost. Multiple times per year I am able to fill the bin. Keeping this program means using this food waste in a useful way rather than just discarding it as trash. The compost program is a good idea and should be kept

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Sunday, June 22, 2025 10:56 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Frederick Composting

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Elizabeth Midgette

Address: 8205 Ridgelea Ct., Frederick, MD 21702, United States

Email: epaulsenca@yahoo.com

Subject: Frederick Composting

Message: Please preserve Compost Crew's use of the Utica Bridge Farms property as a professional compost operation! Composting plays a critical role in keeping recyclable food scraps out of our dumps. It also offers a great return to the community with healthy and nutrient rich soil. We need more opportunities to compost in Frederick County. Please don't limit what we have right now. Thank you!

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Sunday, June 22, 2025 11:01 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Please continue compost program

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Susan Ham

Address: 715 Fairview Ave, Frederick, MD 21701, United States

Email: susanh1445@gmail.com

Subject: Please continue compost program

Message: Please continue the compost program. This has a positive effect on landfill space as well as soil quality, and overall environmental issues.

Thank you, Susan Ham

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Sunday, June 22, 2025 4:07 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Keep the Composting Ops!!!

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Joanne Horn

Address: 1408 Grouse Court, FREDERICK, MD 21703-1378, United States

Email: hornj19@gmail.com

Subject: Keep the Composting Ops!!!

Message: Food waste is a serious issue that costs energy, landfill space (about 50%), and loss of soil health, among other negative effects. Cutting down on organic waste in landfills is important, but more to the point, the over 30% of food that is raised is wasted. This results in huge losses in terms of the energy spent, the pesticides used, the storage, the transport, the labor. What we can do is at least return this waste back to the earth gaining soil health and preventing more greenhouse gas pollution. As a matter of convenience we use this service and have found it invaluable, as have many of our neighbors. I often cycle past the facility on Utica and really don't see how this could possibly be a bother to residents... and it produces SO MUCH BENEFIT. Please keep the facility running!

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Anderson, Katrina

From: Robyn Meslin <obuandcockeyedesigns@gmail.com>
Sent: Sunday, June 22, 2025 4:48 PM
To: Paone, Michael
Subject: Please Keep Our Compost Program

[EXTERNAL EMAIL]

Dear Mr. Paone,

I am writing in support of keeping the county's composting program. My husband and I recently moved to Frederick and were glad to see that the county is engaged in sustainability efforts. We were very happy to find that there was a compost pickup service in place. Moving here from a much larger city, Ottawa, Ontario, where we were used to a weekly compost pickup, it was a pleasant surprise to see a similar program here.

We feel it is so beneficial to divert food waste from landfills. The fact that the composted material can then be used as fertilizer by local folks is a great bonus. Composting is one of the most cost-effective ways to fight climate change and support a healthier environment for everyone.

Ending the program would be a step backward. Instead, Frederick County should be expanding access and educating more residents about how to participate.

Please continue investing in this vital service. Our community and our planet need it.

Robyn and Eric Meslin
839 Motter Avenue
Frederick

Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Sunday, June 22, 2025 8:05 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Please continue Frederick County composting program

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: J. O'Brien

Address: 950 Turning Point Court, Frederick, MD 21701, United States

Email: isickandjnice@gmail.com

Subject: Please continue Frederick County composting program

Message: Dear Frederick County Board of Appeals,

We are writing in strongest support for the continuation of the Frederick County composting program. We have limited space for onsite composting and were thrilled to participate in the Frederick pilot program. Since we signed up for curbside collection, we have cut our landfill-bound trash output by 1/3 to 1/2 per week, while enabling transformation of food scraps and other non-recyclable food residuals into valuable soil amendments.

Without the current composting program, and given our space restrictions, all of our food scraps would again be diverted to the landfill, without the benefit of soil compost enrichment. Jobs in this growing sector will also be lost, with negative consequences to the local economy.

Please continue the Frederick County composting program!

Sincerely,
J. O'Brien

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Anderson, Katrina

From: Paone, Michael
Sent: Tuesday, June 24, 2025 11:08 AM
To: Anderson, Katrina
Subject: FW: Support for Compost Crew composting facility

From: Kerri Hesley <kerri.hesley@mdsierra.org>
Sent: Sunday, June 22, 2025 11:35 PM
To: Paone, Michael <MPaone@FrederickCountyMD.gov>
Subject: Support for Compost Crew composting facility

[EXTERNAL EMAIL]

Dear members of the Frederick County Board of Appeals:

On behalf of the hundreds of members of Sierra Club Catoctin Group that live in Frederick County, Sierra Club Catoctin Group Executive Committee would like to voice its support for Compost Crew's on-farm composting facility at Utica Bridge Farm.

According to the EPA, food waste currently makes up 24% of municipal solid waste. Here in Frederick County our landfill is almost full. The county hauls most of our municipal solid waste to a landfill in Pennsylvania to preserve what little landfill space there is remaining in Frederick County. Transporting food waste to Pennsylvania—when there is a location here in Frederick which can compost this same food waste—costs taxpayers unnecessarily, contributes to air pollution, and wastes a valuable source of soil nutrients.

Methane is a powerful greenhouse gas which results from decay of organic waste under anaerobic conditions that exist in landfills. Methane traps heat in the atmosphere at up to 100 times that of CO₂ over a 20 year time period. Municipal solid waste landfills are the third-largest source of methane emissions in the United States and food waste is the major contributor of methane gas from landfills. An estimated 58 percent of the methane emissions released to the atmosphere from municipal solid waste landfills are from food waste. By composting food waste, we are eliminating this methane source from the landfill. According to the EPA, food waste composted and applied to the land sequesters three times more carbon compared to disposing of it in the landfill.

The aerobic decomposition of food waste to compost provides a product which can be used locally to enrich soil, thereby reducing the need for synthetic fertilizers. It reduces soil density and compaction, improves water holding capacity and decreases runoff.

The Maryland legislature has demonstrated support for composting with several bills in recent years, recently HB 264, requiring high volume generators of food waste to compost if there is a facility within a 30 mile radius. Frederick County and the City of Frederick have both demonstrated their support for composting. While backyard composting is ideal, for many it is not an option and a curbside composting service, such as provided by Compost Crew, is a viable solution. Without a facility to actually compost this material locally however, the program cannot operate. Compost Crew operates

under a State Permit, enforced by Maryland Department of Environment, ensuring the facility is operated properly.

For the above reasons, Sierra Club Catoclin Group respectfully requests your rejection of the appeal, and to uphold the approval of the county site plan for Compost Crew's facility at Utica Bridge Farm.

Kerri Hesley, M.D.
Chair, Sierra Club Catoclin Group



**SIERRA
CLUB**

ELIZABETH D. ORR

305 East Main Street • Burkittsville, MD 21718 • (240) 529-3177 • edeckerorr@comcast.net

June 22, 2025

Michael Paone
Zoning Administration
30 N. Market St.
Frederick, MD 21701

Dear Mr. Paone

My Name is Elizabeth Orr and I have lived in Burkittsville since 1997 and currently reside at 305 E. Main St. in Burkittsville. I am writing about the appeal of the Planning Commission's February 2025 approval of Compost Crew's site plan at Utica Bridge Farms, which reflects the same scale and scope of operation as under the former operator, Key City Compost. Unfortunately, I will be away from Frederick County on the date of the hearing, June 26.

Others will be testifying in detail about the benefits and importance of composting on the local level. In a nutshell, the former Key City, now Compost Crew, composting site at Utica Bridge Farms has provided a much-needed local solution for diverting organic waste (food scraps, yard waste and more) from our transfer station, haulers, and landfill destination while (1) providing local farmers with high-quality compost for healthier soils that retain more water, and (2) reducing greenhouse gas emissions and transportation costs.

I, however, want to focus on a different issue. When we purchased three different properties in Burkittsville over the years, there was a specific clause that addressed agricultural practices in our real estate contracts. This clause serves as a disclosure to potential buyers about the existence of agricultural operations in the area. It highlights that living in Frederick County may expose residents to certain inconveniences associated with normal agricultural activities, such as noise, odors, dust, and the use of machinery. The Compost Crew composting facility is part of Utica Bridge Farms and provides a valuable product for agricultural producers. In my mind this fits the description of "agricultural operations."

The neighbors who purchased properties near the composting facility after it was established and operating did so presumably knowing it was there, and they likely also signed contracts with the aforementioned clause. It seems to me that they are using the transfer of ownership from Key City to Compost Crew to object to an operation and facility they knew, or should have known, was there when they purchased the property. Their objection to the site plan approval for the new owner, Compost Crew, rings hollow given the fact that they purchased nearby properties after the facility was established and operating with a previously approved site plan, presumably knowing the facility was there, and most likely having signed contracts with the agricultural practices clause. If they were unaware of the existence of the facility or its site plan, that is their omission, and Compost Crew should not be driven out of business because they didn't do due diligence when purchasing and/or building neighboring properties and homes.

Sincerely,



Anderson, Katrina

From: Kathy Kinsey <kmkinsey@comcast.net>
Sent: Monday, June 23, 2025 7:28 AM
To: Paone, Michael
Subject: File No. B-25-14 (B277477/Compost Crew Site Development Plan Reapproval
Attachments: We found suspicious links

[EXTERNAL EMAIL]

Dear Mr. Paone,
Attached for the record in the referenced matter, is a letter of support for reapproval of the Site Development Plan for Compost Crew's composting operation at Utica Bridge Farms.

Sincerely,
Kathy Kinsey
Chair, Government Affairs and Policy Committee
Mobilize Frederick
240-608-5954
kmkinsey@comcast.net

Anderson, Katrina

From: Postmaster
Sent: Monday, June 23, 2025 7:31 AM
To: Paone; Paone, Michael
Subject: We found suspicious links



We found suspicious links in these files

They've been blocked for your protection. Please contact your administrator if you think this is an error.

Files

Mobilize Frederick_Compost...papproval.pdf (213.8 KB)

Message Details

From

"Kathy Kinsey" <kmkinsey@comcast.net>

Subject

File No. B-25-14 (B277477/Compost Crew Site Development Plan Reapproval

Sent

Mon, 23 Jun 2025 07:27:32 -0400



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Anderson, Katrina

From: Anderson, Katrina
Sent: Tuesday, June 24, 2025 8:06 AM
To: Anderson, Katrina
Subject: FW: Zoning Appeal for Compost Facility on Lakeview Road - SUPPORT

From: susanhansonlewismill@gmail.com <susanhansonlewismill@gmail.com>
Sent: Monday, June 23, 2025 1:23 PM
To: Planning Commission <PlanningCommission@FrederickCountyMD.gov>
Cc: lindanorriswaldt <lindanorriswaldt@gmail.com>
Subject: Zoning Appeal for Compost Facility on Lakeview Road - SUPPORT

[EXTERNAL EMAIL]

Dear Commissioners,

Please approve the Zoning for the Compost Facility on Lakeview Road. Frederick County has started the process with Key City Compost, and now this has been taken over by Compost Crew. We believe strongly that we need to improve our facilities for composting household food scraps, and this facility can do this, which will be a benefit to the entire community. It will provide needed composted soil for local farmers, keep the food scraps out of the landfill, and lower some of the bad methane that will occur if dumped there.

The facility is adjacent to Rt. 15, and is currently zoned Business Agriculture. This use as a compost facility is definitely consistent with this zoning.

Thank you for your approval of Compost Crew.

Sincerely,
John and Susan Hanson
3205 Poffenberger Rd.
Jefferson, MD 21755

Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 8:07 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - RE: Support for Compost Crew's Site Plan Approval and Continued Operation

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Walker Bennett

Address: 9118 John Simmons St, Frederick, MD 21704, United States

Email: gardner.bennett1@gmail.com

Subject: RE: Support for Compost Crew's Site Plan Approval and Continued Operation

Message: Dear Members of the Frederick County Board of Appeals,

I am writing to express my strong support for Compost Crew's composting facility and to urge the Board to uphold the site plan approval granted by the Frederick County Planning Commission in February 2025. This facility, originally operated under Key City and now managed by Compost Crew, has served the community responsibly, sustainably, and in full compliance with county requirements. The new site plan mirrors the scale and scope of the original operation and was thoughtfully reviewed and approved through the proper planning channels. Compost Crew's efforts to renew and update the site's approval reflect their commitment to maintaining a high standard of environmental and operational responsibility. Unfortunately, a small group of neighbors—some of whom previously lived near the site while it operated under Key City—have filed an appeal to block this vital local resource. This appeal threatens to shut down or severely restrict a facility that is helping Frederick County move toward its climate, sustainability, and waste reduction goals.

Composting is not just a niche service—it is a critical part of a forward-thinking, sustainable waste management system. This facility:

Helps Frederick County reduce landfill waste and associated greenhouse gas emissions by composting food scraps locally.

Supports local agriculture by producing high-quality compost that improves soil health.

Offers residents an easy and effective way to reduce their environmental footprint.

Contributes to local job creation and economic development.

Aligns with the goals of Maryland's Organics Recycling and Waste Diversion Law (HB 264), positioning Frederick County as a leader in responsible waste diversion.

If this appeal is successful, our community stands to lose a sustainable, cost-effective solution to food waste. It would mean hauling organic waste to distant facilities—resulting in increased costs, added emissions, and a step backward in our shared environmental efforts.

I respectfully urge you to consider the broader benefits this composting facility provides to Frederick County and to reject the appeal. Upholding the Planning Commission's decision will ensure that our

county continues to lead with smart, sustainable solutions that benefit our environment, economy, and residents.

Thank you for your time and your service to our community.

Sincerely,
Walker Bennett

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 8:34 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - composting

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Kelly Crittenden

Address: 10140B Lenhart Rd, Frederick, MD 21701, United States

Email: Kelly422notes@yahoo.com

Subject: composting

Message: Composting is a vital need for our community. The company has been running successfully for a few years and should be allowed to expand as our population has also expanded. Please continue the good work that is being done!

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Anderson, Katrina

From: Jeremy Criss <j.criss1968@outlook.com>
Sent: Monday, June 23, 2025 9:05 AM
To: Paone, Michael
Cc: pgallj@aol.com
Subject: Compost Crew

[EXTERNAL EMAIL]

Dear Members of the Frederick County Board of Appeals,

In my capacity as the former Director of the Montgomery County Office of Agriculture, I have worked for a number of years with Ben Parry and Compost Crew, and I strongly support their efforts to expand operations in Frederick County. Compost Crew was an invaluable and trusted partner when Montgomery County sought to initiate and promote on-farm composting to increase the availability of valuable nutrients for farmers in the County.

Ben and Compost Crew set a great example of how to work in a public/private partnership when they worked with the County Department of Environmental Protection to expand Compost Crew's collection of clean food scraps from residents and businesses in the County. Compost Crew then worked with me at the Office of Agriculture to implement on-farm "Composting Outposts," in which Compost Crew works with two Montgomery County farms (Michael Protas of One Acre Farm and Butler's Orchard), delivering clean food scraps to the farms and incorporating "brown materials" to make compost for use on the farms.

Ben Parry worked with me to convince the Maryland Department of Environment (MDE) to allow for a new category of materials management in the Maryland state statute, expanding beyond solid waste facilities and wood waste recycling to add permitting of composting facilities in Maryland. We then sought for MDE to allow composting facilities on farms as an accessory use to farming, and MDE agreed to allow this on-farm use on up to 5,000 square feet without a permit, initially; the standard threshold without a permit has since been increased to 10,000 square feet in Maryland.

Ben has worked hard to make composting a key part of Maryland's materials management system and has always sought to go above and beyond what is required by MDE regulations for composting operations, sincerely believing (as I do) that composting is the most environmentally-friendly way to capture organic materials destined for the landfill, making them into a valuable resource for the community. Ben strives to be a good neighbor; as just one example, Compost Crew has designed a very effective "varmint prevention system" for the on-farm composting containers that Compost Crew developed. In fact, I cannot recall any incidents of nuisance complaints against Compost Crew.

To sum up, Ben Parry, Kristie Blumer and the staff of Compost Crew have been sincere and positive advocates for composting, showing how proper management of the materials they work with is a win-win for the community, for farmers, for the environment, and ultimately, for their business. Frederick County will be fortunate to have a Compost Crew facility within its borders.

Sincerely,

Jeremy Criss
Former Director of the Montgomery County Office of Agriculture (retired)

Anderson, Katrina

From: Gene Slyman <gene.slyman@gmail.com>
Sent: Monday, June 23, 2025 9:35 AM
To: Paone, Michael
Subject: Composting Crew

[EXTERNAL EMAIL]

Hello,

Just wanted to voice my support and desire to see composting crew continue and expand in Frederick. I have been a customer since they started, and have very much loved their service and helping upcycle/compost scraps. I'm a Frederick City resident, and i fully support CC for the foreseeable future.

Gene Slyman
210 E Church St, Frederick, MD 21701

Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 9:51 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Save Composting in Frederick

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Jess Schaefer

Address: 612 W Patrick St, Apt 5, Frederick, MD 21701, United States

Email: jessicagschaefer@gmail.com

Subject: Save Composting in Frederick

Message: Hello,

The composting system in Frederick with the Compost Crew is providing great environmental, social, and monetary value to the Frederick community. The curbside pickup allows more urban residents to participate in the process of composting, which supports environmental health and farm productivity. Please protect this system and allow it to grow in the community.

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 9:53 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Sellner Testimony: Board of Appeals, File # B-25-14 (B277447)

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Kevin Sellner

Address: 102 E. 5th Street, Frederick, MD 21701, United States

Email: kgsellner@gmail.com

Subject: Sellner Testimony: Board of Appeals, File # B-25-14 (B277447)

Message: I have reviewed the 2023-2025 bacteria data from the St. Angelo properties at 10670, 10690, and 10700 Stull Road and a Stull Road Ditch and offer the following re. bacterial contamination:

1) Total and fecal coliforms in water collected from inside the properties exceeded EPA limits for three home spigots in the winter-spring of 2023-2024.

2) Total coliforms slowly declined later each year; fecal coliforms were less than the EPA standards earlier in the season than total coliforms.

3) On one date (March 13, 2023), samples were taken 6 min apart from a half bath sink with total coliforms in the first sample exceeding the EPA standard and the sample 6 min later yielding a concentration <1/100 mL; a day later, the concentration was similarly low at <1/100 mL. This is remarkably high short-term contamination variability.

4) There were no analyses from outside the homes until May, 2025 with high E. coli (648.8/100 ml) in a ditch.

5) The fewer home data for 2025 indicate improving conditions as total coliforms and E. coli were both <1/100 ml. Had the source of contamination been removed or was the ditch with its high concentration of E. coli (648.8/100 ml) not the source of contamination?

These data indicate contamination problems in the homes but because there were no bacterial measurements taken simultaneously with the 2023-2024 winter-spring samples that found coliform contamination, no source of contamination can be assigned.

Coliform contamination is from animal feces. Sources of the fecal matter could be several sources. For example, as alleged, if the nearby compost facility is composting animal manures, coliforms could be transported in surface and shallow groundwater to nearby soils, even the unconsolidated aquifer of the area. Equally possible is bacterial contamination from the homes' septic fields or its own animals, common to many County rural areas where pump-outs or routine septic maintenance is infrequent (2022 pers. communication, County planner T. Goodfellow).

Identifying the source of contaminated water is possible with several methods, all requiring simultaneous sampling of water in the home(s) and nearby surface and groundwaters. Dye studies could be undertaken at the compost facility with dye analyses at the homes followed over days-months.

Another approach is analyses of chemical markers common to residential septic systems (laundry brighteners, soap compounds, sweeteners, fluorescent chemicals) that would not be present in runoff or groundwater from a compost facility (e.g., Richards et al. 2017). There are also non-radioactive isotopes of oxygen and nitrogen that would be distinct to septic fields vs. compost areas (e.g., Aravena et al. 1993) as well as relative concentrations of lignins (Harwood 2014) and other plant derivatives.

In sum, yes, there is coliform contamination of water collected in the homes in winter -spring 2023-2024, declining in the summer. However, there are no data from the surrounding area surface water or groundwater collected at the same time as the in-home samples so there is no attributable source of contamination.

References

Aravena, R. et al. 1993. Stable isotopes of oxygen and nitrogen in source identification of nitrate from septic systems. *Ground Water* 31(2): 180-186.

Harwood, J.J. 2014. Molecular markers for identifying municipal, domestic, and agricultural sources of organic matter in natural waters. *Chemosphere* 95: 3-8.

Richards, S. et al. 2017. Potential tracers for tracking septic tank effluent discharges in watercourses. *Environ. Pollut.* 228: 245-255.

Kevin Sellner, Ph.D.

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 10:25 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Keep City Compost!

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Lydia Hadfield

Address: 25 West 3rd Street, Apt. 4, Frederick, MD 21701, United States

Email: lydiamhadfield@gmail.com

Subject: Keep City Compost!

Message: Dear Mr. Paone,

I was shocked to hear that there's a possibility compost service for downtown Frederick may be shut down! I've used and appreciated the service since it began. It's an easy, convenient, and important way to divert food waste from the landfill, and mitigate the effect of heat-trapping gases on our atmosphere. Composting is a natural, effective, time-tested environmental solution to food waste. Key City Compost, and now Compost Crew, makes it easy and attractive to do good for the place we live in. Frederick's composting service should be a point of civic pride. I am proud to live in a place that composts! I implore you and your sense of civic pride to please maintain the Compost Crew's services and reaffirm their use of the Utica Bridge Farms property.

Respectfully,
Lydia Hadfield

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Anderson, Katrina

From: Nancy Luse <nluse@fredmag.com>
Sent: Monday, June 23, 2025 10:43 AM
To: Paone, Michael
Subject: Compost issue

[EXTERNAL EMAIL]

Dear Mr. Paone,

I was overjoyed several years ago when Frederick city instituted a food waste collection setup with Key City Compost, now operated by Compost Crew. As I understand there is a chance that these services may be in danger. It would be a grave mistake to do anything to curtail the good work being done. There should be more food waste composting, not less.

It took years of hard work by people in the community to get composting off the ground. Folks are happy with their scrap buckets, and I know for myself I don't feel quite as guilty chucking out wilted lettuce or sprouted potatoes knowing that it will be turned into compost for local growers. The board of appeals must allow Compost Crew to use the Utica Bridge Farms property as a community-serving professional compost operation. Thank you in advance for the board's consideration.

Nancy Luse
608 N. Maxwell Ave.
Frederick

301-471-9673
nluse@verizon.net

Anderson, Katrina

From: Paone, Michael
Sent: Tuesday, June 24, 2025 11:12 AM
To: Anderson, Katrina
Subject: FW: Form Submission - Take Action Form - Please Keep Composting Available

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 12:21 PM
To: Paone, Michael <MPaone@FrederickCountyMD.gov>
Subject: Form Submission - Take Action Form - Please Keep Composting Available

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: DONNA HARSHMAN

Address: 3011 Sanctuary Lane, FREDERICK, MD 21701, United States

Email: h*****@gmail.com

Subject: Please Keep Composting Available

Message: Why Composting Matters:

- Contributes to Frederick County's climate and sustainability goals.
- Supports local farmers with high-quality compost for healthier soils.
- Provides a convenient option for residents who want to participate in composting.
- Reduces landfill waste and cuts greenhouse gas emissions by composting locally.
- Creates jobs in Frederick County.
- Aligns with Maryland's Organics Recycling and Waste Diversion Law (HB 264)

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Anderson, Katrina

From: Paone, Michael
Sent: Tuesday, June 24, 2025 11:14 AM
To: Anderson, Katrina
Subject: FW: Form Submission - Take Action Form - Continue Composting

This should be the last one. Can you confirm you received all of the ones you were missing.

Michael Paon

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 12:39 PM
To: Paone, Michael <MPaone@FrederickCountyMD.gov>
Subject: Form Submission - Take Action Form - Continue Composting

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Tom Martin

Address: 3011 Sanctuary Ln, Frederick, MD 21701, United States

Email: t.josiah.martin@gmail.com

Subject: Continue Composting

Message: I write in support of compost's crews continued use of the Utica bridge site. We have used the composting service provided by the key city operation since it first became available. Our trash bucket is nearly empty since using composting, and the resulting compost is a boon to the community..

Sincerely,
Tom Martin

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Anderson, Katrina

From: Comcast <arelluc@comcast.net>
Sent: Monday, June 23, 2025 11:15 AM
To: Paone, Michael
Subject: Compost Crew at Utica Bridge Farms

[EXTERNAL EMAIL]

Good morning,

My name is Deborah Culler and I live at 510 Culler Ave in Frederick. I'm writing to you in support of the REAPPROVAL to continue and expand the Compost Crew facility at Utica Bridge Farm in Lewistown.

I had the opportunity to use their product for a landscaping project in the native plant garden at Lincoln Elementary School recently and was amazed at the quality. It was a great opportunity to show the elementary 4-H club members what composting is all about and help them realize the importance of sustainability. We don't want everything to end up in our landfills, do we?

Please support Compost Crew.

Thank you,

Deborah Culler

Sent from my iPhone

Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 11:33 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Composting as an Environmental Solution

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Kerry McHugh

Address: 9009 Mountainberry Court, Frederick, MD 21702, United States

Email: kerry.a.mchugh@gmail.com

Subject: Composting as an Environmental Solution

Message: Mr. Paone and Board of Appeals,

I am writing as a resident of Frederick County to express my support for the Compost Crew's use of the Utica Bridge Farms property as a compost operation. This work provides a sustainable and environmental solution to food waste as a community-serving professional compost operation, and provides necessary compost and composting resources to residents, farmers, and businesses across the county.

Warmly,
Kerry McHugh

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Anderson, Katrina

From: Katey Grogan <kgrogan@kandge.com>
Sent: Monday, June 23, 2025 11:36 AM
To: Paone, Michael
Subject: Frederick Composting

[EXTERNAL EMAIL]

Dear Michael,

I am writing to express my strong support for the continued operation of the composting facility at Utica Bridge Farms, and to underscore the importance of this project not only to Frederick County's sustainability goals, but also to the countless hours and years of effort that led to its realization.

As an active member of the Sustainability Committee for the City of Frederick, I have been closely involved in advocating for local composting solutions in Frederick. This work began long before composting was a widespread topic of public conversation. I, along with the committed members of the Frederick Compost Workgroup, invested years in research, outreach, education, and collaboration with community partners to elevate composting as a viable and necessary part of our waste management system.

Our goal was always to keep Frederick's resources in Frederick—to close the loop locally by turning our food scraps, yard waste, and wood chips into rich, healthy compost that supports local farms, home gardens, school programs, and public landscaping projects. This was never just about waste reduction. It was about building a more resilient, regenerative local economy.

Through these efforts, we were proud to support the establishment of the original composting operations at Utica Bridge Farms, first under Key City Compost and now under the stewardship of Compost Crew. We celebrated when the facility earned site plan approval in 2022, knowing that a permanent, scalable solution was finally within reach.

The Compost Crew's commitment to expanding on this work, and their assumption of the City's curbside food scrap collection program, represents the next chapter in what has already been a hard-fought success story. Their expertise and investment mean that Frederick can continue to lead by example in the region, keeping food waste out of landfills and putting it to productive, local use.

Now is not the time to allow this momentum to stall. With support from county leaders and the broader community, we have a chance to ensure that Frederick's composting infrastructure remains strong, locally operated, and rooted in the values of sustainability, circular economy, and community stewardship.

Thank you for your consideration and for your continued commitment to making Frederick County a leader in environmental innovation.

Sincerely,
Katey Grogan

Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 11:37 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Composting

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Alice Carter

Address: 3916 Addison Woods Rd, Frederick, MD 21704-7904, United States

Email: acarterwv@gmail.com

Subject: Composting

Message: Hello! I keep hundreds of pounds of garbage out of the Frederick County landfill every year because I use the services of the Compost Crew and, prior to April 2025, the services of Key City Compost. A facility is required to take the food waste that I (and many others) save and turn that waste into compost. I hope that the county will not take steps to jeopardize the operation of this facility. Doing so would result in more garbage going to landfills.

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 11:39 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - composting

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Patricia Coates

Address: 3013 Sanctuary Lane, Frederick, MD 21701, United States

Email: pwcoates@aol.com

Subject: composting

Message: With the incredible opportunity to compost, and the ability to recycle, our household barely has any trash to pick up anymore. Thus, we are not contributing to the landfill problem and we are positively contributing to making our county resources renewable and useful.

Losing the opportunity to compost would be extremely disappointing to our household and would be a disservice to Frederick County.

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 11:47 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - BOA B-25-14

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Rose Woodsmall

Address: 208 North Main Street, Woodsboro, MD 21798, United States

Email: stonybranchfarm@yahoo.com

Subject: BOA B-25-14

Message: I write to ask that you deny the de novo Appeal of the Planning Commission's approval of the Compost Crew at Utica Bridge Farms (Reapproval) Site Development Plan. I support the previous decision of the Planning Commission to approve this much-needed activity for our County. I have read the documentation and trust the Planning Commission's though analysis of the suitability of the site.

This is a very important and timely endeavor. I only hope that it grows and spreads to other places than Frederick as a service provided by tax dollars. I wish we had the service in my town. I do compost the types of green and brown material that can be done in a small home-sized compost tumbler, but the service provided by a composting facility of this kind and size is truly amazing and can accommodate additional organic material. If you look at the U.S. map that shows Municipally-Run Curbside Collection sites for food waste (see: [sustainablepackaging.org](https://www.sustainablepackaging.org)), you will see how progressive and forward-thinking this endeavor is at this point in time . We should encourage in any way possible the firm establishment and growth of all kinds of composting, starting with food waste and hopefully including compostable packaging in the future.

Thank you for reading my comments.

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 11:51 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Compost Site Lewistown Frederick MD

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Linda Norris-Waldt

Address: 9227 Baltimore National Pike, Middletown, MD 21769, United States

Email: lindanorriswaldt@gmail.com

Subject: Compost Site Lewistown Frederick MD

Message: Testimony to Board of Zoning Appeals

My Name is Linda Norris-Waldt. I have lived here in Frederick County 39 years and my current address is 9227 Baltimore National Pike, Middletown MD.

I am here to take a few moments to tell you about

- Composting
- Compost Crew
- Composting practices around the nation

For the last 12 years, I have worked for the US Composting Council, a national organization representing the majority of the composting programs and producers around the country. Prior to that, I worked for a decade for Canam Steel at its Point of Rocks site and was Recycling Manager for Frederick County, so I also have a well rounded view of Frederick County and our culture, as well as recycling and solid waste programs and the operations of state and county government in this area.

I'll start with composting.

Composting is important because:

- Here in Frederick County, we can reduce methane emissions by keeping our organic waste out of landfill disposal as is one of the most impactful and cost-effective ways to make a difference in combatting climate change
 - o About a third of the waste going into landfills can be composted and returned to LOCAL farms, and gardens-where this material originated. Its Frederick County's answer to diverting waste and helping our own soil and farmers. In 2020, I was a member of the Food Waste/Composting subgroup that produced the Mobilize Frederick plan, and at the time we estimated that with Frederick County sending 152,185 tons of municipal solid waste to a landfill each year with 31,958 tons as food waste. If Frederick County composted the 31,958 tons of food waste currently sent to landfill, 15,703 MTCO_{2e} would be reduced annually—the equivalent of taking about 3,500 cars off our roads per year! This would also prevent GHG emissions from hauling waste to the landfill that Frederick County contracts with in Chambersburg, PA.
 - o Compost returns valuable nutrients to the soil to help maintain soil quality and fertility.
 - o When used compost reduces erosion and cleans water from heavy storms by improving water retention in the soil

- o Compost reduces use of chemical fertilizers – by enabling improved plant uptake of nutrients
- o Compost reduces use of pesticides – healthy soils help suppress disease
- Compost creates green jobs.

I'd like to talk about Compost Crew for a few minutes. They have been a member of US Composting Council for the last 10 years; I have on one of their early shirts from when first began. They made a seamless transition in the past year with Key City Compost, the local entrepreneur with whom our own group, Frederick Compost Workgroup, worked to establish the ag zoning text amendment that's today's subject so that compost production and compost use would become an option that didn't exist before for diversification of agriculture here in Frederick County.

Compost Crew is trained and experienced in compost production, and does such a good job that they won the award of Organics Diversion Program of the Year in 2021 for our national group.

You can be sure that you have people of conscience, training and quality in this agricultural operation. Lastly, I'd like to tell you about composting practices around the nation.

State Rules are KEY to defining and maintaining health and safety around compost operations.

Operations are regulated by environmental agencies in most states, and in a few, by health or safety divisions of state government. It is their job to oversee the production of compost from feedstock to end product, and they make frequent visits—I can tell you that from hearing from our members—to those in Maryland and other states—both announced and unannounced, to verify that permitted operations are following regulations for stormwater, groundwater and surface water—called contact water.

State air divisions monitor composters for sources of air pollution, and state agricultural agencies monitor their compost sales. They are monitoring their feedstocks – the materials going into the facility – and the way they handle, cover and turn them to prevent odor. They require regular reports of PFRP—the process registered operations must follow to ensure there are no pathogens in the material. Research showed during Covid that regulated compost produced during the pandemic killed off any sign of the covid virus!

Zoning officials—the regulators closest to our residents -- are watching out for our welfare as well. Local zoning agencies are monitoring for odor, road issues, proper distance from neighboring properties and other health and welfare issues.

Compost is at its most valuable when it is used directly on soil and especially on depleted soils needing improvement by local farmers. Frederick County is fortunate to have an award-winning and experienced compost producer in its midst, and regulators both local and state who are ensuring health and safety regulations are followed.

Linda Norris-Waldt
9227 Baltimore National Pike
Middletown MD 21769

240 315 8876

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 11:56 AM
To: Paone, Michael
Subject: Form Submission - Take Action Form - I love and use Compost Crew composting!

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Bethany Adams

Address: 523 Wilson Pl, 523 Wilson Pl, FREDERICK MD 21702-4165, UNITED STATES, MD 21702-4165, United States

Email: bethanywadams@gmail.com

Subject: I love and use Compost Crew composting!

Message: Although I compost at home, it's difficult to compost everything at home because it can attract rats etc. while it's decomposing. It's so lovely to have a service here in Frederick that can help me meet my personal sustainability goals and help Frederick as a whole be a healthier, more sustainable community.

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Anderson, Katrina

From: Hannah Kirby <hannah@groundedops.com>
Sent: Monday, June 23, 2025 3:23 PM
To: Paone, Michael; Planninginfo@cityoffrederickmd.gov
Subject: Testimony to Board of Zoning Appeals

[EXTERNAL EMAIL]

I write in FAVOR of the composting facility in Frederick County.

Key City Compost, now operated by Compost Crew has deferred thousands of pounds of food scrap and food waste from the landfill and it is a material that is recycled for our county and our planet's benefit. I own and operate Grounded Operations (located in Frederick Maryland), we specialize in nutrient recycling, specific to composting toilets and graywater systems. These are installations you can see in numerous businesses and residences throughout Frederick County, Maryland and nationally.

We write in full support of the compost facility and hope that the operation is allowed to stay.

I would be happy to be contacted if need be.

All the best,
Hannah Kirby
Founder
Grounded Operations LLC

Anderson, Katrina

From: Joan Nelson <jocma@yahoo.com>
Sent: Monday, June 23, 2025 3:31 PM
To: Planning and Zoning; Paone, Michael; FCGBoards
Subject: June 26 Compost Crew hearing - comments

[EXTERNAL EMAIL]

Dear Members of the Board of Appeals,

I am writing to provide comments in conjunction with the hearing on June 26, 2025 regarding Compost Crew. I strongly urge you to uphold the decision of the Planning Commission to approve the Compost Crew site development plan at Utica Bridge Farm site.

I am a resident of the county and Frederick City, and I participate in the city's composting pilot. The ability to have my food scraps and compostable materials collected, kept out of a landfill, and turned into a beneficial commodity is of great value to me and to our community. The benefits seem obvious to me--this is a sustainable practice, converting materials back to a usable product rather than burying them. Burying them requires moving the compostables to a landfill site (incurring cost) and creates methane, doing additional avoidable damage to the environment.

The staff evaluation is thorough and sound. Odor limits and other requirements exist which Compost Crew will have to follow. There were no complaints lodged against the composting operation until after the appeal was filed.

The Food Waste/Composting subgroup that produced the Mobilize Frederick plan estimated that Frederick County sends OVER 30 TONS of food waste to a landfill on an annual basis. Composting is a solution to this significant and harmful problem. Please support the original decision of the Planning Commission.

Thank you,

Joan Cmarik
1804 Birch Bay Court
Frederick, MD 21702

Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 3:52 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Support for Compost Crew

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Benjamin Butler

Address: 22222 Davis Mill Rd, Davis Mill Road, Germantown, MD 20876, United States

Email: ben@butlersorchard.com

Subject: Support for Compost Crew

Message: I'm writing today in support of Compost Crew. I am the Farm Manager here at Butler's Orchard in Germantown and we have a 'Compost Outpost' on site and have worked closely with the Compost Crew over the last four years. We believe in the mission of reducing food waste via composting and use the finished compost on our most high value crops. We also use the site as an educational platform to create more awareness with children and parents alike.

We have never had issues with neighbor complaints, trash, or smell. Overall the compost crew holds themselves to a very high standard of communication, cleanliness and professionalism. I believe this is why they are one of the few operations to make this challenging business model successful. I believe they are the best in the business and what they are doing is truly making a difference in reducing food waste, supporting local agriculture and educating many on the benefits of composting their food scraps.

I am in full support of the growth and expansion of the Compost Crew business and hope that Frederick County will see the benefits far outweigh the minimal drawbacks of what they do.

Thank you for your consideration.

Sincerely,
Ben Butler
Farm & Finance Manager
Butler's Orchard

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 3:56 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Please renew and/or reaffirm Compost Crew's use of it's Utica Bridge Farm site for operation

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Barbara Trader

Address: 1203 N. Market St., Frederick, MD 21701, United States

Email: btrader72@gmail.com

Subject: Please renew and/or reaffirm Compost Crew's use of it's Utica Bridge Farm site for operation

Message: Michael Paone
Zoning Administration
30 N. Market St.
Frederick, MD 21701

I am writing to ask the Board of Zoning Appeals to reaffirm Compost Crew's right to operate a composting facility at its current site, and deny the appeal requested by neighbors. Composting is one of the most effective measures we can take as individual citizens and as a community to combat climate change. I have composted food scraps and plant materials my entire adult life and reap the benefits of a rich soil amendment with the results. There are many others who wish to compost but don't own land or have other barriers to doing so. The City of Frederick's municipal composting program is a success and meets the needs of many residents, thanks to the diligent work of Key City Compost, Compost Crew's predecessor, and relies on Compost Crew to carry it out. The unfounded and speculative fears of a few should not derail the hard work and commitment already provided toward the development of a robust composting program, nor deny the many benefits of composting to so many residents.

Thank you for your full and fair consideration,

Barb Trader
Frederick, MD

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Anderson, Katrina

From: Squarespace <form-submission@squarespace.info>
Sent: Monday, June 23, 2025 5:42 PM
To: Paone, Michael
Subject: Form Submission - Take Action Form - Key City Compost is an important amenity of the community

[EXTERNAL EMAIL]

Sent via form submission from [Friends of Frederick Composting](#)

Name: Alexander Cathcart

Address: 720 Guilford ct., Silver Spring, MD 20901, United States

Email: alex@potomactalent.com

Subject: Key City Compost is an important amenity of the community

Message: I am writing to express my strong support for the continued operation and modest expansion of the Compost Crew composting facility at Utica Bridge Farms. This composting facility was established in 2021, well before the neighboring residential development occurred. The facility operated under proper agricultural zoning when it was founded, and the recent appellants made a conscious choice to move into an area adjacent to an existing, legitimate operating business. It is fundamentally unfair to allow newcomers to shut down a local business that was there first and operating in proper compliance with all regulations.

This facility provides high-quality compost (the nearest compost of comparable quality is a few states away) used by local farmers, gardeners, and landscapers while processing food waste from local restaurants and grocery stores. The operation supports a network of local businesses, many of whom rely on this compost facility, and serves essential community needs. The claims made by opponents appear to be based on misconceptions about how aerobic composting works. Unlike anaerobic composting, aerobic processes cannot produce offensive odors, which also happen to be potent greenhouse gases, that are produced in anaerobic conditions, such as landfills. Aerobic conditions = no odors.

I urge you to uphold the site plan approval and recognize this facility as the vital community asset it is. The loss of this facility would be a significant blow not only to its operators, but to our entire community and the many businesses and residents who depend on its services.

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June 23, 2025

Frederick County Board of Appeals
Winchester Hall | 12 E. Church Street
Frederick, MD 21701

Subject: Professional Support for Compost Crew – Utica Bridge Farms Operation

Dear Board Members,

As a Maryland business that relies on quality compost, I'm writing to strongly urge you to uphold Compost Crew's permit. For four years now – first operating as Key City Compost, and currently under Compost Crew – this facility has been transforming our community's food waste into something genuinely valuable: nutrient-rich compost that rebuilds our soils and strengthens our local economy.

The quality of what they produce matters enormously. Compost Crew's aerobic process creates compost with exceptional biological activity and stable organic matter – qualities that benefit a wide range of local operations. Greenhouses depend on it for healthy growing media. Farms use it to restore depleted soils that have been stripped of nutrients over decades. Value-added businesses have found innovative applications for its distinctive properties. My own business is just one example of how this locally-produced compost supports Frederick County's agricultural and environmental economy.

Your decision on June 26 will affect far more than one facility. From what I've observed, Compost Crew's product meets strict agricultural standards. Losing this operation would force dozens of local businesses – from greenhouses and farms to value-added enterprises like mine – to seek inferior alternatives, seriously undermining Frederick's economic and environmental health.

Without this facility, we're looking at real consequences. Farmers will end up paying premium prices for compost that has to be trucked in from distant locations, missing the local microbial communities that make soil amendments truly effective. Meanwhile, we'll be spending tax dollars to export our organic waste to landfills while simultaneously importing synthetic fertilizers – a backwards approach that makes no economic or environmental sense. Maryland's organics recycling mandate will essentially fail here in Frederick County.

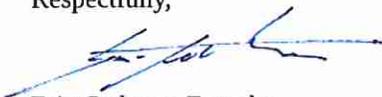
I've been monitoring this site since it opened in 2021, and the opposition's concerns simply don't match what I observe. Their aerobic composting method, when properly managed, actually neutralizes odors through controlled thermophilic decomposition. This isn't some industrial intrusion into our community – it's permitted soil regeneration operating under Bill No. 18-22, doing exactly what it should be doing in an agricultural setting.

Other communities have proven this works. Montgomery County's King Farm demonstrates that neighborhoods can thrive alongside well-managed waste infrastructure. Why would we sacrifice a facility that actively improves our land rather than degrades it?

On June 26, you're making a decision about Frederick's future. You have the opportunity to support our agricultural heritage, honor Maryland's climate commitments, protect local green jobs and enterprises, and stop the wasteful practice of exporting our nutrients to West Virginia while importing synthetic alternatives.

The science supports composting. The economic need is urgent and real. I respectfully urge you to vote to continue Compost Crew's essential work in our community.

Respectfully,



Eric Cathcart, Founder
Greenwood Burial Company, LLC
202-957- 4447 eric@potomactalent.com