THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
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PGCPB No. 2020-98 File No. DSP-19007

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on June 18, 2020, regarding Detailed Site Plan DSP-19007 for Fairway Estates at Glenn Dale, the Planning Board finds:

1. **Requests:** The subject application is for approval of a Detailed Site Plan, DSP-19007, for 62 single-family attached lots, 210 single-family detached lots, and recreation facilities.

2. **Development Data Summary:**

	EXISTING	**APPROVED**
Zone	O-S/R-18C	O-S/R-18C
Use	Golf Course/Country Club	Single-family Detached and Attached
Dwelling Units		
Single-family detached	0	210
Single-family attached	0	62
Total Dwelling Units	**0**	**272**
Total Gross Acreage	**125.16**	**125.16**
Floodplain	**1.82**	**1.82**
Total Net Acreage	**123.34**	**123.34**

3. **Location:** The site is in Planning Area 70 and Council District 4. More specifically, it is located on the east side of Prospect Hill Road, approximately 230 feet north of Glenn Dale Boulevard, in Glenn Dale, Maryland.

4. **Surrounding Uses:** The site is bounded to the north by developed residential properties in the Residential-Agricultural (R-A) Zone, the Residential-Estate Zone, and the Rural Residential (R-R) Zone; to the east by vacant land in the Open Space (O-S) and Multifamily Medium Density Residential-Condominium (R-18C) Zones, Hillmeade Road, and developed residential properties in the R-R Zone; to the south by institutional uses in the R-18C and O-S Zones, and residential development in the R-R Zone; and to the west by Prospect Hill Road, and residential development in the R-A and R-R Zones.

5. **Previous Approvals:** Special Exception SE-235 was approved by the Prince George's County District Council in June 1955, for a special exception to the zoning regulations of the Maryland-Washington Regional District of Prince George's County, to allow for a golf and country club in the R-R Zone.

In January 2004, the Prince George's County Planning Board approved Preliminary Plan of Subdivision (PPS) 4-03088 (PGCPB Resolution No. 04-18) for a cluster residential subdivision. Subsequently, DSP-04023 (PGCPB Resolution No. 04-271) was approved by the Planning Board in December 2004, for the cluster development. However, the DSP was remanded by the District Council and eventually fell dormant.

The 2006 *Approved Sector Plan and Sectional Map Amendment for East Glenn Dale Area (Portions of Planning Area 70)* (East Glenn Dale Area Sector Plan and SMA) reclassified the subject properties from the R-R Zone to the O-S Zone, and the R-R Zone to the R-18C Zone. PPS 4-07025 (PGCPB Resolution No. 08-67) was approved by the Planning Board in April 2008, for the subdivision of three parcels and one lot for an active adult community on the subject property. However, the applicant did not proceed to receive signature approval of the PPS, in accordance with the conditions of approval, and submitted information concerning the withdrawal of the PPS.

On March 26, 2020, PPS 4-19005 and a Type 1 Tree Conservation Plan, TCP1-016-2019, were approved by the Planning Board (PGCPB Resolution No. 2020-36) for 272 lots and 15 parcels, subject to 23 conditions.

6. **Design Features:** This DSP proposes development for a total of 272 dwelling units, which includes 210 single-family detached and 62 single-family attached (townhouse) dwelling units. The subject DSP proposes the lots, grading, landscaping, signage, recreation facilities, and infrastructure for this development. Architecture will be approved under a DSP to be submitted in the future, which is a requirement, prior to the issuance of building permits. The single-family detached lots will be located on public roads that circulate in a looped fashion through the community, from Prospect Hill Road to Hillmeade Road. The single-family attached lots will be located on private roads, which are shown to be sufficiently lit, within the northeast corner of the community, which is in the R-18C Zone. The Prospect Hill Historic Site, 70-025, is located in the center of the site and is proposed to be retained with this application.

Signage

The applicant is proposing one monument sign at the Prospect Hill Road entrance, and two monument signs at the Hillmeade Road entrance. Each of the three signs will be mounted on a variable height brick masonry wall with a precast decorative trim along the top, and precast caps on columns. The Prospect Hill Road entrance will have a single sign on the south side of the entrance. The height of the wall was not provided on the plans, but it scales to approximately nine feet high at the center, tapering down to approximately four feet on either end. It is divided into three sections, spanning a total of 57 feet wide. The community name, "The Fairways", will be in black lettering on a grey masonry block inset located in the center. Materials, illumination, and dimensions were not included on the plan and are required as conditions in this resolution.

At the Hillmeade Road entrance, two monument signs measuring 18 feet long by 9 feet high will be located on either side of the entrance. A sign on each monument will present the community name in black lettering on a grey masonry block inset. Again, materials, illumination, and dimensions were not provided on the plan, and have been conditioned herein. In addition, there is no schedule, or note to demonstrate that the proposed signs are in conformance with Section-27-624 of the Prince George's County Zoning Ordinance. This section limits gateway signs for residential subdivisions to one sign that is a maximum of 6 feet high and 12 square feet; so most likely the signs will have to be reduced, or else a departure from sign design standards will be required. Therefore, a condition is included herein, requiring the signs to demonstrate conformance to the Zoning Ordinance prior to certification.

Recreational Facilities

At the time of PPS 4-19005, it was determined that the mandatory parkland dedication requirement would be met for this property by providing on-site recreational facilities. This DSP proposes over 1.5 miles of multipurpose trails, which meander through the open space areas of the community and provide connections between the different sections. The trails incorporate existing golf cart paths into new sections of trail for a cohesive network and will include sitting areas and fitness stations throughout. Two pre-school age tot lots are proposed and will be provided in the north east section of the property, among the quadruple townhome units, and in the south east section, adjacent to the single-family detached homes.

No timing for construction of the facilities was provided on the plans. Therefore, a condition is included herein, requiring the applicant to provide this prior to certification, to be reviewed by the Urban Design Section, as designee of the Planning Board.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The application has been reviewed for compliance with the requirements of the Zoning Ordinance in the O-S and R-18C Zones and the site plan design guidelines. The relevant requirements of the Zoning Ordinance are as follows:

   a. This DSP is in general conformance with the requirements of the R-18C Zone, as the single-family detached and quadruple-attached units are permitted uses. The single-family attached units will be developed as quadruple attached units in this zone.

   b. This DSP is in general conformance with the requirements of the O-S Zone, as single-family detached and townhouses are permitted uses, subject to specific criteria in Footnote 129, as follows:

      (A) The property is located within a character area that is the subject of a Minor Amendment to an area Sector Plan and Sectional Map Amendment approved on or after March 1, 2018;

This property is located within the character area of the East Glenn Dale Area Sector Plan and SMA identified as the "Area Between Prospect Hill Road and Daisy Lane," which was the subject of a minor amendment to that plan. The resolution of approval of the minor amendment (Prince George's County Council Resolution CR-20-2018) was adopted on April 3, 2018.

(B) The property that is proposed for residential development, consisting of single-family detached and single-family attached residential dwelling units, will be located on lot(s) or parcel(s) with an aggregate acreage of not less than One Hundred Twenty (120) acres in size;

This property is located on a parcel with an aggregate acreage of 125.16 acres.

(C) Development regulations applicable to O-S Zone set forth within this Subtitle, including minimum lot sizes, coverage, frontage, setbacks, density, lot width, yards, building height, distance between townhouse groups and other requirements shall not apply to the development of single-family detached and single-family attached (townhouse) residential dwellings as authorized herein. Instead, the density regulations for the R-R Zone shall apply. All such other development regulations, including architectural review of proposed uses for development of the subject property, shall be as established and shown on a Detailed Site Plan approved in accordance with Part 3, Division 9 of this Subtitle;

This application demonstrates conformance to the requirements of the R-R Zone for the residential development within the O-S Zone area, and establishes detailed regulations that will govern development of the site. Architecture is not proposed at this time and will be reviewed with a future DSP application.

(D) A preliminary plan of subdivision approval process shall apply to development authorized pursuant to this Section; and

PPS 4-19005 was approved by the Planning Board on March 26, 2020 (PGCPB Resolution No. 2020-36), subject to 23 conditions.

(E) Notwithstanding Section 27-270 of this Subtitle, a permit for rough grading may be issued by the Department of Permitting, Inspections, and Enforcement after the adoption of a Resolution of approval for the preliminary plan of subdivision and acceptance of a Detailed Site Plan. The grading shall be limited to utilities, streets and the approved limits of disturbance for rough grading purposes as shown on the approved preliminary plan of subdivision.

A grading permit may be pursued at the discretion of the applicant.

c. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 of the Zoning Ordinance. For instance, vehicular and pedestrian circulation is designed to be safe, efficient, and convenient for both pedestrians and drivers. Streetscape amenities contribute to an attractive, coordinated development that is appropriately scaled for user comfort. In addition, community open spaces are designed to allow for recreational facilities and are readily accessible to the community.

8. **Preliminary Plan of Subdivision 4-19005:** PPS 4-19005 was approved by the Planning Board on March 26, 2020 (PGCPB Resolution No. 2020-36), with 23 conditions. The following conditions apply to this DSP:

1. **Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to:**

a. **Adjust the rear lot line of Lots 3 and 23 of Block D on Sheet 5 to avoid unusual hitches in their rear lot lines abutting the primary management area. The rear lot lines should be straight, consistent with abutting lots.**

The statement of justification (SOJ) states that the lot lines have been adjusted on PPS-4-19005 that will be submitted for certification; however, the lot lines shown on the DSP are the same as those requiring correction with the PPS. A condition to ensure that all lot lines match those represented on the certified PPS is included in this resolution.

2. **The applicant and the applicant's heirs, successors, and/or assignees shall provide adequate, private recreational facilities, in accordance with the standards outlined in the Prince George's County Parks and Recreation Facilities Guidelines. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department for adequacy and property siting with the submittal of the detailed site plan.**

The subject DSP proposes over 1.5 miles of walking trails, sitting areas, fitness stations, and two pre-school aged playgrounds that have been found to be adequate and properly sited, in accordance with the Prince George's County Parks and Recreation Facilities Guidelines.

7. **Total development within the subject property shall be limited to uses that would generate no more than 201 AM and 238 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.**

The PPS was approved for a total of 272 dwelling units. This phase of the development represents 272 dwelling units, consequently, the trip cap will not be exceeded with this DSP application.

11. **Lots 1, 2, 4, 5, and 6, Block C, and Lot 11, Block B, shall be reviewed at the time of detailed site plan for architecture, materials, landscaping, and lighting to ensure that the visual impacts of this new construction is mitigated when viewed from the nearby Prospect Hill Historic Site (70-025).**

This application includes landscaping for the specified lots; no lighting is proposed, as these are single-family detached lots on public roads. Architectural standards will be reviewed with a subsequent DSP.

12. **Prior to approval of a detailed site plan, the Historic Preservation Commission shall review proposed landscape buffering, lighting, architecture and materials, and other details in the vicinity of the historic site to mitigate potential adverse effects on the views to and from the Prospect Hill Historic Site (70-025).**

The Historic Preservation Commission reviewed the subject DSP for landscaping and lighting, as discussed in Finding 12. At the time of the submission of a DSP for architecture and materials, they will review those details for their impact on Prospect Hill Historic Site.

13. **Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised to meet all the requirements of Subtitle 25. Required revisions include but are not limited to:**

    a. **Revise the TCP1 to save Specimen Trees 23, 33, 56, 123, 224, and 243 by revising the limits of disturbance as appropriate to preserve a minimum of two-thirds of each tree's critical root zone.**

    b. **Revise the Specimen Trees Table, as follows:**

        (2) **Indicate that Specimen Trees 3, 4, 23, 33, 56, 57, 123, 165, 218, 221, 224, 235-239, 243, 249, and 253-255 will be saved.**

    h. **Remove all reforestation/afforestation from any proposed wetland mitigation areas on-site. This may be further evaluated at the time of DSP.**

The Type 2 Tree Conservation Plan, TCP2-010-2020, provided with this application, shall be in conformance with the approved TCP1. A revised specimen tree variance was evaluated with this application to address the specimen trees to be removed, as discussed in Finding 12.

14. **Prior to signature approval of the preliminary plan of subdivision and Type 1 tree conservation plan, the following information shall be submitted:**

a. **A revised natural resources inventory (NRI) exhibit shall be submitted showing the regulatory status of all streams and wetlands, as shown on the NRI approved October 18, 2019, with the exception of the changes outlined in the letter issued by the Maryland Department of the Environment, dated February 12, 2020.**

b. **A revised primary management area/regulated environmental features statement of justification (SOJ), including 8.5.by 11 exhibits, reflecting the regulated environmental features required to be shown on the revised NRI exhibit. The revised SOJ shall reflect the Prince George's County Planning Board's decision regarding impacts.**

Because the TCP2 must be found to be in conformance to the approved TCP1, these conditions affect the design and layout of the TCP2, and the pertinent conditions to this review are discussed in Finding 12.

15. **The natural resources inventory (NRI) shall be filed to be revised through the standard review and approval process. This revision to the NRI shall be approved prior to detailed site plan review and approval.**

A revised Natural Resources Inventory Plan (NRI-059-2019-01) was approved for this site on April 22, 2020 and included in this DSP application for reference.

20. **Prior to signature approval of the preliminary plan of subdivision, an approved stormwater concept plan shall be submitted, and demonstration of whether unsafe soils are present on-site. If present, the detailed site plan must clearly delineate the location of any associated safety factor lines, as well as any accompanying building restriction lines that are required by the Prince George's County Department of Permitting, Inspections and Enforcement.**

Stormwater Management (SWM) Concept Plan 4923-2019 and associated approval letter from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), was submitted with the subject application and received on January 3, 2020. However, the layout approved on the SWM concept plan is not the same as what is shown on either the approved PPS, or this DSP. In response to comments, a revised unapproved SWM concept plan was later submitted by the applicant on May 7, 2020, that matches the layout of this DSP. However, DPIE has not determined whether or not any soil safety factor lines, or any accompanying building restriction lines are required at this time.

22. **A detailed site plan shall be required for all lots and parcels approved with this preliminary plan of subdivision.**

This DSP is submitted in response to this condition.

9. **2010 Prince George's County Landscape Manual:** This application is subject to Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscape Requirements; and Section 4.10, Street Trees Along Private Roads of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The landscape plan provided with this application demonstrates conformance to all applicable Landscape Manual requirements.

10. **Prince George's Country Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area, or disturbance and require a grading permit. Properties zoned R-18C are required to provide a minimum 15 percent of gross tract area to be covered by tree canopy. The subject site includes 10.05 acres in the R-18C Zone, and therefore, requires 1.50 acres of tree canopy coverage. Properties zoned O-S are exempt from the requirements of the Tree Canopy Coverage Ordinance. This DSP provides the required schedule, demonstrating conformance with the Tree Canopy Coverage Ordinance.

11. **Prince George's County Woodland and Wildlife Habitat Conservation (WCO):** The site is subject to the provisions of the WCO because the property is greater than 40,000 square feet and contains more than 10,000 square feet of existing woodland. A Type 2 Tree Conservation Plan, TCP2-010-2020, has been submitted for review that covers the area of this DSP.

    According to the worksheet shown on the TCP2, a total of 11.75 acres of existing woodlands are on the net tract and no woodlands are within the existing floodplain. The site has a Woodland Conservation Threshold (WCT) of 58.66 acres, or 47.56 percent of the net tract, as tabulated. No off-site clearing is shown on the plan. The TCP2 shows a total woodland conservation requirement of 33.47 acres based on the proposed clearing shown. The TCP2 shows this requirement will be met by providing 2.12 acres of on-site woodland preservation, 12.13 acres of on-site afforestation/reforestation, 5.11 acres of landscape credits, 0.12 acre of specimen tree credit (with two existing specimen trees within the Prospect Hill Historic Site (70-025)), and 13.99 acres of off-site woodland conservation credits. A sewer line is proposed to connect to an existing line to the north of the subject site. Off-site clearing will be necessary to accommodate this connection, but has not been shown on the plan, nor accounted for in the woodland conservation worksheet.

    Several landscape areas are shown on the plan to also serve as woodland conservation; however, the density of landscape planting does not meet the definition of woodland, per Section 25-118(b)(72). The plan does not account for the additional planting required to meet the density in order to count as woodland conservation credits. All landscaping in areas to be counted as woodland conservation must be native. The TCP shall show the proposed planting for each landscape area and demonstrate that the minimum planting density has been met for woodland conservation credit. Further, there are 13 separate woodland afforestation/reforestation areas proposed on the plan, but only one reforestation planting schedule.

Two large areas are labeled as "On-Site Landscape Credit" for meeting woodland conservation requirements located on Parcel C1 (Landscape Area 8), and Parcels E1 (Landscape Area 9). Woodland conservation credit for these landscaped areas is not supported as these areas are large enough or could be enlarged further to be shown as reforestation instead.

Landscape Area 8 is associated with a 50-foot-wide Type E bufferyard that is required to be planted to screen the historic setting boundary of the Prospect Hill Historic Site from the proposed development. To count this area as woodland conservation, supplemental planting must occur. Preserving this buffer, supplemented with planting to meet the requirements of the Landscape Manual, as well as providing supplemental planting with seedlings to change the area from just landscaping to reforestation, is required herein.

A portion of proposed landscape credit area (LSC) 10 is over 50 feet in width behind Lot 9, Block D and is contiguous with woodland afforestation/reforestation area (WRA) 9. In addition, LSC 13 can be added to WRA 10 by shifting the proposed fitness trail between WRA 11 and LSC 13 to make it at least 50 feet wide. The Planning Board requires WRA 9 be expanded to include contiguous areas of LSC 10, and by shifting the fitness trail, LSC 13, where both are at least 50 feet in width. All remaining proposed landscaping that is less than 50 feet in width may remain as landscaping and can receive landscaping credit for LSC 10.

The Planning Board approves the woodland conservation credit for landscape areas 1, 2, 3, 4, 5, 6A, 6B, 7A, 7B, 8, 11, 12, and 14 on the TCP2. Since this site is within a Tier 2 Catchment Area the additional native plantings on-site will benefit water quality of the overall watershed and many of these landscape areas will provide linkages and habitat expansion to many of the proposed woodland preservation and afforestation areas on-site in areas that are too small for traditional reforestation or afforestation to fit.

The TCP2 requires additional technical revisions as discussed that are included as conditions of this resolution.

12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:

a. **Historic Preservation Commission (HPC)**—The Planning Board reviewed a memorandum dated April 22, 2020 (HPC to Burke), incorporated herein by reference, in which the HPC indicated that they reviewed the subject application at its April 21, 2020 meeting and voted 6-0-1 to forward findings, conclusions, and conditions to the Planning Board, summarized as follows:

The applicant provided a viewshed study from the Prospect Hill Historic Site to the closest lots, Lots 1 and 2. The applicant's exhibit shows that the proposed landscape buffer that is required around the Prospect Hill Historic Site will provide sufficient screening for the houses that will be sited on Lots 1 and 2.

The subject application does not propose any architecture, materials or lighting. At the time of the submission of a DSP for architecture, materials and lighting, the Historic Preservation Commission will review these details for their impact on the Prospect Hill Historic Site.

The Phase I archeological survey did not identify any significant archeological resources. Most of the property was previously disturbed by construction of the golf course. A springhouse located to the south of the historic site was not previously recorded. This building should be documented through measured drawings and detailed photographs by the applicant prior to its demolition or any grading in the vicinity.

A Phase I archeology survey was conducted on the subject property in July 2007. The area covered by the Phase I survey was confined to portions of the property that had a high probability of containing archeological resources and that had not been extensively disturbed by construction of the Glenn Dale golf course. The artifacts from the Phase I survey were never curated at the Maryland Archaeological Conservation Laboratory in Calvert County, Maryland. The applicant's representatives noted that they had contacted the archeological firm that conducted the Phase I study and has been storing the artifacts recovered from the Phase I archeological investigations. The applicant will work with the consultant to curate the artifacts at the Maryland Archaeological Conservation Lab in Calvert County and to produce the final Phase I reports. A condition is included in this resolution to require the applicant to curate the artifacts that were recovered from the Phase I archeological survey to the Maryland Archaeological Conservation Laboratory in Calvert County, Maryland prior to approval of any building permits.

It was noted that there is a trail shown on the plan and that there is an opportunity to provide interpretive signage on the history and significance of the Prospect Hill Historic Site along that trail. A condition is included in this resolution to provide a plan for interpretive signage and public outreach measures subject to approval by the Maryland-National Capital Park and Planning Commission staff archeologist prior to the approval of the DSP for architecture.

b. **Community Planning**—The Planning Board reviewed a memorandum dated May 21, 2020 (Sams to Burke), incorporated herein by reference, which indicated that pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this application.

c. **Transportation Planning**—The Planning Board reviewed a memorandum dated May 11, 2020 (Burton to Burke), incorporated herein by reference, which provided an evaluation of previous conditions of approval and found that the conditions have been addressed appropriately for this application. The Planning Board determined that the circulation on the proposed site is acceptable and meets the findings required for a DSP.

d. **Trails**—The Planning Board reviewed a memorandum dated May 11, 2020 (Smith to Burke), incorporated herein by reference, which provided an evaluation of previous conditions of approval, master plan of transportation compliance, and the following summarized comments:

The proposed development includes an internal fitness trail throughout the site that varies in width ranging from five to ten feet and five-foot sidewalks on both sides of the internal roadways. Portions of this trail align with the existing golf cart pathway. Crosswalks are also included throughout the site and provide a continuous pedestrian system. This fitness trail is located in close proximity to many of the proposed dwelling units and will likely be a well-used amenity for the community. Because of its close proximity to many of the dwelling units, the Planning Board requires that signage identifying the location of the proposed trail throughout the site shall be provided so that future residents are aware of the fitness trail in respect to their lots. The Planning Board also requires that the fitness trail maintain a minimum width of eight feet throughout the site, including the portions of the trail that are the existing golf cart pathway to accommodate pedestrian and bicycle use. These conditions and additional trails conditions are included in this resolution.

e. **Environmental Planning**—The Planning Board reviewed a memorandum dated May 22, 2020 (Juba to Burke), incorporated herein by reference, which provided comments on this application, summarized as follows:

Natural Resources Inventory/Existing Conditions
The site has an approved Natural Resources Inventory Plan, NRI-059-2019-01, which shows the existing conditions of the property. A total of 258 specimen trees have been identified on-site or within the immediate vicinity of the site's boundary. There are an additional 38 trees and shrubs that have been identified on-site that are located within a historic environmental setting associated with Prospect Hill Historic Site.

The site contains regulated environmental features, including streams and wetlands with their buffers, and 100-year floodplain. The Forest Stand Delineation indicates that there are four forest stands; two of which have a high rating for preservation. The site has a total of 11.75 acres of gross tract woodland, none of which are within the existing 100-year floodplain, as shown on the NRI. Areas of steep slopes are scattered across the site. The site is associated with tributaries of the Horsepen Branch watershed, which is both a stronghold and a Tier II watershed.

Specimen Trees
Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Environmental Technical Manual (ETM)."

A total of 258 specimen trees were identified on the approved NRI, with 242 on-site and 16 off-site. It is important to note that Specimen Trees 119 and 120 were identified on the TCP2 as being off-site but are located on-site. A condition to correct the identification of these trees as on-site is included in this resolution. An additional 38 trees were also identified within 100 feet of the limits of disturbance located within the environmental setting of the Prospect Hill Historic Site. None of the trees or shrubs associated with the Historic Site Environmental Setting are being proposed to be removed.

At time of the PPS 4-19005 review, a total of 186 on-site specimen trees were proposed for removal according to the variance request dated February 21, 2020. A detailed condition analysis was submitted as part of this variance request for these trees as well as for four additional trees located off-site proposed for removal. At time of Planning Board, the Board made the finding for approval of the removal of 179 specimen trees. The Planning Board also found that 15 of the specimen trees could not be approved for removal at that time, although they were shown as being removed on the plan. These trees were not part of a variance request, and therefore could not be approved for removal. The Planning Board also concluded that seven specimen trees appeared to be capable of being saved on the TCP1 plan by either slightly adjusting the grading to reduce clearing within one-third or less of the critical rootzones of these trees, or these trees already have less than one-third of their critical root zone being removed and are considered to have a greater likelihood to be viable post construction if properly protected and root pruned prior to construction. These trees were conditioned to be saved on the TCP1 prior to signature approval of the PPS and TCP1. It should be noted that Specimen Tree 124 was mistakenly labeled as Specimen Tree 224 in the associated PGCPB Resolution No. 2020-36.

An additional 18 specimen trees that were not approved for removal with the PPS and TCP1 are requested to be removed with this DSP and TCP2 application. These trees include Specimen Trees 3, 4, 5, 6, 27, 33, 52, 71, 72, 123, 124, 133, 165, 221, 236, 243, 244, and 253.

Specimen Trees 277 and 278 on Sheet 14 of the TCP2 are shown as being saved but are still within the revised limits of disturbance. Neither of these trees were previously approved for removal with the PPS and TCP1. The Planning board disapproves the removal of these trees at this time since they were not requested for removal with the variance request. The TCP2 shall be revised to show these trees and their critical root zones to be saved.

Review of Subtitle 25 Variance Request

A revised Subtitle 25 variance application and SOJ dated May 12, 2020, in support of a variance, was received on May 18, 2020. A revised TCP2 was received for review on May 7, 2020.

Section 25-119(d)(1) of the WCO contains six required findings to be made before a variance can be granted. The Letter of Justification submitted seeks to address the required findings for the 18 specimen trees together.

The text in **BOLD**, labeled A-F, are the six criteria listed in Section 25-119(d)(1). The plain text provides responses to the criteria.

(A) Special conditions peculiar to the property have caused the unwarranted hardship;

There are many open grown specimen trees located outside of the primary management area (PMA) in the most developable areas of the site. These trees range in condition from poor to excellent. The development has mostly been focused away from regulated environmental features, such as streams and wetlands with their associated buffers, which comprise the PMA. Many of the trees are unavoidable if the project is to be developed in a viable manner. The specimen trees on-site have been categorized into invasive species, non-native non-invasive, and native. All invasive species were previously approved with the PPS and TCP1 for removal.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas;

This property is split zoned O-S and R-18C and is limited as to the number of lots that can be created on-site. Further limiting of developable area by protecting the root zones and specimen trees will deprive the applicant of the opportunity to create a functional development.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants;

As previously discussed in (A) and (B) above, not granting this variance will prevent the project from being developed in a functional and efficient manner. The variance would not result in a privilege to the applicant; it would allow for development to proceed with similar rights afforded to others with similar properties and land uses.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant;

The nature of the variance request is not in response to actions taken or resulting by the applicant.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and,

The request to remove the specimen trees does not arise from a condition relating to land or building use, either permitted or nonconforming on a neighboring property.

(F) Granting of the variance will not adversely affect water quality.

The site is governed by the current SWM regulations. The site is adjacent to the Horsepen Branch and water is discharging untreated from the existing golf course and irrigation ponds constructed prior to these regulations, meaning there is significant discharge of untreated stormwater runoff currently. The proposed loss of specimen trees will be offset from the establishment of water quality and control devices preventing direct untreated discharge into the Horsepen Branch during storm events.

After evaluating the applicant's request, the Planning Board approves the removal of the 18 requested specimen trees. These trees include six Specimen Trees (3, 4, 5, 6, 52, 165) that are non-native Siberian elm trees that are considered an invasive species within the State of Maryland and actively controlled by the University of Maryland Extension Service; and 12 native Specimen Trees (27, 33, 71, 72, 123, 124, 133, 221, 236, 243, 244, and 253).

Preservation of Regulated Environmental Features/Primary Management Area (PMA)

The site contains regulated environmental features, including streams/wetlands and their buffers, and 100-year floodplain, which comprise the PMA, and isolated wetlands and their buffers.

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing, or at the point of least impact to the regulated environmental features. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfalls at points of least impact.

The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code. Impacts to regulated environmental features must first

be avoided and then minimized. The SOJ must address how each on-site impact has been avoided and/or minimized.

A revised SOJ dated April 14, 2020 and associated exhibits were submitted for five on-site impacts totaling 133,847 square feet (3.07 acres).

According to the Environmental Technical Manual, a mitigation plan is required if the cumulative proposed impacts for the entire site to wetlands and wetland buffers are shown to exceed a 0.5-acre threshold. Only on-site impacts are evaluated for this threshold. The amount and type of mitigation, if required, shall be at least generally equivalent to, or a greater benefit than, the total of all impacts proposed, as determined by the Planning Board. This can be in the form of stream or wetland restoration, wetland creation, or retrofitting of existing SWM facilities that are not required by some other section of County Code.

A wetland mitigation exhibit was also submitted with this application with two possible mitigation areas (Area 1 and Area 2) totaling 48,911 square feet (1.12 acres) associated with the stormwater retrofit of Irrigation Pond 3 and associated stream impacts.

The SOJ contains an impact summary table on page 3. This table breaks-down the impacts into the features that are proposed to be impacted (stream buffer, wetland, wetland buffer etc.); however, because these features overlap, it is difficult to confirm the proposed overall impact area for each requested impact. For evaluation purposes, The Planning Board focused on the total area for each impact, as described below:

Impact 1 for Construction of Public Road E and Irrigation Pond 3 Retrofit for Stormwater Purposes

Impact 1 is proposed for the disturbance of a total of 65,352 square feet (1.50 acres) of total PMA Impact, which is comprised of 181 linear feet of stream bed impact, 3,534 square feet of wetland and wetland buffer impacts, and 58,046 square feet of stream buffer impacts for retrofitting existing Irrigation Pond 3 for stormwater purposes along with the construction of Public Road E. While the SOJ indicates portions of the disturbance is temporary, all impacts to the PMA are considered permanent. Two new outfall structures are also proposed into the stream. The proposed improvements are designed to improve the structural integrity of the stream.

A proposed mitigation plan was provided for this impact. It shows creation of existing wetlands around this pond (Area 1) for 34,209 square feet and adjacent to the stream being impacted (Area 2) for a total of 14,702 square feet that are not part of the stormwater concept plan submitted to DPIE for this site. A combined total of 48,911 square feet (1.12 acres) of mitigation is proffered to offset the 1.50 acres of proposed impacts for this area. Although the proffered mitigation falls short by 0.38 acre, the overall benefits of the stormwater retrofit of this irrigation pond make up for it as it will

prevent future scouring and improve the quality of water outflowing from the existing pond into the stream.

This impact was modified slightly from what was approved with the PPS.

Impact 2 for Construction of Private Road A and Removal and Replacement of Irrigation Pond 1 with a Gravel Wetland to Treat Stormwater

Impact 2 is proposed for the disturbance of a total of 26,354 square feet (0.60 acre) total PMA Impact, which is comprised of 11 linear feet of stream bed impacts, 27,443 square feet of wetland and wetland buffer impacts, and 10,709 square feet of stream buffer impacts for the construction of a section of Private Road A; the construction of a submerged gravel wetland; and proposed storm-drain outfall. While the SOJ indicates portions of the disturbance is temporary, all impacts to the PMA are considered permanent. Irrigation Pond 1, as labeled on the original SWM concept, is man-made and the irrigation pumps that supply water to it were shut down at the time of the golf course closure severing the hydrologic connection to this pond, which will result in the pond receding over time. Thus, the prior wetlands and associated environmental features will no longer have a water source and will eventually disappear. The proposed submerged gravel wetland will replace the pond with the new development and will treat stormwater from the site while providing a functional replacement wetland.

Although no mitigation plan was provided for Impact 2 since the existing wetland system was dependent on water pumped in elsewhere from the site and is no longer functional with the closing of the golf course. The replacement of the pond with a functional gravel wetland that will treat previously untreated water that leaves the site is considered more beneficial then preserving the pond in its current state of decline on-site.

Impact 3 for Construction of Submerged Gravel Wetland 4 and Outfall Structures as Part of the Stormwater Retrofit for Irrigation Ponds 2 and 3.

Impact 3 is proposed for the disturbance of a total of 20,045 square feet (0.46 acre), which is solely composed of 21,943 square feet (0.50 acre) of wetland and wetland buffer impacts for proposed grading and construction for Submerged Gravel Wetland 4 and associated storm-drain outfall structures required for SWM for retrofitting existing Irrigation Ponds 2 and 3, as labeled on the original SWM concept. While the SOJ indicates portions of the disturbance is temporary, all impacts to the PMA are considered permanent. This impact was modified from what was conditionally approved with the PPS. No mitigation was proffered for this impact.

Impact 4 for Construction of an Underdrain to Control Overflow of Micro-bioretention Area 3.3. for Stormwater Purposes

Impact 4 is proposed for the disturbance of a total of 442 square feet (0.01 acre), which is solely comprised of 442 square feet of wetland buffer impacts for the construction of an underdrain, to control overflow of Micro-bioretention Area 3.3 for stormwater purposes.

Impact 5 for Construction of One Outfall Structure Associated with Submerged Gravel Wetland 1 for Stormwater Purposes

Impact 5 is proposed for the disturbance of a total of 21,503 square feet (0.49 acre), which is comprised of 55 linear feet of stream bed impacts, and 21,227 square feet of stream buffer impacts, for the construction of one outfall structure associated with proposed Submerged Gravel Wetland 1 on the plan.

The SOJ includes a section for proposed mitigation. The applicant proposed 1.12 acres of mitigation in the form of wetland enhancement in the southeastern portion of the site surrounding the existing irrigation pond. An additional wetland mitigation area is shown in the southern area of the property along the existing stream and within the floodplain.

After evaluating the applicant's SOJ for proposed impacts to regulated environmental features, the Planning board approves Impacts 1-5 and the proffered mitigation of 1.12 acres.

Erosion and Sediment Control

This site is within a Tier II catchment area. Tier II waters are high-quality waters within the State of Maryland as designated by the Maryland Department of the Environment (MDE) that are afforded special protection under Maryland's Anti-degradation policy. According to correspondence with the Prince George's Soil Conservation District (PGSCD), a 150-foot-wide expanded buffer is required on-site for all intermittent and perennial streams. The approved NRI and TCP2 reflect this buffer, which is regulated by PGSCD. The PGSCD may require redundant erosion and sediment control measures for this site as part of their review and approval process.

Soils

According to available information, no unsafe soils containing Marlboro clay exist on-site; however, unsafe soils containing Christiana complexes are mapped on this property. According to the DPIE, when existing or proposed steep slopes exceed 20 percent on unsafe soils, government agencies should insist on submitting a full Geotechnical Report that includes a Global Stability Analysis with the proposed (mitigated) 1.5 Safety Factor Line (SFL) determined and shown on the plans submitted for County review and approval.

A detailed analysis and mitigation, if necessary, should be addressed with the approval of the SWM concept plan. Prior to certification of the DSP, the applicant shall demonstrate

conformance with Section 24-131 of the Prince George's County Subdivision Regulations, for unsafe soils, by submitting an approved SWM concept plan that clearly delineates the location of any associated 1.5 SFL, as well as any accompanying building restriction lines that are required by DPIE. The layout on the SWM concept plan must conform to the layout of the proposed DSP for this site. An amended SWM concept plan and slope stability analysis, which reflects the final layout will be required.

Christiana Complex Soils
A global slope stability geotechnical report was submitted on May 13, 2020, which was referred to DPIE. DPIE had not commented on the slope stability analysis at the time of the hearing. A determination of safety must be made by DPIE prior to certification of the DSP and TCP2. If it is determined that unsafe soils are present, the DSP shall clearly delineate the location of any associated safety factor lines, as well as any accompanying building restriction lines that are required by DPIE. This may result in un-buildable lots.

Stormwater Management
A copy of a SWM Concept Plan 4923-2019 and associated approval letter from the DPIE was submitted with the subject application and received on January 3, 2020. However, the layout approved on this SWM concept plan was not the same as what is shown on either the approved PPS or of this DSP. A revised unapproved SWM concept plan was later submitted by the applicant, on May 7, 2020, that matches the layout of this DSP. According to the proposed plan, Irrigation Ponds 2 and 3 will be retrofitted for SWM purposes and Irrigation Pond 1 will be removed and replaced with a gravel wetland system. An additional three submerged gravel wetlands are proposed with 12 micro-bioretention facilities, along with a series of five swales and ten drywells to provide stormwater retention and attenuation on-site before discharging into tributaries of the Horsepen Branch. A condition requiring an approved concept in conformance with this DSP layout prior to certification of the DSP is included in this resolution.

g. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not provide any comments on this application.

h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board reviewed a memorandum dated April 17, 2020 (Giles to Burke), incorporated herein by reference, in which DPIE provided standard comments that will be addressed through their separate permitting process and indicated they have no objection to the DSP.

i. **Prince George's County Health Department**—The Planning Board reviewed a memorandum dated March 30, 2020 (Adepoju to Burke), incorporated herein by reference, in which the Health Department provided guidance and recommendations, including the following summarized comments:

Pesticides used to control pests on lawns, golf courses and recreational areas may affect individuals that may be sensitive when in contact with the treated areas. The existing site

is currently occupied as a golf course and is intended to be redeveloped into a residential community. The applicant may consider sampling the grounds for potential herbicide and pesticide contaminates that may exist in the soils particularly in the areas of the chemical mixing stations and the t-boxes and greens of the golf course. If detected, the applicant should ensure the mitigation efforts according to state and local laws.

The applicant must ensure that underground storage tanks are not disturbed by excavation or grading activities. Should the soil become contaminated during the construction/demolition activity or should the applicant discover contaminated soils, all impacted soils must be handled in a manner that comports with State and local regulations. The applicant may consider testing the soils for possible contaminates associated with the motorized vehicle maintenance prior to the redevelopment of the existing golf course to a residential community.

The applicant may consider applying for the Maryland Department of the Environment's Voluntary Cleanup Program prior to the redevelopment of the potential "brownfield sites". Please contact the Land Restoration Program/ Land Management Administration located at 1800 Washington Boulevard in Baltimore Maryland, or call (410) 537-3305.

13. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

14. Per Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:

(4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(15).

The regulated environmental features on the subject property have been preserved to the fullest extent possible based on the limits of disturbance shown on the DSP and TCP2 for proposed impacts 1-5.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-010-2020, and further APPROVED Detailed Site Plan DSP-19007 for the above described land, subject to the following conditions:

1. Prior to certification of the detailed site plan (DSP), the applicant shall make the following revisions to the plans:

a. Obtain signature approval of Preliminary Plan of Subdivision 4-19005 and revise the DSP as necessary to be in conformance.

b. Show necessary grading for the fitness trail as applicable, and show the location, height, and any required fencing for proposed retaining walls.

c. Provide a list of the private, on-site recreation facilities and proposed timing of construction, to be reviewed by the Urban Design Section as the designee of the Planning Board.

d. Provide a minimum 8-foot-wide sidewalk or side path along the entire site frontage on Hillmeade Road and Prospect Hill Road, unless modified with written correspondence by the Prince George's County Department of Permitting, Inspections and Enforcement.

e. Provide minimum 8-foot-wide trail to replace the existing golf cart trail.

f. Provide a detail indicating the size, height, materials, color, and wording for signs to indicate the location of the future trail. The signs shall be constructed of durable materials, utilize colors that will attract attention, and state at a minimum, "Future Trail Location" with the expected month and year of construction completion.

g. Show the locations of all future trail location signs. The signs shall be posted at no more than 150-foot intervals, directed toward the nearest residential lots, and at a height that is visible from those lots.

h. Provide an approved stormwater management concept plan showing the same layout as the DSP and Type 2 tree conservation plan.

i. Provide written correspondence from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) regarding whether unsafe soils are present on-site. If present, the DSP shall clearly delineate the location of any associated safety factor lines, as well as any accompanying building restriction lines that are required by DPIE. This may result in un-buildable lots.

j. Provide the materials, illumination, and dimension for the lettering on the entrance signage, and the height of the monument for the Prospect Hill Road entrance monument, in conformance with Section 27-624 of the Prince George's County Zoning Ordinance.

k. The Type 2 tree conservation plan (TCP2) shall be revised as follows:

(1) On the overall specimen and historic trees tables of the TCP2:

(a) Update the column entitled "Variance" to indicate which application approved each variance based on the findings of Planning Board for both Preliminary Plan of Subdivision 4-19005 and DSP-19007.

(b) Complete the standard note regarding specimen tree variances below the table.

(c) Indicate in the disposition column of the specimen and historic trees tables of the TCP2 that the critical root zone of Specimen Tree 29 will be root pruned.

(2) Identify and label all off-site clearing with its acreage on the plan and accounting for it in the tree conservation plan worksheet and any associated tables. This includes but is not limited to clearing and grading associated with the removal of off-site specimen trees, and off-site utility connections.

(3) Provide a copy of the erosion and sediment control plan. Adequate protection of all isolated wetland areas on-site that are proposed to be retained must be demonstrated on the TCP2 as well as other regulated environmental features proposed to remain within the primary management area.

(4) Include all symbols for proposed silt fence and super silt fence to the TCP2 legend and plan as appropriate.

(5) Identify the locations of all required tree protection fencing on the TCP2 plan. Differentiate between each fencing type used on the plan and legend, clearly demarcating transitions between fencing types as needed. Make all tree protection fencing symbols used on the plan be consistent with the legend and black on each sheet of the TCP2 so they are clearly distinguishable from other features on the plan.

(6) Show tree protection fence/combination silt fence around woodland preservation area (WPA) 3 on the TCP2.

(7) Revise the location of all reforestation/afforestation and woodland preservation signs, so they are spaced at a minimum of 50-feet apart as required. Add signs around woodland reforestation/afforestation area (WRA) 8, 10, 12, and 14.

(8) All landscape areas proposed to receive woodland conservation credit must be planted exclusively with native material. These areas shall also be planted with supplemental native material as needed to meet the definition of woodland found in Section 25-118(b)(72) of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance. These areas shall be surrounded by split rail fencing, reforestation signage, and be recorded within woodland conservation easements.

(9) Replace Landscape Credit Areas 10 and 13 on the TCP2 with reforestation expanded to meet the minimum requirements.

(10) Change Landscape Credit Area 8 to afforestation/reforestation.

(11) Use a darker line-style to clearly differentiate the existing contours from the proposed contours associated with grading for this project. Add the symbols for the proposed contours to the legend of Sheets 4-19 of the TCP2.

(12) Revise the symbols to be black instead of grey for all regulated environmental features on the TCP2, so they are easily distinguishable from other features on the TCP2.

(13) Show all areas of proposed easements that are to remain or are proposed to be created (with the exception of surface drainage easements) that overlap existing woodlands to remain, as being woodland retained counted as cleared on the plan, not as woodland preservation.

(14) On Sheet 14 of the TCP2, revise the symbols for Specimen Trees 277 and 278 to be consistent with the other specimen tree symbols on the TCP2. Add their critical root zones to the plan. Revise the limits of disturbance to show them as being saved since they were not requested or approved for removal with the PPS or DSP.

(15) Correct the Specimen Tree Table on the TCP2 to identify Specimen Trees 119 and 120 as on-site.

(16) Ensure that all Specimen Tree signs on the TCP2 are placed along the vulnerable edges of the critical root zones, so they face the point of greatest visibility towards the proposed development. Remove all specimen tree signs from trees proposed for removal on the TCP2.

(17) Ensure that the specimen tree table on the plan is consistent with the statement of justification and variance request, and that the TCP2 graphically shows the proposed disposition accordingly. All specimen trees approved for removal by the Planning Board must be shown as removed on the TCP2 plan. All specimen trees not approved for removal by the Planning Board must be shown as saved on the TCP2 plan.

(18) Add separate afforestation/reforestation schedules for each planting area on the TCP2 as required. Add planting schedules for each landscape area that is also proposed to be counted as woodland conservation to demonstrate the use of native materials and that the density meets the definition of woodland found in

Section 25-118(b)(72) of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.

(19) Add and complete the Property Owners Awareness Certificate(s) to each sheet of the TCP2. Ensure that a separate property owner's awareness certificate is provided on the plan and signed by each appropriate owner prior to certification of the plan.

(20) Revise the Standard Type 2 Tree Conservation Plan notes on Sheet 2 of the TCP2 as follows:

(a) Planting Specification Note 16 must be completed with the name, address, and phone number of the nursery supplier as required.

(b) Add the standard TCP2 Additional Notes to the TCP2 entitled "When Invasive Plant Species are to be removed by the permittee" to the plan.

(c) Include an invasive species management plan on the TCP2 as required.

(21) Update the TCP worksheet as necessary once the above changes have been made. The qualified professional must sign and date the TCP worksheet, as required.

(22) The current TCP2 approval block must be added to each sheet of the TCP2. Include the TCP2 number in the block on each sheet of the TCP2.

(23) The Qualified Professional must sign and date their landscape architect seal on each sheet of the TCP2.

(24) Show tree protection fencing along the intersection of the limits of disturbance and critical root zone of each specimen tree proposed to be saved on the plan (on and off-site).

2. Prior to the approval of a detailed site plan for architecture, the applicant shall provide a plan for interpretive signage to be erected and public outreach measures for the Prospect Hill Historic Site (70-025). The location and wording of the signage and the public outreach measures shall be subject to approval by the Maryland-National Capital Park and Planning Commission staff archeologist. The plan shall include the timing for the installation of the signage and the implementation of public outreach measures.

3. Prior to approval of any building permit, the applicant shall curate the artifacts recovered from the Phase I survey of the subject property at the Maryland Archaeological Conservation Laboratory in Calvert County, Maryland. Proof of the disposition of the curated artifacts shall be provided to Historic Preservation staff.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, June 18, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of June 2020.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:TB:nz

APPROVED AS TO LEGAL SUFFICIENCY
David S. Warner /s/
M-NCPPC Legal Department
Date: June 10, 2020