

R E S O L U T I O N

WHEREAS, Touch of Love Bible Drive is the owner of a 2.4076-acre parcel of land known as Parcel 75, Tax Map 14 in Grid B-2, said property being in the 1st Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on April 7, 2008, Touch of Love Bible Church filed an application for approval of a Preliminary Plan of Subdivision (Staff Exhibit #1) for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-08006 for Touch of Love Bible Church 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 July 17, 2008, 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 July 17, 2008, 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/012/08), and further APPROVED Preliminary Plan of Subdivision 4-08006, Touch of Love Bible Church, including a Variation from Section 24-130 for Parcel A with the following conditions:

1. Any residential development of the subject property, other than one single-family dwelling, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
2. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
3. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the expanded stream buffer and any approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

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

4. Prior to signature approval of the Preliminary Plan, the TCPI shall be revised as follows:
  - a. Address the apparent discrepancy between the area on the plan labeled as “woodland saved but considered cleared (0.03 ac.)” that appears to be reflected in the worksheet as “woodland retained not part of requirements” by either adding the 0.03 acres to the total clearing area in the worksheet for calculation purposes, or relabeling the area on the plan, and in the legend, as “woodland retained not part of requirements.”
  - b. Revise the TCPI to show the possible future impact to the expanded buffer.
  - c. After these revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revision.
5. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/012/08). The following notes shall be placed on the Final Plat of Subdivision:

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/012/08), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”
7. The applicant and the applicant’s heirs, successors and/or assignees shall provide a standard sidewalk along the frontage of the subject property of Muirkirk Road, unless modified by the Department of Public Works and Transportation (DPW&T) or the State Highway Administration (SHA).
8. The Adopted and Approved Subregion I Master Plan recommends that Muirkirk Road be designated as a Class III bikeway with appropriate signage. Because Muirkirk Road is a County right-of-way, the applicant, and the applicant's heirs, successors, and/or assigns shall provide a financial contribution of \$210.00 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.

9. Total development of the subject property shall be limited to uses which would generate no more than 3 AM and 5 PM weekday peak-hour trips, and 154 Sunday peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require an additional Preliminary Plan of Subdivision with a new determination of the adequacy of transportation facilities.
10. The applicant and the applicant's heirs, successors and/or assignees, shall provide an automatic fire suppression system shall be provided in all new buildings proposed in this preliminary plat application unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.
11. Prior to the removal of any of the existing structures, a raze permit must be obtained through the Department of Environmental Resources. Any hazardous materials located in the structures must be removed and properly stored or discarded prior to the structures being razed.
12. Development shall be in conformance with the approved Stormwater Management Concept Plan 2016-2008-00 and any subsequent revisions.
13. Prior to the issuance of permits, a Type II Tree conservation plan shall be approved.

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

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The subject property is located on the south side of Muirkirk Road, 1.1 mile east of US 1 (Baltimore Avenue).
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-R	R-R
Use(s)	Residential	Institution (Church) (approximately 13,000 square feet of gross floor area with 300 seats)
Acreage	2.40	2.40
Parcels	1	1
Public Safety Mitigation Fee		No

4. **Subdivision**—The subject property is zoned R-R. The subject application is not proposing any residential development; however, because different adequate public facility tests exist and there

are considerations for recreational components for residential subdivision, any future consideration for residential development should require the approval of a new preliminary plan of subdivision.

There is an existing asphalt and gravel driveway that provides the owners of Parcel 139 an additional point of access to Muirkirk Road. There is no indication as to how long the access has existed, which concerns staff that there maybe a prescriptive agreement for the use of the existing asphalt and gravel driveway. The applicant has not provided evidence to the contrary that the property owners of Parcel 139 have agreed to the elimination of this access through Parcel 75 to Muirkirk Road. The applicant has been advised that a prescriptive easement may exist and that removal of the existing asphalt and gravel driveway cannot occur without the agreement of the property owner of Parcel 139. Staff acknowledges that Parcel 139 has frontage and an existing point of access to Muirkirk Road.

5. **Environmental**—The site is approximately 73 percent wooded. There are streams and wetlands on the property associated with Upper Beaver Dam Creek in the Potomac River watershed. According to the *Prince George's County Soils Survey*, the principal soils on this site are in the Galestown, Marr and Matapeake series. Marlboro clay does not occur in this area. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, rare, threatened, or endangered species do not occur on this property or on adjacent properties; however forest interior dwelling bird habitat is located on-site due to the adjacent expanse of forest to the south and east. No designated scenic or historic roads will be affected by the proposed development. The site has frontage along Muirkirk Road, designated as a collector, which is a roadway classification not normally regulated for noise. The proposal is not expected to be a noise generator.

#### **Environmental Issues Addressed in the Subregion I Master Plan**

The master plan does not indicate any environmental issues associated with this property. The environmental requirements for woodland preservation, stream protection and stormwater management are addressed in the Environmental Review Section below.

#### **Countywide Green Infrastructure Plan Conformance**

The site contains Evaluation Areas and Gap Areas within the designated network of the *Approved Countywide Green Infrastructure Plan*. The site contains a significant Evaluation Area along the southern portion of the property, which according to the approved Natural Resource Inventory (NRI), contains wetlands and a regulated stream. This Evaluation Area extends off-site and is contiguous to a large tract of woodland shown as preservation on TCPII/998/94, for the adjacent property. The regulated portions of the Evaluation Area are the focus of preservation efforts with this application as appropriate to be in conformance with the Green Infrastructure Plan.

## Environmental Review

An approved Natural Resources Inventory, NRI/057/07, was submitted with the application. There is an expanded buffer (EB) comprised of stream, stream buffer, wetland and wetland buffer found to occur on the subject property. There is no floodplain on the subject site. The TCPI and the preliminary plan show all the required information correctly in conformance with the NRI. The forest stand delineation (FSD) indicates one forest stand totaling 1.75 acres and one specimen tree. No revisions are required for conformance to the NRI.

This site contains natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. Impacts to these features are prohibited by Section 24-130 of the Subdivision Regulations unless the Planning Board grants a variation to the Subdivision Regulations in accordance with Section 24-113 at the time of preliminary plan. Staff will generally not support impacts to sensitive environmental features that are not associated with essential development activities. Essential development includes such features as public utility lines [including sewer and stormwater outfalls], street crossings, and so forth, which are mandated for public health and safety; non-essential activities are those, such as grading for lots, stormwater management ponds, parking areas, and so forth, which can be designed to eliminate the impacts. Impacts to sensitive environmental features require variations to the Subdivision Regulations.

The plans, as currently submitted, show no impacts to sensitive environmental areas; however, a variation request, dated June 5, 2008, was submitted to request possible impacts to significant environmental features to construct an extension of a stormwater management outfall to provide protection and stabilization and reduce flow to non-erosive velocities. Staff notes that extension of rip rap for the stormwater management outfall may be required as part of the technical stormwater management plan.

Section 24-113 of the Subdivision Regulations contains four required findings **[text in bold]** to be made before a variation can be granted.

- (1) **The granting of the variation request would not be detrimental to public safety, health or welfare and does not injure other property;**

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

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

There is an isolated wetland on the property. The presence of the expanded buffers accounts for 0.80 acres of the site and are located across the entire southern portion of the

subject property. A required 4.7 landscape buffer adjacent to the residential property accounts for another 0.18 acres. These requirements make up approximately 40 percent of the gross tract area which is unique to surrounding properties. Steep slopes create additional challenges and require the construction of retaining walls to allow vehicular access to the developed part of the site.

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

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

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

Without the required stormwater management facility, the property could not be developed in accordance with the R-R zoning.

The Environmental Planning Section supports the variation request for the reasons stated above. Should the final design impact the expanded buffer and wetland buffer, a copy of an approved wetland permit should be submitted to the Environmental Planning Section at the time of the submission of the permit application. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant should submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

At the time of final plat, a conservation easement should be described by bearings and distances. The conservation easement should contain the expanded stream buffer and any approved impacts and should be reviewed by the Environmental Planning Section prior to approval of the final plat. A note should be placed on the plat citing the conservation easement.

The property is subject to the provisions of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the site is greater than 40,000 square feet in area and contains more than 10,000 square feet of woodland. A Type I Tree Conservation Plan (TCPI/012/08) was submitted with the review package. The Woodland Conservation Threshold (WCT) for this 2.41-acre property is 20 percent of the net tract area or 0.48 acres. The total woodland conservation requirement based on the amount of clearing proposed is 0.71 acres. This requirement is proposed to be satisfied by 0.80 acres of on-site preservation. The proposed woodland conservation is in priority areas of the site, including a stream and wetland area and within required buffer areas.

An area on the plan is labeled as “woodland saved but considered cleared (0.03 ac.);” however this area appears to be reflected in the worksheet as “woodland retained not part of requirements.” This apparent discrepancy needs to be addressed by either adding the 0.03 acres to the total clearing area in the worksheet for calculation purposes, or relabeling the area on the plan, and in the legend, as “woodland retained not part of requirements.”

After these revisions have been made, the worksheet should be updated as necessary and the qualified professional who made the revisions sign and date the plan. Prior to signature approval of the preliminary plan, the TCPI should be revised. Development of this subdivision should be in compliance with an approved Type I Tree Conservation Plan (TCPI/012/08). A note should be placed on the Final Plat of Subdivision citing the conditions of the approved Type I Tree Conservation Plan (TCPI/012/08).

A revised, unapproved, stormwater management concept plan was submitted with the subject application along with the approval letter for the original stormwater management design. Prior to signature approval of the preliminary plan, an approved copy of the revised stormwater management concept approval letter and the associated approved plan should be submitted.

According to the *Prince George's County Soils Survey* the principal soils on the site are in the Galestown, Marr, and Matapeake series. Matapeake soils are highly erodible. This information is provided for the applicant's benefit. The Prince George's County Department of the Environment will require a soils report in conformance with CB-94-2004 during the building permit process review.

### **Water and Sewer Categories**

The 2001 Water and Sewer Plan designate this property in Water and Sewer Category 3. Existing water and sewer mainlines in Muirkirk Road abut the property. Show the proposed water and sewer extensions and delineate any proposed right-of-way easements on the preliminary plan.

6. **Community Planning**—The site is located in the Developing Tier. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low-to-moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable. Churches are a permitted use in the R-R Zone. The 1990 *Approved Master Plan and Sectional Map Amendment for Subregion I Planning Areas 60, 61, and 62* retained the R-R Zone for this property. The application conforms to the “Low Suburban” land use and the R-R Zone requirements approved in the 1990 Master Plan and Sectional Map Amendment for Subregion I.
7. **Parks and Recreation**—According to Section 24-134(a) of the Prince George's County Subdivision Regulations, the subject subdivision is exempt from mandatory dedication of parkland requirements because the development is non-residential.

8. **Trails**—The Adopted and Approved Subregion I Master Plan designates the Muirkirk Road as a master plan trail/bikeway corridor. A hiker-biker-equestrian trail is proposed along the west side of Muirkirk Road. This is further refined in the Subregion I Master Plan to include the provision of sidewalks and designated bike lanes. Staff recommends the provision of a standard sidewalk along subject site’s entire frontage of Muirkirk Road, unless modified by Department of Public Works and Transportation (DPW&T). The provision of one “Share the Road with a Bike” sign is also recommended to designate the bikeway. Stripping for the bike lanes can be considered comprehensively for the road at the time of street construction permits.
  
9. **Transportation**—The Transportation Planning Section has reviewed the subdivision application referenced above. The applicant proposes a single-parcel lot for the purpose of constructing a church of 13,000 square feet with 300 seats.

Although the weekday traffic impact was determined to be minimal, a Sunday analysis was warranted by the size of the proposal. Due to the trip generation of the site, the transportation staff determined that a traffic study was not needed; however, Sunday traffic counts at two critical intersections were requested and provided by the applicant. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.”

#### **Growth Policy - Service Level Standards**

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

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

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



### **Analysis of Traffic Impacts**

The intersections of MD 197/Muirkirk Road and Muirkirk Road/Old Baltimore Pike/Cedarhurst Drive are determined to be the critical intersections for the subject property. These two intersections are the nearest intersections to the site, and each would serve approximately 50 percent of the site-generated traffic. Both critical intersections are signalized.

The application is a preliminary plan of subdivision for a single lot development for the purpose of constructing a 13,000 square foot, 300-seat church. The proposed development would generate 3 AM and 5 PM peak-hour vehicle trips as determined using the Institute of Transportation Engineers' "Trip Generation Manual." There are no projects to improve either critical intersection in either the County Capital Improvement Program (CIP) or the State Consolidation Transportation Program. Recent counts are available at the critical intersection of Muirkirk Road/Old Baltimore Pike/Cedarhurst Drive, and in connection with staff's review of Preliminary Plan 4-07053 for the Brick Yard, it was determined that this intersection would operate acceptably in both peak hours under future traffic. No recent counts are available at the MD 197/Muirkirk Road intersection. Nonetheless, due to the limited trip generation of the site, the Prince George's County Planning Board could deem the site's weekday impact at each location to be de minimus. Staff would therefore recommend that the Planning Board find that 3 AM and 5 PM peak-hour trips will have a de minimus impact upon operations in the critical movements at both critical intersections during weekdays.

For the purpose of ensuring adequate transportation facilities during the peak operating hours for the proposed use, a Sunday traffic analysis is provided. This analysis utilizes available Sunday counts taken by the applicant in 2008. These counts indicate that the critical intersection of MD 197/Muirkirk Road operates with a critical lane volume (CLV) of 997, with Level-of-Service (LOS) A, during the Sunday peak hour. Likewise, the critical intersection of Muirkirk Road/Old Baltimore Pike/Cedarhurst Drive operates with a CLV of 294 and LOS A. These statistics represent existing traffic.

Through traffic growth of two percent per year was assumed along MD 197, Muirkirk Road, and Old Baltimore Pike. Three approved but unbuilt developments that would affect the intersections were identified. With background growth added, the critical intersection of MD 197/Muirkirk Road would operate with a CLV of 1,205 and LOS C during the Sunday peak hour. Likewise, the critical intersection of Muirkirk Road/Old Baltimore Pike/Cedarhurst Drive would operate with a CLV of 645 and LOS A. These statistics represent background traffic.

With the development of a 13,000 square foot church, the site would generate 154 Sunday (77 in and 77 out) peak-hour vehicle trips. The site was analyzed with the following trip distribution: 35 percent—west along Muirkirk Road; 15 percent—south along Old Baltimore Pike; 35 percent—north along MD 197; and 15 percent—south along MD 197. Given this trip generation and distribution, the impact of the proposal has been analyzed to determine total traffic. With the site added, the critical intersection of MD 197/Muirkirk Road during Sunday peak hour would operate with a CLV of 1,227 and LOS C, and the critical intersection of Muirkirk Road/Old

Baltimore Pike/Cedarhurst Drive would operate with a CLV of 670 and LOS A. As such, it is determined that on Sundays both critical intersections would operate acceptably under existing, background, and total traffic. Although adequacy has been determined, the plan should be approved with a trip cap consistent with the development quantity that has been assumed.

The site is not within or adjacent to any master plan transportation facilities. A conceptual plan has been reviewed by transportation staff, and site access and circulation are acceptable as shown.

### **Transportation Staff Conclusions**

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

10. **Police**—The proposed development is within the service area for Police District II, Bowie. The Approved 2002 General Plan addresses the provision of public facilities that will be needed to serve existing and future county residents. The plan includes planning guidelines for police facilities and they are:

Station space per capita: 141 square feet per 1,000 county residents

The police facilities test is completed on a countywide basis in accordance with the policies of the Planning Board. There are 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department and the latest population estimate is 825,520. Using the standard of 141 square feet per 1,000 residents, 116,398 square feet of space for police facilities are needed. The current amount of space available, 267,660 square feet, is above the guidelines.

11. **Fire and Rescue**—The Special Projects Planning Section has reviewed this preliminary plan application for a church 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 Regulations. The existing engine service at Laurel Fire/EMS Station, Company 10, located at 7411 Cherry Lane, has a service travel time of 5.30 minutes, which is beyond the 3.25-minute travel time guideline. The existing paramedic service at the Laurel Company EMS Company 49, located at 14910 Laurel Bowie Road, has a service travel time of 6.06 minutes, which is within the 7.25-minute travel time guideline. The existing ladder truck service at Laurel Company EMS Fire Station, Company 10, located at 4711 Cherry Lane has a service travel time of 5.30 minutes, which is beyond the 4.25-minute travel time guideline.

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

conformance with the Approved Public Safety Master Plan (April 2008) and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

12. **Schools**—The Special Projects Planning Section has reviewed this preliminary plan of subdivision for school facilities in accordance with Section 24-122.02 of the Subdivision Regulations, CB-30-2003, and CR-23-2003 and concluded the above subdivision is exempt from a schools review because it is an institutional/church use.
13. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision and noted that a raze permit is required prior to the removal of any of the existing buildings on site. A raze permit can be obtained through the Department of Environmental Resources (DER), Office of Licenses and Permits. Any hazardous materials located in any structures on-site must be removed and properly stored or discarded prior to the structure being razed. A note should be affixed to the preliminary plan that requires that the structure is to be razed and the well properly abandoned before the release of the grading permit.
14. **Public Utilities Easement (P.U.E.)**—The PUE should be provided along all public rights-of-way. Trees and sewer connections located within the ten foot P.U.E. may be removed depending on the needs of the utility companies.
15. **Stormwater Management**—A Stormwater Management Concept Plan, CSD #2016-2008-00, was approved May 6, 2008, by the Prince George’s County Department of Public Works and Transportation with conditions. Development of the site should be in accordance with this approved plan and any revisions.
16. **Archeology**—Phase I archeological survey is not recommended on the above-referenced 2.4-acre property located at 8203 Muirkirk Road in Beltsville, Maryland. This plan proposes a 1,300 seat church on one parcel lot. 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. According to tax records, the current house on the property was built in 1998. An earlier house may have existed on the property.

However, the applicant should be aware that there are two County Historic Sites, the Edward Gross House (PG:62-016) and Abraham Hall (PG:62-023-07), and Historic Resources, Thomas Matthews House (PG:62-023-17), located within a one-mile radius of the subject property. In addition, there are two previously identified archeological sites, 18PR377 (a Late Archaic to Early Woodland short-term resource procurement camp and late 19<sup>th</sup> to 20<sup>th</sup> century farmstead) and 18PR410 (Abraham Hall), within a one-mile radius of the subject property.

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.

17. **Historic Preservation**—This proposed subdivision will have 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 date of notice of the adoption of this Resolution.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Cavitt, seconded by Commissioner Clark, with Commissioners Cavitt, Clark and Vaughns voting in favor of the motion, with Commissioners Squire and Parker temporarily absent at its regular meeting held on Thursday, July 17, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4<sup>th</sup> day of September 2008.

Oscar S. Rodriguez  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

OSR:FJG:IT:bjs