

PGCPB No. 04-263(C)

File No. DSP-04006

C O R R E C T E D R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on November 4, 2004 regarding Detailed Site Plan DSP-04006 for Racetrack Road Cluster, the Planning Board finds:

1. **Request:** The subject application requests the creation of an 84-unit cluster subdivision in the R-R Zone.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Horse Farm	Residential
Acreage	45.38	45.38
Parcels/Lots	2 (#216 and #53) parcels	84 lots
Building Square Footage/GFA	NA	NA

3. **Location:** The site is in Planning Area 71A, Council District 4. More specifically, it is located on the south side of Race Track Road, approximately 100 feet from its intersection with Jericho Park Road.

4. **Surroundings and Use:** The subject property is bounded to the north by Patuxent Riding single-family home subdivision, to the south by the M-NCPPC-owned WB&A trail and the Saddlebrook subdivision; to the west by a single-family home, vacant land and the Berwyn Rod and Gun Club; and to the east by single-family development.

5. **Previous Approvals:** Previous approvals on the site include Preliminary Plan of Subdivision 4-03025, PGCPB Resolution 03-188. The preliminary plan resolution was adopted by the Planning Board on October 9, 2003, and has a validity period until October 9, 2005. Stormwater concept management plan #36055-2002 and TCPI/28/03 have also been approved for the site.

6. **Design Features:** The subject subdivision is designed with three access points from Race Track Road. Hawk's Nest Court and Nancy Court are located on the northwesterly road frontage of the subdivision, whereas Colt's Neck Lane enters the subdivision from the northeasterly side after Race Track Road makes an almost 90-degree turn as it stretches around the northerly corner of the site. All roads in the subdivision terminate in cul-de-sacs. Hawk's Nest Court and Nancy Court, both relatively short streets, offer frontage for eight and nine lots respectively. Colt's Neck Lane and the two additional streets branching off of it, Colt's Neck Court and Horse Trail Street, offer frontage for an additional 67 lots. The plan includes seven open-space parcels, a pre-teen lot, a passive recreational area and an extensive trail network, including a connection to the adjacent WB&A Trail.

*Denotes correction

[Brackets] denotes deletion

Underlining denotes addition

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COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-R Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-441(b), which governs permitted uses in residential zones. The proposed cluster subdivision is a permitted use in the R-R Zone.
 - b. The proposal is also in conformance with the requirements of Section 27-442, Regulations, regarding additional regulations for development in residential zones.
8. **Preliminary Plan of Subdivision, 4-03025:** Preliminary Plan 4-03025 was approved by the Planning Board on September 11, 2003. Resolution PGCPB 03-188 was adopted on October 9, 2003, formalizing that approval. The following conditions of approval apply to the review of the subject Detailed Site Plan.

2. **At the time of review of the DSP, a Type II Tree Conservation Plan shall be approved.**

Comment: The Type II Tree Conservation Plan has been recommended for approval subject to conditions by the Environmental Planning Section.

3. **Development of this property shall conform to the approved Stormwater Management Concept Plan #36055-2002-00.**

Comment: A condition below requires that prior to signature approval of the TCPII, a copy of the approved stormwater management concept plan shall be submitted. If it does not show the areas of reforestation proposed within and around the ponds, the areas shall be removed from the TCPII or the applicant shall provide additional evidence that the Department of Environmental Resources has approved the planting.

7. **The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFA) to the Development Review Division (DRD) for approval prior to the submission of final plats, for construction of recreational facilities on homeowners land and the trail connection at the M-NCPPC WB&A Trail. Upon approval by the DRD and the Department of Parks and Recreation, the RFA shall be recorded among the county Land Records.**

Comment: This must be accomplished prior to the submission of final plats. However, the recreational facilities on homeowners land and the trail connection at the M-NCPPC WB&A Trail have been reviewed and Conditions 1.d and 1.g ensure that the design will be acceptable.

10. **The applicant, his heirs, successors and/or assignees shall provide standard sidewalks along both sides of internal public streets unless modified by the Department of Public Works and Transportation at the time of issuance of street construction permits.**

Comment: Standard sidewalks have been indicated along both sides of the internal streets on the

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detailed site plan. Recommended Condition 3 below ensures their installation.

- 13. Prior to the approval of final plats, a detailed site plan shall be approved which addresses but is not limited to the following issues:**
- a. To include feeder trail connections from the two cul-de-sacs that extend into the site from the northwest (Block B) to the existing trail system on-site. The open space windows that contain the trail connections shall be no less than 30 feet wide.**
 - b. Where possible, corner lots should have a wider lot frontage that will allow equal building setbacks on each street while keeping a private and usable rear yard.**
 - c. Where possible, lots located at the street end of a T-intersection should have their lot side lines centered on the street end and also have greater depth to allow variation of the building line along the street both to reduce glare from car lights and to create visual interest.**

Comment: The subject detailed site plan includes feeder trail connections from the two cul-de-sacs which extend into the site from the northwest (Block B) to the existing trail system on-site, and the plan indicates open space windows that contain the trail connections that are at least 30 feet wide. In addition, corner lots appear to be designed with wider lot frontage that will allow equal building setbacks on each street while keeping a private and usable rear yard and, where possible, lots located at the street end of a T-intersection have been designed in accordance with the requirements of Condition 13(b) above.

- 20. A farm dump removal plan shall be submitted as part of the Detailed Site Plan submission package. It shall show access for the removal of the existing debris and will delineate clearly the area to be disturbed. The plan shall include the methods and equipment to be used. The removal of the material from the site shall be done in a manner that causes the least amount of disturbance to the existing vegetation to be preserved. Most of the removal will need to be done by hand. The limits of disturbance for the plan shall be reflected on the TCPII. The farm dump removal plan shall be implemented during the first phase of grading the site and shall be completed prior to issuance of the first building permit.**

Comment: A farm dump removal plan has been submitted on page 15 of the submitted detailed site plan. Although the plan does not provide for most of the removal to be by hand, it is sufficiently detailed and states that hand removal will be done where necessary. The submitted farm dump removal plan complies with the requirements of Condition 20.

- 21. The signed JD shall be submitted as part of the Detailed Site Plan. If the JD shows the wetland on Lot 41 to be Waters of the U.S. and connected to Horsepen Branch it will be considered part of the PMA. In this event the preliminary plan and TCPI will need to be revised to show the new PMA limit and Lot 41 shall be deleted, and the road shall be designed to minimize the impact to this part of the PMA.**

Comment: The Environmental Planning Section has stated that because the wetland located on Lot 41 is isolated, it may be removed if the applicant provides evidence that the Maryland

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Department of the Environment has not taken jurisdiction over the isolated wetlands and they have approved their removal. A condition to this effect is included in the recommended conditions below.

- 23. At the time of review of the Detailed Site Plan the Environmental Planning Section shall ensure that the sanitary sewer extensions are located in a manner to ensure the least amount disturbance is proposed for the installation of sanitary sewer and trail connections within the PMA, as determined by the Environmental Planning Section and approved by the Planning Board.**

Comment: The Environmental Planning Section has stated that the proposed TCPII shows the necessary sanitary sewer line locations and connections to existing lines in the southern portion of the site, and that those lines have been located to minimize the impacts to the PMA to the fullest extent.

- 24. As part of the initial Detailed Site Plan submittal, Phase I and II noise studies shall be submitted for review to address the noise issues associated with the adjacent gun club.**

Comment: The Environmental Planning Section has stated that although the submitted Phase I and II noise studies claim that the adjacent rod and gun club is currently not operational, its owner has applied for a county permit for the construction of a safety baffling system on the site for future use with an operational firing range. Environmental Planning Section staff has suggested the inclusion of two conditions to address the proximity of the rod and gun club to the proposed subdivision: one requiring noting of the presence of the rod and gun club on the final plat, and one requiring enhanced construction techniques at the time of building permit to bring interior noise levels to 45 dBA or less. Both have been included in the recommended conditions below.

- 25. At the time of review of the DSP the stormwater management facility located on Parcel A shall be relocated if necessary to accommodate the outfall on site and to ensure no adverse impacts to the existing well located on the abutting property to the south (Parcel 58).**

Comment: The Environmental Planning Section stated that the above stormwater management facility has been deleted in favor of increasing the size of the stormwater management facility on Parcel F, eliminating the impacts on Parcel 58.

- 26. The applicant shall provide clear notice in the sales office at all times of the proximity of this property to the Berwyn Rod and Gun Club.**

Comment: A recommended condition shall require that a note be added to the plans that clear notice shall be provided in the sales office at all times of the proximity of this property to the Berwyn Rod and Gun Club.

- 27. The applicant shall install or pay for the installation of traffic calming rumble strips on Race Track Road at the property's frontage if approved by Department of Public Works and Transportation.**

Comment: A letter dated February 26, 2004, from Betty Hager Francis, then Director of DPW&T, specifically states that Race Track Road is a collector roadway and, as such, would not be a candidate for the installation of speed humps. The letter also said, however, that the installation of alternate speed control devices such as speed tables or a raised intersection could be explored

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when the scope of the project is further defined. Therefore, staff is recommending a condition that at the time of Department of Public Works and Transportation permitting the applicant specifically request that alternate speed control devices be considered and that documentation be provided to staff as designee of the Planning Board that due consideration was given and what, if any, ramifications on final plans resulted from that consideration.

9. **Landscape Manual:** The proposed development is subject to the requirements of the *Landscape Manual*. Particularly, Section 4.1 Residential Requirements and Section 4.6 Buffering Residential Development from Streets apply.

The Urban Design staff reviewed the proposed landscape plan and found that the submittals are in general compliance with the applicable sections of the *Landscape Manual*.

10. **Woodland Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the property is greater than 40,000 square feet gross tract area, more than 10,000 square feet of existing woodland and more than 5,000 square feet of woodland clearing are proposed, and there was a previously approved Type I Tree Conservation Plan.

The Environmental Planning Section has reviewed TCEP/116/04 and finds it to be in general compliance with the Woodland Conservation Ordinance, but requires substantial revision. Hence, they have recommended approval subject to numerous conditions. Staff has included those suggestions in the recommended conditions below.

11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Historic Preservation**—In comments dated September 9, 2004, the Historic Preservation and Public Facilities Planning Section has stated that the proposed project will have no effect on historic resources.
- b. **Community Planning**—In a memorandum dated October 6, 2004, the Community Planning Division stated that the proposed application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier, and that the application conforms to master plan recommendations for Low-Suburban residential land use. However, the application does not show the proposed A-58 arterial road alignment as recommended by the master plan and the Horsepen Branch Community Stream Valley Park recommended by the master plan on the southwest portion on the property. Further, the division stated that compatibility of the proposed residential development with the adjacent Berwyn Rod and Gun club shooting range needs to be evaluated.

Please note that the master planned Horsepen Branch Community Stream Valley Park is not indicated on the detailed site plan because land was not required to be dedicated to accommodate it when the preliminary plan of subdivision was approved. The detailed site plan, however, as part of the trail network through the subdivision, provides a leg through the stream valley that connects to the M-NCPPC WB&A facility on an adjacent parcel and will be easily accessible for public use.

Additionally, although the alignment for A-58, a four-lane arterial roadway with a

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200-foot right-of-way, passes through the middle of the property, the county did not include an estimated time for acquisition of the property within three years. Therefore, staff of DPW&T at the time of the approval of the preliminary plan, could not recommend that the affected lots be placed in reservation for A-58.

Finally, issues of compatibility of the proposed residential development with the adjacent rod and gun club has been addressed in the recommended condition below.

- c. **Transportation**—In comments dated September 22, 2004, the Transportation Planning Section stated that the submitted DSP follows the previous Planning Board approval by disallowing direct access to Race Track Road, addressing the sight distance problem at the entrances to the subdivision, and including internal sidewalks on both sides of the proposed internal street network. Further, they suggested that sidewalk along the subdivision's Race Track Road frontage would be desirable. Finally, they noted that the final plat should mention that A-58 is planned to traverse the property to connect to the Intercounty Connector (A-44).
- d. **Subdivision**—In a memorandum dated September 22, 2004, the Subdivision Section stated that the property is the subject of preliminary plan 4-03025, PGCPB Resolution 03-188. The preliminary plan resolution was adopted by the Planning Board on October 9, 2003, and has a validity period until October 9, 2005. Further, the Subdivision Section stated that of the resolution's 27 conditions, 17 apply to the review of the subject site plan. These conditions have been discussed under Finding 8 above.
- e. **Trails**—The senior trails planner has stated that the Adopted and Approved Bowie-Collington-Mitchellville and Vicinity Master Plan includes a master plan condition that designates Race Track Road as a master plan bicycle/trail corridor. In addition, the senior trails planner noted that the existing M-NCPPC WB&A Trail is adjacent to the subject site. Further they noted that while a condition of the relevant preliminary plan required bikeway signage and the construction of wide asphalt shoulder, a closed section might be recommended by DPW&T. If it were, staff would recommend that the condition be modified at this time to require a closed section. They also noted that the extensive network of internal trails in the subdivision, connecting to the WB&A trail and from the two cul-de-sacs extending from Block B onto the site, are acceptable and in accordance with conditions of the approval of the preliminary plan. Finally, they noted that sidewalks on both sides of all internal streets are shown as required by another condition of preliminary plan approval. The senior trails planner's concerns are addressed in the recommended conditions below.
- f. **Parks**—The Department of Parks and Recreation has verbally informed staff that the plan must be revised to include a trail connection to the M-NCPPC WB&A trail. Staff has included a recommended condition to ensure this connection is made.
- g. **Permits**—The Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or are in the recommended conditions below.
- h. **Public Facilities**—The Historic Preservation and Public Facilities Planning Section stated that the findings of preliminary plan 04-03025 are applicable in this case and that no further analysis is necessary.

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- i. **Environmental Planning**—In a memorandum dated September 21, 2004, the Environmental Planning Section made the following comments:

SUMMARY OF PRIOR ENVIRONMENTAL CONDITIONS OF APPROVAL

The approval of the Preliminary Plan of Subdivision included numerous conditions, several of which dealt with environmental issues that were to be addressed during subsequent reviews. The environmental conditions to be addressed during the review of the Detailed Site Plan are addressed below.

Preliminary Plan of Subdivision, 4-03025 conditions to be addressed at DSP:

2. **At the time of review of the DSP, a Type II Tree Conservation Plan shall be approved.**

Submittal of the subject DSP includes a Type II Tree Conservation Plan. This submittal satisfies this condition.

3. **Development of this property shall conform to the approved Stormwater Management Concept Plan #36055-2002-00.**

The stormwater management concept approval letter for #36055-2002-00 is on file. The letter was issued January 8, 2003, and is valid for three years from the date of issuance. The stormwater management concept plan has not been submitted. This plan is required prior to certificate approval of the DSP to determine if there are any conflicts between the TCPII and the concept plan. In addition, the proposed TCPII shows four stormwater management ponds with proposed reforestation areas around their embankments. The reforestation is intended to count toward the site's woodland conservation requirements. If the concept plan does not show the proposed reforestation, it cannot be counted toward meeting the requirements for woodland conservation, unless some other form of evidence of DER approval of the reforestation is provided.

Recommended Condition: Prior to certificate approval of the DSP, a copy of the approved stormwater management concept plan shall be submitted. If it does not show the areas of reforestation proposed within and around the ponds, the areas shall be removed from the TCPII or the applicant shall provide additional evidence that the Department of Environmental Resources has approved the planting.

20. **A farm dump removal plan shall be submitted as part of the Detailed Site Plan submission package. It shall show access for the removal of the existing debris and will delineate clearly the area to be disturbed. The plan shall include the methods and equipment to be used. The removal of the material from the site shall be done in a manner that causes the least amount of disturbance to the existing vegetation to be preserved. Most of the removal will need to be done by hand. The limits of disturbance for the plan shall be**

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reflected on the TCPII. The farm dump removal plan shall be implemented during the first phase of grading the site and shall be completed prior to issuance of the first building permit.

A Farm Dump Removal Plan is included in the DSP submittal. General notes on the plan describe how the plan will be implemented. Access to the area will be from an existing trail that is located parallel to the debris. Any damage done to the trail will be repaired as part of an upgrade to the overall trail system proposed for the site under the DSP.

Disposal of the farm debris will be done in accordance with Prince George's waste management regulations. There are two areas where farm debris has been identified on the plan. These areas are located in the central portion of the site. The small-sized debris is in the north portion of the area. The notes stipulate that bottles and small-sized, miscellaneous debris will be removed by hand. Wheelbarrows will be used to haul the smaller-sized debris away so that it can be sorted in accordance with Prince George's County Health Department regulations. To the south of the small debris is an area containing larger, more bulky-type debris to be removed by "Bobcat" type of grading equipment when possible. In the removal of the larger debris, no trees will be removed as part of the plan.

After the farm debris is removed, a qualified professional in accordance with Health Department standards will conduct a soil test to determine if contamination of the cleared area is present. Results of the soil test will be used to determine whether soil replacement is necessary. These results are to be forwarded to the county inspector and certified prior to reforestation of this area and upgrading/repair work to the trail.

The proposed TCPII shows the entire farm dump area (0.32 acre) to be reforested to count toward the site's woodland conservation requirements. The limits of disturbance for the plan are reflected on the TCPII. Therefore, it will be critical that the results of the soil test be sent to the DER inspector prior to the reforestation work commencing in this area.

The Farm Dump Removal Plan includes a proposed sequence of work. This information indicates the estimated time of completion is 16 days.

Submittal of this plan with the DSP is consistent with and satisfies the portion of the above condition that can be accomplished at DSP review.

21. **The signed JD shall be submitted as part of the Detailed Site Plan. If the JD shows the wetland on Lot 41 to be Waters of the U.S. and connected to Horsepen Branch it will be considered part of the PMA. In this event the preliminary plan and TCPI will need to be revised to show the new PMA limit and Lot 41 shall be deleted, and the road shall be redesigned to minimize the impact to this part of the PMA.**

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A signed jurisdictional determination (JD) has been submitted with the DSP. The JD indicates the wetland area on Lot 41 is isolated and not subject to the jurisdiction of the Corps of Engineers. Another wetland area was also found to be isolated. In the written JD dated January 6, 2004, it was noted that although this area is not subject to federal jurisdiction, "they may be subject to State jurisdiction and authorization from the Maryland Department of the Environment (MDE) may be required for any work in these areas."

Per Condition 21, this area is not part of the PMA. Lot 41 could have been included in the plan, however, the design now shows a stormwater management pond in this location. If the Maryland Department of the Environment determines that the wetland in question is under their jurisdiction and does not allow the proposed impacts, the design will have to be changed to accommodate this requirement.

Recommended Condition: Prior to issuance of any permits for the subject property, evidence shall be provided that the Maryland Department of the Environment has not taken jurisdiction over the isolated wetlands and that they have approved their removal.

- 23. At the time of review of the Detailed Site Plan the Environmental Planning Section shall ensure that the sanitary sewer extensions are located in a manner to ensure the least amount of disturbance is proposed for the installation of sanitary sewer and trail connections within the PMA, as determined by the Environmental Planning Section and approved by the Planning Board.**

The proposed TCPII shows the necessary sanitary sewer line locations and connections to existing lines in the southern portion of the site. These lines have been located to minimize the impacts to the PMA to the fullest extent possible.

- 24. As part of the initial Detailed Site Plan submittal, Phase I and II noise studies shall be submitted for review to address the noise issues associated with the adjacent gun club.**

A Phase I/Phase II noise assessment (prepared in July 2004) has been submitted with the DSP. Information in the assessment notes that the rod and gun club is currently not operational. The operator of the Berwyn Rod and Gun Club has applied for a county permit (No. 32473-2004-01-CGU) for the construction of exterior alterations at the site. This work is described on the permit as for provision of a safety baffling system. The permit is currently under review. After installation of the system, the firing range use will be operational.

The noise assessment contains two recommendations:

- (1) Use specific construction materials for some of the residential units to ensure the interior noise levels are less than 45 dBA. Reductions ranging from 29 dBA to 21 dBA are needed for some lots, as defined in Exhibit 3. This exhibit does not reflect any mitigation that may be caused by the

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residential units between the source and the receptors.

- (2) Inform all prospective purchasers that the property adjacent to the Colt's Neck Subdivision is used for gun club and rifle range. Persons who reside in the subdivision will hear and notice the noise from the firing of pistols and rifles.

Recommended Condition: The following note shall be placed on the final plat: Lots 10-25 and 29-47, Block A, and Lots 5 and 6, Block B, may be subject to noise levels above the state noise standard of 65 dBA Ldn from the adjacent gun club and rifle range to the southwest of the subject property. Persons who reside in the subdivision will hear and notice noise from the firing of pistols and rifles.

Recommended Condition: Prior to the approval of building permits for Lots 10-25 and 29-47, Block A, and Lots 5 and 6, Block B, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures have been designated to reduce interior noise levels to 45 dBA (Ldn) or less.

25. **At the time of review of the DSP the stormwater management facility located on Parcel A shall be relocated if necessary to accommodate the outfall on site and to ensure no adverse impacts to the existing well located on the abutting property to the south (Parcel 58).**

The stormwater management pond previously shown on the preliminary plan and TCPI in parcel abutting Parcel 58 to the south is no longer proposed on the TCPII. In a redesign of stormwater facilities at the site, a stormwater management pond proposed in Parcel F has increased in size. This larger pond is located in Parcel F on the south side of Horse Tail Court on the proposed TCPII. As a result of the redesign of stormwater management facilities at the site, Parcel 58 abutting the site to the south will no longer be impacted by a proposed stormwater management pond and outfall in this area. Instead of the stormwater management pond in Parcel A, the proposed TCPII shows a storm drain pipe located between proposed Lots 60 and 61 (where Parcel A was previously shown). At the end of Lot 60, there is a yard inlet shown to collect surface drainage.

Environmental Review

As revisions made to the plans are submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when and by whom.

- (1) A revised detailed forest stand delineation (FSD) was submitted with Preliminary Plan 4-03025 and was found to meet the requirements for an FSD in accordance with the Woodland Conservation Ordinance.

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Comment: No further information is required regarding the FSD.

- (2) This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the property is greater than 40,000 square feet gross tract area, there are more than 10,000 square feet of existing woodland, and more than 5,000 square feet of woodland clearing is proposed. The 53.16-acre property has a net tract area of 48.19 acres, based on 4.97 acres of 100-year floodplain associated with the site. Existing woodland at the site totals 34.33 acres, including the 4.89 acres of floodplain. The Woodland Conservation Threshold is 20 percent, or 9.63 acres. The total amount of woodland clearing is 23.78 acres. The proposed TCPII shows that the site's woodland conservation requirement of 15.58 acres will be satisfied with 9.02 acres of on-site preservation, 3.02 acres of on-site reforestation, 1.01 acres of afforestation, and 2.53 acres of off-site mitigation.

The proposed TCPII is in substantial conformance with the limits of disturbance on the approved TCPI and the amount of proposed woodland clearing is the same on both plans.

There are many revisions needed to the proposed TCPII before it will meet the requirements of the ordinance. General information to be shown on the TCPII is missing. The legend does not include symbols for several features shown on the plan, including the streams and their associated 50-foot buffers, the symbol shown for the Patuxent River Primary Management Area (PMA), the symbol shown for areas of nontidal wetlands and areas of 100-year floodplain.

Several existing site features must be further addressed for purposes of clarification. Ten specimen trees are located at the site and all were field located. A specimen tree table is provided, however, it does not include a column as to the disposition of all of these trees at post development. All ten trees are shown on the plan as being saved. Revise the TCPII to include a separate column showing the disposition of the ten specimen trees at post development.

On sheet 3 of 16 under the legend is a note that reads:

“During pre-con, applicant shall have certified arborist to determine additional tree save measures for specimen trees.”

Remove this note because the language is unacceptable because the pre-construction meeting phase is too late in the TCPII review process. One purpose of a TCPII review is for these details to be determined prior to signature approval of the TCP.

There are additional conflicts on the TCPII in relation to the ten specimen trees. All ten of these trees are within 100 feet of proposed grading and/or the limits of disturbance. In one instance (the worst case scenario) a specimen tree is five feet from the proposed limits of disturbance. Specimen trees T1-T4 are shown on sheet 7 of 17. T1 is located in a proposed tree preservation area. Specimen trees

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T2 and T3 are located in the rear yard of Lot 9, Block A, in an area shown as trees saved but not counted toward the site's requirements. These trees are both tulip poplars and both are in fair condition; however, the clearing and grading to occur around these trees is extensive enough that these trees will not survive the proposed construction. These two trees should be shown to be removed.

Specimen tree T4 is located in a proposed reforestation area on Lot 8, Block A. There are no details as to protection methods to be used to ensure survivability of this specimen tree. The TCPII must be revised to give more specific details as to protective measures to the specimen trees, or whether any others should be removed due to impacts to their root systems. A certified arborist should be consulted prior to signature approval of the TCPII to determine whether any of the remaining eight specimen trees should be removed. Provide proof of consultation with the arborist as to the results of his/her analysis of these trees.

In addition, a required specimen tree graphic detail required on the plan is missing. This is Figure E-4 from the manual, titled "Generalized Graphic Representation of Information Needed for Root Mass Radius Calculations." This detail is to be shown on the plan and applied to each of the eight specimen trees to be preserved with the results as to whether any of the specimen trees require root or top pruning, fertilization and irrigation as special treatment methods to ensure survivability.

Woodland conservation information must be revised because much of the information on the plan is either incomplete, inaccurate or unacceptable as shown. The standard and optional TCPII notes to be shown are incomplete. Revise these notes to remove the first phrase in standard TCPII Note 2 that reads: "The Inspection and Code Compliance Section of" and begin this sentence with "The Department of Environmental Resources shall be contacted." In this same sentence of Note 2 replace the word "Tree" with "Woodland." The second sentence in Note 6 reads: "These signs shall remain in place until the Prince George's County Planning Department approves removal." This sentence should read: "These signs should remain in place." Remove Note 8 entirely because it is a repeat of Note 7 regarding required off-site mitigation. Add optional Note 1 that is missing from the plan. This note must be on the plan because it has to do with the provision of Tree Protection Devices (TPD) proposed at the site in relation to woodland conservation areas on the proposed TCPII. This note reads as follows:

"The location of all Tree Protection Devices (TPDs) shown on this Plan shall be flagged or staked in the field prior to the pre-construction meeting with the Sediment and Erosion Control Inspector from DER. Upon approval of the flagged or staked TPD locations by the inspector, installation of the TPDs may begin. TPD installation shall be completed prior to installation of initial Sediment Controls. No cutting or clearing of trees may begin before final approval of TPD installation."

Both reforestation and afforestation measures are proposed at the site. However, four pertinent notes relating to reforestation/afforestation to be shown on the

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TCPII have not been included. Add the four notes on the plan to read as follows:

“All tree planting for woodland replacement, reforestation or afforestation will be completed prior to Use and Occupancy Permit. Failure to establish the woodland replacement, reforestation or afforestation within the prescribed time frame will result in the forfeiture of the Reforestation Bond and/or a violation of this Plan including the associated \$1.50 per square foot penalty unless a written extension is approved by the DER Inspector.”

“The DER Inspector shall be notified prior to soil preparation or initiation of any tree planting on this site.”

“Results of survival checks for all tree plantings shall be reported to the DER Inspector for the site and M-NCPPC, Environmental Planning Section.”

“Prior to the issuance of any permits the contractor responsible for soil preparation, site preparation, tree planting, and tree maintenance must be identified.”

“Name
“Business Name
“Address
“Phone Number”

On sheet 8 of 16 proposed Parcel E is located behind Lots 28, 29 and 30. The rear portions of all three of these lots are shown on the plan as being woodland areas saved but not counted. All proposed woodland treatment areas must be labeled on the plan to the closest 1/100 of an acre. The proposed amount of woodland conservation treatment area (to be saved but not counted) is not labeled. Revise the plan to calculate the acreage of this proposed woodland conservation area to the closest 1/100 of an acre.

A proposed woodland conservation area on sheet 3 of 16 on Lots 12 and 13 of Block B is identified in a note under the legend as a “reforestation area (not counted).” This is problematic because both lots have less than 20,000 square feet in area (Lot 12 contains 17,671 and Lot 13 has 14,366 square feet). Woodland conservation areas are not supported on lots having less than 20,000 square feet in area. In addition, proposed reforestation areas should count toward a site’s woodland conservation requirements, otherwise future property owners could remove an entire reforestation area on their property, at their discretion, if these are shown as not counting toward the site’s overall requirements. This has the potential to cause confusion in the subdivision regarding which areas are acceptable to be removed and which are not.

The proposed reforestation area on these two lots is located abutting Parcel B. This parcel has steep and severe slopes (the former with highly erodible soils), a portion of which has existing woodland shown as saved but not counted. A

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segment of the proposed trail system is located on Parcel B. The trail alignment skirts along the edge of the rear property lines of Lots 12 and 13. Specimen tree T5 is located in Parcel B, in close proximity to the cluster of four specimen trees (identified as T6-T9), all of which are located on Lot 12. A practical solution could be the redesign of Lots 12 and 13 to 10,000 square feet each, and the proposed reforestation area on these lots could then be included in Parcel B with the reforestation shown as counting toward the site's woodland requirements. A redesign of Lots 12 and 13 would also afford more protection to the cluster of specimen trees in this area. Revise the plan to show the proposed reforestation area on Lots 12 and 13 as being included in Parcel B, and reduce the lot sizes of both Lots 12 and 13 to 10,000 square feet each. In turn, revise the woodland conservation worksheet to increase the amount of proposed reforestation to count toward the site's woodland conservation requirements. Remove the reference under the legend to "reforestation area (not counted)."

There are three lots on the proposed plan that are similarly problematic to Lots 12 and 13 of Block B, due to proposed woodland conservation areas (reforestation or tree conservation areas on them. These three lots contain less than 20,000 square feet in size. These include:

Lot Number/Block	Lot size in square feet	Plan Sheet
10 of B	19,884	3 of 16
62 of A	19,914	5 of 16
8 of A	19,299	7 of 16

Revise the plan to remove the proposed woodland conservation areas on them because these lots are less than 20,000 square feet in size. Woodland conservation areas are not to be located on lots less than 20,000 square feet. Adjust the woodland conservation worksheet to reduce the amount of woodland conservation area counting toward the site's total requirements.

Eleven lots are further problematic in that the rear yards have less than 40 feet of cleared area between the proposed back of the footprint of the house to the lot's rear property line. This situation is currently shown on the following lots:

Lot Number/Block	Plan Sheet
17 of B	3 of 16
1 of B	4 of 16
4 of B	4 of 16
6 of B	4 of 16
11 of A	7 of 16
12 of A	7 of 16
17 of A*	7 of 16
18 of A*	7 of 16
36 of A	9 of 16
41 of A*	9 of 16

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43 of A*

9 of 16

Revise the plan to demonstrate that the distance from the back of the footprint of the proposed unit on each of the above lots has at least 40 feet of cleared rear yard area.

The TCPII reforestation information does not include pertinent information about the soils. More specific information is required to be shown on the plan for each of the reforestation areas to address the following: amended soil ph; soil compaction corrected; top soil minimum depth; soil amendments proposed (organic or otherwise); how the soils will be stabilized through structural, vegetative or mulching methods); and whether the soils are free of contaminants (oil products, concentrated soluble salts, ferrous iron, soluble aluminum, soluble manganese, and herbicides). Also include information regarding the hydrology of the reforestation planting sites; whether the condition is suited to the species selected; the proposed site preparation including whether ground cover will not adversely impact tree growth; and the controls to be used regarding competing vegetation around trees.

Sheet 12 of 16 contains details relating to proposed woodland conservation areas at the site. However, this sheet does not include the required reforestation sign detail. Revise the plan to include the required reforestation sign detail.

Sheet 12 of 16 does include the specimen tree and forest conservation area sign details. However, the required notes under the detail incorrectly refer to the spacing of these signs at "approximately 150 feet apart." Signage for woodland conservation and reforestation/afforestation areas are spaced approximately every 50 feet apart along the visible edges of these areas. Revise this detail note so that the spacing refers to "approximately 50 feet apart" and then show the appropriate spacing of this signage on the plan in relation to the proposed reforestation/afforestation areas.

Two types of permanent protective fencing details are shown. One fence detail has three rails and is white vinyl material. While this fence detail is shown on sheet 12 of 16, a symbol in the legend has not been provided for it. The second fence detail is shown on sheet 11 of 16 for a two-rail fence. This detail is labeled "Permanent tree protection fence for afforestation areas and 35 foot buffer." A separate symbol for this type of proposed fencing detail is not in the legend on all of the sheets where reforestation/afforestation is proposed. However, the legends on sheets 5 and 6 of 16 do both contain two different symbols for the two different fence details proposed at the site. Revise the legend on those sheets where either fence treatment is proposed to include the fence symbol applicable on said sheet.

Seven lots have both fence treatments on them in relation to afforestation and *Landscape Manual* treatments proposed in relation to Race Track Road at the site's entrance, and where reforestation/afforestation edges are shown in relation to private lots. The reforestation/afforestation fence detail title is missing a reference to the word "Reforestation" in it. Insert the word "Reforestation" in the

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title of the detail on sheet 11 of 16 for the two-rail fence detail along the edges of these woodland treatment areas.

Some reforestation/afforestation areas are proposed to relation to edges of private lots or on the lots. The edges of these areas, whether abutting or on private lots, must be physically delineated with the use of split rail fencing. Two areas have been identified where both permanent split rail fencing and the reforestation/afforestation signage are missing. Sheet 7 of 16, Lot 8 of Block A has a reforestation area in the rear of the lot. However, neither the protective split rail fencing or reforestation sign detail is shown. Revise the plan to show the split rail fencing on Lot 8 of Block A for the split rail fencing and reforestation signage. Similarly, Lot 28 of Block A is abutting a proposed afforestation area (totaling 4,082 square feet). The afforestation area also has frontage along Horse Trail Street. Neither the permanent split rail fencing or afforestation signage is located along the street and the west property line with Lot 28 of Block A. Revise the plan to show the permanent split rail fencing and afforestation signage in relation to Lot 28 of Block A for the 4,082 square feet of afforestation proposed in relation to said lot and Horse Trail Street.

Reforestation information on sheet 11 of 16 is incomplete. At the bottom of the sheet is a note with the proposed seedling mix of $\frac{1}{4}$ red maples, $\frac{1}{4}$ yellow poplars, $\frac{1}{4}$ Eastern red cedars, and $\frac{1}{4}$ Swamp oaks or White oaks. There is a reforestation note that reads: "The species depends on site conditions and proximity to water. The landscape contractor shall make the determination at the time of planting." This note must be removed from the plan because the TCPII must contain detailed information as to reforestation specifications as required in the manual.

Reforestation information on the plan does not address pertinent information that comprises a complete reforestation management plan. Revise the plan to include information to address all aspects of the future management and maintenance of the reforestation areas as follows: site and tree maintenance; company or individual responsible for tree care; term of the plan that it is no less than five years; final expected survival; and follow-up maintenance (watering, fertilization and weeding).

After the required revisions are made to the plan, prepare a separate composite plan of the TCPII at 100 scale and add it as a cover sheet to the TCPII. Then have the qualified professional who prepared the TCPII update the revision box, sign and date the plan.

- j. **Department of Environmental Resources**—In comments dated September 22, 2004, the Department of Environmental Resources stated that the site plan for Race Track Road—Colt's Neck—DSP-04006 is not consistent with approved stormwater concept plan #36055-2002. Specifically, they said that the site plan layout is different from what was approved in the concept. Revision of the stormwater concept plan to the satisfaction of the Department of Environmental Resources is ensured by a recommended condition below.

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- k. **Prince George's County Fire/EMS Department**—At the time of the writing of this staff report, the Prince George's County Fire/EMS Department has not offered comment on the proposed project.
- l. **Department of Public Works and Transportation (DPW&T)**—In a memorandum dated September 17, 2004, the Department of Public Works and Transportation stated that right-of-way dedication and frontage improvements must be made along Race Track Road in accordance with DPW&T's collector roadway standard and DPW&T's previous traffic study comments would be required. Additionally, they stated that sidewalks would be required along all roadways within the property limits, that conformance with street tree and lighting standards would be required, that all storm drainage systems and facilities would have to be planned in accordance with DPW&T's and the Department of Environmental Resource's requirements and that a soils investigation report would be required. Lastly, they stated that all improvements within the public right-of-way as dedicated to the county are to be in accordance with the county Road Ordinance, DPW&T's specifications and standards and the Americans with Disabilities Act. Please note that DPW&T's requirements are enforced through a separate permitting process.
- m. **Maryland State Highway Administration (SHA)**—In a letter dated September 17, 2004, SHA stated that they have no objection to detailed site plan DSP-04006 approval.
- n. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated September 17, 2003, WSSC stated that water and sewer extension would be required for the project, that existing WSSC facilities are located on the site, and that the engineer for the project is required to submit hydraulic planning analysis and database search packages for review to the Development Services Center of the WSSC to begin the system extension permit process.

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12. Architecture for the project includes the following models:

Model	Base Square Footage
Oberlin	2,632
Victoria	2,439
Avalon	2,935
Highgrove	3,576
Waverly	3,189
Courtland	2,877
Zachary	2,249

Staff has reviewed the elevation drawings for the above models and would recommend that they be approved as appropriate architecture for the subject subdivision.

13. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/116/04) and further APPROVED Detailed Site Plan DSP-04006 for the above-described land, subject to the following conditions:

1. Prior to signature approval the plans for the project shall be revised, specified approvals shall be gained or items submitted as follows:
 - a. A note shall be added to the plans that the internal trails as reflected on the detailed site plan are to be HOA owned and maintained so as to provide adequate bicycle and pedestrian access throughout the community and to the adjacent M-NCPPC WB&A Trail.
 - b. The approved stormwater concept plan, #36055-2002, shall be revised so that it is consistent with the submitted site plan, and written confirmation from the Department of Environmental Resources shall be submitted to staff stating that the submitted site plan is consistent with the approved stormwater concept plan.
 - c. The signed jurisdictional determination shall be submitted as part of the detailed site plan. If the JD shows the wetland on Lot 41 to be Waters of the U.S. and connected to Horsepen Branch, it will be considered part of the PMA. In this event the preliminary plan and TCPI will need to be revised to show the new PMA limit and Lot 41 shall be deleted, and the road shall be designed to minimize the impact to this part of the PMA.
 - d. A trail connection to the M-NCPPC WB&A trail and bollards at the trail's end shall be indicated. Details of trail design and construction and bollard location shall be approved by the Department of Parks and Recreation as designee of the Planning Board.

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- e. A note shall be added to the plans that units across the street from or next to each other shall not have the same front elevation.
- f. Plans for the proposed project shall be visibly displayed in the real estate office utilized for sale of lots/units in the subdivision.
- g. The applicant shall revise the plans to include a passive recreational area at the trailhead and a pre-teen lot in a designated reforestation area. Locations shall be specified and plans approved by the Urban Design and Environmental Planning Sections as designees for the Planning Board.
- h. The applicant shall revise sheet 4 of 16 to indicate that the retaining wall on proposed Lot 4 of Block B shall be brick-faced.
- i. A copy of the approved Stormwater management Concept Plan shall be submitted. If it does not show the areas of reforestation proposed within the around the ponds, the areas shall be removed form the TCPII or the applicant shall provide additional evidence that the Department of Environmental Resources has approved the planting.
- *j. If allowed by DPW&T, the DSP shall be revised to include painted or stamped asphalt (brick paver) crosswalks at the following locations: (1) at each of the three subdivision entrances from Race Track Road; (2) across Colt's Neck Lane at the southern approach to the intersection with Horse Trail Street; (3) across Horse Trail Street at Colt's Neck Lane; and, (4) across Colt's Neck Court at Colt's Neck Lane.
- *k. The DSP shall be revised to include lane striping on Colt's Neck Lane at the Race Track Road intersection in order to separate right-turn, through, and left-turn traffic exiting the site.
- *l. The DSP shall be revised to indicate berming to be used to buffer the proposed dwellings on Lots 1 and 63-67 in Block A and berming and a landscaped bufferyard shall be provided on Lots 1, 8, 9 and 17 in Block B.
- *m. The DSP shall be revised to include an alternative bollard design that includes at least two (2) of the type of bollards identified in the DSP.
- *n. The DSP shall be revised to include a thematic landscape feature designed to be installed at each of the five (5) trail entrances.
- *o. General Note #14 on the DSP shall be revised to clarify that on-site trails will be private, not public.
- *p. The DSP shall be revised to show a landscaped entrance along Race Track Road at Colt's Neck Lane.

*Denotes correction

[Brackets] denotes deletion

Underlining denotes addition

- *q. A note shall be added to the plans stating that a percentage of larger caliper plant

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materials (e.g. 1-inch diameter or greater) shall be included where either reforestation or afforestation is proposed on individual lots.

*r. A note shall be added to the plans indicating that all units on Lots 10-24 and Lots 29-47 in Block A, which are within the noise impact area identified in the applicants noise study, shall be constructed using techniques to lower interior noise volumes to at least 45 dBA (Ldn) at impulse noise levels, and the builder shall provide a certification of noise level compliance to the homeowner at the time of settlement.

*s. Plans for the architecture for the project shall be modified or specified as follows:

- (i) The front facades of all model homes shall be constructed of brick, stone or stucco.
- (ii) Lots 1,2, 5, 27, 31, 39, 46, 54, 55, 67 in Block A and Lots 1, 8, 9, and 17 in Block B shall have brick facades.
- (iii) Brick or masonry wraps shall be provided on all projections, including garages and other offsets, on any unit in the subdivision when the front façade is brick.
- (iv) Chimneys or fireplace inserts, if used on Lots 27, 32, 54, 55 and 67, shall be extended to meet grade or be landscaped to improve the appearance of the home from public view.
- (v) Units across the street from or next to each other should not have the same front elevation.
- (vi) A minimum of two architectural features should be provided in a balanced composition on each endwall. Such features should include, but not be limited to, standard windows, doors, and fireplace chimneys. The side elevations of dwelling units on Lots 27, 32, 54, 55 and 67 shall have at least four (4) endwall features.
- (vii) A note shall be added to the DSP stating that roofing shingles that are energy-sensitive and light-reflective shall be offered for all models.
- (viii) The rear elevations of the units on Lots 1 and 63-67 shall have shutters on all second floor windows or contain 4-inch window trim around all second floor windows.
- (ix) The options on the Victoria and Oberlin models shall be made mandatory so that the minimum 2,800 square foot requirement from the Water and Sewer Plan amendment for the subject property will be met whenever those models are used.
- (x) Not more than eight (8) Zachary model units shall be used (approximately 10% of the residential inventory) in DSP #04006.
- (xi) The proposed pre-teen area and passive recreation area shall be shown on the detailed site plan.

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*t. The following urban design revisions shall be made to the DSP prior to signature

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approval:

<u>A-31</u>	<u>Reverse unit and provide side-load garage, angle front of unit toward corner intersection and move forward as far as possible, provide access from lower classified road (legal front) and provide evergreen landscaping on Lot 30-31 lot line.</u>
<u>A-39</u>	<u>Angle front of unit toward intersection, provide side-load garage and access from lower classified road.</u>
<u>A-54</u>	<u>Reverse unit and provide side-load garage, angle front of unit toward corner intersection and move forward as far as possible, provide access from lower classified road and provide evergreen landscaping on Lot 53-54 lot line.</u>
<u>A-17</u>	<u>Relocate proposed sewer line in cul-de-sac to the west to allow a larger building envelope and shift house location to the west, reversing the unit to allow for future building expansion on the northeast side of the house.</u>
<u>A-27</u>	<u>Angle front of unit toward corner intersection and move forward as far as possible, provide side-load garage. Revise building restriction lines since the lot line with Lot 26 is a side lot line, not a rear lot line.</u>
<u>A-36</u>	<u>Move unit forward or use smaller unit to avoid encroachment into rear building restriction line.</u>
<u>A-43</u>	<u>Move unit forward or use smaller unit to avoid encroachment into rear building restriction line.</u>
<u>A-60</u>	<u>Shift the unit in a northerly direction away from storm drain pipe, which runs along the Lots 60-61 lot line to allow more buildable area.</u>
<u>A-67</u>	<u>Use larger model and angle front of unit toward corner intersection and provide side-load garage and evergreen landscaping to screen the rear yard from Colt's Neck Lane</u>
<u>B-1</u>	<u>Reverse unit and provide side-load garage, angle front of unit toward corner intersection and move forward. Revise building restriction lines since the lot line 2 is a rear lot line, not a side lot line.</u>

*u. The following landscape screening revisions shall be made to the DSP prior to signature approval:

- (i) Provide evergreen screening on Parcel E, behind Lots 26-27, to buffer the rear yards from the pedestrian trail.
- (ii) Provide evergreen screening on Lot 17 adjacent to trail running along the western lot line.
- (iii) Provide evergreen screening on Lots 1-4 in Block A and Lot 14 in Block B to screen the proposed lots from the adjacent property.
- (iv) Provide evergreen screening on Lot 4, Block A and Lot 14, Block B to screen the rear yards of those units from the adjacent trail on Parcels A and C.

*v. The following notes shall be added to the DSP prior to signature approval:

- (i) All off-site woodland mitigation shall be provided, if possible, within the same watershed as the property (Patuxent River watershed).

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- (ii) A phased clearing plan, which progressed form north to south, shall be used

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- during construction.
- (iii) Temporary plastic snow fencing shall be installed along the roadway frontage of Race Track Road before grading is underway. The fencing shall remain for the duration of the grading work at the site.
 - (iv) Property notification shall be provided at the time of contract signing to notify prospective purchasers of the presence of the Berwyn Rod and Gun Club.
 - (v) The applicant shall seek to have a soil erosion test done on the property prior to any grading of the site.
2. Depending on the road cross section required by DPW&T, one of the following alternatives shall be constructed along the subject site's entire road frontage of Race Track Road:
- a. If a closed road cross section is required, construct an eight-foot-wide hiker-biker trail.
 - b. If an open road cross section is required, designate Race Track Road as a Class III bikeway with appropriate signage. Because Race Track Road is a county right-of-way, the applicant and his heirs, successors, and/or assignees shall provide a financial contribution of \$420 to the Department of Public Works and Transportation for the placement of this signage. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit. Provide a wide asphalt shoulder along the subject site's frontage to safely accommodate bicycle traffic, unless modified by DPW&T.
3. In phase with construction of the internal public streets, the applicant, his heirs, successors and/or assignees shall provide standard sidewalks along both sides of internal public streets unless modified by the Department of Public Works and Transportation at the time of issuance of street construction permits.
4. Prior to signature approval of the TCPII, the following revisions shall be made to TCPII/116/04:
- a. Include symbols for several features shown on the plan including the streams and their associated 50-foot buffers, the symbol shown for the Patuxent River Primary Management Area (PMA), the symbol shown for areas of nontidal wetlands and areas of 100-year floodplain.
 - b. Include a separate column showing the disposition of the ten specimen trees at post development.
 - c. Remove the note on sheet 3 of 16 that reads:

"During pre-con, the applicant shall have a certified arborist to determine additional tree save measures for specimen trees."

*Denotes correction

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- d. Show specimen trees T2 and T3 in the table as "to be removed by the developer."

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- e. A certified arborist should be consulted prior to signature approval of the TCPII to determine whether any of the other eight specimen trees should be removed. Provide proof of consultation with the Arborist as to the results of his/her analysis of these trees.
- f. Show Figure E-4 from the manual, titled "Generalized Graphic Representation of Information Needed for Root Mass Radius Calculations." This detail shall be shown on the plan and applied to each of the eight specimen trees with the results as to whether any of the specimen trees require root or top pruning, fertilization and irrigation as special treatment methods to ensure survivability.
- g. Remove the first phrase in standard TCPII Note 2 that reads: "The Inspection and Code Compliance Section of" and begin this sentence with "The Department of Environmental Resources shall be contacted."
- h. In this same sentence of standard Note 2 replace the word "Tree" with "Woodland."
- i. Standard Note 6 reads: "These signs shall remain in place until the Prince George's County Planning Department approves removal." This sentence should read: "These signs should remain in place."
- j. Remove standard Note 8 entirely because it is a repeat of Note 7 regarding required off-site mitigation.
- k. Add optional Note 1 that is missing from the plan. This note reads as follows:

"The location of all Tree Protection Devices (TPDs) shown on this Plan shall be flagged or staked in the field prior to the pre-construction meeting with the Sediment and Erosion Control Inspector from DER. Upon approval of the flagged or staked TPD locations by the Inspector, installation of the TPDs may begin. TPD installation shall be completed prior to installation of initial Sediment Controls. No cutting or clearing of trees may begin before final approval of TPD installation."
- l. Put the four following optional TCPII notes on the plan to read as follows:

"All tree planting for woodland replacement, reforestation or afforestation will be completed prior to Use and Occupancy Permit. Failure to establish the woodland replacement, reforestation or afforestation within the prescribed time frame will result in the forfeiture of the reforestation bond and/or a violation of this plan including the associated \$1.50 per square foot penalty unless a written extension is approved by the DER Inspector."

"The DER Inspector shall be notified prior to soil preparation or initiation of any tree planting on this site."

"Results of survival checks for all tree plantings shall be reported to the DER Inspector for the site and M-NCPPC, Environmental Planning Section."

"Prior to the issuance of any permits the contractor responsible for soil preparation, site preparation, tree planting and tree maintenance must be identified:

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“Name

“Business Name

“Address

“Phone Number”

- m. On sheet 8 of 16 proposed Parcel E is located behind Lots 28, 29 and 30. The rear portions of all three lots are shown as being woodland areas saved but not counted. Label this area as woodland saved but not counted and calculate the acreage of this proposed woodland conservation area to the closest 1/100 of an acre and show it on the plan.
- n. Show the proposed reforestation area on Lots 12 and 13 of Block B as being included in Parcel B, and reduce the lot sizes of both Lots 12 and 13 to 10,000 square feet each.
- o. Revise the woodland conservation worksheet to increase the amount of proposed reforestation at the location described in Condition 14 above to count toward the site's woodland conservation requirements.
- p. Remove the reference under the legend (on this sheet where Lots 12 and 13 of Block B are shown) “reforestation area (not counted).”
- q. Remove the proposed woodland conservation areas on Lots 10, Block B, and Lots 8 and 62, Block A, that are all less than 20,000 square feet in area. Adjust the woodland conservation worksheet to reduce the amount of woodland conservation area counting toward the site's total requirement.
- r. Demonstrate the distance from the back of the footprint of the proposed unit on Lots 11, 12, 17, 18, 36, 41 and 43, Block A, and Lots 1, 4, 6 and 17, Block B, so that there is at least 40 feet of cleared rear yard area between the back of the footprint and each lot's rear property line.
- s. Show information for each of the reforestation areas to address the following: amended soil ph; soil compaction corrected; top soil minimum depth; soil amendments proposed (organic or otherwise); how the soils will be stabilized through structural, vegetative or mulching methods); whether the soils are free of contaminants (oil products, concentrated soluble salts, ferrous iron, soluble aluminum, soluble manganese, and herbicides). Include information regarding the hydrology of the reforestation planting sites; whether the condition is suited to the species selected; the proposed site preparation including whether ground cover will not adversely impact tree growth; and the controls to be used regarding competing vegetation around trees.
- t. Show the required reforestation sign detail.
- u. Revise the notes in the reforestation sign detail so that the spacing refers to “approximately 50 feet apart” and then show the appropriate spacing of this signage on the plan in relation to the proposed reforestation/afforestation areas.
- v. Show on the legend on the respective sheets where either fencing treatment is proposed to include the fence symbol applicable on said sheet.

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- w. Insert the word "Reforestation" in the title of the detail on sheet 11 of 16 for the two-rail fence detail along the edges of these woodland treatment areas.
 - x. Show the split rail fencing on Lot 8 of Block A for the split rail fencing and reforestation signage.
 - y. Show the permanent split rail fencing and afforestation signage in relation to Lot 28 of Block A for the 4,082 square feet of afforestation proposed in relation to said lot and Horse Trail Street.
 - z. Remove from the plan the note that refers to: "The landscape contractor shall make the determination at the time of planting," because this detailed information is required on the plan prior to signature approval of the TCPII.
 - aa. Include information to address all aspects of the future management and maintenance of the reforestation areas as follows: site and tree maintenance; company or individual responsible for tree care; term of the plan that it is no less than five years; final expected survival; and follow-up maintenance (watering, fertilization and weeding).
 - bb. After the required revisions are made to the plan, prepare a separate composite plan of the TCPII at 100 scale and add it to the TCPII as a cover sheet.
 - cc. Have the qualified professional who prepared the TCPII update the revision box, sign and date the plan.
5. At the time of Department of Public Works and Transportation permitting, the applicant shall specifically request that alternate speed control devices be considered and that documentation be provided to staff as designee of the Planning Board that due consideration was given and what, if any, ramifications on final plans resulted from that consideration.
6. Prior to issuance of any permits for the subject property:
- *a.[.] evidence shall be provided that the Maryland Department of the Environment has not taken jurisdiction over the isolated wetlands and that they have approved their removal.
 - *b. If allowed by DPW&T, the applicant shall install a traffic half-signal at the intersection of Race Track Road and Jericho Park Road.

*Denotes correction

[Brackets] denotes deletion

Underlining denotes addition

7. The following note shall be placed on the final plat: Lots 10-25 and 29-47 of Block A, and Lots 5 and 6 of Block B may be subject to noise levels above the state noise standard of 65 dBA Ldn, from the adjacent gun club and rifle range to the southwest of the subject property. Persons who reside in the subdivision will hear and notice noise from the firing of pistols and rifles.

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8. Prior to the approval of building permits for Lots 10-25 and 29-47 of Block A and Lots 5 and 6 of Block B, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures have been designated to reduce interior noise levels to 45 dBA (Ldn) or less.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board=s action must be filed with the District Council of Prince George=s County within thirty (30) days following the final notice of the Planning Board=s decision.

* * * * *

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 Harley, seconded by Commissioner Vaughns, with Commissioners Harley, Vaughns, Eley and Squire voting in favor of the motion, and with Chairman Hewlett absent at its regular meeting held on Thursday, November 4, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of December 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:RG:rmk