

Case No. SP-05035

Applicant: Toll Brothers, Inc.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION, WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 06-83, to approve with conditions a detailed site plan, SP-05035, for an equestrian facility and community center on property referred to as the Village of Clagett Farm, Phases 1B and 1C, on approximately 588.63 acres of land in the R-R Zone, southwest of Ritchie-Marlboro Road, approximately 2,500 feet south of its intersection with Westphalia Road, Upper Marlboro, is hereby:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. Prior to certification of the detailed site plan, the TCP II shall be revised as follows:
 - a. Eliminate the PMA impact that was associated with pond 3 on the TCP I.
 - b. Redesign lots 2, 5, 6, and 7 of Block A without any impacts to the PMA and eliminate the lot boundary from the PMA.
 - c. Revise the note for sediment trap 16 to state that the pipes will be above ground and provide a symbol and notation in the legend for this type of piping.
 - d. Areas where impacts are shown for installation of structures associated with sediment traps or basins that were not approved by the Planning Board with the preliminary plan shall be shown on the TCP II as reforestation areas. All piping and associated gravel and rip rap shall be completely removed from these areas. The following note shall be provided on each appropriate sheet near all affected areas: "Reforestation Area ___ shall be installed prior to the issuance of building permits for the lots upon which the sediment trap or basin is currently constructed.

Evidence that the planting has been completed shall be submitted to the Environmental Planning Section prior to permit issuance.

2. Prior to certification of the detailed site plan, the DSP shall be revised to reflect the same limits of disturbance as that shown on the TCP II.
3. Prior to certification of the detailed site plan, the TCP II shall be revised to make every effort to combine and minimize the PMA impacts for the future stormwater management facility and stormwater management pond 2. If, in the future pond 2 is no longer necessary, the area shall be regraded and reforested as proposed on the approved Type I tree conservation plan.
4. Prior to certificate approval of the detailed site plan, the DSP and Type II tree conservation plan shall be revised as follows:
 - a. Revise the plans so that the sheet numbers of the DSP match the sheet numbers of the TCP II so that each sheet of the DSP has the same sheet number as the TCP II.
 - b. Revise the plans so that the sheet key and phase key are separate.
 - c. Show the original tree line as delineated in the forest stand delineation date-stamped as received by the Environmental Planning Section on December 17, 2003.
 - d. Remove the proposed tree line from the plans and show a limit of disturbance consistent with the revised TCP II.
 - e. Revise the legend to correctly identify all symbols used on the plans. Those symbols that are not used shall be eliminated from the plans.
 - f. Correctly show all areas to be cleared, in particular, the floodplain area on sheet 7 of the TCP II and sheet 30 of the DSP.
 - g. Correctly show the PMA on all sheets, with special attention to the area on sheet 2 of the TCP II and sheet 4 of the DSP.
 - h. Show all existing and proposed easements.
5. Prior to certificate approval of the detailed site plan, the Type II tree conservation plan shall be revised as follows:
 - a. Revise the worksheet to include the entire site to include a column labeled "Remaining Phases" and to revise the column labeled "Total."
 - b. Eliminate all areas less than 35 feet wide as woodland conservation.
 - c. Show afforestation for all areas within the PMA that are not currently forested as the highest priority for woodland conservation. Only after all of the PMA has been shown to be afforested, with the exception of areas

- of approved impacts that cannot be afforested, shall areas outside the PMA be used to meet the woodland conservation requirements.
- d. Revise the legend to add the proper identification of the specimen tree protection sign.
 - e. Revise the plan to show the correct existing tree line and the proposed clearing in and out of the 100-year floodplain.
 - f. Remove the symbol “TSF” and use “TPD” throughout the plans.
 - g. Revise the key sheet on Sheet 1 to reflect all the phases included in the plan and the area of rough grading.
 - h. Revise the plan to provide a label for each treatment area including preservation areas, reforestation areas, afforestation areas, woodland not counted, clearing areas, clearing areas in the floodplain, and off-site clearing and provide a table showing the acreage of each with the floodplain and off-site clearing shown separately.
 - i. Revise the TCPII so that all tree protection signs are located along the edge of all limits of disturbance.
 - j. Remove all tree fences within the interior of preservation areas and reforestation/afforestation areas.
 - k. Have the revised plans signed and dated by the qualified professional who prepared the plans.
6. Prior to final plat and/or grading permit issuance, whichever is requested first, a copy of the approved technical stormwater management plan shall be submitted. The plans shall not reflect any additional impacts to the PMA and the TCP II shall reflect the same limits of disturbance as that shown on the technical plans.
 7. Prior to grading permit, the applicant shall identify archeological resources in the project area by conducting Phase I archeological investigations.
 - a. A qualified archeologist must conduct all investigations and follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole, 1994) and the Prince George’s County Planning Board’s *Guidelines for Archeological Review* (May 2005). Archeological excavations shall be spaced at a minimum of 15-meter intervals. These investigations must be presented in a draft report following the same guidelines. Following approval of the draft report, four copies of the final report must be submitted to M-NCPPC Historic Preservation staff. Evidence of M-NCPPC concurrence with the final Phase I report and recommendations is required prior to signature approval.

The design of a Phase I archeological methodology should be appropriate to identify slave dwellings and burials. Documentary research should include an examination of known slave burials and dwellings in the surrounding area and their physical locations, as related to known structures, as well as their cultural interrelationships. The field investigations should include a pedestrian survey to locate attributes such as surface depressions, fieldstones, and vegetation common in burial/cemetery environs.

- b. Upon receipt of the report by the Planning Department, if it is determined that potentially significant archeological resources exist in the project area, the applicant shall provide a plan for:
 - i. Evaluating the resource at the Phase II level, or
 - ii. Avoiding and preserving the resource in place.
- 8. Prior to signature approval, the applicant shall demonstrate the retention and future resale of Keokuk and Ingleside in their existing architectural styles.
- 9. Prior to signature approval of the Detailed Site Plan DSP-05035, the applicant shall:
 - a. Revise the plan for the hiker, biker and equestrian trails to address DPR's concerns. DPR staff shall review and approve the construction drawings for the master planned hiker/biker and equestrian trails along the Cabin Branch and Back Branch Stream Valleys and of the connecting trails from the adjoining residential areas.
 - b. The trail shall be designed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines*. The construction drawings for the hiker/biker and equestrian trails shall include typical sections and details. The construction drawings shall include details for any structures necessary to assure dry passage such as bridge, boardwalk, and retaining wall.
 - c. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.
 - d. The location of the trail shall be staked in the field and approved by DPR prior to construction.
- 10. Prior to signature approval of Detailed Site Plan DSP-05035, the applicant shall:
 - a. Mark and label all equestrian trails included in the subject application.

- b. Provide the master plan trail along the subject site's entire frontage of Ritchie-Marlboro Road. This trail shall be marked and labeled on the detailed site plan.
 - c. Mark and label the location of the master plan trail along Back Branch, as well as the extent of stream valley dedication to M-NCPPC.
- 11. Prior to signature approval of Detailed Site Plan DSP-05035, the applicant shall:
 - a. Revise the plan to illustrate the delineation of the single-family lots on Sheet 6 of 30 and the correct location of the proposed retaining wall near the property line of those lots. Indicate bottom/top of the wall elevations.
 - b. Provide additional information regarding the benefited party and under what section of the Subdivision Regulations the 60-foot-wide ingress and egress easement is authorized.
 - c. Revise the detailed site plan to label public verses private streets.
 - d. Revise the detailed site plan to remove the entrance feature on Cantemere Boulevard from the right-of-way or provide evidence of written permission from the Department of Public Works and Transportation to locate part of the entrance feature in the right-of-way.
- 12. Prior to signature approval of the detailed site plan, the following revisions shall be made to the detailed site plan, landscape plan and architectural elevations:
 - a. Submit a design guideline standards booklet with the intent to encourage an orderly and logical pattern of community development that is easily recognized by local residents, and that enhances the convenience and livability of the Village of Claggett Farm.
 - (1) The content of the design guidelines should include elements of streetscape and signage, but not limited to:
 - (a) Street trees
 - (b) Entry monuments
 - (c) Signage
 - (d) Spacial paving at equestrian facilities and intersections
 - (e) Landscaping
 - b. Provide details, wall sections, and elevations of the retaining walls at the outdoor riding ring, sacrifice area 1 and the community building.

- c. Provide details, sections and elevations of the bridge/tunnel on Marlboro Ridge Road.
 - d. Submit a color palette and building materials board for the community center and indoor ring and stable. Provide a breakdown of all facilities included in the community building and a schedule for its construction.
 - e. Provide building-mounted lighting to highlight specific architectural features or building entrances on the indoor ring and stable and community building.
 - f. Provide signage material that is integrated into the overall design of the community building and the indoor ring and stable.
 - g. Provide additional planting with ornamental plant materials at vehicular entryway to the indoor ring and stable and community building.
 - h. Identify and locate trash enclosures and mechanical equipment/utilities that require screening on the site plan. Incorporate enclosures into the building design, screened from view.
 - i. Submit architectural elevations and sections of the primary entry feature(s).
 - j. Submit an architectural illustration of the primary entry feature(s).
13. All fencing shall be of PVC or other non-deteriorating material.

Ordered this 20th day of June, 2006, by the following vote:

In Favor: Council Members Dernoga, Bland, Campos, Dean, Exum, Harrington, Hendershot, Knotts and Peters

Opposed:

Abstained:

Absent:

Vote: 9-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

By: _____
Thomas E. Dernoga, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council