

IN THE MATTER OF
GCV REAL ESTATE, LLC - OWNER
AKA FOUNDRY ROW
10100 Reisterstown Road

HOH # 03-0496

3rd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. CBA-14-018

* * * * *

**RULING ON MOTION FOR SUBPOENA AND ADDITIONAL EVIDENCE AT THE
BOARD OF APPEALS HEARING**

This matter comes before the Board on a Motion for Subpoena and Additional Evidence at the Board of Appeals Hearing filed by Stuart Kaplow, Esquire and G. Scott Barhight, Esquire on behalf of Protestants. The Petitioners, by and through their attorney, Lawrence Schmidt, Esquire, responded to the Protestant's Motion. A public deliberation on the Motion was held on January 2, 2014.

The Motion requests that subpoenas be issued and additional evidence and testimony be allowed at the hearing before the Board of Appeals. Pursuant to Baltimore County Code ("BCC") § 32-4-281, the Board of Appeals is limited to an on the record review of the Hearing Officer's decision on the Development Plan.

The Hearing Officer is the fact-finder in development cases. As such, we have determined that if, after the hearing on this matter, additional evidence and testimony should be necessary, BCC § 32-4-281 has a provision which allows us to remand this matter to the Hearing Officer.

IT IS THEREFORE THIS 8th day of January, 2014, by the Board of Appeals for Baltimore County,

ORDERED, that the Protestant's Motion for Subpoena and Additional Evidence at the Board of Appeals Hearing, be and the same is hereby, **DENIED**; and it is further,

ORDERED, that the on the record review of this matter shall begin as scheduled on January 8, 2014.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Andrew M. Belt, Panel Chairman



David L. Thurston



Richard A. Wisner



Board of Appeals of Baltimore County

JEFFERSON BUILDING
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January 8, 2014

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Stuart D. Kaplow, Esquire
15 East Chesapeake Avenue
Towson, MD 21286

RE: *In the Matter of: GGCV Real Estate, LLC – Owner (Aka Foundry Row)*
Case No.: CBA-14-018

Dear Counsel:

Enclosed please find a copy of the Ruling on Motion for Subpoena and Additional Evidence at the Board of Appeals Hearing issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Krysundra "Sunny" Cannington
Administrator

Enclosure
Multiple Original Cover Letter

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| <p>c: GGCV Real Estate, LLC
Garrison Realty Investors, LLC
Michael J. Pieranunzi/Century Engineering
Mickey A. Cornelius and Qiang Tian/Traffic Group
Paul Von Riley
Tom Fitzpatrick
Brian Gibbons
Karin Jorgensen
Stephanie Boston
Aaron Plymouth, Chair/CCACGR, Inc.
Mark Stewart, President/Reisterstown – Owings Mills – Glyndon Coordinating Council
Office of People's Counsel
Arnold Jablon, Director/PAI
Colleen Kelly, Project Manager/PAI
Nancy C. West, Assistant County Attorney</p> | <p>Painters Mills Executive Office Park Partnership, LLP
100 Painters Mill, LLC
John W. Ranocchia, Sr./Century Engineering
Louis Mangione/Mangione Family Enterprises
Donna M. Sills
Mike Myers
Mary E. Molinaro
Timothy E. and Patricia A. Clark
George Harman
Robert DiPietro
Lawrence M. Stahl, Managing Administrative Judge
Andrea Van Arsdale, Director/Department of Planning
Darryl Putty, Project Manager, Development Processing, PAI
Michael Field, County Attorney</p> |
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