



TECHNICAL STAFF REPORT
SIMPSON & DENAULT PROPERTIES

Planning Board Hearing of June 21, 2018

File No./Petitioner: PB-436, Elm Street Development

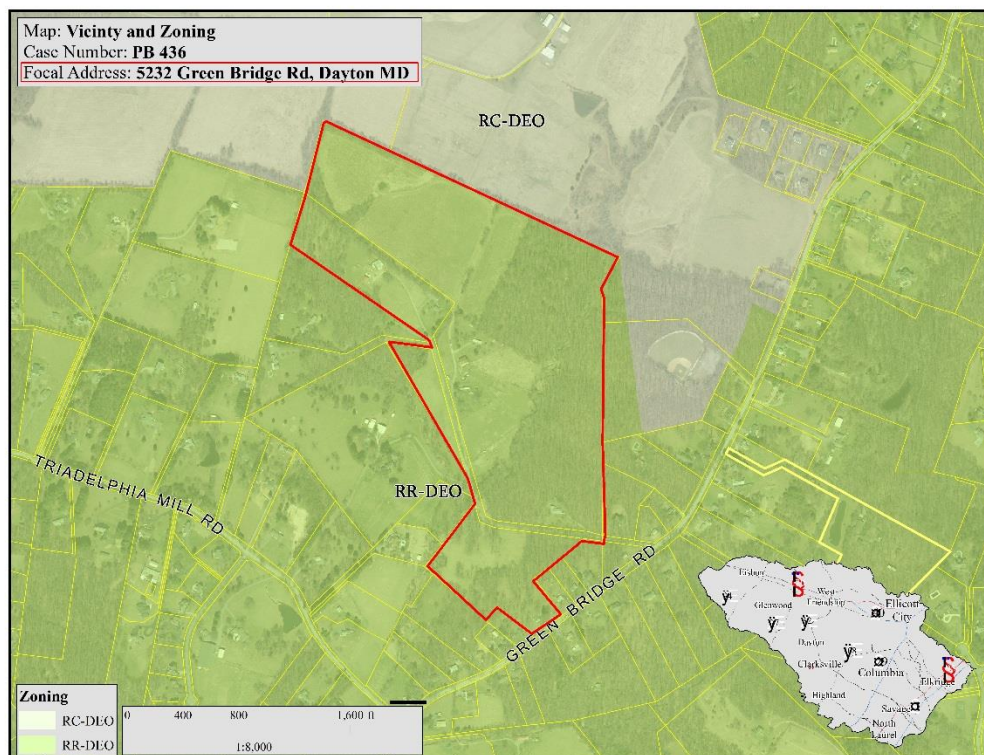
Project Name: Simpson and Denault Properties, (SP-17-002)

DPZ Planner: J.J. Hartner, (410) 313-4383, jehartner@howardcountymd.gov

Request: To approve Preliminary Equivalent Sketch Plan (SP-17-002) for a 99.95 acre property to create 45 buildable lots, 1 buildable preservation parcel, 10 non-buildable preservation parcels, 5 non-buildable bulk parcels, and associated site improvements. The property is zoned "RR-DEO" (Rural Residential – Density Exchange Option) and is in the Tier III Growth Area; therefore, it is subject to Senate Bill 236 "The Sustainable Growth and Agricultural Preservation Act of 2012."

Location: The property (Tax Map 27, Grid 18, Parcels 34, 36, 98, 111, & 112, in the Fifth Election District of Howard County, Maryland) is accessed via Green Bridge Road.

DPZ Recommendation: **Approval**, subject to complying with remaining technical comments from the Subdivision Review Committee (SRC).



Vicinal Properties:

Surrounding properties to the north, northeast, and northwest are zoned RC-DEO and designated Tier IV. They include a single family detached residence, farmland, and associated farm buildings

Surrounding properties to the west, south, and southwest are developed with single family detached homes, are zoned RR-DEO, and designated Tier III.

Legal Notice:

The property was properly posted and verified by DPZ.

Regulatory Compliance:

The Amended Fifth Edition of the Subdivision and Land Development Regulations, the Zoning Regulations (effective October 6, 2013), the Howard County Design Manual, the Adequate Public Facilities Ordinance, the Forest Conservation Manual, and the Landscape Manual all apply.

History:

- **ECP-16-025, Environmental Concept Plan** - Submitted February 9, 2016, for 45 buildable lots, 1 buildable preservation parcel, 5 non-buildable preservation parcels, and 3 non-buildable bulk parcels. The plan was approved on October 12, 2017.
- **SP-17-002, Preliminary Equivalent Sketch Plan** - Submitted March 9, 2017, for 45 buildable lots, 1 buildable preservation parcel, 10 non-buildable preservation parcels, 5 non-buildable bulk parcels, and associated site improvements. The plan was found to be technically complete on March 20, 2018.
- **WP-17-105** - Submitted July 7, 2017, to seek alternative compliance for:
 - Section 16.1205(a)(7) of the Subdivision Regulations, which requires retention and protection of State champion trees, trees 75 percent of the diameter of State champion trees, and trees 30 inch in diameter or larger, unless reasonable efforts have been made to protect them and the plan cannot be reasonably altered or that forest planting in an alternate location would have greater environmental benefit.
 - Section 16.147 of the Subdivision Regulations to allow non-buildable parcels to be created by deed and conveyed to the adjoining property owners.
 - Section 16.116 of the Subdivision Regulations to allow disturbance of streams, wetlands, and their associated buffers so that a use-in-common driveway may be constructed.

The Alternative Compliance request was deferred on May 10, 2017 until a decision regarding this plan is made by the Planning Board.

Analysis:

Site Improvements – The proposed development removes the existing structure(s) and driveway(s) on the Simpson and Denault properties and will consist of 46 single family dwellings, with driveways, and be served by three public roads.

Setbacks – The proposed development complies with all setback requirements.

Storm Water Management (SWM) – The approximately 100 acre site is comprised of five partially wooded parcels. It contains existing dwellings, out buildings and associated driveways, and drainage ways that contain non-tidal wetlands. The proposed buildable lots are all are on high ground with most on the Simpson property, but some on the Denault property.

The site plan preserves natural drainage patterns and stormwater practices, which are dispersed throughout the site. They will discharge along high ground toward existing drainage ways, mimicking existing topography.

Sediment and erosion control will comply with the latest edition of the MDE

standards and specifications for sediment control, as shown on the accompanying ECP and Preliminary Equivalent Sketch Plan.

All environmental site design requirements, as defined in the Stormwater Management Act of 2009, have been met, including water quality treatment through bio-retention facilities and dry wells. Dry wells are provided for each building lot to meet recharge requirements.

Environmental Features – Two streams and their associated buffers are located onsite; one on the southeast and one on the northwest side of the property. Near or around both streams are wetland areas and their associated buffers. There is also a farm pond to the northwest that the petitioner is proposing to drain. There are also several specimen trees and steep slopes scattered throughout the property. The property also contains 32.3 acres of existing forest cover.

Landscaping - Landscaping complies with the Howard County Landscape Manual and Design Criteria. Perimeter landscaping is being provided through credits for maintaining existing vegetation and providing additional landscaping along the public streets and property boundaries.

Forest Conservation - The Forest Conservation Act requirements will be met by retaining 17.61 acres of net tract area forest within the limits of a forest conservation easement and a reforestation obligation of 22.90 acres. The reforestation obligation will be met with 21.90 acres of onsite planting and 1.0 acre of offsite reforestation or with the purchase of credit in a forest conservation bank.

Adequate Public Facilities – Allocations in the Rural West Allocation Area are currently available, but will not be finalized until the project has been approved by the Planning Board and the Decision and Order has been executed.

Adequate Road Facilities – This plan complies with acceptable levels of service established by Adequate Road Facilities requirements. The APFO Roads Study was approved by the Department of Planning and Zoning's Development Engineering Division on September 18, 2017.

Development Criteria – This plan complies with the Howard County Subdivision and Land Development Regulations and the October 6, 2013, Howard County Zoning Ordinance.

Planning Board Criteria:

The Preliminary Equivalent Sketch Plan complies with the two criteria requirements of Senate Bill 236, *The Sustainable Growth and Agricultural Preservation Act of 2012*:

1. **The cost of providing local governmental services to the residential major subdivision unless a local jurisdiction's Adequate Public Facilities Ordinance already requires a review of government services.**

Howard County has an Adequate Public Facilities ordinance; therefore, this requirement has been met.

2. **The potential environmental issues or a natural resources inventory related to the proposed residential major subdivision.**

The petitioner is proposing two stream crossings. The first stream crossing is on the southeast side of the property and was deemed necessary to gain access to the property, in accordance with Section 16.116(c) of the Subdivision Regulations. The second stream crossing is on the northeast side of the property and is not considered necessary since the proposed crossing is near the back of the property and is being proposed so that four additional lots may be developed.

Of the 32.3 acres of existing forest cover, the petitioner is proposing to clear 15.3 acres. The proposed clearing is being minimized to the greatest extent possible and all forest

clearing will be mitigated by 21.9 acres of onsite planting and 1 acre of offsite reforestation.

The total limit of disturbance for this project is 64.77 acres, or 65% of the total project area.

Additional environmental considerations taken from the Petitioner's ECP Design Narrative:

Approximately 0.50 acres of environmentally sensitive areas (i.e. 100-year floodplain, wetlands, streams, and their buffers) will be impacted by constructing a proposed use-in-common driveway (for lots 35-38) and by removing the existing farm pond and associated permanent stabilization, as required by Howard County Soil Conservation District and Maryland Department of the Environment (MDE).

Approximately 2.37 acres of environmentally sensitive areas (i.e. 100-year floodplain, wetlands, streams, and their buffers) will be impacted by the construction of proposed Public Road "A" and the reconstruction of the driveway for the Mauck property.

Approximately 6.76 acres of 15-25% slopes will be disturbed by the proposed residential development. Approximately 22.19 acres of highly erodible soils will be disturbed by the proposed residential development.

SRC Action:

The SRC determined the Preliminary Equivalent Sketch Plan can be approved, subject to addressing minor drafting errors that must be corrected prior to DPZ signature approval. Please see the attachment.

Recommendation:

The Department of Planning and Zoning recommends approval of Preliminary Equivalent Sketch Plan (SP-17-002), subject to complying with SRC comments.


Valdis Lazdins, Director
Department of Planning and Zoning

6/5/18
Date

Please note that 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.