PGCPB No. 05-78 File No. 4-04169

R E S O L U T I O N

WHEREAS, Piscataway Road, LLC is the owner of a 7.58-acre parcel of land known as Parcel 18, 52 and Outlot A, Tax Map 33 in Grid B-2 and NLP 101@21, said property being in the 5th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on October 25, 2004, Piscataway Road, LLC filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 10 lots and 2 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04169 for Wilde Acres was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on March 17, 2005, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on March 17, 2005, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/07/03-01), and further APPROVED Preliminary Plan of Subdivision 4-04169, Wilde Acres for Lots 1-10 and Parcels A and B and a Variation to Section 24-130 of the Subdivision Regulations with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision the plan shall be revised as follows:

    a. Include Parcel 18 in the general notes.

    b. Label 26-foot-wide paving width.

    c. Label the centerline of Piscataway Road and delineate the dedication of 60 feet from centerline.

    d. Label the 65 dBA as an Ldn unmitigated contour line.

    e. Indicate the approval date of the stormwater management concept plan.

    f. Label any well location and provide a note if one exists.

2. Prior to the issuance of permits, a Type II tree conservation plan shall be approved.

3. Development of this site shall be in conformance with the Stormwater Management Concept Plan 29770-2004-00 and any subsequent revisions.

4. The final plat shall reflect a public use easement over Parcel B (HOA) to the benefit of the Board of Education (BOE) for the construction of a future pedestrian trail connection to the school site to the north from Bork Drive. The plat note shall serve as notice to future property owners of the intent to provide a future pedestrian access to the school site.

5. Prior to the signature approval of the preliminary plan of subdivision or any grading or clearing on site, the applicant shall submit a Phase I archeological investigation to the Planning Department staff for review and concurrence, and if determined to be needed, a Phase II and Phase III investigation prior to final plat approval. The final plat, if necessary, shall provide for the avoidance and preservation of the resources in place and appropriate plat notes required to ensure the mitigation of any adverse effect upon these resources if necessary. All investigations must be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines.

6. Prior to the approval of building permits, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association (HOA) 1.81± acres of open space land (Parcels A and B). Land to be conveyed shall be subject the following:

    a. Conveyance shall take place prior to the issuance of building permits.

    b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.

    c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.

    d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.

    e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved detailed site plan or shall require the written consent of DRD. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and storm drain outfalls. If such proposals are approved, a written agreement and

financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.

f. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.

g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.

h. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.

7. Prior to the approval of building permits, the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association has been established and that the common areas have been conveyed to the homeowners association.

8. Prior to the issuance of grading permits, the applicant shall submit a manifest demonstrating that the fuel storage tanks located on the property have been properly disposed of by a licensed waste company and reclamation of any contaminated soils has occurred under the direction of the Health Department.

9. Any abandoned well identified on the preliminary plan shall be backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.

10. The applicant shall provide a fee to Prince George's County, which shall serve as a fair share contribution toward the construction of the proposed Brandywine Station, and acquisition of an ambulance vehicle. The fee shall be paid at time of the issuance of the first building permit. The fair share fee is $439 per lot, or $4,390 for the ten lots proposed.

11. The landscaping in the 40-foot-wide scenic easement adjacent to the ten-foot public utility easement parallel to the land to be dedicated for Piscataway Road shall be reviewed with the Type II tree conservation plan. The landscaping shall be sufficient to preserve the historic character of Piscataway Road.

12. A landscape buffer, a minimum of 40 feet wide, adjacent to the 10-foot public utility easement parallel to Piscataway Road shall be shown on the final plats as scenic/historic road easements and the following note shall be placed on the plats:

"The scenic/historic road easement described on this plat is an area where the installation of structures and the removal of vegetation are prohibited without prior written consent

from the M-NCPPC Planning Director or designee. The removal of hazardous trees,

limbs, branches, or trunks is permitted."

13. Prior to signature of the Preliminary Plan, the Type I tree conservation plan shall be revised to:

    a. Add the following note:

       "The Type II TCP shall show permanent fencing along the boundaries of the planting areas in the form of a two-rail, split-rail fence or equivalent. An area at least 35 feet wide around the boundaries of all afforestation areas shall be planted with one- and two-inch caliper trees."

    b. Add the CSD number to Note 5.

    c. Have the revised plan signed and dated by the qualified professional who prepared the plan

14. The following note shall be placed on the final plat of subdivision:

    "Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/7/03-01), or as modified by the Type II tree conservation plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy."

15. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the expanded stream buffer and be reviewed by the Environmental Planning Section prior to approval. The following note shall be placed on the plat:

    "Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation is prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

16. Prior to the issuance of any permits that impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

17. Prior to approval of the final plat of subdivision, the applicant, his heirs, successors and or assignees shall pay a fee-in-lieu of parkland dedication to be offset by the value of the land area of Parcel B (3,949.7 square feet).

18. Prior to the issuance of any building permits within the subject property, the applicant shall submit an acceptable traffic signal warrant study to SHA and DPW&T for a possible signal at the intersection of MD 223 and Windbrook Drive. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the

direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. The requirement for this study shall be waived upon a future determination by SHA in writing that peak-hour volumes are insufficient to meet minimum signal warrants. Such determination shall not be made more than three months prior to issuance of the initial building permit.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.

2. The subject property is located on the southeast side of Piscataway Road approximately 800 feet north of its intersection with Windbrook Drive.

3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	**PROPOSED**
Zone	R-R	R-R
Use(s)	Residential	Residential
Acreage	7.58 acres	7.58 acres
Lots	0	10
Parcels	2	2
Outlots	1	0
Dwelling Units:		
Detached	1 (to be razed)	10 (new)

4. **Environmental—**The Environmental Planning Section has reviewed the revised Preliminary Plan of Subdivision for Wilde Acres, 4-04149, and the revised Type I Tree Conservation Plan, TCPI/7/03-01, accepted for processing on February 8, 2005.

There is a stream generally following the south property line associated with Piscataway Creek in the Potomac River watershed. A review of soils maps, national wetland inventory maps, and other information on the M-NCPPC GIS suggests that there are no wetlands or floodplain on the site. Current air photos indicate that there are only small areas of woodland on the property. The Subregion V Master Plan does not indicate any areas of natural reserve or conditional reserve on the site. Piscataway Road is designated in the Subregion V Master Plan as a historic road. There are no nearby sources of significant traffic-generated noise. The proposed use is not expected to be a noise generator. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled *Ecologically Significant Areas in Anne Arundel and Prince George's Counties*, December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. The Prince George's County

Soils Survey indicates that the principal soils on the site are in the Aura, Beltsville, and Croom soils series. Marlboro Clay does not occur in this area.

Piscataway Road is designated in the Subregion V Master Plan as a historic road. The "Design Guidelines and Standards for Scenic and Historic Roads" provides guidance for the review of applications that could result in the need for roadway improvements. A visual inventory was submitted with the application.

The preliminary plan and TCPI provide a 40 foot-wide landscape buffer adjacent to the 10-foot public utility easement along Piscataway Road. This area is currently devoid of trees. The area is shown on the revised plans as a reforestation area to provide a visual buffer from the historic road where one does not currently exist. The landscaping in the 40-foot-wide area shall be reviewed with the Type II tree conservation plan. The landscaping should be sufficient to preserve the historic character of Piscataway Road.

Piscataway Road is a master plan arterial roadway. A Phase I noise was submitted and the plans show the unmitigated 65 dBA contour contained in the study. Based upon on-site measurements and predicted future traffic, no mitigation measures are required to provide outdoor activity areas that will not be severely impacted by traffic-generated noise.

A simplified forest stand delineation (FSD) has been reviewed. The plan notes four stands, totaling 1.35 acres, that follow the eastern and southern property lines. The plan correctly illustrates the stream, minimum 50-foot stream buffer, areas with severe slopes, areas with steep slopes containing highly erodible soils, and the expanded stream buffer. The specimen tree notes 19 significant trees. The FSD meets the requirements of the Woodland Conservation Ordinance.

This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site has a previously approved Type I tree conservation plan. A Type I tree conservation plan, TCPI/7/03, was approved by PGCPB. No. 03-54. A revised Type I tree conservation plan, TCPI/7/03-01, has been reviewed. The plan correctly illustrates the stream, minimum 50-foot stream buffer, areas with severe slopes, areas with steep slopes containing highly erodible soils, and the expanded stream buffer.

The revised TCP proposes clearing 0.34 acre of the existing 1.35 acres of woodland. The woodland conservation threshold is 1.52 acres and the woodland conservation requirement has been correctly calculated as 1.69 acres. The plan proposes to meet the requirement by providing 0.73 acre of on-site preservation and 0.96 acre of on-site planting, for a total of 1.69 acres. An additional 0.27 acre of woodland will be preserved on site but not be part of any requirement.

At least 40 feet of unencumbered rear yard area is needed to provide room for construction of the homes, to ensure the long-term protection of the preserved woodland, and to allow for future changes in house types that may impact the clearing and grading around each house. As noted previously, Piscataway Road is designated in the Subregion V Master Plan as a historic road and requires a landscape buffer.

The proposed reforestation areas will provide additional buffering of the site from the adjacent school property, assist in preserving the historic character of Piscataway Road, and provide an additional buffer along the stream. Reforestation areas on private lots will require the use of one-inch or larger caliper stock and a permanent two-rail split rail fence or its equivalent. Because the area of existing woodland is low, the site requires afforestation. The plan proposes extensive on-site planting on proposed lots. To assure protection in perpetuity, as required by Maryland law, both permanent fencing and easements on the final plats should be required.

This site contains natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. The preliminary plan of subdivision and forest stand delineation correctly indicate that there are no wetlands or 100-year floodplain on the subject property. A stream is shown on the property. The minimum 50-foot stream buffer and expanded buffer required by Section 24-130 of the Subdivision Regulations are correctly shown.

Impacts to significant environmental features that are required to be protected by Section 24-130 of the Subdivision Regulations are proposed. The design should avoid any impacts to streams, wetlands or their associated buffers unless the impacts are essential for the development as a whole. Staff will not support impacts to sensitive environmental features that are not associated with essential development activities. Essential development includes such features as public utility lines [including sewer and stormwater outfalls], streets, and so forth, which are mandated for public health and safety; nonessential activities are those, such as grading for lots, stormwater management ponds, parking areas, and so forth, which do not relate directly to public health, safety or welfare. Impacts to sensitive environmental features require variations to the Subdivision Regulations. One impact for the construction of a stormwater management facility outfall has been proposed. The proposed outfall for the stormwater management facility appears to be necessary and unavoidable.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

> **Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:**

The approval of the applicant's request does not have the effect of nullifying the intent and purpose of the Subdivision Regulations. In fact, strict compliance with the requirements of Section 24-130 could result in practical difficulties to the applicant that could result in the applicant not being able to develop this property.

(1) The granting of the variation will not be detrimental to the public safety, health, or injurious to other property;

Comment: The installation of stormwater management is required by the Prince George's County Department of Environmental Resources to provide for public safety, health and welfare. All designs of these types of facilities are reviewed by the appropriate agency to ensure compliance with other regulations. These regulations require that the designs are not injurious to other property.

(2) The Conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;

Comment: The specific topography of the site and soil types require the use of a stormwater management pond and an outfall to adequately serve the proposed development. The requested variations are not generally applicable to other properties.

(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation;

Comment: The installation of stormwater management facilities is required by other regulations. Because the applicant will have to obtain permits from other local, state and federal agencies as required by their regulations, the approval of this variation request would not constitute a violation of other applicable laws.

(4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if strict letter of these regulations is carried out;

Comment: The topography provides no alternative for the locations of the stormwater outfalls that are required to serve the development. Without the required stormwater management facilities, the property could not be properly developed in accordance with the regulations of the R-R Zone.

The soils information included in the review package indicates that the principal soils on the site are in Aura, Beltsville, and Croom soils series. All of these soils are highly erodible and require special care for erosion/sediment control when associated with slopes exceeding 15 percent. Additionally, Beltsville soils may have a perched water table and impeded drainage. This information is provided for the applicant's benefit. No further action is needed as it relates to this preliminary plan of subdivision review. The Prince George's County Department of Environmental Resources may require a soils report during the permit process review.

Water and Sewer Categories

The water and sewer service categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003, and the property will, therefore, be served by public/private systems.

5. **Community Planning**—The property is located within the limits of the 1993 Subregion V Master Plan, Planning Area 81B in the Tippett Community. The recommended master plan land use is Low Suburban residential. The preliminary plan is consistent with the R-R zoning of the property that was established to guide land use in conformance with the master plan.

   The 2002 General Plan locates the property in the Developing Tier. One of the visions for the Developing Tier is to maintain a pattern of low to moderate density suburban residential communities that are increasingly transit serviceable. The zoning of the property, with a density of 2.17 dwelling units per net tract area, is consistent with the moderate suburban residential density envisioned by the General Plan.

6. **Parks and Recreation**—In accordance with Section 24-135 of the Subdivision Regulations, staff is recommending that the applicant fulfill the requirements of the mandatory dedication of parkland with the combination of open space land (Parcel B) for the future trail connection from Bork Drive to the Board of Education property (Parcel A) to the north, and the payment of a fee-in-lieu. The payment of the fee-in-lieu will be offset by the land area of Parcel B (3,949.7 square feet) at the time of final plat approval.

7. **Trails**—There are no master plan trails issues identified in the adopted and approved Subregion V Master Plan that impact the subject site. However, the master plan includes a proposed middle school site adjacent to the subject property. Staff recommends the provision of a 30-foot-wide HOA parcel between Lots 4 and 5. This will allow the opportunity to provide a pedestrian connection from the subdivision to the future school. This trail or sidewalk connection could be constructed upon the completion of the school, if desired by the residents and agreed to by the BOE. BOE staff has indicated that the provision of this trail may eliminate the need for one bus stop in the future.

   SIDEWALK CONNECTIVITY:

   Staff supports the provision of the sidewalks as indicated on the submitted plan.

8. **Transportation**—The transportation staff did not request submission of a traffic count for the critical intersection of Piscataway Road and Windbrook Drive because staff was in receipt of recent traffic counts for that intersection as part of the submission requirements for another development in the general area.

   The current traffic counts demonstrate that the intersection of Piscataway Road and Windbrook Drive operates unacceptably as an unsignalized intersection under background traffic. To address

this inadequacy, staff recommends a traffic signal warrant study and installation of the signal if it is determined to be warranted by SHA and/or DPW&T. This recommendation is consistent with other nearby development projects and is necessary for determining adequacy of transportation facilities.

The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the "Guidelines for the Analysis of the Traffic Impact of Development Proposals."

Growth Policy—Service Level Standards

The subject property is located within the developing tier, as defined in the General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections:

Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the guidelines.

Unsignalized intersections:

The *Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Analysis of Traffic Impacts

As stated above, the critical intersection of Piscataway Road and Windbrook Drive is unsignalized and currently operates adequately with average vehicle delay of 30.6 and 13.8 seconds during the AM and PM peak hours, respectively.

With additional traffic generated by approved but not yet built development applications in the vicinity of the subject property (about ten properties), the AM and PM peak-hour average vehicle delay would increase 69 and 15 seconds, respectively.

The site is proposed for development as a residential subdivision. The site is proposed to be developed with ten single-family detached residences, which would generate 8 (2 in, 6 out) AM

peak-hour vehicle trips and 9 (6 in, 33 out) PM peak-hour vehicle trips. With these additional trips, the AM and PM peak-hour average vehicle delay would increase to 75 and 18 seconds, respectively. In response to the type of inadequacy findings at an unsignalized intersection, staff recommends that a signal be studied and installed if warranted.

The master plan indicates that Piscataway Road (MD 223) is a master plan arterial facility and, therefore, the plan appropriately reflects adequate right-of-way dedication of 60 feet from centerline along this roadway. Additionally, the plan should include a note indicating that proposed Lots 2 and 3 will not have direct access to MD223.

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for its impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded the following:

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 5	Middle School Cluster 3	High School Cluster 3
Dwelling Units	10 sfd	10 sfd	10 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	2.40	0.60	1.20
Actual Enrollment	4206	4688	8866
Completion Enrollment	112.80	69.06	136.68
Cumulative Enrollment	96.96	40.80	81.60
Total Enrollment	4418.16	4798.46	9085.48
State Rated Capacity	4214	5114	7752
Percent Capacity	104.82%	93.38%	117.20%

Source: Prince George's County Planning Department, M-NCPPC, December 2004

County Council bill CB-31-2003 establishes a school facilities surcharge in the amount of $7,000 per dwelling if a building is located between I-495 and the District of Columbia; $7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or $12,000 per dwelling for all other buildings.

The school surcharge may be used for the construction of additional or expanded school facilities

and renovations to existing school buildings or other systemic changes.

The Historic Preservation and Public Facilities Planning Section staff finds that this project meets the public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003 and CR-23-2003.

10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue facilities in accordance with the standards applicable to this application and concluded the following:

Fire and Rescue

a. The existing fire engine service Clinton Fire Station, Company 25, located at 9025 Woodyard Road has a service travel time of 7.17 minutes, which is beyond the 5.25-minute travel time guideline.

b. The existing ambulance service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road has a service travel time of 7.17 minutes, which is beyond the 6.25-minute travel time guideline.

c. The existing paramedic service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road has a service travel time of 7.17 minutes, which is within the 7.25-minute travel time guideline.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system should be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

The above findings are in conformance with the standards and guidelines contained in the *Approved Public Safety Master Plan* (1990) and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities,* and applicable to this application when it was filed on October 25, 2004.

The Historic Preservation and Public Facilities Planning Section has concluded that the entire development is beyond the recommended response times from existing facilities that provide ambulance and paramedic service. This finding is based on using the existing road system and existing stations. The staff also found that planned Brandywine emergency services facility, which is shown in the General Plan, will be the first due station that will provide ambulance service to this development.

In order to mitigate the ambulance response time deficiencies, the applicant should participate in

providing a fair share contribution toward the construction of the Brandywine emergency services facility.

The fee amount is based upon the total cost of the facility $1,275,000 and ambulance ($131,000) divided by the total amount of residential and employment population within the service area in 2006. The service areas include those areas that will be served by the planned facility. The fair share fee is $439 per dwelling unit, for ambulance service

2006 Service Area Population/Workers 10,024
Station /Ambulance & Paramedic Cost $1,406,000 / 10,024 = $140.26
3.13 Planning Area Dwelling Unit Size x $153.33 = $439 Per Dwelling
Number of Dwellings (10) x $ 439 = $4,390

11. **Police Facilities**—The proposed development is within the service area for Police District V-Clinton. The Planning Board's test for police facilities for this application is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for additional 57 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision.

12. **Health Department**—The Health Department has performed a site inspection of the property and notes that trash and other debris, as well as abandoned vehicles, have been found to occur on the property. An unlabeled drum was also found on the property that contains some type of liquid. The applicant should provide evidence that the trash and other debris have been removed and properly discarded. The applicant must also demonstrate that the contents of the drum located on the property have been properly evaluated and disposed of in an appropriate manner by a licensed hazardous waste company, if appropriate

13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. Stormwater Management Concept Plan 29770-2004-00 has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.

14. **Historic**—The Planning Board has recently identified that the possible existence of prehistoric archeological sites on certain properties must be considered in the review of development applications, and that potential means for preservation of these resources should be considered. Review of Historic Preservation office files indicates that prehistoric archeological sites are known to exist in environmental settings similar to that in the project area and there may be archeological resources of the antebellum period in the area of the subject site.

15. To the north is vacant land zoned R-O-S, owned by the Board of Education (BOE) and is the

future site of a middle school. The preliminary plan was referred to the BOE for comment. The BOE indicated a strong desire to provide a window from the internal public street to the BOE property. In a letter dated December 7, 2004 (Lee to Shaffer), the BOE stated:

"[the window] would enable students to walk to the school without having to go a long distance around and use Piscataway Road. There are no sidewalks on Piscataway Road. This pathway would also eliminate the need for a school bus to stop for these students."

To accommodate the pedestrian access, the applicant has proposed Parcel B. Parcel B (3,949 square feet) proposes a 30-foot-wide open space window from the internal public street to the BOE property to the north. Parcel B is proposed to be conveyed to the homeowners association and will be encumbered by a public use easement to the benefit of the BOE. The easement will allow the BOE, at the time that the middle school is constructed, to access Parcel B and construct a trail connection. It is the intent of the BOE that a hard surface trail be constructed with appropriate landscaping and fencing. Staff explored the possibility the Parcel B be conveyed to the BOE, but the BOE indicated concerns that the school was not yet constructed and that without the school existing, the parcel could be a maintenance issue with the new residents until the school is constructed. The BOE provided no time frame for construction of the middle school.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Squire, with Commissioners Eley, Squire, Vaughns, Harley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 17, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of April 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:WC:rmk