



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

■ Ellicott City, Maryland 21043 ■

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

December 2, 2016

Scott Arterburn
6755 Business Parkway
Elkridge, MD 21075

RE: Alternative Compliance Request
WP-16-015, Princeton Mill

Dear Mr. Arterburn:

The Director of the Department of Planning and Zoning considered your request for alternative compliance to the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for alternative compliance to **Section 16.1205(a)(7) On-Site Forest Retention** which requires that State champion trees, trees 75% of the diameter of state champion trees, and trees 30" in diameter or larger are considered priority for on-site retention and protection in the County. This alternative compliance request will allow for the removal of a single 31" Pin Oak.

Approval is subject to the following conditions:

1. Two (2) 2.5"-3" caliper, native shade trees as mitigation for the additional single 31" Pin Oak to be removed on the property shall be placed along the western side of Parcel 3 between the proposed house and Millers Mill Road.
2. Add the Alternative Compliance Request number, purpose, section, date, and conditions on all subsequent plan submissions.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - The applicant would experience practical difficulties with retaining the existing tree marked Specimen Tree "E" during the development of the property. The existing 31" Pin Oak tree is currently dead, and should be removed due to the potential fall hazard and its location to the now existing dwelling. Two replacement trees will be planted on the property as mitigation for the specimen tree removal.

Implementation of an Alternative Proposal - The intent of the regulations is to protect existing trees 30" in diameter or larger as they are considered priority for on-site retention and protection in the County. However the existing tree marked as Specimen Tree E, a 31" Pin Oak, has subsequently died. The standing dead tree now poses a potential hazard to the adjacent structure. Alternatively the dead tree should be removed and two landscape trees will be provided in its place as mitigation toward alternative compliance.

Not Detrimental to the Public Interest - Approval of this alternative compliance request would not be detrimental to the public interest as the 31" Pin Oak has died. As such the single tree being removed would not be noticeable to the public given the amount of existing vegetation to remain on site. Additionally two new landscape tree plantings will be provided on site as mitigation for the tree removal adding to the existing vegetation on the property.

Will Not Nullify the Intent or Purpose of the Regulations - Approval of the alternative compliance request would not nullify the intent of the regulations. The regulations allow for the removal of specimen trees with County approval. The intent of the regulations is to retain specimen trees unless their retention is not practicable within the context of the site development. Given that the tree proposed to be removed is currently dead and should be removed, the intent of the regulations is being supported.

Indicate this alternative compliance request file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested alternative compliance request will remain valid for one year from the date of this letter or as long as this grading plan remains in active processing.

If you have any questions, please contact Nicholas Haines at (410) 313-4333 or email at nhaines@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/NH

cc: Research
DED
Real Estate Services
Benchmark Engineering