



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

April 25, 2018

Mr. Steve Breeden
River Hill Square LLC
PO Box 417
Ellicott City, MD 21041

RE: WP-18-095, River Hill Square

Dear Mr. Breeden:

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 of **Section 16.1205(a)(7)** for the removal of specimen tree (42" Spruce).

Approval is subject to the following conditions:

1. Compliance with all SRC Agency comments generated with the review of the submitted Site Development Plan, SDP-18-044.
2. Two (2) 2.5"-3" caliper, native shade trees as mitigation for the removal of the single (1) specimen trees from the property. Surety for the mitigation trees shall be added to the landscape surety with the final plan supplemental and road construction drawings.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

The specimen tree proposed to be removed is a 42" Spruce tree in good condition located along the frontage of Clarksville Pike. Under the proposed development plan, the existing specimen tree would only have been 12 feet from the new proposed curb and gutter and will fall directly in the center of the required pedestrian/bike path located behind the curb and gutter. The road improvements and widening along Clarksville Pike, as well as the bike path are required improvements for the proposed development. The required SHA road improvements and bike path will require the removal of this tree for the project to move forward.

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. The intent of the regulations would be better served through the implementation of an alternative proposal and approval of the alternative compliance request. Alternatively, the developer will provide two large caliper trees to compensate for the removal of the specimen tree. The proposed mitigation tree plantings have been identified on the submitted SDP-18-044 landscape plans.

Not Detrimental to the Public Interest:

Approval of the alternative compliance request would not have been detrimental to the public interest. The developer is developing the property in accordance with the Regulations. The proposed road improvements along Clarksville Pike are necessary and would be beneficial to the community. To provide the necessary road improvements, the specimen tree will have to be removed.

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. The developer has added two larger caliper trees to the proposed site development plan as mitigation for the removal of the single specimen tree.

Indicate this alternative compliance petition 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 alternative compliance approval will remain valid for one year from the date of this letter or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

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
SDP-18-044
Forest Conservation Coordinator
Marion Honeczy, DNR