



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 15-62

File No. TCP2-008-2015

## RESOLUTION

WHEREAS, John P. Denison is the owner of a 98.79-acre property consisting of Parcel 90, Tax Map 152, Grid F4 and known as 2807 Accokeek Road, Maryland located in the 5th Election District of Prince George's County, Maryland, and being zoned R-A; and

WHEREAS, on April 16, 2015, John P. Denison filed an application for approval of a Type 2 Tree Conservation Plan for the purpose of establishing a woodland conservation bank; and

WHEREAS, the application for approval of the aforesaid Type 2 Tree Conservation Plan TCP2-008-1015 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 June 25, 2015, for its review and action in accordance with the Woodland and Wildlife Habitat Conservation Ordinance, Subtitle 25, Division 2, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with no conditions; and

WHEREAS, on June 25, 2015 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 Section 27-548.11 of Subtitle 25, Division 2, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 2 Tree Conservation Plan TCP2-008-2015 with no conditions.

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

### BACKGROUND

1. **Request:** The purpose of the subject application is to approve a specialized TCP2 for establishing a woodland conservation bank on a property with an existing Historic Agricultural Resources Preservation Program easement granted to the Prince George's County Planning Board.
2. **Location:** The subject site is located on the south side of Accokeek Road approximately 0.75 mile east of Sharperville Road.
3. **Site Description:** The subject site is a 98.79-acre parcel located in the Rural-Agricultural (R-A) Zone. Perpetual protection of 22.66-acres of existing woodlands on the site is proposed to be used

as off-site woodland conservation credits for the benefit of developing sites in Prince George's County.

4. **Surrounding Uses:** The site is surrounded by properties in the R-A zones. To the south of the site are three residential lots. On the west side of Croom Station Road opposite this site, is a large parcel, Mattawoman Creek, and Charles County. On the west side of the site is a golf course, identified as the Southview Golf Course Subdivision. To the north and east of the property are small farming operations interspersed with single-family residences.
5. **Previous Approvals:** The Environmental Planning Section previously reviewed an NRI for the subject property (NRI-076-2015) which was approved on April 25, 2015.

On March 9, 2012, the Planning Board purchased a HARPP easement on the 98.79-acre property which is subject of the current application, from John P. Denison for the sum of \$854,810.30, which is recorded in the County Land Records at Liber 33460, Folio 037.

6. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (2010):** A Type 2 tree conservation plan for woodland conservation banking, TCP2-008-15, has been reviewed for this site. The gross tract area of the site is 98.79 acres with 22.43 acres of 100-year floodplain, resulting in a net tract area of 76.36 acres. There are a total of 23.17 acres of existing on-site woodlands, which is categorized as four stands. Stand 'A' consists of an immature stand of mixed hardwoods and is 2.66 acres in size. This stand has a medium rating with respect to forest habitat values, and the overall retention potential is considered to be medium. Stand 'B' is a 7.83-acre stand of immature upland hardwoods. This stand has a high rating for forest habitat values, and the overall retention potential is also considered to be high. Two specimen trees were identified within the limits of this stand. Stand 'C' is a 13.78-acre stand of immature upland hardwoods. This stand has a medium rating for forest habitat values, and the overall retention potential is also considered to be medium. Stand 'D' is a 4.32-acre stand of immature upland hardwoods. This stand has a high rating for forest habitat values, and the overall retention potential is also considered to be high.

No development activity is proposed on the subject property, so there are no on-site requirements, and any woodland conservation credits can be transferred to development projects with unmet woodland conservation requirements. The TCP2 proposes to provide 22.66 acres of off-site upland woodland conservation in preservation. The application complies with the requirements of the current Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.

7. **Part A. Woodland and Wildlife Habitat Conservation Technical Manual; Environmental Technical Manual (2010):** The application complies with the applicable requirements of the Woodland and Wildlife Habitat Conservation Technical Manual; Environmental Technical Manual (2010).

8. **Subtitle 29, Division 9. Historic Agricultural Resource Preservation Program (CB-24-2007);**  
At the time of conveyance of a HARPP easement to the Prince George's County Planning Board, the site was not subject any encumbrance which extinguished development rights on the subject property, nor encumbered by a tree conservation easement or other easement which would prevent the property from being developed. The site was found eligible to participate in the HARPP program under the criteria of the ordinance. The additional protection of woodlands on this site provided under woodland conservation banking is highly consistent with the purposes of the HARPP program listed above. The application complies with the applicable requirements of Subtitle 29, Division 9. Historic Agricultural Resource Preservation Program (HARPP);
9. **Regulations for the implementation of the "Historic Agricultural Resource Preservation Program" or "HARPP."** In 2008 the Planning Board adopted regulations for the implementation of the HARPP program. The application complies with the applicable language of the HARPP Easement on the property which was conveyed to the Planning Board on March 9, 2012, and recorded in the Prince George's County land records at L.33460 F. 037. Approval has been granted by the Prince George's County Soil Conservation Board of Supervisors for establishment of an off-site woodland conservation bank on the condition that no cropland will be taken out of production. The current agricultural practice on the site is small crop rotation.
10. **Planning Board Findings and Comments from Other Entities**
  - a. **Historic Preservation**—The Planning Board found because of its status as an easement property within HARPP, the proposed Type 2 Tree Conservation Plan TCP2-008-2015, Denison Property Woodland Conservation Bank #2, is subject to review by the Historic Preservation Section of The Maryland-National Capital Park and Planning Commission. The subject property is not located within a registered historic district. The nearest designated Prince George's County Historic Site is located over a mile away from the subject property. The proposed woodland conservation bank will not have an impact on any historic sites, resources, or known archeological sites or resources in Prince George's County.
  - b. **Subdivision**—The Subdivision Review Section determined that Parcel 90 was a legal parcel, and that there are no subdivision issues at this time.
  - c. **Community Planning**—The Community Planning Division was conferred with and determined that the proposal was consistent with the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment*, the 2012 *Adopted and Approved Priority Preservation Area Functional Master Plan*, and the 2005 *Approved Countywide Green Infrastructure*.
  - d. **Department of Parks and Recreation**—DPR had no comment on the proposed woodland conservation bank which is consistent with the Land Preservation, Parks, and Recreation Plan.

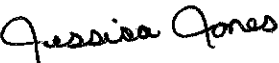
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action may be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Shoaff, and Hewlett voting in favor of the motion, and with Commissioner Geraldo opposing the motion at its regular meeting held on Thursday, June 25, 2015, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of July 2015.

Patricia Colihan Barney  
Executive Director

  
By Jessica Jones  
Planning Board Administrator

PCB:JJ:KF

APPROVED AS TO LEGAL SUFFICIENCY

  
M-NCPPC Legal Department

Date

6/30/15