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May 1, 2020

Amy G. DiPietro, P.E., LEED AP | Principal
MORRIS & RITCHIE ASSOCIATES, INC.
3445-A Box Hill Corp. Center Drive, Abingdon, MD 21009

Re: Southfields Forest Stand Delineation
Southfields Preliminary Forest Conservation Plan

Dear Ms. DiPietro,

I am in receipt of the March 12, 2020 response letter from Eco-Science Professionals, Inc. and the **Forest Conservation Plan for the Logistics Center at Parcel I at Southfields of Elkton** by MRA, received on April 9, 2020. My review comments are as follows:

FOREST CONSERVATION
Forest Stand Delineation

NOTE: No revised Forest Stand Delineation was submitted.

General

1. Provide current environmental review letters from MD DNR Natural Heritage. **Comment remains.**
2. Provide a Key on the plans. **Comment remains.**
3. Show the location of all of the sampling plots on the Forest Stand Delineation Plans. **Comment remains.**
4. Provide a copy of the wetlands report for this project. **Comment addressed.**
5. Are any of the specimen trees a candidate for Cecil County or Maryland State Champion trees? **Comment remains.**
6. Why are the properties labeled with the name of former owners? They should be identified by tax map, parcel number and current owners. **Comment remains.**
7. Priority forest stands are defined as stands which contain priority areas for retention. In the FSD report, the same comment appears for all of the forest stands, stating that the forest does meet the minimum standard for interior habitat but "further investigation would be required to determine that actual level of useage by forest interior dwelling birds" or "considered a moderate priority for preservation unless they provide actual interior habitat".

TOWN OF ELKTON

Elkton Municipal Building, 100 Railroad Avenue, P.O. Box 157, Elkton, Maryland 21922-0157
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At what point will further investigation occur? If, following the investigation, it is determined that the forests do provide "actual habitat" or a "level of useage" by forest interior dwelling birds, then the entire stand(s) is determined to be a priority for preservation. **Comment remains.**

8. Provide additional information regarding the functions of the forest stands, such as water quality and wildlife habitat. **Comment remains.**
9. The property boundaries shown on the plans are not consistent between the FSD and FCP plans. **Comment remains.**
10. There are several instances where the forest stands are not contiguous (Adwin, Samost and Bridgewell). The Forest Conservation Technical Manual defines a forest stand as, "a contiguous group of trees sufficiently uniform in species composition, arrangement of age classes and condition to be a distinguishable, homogeneous unit." **Comment remains.**

Bridgewell FSD

11. Check the acreage for lot 169. The State Assessment Office has it listed as 54.9 acres. It is labeled as 62.64 acres. **Comment acknowledged.**
12. Please provide Forest Sampling Data Sheets for plots# 1, 2, 3 and 4. **Comment remains.**
13. Label the stream as perennial or intermittent. **Comment remains.**
14. What is the acreage of forest stand F1V? **Comment remains.**

VandeVelde FSD

15. Identify the streams shown on the north and south of the parcel as perennial or intermittent. **Comment remains.**
16. Label the steep slopes (or show in a Key). **Comment remains.**
17. Show the location of the headstones on the plan. **Comment will be addressed in future development.**

Samost FSD

18. Only eight (8) sampling plots were provided for 99 acres. There should have been a minimum of 24 sampling plots on a stand of this size. **Comment remains.**

Adwin FSD

19. The proposed project impacts an existing Forest Conservation Easement on the former Adwin property. Provide an amended FCP for the Adwin tract. Identify the original tract and Forest Conservation Easement, and show the proposed amendments to that FCP. **Comment remains.**
20. Describe the condition of the previously afforested stand. Did a majority of the original trees that were planted survive? **Comment remains.**
21. The existing conditions plan still shows "vacant existing buildings". **Comment remains.**

- 22. Show the location of existing test wells and future production well on the site. **Comment remains.**
- 23. Identify the type of stream to the east of the existing FC easement. Is this area (approximately 70' x 900') counted as existing priority forest? **Comment remains.**

Heuster

- 24. There should be five (5) sample plots for F1 and two (2) sample plots for F2. **Comment remains.**
- 25. What is "Olive SPP" on the plan? **Comment remains.**
- 26. I do not see stand F-2 on the plan. **Comment remains.**

Preliminary Forest Conservation Plan

Note: The comments below correspond to the March 12, 2020 response letter submitted by Eco-Science Professionals, Inc. The Forest Conservation Plan that was submitted on April 9, 2020 is entitled, "Logistics Center at Parcel I at Southfields of Elkton".

- 27. Show and label the acreage of forest proposed to be cleared for each stand on the plan. **Comment remains.**
- 28. Check your plans - the property boundaries shown on the plans are not consistent between the FSD and FCP plans. **Comment acknowledged.**
- 29. Show the wells on parcel 2450. **Comment remains.**
- 30. Show anticipated utility easements. Utility easements or right-of-way cannot be within a forest retention area. **Comment acknowledged.**
- 31. Ensure that Critical Root Zones are accounted for along the edges of the forest retention area. **Comment remains.**
- 32. Show location of protective devices. Provide specifications for the protective devices and signage. **Comment remains.**
- 33. Provide a Sequence of Construction that incorporates flagging the forest retention areas, inspection of flagged easement locations by the Town, and installation of protective devices prior to any land disturbance. **Comment remains.**
- 34. Impacts to wetlands will require a Joint Permit from MDE and the Army Corps of Engineers (ACOE) and, more than likely, will require mitigation. **Comment acknowledged.**
- 35. Eliminate impacts to steep slopes (ex. Road D lots 51, 52, 53, 73, 74, 93, 94, 100). **Comment remains.**
- 36. How will development impact the individual forest stands? What are the forest management recommendations for those stands that will be impacted? Provide a Maintenance and Monitoring Plan for the forest retention area easement. **Comment remains.**

37. If contiguous forest will be disturbed, identify the retention priority of its composite stands according to water quality, wildlife habitat benefits and landowner objectives. **Comment remains.**
38. Please describe the effect on water quality and wildlife habitats on the proposed impacts to forested wetlands. **Comment remains.**

The Elkton Zoning Ordinance states that in developing a forest conservation plan, the applicant shall give priority to techniques for retaining existing forest on the site. Trees, shrubs, and plants located in sensitive areas including 100-year floodplains, intermittent and perennial streams and their buffers, coastal bays and their buffers, steep slopes, critical habitats and contiguous forest that connect the largest undeveloped or most vegetated tracts of land within and adjacent to the site are priority for retention and protection, and they shall be left in an undisturbed condition unless the applicant has demonstrated, to the satisfaction of the Planning Department that reasonable efforts have been made to protect them and the plan cannot reasonably be altered.

39. The following trees, shrubs, plants, and specific areas are considered priority protection areas for retention and protection and shall be left in an undisturbed condition unless the applicant has demonstrated, to the satisfaction of the Department, that the applicant qualifies for a variance in accordance with Article XVIII, Part III, Section 14 of the Elkton Zoning Ordinance:

- a. Trees, shrubs or plants determined to be rare, threatened, or endangered under:
- (1) The Federal Endangered Species Act of 1973 in 16 U.S.C. Sections 1531--1544 and in 50 CFR Part 17,
 - (2) The Maryland Nongame and Endangered Species Conservation Act, Natural Resources Article, Sections 10-2A-01--10-2A-09, Annotated Code of Maryland, and
 - (3) COMAR 08.03.08. - **Comment response states that no forest meeting these standards are present on the site.**
- b. Trees that:
- (1) Are part of a historic site;
 - (2) Are associated with a historic structure; or
 - (3) Have been designated by the State or the Department as a national, State or county champion tree; and - **Comment response states that no forest meeting this standard are present on the site, however, this site is part of a tract of land that includes remnants of a historic cemetery and farm.**

c. Any tree having a diameter measured at four and one-half (4.5) feet above the ground of:

- (1) thirty (30) inches or more; or
- (2) seventy-five (75) percent or more of the diameter, measured at four and one-half (4.5) feet above the ground, of the current State champion tree of that species as designated by the Department of Natural Resources. **Response comment states that a variance application will be provided to remove specimen trees.**

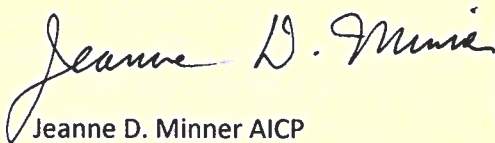
d. Areas classified as having Priority Forest Structure by the Forest Structure Analysis methodology as described in the Forest Conservation Manual. **Response comment states that no forest meeting these standards are present on the site. However, Samost Stand F-1; and Heuster Stands F-1 and F-2 include priority areas for forest retention such as wetlands, intermittent streams, specimen trees or are part of a large contiguous forest offsite. Comment remains.**

- 40. A large number of specimen trees are proposed to be impacted. Variances will be required for removal of trees over 30" diameter. Variances will also be required for impacts to Priority Forests. **Comment remains.**
- 41. Demonstrate why Priority Retention Areas cannot be retained. Demonstrate that all techniques for retention have been exhausted and why it cannot be left undisturbed. Show unreasonable burden. **Comment remains.**
- 42. Provide a metes and bounds survey of the forest retention area easement and a Long-Term Protective Agreement. **Comment acknowledged. To be addressed at Final Forest Conservation Plan.**
- 43. I recommend the following:
 - Reduce the size of the warehouse buildings and parking lots that impact wetlands and Priority Forests (Samost and Heuster tracts). **The revised plan shows considerable impacts to a large connected wetland System 2, which includes two intermittent streams. Waters A originates from System 2, Wetland 29. The southern access road for building 2 should be relocated to the north to avoid this important wetland system. In System 3, wetland 20 and 25 are connected wetlands systems.**
 - Relocate all proposed stormwater management facilities out of the wetlands. **Comment remains.**
 - It appears that you are proposing two (2) wetland or stream crossings for 46 homes on the Bridgewell property. I recommend avoiding the wetlands by bridging the roadway over the wetlands/streams. In addition, I recommend you cluster or provide panhandle lots to reduce the fragmentation of this forest. **Comment remains.**

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- The single-family detached lots shown on the VandeVelde property creates fragmentation of forest and a significant impact to FIDS habitat. I recommend clustering the lots, creating panhandle lots or reducing the number of residential lots to reduce the impacts on this forest. **Comment remains.**
44. **This plan should be labeled "Preliminary" Forest Conservation Plan.**
 45. **Show the wetlands and specimen trees to be removed. The shading for the proposed buildings covers up the underlying existing forest and sensitive areas, including specimen trees.**
 46. **The shading for the buildings is the same shading as for the retained forest. I recommend correcting that and provide a key.**
 47. **Is the Heuster Stand F-1 regulated under the Forest Conservation Ordinance?**
 48. **Explain line "S" in the Forest Conservation Worksheet Overall Warehouse.**
 49. **Explain "excess forest credit" in the Forest Conservation Worksheet Overall Warehouse.**
 50. **The Forest Conservation Worksheet-PUD should be removed from this plan. This plan is limited to Parcel I.**
 51. **Parcel I includes a MD DNR Green Infrastructure Corridor and Cecil County Green Infrastructure Network Core Areas, Corridor and Hub. It appears the plan avoids the DNR GI corridor, but does impact the Cecil County GI Core, Corridor and Hub.**
 52. **Please provide a revised Forest Stand Delineation and Preliminary Forest Conservation Plan addressing the comments above.**

Sincerely,

A handwritten signature in black ink that reads "Jeanne D. Minner". The signature is fluid and cursive, with the first name "Jeanne" being larger and more prominent than the last name "Minner".

Jeanne D. Minner AICP
Director of Planning

cc: Ray Jackson
Sean Davis