

## 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 December 21, 2006 regarding Detailed Site Plan DSP-05116 for Grasslyn Cluster, the Planning Board finds:

1. **Request:** The subject application is for approval of 83 single-family detached dwelling units in the Rural-Residential (R-R) Zone in a cluster subdivision.

2. **Development Data Summary:**

	<b>Existing</b>	<b>Proposed</b>
Zone	R-R	R-R
Uses	Vacant	Single-Family Detached
Acreage (in the subject SDP)	60.24	60.24
Single-Family Detached Units	0	83

3. **Location:** The subject project is located in the northeastern quadrant of the intersection of Brown and Ritchie Marlboro Roads, in Planning Area 78 and Council District 6.
4. **Surroundings and Use:** The subject site is surrounded to the north and west by large lot single-family detached units; to the south by undeveloped land and some limited agricultural use; and to the east by residential single-family detached units.
5. **Previous Approvals:** The proposed project is subject to the requirements of Preliminary Plan of Subdivision 4-05083.
6. **Design Features:** The proposed cluster subdivision is to be accessed from a single point on the existing Brown Road. The main road leads through an area of sensitive environmental features to a soccer field, a preteen lot, a double bay swing, a multipurpose field, a passive recreational area on the northern side of the stormwater management pond, and attendant parking lot on the eastern side of the road adjacent to the first lotted road in the subdivision. These recreational facilities will be built by the applicant on land to be dedicated to M-NCPPC, located immediately adjacent to the subdivision. Staff has recommended in the conditions below, that the passive recreational area be modestly expanded. That main road provides the spine for the lotted-out area of the subdivision. Four other roads emanate from the main spine road providing additional frontage for lots. Most roads are double-loaded with the exception of the road into the subdivision from the existing Brown Road and a few segments of the main spine road.

Recreational facilities within the subdivision proper are limited to a series of trails totaling approximately a linear mile. A bikeway on Brown Road will be complemented by a segment of the Chesapeake Beach master-planned trail running on the eastern portion of the subject subdivision from its south-easternmost point to the northernmost cul-de-sac, and connecting also to the middle cul-de-sac on the eastern side. A connector trail to M-NCPPC recreational facilities is to be provided. Staff has suggested a condition below that would require that the master-planned trail also connect to the project's northern boundary.

Architecture for the proposed subdivision includes the following models providing the indicated base square footage:

<b>Model</b>	
<b>Name</b>	<b>Base Square footage</b>
Victoria	2,439
Oberlin	2,632
Courtland	2,877
Jefferson	2,680

The submitted architecture indicates brick fronts as an option on all models. Staff would recommend that 100 percent of the units have brick fronts. That requirement is reflected in a recommended condition below.

Lots in the proposed subdivision are distributed as follows in terms of size:

<b>Lot size (square feet)</b>	<b>Number of lots</b>
10,000 - 12,000	36
12,001 - 14,000	30
14,001 - 16,000	14
16,001 - 18,000	2
> 18,000	1
<b>Total</b>	<b>83</b>

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject detailed site plan is in general compliance with Sections 27-441, Uses Permitted In Residential Zones, and Section 27-442, Regulations for Development in Residential Zones.
8. **Landscape Manual:** The proposed project is subject to the requirements of Section 4.1 and Section 4.3(a) of the *Landscape Manual*. Staff has reviewed the submitted plans in accordance with the applicable sections of the *Landscape Manual* and found the application to be in basic compliance with those sections.

9. **Woodland Conservation Ordinance:** The project is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the site has an approved Type I Tree Conservation Plan, TCPI/11/00-01. A Type II Tree Conservation Plan, TCPII/152/06, has been submitted, reviewed, and recommended for approval with conditions. Therefore, it may be said that the subject application is in conformance with the requirements of the Prince George's County Woodland Conservation Ordinance.
10. **Preliminary Plan of Subdivision 4-05083:** Staff has listed each relevant condition below, followed by staff comment.

**2. A Type II tree conservation plan shall be approved in conjunction with the detailed site plan.**

Staff comment: A Type II Tree Conservation Plan, TCPII/152/06 has been submitted for review together with the subject detailed site plan and has been recommended for approval, subject to conditions.

**3. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (CSD 11293-2004) and any subsequent revisions thereto.**

Staff comment: In a memorandum dated November 13, 2006, the Department of Public Works and Transportation stated that the subject plan is consistent with approved Stormwater Management Plan 11293-2004.

**4. Review of the detailed site plan shall include but not be limited to:**

**a. Reduce grading in the vicinity of the northwest perimeter of Area B, specifically at the ends of Courts C and D.**

Staff comment: Applicant has reduced the required grading in the vicinity of the northwest perimeter of Area B at the ends of Courts C and D by reducing their length as required below.

**b. Reduce the length of culs-de-sac C and D to the extent possible.**

Staff comment: Such reduction in the lengths of culs-de-sac C and D has been made.

**c. Selection and placement of materials in the 20-foot-wide landscaped buffer along the rears of Lots 13-15 and the required 30-foot-wide buffer along the rear of Lot 53.**

Staff comment: Selection and placement of materials in the above-mentioned

buffers is acceptable to staff. Please note that previous Lots 13-15 have become Lots 11-13 and that their adjacent buffer has been increased to 30 feet.

14. **Ritchie Marlboro Road at Westphalia Road:** Prior to the approval of the detailed site plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Ritchie Marlboro Road and Westphalia Road. The applicant shall utilize a new 12-hour count and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by DPW&T that adequate recent studies regarding signal warrants have been done by the applicant or any other party.

Staff comment: Please see Finding 11(D) for a detailed discussion of Condition 14 above.

15. **Ritchie Marlboro Road and Brown Road:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in the county's capital program, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
  - a. The widening of the westbound approach to provide exclusive right-turn and left-turn lanes.
  - b. An acceleration lane along northbound Ritchie Marlboro Road.
  - c. A southbound left-turn lane along Ritchie Marlboro Road.
  - d. Prior to the approval of the detailed site plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Ritchie Marlboro Road and Brown Road. The applicant shall utilize a new 12-hour count and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by DPW&T that adequate recent

**studies regarding signal warrants have been done by the applicant or any other party.**

Staff comment: Please see Finding 11(D) for a detailed discussion of Condition 15 above.

- 16. Brown Station Road at Brown Road: Prior to the approval of the detailed site plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Brown Station Road and Brown Road. The applicant shall utilize a new 12-hour count, and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by DPW&T that adequate recent studies regarding signal warrants have been done by the applicant or any other party.**

Staff comment: Please see Finding 11(D) for a detailed discussion of Condition 16 above.

- 17. The applicant shall provide standard sidewalks along both sides of all internal roads unless modified by DPW&T.**

Staff comment: Recommended Condition 1(k) below provides for the above.

- 20. The applicant shall construct the following recreational facilities:**

- a. Soccer Field**
- b. Eight-foot-wide master planned Chesapeake Beach Railroad Trail along the east property line from the north to the south property boundary. It shall include a pedestrian bridge to the Chesapeake Beach Railroad Trail in the adjacent Winshire Community in accordance with staff Exhibit "A."**
- c. Eight-foot-wide trail connector from planned Chesapeake Beach Railroad Trail to the proposed recreational facilities in the park.**
- d. Multi-age playground**
- e. 60-space parking lot**
- f. Grading of existing parkland for the future ball fields**

- g. Eight-foot-wide asphalt trail along the entry road connecting south and north portions of the park.**
- h. Landscaping along the entry road between road pavement and trail.**

Staff comment: Such recreational facilities are shown on the plans.

- 19. The recreation facilities on the park property shall be designed in accordance with the applicable standards in the *Park and Recreation Facilities Guidelines*.**

Staff comment: Recommended Condition 1(b) below would ensure that this requirement would be met.

- 22. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by DPR prior to construction.**

Staff comment: Recommended Condition 1(l) below would ensure compliance with this requirement.

- 23. The applicant shall complete the construction of the recreation facilities on dedicated parkland prior to issuance of the 42nd building permit.**

Staff comment: Recommended Condition 3 below would ensure compliance with this condition.

- 24. Building permits shall not be approved for lots adjoining the master planned Chesapeake Beach Railroad Trail (Lots 55-67 and 83-85) until the trail adjacent to such lot is under construction. Installation of base material will be considered evidence of construction.**

Staff comment: Recommended Condition 1(m) below would ensure compliance with this condition.

- 25. Prior to submission of the detailed site plan, the applicant shall submit detailed construction drawings for park facilities to DPR for review and approval.**

Staff comment: Such drawings have been submitted.

- 26. Tree preservation as required for on-site tree conservation shall be allowed on dedicated parkland, with the exception of the areas of the park to be developed (play field, playground, parking lot and trails). At the time of the DSP review, DPR staff will refine the tree conservation areas based on final park construction plans.**

Staff comment: The Department of Parks and Recreation has confirmed that this condition has been met.

**29. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/11/00-01).**

Staff comment: The Environmental Planning Section in their memorandum dated November 16, 2006, has confirmed that this requirement has been met.

**30. Prior to approval of the TCPII for this site, the TCPII shall include the proposed access road and address all proposed clearing on an acre for acre basis.**

Staff comment: The Environmental Planning Section in their memorandum dated November 16, 2006, has confirmed that this requirement has been met.

**33. A detailed site plan shall be approved by the Planning Board for the development of this property prior to approval of a final plat.**

Staff comment: Should the subject detailed site plan be approved, this requirement would be fulfilled.

11. **Referral Comments:** The subject application was referred to concerned agencies and divisions. The referral comments are summarized as follows:
- a. **Historic Preservation**—In comments dated October 18, 2006, the Historic Preservation Section stated that the proposed project would have no effect on historic resources.
  - b. **Archeological Review**—In a memorandum dated November 2, 2006, the staff archeologist stated that a Phase I archeological survey had been completed on this 60.24-acre property and the final report, entitled *Phase I Archeological Survey of the Grasslyn Property, Prince George's County, Maryland, Preliminary Plan 4-04053*, was submitted on January 19, 2005. Further, at that time, staff concurred that no further archeological work would be required by the county on the subject property. In the same memorandum, noting that Section 106 of the National Historic Preservation Act may require that an archeological survey be performed if state or federal monies and/or federal permits are required for the project, the staff archeologist concurred that no further archeological work would be required at this time for the subject site.
  - c. **Community Planning**—In a memorandum dated November 20, 2006, the Community Planning Southeast Section stated that the application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier and that the application conforms to recommendations of the 1994 approved Melwood-Westphalia Master Plan and

SMA for low suburban residential land use and an M-NCPPC community park in the Robshire community as approved by preliminary subdivision application 4-05083.

- d. **Transportation**—In a memorandum dated November 7, 2006, the Transportation Planning Section offered the following:

On May 11, 2006, the Prince George's County Planning Board approved Preliminary Plan 4-05083 for Grasslyn Cluster (PGCPB Resolution No. 06-115, 4-05083) for the subject property. The preliminary plan was approved with 35 conditions, including the following, which pertains to transportation:

14. **Ritchie Marlboro Road at Westphalia Road:** Prior to the approval of the detailed site plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Ritchie Marlboro Road and Westphalia Road. The applicant shall utilize a new 12-hour count and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by DPW&T that adequate recent studies regarding signal warrants have been done by the applicant or any other party.
15. **Ritchie Marlboro Road and Brown Road:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in the county's capital program, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
  - a. The widening of the westbound approach to provide exclusive right-turn and left-turn lanes.
  - b. An acceleration lane along northbound Ritchie Marlboro Road.
  - c. A southbound left-turn lane along Ritchie Marlboro Road.
  - d. Prior to the approval of the detailed site plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Ritchie Marlboro Road and Brown Road. The applicant shall utilize a new 12-hour count and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to



the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by DPW&T that adequate recent studies regarding signal warrants have been done by the applicant or any other party.

16. **Brown Station Road at Brown Road:** Prior to the approval of the detailed site plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Brown Station Road and Brown Road. The applicant shall utilize a new 12-hour count, and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by DPW&T that adequate recent studies regarding signal warrants have been done by the applicant or any other party.
17. The applicant shall provide standard sidewalks along both sides of all internal roads unless modified by DPW&T.

Conditions 14, 15(d) and 16 require tasks that must be completed prior to the approval of a detailed site plan application. Specifically, the conditions require the applicant to submit acceptable traffic signal warrant studies for the Ritchie Marlboro Road/Brown Road intersection, the Brown Station Road/Brown Road intersection and the Ritchie Marlboro Road/Westphalia Road intersection. As of this writing, staff has not been provided with any written evidence that such studies have been submitted to DPW&T. Regarding Condition 15(a-c), staff has not received any written evidence that said conditions have been met. To that end, staff will recommend that these conditions remain as conditional of approval.

Condition 17 requires standard sidewalks on both sides of all internal roads. Staff's review has indicated that some roads have sidewalks on one side only. The Applicant needs to furnish evidence that DPW&T is supportive of sidewalks on one side only or the condition should still remain as a conditional of approval.

#### **TRANSPORTATION STAFF CONCLUSIONS**

Transportation Section staff concludes that the proposed site plan is deemed acceptable as required by Section 27-285 of the Prince George's County Code with regards to the circulation of traffic on-site. If this detailed site plan is approved however, such approval should be tied to the following conditions:

1. **Ritchie Marlboro Road at Westphalia Road:** Prior to the certificate of approval of the detailed site plan, the applicant shall submit an acceptable traffic signal

warrant study to DPW&T for a signal at the intersection of Ritchie Marlboro Road and Westphalia Road. The applicant shall utilize a new 12-hour count and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by DPW&T that adequate recent studies regarding signal warrants have been done by the applicant or any other party.

2. **Ritchie Marlboro Road and Brown Road:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in the county's capital program, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
  - a. The widening of the westbound approach to provide exclusive right-turn and left-turn lanes.
  - b. An acceleration lane along northbound Ritchie Marlboro Road.
  - c. A southbound left-turn lane along Ritchie Marlboro Road.
  - d. Prior to the certificate of approval of the detailed site plan, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Ritchie Marlboro Road and Brown Road. The applicant shall utilize a new 12-hour count and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by DPW&T that adequate recent studies regarding signal warrants have been done by the applicant or any other party.
3. **Brown Station Road at Brown Road:** Prior to certificate of approval of the detailed site plan, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Brown Station Road and Brown Road. The applicant shall utilize a new 12-hour count and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within

the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by DPW&T that adequate recent studies regarding signal warrants have been done by the applicant or any other party.

4. The applicant shall provide standard sidewalks along both sides of all internal roads unless modified by DPW&T.

- e. **Subdivision**—In a memorandum dated November 27, 006, the Subdivision Section offered the following:

The property is the subject of Preliminary Plan 4-05083, which was heard at the March 9, 2006, Planning Board Hearing. The staff report included 35 conditions that were approved by the Planning Board.

The detailed site plan as submitted, is not conformance with the approved preliminary plan. Lots 1 and 2 are conditioned to be eliminated. Lots 9-12, as they are illustrated on the detailed site plan, do not exist. The approved preliminary plan depicts Lots 11 and 12 and Parcel C in the correct configuration. This is an issue that should be further explored as part of the detailed site plan.

Urban Design Comment: The applicant has revised plans for the project to be in conformance with the approved preliminary plan.

- f. **Trails**—In a memorandum dated November 28, 2006, the trails planner offered the following:

The approved Melwood-Westphalia Master Plan identifies two master plan trail issues that impact the subject property. These are the planned Chesapeake Beach Rail-Trail and a planned trail/bikeway along Brown Road. The Chesapeake Beach Railroad Trail is a major regional trail facility. It is planned ultimately to extend from the District line in Seat Pleasant to Chesapeake Beach, Maryland, in Calvert County. This trail has been constructed through the Kings Grant and Winshire developments. A segment of the trail has also been constructed in the City of Seat Pleasant. The segment of the trail through the subject site shall be constructed in conformance with the Department of Parks and Recreation design guidelines and standards.

Brown Road is currently open section for its entire length from Brown Station Road to Ritchie Road. Where subdivisions have been constructed, R-O-W dedication has been provided, but the road has been maintained as open section with no curb, gutter, or sidewalk being provided. In keeping with this, staff recommends the provision of one “Share the Road with a Bike” sign to alert motorists to the possibility of on-road bicycle traffic. If frontage improvements are required by DPW&T, paved shoulders or bicycle compatible pavement markings should be considered.

Approved Preliminary Plan 4-05083 included several conditions of approval relating to these trail facilities. These include:

- Eight-foot-wide master planned Chesapeake Beach Railroad Trail along the east property line from the north to the south property boundary. It shall include a pedestrian bridge to the Chesapeake Beach Railroad Trail in the adjacent Winshire Community in accordance with staff Exhibit "A." (Condition 20b)
- Eight-foot-wide trail connector from planned Chesapeake Beach Railroad Trail to the proposed recreational facilities in the park (Condition 20c).
- Eight-foot-wide asphalt trail along the entry road connecting south and north portions of the park (Condition 20g).
- Landscaping along the entry road between road pavement and trail (Condition 20h).
- The applicant shall provide standard sidewalks along both sides of all internal roads unless modified by DPW&T (Condition 17).
- All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by Department of Parks and Recreation prior to construction (Condition 22).
- The applicant shall complete the construction of the recreation facilities on dedicated parkland prior to issuance of the 42nd building permit (Condition 23).
- Building permits shall not be approved for lots adjoining the master planned Chesapeake Beach Railroad Trail (Lots 55-67 and 83-85) until the trail adjacent to such lot is under construction. Installation of base material will be considered evidence of construction (Condition 24).
- Concurrent with submission of the detailed site plan, the applicant shall submit detailed construction drawings for park facilities to the Department of Parks and Recreation for review. The construction drawings shall be approved by the Planning Board at the time of detailed site plan approval (Condition 25).
- The location of the trails shall be staked in the field and approved by the Department of Parks and Recreation prior to construction (Condition 27).

The submitted detailed site plan shows the eight-foot wide trail along the entire length of Road A, per condition 20g. The detailed site plan also shows the rail-trail as six-feet wide.

This should be revised to a minimum of eight-feet, per condition 20b. The connector trail to the proposed recreation facilities shown on Sheet 7 should also be revised to be a minimum of eight-feet in width, per Condition 20c. It should also be noted that prior conditions required the approval of detailed construction drawings for the Park Facilities at the time of detailed site plan approval. These should be submitted to the Urban Design Section and the Department of Parks and Recreation.

#### SIDEWALK CONNECTIVITY:

A variety of road cross sections are present along in the vicinity of the subject site. Brown Road is open section with no sidewalks for its entire length from Ritchie Road to Brown Station Road. Existing Pyles Drive is open section with no sidewalks. Internal culs-de-sac such as Box Tree Drive and Latana Drive of adjacent developments include standard sidewalks along one side of the road.

The trails planner recommended ten conditions that have been incorporated in the recommended conditions below.

- g. **Parks**—In a memorandum dated November 20, 2006, the Department of Parks and Recreation stated the following:

Preliminary Plan 4-05083 contained conditions for the development of recreational facilities that affect the subject detailed site plan:

**Condition 20:** The applicant shall construct the following recreational facilities.

- a. Soccer field.

Comment: The applicant is proposing a 180-foot by 325-foot soccer field on park property. The standard dimensions of a soccer field range between 195 feet to 225 feet wide and 330 feet to 360 feet long to be in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*. The applicant should develop the soccer field to try and maximize the size of the soccer field on site. Additionally, the current grading around the soccer field is unacceptable to the Department of Parks and Recreation. The applicant should provide at least an additional ten feet of clearance beyond the limits of the soccer field for safe runout and positive drainage as outlined in the *Park and Recreation Facilities Guidelines*. Department of Parks and Recreation staff met with the developer's engineer and discussed the park design issues. He agreed with the proposed changes and was willing to try to adjust the field dimensions.

- b. Eight-foot-wide master planned Chesapeake Beach Railroad Trail along the east property line from the north to the south property boundary. It shall include a pedestrian bridge to the Chesapeake Beach Railroad Trail in the adjacent Winshire Community in accordance with staff Exhibit "A."

Comment: The current plans show a six-foot-wide trail along the east property line. The applicant is required to provide an eight-foot-wide trail along the eastern property line from the north to the south property boundary. Additionally, the applicant is proposing a compressed timber pedestrian bridge to the Chesapeake Beach Railroad Trail. The Department of Parks and Recreation requires a self-weathering steel bridge in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.

- c. Eight-foot-wide trail connector from planned Chesapeake Beach Railroad Trail to the proposed recreational facilities in the park.

Comment: The detailed site plan currently shows a six-foot-wide trail connector at this location. This trail should be changed to an eight-foot-wide trail connector.

- d. Multi-age playground.

Comment: Playground details should be provided to Department of Parks and Recreation for review. The current plans show incomplete construction drawings. In addition, the playground should be in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.

- e. 60-space parking lot.

Comment: The proposed parking lot located adjacent to the proposed soccer field should have a connection to the adjacent trail. Handicapped spaces should be realigned to provide easy access to the trail system.

- f. Grading of existing parkland for the future ball fields.

Comment: The applicant is proposing a 100-foot by 200-foot open play area on proposed parkland.

The Department of Parks and Recreation is currently in the process of working on a concept plan for future development of the park. Once this concept is completed, the limits of grading should be established and plans should be revised accordingly.

- g. Eight-foot-wide asphalt trail along the entry road connecting south and north portions of the park.

Comment: The detailed site plan currently shows a six-foot-wide trail connector at this location. This trail should be changed to an eight-foot-wide trail connector.

- h. Landscaping along the entry road between road pavement and trail.

Comment: The detailed site plan currently shows landscaping on the inside of the trail. The orientation of the trail and landscaping shall be reversed to show the trail on the inside (on park property) and landscaping on the outside of the trail to serve as a buffer from the road and to enhance the aesthetic appearance of the trail corridor.

**Condition 25:** Concurrent with submission of the detailed site plan, the applicant shall submit detailed construction drawings for park facilities to the Department of Parks and Recreation for review. The construction drawings shall be approved by the Planning Board at the time of detailed site plan approval.

Comment: The applicant has provided a recreational facilities plan as part of the detailed site plan. However, several issues need to be addressed before the Department of Parks and Recreation can recommend approval of these plans. In addition to the park conditions addressed in other comments, the Department of Parks and Recreation has the following findings:

- Either trees or landscaping must be provided to delineate park property from private property along the common boundary with Lot 84 in the subject subdivision.

**Condition 26:** Tree preservation as required for on-site tree conservation shall be allowed on dedicated parkland, with the exception of the areas of the park to be developed (play field, playground, parking lot and trails). At the time of detailed site plan review, the Department of Parks and Recreation staff will refine the tree conservation areas based on final park construction plans.

Comment: the Department of Parks and Recreation has not reviewed TCP II plans showing tree preservation on park property. Tree preservation must not interfere with the active portion of the park and shall be in accordance with the standards outlined in the Park and Recreation Facilities Guidelines and subject to the Department of Parks and Recreation staff recommendations.

The Department of Parks and Recreation staff recommended six conditions that have been included in the recommendation section of this report.

- h. **Permits**—In a memorandum dated November 6, 2006, the Permit Review Section offered numerous comments. The comments are addressed either by revisions to the plans or in the recommended conditions below.
- i. **Environmental Planning**—In a revised memorandum dated December 4, 2006, the Environmental Planning Section offered the following:
  1. The site has a signed Natural Resources Inventory plan, NRI/104/05-01, and contains regulated features, which include streams, wetlands, and 100-year

floodplain. The Patuxent River Primary Management Area Preservation Area is correctly shown on the NRI and TCPII.

**Environmental Planning Section's Comment:** No additional information is needed with regard to the NRI.

2. According to the Countywide Green Infrastructure Plan, the property has an extensive regulated area along the southern boundary of the site, as well as evaluation areas, and network gaps within the green infrastructure network. Regulated areas are those areas containing sensitive environmental features such as streams and wetlands, and are generally protected under Section 24-130 of the Subdivision Regulations. Evaluation areas may also contain environmentally sensitive features including rare and sensitive habitat such as interior forests. Network gaps comprise areas that are critical to the connection of the regulated and evaluation areas and are targeted for restoration to support the overall and functioning connectivity of the green infrastructure network.

The proposed plan provides for the full protection of the regulated area through woodland conservation with the exception of the access road that will be necessary to allow entrance to the site. Impacts are discussed further in the following section. Additional woodland conservation adjacent to the PMA and along the eastern boundary will connect a significant portion of the evaluation areas to the regulated areas. The TCPII has been found to be in conformance with the Countywide Green Infrastructure Plan.

**Environmental Planning Section's Comment:** No additional information is needed with regard to the Countywide Green Infrastructure Plan.

3. Streams, wetlands, 100-year floodplain, severe slopes in excess of 25 percent and steep slopes between 15 and 25 percent with highly erodible soils are found on this property. These features along with their respective buffers comprise the Patuxent River Primary Management Area Preservation Area (PMA). The Subdivision Ordinance, Section 24-130(b)(5) requires that the PMA be preserved in a natural state to the fullest extent possible.

The TCPI shows impacts to two small isolated wetlands for residential lots and a residential road, and for an area of the PMA associated with the road entrance and infrastructure. These impacts were approved with the preliminary plan, 4-05083, by the Planning Board in accordance with resolution PGCPB 06-116. The TCPII also shows a new impact for the construction of a soccer field on Parcel B. This impact was not approved by the Planning Board and is not essential to the overall development. The approved TCPI shows that this soccer field can be designed with no impacts to the regulated area. The TCPII must be revised to eliminate this impact.



The TCPII shows a trail on the southeast section of the site on Sheet 8. It appears as though this trail will cause a minor impact to the PMA where it connects with another trail. The plans should be revised to connect the trails outside of the PMA to avoid additional impacts.

**Recommended Condition:** Prior to certification of the detailed site plan, the TCPII and DSP shall be revised as follows:

- a. Revise the proposed trail along the east boundary of the site so that it connects with the adjacent trail outside of the PMA.
  - b. Eliminate the impact to the PMA associated with the proposed soccer field on Parcel A.
4. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the site has an approved Type I Tree Conservation Plan, TCPI/11/00-01. A Type II Tree Conservation Plan, TCPII/152/06 has been submitted and reviewed.

A Type II Tree Conservation Plan, TCPII/188/92, was previously approved for the off-site portion of this application on which the access road is located. No Woodland Conservation Areas are found within the limits of the proposed access road; however, the site does contain woodland. Because these woodlands will be disturbed for the construction of the proposed access road, the TCPII for this site shall include the proposed access road and address all proposed clearing on an acre for acre basis because this clearing is off-site. It appears that this has been shown correctly on the worksheet.

The site contains a total of 48.63 acres of existing woodland, of which 3.14 acres is in the floodplain. The Woodland Conservation Threshold (WCT) for this 60.24-acre site in the R-R zone is 11.42 acres, or 20 percent of the net tract. The TCPI proposes to clear 27.89 acres of woodland on the net tract, 0.06 acres of woodland in the floodplain, and 1.69 acres off-site. The woodland conservation requirement has been correctly calculated as 20.14 acres. The plan proposes to meet the requirement by providing 17.60 acres of on-site preservation, 1.02 acres of planting through reforestation and afforestation, and 1.52 acres of off-site mitigation.

The TCPII also shows a proposed trail along the eastern boundary of the site within a designated woodland conservation area. The associated DSP also shows this same trail; however, the configuration of the trail is different and it appears as though clearing will be necessary to construct the trail. The limit of disturbance (LOD) for the trail on both plans is not shown. Both plans must be revised to show the actual width of the trail and the associated LOD that will be necessary to

construct the trail. The TCPII and DSP shall show no more than 4 feet of clearing on either side of the trail. The worksheet must be revised to reflect the clearing.

The LOD symbols on the TCPII and DSP are different from each other. Revise the plans so that the LOD symbol and limits are consistent on both plans.

Revise the TCPII to identify all woodland conservation areas and provide a chart with details of each treatment area.

The overall map on the cover sheet of the TCPII is at a scale of 1 inch=200 feet. This scale is too small and unreadable. Revise the cover sheet to provide an overall view at a scale of 1 inch=100 feet. Sheet 8 shows two unconnected portions of the property with their associated match-lines; however, these sections should be shown on separate sheets to reduce confusion. The symbol for 100-year floodplain is too similar to other symbols on the plan. Revise the symbol to add "FP" so that it is more distinct from the other symbols. Show the legend on each sheet of the plan.

Afforestation is proposed in order to fulfill woodland conservation requirements on this site. In order to protect the afforestation areas after planting, so that they may mature into perpetual woodlands, the afforestation must be completed prior to the issuance of building permits for the sites; afforestation areas shall be protected by permanent tree protection devices, such as two-rail split fences or equivalent; and all afforestation must be placed in conservation easements at time of final plat.

**Recommended Condition:** Prior to certification of the detailed site plan, the DSP and TCPII shall be revised as follows:

- a. Show the same sheet sections for both plans.
- b. Show the legend on each sheet.
- c. Show one overall limit of disturbance (LOD) for the subject site using the same LOD symbol on both plans. The LOD shown on the TCPII and detailed site plan must be consistent with each other.
- d. Show the LOD for the proposed trail along the eastern boundary of the site. The plans must show and note the width of the trail and the proposed clearing must be reflected on the TCP worksheet.
- e. Revise the overall site view on the cover sheet to 1=100 feet.

**Recommended Condition:** Prior to certification of the detailed site plan, the TCPII shall be revised as follows:

- a. Identify all woodland conservation areas on the plan and provide a chart showing the acreage of each treatment area on the TCPII.
- b. Eliminate the site details on the bottom portion of Sheet 8 for Lots 10 and 11, and show it on a separate sheet with reference to the appropriate matchlines.
- c. Revise the symbol for the 100-year floodplain to add "FP."
- d. Add the following note: "Reforestation and afforestation areas shall be delineated on-site through the use of two-rail split-rail fences or some other permanent device that aesthetically compatible with the development. Fence locations and details shall be specified on the Type II TCP."
- e. Eliminate the use of a "proposed tree line" and only use a limit of disturbance.
- f. Revise the worksheet as necessary.
- g. Have the plans signed and dated by the qualified professional who prepared the plans.

**Recommended Condition:** All afforestation and associated fencing shall be installed prior to the issuance of the first building permit. A certification prepared by a qualified professional may be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.

5. The soils found on this property include Bibb silt loam, Collington fine sandy loam, Croom gravelly sandy loam, mixed alluvial land and Shrewsbury fine sandy loam. Some of these soils have limitations with respect to impeded drainage, erodibility or seasonally high water tables.

**Discussion:** Although these limitations may affect the construction phase of this development there are no limitations that would affect the site design or layout. During the review of building permits the Department of Environmental Resources may require a soils study addressing the soil limitations with respect to the construction of homes.

6. The Environmental Planning Section has identified Marlboro clay on the property with an approximate top elevation of 145 feet above sea level. Marlboro clay creates a condition of potentially unsafe land that must address Section 24-131 of the Subdivision Regulations. Additionally, because of the presence of Marlboro clay, special measures may be required to control stormwater runoff. These issues directly impact the lot layout and placement of

proposed streets.

A subsurface soil investigation and slope stability analysis was submitted and reviewed with the preliminary plan application. The study was found to adequately address slope stability concerns with respect to the existing conditions and the proposed development. The evaluation concludes that removal of the existing slopes will increase the factor of safety for the proposed development based on the proposed grading. Staff concurs with these findings.

**Discussion:** No additional information is needed with regard to Marlboro Clay. The Department of Environmental Resources may require a soils investigation with respect to the foundation of the proposed lots.

The Environmental Planning Section's suggested conditions have been included in the recommendation section of this report.

- j. **Fire Department**—At the time of this writing, staff has not received comment from the Prince George's County Fire/EMS Department regarding the subject project.
- k. **Department of Public Works and Transportation**—In a memorandum dated November 7, 2006, the Department of Public Works and Transportation stated that:
  - Full-width, two-inch mill and overlay would be required for all county roadway frontages.
  - Conformance with Department of Public Works and Transportation street tree and street lighting would be required.
  - Sidewalks within the property limits would be required along all roadways in accordance with Sections 23-105 and 23-135 of the County Road Ordinance.
  - All storm drainage systems and facilities would have to be designed in accordance with the Department of Public Works and Transportation's requirements.
  - All improvements within the public right-of-way to be dedicated to the county would have to be designed in accordance with the county road ordinance, DPW&T's specifications and standards and the Americans with Disabilities Act.
  - Culs-de-sac would be required to be designed to allow, at a minimum, the turning movement for a standard WB-40 vehicle and a standard length fire truck. With respect to calculation of this turning movement, DPW&T stated that it must be assumed that parking is provided on the outside edge of the radius of the cul-de-sac.

- An access study has to be conducted by the applicant and reviewed by the Department of Public Works and Transportation in order to determine the adequacy of access point(s) and the need for acceleration/deceleration and turning lanes.
- Existing utilities might require relocation and/or adjustments. Coordination with the various utility companies would be required.
- A soils investigation report including subsurface exploration and a geotechnical engineering evaluation for public streets would be required.
- The plan is consistent with stormwater management plan 11293-2004, dated January 24, 2005.

Please note that the Department of Public Works requirements are enforced separately through their own permitting process.

- l. **Washington Suburban Sanitary Commission**—In a memorandum dated November 8, 2006, the Washington Suburban Sanitary Commission stated that a water and sewer extension would be required. Additionally, they noted that project DA3985Z04 is an approved project within the limits of the proposed site. They suggested that the applicant contact a named representative of the Washington Suburban Sanitary Commission for additional information. They also noted that additional rights-of-way would be required. Lastly, they stated that the proposed water and sewer alignments shown on the detailed site plan are not in accordance with their original conceptual approval for DA3985Z04. The proposed water and sewer outfall in right-of-way through open space must not be aligned as shown on the subject detailed site plan. Instead, a proposed 12-inch water main should be aligned in proposed Road A and connect to a proposed 12-inch water main that was originally planned by others as 92-9311 in Brown Road. The project was originally approved for 93 single-family dwelling units and gratis right-of-way easements were required to be reserved for a future 18-inch sewer line along the stream, a future 8-inch water line to connect to an existing main in Norris Place and future water and sewer lines from Court A to the westernmost property line of the subject project. Therefore, the Washington Suburban Sanitary Commission suggested that the project engineer must submit an “amendment revision” to reflect the latest layout and water and sewer alignment changes as determined by the final site plan review. They noted further that hydraulic modeling may be required and will be determined through the amendment review. Lastly, stating that special design measures would be required for pipeline in Marlboro Clay and stream/wetland areas, they asked the applicant to refer to an attached Phase I Letter of Findings, dated October 19, 2004.
- m. **Maryland State Highway Administration**—In a memorandum dated November 15, 2006, from the Maryland State Highway Administration offered the following.

“This office completed its evaluation of the submitted site plan and has no objection to Detailed Site Plan DSP-05116 interior layout. However, through past correspondence the State Highway Administration has indicated that this development will have negative impacts to two (2) unsignalized intersections: Ritchie Marlboro Road/Brown Road and Ritchie Marlboro Road/Westphalia Road. Through our review of the development’s Traffic Impact Study (dated September 30, 2005) we concluded that the following improvements would mitigate their traffic:

- Widen the westbound Brown Road approach at Ritchie Marlboro Road to provide separate right turn and left turn lanes and widen southbound Ritchie Marlboro Road to provide a left turn lane onto Brown Station Road.
- M-NCPPC may want to require the widening of the eastbound Westphalia Road approach to Ritchie Marlboro Road to provide separate right and left turn lanes. Please note, these improvements are currently being coordinated with the Marlboro Ridge Development for an access permit.”

Please note that M-NCPPC cannot condition off-site improvements at the time of detailed site plan and the State Highway Administration would more appropriately implement their requirements through their separate permitting process.

12. As required by Section 27-285(b), 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/152/06) and further APPROVED Detailed Site Plan DSP-05116 for the above-described land, subject to the following conditions:

1. Prior to certification of the plans for the project, the following revisions shall be made or additional information submitted:
  - a. The applicant shall have a revised recreational facilities plan and detailed construction drawings for park construction and grading approved by the Department of Parks and Recreation. The revisions to the plan shall show an increase in the size of the soccer field so that it conforms to the standards outlined in the *Park and Recreation Facilities Guidelines*.
  - b. A note shall be added to the plans stating that the recreational facilities for the project, including those located on park property shall be designed in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.

- c. The plan showing grading of existing parkland shall be revised in accordance with the park concept plan to be provided by Department of Parks and Recreation staff.
- d. A fence and/or landscaping shall be shown on the plans to delineate park property from private property along the southern side of Lot 84. This shall be incorporated into the recreational facilities and landscape plans to be approved by the Department of Parks and Recreation.
- e. Tree conservation plans on park property shall be reviewed and approved by the Department of Parks and Recreation. The area required for the trail construction (including the area required for grading) shall be subtracted from the TCP II preservation area and should be shown as a tree clearance area. Notes shall be added to the plans stating that the trail corridor shall be treated as follows:
  - (i) When trails are constructed through wooded areas, all trees shall be removed that are within two feet of the edge of the trail. Within 20 feet of the trail, (1) All trees shall be limbed to 12 feet in height; and (2) Other vegetation obstructing the view from the trail shall be removed (shrubs, fallen trees).
  - (ii) When possible, the trail shall be aligned to preserve trees of 12-inch or greater caliper.
  - (iii) Shallow-rooted species, i.e., maples, shall be a minimum of ten feet from the edge of pavement.
  - (iv) The location of the trails shall be staked in the field and approved by the Department of Parks and Recreation and the Environmental Planning Section prior to construction.
- f. The 60-space parking lot to be located on land to be dedicated to M-NCPPC shall be connected to the adjacent trail by an asphalt path. Handicapped parking shall be located in close proximity to this trail connector to provide accessibility to park amenities.
- g. The applicant shall construct the eight-foot-wide master planned Chesapeake Beach Railroad trail from the southern property line north to the trail connector between Lots 52 and 53. The applicant shall make a payment to M-NCPPC, Department of Parks and Recreation, in amount of \$13,000 for future construction of the master planned trail from Lot 53 to the northern property line. The payment shall be made prior to issuance of the 42<sup>nd</sup> building permit for the project. The payment shall be placed in the CIP account for Chesapeake Railroad Trail. The applicant shall construct a self-weathering steel pedestrian bridge connecting the trail to the adjacent Winshire community. The bridge shall be designed in accordance with *Park and Recreation Facilities Guidelines*.
- h. Applicant shall include on the plans an eight-foot-wide trail connector from the planned

Chesapeake Beach Railroad Trail to the proposed recreational facilities in the park.

- i. Applicant shall include on the plans an eight-foot-wide asphalt trail along the entry road connecting south and north portions of the park.
- j. Applicant shall revise the landscaping plans along the entry road to indicate trees between road pavement and trail.
- k. The applicant shall provide standard sidewalks along both sides of all internal roads unless modified by the Department of Public Works and Transportation.
- l. A note shall be added to the plans stating that all trails shall be constructed to ensure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by Department of Parks and Recreation prior to construction.
- m. A note shall be added to the detailed site plan, stating that building permits shall not be approved for lots adjoining the master planned Chesapeake Beach Railroad Trail (Lots 55-67 and 83-85) until the trail adjacent to such lot is under construction. Installation of base material will be considered evidence of construction.
- n. A note shall be added to the detailed site plan, template sheet and first sheet of the architectural elevations for each model stating that 100 percent of the units in the subdivision shall have brick fronts, and that no two units located next to or across the street from each other may have identical front elevations.
- o. A note shall be added to the detailed site plan, template sheet and the first sheet of the architectural elevations for each model stating that the developer, its heirs, successors, and/or assignees shall ensure that each builder maintains in the appropriate sales office(s) copies of its currently approved architecture (including all exterior elevations of all approved models), copies of the approved detailed site plan, landscape plan and plans for recreational facilities appropriate for the project.
- p. The applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Ritchie Marlboro Road and Westphalia Road.
- q. The applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Ritchie Marlboro Road and Brown Road. The applicant shall utilize a new 12-hour count and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by DPW&T that adequate recent studies regarding signal warrants have been done



by the applicant or any other party.

- r. The applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Brown Station Road and Brown Road. The applicant shall utilize a new 12-hour count and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by DPW&T that adequate recent studies regarding signal warrants have been done by the applicant or any other party.
  - s. The plans shall be revised to indicate that the entire property shall be enclosed by a board-on-board fence made of aluminum, natural tone vinyl or other appropriate material. The board-on-board fence shall not be made of wood. Final design of said fence shall be approved by the Urban Design Section as designee of the Planning Board.
2. Prior to certification of the detailed site plan, the TCPII and DSP shall be revised as follows:
- a. Revise the proposed trail along the east boundary of the site so that it connects with the adjacent trail outside of the PMA.
  - b. Eliminate the impact to the PMA associated with the proposed soccer field on Parcel A.
  - c. The plans shall be revised to show Parcel C in conformance with the approved preliminary plan, the TCPII shall be revised to show that parcel, and the associated woodland conservation in conformance with the approved Type I Tree Conservation Plan.
  - d. Show the same sheet sections for both the DSP and the TCPII.
  - e. Show the legend on each sheet of the DSP and the TCPII.
  - f. Show one overall limit of disturbance (LOD) for the subject site using the same LOD symbol on both the DSP and the TCPII. The LOD shown on the TCPII and detailed site plan must be consistent with each other.
  - g. Show the LOD for the proposed trail along the eastern boundary of the site. The plans must show and note the width of the trail and the proposed clearing must be reflected on the TCP worksheet.
  - h. Revise the overall site view on the cover sheet of both the DSP and the TCPII to a scale of 1=100 feet.
3. Prior to certification of the detailed site plan, the TCPII shall be revised as follows:

- a. Identify all woodland conservation areas on the plan and provide a chart showing the acreage of each treatment area on the TCPII.
  - b. Eliminate the site details on the bottom portion of Sheet 8 for Lots 10 and 11, and show it on a separate sheet with reference to the appropriate matchlines.
  - c. Revise the symbol for the 100-year floodplain to add "FP."
  - d. Add the following note: "Reforestation and afforestation areas shall be delineated on-site through the use of two-rail split-rail fences or some other permanent device that aesthetically compatible with the development. Fence locations and details shall be specified on the Type II TCP."
  - e. Eliminate the use of a proposed tree line and only use a limit of disturbance.
  - f. Revise the worksheet as necessary.
  - g. Have the plans signed and dated by the qualified professional who prepared the plans.
4. Prior to approval of final plat(s) for the project, applicant shall place a note on the final plat stating that prior to the issuance of the first building permit, applicant, and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of appropriate signage for a Class III bikeway.
5. Prior to the issuance of the first building permit for the project:
  - a. All afforestation and associated fencing shall be installed. A certification prepared by a qualified professional may be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
  - b. The applicant shall place a note on the final plat stating that prior to the issuance of the first building permit, applicant, and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of appropriate signage for a Class III bikeway.
6. The applicant shall complete the construction of the recreation facilities on dedicated parkland prior to issuance of the 42nd building permit for the project.

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 Eley, seconded by Commissioner Clark, with Commissioners Eley, Clark, Squire and Parker voting in favor of the motion, and with Commissioner Vaughns absent at its regular meeting held on Thursday, December 21, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18<sup>th</sup> day of January 2007.

R. Bruce Crawford  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:RG:bjs