



Howard County Department Of Planning And Zoning

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Valdis Lazdins, Director

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FAX 410-313-3467

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February 2, 2018

Trinity Quality Homes
attn: Tim Keane
3675 Park Avenue #301
Ellicott City MD 21043

RE: **WP-17-128 The Estates at River Hill (SP-17-007)**

Dear Mr. Keane:

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

As of the date of this letter, the Planning Director **approved** your request for an alternative compliance to the following section of the Subdivision and Land Development Regulations:

Section 16.1205(a)(7) of the Subdivision and Land Development Regulations (Amended Fifth Edition) – On-site forest retention of 30” in diameter or larger specimen trees is considered a priority for on-site retention and protection in the County. * The request is for the removal of ten (10) specimen trees from subject site. The ten specimen trees are referenced on the alternative compliance petition exhibit and are identified as Specimen Tree #1, #2, #3, #9, #11, #12, #13, #21, #23 and #24. These trees consist of tulip poplar, oak, maple and pine.

Approval is subject to the following two (2) conditions:

1. The removal of the ten (10) specimen trees will require mitigation with the planting of 2:1 replacement trees (20 total) with a minimum 3” caliper native plant species as part of this subdivision’s landscaping plan. Surety for the 20 trees will be incorporated into the landscape surety with the final plan.
2. Provide a note on all subdivision plans regarding this alternative compliance petition approval. This note shall include the regulation sections petitioned, the date of the alternative compliance approval, and the conditions of approval.

The decision of this alternative compliance petition is based on the following justification:

The petitioner has provided justification regarding the challenges and difficulties involved in saving the 10 specimen trees; these trees are either in poor condition and/or are situated where house location, roadways or septic areas will be positioned.

The specimen trees are in poor condition or are in proximity to where site improvements for the proposed subdivision will occur. Construction within proximity to these trees will have a significant impact to the root system and survivability of the trees. The alternative compliance petition exhibit details the location of those 10 trees in relation to the proposed site improvements.

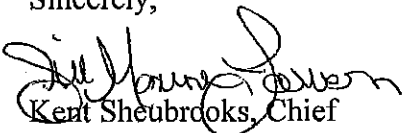

The intent of the forest retention priorities is that large, good quality native trees be a priority to be retained. This alternative compliance petition shall serve the intent of the Regulations to a greater extent through the retention of 15 of the existing 25 specimen trees, along with 7.41 acres of forest that shall be placed in a public forest conservation easement and the planting of 20 native plant species to compensate for the 10 specimen trees lost.

The approval of this alternative compliance petition will not nullify the intent or purpose of the Regulations. Given the proximity of the 10 specimen trees to where the construction of the houses, roads, driveways, and septic areas shall be, it is clear the retention of these 10 specimen trees would not be practicable. The 10 specimen trees proposed for removal are internal to the site and not visible to neighboring properties due to other existing trees which are proposed to remain.

*** Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval, and date of approval on all subsequent plans related to this site. This requested waiver will remain valid for one year from the date of this letter or as long as the subdivision plans (SP or final plans) for this site remains in active processing.**

If you have any questions, please contact Derrick Jones at (410) 313-2350.

Sincerely,


Kent Sheubrooks, Chief
 Division of Land Development

KS/dj

cc: Research

File: SP-17-007

Brenda Luber

DNR – Marian Honecny

Vogel Engineering