



# 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

May 17, 2021

Howard County DPW- Utility Design Division  
7125 Riverwood Drive, Suite B  
Columbia, MD 21046  
Attn: Silver Chai

RE: WP-21-123 Bonnie Branch Emergency Sewer Protection and  
Stream Bank Stabilization

Dear Sir/Madam:

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 May 16, 2021 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)(i)** of the Subdivision and Land Development Regulations to use the capital project design plans as a substitute for a Site Development Plan.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.155(a)(1)(i) 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.**

Bonnie Branch has eroded laterally approximately 3 feet in the last year, which has exposed a sewer manhole along the stream bank. The Maryland Dept. of the Environment and US Army Corps of Engineers have authorized the project to proceed as an emergency repair since the exposed manhole is in danger of being damaged during a storm flow event. This could potentially result in sewer effluent entering the stream. Strict compliance with the regulations would require the applicant to submit a formal Site Development Plan for the proposed stabilization project. This would result in an unreasonable hardship since the alternative compliance plan exhibit and design plans contain all necessary information for permitting and construction. The project must be completed as quickly as possible to prevent damage to the public sewer infrastructure.

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

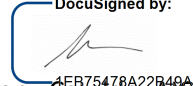
1. The alternative compliance plan exhibit shall serve as the substitute for a site development plan. No disturbance is permitted beyond the 0.68-acre limit of disturbance as shown on the alternative compliance exhibit, unless it can be sufficiently demonstrated by the applicant to be justified.
2. The applicant shall comply with all grading permit requirements from the Department of Inspections, Licenses & Permits and Howard Soil Conservation District.

Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval, and date on all related capital project plans and grading permits. This alternative compliance approval will remain valid for one year from the date of this letter or as long as a capital project plan is being actively processed in accordance with the processing provisions of the Regulations.

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

Sincerely,

DocuSigned by:



Anthony Cataldo, AICP, Chief  
Division of Land Development

cc: Research  
DED  
DLD - Julia Sauer  
Real Estate Services  
Eleanor Wilson- Stantec



## ALTERNATIVE COMPLIANCE APPLICATION

**Site Description:** Bonnie Branch Emergency Sewer Protection & Stream Bank Stabilization (Capital Project E-6282)

**Subdivision Name/Property Identification:** Bonnie Branch @ ex. MH 124; Acct ID: 1402394111; Autumn View Subdiv. Howard Co. Open Space

**Location of property:** Lat: 1374728.6 / Long. 574459.8; NE of 4743 Bonnie Branch Road.

**Existing Use:** Open Space      **Proposed Use:** Open Space

**Tax Map:** 31      **Grid:** 3      **Parcel No:** 814      **Election District:** 02

**Zoning District:** R-ED      **Total site area:** 0.67 AC (LOD)

**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:**

Howard Co. Utility Design Division has submitted a request for emergency authorization for the stream bank stabilization of approx. 225 LF of Bonnie Branch for the protection of the existing Bonnie Branch Interceptor Sewer at ex. MH 124 in Ellicott City, Maryland. MDE Waterways, MDE Compliance, USACE Regulatory, and Howard Co. SCD have provided emergency authorization under COMAR. DPZ issued the Essential Disturbance authorization for the emergency project on April 22, 2021. Design plans, report, calculations, and resource impact information to agencies in early April 2021.

**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
16.155(a)(1)(ii)	1. Section 16.155(a)(1)(ii) – Waiver of requirements for site development plan: The proposed project is an emergency capital improvement project for the purpose of stabilizing a section of rapidly eroding section of Bonnie Branch stream bank to protect the existing exposed Bonnie Branch Interceptor Sewer. The project is necessary to prevent damage to the existing infrastructure and prevent harm to the environment and public health from effluent entering into the Bonnie Branch waterway and surrounding areas.
16.1205 (a)(7)	Section 16.1205(a)(7) - Removal of a specimen tree: One (1) specimen tree was identified within the project limits. In order to stabilize the stream reach and complete the necessary grading, it is necessary to remove the one (1) specimen tree. The tree in question is a 34" Tulip Poplar and, while still in good condition, has the potential to be hazardous during construction and is in a location that prevents the creation of a more stable stream slope. The tree is near the edge of the stream bank and will endure significant critical root zone impact and would obstruct the ability to properly tie in grading along the stream bank. Based upon past flooding, the potential exists for a large storm event to saturate the root zone of the tree and subsequently weaken the surrounding soil and subjecting the tree to wind throw. Removing the tree will allow for this stream bank stabilization project to provide a more stable slope long-term.

Section Reference No.	Brief Summary of Request
	Approval of the waivers noted above would allow the Howard Co. UDD to stabilize the existing erosion quickly and efficiently for the protection of the existing interceptor sewer, while still meeting the intent of the development and forest conservation regulations.

**Signature of Property Owner:** *Silver Chai* **Date:** 4/29/2021

**Signature of Petitioner Preparer:** Same as above **Date:** 4/29/2021

**Name of Property Owner:** [Redacted] **Name of Petition Preparer:** Howard Co. Utility Design Division

**Address:** [Redacted] **Address:** 7125 Riverwood Drive  
STE B

**City, State, Zip:** [Redacted] **City, State, Zip:** Columbia, MD 21046

**E-Mail:** [Redacted] **E-Mail:** SChai@howardcountymd.gov

**Phone No.:** [Redacted] **Phone No.:** 443-315-3610

**Contact Person:** [Redacted] **Contact Person:** Howard Co. c/o Silver Chai

**Owner's Authorization Attached**

Section Reference No.	Brief Summary of Request