



Bureau of Environmental Health
7178 Gateway Drive Columbia, MD 21046
(410) 313-2640 Fax (410) 313-2648
TDD (410) 313-2323 Toll Free 1-866-313-6300
website: www.hchealth.org

Peter L. Beilenson, M.D., M.P.H., Health Officer

May 7, 2009

Mr. David Owens
2445 Jennings Chapel Rd.
Woodbine, MD 21797

RE: Septic odor's

Dear Mr. Owens:

Our office is in receipt of your letter/email regarding the strong septic odor's coming from 3101 Florence Road.

A site inspection was made at approximately 3:30pm on May 6th, 2009 at the above referenced property to investigate your complaint that any existing or potential septic odors may exist. This office has concluded that the homeowner at 3101 Florence Road is in compliance with his septic system and no odors were reported during our site inspection of the property.

If you have any question's to this matter at hand or any other questions, please free to contact this office at 410-313-1771.

Sincerely,

Kevin Wolf, Sanitarian
Groundwater Management Section
Howard County Health Department

From: Bert Nixon
To: Oswald, Hank; Sappington, Sara
Date: 4/29/2009 3:55 PM
Subject: Fwd: RE: Arrowwood Shepherds/ 3101 Florence Rd.

Sara and Hank

Dont recall that I have seen this previously, but if you could both check. If we previously had this, please provide an update. If this is the first, Sara see what we have on this property and have someone inspect. If you need Hanks assistance / joint inspection work that out with him.

Let me know how the plan will be processed.

Thanks

Bert

>>> Kimberley Flowers 4/29/2009 1:21 PM >>>
Mr. Owens,

Thank you for your patience. For each of the concerns you identified, please see the the name of the appropriate agency and contact person. For your convenience, I have also copied each person on this message.

#1 The Grading

DPW- Construction Inspection Division

410-313-5712

#2 Septic Odor

Howard County Health Department

Division of Environmental Health

410-313-2640

#3 The Delay Tactics and #4 Investigation

As we discussed briefly during our phone conversation, DPZ will follow the outcome of the property owner's appeal and enforce accordingly. I am glad that you are appreciative of the efforts of Mr. LaRose. He is available, should you have questions or need additional information. Additionally, please contact Steve Rolls, DPZ inspector, to share the photographs and video you mentioned. Perhaps these media will aid in his investigation. Steve can be reached at 410-313-4392 .

I hope this information helps.

Best,

Kim Flowers

From: Kimberley Flowers
Sent: Monday, April 27, 2009 4:56 PM
To: Kimberley Flowers; 'David Owens'
Cc: Tony LaRose; Candace Dodsonreed; George Beisser
Subject: RE: Arrowwood Shepherds/ 3101 Florence Rd.

Mr. Owens:

I apologize for the delay in responding. I want to be able to direct you to, not only the appropriate County agency, but also the appropriate person. I'll forward this info to you tomorrow.

Thanks for your continued patience.

Kim Flowers

From: Kimberley Flowers
Sent: Friday, April 24, 2009 5:34 PM
To: 'David Owens'
Cc: Tony LaRose; Candace Dodsonreed; George Beisser
Subject: RE: Arrowwood Shepherds/ 3101 Florence Rd.

Mr. Owens: I will contact you on Monday next week about this.

From: David Owens [<mailto:bigdavesays@aol.com>]
Sent: Tuesday, April 21, 2009 11:59 AM
To: Kimberley Flowers
Subject: Arrowwood Shepherds/ 3101 Florence Rd.

Dear Ms Flowers,

Thank you for returning my call about Arrowwood Shepherds case # BA 05-033C. Below is a summary of some of my concerns.

#1 The Grading and Lack of Enforcement

In the summer of 2008 I thought the company had a permit to grade and construct a building, it turns out it didn't. The area behind the house was full of trees. It was agreed to during testimony that "no area of the property would be clear-cut" It was and a huge area of earth was dug up. By my estimate there was a 2 acre clear-cut area. It was probably not illegal to cut down the trees but it was absolutely illegal to cut into the earth eight feet deep and two hundred by three hundred in area and then grade the dirt all around the property without silt fencing and no grading permit. All this activity can be seen using "GOOGLE EARTH". After the site was inspected I was told "There was no violation occurring" by Bob Barnett. My intelligence was offended by that response. Am I to understand that the policy of the county is "do it quick and do not get caught doing it"? Of course not, it was a violation and should be pursued. I have yet to find the person who will uphold that law. If it is not remedied, any person in the county could do the same thing and then invoke the equal protection clause in the fourteenth amendment of the United States Constitution.

#2 Septic Odor

I do not know where the septic field for that property is located, however, there has on calm days with the breeze coming from across the street been a strong septic odor. I am concerned that the grading may have taken place over the area that is the drainage for the septic. How can a business with that many customers provide for the restroom needs of twenty to forty clients on a daily basis during the weekends.

#3 The Delay Tactics

The business is in full operation in spite of a letter from Mr. LaRose dated 16 March 2009. Mr. LaRose advised me that since it is in appeal, an attempt to prevent the company from operating would likely be met in court and the county could lose. I respect and understand that. Mr. LaRose has been prompt and helpful but explained as you did he is limited in his powers. The company should be fined from the end of the thirty day period within which they were told to cease. Is that the case? I find it telling that they have in most cases waited till the end of the allowed time limit to take the required actions.

I can't help but think it is a delay tactic and the system is being played. In fact the next move I anticipate is for the company to ask for a continuance right before the hearing that has yet to be scheduled. All it will take is for their Lawyer to claim a conflict in his schedule. Can this case be fast-tracked?

#4 Investigation

I know the county does not have the money to go around checking on every conditional use issued to ensure compliance, but will your department use the photographs and video I have been taking? If no one is watching there is no proof of violation.

The approval of a Kennel is within your Jurisdiction so I would think you could ask, even tell the Animal control to count the number of dogs on this property. County prohibits more than six without a kennel licence, something they do not have. Testimony was given that they have eight dogs living in the home and the web site now advertises nine puppies for sale. Also they have an unlimited training for one price policy. This means there is no self imposed limit to the number of dogs on this property during the weekend

Sep 23, 2007

Joinings Chapel Rd
Florence Rd

3101 Florence Rd, Woodbine, MD 21797

© 2009 Tele Atlas

© 2009 Google

Imagery Date: Jun 6, 2007

39°18'14.38"N, 77°05'56.20"W

Eye alt 1099 ft



Jennings Chapel Rd

Sep 20, 2005

3101 Florence Rd, Woodbine, MD 21797

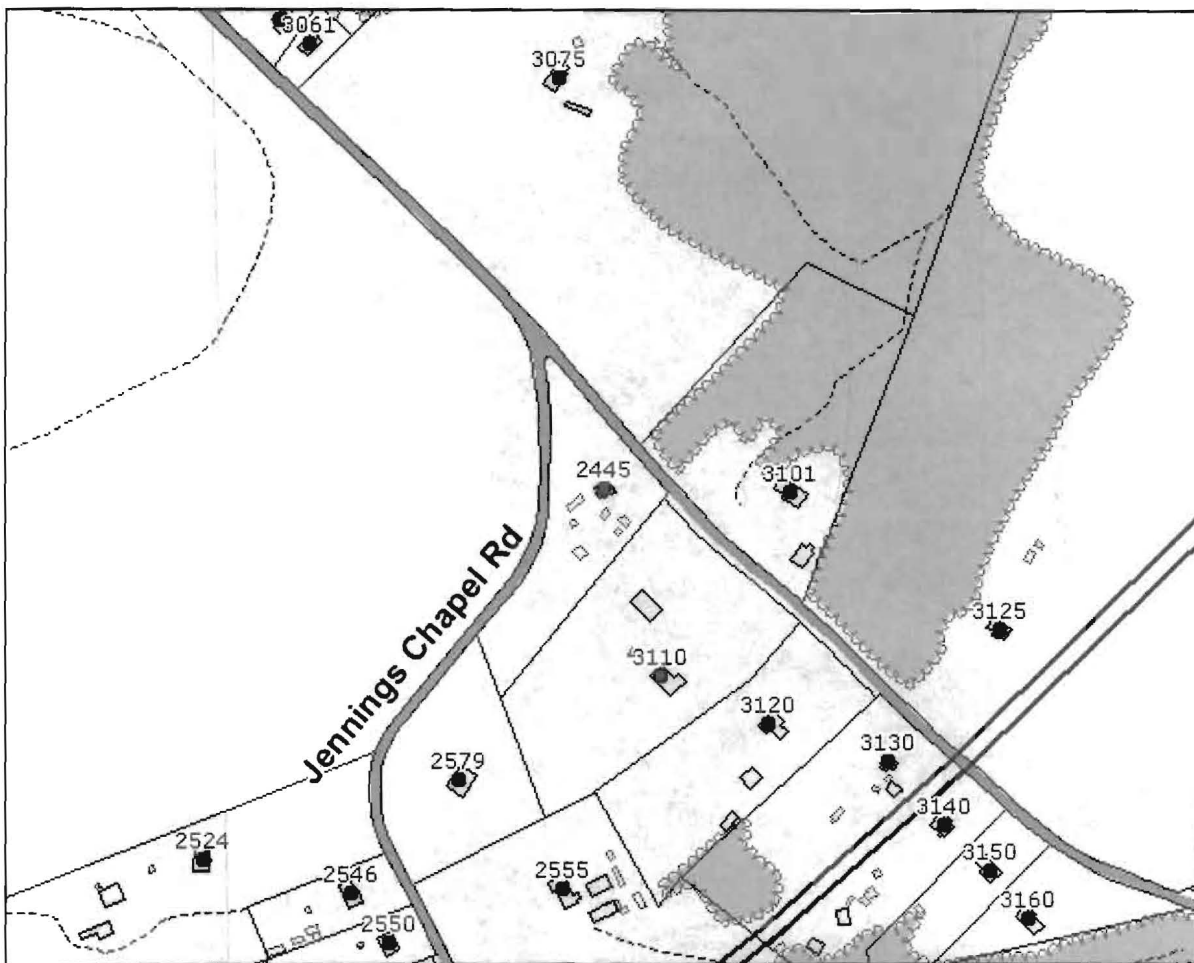
© 2009 Tele Atlas

Google

Imagery Date: Jun 8, 2005

39°18'14.38" N 77°05'56.20" W

Eye alt 1099 ft



5/6/09

Site visit made w/ Kuthiker. No apparent
 smell or odor coming from sewage. met w/
 Homeowner and he explained that the clearing
 in the back of the property is for a kennel
 to be built. Yard looked well ~~kept~~ maintained.
 No signs of dog feces or odors. (KW)