

PUB. SEWER STATUS VERIFIED BY _____

ISSUE DATE: _____

APPROVAL DATE: _____

PERMIT INDEXED

P _____

A 517902-A

ON-SITE SEWAGE DISPOSAL SYSTEM HOWARD COUNTY HEALTH DEPARTMENT BUREAU OF ENVIRONMENTAL HEALTH

_____ IS PERMITTED TO INSTALL ALTER

ADDRESS: _____ PHONE NUMBER: _____

SUBDIVISION: _____ LOT NUMBER: _____

ADDRESS: 6907 Haviland Mill Road PROPERTY OWNER: Harold Masback

SEPTIC TANK CAPACITY (GALLONS): _____

PUMP CHAMBER CAPACITY (GALLONS): _____

NUMBER OF BEDROOMS: _____

SQUARE FEET PER BEDROOM: _____

LINEAR FEET OF TRENCH REQUIRED: _____

TRENCHES:	Trench to be _____ feet wide. Inlet _____ feet below original grade. Bottom maximum depth _____ feet below original grade. Effective area begins at _____ feet below original grade. _____ feet of stone below distribution pipe.
LOCATION:	_____
PURPOSE:	_____

PLANS APPROVED: _____ DATE: _____

- NOTE: PERMIT VOID AFTER 2 YEARS
- NOTE: CONTRACTOR RESPONSIBLE FOR SCHEDULING A PRE-CONSTRUCTION INSPECTION FOR ALL INSTALLATIONS
- NOTE: WATERTIGHT SEPTIC TANKS REQUIRED
- NOTE: ALL PARTS OF SEPTIC SYSTEM SHALL BE 100 FEET FROM ANY WATER WELL
- NOTE: MANHOLE RISERS REQUIRED ON ALL SEPTIC TANKS AND PUMP CHAMBERS

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 410-313-2640 FOR INSPECTION OF SEPTIC SYSTEM

410-313-2640



HOWARD COUNTY HEALTH DEPARTMENT

Bureau of Environmental Health
3525-H Ellicott Mills Drive, Ellicott City, Maryland 21043-4544

(410) 313-2640 Fax (410) 313-2648

TDD (410) 313-2323 Toll Free 1-877-4MD-DHMH

Penny E. Borenstein, M.D., M.P.H., Howard County Health Officer

August 29, 2002

517902A

Harold Masback
6907 Haviland Mill Road
Clarksville, MD 21029

RE: **Replacement Well Issues**
6907 Haviland Mill Road
Well Permit # HO-94-3452

Dear Mr. Masback:

According to our records your replacement well has been connected to the dwelling and an inspection has been conducted and approved, this office is also requesting that you contact the Community Environmental Health Program at (410) 313-1773 to schedule an initial water sampling for the referenced replacement well, as required by the Maryland Well Construction Regulation (COMAR 26.04.04). There is currently no charge for the sampling and it to your benefit to have it tested.

It is preferred that the sample be collected from the primary indoor drinking tap, but if suitable scheduling is not possible, the sample may be taken from an outside tap to complete your sampling obligation. However, the potential for unsuccessful sample results increases when samples are collected from taps exposed to the outside environment.

Failure to confirm the potability of this well water supply by completion of documentation or water sampling requirements could result in the issuance of an order to abandon and seal the replacement well in accordance with COMAR 26.04.04.

We have also noted in your file that your old well, will not be abandoned & sealed, as you will be using it as a standby. If you have any questions, or would like to discuss these matters further please call me at (410) 313-1771. Thank you for your attention to these important matters.

Respectfully,

Kacie Noonan
Kacie Noonan, Sanitarian
Well and Septic Program

cc: Community Environmental Health Program
File

**HOWARD COUNTY HEALTH DEPARTMENT
BUREAU OF ENVIRONMENTAL HEALTH
WATER AND SEWERAGE PROGRAM
TEL: (410)313-2640 FAX: (410)313-2648**

Information Form for the Installation of the Well Pump, Pitless Adapter, and Supply Piping

NOTE: The installer is responsible for requesting an inspection prior to 9 am on the day of the desired inspection. No work is to be covered until approved by the Health Department. All installations must comply with the National Standard Plumbing Code (NSPC, as amended locally) and COMAR 26.04.04 (MD Well Construction Regulations). Submission of a complete form is required prior to Use and Occupancy approval.

Company Name: ALLEN M. VANSANT INC. Telephone #: 410-442-2221
Address: 12100 FREDERICK ROAD
WEST FRIENDSHIP, MD 21794

(Must circle one) Licensed Plumber Licensed Well Driller Licensed Well Pump Installer
License # and name of individual responsible for the field installation:
Name (Print): MICHAEL J. KASTRUCIA License# 6501

*A licensed individual must perform the actual installation. Apprentices must be under the direct supervision of a licensed journeyman or master plumber, pump installer or well driller. Licenses may be subjected to field verification.

Name of Property Owner: HAROLD MASBACK Telephone #: 301-854-0848
Subdivision: HAVILAND HILLS Lot #: _____ Well Tag #: HO-94-3452
Site Address: 6907 HAVILAND MILL ROAD
CLARKSVILLE MD 21029

<u>Submersible Pump Data</u>	<u>Pitless Adapter</u>	<u>Well Cap and Electric Conduit</u>
Make: <u>Cobra DS</u>	Make: <u>Cobra</u>	Two piece watertight cap: _____
Model #: <u>SC60747E</u>	Model #: <u>U-107</u>	Screened, vented well cap: _____
Pump Capacity <u>5</u> GPM	Depth: <u>✓</u> (36" min)	Cap secured to casing: _____
Well Yield: <u>4</u> GPM	NSF approved: <u>✓</u>	Conduit min 18" B.G.: _____
Depth of well encountered at time of pump installation: _____ (feet)		Conduit secured to well cap: _____

If pump capacity exceeds well yield, a low water cut off switch is required by NSPC 1990 Section 17.8.4
Torque arrestors of Cable guards are required - Must circle one
Safety rope, if used, attached to inside of well casing with eye bolt ✓

<u>Piping to house</u>	<u>House Connection</u>
Type: <u>PE 1</u>	PVC sleeved to undisturbed soil at wall penetration: <u>✓</u>
PSI: <u>165</u> (160 psi min)	Approximate length of sleeve: _____
Depth of supply line: <u>✓</u> (36" min)	Sleeve caulked and sealed properly: _____

The water supply line is required to be at least ten feet from the septic tank, pump chamber, sewage piping, distribution box, drainfields, and sewage reserve area. If this cannot be accomplished, contact this office for approval prior to installation.

Signature of company representative responsible for installation: Michael J. Kastucia date: 8-2-02

For Health Department Use Only - Not to be completed by Installer

Date Insp. Requested: 8-6-02 pm Date Insp. Approved: 8/5/02 (SO)
Inspection Data: Pitless adapter and water supply line at least 36" below grade _____
Two piece cap installed and attached to casing securely _____
Elec. conduit extends at least 18" below grade/attached to cap properly _____
Safety rope installed inside of well casing _____
Correct well tag attached properly and casing 8" above finished grade _____
Water supply line sleeved adequately at house connection _____
Adequate grout observed below pitless adapter _____

8/6/02 Not Ready (SO)

C1 14581

SEQUENCE NO. (MDE USE ONLY)

STATE OF MARYLAND WELL COMPLETION REPORT

THIS REPORT MUST BE SUBMITTED WITHIN 45 DAYS AFTER WELL IS COMPLETED.

COUNTY NUMBER 13 A2396

(THIS NUMBER IS TO BE PUNCHED IN COLS. 3-6 ON ALL CARDS)

ST/CO USE ONLY DATE Received MM DD YY

DATE WELL COMPLETED MM DD YY

Depth of Well 380 (TO NEAREST FOOT)

PERMIT NO. FROM "PERMIT TO DRILL WELL" HD-94-3452

OWNER Masback Harold STREET OR RFD 6907 Harland Mill Road TOWN Highland SUBDIVISION SECTION LOT parcel 27

WELL LOG Not required for driven wells

STATE THE KIND OF FORMATIONS PENETRATED, THEIR COLOR, DEPTH, THICKNESS AND IF WATER BEARING

Table with columns: DESCRIPTION, FEET (FROM, TO), check if water bearing. Includes entries for Sand, Gray Mica, and Rock.

GROUTING RECORD

WELL HAS BEEN GROUTED (Y/N) TYPE OF GROUTING MATERIAL (Cement, Bentonite Clay) NO. OF BAGS, NO. OF POUNDS, GALLONS OF WATER, DEPTH OF GROUT SEAL

CASING RECORD (Steel, Concrete, Plastic, Other) MAIN CASING TYPE, Nominal diameter, Total depth

OTHER CASING (if used) diameter, depth

SCREEN RECORD (Steel, Brass, Plastic, Open Hole) screen type or open hole, insert appropriate code below

DEPTH (nearest ft.) 50, 380

PUMPING TEST

HOURS PUMPED (nearest hour) 3 PUMPING RATE (gal. per min.) 4.5 METHOD USED TO MEASURE PUMPING RATE Bucket WATER LEVEL (distance from land surface) BEFORE PUMPING 46 ft. WHEN PUMPING 290 ft. TYPE OF PUMP USED (for test) Air, piston, turbine, centrifugal, rotary, other, jet, submersible

PUMP INSTALLED

DRILLER INSTALLED PUMP YES NO IF DRILLER INSTALLS PUMP, THIS SECTION MUST BE COMPLETED FOR ALL WELLS. TYPE OF PUMP INSTALLED PLACE (A,C,J,P,R,S,T,O) IN BOX 29 CAPACITY: GALLONS PER MINUTE (to nearest gallon) 31 35 PUMP HORSE POWER 37 41 PUMP COLUMN LENGTH (nearest ft.) 43 47 CASING HEIGHT (circle appropriate box and enter casing height) + above LAND SURFACE - below 2 (nearest foot)

NUMBER OF UNSUCCESSFUL WELLS: 2

WELL HYDROFRACTURED YES NO Y N

CIRCLE APPROPRIATE LETTER A WELL WAS ABANDONED AND SEALED WHEN THIS WELL WAS COMPLETED E ELECTRIC LOG OBTAINED P TEST WELL CONVERTED TO PRODUCTION WELL

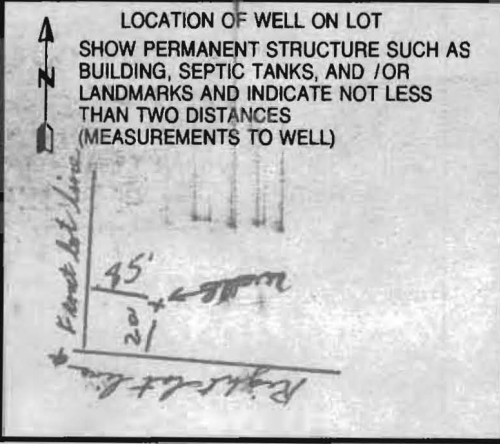
I HEREBY CERTIFY THAT THIS WELL HAS BEEN CONSTRUCTED IN ACCORDANCE WITH COMAR 26.04.04 "WELL CONSTRUCTION" AND IN CONFORMANCE WITH ALL CONDITIONS STATED IN THE ABOVE CAPTIONED PERMIT...

DRILLERS LIC. NO. 1 M SD 24 DRILLERS SIGNATURE Joseph L. Thayer

LIC. NO. 1 D

SITE SUPERVISOR (sign. of driller or journeyman responsible for sitework if different from permittee)

MDE USE ONLY (NOT TO BE FILLED IN BY DRILLER) T (E.R.O.S.) W Q 70 72 TELESCOPE CASING LOG INDICATOR OTHER DATA



B 1 7986
1 2 3 6

SEQUENCE NO. (MDE USE ONLY)

STATE OF MARYLAND
APPLICATION FOR PERMIT TO DRILL WELL
W 517380 please type

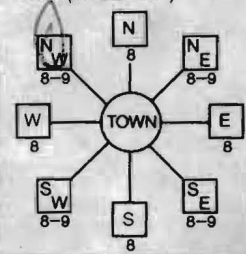
STATE PERMIT NUMBER
HD-94-3452
fill in this form completely 79

Date Received (APA) 07/26/02
OWNER INFORMATION
8 MM DD YY 13
Masback Harold
15 Last Name Owner First Name 34
6907 Haviland Mill Rd
36 Street or RFD 55
Clarksville 21029
57 Town 70 State 72 Zip 76

B 3 LOCATION OF WELL
8 COUNTY Howard 21
23 SUBDIVISION
SECTION 44 46 LOT 48 50
Highland
52 NEAREST TOWN 71
MILES FROM TOWN (enter 0 if in town) 3 MI 73 76 77 78

DRILLER INFORMATION
Joseph L. Mayne M 5 D 24
76 Driller's Name License No. 81
Joseph L. Mayne Well Drilling
Firm Name
5512 Ridge Rd. Mt Airy Md. 21771
Address
Joseph L. Mayne 7/23/02
Signature Date

B 4
1 2
DIRECTION OF WELL FROM TOWN (CIRCLE BOX)
ON WHICH SIDE OF ROAD (CIRCLE APPROPRIATE BOX)
6907 Haviland Mill Rd
11 NEAR WHAT ROAD 30
ON WHICH SIDE OF ROAD (CIRCLE APPROPRIATE BOX)
NORTH SOUTH WEST EAST
34 120 37
DISTANCE FROM ROAD FT 38 39
ENTER FT OR MI
TAX MAP: 40 BLK: 1 PARCEL 27



B 2 WELL INFORMATION
APPROX. PUMPING RATE (GAL. PER MIN.) 15
8 12
AVERAGE DAILY QUANTITY NEEDED (GAL. PER DAY) 500
14 20

- USE FOR WATER (CIRCLE APPROPRIATE BOX)
- DOMESTIC POTABLE SUPPLY & RESIDENTIAL IRRIGATION
 - FARMING (LIVESTOCK WATERING & AGRICULTURAL IRRIGATION)
 - INDUSTRIAL, COMMERCIAL, DEWATERING
 - PUBLIC WATER SUPPLY WELL
 - TEST, OBSERVATION, MONITORING
 - GEO-THERMAL

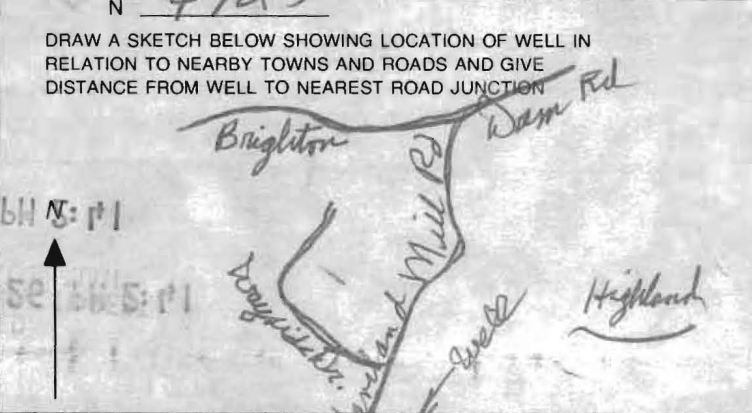
NOT TO BE FILLED IN BY DRILLER HEALTH DEPARTMENT APPROVAL
Howard A 2396
COUNTY NAME COUNTY NO.
STATE SIGNATURE INSERT S
DATE ISSUED 7/26/02 Kasei Norman 7/26/03
43 MM DD YY 48 CO SIGNATURE EXP. DATE
NORTH GRID 493 000 EAST GRID 802 000
50 55 57 63

APPROXIMATE DEPTH OF WELL 300 FEET
24 28
APPROXIMATE DIAMETER OF WELL 6 INCH
NEAREST INCH

METHOD OF DRILLING (circle one)
BORED (or Augered) JETTED Jetted & DRIVEN
30 AIR-ROTary AIR-PERCussion ROTARY (Hydraulic Rotary)
37 CABLE REVerse-ROTary DRive-POINT
other

REPLACEMENT OR DEEPEMED WELLS (CIRCLE APPROPRIATE BOX)
 THIS WELL WILL NOT REPLACE AN EXISTING WELL
 THIS WELL WILL REPLACE A WELL THAT WILL BE ABANDONED AND SEALED
39 THIS WELL WILL REPLACE A WELL THAT WILL BE USED AS A STANDBY-CONTACT LOCAL APPROVING AUTHORITY FOR POLICY ON STANDBY WELLS
 THIS WELL WILL DEEPEM AN EXISTING WELL
PERMIT NUMBER OF WELL TO BE REPLACED OR DEEPEMED (IF AVAILABLE) 41 52

SHOW MAJOR FEATURES OF BOX & LOCATE WELL WITH AN X
SOURCES OF DRILLING WATER
1. well
2.
3.
WRITE THE BOX NUMBER FROM THE MAP HERE
E 800 2
N 490 3
8/2/02
12:00 Groat
No Insp
BB



Not to be filled in by driller (MDE OR COUNTY USE ONLY)
APPROX. PERMIT NUMBER G
PERMIT No. HD-94-3452
70 71 72 73 74 75 76 77 78 79

SPECIAL CONDITIONS
NOTE - APPROVING AUTHORITIES SHOULD USE SEPARATE SHEET IF NEEDED

7/23/02
2:00

SITE INSPECTION SHEET

OWNER: Masback

DATE REQUESTED: 7-23-02

PHONE #: _____

CONTRACTOR: _____

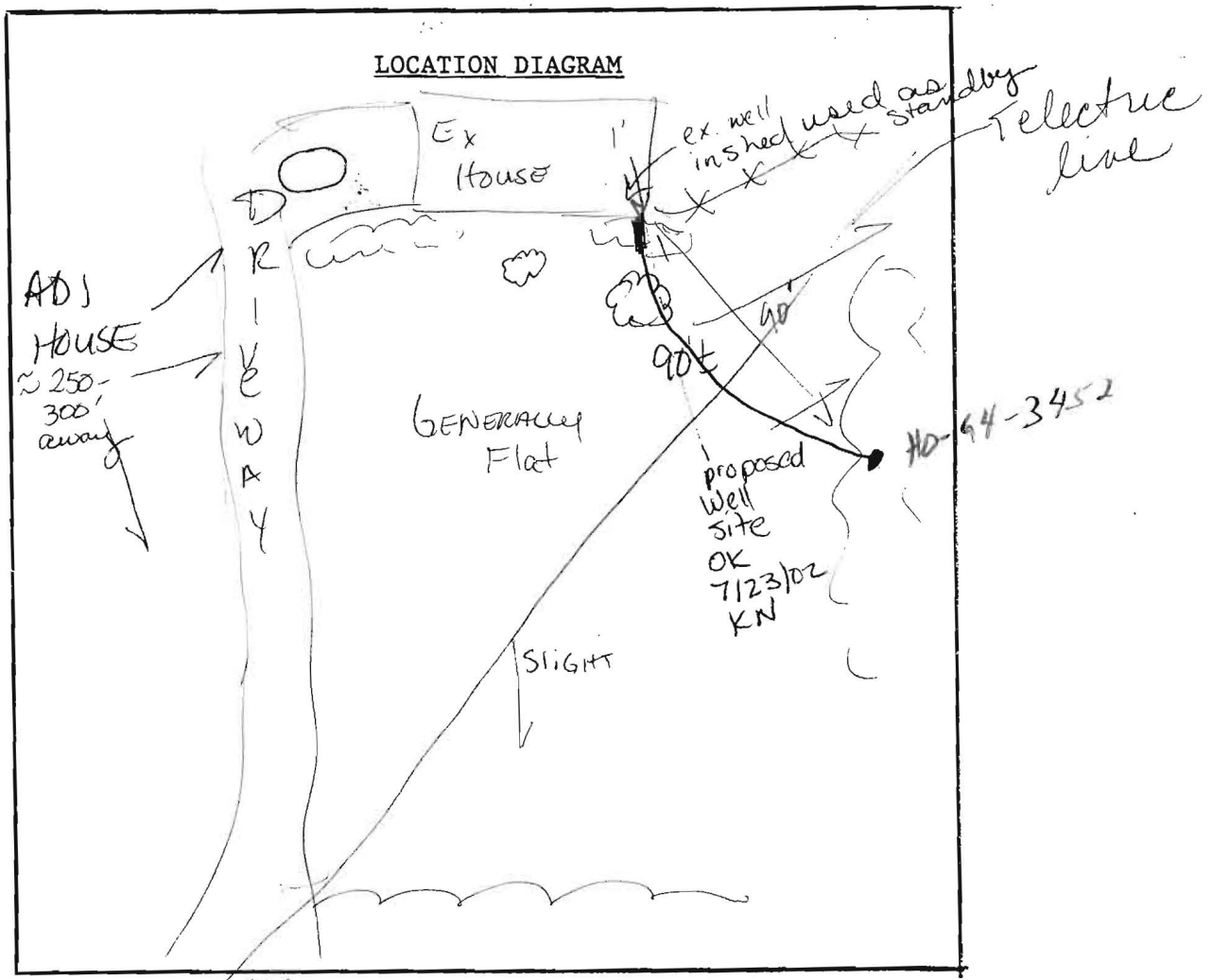
ADDRESS: 6907 Haviland Mill Rd

WELL TAG #: _____

COUNTY #: _____

PROPOSAL: rep. well - low flow

Total Storage logical then dry.



COMMENTS: HAVILAND MILL ROAD

7-23-02 to keep well as standby. Check # 298 \$80
W517380

DATE: 7-23-02

INSPECTOR: Karin

6/22/60 - the out *Approved*

PERMIT

P 02569
A 02396

SEWAGE DISPOSAL SYSTEM

MARYLAND STATE DEPARTMENT OF HEALTH

HOWARD COUNTY

ELLCOTT CITY

INDEXED

DISTRICT 5

DATE 6/15/60

C. C. Cissel IS PERMITTED TO INSTALL ALTER

ADDRESS Highland PHONE Atlas 6-3526

A SEWAGE DISPOSAL SYSTEM LOCATED AT Hayland Mill Rd. - 1 mi. off Brighton Dam Rd.

SUBDIVISION _____ ROAD _____ LOT _____

PROPERTY OWNER Brown, Ralph Da.

ADDRESS Hayland Mill Rd.

SPECIFICATIONS

DRAIN FIELD DEPTH _____ FEET, BOTTOM AREA 300 SQ. FT.

SEEPAGE PITS ABSORBENT SIDE-WALL AREA 300 SQ. FT.

SEPTIC TANK CAPACITY 750 GALLONS

FOR GARBAGE GRINDER, INCREASE DISPOSAL AREA 22% & TANK CAPACITY 50%.

OTHER Tile field - located about 25 to 100 ft. behind the house or dry well
located about 20 - 25 ft. from the front of the house.

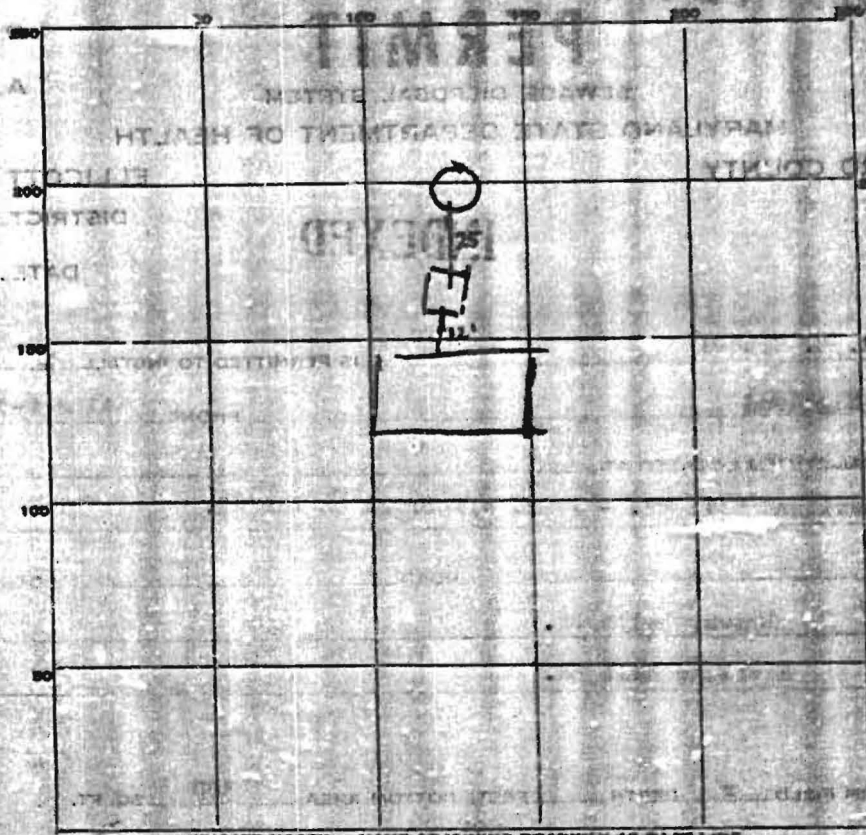
PLANS APPROVED BY Raymond Hodges DATE 5/4/60

FILL SEPTIC TANK AND DISTRIBUTION BOX WITH WATER BEFORE CALLING FOR AN INSPECTION. COVER NO WORK UNTIL INSPECTED AND APPROVED.

NEITHER THE HOWARD COUNTY COMMISSIONERS NOR THE HEALTH DEPARTMENT IS RESPONSIBLE FOR THE SUCCESSFUL OPERATION OF ANY SYSTEM.

BLDG. PERMIT SIGNED
AND RETURNED *[Signature]*
Serial # 64587
family room

02396



PERMIT CARD NO HILL ROAD

SEPTIC TANK, LEVEL OK 750 CLEANOUT OK 8" 28
28
308

DISTRIBUTION BOX, LEVEL _____

TILE FIELD, DEPTH _____ FT. TRENCH WIDTH _____ FT.

GRAVEL DEPTH _____ IN. TOTAL LENGTH _____ FT.

NUMBER OF TRENCHES _____ TOTAL BOTTOM AREA _____

SEEPAGE PITS, INSIDE DIAMETER 9 FT. DEPTH BELOW INLET 15 FT.

ABSORBENT AREA 308 SQ. FT.

REMARKS Outlet 2' below grade
Dry Well was installed in area not tested
for a dry well but ground seemed to
be porous & no water was in the bottom

DATE SYSTEM APPROVED 6/22/60 INSPECTOR Raymond Hodge

5/4/60
1:00

APPLICATION

SEWAGE DISPOSAL TESTING

A 02396
P 02569

MARYLAND STATE DEPARTMENT OF HEALTH

HOWARD COUNTY

750 Gallon Tank

ELLICOTT CITY

Tile Field - 300 sq ft bottom

DISTRICT

area located about 25 to 100 ft behind the house

DATE

5th
4/30/60

or a Dry Well - 300 sq ft sidewalk area located about 20-25 ft from the front of the house

TO: THE COUNTY HEALTH OFFICER
ELLICOTT C TY, MARYLAND

I, HEREBY APPLY FOR THE NECESSARY TESTS IN ORDER TO CONSTRUCT OR RECONSTRUCT A SEWAGE DISPOSAL SYSTEM.

PROPERTY OWNER

Ralph W. Brown

ADDRESS

Hariland Mill Rd

PHONE ?

PROPERTY LOCATION:

SUBDIVISION

LOT NO

ROAD AND DESCRIPTION

Hariland Mill Road - 1 mi off Brighton
Dover Road

OCCUPANT

Same

PHONE

PERSON TO CONSTRUCT SYSTEM

C. C. Cissel

ADDRESS

PHONE

SIZE OF LOT

5A+

TYPE BLDG

19

NUMBER OF BLDG ROOMS

IF NOT SINGLE RESIDENCE DESCRIBE

SIGNATURE OF APPLICANT

C. C. Cissel

APPROVED BY

Raymond Hodges

FOR

Tile Field

DATE

5/4/60

REJECTED BY

FOR

Dry Well (in front)

DATE

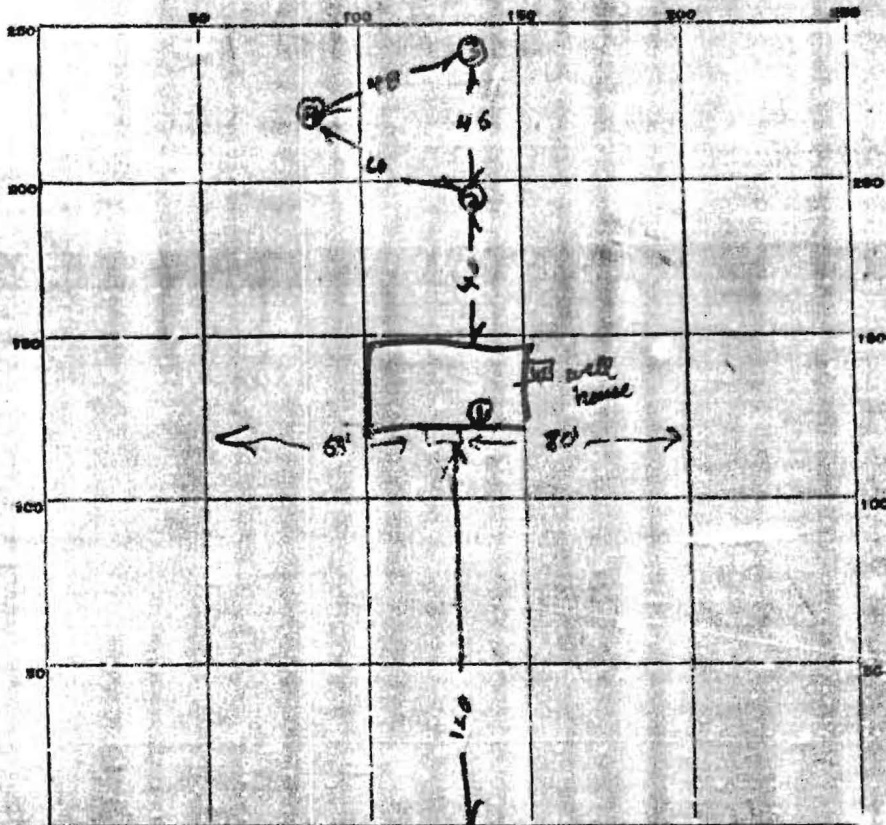
HOLD PENDING FURTHER TESTS

DATE

REASONS FOR REJECTION OR HOLDING

THIS IS NOT A PERMIT

02396



INDICATE NORTH. - NAME ADJOINING ROADWAY AS BASE LINE.
 → TO BRIGHTON DAM RD
 HAVLAND MILE RD

DATE	TEST NO.	DEPTH	PRE-WET		TEST - 1" DROP		TIME
			START	STOP	START	STOP	
5/4/50	1	8	101	104	104	109	5 min
	2	3	110	111	111	114	3 min
	3	3	115	116	116	117	1 min
	4	3	120	124	124	130	6 min

SOIL AUGER FINDING _____
 TESTED BY Raymond Hodges
 REMARKS _____
 ALSO PRESENT John Williams LOT NO. _____



Howard County
Health Department

3525 H Ellicott Mills Drive, Ellicott City, MD 21043

(410) 313-2640 Fax (410) 313-2648

TDD (410) 313-2323 Toll Free 1-866-313-6300

website: www.hchealth.org

Penny E. Borenstein, M.D., M.P.H., Health Officer

August 17, 2004

TO: Cindy Hamilton
Chief, Division of Land Development

FROM: Kevin J. Bell
Well and Septic Program
Development Coordination Section

RE: File Number: WP-05-010
Title: S. Ralph Dubrowin Development

The following comments apply to the above referenced waiver petition.

- Applicant must apply for a perc test to establish a sewage disposal area on both parcels.

KJB

#13

OWNERS DEDICATION

We, S. Ralph and Francis L. Dubrown his wife owners of the property shown and described herein, keep this plan of subdivision and reserve the fee simple title to the base of the streets and/or roads shown hereon, and in consideration of the approval of this plan by the Planning Commission of Howard County, We or our assigns do hereby give and grant unto the Board of County Commissioners of Howard County the right and option to acquire for the consideration of One Dollar the fee simple title to the base of the streets and/or roads shown hereon, within the period of Five Years from the date of the recording of this plan among the Land Records of Howard County.

Witness our hands and seals this 16 day of May 1959

S. Ralph Dubrown
S. Ralph Dubrown

Francis L. Dubrown
Francis L. Dubrown

ENGINEERS CERTIFICATE

I hereby certify that the plan shown herein is correct; that it is a subdivision of a part of Parcel 2 one all of Parcel 22 of that land which by deed dated February 22, 1953 and recorded among the Land Records of Howard County in Liber No. 254, Page 36 was granted and conveyed by Robert A. Schrepp and wife et al to S. Ralph Dubrown and wife and that iron pipes marked "A" and concrete monuments marked "B" are in place as shown hereon.

I further certify that the requirements of Section 72.6, 10.750 of the Annotated Code of Maryland (Title Code of Court - Subtitle Code of Circuit Court) as far as they relate to the marking of this plan and setting of monuments have been complied with.

George M. Stinner, Jr.
George M. Stinner, Jr. Reg. Engineer and Land Surveyor No. 2237

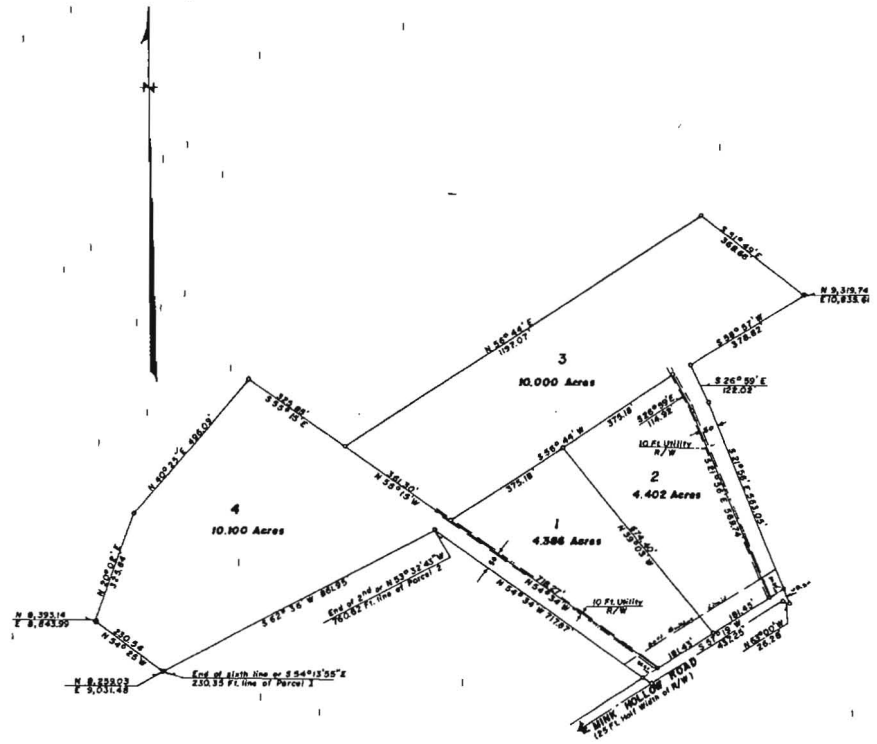
**MAP OF
S. RALPH DUBROWIN DEVELOPMENT
FIFTH ELECTION DISTRICT OF HOWARD COUNTY
HIGHLAND, MARYLAND
SCALE: 1 IN. = 200 FT. MAY 1959**

FILED JUN 5 - 1959



FILE NO. C-1474

MSA 55M1247-49 62



Coordinates - Assumed
Area in Lots 28.888 Acres
Area in Wood 252 Acres
Total 29.140 Acres

APPROVED BY

5-27-59 Wilmer M. Sanner
Date Wilmer M. Sanner, Chairman of Planning Commission

5-27-59 Eugene D. Wheeler
Date Eugene D. Wheeler, Planning Director

6/2/59 Thomas S. Cahill
Date Thomas S. Cahill, County Road Supervisor

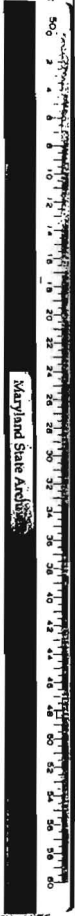


EXHIBIT A




7178 Columbia Gateway Drive, Columbia, MD 21046
(410) 313-2640 Fax (410) 313-2648
TDD (410) 313-2323 Toll Free 1-866-313-6300
website: www.hchealth.org

Penny E. Borenstein, M.D., M.P.H., Health Officer

December 21, 2004

TO: Cindy Hamilton
Chief, Division of Land Development

FROM: Kacie Noonan, R.S. 
Well and Septic Program
Development Coordination Section

RE: File Number: WP-05-064
Title: Dubrowin Property (aka Masback Property)
Parcels 27 & 9

Upon review of supplement sheets to the waiver petition, mainly using detailed parcel descriptions in Section A, our office requires the following conditions to be met (due to the creation of a lot line) prior to final review and signature:

- Percolation testing for the existing house on 6907 Haviland Mill Road must be done to establish 10,000 square feet of septic area

Our office requests a new Final Record Plat for recordation (of all parcels involved) to include a statement for the newly created unimproved area labeling it as "Non-buildable until approved by the Approving Authority".

KN

File
C/11

FAST TRACK PLAN

Keep w/ file

DataBase No. _____

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
Division of Land Development

DATE: 12-8-04

DPZ File No. WP-05-064

Department of Planning and Zoning

- Transportation Planning
- Historic Preservation
- Public Service and Zoning Administration
- Research
- Address Coordinator

- Environmental and Community Planning (Ag Pres/Route 1)
- Development Engineering Division
- Other
- File

(see: WP-05-010)

Agencies

- Soil Conservation District
- Department of Inspections, Licenses & Permits
- Department of Fire and Rescue Services
- State Highway Administration
- Health Department
- Public School System
- Recreation and Parks
- WSSC
- MD Aviation Administration

- Tax Assessment
- Verizon
- BGE
- Cable TV
- Police
- MTA
- Finance
- DPW, Real Estate Services
- DPW, Construction and Inspection
- DPW, Bureau of Utilities

RE: Dubrowin Property - Tract 40 Parcels 9+27

ENCLOSED FOR YOUR → Signature Approval
THE ENCLOSED → Original

Review & Comments Files
 Pre-Packaged Plan Set

Plans	# of Sheets
<input type="checkbox"/> Sketch Plan	_____
<input type="checkbox"/> Prel Equiv Sketch Plan	_____
<input type="checkbox"/> Preliminary Plan	_____
<input type="checkbox"/> Final Plat/Plat of Easement/RE Plat	_____
<input type="checkbox"/> Final Constr Plans (RDS)	_____
<input type="checkbox"/> Final Development Plan	_____
<input type="checkbox"/> Site Development Plan	_____
<input type="checkbox"/> Landscape Plan/Supplemental Plan	_____
<input type="checkbox"/> Grading Plan	_____
<input type="checkbox"/> House Type Revision/Walk-Thru Red-Line	_____
<input type="checkbox"/> Water and Sewer Plan	_____
<input type="checkbox"/> Applications	_____
<input checked="" type="checkbox"/> Waiver Retention Appl/Exhibit	_____
<input type="checkbox"/> Planning Board Application	_____
<input type="checkbox"/> ASDP/CSDP Application	_____
<input type="checkbox"/> DED Application/Checklist	_____
<input type="checkbox"/> DED Fee Receipt/Deeds/Cost Estimate	_____

- Supplemental Documents
- Wetlands Report
 - Soils/Topo Map/Drain Area Map
 - FSD/FCP/Worksheet and Application
 - Declaration of Intent (Forest Cons)
 - Drainage and/or Computation/Pond Safety Comps
 - Preliminary Road Profiles
 - APFO Roads Test/Mitigation Plan/Traffic Study
 - Noise Study
 - Sight Distance Analysis/Speed Flow Study
 - Floodplain Study
 - Stormwater Management Comps/Geo-Tech Report
 - Industrial Waste Survey (DPW)
 - Road Poster Form Letter
 - Response Letter
 - Perc Plat
 - Scenic Road Exhibits
 - Deeds
 - Photographs *(1 color; 1 B/W)*
 - Retaining Wall Comps/Details
 - Poster/Community or HDC Meeting Information
 - Route 1 Details/Summary

AS: Received Tentatively Approved
 Received and Revised Approved

Recorded
On 12-8-04

COMMENTS: SEE ATTACHED LETTER SRC/Comments Due By: 12-30-04

Check, initial and return to the Department of Planning and Zoning if plan is approved with no comments.

DPZ STAFF INITIALS _____

CLEAR INFO

WAIVER PETITION APPLICATION

Date Submitted/Accepted 12-8-04 DPZ File Number WP-05-064

I. **Site Description**

Subdivision Name/Property Identification: S. Ralph Dubrowin Development

Location of property: 6907 Haviland Mill Road, Clarksville, Maryland
(Street Address and/or Road Name)

Residential
(Existing Use)

Residential
(Proposed Use)

40
(Tax Map No.)

1
(Grid/Block No.)

27
(Parcel No.)

5th
(Election District)

RR-DEO
(Zoning District)

9.127 acres
(Total Site Area)

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, waiver petitions, etc.)
See Supplement

II. **Waiver 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 waivers 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 a waiver 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. <u>16.147</u>	<u>Final Subdivision Plan and Final Plat so as to permit an</u> <u>adjoinder conveyance for the Petitioner's Parcel 27 to</u>
2. _____	<u>Petitioner's Parcel 9</u>
3. _____	_____
4. _____	_____
5. _____	_____

V. Plan Exhibit

A. Number of Copies Required

The waiver petition application must be accompanied by copies of a detailed plot plan, subdivision plat or site development plan (**14 sets of the completed waiver application and plan exhibit if the subject property adjoins a County road; 18 sets for properties adjoining a State road**). In instances where the waiver request concerns an approval extension or if an associated plan is in active processing, only 2 sets of plans are required along with 14 or 18 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.

B. Plan Requirement Checklist

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

Legend:	<u>Y</u>	Information Provided	<u>N</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.
- X 2. Bearings and distances of property boundary lines for the entire tract and size of tract area.
- X 3. North arrow and scale of plan.
- X 4. Location, extent, boundary lines and area of any proposed lots.
- X 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.
- X 7. Delineation of all existing public road and/or proposed street systems.
- 8. Identification and location of all easements.
- 9. Approximate delineation of floodplain, wetland and forested areas, if applicable.
- 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.
- X 11. Any additional information to allow proper evaluation (e.g. for waivers to wetland buffers an alternative analysis and mitigation proposal are needed; for waivers to SDP requirements where there is no subdivision of land, an APFO Roads Test evaluation may be needed).
- X 12. Photographs, perspective sketches or cross-sections as necessary to adequately portray the waiver request.
- 13. The exhibit plans should be highlighted to accurately illustrate the requested waiver(s) to allow proper evaluation (i.e. proposed grading, tree clearing or other disturbances within environmentally sensitive areas or buffers).
- X 14. Submit 2 sets of photographs for all existing on-site structures.

* Covered by tax maps and Final Record Plat for adjacent property owned by Petitioner. The two parcels that are the subject of the waiver were created prior to requirement of Final Subdivision Plan.

15. **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.

VI. **Fees**

The Waiver Petition 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 petition 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 relax 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.**

Owner's authorization attached *

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

Harold E. Masback, III
(Name of Property Owner)

1 Park Street
(Address)

New Canaan, CT 06840
(City, State, Zip Code)

(E-mail)

203-966-2651 (Telephone) _____ (Fax)

Contact Person: Harold E. Masback, III

(Signature of Petition Preparer) * (Date)

David A. Carney, Reese and Carney, LLP
(Name of Petition Preparer, Surveyor/Engineer or Agent/Developer)

10715 Charter Drive, Suite 200
(Address)

Columbia MD 21044
(City, State, Zip Code)

(E-mail) dac@reese-carney.com

410--740-4600 (Telephone) _____ (Fax)
410-730-7729

Contact Person: David A. Carney

Howard County Department of Planning and Zoning
Division of Land Development

**INITIAL SUBMISSION
WAIVER PETITION 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 NIA*

- a. Application is complete
 - b. Required number of plans and applications are provided
 ___ Plans (14 sets on County Road or
 ___ Applications (18 sets on State Road)
 - c. Supplemental Information is provided
- _____
- _____

II. Fee Computation **Fee**

Number of waivers requested	
* Base Fee for first two waiver sections (\$450)	
Fee for each additional waiver section (___ additional waivers x \$50 each)	\$0.00
* (Maximum fee of \$350 for Agricultural Preservation parcels)	
TOTAL	\$0.00

III. Certification

Cash Receipt No. _____ Account #011-005-4201 Amount _____

Check issued by _____

___ Waiver petition application is accepted for processing.

___ Scheduled SRC meeting date.

___ Waiver petition application is rejected.

Reason: _____

___ Resubmission is accepted. Date _____ Staff initials _____

Comments/Notes _____

SUPPLEMENT TO WAIVER PETITION

Masback Property

Set forth below in Section A hereof is the text of the Supplement except for the deletion of one clause in paragraph 7 thereof, and surveyor corrections that differ from the original Waiver Petition WP-05-10. Supplemental information was requested by letter dated November 29, 2004 from the Department of Planning and Zoning (DPZ) directed that a new waiver application with normal application fees be required to be submitted because the Petitioner had not processed the reconsideration request within 30 days after the initial letter dated September 21, 2004 in which DPZ indicated that the Planning Director was not able to effect or grant the waiver as of September 21, 2004.

Section A

1. The Properties that are the subject matter of this Waiver are known as Parcels 27 and 9, as shown on Howard County Tax Map 40, Grid 1. The Properties are zoned RR-DEO. Parcel 27, the residential improvements of which are known as 6907 Haviland Mill Road contain 9.03 acres and there is located on such parcel a residence and a small barn. Parcel 9 located contiguous to it and abutting on all of its rear sides is a 10.36 unimproved acre parcel. Both parcels are owned by the Petitioner. The Petitioner also owns Parcels 1, 3, and 4 as shown on a Final Record Plat entitled "Map of S. Ralph Dubrowin Development" the Dubrowin Property as recorded among the Land Records of Howard County, Maryland, on June 5, 1959, a copy of which is attached as Exhibit A.
2. Attached as Exhibit B is Tax Map 40 which depicts all of the parcels owned by the Petitioner. Attached as Exhibit C are copies of the recorded title deeds of the properties owned by the Petitioner and his spouse. Petitioner has moved from the property and needs to sell the 3 acre lot as soon as practicable.
3. Petitioner requests to reconfigure Parcel 27 by conveying by adjoinder transfer of 5.979 acres of the 9.27 acres located within such Parcel to Parcel 9 so that it can be reconfigured into one 16.339 acre unimproved parcel. Attached as Exhibit D is the deed plotting of Parcel 27 and Parcel 9 as superimposed on an extract of the County Topographic Map, which depicts the two parcels and Exhibit E which depicts the location of the proposed 3 acre parcel.
4. The 3 acre parcel will include the dwelling and barn and will meet the RR-DEO minimum lot size. Its rear lot line will be more than 75 feet from the existing stream. The Property has 93.47 feet of frontage on Haviland Mill Road. The 3.05 acre remainder lot will not include any wetlands or streams. The Petitioner proposes no development, no creation or dedication of public infrastructure, no public road or private access place improvements, and there would be no impact on natural resources by the adjoinder

conveyance. The existing pond and stream on Parcel 27 will be within the 5.972 acre area.

5. Any future development of the Petitioner's remaining property including Parcel 9 would have public road access through Mink Hollow Road.
6. Under Subdivision Regulation 16.102(c)(1), the proposed division of property would be exempt from the Sketch and Preliminary Plan submissions. Petitioner seeks waiver of Final Plan submission under Subdivision Regulation 16.147 so as to permit an adjoinder transfer.
7. Strict compliance will result in practical difficulties for Petitioner. Implementation of Petitioner's plan to convey by adjoinder deed will serve the intent of the Regulations. No additional residential improvements would be created beyond existing conditions.
8. The Petitioner's plan is not detrimental to the public interest. As noted herein, no development is proposed. The adjoinder transfer will not have a public impact.
9. Division of the Property under this Waiver Petition will not nullify the intent of the Howard County Subdivision Regulations.

Section B

The Department of Planning and Zoning is requested to consider the circumstances of the real property ownership of the Petitioners which consist of the two 10+ acre Parcels 3 and 4 known as the Dubrowin Property, and the 10.36 acre parcel contiguous to the Dubrowin Property to which would be attached if this Petition is approved the 5.9792 acre portion of Parcel 9 and Lot 1 of the Dubrowin Property, the lot that would be revised to contain 16.339 acres which would include the 5.9792 residual parcel that would be the remaining portion of the 9.03 acre parcel.

To assist in the review of the Petition, are the following Exhibits:

1. Survey Plat entitled "Masback Property" dated December 1, 2004 which depicts the existing conditions of Parcel 9, including the existing residential improvements, residence, barn, driveway, well, septic area, the center line of the existing stream, and the existing pond. The latter two of which are located within the proposed residual parcel that would be affixed to Parcel 9. The existing stream which is located between the pond and the proposed 3.05 acre parcel on which the residential improvements are located, measures 123 feet and 146 feet as the closest two points from the center line of the existing stream.

2. The surveyor's descriptions of the two parcels, the larger of which would be merged with Parcel 9.
3. Sketch of the Department of Environmental Health dated June 22, 1960 depicting the approval of the existing septic system and its design.
4. Letter dated November 24, 2004 from Steven L. Huber, Senior Environmental Specialist with Exploration Research, Inc, certifies upon inspection and examination of the field conditions that there are no wetlands or stream systems within the proposed 3 acre lot and that the existing perennial stream as shown on the Scott Shanaberger survey (Exhibit 1) is more than 100 feet from the proposed property line.
5. Letter dated December 6, 2004 from Zacharia Y. Fisch, Professional Engineer with FSH Associates indicating that upon his field investigation as it relates to adequacy of access for Mink Hollow Road. The existing frontage of the three recorded lots on the Dubrowin Property have permitted access. The most suitable location to provide access for any common driveway used with those three lots would be at the location of the pipe stem for Lot 4 as depicted on the Final Record Plat of the Dubrowin Property. In his letter Mr. Fisch notes that the Dubrowin Property has 280 feet of combined frontage on Mink Hollow Road, and that the point of access that would provide maximum sight distance would be at the pipe stem for Lot 4. Mr. Fisch noted that there is unobstructed line of sight approximately 800 feet from the south of that location and unobstructed line of sight approximately 400 feet to the north.

In the DPZ letter dated November 29, 2004, it was requested that the Petitioner either correct the Final Record Plat of the Dubrowin Property to provide a fee simple pipe stem or an access easement over the applicable lots, noting that both options would necessitate the recording of the plat for Lots 1, 3 and 4 (Lot 2 is not owned by the Petitioners and is presently improved by a residence). The Petitioner proposes to create a 24 foot wide access easement from a location that is within the reconfigured Parcel 27 and the center line of which would run along the south 55° 15' east line that presently runs between Lots 3 and 4 as extended through the North 54° 34' west line that runs between the 50 foot fee simple strip of Lot 4 and Lot 1. That access easement would be in form and content followed by access easements permitted under the Development Regulations, and would be available for use for one residence that could be built on existing Parcel 9, Lot 3 or Lot 4. Mink Hollow Road is shown as a minor collector road on the Plan of Highways contained in the 2000 General Plan.

Exhibit 1 depicts several small areas that have 25 degree slopes which are not impacted by the Development Regulations because they are less than 20,000 contiguous square feet. The 6500 square foot section is wooded and has never been graded nor is there any requirement to do so. The other two areas are in a field that has farm grass.

Further Analysis

As noted in the original Petition, the Petitioner is not proposed to create any additional residential use or alter any of the existing conditions of its existing properties. There is not grading proposed on any portions of existing Lot 9 or Lot 27 to which a portion of the Property within Lot 9 would be adjoined.

The residual and reconfigured Parcel 9 would include within it the environmental conditions that exist with the existing stream running through it, and the pond that has existed prior to the Petitioner's ownership of the Property. The reconfiguration of Parcel 27 so as to permit the residential parcel to be separated from the remainder parcel would not have any environmental conditionals that would violate Article II and III of the Subdivision and Development Regulations. It would have the residual Parcel 9 having access for use through and to Mink Hollow Road and avoid any requirement for a stream crossing. The residual residential parcel was graded 44 years ago, and has been stabilized over that period time with existing grass and meadows that have served the use of one family. The existing residence adjoins lots that have residential improvements on each of those adjacent lots. The proposed new property line to the rear of the proposed three acre lot complies in all respects with the environmental buffers for wetlands and streams.

Although some would assert that the former Section 16.102(b) *Exempt Divisions (Adjoinder transfers)* of the Subdivision Regulations that were modified as of January 8, 2001, so as to prevent adjoinder transfers under the exempt provisions, now require strict compliance with the Subdivision Regulations. Howard County Council when it deleted that exemption did so with the express testimony of the Department of Planning and Zoning that DPZ would be fair and reasonable in its implementation of the regulations under circumstances where adjoinders were done to appropriately accommodate existing residential use.

There would be no meaningful benefit to be achieved by requiring the Petitioner to process a subdivision for Parcels 9 and 27, especially in the context of the facts and circumstances of the real property owned by the Petitioners. The procedure described for access for the reconfigured Parcel 27 would provide proper access to Parcel 9 at a location that would comply with the access requirements for residential lots. Lots 1, 3 and 4 already have permitted access and it would be logical for those lots and Lot 9 to have ingress and egress by means of a common driveway as described herein.

The time required to process a subdivision, no matter how simple, it would appear is time consuming and unnecessary under the circumstances. It is virtually impossible to prepare, process and have approved a submission plat in less than six months. There is no use change to the properties for which an adjoinder transfer is sought.

A review of Section 16.101 Legislative Intent of the Subdivision and Development Regulations contains no provisions in subparagraphs a(1) through (14) that is not complied with as it relates to that which is sought by this waiver.

Howard County Department of Planning and Zoning
Division of Land Development

WAIVER PETITION APPLICATION

Date Submitted/Accepted 7/28/04 DPZ File Number LP-05-010

I. Site Description

Subdivision Name/Property Identification: S. Ralph Dubrowin Development

Location of property: 6907 Haviland Mill Road, Clarksville, Maryland
(Street Address and/or Road Name)

Residential
(Existing Use)

Residential
(Proposed Use)

40
(Tax Map No.)

1
(Grid/Block No.)

27
(Parcel No.)

5th
(Election District)

RRDEO
(Zoning District)

9.127 acres
(Total Site Area)

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, waiver petitions, etc.)
See Supplement

II. Waiver 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 **waivers 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 a waiver 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. <u>16.147</u>	<u>Final Subdivision Plan and Final Plat so as to</u> <u>permit an adjoinder conveyance for the Petitioner's</u> <u>Parcel 27 to Petitioner's Parcel 9</u>
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

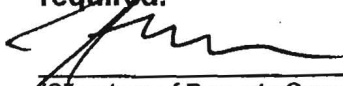
- ___ 1. Vicinity map scale 1" = 2,000' indicating and identifying the total boundary of the property, exact site location, vicinity roads and north arrow.
- ___ 2. Bearings and distances of property boundary lines for the entire tract and size of tract area.
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- ___ 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.
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- ___ 8. Identification and location of all easements.
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- ___ 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 waivers to wetland buffers an alternative analysis and mitigation proposal are needed; for waivers to SDP requirements where there is no subdivision of land, an APFO Roads Test evaluation may be needed).
- ___ 12. Photographs, perspective sketches or cross-sections as necessary to adequately portray the waiver request.
- ___ 13. The exhibit plans should be highlighted to accurately illustrate the requested waiver(s) to allow proper evaluation (i.e. proposed grading, tree clearing or other disturbances within environmentally sensitive areas or buffers).

V. Fees

The Waiver Petition 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 petition for resubmittal and re-review. For more information or questions, contact DPZ at (410) 313-2350.

VI. 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 relax 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.**



 (Signature of Property Owner)
 (Fee Simple Owner Only)
 Harold E. Masback, III

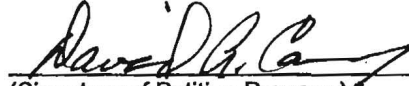
 (Name of Property Owner)
 1 Park Street

 (Address)
 New Canaan, CT 06840

 (City, State, Zip Code)
 (E-mail) _____
 203-966-2651

 (Telephone) (Fax)

Contact Person: Harold E. Masback, III



 (Signature of Petition Preparer)
 David A. Carney, Reese and Carney, LLP

 (Name of Petition Preparer, Surveyor/Engineer or Agent/Developer)
 10715 Charter Drive, Suite 200

 (Address)
 Columbia, MD 21044

 (City, State, Zip Code)
 (E-mail) dac@reese-carney.com
 410-740-4600 410-730-7729

 (Telephone) (Fax)

Contact Person: David A. Carney

Howard County Department of Planning and Zoning
Division of Land Development

**INITIAL SUBMISSION
WAIVER PETITION WORKSHEET
(For DPZ Use Only)**

Project Name _____
DPZ Plan Reviewer _____
Plan Consultant Representative _____

DPZ File No. _____
Submission Date _____
Time _____

I. Application Requirements

Indicate Yes, No or N/A

- a. Application is complete
- b. Required number of plans and applications are provided
- _____ Plans (14 sets on County Road or
 _____ Applications (18 sets on State Road))
- c. Supplemental Information is provided

II. Fee Computation

Fee

- Number of waivers requested
- * Base Fee for first two waiver sections (\$450)
- Fee for each additional waiver section (___ additional waivers x \$50 each)
- * (Maximum fee of \$350 for Agricultural Preservation parcels)
- TOTAL**

III. Certification

Cash Receipt No. _____ Account #011-005-4201 Amount _____

Check issued by _____

_____ Waiver petition application is accepted for processing.

_____ Scheduled SRC meeting date.

_____ Waiver petition application is rejected.

Reason: _____

_____ Resubmission is accepted. Date _____ Staff initials _____

Comments/Notes _____

**SUPPLEMENT TO WAIVER PETITION APPLICATION
MASBACK PROPERTY**

1. The Properties that are the subject matter of this Waiver are known as Parcels 27 and 9, as shown on Howard County Tax Map 40, Grid 1. The Properties are zoned RR-DEO. Parcel 27, the residential improvements of which are known as 6907 Haviland Mill Road contain 9.127 acres and there is located on such parcel a residence and a small barn. Parcel 9 located contiguous to it and abutting on all of its rear sides is a 10.36 unimproved acre parcel. Both parcels are owned by the Petitioner. The Petitioner also owns Parcels 1, 3, and 4 as shown on a Final Record Plat entitled "Map of S. Ralph Dubrowin Development" as recorded among the Land Records of Howard County, Maryland, on June 5, 1959, a copy of which is attached as Exhibit A.
2. Attached as Exhibit B is Tax Map 40 which depicts all of the parcels owned by the Petitioner. Attached as Exhibit C are copies of the recorded title deeds of the properties owned by the Petitioner and his spouse. Petitioner has moved from the property and needs to sell the 3 acre lot as soon as practicable.
3. Petitioner requests to reconfigure Parcel 27 by conveying by adjoinder transfer 6.127 acres of the 9.27 acres located within such Parcel to Parcel 9 so that it can be reconfigured into one 16.494 acre unimproved parcel. Attached as Exhibit D is the deed plotting of Parcel 27 and Parcel 9 as superimposed on an extract of the County Topographic Map, which depicts the two parcels and Exhibit E which depicts the location of the proposed 3 acre parcel.
4. The 3 acre parcel will include the dwelling and barn and will meet the RR-DEO minimum lot size. Its rear lot line will be more than 75 feet from the existing stream. The Property has 93.47 feet of frontage on Haviland Mill Road. The 3 acre remainder lot will not include any sensitive wetlands. The Petitioner proposes no development, no creation or dedication of public infrastructure, no public road or private access place improvements, and there would be no impact on natural resources by the adjoinder conveyance. The existing pond and stream on Parcel 27 will be within the 6.127 acre area.
5. Any future development of the Petitioner's remaining property including Parcel 9 would have public road access through Mink Hollow Road.
6. Under Subdivision Regulation 16.102(c)(1), the proposed division of property would be exempt from the Sketch and Preliminary Plan submissions. Petitioner seeks waiver of Final Plan submission under Subdivision Regulation 16.147 so as to permit an adjoinder transfer.
7. Strict compliance will result in practical difficulties for Petitioner. Processing the parcels through the subdivision process would be time consuming, expensive and unnecessary.

Implementation of Petitioner's plan to convey by adjointer deed will serve the intent of the Regulations. No additional residential improvements would be created beyond existing conditions.

8. The Petitioner's plan is not detrimental to the public interest. As noted herein, no development is proposed. The adjointer transfer will not have a public impact.
9. Division of the Property under this Waiver Petition will not nullify the intent of the Howard County Subdivision Regulations.



Exploration Research, Inc.

Environmental Consultants

November 24, 2004

Mrs. Cindy Hamilton, Chief
Division of Land Development
Howard County Department of
Planning and Zoning
3450 Courthouse Drive
Ellicott City, MD 21043

Re: Dubrowin Property
TM 40, P. 27
Howard County

Dear Mrs. Hamilton:

On Wednesday, November 24th, Exploration Research Inc. personnel conducted a nontidal wetland and stream evaluation on the referenced property located at 6907 Haviland Mill Road in Howard County, Maryland, for the purpose of establishing the presence and extent of nontidal wetlands and streams on a 3+/- acre portion of the property. This wetland delineation was conducted in accordance with the methods and procedures outlined in the U.S. Army Corps of Engineers Wetland Delineation Manual, 1987, using the routine method.

As a result of our field investigation, no wetlands or stream systems were found within the proposed lot boundaries. The following is a brief description of the wetland indicators:

Soils: According to the USDA Soil Survey of Howard County, 1968, Manor loam soils units were mapped on the site. None of these soil series are hydric or contain hydric inclusions.

Hydrology: Indicators of wetland hydrology were absent within this area.

Vegetation: A prevalence of upland vegetation was recorded for the bulk of the site.

Streams: The Howard County Soil Survey maps a perennial stream, which appears to be 100 ft. +/- from the property line. There were no wetlands associated with the stream in this location.

This wetland delineation represents our best professional judgement. Please be advised that a legally binding jurisdictional wetland determination can only be made by representatives of the U.S. Army Corps of Engineers, or Maryland Department of Environment, (MDE). Also note that the Howard Soil Conservation District has final determination over the stream delineation.

Sincerely,
EXPLORATION RESEARCH INC.

Stephen H. Huber, RPF
Senior Environmental Specialist
CWD# WDCP93MD100091B

Enclosures

CC: David Carney, Esq.
File

B:\WPDOCS\Letters\Dubrowin Prop wet check.wpd

Exhibit 4

8318 Forrest Street • Historic Ellicott City, Maryland 21043
(410) 750-1150 • 1-800-776-5417 • FAX (410) 750-7350

December 6, 2004

Mr. David A. Carney, Esq.
Reese and Carney, LLP
10715 Charter Drive
Suite 200
Columbia, MD 21044

Re: Masback Property
Mink Hollow Road

Dear Mr. Carney:

Per your request I conducted a field visit to evaluate the adequacy of access to the contiguous holdings of the Masback Property off Mink Hollow Road. In accordance with an approved record plat entitled S. Ralph Dubrowin property dated June 1959, which depicts part of the contiguous holdings of the applicant, the property has approximately 280 feet of combined frontage onto Mink Hollow Road (Lot 1 and the pipe stem to Lots 3 and 4). Based on a visual inspection of the available frontage onto Mink Hollow Road and verified with measurements of Howard County Aerial Topographic maps, the point of access that will provide maximum sight distance along the available frontage of the property on Mink Hollow Road will be at the pipe stem for Lot 4.

Standing at the pipe stem of Lot 4 and looking to the south along Mink Hollow Road there is an unobstructed line of sight of approximately 800 feet. Standing at the same location and looking north along Mink Hollow Road, there is an unobstructed line of sight of approximately 400 feet, this line of sight is between the point of access and the sharp bend in Mink Hollow Road.

The geometry of Mink Hollow Road along both lines of sight is gently sloping without abrupt horizontal or vertical curves. Based on this visual inspection, we have no reason to believe that this point of access would not be acceptable to Howard County.

Should you have any questions or comments regarding this matter please do not hesitate to contact this office.

Sincerely,
FSH Associates



Zacharia Y. Fisch, P.E.

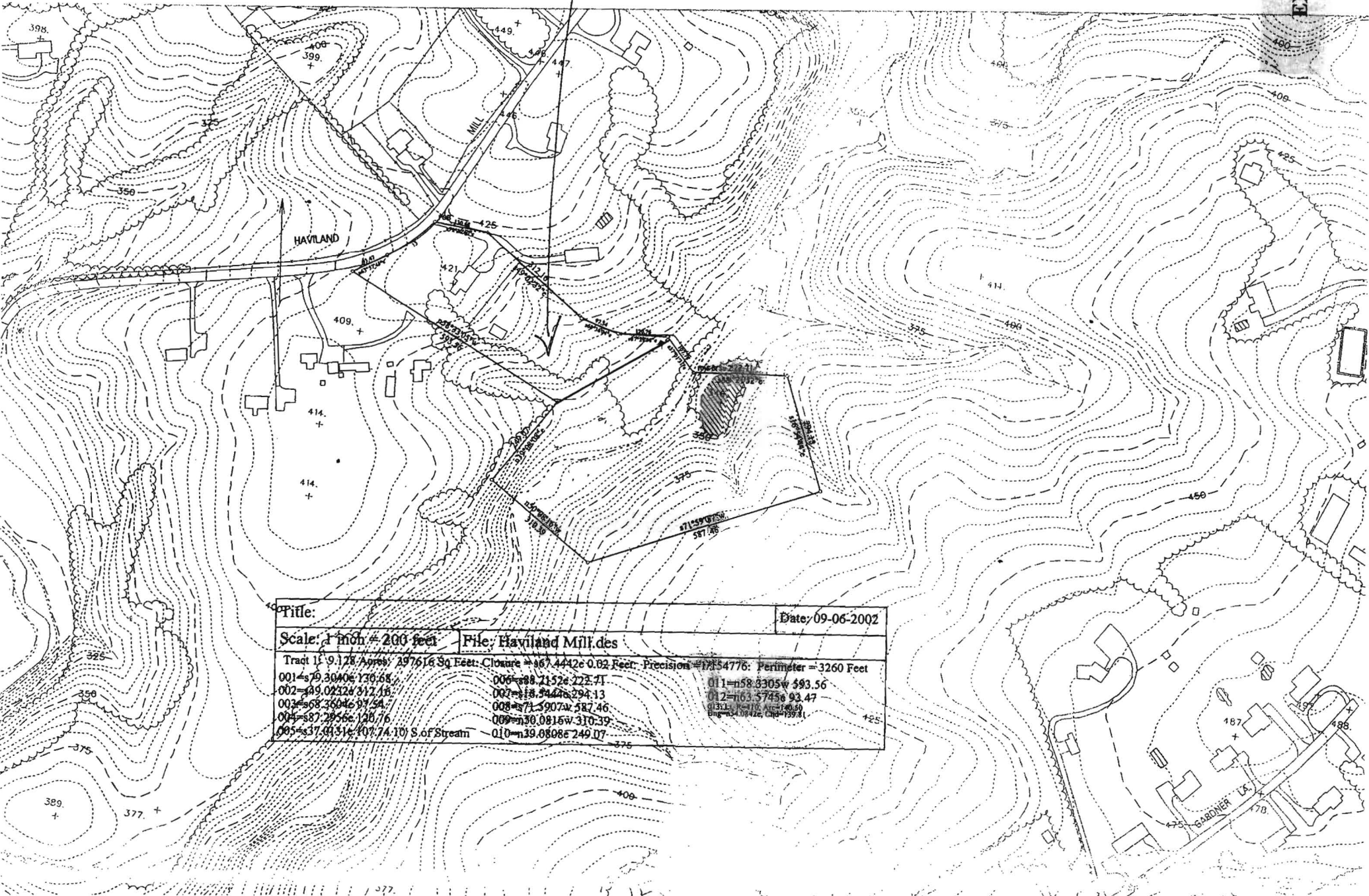
ZYF:mlg

CC: File 3291

S:\WORD Documents\FSH Associates\Letters\Carney-Masback Property.doc

Exhibit 5

3 Acres



Title:		Date: 09-06-2002
Scale: 1 inch = 200 feet	File: Haviland Mill.des	
Tract 1 st 9.128 Acres 297616 Sq Feet. Closure = 467.4442e 0.02 Feet. Precision = 17254776: Perimeter = 3260 Feet		
001 = 79.3040e 130.64	006 = 88.7152e 222.71	011 = 58.8305w 593.56
002 = 49.0232e 312.16	007 = 18.3442e 294.13	012 = 63.5745e 93.47
003 = 68.3604e 97.54	008 = 71.5907w 582.46	013 = 10.110 Ave 140.89
004 = 87.2856e 120.76	009 = 30.0815w 310.39	014 = 54.0942e 139.81
005 = 37.0131e 107.74.10 S of Stream	010 = 39.0808e 249.07	

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
Division of Land Development

DATE: 7/28/04

DPZ File No. WP-05-010

Department of Planning and Zoning

- Transportation Planning
- Historic Preservation
- Public Service and Zoning Administration
- Research
- Address Coordinator

- Environmental and Community Planning (Ag Pres/Route 1)
- Development Engineering Division
- Other
- File

Agencies

- Soil Conservation District
- Department of Inspections, Licenses & Permits
- Department of Fire and Rescue Services
- State Highway Administration
- Health Department
- Public School System
- Recreation and Parks
- WSSC
- MD Aviation Administration

- Tax Assessment
- Verizon
- BGE
- Cable TV
- Police
- MTA
- Finance
- DPW, Real Estate Services
- DPW, Construction and Inspection
- DPW, Bureau of Utilities

RE: S. Ralph Dubrow Development

ENCLOSED FOR YOUR Signature Approval Review & Comments Files
 THE ENCLOSED Original Pre-Packaged Plan Set

Plans	# of Sheets	Supplemental Documents
<input type="checkbox"/> Sketch Plan	<input type="checkbox"/>	<input type="checkbox"/> Wetlands Report
<input type="checkbox"/> Prel Equiv Sketch Plan	<input type="checkbox"/>	<input type="checkbox"/> Soils/Topo Map/Drain Area Map
<input type="checkbox"/> Preliminary Plan	<input type="checkbox"/>	<input type="checkbox"/> FSD/FCP/Worksheet and Application
<input type="checkbox"/> Final Plat/Plat of Easement/RE Plat	<input type="checkbox"/>	<input type="checkbox"/> Declaration of Intent (Forest Cons)
<input type="checkbox"/> Final Constr Plans (RDS)	<input type="checkbox"/>	<input type="checkbox"/> Drainage and/or Computation/Pond Safety Comps
<input type="checkbox"/> Final Development Plan	<input type="checkbox"/>	<input type="checkbox"/> Preliminary Road Profiles
<input type="checkbox"/> Site Development Plan	<input type="checkbox"/>	<input type="checkbox"/> APFO Roads Test/Mitigation Plan/Traffic Study
<input type="checkbox"/> Landscape Plan/Supplemental Plan	<input type="checkbox"/>	<input type="checkbox"/> Noise Study
<input type="checkbox"/> Grading Plan	<input type="checkbox"/>	<input type="checkbox"/> Sight Distance Analysis/Speed Flow Study
<input type="checkbox"/> House Type Revision/Walk-Thru Red-Line	<input type="checkbox"/>	<input type="checkbox"/> Floodplain Study
<input type="checkbox"/> Water and Sewer Plan	<input type="checkbox"/>	<input type="checkbox"/> Stormwater Management Comps/Geo-Tech Report
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Industrial Waste Survey (DPW)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Road Poster Form Letter
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Response Letter
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Perc Plat
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Scenic Road Exhibits
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Deeds
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Photographs
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Retaining Wall Comps/Details
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Poster/Community or HDC Meeting Information
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Route 1 Details/Summary

Applications

- Waiver Petition Applic/Exhibit
- Planning Board Application
- ASDP/CSDP Application
- DED Application/Checklist
- DED Fee Receipt/Deeds/Cost Estimate

WAS: Received Tentatively Approved Recorded
 Received and Revised Approved On

On 7/28/04

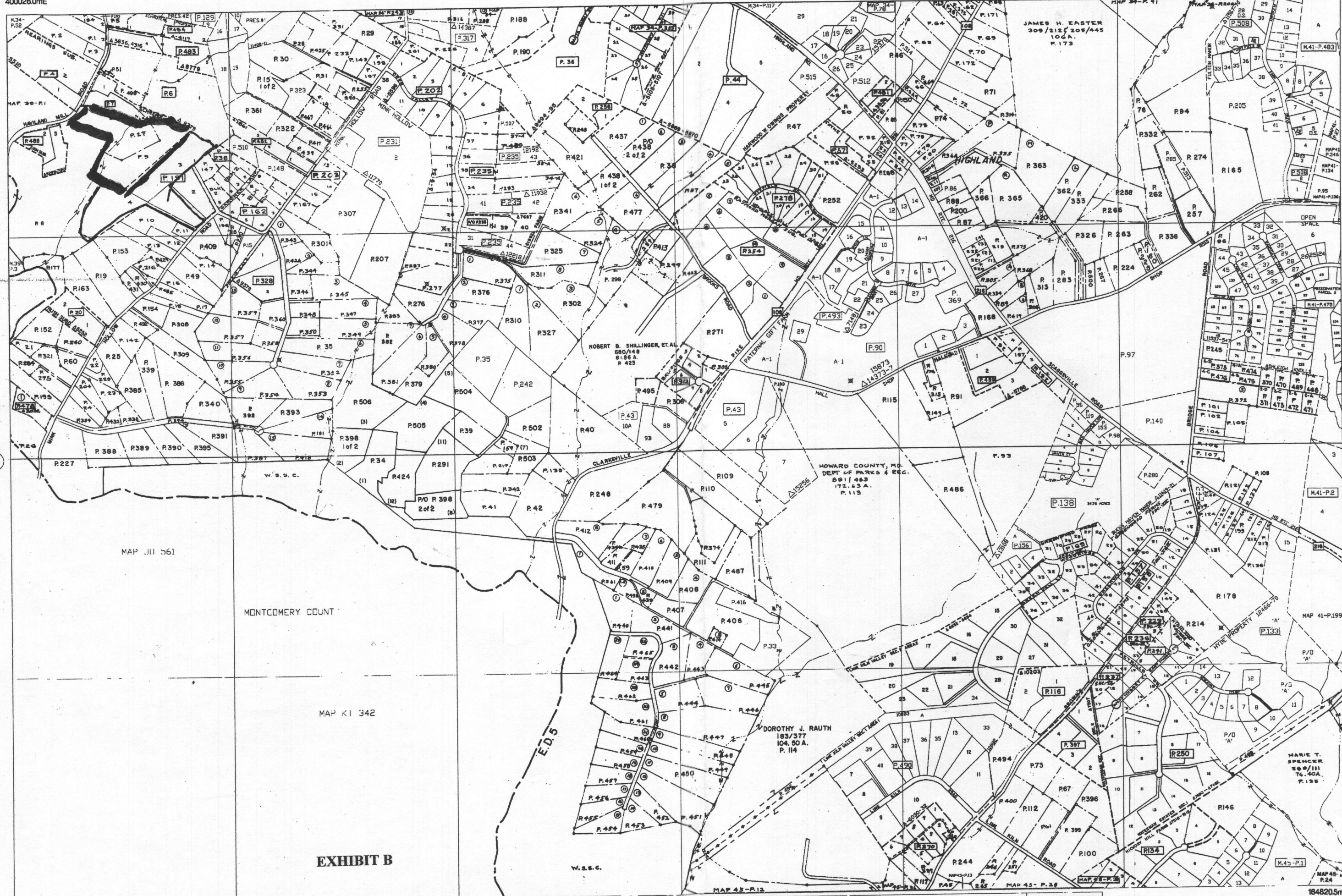
COMMENTS: _____ SRC/Comments Due By: 8/19/04

Check, initial and return to the Department of Planning and Zoning if plan is approved with no comments.

DPZ STAFF INITIALS JW



EXHIBIT D



39

34

41

45

MAP J.II 561

MONTGOMERY COUNTY

MAP K.I 342

EXHIBIT B

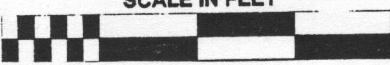
W.S.S.C.

HOWARD COUNTY, MD.
DEPT. OF PARKS & REC.
891/483
172.63 A.
P. 113

DOROTHY J. RAUTH
183/377
104.80 A.
P. 114

JAMES H. EASTER
309/212/205/445
106A.
P. 173

SCALE IN FEET



COMPILED BY:
MARYLAND DEPARTMENT OF PLANNING
PROPERTY MAPPING SECTION

This information shown on this map has been compiled from deed descriptions and plats and is not an actual survey. It should not be used for legal descriptions. Users relying thereon are urged to verify.

PROPERTY LINE
SUBDIVISION BOUNDARY
TOWN BOUNDARY
PRIVATE ROAD
STREAM LINE
CONTINUING OWNERSHIP

PARCEL NUMBERING - PARCELS ASSIGNED TO IDENTIFY OWNERSHIP, MUST BE PRECEDED BY



HOWARD COUNTY,
MARYLAND

164820.5mN
4055124mE

800-480
MAP NO.