



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

Marsha S. McLaughlin, Director

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December 3, 2012

Boise Cascade LLC  
P.O. Box 50  
Boise, ID 83728

RE: WP-13-072, Boise Cascade Building  
Material Site

Dear Owner:

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 16.155(a)(1)** of the Subdivision and Land Development Regulations which states that a site development plan is required for new or expanded nonresidential development, and **Section 16.1202(a)** of the Subdivision and Land Development Regulations which states that a forest conservation plan is required with a site development plan. This waiver is to allow removal of the contaminated soils within the property.

Approval is subject to the following conditions:

1. The waiver petition plan exhibit shall serve as the substitute for a site development plan for development. No disturbance is permitted beyond the limit of disturbance as shown on the waiver exhibit.
2. Once removal of the contaminated soils is complete the limit of disturbance shall be backfilled with clean soil to previous grades.
3. The petitioner shall comply with all applicable County and State regulations and obtain all necessary permits.
4. Forest conservation for the entire subject property shall be addressed with future development of the site, whether it is with the Savage Towne Center TOD development or a separate plan submission, in accordance with Section 16.1200 of the Howard County Code.

Our decision was made based on the following:

*Extraordinary Hardship or Practical Difficulty*

Justification from the applicant – The project will remove contaminated soil from the project site as part of the Response Action Plan (RAP) as approved by Maryland Department of the Environment. No other development or earthwork will take place as part of this cleanup project. Strict compliance with the Site Development Plan requirement will result in a needless delay since there is no development associated with the proposed work, and thereby nothing with

which to base a formal submission upon. Removal of the contaminated soils from the site is a prerequisite to providing the property with a "clean bill of health" that will allow the property to be sold, and then allow potential future improvements to take place as part of the Savage Town Center TOD development.

*Not Detrimental to the Public Interest*

Justification from the applicant – Approval of this waiver will not be detrimental to the public interests. Since there is no development associated with this program, the applicant is not attempting to bypass any development standards nor short circuit any development approval processes. Any future work on this site will still comply with all relevant regulations relating to any future proposed improvements to the site.


*Will not Nullify the Intent or Purpose of the Regulations*

Justification from the applicant – The proposed project is part of the Voluntary Cleanup Program (VCP) relating to removal of contaminated soils within the property. No permanent grading changes are anticipated with this project as voids created by the removal of contaminated soils will be backfilled with clean soil to existing grades. Approval of this waiver will not nullify the intent of the regulations. This waiver will simply allow contaminated soils to be removed from the site. No development is associated with this request.

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 grading plan remains in active processing.

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at [jboone@howardcountymd.gov](mailto:jboone@howardcountymd.gov).

Sincerely,

  
Kent Sheubrooks, Chief  
Division of Land Development

KS/JB;jb

cc: Research  
DED  
DILP  
DPZ, Zoning  
GLW  
Forest Conservation Coordinator  
Marian Honeczy – DNR