

IN THE MATTER OF
GAMBRILL FARMS TWO, LLC
APPLICANT/LEGAL OWNER
VINCENT FARM PROPERTY

RE: DEPRM FOREST BUFFER
TRACKING NO.: 06-09-888

* BEFORE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO.: CBA-10-007 AND
* CASE NO.: CBA-10-008
*

* * * * *

ORDER OF DISMISSALS

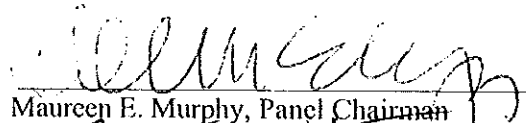
This matter comes to this Board on appeals from the July 1, 2009 decision letter from Jonas A. Jacobson, Director of the Department of Environmental Protection and Resource Management for Baltimore County.

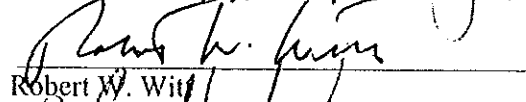
WHEREAS, the Board is in receipt of a joint letter of dismissal of the appeals filed by G. Scott Barhight, Esquire, on behalf of the Appellant/Legal Owner, Gambriell Farms Two, LLC, case number CBA-10-008; and J. Carroll Holzer, Esquire, on behalf of the Vincent Farm Bird River Neighborhood Association, et. al., case number CBA-10-007 (a copy of which is attached hereto and made a part hercof); and.

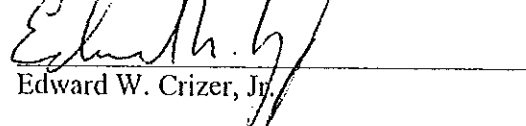
WHEREAS, said counsel request that the appeals taken in the instant matter be withdrawn and dismissed with prejudice as of February 4, 2010;

IT IS ORDERED this 17th day of February, 2010 by the Board of Appeals of Baltimore County that the appeals taken in Case No. CBA-10-007 and CBA-10-008 be and are hereby **DISMISSED WITH PREJUDICE.**

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Panel Chairman


Robert W. Witt


Edward W. Crizer, Jr.

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WHITEFORD, TAYLOR & PRESTON L.L.P.

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BALTIMORE COUNTY
BOARD OF APPEALS

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February 9, 2010

Via First Class Mail and Facsimile
 Maureen Murphy, Esquire, Chair
 Board of Appeals of Baltimore County
 Jefferson Building, Suite 203
 105 W. Chesapeake Avenue
 Towson, Maryland 21204

Re: Dismissal of Appeals filed in:
 Case Nos. CBA-10-007 (appeal filed by Holzer & Lee) and
 CBA-10-008 (appeal filed by Whiteford, Taylor & Preston)
 In the Matter of: Grambrill Farms Two, LLC
 DEPRM Tracking No. 06-09-888;
 DEPRM decision dated 7/1/09 - Partial Approval and Partial Denial of
 Revised Forest Buffer Variance
 Vincent Farm Property /6th Councilmanic District

Dear Ms. Murphy:

As you may recall, this firm represents Gambrill Farms Two, LLC, the owner of the Vincent Farm Property and applicant of the appeal assigned CBA-10-008; and J. Carroll Holzer represents the applicants of the appeal assigned CBA-10-007.

Please allow this letter to serve as a joint request by both this firm and J. Carroll Holzer. The parties have reached a Settlement Agreement and desire to dismiss their respective appeals, with prejudice, in the above referenced cases. J. Carroll Holzer has documented his agreement herein on behalf of his clients via his signature dated 2/4/10 on the copy of page 2 of this letter attached hereto. The recent snow storm prohibited us from filing this last week.

A copy of DEPRM's July 1, 2009 decision is attached for your records. Also attached for your review is a drafted Order of Dismissal. Thank you for your kind consideration in this matter. Should you have any questions, please feel free to contact me.

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I, J. Carroll Holzer, Esquire, on behalf of my clients, the applicants of the appeal filed in CBA-10-007, hereby respectfully request the Board dismiss with prejudice the appeal filed in CBA-10-007.

see attached
J. Carroll Holzer, Esquire

Date:

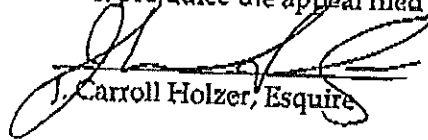
Sincerely,

G. Scott Barhight /s/
G. Scott Barhight

Attachments

- cc: J. Carroll Holzer, Esquire
- Ms. Theresa R. Shelton, Board Administrator
- The Honorable William J. Wiseman, Esquire
- Mr. Jonas Jacobson, Director, DEPRM
- Ms. Regina Esslinger, DEPRM
- Gambrell Farms Two, LLC
- Mr. Eric Chodnicki (DMW)

I, J. Carroll Holzer, Esquire, on behalf of my clients, the applicants of the appeal filed in CBA-10-007, hereby respectfully request the Board dismiss with prejudice the appeal filed in CBA-10-007.


J. Carroll Holzer, Esquire

2/4/10
Date:

Sincerely,

G. Scott Barhight

Attachments

- cc: J. Carroll Holzer, Esquire
- Ms. Theresa R. Shelton, Board Administrator
- The Honorable William J. Wiseman, Esquire
- Mr. Jonas Jacobson, Director, DEPRM
- Ms. Regina Esslinger, DEPRM
- Gambrill Farms Two, LLC
- Mr. Eric Chodnicki (DMW)

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