



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

Preliminary Plan 4-04139

Application	General Data
Project Name: VILLAGE OF MELWOOD Location: South of Woodyard Road, approximately 1,000 feet of its intersection with Dower House Road. Applicant/Address: Marrick Properties 3150 West Ward Road, Suite #401 Dunkirk, MD. 20754	Date Accepted: 08/06/2004
	Planning Board Action Limit: N/A
	Plan Acreage: 45.5
	Zone: R-R
	Lots: 51
	Parcels: 2
	Planning Area: 82A
	Tier: Developing
	Council District: 09
	Municipality: N/A
	200-Scale Base Map: 209SE09

Purpose of Request	Notice Dates
Request for a waiver of the filing fee for Preliminary Plan 4-04139	Adjoining Property Owners Previous Parties of Record Registered Associations: 07/02/2004 (CB-58-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: N/A

Staff Recommendation		Staff Reviewer: Whitney Chellis	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
		X	

October 26, 2004

MEMORANDUM

TO: Prince George's County Planning Board

FROM: Whitney Chellis, Subdivision Section

SUBJECT: Request for a Fee Waiver, Preliminary Plan 4-04139

By letter dated June 30, 2004, the engineer for the applicant requested a waiver of the filing fee for Preliminary Plan 4-04139, known as Villages of Melwood. The letter (Kieffer to Chellis) indicates that this preliminary plan was filed because the previous preliminary plan for this site, 4-04020, was withdrawn due to the actions of the Planning Board and the cancellation of the September 2, 2004, public hearing. Staff believes that the applicant withdrew the application as a result of its own actions.

Staff generally only recommends the granting of a request for a waiver of a filing fee when the review necessary for the subject application has been minimized by the review of a previous application that has been refiled, where staff review time is reduced because of a familiarity with the content of the information filed with the current application. In the subject case, all of the information necessary for review was not submitted with the previous application. Staff does not believe that the review associated with the case withdrawn can be substituted for the review required for Preliminary Plan 4-04139 and, therefore, does not recommend the granting of the waiver of the filing fees (\$2,325.00), as discussed further below.

Preliminary Plan 4-04020 was accepted for review on March 16, 2004, and heard before the Subdivision Review Committee on April 9, 2004. At the SRC meeting, due to the extensive amount of additional information requested of the applicant needed for review of the preliminary plan (4-04020), the applicant waived the first 70-day mandatory action time frame for the preliminary plan granting a second 70-day review period. Based on that action, the preliminary plan had a 140-day mandatory action time frame until September 2, 2004. The preliminary plan was scheduled for the July 22, 2004, Planning Board hearing, allowing one additional Planning Board hearing date of July 29, 2004, before the end of the 140 days.

The applicant is responsible for posting a property no less than 30 days prior to the Planning Board hearing. The applicant did not contact the Planning Department for posting signs and the property was not posted on June 22, 2004, as required for the July 22, 2004, Planning Board hearing by the applicant. In addition, the applicant had not submitted all of the information necessary to review the preliminary plan, information requested at the April 9, 2004, SRC meeting. Information not submitted included a wetland study, revised tree conservation plan justifications for disturbance to the primary management area, and a revised preliminary plan. On June 29, 2004, the applicant was advised that there was no additional time left within the 140-day mandatory action time frame for review and the application should be withdrawn or staff would be compelled to recommend disapproval of the preliminary plan at the Planning Board hearing of July 22, 2004.