



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

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

October 18, 2019

Michele Monde
Howard County DPW
9801 Broken Land Parkway
Columbia, MD 21046

RE: WP-20-028 Clavert Ridge Pond Repair
Capital Project D-1177 APPROVED

Dear Ms. Monde:

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 **Sections 16.155(a)(1)(ii)** a Site Development Plan is required for non-residential development and redevelopment and **Section 16.1201(n)** – definition of the net tract area for forest conservation calculations.

Approval 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 0.64 acre limit of disturbance as shown on the alternative compliance exhibit unless it can be sufficiently demonstrated by the applicant to be justified.
2. Compliance with the attached comments from DPZ- Division of Land Development. Submit a revised exhibit plan for file retention records on or before December 16, 2019 and prior to beginning work.
3. Once Capital Project D-1177 is complete, the Limit of Disturbance shall be restored to its previous condition through stabilization and replanting according to the plans.
4. DPW shall process a Plat of Revision to Record Plat 11888 and record an Amended Deed of Forest Conservation Easement to revise the SWM Maintenance Easement, abandon a portion of the Forest Conservation Easement and show how the abandoned Forest Conservation area will be mitigated. The Plat of Revision shall also include the updated wetland boundaries and buffers per the most recent delineation performed by a DNR Qualified Professional. Please begin processing the above on or before December 16, 2019 and complete to signature approval before beginning work on site.
5. 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.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

The project is to restore functionality of the stormwater management facility and address pond deficiencies to meet MD-378 criteria. Strict compliance with the regulations would require additional time, effort and cost to address a large amount of land that is not affected by the proposed work. The site is already developed, and additional mapping, reports, and plans required for processing a site development plan would not change the design of the pond improvements. Processing plans would lengthen the timeline of this important repair project and use valuable county resources in preparation and review of plans with no added benefit.

Alternative Proposal:

The County's regulations are meant to ensure that development occurs per County requirements, and environmental criteria is met. As an alternative to submission of an SDP, the applicant has provided an exhibit with this application to illustrate compliance with the regulations. The plans are reviewed by the same County agencies that review an SDP submittal.

Not Detrimental to the Public Interest:

Approval will not have a negative effect on public interests. The Alternative Compliance is not intended to exempt the project from County regulations. The goal is to match the goals and resources of the project to the overall intent of the regulations. By completing this project in a quick and efficient manner, the public interest is better served


Will Not Nullify the Intent or Purpose of the Regulations:

The project is being done to restore functionality of the existing stormwater management pond and address pond deficiencies to meet MD-378 criteria. No work being proposed by this project is in any way counter to County policy or regulation. Approval will allow the project to move forward in a quick, cost effective manner to resolve the existing deficiencies.

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.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/DD

Attachment: Department of Planning and Zoning Comments

cc: **Research**

DED

Real Estate Services

Century Engineering

DEPARTMENT OF PLANNING AND ZONING-Division of Land Development
October 18, 2019

Re: WP-20-028 Calvert Ridge Pond Repair - Capital Project D-1177 Alternative compliance request of Section 16.155(a)(1)(ii)

Please address the following comments on the plan exhibit.

1. Please add to the Site Analysis Data Chart to the plan a breakdown of the following:
 - a. Area of Forest within the LOD and how disturbance will be mitigated:
 - i. Area of Forest to be Restored
 - ii. Area to be Abandoned with a Plat of Revision
 - iii. Additional/Replacement Area to be placed in Forest Conservation Easement with a Plat of Revision
 - iv. Mitigation through an off-site bank – include the name of the bank and provide documentation. Note that a Plat of Revision for the Record Plat of the bank site will be required.
 - v. Fee-in-lieu calculation for the area of Forest Conservation Easement abandoned.
2. Please label with species the existing trees on Sheets 3 and 4.
3. Show tree protection fence detail and specifications for protecting Forest Conservation Easement. Show the fence location on Sheet 4.
4. Indicate existing trees to be removed on sheet 4. If any of the trees to be removed are specimen trees as identified on the Natural Resources Inventory, the AC application needs to be revised to include Section 16.1205(a)(7)- (specimen tree retention) and additional justification provided.
5. Please emphasize the boundary of the Forest Conservation Easement as shown on Plat 11888 and the existing Storm Water Management drainage and Utility Easement. The LOD encroaches into the Forest Conservation Easement.
6. Add a General Note that Forest Conservation for the site has been addressed by Record Plat 11888, F-94-054. Impacts to the Forest Conservation Easement shall be address [please explain how impacts will be addressed]
7. Remove General Note 14.
8. Sheet 1 in the section titled “Natural Resources and Enhancement”.
 - a. Paragraph 1 last sentence – Please amend last sentence to read “No specimen trees are within the LOD”
 - b. The statement “0 trees greater than 12” DBH...” and “mitigation is not proposed” is misleading. Can this section be modified to indicate the area in forest conservation that will need to be abandoned and cleared to create the 15’ no woody vegetation zone? Indicate how the abandonment will be mitigated – consider a simple reference to see the new general note per comment 6 above.
9. Add a General Note with the Alternative Compliance File number, WP-20-028, Sections, approval date and conditions of approval.
10. Please add a General Note that disturbances to the wetlands, wetland buffer, stream and stream buffer are subject to approval of necessary disturbance per Section 16.116(c) of the Subdivision and Land Development Regulations. By letter dated July 10, 2019, Kent Sheubrooks, Division of Land Development, Department of Planning and Zoning approved the applicants request based on justification presented by the Department of Public Works in a letter dated July 9, 2019.



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

FAX 410-313-3467

December 10, 2019

Michele Monde
Howard County DPW
9801 Broken Land Parkway
Columbia, MD 21046

RE: WP-20-028 Calvert Ridge Pond Repair
Capital Project D-1177 **Reconsideration** Approved

Dear Ms. Monde:

The Director of the Department of Planning and Zoning considered your request for reconsideration of the deadlines to submit revised plan exhibits in our approval letter dated October 18, 2019 from December 16, 2019 to February 14, 2020.

As of the date of this letter, the Planning Director **approved** your **RECONSIDERATION** request for an extension to the submittal deadline for plan exhibits.

Approval 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 0.64 acre limit of disturbance as shown on the alternative compliance exhibit unless it can be sufficiently demonstrated by the applicant to be justified.
2. Compliance with the comments attached provided with the October 18, 2019 approval letter from DPZ-Division of Land Development. Submit a revised exhibit plan for file retention records on or before December 16, 2019 and prior to beginning work.

Approval of RECONSIDERATION: new deadline to submit revised plans is February 14, 2020.

3. Once Capital Project D-1177 is complete, the Limit of Disturbance shall be restored to its previous condition through stabilization and replanting according to the plans.
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Sincerely

Jill Manton, Acting Chief
Division of Land Development

M/DD
cc: Research
DED
Real Estate Services
Century Engineering