

April 21, 2016

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

Re: Reisterstown Business Center
Forest Buffer Variance Request
Tracking # 04-16-2167

Dear Mr. Leskinen:

A request for a variance from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains was received by this Department of Environmental Protection and Sustainability (DEPS) on March 4, 2016. Supplemental information, including evaluation of additional parking alternatives, was submitted on April 11, 2016. This request proposes impacts to approximately 3,000 square feet of existing Forest Buffer Easement to construct 35 additional parking spaces for an existing tenant at the business park that was developed in the early 1990s. The Forest Buffer Easement is comprised predominantly of scrub forest with many canopy gaps and invasive species as well as areas of historic encroachment.

This Department has reviewed your request, and has determined that a practical difficulty exists due to the orientation of the existing parking lots to the Forest Buffer Easement coupled with the need for additional parking. The supplemental information revealed that other alternatives to provide the parking are infeasible due to safety and logistical concerns. On March 25, 2016, DEPS staff observed that much of the Forest Buffer Easement where 20 of the 35 additional parking spaces are proposed is currently in a picnic area use. We find that the potential for impacts to water quality and aquatic resources as a result of this proposal can be minimized by performing mitigative measures. Therefore, we will grant this request in accordance with Section 33-3-106 of the Baltimore County Code, with the following conditions:

1. The following note must appear on all plans 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 April 21, 2016. Conditions were placed on this variance to reduce water quality impacts including onsite planting and posting of the Forest Buffer Easement as well as purchasing offsite mitigation bank credit.”

2. Surveyed limits of the Forest Buffer Easement shall be permanently posted at 75-foot intervals or at any of its corners with “Forest Buffer - Do Not Disturb” signs and permanent below grade markers to facilitate identification of easement limits. The signs and monuments also must be installed prior to issuance of any building permits.

Mr. Henry Leskinen
Reisterstown Business Center
Forest Buffer Variance Request
April 21, 2016
Page 2

3. 3,240 square feet of unforested Forest Buffer Easement near the existing SWM pond shall be planted with native deciduous species of trees in accordance with an EPS-approved Forest Buffer Protection Plan (FBPP). The FBPP shall be provided concurrently with the grading plan for the project.
4. 2,760 square feet of Forest Buffer Easement mitigation shall be provided offsite at an EPS-approved buffer mitigation bank prior to issuance of any grading permit. A note to this effect shall be included on the FBPP. A letter to facilitate this purchase is enclosed for the applicant's use.
5. Prior to grading permit approval, an Environment Agreement shall be signed, and a FBPP security shall be posted.
6. The Declaration of Protective Covenants for the Forest Buffer Easement shall be recorded in Baltimore County Land Records prior to approval of any permit.
7. All FBPP work required as a condition of this variance approval shall be completed by April 21, 2017.

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 party responsible for meeting the conditions of this variance sign the statement on the next 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.

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

Sincerely yours,

Vincent J. Gardina
Director
VJG:ges

Enclosure

Mr. Henry Leskinen
Reisterstown Business Center
Forest Buffer Variance Request
April 21, 2016
Page 3

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.

Property Owner Date

Property Owner Date

Printed Name

Printed Name