

CHESAPEAKE REAL ESTATE	*	IN THE
GROUP, LLC		
1343 Ashton Road	*	CIRCUIT COURT
Suite B		
Hanover, Maryland 21202	*	FOR
Plaintiff,	*	HARFORD COUNTY
V.	*	
		C-12-CV-23-000162
HARFORD COUNTY, MARYLAND	*	CASE NO. _____
220 South Main Street		
Bel Air, Maryland 21014	*	
Serve on: Jefferson L. Blomquist	*	
County Attorney		
Harford County Law Dept.	*	
220 South Main Street		
Bel Air, Maryland	*	
Defendant.	*	
* * * * *		

MOTION FOR AFFIRMATIVE TEMPORARY RESTRAINING ORDER,
PRELIMINARY INJUNCTION, AND WAIVER OF BOND

Chesapeake Real Estate Group, LLC (“CREG”), Plaintiff, by its attorneys, Robert S. Lynch, Esquire, David S. Lynch, Esquire, and Stark and Keenan, P.A., pursuant to Maryland Rules 15-501 through 15-505, hereby moves this Honorable Court to issue an affirmative temporary restraining order against Defendant, Harford County, Maryland (“County”), ordering the County to immediately issue approvals

for CREG's Series 3 Final Development Plans, which CREG submitted to the County more than 150 days ago. In support of its Motion, Plaintiff states as follows:

1. The grounds for this Motion are set forth in the contemporaneously filed and accompanying Verified Bill of Complaint.

2. The Plaintiff, CREG, is the developer and contract purchaser of approximately 708 acres of land located in Perryman, Harford County, Maryland ("Subject Property").

3. The Defendant, Harford County, is responsible for the issuance of approvals for preliminary plans, site plans, landscaping plans, and forest conservation plans (collectively, "Development Plans").

4. CREG, as developer and contract purchaser of the Subject Property, seeks to develop five warehouse buildings totaling approximately 5,200,000 square feet, with associated parking spaces and an accessory retail service use of approximately 2,000 square feet, to be subdivided into separate lots, along with associated infrastructure at the Subject Property ("Proposed Development").

5. The majority of the Subject Property has been zoned LI since 1997, when the County classified the Subject Property as LI as part of the County's 1997 comprehensive zoning. The LI and GI zoning designation explicitly permits the development of a warehouse and accessory retail/service use at the Subject Property.

6. On December 22, 2021, CREG submitted its first series of Development Plans to the County, which included: 1) Preliminary Plan Mitchell Property Development, Plan No. 628-2021, Version I; 2) Site Plan Mitchell Property Development, Plan No. 629-2021, Version I; 3) Landscape Plan Mitchell Property Development, Plan No. 633-2021, Version 1; 4) Mitchell Property Development Forest Conservation Plan, Plan No. 630-2021, Version 1; and 5) other required documents per the County's checklist (collectively "Series 1 Development Plans").

7. Between May 24, 2022 and June 15, 2022, CREG submitted its second series of Development Plans to the County ("Series 2 Development Plans"), addressing comments received from the County on CREG's Series 1 Development Plans.

8. On August 22, 2022, CREG received technical comments from the County regarding the Series 2 Site Plan, Preliminary Plan, and Forest Conservation Plan.

9. On September 27, 2022, CREG submitted its third series of Development Plans to the County ("Series 3 Final Development Plans"), which addressed all the technical comments received from the County on the Series 1 and 2 Development Plans.

10. Without basis in law, at the direction of the County Executive, Robert G. Cassilly, the County has refused to timely process and approve CREG's Series 3 Final Development Plans, or even engage in substantive communication with CREG or its agents about the Development Plans, which CREG most recently submitted, for a third time, on, or about, September 27, 2022, one-hundred and fifty-four (154) days ago, to develop a principal permitted use under the Harford County Zoning Code.

11. As of the filing of this Complaint, CREG has expended more than two million dollars (\$2,000,000.00) in costs related to the Proposed Development of the Subject Property, including, but not limited to, the retention of professional civil engineers, traffic engineers, environmental engineers, landscape architects, professional planners, environmental consultants, market economists, stormwater management experts, and legal counsel.

12. The Series 3 Final Development Plans are complete and ready for the County to issue approvals.

13. The County has intentionally slow-walked its review of the Series 3 Final Development Plans and, without basis, has refused to issue approvals for the Series 3 Final Development Plans and failed to engage in meaningful communication with CREG regarding the plans.

14. The County's conduct violates the Harford County Zoning Code, Subdivision Regulations, and Charter and is causing enormous damage to Plaintiffs investment and property interests.

15. There exists the strong likelihood that Plaintiff will succeed on the merits of its claim.

16. Unless the County is ordered to issue approvals for the Series 3 Final Development Plans, Plaintiff will suffer immediate, substantial and irreparable injury.

17. The benefits to Plaintiff in obtaining injunctive relief are equal to or outweigh the potential harm which the County would incur if this Court grants the requested injunctive relief.

18. The issuance of a Temporary Restraining Order is in the public interest.

19. CREG also requests a waiver of the bond requirement under Md. Rule 15-503. The Defendant is a governmental entity and there is no viable claim from Defendant that damages might be incurred as a result of its issuance of approvals for the Series 3 Final Development Plans. However, CREG will suffer serious injustice if a temporary restraining order and preliminary injunction is not issued because its property and economic interests continue to be impaired every day the Defendant illegally refuses to issue approvals of the Series 3 Final Development

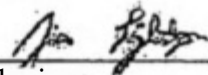
Plans. This case is one of extraordinary hardship because the County actively refuses to approve the Series 3 Final Development Plans or even engage in meaningful communication with CREG regarding the Development Plans, despite the fact that CREG has complied with every requirement under the Harford County Zoning Ordinance and Subdivision Regulations and the Series 3 Final Development Plans are complete and ready for DPZ to issue approvals.

WHEREFORE, Plaintiff respectfully requests that this Court grant it the following relief:

- A. Issue an Affirmative Temporary Restraining Order ordering the County to immediately issue approvals for CREG's Series 3 Final Development Plans;
- B. Waive the requirement for a bond;
- C. Set in a hearing on the merits of a Preliminary Injunction; and
- D. Grant any other relief as this Court deems necessary.

I solemnly affirm under the penalties of perjury that the contents of the foregoing Motion for Affirmative Temporary Restraining Order and Preliminary Injunction are true to the best of my knowledge, information and belief

CHESAPEAKE REAL ESTATE
GROUP, LLC


James Lighmizer
Managing-Member

Respectfully submitted.


Robert S. Lynch, Esquire
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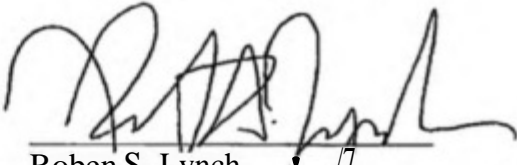

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Bel Air, Maryland 21014
Phone: (410) 879-2222
Fax: (410) 879-0688
dlynch@starkandkeen.com
Attorneys for Plaintiff

CERTIFICATE REGARDING EFFORTS
TO NOTIFY OPPOSING COUNSEL

I HEREBY CERTIFY that I made the following good faith efforts to contact opposing counsel regarding the foregoing Motion for Temporary Restraining Order, Preliminary Injunction, and Waiver of Bond:

1. On February 27, 2023 at 5:01 p.m., I contacted counsel for Defendant, Harford County, Maryland, Jefferson L. Blomquist, via email and indicated that I intended to file this Motion for Temporary Restraining Order, Preliminary Injunction, and Waiver of Bond ("Motion"). (See Correspondence, attached as Exhibit 1).

2. On February 27, 2023 at approximately 5:10 p.m., I spoke to Mr. Blomquist via telephone. During that conversation, Mr. Blomquist confirmed receipt of my email. I agreed to send Mr. Blomquist a courtesy copy of the Verified Complaint and Motion once it is filed and that I would try to schedule a hearing, if necessary, on this Motion that would accommodate both Plaintiffs and Defendant's schedule.


Roben S. Lynch
Attorney No. 82120102/9

**CHESAPEAKE REAL ESTATE
GROUP, LLC**

1343 Ashton Road
Suite B
Hanover, Maryland 21202

Plaintiff,

v.

HARFORD COUNTY, MARYLAND

220 South Main Street
Bel Air, Maryland 21014

Serve on: Jefferson L. Blomquist
County Attorney
Harford County Law Dept.
220 South Main Street
Bel Air, Maryland

Defendant.

* IN THE
* CIRCUIT COURT
* FOR
* HARFORD COUNTY

*

* CASE NO.: C-12-CV-23-000162

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PROPOSED ORDER

Upon consideration of the foregoing Motion for Affirmative Temporary Restraining Order, the Court having found that the Plaintiff, Chesapeake Real Estate Group, LLC, will suffer irreparable harm if the temporary restraining order is not issued in that Plaintiff will be irreparably damaged, and the Court having found that it is manifest that the harm to Plaintiffs will be irreparable,

It is, this _____ day of _____, 2023, at _____ a.m./p.m., by
the Circuit Court for Harford County,

ORDERED, that Defendant, Harford County, Maryland immediately issue approvals for Plaintiffs Series 3 Final Development Plans; and it is further

ORDERED, that this temporary restraining order, unless extended by further Order of this Court, shall expire on the _____ day of _____, 2023, which date is not later than 10 days after issuance; and it is further

ORDERED, that a party or any person affected by this Order may apply for a modification or dissolution of this Order on two days' notice, or on such shorter notice as the Court may prescribe, to the party who obtained this Order; and it is further

ORDERED, that a bond be waived.

Judge, Circuit Court for Harford County

**CHESAPEAKE REAL ESTATE
GROUP, LLC**

1343 Ashton Road
Suite B
Hanover, Maryland 21202

Plaintiff,

v.

HARFORD COUNTY, MARYLAND

220 South Main Street
Bel Air, Maryland 21014

Serve on: Jefferson L. Blomquist
County Attorney
Harford County Law Dept.
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Defendant.

* IN THE
* CIRCUIT COURT
* FOR
* HARFORD COUNTY

C-12-CV-23-000162

CASE NO. _____

>X< >X< >X< >X< >X< >X< >X< >X< >X< >X< >X<

**EMERGENCY VERIFIED COMPLAINT FOR WRIT OF MANDAMUS,
TEMPORARY RESTRAINING ORDER, AND PRELIMINARY AND
PERMANENT INJUNCTIVE RELIEF**

Chesapeake Real Estate Group, LLC, Plaintiff, by its attorneys, Robert S. Lynch, Esquire, David S. Lynch, Esquire, and Stark and Keenan, P.A., pursuant to Maryland Rules 15-701, and 15-501 through 15-505, files this Emergency Verified Complaint for Writ of Mandamus, Temporary Restraining Order, and Preliminary and Permanent Injunctive Relief against Harford County, Maryland, and alleges as follows:

PARTIES

1. The Plaintiff, Chesapeake Real Estate Group, LLC (“CREG”), is a Maryland limited liability company with a principal office located at 1343 Ashton Road, Suite B, Hanover, Maryland 21202. CREG is the developer and contract purchaser of approximately 708 acres of land located in Perryman, Harford County, Maryland (“Subject Property”).

2. The Defendant, Harford County, Maryland (the “County”), is a charter county and a body corporate and politic under Md. Code (2013), Local Government Article, section 10-101, *et seq.* (“Express Powers Act”), which authorizes the County to “enact local laws relating to zoning and planning to protect and promote public safety, health, morals, and welfare.” Pursuant to the Harford County Charter (“Charter”), Chapter 267 of the Harford County Code (Dec. 2008, as amended) (“Zoning Code”), and Chapter 268 of the Harford County Code (Dec. 2008, as amended) (“Subdivision Regulations”), the County is responsible for the issuance of approvals for preliminary plans, site plans, landscaping plans, and forest conservation plans (collectively, “Development Plans”).

JURISDICTION AND VENUE

3. This Court has jurisdiction over this action pursuant to Md. Code (1973, 2006 Repl. Vol.), Courts & Judicial Proceedings Article (“CJP”), sections 6-102 because the County is in the State of Maryland.

4. Venue is proper in the Circuit Court for Harford County pursuant to CJP, section 6-201 because the County is in Harford County, Maryland.

FACTS

5. This case concerns the County's illegal refusal, at the direction of the County Executive, Robert G. Cassilly, to timely process development plan applications and issue approvals, or even engage in substantive communication with CREG or its agents, regarding CREG's Development Plans for the Subject Property, which CREG most recently submitted, for a third time, on, or about, September 27, 2022, one-hundred and fifty-four (154) days ago, to develop a warehouse facility on the Subject Property, which is a principal permitted use under the Zoning Code.

6. The Subject Property is the assemblage of six parcels, consisting of approximately 708 acres, primarily zoned LI – Light Industrial, and located at Tax Map 63, Parcels 53, 62, 216, and 306. The Subject Property includes the following property addresses: 1) 1714 Perryman Road, Perryman, MD 21130; 2) Perryman Road, Perryman, Maryland 21130; 3) Fords Lane, Aberdeen, Maryland 21001; 4) 1625 Perryman Road, Aberdeen, Maryland 21001-4216; 5) Michaelsville Road, Perryman, Maryland 21130; and 6) 1607 Perryman Road, Perryman, Maryland 21130.

7. The majority of the Subject Property has been zoned LI since 1997, when the County classified the Subject Property as LI as part of the County's 1997

comprehensive zoning. The LI and GI zoning designation explicitly permits the development of a warehouse and accessory retail/service use at the Subject Property.

8. CREG, as developer and contract purchaser of the Subject Property, seeks to develop five warehouse buildings totaling approximately 5,200,000 square feet, with associated parking spaces and an accessory retail service use of approximately 2,000 square feet, to be subdivided into separate lots, along with associated infrastructure located off of Perryman Road in Perryman, Maryland (“Proposed Development”).

9. As of the filing of this Complaint, CREG has expended more than two million dollars (\$2,000,000.00) in costs related to the Proposed Development of the Subject Property, including, but not limited to, the retention of professional civil engineers, traffic engineers, environmental engineers, landscape architects, professional planners, environmental consultants, market economists, stormwater management experts, and legal counsel.

10. Ilie County’s Department of Planning and Zoning (“DPZ”) is the County’s executive agency responsible for issuing comments and approvals of Development Plans. The development review process requires other agencies within the County to review and approve the Development Plans. Those approvals are sent to DPZ, which ultimately issues the approval of the Development Plans.

11. Section 405 of the Charter provides:

(a) The Department of Planning and Zoning shall be administered by the Director of Planning....

(b) The Director of Planning shall be charged with the responsibility and duty of planning for the physical development and growth of the County, including the preparation and revision of master plans and the preparation and revision from time to time of rules and regulations governing subdivisions and **shall also be responsible for the preparation, administration, and enforcement of a zoning map and of zoning rules and regulations which shall constitute a zoning code.** All plans and maps and all rules and regulations relating to planning and zoning shall be approved by legislative act of the Council prior to their taking effect as law.

Id. (emphasis supplied).

12. Section 268-3 of the Subdivision Regulations provides: “The purpose of the Subdivision Regulations is to establish procedures and standards for the development and subdivision of land within Harford County...”

13. Section 268-19 of the Subdivision Regulations provides the submission procedure for Preliminary Plans and Site Plans: “Preliminary plans and site plans shall be submitted to the Department of Planning and Zoning for all proposed subdivisions. Preliminary plans for...commercial/industrial subdivision...shall be distributed to the members of the Development Advisory Committee for review.” *Id.*, 268-19(A)(1).

14. Section 268-19(C) of the Subdivision Regulations sets forth the County’s review and approval procedure:

(1) The Development Advisory Committee (DAC) is established to advise the Director of Planning regarding major subdivisions and other large-scale developments. Representatives from County agencies shall be members of the Development Advisory Committee. Each County agency that is represented on the Development Advisory Committee shall submit oral or written comment at each committee meeting expressing the agency's recommendation or opinion regarding each development plan reviewed by the committee. Members of State agencies and other supporting agencies in the region will be provided copies of plans and an opportunity to submit oral or written comments expressing the agency's recommendation or opinion regarding each development plan, when appropriate.

* * *

(10) Approval of the preliminary plan and/or site plan shall be set forth in a letter mailed by the Department of Planning and Zoning. This letter may include such conditions as are necessary to meet the standards of the Zoning Code, Subdivision Regulations and Chapter 131, Floodplain Management Regulations...

(11) If a forest conservation plan is required by Chapter 267, Article VI of the Harford County Zoning Code, as amended, the preliminary plan shall not be approved until the forest conservation plan has been approved by the Department of Planning and Zoning.

Id.

15. Section 268-20(A) of the Subdivision Regulations further provides that: "Prior to submission of a concept plan, preliminary plan or site plan, for any developments generating 250 or more trips per day, as determined by the most recent version of the I.T.E. Trip Generation Manual...the developer shall hold a community meeting."

16. Section 267-126(B)(3)(c)(l) of the Zoning Code (“Adequate Public Facilities”) sets forth the adequacy standards (minimum acceptable Levels of Service) related to traffic for nonresidential projects like the Proposed Development:

Developments which generate more than 249 trips per day, based on the Institute of Transportation Engineers Trip Generation Manual (current edition), shall have prepared, by the subdivider, a Traffic Impact Analysis (TIA) study to determine the Level of Service (LOS) of road intersections within the study area. The traffic study and procedures to be utilized for mitigating roadway impacts shall conform to the requirements outlined in the Harford County TIA guidelines....

Id.

17. As part of the development process for nonresidential developments, the County reviews concurrently with SHA the Traffic Impact Analysis (“TIA”) and the County ultimately issues an approval that the proposed development satisfies the County’s Adequate Public Facilities requirements.

18. The development process is structured to be a transparent process between the applicant and the County.

19. On or about July 1, 2021, CREG retained Frederick Ward Associates, Inc. (“FWA”) for the preparation of the Development Plans and other necessary plans for CREG’s Proposed Development. (*See* Affidavit of Torrence M. Pierce, President of FWA, attached as “Exhibit A,” ^4).

20. FWA provides professional civil engineering and consulting services including, but not limited to, technical engineering analyses, design and preparation of construction documents, preliminary plans, site planning, review of construction drawings, and inspection of construction site conditions. (Ex. A, 1|3).

21. On December 1, 2021, CREG, through FWA, presented the Site Plan and Preliminary Plan for CREG's Proposed Development at a community input meeting.

22. On December 13, 2021, CREG's traffic engineer submitted its TIA to the County.

23. On December 22, 2021, FWA, on behalf of CREG, submitted its first series of Development Plans to DPZ to get on the DAC agenda for January 19, 2022. These Development Plans included: 1) Preliminary Plan Mitchell Property Development, Plan No. 628-2021, Version 1; 2) Site Plan Mitchell Property Development, Plan No. 629-2021, Version 1; 3) Landscape Plan Mitchell Property Development, Plan No. 633-2021, Version 1; 4) Mitchell Property Development Forest Conservation Plan, Plan No. 630-2021, Version 1; and 5) other required documents per the County's checklist (collectively "Series 1 Development Plans").

24. The DAC, consisting of various county agencies, reviewed the Series 1 Development Plans. At the DAC public meeting of January 19, 2022, the following County agencies issued comments on CREG's Series 1 Development

Plans: Department of Public Works Water (“DPW”) Water and Sewer Division, DPW Sediment Control Division, DPW Highway Engineering Division, DPW Stormwater Management Division, Harford Soil Conservation District, Fire and Emergency Management Services, Emergency Services Operation, Harford County Health Department, Maryland Department of Transportation State Highway Administration (“SHA”) (letter indicating that comments were not yet ready), and DPZ.

25. On March 4, 2022, CREG received its first generation of comments from the County regarding its TLA.

26. On March 18, 2022, CREG received comments from SHA regarding its TIA.

27. On or about May 24, 2022, FWA, on behalf of CREG, submitted to DPZ the: 1) Series 2 Preliminary Plan Mitchell Property Development, Plan No. 628-2021, Version 2; and 2) Series 2 Site Plan Mitchell Property Development, Plan No. 629-2021, Version 2, both of which addressed the County’s comments on the Series 1 Preliminary and Site Plans.

28. On June 2, 2022, FWA, on behalf of CREG, submitted to DPZ the Series 2 Landscape Plan Mitchell Property Development, Plan No. 633-2021, Version 2, addressing the County’s comments on the Series 1 Landscape Plan.

29. CREG's traffic engineer submitted its Version 2 TIA and Point-by-Point response to the County and SHIA on, or about, June 2, 2022, addressing comments received on the TIA.

30. On June 15, 2022, FWA, on behalf of CREG, submitted to DPZ the Mitchell Property Development Forest Conservation Plan, Plan No. 630-2021, Version 2, addressing comments received from the County on the Forest Conservation Plan, Version 1. (May 24, 2022 – June 15, 2022 FWA submissions set forth herein in paragraphs 27, 28, and 30, collectively "Series 2 Development Plans").

31. On July 18, 2022, CREG and the County received comments from SHA regarding the Version 2 TIA.

32. On August 11, 2022, CREG received comments from the County regarding its Version 2 TIA and Point-by-Point response to SHA.

33. On August 22, 2022, CREG received technical comments from DPZ regarding the Series 2 Site Plan, Preliminary Plan, and Forest Conservation Plan. (DPZ Series 2 Comments attached as "Exhibit B").

34. On September 27, 2022, FWA, on behalf of CREG, submitted to DPZ the: 1) Series 3 Preliminary Plan Mitchell Property Development, Plan No. 628-2021, Version 3; 2) Series 3 Site Plan Mitchell Property Development, Plan No. 629-2021, Version 3; 3) Series 3 Landscape Plan Mitchell Property Development,

Plan No. 633-2021, Version 3; 4) Mitchell Property Development Forest Conservation Plan, Plan No. 630-2021, Version 3; and 5) other required plans (collectively, Series 3 Final Development Plans”), all of which addressed all the technical comments received from the County on the Series 1 and 2 Development Plans. (Ex. A., 1J10).

35. On or about September 28, 2022, CREG submitted a Revised Version 3 TIA to SHA and the County addressing all comments received from SHA and the County. *Id.*

36. On November 10, 2022, CREG and the County received SHA’s comments on CREG’s Revised TIA.

37. Prior to the submission of the Series 3 Final Development Plans and Revised TIA, FWA and/or CREG had been involved in ongoing discussions with all County agencies concerning CREG’s Proposed Development. As part of the development review process, prior to the submission of the Series 3 Final Development Plans, extensive interaction via meetings, e-mails and telephone calls took place between FWA staff and the County’s plans reviewers. (Ex. A, ^9).

38. On December 5, 2022, County Executive Cassilly was sworn into office.

39. As of the date of this Verified Complaint, neither FWA nor CREG have received any comments from DPZ on the Series 3 Final Development Plans or the revised Traffic Impact Study. (Ex. A, ^11, 15, 18).

40. CREG's traffic engineer, in his TLA, has certified that the Proposed Development satisfies all Adequate Public Facility traffic requirements.

41. On January 4, 2023, DPZ's Traffic Planner, Alex Rawls, confirmed to FWA that DPZ has received all documents necessary from CREG, but indicated that the traffic component remains under review. (Ex. A, ^12).

42. On or about January 18, 2023, Shane Grimm, the Director of DPZ advised FWA that if FWA or CREG wanted any movement on the Preliminary Subdivision Plan and Site Plan, then FWA or CREG would have to reach out directly to the County Executive. (Ex. A, ^13).

43. On February 17, 2023, FWA reached out via email to Mr. Rawls requesting an update on DPZ's review of the TIA. (Ex. A, ^14).

44. On February 21, 2023, Mr. Grimm called Mr. Pierce in response to FWA's inquiry to Mr. Rawls on February 17, 2023. Mr. Grimm advised Mr. Pierce that the traffic component is still under review. Mr. Grimm would offer no further comments or a timeline for the County's TIA approval. (Ex. A, ^15).

45. In December 2022 and continuing into January 2023, James Lighthizer, Managing Member of CREG, reached out directly to the County

Executive's office to meet regarding the County's inaction on the Development Plans approval. The County Executive has refused to meet with CREG regarding its Development Plans.

46. The following agencies have reviewed and approved the Series 3 Final Preliminary Plan and Site Plan: 1) DPZ Historic Preservation (Approved Oct. 4, 2022); 2) DPW Water and Sewer (Approved Oct. 11, 2022); 3) Health Department (Approved Oct. 12, 2022); 4) DPZ Agricultural Preservation (Approved Oct. 31, 2022); 5) DPW Engineering (Approved Nov. 18, 2022); 6) DPW Stormwater Management (Approved Nov. 18, 2022); 7) DPW Highways (Approved Nov. 23, 2022); 7) DPZ Environmental (Approved December 14, 2022); 8) and Emergency Operations (Approved January 5, 2023). CREG obtained this information from the online Harford County ePermit Center, which simply indicates that the above-referenced agencies approved the Series 3 Final Preliminary and Site Plans. Any comments which may have been associated with the agency approvals are not available through the ePermit Center, nor has the County provided CREG with any official agency comments on the Series 3 Final Preliminary and Site Plans, if any. No other agency is required to review and approve the Series 3 Preliminary and Site Plans prior to DPZ's issuance of its approval.

47. The following agency has reviewed and approved the Series 3 Final Landscape Plan: 1) DPW Water and Sewer (Approved Oct. 11, 2022). CREG

obtained this information from the online Harford County ePermit Center, which simply indicates that the above-referenced agencies approved the Series 3 Final Landscape Plan. Any comments which may have been associated with the agency approvals are not available through the ePermit Center, nor has the County provided CREG with any official agency comments on the Series 3 Final Landscape Plan, if any. No other agency is required to review and approve the Series 3 Final Landscape Plan prior to DPZ's issuance of its approval.

48. On or before January 4, 2023, the DPZ Planner assigned to the Proposed Development, Crysta Drayer, submitted her comments on the Series 3 Final Development Plans to Milton D. Davenport, Deputy Director of DPZ, for his review and approval.

49. As of February 6, 2023, Ms. Drayer confirmed that her comments remained "under review" by Mr. Davenport.

50. The Series 3 Final Development Plans are complete and ready for DPZ to issue approvals. (Ex. A, U[7]).

51. Despite numerous inquiries, there has yet to be any meaningful communication between Harford County officials and FWA/CREG concerning the status of the Series 3 Final Development Plans approvals. (Ex. A, U[8]).

52. DPZ and the County is intentionally not processing or reviewing the Series 3 Final Development Plans and has no intent to issue the Series 3 Final

Development Plans pursuant to County Law. For example, the County has not issued to CREG or FWA any comments regarding the Series 3 Final Development Plans. *See id.*

53. Indeed, rather than process and approve the Series 3 Final Development Plans, which have been before the County for approximately 154 days, on February 14, 2023, the County Executive, through Council President Vincenti, introduced legislation to the County Council of Harford County, Maryland (“Council”) seeking to “create a six-month moratorium on the issuance of any approvals or permits for any development of any warehousing and wholesaling, processing, distribution and local delivery facilities on property zoned Village Business District – VB, General Business District – B3, Commercial Industrial District – CI, **Light Industrial District – LI** and General Industrial District – GI in Harford County so that Harford County Government can study and reconsider its zoning and development regulations with respect to such facilities.” (Bill No. 23-005 attached as “Exhibit C”) (emphasis supplied).

54. Prior to the introduction of his proposed moratorium legislation, County Executive Cassilly issued the following press release:

“This proposed legislation would put a six-month hold on any approvals or permits on warehousing and distribution facilities in Harford County. This pause will allow my administration necessary time to study the zoning and development regulations concerning mega-warehouses and their placement within the County”, County Executive Cassilly said.

“Today’s mega-warehouses and distribution centers did not exist when our zoning code was written, and it’s critical that we evaluate their potential impacts on our community, economy, and natural environment.”

(Cassilly Press Release attached as “Exhibit D”) (emphasis supplied).

55. Bill No. 23-005, as introduced, includes, without basis, the following clause which directly implicates the Proposed Development: “WHEREAS, there are additional public health, safety and welfare concerns with respect to large warehouse complexes located on the Perryman peninsula, which contains large parcels of undeveloped property zoned CI and LI...”

56. The Council has not adopted or enacted Bill No. 23-005.

57. The mere introduction of a moratorium bill does not absolve the County from their legal responsibility to timely and efficiently process and approve CREG’s Series 3 Final Development Plans.

58. Nothing in the Zoning Code, Subdivision Regulations, or Maryland law authorizes the County to delay and refuse to issue approvals for CREG’s Development Plans simply because County Executive Cassilly introduced a moratorium bill targeting the Proposed Project.

59. CREG, as the developer and contract purchaser of the Subject Property, has the legal right to rely upon the County to faithfully adhere to the development process codified in the Zoning Code and Subdivision Regulations.

60. Without legal basis, and in contravention of the Zoning Code, Subdivision Regulations, and Charter, the County has purposely and intentionally slow-walked the approval of CREG's Series 3 Final Development Plans and has stonewalled CREG and its agents from any meaningful communication regarding the timing for the Development Plan Approvals.

61. In over 34 years of civil engineering practice in Harford County and having worked on countless commercial developments in Harford County, Mr. Pierce testified that no other project of which FWA has designed has experienced such an exorbitant time delay in receiving comments and approvals. Mr. Pierce further testified that in his years of experience in Harford County, it is not typical for it to take so long to receive a response from the County concerning a TIA submission, which received SHA comments months ago. (Ex. A, H¹⁶⁻¹⁷).

COUNT I- MANDAMUS

62. Plaintiff incorporates by reference each of the factual allegations set forth in the Complaint.

63. The County has a clear duty to review, consider, and issue approvals for CREG's Series 3 Final Development Plans.

64. The Series 3 Final Development Plans are complete and ready for DPZ to issue approvals.

65. The County has taken an inordinate amount of time and has consistently failed to complete its review of the TIA and issue approvals of the Development Plans.

66. Since the submission of the Series 3 Final Development Plans, the County has refused to engage in any discussion, dialogue, or otherwise provide feedback to CREG or FWA regarding traffic or any other aspect of the Development Plans.

67. Since the submission of the Series 3 Final Development Plans, the development process, which is intended to be transparent between the applicant and the County, has unnecessarily and unreasonably become adversarial.

68. Plaintiff has a plain and clear right to have its Series 3 Final Development Plans approved because it has satisfied all requirements to obtain such approvals pursuant to the Zoning Code and Subdivision Regulations.

69. Plaintiff has no adequate remedy by which it can obtain its right to the County's approvals of the Series 3 Final Development Plans, which would allow Plaintiff to proceed to the next phase of the development process for the Subject Property.

WHEREFORE, Plaintiff demands that a Writ of Mandamus be issued by this Court ordering the County to process and approve the Series 3 Final Development Plans.

**COUNT II- REQUEST FOR AFFIRMATIVE TEMPORARY
RESTRAINING ORDER**

70. Plaintiff incorporates by reference each of the factual allegations set forth in the Complaint.

71. The Series 3 Final Development Plans are complete and ready for DPZ to issue approvals.

72. The County has intentionally slow-walked its review of the Series 3 Final Development Plans and, without basis, has refused to issue approvals for the Series 3 Final Development Plans and failed to engage in meaningful communication with FWA/CREG regarding the plans.

73. The County's conduct violates the Zoning Code, Subdivision Regulations, and Charter and is causing enormous damage to Plaintiff's investment and property interests.

74. There exists the strong likelihood that Plaintiff will succeed on the merits of its claim.

75. Unless the County is ordered to issue approvals for the Series 3 Final Development Plans, Plaintiff will suffer immediate, substantial and irreparable injury.

76. The benefits to Plaintiff in obtaining injunctive relief are equal to or outweigh the potential harm which the County would incur if this Court grants the requested injunctive relief.

77. The public interest is best served by granting the injunction.

78. Plaintiff requests that this Court issue an Order granting Plaintiff a temporary restraining order in accordance with Maryland Rule 15-504 and ordering the County to immediately issue approvals for the Series 3 Final Development Plans.

WHEREFORE, Plaintiff respectfully requests that this Court grant their request for a Temporary Restraining Order.

**COUNT m- REQUEST FOR AFFIRMATIVE PRELIMINARY
INJUNCTION**

79. Plaintiff incorporates by reference each of the factual allegations set forth in the Complaint.

80. The Series 3 Final Development Plans are complete and ready for DPZ to issue approvals.

81. The County has intentionally slow-walked its review of the Series 3 Final Development Plans and, without basis, has refused to issue approvals for the Series 3 Final Development Plans.

82. The County's conduct violates the Zoning Code, Subdivision Regulations, and Charter, and is causing enormous damage to Plaintiffs investment and property interests.

83. There exists the strong likelihood that Plaintiffs will succeed on the merits of their claim.

84. Unless the County is ordered to issue approvals for the Series 3 Final Development Plans, Plaintiff will suffer immediate, substantial and irreparable injury.

85. The benefits to Plaintiff in obtaining injunctive relief are equal to or outweigh the potential harm which the County would incur if this Court grants the requested injunctive relief.

86. The public interest is best served by granting the injunction.

87. Plaintiff requests that this Court issue a preliminary injunction in accordance with Maryland Rule 15-505 and order the County to immediately issue approvals for the Series 3 Final Development Plans until this Court rules on Plaintiffs request for a permanent injunction.

WHEREFORE, Plaintiff respectfully requests that this Court grant its request for a Preliminary Injunction.

COUNT IV – REQUEST FOR AFFIRMATIVE PERMANENT INJUNCTION

88. Plaintiffs incorporate by reference each of the factual allegations set forth in the Complaint

89. The Series 3 Final Development Plans are complete and ready for DPZ to issue approvals.

90. The County has intentionally slow-walked its review of the Series 3 Final Development Plans and, without basis, has refused to issue approvals for the Series 3 Final Development Plans.


91. The County's conduct violates the Zoning Code, Subdivision Regulations, and Charter, and is causing enormous damage to Plaintiff's investment and property interests.

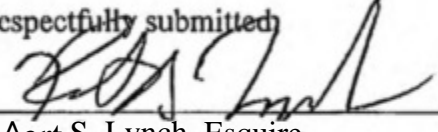
92. Plaintiff requests that this Court issue a permanent injunction in accordance with Maryland Rule 15-505 and order the County to immediately issue approvals for the Series 3 Final Development Plans.

WHEREFORE, Plaintiff respectfully requests that this Court grant their request for a Permanent Injunction and order that Defendants immediately issue approvals for the Series 3 Final Development Plans.

I solemnly affirm under the penalties of perjury that the contents of the foregoing Complaint are true to the best of my knowledge, information and belief

CHESAPEAKE REAL ESTATE
GROUP, LLC


James LightXizer
Managing Member

Respectfully submitted

Robert S. Lynch, Esquire
Attorney No. 8212010279
Stark and Keenan, P.A.
30 Office Street
Bel Air, MD 21014
(410) 879-2222 / (410) 838-5522
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dlynch@starkandkeenan.com
Attorneys for Plaintiff

PAUL JOHN CISAR, et al. * IN THE
Plaintiffs, * CIRCUIT COURT
v. * FOR
F.O. MITCHELL & BRO, et al. * HARFORD COUNTY
Defendants. *
* CASE NO.: C-12-CV-22-000888
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AFFIDAVIT OF TORRENCE M. PIERCE

I, TORRENCE M. PIERCE, do solemnly swear, under penalty of perjury and upon personal knowledge, that the following statements are true and correct:

1. I am over 18 years old and am competent to testify.
2. I am a licensed Professional Civil Engineer and have been for over 34 years.
3. I am the President of Frederick Ward Associates, Inc. ("FWA"), a business that provides civil engineering and consulting services including, but not limited to, technical engineering analyses, design and preparation of construction documents, preliminary plans, site planning, review of construction drawings, and inspection of construction site conditions.
4. On or about July 1, 2021, Chesapeake Real Estate Group, LLC ("CREG") retained FWA for the preparation of a Site Plan and Preliminary Plan with regard to the Mitchell property situated in Perryman consisting of 700 acres. The purpose of the Site



Plan and Preliminary Plan is to seek Harford County approvals for the construction and development of a warehouse facility which is allowed as a principal permitted use in the Harford County LI (Light Industrial) Zoning District.

5. The Community Input Meeting, as required by the Harford County Development Regulations, took place on December 1, 2021.

6. Subsequent to that meeting a Preliminary Plan and Site Plan (collectively referred to as the Plans) was submitted to Harford County for its review and approval.

7. The Plans were reviewed by the Development Advisory Committee on January 19, 2022 and comments were generated by Harford County to FWA..

8. Among the additional plans which have been submitted to date includes the Forest Conservation Plan, Forest Stand Delineation Plan, Landscaping Plan, and Concept Storm Water Management Plans.

9. Since the date of the initial submission of plans there had been ongoing discussions with all County agencies concerning this proposed development. As part of the development review process extensive interaction via meetings, e-mails and telephone calls took place between FWA staff and Harford County plans reviewers.

10. On or about September 27, 2022 and September 28, 2022 (Revised), the final Series in Plan was submitted to Harford County addressing all comments that had been raised by the various County agencies and the State Highway Administration.

11. As of the date of this Affidavit no comments have been received by FWA from Harford County Department of Planning & Zoning on the Series III Plan.

12. On January 4, 2023, the Department of Planning and Zoning Traffic Planner, Alex Rawls, confirmed with FWA that he has received all documents necessary for the Traffic Impact Analysis (TIA) review but was unable to say when this review will be complete.

13. Upon further inquiry with Shane Grimm, the Director of Planning & Zoning, concerning the status of the TIA plan review, I was advised on or about January 10, 2023 that if FWA or Chesapeake wanted the Preliminary Plan and Site Plans processed they had to reach out to the County Executive.

14. On February 17, 2023 at 2:30 p.m., I again reached out via e-mail to Alex Rawls again requesting an update on the Department of Planning & Zoning's TIA review.

15. On February 21, 2023, Shane Grimm called me in response to my inquiry to Alex Rawls and advised me that the traffic component is still under review. He would not offer further comments or a time line for TIA approval.

16. I have worked in Harford County for over 34 years designing commercial and industrial projects. I have never experienced such a delay in securing traffic comments on a third submittal of a TIA.

17. Based on my information and belief the Site Plan and Preliminary Plans are complete and ready for the Department of Planning & Zoning to issue Preliminary Plan and Site Plan Approval.

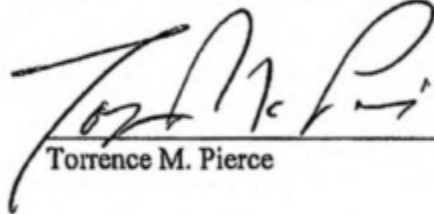
18. There has yet to be communication between Harford County officials and

me or any member of my staff after numerous inquiries concerning the status of the Plans. It is my belief that the Department of Planning & Zoning is intentionally not processing or reviewing the Plans and has no intent to issue the Preliminary Plan or Site Plan Approval pursuant to County law.

I SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE FOREGOING AFFIDAVIT ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Date

2/28/23


Torrence M. Pierce

Barry Glassman
HARFORD COUNTY EXECUTIVE



Jenny B. Jarkowski
DIRECTOR OF PLANNING & ZONING

August 22, 2022

Gerry Powell
Frederick Ward Associates, Inc.
P.O. Box 727
Bel Air, MD21014

Re: Mitchell Property Development
Preliminary Plan, P628-2021 Version 2
Site Plan, S629-2021 Version 2
Landscape Plan, L633-2021 Version 2

Dear Mr. Powell:

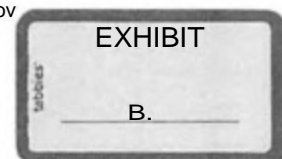
The Department of Planning and Zoning has reviewed the submitted Preliminary Plan, Site Plan, and Landscape/Lighting Plan (P628-2021 Version 2, S629-2021 Version 2, L633-2021 Version 2). The plans, as presented, cannot be approved at this time. Pursuant to the following comments the Harford County Department of Planning and Zoning requests revised versions of the Preliminary Plan, Site Plan, and Landscape/Lighting Plan.

The following are comments that must be addressed via a new version of the Preliminary Plan:

- The FIDS line is incorrectly shown on sheet 5 (it should line up with the edge of the forest), and part of the proposed road is inside the FIDS area.
- The Critical Area Expanded Buffer (CAEB) is incorrectly shown in some areas (it should always be 200 feet from the shoreline).
- There is a non-bold CAEB line on sheet 3 that should be removed.
- The delineation of the Forest Retention Area needs to be improved. It currently only depicts a proposed tree line and occasional arrows showing "existing forest to remain". It should be shown as it is on the FCP, with the whole FRA clearly shaded.
- The property address in the Site Development Data is misspelled.
- Under the Site Development Data, the total impervious surface coverage values given for Lot 1 and Lot 2 do not match the values presented in the calculations.
- An approximately 400' long section of Road B is presently drawn on the plan in a way that would traverse a section of the critical area, (see attached) This portion of the Critical Area is mapped by the Maryland Department of Natural Resources Wildlife and Heritage Service as containing Forest Interior Dwelling Species. The Chesapeake Bay Critical Area Code has been amended by the County Council to conform to COMAR and guidance from the Critical Area Commission. The new regulations prohibit clearing in areas of Forest Interior Dwelling Species in the Critical Area. The plan must be redesigned to remove Road B from the Critical Area. We understand from a separate discussion about the TIA

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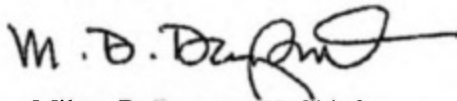


The following are comments that must be addressed via a new version of the Landscape/Lighting Plan:

- The delineation of the Forest Retention Area needs to be improved. It currently only depicts a proposed tree line and occasional arrows showing "existing forest to remain". It should be shown as it is on the FCP, with the whole FRA clearly shaded.
- The property address in the Site Development Data is misspelled.
- Under the Site Development Data, the total impervious surface coverage values given for Lot 1 and Lot 2 do not match the values presented in the calculations.
- The following errors in Plant Counts/Cost Estimates:
 - For the Canning House Road Landscaping:
 - Plan states 102 QR and 88 TA, 81 QR and 58 TA were counted
 - For the Parcel F Cost Estimate:
 - Estimate states 63 large trees, 65 were counted
 - Estimate states 227 shrubs, 226 were counted
 - For Loti:
 - Street Trees: Plan states 78 TA, 69 TA were counted
- The buffer note details often incorrectly reference a buffer between B3 and CI.
- An approximately 400' long section of Road B is presently drawn on the plan in a way that would traverse a section of the critical area, (see attached) This portion of the Critical Area is mapped by the Maryland Department of Natural Resources Wildlife and Heritage Service as containing Forest Interior Dwelling Species. The Chesapeake Bay Critical Area Code has been amended by the County Council to conform to COMAR and guidance from the Critical Area Commission. The new regulations prohibit clearing in areas of Forest Interior Dwelling Species in the Critical Area. The plan must be redesigned to remove Road B from the Critical Area. We understand from a separate discussion about the TIA that the facility will be "non-sort" for the purposes of determining trip generation under ITE. In this discussion we came to understand that the quantity of parking shown on the plan well exceeds what is necessary for non-sort facilities. We anticipate a redesign of Road B will benefit from the recognition that less parking is needed.

If you have any questions regarding this matter, please contact the Department of Planning and Zoning at (410) 638-3103.

Sincerely,



Milton D. Davenport
Development Review

MDD: CD/cd

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 23-005

Introduced by Council President Vincenti at the request of the County Executive
Legislative Day No. 23-005 Date: February 14, 2023

AN EMERGENCY ACT to create a six-month moratorium on the issuance of any approvals or pennits for any development of any warehousing and wholesaling, processing, distribution and local delivery facilities on property zoned Village Business District - VB, General Business District - B3, Commercial Industrial District - CI, Light Industrial District - LI and General Industrial District - GI in Harford County so that Harford County Government can study and reconsider its zoning and development regulations with respect to such facilities.

By the Council, February' 14, 2023

Introduced, read first time, ordered posted and public hearing scheduled:

on: March 14, 2023

at: 6:00 PM

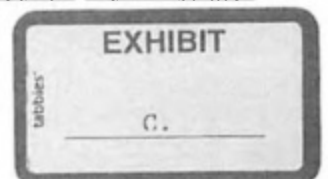
By Order: *Mylia A. Dixon*, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____, and concluded on _____.

_____, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.



BILL NO. 23-005

1 WHEREAS, there is concern about the development of large warehouse facilities on the
2 remaining undeveloped property zoned Village Business District - VB, General Business District
3 - B3, Commercial Industrial District - CI, Light Industrial District - LI and General Industrial
4 District - GI in Harford County; and

5 WHEREAS, there is concern about warehousing being combined with wholesaling,
6 processing, distribution and local delivery in the Table of permitted uses in the Zoning Code; and

7 WHEREAS, large warehouse facilities ideally require connectivity with arterial roads via
8 major collector roads to properly service such facilities without significantly, and detrimentally
9 impacting existing residential roads and community uses; and

10 WHEREAS, the nature and impact of modern warehousing facilities is significantly
11 different than the Zoning Code could have anticipated Warehousing uses that are permitted by
12 right; and

13 WHEREAS, large warehouse facilities promote in the way of jobs and meaningful
14 economic growth and development for the local communities where such facilities are located;
15 and

16 WHEREAS, the owners of large warehouse facilities have been known to curtail the use
17 of such facilities after development as such owners do not have significant economic ties to the
18 locality where such facilities are located; and

19 WHEREAS, the remaining undeveloped properties zoned VB, B3, CI, LI and GI,
20 whether located in the Interstate 95 – Route 40 corridor or elsewhere in the County are a
21 valuable resource for meaningful economic development within Harford County; and

22 WHEREAS, the 2016 Master Plan calls for the development of a corridor capacity
23 management and preservation review that coordinates land use and transportation decisions that
24 has not been satisfactorily concluded; and

25 WHEREAS, there are additional public health, safety and welfare concerns with respect
26 to large warehouse complexes located on the Perryman peninsula, which contains large parcels

of undeveloped property zoned CI and LI, including:

- A. The 2016 Master Plan identifies the need for traffic safety and congestion relief studies to inform decision making and identify practical alternatives for improving conditions and the development of a corridor capacity management and preservation program, neither of which has been completed; and
- B. The peninsula contains a large aquifer complex that supplies potable drinking water for the County and consideration is required as to how large expanses of impervious surface will impact the recharge of such aquifer complex; and
- C. Whereas the peninsula is home to the Bush River watershed and large expanses of impervious surface may adversely impact this Chesapeake Bay tributary watershed; and
- D. The primary access road to the peninsula has insufficient transportation capacity to service existing development and the traffic associated with large warehouse development; and

WHEREAS, the citizens of Harford County have been petitioning and requesting their Harford County elected officials to reconsider its zoning and development laws with respect to large warehouse facilities;

WHEREAS, the Harford County Council introduced and unanimously adopted Bill No. 22-003, which provided for a moratorium on development of buildings for either a business or industrial use on the Perryman Peninsula, which was vetoed by County executive Glassman; and

WHEREAS, Harford County government desires to comprehensively study and reconsider how the development of warehousing and wholesaling, processing, distribution and local delivery facilities impact existing infrastructure and enhance the economic development of the County, and

WHEREAS, Harford County government desires to reconsider its zoning and development laws and regulations with respect to the development of warehouse facilities within Harford County;

1 WHEREAS, this moratorium does not apply to other principally permitted uses where
2 warehousing and wholesaling, processing, distribution and local delivery is an accessory to the
3 principal use of the property;

4 NOW THEREFORE,

5 Section 1. Be It Enacted by The County Council of Harford County, Maryland that there be
6 and hereby is a temporary moratorium on the issuance of any approvals or permits for any
7 development of any warehousing and wholesaling, processing, distribution and local delivery
8 facilities so that Harford County Government can study and reconsider its zoning and
9 development regulations with respect to such facilities.

10 Section 2. And Be It Further Enacted that this Bill is adopted as emergency legislation to meet
11 emergencies affecting public health, safety and/or welfare. The exigencies that support adoption as
12 emergency legislation include, in addition to the factors set forth in the recitals, the following:

13 A. The compatibility of large warehouse development projects in various phases of planning
14 has been a topic of intense public debate for over one year and remains unresolved. In fairness to all
15 stakeholders, the applicable regulatory regime should be studied and adjustments should be made so
16 that development, transportation, historical, environmental, economic and community needs are
17 balanced in a manner that best serves the health, safety and welfare interests of the citizens of the
18 County.

19 B. Such projects will have immediate and long-term effects and impacts to transportation
20 safety along the existing road network impacted by such projects.

21 C. Such projects will have immediate and long-term quality-of-life impacts on existing
22 residential communities and businesses along the Interstate Route 95 and Route 40 corridor
23 and in other locations where there are undeveloped properties in VB, B3, C1, LI or GI
24 zoning districts. Additionally, such incompatible development could have economic and
25 quality-of-life or loss-of-welfare impacts on such communities and existing businesses.

1 D. Such projects in the Interstate Route 95 and Route 40 corridor will have immediate and
2 long-term quality of life impacts on the military community and businesses on and
3 servicing military projects on the Aberdeen Proving Ground, which has been a long-term
4 partner with the County and has impacted economic and community development within
5 the County for generations. Additionally, such incompatible development could have
6 economic and quality of life loss/welfare impacts on such military community ap'd County
7 businesses that service military endeavors housed on the Aberdeen Proving Ground.

8 E. Inappropriate development of warehousing and wholesaling, processing, distribution and
9 local delivery facilities could detrimentally impact the Chesapeake Bay watershed and have
10 other detrimental immediate and long-term environmental impacts.

11 Section 3. And Be It Further Enacted that, as emergency legislation, this Act shall lake effect
12 on the date it becomes law.

13 Section 4. And Be It Further Enacted that in the event the emergency nature of this Act is
14 effectually challenged, this Act shall take effect 60 calendar days from the date it becomes law.

EFFECTIVE:

*The Council Administrator does hereby certify that
seven (1) copies of this Bill are immediately available for
distribution to the public and the press.*

Mylin A. Dixon

Council Administrator



Robert G. Cassilly

– Harford County Executive –

FOR IMMEDIATE RELEASE

February 1, 2023

For more information, contact:

Sam Kahl

Public Information Officer

667-201-8987

sikahl@harfordcountymd.gov

Harford County Executive Cassilly Proposes Temporary Moratorium on New Warehouses

BEL AIR, Md., (Feb. 1, 2023) – Harford County Executive Bob Cassilly on Wednesday announced legislation that would impose a six-month moratorium on approvals or permits for warehouse developments in Harford County:

"This proposed legislation would put a six-month hold on any approvals or permits on warehousing and distribution facilities in Harford County. This pause will allow my administration necessary time to study the zoning and development regulations concerning mega-warehouses and their placement within the County", County Executive Cassilly said. "Today's mega-warehouses and distribution centers did not exist when our zoning code was written, and it's critical that we evaluate their potential impacts on our community, economy, and natural environment."

The County Executive's proposed legislation will be introduced to the County Council for further consideration.

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