

R E S O L U T I O N

WHEREAS, Provine and Myrtle Reddrick are the owners of a 3.33-acre parcel of land known as Parcel 53, located on Tax Map 162 in Grid B-3, said property being in the 5th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on June 23, 2008, Provine and Myrtle Reddrick filed an application for approval of a Preliminary Plan of Subdivision (Staff Exhibit #1) for 5 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-07087 for Shawn Subdivision 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 11, 2008, 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 11, 2008, 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/030/08), and further APPROVED Preliminary Plan of Subdivision 4-07087, Shawn Subdivision, for Lots 1-5 with the following conditions:

1. Development of this site shall be in conformance with approved Stormwater Management Concept Plan 6206-2008-00 and any subsequent revisions.
2. Prior to approval of the final plat of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall pay a fee-in-lieu of parkland dedication for Lots 1-5.
3. The applicant and the applicant's heirs, successors, and/or assignees shall provide standard sidewalks along the entirety of the frontage of Holly Road unless modified by DPWT&T.
4. The applicant and the applicant's heirs, successors, and/or assignees shall provide standard sidewalks along both sides of the proposed cul-de-sac road unless modified by DPWT&T.
5. The applicant shall demonstrate that there will be acoustical and visual buffering of the proposed dwelling units from MD 210 prior to the issuance of permits. A note shall be placed on the final plat requiring acoustical and visual buffering from MD 210.

6. At the time of final plat, a note shall be placed on the final plat denying access to Holly Road from Lots 1 and 2.
7. Prior to signature of the preliminary plan, the Type I tree conservation plan shall be revised to:
 - a. calculate all on-site woodland as cleared.
 - b. remove the symbol for on-site woodland conservation from the legend and the plan and replace it with a symbol for woodland retained but calculated as cleared.
 - c. remove the symbol for on-site reforestation from the legend and the plan.
 - d. recalculate the worksheet.
 - e. provide all required woodland conservation in the form of off-site mitigation.
 - f. have the revised plan signed and dated by the qualified professional who prepared the plan.
8. 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/030/08) 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 Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”
9. Prior to signature approval of the preliminary plan, the lot line separating Lot 1 and Lot 4 should be adjusted per the Subdivision finding.

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. **Subdivision** — The applicant submitted a revised preliminary plan on Monday, December 8, 2008, that addressed concerns expressed by staff regarding the gerrymandered lot line between lots 4 and 5. The current configuration illustrates a boundary line between lots 4 and 5 that is

slightly perpendicular to the northern boundary property line. The revised plan also illustrates a driveway on lot 4 that reduces the impervious surface on the lot by relocating the driveway, so that it mirrors the alignment of the driveway on lot 5. The revised plan further lends itself to the Environmental Planning Section recommendation to revise the Tree Conservation plan and worksheet to calculate the entire site as cleared and provide off-site mitigation given there are no sensitive environmental features on site. Staff recommends shifting the northeast lot line on Lot 1 to the north to include the infiltration trench. A note should also be placed on the final plat denying access to Holly Road from Lots 1 and 2. Access to this development should occur via the internal road only.

3. **Community Planning**—This application is not inconsistent with the 2002 General Plan Development Pattern policies for 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. The proposed preliminary subdivision conforms to recommendations of the 1993 *Approved Master Plan and Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A, and 85B* for low-suburban residential land use at a density of 1.6–2.6 dwelling units per acre. The 1993 approved Subregion V master plan retained this property in the R-R Zone, which supports the proposal for five residential half-acre lots.

Given the proximity of the subject property to Indian Head Highway (MD 210), the master plan recommends acoustical or visual buffering of residential development along major highways. Where feasible, building setbacks and/or berms or acoustical fencing should be utilized to deflect noise and to screen visual impacts, especially at major road intersections and interchanges, or where conflicts may develop between land uses. Residential and related uses fronting on major highways and scenic roads should conform to a particularly high standard of design both as individual structures and as they blend in among other buildings. Buffers should be used between transportation facilities and incompatible adjacent uses. Buffers would include: (1) orienting dwelling units away from major thoroughfares, railroad lines, etc., (2) requiring greater setbacks for properties abutting major transportation facilities, and (3) using landscaping and fencing to lessen the detrimental impact of transportation facilities. Development adjacent to major transportation facilities should preserve and provide landscaped open space between structures and the highway in order to mitigate the noise and visual impact of these facilities on future development.

4. **Environmental**—There are no streams, wetlands or 100-year floodplain on the property. The site eventually drains into Mattawoman Creek in the Potomac River watershed. According to the *Prince George's County Soil Survey*, the principal soils on this site are in the Beltsville series. Marlboro clay does not occur in the area. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, rare, threatened, or endangered species do not occur on this property or on adjacent properties. There are no nearby roads that are designated as historic or scenic. Indian Head Highway is a nearby source of traffic-generated noise; however, because of the distance to the proposed development, no significant noise impact is predicted. The proposal is not expected to be a noise generator. This property is located in the

Developing Tier as reflected in the adopted General Plan.

Master Plan Conformance

In the approved master plan and sectional map amendment for Subregion V (September 1993), which is now almost 15 years old, the Environmental Envelope section contains goals, objectives, and guidelines. The following guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

1. **An open space and conservation network, based on existing soil conditions, slopes, watercourses, vegetation, natural ecological features, and estimated future population needs, should be established and maintained.**

Implementation of the *Approved Countywide Green Infrastructure Plan* will ensure compliance with this guideline.

2. **Developers shall be encouraged to utilize the Comprehensive Design Ordinance, the cluster provisions and site plan review provisions of the subdivision regulations and other innovative techniques that ensure responsible environmental consideration.**

The property is too small to be a residential comprehensive design zone and cluster is no longer a legal option. The property does not have sufficient features to qualify as a conservation subdivision.

3. **Land dedicated in accordance with the subdivision regulations for the provision of needed recreational facilities should not consist solely of floodplains or other parts of the Natural Reserve Area.**

No land is proposed for dedication.

4. **The responsibility for environmentally sound development practices should apply equally to private and public interests; decisions concerning the selection and use of properties should be based on environmental considerations.**

Implementation of the Countywide Green Infrastructure Plan will focus development in an environmentally sound manner.

5. **Developers shall be encouraged to capitalize on natural assets through the retention and protection of trees, streams and other ecological features.**

The property has no significant environmental features. As described in Natural

Resources Inventory, NRI/076/07, the woodlands on-site are of good quality.

6. Woodlands associated with floodplains, wetlands, stream corridors and steep slopes shall be given priority for preservation.

This guideline mirrors the requirements of the Woodland Conservation and Tree Preservation Ordinance. There are no wetlands, streams, expanded stream buffers or 100-year floodplain on the subject property.

7. To the extent practicable, large contiguous tracts of woodland should be conserved in both upland and bottomland situations in order to reduce forest fragmentation, maximize woodland interiors, and reduce the edge/area ratio.

This guideline is a standard practice for all tree conservation plans; however, the property is separated from nearby large contiguous woodland.

8. The Natural Reserve Areas, containing floodplain and other areas unsuitable for development, should be restricted from development except for agricultural, recreational and similar uses. Land grading should be discouraged. When disturbance is permitted, all necessary conditions should be imposed.

The Natural Reserve Areas described in the master plan are areas that have been superseded by Regulated Areas in the Green Infrastructure Plan. There are no areas designated as Natural Reserve on the subject property. The subject property is not within the designated network of the Countywide Green Infrastructure Plan.

9. All development proposals should provide effective means for the preservation and protection of Natural Reserve Areas, the development plans for lands containing open space and conservation areas should specify how and by whom these areas will be maintained.

There are no areas designated as Natural Reserve on the subject property.

10. Limited development should be permitted in Conditional Reserve Areas, based on the significant physiographic constraints and natural processes of the land.

The Subregion V master plan does not identify any areas of Conditional Reserve on the subject property; however, the Countywide Green Infrastructure Plan superseded the master plan for these designations when it was adopted in 2005. The subject property is not within the designated network of the Countywide Green Infrastructure Plan.

- 11. In the Perceptual Liability Areas, land uses such as schools, residences, nursing homes, and libraries that are sensitive to noise intrusion, air pollution and other characteristics of excessive vehicular traffic should be protected by suitable construction techniques and by the enforcement of legally mandated standards.**

Indian Head Highway is a nearby source of traffic-generated noise; however, because of the distance to the proposed development, no significant noise impact is predicted.

- 12. Developers shall be encouraged to include careful site planning and construction techniques which are designed to reduce the adverse impact of point and nonpoint source noise that exceeds the State's current maximum allowable levels for receiving land uses.**

Indian Head Highway is a nearby source of traffic-generated noise; however, because of the distance to the proposed development, no significant noise impact is predicted.

- 13. Farming conservation measures such as diversions, terraces, and grassed waterways in conjunction with contour strip cropping and crop rotations should be implemented.**

No farming is proposed.

- 14. Citizens, developers and others should be encouraged to seek current information on the area's sensitive environmental condition, and on all aspects of related regulatory systems and functional programs from the appropriate local, State and Federal agencies.**

Information available at PGAtlas.com provides generalized information regarding sensitive environmental features of the region and the NRI submitted provides detailed information regarding the subject property. The NRI shall be used to formulate the appropriate areas for development on the site.

The proposal is in general conformance with the Subregion V master plan for the reasons stated above.

Conformance with the Countywide Green Infrastructure Plan

The subject property is not within the designated network of the Countywide Green Infrastructure Plan.

ENVIRONMENTAL REVIEW

A signed Natural Resources Inventory, NRI/076/07, was submitted with the application. There are no streams, wetlands or 100-year floodplain on the property. A simplified forest stand

delineation (FSD) was submitted with the NRI. The FSD, based upon four sample points, describes a single forest stand of 3.05 acres containing three specimen trees. The woodland is mostly immature Sweetgum, Scarlet Oak and Red Maple. The 1938 and 1965 air photos show that the property was forested.

There are no sensitive environmental features on the site and there are no priority woodlands as defined in the "Prince George's County Woodland Conservation and Tree Preservation Policy Document." According to the Green Infrastructure Plan, none of the property is near or contains any Regulated Area or Evaluation Area. Based upon this analysis, there are no priority woodlands on-site. No impacts to any sensitive environmental features are proposed. No further action regarding sensitive environmental features is required.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the property is more than 40,000 square feet in area and contains more than 10,000 square feet of woodland. A Type I Tree Conservation Plan, TCPI/030/08, has been reviewed. The plan proposes clearing 2.24 acres of the existing 3.05 acres of woodland. The woodland conservation threshold is 0.67 acre. Based upon the proposed clearing, the woodland conservation requirement has been correctly calculated as 1.23 acres. The worksheet proposes to meet the requirement by providing 0.81 acre of on-site woodland conservation; however, after the proposed clearing there is only 0.70 acre of woodland remaining on-site.

As noted previously, there are no sensitive environmental features on-site, none of the property is near any element of the Countywide Green Infrastructure Plan and lots of this size should not be encumbered by woodland conservation areas without a compelling reason. The TCPI should be revised to calculate the entire site as cleared because the proposed preservation areas are too small, fragmented, and are located on lots too small to sustain them. By calculating the woodlands as cleared, a future homeowner may treat the woodland areas remaining on their lots in any fashion they deem appropriate without violating the Woodland Conservation Ordinance. Prior to signature of the preliminary plan, the Type I Tree Conservation Plan (TCPI/094/04) should be revised. A note citing the restrictions of the Type I tree conservation plan should be placed on the final plat of subdivision.

According to the *Prince George's County Soil Survey*, the principal soils on this site are in the Beltsville series. Beltsville soils are highly erodible, may have a perched water table and are in the C-hydric group. 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.

Water and Sewer

Section 24-122.01(b)(1) states that "the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval." The 2001 *Water and Sewer Plan*, as amended by CR-4-2008, placed this property in water and sewer Category 4, Community System Adequate for Development Planning. Category 3 must be obtained before approval of a final plat. The provision of water and sewerage to this site is

consistent with the 1993 approved master plan for Subregion V and the 2002 approved General Plan.

Water and sewer lines in Holly Road abut the property. Water and sewer line extensions are required to serve the proposed subdivision and must be approved by Washington Suburban Sanitary Commission (WSSC) before the recordation of a final plat.

5. **Parks**—In accordance with Section 24-135(a) of the Prince George's County Subdivision Regulations, the Park Planning and Development Division recommends that the Prince George's County Planning Board require payment of a fee-in-lieu of dedication for Lots 1–5 as applicable to the subject subdivision because land available for dedication is unsuitable due to its size and location. As such, the Planning Board is imposing Condition No. 2, which calls for a fee-in-lieu of dedication, as a predicate of its approval of this application.
6. **Trails**—The site is subject to the recommendations contained in the approved Subregion V master plan and sectional map amendment (1993). The site is located on Holly Road, which runs parallel to MD 210, Indian Head Highway. There are no planned trails in the master plan for frontage along Holly Road. The master plan and the Countywide Trails Plan recommend that a sidepath be constructed along MD 210, Indian Head Highway.

Trails Analysis

Holly Road is an open-section road with no sidewalks. Sidewalks exist along a portion of Holly Way, approximately 800 feet to the north of the subject site, and sidewalks exist along the west side of Landing Drive, approximately 800 feet south of the subject property.

The proposed side path along Indian Head Highway will probably not affect the design of the subdivision, but further analysis is needed to determine if this section of highway will be widened up to this location. Although no recommendations for trails are made at this time, technical staff encourages the owner to construct sidewalks along the frontage of the property and also within the development. Sidewalks within the development and along the frontage of the property will accommodate pedestrians and encourage walking and provide safe areas to walk.

7. **Transportation**—The site is adjacent to MD 210, which is a master plan expressway facility. The master plan indicates a right-of-way of 250 feet at this location, which is nearly coincident with the existing right-of-way for Holly Road along the frontage of the subject property. The width of the master plan right-of-way would provide for the main travel lanes of MD 210 plus a service roadway along the northwest side of MD 210. However, Holly Road is built to function as a service roadway southwest of Pine Lane. Therefore, it is determined that no additional right-of-way is needed along the frontage of this site regarding the recommendation for MD 210.

The master plan includes Holly Road as a part of the MD 210 recommendation. However, Holly Road clearly does not function as an expressway. It is requested that the applicant provide a Maryland State Highway Administration (SHA) right-of-way plat for this area so that the right-of-way line of through highway can be located for the purpose of ascertaining that the

300-foot lot depth from the right-of-way line of through highway is achieved. The subject application involves five proposed lots. This amount of development would have a minimal impact on the adjacent roadways; therefore, a full traffic study was not required.

Transportation Analysis

The application is a preliminary plan of subdivision for a residential development consisting of five single-family lots. The proposed development of five residences would generate 4 AM and 5 PM peak-hour vehicle trips as determined using “Guidelines for the Analysis of the Traffic Impact of Development Proposals.” 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 traffic generated by the proposed preliminary plan would impact the intersection of MD 210 and Pine Lane. This intersection is unsignalized. There are no projects to improve this intersection in either the County Capital Improvement Program or the State Consolidated Transportation Program.

Staff has no available turning movement counts at the critical intersection of MD 210 and Pine Lane. Nonetheless, 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. Staff would therefore recommend that the Planning Board find that 4 AM and 5 PM peak-hour trips will have a de minimus impact upon delay in the critical movements at the MD 210 and Pine Lane intersection.

The site is adjacent to MD 210, which is a master plan expressway facility. The master plan indicates a right-of-way of 250 feet at this location, which is nearly coincident with the existing right-of-way for Holly Road along the frontage of the subject property. The width of the master plan right-of-way would provide for the main travel lanes of MD 210 plus a service roadway along the northwest side of MD 210. However, Holly Road is built to function as a service roadway southwest of Pine Lane. Therefore, it is determined that no additional right-of-way is needed along the frontage of this site regarding the recommendation for MD 210.

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 Subdivision Regulations.

8. **Schools**—The Special Projects Section has reviewed this preliminary plan for impact on school facilities in accordance with Section 24-122.02 of the Prince George's County Subdivision Regulations and CR-23-2003 and concluded the following.

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 6	Middle School Cluster 3	High School Cluster 3
Dwelling Units	5 DU	5 DU	5 DU
Pupil Yield Factor	.24	.06	.12
Subdivision Enrollment	1.2	.30	.60
Actual Enrollment	4,524	4,065	7,278
Completion Enrollment	112.08	45.54	91.08
Cumulative Enrollment	24.96	34.38	68.76
Total Enrollment	4,662.24	4,145.22	7,438.44
State Rated Capacity	4,775	4,983	7,792
Percent Capacity	97.64%	83.19%	95.46%

Source: Prince George's County Planning Department, M-NCPPC, July 2008

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts 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. County Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,870 and \$13,493 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. This project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-31-2003 and CR-23-2003.

9. **Fire and Rescue**—The Special Projects Section has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Sections 24-122.01(a)(2), 24-122.01(d), and 24-122.01(e)(1)(B)–(E) of the Prince George's County Subdivision Regulations. Special Projects

staff has determined that this preliminary plan is within the required seven-minute response time for the first due fire station Accokeek, Company 24, using the *Seven Minute Travel Times and Fire Station Locations Map* provided by the Prince George's County Fire/EMS Department. Pursuant to CR-69-2006, the Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn fire and rescue personnel staffing levels. The Fire/EMS Chief has reported that the Fire/EMS Department has adequate equipment to meet the standards stated in CB-56-2005.

10. **Police**—The subject property is located in Police District 4, Oxon Hill. The standard for emergency calls response is ten minutes and the standard is 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 June 23, 2008.

Reporting Cycle	Previous 12 Month Cycle	Emergency Calls	Nonemergency Calls
Acceptance Date June 23, 2008	5/07 - 5/08	10 minutes	15 minutes
Cycle 1 - Cycle 3	5/07 - 5/08	10 minutes	15 minutes

The response time standards of ten minutes for emergency calls and 25 minutes for nonemergency calls were met June 24, 2008. The Police Chief has reported that the Police Department has adequate equipment to meet the standards stated in CB-56-2005. Pursuant to CR-69-2006, the Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police personnel staffing levels.

11. **Stormwater Management**—Stormwater Management Concept Plan 6206-2008-00 has been approved with conditions by the Prince George's County Department of Public Works and Transportation (DPW&T). Development of this property must be in conformance with the approved stormwater concept approval plan and any subsequent revisions.
12. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for the Shawn Subdivision and has no comments to offer at this time.
13. **Archeology**—An unnamed tributary of Mattawoman Creek is located near the subject property. Prehistoric sites have been found in similar settings and the probability of identifying prehistoric archeological resources is moderate to high. There are no historic sites or resources within a one-mile radius of the subject property. There are 16 previously identified archeological sites within a one-mile radius of the subject property. Fifteen of those sites date to the prehistoric period and consist of lithic scatters, short-term resource procurement sites, and short-term camps. One site is a multi-component prehistoric lithic quarry and mid-20th century tenant house. A portion of the subject property may have been previously surveyed for archeological sites as part of the widening of Indian Head Highway.

In accordance with the Planning Board's directives, as described in the "Guidelines for Archeological Review," May 2005, and consistent with Prince George's County Subdivision

Regulations Sections 24-104, 24-121(a)(18), and 24-135.01, a Phase I archeological survey was completed on the 3.3-acre Shawn Subdivision in Accokeek, Maryland in October 2008. No archeological sites were identified in the survey. No further archeological work was recommended on the Holly Road property. Staff concurs that no additional archeological work is necessary on the Holly Road property. All archeological conditions have been satisfied.

However, Section 106 review may require archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when state or federal monies, or federal permits are required for a project.

14. **Historic Preservation**—The Historic Preservation Section has reviewed the subject application and has found that there will be no affect on historic resources.
15. **Accokeek Development Review District**—This application is located in the Accokeek Development Review District. The Accokeek Development Review District Commission (ADRDC) reviewed this application at their monthly meeting on July 16, 2008. The ADRDC did not provide comments regarding this preliminary plan of subdivision.

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 date of notice of 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 Vaughns, seconded by Commissioner Clark, with Commissioners Vaughns, Clark, Squire and Parker voting in favor of the motion, and with Commissioner Cavitt opposing the motion at its regular meeting held on Thursday, December 11, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of January 2009.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator