

R E S O L U T I O N

WHEREAS, a 14.50-acre parcel of land known as Parcels 29 and 177 (Lot 2, NLP97@50), Tax Map 37, B-1, said property being in the 14th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on June 27, 2005, Regal Development, LLC filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 19 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-05033 for Pheasant Ridge 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 December 8, 2005, 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 December 8, 2005, 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/92/04), and further APPROVED Preliminary Plan of Subdivision 4-05033, Pheasant Ridge for Lots 1-19 with the following conditions:

1. Prior to signature approval of the preliminary plan, the TCPI revised be as follows:
  - a. Include a separate column in the specimen tree table as to the proposed disposition of the 26 trees and related comments as to special preservation treatments recommended.
  - b. Update the legend with the same specimen tree symbol shown on the plan.
  - c. Provide the critical root zone symbol for each specimen tree within 100 feet of the proposed limits of disturbance.
  - d. The last sentence in TCPI Note 6 should read: "It is understood that conceptual design plans for stormwater management will be approved prior to the approval of Preliminary Plan 4-05033."
  - e. The three woodland treatment areas shown as "woodland conservation areas" must be labeled "woodland preservation areas."

- f. Show the existing tree line on proposed Lot 8 so this feature is legible.
  - g. Revise the worksheet to show 0.80 acre of fee-in-lieu.
  - h. After these revisions have been made, have the qualified professional who prepared the plan sign and date it.
  - i. Prior to signature approval of the preliminary plan, the TCPI shall be revised to correctly show the locations of all the required stormdrain easements and dry wells on each lot to ensure there are no conflicts with proposed woodland conservation treatment areas. All such easements must be labeled for their intended use.
2. Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/92/04). The following note shall be placed on the final plat of subdivision:
- “Development is subject to the restrictions shown on the approved Type I Tree Conservation Plan (TCPI/92/04), or as modified by the Type 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/Tree Preservation Policy.”
3. Prior to signature approval of the preliminary plan, justification shall be provided for the placement of the noise contour as shown on the preliminary plan, or the noise contour shall be revised to be placed 100 feet from the centerline of the railroad tracks across the rears of Lots 12-19.
4. Prior to approval of the final plat of subdivision and/or any disturbance occurring on this property, the applicant shall submit a final Phase I archeological investigation, and if determined to be needed by Planning Department staff, a Phase II and Phase III investigation. If necessary, the final plat shall provide for the avoidance and preservation of the resources in place or shall include plat notes to provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines.
5. Prior to the issuance of a grading permit for the development, A public safety mitigation fee shall be paid in the amount of \$71,820 (\$3,780 x 19 dwelling units). Notwithstanding the number of dwelling units and the total fee payments noted in this condition, the final number of dwelling units shall be as approved by the Planning Board and the total fee payment shall be determined by multiplying the total dwelling unit number by the per unit factor noted above. The per unit factor of \$3,780 is subject to adjustment on an annual basis in accordance with the percentage change in the Consumer Price Index for all urban consumers. The actual fee to be paid will depend upon the year the grading permit is issued.

6. The applicant and the applicant's heirs, successors, and/or assigns shall provide the following:
  - a. A standard sidewalk along the subject site's entire frontage of Old Fletchertown Road, unless modified by DPW&T.
  - b. Standard sidewalks along at least one side of all internal roads, unless modified by DPW&T.
7. At the time of final plat, the applicant shall show the realignment of C-44 and preserve the small triangular portion of Lots 18 and 19 for dedication upon demand by the Department of Public Works and Transportation.
8. The applicant shall be responsible for the following improvements as required or modified by DPW & T:
  - a. Full frontage improvements and right-of-way dedication for Old Fletchertown Road in accordance with DPW & T's standard for an urban secondary residential road, including a street grade establishment plan for Old Fletchertown Road.
  - b. Reservation of land for realignment of Chestnut Avenue per the master plan.
  - c. Improvements to the property frontage on Old Fletchertown Road, which shall include road widening, curb and gutter, a closed storm drainage system, street trees and lighting. Resurfacing of the full width of Old Fletchertown Road along the property frontage is also required.
  - d. Improvements to Old Fletchertown Road from the property boundary to Fletchertown Road including base repairs, full width mill and overlay, curb and gutter and a closed drainage system.
9. Units on Lots 7 and 10 shall be oriented towards each other and the driveways (as shown on the plan) to provide privacy and maximum rear yard depth.

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 site is located on the north side of Old Fletchertown Road, approximately 500 feet west of High Bridge Road.
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)	Single-Family Residences	Single-Family Residences
Acreage	14.5	14.5
Lots	1	19
Outlots	0	0
Parcels	2	0
Dwelling Units	2 (to be removed)	19

4. **Environmental**—There are no regulated environmental features present on the site. Some areas of steep and severe slopes (15 percent to 25 percent and 25 percent and greater, respectively) are present; however, highly erodible soils are not associated with the steep slopes. One soil series, Sassafras, is present at the site, including four types within this series. This soil series has a K-factor of 0.20. Development constraints associated with these soils are limited to areas where ponds and reservoir sites exist that are prone to seepage. Based on available information, Marlboro clays are not found at this location. One significant source of transportation-related noise abuts the east property line: the active Conrail commercial railroad tracks. There are no scenic or historic roads in vicinity of this site. According to the Maryland Department of Natural Resources Heritage Program publication entitled “Ecologically Significant Areas in Anne Arundel and Prince George’s Counties,” December 1997, rare, threatened and endangered species are not found in the vicinity of this site. According to the 2005 adopted Countywide Green Infrastructure Plan (GI Plan), the site has a network gap element along the northern portion in relation to the Conrail tracks. The property is in the Newstop Branch watershed of the Patuxent River basin; the Bowie and Vicinity Planning Area, and the Developing Tier of the 2002 adopted General Plan.

### **Natural Resources Inventory**

The preliminary plan has a signed natural resources inventory (NRI) that was included with the application package. The TCPI and the preliminary plan show all the required information correctly.

According to the NRI, the site has two forest stands (Stands A and B-1/B-2) with Stand B having two parts to it. Each stand has 2.4, 5.8 and 1.1 acres, respectively, for a total of 9.3 acres of existing woodland. There are a total of 26 specimen trees found at the site. Stand A comprises approximately 2.4 acres of mixed hardwoods, dominated by yellow poplar and sweetgum. Stand A is located in the southeast portion of the site and contains 11 of the 26 specimen trees. This stand was rated as a “priority” save area based on two factors: first, it is a mixed-hardwood forest with approximately 400 trees per acre, and because of the number of specimen trees located in it.

Stand B is a mixed-hardwood forest dominated by southern red and scarlet oaks. Fourteen of the 26 specimen trees are located in Stand B. This stand received a “good” rating because it contains

many specimen trees. The rating may have been higher except that the stand lacks significant environmental features such as streams and wetlands.

From a design perspective, the woodlands that are most desirable for preservation are located along the Conrail railroad tracks. These woodlands are proposed to be preserved, providing screening from the railroad tracks.

### **Countywide Green Infrastructure Plan**

One element of the Countywide Green Infrastructure Plan (GI Plan) is associated with this site. Approximately one-fourth of the site in the north and northeast portion is within a network gap. In the GI Plan, network gaps are defined as areas that are critical to the connection of the regulated and evaluation areas and are targeted for restoration to support overall functioning and connectivity of the green infrastructure network. To implement the GI Plan at this location the preservation offpriority woodlands along the north and northeast portion of the site will expand an existing woodland area in this vicinity. According to the GI Plan, properties north of the subject site contain regulated and evaluation areas. The proposed design of the plan for woodland conservation on the rear of lots adjacent to the Conrail tracks is consistent with the goal of the GI Plan.

### **Woodland Conservation**

The site is subject to the Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of woodlands on site. A Type I Tree Conservation Plan (TCPI/92/04) was submitted for review with the subject application.

This 14.5-acre site has a woodland conservation threshold (WCT) of 2.9 acres or 20 percent of the net tract area. The site has 9.32 acres of existing woodland and no areas of 100-year floodplain. The woodland conservation requirement for this site is 4.23 acres. A total of 4.61 acres of woodland conservation will be provided through 3.81 acres of woodland preservation and 0.8 acre of on-site reforestation/replacement. In a conventional lot design the woodland conservation threshold is met on site through the preservation of priority woodlands on steep and severe slopes.

The revised TCPI has been reviewed and revisions are necessary in order to comply with the requirements in the ordinance. The specimen tree table does not contain information in a separate column as to the proposed disposition of the 26 trees, nor does it contain related comments as to special preservation treatments recommended. The legend has a different symbol for specimen trees than the symbol shown on the plan for this feature. Several specimen trees are within 100 feet of the proposed limits of disturbance. The plan does not show the critical root zone for each specimen tree within 100 feet of the limits of disturbance. Not all of the required language in TCPI Note 6 has been shown. The last sentence in the note should read: "It is understood that conceptual design plans for stormwater management will be approved prior to the approval of Preliminary Plan 4-05033." Three proposed woodland treatment areas are shown on the plan as "tree conservation areas" and these must be relabeled "woodland preservation areas." The existing tree line on proposed Lot 8 is not legible.

The proposed 0.8 acre of reforestation is shown on Lots 1-7. The current TCPI shows increased house footprints on Lots 2, 3, 5 and 6 with cleared rear yards of less than 40 feet from the back of the proposed houses to the outer edge of the reforestation area. Because the reforestation area is less than 1.0 acre and two flag lots are proposed (Lots 8 and 9), the TCPII should show the site's requirement as being met with 0.8 acre of fee-in-lieu instead of reforestation. In addition, this area is so steep that stabilization using grass species will be required by the on-site inspector. These grasses will compete with any proposed reforestation areas to the point where it will be extremely difficult for the trees to survive. The area of replanting also does not meet the intent of the Woodland Conservation Ordinance because it is so small as to be insignificant and because it is a fragment that has no connectivity to other protected areas. After these revisions have been made, the qualified professional who prepared the plan shall sign and date it.

#### **Noise**

The existing railroad will generate episodic transportation-related noise impacts that affect the lot layout and design. Seven lots along the east property line back up to the railroad tracks (proposed Lots 13-19). At its farthest point from the tracks, the 65 dBA Ldn contour is located approximately 100 feet from the centerline. On Lot 13 the contour is shown approximately 50 feet from the centerline. There is no justification provided in the application for this reduction in the placement of the contour. It should be noted that even if the contour is placed 100 feet from the centerline on all lots, the outdoor activity areas located behind each house are not affected..

#### **Water and Sewer Categories**

The water and sewer service categories are W-4 and S-4, according to water and sewer maps dated June 2003 obtained from the Department of Environmental Resources, and the site will, therefore, be served by private systems.

5. **Community Planning**—The property is in Planning Area 71A/Community V. The 2002 General Plan places the subject property in 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. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier. The site is subject to the recommendation of the 1991 Bowie-Collington-Mitchellville and Vicinity Master Plan, which calls for low-suburban densities of 2.17 dwelling units to the acre. This application conforms to the recommendations found in both of these documents.
6. **Parks and Recreation**—Pursuant to Section 24-134(a) of the Subdivision Regulations, the Park Planning and Development Review Division recommends that the applicant pay a fee-in-lieu of the mandatory dedication of parkland requirements for this application because the land available for dedication is unsuitable due to its size and location.
7. **Trails**—There are no master plan trails issues identified in the adopted and approved Bowie-Collington-Mitchellville and Vicinity Master Plan that impact the subject site. The

Planning Board has recently adopted the new Bowie and Vicinity Master Plan. This plan designates realigned Chestnut Avenue/High Bridge Road as a master plan bicycle/pedestrian corridor. The planning charrette for the Bowie plan that was held in fall 2004 identified Chestnut Avenue as an important corridor for bicyclists and pedestrians because it provides access from Old Town Bowie to the existing WB&A Trail. Access along existing Chestnut Avenue is impeded due to the lack of sidewalks and/or paved shoulders. However, at the time the road is realigned, it is anticipated that accommodations for pedestrians and bicyclists will be provided.

It should be noted that the subject site abuts the City of Bowie's Tanglewood Park. This park has a network of natural surface paths that connect to Zug Road in Old Town Bowie. A trail connection from the subject site to the existing trails in Tanglewood Park could provide an alternative to Chestnut Avenue for pedestrians walking from the communities along Fletchertown Road to Old Town Bowie. However, staff defers to the City of Bowie regarding the appropriateness and feasibility of this possible connection to the city-owned park.

### **Sidewalk Connectivity**

A variety of road cross sections are present in the vicinity of the subject site. Many roads are open section with no sidewalks, while other roads include sidewalks along one or both sides. Existing Old Fletchertown Road is open section with no sidewalks. Chestnut Avenue is open section with no sidewalks in the immediate vicinity of the intersection with Fletchertown Road. The lack of sidewalks was identified as an important issue in the Old Town Bowie community during the recent planning charrette for the Bowie and Vicinity Master Plan.

8. **Transportation**—The application is a preliminary plan of subdivision for a residential development consisting of 19 dwelling units. The proposed development would generate 17 AM (3 in, 14 out) and 21 PM (14 in, 7 out) peak-hour vehicle trips as determined using *The Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The property is located on the north side of Old Fletchertown Road, and west of Chestnut Avenue-High Bridge Road.

The traffic generated by the proposed preliminary plan would impact the unsignalized intersection of Fletchertown Road and High Bridge Road. This intersection is not programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program:

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.

**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.

The Fletchertown Road and High Bridge Road intersection, when analyzed with existing traffic, was found to be operating with a delay of 11.4 seconds per car during the AM peak hour, and 12 seconds per car during the PM peak hour. Both delays are well below the 50-second threshold. With the inclusion of 42 additional dwelling units from background developments within the study area, the subject intersection was analyzed, and was found to have delays of 11.5 and 12.1 seconds per car during the AM and PM peak hours, respectively. In combining the effect of the proposed site-generated trips to the existing and background traffic, the results of the analysis showed delays

of 11.7 and 12.2 seconds per car during the AM and PM peak hours, respectively. Staff found no circulation issues with this application.

Running immediately east of the subject property is a master planned realignment of Chestnut Avenue. This facility is shown as a collector (C-44) on the current Bowie-Collington-Mitchellville and Vicinity Master Plan. The proposed realigned roadway would impact a very small triangular-shaped portion of the proposed Lots 18 and 19. Staff recommends that the road alignment be shown and this impacted area be preserved for future dedication upon demand by the Department of Public Works and Transportation.

#### **Transportation Staff Conclusions**

The Transportation Planning Section concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved with conditions ensuring the dedication of realigned Chestnut Avenue.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded the following:

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 3	Middle School Cluster 2	High School Cluster 2
Dwelling Units	19 sfd	19 sfd	19 sfd



Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	4.56	1.14	2.28
Actual Enrollment	5960	5307	10580
Completion Enrollment	180.24	189.24	378.24
Cumulative Enrollment	31.44	30.42	59.64
Total Enrollment	6176.24	5527.80	11020.16
State Rated Capacity	5858	4688	8770
Percent Capacity	105.43%	117.91%	125.66%

Source: Prince George's County Planning Department, M-NCPPC, December 2004

County Council bill CB-31-2003 establishes a school facilities surcharge, as adjusted by the percentage change in the Consumer Price Index for all urban consumers in the amount of \$7,000 per dwelling if a building is located between I-495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. Council bill CB-21-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,412 and \$12,706 to be paid at the time of issuance of each building permit.

The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

The Historic Preservation and Public Facilities Planning Section staff finds that this project meets the policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003, and CR-23-2003.

10. **Fire and Rescue**—The Prince George's County Planning Department has determined that this preliminary plan is within the required seven-minute response time for the first due fire station Bowie, Company 19, using the Seven-Minute Travel Times and Fire Station Locations Map provided by the Prince George's County Fire Department.

The Fire Chief has reported that the current staff complement of the Fire Department is 685 (98.99 percent), which is within the staff standard of 657 (or 95 percent) of authorized strength of 692 as stated in CB-56-2005.

The Fire Chief has reported by letter, dated 10/01/05, that the department has adequate equipment to meet the standards stated in CB-56-2005.

11. **Police Facilities**—The Prince George’s County Planning Department has determined that this preliminary plan is located in Police District II. The standard for emergency calls response is 10 minutes and 25 minutes for nonemergency calls. The times are based on a rolling average for the proceeding 12 months, beginning with January 2005.

The preliminary was accepted for processing by the Planning Department on June 27, 2005.

Reporting Cycle	Date	Emergency Calls	Nonemergency
Acceptance Date	01/05/05-06/05/05	11.00	23.00
Cycle 1	01/05/05-07/05/05	11.00	23.00
Cycle 2	01/05/05-08/05/05	11.00	24.00
Cycle 3	01/05/05-09/05/05	11.00	24.00

The Police Chief reported that the current staff complement of the Police Department is 1,302 sworn officers and 43 student officers in the academy, for a total of 1,345 (95 percent) personnel, which is within the standard of 1,278 officers (or 90 percent) of the authorized strength of 1,420 as stated in CB-56-2005.

This application does not meet the emergency response time standard for police. CB-56-2005 provides for mitigation of police inadequacies through approval of a mitigation plan. These mitigation plans are to be created in accordance with guidelines that have been enumerated by the District Council in CR-78-2005, which establishes a police facilities mitigation charge (as adjusted by the percentage change in the Consumer Price Index for all urban consumers) in the amount of \$3,780 per dwelling unit. Any approval of this application would be subject to the payment of this charge.

12. **Health Department**—The Health Department reviewed the application and reminds the applicant that abandoned wells and septic tanks within the confines of the subject property must be properly removed in accordance with state and county regulations. Also, a raze permit is required prior to removal of any of the structures on the site.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has approved Stormwater Management Concept Plan 39895-2004-00 for this site. The concept approval letter was issued on March 22, 2005, by DER. The required water quality control for this site is by infiltration. Infiltration dry wells are required on each lot. Rip-rap plunge pools are required for the two stormdrain outfalls shown on the plan. The concept plan shows stormdrain outfalls proposed on common side property lines of Lots 12-13 and 19-20 to drain into the existing ditch along side the Conrail tracks. The current TCPI does not show the locations of proposed stormdrain pipes and outfalls as being within easements in relation to the four lots. The location of proposed dry wells on each lot is also not shown on the TCPI. In the concept approval letter there is mention that a surface drainage easement may be required on the rear of (former) Lots 19 and 20 (now Lots 18 and 19). All stormdrain-related features must be shown on the TCPI so that there are no conflicts between these features and the proposed woodland conservation treatment areas for this site. Development must be in accordance with the

approved plan or any approved revision to ensure that development of this site does not result in on-site or downstream flooding.

14. **Flag Lots**—The applicant proposes two flag lots in the subdivision. The flag lots are shown as Lots 8 and 9.

Flag lots are permitted pursuant to Section 24-138.01 of the Subdivision Regulations. Staff supports these flag lots based on the following findings and reasons.

- a. A maximum of two tiers is permitted. Each of the flag lots is a single tier. The houses would be sited such that each would have a private rear yard area.
- b. Each flag stem is a minimum width of 25 feet for the entire length of the stem.
- c. The net lot area for each proposed lot (Lot 8 is 35,502 square feet and Lot 9 is 30,589 square feet) exclusive of the flag stem far exceeds the minimum lot size of 20,000 square feet in the R-R Zone.
- d. The proposal includes no shared driveways.
- e. Where rear yards are oriented toward driveways, an “A” bufferyard is required. This orientation does not occur in this instance.
- f. Where front yards are oriented toward rear yards, a “C” bufferyard is required. This occurs in two locations, both of which show ample area for the required bufferyard.

Prior to approval of a flag lot, the Planning Board must make the following findings of Section 24-138.01(f):

- A. The design is clearly superior to what would have been achieved under conventional subdivision techniques.

**Comment:** The proposed flag lot yields a superior design to that which would be allowed conventionally. The alternative would be to require a cul-de-sac at each of these locations, which would result in an unnecessary and intrusive expanse of asphalt into what would otherwise be a green area.

- B. The transportation system will function safely and efficiently.

**Comment:** Both of the flag lots would access the internal street. No significant impact on the transportation system is expected.

- C. The use of flag lots will result in the creative design of a development that blends harmoniously with the site and the adjacent development.

**Comment:** The flag lots will blend harmoniously with the rest of the development. The homes on the flag lots are laid out so that they mimic a cul-de-sac arrangement, without having to further constrain the lots by placing them on an unnecessary public road.

- D. The privacy of property owners has been assured in accordance with the evaluation criteria.

**Comment:** Given the size of the net lot areas, the flag-style development of the lot will not impair the privacy of either the homeowner of this lot or the homeowners of other lots. Ample room exists to provide for the required bufferyards.

Given these findings, staff recommends approval of the flag lots.

15. **Historic Preservation**—The Planning Board has determined that the possible existence of slave quarters and slave graves on certain properties must be considered in the review of development applications and that potential means for preservation of these resources should be considered. Phase I (identification) archeological investigations are recommended for this property. This area is near Horsepen Branch and Newstop Branch. Prehistoric archeological sites are known to exist in settings similar to that in the project area. Finally, the Jos. Isaacs residence (no longer standing) is shown on the 1861 Martenet map as being located to the east of the parcel. The applicant should make sure that the archeological consultant is aware of the Isaac residence (no longer standing).

Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines and *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following MHT guidelines and the *American Antiquity* or *Society of Historical Archeology* style guide. Archeological excavations shall be spaced along a regular 15-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report.

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 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 Squire, seconded by Commissioner Vaughns, with Commissioners Squire, Vaughns, and Eley voting in favor of the motion, and with Chairman Hewlett absent at its regular meeting held on Thursday, December 8, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of January 2006.

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Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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