



**MAYOR AND CITY COUNCIL OF LAUREL
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT**

8103 Sandy Spring Road • Laurel, Maryland 20707 • (301) 725-5300
Web: <http://www.cityoflaurel.org> E-mail: ecd@laurel.md.us

DATE May 9, 2023

AGENDA ITEM NO. 4

TECHNICAL STAFF REPORT

TO: City of Laurel Planning Commission

FROM: Emily Cline-Gibson, Planner I

CASE: Contee Road Islamic Community Center- Forest Conservation Plan

GENERAL INFORMATION

APPLICANT: Legend Builders, Inc.
307 Compton Ave
Laurel, MD 20707

OWNER: Islamic Community Center of Laurel
7306 Contee Road
Laurel, MD 20707

LOCATION: Contee Road, Laurel, MD 20707
Tax Identification No.: 1124270, 1124312, 1124288, 1124320, 1099340, 1124296

ZONE: R-55 (One Family Detached)

REQUESTED ACTION: Approval of Forest Conservation Plan

BACKGROUND INFORMATION:

The applicant is requesting Forest Conservation Plan approval with waiver for the Islamic Community Center to clear approximately 1.12 acres located on two (2) lots off Contee Road. The project consists of a total of six (6)

lots, with four (4) lots remaining undisturbed. The proposed cleared area will be used as a children's play field for the Islamic Community Center.

Below is an overhead of the subject property:



- The dark black line represents the project area
- The blue shaded region represents the approximate proposed forest clearing area
- The green shaded region represents the approximate proposed Tree Preservation Area for reforestation

- The land not located in any shaded region will remain undisturbed for this application

ANAYLSIS:

The applicant received a Forest Stand Delineation staff approval on April 26, 2023, and a Forest Conservation Plan, which is required for any project on land forty thousand (40,000) square feet or greater, has been submitted along with the Forest Conservation Worksheet, which has determined the following:

NET TRACT AREA	
Total Tract Area:	7.22 AC
Deductions:	0.00 AC
Net Tract Area:	7.22 AC
LAND USE CATEGORY	
Afforestation Threshold:	1.44 AC
Conservation Threshold:	1.44 AC
EXISTING FOREST COVER	
Forest Cover within Net Tract Area:	7.22 AC
Area of Forest Above Conservation Threshold:	5.78 AC
BREAKEVEN POINT	
Breakeven Point:	2.60 AC
Forest Clearing Permitted without Mitigation:	4.62 AC
PROPOSED FOREST CLEARING	
Total Area to be Cleared:	1.12 AC
Total Area to be Retained:	6.10 AC
PLANTING REQUIREMENTS	
REFORESTATION	
Clearing Above the Conservation Threshold:	0.00 AC
Clearing Below the Conservation Threshold:	1.12 AC
Credit for Retention Above Conservation Threshold:	0.00 AC
Total Reforestation Required:	2.30 AC
AFFORESTATION	
Area of Forest Above Afforestation Threshold:	0.00 AC
To Meet Afforestation Minimum:	0.00 AC
For Clearing Below Afforestation Threshold:	0.00 AC
Total Afforestation Required:	0.00 AC
TOTAL PLANTING REQUIRED:	
	0.00 AC

The applicant is proposing to clear 1.12 acres on Tax I.D. lots 1124270 and 1124312. One specimen tree, a Green Ash, will be removed. There will be a 25-foot Tree Preservation Area buffer bordering nearby residential housing

located to the east of the project, totaling 0.3 acres. Per the Landscape Manual, a minimum buffer width of twenty (20) feet of existing vegetation must be preserved in single-family attached developments. The applicant is required to provide 2.3 acres of reforestation per Section 20-41.8 of the Unified Land Development Code (ULDC), which will be met by the proposed 2.3-acre Tree Preservation Area located on Tax I.D. lots 1124296, 1099340, and 1124320.

Waiver

The applicant is requesting a waiver to remove a Green Ash tree that has a diameter measured at 4.5 feet above the ground of 30 (thirty) inches. Section 20-41.16(a)(2) of the ULDC allows for a waiver of the provisions of Section 20-41.7(b)(5)(a) upon a demonstration that enforcement would result in unwarranted hardship. The specific requirements for the granting of the waiver are provided below:

Describe the special conditions peculiar to the property which would cause the unwarranted hardship:

The reason the Mosque is clearing that area is for a playing field and the tree would be in the middle of the field, there also many trees still surrounding the proposed field.

Describe how enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas:

The Mosque has over 7 acres of land with 4 acres of trees.

Verify that the granting of the waiver will not confer on the applicant a special privilege that would be denied to other applicants:

If you were going to build a home and a tree was going to be in the middle of the home, you would be allowed to remove the tree and plant new trees in its place. The same should be approved if the tree is a conflict with providing a play area for soccer.

Verify that the waiver request is not based on conditions or circumstances which are the result of actions by the applicants:

No, the tree just happens to be in the center of the proposed area.

Verify that the request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property, and

No, the tree is in the center of the property.

Verify that the granting of a waiver will not adversely affect water quality:

Per the site plan which was provided to the City, it shows a 25' buffer on the clearing for the homes behind the proposed field. This is in addition to an existing tree buffer located behind neighboring houses on lots 3-5.

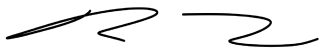
RECOMMENDATION:

It is recommended that the Planning Commission **APPROVE** the Forest Conservation Plan.

ATTACHMENTS:

1. Forest Conservation Site Plan
2. Woodland Conservation Management Procedures

SUBMITTED:

A handwritten signature in black ink, appearing to be 'RL', written above a horizontal line.

Robert Love
Director