



Howard County Department Of Planning And Zoning

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Marsha S. McLaughlin, Director

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September 14, 2011

Mr. Steve Breeden
Simpson Mill, LLC
P.O. Box 417
Ellicott City, MD 21041

RE: WP-12-020, Simpson Mill (was previously named "Riverdale"), 262 proposed units (150 SFA units/RSA-8 and 112 ARAH apt. units/POR, TM Parcels 44, 116 and 258 [SP-08-002])

Dear Mr. Breeden:

The Director of the Department of Planning and Zoning considered your requests for waivers from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request to waive Subdivision Sections:

1. 16.155(a)(2)(ii), and granted permission to process and use an approved grading plan instead of a site development plan for the mass grading of the above referenced site.
2. 16.1202(a)(3), and temporarily deferred compliance with the requirements of the Forest Conservation Act of Howard County prior to the approval of a grading permit until a site development plan is submitted for the development of the site.
3. 16.1205(a)(7), and granted permission to remove 13 existing specimen trees 30 inches in diameter or larger (11 tulip poplar: 2-30", 1-31", 1-33", 2-36", 2-37", 1-38", 1-39", 1-42" & 2 cherry: 1-31", 1-38").

The approval of this waiver petition is subject to compliance with the following conditions of approval:

1. Compliance with the requirements of the Forest Conservation Act of Howard County for this project shall be deferred temporarily to the future site development plan for the development of this site.
2. Compliance with the MSHA comments included with the attached DED comments dated 08/26/11.
3. Compliance with the attached DRP comments dated 09/09/11.

4. The submission and issuance of all applicable grading permits required by the Dept. of Inspections, Licenses and Permits.

Justification for the approval recommendation for this waiver petition:

1. Due to the existing topography and Design Manual requirements for roads, an excessive amount of soil (approx. 125,000 cubic yards) must be removed from the site which may take approximately 6 months.
2. The 13 existing trees 30 inches in diameter or larger that are to be removed are not rare, threatened, endangered species, adjacent to a scenic road, State champion trees, associated with a historic site or located in an environmental area. The limit of disturbance shown on the waiver petition exhibit/plan is consistent with the approved environmental concept plan (ECP-11-058) for this project. The 13 existing specimen trees to be removed will be impacted by the proposed street and housing construction since they are located within or within close proximity of proposed development and infrastructure, and if left will pose a safety and health hazard.
3. The Petitioner has computed the forest conservation obligation for this project and has acquired an off-site reforestation easement of 7.91 acres.
4. Undo hardships and practical difficulties would result from strict compliance with the Regulations if the Petitioner has to wait to prepare, submit and obtain approval of a site development plan instead of being able to process a grading plan for the lengthy mass grading stage of the development of this site.
5. This waiver petition request, if approved, will not nullify the intent and purpose of the Regulations, as it does not waive compliance with the requirements of the Forest Conservation Act of Howard County and submission and approval of a site development plan, but defers them temporally to the future site development plan submission for the development of homes on this site.

The approval of this waiver petition will remain valid for one year from the date of this letter (until 09/14/12).

Indicate this waiver petition file number, sections of the regulations, requests, action, conditions of approval, and date in a detailed note on sheet 1 of all related plans and plats submitted for this project.

If you have any questions, please contact Michael Antol at (410) 313-2350 or email at

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mantol@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/MA/WP12020.appr.ltr.

cc: File
Research
HSCD
DED
DILP
Cindy Hamilton, Chief, DPSZA
Benchmark Engineering, Inc.
Forest Conservation Coordinator
MD DNR - Ms. Marian Honecny