



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

November 24, 2021

Attn: Jeffrey Dannis, P.E.
Howard County Department of Public Works
Bureau of Environmental Services
Sent via email: jdannis@howardcountymd.gov

RE: WP-22-053 Howard County Compost Facility

Dear Mr. Dannis:

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 November 24, 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 16.156(o)(1)(ii) and Section 16.156(o)(2)** of the Subdivision and Land Development Regulations to reactivate the approved site development plan for the purpose of processing a redline revisiting and obtaining the necessary building permits to complete the final construction phase of Alpha Ridge Landfill Compost Facility.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.156(o)(1)(ii) and Section 16.156(o)(2) 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 Petitioner is requesting an extension to the deadlines to obtain necessary building permits in order to allow time to process a redline revision editing the limit of disturbance for the Composting Facility at Alpha Ridge Landfill. The submitted justification attributes the need for the request due, "...to the County's approach to phase capital project C-0299 facility construction of Phase II facility design, into Phase IIA, Phase IIB, and Phase IIC, based on the County's available funding...". Primary compost processing facilities were prioritized during the initial stages of construction in Phase IIA and operation of the Compost Facility began in October 2018. Support facilities in Phase IIB were completed in October 2021 and the notice to proceed to Phase IIC was issued November 2021. The last remaining phase of construction will complete build out for the full facility approved under SDP-16-035.

Requiring the Petitioner to resubmit the site development for review and approval would be an unreasonable hardship, as the plan has undergone complete review at both the environmental concept plan and site development plan stages and a new site development would not result in a substantive change to the existing approved site development plan. The plan complies with all current regulations and the intent of the Subdivision and Zoning Regulations. The facility has been actively working to complete the phased construction and the regulatory requirement to apply for all building permits within 2 years of the signed SDP inadvertently lapsed as DPW was finalizing the design and funding plans for this last phase. Granting the extension to obtain building permits for Phase

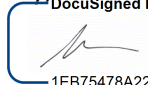
IIC of the Composting Facility will allow the County to complete the project to expand their composting operations at the Alpha Ridge Landfill, which benefits the citizens of Howard County and this action promotes efficiency of the plan review process.

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

1. All remaining building permits in relation to the Site Development Plan (SDP-16-035, Compost Facility – Phase II at Alpha Ridge Landfill) shall be applied for within 1 year of the date of this approval letter (**on or before November 24, 2022**).
2. Submission of the proposed redline revisions to the Department of Planning and Zoning is required prior to filing an application for building 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 Kathryn Bolton at (410) 313-2350 or email at kbolton@howardcountymd.gov.

Sincerely,
DocuSigned by:

1EB75478A22B49A
Anthony Cataldo, AICP, Chief
Division of Land Development

AC/kb

cc: Research
DED
DLD - Julia Sauer
Real Estate Services
Regina Cagle Irr, EA Engineering, Science, and Technology, Inc. – rcagleirr@eaest.com



Howard County Maryland
Department of Planning and Zoning
 3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350

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ALTERNATIVE COMPLIANCE APPLICATION

Site Description:	Compost Facility - Phase II at Alpha Ridge Landfill, Howard County, Maryland		
Subdivision Name/Property Identification:	N/A		
Location of property:	2350 Marriotsville Rd, Marriotsville, MD 21104		
Existing Use:	Landfill with Pilot Compost Facility	Proposed Use:	Landfill with Expanded Compost Facility
Tax Map:	0016	Grid:	8
		Parcel No:	220, 253, 11, 23, 54
		Election District:	3-02
Zoning District:	RC-DE0	Total site area:	590 AC

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:

ECP-15-033 - Compost Facility - Environmental Concept Plan
 SDP-16-035 - Compost Facility - Phase II at Alpha Ridge Landfill Howard County, Maryland
 WP-18-011 - Alternative Compliance for Extension Request for SDP Submission
 CR-182-216 - County Council Variance for Building Height Requirements

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
Howard Cty Code, Title 16, Subtitle 1, Article 5, Sec. 16.156 (o).1.ii	Section reference stipulates the developer shall apply for building permits for all construction authorized by the approved site development plan within two years of signature approval. Due to facility phased construction to meet County's available construction funding, all construction authorized by the approved SDP was not completed within two years of SDP signature approval. Therefore, this waiver application requests SDP approval extension for the purposes of obtaining building permit to complete the final construction phase of the Compost Facility - Phase II currently underway.

Section Reference No.	Brief Summary of Request

Signature of Property Owner:  Date: 11/16/2021

Signature of Petitioner Preparer:  Date: 11/16/2021

Name of Property Owner: Howard County Name of Petition Preparer: EA Engineering, Science, and Technology, Inc., PBC

Address: 9801 Broken Land Parkway Address: 225 Schilling Circle, Suite 400

City, State, Zip: Columbia, MD 21046 City, State, Zip: Hunt Valley, MD 21031

E-Mail: jdannis@howardcountymd.gov E-Mail: rcagleirr@eaest.com

Phone No.: 410-313-6419 Phone No.: 215-873-1212

Contact Person: Jeffrey Dannis, P.E. Contact Person: Regina Cagle Irr, P.E.

Owner's Authorization Attached