

January 28, 2016

Mr. Henry Leskinen
Eco-Science Professionals, Inc.
P.O. Box 5006
Glen Arm, MD 21057

Re: Advance Auto Parts
Forest Buffer Variance
Tracking # 06-16-2132

Dear Mr. Leskinen:

The Department of Environmental Protection and Sustainability (EPS) has completed review of the above referenced request for a variance to the Baltimore County Code, Article 3 Environmental Protection and Resource Management, Title 3 Protection of Water Quality, Streams, Wetlands and Floodplains. If granted, the request would allow 1,989 square feet of forest buffer impacts for a portion of a proposed parking lot associated with a new commercial building. The irregularly shaped, undeveloped site is mostly an overgrown field, with a small seep wetland within the Pulaski Highway right-of-way just offsite. There is also a small area of pioneer forest along one side of the property. The State Highway Administration is requiring a deceleration lane within the right-of-way, which will necessitate filling of the small wetland. Forest buffer at the far western end of the site will remain undisturbed.

This Department has reviewed your request, and has determined that a practical difficulty exists given that the deceleration lane is required and the wetland will be filled. No wetlands or forest will be impacted by the proposed parking lot. We further acknowledge that the mitigation for forest buffer impacts would reduce the potential for impacts to water quality impacts. Therefore, in accordance with Article 33-3-106 of the Baltimore County Code, we will grant the request with the following conditions:

1. The following note must appear on all plans and plats submitted for this project:
“A variance was granted by the Baltimore County Department of Environmental Protection and Sustainability from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains on January 22, 2016. This variance approved impacts to the forest buffer. Conditions were placed on the approval to reduce water quality impacts including purchase at a County approved Forest Buffer mitigation bank. Any change in land use shall nullify this variance.”
2. 1,989 square feet of mitigation will be required for the impacts to the Forest Buffer. This mitigation will be met through the purchase of credit at an approved Forest Buffer mitigation bank. A bank authorization letter has been enclosed for your use.

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3. The remaining Forest Buffer shall be placed in an easement and recorded in the Land Records of Baltimore County along with its Declaration of Protective Covenants.
4. A Forest Buffer Protection Plan (FBPP) shall be provided for the Forest Buffer to remain. The FBPP must receive approval by this office prior to grading plan approval.

It is the intent of this Department to grant this variance subject to the above conditions. Any changes to site layout may require submittal of revised plans and an amended variance request.

Please have the property owner sign the statement below and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of this project.

If you have any questions regarding this correspondence, please call Ms. Regina Esslinger at (410) 887-3980.

Sincerely yours,

Vincent J. Gardina
Director

Enclosure

J:/shreir/ Advance Auto Parts FBVA 1.22.16/FBVA/rae

I/we agree to the above conditions to bring my/our property into compliance with Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Property Owner' Signature Date

Printed Name

Co-owner's Signature Date

Printed Name