


TJS

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 3508 Fairfield Road		

TO Mr. David Tanner, Executive Director
Board of Municipal and Zoning Appeals
417 East Fayette Street, 14th Floor

DATE: October 20, 2010

REQUEST

The Department of Planning has received Paul Marshall's Board of Municipal and Zoning Appeals (BMZA) amended application to use Building 'A' on the premises for radioactive waste handling. We understand that this amended appeal is now scheduled for hearing on October 26, 2010.

SITE

Please refer to my previous memorandum of August 6, 2010. According to a site plan provided by the applicant, Building 'A' is located at the southeastern corner of the property, near to Fairfield Road and the corner of the property closest to the intersection of Fairfield Road and Patapsco Avenue.

ANALYSIS

Please refer to the memorandum of August 6, 2010 for additional information. Because the Chesapeake Bay Critical Area boundary lies approximately 30' away from the southwest corner of Building 'A', and because the ground level around the building allows storm-water to flow away from the Building 'A' area towards the Critical Area, no storage or staging of radioactive waste shipments, incoming or outgoing, should be allowed outside of Building 'A'. The applicant must also meet requirements of the Fairfield Urban Renewal Plan. To protect the Critical Area, the Urban Renewal Plan requirement that all loading docks should not be located facing a public right-of-way (in this case, Fairfield Road) may be waived upon application by the appellant or a representative of the business, and loading docks and parking of shipments of radioactive waste will be prohibited on the western and southern sides of Building 'A'. The applicant must instead provide landscaping and screening to buffer loading areas on the northern or eastern sides of Building 'A' from view along Fairfield Road. The applicant must also comply with Attachment B of the Fairfield Urban Renewal Plan.

RECOMMENDATION

The Department of Planning recommends that if this appeal is approved, approval be subject to these conditions:

- No radioactive waste or any equipment or machinery which has contact with radioactive waste may be stored or staged outside of Building 'A' on the property;
- No loading docks may be located, and no shipments of radioactive waste may be parked on the portions of the property located, on the western or southern side of Building 'A'; and
- The applicant will comply with all requirements of the Fairfield Urban Renewal Plan, and particularly with the requirements contained in Attachment B of that Plan.

TJS/wya/mf

cc: Paul Marshall, Appellant