

June 20, 2024

Eric C. Hadaway
Daft McCune Walker Inc.
501 Fairmount Avenue
Suite 300
Towson, Maryland 21286

Re: The Park School of Baltimore
Challenge Course Improvements
Forest Buffer Variance Request
Tracking # 02-24-4111

Dear Eric Hadaway:

A request for a variance from the Baltimore County Code, Article 33, Title 3, a Law for the Protection of Water Quality, Streams, Wetlands and Floodplains (i.e., Forest Buffer Law) was received by this Department of Environmental Protection and Sustainability (DEPS) on May 1, 2024. This request seeks approval to impact approximately 5,300 square feet (sf) of existing Forest Buffer Easement (FBE) for the renovation of an existing zip line that is part of the Appalachian Challenge high ropes course.

The replacement of the existing cross-valley zip line will result in a realignment of the route from its long-standing configuration. The existing line utilizes infrastructure bolted to large trees in or adjacent to FBE and/or Forest Conservation Easement as launch and landing platforms. Additionally, the current alignment crosses the FBE on more of a diagonal alignment traversing three hundred thirty-five (335) linear feet of the Moore's Branch stream valley. The replacement zip line, for which the variance is being sought, has been field located to cross the FBE in a more direct or perpendicular path (two hundred sixty-five (265) linear feet), thus minimizing impacts to buffer vegetation, especially canopy trees. In fact, limited trimming of branches and the removal of one understory tree are the sole impacts to Forest Buffer, as the replacement will utilize tall Class 2 wooden utility poles for launch and landing areas that will be located well beyond the FBE or in open lawn area. According to the variance application, zip line installation and the establishment and routine maintenance of a 20-foot wide zip line glide corridor is to be done manually. No additional mitigation was proposed by the applicant.

The existing forest and water resources present on the property have been protected in perpetuity, as recorded in the Land Records (L 27,620/f 236-293) and detailed on the approved final Forest Buffer Protection & Forest Conservation Plans (FC-10-002, FBP-08-008 & FBP-09-032), in conjunction with prior construction projects. The protected

resources on this property include over 32 acres of Forest Buffer and/or Forest Conservation Easement associated with the recently restored Moore's Branch, a Use III tributary of the Jones Falls.

This Department has reviewed your request and has determined that a practical difficulty exists given that the existing use that impacts the FBE predates the Forest Buffer Law and that the proposed replacement cannot occur without impacting the Forest Buffer Easement. We further acknowledge that the potential for impacts to water quality and riparian vegetation has been minimized and can be further reduced by performing additional mitigative measures.

Therefore, the variance is hereby approved in accordance with Section 33-3-106(a)(1) of the Baltimore County Code, with the following conditions:

1. As proposed, the 20-foot tall wooden utility pole and landing platform are to be installed in the open lawn area near the western end of the existing parking lot.
2. Canopy tree trimming, understory tree removal and installation of the proposed cable zip line shall be done manually in the FBE and shall not disturb buffer planting done as part of the stream restoration.
3. Existing structures and hardware shall be removed from living trees, inasmuch as feasible given that the trees have begun growing around the older objects.
4. The existing FBE and Forest Conservation Easements (FCE) and their associated Declarations of Protective Covenants, Conditions and Restrictions shall be honored and the property brought into compliance with the recent correction notices centered on the unpermitted bridges and trails in the FBE and/or FCE.
5. The following note must appear on all subsequent plans submitted for this project:
 - "A variance to the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains (tracking # 02-24-4111) was granted by Baltimore County Environmental Protection and Sustainability to impact 5,300 square feet of Forest Buffer for renovating and reconfiguring an existing zip line of the Appalachian Challenge Course. Conditions were placed on this approval to minimize impacts to water quality and riparian vegetation."
6. This variance approval does not exempt future development activity on this property from full compliance with Baltimore County's Forest Buffer Law.

Eric C. Hadaway
The Park School of Baltimore
Challenge Course Improvements
Forest Buffer Variance
Page 3

Please have the appropriate Park School of Baltimore representative sign the statement below and return a signed copy of this letter to this Department. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plan and permits for this project.

This variance is approved by the Director of the Department of Environmental Protection and Sustainability on _____. Any changes to site layout may require submittal of revised plans and a new variance request.

If there are any questions regarding this correspondence, please contact Michael S. Kulis at (410) 887-3980.

Sincerely,

Horacio Tablada
Director

HT/msk

I/we agree to the above conditions to bring my/our property into compliance with Article 33, Title 3, Baltimore County's Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

The Park School of Baltimore Representative's Signature Date

Representative's Printed Name