

October 24, 2019

Kevin Kershner, P.E.
Principal
Stantec Consulting Services Inc.
1500 Lake Shore Drive, Suite 100
Columbus, OH 43204-3800

RE: Stormwater Drainage Manual (SWDM) Type III Variance Request – Sussex Place Section 3, Phase 1 & 2

Mr. Kershner:

This letter is in response to the subject variance request to the SWDM Section 1.3 – Stream Corridor Protection Zone. More specifically, SWDM Section 1.3.2 provides for permanent protection of the Stream Corridor Protection Zone (SCPZ), and Section 1.3.3 lists specific activities and facilities prohibited within the SCPZ, which include filling and excavation within the SCPZ. A variance is requested to allow filling to remove the existing erosion and sediment control pond outlet channel and related work within the SCPZ, and removal of this 0.14 acre area from the SCPZ to allow construction of Sussex Place Section 3, Phase 1 & 2 as originally planned in 2005.

The request was submitted to the City on September 17, 2019. The Variance Review Committee met and reviewed the subject Variance Request on October 9, 2019.

As part of the Variance review process, the subject Variance request was posted on the City website on September 19, 2019 to solicit public comments. By the due date of October 3, 2019 no public comments were received.

The submitted Variance Request was found by the Variance Review Committee to be in compliance with the SWDM Stream Protection Type III Variance application requirements.

Three alternatives were considered within the application for the requested Section 1.3 variance - Full Compliance, Minimal Impact and the Preferred Alternative.

Under the Preferred Alternative, 60 residential lots will be built, requiring the total SCPZ impact of 0.14 acres across 180 ft. of the SCPZ. No trees will be removed within the SCPZ, and no direct stream impact is proposed.

Under the Minimal Impact Alternative, a SCPZ impact of 0.002 acres is proposed, resulting in a loss of 3 lots.

Under the Full Compliance Alternative, no work will be performed within the SCPZ, reducing the size of the proposed development by 4 lots.



The applicant proposes to mitigate the proposed Preferred Alternative 0.14 acre SCPZ impact by on-site mitigation. Additional 0.24 acre SCPZ is proposed to be created, significantly exceeding the required on-site mitigation 1:1 ratio. The additional SCPZ is proposed to be vegetated with native plants to prevent invasive species establishment in the area. The existing conservation easement around Marsh Run is proposed to be expanded to include the entire SCPZ, existing and proposed, on both sides of the stream.

Upon reviewing and discussing the application submitted by the applicant, the Variance Review Committee agreed with the applicant that the Preferred Alternatives represents the development team's good faith effort to comply with the SWDM stream protection requirements to the maximum practical extent.

In light of the above, the subject Variance Request (Type III SWDM Section 1.3), Preferred Alternatives is conditionally approved contingent upon the following stipulation:

- Storm CC-Plans and Stormwater Management Reports for Sussex Place Section 3, Phase 1 & 2 to be submitted and approved by the City of Columbus. The plans shall include an SCPZ mitigation plan as conceptually described above and in the variance application.
- The existing conservation easement around Marsh Run shall be expanded to include the entire SCPZ, existing and proposed, on both sides of the stream.

No approval contained herein relieves or absolves the applicant of any provisions of applicable state or federal laws. Please contact Plan Review Section Manager Greg Fedner, P.E. at 614-645-8072 with any questions.

Sincerely,



John G. Newsome, P.E., Administrator
Division of Sewerage and Drainage

pc: Variance Review Committee
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