

June 12, 2014

Mr. Zach Fisch
FSH Associates
6339 Howard Lane
Elkridge, Maryland 21075

Re: BGE Notchcliff
Forest Buffer Variance
DEPS Tracking Number: 03-14-1807

Dear Mr. Fisch:

Environmental Impact Review (EIR) staff has completed a review of a request for a variance from the Baltimore County Code, Article 33, Title 3: Protection of Water Quality, Streams, Wetlands and Floodplains for the above-referenced site. The forest buffer variance request seeks to construct a new de-gassing building, which will contain upgraded and new equipment to facilitate ease of maintenance for the water treatment process. Trenching will also be required within the limit of disturbance (LOD) to relocate various underground utilities. The entire project, within a .22-acre LOD (9,754 sf), will be constructed over existing impervious surface that is part of the existing facility, and located within the forest buffer, adjacent to the Gunpowder Falls, a Use IV stream.

This Department has reviewed your request, and has determined that a practical difficulty does exist and that the plan shows the most feasible and practical location for the proposed construction activities, where there are no impacts proposed to forest, wetlands or other resources. Therefore, the variance is hereby approved in accordance with Section 33-3-106 of the Baltimore County Code, with the following conditions:

1. The following forest buffer variance note shall appear on all future plans for this project which states: "A forest buffer variance was approved by the Baltimore County Department of Environmental Protection and Sustainability from the Baltimore County Code, Article 33, Title 3: Protection of Water Quality, Streams, Wetlands and Floodplains. The location of the de-gassing building within the forest buffer is reflective of the fact that the variance was approved. Conditions were placed on the approved forest buffer variance to reduce water quality impacts."
2. A grading plan and sediment control plan must be reviewed and approved by EIR prior to grading permit approval or building permit approval, whichever is submitted first to EIR for review.

