



The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Preliminary Plan of Subdivision 4-05109 Waiver of the Rules of Procedure and Reconsideration Request Goodman Heights

REQUEST	STAFF RECOMMENDATION
Waiver of the Rules of Procedure and Reconsideration Request	Discussion

Location: On the north side of Crandall Road, approximately 350 feet east of its intersection with Gladys Court.	
Gross Acreage:	11.76
Zone	RSF-65
Prior Zone:	R-55
Gross Floor Area:	N/A
Lots:	28
Parcels:	2
Planning Area:	70
Council District:	05
Municipality:	N/A
Applicant/Address: William Goodman, Jr. 9204 Crandall Road Lanham, MD 20706	
Staff Reviewer: Antoine Heath Phone Number: 301-952-3554 Email: Antoine.Heath@ppd.mncppc.org	



Planning Board Date:	07/07/2022
Planning Board Action Limit:	N/A
Memorandum Date:	06/28/2022
Date Received:	06/15/2022
Previous Parties of Record (Applicant)	06/15/2022
Previous Parties of Record (M-NCPPC)	06/22/2022

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

June 28, 2022

MEMORANDUM

TO: The Prince George's County Planning Board

FROM: Antoine Heath, Planner II, Subdivision Section
Development Review Division

VIA: Sherri Conner, Supervisor, Subdivision Section
Development Review Division

SUBJECT: **Preliminary Plan of Subdivision 4-05109
Waiver of the Rules of Procedure and Reconsideration Request
Goodman Heights**

By letter dated June 15, 2022, Thomas H. Haller, representing LAH Goodman, LLC, requested a waiver of the Prince George's County Planning Board's Rules of Procedure (Section 12(a)), which requires that a reconsideration request be submitted no less than 14 calendar days after the date of notice of the final decision (Section 10(a)). In this case, the resolution of approval (PGCPB Resolution No. 07-26(C)) was adopted by the Planning Board on March 1, 2007. If the Planning Board grants the requested waiver, the applicant specifically requests reconsideration of the environmental impacts discussed in Finding 4 of the resolution. Per Section 10(e) of the Rules of Procedure, reconsideration may only be granted if, in furtherance of substantial public interest, the Planning Board finds that an error in reaching the original decision was caused by fraud, surprise, mistake, inadvertence, or other good cause.

The purpose of this request is to identify regulated environmental features, as well as approve revised impacts to regulated environmental features. Proposed impacts to the regulated environmental features were reviewed and approved with the preliminary plan of subdivision (PPS) in 2007. A natural resources inventory (NRI) plan was submitted with the PPS, which detailed the limits of those features. However, the property has not yet developed since the PPS was approved. The property was purchased by the applicant in 2018. A detailed site plan (DSP) was required for review of on-site recreation facilities, which was filed by the applicant. A new NRI was also required along with the DSP, as the previous NRI had expired. While in the process of filing permits with the Maryland Department of Environment (MDE), it was determined that two additional wetland pockets had developed, and the limits of one of the previously identified

wetlands had changed. The new NRI, approved February 11, 2022, reflects the additional wetlands which had not been known or impacts approved with the PPS. As a result, the applicant is seeking revisions to Finding 4 of the PPS resolution, which discusses environmental impacts, to include the new impacts.

As set forth in the applicant's letter, this request is due to inadvertence and other good cause. The environmental impact analysis conducted at the time of approval of the PPS was based on the floodplain and wetland boundaries that were known at the time, and those boundaries have since changed due to the passage of time, a condition that was unknown to the applicant at the time of the PPS approval. The applicant has submitted documents from MDE and the United States Army Corps of Engineers, as well as environmental impact plans depicting the new boundaries and impacts. Finally, the applicant concludes that the requested reconsideration is in furtherance of substantial public interest, to allow the environmental areas to be accurately identified and evaluated for impacts.

If the Planning Board grants the applicant's request for a waiver and reconsideration, staff will provide an analysis on the merits of the request at a later Planning Board hearing.