



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

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Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

March 5, 2018

Michael Kaminetz for  
Howard County MD  
9250 Bendix Road  
Columbia, MD 21045

RE: WP-18-077, Waterloo Fire Station

Dear Kaminetz:

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

As of the date of this letter, the Planning Director **approved** your request for an alternative compliance of **Section 16.1205(a)(7)**, which requires the preservation of trees greater than 30" DBH in size or 75% of the diameter of a state champion tree. The application requested to remove two specimen trees shown on the exhibit as Specimen Tree B, a 30" Black Oak and Specimen Tree C, a 30" White Oak.

Approval is subject to the following conditions:

1. Indicate this Alternate Compliance file number (WP-18-077), on sheet 1 of site development plan (SDP-18-014), including section numbers, conditions of approval and date of decision.
2. Mitigate at 2:1 the removal of two specimen trees. The replacement trees shall be a total of 4 native shade trees of 2.5" caliper and planted in the open area (the North-west property corner) of the proposed Forest Conservation Easement.

Our decision was made based on the following:

### **Extraordinary Hardships or Practical Difficulties:**

The applicant describes site restrictions and unchangeable site features that limit the development design of this property for the intended purpose. Constraints include optimal building siting, a driveway connection between Port Capital Drive and the State Police property to the west, wetlands and their buffers, and grading requirements. The two trees are located within the proposed Bioretention Facility #4 which is part of the sites storm water management obligation. The facility is located at the south end of the property and straddles the property line. An easement is proposed for this use on a portion of the adjacent property.

### **Alternative Proposal:**

The applicant cites multiple redesign attempts leave no other option to satisfy all the requirements. The property to the south has wetlands and buffers to protect, thus the easement and Bioretention Facility 4 is located on the less sensitive portion of Parcel 543. Moving the facility farther north would interfere with the proposed driveway access for the State Police to Port Capital Drive. This is an important design element to public safety and welfare. The remainder of the site has 3 other Bioretention Facilities, a Forest Conservation Easement, the Fire House, required parking and fire equipment access. Eliminating, relocating, or reducing one of these elements is not a viable option. Removal of the two specimen trees is necessary to build the storm water management facility and meet all other requirements.

**Not Detrimental to the Public Interest:**

Approval will not be detrimental to the public interests since the public interests are better served by moving forward with the construction of a needed Fire House that also gives the State Police a second access point to Washington Boulevard via Port Capital Drive. All other regulations will be met with the site design. Further, the removed trees will be mitigated with additional plantings of native trees within the proposed Forest Conservation easement.

**Will not nullify the intent or purpose of the regulations:**

The overall intent of the regulations is to allow development while protecting environmentally sensitive features. This site plan is already protecting wetlands and their buffers, as well as an established forest with a Forest Conservation Easement. Additionally, 4 native trees will be planted to mitigate the removal of the 2 Specimen Trees. The native trees shall be protected by placing them within the Forest Conservation Easement. The intent is there for satisfied while granting relief from strict adherence.

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 [ddespres@howardcountymd.gov](mailto:ddespres@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/JF/DD

cc: Research  
DED  
Real Estate Services  
Sill Engineering Group  
Landscape Coordinator  
SDP-18-014