

Tax Map/Block/Parcel
No. 46-23/24-47

Building Permit/Zoning
Certificate No. 98-0927

Case 4320

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Baltimore Gas and Electric Company
Attention: Robert W. Lowe, Principal Engineer
Office Service Building
1699 Leadenhall Street
Baltimore, Maryland 21230

ATTORNEY: John T. Maguire, Esquire
189 East Main Street
Westminster, Maryland 21157

REQUEST: A conditional use request for an aboveground building, yard, station or substation for pumping purposes relating to liquid natural gas and variance as required at 1400 Baltimore Boulevard on property zoned "A" Agricultural District in Election District 4

LOCATION: 1400 Baltimore Boulevard on property zoned "A" Agricultural District in Election District 4

BASES: Article 4, Section 4.11(b); Article 14, Section 14.1(b)(3); Article 17, Sections 17.2 and 17.7; Ordinance 1E

On May 29, 1998, the Board of Zoning Appeals (the Board), convened to hear the application of The Baltimore Gas and Electric Company for a conditional use for a substation for liquid natural gas on property zoned "A" Agricultural District.

The Baltimore Gas and Electric Company seeks permission to operate a liquid natural gas pumping station at the Carroll County Northern Landfill in order to help maintain the pressure of its natural gas system in the Westminster area. It has contracted to acquire an easement over 5 acres of landfill on which it proposes to construct the substation. Northern Landfill is a fully fenced 220 acre parcel which, until recently, served as the County's landfill. Today it serves as the County's solid waste transfer site. Within the fenced area, the applicant proposes to erect another fence enclosure surrounding the substation area. The applicant intends to construct (2) 35,000 gallon liquid natural gas (LNG) tanks and appurtenant aboveground and underground facilities, pumps, etc. An access drive/road is to be constructed for the sole use of the applicant's personnel and deliveries. The LNG tanks would serve to supplement the existing service lines originating in Owings Mills. The LNG is pumped from Owings Mills to Westminster

via an underground pipeline which runs along Md. Route 140. The proximity of the landfill site to the pipeline makes the site highly desirable. The site desirability is further enhanced by its security, access to Md. Rt. 140 and isolation. The facility, when constructed will be automated, and staff would only visit the site to deliver LNG or to monitor and repair equipment.

Mr. Thomas M. Kasper, a Maryland Certified Real Estate Appraiser, testified that the proposed use will have no adverse effect on adjacent property values. Mr. Joseph F. Opert, a professional engineer with Baltimore Gas and Electric, testified regarding the need for the pumping station, and the suitability of the site for the proposed use. Mr. Peter Dirkson, III, a mechanical engineer, testified the safety features of the facility and the safety codes with which the facility must comply. Mr. Frank Wanken, Director of Public Relations with Baltimore Gas and Electric, testified that the applicant contacted all the surrounding neighbors either in person or by letter to answer questions and explain the proposal. No one appeared in opposition to the request.

The Board is convinced the use proposed to be no more onerous at this location than elsewhere in the Agricultural Zone and hereby approves the request. The applicant also seeks a variance to the width of the entrance road from 20 feet to 12 feet. The basis of the request is that the access road is nothing more than a private drive which will seldom be used. Deliveries occur infrequently (estimates at 16 a year). The facility is remotely operated, therefore, there would be no daily vehicle traffic. There is no public access to the site. The Board, therefore, approves the requested variance. This approval is conditioned upon Baltimore Gas and Electric's training of its drivers regarding safety concerns for traffic u-turn movements onto Maryland Route 140, southeast of the landfill entrance.

6/29/98

Date



James L. Schumacher, Chairman

IM/bmh/c4320dec.bmh
June 25, 1998