



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
TDD 410-313-2323

March 13, 2015

Cadogan Property
7350-B Grace Drive
Columbia, MD. 21044

RE: WP-15-077 (St. Charles Woods)
Associated files: ECP-15-006 & SP-15-010

To Whom It May Concern:

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request to waive **Section 16.116(a)(1): Streams and Wetlands**: which prohibits grading, removal of vegetative cover and trees, paving, and new structures within 25 feet of a wetland in any zoning district.

Approval is subject to the following conditions:

1. Impact is restricted to 0.15 acres of wetland and 0.18 acres of wetland buffer as shown and indicated on the waiver exhibit. Any proposal to increase the impact to the wetland area/wetland buffer or any other protected resource on site will require an additional waiver petition to be submitted or a reconsideration of this waiver petition file.
2. The applicant shall provide updated justification as to why access to the project from US Route 40 (Baltimore National Pike) is the lesser viable option. This justification shall be provided with the next revised plan submission of SP-15-010.
3. At final plan design stage, the applicant and consultant shall make every attempt to reduce the length of the outfall pipe (thus reducing the impacts to the wetland area).
4. SP-15-010 and all subsequent plans shall reflect the newer "thumbnail" design of "Inspiration Way", instead of the standard cul-de-sac. Another revised waiver plan exhibit which depicts the "thumbnail" design of "Inspiration Way", and labels both "Inspiration Way" and U.S. Route 40 shall be submitted **within 2 weeks** of waiver approval (**on or before March 27, 2015**).
5. With SP-15-010 (and the subsequent F Plan), the applicant and consultant shall pursue additional buffering/screening options between proposed "Inspiration Way" and the project boundary property line, adjacent to any existing homes. These options would include such items as berming, fencing and/or landscape screening. This buffer/screening would be IN ADDITION TO any required perimeter landscaping and street trees.
6. The proposed wetland and wetland buffer disturbances are subject to obtaining all necessary permits from the Maryland Department of the Environment and the U.S. Army Corps Of Engineers, as required.

The Planning Director's decision was made based on the following:

Extraordinary hardships or practical difficulties:

Per the applicant's justification, "strict compliance with current regulations would eliminate the ability to develop 12 lots north of the wetland area (more than half of the proposed development). The proposed design allows for full development of the site, while creating a more cohesive community and disturbing the smallest portion of wetland and associated wetland buffer. The only alternative would be to create a second access to the development from U.S. Route 40. The Maryland State Highway Administration (MSHA) has previously voiced their opposition to constructing any access point on US 40 for this development. Access to Route 40 would also likely require significant and costly road improvements and could result in additional impacts to wetlands and floodplain along U.S. Route 40.

In addition, creating a second access point would be contrary to County Regulations which restricts the use of more than one access point from a roadway with a minor arterial (or greater) classification. In addition, strict compliance with the regulations with the creation of a secondary access point would result in a disconnected community with no convenient access between the lots south of the wetland area and the lots north of that wetland area."

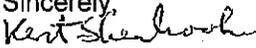
The consultant also indicates that "the sewer for the project would be extended from Baltimore National Pike and water would be extended from Frederick Road. Whether the road is extended between the two buildable portions of the project or not, the crossing will be needed for the water and sewer extensions. In addition, BGE currently uses an existing gravel/dirt driveway to maintain existing power lines. This driveway also crosses the wetlands in the same location as proposed "Inspiration Way".

Detrimental to the Public Interest /Nullifies the Intent or Purpose of the Regulations:

Per the applicant's justification, this proposal will not be Detrimental to the Public Interest nor Nullify the Intent or Purpose of the Regulations because the project still preserves a major portion of the on-site environmental features while still allowing reasonable development. This disturbance to the wetland and its buffer (0.33 acres) is the least impact necessary to "address MSHA's desired point of access to the project (Frederick Road vs. US Rt. 40) and to allow the creation of a public road that provides continuity between both areas of the proposed development. The impact (0.33 acres) represents less than 4 percent of the total wetlands on the site. The proposed disturbance to the wetlands will occur on its edge so that most of the existing wetland will remain intact. Those wetlands not being disturbed will be made part of the protected Forest Conservation easement.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested waiver will remain valid for one year from the date of this letter or as long as this subdivision remains in active processing.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at tmaenhardt@howardcountymd.gov.

Sincerely,

Kent Sheubrooks, Chief
Division of Land Development

attachment
KS/TKM/Waivers 2014/ST Charles Woods WP-15-077 approval 3-13-15
cc: Research
DED
Li Zhang
Lenore Slater
MBA
SP-15-010 file