

STANDARD DRAWING LEGEND

FOR ENTIRE PLAN SET
(NOT TO SCALE)

EXISTING NOTE

TYPICAL NOTE TEXT

PROPOSED NOTE

CONCRETE CURB & GUTTER

CURB AND GUTTER

SPILL CURB

TRANSITION CURB

DEPRESSED CURB AND GUTTER

UTILITY POLE WITH LIGHT

POLE LIGHT

TRAFFIC LIGHT

UTILITY POLE

TYPICAL LIGHT

ACORN LIGHT

TYPICAL SIGN

PARKING COUNTS

CONTOUR LINE

SPOT ELEVATIONS

SANITARY LABEL

STORM LABEL

SANITARY SEWER LATERAL

UNDERGROUND WATER LINE

UNDERGROUND ELECTRIC LINE

UNDERGROUND GAS LINE

OVERHEAD WIRE

UNDERGROUND TELEPHONE LINE

UNDERGROUND CABLE LINE

STORM SEWER

SANITARY SEWER MAIN

HYDRANT

SANITARY MANHOLE

STORM MANHOLE

WATER METER

WATER VALVE

GAS VALVE

GAS METER

TYPICAL END SECTION

HEADWALL OR ENDWALL

YARD INLET

CURB INLET

CLEAN OUT

ELECTRIC MANHOLE

TELEPHONE MANHOLE

ELECTRIC BOX

ELECTRIC PEDESTAL

MONITORING WELL

TEST PIT

BENCHMARK

TEST PIT

PROPOSED EASEMENT LEGEND

SIGHT DISTANCE

STORM DRAIN

SANITARY SEWER

WATER

PUBLIC ACCESS

COMMON SHARED

INGRESS-EGRESS

PUBLIC UTILITY

VARIABLE WIDTH S

STANDARD ABBREVIATIONS

FOR ENTIRE PLAN SET

AC ACRES

ADA AMERICANS WITH DISABILITY ACT

ARCH ARCHITECTURAL

BC BOTTOM OF CURB

BF BASEMENT FLOOR

BK BLOCK

BL BASELINE

BLDG BUILDING

BM BUILDING BENCHMARK

BRL BUILDING RESTRICTION LINE

CF CUBIC FEET

CL CENTERLINE

CMP CORRUGATED METAL PIPE

CONN CONNECTION

CONC CONCRETE

CPP CORRUGATED PLASTIC PIPE

CY CUBIC YARDS

DEC DECORATIVE

DEP DEPRESSED

DIP DUCTILE IRON PIPE

DOM DOMESTIC

ELEC ELECTRIC

ELEV ELEVATION

EP EDGE OF PAVEMENT

ES EDGE OF SHOULDER

EW END WALL

EX EXISTING

FES FLARED END SECTION

FF FINISHED FLOOR

FH FIRE HYDRANT

FG FINISHED GRADE

G GRADE

GF GARAGE FLOOR (AT DOOR)

GH GRADE HIGHER SIDE OF WALL

GL GRADE LOWER SIDE OF WALL

GRT GRATE

GV GATE VALVE

HDPE HIGH DENSITY POLYETHYLENE PIPE

HP HIGH POINT

HOR HORIZONTAL

HW HEADWALL

INT INTERSECTION

INV INVERT

LF LINEAR FOOT

LOC LIMITS OF CLEARING

LOD LIMITS OF DISTURBANCE

LOS LINE OF SIGHT

LP LOW POINT

L/S LANDSCAPE

MAX MAXIMUM

MIN MINIMUM

MH MANHOLE

MJ MECHANICAL JOINT

OC ON CENTER

PA POINT OF ANALYSIS

PC POINT CURVATURE

PCR POINT OF COMPOUND CURVATURE, CURB RETURN

PI POINT OF INTERSECTION

POG POINT OF GRADE

PROP PROPOSED

PT POINT OF TANGENCY

PTCR POINT OF TANGENCY, CURB RETURN

PVC POLYVINYL CHLORIDE PIPE

PVI POINT OF VERTICAL INTERSECTION

PVT POINT OF VERTICAL TANGENCY

R RADIUS

RCP REINFORCED CONCRETE PIPE

RET WALL RETAINING WALL

R/W RIGHT OF WAY

S SLOPE

SAN SANITARY SEWER

SF SQUARE FEET

STA STATION

STM STORM

SW SIDEWALK

TBR TO BE REMOVED

TBRL TO BE RELOCATED

TC TOP OF CURB

TELE TELEPHONE

TPF TREE PROTECTION FENCE

TW TOP OF WALL

TYP TYPICAL

UG UNDERGROUND

UP UTILITY POLE

W WIDE

WL WATER LINE

WM WATER METER

+ PLUS OR MINUS

- DEGREE

Ø DIAMETER

NUMBER

MAPPED SOIL TYPES

MAP UNIT

SOIL DESCRIPTION

HYDRAULIC SOIL GROUP

K-FACTOR (WHOLE SOIL)

HYDRIC RATING

DRAINAGE CLASS

CwD CROOM-MARR COMPLEX 10 TO 15 PERCENT SLOPES

C

0.15

NON-HYDRIC

WELL DRAINED

CwE CROOM-MARR COMPLEX 15 TO 25 PERCENT SLOPES

C

0.15

NON-HYDRIC

WELL DRAINED

CwG CROOM-MARR COMPLEX 25 TO 40 PERCENT SLOPES

C

0.15

NON-HYDRIC

WELL DRAINED

CxE CROOM-MARR URBAN LAND COMPLEX, 15 TO 25 PERCENT SLOPES

C

0.15

NON-HYDRIC

WELL DRAINED

GgB GROSSSTOWN GRAVELLY SALT LOAM, 2 TO 5 PERCENT SLOPES

A

0.24

NON-HYDRIC

WELL DRAINED

GgC GROSSSTOWN GRAVELLY SALT LOAM, 5 TO 10 PERCENT SLOPES

A

0.24

NON-HYDRIC

WELL DRAINED

UdgB UDORTHENTS RECLAIMED GRAVEL PITS, 0 TO 5 PERCENT SLOPES

C

0.15

NON-HYDRIC

WELL DRAINED

WE WIDEWATER AND ISSUE SOILS, FREQUENTLY FLOODED

C/D

0.37

HYDRIC (60%)

POORLY DRAINED

REVISIONS

REV

DATE

COMMENT

DRAWN BY

CHECKED BY

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. WORK SHOWN PRIOR TO THE BEGINNING OF CONSTRUCTION SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CORRECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SPECIFICATIONS OR APPLICABLE CODES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION OF ANY FAILURE BY THE CONTRACTOR TO COMPLY WITH THE PROJECT ENGINEER'S ORAL OR WRITTEN INSTRUCTIONS. ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND ALL SPECIFICATIONS, INCLUDING ANY CHANGES, SHALL BE THE CONTRACTOR'S RESPONSIBILITY.

PRELIMINARY PLAN
OF SUBDIVISION
PPS #4-17014

FOR
LUSBYS LANE

PROPOSED
RESIDENTIAL DEVELOPMENT

LOCATION OF SITE
12117 LUSBY'S LANE
BRANDYWINE, MARYLAND 20613
PRINCE GEORGE'S COUNTY
11TH ELECTION DISTRICT
TM 135, GRID A3, PARCEL 60

LOCATION MAP

SCALE: 1" = 2000'

PLAN REFERENCE:

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PLAN REFERENCES & CONTACTS

REFERENCES

• TOPOGRAPHY:
PRINCE GEORGE'S COUNTY GIS

• BOUNDARY SURVEY:
BOHLER ENGINEERING, LLC
"TRISTATE LUSBY'S LANE" (12117 LUSBY'S LANE, BRANDYWINE, 11TH ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND)
DATED: 07/01/2017

• SOILS REPORT:
NCBS
"CUSTOM SOIL RESOURCE REPORT FOR PRINCE GEORGE'S COUNTY MARYLAND"
DATED: 08/2017

• NATURAL RESOURCE INVENTORY PLAN:
AIC INC.
"LUSBY'S LANE PROPERTY NATURAL RESOURCE INVENTORY"
DATED: 10/10/2017
APPROVAL DATE: 04/10/2019

• 100-YEAR FLOODPLAIN STUDY:
BOHLER ENGINEERING
"EXISTING 100-YEAR FLOODPLAIN - PPS# 2017229 FOR LUSBY'S LANE"
DATED: 08/27/2018
APPROVAL DATE: 12/08/2018

• UTILITIES
THE FOLLOWING COMPANIES WERE NOTIFIED BY DELMARVA MISS UTILITY SYSTEM (1-800-257-7777) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST. SERIAL NUMBER(S): 17176834, 17176845, 17176831, 17176853 & 17176857

UTILITY COMPANY

PHONE NUMBER

COMCAST-UTLILQUEST

(410) 536-0070

PERIODIC UTILITY LOCATING

(800) 554-4366

SMCO/OCCUS DAYTIME LOCATOR

(410) 712-0202

VERIZON

(410) 536-0270

WASHINGTON GAS-UTLILQUEST

(301) 210-0385

WISC - PIP/POINT LOG

(301) 658-6853

THE ABOVE REFERENCED DOCUMENTS ARE INCORPORATED BY REFERENCE AS PART OF THESE PLANS. HOWEVER, BOHLER DOES NOT CERTIFY THE ACCURACY OF THE WORK REFERENCED OR DERIVED FROM THESE DOCUMENTS, BY OTHERS.

PARCEL SUMMARY TABLE

PARCEL	DEDICATION	ACREAGE
PARCEL A	HOA	0.05
PARCEL B	HOA	0.04
PARCEL C	HOA	8.91
PARCEL D	HOA	0.66
PARCEL E	HOA	3.14
TOTAL ACREAGE		12.80
RIGHT OF WAY DEDICATION		2.84
ULTIMATE RIGHT OF WAY DEDICATION		1.85
TOTAL ACREAGE		4.69

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M-NCPPC APPROVAL

PROJECT NAME: LUSBY'S LANE

PROJECT NUMBER: 4-17014

FOR CONDITIONS OF APPROVAL, SEE SITE PLAN COVER SHEET OR APPROVAL SHEET. REVISION NUMBERS MUST BE INCLUDED IN THE PROJECT NUMBER.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PRELIMINARY PLAN PPS #4-17014

TOP

PLANNING BOARD ACTION:

PER PSCPB RESOLUTION #:

ADOPTION DATE:

SIGNATURE APPROVAL DATE:

AUTHORIZED SIGNATURE

BOHLER

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

REVISIONS

REV

DATE

COMMENT

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CHECKED BY

811

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PROJECT No.: MB152151
DRAWN BY: LAM
CHECKED BY: JD
DATE: 03/27/2020
CAD ID: PDI

PROJECT:
PRELIMINARY PLAN OF SUBDIVISION PPS #4-17014
FOR
LUSBYS LANE
PROPOSED
RESIDENTIAL DEVELOPMENT
LOCATION OF SITE
12117 LUSBY'S LANE
BRANDYWINE, MARYLAND 20613
PRINCE GEORGE'S COUNTY
11TH ELECTION DISTRICT
TM 135, GRID A3, PARCEL 60

BOHLER

16701 MOLFORD BLVD., SUITE 310
BOWIE, MARYLAND 20716
Phone: (301) 809-4500
Fax: (301) 809-4501
MD@BohlerEng.com

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

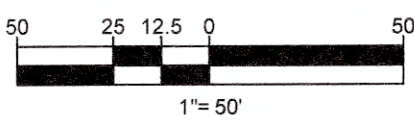
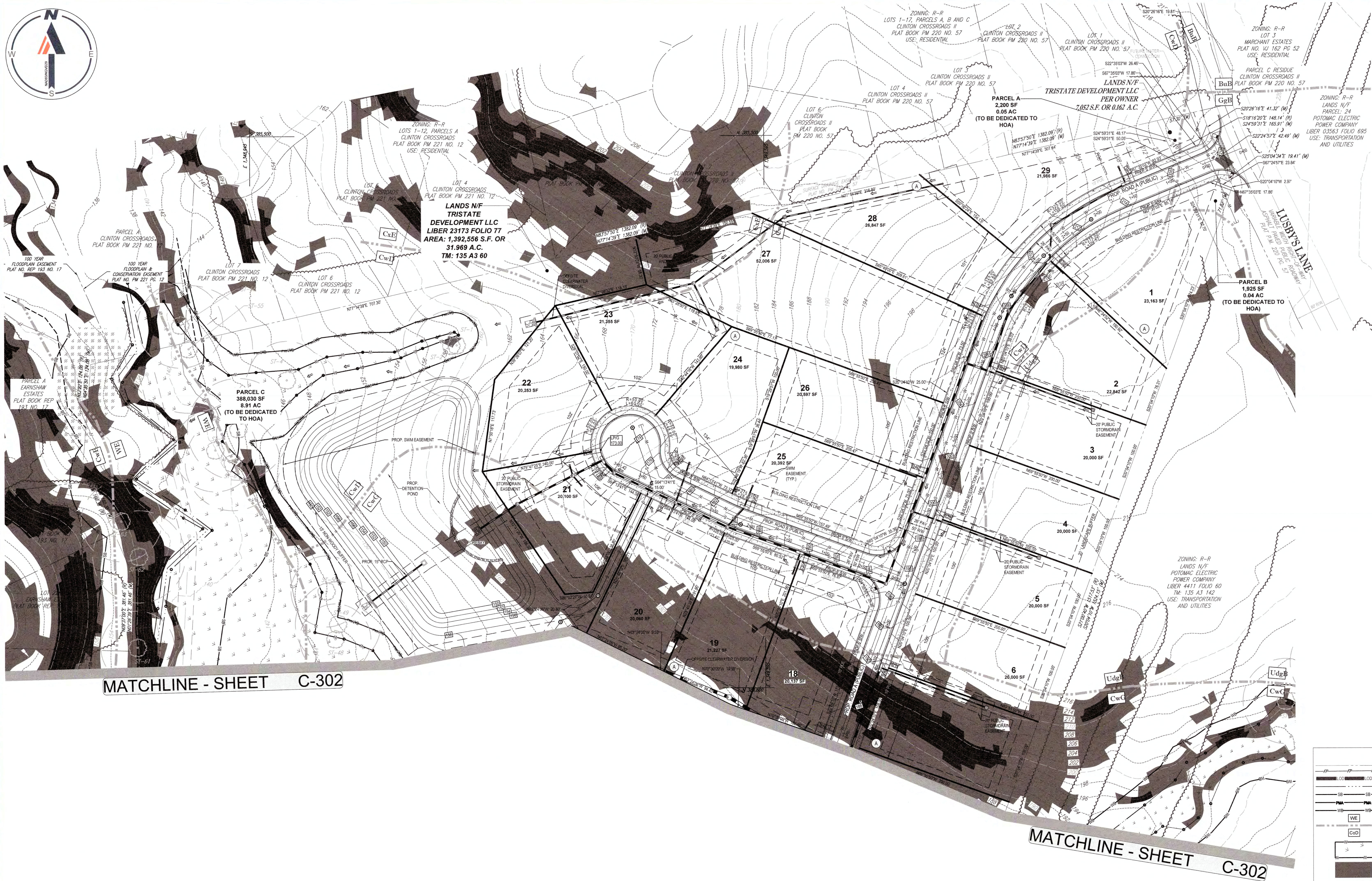
9-14-2020

SHEET TITLE:
COVER SHEET

SHEET NUMBER:
C-101

ORG. DATE: 03/27/2020

Sheet 1 of 20
DRAWING PLAN SETS PRELIMINARY PLAN SET (PPT) - LAYOUT, C-101 COVER



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<p>PROJECT NAME: LUSBSY LANE</p> <p>PROJECT NUMBER: 4-17014</p> <p>FOR CONDITIONS OF APPROVAL, SEE SITE PLAN COVER SHEET OR APPROVAL SHEET REVISION NUMBERS MUST BE INCLUDED IN THE PROJECT NUMBER</p>	

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRELIMINARY PLAN PPS.# 4-17014 _____

TCP _____


PLANNING BOARD ACTION: _____

PER PCCPB RESOLUTION #: _____

ADOPTION DATE: _____

SIGNATURE APPROVAL DATE: _____

AUTHORIZED SIGNATURE

BOHLER 

SITE CIVIL AND CONSULTING ENGINEERING

LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
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PROJECT No.:	MB15215
DRAWN BY:	LAL
CHECKED BY:	J
DATE:	03/27/2
CAD I.D.:	PF

**PRELIMINARY PLAN
OF SUBDIVISION
PPS #4-17014**

LUSBYS LANE

PROPOSED RESIDENTIAL DEVELOPMENT

LOCATION OF SITE

12117 LUSBY'S LANE
NDYWINE, MARYLAND 20

11TH ELECTION DISTRICT
M 135, GRID A3, PARCEL #

CONCLUDED

16701 MELFORD BLVD, SUITE 310
BOWIE, MARYLAND 20715
 Phone: (301) 809-4500
 Fax: (301) 809-4501
MD@BohlerEng.com



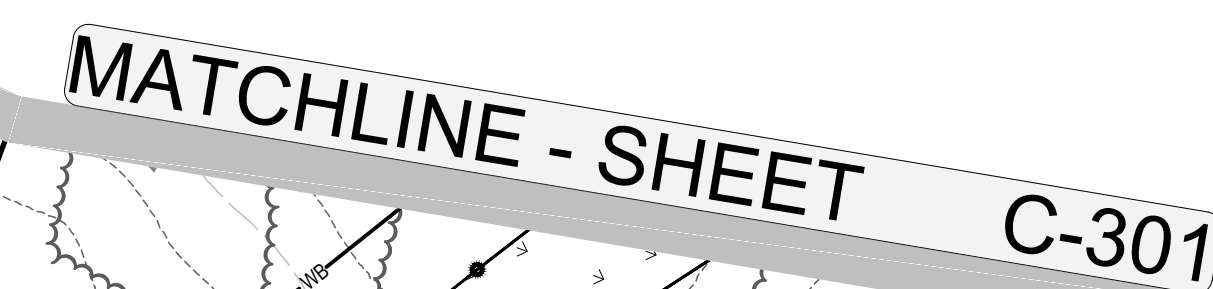
SHEET TITLE:

**PRELIMINARY
PLAN**

SHEET NUMBER: _____

C-301

ORG. DATE - 03/27/20

[illegible]

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PROJECT No.:	MB15
DRAWN BY:	
CHECKED BY:	
DATE:	03/2
OLD :	

PROJECT:

**RELIMINARY PLAT
OF SUBDIVISION
PPS #4-17014**

_____ FOR _____

LUSBYS LANE

PROPOSED
RESIDENTIAL DEVELOPMENT

LOCATION OF SITE

12117 LUSBY'S LANE
BRANDYWINE, MARYLAND 2061
PRINCE GEORGE'S COUNTY
11TH ELECTION DISTRICT
TM 135, GRID A3, PARCEL 60

BOHLER/

6701 MELFORD BLVD, SUITE 300
BOWIE, MARYLAND 20715
Phone: (301) 809-4500
Fax: (301) 809-4501
MD@BohlerEng.com



HEET TITLE:

PRELIMINARY PLAN

SHEET NUMBER: _____

C-302

ORG. DATE - 03/27/20

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PROJECT NAME: LUSBYNS LAKE	
PROJECT NUMBER: 4-17014	
<p>FOR CONDITIONS OF APPROVAL, SEE SITE PLAN COVER SHEET OR APPROVAL SHEET</p> <p>REVISION NUMBERS MUST BE INCLUDED IN THE PROJECT NUMBER</p>	

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRELIMINARY PLAN EPS # 4-177014 _____

TOP _____

PLANNING BOARD ACTION: _____

PER PCQPB RESOLUTION # _____

ADOPTION DATE: _____

SIGNATURE APPROVAL DATE: _____

AUTHORIZED SIGNATURE

Aug 19, 2020
 15MB152151DRAWINGS/PLAN SETS/PRELIMINARY PLAN/MB152151PP1----->LAYOUT: PP5 - C-302

Lusby's Lane
Residential Subdivision Development
May 06, 2020
Letter of Justification re: Existing/Proposed Impacts to
Environmental Regulated Features
Preliminary Plan # 4-17014, TCP # TBD

INTRODUCTION

The site (the "Property") is located in Brandywine, Prince George's County. It is bordered by Lusby's Lane to the east, the existing Clinton Acres Residential Subdivision to the north, two existing Residential Subdivisions (Loveless Estates and Earnshaw Estates to the west and an existing undeveloped property to the south. The overall property consists of 37.54± acres of land.

The site contains several areas of steep slopes and is largely forested. At this time, there is a Master Plan Road named "Shady Oak Parkway" that is proposed that impacts the property per PGAtlas. With this proposal, the ultimate 80' right of way will be dedicated for Shady Oak Parkway. A Natural Resources Inventory (NRI-181-2017) was approved on April 6, 2019 and identifies 36.57 acres of woodland and 124 specimen trees on or adjacent to the property.

Per the delineation reflected in the approved Natural Resources Inventory, the property contains approximately 37.54 acres +/- defined as Primary Management Area (PMA). An area of 9.96 acres of PMA was approved with the Natural Resource Inventory. The proposed Preliminary Plan of Subdivision and Type I Tree Conservation Plan reflect a total of 0.14 acres of onsite and offsite PMA impact.

The impacts required for the similar reasons as most residential development projects – master plan road and trail dedication, stormwater outfalls and utility connections for sewer. The total of these impacts is within normal parameters of projects of this size. Further discussion of this area will be provided below.

Please note that the Preliminary Plan and the TCP1 contain a note that states "The limits of disturbance shown are conceptual and do not depict approval of any impacts to regulated features."

This application requests approval of 2 impacts to the Primary Management Area (PMA). The total of PMA impact proposed is 5,968 S.F. (0.14 acres) for the Lusby Lane Site. It is anticipated that the PMA impacts located outside of the currently depicted limit of disturbance at the time of the Preliminary Plan, will be required at the time of the future phase. Modifications to

those impact areas/if necessary, will be provided with the DSP for that phase. Justification and specific reasons for each impact is provided below.

A total of PMA impact for the required Shady Oak Parkway Master Plan Road and Trail and associated road improvement from westerly property line to the easterly property line adjacent to the property owned by PEPCO is 70,176 S.F. (1.61 acres). A total of 76,144 S.F. (1.75 acres) of PMA Impact is proposed which includes Lusby Lane Site PMA Impacts and Shady Oak Parkway Master Plan Road PMA Impacts.

Included in this justification are exhibits of the current proposed impacts and exhibits of previously approved impacts. We have also included a copy of the PMA disturbance sheet from the MDE impact exhibits which reflects the requested impact areas.

SPECIFIC IMPACTS

All of these impacts are minimal and necessary for the installation of required infrastructure and improvements to the stream channel.

PMA Impacts			
Impact ID	Purpose (Same Locations as PMA Impacts)	Proposed Impact (Sq. Ft.)	Proposed Impact (Ac.)
1	Utility Connection - Sanitary Sewer	5,968	0.14
2	Proposed Shady Oak Master Plan Road and Trail Impacts	70,176	1.61
Total		76,144	1.75

TECHNICAL MANUAL

The Prince George's County Subdivision Regulations and Zoning Ordinance require that streams and their associated PMA be preserved to the "fullest extent possible." The Environmental Technical Manual (Page C-2) includes the following:

"The determination of 'fullest extent possible' is a three-step process that starts with avoidance of impacts. Then, if the impacts are unavoidable and necessary to the overall development of the site (as defined below) and cannot be avoided, the impacts must be minimized. In the third step, if the cumulative, minimized impacts are above the designated threshold, then mitigation is required for the impacts proposed.

"Where properties are located in the Developed Tier or a designated center or corridor, impacts to regulated environmental features may be considered where needed to accommodate planned development on constrained sites. Such impacts may include allowing impervious surfaces to remain within the buffer or the placement of structures within a currently unvegetated buffer. Preservation of existing vegetated buffers will be a priority."

THREE STEP PROCESS

The Prince George's County Technical Manual on Page C-2 identifies a three step process for determining the appropriateness of impacts to regulated environmental features. The three steps are:

- 1. Avoidance: Can the impacts be avoided by another design? Are the road crossings as shown necessary for the reasonable development of the property? Is it necessary to place the utilities within the boundaries of the regulated environmental features?**

When designing a site, the first step is to prepare a natural resource inventory (NRI) to determine the locations of regulated environmental features. The NRI is then used as the base map to start laying out the proposed development. The next step is to prepare a draft plan that shows no impacts to regulated environmental features.

If this design does not result in a development plan that allows for the reasonable use and orderly and efficient development of the subject property, or does not adequately provide for the health, safety, and welfare of county citizens, then impacts can be considered.

RESPONSE: In general, the revised layout has been shaped to avoid disturbance to the PMA, and thus a small percentage of the total PMA is proposed to be impacted. The impacts shown are required to provide necessary infrastructure such as the potential clearing for the expansion to the master planned road, trail connections as required by the Master Plan and previous approvals, stormwater management outfalls and utility connections. The existing sewer line runs from North to South along the west side of the project. Both existing lines are within the PMA. Thus, it is necessary for these impacts to connect to the sewer line. The applicant is required to dedicate for the Shady Oak Master Plan ROW. Lastly, per the Adopted and Approved Approved Subregion 5 Master Plan, a master plan trail is required along the Shady Oak Master Plan ROW. As this trail is adjacent to a stream valley trail, it will likely be located within the PMA.

- 2. Minimization: Have the impacts been minimized? Are road crossings placed at the point of least impact? Are the utilities placed in locations where they can be paired or grouped to reduce the number of different locations of impacts? Are there alternative designs that could reduce the proposed impacts?**

Minimization of impacts to regulated environmental features may include placing a road crossing or utility at the narrowest point of the PMA; the use of retaining walls instead of extending the grading; bridging instead of constructing a culvert; placing required infrastructure elements together in one location instead of placing each one individually; and, where appropriate, obtaining waivers from County Code with regard to required side slopes or road cross-sections as appropriate and as approved by the regulating agency.

Temporary impacts to regulated environmental features may be necessary for certain temporary erosion and sediment controls that cannot be designed in any other way. These impacts may be supported if the area is restored. All erosion and sediment control structures, such as ponds and collecting basins, shall be placed outside regulated environmental features. Temporary impacts and the proposed restoration must be shown on the associated tree conservation plan.

RESPONSE: There are zero impacts related to stormwater outfalls. The outfall pipe inverts and slopes may be modified based on forthcoming Site Development Plan and PGSCD approval, therefore outfalls may need to encroach into the PMA through the technical permitting process. Per the design currently proposed and submitted to DPIE for approval, these areas have been minimized so that the total of all impacts is 0.00 acres.

Connections to the existing sewer account for 0.14 acres of impact. This one area of impact will be temporary for the installation of the sewer line. These areas will be restored after installation.

One Master Plan Road roadway connections may be required to be dedicated but this roadway access is not required to access the majority of the parcel nor is it required based on an increase of traffic based on dwelling units proposed. This roadway connections requires 1.61 acres of impact. This area will be permanent due to the installation of proposed box culverts (by others) to convey the stream.

The alignment of the Shady Oak Parkway Master Plan Road and adjacent Master Plan Trail is based on information derived from PGAtlas. The dedication is required to be 80' wide. Grading will be held as tight as possible to avoid any additional disturbance.

3. Mitigation: For areas of significant impacts, has a mitigation package been proposed to provide an equal or better trade-off for the impacts proposed?

“Mitigation” means the design and installation of measures to enhance, restore, or stabilize existing environmentally degraded streams and/or wetlands to compensate for proposed impacts. Mitigation shall be required for significant impacts to regulated streams, wetlands, and 100-year floodplains. Significant impacts are defined as the cumulative impacts that result in the disturbance on one site of 200 or more linear feet of stream beds or one-half acre of wetland and wetland buffer area. Stream or wetland restoration, wetland creation, or retrofitting of existing stormwater management facilities that are not required by some other section of County Code may be considered credit as mitigation. The amount and type of mitigation shall be at least generally equivalent to, or a greater

benefit than, the total of all impacts proposed, as determined by the Planning Board.

RESPONSE: The PMA impacts proposed are minor in nature. There is 0.00 acres of wetland impact, 0.00 acres of wetland buffer impact and 0.00 acres of stream impact proposed that will be disturbed temporarily for the installation of sewer lines.

There is 0.14 acres of wetland disturbance, 0.03 acres of wetland buffer and 0.00 acres of proposed impact to the stream bed through permanent disturbance for the installation of sewer lines.

In addition, 1.00 acres of wetland disturbance and 0.18 acres of wetland buffer and stream centerline realignment is required for the dedication of the Shady Oak Parkway, from the westerly property line to the easterly property line adjacent to the land owned by PEPCO.

In addition, the amount of impact is very small based on the size of this property. The total area of impact to wetlands, wetland buffers and stream beds is less than 4.79 % of the entire site area. Thus, it is our opinion, that these impacts are not significant and that mitigation should not be required.

CONCLUSION

The proposed impacts satisfy the first two criteria for approval found in the Technical Manual: Avoidance is not entirely possible given the location of the PMA. The Shady Oak Parkway Master Plan Road lies partially within the PMA, as do the existing sewer lines that run through the site. The overall impact proposed in this application to the PMA is approximately 17.57 % of the entire PMA located on the property, which means that we propose saving over 8.21 acres of PMA. For the necessary disturbances, all efforts to minimize the area of disturbance has been made. All temporary impacts will be returned to previous conditions. Given the need to provide necessary infrastructure, and the relatively small incursion into the PMA for Stormwater Management Outfalls, the proposed development preserves the PMA to the fullest extent possible. Proposed impacts are minimal and should not trigger a need for mitigation. Given these findings, we respectfully request approval of these impacts.

Prepared by:



Christopher Rizzi, PLA

Bohler Engineering

Lusby's Lane
Residential Subdivision Development

May 06, 2020

Letter of Justification re: Variance to Remove Specimen Trees

Preliminary Plan # 4-17014, TCP # TBD

INTRODUCTION

The site (the "Property") is located in Brandywine, Prince George's County. It is bordered by Lusby's Lane to the east, the existing Clinton Acres Residential Subdivision to the north, two existing Residential Subdivisions (Loveless Estates and Earnshaw Estates to the west and an existing undeveloped property to the south. The overall property consists of 37.54± acres of land.

The property is largely forested and has several areas of steep slopes. The site contains streams, wetlands and areas of 100-year floodplain. There is an expanded Primary Management Area due to Wetlands of State importance. The property contains approximately 9.96 acres +/- defined as Primary Management Area (PMA). At this time, there is a Master Plan Road named "Shady Oak Parkway" that is proposed that impacts the property per PGAtlas. With this proposal, the ultimate 80' right of way which is proposed to be dedicated for Shady Oak Parkway. A Natural Resources Inventory (NRI-181-2017) was approved on April 6, 2019 and identifies 36.57 acres of woodland and 124 specimen trees on or adjacent to the property.

NATURE OF THE REQUEST

The nature of the request is approval of a Variance to remove twenty-three (23) specimen trees.

Trees Proposed for Removal:

Tree Number	Tree Name	DBH	Condition Rating
3	Sycamore	34	Fair; Vines
8	Tulip Poplar	30	Good
9	Tulip Poplar	34	Good
10	Tulip Poplar	44	Poor
11	Tulip Poplar	37	Fair
12	Tulip Poplar	39	Good
13	Tulip Poplar	30	Good
14	Tulip Poplar	34	Good
15	Tulip Poplar	34	Fair
16	Tulip Poplar	30	Good
17	Tulip Poplar	47	Fair
18	Tulip Poplar	30	Fair
19	Tulip Poplar	37	Fair

20	Tulip Poplar	30	Good
21	Tulip Poplar	31	Good
22	Red Maple	33	Fair
23	Tulip Poplar	32	Good
25	Tulip Poplar	47	Good
30	Tulip Poplar	32	Good
47	Sycamore	30	Fair; Vines
51	Sycamore	31	Split
52	Sycamore	31	Split
53	Sycamore	47	Split

The twenty-three (23) trees are spread over the Property and their removal is critical to the development. Section 25-122(b)(1)(G) requires the preservation of specimen trees. There are six sub-categories of our request. Descriptions of the reasons for removal are outlined.

The area on which Trees 15,16,17,18, 19,20, 21 & 23 are located is proposed for roads and single family detached buildings of the proposed residential development and thus are impacted by the proposed development.

The area on which Trees 14, 22, 23 & 47 are located is proposed for qualitative control of SWM required for the proposed residential development and thus are impacted by the proposed development. Qualitative Controls for SWM improve water quality by reducing pollutants in stormwater runoff from impervious surfaces. These ESD practices are critical to meeting EPA pollutant reduction goals for the county and state through the Municipal Separate Storm Sewer System Program (MS4) Stormwater Program.

The area on which Trees 3,8,9,10,11,12,51,52 & 53 are located is proposed for quantitative control of SWM required for the proposed residential development and thus are impacted by the proposed development. Quantitative Controls for SWM improve downstream flooding conditions and prevent erosion in protected environmental stream valleys. This stormwater detention is critical to alleviate downstream flooding conditions and is required per DPIE Site and Road Division. This detention strategy is also currently in review for Site Development Concept Plan approval.

The area on which Tree 13, 23 & 25 are located is now proposed for a sanitary sewer main and thus are impacted by the proposed development.

Tree 30 is within the Shady Oak Parkway right of way dedication as required by the Master Plan. Additionally, the adjacent Master Plan Trail to run along the Shady Oak Parkway would potentially impact Tree 30. As this tree cannot be retained with the proposal of this trail, we are requesting that these trees be granted a variance for removal. The road and trail has been designed to minimize the number of trees impacted. As the trail design is finalized, we will work with Parks department and Environmental Planning Section to minimize the disturbance of additional trees along the trail.

(G) 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 Technical Manual.

A variance to Section 25-122(b)(1)(G) is required to allow removal of these twenty-three (23) specimen trees.

REQUIRED FINDINGS

Section 25-119(d) sets forth the following requirements for approvals of variances to requirements of Subtitle 25 – Trees and Vegetation.

(d) Variances

(1) An applicant may request a variance from this Division as part of the review of a TCP where owing to special features of the site or other circumstances, implementation of this subtitle would result in unwarranted hardship to an applicant. To approve a variance, the approving authority shall find that:

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

RESPONSE: There are several conditions on this site which limit the area available for development. Over 26% of this site is within the Primary Management Area, and thus unable to be developed. The site contains steep slopes, which creates the need for additional grading to mitigate slope failure. With over one hundred twenty-four (124) specimen trees scattered throughout the property, the necessity to remove some of these is necessary for any amount of development. A Master Plan road, Shady Oak Parkway, must be dedicated and the potential exists for it to be cleared for future construction (by others) as part of this development. In addition, a Master Plan trail is proposed as required along the Shady Oak Parkway.

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

RESPONSE: The applicant is seeking to develop this property as is allowed per zoning, and PPS approval. The property is zoned R-R. In addition, the property is required to dedicate land for a Master Plan Road and Master Plan Trail.

Enforcement of these rules, given the unique characteristics of the property, would deprive the applicant of the right to develop the property in a similar fashion to other properties in the immediate area. The alignment of Shady Oak Parkway is partially based on GIS Records. There is no recorded right of way for Shady Oak Parkway and

per PGAtlas the dedication is 80' wide and proposed to be dedicated. Grading will be held as tight as possible to avoid any additional disturbance.

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

RESPONSE: Similar to the Finding (B) above, the variance confers no special privileges on the applicant that would be denied to other applicant. This Property is in an area planned for residential development. Special circumstances exist on the property, including the master plan road dedication, master plan trail requirements, topography, soils, wetlands, streams and floodplain. The variance is necessary if the applicant is to be permitted to develop the Property in a similar fashion to other properties in the area, and bring the County's plan for the larger area to fruition. It allows development to proceed with similar rights afforded to others to the nearby properties, not with special privileges.

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

RESPONSE: The request is based on requirements for the master plan road and trails, and thus is not a result of actions 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

RESPONSE: The request is based solely on the conditions existing on the Property and has nothing to do with land or building use on neighboring properties.

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

RESPONSE: Impact on water quality for the development of this project will be controlled by the stormwater management facilities proposed onsite. A Stormwater Concept Plan, # 55840-2017 is filed for review. There is no evidence that the removal of these twenty-three (23) isolated specimen trees in an area approved for development will have any impact on water quality.

CONCLUSION

Section 25-119(d)(4) states that variance granted under these findings are not to be considered zoning variances. They are specific variances meant to recognize special circumstances relating to the removal of specimen trees only. In this case, there are special circumstances relating to the property, including master plan road dedication, master plan trail requirements, steep topography and a large amount of Primary Management Area. The request for twenty-three (23) trees to be removed satisfies all of the required findings for approval. We hereby respectfully request approval.

Prepared by:

A handwritten signature in blue ink, appearing to read "Chris Rizzi", is written over the printed name.

Christopher Rizzi, PLA

Bohler Engineering