

R E S O L U T I O N

WHEREAS, a 1.99-acre parcel of land known as Parcel 40, Tax Map 151 in Grid D-4, said property being in the 5th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on August 15, 2006, Lina Talab filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 3 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-06017 for Yaman's Estates 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 November 9, 2006, 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 November 9, 2006, 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/79/04), and further APPROVED Preliminary Plan of Subdivision 4-06017, Yaman's Estates for Lots 1-3 with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
 - a. Delineate a 20-foot, rear yard setback within the southeast corner (triangle portion) of Lot 1. The rear setback/building restriction line should run parallel with Bryan Point Road.
 - b. Revise general notes no. 7 and 8 to reflect water category W-4 and sewer category S-4.
 - c. Revise general note no.15 to clearly indicate that the mandatory dedication of parkland requirement will be addressed by a fee-in-lieu.
 - d. Revise general note no.25 to further add that Bryan Point Road is a designated scenic road pursuant to CR-113-1992.
2. A Type II Tree Conservation Plan shall be approved in conjunction with the detailed site plan.

3. Development of this site shall be in conformance with the Stormwater Management Concept Plan, # 23544-2004-00 and any subsequent revisions.
4. The 40-foot landscape buffer along Bryan Point Road shall be shown on the final plats as a scenic easement and the following note shall be placed on the plats:

“Scenic easements described on this plat are areas where the installation of structures 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 permitted.”
5. The following note shall be placed on the Final Plat of Subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/79/04), 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/Tree Preservation Policy.”
6. Prior to approval of the Final Plat of subdivision the applicant, his heirs, successors and or assignees shall pay a fee-in-lieu of parkland dedication.
7. Prior to issuance of any building permits, the applicant, his heirs, successors and/or assignees shall have a detailed site plan approved by the Planning Board. The detailed site plan shall include:
 - a. The preservation of scenic Bryan Point Road, including further evaluation of access points/driveways.
 - b. The preservation of the arching leaf tunnel formed by the mature trees located on both sides of Bryan Point Road, and compliance with CR-113-1992, and the “Design Guidelines and Standards for Scenic and Historic Roads”.
 - c. Any road improvements within the right-of-way that have been requested by the Department of Public Works and Transportation.
 - d. The location of utilities, and their method of placement shall be reviewed by the Environmental Planning Section and the utility companies to minimize disturbance along the scenic right-of-way.
 - e. The completed Phase I-Archaeological investigation.
8. Prior to signature approval of the preliminary plan, the applicant shall determine the extent of the land that should be the subject of a Phase I archaeological investigation with the concurrence of

the Development Review Division (DRD). The applicant shall complete and submit a Phase I investigation (including research into the property history and archaeological literature) for those lands determined to be subject. Prior to approval of the detailed site plan, the applicant shall submit Phase II and Phase III investigations as determined by DRD staff as needed. The plan shall provide for the avoidance and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archaeologist 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.

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 property is located on the south side of Bryan Point Road, approximately 1,000 feet east of its intersection with Farmington Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Vacant	Single-Family Dwellings
Acreage	1.99	1.99
Lots	0	3
Parcels	1	0
Dwelling Units:		
Detached	0	3
Public Safety Mitigation Fee		No

4. **Environmental**—The Environmental Planning Section has reviewed the revised Preliminary Plan of Subdivision for Yaman's Estates, 4-06017, and the revised Type I Tree Conservation Plan, TCPI/79/04, stamped as received by the Environmental Planning Section on September 22, 2006. The Environmental Planning Section recommends approval of 4-06017 and TCPI/79/04 subject to conditions.

The Environmental Planning Section previously reviewed Preliminary Plan 4-04148 and TCPI/79/04 for the subject property. Those applications were withdrawn before being heard by the Planning Board. The proposal is for three lots in the R-R Zone.

The entire site is forested. There are no streams, wetlands or 100-year floodplain on the property. The site eventually drains into Piscataway Creek in the Potomac River watershed. There are no

areas of steep slopes with highly erodible soils or severe slopes associated with the property. According to the Green Infrastructure Plan, none of the property contains any regulated areas, evaluation areas or network Gaps. There are no nearby sources of traffic-generated noise. The proposed development is not a noise generator. According to the "Prince George's County Soil Survey" the principal soils on the site are in the Beltsville and Mattapex series. Marlboro clay is not found to occur in the vicinity of this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. Bryan's Point Road is a designated scenic road. The site is in the Developing Tier according to the 2002 General Plan.

A signed natural resources inventory, NRI/035/05, was submitted with the application. There are no streams, wetlands or 100-year floodplain on the property. A forest stand delineation (FSD) based upon four sample points indicates two forest stands with a total of 1.99 acres and two specimen trees. There are no priority woodlands, as defined by the "Prince George's County Woodland Conservation and Tree Preservation Policy Document" located on the property. According to the Green Infrastructure Plan, the property is not located within the green infrastructure network. No further action regarding sensitive environmental features is required.

The Subregion V Master Plan designated Bryan Point Road adjacent to this property as a scenic road in 1993. The master plan's scenic road designation for this part of Bryan Point Road was a slight expansion of an earlier designation for the western parts of Bryan Point Road granted by the County Council in 1992 via CR-113-1992. The eastward expansion encompassing the frontage of the subject property was made to preserve the arching leaf tunnel formed by mature trees on either side of the existing road.

Effectively, this wooded archway comprises a distinctive entryway into the more rural area of the Moyaone Reserve and Piscataway National Park just to the west. These woods also help to retain some of the character of Accokeek's rural areas at this eastern end of Bryan Point Road where some smaller lot subdivision development has occurred. Preservation of existing trees and rural road character along the Bryan Point Road frontage of the subject property is vital to maintaining the archway and entryway image. This approach was used for development of the private school located across Bryan Point Road from the subject property, where preservation of road character was successfully achieved and development was accommodated. The subdivision design, access and house location should be carefully evaluated to ensure preservation of the scenic road character.

The "Design Guidelines and Standards for Scenic and Historic Roads" provides guidance for the review of applications that could result in the need for roadway improvements. A site features inventory was not submitted with this application. This portion of roadway was previously reviewed by staff of the Department of Public Works and Transportation and M-NCPPC as part of 4-96092, the property on the north side of Bryan Point Road directly opposite the subject property. The determination was made that a 40-foot-wide scenic easement was appropriate to retain the historic quality of Bryan Point Road and screen the new development from the roadway. The 40-foot-wide woodland conservation area is reflected on TCPI/51/96 and

TCPII/42/98. At a minimum, the plan should provide 40-foot-wide landscape buffers adjacent to the 10-foot public utility easement and parallel to the land to be dedicated, for Bryan Point Road to retain views along the historic road.

The property is subject to the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the property is larger than 40,000 square feet in size and contains more than 10,000 square feet of woodland. A Type I Tree Conservation Plan is required.

The Type I Tree Conservation Plan, TCPI/79/04, has been reviewed. The plan proposes clearing 1.26 acres of the existing 1.99 acres of woodland. The woodland conservation threshold is 0.40 acre and the woodland conservation requirement has been correctly calculated as 0.71 acre based on the clearing currently proposed. The plan proposes to meet the requirement by providing on-site woodland conservation of 0.73 acres.

All of the woodland conservation is situated to ensure preservation of the scenic road character of Bryan Point Road.

According to the "Prince George's County Soil Survey" the principal soils on the site are in the Beltsville and Mattapex series. Beltsville soils are in hydrologic soils group C and have a K factor of 0.43, indicating a potential for impeded drainage and high erodibility on steep slopes. Mattapex soils are in hydrologic soils group C, are highly erodible, have impeded drainage and have perched water tables. This information is provided for the applicant's benefit. No further action is needed as it relates to this preliminary plan of subdivision review. The Prince George's County Department of Environmental Resources will require a soils report in conformance with CB-94-2004, during the permit process review.

The Prince George's County Department of Environmental Resources approved Stormwater Management Concept, CSD #23544-2004-00, on July 19, 2004. The plan shows the use of individual drywells for each proposed structure. No further action regarding stormwater management is required for this preliminary plan of subdivision review.

Water and Sewer Categories

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

5. **Community Planning**—The subject property is located in Planning Area 83 within the Accokeek Community. The property is within the limits of the 1993 Subregion V Master Plan. The master plan recommendation is for Low-Suburban residential land use at up to 2.6 dwelling units per acre. This application conforms to the Low-Suburban residential land use recommendation within the 1993 Subregion V Master Plan.

The 2002 General Plan locates 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 proposes a low- to moderate-density suburban residential community and is therefore consistent with the 2002 *General Plan* Development Pattern policies for the Developing Tier.

This application is located along a designated scenic road. Subdivision design, access and house placement should conform to the Scenic and Historic Road Guidelines to ensure preservation of the scenic road characteristics along Bryan Point Road. A detailed site plan should be required to evaluate conformance to these guidelines.

Planning Issues

The scenic road designation for Bryan Point Road was granted by the County Council in 1992 via CR-113-1992. This resolution directed that scenic road guidelines, prepared by the Department of Public Works and Transportation (DPW&T), be used to preserve specific roadway characteristics. The eastward expansion of the master plan's scenic road designation, encompassing the frontage of the subject property, responded to citizen testimony about this particular section of Bryan Point Road and the identification of an arching leaf tunnel formed by mature trees on either side of the existing road. Effectively, this wooded archway comprises a distinctive entryway into the more rural area of the Moyaone Reserve and Piscataway National Park. Preservation of existing trees and rural road characteristics along the Bryan Point Road frontage of the subject property is vital to maintaining this archway and entryway image. The strategy to preserve this wooded roadway segment also helps to retain the character of Accokeek's rural areas at the eastern end of Bryan Point Road, where some smaller lot subdivision development has occurred. An example of successful implementation of the scenic road guidelines is across Bryan Point Road from the subject property where the preservation of the road's scenic character was achieved as development of a private school was accommodated.

Two of the proposed three lots potentially have double-frontages, with access to both Bryan Point Road and Dyer Drive, an unconstructed paper street. The intent of the scenic road guidelines is not necessarily to preclude access onto designated scenic roads but to preserve the scenic characteristics of such roads when development occurs. Homes that use Bryan Point Road for their access should be set back as far as possible from the roadway and the design of access drives should follow the DPW&T scenic road guidelines. These guidelines provide a practical strategy for preserving the scenic character of Bryan Point Road, as the land bordering this road is developed over time. To evaluate whether the proposed development of the three houses in this subdivision conforms to the Scenic and Historic Road Guidelines, approval of a detailed site plan should be required prior to the issuance of permits.

6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations the Park Planning and Development Division recommends that the applicant pay a fee-in-lieu of parkland dedication 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 Subregion V Master Plan or the 1985 Equestrian Addendum to the Adopted and Approved Countywide Trails Plan that impact the subject site. Roads in the vicinity of the subject site (including Bryan Point Road) are open section with no sidewalks. There are no master plan trail recommendations.
8. **Transportation**—The following are the Transportation Planning Section's comments concerning the site access, geometric design and traffic impact of the subject application. These comments are final.

The subject application involves three proposed lots that would have a minimal impact on adjacent roadways. All three lots have direct driveway access to Bryan Point Road. This is acceptable. The site is not within or adjacent to any master plan transportation facilities.

The application is a preliminary plan of subdivision for a residential development consisting of three single-family lots to be created within an existing parcel. The proposed development of three residences would generate 2 AM and 3 PM peak-hour vehicle trip as determined using *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. Therefore, a traffic study was not required.

The site is within the Developing Tier, as defined in the 2002 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 traffic controls) if deemed warranted by the appropriate operating agency.

The traffic generated by the proposed preliminary plan would impact the intersection of MD 210 and MD 373/Livingston Road. This intersection is signalized. There are no projects to improve this intersection in either the County Capital Improvement Program or the State Consolidation Transportation Program.

Recent counts at the critical intersection of MD 210 and MD 373/Livingston Road indicate that the intersection operates unacceptably as a signalized intersection when approved development is considered. Due to the limited trip generation of the site, the Prince George's County Planning Board could deem the site's impact at this location to be de minimus. The Transportation Planning Section would therefore recommend that the Planning Board find that 2 AM and 3 PM peak hour trips will have a de minimus impact upon delay in the critical movements at the MD 210 and MD 373/Livingston Road intersection.

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 Code. No transportation-related conditions are warranted at this time.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this preliminary plan for impact on 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.

Finding

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 6	Middle School Cluster 3	High School Cluster 3
Dwelling Units	3 sfd	3 sfd	3 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	0.72	0.18	0.36
Actual Enrollment	3,946	5,489	9,164
Completion Enrollment	121	64	127
Cumulative Enrollment	16.80	108.78	217.56
Total Enrollment	4,084.52	5,661.96	9,508.92
State Rated Capacity	4,033	6,114	7,792
Percent Capacity	101.28%	92.61%	122.03%

Source: Prince George's County Planning Department, M-NCPPC, December 2005

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between interstate highway 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 on 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-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,671 and \$13,151 to be a 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 finds that this project meets the

adequate public facilities 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 Historic Preservation & Public Facilities Planning Section has reviewed this subdivision plan for fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance.

The Prince George's County Planning Department has determined that this preliminary plan is within the required 7-minute response time for the first due fire station Accokeek, Company 24, using the 7 Minute Travel Times and Fire Station Locations Map provided by the Prince George's County Fire/EMS Department.

Pursuant to CR-69-2006, Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels.

The Fire Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

11. **Police Facilities**—The subject property is located in Police District IV. The response standard for emergency calls is 10 minutes and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The preliminary plan was accepted for processing by the Planning Department on August 15, 2006.

Reporting Cycle	Date	Emergency Calls	Non-emergency
Acceptance Date	01/05/05-07/05/06	10.00	22.00
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of 10 minutes for emergency calls and 25 minutes for nonemergency calls were met on July 5, 2006.

Pursuant to CR-69-2006, Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels.

The Police Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

12. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for Yaman's Estates and has no comments to offer.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development

Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #23544-2004-00 has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.

14. **Historic**—The subject property is located on the south side of Bryan Point Road approximately 1,000 feet east of its intersection with Farmington Road.

A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites was conducted.

There are ten currently known archeological sites identified within a one-mile radius of the property, all prehistoric. One National Register property (Bellevue, an 1840 plantation house), one historic site (Christ Church, originally established in 1748), and numerous prehistoric archeological sites are located within a two-mile radius of the subject property.

The residence of John Clagett is shown on the 1861 Martenet map as very close to the location of the subject property. The Clagett Family Cemetery is located about 280 feet southwest of the subject property. The Clagett family home was supposedly located about 100 feet northwest of the cemetery. John H. Clagett owned about 22 slaves in 1860. Examination of aerial photographs dating from 1938 to 2005 show that this property remained undeveloped throughout most of the 20th century.

Piscataway Creek is located about 1 ½ miles north of the subject property, with many of its tributaries originating very close by. There are numerous large prehistoric sites along the Potomac River, Piscataway Creek, and their tributaries. Therefore, the subject property also has a high to moderate probability of containing significant prehistoric archeological sites.

Conclusions

In accordance with Subtitle 24-104, 121(a)(18), and 24-135.01, the subject property should be the subject of a Phase I archeological investigation to identify any archeological sites that may be significant to the understanding of the history of human settlement in Prince George's County, including the possible existence of slave quarters and slave graves, as well as archeological evidence of the presence of Native American peoples.

Recommendations

Prior to signature approval of this preliminary plan of subdivision, Phase I (Identification) archeological investigations are recommended on the above-referenced property because the subject property has a moderate to high probability of containing significant prehistoric and historic archeological sites.

Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines, *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994), and the Prince George's County Planning Board *Guidelines for Archeological Review* (May 2005), and report preparation should follow MHT guidelines and the *American Antiquity* or *Society of Historical Archaeology* style guide. Archeological excavations should 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.

In accordance with the approved Planning Board *Guidelines for Archeological Review* (May 2005), a qualified archaeologist 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 *Guidelines for Archeological Review* (May 2005). 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 of the preliminary plan.

The design of a Phase I archaeological 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, 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.

Upon receipt of the report by the Planning Department, if it is determined that potentially significant archeological resources exist in the project area, prior to Planning Board approval of any detailed site plan or final plat, the applicant should provide a plan for:

- a. Evaluating the resource at the Phase II level, or
- b. Avoiding and preserving the resource in place.

15. **Accokeek Development Review District (ADRDC)**—This application was referred to the Accokeek Development Review District Commission for review and comment on August 25, 2006. Although the Subdivision Section has had telephone and e-mail interactions with a member of the ADRDC, no formal comments have been submitted by the Commission for this application.

The Subdivision Section was also contacted by the United States Department of the Interior (National Park Service) who operates Piscataway National Park, and has a public-private partnership with the Alice Ferguson Foundation and the Accokeek Foundation. The park contains over 1,500 acres of federally owned shoreline, including the lands of the Accokeek Foundation's National Colonial Farm, and federal scenic easements protecting over 2,700 acres of privately

owned woodlands. Further input was also received from the President of the Moyaone Reserve Homeowners Association.

The primary concern that all parties shared was the preservation of scenic Bryan Point Road, which serves as the primary gateway into Piscataway Park and the Moyaone Reserve. Those concerns included keeping Bryan Point Road within its current 22-foot wide, no-shoulder configuration, restricting access points to Bryan Point Road, and the preservation of the arching leaf tunnel formed by the mature trees located on both sides of Bryan Point Road. As a result of these concerns, and upon the recommendation from the Community Planning Division, the Subdivision Section has included a condition that requires the approval of a detailed site plan by the Planning Board. The language within this condition regarding what specifically shall be included within the detailed site plan review is consistent with the detailed site plan condition established for Preliminary Plan 4-96092, for the Beddow School located across Bryan Point Road from the subject property.

16. **At The Public Hearing** –At the November 9, 2006, Public Hearing for this case, The Planning Board had requested that the results of the Phase-I Archaeological Study be forwarded to the Planning Board for review, or the results of the Phase I study be included within the Detailed Site Plan application required for the subject property. As a result, Condition No. 7, which requires the Detailed Site Plan review for the property, was revised to further include the results of the completed Phase-I Archaeological Study as part of the Detailed Site Plan review.

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.

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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 Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, Squire and Parker voting in favor of the motion, and with Commissioner Clark abstaining at its regular meeting held on Thursday, November 9, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of November 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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