



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Preliminary Plan 4-04009

Application		General Data	
Project Name: DUVALL PROPERTY Location: West side of the intersection of Croom Road and Duley Station Road and North side of Duley Station Road, south 2,000 feet from Croom Road. Applicant/Address: Chesapeake Custom Homes 6196 Oxon Hill Road, Suite #340 Oxon Hill, MD. 20745		Date Accepted:	05/10/04
		Planning Board Action Limit:	10/27/04
		Plan Acreage:	54.48
		Zone:	R-E & R-R
		Lots:	30
		Parcels:	3
		Planning Area:	82A
		Tier:	Developing
		Council District:	09
		Municipality:	N/A
200-Scale Base Map:		213SE12	
Purpose of Application		Notice Dates	
RESIDENTIAL SUBDIVISION By letter dated September 23, 2004, the applicant's attorney has requested a continuance of this application. Staff concurs with this request and recommends the case be continued to the October 7, 2004 hearing date.		Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-58-2003)	01/21/04
		Sign(s) Posted on Site:	08/23/04
Staff Recommendation		Staff Reviewer: Del Balzo	
APPROVAL Of Continuance	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
X			

September 24, 2004

MEMORANDUM

TO: The Prince George's County Planning Board

FROM: Joe Del Balzo, Subdivision Section

SUBJECT: Preliminary Plan 4-04009
Duvall Property
Continuance Request

The property is located on the southwest side of the intersection at Croom Road and Duley Station Road and the north side of Duley Station Road, approximately 2,000 feet south of its intersection with Croom Road. Although the subject property is located in the Developing Tier, this is a rural area of the county. To the west is wooded land. To the north, east and south are homes on very large parcels. Duley Station and Croom Roads are historic roads. Land in Marlton, a planned community, lies between the two parcels of the subject application and will have access to Duley Station Road.

The subject property consists of approximately 54.48 acres of land in the R-R and R-E Zones. It is improved with one single-family detached dwelling and several out buildings. The majority of the property is wooded. The applicant proposes to subdivide the property into 30 residential lots, using conventional lotting standards in both the R-R and R-E portions of the property.

Staff was prepared to recommend disapproval of this application for very specific environmental issues. The application satisfies most of the criteria for approval, but certain findings regarding environmental impacts cannot be made at this time. Staff had requested additional information to address these findings, but the information has only been provided recently by the applicant. The applicant has requested a continuance to October 7, 2004. Staff concurs with this request. Staff presents the following issues as information for all parties.

Environmental—The Environmental Planning Section has reviewed the revised preliminary plan of subdivision and Type I tree conservation plan stamped as accepted on August 10, 2004. The Environmental Planning Section needs additional information to address previous review comments regarding the delineation of the Patuxent River Primary Management Area (PMA) and the legal boundaries.

The northern parcel is mostly wooded with an existing dwelling located in the northeast portion of the property. There are streams, wetlands, and their associated buffers on the property. Areas of severe and steep slopes exist adjacent to streams and wetland areas. No 100-year floodplain has been identified. The soils found on this property include Bibb, Galesville, Howell, Matapeake, Sandy land, Sassafras, and Westphalia. Some of these soils have limitations with respect to impeded drainage or seasonally high water tables, while others have limitations with respect to steep slopes and erodibility.

The southern parcel is partially wooded with farm fields located adjacent to the right-of-way. There is a stream and associated Patuxent River PMA buffer on the northwest corner of the property. Scattered areas of steep slopes on erodible soils exist on the site but are not located directly adjacent to the stream.

According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of these parcels. Croom Road and Duley Station Road are designated historic roads located adjacent to the property, and Croom Road is a state Scenic Byway. No adverse noise impacts from transportation are anticipated related to this proposal. The properties are located in the Charles Branch watershed and Patuxent River basin, and are located in the Developing Tier as reflected in the adopted General Plan.

Woodland Conservation

A revised detailed forest stand delineation (FSD) was submitted on June 28, 2004. The map and text require revisions and additional information in order to meet all requirements.

The FSD (and preliminary plan) include the boundaries of a triangular parcel located on the southeast corner of the intersection of Croom Road and Duley Station Road, but no evidence has been presented that it is a separate parcel that can be combined with this application. This is relevant to the review of the TCPI because if this parcel is actually part of a larger parcel, the entire larger parcel must be part of the TCPI.

Slopes of 15 to 25 percent have been indicated on the site, but whether they have been limited to those on highly erodible soils is not clear. The legend needs revision to include all graphic symbols and to correctly label the elements. The specimen tree table should include a note regarding how the trees were located.

Required Information:

A deed for the area that includes proposed Outlot A shall be submitted that demonstrates that it is separate from the larger parcel located adjacent to it. If Outlot A is not found to be a legal, separate parcel, the preliminary plan and TCPI shall be revised to include the entire legal boundaries of the property or to exclude Outlot A.

Required Revisions to the Forest Stand Delineation:

- a. Slopes of 15 to 25 percent should be limited to those on highly erodible soils and be correctly labeled in the legend.
- b. Add a note to the specimen tree table stating where the trees are located.
- c. Have the FSD signed and dated by the qualified professional who prepared it.

The revised Tree Conservation Plan (TCPI/52/04) has been reviewed. The gross tract area of the subject property is 54.48 acres. The woodland conservation threshold for the subject property is 13.07 acres (24 percent of the net tract, which includes the R-E and R-R Zones), plus additional acreage due to 26.88 acres of clearing, for a total woodland conservation requirement of 19.79 acres as currently designed. The TCPI proposes to meet the requirement with 13.13 acres of on-site preservation, 0.65 acre of on-site reforestation, and 6.54 acres of off-site mitigation.

The woodland conservation worksheet for the two parcels included should be combined into one worksheet. The quantity of existing woodlands stated in the FSD text (47.52 acres) has not been fully accounted for in the woodland conservation worksheet. In addition, the Patuxent River PMA has not been correctly delineated, so a finding that priority woodland has been retained to the greatest extent possible cannot be made at this time. It appears that there is an extensive amount of PMA located on Lot 22, although no woodland conservation has been placed on that lot. After the PMA has been fully delineated, the TCPI should be revised to adjust the limits of clearing to preserve additional priority woodlands and provide more woodland conservation on site. This will be further discussed later in the memorandum addressing the designated historic roads and scenic byway.

Specimen trees have been identified on the plan, and a specimen tree table has been provided, but the proposed disposition of the trees has not been included. The limit of disturbance has not been provided on the TCPI. There are large areas that are shown to be cleared with no grading indicated.

Required Revisions to the Type I Tree Conservation Plan:

- a. Provide a complete delineation of the Patuxent River PMA with all the component parts shown;
- b. Confirm the correct quantity of existing trees on the subject property;
- c. Revise the TCPI to maximize the amount of on-site woodland conservation in all priority areas and within the correctly delineated PMA, and specifically on Lot 22;
- d. Revise the woodland conservation worksheet as necessary to reflect required revisions and additional on-site woodland conservation;
- e. Show a limit of disturbance on the plans;
- f. Include all graphics used on the plan in the legend and provide appropriate labels; and
- g. Have the revised TCPI signed and dated by the qualified professional who prepared it.

Patuxent River Primary Management Area

Section 24-130 of the Subdivision Ordinance requires that the Patuxent River PMA be clearly shown on the plans and that the PMA be preserved to the fullest extent possible. The PMA comprises streams, a 50-foot stream buffer, adjacent wetlands, a 25-foot wetland buffer, adjacent 100-year floodplains, adjacent areas of slopes in excess of 25 percent, adjacent areas of slopes between 15 and 25 percent on highly erodible soils, and areas of special wildlife habitat. Each of these features shall be shown and the full extent reflected as the PMA. The PMA has not been correctly delineated to include the 50-foot-wide stream buffer on Lots 18 and 22- and severe and steep slopes on highly erodible soils on Lots 13 through 22.

Required Revision:

Revise the preliminary plan and TCPI to accurately delineate the full extent of the PMA including the 50-foot-wide stream buffer on Lots 18 and 22 and severe and steep slopes on highly erodible soils on Lots 13 through 22.

The Subdivision Regulations require that the PMA be preserved to the fullest extent possible. Impacts to the PMA are generally supported only for the construction of necessary public roads and utilities. Impacts for the creation of lots and/or grading for lots are generally not supported. After the PMA is fully

and correctly delineated, the TCPI and preliminary plan shall be revised to eliminate all impacts to the PMA, because no letter of justification was submitted for impacts. Impacts are currently proposed within the 50-foot-wide stream buffer on Lot 18 for the construction of a dwelling. No letter of justification was submitted for this impact, which would not be supported under Environmental Planning Section policy.

The site contains significant natural features, which are required to be protected under Section 24-129 and/or 130 of the Subdivision Ordinance.

Historic Roads

Croom Road and Duley Station Road are designated historic roads in the *Historic Sites and District Plan*, and Croom Road is a state Scenic Byway. This should be indicated by note on the preliminary plan. Note 9 should be revised to correctly identify the scenic and historic designation of the roads. The functional classifications for Croom Road and Duley Station Road are collectors.

An inventory of significant visual features for the right-of-way and the viewshed from the right-of-way was submitted with the current application.

A 40-foot-wide scenic easement, set behind the public utility easement, has been delineated along the frontage of both historic roads. Within the scenic easement the preservation of existing trees and/or the planting of a landscape buffer equivalent to a “D” bufferyard has been proposed, and septic recovery areas have been relocated outside of the delineated scenic easement. Adjacent to the right-of-way, a 100-foot-wide building restriction line is also recommended to protect scenic viewshed.

Required Revision to the Preliminary Plan:

Note 9 needs to be corrected as follows:

“Croom Road and Duley Station Road have been designated historic roads by the District Council. Croom Road is a designated state Scenic Byway.”

Any improvements within the right-of-way of county-maintained Duley Station Road, a historic road, are subject to approval by the DPW&T under the *Design Guidelines and Standards for Scenic and Historic Roads*. Before a paving and stormdrain plan is submitted to DPW&T, and preferably before engineering design of roadway improvements on Duley Station Road has begun, a conceptual preapplication meeting with the applicant, DPW&T, and M-NCPPC staff is required in accordance with the *Design Guidelines and Standards for Scenic and Historic Roads*. At the conceptual preapplication meeting, the applicant will be required to make available adequate base information so that attending agencies can make fundamental design decisions. Roadway design criteria will be determined for the roadway by the DPW&T with consideration for the scenic and historic features of the site. Decisions will represent a compromise agreement based on the design guidelines and standards for scenic and historic roads, minimum DPW&T safety standards, and minimum AASHTO design standards.

Soils

The soils found on this property include Bibb, Galestown, Howell, Matapeake, Sandy land, Sassafra and Westphalia. Some have limitations with respect to impeded drainage or seasonally high water tables, while other soils have limitations with respect to steep slopes and erodibility that could affect the development of this property including high water tables, impeded drainage, slope, slow permeability, and stability.