



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

June 13, 2018

Dosa Clarksville, LLC
20308 Wiley Court
Laytonsville, MD 20882

Dear Sir or Madam:

RE: WP-18-127, The Woodlands, Lots 1-8, Buildable
Preservation Parcel A and Non-Buildable
Preservation Parcels B-D

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) and (10)** which prohibits removal of specimen trees.

Approval is subject to the following conditions:

1. The alternative compliance petition number (WP-18-127) and its conditions of approval must be added to all subdivision plans and final plat, F-18-094.
2. The developer shall plant six (6) 3" minimum caliper native shade trees in addition to the required perimeter landscaping to mitigate the removal of the specimen trees. Include the additional trees on the Final Plan. These trees will be bonded with the Developer's Agreement under the final subdivision plan.
3. Protective measures shall be utilized during construction to protect the specimen trees that are proposed to remain. Include details of the proposed tree protection measures on the Final Plan.
4. The alternative compliance approval applies only to the 3 specimen trees to be removed as shown on the alternative compliance exhibit. The removal of any other specimen trees on the property is not permitted unless it can be sufficiently demonstrated by the applicant to be justified.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty -

The developer has demonstrated that in order to provide the required storm water management, 2 specimen trees must be removed which are near bioretention facility #1. The preliminary test borings showed suitable soils for the bioretention facilities #1 and #2. During later testing, rock was found within the area proposed for facility #2 making it unsuitable to serve as a SWM facility. The site was redesigned to combine bioretention facilities #1 and #2, thus saving specimen trees #14, #15 and #16 (approved for removal under WP-16-017). However, this redesign requires the removal of specimen trees #12 and #13. As part of the redesign, regrading between Lot 6 and Buildable Preservation Parcel A requires the removal of specimen tree #34, but allows the retaining of specimen trees #32 and #36 (approved for removal under WP-16-017).

Not Detrimental to the Public Interest - Approval of the alternative compliance request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding residential properties. Although the developer is proposing to remove 3 specimen trees, 5 specimen trees which were granted permission to be removed will be saved based on this redesign.

Will Not Nullify the Intent or Purpose of the Regulations - Approval of this alternative compliance request will not nullify the intent or purpose of the regulations. The developer will provide on-site mitigation for the removal of the 3 specimen trees. The site been redesigned to provide the required SWM and to refine grading for Lot 6 and Buildable Preservation Parcel A. This redesign has allowed for the saving of 5 specimen trees which were granted approval for removal under a prior alternative compliance request.

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 Brenda Lubber at (410) 313-2350 or email at BLubber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
DED
Real Estate Services
Marion Honecny, DNR
Sill Engineering Group
F-18-094