

A M E N D E D R E S O L U T I O N

WHEREAS, Shelley Homes, LLC is the owner of a 10.00-acre parcel of land known as Parcel 123, Tax Map 117 in Grid C-3, said property being in the 10th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on September 26, 2005, Shelley Homes, LLC filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 19 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-05058 for Banan Forest 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 February 2, 2006, 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 February 2, 2006, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

†WHEREAS, by a letter dated February 18, 2022, Thomas Haller, representing the applicant, requested a waiver and reconsideration of Condition 4a and associated transportation findings;

†WHEREAS, on March 10, 2022, the Planning Board approved the waiver and request for reconsideration based on inadvertent error in the original traffic analysis and good cause; and

†WHEREAS, on June 9, 2022, the Prince George's County Planning Board heard testimony and approved the reconsideration.

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/102/04), and further APPROVED Preliminary Plan of Subdivision 4-05058, Banan Forest, for Lots 1-19 with the following conditions:

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

†Denotes Amendment

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2. Development of this site shall be in conformance with the stormwater management concept plan, 41027-2004-00, and any subsequent revisions.
3. 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.
4. Prior to the issuance of any building permits within the subject property, the following road improvements shall have full financial assurances, have been permitted for construction, and have an agreed-upon timetable for construction with SHA and/or DPW&T:
  - †~~[a. Lengthen the westbound right turn lane on MD 223 to completely remove the westbound right turns from the through lane. This also will involve some restriping along the MD 223 east leg of the intersection.]~~
  - †[b] a. Restripe the northbound turn lanes on Dangerfield Road to provide separate left-turn, through, and right-turn lanes.
5. The applicant and the applicant's heirs, successors, and/or assignees shall provide the following unless modified by DPW&T:
  - a. A standard sidewalk along the subject site's entire frontage of Edison Lane.
  - b. A standard sidewalk along one side of Rama Court.
6. Prior to the approval of building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures have been designed to reduce interior noise levels to 45 dBA or less.
7. The following note shall be placed on the final plat:

“Properties within this subdivision have been identified as possibly having noise levels that exceed 65 dBA Ldn due to military aircraft overflights. This level of noise is above the Maryland-designated acceptable noise level for residential uses.”
8. 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/102/04), 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.”

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9. Prior to the issuance of a grading permit for the development, A public safety mitigation fee shall be paid in the amount of \$71,820 (\$3,780 x 19 dwelling units). Notwithstanding the number of dwelling units and the total fee payments noted in this condition, the final number of dwelling units shall be as approved by the Planning Board and the total fee payment shall be determined by multiplying the total dwelling unit number by the per unit factor noted above. The per unit factor of \$3,780 is subject to adjustment on an annual basis in accordance with the percentage change in the Consumer Price Index for all urban consumers. The actual fee to be paid will depend upon the year the grading permit is issued.

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 property is located on the north side of Edison Lane, approximately 550 feet east of its intersection with Cheltenham Avenue.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-R	R-R
Use(s)	Single-family dwellings	Single-family dwellings
Acreage	10	10
Lots	19	19
Outlots	0	0
Parcels	1	0
Dwelling Units:		
Detached	0	19

4. **Environmental**—The Environmental Planning Section has reviewed the Preliminary Plan of Subdivision †(PPS) for Banan Forest, 4-05058, and the Type I Tree Conservation Plan, TCPI/102/04, accepted for processing on September 26, 2005. The Environmental Planning Section recommends approval of 4-05058 and TCPI/102/04.

The Environmental Planning Section previously reviewed Preliminary Plan 4-04177 and TCPI/102/04; however, these applications were withdrawn before being heard by the Planning Board. The proposal is for 19 lots in the R-R Zone.

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The site is mostly wooded. There are no streams, wetlands or 100-year floodplain on the property. Stormwater run-off from the property eventually reaches Piscataway Creek in the Potomac River watershed. 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. There are no nearby sources of traffic-generated noise. The proposed use is not expected to be a noise generator.

There are no designated scenic and historic roads in the vicinity of this property. According to the "Prince George's County Soil Survey," the principal soils on the site are in the Sassafras and Westphalia series. According to available information, Marlboro clay does not occur in the vicinity. This property is located in the Developing Tier as reflected in the approved General Plan.

Based on the most recent air installation compatible use zone study released to the public in August 1998 by Andrews Air Force Base, aircraft generated noise is significant. The study indicates that the noise threshold is within the 65-70 dBA (Ldn) noise contour. This noise level is above state-acceptable noise level for residential land uses. It will not be possible to mitigate noise in the outdoor activity areas; however, the use of proper construction materials must be used to ensure that the noise inside the residential structures does not exceed 45dBA. A certification by a professional engineer with competency in acoustical analysis should be placed on the building permits stating that building shells of structures have been designed to reduce interior noise levels to 45 dBA or less. In addition, staff recommends that a note be placed on the final plat advising perspective owners of the possible noise levels due to military aircraft overflights is above the Maryland-designated acceptable noise levels for residential uses.

An approved natural resources inventory, NRI-032-05, was submitted with the application. There are no stream, wetlands or 100-year floodplain on the property. The FSD indicates three forest stands totaling 10.00 acres and nine specimen trees.

According to the Green Infrastructure Plan, most of the property is within an evaluation area. Flanking the property on the east and west are designated gaps in the green infrastructure network that have been developed and cannot be reasonably filled in the future. Based upon this analysis, there are no priority woodlands on site.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site.

The Type I Tree Conservation Plan, TCPI/102/04, has been reviewed. The plan proposes clearing 8.78 acres of the existing 10.00 acres of woodland. The woodland conservation requirement has been correctly calculated as 4.79 acres. The plan proposes to meet the requirement by providing 4.79 acres of off-site woodland conservation and retain 3.99 acres on-site but not part of any requirement. The applicant intends to preserve woodland to the extent

possible; however, staff is aware that the grading necessary to create positive drainage on this site could make that difficult.

The TCP appropriately provides adequate clearing around all proposed structures and for a 40-foot cleared outdoor activity area at the rear of each proposed structure. Because of the lot sizes and lack of priority woodlands, on-site conservation is not recommended because it would unnecessarily encumber small lots without providing the benefits envisioned by the Woodland Conservation Ordinance; however, some retention of existing trees will be an asset. More woodland conservation cannot be accomplished on site because the site is extremely flat and must be graded to provide positive drainage as required by the building code.

According to the "Prince George's County Soil Survey," the principal soils on the site are in the Sassafras and Westphalia series. Westphalia soils are in the B-hydric series and are highly erodible. Sassafras soils pose no special problems for development. This information is provided for the applicant's benefit. No further action is needed as it relates to this preliminary plan of subdivision review. A soils report may be required by the Prince George's County Department of Environmental Resources 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 will, therefore, be served by public systems.

5. **Community Planning**—The subject property is located within the limits of the Subregion V Master Plan, Planning Area 81A, in the Clinton Community. The master plan recommends suburban living areas within this community, with low-density subdivisions with densities of 1.6 to 3.3 dwelling units per acre. The 1993 sectional map amendment for Subregion V retained this property in the R-R Zone, providing for the densities envisioned by the plan. The proposed subdivision is consistent with the land use recommendations of the master plan.

The property is south of Andrews Air Force Base and will be subject to noise due to airport operations. The master plan recommends notice to potential homeowners and mitigation of noise levels in excess of state standards. The staff recommendation section of this report provides appropriate conditions to notify future homeowners that this subdivision has been identified as possibly having noise levels that exceed 65 dBA Ldn due to military aircraft overflights, and requires certification from a professional engineer with competency in acoustical analysis demonstrating that the design and construction of building shells will attenuate noise to interior noise levels of 45 dBA (Ldn) or less.

The 2002 General Plan locates this property in the Developing Tier. One of the visions of the plan for the Developing Tier is to maintain a pattern of low- to moderate-density land uses and reinforce existing suburban residential neighborhoods. The proposed preliminary plan is consistent in land use and density with the surrounding existing neighborhoods and is consistent with the recommendations of the General Plan.

6. **Parks and Recreation**—In accordance with Section 24-134 of the Subdivision Regulations, the Park Planning and Development Division recommends that the applicant pay a fee-in-lieu of parkland dedication because the land available for dedication is unsuitable due to its size and location. Because of the small size of the subdivision, staff is not recommending that on-site recreational facilities be required. Therefore, the establishment of a homeowner’s association, the creation of common open space parcels, and the associated fees will not be required.
7. **Trails**—There are no master plan trails issues identified in the adopted and approved Subregion V Master Plan. Roads in the vicinity of the subject site have sidewalks along both sides. Edison Lane has sidewalks on both sides where frontage improvements have been made. Staff recommends a standard sidewalk along the subject site’s frontage of Edison Lane and along one side of the internal cul-de-sac.
- †8. **Transportation**—~~[The Transportation Planning Section has reviewed the subdivision application and determined that a traffic study was not warranted by the size of the proposed development. Staff did request a traffic count from the applicant, and a March 2005 count for the intersection of MD 223 and Old Alexandria Ferry Road was provided.]~~ This PPS application was reviewed and determined that a traffic study was not warranted by the size of the proposed development. However, several traffic counts for the intersection of MD 223 (Woodyard Road) and Dangerfield Road were available from previous applications. These counts, taken in 2003, were used to determine adequacy. Therefore, the findings and recommendations outlined below are based upon a review of relevant 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 site is 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), is permitted at signalized intersections, 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.

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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.

**Staff Analysis of Traffic Impacts**

†~~[The transportation staff is basing its findings]~~ The transportation findings are based on the traffic impacts at one critical intersection, which is signalized. The traffic generated by the proposed preliminary plan would impact the intersection of MD 223 and †~~[Old]~~ Alexandria Ferry Road. The critical intersection is not programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program †(State CTP) or the Prince George’s County Capital Improvement Program †(County CIP).

†~~[Staff conducted field observations during April 2005. Field observations indicated that during the AM peak hour westbound right turning vehicles on MD 223 are sometimes not able to turn freely. Therefore, the right turn lane does not act as a free flow right turn lane. If all of the AM westbound right turns are counted the intersection operates unacceptably during the AM peak hour.~~

<b>Existing Conditions</b>		
<b>Intersection</b>	<b>Critical Lane Volume AM &amp; PM</b>	<b>Level of Service AM &amp; PM</b>
<del>MD 223/Old Alexandria Ferry Road</del>	<del>1,762—1,371</del>	<del>F—D</del>

~~[The guidelines identify signalized intersections operating at LOS D with a critical lane volume of 1,450 or better during both peak hours as acceptable. The AM peak hour CLV and LOS cited above is the assumption that the westbound AM through traffic will block westbound to northbound AM right turns at the intersection, resulting in queues and poor LOS. The PM peak LOS is acceptable under existing conditions.~~

~~[The transportation staff has reviewed approved development and assumed a three percent annual growth rate for through traffic along MD 223 and Dangerfield Road. Background traffic includes the recently approved Bellefonte property (4-04069) in the northeast quadrant of MD 223 and Old Alexandria Ferry Road and Chesterfield Estates (4-03062) located on the west side of Dangerfield Road. Background conditions are summarized below:~~

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<b>Background Conditions</b>		
<b>Intersection</b>	<b>Critical Lane Volume AM &amp; PM</b>	<b>Level of Service AM &amp; PM</b>
MD 223/Old Alexandria Ferry Road	1,993 — 1,563	F — E

~~[Under background conditions both the AM and PM peak hour levels of service are above acceptable standards for the developing tier as defined in the guidelines.]~~

†In addition, there are several items that affected the counts and analyses used for Bellefonte and other developments affecting this intersection. A construction project along northbound MD 5 (Branch Avenue) had the effect of diverting traffic into the MD 223/Old Alexandria Ferry Road intersection, and staff has adjusted traffic downward on the northbound through and left-turn approaches from Dangerfield Road in both peak hours. The Federal Capital Improvement Program (Federal CIP) includes a project to improve the Pearl Harbor gate for Joint Base Andrews (JBA); this improvement would divert some employee, contractor, and commercial traffic from the Virginia Avenue gate of JBA to the Pearl Harbor gate. The analysis has made adjustments to several traffic movements along MD 223, Old Alexandria Ferry Road, and Dangerfield Road. Finally, the overall counts at the MD 223/Old Alexandria Ferry Road intersection are high by about 7.5 percent in the PM peak hour (they appear normal in the AM peak hour), and has adjusted all turning movements at the intersection downward during the PM peak hour, accordingly.

The table below identifies the intersection on which the proposed development would have the most impact:

<b>Existing Conditions</b>		
<u>Intersection</u>	<u>AM LOS/CLV</u>	<u>PM LOS/CLV</u>
<u>Woodyard Road (MD 223)/Dangerfield Road</u>	<u>B/1263</u>	<u>D/1416</u>

Approved development were reviewed and assumed a 5 percent annual growth rate for through traffic along MD 223 and Dangerfield Road. There are currently no funded transportation improvements in this area in either the County CIP or the State CTP. Also, the analysis includes the impact of the Federal CIP project to improve the Pearl Harbor gate for JBA. Background conditions are summarized below:

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<b><u>Background Conditions</u></b>		
<u>Intersection</u>	<u>AM LOS/CLV</u>	<u>PM LOS/CLV</u>
Woodyard Road (MD 223)/Dangerfield Road	<u>C/1221</u>	<u>D/1361</u>

†~~[The site is proposed for development as a residential subdivision of 19 lots.]~~ The PPS is a plan for a residential development of 19 single-family dwelling units. The proposed development would generate 14 AM (3 in, 11 out) and 17 PM (11 in, 6 out) peak-hour vehicle trips as determined using the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* (Revised September 2002). †~~[Staff assumes these trips are]~~ Trips have been distributed, as follows:

- 20%—East along MD 223
- 25%—West along MD 223
- 30%—South along Old Alexandria Ferry Road
- 20%—North along Dangerfield Road
- 5%—North along Commo Road

Given these assumptions, we obtain the following results under total traffic:

<b><u>†Total Traffic Conditions</u></b>		
<u>Intersection</u>	<u>Critical Lane Volume AM &amp; PM</u>	<u>Level of Service AM &amp; PM</u>
<u>MD 223/Old Alexandria Ferry Road</u>	<u>1,996 — 1,565</u>	<u>F — E</u>
<u>MD 223/Old Alexandria Ferry Road**</u>	<u>1,074 — 1,446</u>	<u>B — D</u>

<b><u>†Total Conditions</u></b>		
<u>Intersection</u>	<u>AM LOS/CLV</u>	<u>PM LOS/CLV</u>
Woodyard Road (MD 223)/Dangerfield Road	<u>C/1224</u>	<u>D/1369</u>

†~~[\*\*This requires lengthening the westbound right turn lane to remove the westbound right turns from the through lane during the AM peak hour, and re-striping the east leg of the intersection. It also requires restriping the northbound turn lanes to provide separate left turn, through, and right turn lanes.~~

~~[Based on the staff's review of transportation adequacy issues in the area, the transportation staff notes that the intersection of MD 223/Old Alexandria Ferry Road would operate acceptably during the AM and PM peak hours with the proposed improvements.~~

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~~[The dedication of right-of-way on Edison Lane and Rama Court is shown correctly on the submitted site plan at 60 feet and 50 feet respectively, staff has no further comments on the preliminary plan.]~~

~~[This case was continued from the Planning Board date of December 8, 2005. At that hearing the applicant granted a 70-day waiver and requested a continuance to February 2, 2006 to further review a transportation condition recommended by staff to address transportation inadequacies. The Planning Board granted the continuance.]~~

~~[On December 7, 2005 the applicant provided supplemental materials to the transportation planning staff regarding improvements to the MD 223/Dangerfield Road/Old Alexandria Ferry Road intersection. This intersection was determined to be the critical intersection for the site, and was shown to fail under total future traffic. So that the materials could be given a thorough review, staff indicated that a continuance would be needed, and the applicant continued this case from the original December 8, 2005 hearing, as indicated above.]~~

~~[Several other developments have the same conditions that were originally recommended by staff. During the course of reviewing the alternative improvements proffered by the applicant, it was determined that staff's recommended improvements are under design by another party, and under active review by the State Highway Administration for potential bonding. It would, therefore, not be appropriate at this time to recommend that the Board direct another applicant to build something different that would possibly be impossible to implement. It is recommended that the applicant contact the State Highway Administration directly to monitor the status of the improvements contained in the November 18, 2005 recommendation.]~~

~~[Even though improvements to create adequacy at the critical intersection are under design and will likely be bonded for construction shortly, it is recommended that the conditions be carried forward and imposed on this applicant to make the local transportation network operate acceptably.]~~

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

†Based on the review of transportation adequacy issues in the area, it is noted that the intersection of MD 223/Old Alexandria Ferry Road would operate acceptably during the AM and PM peak hours.

†Based on the preceding findings, adequate transportation facilities exist to service the proposed subdivision, as required under Section 24-124, if the application is approved.

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9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this preliminary plan for the 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:

**Finding**

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 5	Middle School Cluster 3	High School Cluster 3
Dwelling Units	19 sfd	19 sfd	19 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	4.56	1.14	2.28
Actual Enrollment	4145	5489	9164
Completion Enrollment	97	64	127
Cumulative Enrollment	275.76	70.74	141.48
Total Enrollment	4522.32	5624.88	9434.76
State Rated Capacity	3771	6114	7792
Percent Capacity	119.92%	92.00%	121.08%

Source: Prince George’s County Planning Department, M-NCPPC, December 2005

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between interstate highway 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 on 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. Council bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,412 and 12,706 to be paid at the time of issuance of each building permit.

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 adequate 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 services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Zoning Ordinance.

The Prince George’s County Planning Department has determined that this preliminary plan is within the required seven-minute response time for the first due fire station, Clinton Company 25, using the Seven-Minute Travel Times and Fire Station Locations Map provided by the Prince George’s County Fire Department.

The Fire Chief has reported that the current staff complement of the Fire Department is 685 (98.99 percent), which is within the staff standard of 657 (or 95 percent) of authorized strength of 692 as stated in CD-56-2005.

The Fire Chief has reported by letter, dated 08/01/05 that the department has adequate equipment to meet the standards stated in CB-56-2005.

11. **Police Facilities**—The Prince George’s County Planning Department has determined that this preliminary plan is located in Police District V. The response standard is 10 minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the proceeding 12 months.

Reporting Cycle	Date	Emergency Calls	Nonemergency
Acceptance Date	08/05/05-09/05/05	13.00	23.00
Cycle 1	09/05/05-10/05/05	12.00	22.00
Cycle 2	10/05/05-11/05/05	12.00	22.00
Cycle 3	11/05/05-12/05/05	12.00	23.00

The response time standards of 10 minutes for emergency calls for police was not met on the date of acceptance or within the following three monthly cycles. In accordance with Section 24-122.01 of the Subdivision Regulations, Preliminary Plan 4-05058 fails to meet the standards for police emergency response time. The Planning Board may not approve a preliminary plan until a mitigation plan between the applicant and the county is entered into and filed with the Planning Board in accordance with the County Council adopted “Guidelines for the Mitigation of Adequate Public Facilities for Public Safety Infrastructure.”

The Police Chief has reported that the current staff complement of the Police Department is 1,302 sworn officers and 43 student officers in the academy, for a total of 1,345 (95 percent) personnel, which is within the standard of 1,278 officers (or 90 percent) of the authorized strength of 1,420, as stated in CB-56-2005.

In accordance with CR-78-2005, the applicant has entered into a mitigation agreement and has chosen to pay solely the mitigation fee.

12. **Health Department**—The Health Department has no comment.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, 41027-2004-00, 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. The approved DER stormwater management required for this site does not include the construction of a pond. Therefore, a homeowner's parcel to contain a facility is not necessary, nor any maintenance responsibility.

The approved stormwater management concept letter and plan, CSD 41027-2004, shows the use of dry wells for each lot, piping of excess run-off into an existing stormdrain system, and the provision of a 100-year overflow path. The approval number is shown on the preliminary plan.

14. **Historic**—The Historic Preservation and Public Facilities Planning Section has reviewed the application and does not recommend a Phase I archeological survey.

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.

\* \* \* \* \*


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 Squire, seconded by Commissioner Eley, with Commissioners Squire, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 2, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 23rd day of February 2006.

†This is to certify that the foregoing is a true and correct copy of the reconsideration or remand action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Shapiro voting in favor of the motion, at its regular meeting held on Thursday, June 9, 2022, in Upper Marlboro, Maryland. The adoption of this amended resolution based on the reconsideration action taken does not extend the validity period.

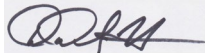
†Adopted by the Prince George's County Planning Board this 30th day of June 2022.

Peter A. Shapiro  
Chairman

By   
Jessica Jones  
Planning Board Administrator

PAS:JJ:AH:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: June 22, 2022

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