

May 12, 2016

Mr. Eric Chodnicki  
Acorn Environmental Consulting, Inc.  
P.O. Box 219  
Benson, MD 21018

RE: Greenleigh at Crossroads  
Forest Buffer Variance Request  
(Tracking # 06-16-2218)

Dear Mr. Chodnicki:

A request for a variance and from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains was received by the Department of Environmental Protection and Sustainability (EPS) on May 2, 2016. The proposed development project requiring the subject variance is a redesign of the approved business park layout for Area 2 of Baltimore Crossroads @ 95 to a mixed residential layout. According to the variance request, the proposed impacts to water quality include the permanent loss of 510 square feet of existing Forest Buffer Easement that had previously been graded in 2006 under the commercial development scheme.

Upon reviewing the variance application, we determined that a practical difficulty in fully meeting the law would result due to the configuration of the Forest Buffer Easement on the development site. Specifically, the Forest Buffer Easement comes to a point in the open area to be re-graded to provide the residential product. Additionally, the 510 square feet of impact to Forest Buffer Easement for the residential layout cannot be avoided due to the need to provide a transition between single family detached houses and townhomes.

We also determined that potential impacts to water quality as a result of this variance have been minimized by the fact that only previously disturbed buffer would be impacted, the proposed disturbance is very small, and 810 square feet of reforestation in the remaining open Forest Buffer Easement is proposed. This 810 square feet of planting is in conjunction with the other planting proposed in this Forest Buffer Easement as mitigation.

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Based on our review, the variance is hereby granted in accordance with Section 33-3-106 of the Baltimore County Code with the following conditions:

1. Impacts to the Forest Buffer Easement associated with this request shall not exceed 510 square feet and shall not impact forested buffer area.
2. The 510 square feet of impact shall be mitigated by planting 810 square feet of open Forest Buffer Easement within Baltimore Crossroads @ 95.
3. The previously approved final Forest Buffer Protection Plan and Forest Conservation Plan shall be revised to reflect the conditions of this variance and submitted to EPS and approved prior to approval of any subsequent grading and sediment control plan for this portion of Baltimore Crossroads @ 95 Area 2.
4. The record plat for this area must be revised to reflect the reduced Forest Buffer Easement.
5. The following note must appear on all plans and plats submitted for this project: "Variances were granted on June 12, 2015 and May 13, 2016 by the Baltimore County Department of Environmental Protection and Sustainability from the Law for the Protection of Water Quality, Streams, Wetlands, and Floodplains. The Forest Buffer Easement shown hereon is reflective of the fact that these variances were granted. Conditions were placed on these variances to reduce water quality impacts including onsite Forest Buffer mitigation and use of available mitigation credits."
6. All other conditions of the June 12, 2015 variance shall be met as directed therein.

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

Please have the property owner and/or the party responsible for meeting the conditions of this variance sign the statement on the following page 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 plans for this project.

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If there are any questions regarding this correspondence, please contact Mr. Glenn Shaffer at (410) 887-3980.

Sincerely,

Vincent J. Gardina  
Director

VJG/ges

c. David Murphy, Elm Street Development

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

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Property Owner's Signature

Date

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Property Owner's Printed Name