

R E S O L U T I O N

WHEREAS, a 3.87-acre parcel of land known as Tax Map 43 in Grid D-3, said property being in the 2nd Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on August 15, 2006, Riba Land Corporation filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 6; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-06021 for Lamo Property 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/46/06), and further APPROVED Preliminary Plan of Subdivision 4-06021, Lamo Property for Lots 1-6 with the following conditions:

1. Prior to final plat, a Type II tree conservation plan shall be prepared that contains a tree survey of all the trees 10 inches and larger on the fronts of all lots, along with a condition analysis of each tree to determine its ability to survive construction, and a depict of the critical root zones of each tree. The plan shall also provide for treatments to be conducted prior to, during and after construction to ensure survivability. Using this information, the driveways, utility connections and other impacts shall be designed accordingly. Utilities should be co-located in the same trench or should be bored through the root zones to the houses. A bond shall be provided for each tree and will be calculated using the potential removal cost of each tree. The bond shall be posted prior to issuance of the grading permit and will be released at the end of construction of the final lot after any remedial tree work is completed to ensure long-term survivability of the trees. Building permits shall be issued for only one lot at a time. As a permanent Use and Occupancy Permit is issued for each unit, a new building permit can be issued. If this option is not implemented, the TCPII shall show all woodlands not counted toward meeting the requirements on Lots 1-5.
2. Prior to signature approval of the Preliminary Plan of Subdivision the Type I tree conservation plan shall be revised as follows:

- a. Revise the plan to reflect the correct acreage of the gross tract area and provide verification of the source of this acreage.
  - b. Revise the plan to show only areas greater than 35 feet in width as being counted toward meeting the requirements.
  - c. Revise the plan to allow for 40 feet of useable rear yard area on Lot 5 between the conceptual house footprint and the limit of disturbance.
  - d. Revise the plan and the worksheet to count as cleared all areas in the front of the lots adjacent to Riverdale Road or provide a commitment to implement the condition requiring a tree survey and phased development.
  - e. Revise the Legend to include the limits of disturbance.
  - f. Have the revised plan signed and dated by the qualified professional who prepared the plan.
3. Prior to the issuance of the building permit for any lot containing afforestation, all reforestation and associated permanent protective fencing shall be installed. A certification prepared by a qualified professional may be used to provide verification that the planting and fencing have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
  4. Prior to the issuance of any permits, the Planning Board or their designee shall approve a detailed site plan in accordance with the Subdivision Finding 4.
  5. Development of this site shall be in conformance with the stormwater management concept plan and any subsequent revisions.
  6. 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 for Lots 1 through 5.
  7. The applicant and the applicant's heirs, successors, and/or assignees shall designate Riverdale Road as a Class III bikeway with appropriate signage. Because Riverdale Road is a county right-of-way, the applicant, and the applicant's heirs, successors, and/or assigns, shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of this signage. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.
  8. The applicant and the applicant's heirs, successors, and/or assignees, shall provide a standard sidewalk along the subject site's entire frontage of Riverdale Road, unless modified by DPW&T.

9. Prior to the issuance of any grading permits, the abandoned septic tank must be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit. The location of the septic system should be specified on the preliminary plan.

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 Tax Map 43 Grid D-3. It is 3.87 acres in size, substantially wooded and is zoned R-R.
3. The subject property is located on the south side of Riverdale Road, approximately 2,700 feet east of its intersection with Veterans Parkway.
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)	Single-Family Residential	Single-Family Residential
Acreeage	3.87	3.87
Lots	1	6
Outlots	0	0
Parcels	0	0
Dwelling Units:	1 to remain	5 new
Public Safety Mitigation Fee	-	No

4. **Subdivision**—As noted in the overview section of this report, there is an existing log cabin located on the subject property (proposed lot 6). This property is located in an area known as the Log Cabin Area. The master plan has recommended preserving the “unique character” of this area. Staff believes that this can be accomplished by the loss of one lot (proposed lot 5). Eliminating proposed Lot 5 maintains the setting and the unique character of the area, while allowing the remainder of the site to be developed. However, it should be noted that the existing log cabin is not a historic structure and is not recognized as a contributing resource to a historic resource. Therefore, the property owner has the right to raze the building and build new.

At the November 16, 2006, Planning Board Hearing the applicant requested a continuance to meet with staff to discuss the proposed elimination of one of the lots to preserve the setting for the existing log cabin. Following the direction of the Planning Board, staff met with the applicant to continue to discuss preserving the existing log cabin and the character of the area. It was determined by staff that

the physical preservation of the existing log cabin carries a heavier weight of preserving the “unique character” of the area and that the goals of preserving the environmental setting of the log cabin can be achieved through the detailed site plan process through the review of the architecture of the proposed single-family residence and landscaping.

Staff believes that the setting of the proposed single-family residences on Lots 1 and 5 will have a direct impact to the relationship of the existing single-family residences and the lot arrangement. Staff believes that a detailed site plan can address any issues with regards to the compatibility of the architecture, buffering, landscaping and the final lot configuration. Staff is recommending a detailed site plan for the entire development project to examine compatible architecture for all of the lots to the surrounding residential area; and specifically for appropriate landscaping between Lots 5 and Lot 6, as well as, architectural compatibility between the single-family residence proposed for Lot 5 and the log cabin located on Lot 6.

It should also be noted that Riverdale Road is a collector road. This stretch of Riverdale Road is very busy and there are some sight distance concerns. The reconfiguration of the driveways for Lots 1 through 6 allows for shared access driveways at common boundary locations and seventy-five percent on-site woodland conservation.

5. **Environmental**—The Environmental Planning Section previously reviewed this site in 2003 as TCPII/172/03 for compliance to a violation. The subject property is partially developed with a single-family dwelling and substantially wooded. This preliminary plan proposes the subdivision of a parcel totaling 3.87 acres in the R-R zone into 6 lots for the construction of single-family residential dwellings.

#### SITE DESCRIPTION

This 3.87-acre site is located on the south side of Riverdale Road, approximately 2,700 feet east of its intersection with Veterans Parkway. A review of the available information indicates that streams, wetlands, severe slopes, and areas of steep slopes with highly erodible soils are not found to occur on this property. There is no 100-year floodplain that is associated with the site. Riverdale Road is a collector roadway, and generally not regulated for noise impacts. The predominant soil types found to occur on this site according to the Prince George’s County Soil Survey is Sandy and Clayey. These soil series has limitations with respect to steep slopes, high shrink swell potential, poor stability and high erosion potential but will not affect the site layout. According to available information, Marlboro clay does not occur on this property. According to information obtained from the Maryland Department of Natural Resources Wildlife and Natural Heritage Service, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic or historic roads in the vicinity of this application. This property is located in the Brier Ditch watershed of the Anacostia River basin and in the Developed Tier as reflected in the adopted 2002 General Plan. The site does not contain regulated area, evaluated area, or any network gaps identified on the Countywide Green Infrastructure Plan.

## ENVIRONMENTAL REVIEW

The preliminary plan application has a signed Natural Resources Inventory (NRI/034/06), dated May 22, 2006 that was included with the application package. The preliminary plan shows all the required information correctly.

The retention of woodlands on the fronts of the proposed lots on Lamo subdivision is an issue. To count for woodland conservation, woodlands must be preserved in perpetuity. To meet the intent of the Woodland Conservation and Tree Preservation Ordinance and the County Green Infrastructure Plan, woodlands must be connected. The issue is whether or not these areas have to be counted as cleared, to prevent future homeowners from being saddled with dead trees and woodland conservation clearing that they will have to provide mitigation for. These areas must be counted as cleared to prevent this situation. Whether they are retained or not is up to the developer/builder: if they are retained they are still required to be protected. The previously recommended condition does not require that the trees be cleared; only counted as such so that the future homeowners are not burdened.

Woodlands in front yard areas rarely survive construction because of all the construction traffic. With the tight limits of disturbance as shown there are no spaces available to deliver materials or for the workers to park their vehicles. Also, in digging the foundations, there will be no place to put the soil. Then the utilities get installed from the street and result in trenching that severely damages the root systems.

The previously issued staff report recommends a condition requiring the areas shown in front of the lots to be counted as cleared, because during construction they will be impacted so severely that the end result will be the same. The long-term problem is also that the homeowners are stuck with damaged trees that they eventually have to take down themselves, at considerable expense. Because the trees are large in this area (12-30 inch diameter oaks) their ability to survive the construction is even more in question. Using the sample data from a sampling point nearby, and recent cost estimates for tree removals, each lot will have a tree removal bill of approximately \$20,000. For the five lots that's a bill of \$100,000.

It is the applicant's position that these areas should not be required to be counted as cleared. To allow this option to be implemented, a tree survey must be conducted of all the trees 10 inches and larger on the fronts of all lots, along with a condition analysis of each tree to determine its ability to survive construction. Using this information, the driveways, utility connections and other impacts can be designed. Utilities should be located together in the same trench or should be bored through the root zones to the houses. Boring utilities is the best way to ensure that the trees survive. Then a bond will need to be placed on each tree, so that if it does not survive, and the builder refuses to remove the trees at their expense, the bond can be used to remove the trees. The bond will be calculated using the potential removal cost of each tree, which will be considerable since the houses will be in place at time of removal and there will be other potential targets. The other element of this approach is that only one building permit may be issued at a

time to allow for space to put the excess dirt and provide space for materials deliveries and worker parking. If this work were done, the trees would not need to be counted as cleared.

Prior to final plat, a Type II tree conservation plan should be prepared that contains a tree survey of all the trees 10 inches and larger on the fronts of all lots, along with a condition analysis of each tree to determine its ability to survive construction, and a depiction of the critical root zones of each tree. The plan should also provide for treatments to be conducted prior to, during and after construction to ensure survivability. Using this information, the driveways, utility connections and other impacts should be designed accordingly. Utilities should be co-located in the same trench or should be bored through the root zones to the houses. A bond should be provided for each tree and will be calculated using the potential removal cost of each tree. The bond should be posted prior to issuance of the grading permit and will be released at the end of construction of the final lot after any remedial tree work is completed to ensure long-term survivability of the trees. Building permits should be issued for only one lot at a time. As a permanent Use and Occupancy Permit is issued for each unit, a new building permit can be issued. If this option is not implemented, the TCPII should show all woodlands not counted toward meeting the requirements on Lots 1-5 as being counted as cleared.

This site is subject to the provisions of the Woodland Conservation Ordinance because it has a previously approved Tree Conservation Plan. In 2003, a Type II Tree Conservation Plan, TCPII/172/03, was approved for this site to resolve a violation. A Type I tree conservation plan is required for the approval of the preliminary plan of subdivision.

A revised Type I Tree Conservation Plan, TCPI/41/06, was recently submitted and covers the current subdivision application and the previously approved TCPII/172/03. The woodland conservation threshold for this site is 0.77 acres (20 percent of the net tract). The total amount of required woodland conservation required based on the amount of clearing currently proposed is 1.19 acres.

The TCPI as currently designed proposes to meet the requirement with 0.72 acres of on-site preservation, and 0.23 acres of afforestation and 0.24 acres of off-site mitigation for a total of 1.19 acres of woodland. The TCPI has also been reviewed for conformance with the approved Green Infrastructure Plan, and no green infrastructure elements or expanded stream buffer areas were found to occur on the site.

The revised plan was reviewed and was found to require revisions. The plan must be revised to reflect the correct acreage of the gross tract area because the following submissions show all different acreages: a previous application for a TCPII said it was 3.40 acres; pगतlas.com says the acreage is 3.82 acres; the NRI, preliminary plan and TCPI for the current application all say 3.87 acres.

The plans also need to be revised to eliminate from counting toward the requirements the areas on the plan that are less than 35 feet wide. Lot 5 also does not provide 40 feet of useable rear yard area from the conceptual footprint of the house and the limit of disturbance. As noted in previous

memorandums, all areas in the fronts of the proposed houses along Riverdale Road and the area between proposed Lot 5 and the existing house (Lot 6) must be counted as cleared. These areas are highly likely to be severely impacted during development for the reasons stated above. The woodland conservation worksheet must be revised to reflect the revisions required above, and the legend must be revised to include the limit of disturbance. Prior to signature approval of the preliminary plan of Subdivision the Type I tree conservation plan should be revised.

Prior to the issuance of the building permit for any lot containing afforestation, all reforestation and associated permanent protective fencing should be installed. A certification prepared by a qualified professional may be used to provide verification that the planting and fencing have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.

Stormwater Management Concept Approval Letter 9573-2006-00, dated April 4, 2006, was submitted with the subject application. The concept approval sited conditions of approval including bioretention and/or infiltration drywells for each lot as reflected on the TCPI. Technical requirements for stormwater management will be met through subsequent reviews by the Department of Environmental Resources.

### **Water and Sewer Categories**

The Department of Environmental Resources (DER), Development Services Division, has determined that the 2001 Water and Sewer Plan designated this property in Water and Sewer Category 3.

6. **Community Planning**—The site is located in the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. This application is not inconsistent with the General Plan development pattern policies for the Developed Tier. This application conforms to the land use recommendations of the 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* for single-family detached residential uses.

### **PLANNING ISSUES**

The subject property is located in the area referred by the master plan as the rural log cabin area south of Riverdale Road and west of Finns Lane, which is recommended for preservation as a unique feature of the planning area and should be retained in the R-R Zone (p. 52). Although the applicant's proposal is consistent with the R-R zoning on the site, the master plan recommends that special care be taken when developing this area to preserve its unique character. Should the area ever be redeveloped, it is strongly recommended that it be done only via a comprehensive design zone. In order to preserve its rural nature and outstanding tree cover, the "low" R-S Zone (1.6 to 2.6 dwelling units per acre) is recommended.

The applicant's proposal is not in keeping with this recommendation and could damage the character of the area, substantially reduce the significant tree cover that currently exists, and have a negative impact on the already congested Riverdale Road. Riverdale Road is a heavily traveled collector road. The applicant's proposal would require that each of the six lots have direct access onto this roadway. It is recommended that the applicant consider ways to combine the access to the lots from Riverdale Road. The applicant should work on tree conservation with the Environmental Planning staff.

7. **Parks**—In accordance with Section 24-134 (a) of the Prince George's County Subdivision Regulations, lot 6 of the subject subdivision is exempt from mandatory dedication of parkland requirements because it has an existing dwelling.

In accordance with Section 24-134(a) of the Prince George's County Subdivision Regulations, the Park Planning and Development Division recommends that the Prince George's County Planning Board require the payment of a fee-in-lieu of dedication as applicable from lots 1–5 in the subject subdivision because land available for dedication is unsuitable due to its size and location.

8. **Trails**—The preliminary plan for the Lamo Property was reviewed for conformance with the Countywide Trails Plan and/or the appropriate area master plan in order to provide the master plan trails. The Bladensburg-New Carrollton and Vicinity master plan and SMA designates Riverdale Road as a master plan bikeway. This can be accommodated through the provision of bikeway signage and bicycle-compatible road striping (such as designated bike lanes) at the time of road improvement or re-surfacing. The subject site's frontage on Riverdale Road does not currently include a sidewalk. However, where frontage improvements have been made, a standard sidewalk has been provided. Staff recommends the same treatment along the frontage of the subject site.
9. **Transportation**—Driveway access to the new lots would be directly from Riverdale Road. This situation currently exists along Riverdale Road. Nevertheless, due to the heavier traffic and higher vehicle speeds along Riverdale Road, all lots should be designed with a turnaround capability, to be verified at the time of building permits. The Department of Public Works and Transportation (DPW&T) requests that the applicant consider a service road to provide access to the proposed lots rather than have them directly access Riverdale Road.

Riverdale Road is a collector roadway with an 80-foot right-of-way; dedication of right-of-way is shown correctly on the site plan. Martins Lane is shown with a 60-foot right-of-way, but this does not appear to be a public street and does not show up on the parcel file.

#### **TRANSPORTATION STAFF FINDINGS**

The application is a preliminary plan of subdivision for a residential development consisting of six single-family residential lots. The proposed net development would generate 4 AM and 5 PM peak hour vehicle trips as determined using "Guidelines for the Analysis of the Traffic Impact of

Development Proposals.”

The site is within the Developed Tier, as defined in the General Plan. As such, the subject property is evaluated according to the following standards:

**Links and signalized intersections:** Level-of-service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better. **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.

The traffic generated by the proposed preliminary plan would impact the intersection of Riverdale Road and Finns Lane. There are no projects to improve this intersection in either the county Capital Improvement Program or the state Consolidated Transportation Program.

Staff has no recent counts at the critical intersection of Riverdale Road and Finns Lane. Due to the limited trip generation of the site, the Prince George’s County Planning Board could deem the site’s impact at this location to be de minimus. Staff would therefore recommend that the Planning Board find that 4 AM and 5 PM net peak hour trips will have a de minimus impact upon the critical movements at the intersection of Riverdale Road and Finns Lane.

#### **TRANSPORTATION STAFF CONCLUSIONS**

Based on the preceding findings, the Transportation Planning Section concludes that if the application is approved, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George’s County Code.

10. **Fire and Rescue**—The Historic Preservation and Public Facilities 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 Subdivision 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 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, the 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**—The preliminary plan is located in Police District I. 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 preceding 12 months. The preliminary plan was accepted for processing by the Planning Department on August 15, 2006.

Reporting Cycle	Date	Emergency Calls	Nonemergency
Acceptance Date	01/05/05-07/05/06	10.00	18.00
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, 2006. Pursuant to CR-69-2006, the 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 Police Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

12. **Schools**—The Historic Preservation and Public Facilities Section has reviewed this preliminary plan for 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 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	5 sfd	5 sfd	5 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	1.20	0.30	0.60
Actual Enrollment	35,388	11,453	16,879
Completion Enrollment	218	52	105
Cumulative Enrollment	102	25.50	51
Total Enrollment	35,709.20	11,530.08	17,035.60
State Rated Capacity	39,187	11,272	15,314
Percent Capacity	91.13%	102.30%	111.24%

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

These figures are correct on the day the referral 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 amounts 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 a 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 \$7,671 and \$13,151 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 staff finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003, CB-31-2003, and CR-23-2003.

13. **Stormwater Management**—Stormwater Management Concept Plan 9573-2006-00 has been approved with conditions. The concept approval is for bioretention and/or infiltration drywells for each lot. The proposed driveway culverts are to be public and designed to convey the 100-year storm event. A geotechnical report is required as per County Council Bill CB-94.
14. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for the Lamo Property. Once the existing house is connected to public sewer, the abandoned septic tank must be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit. The location of the septic system should be located on the preliminary plan.
15. **Archeology**—Phase I archeological survey is not recommended by the Planning Department on the above-referenced 3.87-acre property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. There is an extant house on the property that was probably built in the early 1960s. The surrounding area has been extensively developed.

The applicant should be aware that there are several prehistoric archeological sites that have been identified within a two-mile radius of the subject property, located along Northeast Branch and its tributaries.

Moreover, Section 106 review may require archeological survey for state or federal agencies. 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 state or federal monies, or federal permits are required for a project.

16. **Historic Preservation**—The Historic Preservation and Public Facilities Section has reviewed the subject area and has found that there is no effect on historic resources.

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 Clark, seconded by Commissioner Eley, with Commissioners Clark, Eley, Squire, Vaughns 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 15th day of February 2007.

R. Bruce Crawford  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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