

**Bureau of Environmental Health**  
 8930 Stanford Boulevard, Columbia, MD 21045  
 Main: 410-313-2640 | Fax: 410-313-2648  
 TDD 410-313-2323 | Toll Free 1-866-313-6300  
[www.hchealth.org](http://www.hchealth.org)  
 Facebook: [www.facebook.com/hocohealth](http://www.facebook.com/hocohealth)

Maura J. Rossman, M.D., Health Officer

RECEIPT DATE: 9/18/24 **ONSITE SEWAGE DISPOSAL SYSTEM** P 587810

APPROVAL DATE: 1/29/25 **PERMIT: NEW CONSTRUCTION** A \_\_\_\_\_

PROPERTY ADDRESS: 11079 Gaither Farm Road

SUBDIVISION: Gaither Farm LOT: 15 TAX ID: \_\_\_\_\_

CONTRACTOR: Marc D Hereth EMAIL: \_\_\_\_\_

CONTRACTOR ADDRESS: 2551 Florence Road, Woodbine, MD 21797 PHONE: 301-580-5977

PROPERTY OWNER: Goutam and Arathi Kundu EMAIL: \_\_\_\_\_

OWNER ADDRESS: 11079 Gaither Farm Road, Ellicott City, MD 21042 PHONE: \_\_\_\_\_

SEPTIC TANK SIZE (GALLONS): 2000 TANK MANUFACTURER: \_\_\_\_\_

PUMP MODEL: N/A PUMP SIZE N/A PUMP TANK CAPACITY: N/A

DISTRIBUTION SYSTEM:  GRAVITY  PRESSURE DOSED BEDROOMS: 6 APPLICATION RATE: 1.2

TRENCHES:	LINEAR FEET REQUIRED: <u>138' (3@46')</u>	INLET DEPTH: <u>4</u>
	TRENCH WIDTH: <u>3</u>	MAXIMUM BOTTOM DEPTH: <u>8</u>
	MINIMUM SPACE BETWEEN TRENCHES: <u>10</u>	EFFECTIVE AREA BEGINNING DEPTH: <u>5.5</u>
LOCATION:		
NOTES:		

ISSUED BY: Zack Silvast <sup>H.O.</sup> ISSUE DATE: 11/25/24 EXPIRATION DATE: 11/25/25 ~~9-18-25~~

- NOTE: CONTRACTOR MUST SCHEDULE A PRE-CONSTRUCTION INSPECTION PRIOR TO BEGINNING ANY INSTALLATION
- NOTE: CONTRACTOR MUST SCHEDULE AN INSPECTION AND GAIN APPROVAL OF ALL COMPONENTS PRIOR TO COVERING
- NOTE: STONE MUST BE APPROVED BY HEALTH DEPARTMENT AND GRAVEL TICKET MUST BE AVAILABLE FOR REVIEW.
- NOTE: WATERTIGHT TANKS REQUIRED
- NOTE: ALL PARTS OF SEPTIC SYSTEM SHALL BE AT LEAST 100 FEET DOWNGRAIENT FROM ANY WATER WELL
- NOTE: MANHOLE RISERS REQUIRED ON ALL SEPTIC TANKS AND PUMP CHAMBERS
- NOTE: AN ELECTRICAL PERMIT IS REQUIRED FOR INSTALLATION OF ANY ELECTRICAL COMPONENTS OF THE SYSTEM
- ELECTRICAL PERMIT ISSUED E N/A
- NOTE: MDE RECOMMENDS SEPTIC TANKS, BAT, AND OTHER PRETREATMENT UNITS BE PUMPED AT A FREQUENCY ADEQUATE TO ENSURE THAT SOLIDS ARE NOT DISCHARGED TO THE DISPOSAL AREA

**NEITHER THE HOWARD COUNTY COUNCIL NOR THE HEALTH DEPARTMENT IS RESPONSIBLE FOR THE SUCCESSFUL OPERATION OF ANY SYSTEM. PERMITTEE RESPONSIBLE FOR OBTAINING FINAL APPROVAL ON THIS PERMIT. CALL 410-313-1771 TO SCHEDULE INSPECTIONS.**

NOT TO SCALE

12/26/24 Contractor completed the front line. Sch. 40 pipe used. Pipe is bedded with 57 stone. C/O installed 5' from house. Baffles installed in ST. OK to backfill (MB)

TRENCH/DRAINFIELD DATA

WIDTH 3 INLET 4 BOTTOM 8  
NUMBER OF TRENCHES 3  
TOTAL LENGTH 147'  
ABSORPTION AREA 1764 ft<sup>2</sup>  
DISTRIBUTION BOX LEVEL Yes  
DISTRIBUTION BOX BAFFLE Yes  
DISTRIBUTION BOX PORT Yes

SEPTIC TANK DATA

SEPTIC TANK 1 LEVEL Yes  
MANUFACTURER Borden  
CAPACITY 1500 GAL  
SEAM LOC Top  
TANK LID DEPTH 2.5'  
BAFFLES 6" Front / 4" Back  
BAFFLE FILTER -  
MANHOLE LOC Front/Back  
6" PORT LOC -  
WATERTIGHT TEST -  
SLOTTED Yes  
DATE ON LID 11-5-24

PUMP/SEPTIC TANK LEVEL N/A

MANUFACTURER  
CAPACITY GAL  
SEAM LOC  
TANK LID DEPTH  
BAFFLES  
BAFFLE FILTER  
MANHOLE LOC  
6" PORT LOC  
WATERTIGHT TEST  
SLOTTED  
DATE ON LID

\*See separate sheet for As-Built drawing\*  
ROAD NAME

SEPTIC CONTRACTOR ONSITE INSTALLING SYTEM: Marc Hereth  
SEPTIC CONTRACTOR ONSITE LICENSED WITH THE STATE OF MD: YES/NO

PRE-CONSTRUCTION NOTES:

12/19/2024 - Installer onsite for pre-con. fitting sewer install at

diff in front plan. Installer wants to move tank slightly so that's less levels in front line & outlet in line with upper septic trench. D-box also moved in front of upper trench. STA & trenches existed, some fit on site creating trench beginning to move down 9' & end up 13' moved down 5'. Will not impact rest of system.

INSTALLATION NOTES:

12/19/24 Contractor has trench #1 and #2 dug. Trench #2 has been backfilled with the end left open. Top of stone to grade is about 3.5'. Geotextile fabric added and absorption pipe added OK to backfill trench. Trench #1 bottom is per plan. Bottom of pipe is 4'. Contractor will leave front of trench open for tomorrow. Tank will be arriving on Monday at 10am. (MB) 12/20/24 Contractor installed d-box and lines running into trenches. Stoning the back line with 57 stone. Trench 3 has been dug. Top of stone is 3.5'. Geotextile fabric laid. D-box is level and has a baffle. OK to backfill trench 3 and pipe leading to trenches. Contractor to leave d-box open till Monday. Plans to dig the septic tank hole tomorrow (Saturday) (MB) 12/23/24 Contractor has septic tank installed and leveled. Completed back line to d-box bedding the overdig with 57 stone from ST to d-box. D-box is leveled. OK to backfill (MB) 1/29/25 Marc Hereth is now registered with MPE (MB)

CONTROL PANEL DATA

CONTROL PANEL HEIGHT (MIN 30")  
INSPECTION DATE  
INSPECTION: PASS/FAIL (CIRCLE ONE)

FINAL INSPECTOR

M. Burns

DATE OF APPROVAL

1/29/25

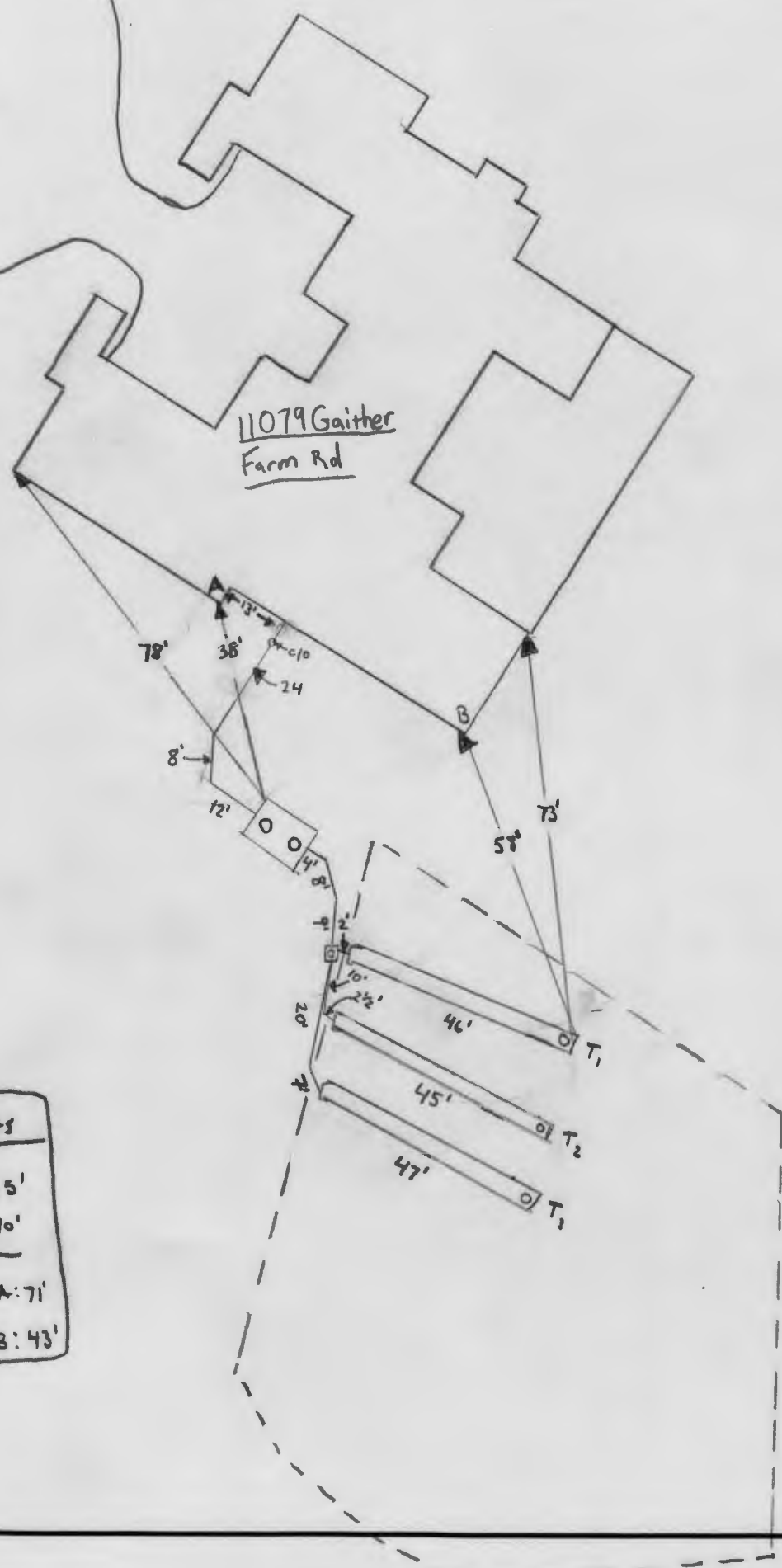
HO-18-0017  
W

11079 Gaither  
Farm Rd

11:30

NOT TO SCALE

Measurements  
D-box - B: 45'  
D-box - A: 70'  
            
T<sub>1</sub> beginning - A: 71'  
T<sub>1</sub> beginning - B: 43'



## Matthew Demmitt

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**From:** Silvast, Zackary <zsilvast@howardcountymd.gov>  
**Sent:** Friday, January 17, 2025 6:13 PM  
**To:** Matthew Demmitt  
**Cc:** Jennifer Wellen; Paul Cavanaugh  
**Subject:** RE: (61807)- 11079 Gaither Farm Road Lot 15 Gaither Farm

Hey Matt,

Everything looks pretty good. Let's make sure we have 10' spacing between the initial system and the 1<sup>st</sup> replacement system, which means we may have to slide the two replacements downhill. Other than that, should be good to go.

Looking on how everything played out now, I should have had them stop the install that day. I had to make a call while on the phone with my field staff which I thought the right decisions were being made. Next time, I'll consult FCC right away and will recommend a field crew be sent.

The changes, while minor to some extent, were more than I had anticipated. I think both the grading issues and the re-routing of the main septic line we're two things that were out of everyone's control between our two parties.

Please submit paper copies when you're ready. Thanks.

- ZS

**From:** Matthew Demmitt <mdemmitt@fcc-eng.com>  
**Sent:** Friday, January 17, 2025 3:34 PM  
**To:** Silvast, Zackary <zsilvast@howardcountymd.gov>  
**Cc:** Jennifer Wellen <Jwellen@fcc-eng.com>; Paul Cavanaugh <PaulC@fcc-eng.com>  
**Subject:** (61807)- 11079 Gaither Farm Road Lot 15 Gaither Farm

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Zack,

Please see the attached pdf with the update to the Redline/as-built of the septic install at 11079 Gaither Farm Road Lot 15. Wanted to send this to you to make sure your good with the changes before submitting a paper copy.

Per your email with Jen Wellen, and the sketch that was provided. We did a best fit to represent your sketch and field adjustments.

In the future if there are any field adjustments that need to be made and want to be show on the plan, if it be helpful we can have a crew out there to location the installed system before it is covered to accurately show its location. Just let us know.

Please let me know what you think and if you good with submitting paper copies?

or if you have any questions?

Thank you

Matthew Demmitt  
Fisher, Collins & Carter, Inc.  
10272 Baltimore National Pike  
Ellicott City, Maryland 21042  
Phone: (410) 461-2855  
Fax: (410) 750-3784



## Silvast, Zackary

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**From:** Silvast, Zackary  
**Sent:** Wednesday, January 15, 2025 3:41 PM  
**To:** Luke Groom  
**Cc:** Wellen, Jennifer; Burns, Matthew; Page, Shepsura  
**Subject:** regarding 11079 Gaither Farm Road (lot 15) septic changes  
**Attachments:** 11079 Gaither Farm Road (Lot 15) as-built.pdf

Good Afternoon,

After reviewing the updated plan, I have decided that the changes that were made out in the field are significant enough and differing from the recently submitted & revised OSDS plan that one more re-draft will be required.

I have attached our as-built drawing per the installation. One key aspect, as you can see, that I found hard to ignore was the fact that the main septic line is coming out of the house at a different location. And I'm surprised the septic contractor did not reach out or provide more accurate details to your engineering firm regarding the tank location changes.

We are asking that the plans align more with the as-built and we will grant approval of the plan once re-submitted. We appreciate your efforts to move this project to the final resolution stages. Thank you.

- ZS

**Zack Silvast (LEHS)**

*Plan Review Supervisor - Water & Sewer Division*  
*410-313-1777*

Environmental Health Bureau  
Howard County Health Department

# Transmittal

Via:  Fax  Mail  Messenger  E-Mail  To Be Picked Up  
 Fax (original to follow via U.S. Mail)

To: <b>Bureau of Environmental Health</b> <b>8930 Stanford Blvd</b> <b>Columbia, MD 21045</b>	Attn: <b>Zack Silvast</b> Fax: Phone:
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From: <b>Luke A. Groom, P.E.</b>	CC:
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Re: <b>Gaither Farm Lot 15</b>	W.O.# <b>61807</b>
Date: <b>December 30, 2024</b>	Pages: <b>5</b> <b>Page(s) Including this cover</b>

We are forwarding: <input checked="" type="checkbox"/> Prints <input type="checkbox"/> Copy of Letter <input type="checkbox"/> Specifications <input type="checkbox"/> Shop drawings <input type="checkbox"/> Other <input type="checkbox"/> Urgent <input type="checkbox"/> For your use <input type="checkbox"/> As requested <input type="checkbox"/> For Review & Comment
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Remarks:

**Mr. Silvast:**

**In conjunction with the submission of the above referenced project.**

**Attached you should find:**

**3 Sets of Septic Installation Plan with As-built condition reflected base on Health Department field inspection.**

**Copy of email corrispondance with health.**

**Please feel free to contact me if you require any additional information.**

**Regards,**

**Luke A. Groom, P.E.**

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## Matthew Demmitt

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**From:** Silvast, Zackary <zsilvast@howardcountymd.gov>  
**Sent:** Thursday, December 19, 2024 6:00 PM  
**To:** Luke Groom  
**Cc:** Page, Shepsura; Rappaport, Ryan; Burns, Matthew; Matthew Demmitt; Paul Cavanaugh  
**Subject:** RE: 61807 RE: regarding OSDS install at 11079 Gaither Farm Road

Luke,

Those changes look accurate, but the distribution box will be at the start of the first trench. The elevation numbers should change to reflect that in the necessary places on the plans, and the hung sewer should be clearly showing the steeper line and be updated on profile. Hard to see the intended change with just the two very small red dashes. I would try to match up the trench details also with those new elevation points you show on the plan next to the drainfield ends for the initial system.

SO if all that's done, you can re-submit and that should work. Thanks. Let me know if you're in agreeance, and like I stated in the first e-mail I just wanted to keep the project progressing. I think I made the right choice for this particular case as things were minor.

- ZS

**From:** Luke Groom <L.groom@fcc-eng.com>  
**Sent:** Thursday, December 19, 2024 4:13 PM  
**To:** Silvast, Zackary <zsilvast@howardcountymd.gov>  
**Cc:** Page, Shepsura <spage@howardcountymd.gov>; Rappaport, Ryan <RRappaport@howardcountymd.gov>; Burns, Matthew <mburns@howardcountymd.gov>; Matthew Demmitt <mdeemitt@fcc-eng.com>; Paul Cavanaugh <PaulC@fcc-eng.com>  
**Subject:** 61807 RE: regarding OSDS install at 11079 Gaither Farm Road

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Zack,

Please let us know if the hand-drawn redline changes in the attached PDF are what you are looking for without any additional field located survey efforts. If so, we can modify the plan in CAD and send in paper copies.

Thanks,  
Luke

**Luke A. Groom, P.E.**  
Project Manager  
**Fisher, Collins and Carter, Inc.**  
10272 Baltimore National Pike - Ellicott City, MD 21042  
Office: 410.461.2855 x555

**From:** Silvast, Zackary <zsilvast@howardcountymd.gov>  
**Sent:** Thursday, December 19, 2024 10:42 AM  
**To:** Luke Groom <L.groom@fcc-eng.com>  
**Cc:** Page, Shepsura <spage@howardcountymd.gov>; Rappaport, Ryan <RRappaport@howardcountymd.gov>; Burns,

Matthew <[mburns@howardcountymd.gov](mailto:mburns@howardcountymd.gov)>

**Subject:** regarding OSDS install at 11079 Gaither Farm Road

Good Morning Luke,

There were some minor changes that occurred with this property now that the OSDS installation has started.

- 1. The main sewer line is no longer coming out of the basement but is now a hung sewer. (septic profile will need to be adjusted)**
- 2. Minor grading occurred at the SDA. (this should NOT have happened)**
- 3. The tank, dbox location, and drainfield lines have been altered to deal with these unforeseen changes.**
  - a. Tank turned slightly to get on contour better.**
  - b. Dbox re-located to be in line with first trench.**
  - c. Drainfield ends closest to dbox are being slid down 9-12 feet to get level with the new contour (caused by disrupted grading)**

All of these changes are very minor and do not negatively impact the replacement systems so I did NOT stop order the installation. We will need a redlined plan submitted ASAP. Contact septic contractor for more details.

Thank you.

- ZS

**Zack Silvast (LEHS)**

*Plan Review Supervisor - Water & Sewer Division*

*410-313-1777*

Environmental Health Bureau

Howard County Health Department

## Silvast, Zackary

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**From:** Silvast, Zackary  
**Sent:** Wednesday, November 15, 2023 2:07 PM  
**To:** 'Luke Groom'  
**Cc:** Paul Cavanaugh  
**Subject:** regarding 11079 Gaither Farm Road (Gaither Farm - Lot 15)

To Whom It May Concern,

I have the following revision comments for this OSDS plan before we can approve. Please see down below.

1. **We cannot have trench inverts lower than 4' please correct.**
2. **Correct trench detail based on 4' inverts (if that is decided) & also provide better labeling of trench detail.**
3. **Something is not right about the top of septic tank elevation and invert in. Seems too low.**
4. **I checked all the math for trench calculations and that looked good.**

We look forward to your corrections and resubmittal. Thank you.

- ZS

**Zack Silvast (LEHS)**

*Plan Review Supervisor - Water & Sewer Division*

*410-313-1777*

Environmental Health Bureau  
Howard County Health Department



## Bureau of Environmental Health

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Twitter: HowardCoHealthDep

Maura J. Rossman, M.D., Health Officer

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### MEMORANDUM

TO: Jill Manion  
Division of Land Development

FROM: Jeff Williams   
Program Supervisor, Well & Septic Program  
Bureau of Environmental Health

DATE: January 16, 2020

RE: WP-20-066 Gaither Farm

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The Health Department has reviewed the above referenced petition and has the following comments:

1. The proposed sewage disposal area shown on the exhibit does not match the approved sewage disposal area on the plat.
2. A perc certification must be submitted and approved by the Health Department prior to any potential Health approval of a plat or building permit

Howard County Department of Planning and Zoning  
 Division of Land Development  
**ALTERNATIVE COMPLIANCE APPLICATION**  
*[Alternative Compliance from Subdivision and Land Development Regulations]*

Date Submitted/Accepted 1/6/20 DPZ File Number W-20-066

**I. Site Description**

Subdivision Name/Property Identification: Gaither Farm - Lot 15  
 Location of property: 11079 Ellicott City, Md 21042  
 (Street Address and/or Road Name)

Residential - SFD (Existing Use)	Residential - SFD (Proposed Use)
29 (Tax Map No.)	10 (Grid/Block No.)
RC-DEO (Zoning District)	4.25 Ac+/- (Total Site Area)
	1 (Parcel No.)
	Third (Election District)

Provide a brief site history including reference to all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.)  
 P-86-010, F86-061, Plat #6611

**II. Alternative Compliance Request**

In accordance with Section 16.104 of the Howard County Subdivision and Land Development Regulations, the Department of Planning and Zoning, in conjunction with the Subdivision Review Committee **may grant alternative compliances or modifications to the minimum requirements stipulated within the Regulations if it is determined that extraordinary hardships or practical difficulties may result from strict compliance with the regulations, or if it is determined that the regulations may be served to a greater extent by an alternative proposal.**

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 regulation. Attach a separate sheet if additional information is appropriate.

<u>Section Reference No.</u>	<u>Summary of Regulation</u>
1. 16.120(b)(4)	(iii) Not being encumbered by environmentally sensitive features: (b) For a lot or buildable preservation parcel of ten acres or greater
2.	in size, floodplains, wetlands, streams, their buffers, and forest
3.	conservation easements for afforestation, reforestation, or
4.	retention may be located on the lot or parcel if the building
5.	is no closer than 35 feet from these environmental features
	provided that a deck may project ten feet beyond the building
	envelope;

### III. *Justification*

**All alternative compliance requests must be fully justified by the petitioner. Incomplete or inadequate justification may result in rejection of the application at the time of submission.** Justification must be specific to the subject property. The justification provided by the petitioner should include all factors which rationalize or substantiate the request in accordance with the following criteria:

- a. Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the Regulations.
- b. Verify that the intent of the Regulations will be served to a greater extent through the implementation of the alternative proposal.
- c. Substantiate that approval of the alternative compliance will not be detrimental to the public interests.
- d. Confirm that approval of the alternative compliance will not nullify the intent of the Regulations.

**PLEASE ATTACH A SEPARATE LETTER OF JUSTIFICATION TO SUPPORT THE ALTERNATIVE COMPLIANCE REQUESTS.**

### IV. *Pre-Submission Meeting Requirements*

→→→a. **Community Meeting Requirement** - If no previous subdivision plans and/or zoning or conditional use petitions were processed, a pre-submission community meeting is required for the initial plan submittal of all new residential development and for new non-residential development located within 200 feet of a residential zoning district or an existing non-residential development which is located within 200 feet of a residential zoning district and proposed for a floor area expansion of more than 25% in accordance with Sections 16.156(a) and 16.128 of the Subdivision and Land Development Regulations for alternative compliance of the site development plan requirement. [See DPZ policy memo dated 3/22/04 for existing lots/parcels]. The property owner/developer must provide 3 weeks advance notice regarding the community meeting's date, time and location to all adjoining property owners identified in the records of the State Department of Assessments and Taxation and any community association that represents the geographic area of the subject property by first class mail; and sent electronically to any community association registered with the County for projects in a certain geographic area; the Howard County Council; and DPZ, which will place the meeting notice on the DPZ's website. The developer shall send a copy of the minutes and written responses to the meeting attendees and DPZ, either electronically or by first class mail. **A certification that meeting notices were mailed, contact information for the attendees and a copy of the minutes and a written response with a dated return mail receipt or dated email attached to all of the major comments recorded at the meeting must be submitted to DPZ along with the initial plan application. The meeting minutes, including a written response to all questions, shall be sent to all meeting attendees within 60 days of the meeting either electronically or by first class mail [Council Bill 6-2011].**

→→→b. **HPC Meeting Requirement** - A pre-submission advisory meeting with the Historic Preservation Commission is required for new development located within a Historic District or if the site contains a historic structure (50 years or older) in accordance with Section 16.603A of the Howard County Code. Verify this requirement by checking the Historic Sites Inventory list and maps available at the DPZ public service desk or checking with the Resource Conservation Division. The property owner/developer must contact the DPZ, Resource Conservation Division for the HPC scheduling process and procedures. **The property owner/developer must submit a copy of the minutes from the HPC Advisory Meeting to DPZ along with the initial subdivision or site development plan application.**

→→→c. **MAA Meeting Requirement** - For all proposed subdivisions or developments located within the BWI Airport Noise Zone or the Airport Zoning District (4 mile radius from the center of the airport), the review and approval by the Maryland Aviation Administration is required prior to signature approval of final plan road and SWM construction drawings, and/or site development plans, or alternative compliance approval of SDP. Please contact the MAA at P.O. Box 8766, BWI Airport, Maryland, 21240-0766, or (410) 859-7100. A copy of the MAA approval letter must accompany the submission of the final road/SWM construction plan original drawings, and/or site development plan original, or alternative compliance application.

- d. **Design Advisory Panel (DAP)** – A pre-submission advisory meeting with the Design Advisory Panel is required for sketch and preliminary equivalent sketch plans that are submitted on or after November 3, 2008 for new development or redevelopment projects on parcels located in the U.S. Route 1 corridor that are zoned 'CE', 'CAC' or 'TOD' or that adjoin the Route 1 right-of-way and that are subject to the Route 1 Design Manual; on parcels located within the U.S. Route 40 corridor that are zoned 'TNC' or that are subject to the Route 40 Design Manual; on parcels which age-restricted adult housing is to be constructed pursuant to a conditional use; on redevelopment parcels located in the New Town Village Centers with boundaries proposed by a property owner or established by the Zoning Board or County Council; and for revitalization and redevelopment of Downtown Columbia in accordance with Sections 16.1501 and 16.1504 of the Howard County Code. The property owner/developer must contact the DPZ, Division of Comprehensive and Community Planning to verify this requirement and for information concerning the DAP meeting scheduling process and procedures. **The property owner/developer must submit a copy of the DAP project design recommendations to DPZ along with the initial subdivision plan application.**

V. **Plan Exhibit**

A. **Number of Copies Required**

The alternative compliance application must be accompanied by copies of a detailed plot plan, subdivision plat or site development plan (**15 sets of the completed alternative compliance application and plan exhibit if the subject property adjoins a County road; 19 sets for properties adjoining a State road**).

In instances where the alternative compliance request concerns an approval extension or if an associated plan is in active processing, only 2 sets of plans are required along with 15 or 19 copies of the application form. **Plans must be folded to a size no larger than 7-1/2" x 12". The pre-packaging of plans and supplemental reports by SRC agency will be permitted by DPZ provided that each package contains a cover letter which itemizes all plans, reports and documents included in the package.**

**Please be advised that all plan application submissions are ACCEPTED BY APPOINTMENT ONLY. All plan submission appointments must be scheduled with the Division of Land Development at (410) 313-2350.**

Plan applications are available on the DPZ website at <https://howardcountymd.gov/Departments/Planning-and-Zoning/Land-Development>.

B. **Plan Requirement Checklist**

The detailed alternative compliance exhibit, plot plan, subdivision plan or site development plan must indicate the following required information relevant to the alternative compliance request to ensure acceptance of the alternative compliance application for processing.

Legend:	<u>✓</u>	Information Provided	<u>X</u>	Information Not Provided,
	<u>NA</u>	Not Applicable		Justification Attached

- / \_\_\_ 1. Vicinity map scale 1" = 2,000' indicating and identifying the total boundary of the property, exact site location, vicinity roads and north arrow.
- / \_\_\_ 2. Bearings and distances of property boundary lines for the entire tract and size of tract area.
- / \_\_\_ 3. North arrow and scale of plan.
- / \_\_\_ 4. Location, extent, boundary lines and area of any proposed lots.
- / \_\_\_ 5. Any existing or proposed building(s), structures, points of access, driveways, topography, natural features and other objects and/or uses on the subject and adjacent properties which may be relevant to the petition; i.e. historic structures, cemeteries or environmentally sensitive areas.
- / \_\_\_ 6. Delineation of building setback lines.
- / \_\_\_ 7. Delineation of all existing public road and/or proposed street systems.
- / \_\_\_ 8. Identification and location of all easements.
- / \_\_\_ 9. Approximate delineation of floodplain, streams, wetland and forested areas, if applicable, and/or

- provide a professional certification that environmental features do not exist on the property.
- N/A 10. Road profile to evaluate sight distance, if the application includes a request for direct access to a major collector or more restrictive roadway classification.
- / 11. Any additional information to allow proper evaluation (e.g. for alternative compliance to wetland buffers an alternative analysis and mitigation proposal are needed; for alternative compliance to SDP requirements where there is no subdivision of land, an APFO Roads Test evaluation may be needed, for alternative compliance of final plat or SDP, a copy of property deeds to confirm legal creation or status of property is needed).
- / 12. Photographs, perspective sketches or cross-sections as necessary to adequately portray the alternative compliance request.
- / 13. The exhibit plans should be highlighted to accurately illustrate the requested alternative compliance(s) to allow proper evaluation (i.e. proposed grading, tree clearing or other disturbances within environmentally sensitive areas or buffers).
- N/A 14. Submit 2 sets of photographs for all existing on-site structures.
- / 15. Identify the location of any existing wells and/or private septic systems.
- N/A 16. **Route 1 Manual**  
Compliance with the Route 1 Manual is required for new development and some alterations or enlargements located in the CE, TOD and CAC zoning districts and for other zoning districts located within the Route 1 corridor. All plan submissions, beginning with the initial subdivision or site development plan, shall show all applicable streetscape, site and building designs responding to the Route 1 Manual's requirements and recommendations. All plan submissions shall provide a written summary of how the proposed design achieves the objectives of the Route 1 Manual. Also, building design and schematic architectural elevation details must be included with the initial subdivision or site development plan submission.
- N/A 17. **Route 40 Design Manual**  
Compliance with the Route 40 Design Manual is required for new development and redevelopment projects located in the Traditional Neighborhood Center (TNC) zoning districts and on parcels located within the Route 40 Corridor as defined in the Route 40 Design Manual. All plan submissions within the Route 40 corridor, beginning with the initial subdivision or site development plan, shall show all applicable streetscape, site and building designs responding to the Route 40 Design Manual's requirements and recommendations. All plan submissions within the Route 40 corridor shall provide a written summary of how the proposed design achieves the objectives of the Route 40 Design Manual. Also, building design and schematic architectural elevation details must be included with the initial subdivision or site development plan submission.
- N/A 18. **Property Deeds** – Information to confirm the legal creation or status of the property to be improved. (Copy of deeds from Howard County Land Records Office or record plat name and recording reference number). **A complete chronological deed history is required for all deeded residential properties. Provide 2 copies of the recorded deeds for the subject property tracing its history back to 1960.**

     19. Please complete the following:

A pre-submission meeting was held with DPZ on \_\_\_\_\_ with \_\_\_\_\_ [date] \_\_\_\_\_, if applicable.  
[DPZ, Director, DLD Division Chief or other SRC representatives]

## VI. Fees

The Alternative Compliance application fee shall be in accordance with the adopted fee schedule. All checks shall be made payable to the *Director of Finance*. **The petition will not be accepted for processing until the fee has been paid. Incomplete, incorrect or missing information may result in the rejection of the application** and could cause additional time to be required to revise the application for resubmittal and re-review. For more information or questions, contact DPZ at (410) 313-2350.

VII. **Owner's/Petitioner's Certification**

I/WE the undersigned fee simple owner(s) hereby make application to the Howard County Department of Planning and Zoning to provide an alternative compliance request of the minimum requirements of the Howard County Subdivision and Land Development Regulations. The undersigned hereby certifies the information supplied herewith is correct and complete, confirms that the regulations and policies as referred to in the attached are understood, and authorizes periodic on-site inspections by the Howard County Subdivision Review Committee agencies. **\*If the applicant is the owner's agent, written documentation from owner granting that authority is required at the time of the submission.**

Owner's authorization attached \*

Douglas Brunner

(Signature of Property Owner)  
(Fee Simple Owner Only)

1/3/20  
(Date)

Frank Manalansan II

(Signature of Petition Preparer) \*

1/3/20  
(Date)

Douglas Brunner

(Name of Property Owner)

Fisher, Collins and Carter Inc.

(Name of Petition Preparer, Surveyor/Engineering/Architect  
or Agent/Developer)

1200 Stueart St. Unit 1511

(Address)

10272 Baltimore National Pike

Address)

Baltimore MD 21030

(City, State, Zip Code)

Ellicott City, MD 20142

(City, State, Zip Code)

E-Mail dougbrunner24@gmail.com

E-Mail partners@fcc-eng.com

410-963-1678

(Telephone)

(Fax)

410-461-2855

(Telephone)

(Fax)

Contact Person: Douglas Brunner

Contact Person: Frank Manalansan II, L.S.

**Howard County Department of Planning and Zoning  
Division of Land Development**

**INITIAL SUBMISSION  
ALTERNATIVE COMPLIANCE WORKSHEET  
(For DPZ Use Only)**

**Project Name** \_\_\_\_\_ **DPZ File No.** \_\_\_\_\_  
**DPZ Plan Reviewer** \_\_\_\_\_ **Submission Date** \_\_\_\_\_  
**Plan Consultant Representative** \_\_\_\_\_ **Time** \_\_\_\_\_

- I. Application Requirements** *Indicate Yes, No or N/A*
- a. Application is complete ..... \_\_\_\_\_
  - b. Required number of plans and applications are provided..... \_\_\_\_\_  
     \_\_\_ Plans (15 sets on County Road or  
     \_\_\_ Applications 19 sets on State Road)
  - c. Supplemental Information is provided ..... \_\_\_\_\_
  - d. Certification of pre-submission community meeting and summary of community comments with dated responses to all meeting attendees within 60 days is provided and three week notice given to DPZ and County Council, if applicable ..... \_\_\_\_\_
  - e. Certification of pre-submission HPC advisory meeting for new projects in Historic District or listed in Historic Sites Inventory ..... \_\_\_\_\_
  - f. Photographs of existing structures (for Historic Preservation Review) ..... \_\_\_\_\_
  - g. MAA Approval Letter (if applicable) ..... \_\_\_\_\_
  - h. Written summary of Route 1 Manual/Route 40 Design Manual compliance (if applic) ..... \_\_\_\_\_
  - i. DAP project design recommendation for Route 1/Route 40 projects ..... \_\_\_\_\_

- II. Fee Computation** **Fee**
- Number of alternative compliance sections requested ..... \_\_\_\_\_
  - \* Base Fee for first two alternative compliance sections (**\$450**)..... \_\_\_\_\_
  - Fee for each additional alternative compliance section (\_\_\_ additional alternative compliances x **\$50** each) ..... \_\_\_\_\_
- 
- \* (Maximum fee of **\$350** for Agricultural Preservation parcels)

**TOTAL** \_\_\_\_\_

**III. Certification**

Cash Receipt No. \_\_\_\_\_ Amount \_\_\_\_\_  
**SAP Acct 1000000000-3000-3000000000-PWPW000000000000-432530**

Check issued by \_\_\_\_\_

\_\_\_ Alternative Compliance application is accepted for processing.

\_\_\_ Scheduled SRC meeting date.

\_\_\_ Alternative Compliance application is rejected.

Reason: \_\_\_\_\_

\_\_\_ Resubmission is accepted.      Date \_\_\_\_\_      Staff initials \_\_\_\_\_

Comments/Notes \_\_\_\_\_  
 \_\_\_\_\_

**Gaither Farm Lot 15**  
**Alternative Compliance Justification**

On behalf of our client, Douglas Brunner, owner of the property known as 11079 Gaither Farm Road located in Ellicott City, Maryland, we are requesting Alternative Compliance from the following Section of the Howard County Subdivision and Land Development Regulations (Regulations):

**Section 16.120(b)(4) Usable design. Residential lots shall be designed to be usable in terms of:**

**(iii) Not being encumbered by environmentally sensitive features:**

(b) For a lot or buildable preservation parcel of ten acres or greater in size, floodplains, wetlands, streams, their buffers, and forest conservation easements for afforestation, reforestation, or retention may be located on the lot or parcel if the building envelope is no closer than 35 feet from these environmental features provided that a deck may project ten feet beyond the building envelope;

The property where approval of this Alternative Compliance Application is being requested is also known as lot 15 of the Gaither Farm Subdivision (Gaither Farm F-86-061) and is zoned RC-DEO. This lot, which was created in 1986, is 4.25 acres in size and adjacent to Non-buildable Preservation Parcels encumbered by a forest conservation easement on the Riverwood subdivision (F-04-082). Stream buffers associated with a stream located within the adjoining forest conservation easement exist along the northern boundary of this property. The proposed forest conservation easement has been placed to further extend the larger forest conservation easement on the adjoining subdivision and to include the stream buffers understood to be priority planting areas. In addition, placement of this forest conservation easement will work in concert with the placement of an area of non-rooftop disconnection area. Although credit is not being taken, a sheet flow to buffer scenario is created, further enhancing stormwater management. The required Declaration of Covenants for the non-rooftop disconnection area will add a regulated buffering area to the proposed forest conservation easement.

With the benefit of the on-lot forest conservation easement, this lot will have approximately 1.7 acres of protected forest complimenting the remaining 2.55 acres of land. Although a portion of this land will have SWM underground, well and septic fields, it should be expected to be viewed by the owner as open field. The remaining area of the property, excluding setbacks and a Specimen tree will leave ample area for any future improvements (additions, pool, decks, etc.) that may be pursued by the homeowner. As this lot has no future subdivision potential, there is no incentive to encroach into or remove any forest conservation easements.

Our firm reasonably asserts that allowing the property owner to retain forest for Forest Conservation Act (FCA) credit encourages the owner to minimize their site footprint as it provides a direct economic incentive. However, not allowing retention credit to be gained onsite will ultimately result in greater negative resource impact. If the forest is not permitted to be retained for FCA credit it will have to be considered cleared and a reforestation obligation will be generated. In this scenario, there is no benefit for the property owner to minimize forest clearing and this would encourage greater direct forest clearing than is currently proposed. If the property owner is required to pay for reforestation for all of the forest on the property, the owner may clear more onsite forest to gain more usable land to increase the lot value to offset the cost of FCA compliance. This is counter to the goals of the FCA which is designed to encourage retention by providing retention credit and the calculation of a break-even point.

a. “Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the Regulations.”

Lot 15 of the Gaither Farm subdivision has a considerable amount of forest contiguous with the adjoining subdivision and its existing forest easement. Although the owner of this property is willing to protect this forest within a forest conservation easement, extraordinary hardships and practical difficulties arise due to the size of this lot being under 10 acres.

It should be noted that the overall Gaither Farm subdivision occurred prior to the Forest Conservation Act enactment with no way to anticipate or balance the need to retain forest on the property, or address retention credit in open space areas.

b. “Verify that the intent of the Regulations will be served to a greater extent through the implementation of the alternative proposal.”

Approval of this Alternative Compliance Application will allow the protection of onsite existing forest resources, which happen to be part of a larger off-site forested easement area. The retention of the mature healthy forest onsite will be of direct benefit to the site's watershed and habitat value of the area, which will serve the intent of the regulations to a greater extent. As in lots/parcels greater than 10 acres in area, this particular lot provides a 35' building setback from environmental features (forest conservation easement) as required by current regulations.

c. “Substantiate that approval of the alternative compliance will not be detrimental to the public interests.”

With the approval of this Alternative Compliance Application, additional area of the existing forest stand can be maintained. The added forest conservation easement will serve as an expansion of the larger easement and is not detrimental to the public interest, but rather serve the public interest to a greater degree. Our firm has obtained similar Alternative Compliance approvals in the past with positive impact to the public interest by providing protected forest easements, on lots under 10 acres with mature forest stands. An example of this can be found on the Renfro Property, (WP-12-174) where forest conservation easements crossed lots under 10 acres and yet contributed to a larger forest conservation easement.

d. “Confirm that approval of the alternative compliance will not nullify the intent of the Regulations.”

As with most projects that require forest conservation to be addressed, where possible, on-site retention is considered the recommended method of meeting forest obligations. Granting the ability to provide on-site forest conservation easement will meet this condition and is not a nullification of the intent of the Regulations.

We strongly believe that approval of this Alternative Compliance Application will provide greater forest protection and serve the regulations to a greater extent, and we look forward to its approval.

However, please note that our office is of the position that the qualified forest located on the property, even though not placed into a recorded forest conservation easement by plat, may be designated as “Retention Credit” for the purposes of Forest Conservation Worksheet obligation to achieve the minimum “Break-Even Point” in accordance with Howard County Department of Planning and Zoning memo dated July 15, 2010, removing the need for a recorded easement.