

C O R R E C T E D R E S O L U T I O N

WHEREAS, a 11.76-acre parcel of land known as Parcel 159 and Outlot A of Goodman Heights (Plat Book NLP 132, Plat 37) Tax Map 44 in Grid D-4, said property being in the 20th Election District of Prince George's County, Maryland, and being zoned R-55; and

WHEREAS, on August 3, 2006, William J. Goodman, Jr. filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 28 lots and 2 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-05109 for Goodman Heights 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 January 25, 2007, 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 January 25, 2007, 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/40/06), and further APPROVED Preliminary Plan of Subdivision 4-05109, Goodman Heights, for Lots 1-28, Outlots 1-3 and Parcels A and B with the following conditions:

1. Prior to signature approval of the preliminary plan, a revised FSD text shall be submitted to reflect the accurate acreage and relevant information for Stands A and B.
2. Prior to final plat the TCPII shall be approved. All approved reforestation areas shall be placed in conservation easements at time of final plat.
3. Prior to the issuance of a building permit for proposed Lots 4-7, 10, 11 and 18-23 all reforestation and associated fencing shall be installed. A certification prepared by a qualified professional shall be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation areas and associated fencing behind the subject lots with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
4. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River Primary Management Areas, except for two areas of approved impacts for a sewer line connection and stormwater outfall, all

proposed afforestation areas, and shall be reviewed by the Environmental Planning Section prior to certificate 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 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.”

5. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, or 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.
6. Prior to signature approval of the preliminary plan, the TCPI shall be revised as follows:
 - a. Clarify on the plan whether the portion of CA-3 in proposed Parcel A will be reforested as part of Reforestation Area RA-2.
 - b. Provide written permission from the Department of Park and Recreation for the proposed 0.06 acres off-site clearing.
 - c. After these revisions have been made, have the qualified professional who prepared the plan, sign and date it.
7. Prior to the approval of the TCPII, re-evaluate the necessary grading behind Lots 4-7 to preserve more woodland adjacent to the regulated area. ~~*[No grading off of these lots is allowed.]~~
8. Prior to the approval of the TCPII, show on this plan all the proposed clearing for the playground and the proposed locations of all playground equipment.
9. Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/40/06). 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/40/06), 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 Ordinance. This property is subject to the notification provisions of CB-60-2005.”

*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

10. Prior to issuance 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.
11. Prior to issuance of building permits, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association the 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 stormdrain 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. Stormdrain 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 ensure that retention and future maintenance of the property to be conveyed.
12. The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFAs) to DRD for approval prior to the submission of final plats, for construction of recreational facilities on homeowners land. Upon approval by DRD, the RFA shall be recorded among the county land records.

13. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on homeowners land prior to the issuance of building permits.
14. Development of this site shall be in conformance with the Stormwater Management Concept Plan 19930-2006-00 and any subsequent revisions.
15. The applicant shall provide a standard sidewalk along both sides of all internal roads, unless modified by DPW&T.
16. Prior to signature approval of the preliminary plan, the applicant shall address the ultimate disposition of Outlot 2.

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 Crandall Road, approximately 350 feet east of its intersection with Gladys Court. The abutting properties are zoned R-55 and are developed with single-family residences. To the north is undeveloped land associated with the Bald Hill Branch and the Lanham Forest Park (M-NCPPC) in the R-O-S Zone.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-55	R-55
Use(s)	Single-family residence	Single-family residences
Acreage	11.76	11.76
Lots	0	28
Parcels	1	2
Outlots	1	3
Dwelling Units:		
Detached	1 (to be razed)	28
Public Safety Mitigation Fee		No

4. **Environmental**—A review of available information indicates there are wetlands, 100-year floodplain and steep and severe slopes on the site. Based on a review of Year 2000 aerial photos the site is approximately 85 percent wooded. According to the Prince George's County Soil Survey, five soil types including the Bibb silt loam, Elkton fine sandy loam, Sunnyside fine sandy loam, Sunnyside clay loam and Sunnyside-Urban land complex series are located on the site. The

Elkton soils have a K-factor of 0.43 and are highly erodible. Both the Bibb and Elkton soils are hydric soils. Development constraints associated with the Bibb and Elkton soils include high water table conditions, flood hazard and poor drainage. Marlboro clay is not found to occur in the vicinity of this site. Based on available information from the Maryland Department of Natural Resources Wildlife and Natural Heritage Program, rare, threatened and endangered species do not occur in vicinity of the site. There are no designated scenic or historic roads or traffic noise generators in vicinity of the site. According to the Countywide Green Infrastructure Plan, all three of the plan network features are located on the site: regulated areas, evaluation areas and network gaps. The property is in the Bald Hill Branch watershed of the Patuxent River basin and the Developing Tier of the General Plan.

Natural Resources Inventory

A staff signed natural resources inventory (NRI/029/06-01) included in the original preliminary plan submittal has an -01 revision date of July 24, 2006. The current submittal included a signed NRI dated March 17, 2006. The preliminary plan and TCPI were reviewed in relation to the revised NRI. The PMA delineation on the preliminary plan and TCPI was reviewed in relation to the NRI and the PMA is shown correctly on the revised preliminary plan and TCPI.

The site has two forest stands identified as Stands A and B totaling 9.25 acres. Stand A is an intermediate-aged pine stand that contains 0.91 acres. The co-dominant species in this stand include Virginia pine and loblolly pine. Stand B is an intermediate-aged mixed hardwood stand that contains 8.34 acres. According to the forest stand summary, the dominant species include scarlet oak, white oak, yellow poplar and blackgum. One specimen tree has been identified on the site and is located in Stand B. According to the forest stand summary, Stand B has a moderate to high priority rating because there are regulated features associated with it. Stand A has a moderate priority retention rating because of the lack of regulated features.

A revised NRI text was not included in the recent submittal. Information in the forest stand summary is incorrect in several areas. The boundary of Stand B appears to be the slightly larger of the two stands and the stand summaries contain inaccurate acreage for both stands. Also, the retention features and retention ratings for both stands appears to relate to the other stand. Revise the FSD text to reflect the accurate acreage and relevant information for Stands A and B.

Woodland Conservation

The site has regulated areas, evaluation areas and network gaps associated with it as shown on the Countywide Green Infrastructure Plan. Approximately 15 percent of the site is within regulated areas, 10 percent is within evaluation areas and 15 percent is within network gaps. It appears the site has been designed to be sensitive to the regulated areas and evaluation areas because these areas are where all of the woodland conservation areas are proposed. When a site is within the green infrastructure network, at a minimum the woodland conservation threshold (WCT) should be met on-site.

The site has a woodland conservation threshold of 2.15 acres and a woodland conservation requirement of 4.39 acres. The current TCPI shows this requirement being met with 1.30 acres of on-site preservation, 0.79 acres of reforestation and 2.30 acres of off-site mitigation on another property. This results in most of the Woodland Conservation Threshold being met on-site (2.09 acres). The revised TCPI conforms to the Green Infrastructure Plan at this location because 97 percent of the site's woodland conservation threshold is proposed to be met on-site.

Reforestation is proposed to fulfill woodland conservation requirements on this site. These woodland treatments are located behind 12 proposed lots (Lots 4-7, 10, 11, and 18-23) at each lot's rear property line. In order to protect the reforestation areas after planting, so that they may mature into perpetual woodlands, the reforestation must be completed prior to the issuance of the building permits for these lots. The reforestation areas must be placed in conservation easements.

Patuxent River Primary Management Area (PMA)

The site contains regulated environmental features including wetlands, 100-year floodplain, steep and severe slopes. The site is located in the Patuxent River basin and regulated features are within the Patuxent River Primary Management Area (PMA).

The Patuxent River Primary Management Area (PMA) is to be preserved to the fullest extent possible as required in Section 24-130(b)(5) of the Subdivision Ordinance. There are three proposed impacts to the PMA shown on the current TCPI. A letter of justification dated July 21, 2006 to identify two proposed impact areas was submitted and reviewed.

Generally, impacts to the PMA are only recommended for essential development features. Essential development includes such features as public utility lines (including sewer and stormwater outfalls), road crossings, etc., which are mandated for public health and safety. Nonessential activities are those, such as grading for lots, stormwater management ponds and parking areas, which do not relate directly to public health, safety or welfare.

Summary of Impact Evaluations

The proposed impacts are identified as Impacts 1 and 2. Both impacts are for the installation of necessary infrastructure associated with development of the site. Impact 1 is for a public sewer line connection for service to the development. The proposed sewer will extend into the PMA to connect to an existing 24-inch sewer main to the north of the subject site. This impact area consists of 975 square feet (0.02 acres). Impact 2 is for a stormwater outfall from a proposed stormwater management pond located on proposed Parcel A. This impact area contains 481 square feet (0.01 acres). Both impact areas total 1,456 square feet (0.03 acres). The impacts proposed are appropriate and necessary for this development.

Staff recommends that the Planning Board find that the PMA is being preserved to the fullest extent possible for both proposed Impacts 1 and 2.

Wetlands

The site contains an isolated wetland on proposed Lots 10, 11, 17 and 18. A variation request to Section 24-113 dated July 24, 2006, was submitted and reviewed. The isolated wetland consists of 2,314 square feet and 10,487 square feet of 25-foot buffer that surrounds it. The isolated wetland is described as a wetland seep possibly related to an old domestic well. The isolated wetland is located on soils that are neither hydric nor highly erodible. The wetland is considered to be isolated due to the lack of connectivity to regulated features associated with the site. The proposal is to remove the wetland with its 25 foot-buffer to allow for the development of the area for four lots in this subdivision.

The variation request provides an appropriate justification and describes how the findings of Section 24-113 can be met. Staff recommends that the Planning Board approve the variation request for removal of the isolated wetland.

Woodland Conservation

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. A revised Type I Tree Conservation Plan (TCPI) has been submitted and reviewed.

According to the current TCPI worksheet, existing woodland on the site totals 8.23 acres, of which 1.02 acres are within the 100-year floodplain. The site has a woodland conservation threshold of 2.15 acres and a woodland conservation requirement of 4.39 acres. This requirement is proposed to be met with 1.30 acres of on-site preservation, 0.79 acres of reforestation and 2.30 acres of off-site mitigation on another property. Based on the revised worksheet and a redesign of proposed woodland conservation treatments, 97 percent of the site's threshold will be met on-site.

In order for the TCPI to meet the requirements of the Woodland Conservation Ordinance, three aspects need to be addressed in the form of revisions.

The plan contains four areas of proposed reforestation and six areas of proposed clearing. It appears one proposed area to be cleared will subsequently be reforested. In relation to proposed Clearing Area 3 (CA-3), clarify on the plan whether the portion of it in proposed Parcel A will be reforested and subsequently reforested in part of Reforestation Area RA-2.

The current plan proposes 0.06 acres of off-site clearing on abutting Department of Parks and Recreation (DPR) property associated with a sewer line connection in the northern portion of the site. On September 14, 2006, a letter from Ben Dyer Associates was sent to DPR requesting written permission for clearing on their property for the sewer line connection. No written permission from DPR for the proposed 0.06 acres off-site clearing has been submitted with the

revised plans.

A playground is shown on a recreational facilities plan northeast of proposed Lot 10; however, it is not shown on the TCPI.

Water and Sewer Categories

The water and sewer service categories are W-4 and S-4 according to water and sewer maps dated June 2003 obtained from DER, and the site will, therefore, be served by public systems.

5. **Community Planning**—The subject property is located within the limits of the 1993 *Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity*. The land use recommendation for the property is Medium Suburban-density residential development. The 2002 General Plan locates this property in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential development, distinct commercial Centers, and employment areas that are increasingly transit serviceable. As discussed in other sections of this report, the proposed preliminary plan is consistent with both the master plan and the General Plan.
6. **Parks and Recreation**—In accordance with Section 24-134 of the Subdivision Regulations, the staff recommends that the applicant provide private on-site recreational facilities for the fulfillment of the requirements of the mandatory dedication of parkland.
7. **Trails**—The Adopted and Approved Glenn Dale-Lanham-Seabrook and Vicinity Master Plan recommends a stream valley trail along the creek along the northern edge of the subject site. This creek flows into Bald Hill Branch and the Lanham Forest Park. However, significant areas of wetlands are located along this creek and along the southern edge of Lanham Forest Park. These wetlands make the provision of this trail on the subject site impractical. A large area of wetlands is located on the subject site's portion of the stream valley, and a significant stream and wetland crossing would be necessary to provide a trail connection to the facilities at Lanham Forest Park. DPR is recommending the provision of private recreation facilities on the subject site. Due to these factors, staff makes no recommendations regarding this proposed trail. If a trail is feasible at this location, it is likely that it has to be provided along the north side of the creek to minimize the impact to environmental features. Existing culs-de-sac in the vicinity of the subject site include a standard sidewalk along one side.
8. **Transportation**—The property is currently improved with one residential dwelling, which will be razed as part of this proposal. Since the existing dwelling was already generating traffic, the finding of adequacy for the proposed development will be based on a net of 27 new dwellings. The proposed 27 new units are projected to generate 20 AM (4 in, 16 out) and 24 PM (16 in, 8 out) peak-hour vehicle trips as determined using "The Guidelines for the Analysis of the Traffic Impact of Development Proposals."

The traffic generated by the proposed preliminary plan would impact the unsignalized

intersections of:

- **Crandall Road and Whitfield Chapel Road.**

This 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* or the Prince George's County *Capital Improvement Program*; however, staff has been informed by Mr. Andre Issayans, Chief Traffic Engineer, Department of Public Works and Transportation (DPW&T), that design plans are being prepared for the signalization of this intersection. Staff has been assured that sufficient funds are earmarked for the design and installation of said traffic light. As a result of this assurance, staff will analyze the intersection as a signalized intersection.

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 traffic controls) if deemed warranted by the appropriate operating agency.

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

EXISTING CONDITION		
Intersection	AM	PM
	LOS/Delay (seconds/car)	
Crandall Road and Whitfield Chapel Road	C/23.4	C/20.1

Staff's research of background developments found no development within the study area that could potentially affect the referenced intersection. Citing the trip generation rates from the Guidelines, the proposed development would generate 20 AM (4 in, 16 out) and 24 PM (16 in, 8 out) peak-hour vehicle trips. By combining site-generated trips with existing traffic, the results are as follows:

TOTAL CONDITION		
Intersection	AM	PM
	LOS/Delay (seconds/car)	
Crandall Road and Whitfield Chapel Road	C/24.3	C/20.4

The results of the analyses showed that adequate transportation facilities would continue to exist if this application is approved. Regarding site layout and on-site circulation, staff has no issue. The plan shows future dedication of 30 feet from the centerline of Crandall Road. Staff supports this dedication.

Transportation Staff Conclusion

The Transportation Planning Section concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for 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 2	Middle School Cluster 2	High School Cluster 2
Dwelling Units	28 sfd	28 sfd	28 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	6.72	1.68	3.36
Actual Enrollment	6,327	7,218	10,839
Completion Enrollment	132	112	223
Cumulative Enrollment	11.28	235.92	472.92
Total Enrollment	6,477	7,567.60	11,538.28
State Rated Capacity	6,337	6,569	8,920
Percent Capacity	102.21%	115.20%	129.35%

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

These figures are correct on the day the referral memo was written. They are subject to change under the provisions of CB-30-2003 and CR-23-2003. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers shown in the resolution will be the ones that apply to this project.

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. 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 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 public facilities and concluded the following:

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, West Lanham Hills, Company 28, using the Seven-Minute Travel Times and Fire Station Locations Map provided by the Prince George’s County Fire Department.

Pursuant to CR-69-2006, Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels. The Fire Chief has reported 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 II. The response time standard is 10 minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The preliminary plan was accepted for processing by the Planning Department on August 3, 2006.

Reporting Cycle	Date	Emergency Calls	Nonemergency
Acceptance Date	01/05/05-07/05/06	10.00	22.00
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of 10 minutes for emergency calls and 25 minutes for nonemergency calls were met on July 5, 2005. In accordance with Section 23-122.01 of the Subdivision Regulations, all applicable tests for adequacy of police and fire facilities have been met.

Pursuant to CR-69-2006, Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels. The Fire Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

12. **Health Department**—The Health Department reviewed the application and reminds the applicant that raze permits are required prior to demolition of any structure on the site and that any existing wells, above ground tanks or septic fields must be abandoned in accordance with county and COMAR regulations. In addition, the Port-A-John on the site must be pumped out and removed.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has approved Stormwater Management Concept Plan CSD #19930-2006-00 for this development. Development must be in accordance with the approved plan or any approved revision thereto to ensure that development of this site does not result in on-site or downstream flooding.

14. **Historic Preservation**—Phase I (Identification) archeological survey is not recommended by the Planning Department on the above-referenced property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates no known archeological sites in the vicinity and no known historic structures in the vicinity of the property.

Section 106 review may require archeological survey for state or federal agencies, however. Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when federal monies, federal properties, or federal permits are required for a project.

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 Eley, seconded by Commissioner Clark, with Commissioners Eley, Clark, Vaughns, Squire and Parker voting in favor of the motion at its regular meeting held on Thursday, January 25, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 1st day of March 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

RBC:FJG:TL:bjjs