

**Hearing Date: February 11, 2014**

**Report to the Board of Appeals  
Request for a Special Exception  
Surface Mining of more than 10 acres  
Docket #1304**

**SUMMARY OF REQUEST**

Mine Site Area: Approximately 23.49 acres, located within a tract of 27.526 acres

Location of Site: East of CSX Railroad right-of-way, between Central Avenue and Holly Lane in Waldorf, MD; Tax Map 8, Parcel 155.

Owner: Southstar LTD. Partnership

Applicant: Chaney Enterprises LTD, Partnership

Zoning: Light Industrial (IG)

Proposed Activity: (Use #7.05.120) Surface mining of more than 10 acres

**SUMMARY**

The Applicant requests the granting of a Special Exception for sand and gravel extraction. The proposed mine site is adjacent to the existing Chaney Plant Site and all access is proposed to occur via the existing Plant Site.

The following is a discussion of specific issues by the Planning Division for consideration by the Board of Appeals. The affected property is zoned Light Industrial (IG). The application requests the Board to consider whether the proposed use is consistent with the current *Zoning Ordinance*, and whether the facility operates within the regulatory guidelines of the specific Special Exception, as established in the *Zoning Ordinance*.

**SPECIAL EXCEPTION REQUIREMENT**

According to the current *Zoning Ordinance*, the proposed activity requires a Special Exception in the Light Industrial (IG) zoning district (see Figure IV-1 Table of Permissible Uses, §297-63, Use #7.05.120). The Board of Appeals must find that the proposed use meets the requirements of a Special Exception as outlined in Article XXV of the *Zoning Ordinance*.

**MINIMUM ZONING REQUIREMENTS**

The *Zoning Ordinance* requires the proposed facility to comply with the minimum standards established in Article XIII, §297-212, and must satisfy the minimum requirements as provided specific to the IG – Industrial Light Zoning District (§297-210). The applicant submitted a Special Exception Application, statement of justification, plat of Special Exception,

environmental features map, mining site plan, and reclamation plan demonstrating adequate consistency with the requirements of the IG zoning district. A site plan must be approved and permits specific to mining must be obtained from State and County agencies prior to any mining operation, should the Board of Appeals grant the request the Special Exception.

## **IMPACT ON SURROUNDING USES AND ENVIRONMENT**

### Land Use

The proposed mine site is located in the Light Industrial (IG) Zone. The Applicant currently operates a sand and gravel processing plant and Ready-Mix Concrete Plant on parcels of land located to the east of the subject property, which is zoned Heavy Industrial (IH). The western boundary of the proposed mining site borders a CSX railway right-of-way, which is zoned Acton Urban Center. The northern boundary is adjacent to Acton Associates, LLC, which is a warehouse/storage use zoned Light Industrial (IG). The southern boundary borders Parcel 82, zoned Light Industrial (IG) and currently vacant.

### Roads

The proposed mining site abuts an existing sand and gravel processing plant owned and operated by the Applicant. The subject property is connected to the processing plant via an existing private road, which is part of the internal road network within the Chaney Plant site, therefore impacts to County or State roads are not a concern regarding this Special Exception request. The Applicant did not propose any other ingress or egress on the Mining Site Plan in relation to the S.E. request.

### Property Buffers

The Mining Site Plan submitted by the Applicant shows the minimum or greater setbacks, or property buffers, as required by the Maryland Department of the Environment (MDE). The buffer along the CSX property line proposes a seventy-five (75') foot buffer, and no buffer along the property line owned by the Applicant. A twenty-five (25') buffer is proposed along the boundaries with all other properties, as required by MDE. There are no residences within 250' of the proposed mining site.

Although the Charles County Zoning Ordinance requires a minimum 100' buffer/setback along property boundaries of mine sites, the Maryland Court of Special Appeals case *East Star vs. Queen Anne County* determined that the State's buffer regulations preempt the Zoning Ordinance's buffer regulations. Therefore, the proposed setbacks should be considered adequate for the purposes of the proposed mining project.

### Waterways and Wetland Habitats Supporting Rare, Threatened and Endangered Species

Zekiah Swamp downstream of the site is the largest natural hardwood swamp in Maryland. It is recognized as one of the most significant ecological areas in the Chesapeake Bay watershed, designated as a State Scenic River, and comprised of unique, relatively undisturbed, ecological characteristics. The proposed surface mine is within the upper drainage area of Zekiah Swamp and its tributary system; a system which is known to support numerous rare, threatened or endangered (RT&E) species of plants and animals; is designated in State regulations as a Nontidal Wetland of Special State Concern (NTWSSC) in its main reaches; contains designated Tier II stream reaches; and includes broad watershed areas which are classified as FIDS (forest

interior dwelling species) habitat. There are no records for rare, threatened, or endangered species on the site itself. However, based on the importance and sensitivity of the various downstream resources in this watershed, potential impact to natural and living resources can occur during grading, excavation, construction, and related land use activities. Therefore, per the recommendations of the Maryland Department of Natural Resources, staff encourages the Applicant to strictly adhere to all appropriate Best Management Practices (BMPs) for sediment and erosion control and stormwater management (SWM) during all proposed mining activities at this site.

According to the Applicant, the Mining Site plan and Reclamation Plan have been designed to minimize environmental impacts and protect the quality of existing natural resources through vegetated buffers in accordance with MDE regulations. As shown on the Existing Conditions and Environmental Features Exhibit, a twenty-five (25') foot wetland buffer surrounds wetlands on the subject property, and no disturbance or grading is proposed within those regulated areas.

### **COMPREHENSIVE PLAN CONSISTENCY**

Chapter 12 of the *2006 Charles County Comprehensive Plan* describes the County's goal and objectives concerning mineral extraction and discusses the management of mineral extraction in terms of predetermined implementation strategies. The County's goal for mineral extraction is: "Support the extraction of mineral resources and related operations including processing while safeguarding the public by providing reduction of the negative impacts resulting from extraction and transportation to the maximum extent practicable."

The Comprehensive Plan states five specific objectives regarding mineral extraction: 1- require that appropriate post-excavation uses for this land be consistent with the County's land planning process, 2- protect existing neighborhoods from the impacts of adjacent extraction operations and associated transportation of mined materials, 3- protect the natural environment from all sources of pollution resulting from mineral extraction, 4- provide adequate regulation and monitoring to all mining operations, and 5- recognize and consider the property owners' right to extract mineral resources. The implementation strategies include special exception standards for the protection of existing neighborhoods from extraction activities, extraction on County-owned sites for the benefit of the County, and consideration of alternatives for the transportation of mined materials.

The proposed surface mine operation will be consistent with the *Comprehensive Plan* if the operation continues to comply with the *Zoning Ordinance* and any conditions imposed by the Board of Appeals, and applicable final site plan approvals and permits are obtained. According to the submitted information, upon completion of the proposed mining and reclamation, the project site is proposed for development with uses consistent with the *Comprehensive Plan* and Charles County's land planning process. The site is proposed to become a part of a mixed use development project. The reclamation plan is bonded, to be released upon State inspection and approval. The design and location of mining activities have incorporated methods for protection of adjacent properties.

### **PLANNING DIVISION FINDINGS**

The Petition for Special Exception #1304 was evaluated based on the standards set forth in Article XXV, §297- 415, and Article XIII, §297-212, Use #7.05.120. The Planning Division offers the following findings, for consideration by the Board of Appeals:

1. The owner of the project property, consisting of Parcels 155, on Tax Map 8 is Southstar Limited Partnership of Waldorf, Maryland. The applicant for the requested Special Exception is Chaney Enterprises, LTD Partnership of Waldorf, MD. According to the submitted information, the project property is approximately 27.526 acres in area, and the area of the proposed mine site is approximately 23.49 acres. The area is characterized by commercial and industrial uses. The Applicant intends to protect public health, safety and general welfare through naturally vegetated buffers to provide separation from neighboring properties, protection of environmental features and a Reclamation Plan that will restore the mined areas upon completion.

The Board of Appeals will determine, based on the Applicant's submitted information and public testimony, whether the SE will endanger the public health, safety and general welfare. Additionally, the Board has the discretion to determine whether the proposed conditions are adequate to meet this requirement, or if additional conditions are necessary.

2. The requested use is permissible in the Light Industrial (IG) Zoning District by Special Exception.
3. The Applicant has operated the sand and gravel processing and ready-mix concrete operation on properties adjacent to the proposed site for many years. With the exception of the property line where the Applicant owns the adjacent property, the Applicant states that natural vegetated buffers will be maintained so that there will be no adverse impacts to use, peaceful enjoyment, value or development of surrounding properties.

The Board of Appeals will evaluate the Applicant's submitted information and public testimony, to determine whether the proposed special exception would result in detriment to the use, peaceful enjoyment, economic value or development of the surrounding properties or the general neighborhood. (Public testimony is not available at the time of this report.)

4. The following findings are in accordance with the standards and requirements set forth in Article XIII, §297- 212 for use 7.05.110, on Surface Mining of more than 10 acres:

***A. Compliance with all applicable local, state, or federal laws, regulations or permitting requirements.***

Finding: The Applicant states the Mining Plan and Reclamation Plan submitted with the Application complies with all applicable local, state, and federal laws, regulations and permitting requirements. The Applicant will obtain State of Maryland MDE mining permits and Charles Soil Conservation District sediment and erosion control plan approval before mining commences. The State Mining Permit limits the amount of mining that can occur at one time. This project proposes a single Mining phase followed by a single Reclamation phase, which will be subject to State and Federal periodic inspections. As required by the

State, a bond will be posted to cover reclamation, which isn't released until reclamation is completed in accordance with the approved plan.

***B. The approved portion of the tract shall have a buffer retained in its natural topographic condition, undisturbed by excavation of mining for a minimum of 100 feet in width. The setback area shall not be used for any purpose except planting, fencing, and roads for ingress and egress to the tract. The setback shall be increased to 250 feet if adjoining homes are within 250 feet of the approved portion of the tract. The Board of Appeals may establish wider setbacks as warranted to protect the surrounding community.***

Finding: The Mining Site Plan submitted by the Applicant shows the minimum or greater setbacks, or property buffers, as required by the MDE. The buffer along the CSX property line proposes a seventy-five (75') foot buffer, and no buffer along the property line owned by the Applicant. A twenty-five (25') buffer is proposed along the boundaries with all other properties, as required by MDE. There are no residences within 250' of the proposed mining site.

Although the Charles County Zoning Ordinance requires a minimum 100' buffer/setback along property boundaries of mine sites, the recent Maryland Court of Special Appeals case *East Star vs. Queen Anne County* determined that the State's buffer regulations preempt the Zoning Ordinance's buffer regulations. Therefore, the proposed setbacks should be considered adequate for the purposes of the proposed mining project.

***C. The height of structures below the maximum allowed and any man-made land form may be limited by the Board.***

Finding: No structures are proposed for the site.

***D. Equipment for washing, sorting, crushing, grinding, loading, unloading, spreading, weighing, screening, sizing, or similar operations shall not be located within 750 feet of an existing home. Any such use shall be at least 300 feet from any property line, except that the Board may permit sedimentation ponds to be closer than 300 feet but not closer than 100 feet to such property line if the applicant demonstrates the topographic necessity of such a location and that sufficient safeguards will be provided for the protection of neighboring residents and uses.***

Finding: The Applicant states no equipment for on-site washing or processing of materials is proposed for the subject Property. The mined product will be processed at the existing Chaney Plant facility on the adjoining property owned by the Applicant. Also, sediment ponds will not be located less than 100 feet from the site boundary.

***E. All operations shall be conducted in a safe manner to prevent hazards to persons, physical or environmental damage to lands, and improvements or damage to any street, bridge, or public right-of-way. All operations must conform to the performance standards contained in Article II, Sections 32 and 33, established for the IG Zone.***

Finding: The Applicant states that mining operations will be conducted in a safe manner to prevent hazards to persons, physical or environmental damage to lands and improvements, or damage to any street, bridge or public right-of-way. All operations will conform to the performance standards contained in Article II, Sections 32 and 33, of the *Zoning Ordinance* as applicable.

The Applicant acknowledges that mining operations are inspected twice a year by the United States Department of Labor, Mine Safety Health Administration, MSHA. Also, MDE may inspect the site anytime for state and federal permitting requirement compliance.

***F. Existing trees and ground cover along public road frontage and lot lines shall be preserved, maintained, and supplemented by selective cutting, transplanting, and addition of new trees, shrubs, and ground cover.***

Finding: Buffer areas are to be consistent with the submitted Mining Site plan. Minimal clearing will be conducted for the entrance to the property from the Applicant's adjacent property. The proposed mine site does not have any public road frontage.

***G. Buffer areas around environmental features shall be consistent with the standards by the Resource Protection Overlay Zone. No disturbance or grading shall occur within these buffer areas.***

Finding: The Applicant acknowledges that any wetlands on the subject property will be protected with the applicable twenty-five (25') foot wide wetland buffer. The Environmental Features Exhibit shows the existing conditions in regards to environmental features. Two wetlands on the subject property are shown on the exhibit, as well as the twenty-five foot (25') wetland buffer, within which no grading or disturbance will occur.

***H. Excavated area shall be maintained and thoroughly drained, except for draining and ponding areas which are used for production.***

Finding: The Applicant states they will maintain excavated areas in a drained state and will construct Soil Conservation and State approved sediment traps and basins for the effective capture of any site generated run-off. No ponds utilized for production activity are proposed at the mining site.

***I. Roads in the permit area for ingress and egress from excavation areas to public roads shall not be less than 20 feet wide and shall be hard-surfaced and maintained for a distance of 150 feet from the public road into the excavation area. All other roads shall be treated as needed with a preventative dust control. For any roads which cross a utility right-of-way, the applicant shall obtain a permit for the crossing from the utility company and shall submit copies of the permit with the special exception application.***

Finding: The Applicant acknowledges that all on-site haul roads will be a minimum of 20 feet in width and will be treated for dust routinely. This project does not propose haul roads to be connected to public roads or cross any public utility right-of-way.

***J. The Board of Appeals shall limit the permit to operate such quarry to a specific expiration date.***

Finding: The Applicant is requesting a five (5) year term of approval.

***K. Operation hours for excavation processing and filling operations will be established by the Board and shall be restricted to no more than nine hours daily between 6:00 a.m. and 4:00 p.m., except that Saturday operations may be permitted between 7:00 a.m. and 3:00 p.m. No blasting shall be permitted between the hours of 6:00 a.m. and 7:30 a.m. No operation shall be permitted on Sundays except for repairs to equipment. The Board may further limit hours of operation based on the impact of traffic and operations on the surrounding community.***

Finding: The Applicant requests approval of operation hours for excavation between 6:00 a.m. to 4:00 p.m. on week days and 7:00 a.m. to 3:00 p.m. on Saturdays.

***L. Truckloads.***

***(1) The maximum number of truckloads hauled from a site shall not exceed the following:***

***Mining site of more than 100 acres, 20 to 200 loads per day***

***Mining site of 51 to 100 acres, 20 to 150 loads per day***

***Mining site less than 51 acres, 100 loads per day or less***

***(2) The Board may reduce the maximum loads per day after weighing factors such as haul roads, routes, traffic patterns, number of trucks, nature of the community and proximity to school, churches, businesses and inhabited dwellings.***

Finding: The Applicant requests that no limitations are placed on the number of truckloads per day because no mined materials from the property will be transported on public roads. The Zoning Ordinance regulates the number of truckloads hauled from a site onto public roads. Since the Applicant will be moving the mined material to their adjacent property for processing without entering public roads, their request for no truckload limit is permissible.

***M. A site plan shall be submitted for approval to the Board at the time when the application is filed, showing the following:***

- (1) Setback area, including screening and fencing.***
- (2) The portion of tract, if any, actually being excavated and proposed excavation areas.***
- (3) Existing and proposed structures and major mechanical equipment.***
- (4) Existing and proposed access roads.***
- (5) Water supply and sewage disposal.***
- (6) All necessary pollution control measures.***
- (7) Stockpile area.***
- (8) Points of access to the site and provisions to control unauthorized entry to the site***

*along the entire perimeter.*

*(9) A traffic and road condition study to determine the adequacy of the road network and structural elements serving the site for truck traffic to be generated by the quarry.*

*(10) Environmental features, including topography, steep slopes, hydric and erodible soils, wetlands, one-hundred year floodplain and forested areas.*

*(11) Historic resources, including sites not previously cataloged, shall be identified and a description provided of how these resources will be protected.*

*(12) The Board may request that an environmental impact analysis of an application be conducted by the applicant and submitted to the county staff for review and comment.*

Finding: The Applicant states that the Mining Site Plan submitted is consistent with the Zoning Ordinance requirements set forth above in regard to environmental features, setbacks, buffers, mining areas, access points, haul roads, and pollution control measures. According to the Applicant, records indicate there are no documented historic resources on the Property.

5. The extracted materials from the subject Property will not be transported over local public roadways, but will be transported to the plant facility on an adjacent parcel owned by the Applicant. Therefore, traffic will not be impacted by this S.E. The Applicant's proposed vegetated buffers combined with a water truck to control dust on the haul road will minimize objectionable impacts from noise, dust or glare on adjacent properties.
6. The proposed mining operation will not require the use of groundwater, septic systems, or public water or sewer systems. The proposed access road conforms to the applicable County standards. The sediment and erosion control devices will conform to all regulatory requirements of the Charles County Soil Conservation District and MDE as stated by the Applicant. Given the submitted information and that no access to public roads is proposed, the project does not require an Adequate Public Facilities review by the Planning Commission.
7. Ingress and egress to and from the subject Property is proposed to be made via a private road as part of the internal road network of the Chaney Plant site. Therefore, no traffic congestion on public streets will result from this Special Exception request.
8. Based on submitted information, it appears that the requested Special Exception conforms to the objectives of the *Comprehensive Plan*.
9. Based on the submitted information, it appears that the requested Special Exception conforms to the applicable regulations of the IG Zone and the special exception requirements of Article XIII established for the specific use.

### **PLANNING DIVISION RECOMMENDATIONS**

The Planning division staff finds that the applicant has met or justified compliance with the criteria for approval. Therefore, for the purposes of providing compliance with the requirements of the *Zoning Ordinance*, the Planning division staff recommends the following Conditions of Approval, should the Board choose to approve the application of Special Exception Docket #1304:

1. The requested Special Exception Docket #1304 for surface mining is granted from the date of this order, and shall be effective during and run concurrently with the Maryland Department of Environment's (MDE) permit. If the Applicant seeks and obtains a renewal of, or any change to, their permit from MDE, the Charles County Planning Division shall be notified immediately. Changes to a mining permit from MDE may require the applicant to renew their special exception with the Board of Appeals for Charles County. Should the relevant portions of *East Star, LLC, v. County Commissioners of Queen Anne's County*, 203 Md.App. 477, be overturned or otherwise overruled at some future date, the special exception is valid for five years from the date of approval as specified in the Charles County Zoning Ordinance, and the applicant may apply for a renewal as necessary.
2. Special Exception approval is limited to the mine site area affected by current and proposed mining, a total of +/- 23.49 acres, as delineated on the Mine Site Plan dated October 2013.
3. Land previously mined and reclaimed shall no longer be eligible for a mining Special Exception, once that land area is subject to final reclamation.
4. The transport of mined materials shall be limited to transport from the subject property to the Chaney Plant Site via the existing private road on the Applicant's adjacent property, which is part of the internal road network within the Chaney Plant site.
5. There shall be no blasting or explosive materials used on the site.
6. The capacity of, and removal of sediment from, sediment traps and basins, and other related maintenance activities, shall be adjusted to compensate for any conditions, induced by nature or the operator, that may increase the rate of sedimentation within such devices. Elements of storm-water management and sediment control, including but not limited to sediment traps and basins, may be subject to inspection by County Staff randomly. The inspections may commence immediately, and be coordinated with the Maryland Department of the Environment. Any non-compliance with the conditions of the Special Exception, or County, State and Federal laws and regulations affecting water quality, shall be reported by the Applicant, to the Board of Appeals. The provisions of this condition do not apply inside the mining pit itself, where the mining operation shall comply with all applicable state and federal laws and regulations. The aforementioned provisions of this condition shall not apply inside the pit so long as the relevant aspects of *East Star, LLC, v. County Commissioners of Queen Anne's County*, 203 Md.App. 477, remain good law.
7. The Applicant shall comply with all minimum standards established in Article IX of the current *Zoning Ordinance*.
8. The operation of this Special Exception is contingent upon compliance with all applicable county, state, and federal regulations, including, but not limited to, the following local

regulations: Charles County Zoning Ordinance, Grading and Sediment Control Ordinance, Road Ordinance, Storm Water Management Ordinance, Forest Conservation Ordinance, and Floodplain Ordinance.

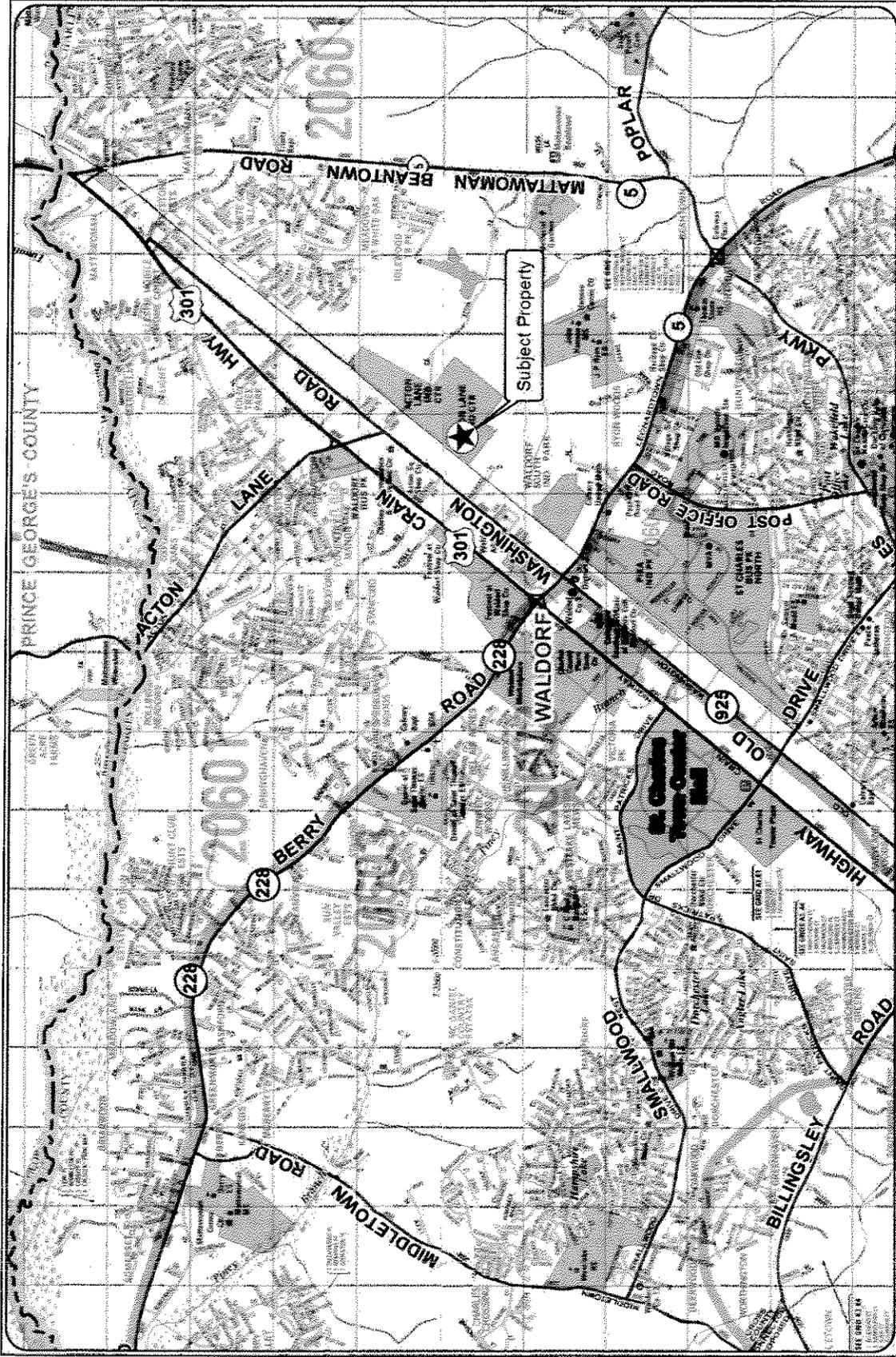
9. The operation and maintenance of this Special Exception shall be in compliance with any and all testimony which was on the record in this matter.
10. The Board of Appeals for Charles County, Maryland, may, after proper notice and hearing, suspend and/or revoke this Special Exception, provided findings by the Board of Appeals that any of the above-stated conditions have not been subject to full compliance by the Applicant, its agents, assignees, or successors in interest.

**Prepared by the Planning Division, Department of Planning and Growth Management**

Erica Hahn: Erica J Hahn Date: 1/24/14  
Reviewing Planner

Charles Rice: Charles Rice Date: 1-27-14  
Env. Program Manager

Location Map



**CHANEY ENTERPRISES  
DOCKET 1304  
LOCATION MAP**  
CHARLES COUNTY, MD

DATE: APRIL 2013

CHARLES COUNTY GOVERNMENT  
Department of Planning and  
Growth Management  
20600  
PO BOX 100  
LEESVILLE, MD  
44306-0100

SCALE  
DRAWN BY:  
CHECKED BY:



10,000 Feet

0 2,500 5,000 10,000 Feet

**Aerial Map**



**CHANEY ENTERPRISES  
DOCKET 1304  
AERIAL MAP (2011)  
CHARLES COUNTY, MD**

DATE  
**APRIL 2013**

CHARLES COUNTY GOVERNMENT  
Department of Planning and  
Growth Management  
SENDER: JIM  
REVISION: 1/14/13  
DATE: 4/11/13



SCALE  
DRAWN BY  
PROCESSED BY



Aerial photography is for planning purposes only. Such information should not be used for engineering purposes.

# Zoning Map

<b>BASE ZONES</b>
AC AGRICULTURAL CONSERVATION
AG AGRICULTURE
CC RURAL CONSERVATION
CG RURAL RESIDENTIAL
RV VILLAGE RESIDENTIAL
RL VILLAGE RESIDENTIAL
RM MEDIUM DENSITY RESIDENTIAL
RH HIGH DENSITY RESIDENTIAL
RM MEDIUM DENSITY RESIDENTIAL
RH HIGH DENSITY RESIDENTIAL
RO RESIDENTIAL OFFICE
RD CORE DEVELOPMENT / RESIDENTIAL
CR CORE MIXED RESIDENTIAL
CR CORE RETAIL RESIDENTIAL
CC HIGH DENSITY COMMERCIAL
CC COMMUNITY COMMERCIAL
CB CENTRAL BUSINESS
CB VILLAGE COMMERCIAL
BP BUSINESS PARK
IG LIGHT INDUSTRIAL
IG HEAVY INDUSTRIAL
AUC AGRI-CULTURAL CENTER
WC WALDOBF CENTRAL
WC WALDOBF CENTRAL
<b>OVERLAY ZONES</b>
HC HIGHWAY CORRIDOR
PP RESOURCE PROTECTION
CB CRITICAL AREA BOUNDARY
<b>FLOATING ZONES</b>
PRD PLANNED RESIDENTIAL DEVELOPMENT
PMH PLANNED MIXED HOME PARK
PEP PLANNED EMPLOYMENT
PLD PLANNED MAX USE
PLU PLANNED UNIT DEVELOPMENT
TCO TRANSIT ORIENTED COMMUNITY
TRD TRANSIT ORIENTED DEVELOPMENT



**CHANEY ENTERPRISES**  
DOCKET 1304  
ZONING MAP  
CHARLES COUNTY, MD

DATE: APRIL 2013

CHARLES COUNTY GOVERNMENT  
Department of Planning and Growth Management

200 BROADWAY, SUITE 200  
CHARLES COUNTY, MD 21746  
410-326-3000

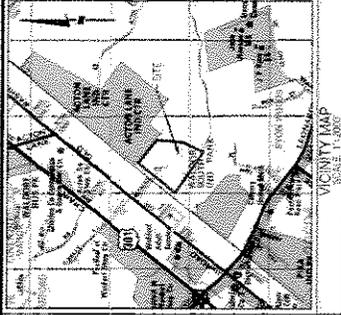
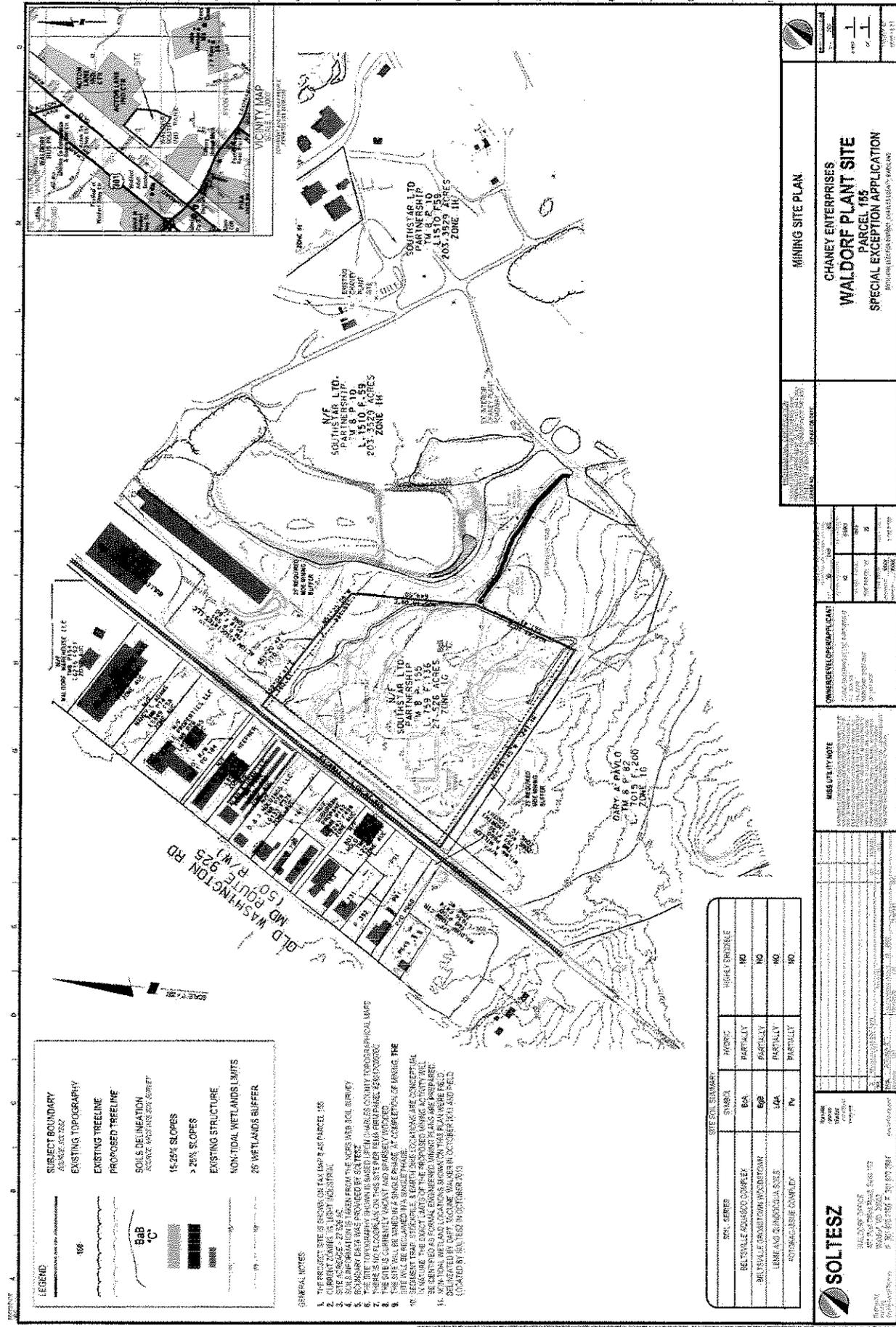
SCALE

0 1,000 2,000 4,000 Feet

DATE

APRIL 2013

# Special Exception Site Plan



**LEGEND**

- SUBJECT BOUNDARY
- EXISTING TOPOGRAPHY
- EXISTING TREELINE
- PROPOSED TREELINE
- SOILS DELINEATION
- 15-25% SLOPES
- > 25% SLOPES
- EXISTING STRUCTURE
- NON-TIDAL WETLANDS LIMITS
- 20' WETLANDS BUFFER

- GENERAL NOTES**
1. THE SUBJECT SITE IS SHOWN ON TAX MAP 2 AS PARCEL 105.
  2. CURRENT ZONING IS LIGHT INDUSTRIAL.
  3. SITE AREA IS 27.528 AC.
  4. SOILS INFORMATION IS TAKEN FROM THE NEAREST SOIL SURVEY.
  5. THE SUBJECT PROPERTY IS A PART OF THE CHANEY ENTERPRISES WALDORF PLANT SITE.
  6. THE SITE IS CURRENTLY VACANT AND SPARSELY WOODED.
  7. THERE IS NO FLOODING ON THIS SITE PER FEMA FLOODPLAIN ZONING MAPS.
  8. THE SITE WILL BE MINED IN PHASES. A CONCEPTUAL MINING PLAN IS ATTACHED TO THIS SUBMITTAL.
  9. THE EXACT PART OF THE PROPOSED MINING ACTIVITY WILL BE IDENTIFIED AS FORMAL ENGINEERING PLANS ARE PREPARED.
  10. NON-TIDAL WETLAND LOCATIONS SHOWN ON THIS PLAN WERE FIELD IDENTIFIED BY THE APPLICANT IN OCTOBER 2013 AND FIELD MONITORED IN OCTOBER 2014.

**SITE SOIL SUMMARY**

SOIL SERIES	STATUS	MINING	SUBJECT STRIPABLE
RELICTILE ADIRONDACK COMPLEX	BA	PARTIALLY	NO
RELICTILE ADIRONDACK HORIZON	OB	PARTIALLY	NO
LENA AND QUINQUEDILLA SERIES	UG	PARTIALLY	NO
NOTICABLE COMPLEX	Pv	PARTIALLY	NO

**SOLTESZ**  
 WALDORF PLANT SITE  
 1507 WASHINGTON RD  
 WASHINGTON, MD 20783  
 TEL: 301-271-1000  
 FAX: 301-271-1001  
 WWW.SOLTESZ.COM

**COMMERCIAL APPLICANT**  
 CHANEY ENTERPRISES  
 WALDORF PLANT SITE  
 PARCEL 105  
 SPECIAL EXCEPTION APPLICATION

**MINING SITE PLAN**

**MESS LITTY NOTE**  
 THIS SITE IS A MINING SITE AND IS SUBJECT TO THE MESS LITTY ACT. THE APPLICANT HAS AGREED TO MAINTAIN THE MESS LITTY ACT REQUIREMENTS THROUGHOUT THE LIFE OF THE MINE AND TO RECONSTRUCT THE MINE SITE TO MEET THE MESS LITTY ACT REQUIREMENTS AT THE END OF THE MINE'S LIFE.

**SCALE**  
 1" = 100'

**DATE**  
 1/14/14