



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

February 2, 2023

Ms. Mary E. Marriner  
4411 Manor Lane  
Ellicott City, MD 21042

RE: WP-23-052 Little Patuxent River Mitigation

Dear Ms. Marriner:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject project was reviewed.

On January 19, 2023 and pursuant to Section 16.116(d), the Director of the Department of Planning and Zoning, Director of the Department of Public Works and Administrator of the Office of Community Sustainability considered and **approved** your request for alternative compliance with respect to **Section 16.116(a)(1), 16.116(a)(2)** of the Subdivision and Land Development Regulations to: provide required mitigation associated with the Tipton Airport Authority airport improvements that impacted stream and wetlands; mitigate those impacts by completing stream restoration and wetland creation on the site of the Manor Hill Brewery in Ellicott City; provide stream restoration of 966 LF feet of an eroding tributary of the Little Patuxent River; 0.264 acres of wetland creation and 0.275 acres of existing wetlands enhancement on a part of a parcel that is under agricultural use; and provide fencing to prevent cattle access to the stream and wetland area. Please see the attached Final Decision Action Report for more information.

On January 19, 2023 and pursuant to Section 16.1216, the Director of the Department of Planning and Zoning, Director of the Recreation and Parks and Administrator of the Office of Community Sustainability considered and **approved** your request for a variance with respect to **Section 16.1201(v) and 16.1205(a)(3)** of the Subdivision and Land Development Regulations to allow: the LOD to be used as the net tract area; remove one specimen tree identified as ST-497, a 30" Tulip Poplar in good condition; place a permanent Mitigation Easement with the State of Maryland on the restored area; and mitigate the removed Specimen tree with planting of two native trees with a DBH of 3" within the proposed Mitigation Easement. Please see the attached Final Decision Action Report for more information.

On January 19, 2023, and pursuant to Section 16.104, the Director of the Department of Planning and Zoning, considered and **approved** your request for alternative compliance with respect to **Section 16.155(a)(1)(ii) and 16.115(c)(2)** of the Subdivision and Land Development Regulations to allow the Alternative Compliance plan exhibit to serve in place of a site development plan and allow disturbance within the floodplain for completion of the stream restoration project.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.155(a)(1)(ii) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the one (1) item you were required to address, pursuant to Section 16.104(a)(1):

**1. Unreasonable hardship or practical difficulties may result from strict compliance with the regulations.**

The project being proposed is a maintenance project to repair the stream channel, address erosion and sediment issues onsite and restore and expand existing on-site wetlands. Due to the severity of the erosion, the project needs to be done as soon as possible to prevent continued sedimentation into the Little Patuxent River. In-stream work is prohibited between March 1 and May 31. The time involved to process an SDP would prevent the work being completed prior to the closure date of 2023 and leave the existing bank exposed to additional erosion. The project is also reviewed by the Maryland Department of the Environment (MDE), the Army Corps of Engineers (ACOE) and the Howard County Soil Conservation District (HCSCD) to meet all Federal, State and local regulations. Strict compliance with the regulations would require the applicant to submit a formal Site Development Plan for the proposed project. This would result in an unreasonable hardship since the alternative compliance plan exhibit contains all necessary information for permitting and construction. Approval of the alternative compliance promotes efficiency of the plan review process as the alternative compliance drawings include all relevant information needed for this project's stream restoration and wetland creation.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.115(c)(2) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the four (4) items you were required to address, pursuant to Section 16.104(a)(1):

**1. Strict conformance with the requirements will deprive the applicant of rights commonly enjoyed by others in similar areas;**

The County will typically allow disturbances within a floodplain for stream restoration work both as Capital Projects and projects constructed by and for privately owned interests. Repairing the stream channel to address the erosion and sediment issues will provide for a greater benefit to the ecological system in exchange for the impacts.

**2. Uniqueness of the property or topographical conditions would result in practical difficulty; other than economic, or unreasonable hardship from strict adherence to the regulations;**

The stream location within the floodplain makes it impossible to repair the eroding banks without disturbing the floodplain. The purpose of the project is to address the instability of the channel, reduce nutrient input from the eroding stream and protect adjacent properties from runoff. In order to repair the current condition, impacts within the floodplain are required. Completion of the project will help protect adjacent properties and prevent further sedimentation into the Little Patuxent River.

**3. The Variance will not confer to the applicant a special privilege that would be denied to other applicants and;**

There are no structures or impervious surface proposed. Repair of an eroding streambank would not be considered a special privilege.

**4. The modification is not detrimental to the public health; safety or welfare, or injurious to other properties.**

The request is to make improvements to eroding banks and reduce erosion. The project goals will have an overall positive effect on the health, safety and welfare of the public. The work will not be injurious to other properties and will protect private and public properties downstream from the site.

Approval of this Alternative Compliance is subject to the following conditions:

1. The alternative compliance plan exhibit shall serve as the substitute for a site development plan for development. No disturbance is permitted beyond the 3.1-acre limit of disturbance as shown on the alternative compliance exhibit titled Forest Conservation Plan and Alternative Compliance WP-23-052 Plan Exhibit and dated January 3, 2023, unless it can be sufficiently demonstrated by the applicant to be justified.

2. One Specimen Tree, (497) is to be removed and shall be mitigated with the plating of two native trees with a DBH of 3" as shown on the plan exhibit.
3. A fee-in-lieu payment of \$19,602.00 shall be paid to Howard County Director of Finance to satisfy the 0.3 AC afforestation obligation. Should the fee-in-lieu payment rate change, the project shall be responsible for the rate in place at the time of payment.
4. The applicant shall obtain all required authorizations and permits from the Department of Inspections, Licenses and Permits, Maryland Department of the Environment and U.S. Army Corps of Engineers for disturbances within the floodplain, wetlands, streams and their buffers. Reference the applicable MDE or USACOE permits or tracking numbers on the alternative compliance plan exhibit and any County permits.

Indicate this alternative compliance 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 alternative compliance approval will remain valid for one year from the date of this letter or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Donna Despres at (410) 313-3429 or email at [ddepres@howardcountymd.gov](mailto:ddepres@howardcountymd.gov).

Sincerely,

DocuSigned by:  
  
29266B221B8841E... for  
Anthony Cataldo, AICP, Chief  
Division of Land Development

AC/DD

cc: Research  
DLD - Julia Sauer  
Real Estate Services  
Marian Honeczy- DNR  
GreenVest



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

## ALTERNATIVE COMPLIANCE FINAL DECISION ACTION REPORT

DEPARTMENT OF PLANNING AND ZONING  
DEPARTMENT OF RECREATION AND PARKS  
DEPARTMENT OF PUBLIC WORKS  
OFFICE OF COMMUNITY SUSTAINABILITY

**RE:** **WP-23-052 Little Patuxent River Stream Restoration Project**  
*Request for a variance to Sections 16.116(a)(1), 16.116(a)(2), 16.1201(v) and 16.1205(a)(3) of the Subdivision and Land Development Regulations.*

**Applicant:** Mary E. Marriner, Marriner Family Property

Pursuant to Section 16.116(d), the Director of the Department of Planning Zoning, Director of the Department of Public Works and the Administrator of the Office of Community Sustainability considered and **approved** the applicants request for an alternative compliance with respect to **Sections 16.116(a)(1), 16.116(a)(2)** of the Subdivision and Land Development Regulations. The purpose is to provide required mitigation associated with the Tipton Airport Authority airport improvements that impacted stream and wetlands. This project will mitigate those impacts by completing stream restoration and wetland creation on the site of the Manor Hill Brewery in Ellicott City. The proposed project includes stream restoration of 966 LF feet of an eroding tributary of the Little Patuxent River, 0.264 acres of wetland creation and 0.275 acres of existing wetlands enhanced on a part of a parcel that is under agricultural use. The project also includes fencing to prevent cattle access to the stream and wetland area. The purpose of the project is to address the instability of the channel, reduce nutrient input from the eroding stream and protect adjacent properties from runoff. The applicant will place a permanent Mitigation Easement with the State of Maryland on the restored area. The Directors deliberated the application in a meeting on January 19, 2023.

Each Department hereby determines that the applicant has demonstrated to its satisfaction that strict enforcement of the above-cited regulation would result in unreasonable hardship or practical difficulty. This determination is made with consideration of the alternative compliance application and the seven (7) items the applicant was required to address, pursuant to Section 16.104(a)(1) and Section 16.116(d):

- 1. Strict conformance with the requirements will deprive the applicant of rights commonly enjoyed by others in similar areas;**  
The project goals are to create a more stable stream channel and create additional wetlands to improve existing conditions on site and downstream. Strict conformance would not allow the project to proceed and would result in further erosion of the steam. It is not uncommon for the County to allow disturbances within wetland and stream buffers for the purpose of stream and wetland restoration.
- 2. Uniqueness of the property or topographical conditions would result in practical difficulty; other than economic, or unreasonable hardship from strict adherence to the regulations;**  
The stream is located on a stream corridor within a confirmed valley. The purpose of the project is to address the instability of the channel, reduce nutrient input from the eroding stream and protect adjacent properties from runoff. In order to repair the current condition, impacts within the stream and stream buffer are required.

Restoring the degraded stream will eliminate further erosion of the stream banks and prevent continued sedimentation into the Little Patuxent River.

**3. The Variance will not confer to the applicant a special privilege that would be denied to other applicants and;** No buildings, permanent structures or impervious area is proposed. Restoration of a degraded stream channel would not be considered a special privilege.

**4. The modification is not detrimental to the public health; safety or welfare, or injurious to other properties.** The modification is not detrimental to the public health, safety, or welfare. The project will improve conditions on site and benefit off site properties by reducing or eliminating sediments leaving the site through erosion.

**5. Disturbance is returned to its natural condition to the greatest extent possible:** The project will result in temporary and permanent impacts to intermittent and perennial stream channels. These impacts are necessary to complete stream restoration work. Palustrine Forested (PFO) and Palustrine Emergent (EM) Wetlands and their buffers will be temporarily and permanently impacted to complete wetland enhancement and creation. A total of 0.264 acres of wetlands will be created and 0.275 acres of existing wetlands will be enhanced. There are no forest on site and no forest clearing necessary. The current riparian buffer is in poor condition and the stream is heavily impacted by cattle. Proposed fencing will prevent the cattle from entering the stream and wetland area. The entire project site will be seeded and planted with native species. A permanent mitigation easement will protect the stream, wetlands and riparian buffers in perpetuity. The natural condition of the site likely includes highly connected stream and wetland systems bounded by forests. The project goal is to return the site to a more natural condition and prevent further degradation.

**6. Mitigation is provided to minimize adverse impacts to water quality and fish, wildlife, and vegetative habitat; and**

The project is also reviewed by the Howard Soil Conservation District (EP-23-003), MDE (19-NT-0384) and the USACE (NAB-2019-61949-M43). These agencies consider natural resources and best management practices for project implementation. These includes use of required sediment and erosion control methods and devices, timing of activities outside stream closure periods, and monitoring post construction. The project is self-mitigating as the repair will improve water quality, reduce runoff and create additional wetlands.

**7. Grading, removal of vegetative cover and trees, or construction shall only be the minimum necessary to afford relief and to the extent required to accommodate the necessary improvements. In these cases, the least damaging designs shall be required, such as bridges, bottomless culverts or retaining walls, as well as environmental remediation, including the planting of the areas where grading or removal of vegetative cover or trees has taken place, utilizing best practices for ecological restoration and water quality enhancement projects.**

The project is undergoing County erosion and sediment control review and MDE review. All necessary measures were taken to reduce or eliminate impacts to the wetland, buffer, stream and floodplain by minimizing the size of the LOD to the area necessary for construction. There is no existing forest and the LOD avoids all specimen trees except for one. The proposed design and associated impacts are the minimum necessary to achieve the project goals.

**Directors Action:** Approval of alternative compliance of **Sections 16.116(a)(1), 16.116(a)(2)** is subject to the following conditions:

1. The alternative compliance plan exhibit shall serve as the substitute for a site development plan for development. No disturbance is permitted beyond the 3.1-acre limit of disturbance as shown on the alternative compliance exhibit titled Forest Conservation Plan and Alternative Compliance WP-23-052 Plan Exhibit and dated January 3, 2023 unless it can be sufficiently demonstrated by the applicant to be justified.

- The applicant shall obtain all required authorizations and permits from the Department of Inspections, Licenses and Permits, Maryland Department of the Environment and U.S. Army Corps of Engineers for disturbances within the floodplain, wetlands, streams and their buffers. Reference the applicable MDE or USACOE permits or tracking numbers on the alternative compliance plan exhibit and any County permits.

DocuSigned by:  
*Amy Gowan*  
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Amy Gowan, Director  
Department of Planning and Zoning

DocuSigned by:  
*Art Shapiro*  
11DA7ACAB5F740B...  
Art Shapiro, Acting Director  
Department of Public Works

DocuSigned by:  
*Joshua Feldmark*  
3241B974513F4B7...  
Joshua Feldmark, Administrator  
Office of Community Sustainability

Pursuant to Section 16.1216, the Director of the Department of Planning Zoning, Director of the Department of Recreation and Parks and the Administrator of the Office of Community Sustainability considered and **approved** the applicants request for a variance with respect to **Sections 16.1201(v) and 16.1205(a)(3)** of the Forest Conservation Regulations. The purpose is to allow the LOD to be used as the net tract area and remove one specimen tree identified as ST-497, a 30" Tulip Poplar in good condition to be removed. The applicant will place a permanent Mitigation Easement with the State of Maryland on the restored area. The applicant proposes mitigation of the removed Specimen tree with planting of two native trees with a DBH of 3" within the proposed Mitigation Easement. The Directors deliberated the application in a meeting on January 19, 2023.

Each Department hereby determines that the applicant has demonstrated to its satisfaction that strict enforcement of the above-cited regulation would result in an unwarranted hardship. This determination is made with consideration of the alternative compliance application and the six (6) items the applicant was required to address, pursuant to Section 16.1216:

- Describe the special conditions peculiar to the property which would cause the unwarranted hardship;**  
The total area of the parcel is 52.7 acres. The proposed limit of disturbance (LOD) is 3.1 AC (note this includes 0.017 acres offsite as an access to Manor Lane). The remaining area, after netting out the Howard County 100-year floodplain and tree save area is 1.9 AC. The subject parcel is also protected as part of the County's Agricultural Preservation Program (ALPP easement HO-88-01-E(S)). The Agricultural Preservation Board has reviewed the proposal and approved the request to create a Conservation Practices (Mitigation Easement) overlay as shown on the plan exhibits. An unwarranted hardship would be caused by using the entire site to calculate the net tract area since the entire parcel is already under a preservation easement with the County and the stream mitigation project will overlay an additional mitigation easement over a portion of the site.

There are 18 specimen trees on the subject parcel. Eleven are in or near the project LOD. In order to stabilize the area and restore the stream to a stable condition, 1 Specimen tree will be impacted. To deny removal of the specimen tree would prevent the completion of the project goals and represents an unwarranted hardship when the goal is to improve the existing conditions.

**2. Describe how enforcement of the regulations would deprive the landowner of rights commonly enjoyed by others in similar areas;**

Permitting the LOD to be used as the Net Track Area allows the forest conservation regulations to be applied to the portions of property that are physically impacted by this work. Similar projects to repair existing conditions have used the LOD as the net tract area when impacts are temporary, necessary and the work returns the project area to an improved natural condition. Approval does not confer special privileges that other similar projects enjoy. The proposed broader improvements to stabilize the stream bank will have significant impacts on the CRZ of the specimen forcing its removal.

**3. Verify that the granting of a variance will not adversely affect water quality;**

There is no evidence that the granting of a variance will adversely affect water quality. The development is subject to the current Environmental Site Design criteria, which include small filtering processes to address water quality. Stormwater management and soil erosion and sediment control measures will be implemented under the grading permit. The proposed project will stabilize the stream channel which will reduce nutrient input from eroding stream and improve water quality. Wetlands will serve to process nutrients and store sediment, preventing these pollutants from reaching the Little Patuxent River. The proposed planting plan will result in net increase in forest coverage in the project area as compared to the existing conditions.

**4. Verify that the granting of a variance will not confer on the applicant a special privilege that would be denied to other applicants;**

Restoration of an eroding streambank would not be considered a special privilege.

**5. Verify that the variance request is not based on conditions or circumstances which are the result of actions by the applicant;**

The request is based on the presence of eroding stream bank on the site. Past agricultural practices, including allowing cattle access to the stream and alterations to the stream channel, have contributed to the stream degradation over a long period of time. There is no evidence the current owner/applicant created the conditions and circumstances that impacted the stream and wetlands. This project proposes to remedy past impacts by restoring stream banks, restoring wetlands and creating new wetlands. The work will be protected from cattle with fencing and a perpetual mitigation easement.

**6. Verify that the condition did not arise from a condition relating to land or building use, either permitted or nonconforming on a neighboring property; and**

There is no evidence that the conditions arose from a condition relating to land or building use, either permitted or nonconforming on a neighboring property.

**Directors Action:** Approval of alternative compliance of **Sections 16.1201(v) and 16.1205(a)(3)** is subject to the following conditions:

1. The alternative compliance plan exhibit shall serve as the substitute for a site development plan for development. No disturbance is permitted beyond the 3.1-acre limit of disturbance as shown on the alternative compliance exhibit titled Forest Conservation Plan and Alternative Compliance WP-23-052 Plan Exhibit and dated January 3, 2023 unless it can be sufficiently demonstrated by the applicant to be justified.
2. One Specimen Tree, (497) is to be removed and shall be mitigated with the planting of two native trees with a DBH of 3" as shown on the plan exhibit.

- 3. A fee-in-lieu payment of \$19,602.00 shall be paid to Howard County Director of Finance to satisfy the 0.3 AC afforestation obligation. Should the fee-in-lieu payment rate change, the project shall be responsible for the rate in place at the time of payment.

DocuSigned by:

*Amy Gowan*

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Amy Gowan, Director  
Department of Planning and Zoning

DocuSigned by:

*Raul Delerme*

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Raul Delerme, Director  
Department of Recreation and Parks

DocuSigned by:

*Joshua Feldmark*

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Joshua Feldmark, Administrator  
Office of Community Sustainability

cc: Research  
OCS, Joshua Feldmark  
DRP, Raul Delerme  
DPW, Art Shapiro





HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350  
Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

December 2, 2022

Ms. Mary E. Marriner  
Marriner Family Property  
4411 Manor Lane  
Ellicott City, MD 21042

RE: WP-23-052 Little Patuxent River Mitigation  
Revised Exhibit and Justification Requested

Dear Ms. Marriner:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject property was reviewed and no action can be taken until the enclosed comments have been addressed, and revised exhibits and justification is provided.

Copies of the exhibit/plan and the supplemental information and a response letter to the comments for each agency should be submitted to this Division for distribution in the following manner:

Agency: DLD	#Copies: 1
Agency: HCSCD	#Copies: 1

The requested information and revised plans must be submitted within **45 days** of the date of this letter (**on or before January 16, 2023\***), or this Division will recommend that the Planning Director or Director Committee deny this alternative compliance petition.

Once the requested information has been received and reviewed, this office will coordinate agency comments and will prepare a recommendation for the Director's action. If you have any questions regarding a specific comment, please contact the review agency prior to preparing the revised plans and information. Compliance with all items indicated above is required before the revised plans and information will be accepted.

**In accordance with adopted Council Bill 51-2016, effective 10/05/16, if the deadline date is a Saturday, Sunday or holiday or if the County offices are not open, the deadline shall be extended to the end of the next open County office business day.**

Submissions can be mailed to Howard County Planning and Zoning, 3430 Court House Drive, Ellicott City, MD 21043 or dropped in the bin labeled 'DLD' at the Department of Planning and Zoning Public Service Counter located on the first floor of the George Howard Building. Submission materials can also be emailed to [planning@howardcountymd.gov](mailto:planning@howardcountymd.gov) for processing. **Please include a copy of this letter as it will serve as the checklist for the original submission.**

If you have any questions, please contact Donna Despres at (410) 313-3429 or email at [ddepres@howardcountymd.gov](mailto:ddepres@howardcountymd.gov).

Sincerely,

DocuSigned by:  
  
1EB75478A22B49A...

Anthony Cataldo, AICP, Chief  
Division of Land Development

AC/DD

Attachments: (3), comment DLD, RCD, HCSCD

cc: Research  
DLD - Julia Sauer  
Real Estate Services  
GreenVest



## ALTERNATIVE COMPLIANCE APPLICATION

**Site Description:** Little Patuxent River Mitigation Project

**Subdivision Name/Property Identification:** Marriner Family Property

**Location of property:** 4411 Manor Lane Ellicott City MD 21042

**Existing Use:** Agriculture      **Proposed**      Agriculture

**Tax Map:** 0029      **Grid:** 10005      **Use: Parcel** 0019      **Election District:** 5

**Zoning District:** RC DEO      **Total sitearea:** 3.08 Acres

**Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:**

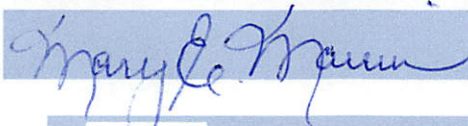
No previously submitted or currently active plans are known to be on file with the County. The proposed project includes stream restoration of 966 feet of an eroding first order tributary of the Little Patuxent River and the creation of 0.34 acres of wetland. The property is under agricultural land use. The project also includes preventing access by cattle to the stream and wetland areas. The purpose of the project is to address the instability of the channel, reduce nutrient input from the eroding stream, protect adjacent properties from property loss, and generate functional uplift. A permanent easement will be placed on the restored area which will limit future development. SEE ATTACHED ACA LETTER FOR ADDITIONAL DETAILS AND SUMMARY OF REQUESTS.

**In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a brief summary of the request. Please use the additional page if needed.**

Section Reference No.	Brief Summary of Request
Section 16.155(a)(1)(ii) – Waiver of site development plan	The project being proposed is primarily a maintenance project to repair the stream channel and address erosion and sediment issues onsite as well as restore and expand existing wetlands. Due to property loss and the severity of the erosion, the project needs to be done as soon as possible to protect adjacent properties and prevent continued sedimentation into the Little Patuxent River. This project will be reviewed by the Maryland Department of the Environment, the Army Corps of Engineers (ACOE), Howard County Soil Conservation District relative to meeting the County's design manual and all state and federal environmental regulations. Robust maintenance and monitoring is required to document success of the project after construction. Therefore, the project will be subjected to thorough review even if the SDP review is waived.
Section 16.116 (a)(1) and (a)(2)– Grading and vegetative disturbance within stream and wetland buffers:	The project will result in temporary impacts to 749 LF and 217 LF of permanent impacts to intermittent, ephemeral, and perennial stream channels. These impacts are required to complete stream restoration activities. 0.264 acres of existing PFO and PEM wetlands and 0.5 acres of their buffers will be impacted to complete stream and wetland restoration efforts. There are no forests onsite and no forest clearing is required. The current riparian buffer is in poor condition and the stream is heavily impacted by cattle. The entire site will be seeded and/or planted with native species as shown in the attached landscape plans. A joint permit application (JPA) will be submitted to authorize disturbance of waters of the US.

Section Reference No.	Brief Summary of Request
Section 16.115 (c)(2)– Grading and vegetative disturbance to floodplain:	There are no FEMA mapped floodplains within the project area; therefore, no impacts are anticipated. Graded channel banks and any disturbed areas of the floodplain will be stabilized with erosion control matting, stabilization seeding, and landscape plantings. Four inches of topsoil will help to establish a native seed mix, proposed to permanently stabilize the disturbed areas.
Section 16.1201(v) – Definition of Net Tract Area for Computations and Reforestation Requirements	Per Forest Conservation regulations (Subtitle 12) the entirety of all parcels impacted by the proposed work are to be used to define the net tract area (NTA) for forest conservation computations. The proposed limit of disturbance (LOD) on those parcels is 3.08 AC. The remaining parcel area, after the 100-year floodplain and tree save areas have been netted out of the LOD, consists of 1.92 AC. The purpose of the Alternative Compliance Request is that the LOD of 1.92 AC be allowed as the initial project total tract area.
Section 16.1205(a)(3) - Removal of a specimen trees	Eighteen (18) specimen trees were identified within the project limits. In order to stabilize the area and restore the stream reach to a stable condition it is necessary to remove one (1) specimen tree. This tree has the potential to be hazardous during construction and afterwards is in a location that prevents the creation of a more stable stream slope. Removing this trees will allow for this streambank stabilization project to provide a more stable slope for long-term as well as providing less hazards to future land users. Trees that are removed for construction will be used for habitat structures onsite, helping to generate functional uplift and improve site stability. Replanting of native trees is proposed to offset specimen tree impacts per the Forest Conservation Manual and associated worksheets.

Signature of Property Owner:



Date:

10/24/22

Signature of Petitioner Preparer:



Date:

10/12/2022

Name of Property Owner:

Mary E. Marriner

Name of Petition Preparer:

Graham Boardman

Address:

4411 Manor Lane

Address:

4201 Northview Drive, Suite 202

City, State, Zip:

Ellicott City, MD

City, State, Zip:

Bowie, MD. 20716

E-Mail:

mary@victoriarestarauntgroup.com

E-Mail:

graham@greenvestus.com

Phone No.:

410-215-4001

Phone No.:

860-428-8649

Contact Person:

Brett Berkley

Contact Person:

Graham Boardman

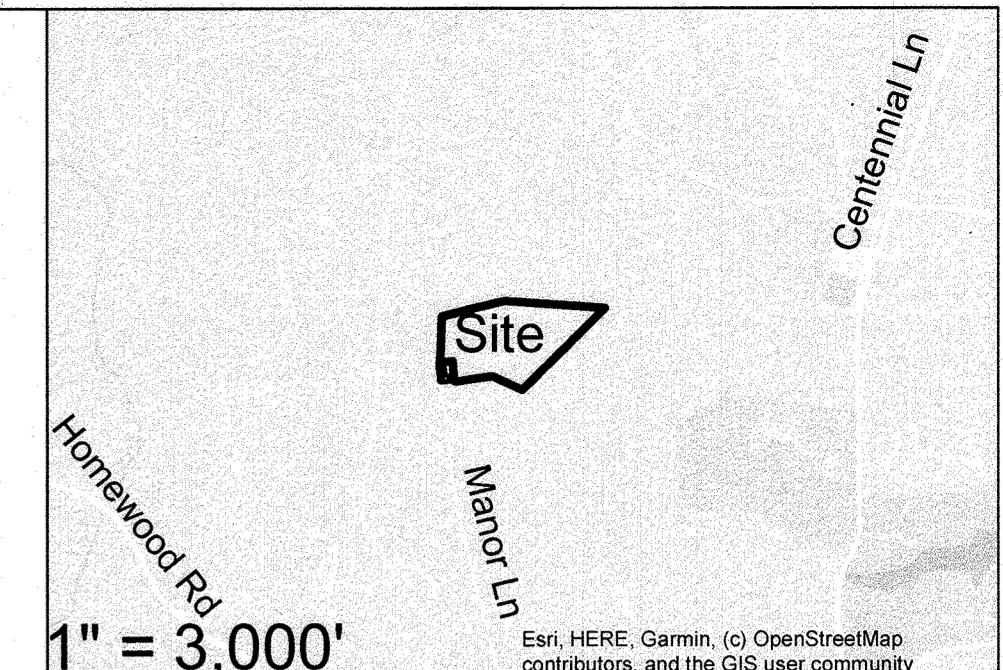
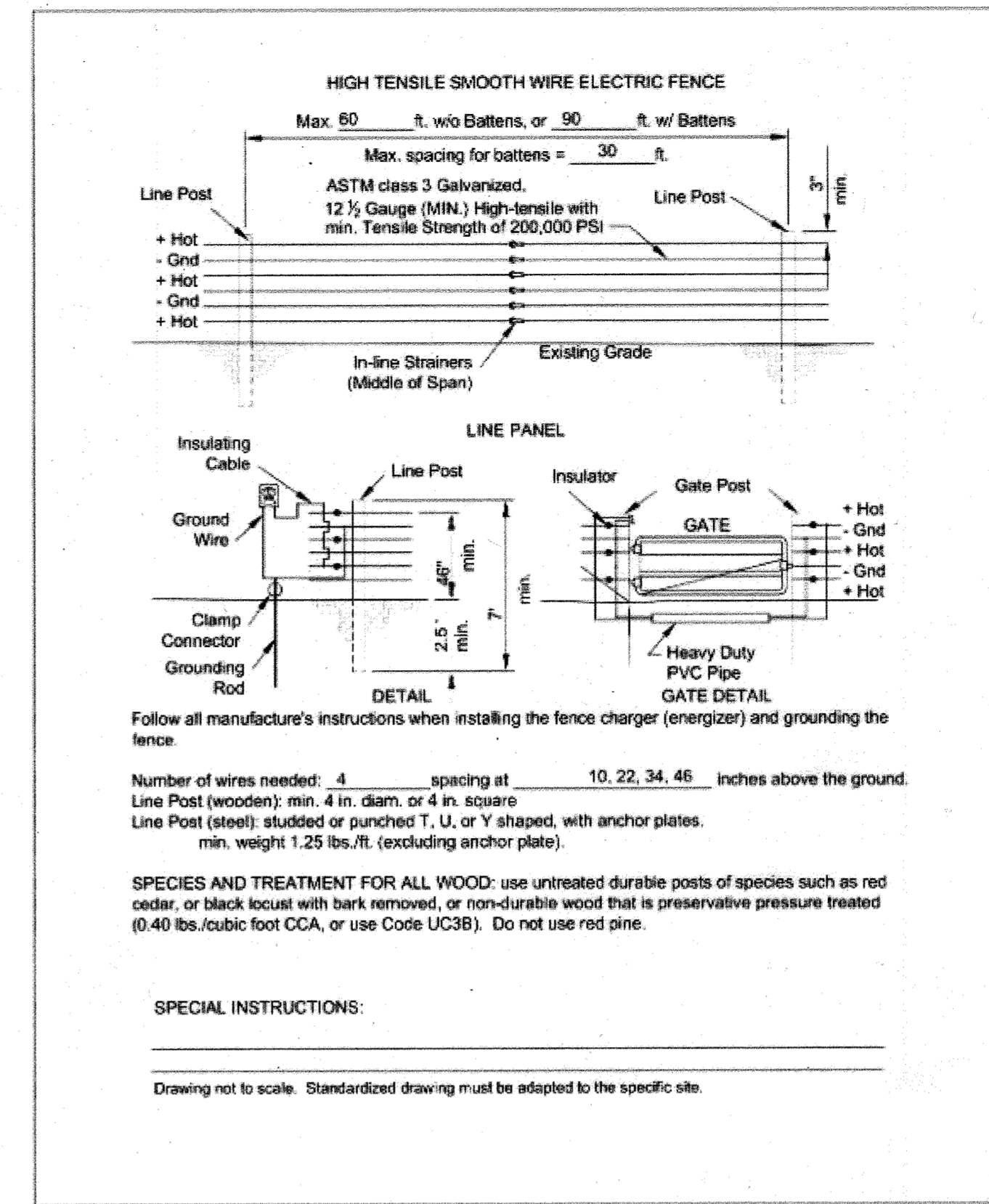


Owner's Authorization Attached







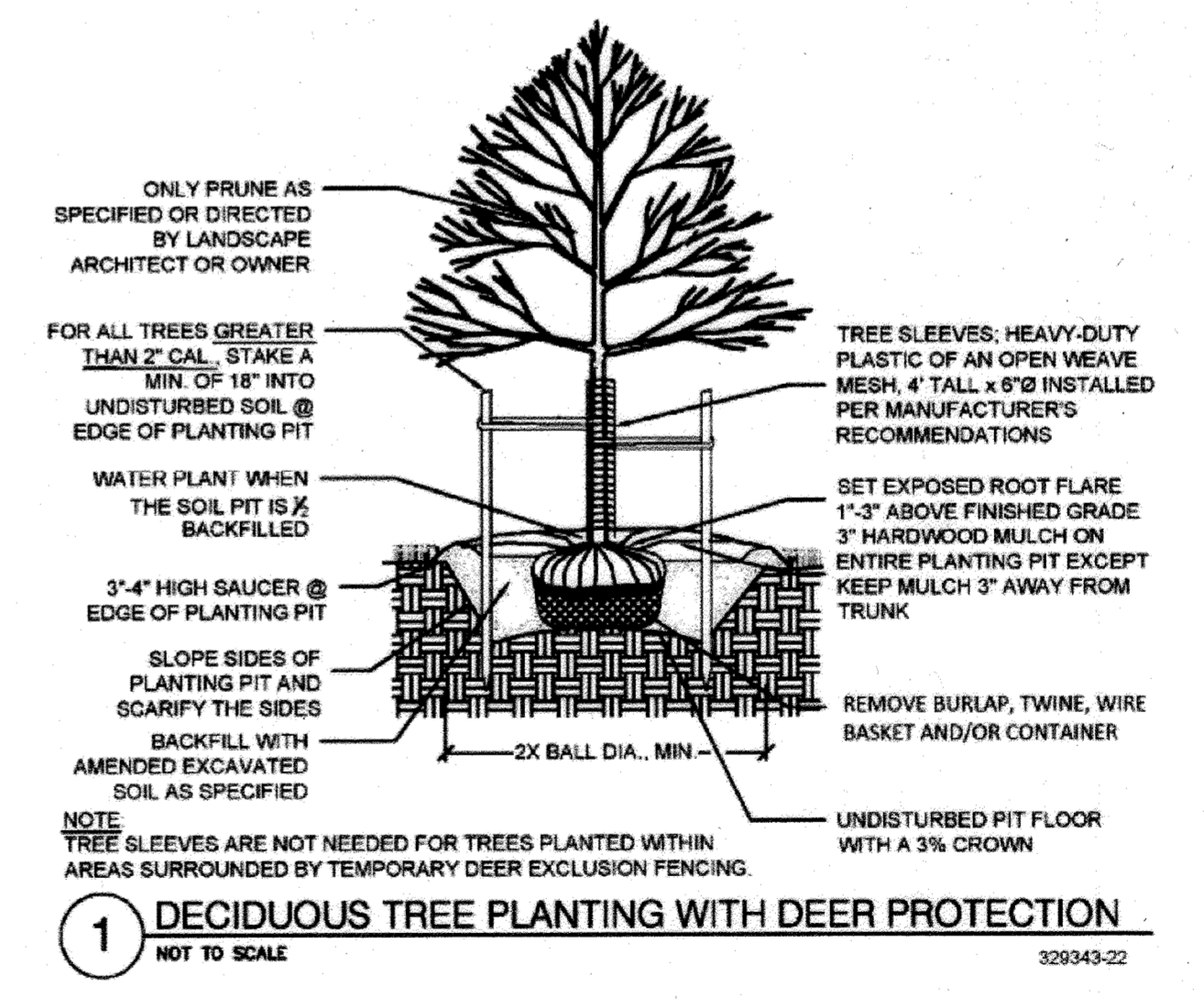


**Little Patuxent River Mitigation Project**  
4411 Manor Ln,  
Ellicott City, MD, 21042  
12-Digit Watershed: 021311050955

**FOREST CONSERVATION PLAN & ALTERNATIVE COMPLIANCE WP-23-052 PLAN EXHIBIT**

Page 1 of 2  
1/31/2023

- Legend**
- WB— 25' Wetland Buffer (0.50 Ac.)
  - SB— 100' Stream Buffer (4.84 Ac.)
  - ▭ Mitigation Easement
  - ⊗ LPR Fence
  - Limit of Disturbance (3.20 Ac.)
  - TPF— Tree Protection Fence
  - ▭ Subject Parcel
  - Specimen Tree to be Saved
  - ⊗ Specimen Tree to be Removed
  - ▭ Critical Root Zones
  - ⊕ 24-30" Trees
  - ⊙ 3" DBH Replacement Trees
  - ☁ Forested Area
  - ⋄ Wooded Area
  - ▨ Wetland Planting Zone
  - ▩ Riparian Planting Zone
  - ▭ Waters of the US (0.14 Ac.)
  - ▭ Existing Wetlands (0.28 Ac.)
  - ▭ NRCS Soils
  - ▭ Adjacent Parcels
  - ▭ Howard Co. Floodplain (1.24 Ac.)\*
  - Proposed Major Contours
  - Proposed Minor Contours
  - Ex. Major Contours
  - Ex. Minor Contours
  - ▭ 25% or Greater Slopes
  - ▭ 15-25% Slopes



**PFO WETLAND PLANTING ZONE: SHRUBS & TREES SCHEDULE (TOTAL AREA = 0.58 ACRES)**

SHRUBS (PLANTED IN RANDOM SPACED AVE. 10 FT O.C.)				
SCIENTIFIC NAME	COMMON NAME	SIZE/CONT	RATIO	QUANTITY
<i>Sambucus nigra</i>	Common Elderberry	24"-36" Containerized or Bare Root	30%	76
<i>Cornus racemosa</i>	Swamp Dogwood	24"-36" Containerized or Bare Root	30%	76
<i>Cephalanthus occidentalis</i>	Common Button Bush	24"-36" Containerized or Bare Root	40%	101
TOTAL				253

TREES (PLANTED IN RANDOM SPACED AVE. 9 FT O.C.)				
SCIENTIFIC NAME	COMMON NAME	SIZE/CONT	RATIO	QUANTITY
<i>Quercus phellos</i>	Willow oak	24"-36" Containerized or Bare Root	20%	62
<i>Platanus occidentalis</i>	Sycamore	24"-36" Containerized or Bare Root	25%	78
<i>Quercus bicolor</i>	Swamp White Oak	24"-36" Containerized or Bare Root	10%	31
<i>Quercus palustris</i>	Pin Oak	24"-36" Containerized or Bare Root	20%	62
<i>Salix nigra</i>	Black Willow	24"-36" Containerized or Bare Root	25%	79
TOTAL				312

**RIPARIAN PLANTING ZONE: SHRUBS & TREES SCHEDULE (TOTAL AREA = 1.81 ACRES)**

SHRUBS (PLANTED IN RANDOM SPACED AVE. 10 FT O.C.)				
SCIENTIFIC NAME	COMMON NAME	SIZE/CONT	RATIO	QUANTITY
<i>Lindera benzoin</i>	Northern Spicebush	24"-36" Containerized or Bare Root	40%	319
<i>Hamamelis</i>	Witch Hazel	24"-36" Containerized or Bare Root	20%	159
<i>Cercis canadensis</i>	Eastern redbud	24"-36" Containerized or Bare Root	40%	319
TOTAL				797

TREES (PLANTED IN RANDOM SPACED AVE. 9 FT O.C.)				
SCIENTIFIC NAME	COMMON NAME	SIZE/CONT	RATIO	QUANTITY
<i>Populus deltoides</i>	Eastern Cottonwood	24"-36" Containerized or Bare Root	20%	197
<i>Liriodendron tulipifera</i>	Tulip Poplar	24"-36" Containerized or Bare Root	20%	197
<i>Quercus alba</i>	White Oak	24"-36" Containerized or Bare Root	20%	197
<i>Quercus rubra</i>	Red Oak	24"-36" Containerized or Bare Root	20%	197
<i>Platanus occidentalis</i>	Sycamore	24"-36" Containerized or Bare Root	20%	194
<i>Platanus occidentalis</i>	Sycamore	24"-36" Containerized/ 3" DBH	0%	2
TOTAL				984

APPROVED / DEPARTMENT OF PLANNING AND ZONING  
 Chief, Engineering Division  
 Date: 2/27/23

Chief, Division of Land Development  
 Director  
 Date: 2/27/23

**QUALIFIED PROFESSIONAL CERTIFICATION**

This plan complies with the current requirements outlined by the Howard County Forest Conservation Manual.

Signed: *Andrew E. Streagle* Date: \_\_\_\_\_  
 Andrew E. Streagle, 301-881-2545, aastreagle@amtenge.com, MD R.L.A. #3381, ISA Certified Arborist MA-4826A.  
 (Place printed name, address, phone number, and e-mail address of qualified professional below the signature)



**SPECIMEN TREE MITIGATION PLANTINGS**

SCIENTIFIC NAME	COMMON NAME	SIZE/CONT	QUANTITY
<i>Platanus occidentalis</i>	American Sycamore	24"-36" Containerized/ 3" DBH	2

**Revision Block**

Date	Initials	Revision Description

North Arrow

1" = 50' Feet  
0 50 100

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