



TECHNICAL STAFF REPORT
OAK HILL MANOR

Planning Board Quasi-Judicial Public Hearing of July 20, 2017

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Case No./Petitioner: PB Case No. 428 / Eva J. Nelson, Michael B. Nelson and Matthew J. Nelson

Project Name: Oak Hill Manor, SP-15-012
Lots 1-8 and Open Space Lots 9-12

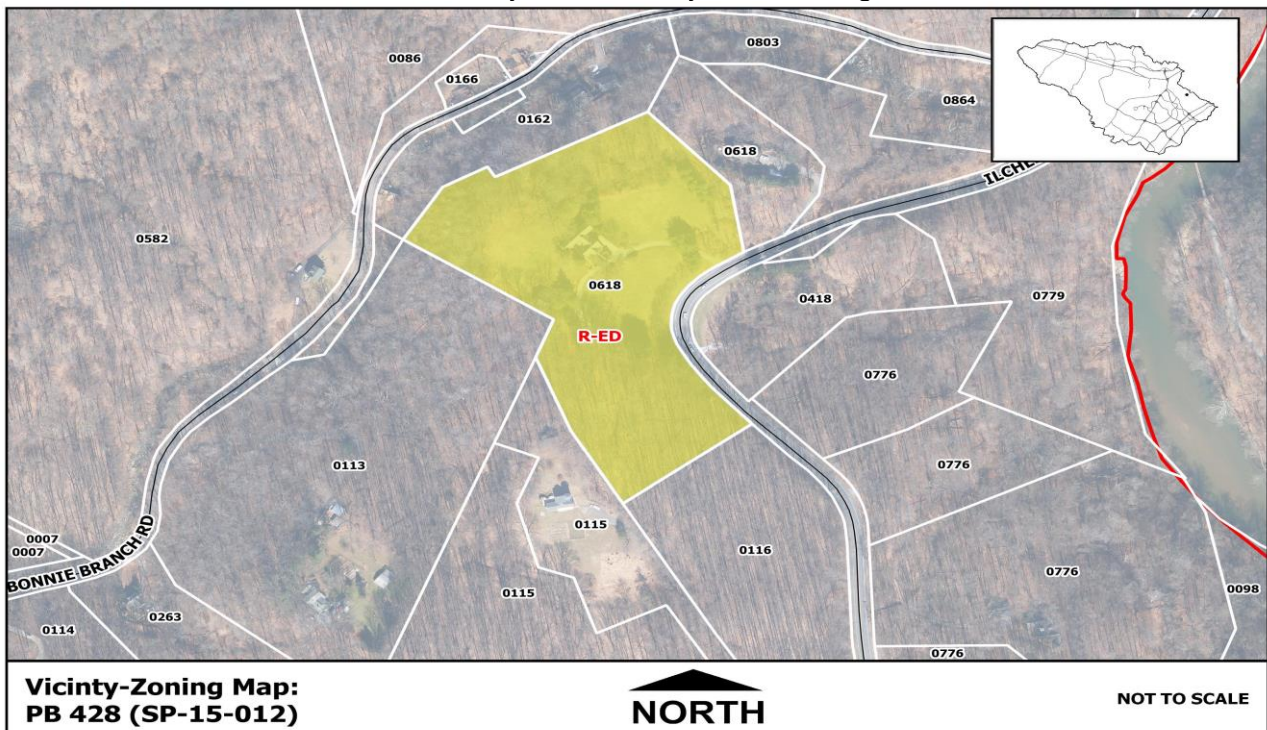
Developer: Eva J. Nelson, Michael B. Nelson and Matthew J. Nelson

Engineering Consultant: Fisher, Collins and Carter, Inc.

Request: For the Planning Board to approve a Preliminary Equivalent Sketch Plan, SP-15-012, to subdivide eight single-family lots and four open space lots. The 8.20-acre property is zoned R-ED (Residential: Environmental Development) and is subject to Section 107.0.F. of the Zoning Regulations and Section 1.105 of the Rules and Procedures of the Howard County Planning Board.

Location: 4472 Ilchester Road, Ellicott City, First Election District of Howard County, Maryland; Tax Map 31, Grid 4, Parcel 618.

DPZ Recommendation: Approval, subject to complying with Subdivision Review Committee (SRC) comments and any conditions by the Planning Board.



Plan Summary:

- The Preliminary Equivalent Sketch Plan establishes the preliminary lot layout, street network, open space areas, drainage, stormwater management (SWM), landscaping, and forest conservation areas.
- The site is in:
 - *Established Communities* Allocation Area
 - Patapsco River watershed
 - Planned Service Area (PSA) - public water and sewer will be provided
- The maximum density is two dwelling units per net acre and the minimum lot size is 6,000 sq. ft.
- The developer proposes eight single-family detached, fee simple lots. Seven lots will share a use-in-common driveway. One lot will have direct access onto a public road (Ilchester Road).
- The site contains 4.04 acres of 25% or greater slopes.
- An historic house that dates to 1866 is to remain.
- The Hearings Examiner granted a setback variance, BA-14-020V, on September 9, 2014, which reduced the 75-foot setback from Ilchester Road right-of-way for proposed Lots 1 and 2 to 50 feet.
- 4.83 acres (4.72 acres of credited and .11 acres of non-credited) of open space will be provided. This exceeds the required 4.10 acres, which is 50% of the gross site area.
- Tentative housing unit allocations and the APFO schools test will be evaluated once the Decision and Order by the Planning Board has been signed.

Vicinal Properties:

The property is located on the west side of Ilchester Road and is surrounded by the following R-ED zoned properties:

North - Improved residential parcels – Parcels 162 and 803.

East – An improved residential parcel – Parcel 618.

South – Ilchester Road and across the street a parcel owned by DNR and an improved residential parcel – Parcel 116.

West - An existing residential subdivision, Locust Chapel and an improved, deeded, residential parcel - Parcel 113.

I. General Comments

- A. **Legal Notices** - DPZ staff verified that the property was posted with a sign on Ilchester Road and the case was advertised in two local newspapers at least 30 days prior to the public hearing. All certifications are on file.
- B. **Regulatory Compliance** - This development is subject to the Howard County Subdivision and Land Development Regulations, the Howard County Zoning Regulations, the DPW Design Manual, Storm Water Design Manual, the Adequate Public Facilities Ordinance, the Forest Conservation Manual, the Landscape Manual, and the requirements of the Soil Conservation District, Health Department and the Department of Recreation and Parks.

- C. **General Plan** - The proposed development is consistent with PlanHoward 2030.
- D. **Pre-submission Community Meeting** - The developer held pre-submission community meetings on October 22, 2014, and February 1, 2016.
- E. **Site History:**
- The property's historic residence is known as the Fislage-Cavey House and it further contains an 1866 Romanesque Revival Style building, a spring house, and barn.
 - The subdivision proposal was heard by the Historic Preservation Commission on November 6, 2014, (HO-456) and they provided advisory comments.
 - An Environmental Concept Plan (ECP-15-043) was approved on September 7, 2016.
- F. **Bulk Regulations:**
- **Density** - R-ED zoning permits two dwellings per net acre and the site is 4.16 net acres, which allows up to eight lots.
 - **Lot Size Requirements** – All lots comply with the minimum R-ED single-family lot size - 6,000 sq. ft.
 - **Minimum Lot Width** – All lots are at least 50' wide, as measured at the front building restriction line (BRL).
 - **Building Restriction Setbacks** – The development complies with the 75' setback requirement, measured from an external public street right-of-way, per Section 107.0.D.4 of the Zoning Regulations. However, a setback reduction was approved for Lots 1 and 2 to 50 feet and 30 feet measured from the project boundary.
 - An Alternative Compliance application (WP-16-115) was submitted on March 21, 2016. The applicant requested alternative compliance to the following sections of the Subdivision and Land Development Regulations, as they apply to this subdivision: Section 16.116(b)(1) requiring that the grading, removal of vegetative cover and trees, new structures and paving shall not be permitted on land with existing 25% or greater steep slopes; Section 16.1205(a)(7) requiring the retention of specimen trees - to allow the removal of 4 specimen trees; and Section 16.125(b)(1)(ii) and (2) requiring the protection of vegetation adjacent to a scenic road and requiring a 35-foot buffer of existing forest and wooded area between the scenic road and new development. The applicant has provided written justification as part of the alternative compliance application for the SRC to consider. On April 27, 2016, the Director of Planning and Zoning determined that no action would be taken on this application until after the Planning Board had an opportunity to review and consider this subdivision plan, SP-15-012 at the public hearing.

II. Site Analysis

- A. **Existing Site Conditions** – Most the property is lawn and forest and is irregular in shape. The Romanesque Revival style house dates to 1866. The existing house is accessed from Ilchester Road by a circular asphalt driveway.

B. Site and Density Information Chart:

Gross Site Area.....	8.20 ac.
Minus 100-Year Floodplain.....	0.00 ac.
Minus 25% or Greater Slopes.....	4.04 ac.
Net Site Area.....	4.16 ac.
Permitted Density (2 units per net acre).....	8 lots
Proposed Lots.....	8 lots
Moderate Income Housing Units (MIHU) Required (10% of dwellings).....	1 Unit
Provided.....	0 Units (fee-in lieu proposed)
Approximate Limit of Disturbance.....	2.63 ac. (32% of gross site area)
Open Space Required (50% of gross area).....	4.10 ac.
Proposed.....	4.83 ac. or 59%
Proposed Public Road ROW.....	0.33 ac.

C. **Access and Frontage** – Access and public road frontage will be via a shared driveway fronting on Ilchester Road. One lot will have direct access onto Ilchester Road.

D. **Water and Sewer Service** – The lots will be served by public water and sewer.

E. Existing Environmental Site Characteristics:

- **General Site Features** – The property consists of lawn and a variety of trees such as: flowering dogwoods, magnolia, white pine, silver maple, and white oak around the home. A large portion of the site slopes, with forested steep slopes along the northern and southern edges of the property. No wetlands or stream were found on site; however, a small portion of a stream buffer is located along the northern edge of the property from an off-site perennial stream.
- **Environmental Resources** – On December 18, 2014, Eco-Science Professionals, Inc. certified that there were no onsite wetlands or streams, however, the site does have 4.04 acres of 25% or greater slopes. The forest stand delineation identified the forest stand as 6.9 acres with 28 specimen trees on the site. All were identified as in good condition, except for three trees.
- **Soils** – The site has two, well-drained soil types. In accordance with Section 16.123(c)(1) of the Subdivision and Land Development Regulations, the developer must provide practical and effective sediment control during construction to prevent any off-site storm water drainage due to erosion and sedimentation.

F. **Historic Resources** - On November 6, 2014, the Howard County Historic Preservation Commission provided advisory comments regarding historic resources and recommended that the historic house be preserved and integrated into the design of the subdivision. The petitioner agreed and included it as Lot 6, thereby meeting the *Protection of Historic Resources* guidelines established under Section 16.118(b)

of the Subdivision Regulations. The remaining historic resources (the barn) will not be saved.

G. **Protection of Scenic Roads** – The site fronts a local scenic road (Ilchester Road). Section 16.125 of the Subdivision and Land Development Regulations provides guidelines for land abutting a scenic road, including Section 16.125(b)(2), which requires a minimum 35-foot buffer of existing forest or woods between the road and new development. The related alternative compliance petition will be addressed after the Planning Board’s decision. Under this petition two trees are to be removed, along with 110 linear feet of trees located along the frontage of Lots 1 and 2 and Open Space Lots 10 and 11. Approximately 465 linear feet of trees and forest along the property frontage are being retained within the 35-foot buffer area. Additional plantings will be provided along Ilchester Road to enhance the buffer.

H. **Proposed Development Plan:**

- **Subdivision Plan** - The development consists of eight single-family lots and four open space lots. Residential lots range from 10,461 sq. ft. to 15,082 sq. ft., except for one. Lot 6 is 38,386 sq. ft. and accommodates the existing historic house. All residential lots will be served by a shared driveway except Lot 1, which will have direct access onto Ilchester Road. Forested open space lots will be provided along the rear of most lots.
- **Community Compatibility for Residential Infill** - Section 16.127(c)(1) of the Subdivision and Land Development Regulations requires residential infill to be compatible with its surrounding neighborhood. This is achieved since the development proposes two-story, single-family detached homes. Further, a landscape buffer is proposed along Ilchester Road and Parcels 113 and 618 (Parcel 4). The buffer along Ilchester Road includes Homeowner’s Association (HOA) owned open space, the buffer adjacent to Parcel 618 (Parcel 4) includes County owned open space, and the buffer adjacent to Parcel 113 includes Lots 3 and 4.
- **Open Space** – Section 16.121(a)(2) requires an R-ED zone subdivision to provide open space equal to at least 50% of the site’s gross area and 59% is proposed. Two open space lots will be owned and maintained by the HOA, while Open Space Lots 9 and 12 will be owned by the Department of Recreation and Parks.
- **Forest Conservation** – The developer will retain 3.51 acres of existing forest within a *public forest conservation easement*, which will be established on Open Space Lots 9 and 12 and recorded with the forthcoming plat. This easement (along with the deed of forest conservation) will preserve the area from future development and/or disturbance. Since the County will own Open Space Lots 9 and 12, the Department of Recreation and Parks will be responsible for its upkeep and management.
- **Landscaping** - Landscaping complies with the Landscape Manual and will be provided along the entire perimeter of the subdivision. The perimeter landscaping requirement will be met by retaining existing trees and areas currently without any vegetation will be planted with five shade trees and 28 evergreen trees.
- **Stormwater Management** - SWM will comply with the Stormwater Management Act of 2007 by providing environmental site design (ESD) to the maximum extent practicable (MEP), in accordance with Chapter 5 of the M.D.E. Storm Water Design Manual, Volumes I and II. SWM will include a combination of ESD practices: five micro bio-retention practices, six dry wells and three bioretention practices to manage runoff from lots and driveways.

- **Adequate Public Facilities Ordinance (APFO):**

Roads Test - The intersections analyzed include Ilchester Road/Landing Road, Ilchester Road/Montgomery Road, and Montgomery Road/Waterloo Road. The analyses show that all will operate at an acceptable level-of-service and have been approved by the Development Engineering Division (DED) and the Department of Public Works (DPW).

Schools Test - The subdivision is in the Established Communities Allocation Area, the Northeast School Region, the Ilchester Elementary School District, and the Bonnie Branch Middle School District. Once the Decision and Order has been signed, the subdivision will be tested for housing allocations and open/closed schools.

III. Planning Board Criteria:

Section 107.0.F.6 of the Zoning Regulations establishes the following review criteria that must be considered when evaluating a Preliminary Equivalent Sketch Plan:

1. **The proposed lay-out of the lots and open space effectively protects environmental and historic resources.**

Approximately 59% of the site will be open space and the proposed subdivision does not encroach onto forested conservation areas or stream buffers. Open space and environmental areas provide contiguous and effective buffers for most of the lots and the environmental area on Open Space Lots 9 and 12 will be dedicated to the Department of Recreation and Parks. The forest conservation easement on Open Space Lot 9 will connect to the adjacent state park. The proposed development density does not exceed that which is allowed and while the layout attempts to minimize grading steep slopes, they are nevertheless disturbed on three lots. However, by converting the existing driveway to a shared driveway avoids disturbing additional steep slopes. The existing historic house will be saved and integrated within the subdivision on Lot 6, per Section 16.118. Twenty-one of the 25 specimen trees will be retained; with most of them on Open Space Lots 9 and 12.

2. **Buildings, parking areas, roads, stormwater management facilities and other site features are located to take advantage of existing topography and to limit the extent of clearing and grading.**

Site disturbance is about 2.63 acres and is necessary to accommodate reasonably sized lots. Bio-retention and landscape infiltration practices are used to address SWM. Approximately 3.51 acres of existing forest will be protected by Forest Conservation Easements located on Open Space Lots 9 and 12 (to be dedicated to the Department of Recreation and Parks). Minimal grading will take place in the 35-foot scenic road buffer and supplemental planting will be provided within the 35-foot scenic road buffer where tree removal is proposed or existing vegetation is sparse.

3. **Setbacks, landscaped buffers, or other methods are proposed to buffer the development from existing neighborhoods or roads, especially from designated scenic roads or historic districts.**

Except for Lots 1 and 2, the bulk regulations in Section 107.0.D.4. of the Howard County Zoning Regulations have been met. A variance (BA-14-020V) was approved to reduce the 75' setback to 50' for these lots. A 35-foot wide buffer is provided along Ilchester Road (a scenic road) and the homes will face the street and have side-loaded garages. Additional landscaping will be provided along Ilchester Road where vegetation is sparse.

Open space lots will provide an effective buffer for the existing homes to the north, east, and west

and contain 3.51 acres of existing forest, which will be protected by a recorded Forest Conservation Easement.

The Howard County Landscape Manual requires a Type "A" landscaped edge (one shade tree per 60') along the project boundary. This will be satisfied by retaining existing vegetation and planting five shade trees and 28 evergreen trees.

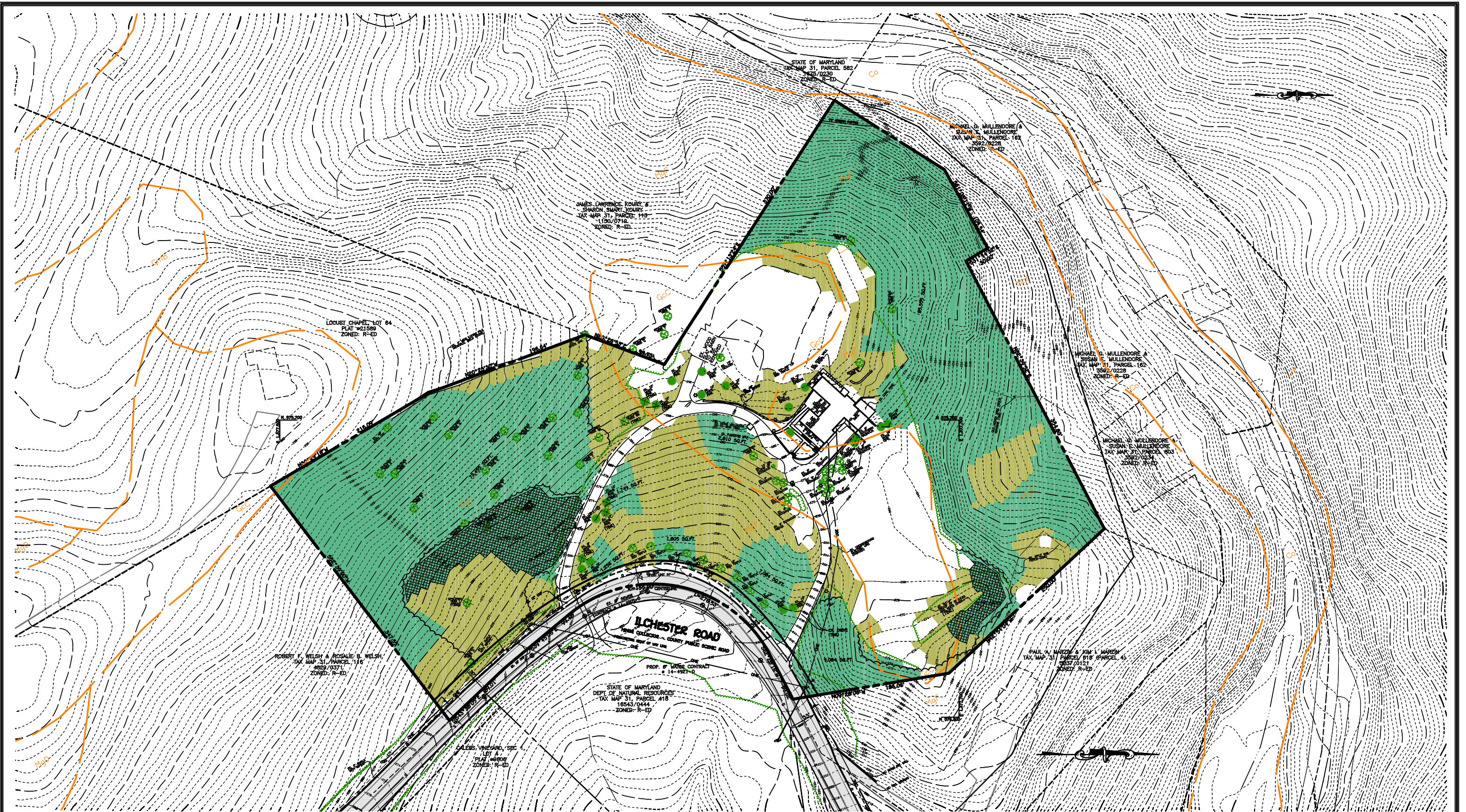
SRC Action: The developer was notified by letter dated December 8, 2016, that the subdivision plan, SP-15-012, was **technically complete**; subject to complying with any Subdivision Review Committee (SRC) comments and conditions by the Planning Board.

Recommendation: The Department of Planning and Zoning recommends that the Planning Board approve this subdivision, as shown on the Preliminary Equivalent Sketch Plan, SP-15-012 Oak Hill Manor, subject to complying with any SRC comments and any conditions by the Planning Board.

This file is available for public review by appointment at the Department of Planning and Zoning's public service counter, Monday through Friday, 8:00 a.m. to 5:00 p.m.


Valdis Lazdins, Director
Department of Planning and Zoning

7/6/17
Date



PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 36366, EXPIRATION DATE: 01/12/2018.



Signature Of Professional Engineer _____ DATE _____

DEVELOPER/OWNER

EVA J. NELSON
4472 LOCHESTER ROAD
ELLCOTT CITY, MARYLAND 21043-6836
443-253-7535

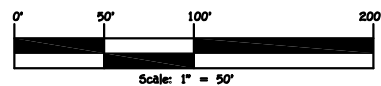
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PLANNING BOARD OF HOWARD COUNTY

DATE _____

TENTATIVELY APPROVED:
DEPARTMENT OF PLANNING AND ZONING
HOWARD COUNTY

PLANNING DIRECTOR _____

DATE _____



DEMOLITION PLAN

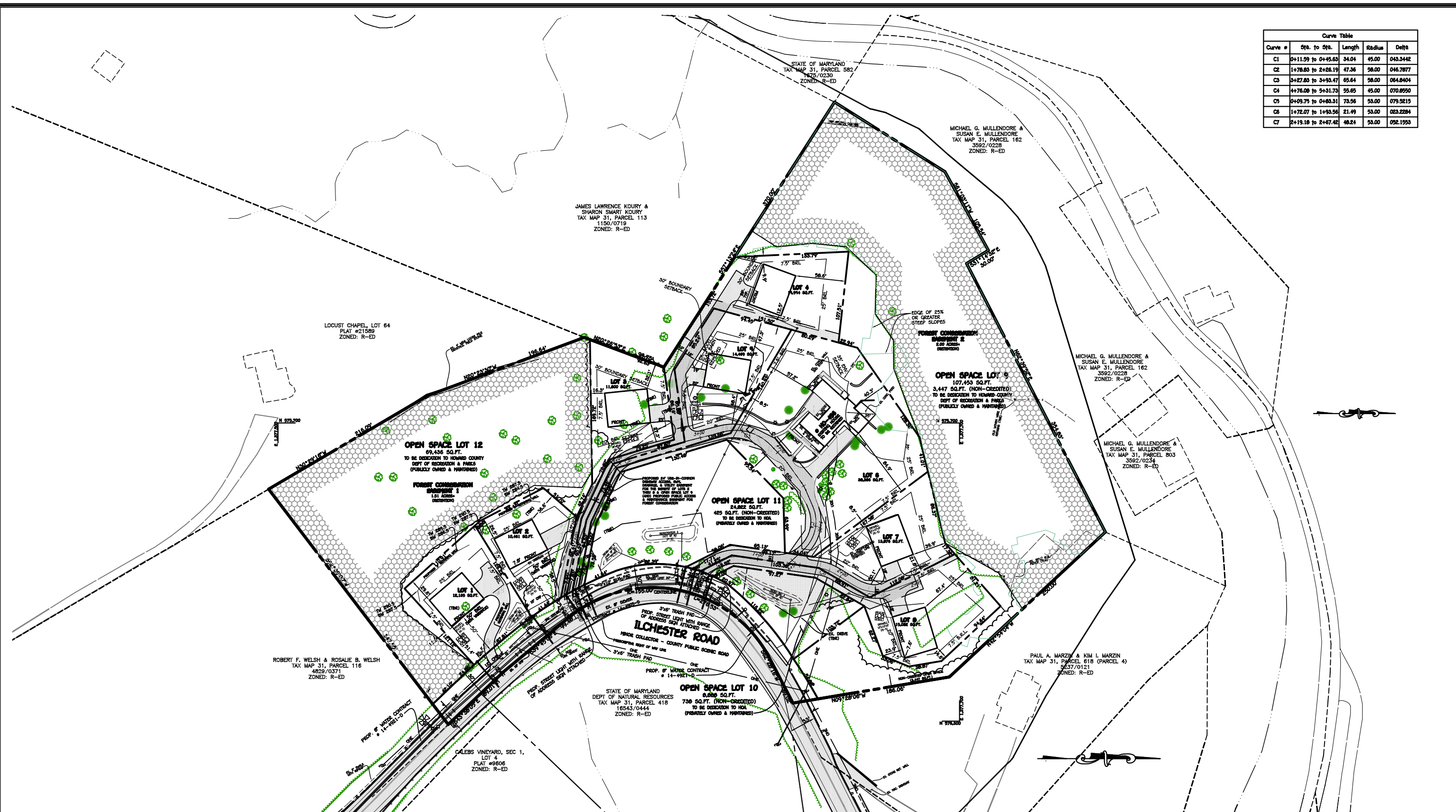
OAK HILL MANOR
LOTS 1 THRU 8 &
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ZONED R-ED

TAX MAP NO.: 31 GRID NO.: 4 PARCEL NO.: 618
FIRST ELECTION DISTRICT HOWARD COUNTY, MARYLAND
SCALE: 1"=50' DATE: JANUARY, 2017

SHEET 2 OF 6

SP-15-012

Curve Table				
Curve #	Sta. to Sta.	Length	Radius	Delta
C1	0+11.99 to 0+45.63	34.04	45.00	043.3442
C2	1+78.83 to 2+28.19	47.36	50.00	046.7877
C3	3+27.83 to 3+93.47	65.64	50.00	064.8404
C4	4+76.08 to 5+31.73	55.65	45.00	070.8950
C5	0+09.75 to 0+83.31	73.56	53.00	079.9215
C6	1+72.07 to 1+93.56	21.49	53.00	023.2284
C7	2+19.18 to 2+67.42	48.24	53.00	052.1953



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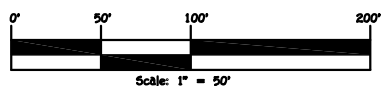
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HOWARD COUNTY

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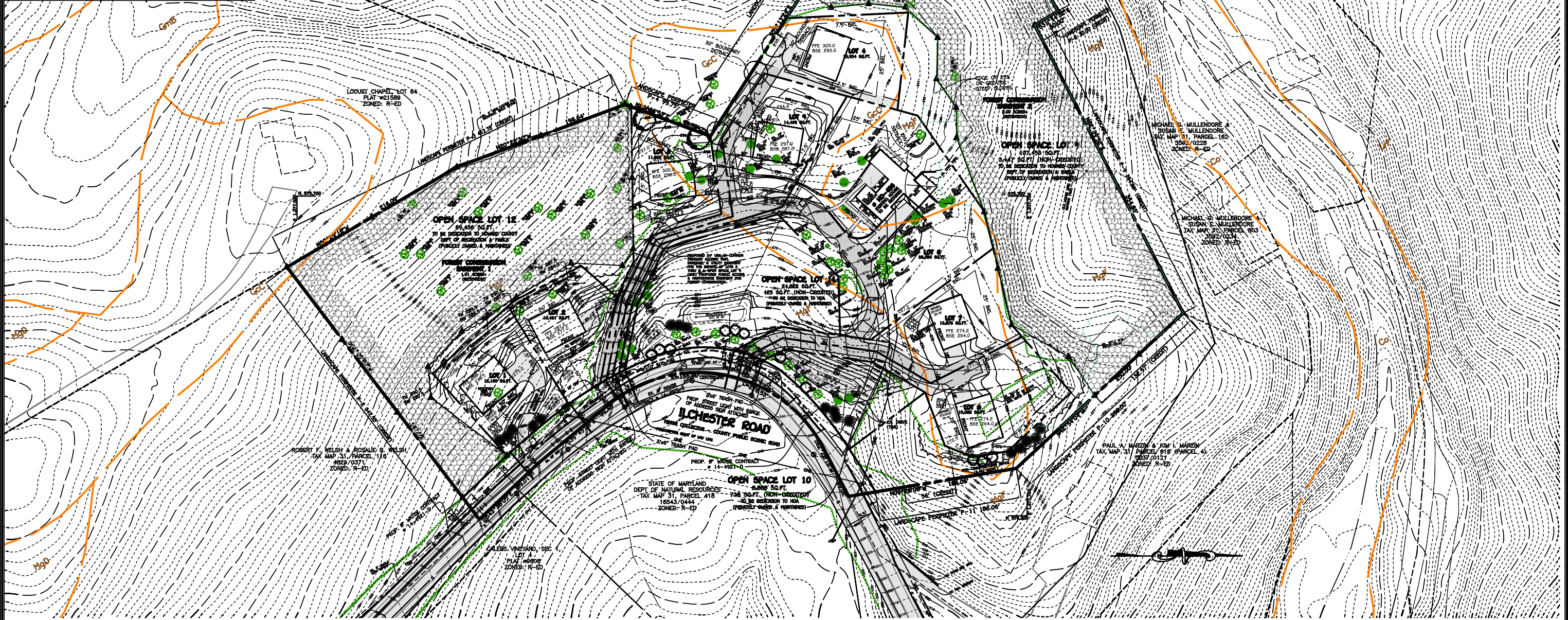
PLANNING DIRECTOR _____ DATE _____

DATE _____



**PRELIMINARY EQUIVALENT
SKETCH PLAN**
OAK HILL MANOR
**LOTS 1 THRU 8 &
OPEN SPACE LOTS 9 THRU 12**
ZONED R-ED
TAX MAP NO.: 31 GRID NO.: 4 PARCEL NO.: 618
FIRST ELECTION DISTRICT HOWARD COUNTY, MARYLAND
SCALE: 1"=50' DATE: JANUARY, 2017

KEY	SPECIES	SIZE (DBH)	CRZ (FT WIDTH)	COMMENTS	REMARKS
A	SILVER MAPLE	47"	70.5	FAIR CONDITION, MULTI-STEM, SOME DIEBACK	TO REPAIR
B	WHITE OAK	56"	87	GOOD CONDITION	TO REPAIR
C	TULIP POPLAR	39"	52.5	GOOD CONDITION	TO REPAIR
D	WHITE OAK	34.5"	51.75	GOOD CONDITION	TO REPAIR
E	WHITE OAK	37.5"	56.25	GOOD CONDITION	TO REPAIR
F	WHITE OAK	34.5"	51.75	GOOD CONDITION	TO REPAIR
G	RED OAK	54"	81	GOOD CONDITION	TO REPAIR
H	WHITE ASH	31"	46.5	FAIR CONDITION, POOR CANOPY SPREAD	TO REPAIR
I	TULIP POPLAR	30"	45	GOOD CONDITION	TO BE REMOVED
J	RED OAK	40"	60	GOOD CONDITION	TO REPAIR
K	BLACK OAK	37"	55.5	FAIR CONDITION, LIMB DIEBACK	TO REPAIR
L	TULIP POPLAR	34.5"	51.75	GOOD CONDITION	TO REPAIR
M	TULIP POPLAR	40"	60	GOOD CONDITION	TO REPAIR
N	TULIP POPLAR	37"	55.5	GOOD CONDITION	TO REPAIR
O	TULIP POPLAR	36"	54	GOOD CONDITION	TO REPAIR
P	TULIP POPLAR	36"	54	GOOD CONDITION	TO REPAIR
Q	TULIP POPLAR	35.5"	53.25	GOOD CONDITION	TO REPAIR
R	TULIP POPLAR	31"	46.5	GOOD CONDITION	TO BE REMOVED
S	TULIP POPLAR	40"	60	GOOD CONDITION	TO BE REMOVED
T	TULIP POPLAR	38.5"	57.75	GOOD CONDITION	TO REPAIR
U	TULIP POPLAR	34.5"	51.75	GOOD CONDITION	TO REPAIR
V	TULIP POPLAR	34"	51	GOOD CONDITION	TO REPAIR
W	TULIP POPLAR	39"	58.5	GOOD CONDITION	TO REPAIR
X	TULIP POPLAR	32"	48	GOOD CONDITION	TO REPAIR
Y	TULIP POPLAR	36"	54	GOOD CONDITION	TO REPAIR
Z	TULIP POPLAR	44.5"	66.75	GOOD CONDITION	TO REPAIR
AA	TULIP POPLAR	38"	57	GOOD CONDITION	TO REPAIR
BB	TULIP POPLAR	36"	54	GOOD CONDITION	TO BE REMOVED



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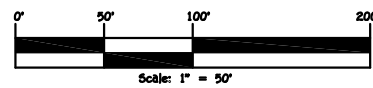
DEVELOPER/OWNER

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443-253-7535

TENTATIVELY APPROVED:
DEPARTMENT OF PLANNING AND ZONING
HOWARD COUNTY

APPROVED:
PLANNING BOARD OF HOWARD COUNTY

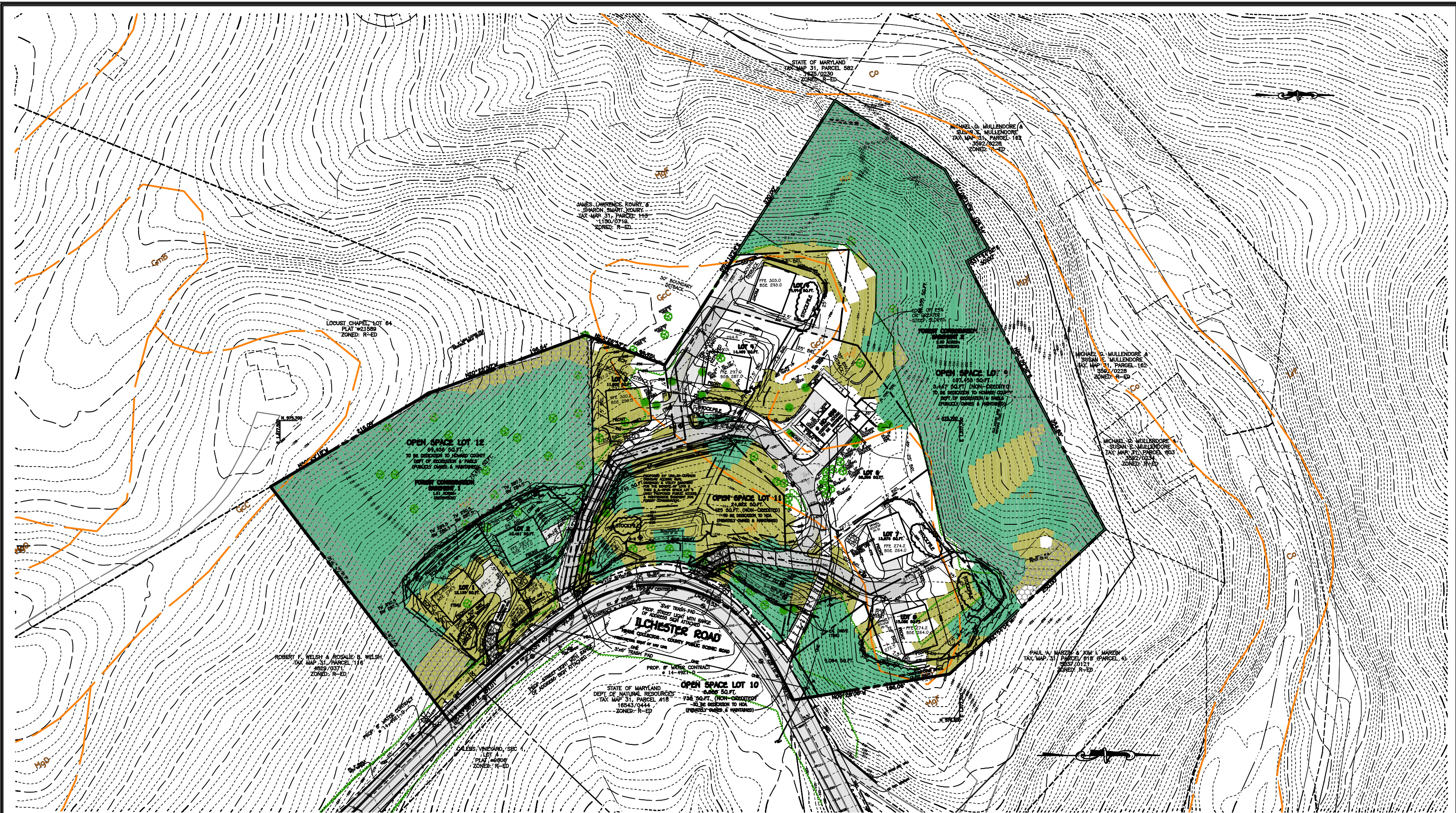
FISHER, COLLINS & CARTER, INC.
CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS
CENTRAL SQUARE OFFICE PARK - 18272 BALDWIN ROAD, P.O. BOX 1000
ELICOTT CITY, MARYLAND 21042
(410) 461-8995



PRELIMINARY LANDSCAPE, FOREST CONSERVATION, & SOILS PLAN

OAK HILL MANOR
LOTS 1 THRU 8 & OPEN SPACE LOTS 9 THRU 12
ZONED R-ED

TAX MAP NO.: 31 GRID NO.: 4 PARCEL NO.: 618
FIRST ELECTION DISTRICT HOWARD COUNTY, MARYLAND
SCALE: 1"=50' DATE: JANUARY, 2017



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EVA J. NELSON
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NOTE: BIORETENTION & DRYWELLS LOCATED ON INDIVIDUAL LOTS TO BE PRIVATELY OWNED AND MAINTAINED BY THE INDIVIDUAL LOT OWNER. BIORETENTION AND MICRO-BIORETENTION FACILITIES LOCATED ON OPEN SPACE LOTS 10 & 11 TO BE PRIVATELY MAINTAINED BY THE HOA.

PRELIMINARY GRADING & SEDIMENT CONTROL PLAN

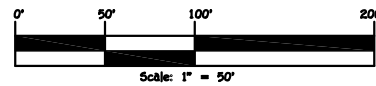
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HOWARD COUNTY

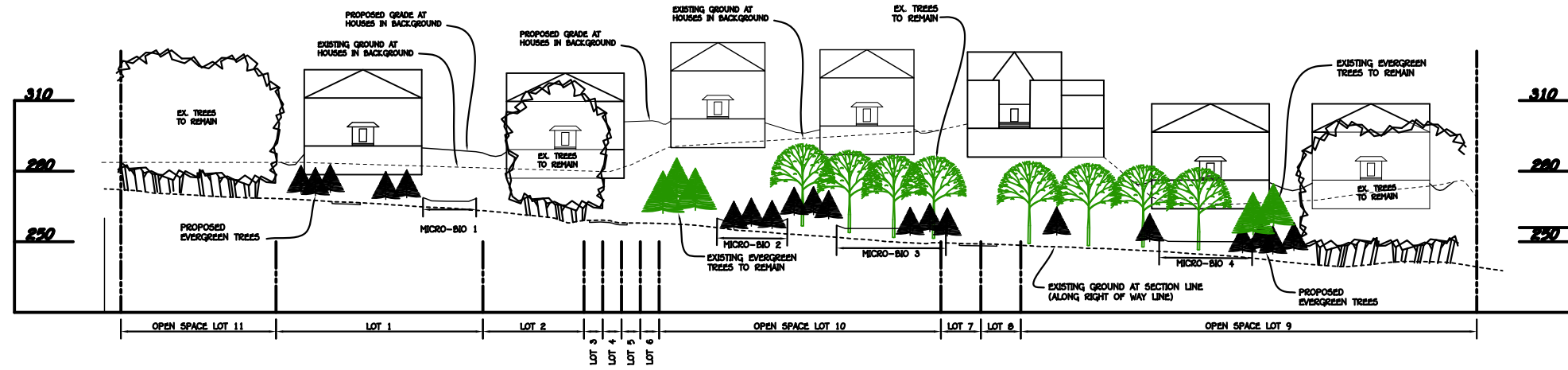
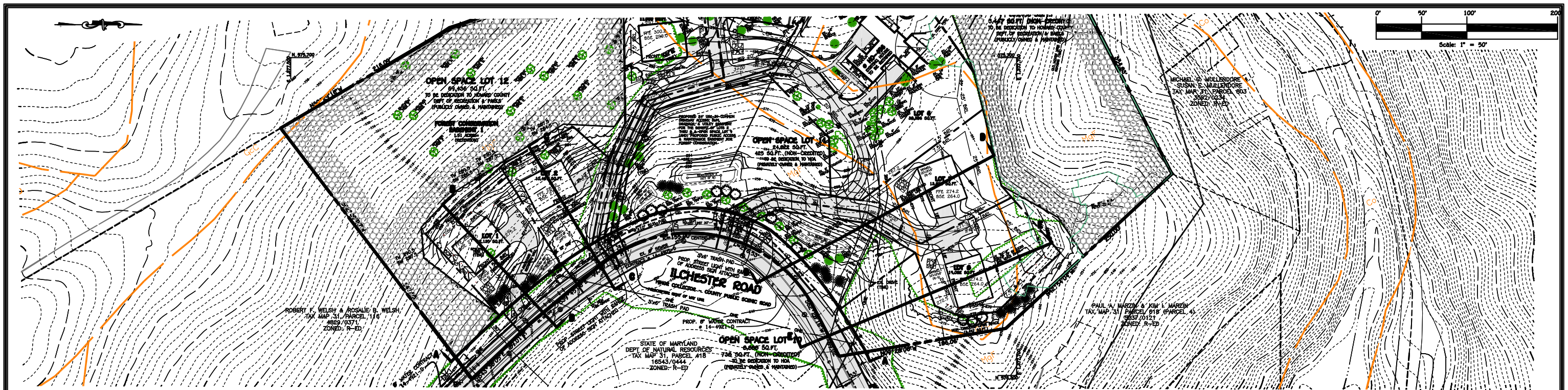
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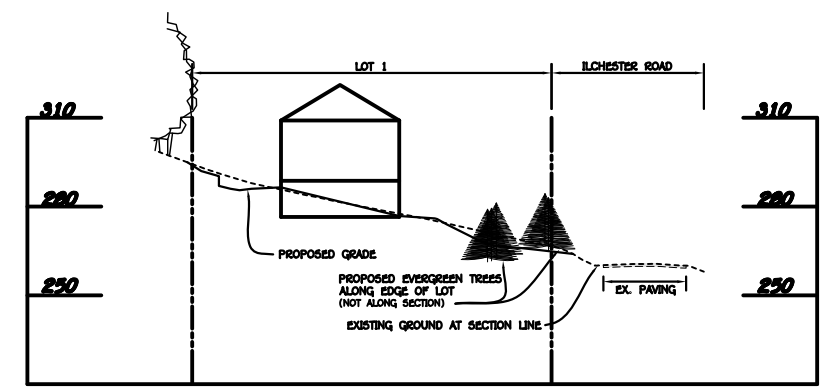


PLANNING DIRECTOR _____ DATE _____

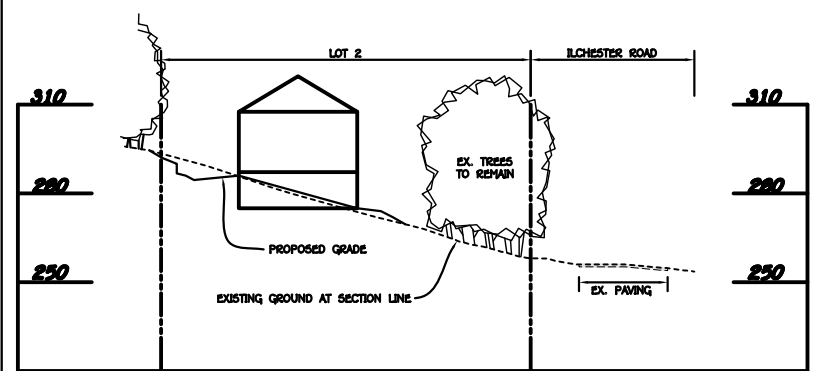
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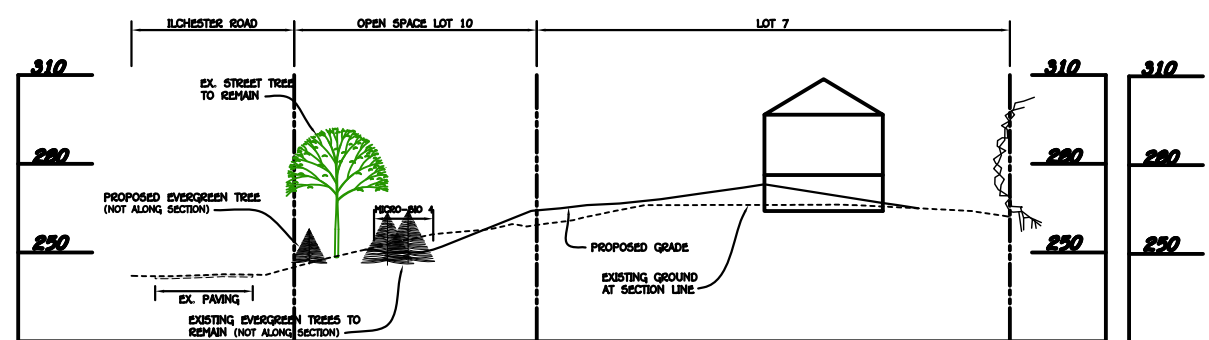
SECTION A-A



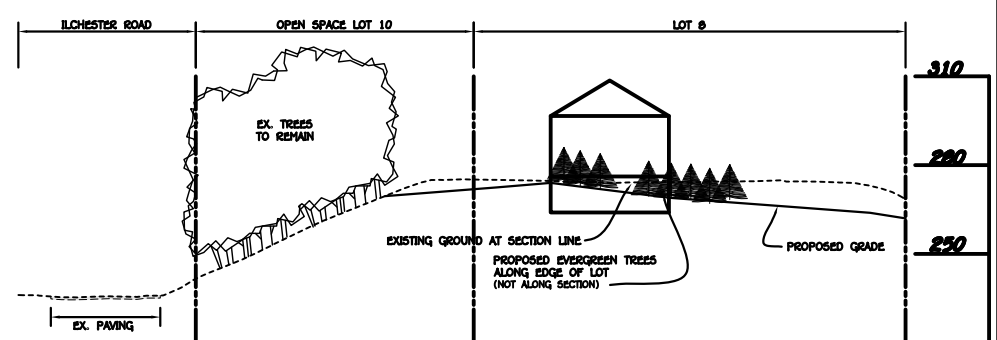
SECTION B-B



SECTION C-C



SECTION D-D



SECTION E-E