

PUBLIC NOTICE

Public hearing will be held by the Planning Commission on Monday, 16 June 2008 at 7:00 p.m. in the Elk Room, 200 Chesapeake Boulevard, Elkton, MD. Public hearing will be held by the Board of County Commissioners on Tuesday, 17 June 2008 at 2:00 p.m. in the Elk Room, 200 Chesapeake Boulevard, Elkton, MD, on the following:

TEXT AMENDMENT – CECIL COUNTY ZONING ORDINANCE

Amend Article V, Part XII, Section 153 – Rubble Landfill

Summary: Proposed language change would prohibit the disposal of coal combustion byproducts in a rubble landfill.

Amend Article V, Part XII, Section 154 – Sanitary Landfill

Summary: Proposed language would prohibit the disposal of coal combustion byproducts in a sanitary landfill.

BY: Alfred C. Wein, Jr. – County Administrator

CW: 5/28, 6/4

ARTICLE V, PART XII, SECTION 153. Rubble Landfill

[Addition]
{Deletion}

11. [g. Disposal of coal combustion byproducts shall not be permitted.]

ARTICLE V, PART XII, Section 154. Sanitary Landfill

[Addition]
{Deletion}

[4. Disposal of coal combustion byproducts shall not be permitted.]

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TEXT AMENDMENT - CECIL COUNTY ZONING ORDINANCE

Amend Article V, Part II, Section 67 – Mineral Extraction

Summary: Proposed language change to Section 67 will eliminate the use of coal combustion byproducts as reclamation materials in noncoal surface mines.

BY: Alfred C. Wein, Jr. – County Administrator

CW: 5/28, 6/4

Article V, Part II, Section 67. Mineral Extraction (2.00.100)

[Addition]
{Deletion}

1. Mineral extraction shall be permitted in the in the MEA zone provided that any mineral extraction activity in the MEA zone shall only be permitted in accordance with a site plan prepared in accordance with Section 291of this Ordinance, and shall meet the following requirements:
 - a. No excavation shall take place within 100 feet from any right-of-way line of any road.
 - b. No excavation shall take place, nor shall any slope of the natural land surface be altered as a result of said excavation, nor shall the storage of any materials take place nearer than one hundred (100) feet to any property line. This setback shall not apply where the adjoining property is used for mineral extraction.
 - c. All of the Environmental Performance Standards, except the regulations pertaining to steep slopes, in Article IX of this Ordinance are met.
 - d. Operation structures shall not be erected within two hundred (200) feet of any property line or within one hundred (100) feet of any road. The setback to adjoining property lines shall not apply where the adjoining property is used for mineral extraction or heavy industry.
 - e. A bufferyard meeting the Bufferyard Standard D in Appendix B shall be required between any operation structures and the right-of-way of any road.
 - f. Mineral extraction may be permitted in the MEA zone within the Chesapeake Bay Critical Area provided that:
 - (1) No mineral extraction activity takes place within the Buffer.

- (2) The mineral extraction activity is consistent with the Habitat Protection Program Element of the Cecil County Critical Area Program.
 - (3) The mineral extraction activity is consistent with the Mineral Resources Program Element of the Cecil County Critical Area Program.
 - (4) The requirements of the applicable Critical Area land use management area are met.
 - (5) The applicable requirements of Article XI, Part I are met.
2. Mineral Extraction may be permitted as a Special Exception in any zoning district in the MEB overlay zone provided:
- a. Excavation shall not take place within 100 feet from any right-of-way line of any road or 300 feet from any lawfully permitted residential or institutional building.
 - b. Excavation shall not take place, nor the slope of the natural land surface be altered as a result of such excavation, nor shall the storage of materials take place nearer than one hundred (100) feet to any property line.
 - c. Operation structures shall not be erected nor storage of material take place within two hundred (200) feet of any property line or one hundred (100) feet to the right-of-way line of any road.
 - d. A bufferyard meeting the Bufferyard D standard in Appendix B shall be required between any operation structures and the right-of-way of any road.
 - e. All of the Environmental Performance Standards, except the regulations pertaining to steep slopes, in Article IX of this Ordinance are met.
 - f. The use of heavy machinery for refining or processing other than for extracting, crushing, moving, washing, and screening shall be permitted only within a Heavy Industrial (M2) parent zone.
 - g. New wash plants shall not be located within the Buffer of the Chesapeake Bay Critical Area.
 - h. No mineral extraction activity takes place within the Buffer.
 - i. The mineral extraction activity is consistent with the Habitat Protection Program Element of the Cecil County Critical Area Program.
 - j. The mineral extraction activity is consistent with the Mineral Resources Program Element of the Cecil County Critical Area Program.
 - k. The requirements of the applicable Critical Area land use management area are met.

[3. The use of coal combustion byproducts, such as flyash, bottom ash, boiler slag, pozzolan, and other solid residuals removed by air pollution control devices from the flue gas and combustion chambers of coal burning furnaces and boilers including flue gas desulfurization sludge and other solid residuals from flue gas by wet or dry methods are prohibited in the reclamation of noncoal surface mines.]