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DEVIATION REVIEW AND DECISION FORM

Procedure # R-FM-051-07
Issue Date: 12/31/07
Revision Issued: 00/00/00

DSD FILE NO.:

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General Property Information:

Address of Subject Property (Street Number/Name): Parcel E, Deer Creek Road, Monument, CO 80132

Tax Schedule ID(s) #: 71114-04-111 and 71114-00-007

Legal Description of Property: Southeast portion of Section 11, Township 11 South, Range 67 West of the 6th Principal Meridian, El Paso County, CO

Subdivision or Project Name:
North Bay at Lake Woodmoor

Section of ECM from Which Deviation is Sought: Appendix I – Stormwater Quality Policy and Procedures
Specific Criteria from Which a Deviation is Sought: Section I.7.2, BMP Selection

Proposed Nature and Extent of Deviation: Proposing an alternative permanent BMP than the six standard types of BMPs outlined in ECM for providing treatment of the WQCV.

Applicant Information:

Applicant: Lake Woodmoor Holdings, LLC Email Address: TTaylor@laplatalc.com
Applicant is: Owner Consultant Contractor
Mailing Address: 1755 Telstar Drive, Colorado Springs State: CO Postal Code: 80920
Telephone Number: (719) 867-2250 Fax Number: _____

Engineer Information:

Engineer: Christopher J. Castelli, P.E. Email Address: ccastelli@kiowaengineering.com
Company Name: Kiowa Engineering Corporation
Mailing Address: 1604 South 21st Street, Colorado Springs State: CO Postal Code: 80904
Registration Number: 38842 State of Registration: CO
Telephone Number: (720) 330-2553 Fax Number: _____

Explanation of Request (Attached diagrams, figures and other documentation to clarify request):

Section of ECM from Which Deviation is Sought: Appendix I – Stormwater Quality Policy and Procedures
Specific Criteria from Which a Deviation is Sought: Section I.7.2, BMP Selection

Proposed Nature and Extent of Deviation: Proposing an alternative permanent BMP (Stormceptor with slotted grate) than the six standard types of BMPs outlined in ECM for providing treatment of the WQCV.

Reason for the Requested Deviation: Physical layout and geometry of the site (space limitations). Also, concern of providing a permanent BMP that relies on stormwater infiltration in close proximity to foundations of the adjacent proposed buildings. Woodmoor Water and Sanitation District understands the site constraints and regards the Stormceptor as an acceptable alternative.

Comparison of Proposed Deviation to ECM Standard: Self-contained unit that provides the same function of treating the WQCV as the standard BMPs outlined in ECM.

Applicable Regional or National Standards used as Basis: U.S. EPA, Clean Water Act, NPDES Permit for Stormwater Discharges, MS4 Permit.

Application Consideration:

CHECK IF APPLICATION MEETS CRITERIA FOR CONSIDERATION

JUSTIFICATION

The ECM standard is inapplicable to a particular situation.

Porous Pavement Detention is only applicable standard BMP given the site constraints. However, there is concern of its effectiveness for a street with a longitudinal slope of 4%, and infiltration of captured stormwater in close proximity to proposed building foundations.

Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship on the applicant, and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.

Use of a Stormceptor unit is ideal in this situation, given the space limitations and concerns outlined above. The self-contained unit would accomplish the same result.

A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

If at least one of the criteria listed above is not met, this application for deviation cannot be considered.

Criteria for Approval:

PLEASE EXPLAIN HOW EACH OF THE FOLLOWING CRITERIA HAVE BEEN SATISFIED BY THIS REQUEST

The request for a deviation is not based exclusively on financial considerations.

Cost was not a consideration when selecting the proposed alternative permanent BMP.

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

The Stormceptor unit is sized for the specific site parameters such as drainage area, percent imperviousness and target TSS removal. Significant levels of sediment and pollutants such as heavy metals and oils are prevented from entering the downstream drainageway. A detailed sizing report is included in the drainage report.

The deviation will not adversely affect safety or operations.

The Stormceptor unit is easily accessible through the flush-mounted grate at the surface.

The deviation will not adversely affect maintenance and its associated cost.

The alternative BMP is easily maintained from the surface using a vacuum truck. Manufacturer recommended operation and maintenance guidance will be provided to the development's HOA.

The deviation will not adversely affect aesthetic appearance.

Stormceptor unit is self-contained, and equipped with a 2'x2' slotted grate in a sump condition. The grate is the only portion visible from the surface.

Owner, Applicant and Engineer Declaration:

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal will be cause to have the project removed from the agenda of the Planning Commission, Board of County Commissioners and/or Board of Adjustment or delay review, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval.

Signature of owner (or authorized representative) Date

Signature of applicant (if different from owner) Date

Signature of Engineer Date

Engineer's Seal

Include signatures and Engineer's Seal.

Attach the supporting documents (calculation, product detail) from Appendix C of the Drainage Report.

Review and Recommendation:
APPROVED by the ECM Administrator

Date

This request has been determined to have met the criteria for approval. A deviation from Section _____ of ECM is hereby granted based on the justification provided. Comments:

____ Additional comments or information are attached.

DENIED by the ECM Administrator

Date

This request has been determined not to have met criteria for approval. A deviation from Section _____ of ECM is hereby denied. Comments:

____ Additional comments or information are attached.