

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Subdivision Plat 4-01010
Piscataway Estates

OVERVIEW

The subject property consists of 95.3 $\frac{1}{2}$ acres of land in the R-E Zone. The property is undeveloped fields and woodland, though much of the woodland has been logged, apparently without permit. The site exhibits ample environmental constraints and problems. The property is currently identified as Parcel 173, Tax Map 123, Grid E-4. The applicant proposes to subdivide the property into 80 lots using the Lot Size Averaging technique. Two parcels will also be created for stormwater management and park dedication. Access will be from existing Glissade Drive and Elizabeth Ida Road extended through Mary Catherine Estates.

Given the findings below, staff is recommending disapproval of the application based on inadequate public notice and unresolved environmental issues.

SETTING

The property is located on the northwest side of Piscataway Road, approximately 1,300 feet from the intersection of Accolade Drive and Glissade Drive in the Tippet community. Single-family detached homes are to the east and west in the R-R Zone. Undeveloped land in the R-E Zone are to the north and south.

Farther north is the Potomac Airfield, which is a small, private, general aviation airport approximately 3,000 to 4,000 feet to the north. Washington Executive Airport is located more than a mile to the northeast. The property is in an area that is underneath the air traffic/flight pattern for these airfields. There are presently no county regulations that specifically address development of this parcel for residential land use relative to the impact of air traffic in this area. However, low density residential use such as that proposed by this subdivision is considered compatible at this distance for the airfields if adequate notice is given to prospective home purchasers.

The applicant should take notice of the proximity of Potomac Airfield, the location of this property underneath the airport traffic pattern, the possible overflight of low flying aircraft, increased exposure to aircraft noise, and a slightly elevated risk of exposure to small aircraft accidents. The applicant should also be aware of FAA and MAA requirements regarding notice of proposed new construction near public use airports, and should obtain a copy of the consultant study entitled, *Airport Land Use Compatibility and Air Safety Study for The Maryland-National Capital Park and Planning Commission, November 1, 2000*, by William V. Cheek and Associates.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Environmental Issues - At the Subdivision Review Committee (SRC) meeting held on February 16, 2001, staff informed the applicant of severe environmental concerns regarding the development of this property. Soils, marlboro clay, slope stability and expanded stream buffers were but a few of the environmental concerns raised. At that time, staff requested the following items regarding environmental review.

Geotechnical Report
Slope Stability Analysis
Revised Conceptual Grading Plan

To ensure that other agencies had sufficient time to review these plans, and given the severity of the environmental issues, staff requested these items 45 days in advance of the hearing. A copy of the list of required items is included in the backup. These items came in more than two weeks late, almost 110 days into the 140-day review period, leaving insufficient time for full review. In addition, a cursory review of these items leaves staff with more, not fewer, concerns regarding environmental impacts. Staff recommended that the applicant withdraw the application and resubmit with sufficient time for a full review, but the applicant wishes to move forward.

In addition to these staff requirements, a variation request is necessary for impacts to the on-site stream and buffer. Again, the applicant was made aware of this requirement at the SRC meeting. This variation request was never filed. Section 24-113 of the Subdivision Regulations requires variation requests to be submitted at least 30 days prior to the Planning Board hearing. While other deadlines for information are established by staff and are negotiable, this deadline is established by the Subdivision Regulations and is firm. Since the deadline has passed, no variation may be granted. To redesign the application to avoid the need for a variation would be to so alter the proposal as to require additional time for review.

Also, the proposed Tree Conservation Plan does not meet current Woodland Conservation Ordinance requirements. A revised Tree Conservation Plan was also requested of the applicant at the SRC meeting. To date, no revised Tree Conservation Plan has been submitted.

Given the many environmental problems with the site, staff also informed the applicant at the SRC meeting that the stormwater concept plan needed to be approved 15 days prior to the Planning Board hearing. To date, staff has not been received notification that this concept plan has been approved.

2. Adequate Public Notice - Section 2-d. of the Administrative Practice for the Prince George's County Planning Board requires that it shall be the responsibility of the applicant to post signs on the property for a minimum of 15 days for the purpose of public notice. The subject application was submitted on January 29, 2001 and the Subdivision Review Committee (SRC) meeting was held on February 16, 2001. The applicant's engineer was informed of the Planning Board hearing date and the requirement for posting. A 70 waiver was granted and the case was scheduled for hearing on June 7, 2001. To satisfy the 15 day

posting requirement, signs needed to be posted on the property no later than May 23, 2001. The applicant posted the signs on the property on May 25, 2001, and is seeking a waiver of the rules of procedure for two days. Staff believes that the waiver should not be granted given the nature of other issues involved in this case.

RECOMMENDATION

DISAPPROVAL, based on the magnitude and number of unresolved environmental issues and lack of adequate public notice.