

IN RE: DEVELOPMENT PLAN HEARING	*	BEFORE THE OFFICE
NE side of Rushley Road,		
E of Littlewood Road	*	OF ADMINISTRATIVE
5 th Councilmanic District		
9 th Election District	*	HEARINGS FOR
(1907 Rushley Road)		
Cromwell Ridge aka Rushley Road	*	BALTIMORE COUNTY
Craftsman Developers	*	HOH Case No. 09-829
<i>Applicant/Developer</i>		

* * * * *

MOTION FOR RECONSIDERATION
OPINION AND ORDER

The undersigned has accepted the e-mail sent to me by Sharon Opdyke on February 25, 2013 as a Motion for Reconsideration of my Opinion and Order issued in this matter dated January 30, 2013. As Ms. Opdyke is acting pro se, I will also allow the addition of her letter to me dated March 1, 2013, even though I had already received a response to her initial communication by both counsel herein.

A Motion for Reconsideration is an opportunity, for a limited period of time after an Order is issued, to alter that Order if there is a showing that the law (by statute or appellate court decision) had changed subsequent to the issuance of the Order but before the applicable time limit has run. Likewise, if information or testimony was not available (for a legitimate and unavoidable reason) at trial, it can be considered through a Motion for Reconsideration. However, the time for this relief is severely limited so that justice may be served and cases brought to a conclusion.

In this matter, there is no allegation of a change in law subject to the issuance of my Order and before the time had passed for this Motion to be filed. In addition, this matter was heard over many days; and as counsel has observed, this was “one of the most thoroughly examined development plans in the history of Baltimore County”. The testimony in this matter, it should be noted, included a lengthy appearance by the movant herself. Moreover,

the final Opinion and Order was thoroughly reviewed by all counsel and was accepted by vote of the Cromwood Coventry Community Association.

As to the queries contained in Movant's March 1, 2013 letter, it should be noted that, even after my Order approving the Development Plan, the Developer will be required, through the course of construction, to comply with all applicable local, state and federal regulations and requirements. As to her second comment, my Opinion makes recommendations "to the extent that I have the authority to do so" regarding the use of the "fee-in-lieu" funds to be paid. To that extent, those recommendations are essentially dicta.

Accordingly, I find that the Movant has failed to allege or present information sufficient to sustain a reconsideration of my January 30, 2013 Opinion and Order.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 1st day of March, 2013, that the Motion for Reconsideration, be and is hereby DENIED.

Signed
LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw