



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Preliminary Plan 4-06011

Application	General Data
<b>Project Name:</b> <b>ROSSO PROPERTY</b>  <b>Location:</b> Near the northeast intersection of Springfield Road and Duckettown Road.  <b>Applicant/Address:</b> Winchester Homes 6905 Rockledge Drive, Suite 800 Bethesda, MD. 20817	Date Accepted: 03/28/06
	Planning Board Action Limit: 09/15/06
	Plan Acreage: 26.30
	Zone: R-R
	Lots: 31
	Parcels: 3
	Planning Area: 71A
	Tier: Developing
	Council District: 04
	Municipality: N/A
	200-Scale Base Map: 211NE10

Purpose of Application	Notice Dates
RESIDENTIAL SUBDIVISION	Adjoining Property Owners Previous Parties of Record Registered Associations: 02/17/06 (CB-58-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 8/11/06

Staff Recommendation		Staff Reviewer: Ivy R. Thompson	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT Preliminary Plan of Subdivision  
4-06011 Rosso Property

OVERVIEW

Located on Tax Map 28, Grid D-3, the subject property consists of approximately 26.30 acres of land that is currently underdeveloped. Two parcels, Parcel 3 and Parcel 47, form the property that is zoned R-R. The proposal is to develop the property into a thirty-one-lot subdivision. All of the lots are proposed for single-family dwelling residences. Two parcels, A and B, are for stormwater management facilities, and two parcels, C and D, are for recreational facilities and open space. All of the lots are fronting on, with access to, two cul-de-sacs extending from Duckettown Road.

SETTING

The subject property is located in the Developing Tier along Duckettown Road, northeast of its intersection with Springfield Road. Abutting properties north, south, and west of the subject property are also zoned R-R. The Patuxent Wildlife Research Center, zoned R-O-S, adjoins the property to the northwest. The abutting property northeast of the subject property was the subject of Pre-Preliminary Plan P-05017, Duckettville Estates, as a proposed seven-lot subdivision. Property southeast of the subject property along Springfield Road is zoned R-E. Most of the surrounding properties are developed with single-family detached dwelling units.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Residential	Residential
Acreage	26.30	26.30
Lots	0	31
Outlots	0	0
Parcels	2	4
Dwelling Units:	0	31
Public Safety Mitigation Fee		No

2. **Subdivision**—Subdivision staff's initial review requested that the applicant make adjustments to Lot 13, Lot 20 and 20 due to concerns with steep slopes. The applicant made adjustments and addressed staff concerns by adjusting the relationship of the houses on lots 13, 20 and 21. Staff also requested that the applicant provide access to Parcel C, which is open space woodlands, for

maintenance purposes, this has been provided via Springfield Road. There was also a 50-foot-wide parcel to the rear of Lot 30 and 31 that is now part of the Woodland Preservation area.

3. **Environmental**—The Environmental Planning Section has reviewed the revised plans for Preliminary Plan of Subdivision 4-06011 and Type I Tree Conservation Plan TCPI/17/06, stamped as received on August 18, 2006. The Environmental Planning Section recommends approval of Preliminary Plan 4-06011 and TCPI/17/06 subject to conditions.

### **Background**

The Environmental Planning Section has not previously reviewed plans associated with this site. The proposal is for the creation of 31 lots for single-family detached dwellings and four parcels (Parcels A and B for stormwater management facilities and Parcels C and D for open space) in the R-R Zone.

### **Site Description**

This 26.31-acre property is located on the north side of Duckettown Road and the east side of Springfield Road, approximately 1,000 feet south of the intersection of Good Luck and Springfield Roads. The property is zoned R-R. One regulated environmental feature (wetlands) is associated with the site. Judging from year 2000 air photos, the site is approximately 96 percent in woodlands. Six soil series are found to occur at the site according to the *Prince George's County Soil Survey*. These include: Christiana Fine Sandy Loam, Christiana Silt Loam, Clay Pits, Galestown Urban-Land Complex, Keyport Fine Sandy Loam, and Sassafras-Urban Land Complex soils. The Christiana and Keyport soils have K factors of 0.43. Both Christiana soils have development constraints associated with house foundations, due to high shrink-swell conditions and instability. Galestown soils are prone to seepage when ponds are located on them. There are no traffic noise generators in the vicinity of the site. There are no designated scenic or historic roads located in the vicinity of this property. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, rare and threatened species are not found to occur in the vicinity of this property. However, their records indicate an occurrence of state-listed endangered Spring Blue Darner (*Aeshna mutata*) within the vicinity of the project site. In addition, the forest area at this location contains Forest Interior Dwelling Bird Species (FIDS) habitat. According to the 2005 *Approved Countywide Green Infrastructure Plan*, two network features, evaluation areas and network gaps, are associated with the site. The site is in the Horsepen Branch watershed of the Patuxent River basin, the Bowie and Vicinity Planning Area, and in the Developing Tier as reflected in the 2002 *Prince George's County Approved General Plan*.

### **Environmental Review**

Signed Natural Resources Inventory NRI/111/05 was included in the preliminary plan submittal. The preliminary plan and TCPI did not initially show consistent gross tract acreage with the signed natural resources inventory (NRI). A revision to the NRI has been submitted to the Environmental Planning Section and is pending approval, so that the gross tract acreage on all relative plans will be consistent.

A Forest Stand Delineation (FSD) was conducted in August 2005. A total of three forest stands (Stands A–C) were identified. Stand A totals 5.08 acres and is a wooded upland forest with white and red oaks as the co-dominant species. Stand B totals 10.07 acres and is a wooded upland forest with Virginia pine and maple as the co-dominant species. Stand C totals 10.34 acres and is

a mixed bottomland forest with maple, cherry and sweetgum as the dominant species. There is only one specimen tree (a 31.5-inch poplar) located at the site. It was identified in Stand C and is the same stand where the wetlands are located. All three stands have 100 percent canopy closure and all have moderate priority retention ratings.

A letter from the Maryland Department of Natural Resources Wildlife and Heritage Program staff, dated September 8, 2005, indicates there was a recorded occurrence of the state-listed endangered Spring Blue Darner (*Aeshna mutata*) in the vicinity of the project site. The preferred habitat for this species has been described by a zoologist associated with MDNR as “fishless ponds, sometimes bogs and limestone sinkhole wetlands, usually associated with water lilies”. Investigation in recent weeks by the applicant’s environmental consultant has determined the site does not have the appropriate habitat for the Spring Blue Darner.

The state’s letter also indicates the site contains forest interior dwelling species (FIDS) habitat, and suggests guidelines that could be incorporated into the site’s design to minimize the project’s impacts on FIDS habitat. The limits of the FIDS habitat have been shown on the signed NRI. With the revision to the NRI, the gross tract acreage on all plans will be in conformance. No further survey work regarding the presence of the Spring Blue Darner or delineation of FIDS habitat is necessary.

The site contains an evaluation area and a network gap associated with the Countywide Green Infrastructure Plan. Most of the site is within a designated evaluation area. The Patuxent Research Refuge, a designated special conservation area (SCA), abuts the site to the north. Proposed development adjacent to a designated SCA should provide the maximum amount of buffering possible between the proposed disturbed areas and the natural areas off-site. A 50-foot-wide tree preservation buffer is proposed at the point of greatest connectivity to the Patuxent Research Refuge, which implements the Green Infrastructure Plan at this location.

One of the state’s guidelines to minimize impacts to FIDS habitat is the reduction of driveway length, where possible. The revised plans propose the reduction of driveway lengths over earlier proposals. The driveway length on Lot 25 has been reduced from 75 feet as initially proposed, to 43 feet on the current plan; the driveway on Lot 1 has been reduced from 105 feet to 45 feet in length. These reductions were possible because proposed dwellings were placed closer to the front building restriction line. As a result, the standard R-R lots proposed (at least 20,000 square feet) now have more rear yards with woodland preservation (while meeting the guideline that there should be 40 feet of cleared rear yard), less impervious surface due to reduced driveway lengths, and less required grading.

The revised TCPI proposes meeting the woodland conservation requirement with 6.22 acres of on-site preservation. The site has a woodland conservation threshold (WCT) of 20 percent or 5.26 acres, which will be met on-site. The revised TCPI also addresses the state’s guidelines to minimize impacts on FIDS habitat, maintains the critical ecological connection to the abutting Patuxent Research Refuge, and provides for the woodland conservation requirement on-site through preservation. No further revisions implementing the Green Infrastructure Plan are necessary.

The site contains an area of isolated wetlands and an area of steep slopes, which are not connected. All regulated site features are required to be delineated at the time of preliminary plan submission. The primary management area (PMA) delineated on the revised plans is not in conformance with the PMA delineated on the signed NRI. No impacts to the PMA are shown on the plans and no letter of justification for impacts to the PMA has been submitted. Prior to

signature approval of the preliminary plan, the delineation of the PMA on the TCPI and the signed NRI should be found to be in conformance, and the corresponding graphic symbol shall be included in the legend.

The Patuxent River Primary Management Area is to be preserved to the fullest extent possible as required in Section 24-130(b)(5) of the Subdivision Ordinance. At the time of final plat, bearings and distances should describe a conservation easement. The conservation easement should contain the Patuxent River Primary Management Preservation Area, isolated wetlands and their buffers, and shall be reviewed by the Environmental Planning Section prior to certificate approval. A note describing conservation easements should be placed on the plat.

The site is subject to the Prince George's County Woodland Conservation and Tree Preservation Ordinance because there are more than 10,000 square feet of existing woodlands on-site and the overall gross tract area exceeds 40,000 square feet. A revised Type I tree conservation plan has been submitted and reviewed. In order for the TCPI to meet the requirements of the Woodland Conservation Ordinance, several revisions are necessary.

The revised TCPI has a woodland conservation threshold (WCT) of 5.26 acres (20 percent NTA), and a woodland conservation requirement of 10.08 acres based on 19.27 acres of existing woodland to be cleared. The revised TCPI shows this requirement to be met with 6.22 acres of on-site preservation, which exceeds the WCT, and 3.86 acres of off-site mitigation.

The future right-of-way along Duckettown Road has not been shown, which may reduce the width of Woodland Preservation Area 1 below the minimum width requirement of 35 feet. If this preservation area falls below the minimum required width or size requirements, it should be shown as "Woodland Preserved, Not Counted." and the worksheet should be revised accordingly. After all revisions have been made, the qualified professional who prepared the plan should sign and date it. Prior to signature approval of the preliminary plan the TCPI should be revised.

Development of this subdivision shall be in conformance with approved Type I Tree Conservation Plan TCPI/17/06. A note should be placed on the final plat of subdivision stating that the development is subject to restrictions shown on approved Type I Tree Conservation Plan TCPI/14/06, or as modified by the Type II tree conservation plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply would mean a violation of an approved tree conservation plan and would make the owner subject to mitigation under the Woodland Conservation Ordinance. The property is subject to the notification provisions of CB-60-2005.

An approved copy of the stormwater management concept plan along with a copy of the concept plan approval letter has been submitted. The Department of Environmental Resources (DER) case number associated with the concept plan is 40230-2005-00. The concept plan approval letter was issued on June 29, 2006, and is valid for a period of three years from the date of issuance.

The concept plan and revised TCPI show direct conflicts between grading proposed on the concept plan, and woodland preservation areas shown on the TCPI. The concept plan shows substantial reduction in on-site preservation. The concept plan shows proposed grading for the stormwater management facility in the northwest portion of the site where the ecological connection to the Patuxent Research Refuge abuts the site. Grading is also shown on the concept plan in the rear yards of proposed lots that have a tree preservation buffer on the TCPI. Prior to signature approval of the preliminary plan, a revised stormwater management concept plan

should be submitted that demonstrates grading and retention of woodlands in general conformance with the TCPI submitted for approval.

The Environmental Planning Section recommends approval of Preliminary Plan 4-06011 and Type I Tree Conservation Plan TCPI/17/06.

### **Water and Sewer**

The DER Development Services Division has determined that the 2001 Water and Sewer Plan designated this property in Water and Sewer Category 5. Application 05/W-21, known as the Rosso Property, was included in the December 2005 cycle of amendments, requesting Category 4. The December 2005 cycle was heard on April 2, 2006. The County Council approved the request to water/sewer Category 4 via CR-21-2006. Category 3 must be obtained prior to final plat. Water and sewer line extensions are required to serve the property and must be approved by the Washington Suburban Sanitary Commission before approval of a final plat.

4. **Community Planning**—This application is located in the Developing Tier. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier because if the land use and density proposed. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. The proposed subdivision conforms to the recommendations of the 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* for residential low-density land use.
5. **Parks and Recreation**—In accordance with Section 24-135 (b) of the Subdivision Regulations, the Park Planning and Development Division of the Department of Parks and Recreation recommends to the Planning Board that the applicant provide adequate, private recreational facilities on site in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*. The Parks Department made the recommendation for private recreational facilities at the April 21, 2006, Subdivision Review Committee Meeting. However, the applicant discussed providing an offsite contribution to a local park in the area with Parks Department staff. However, Parks Department staff concluded that their original request was appropriate.

Development Review staff consulted with the applicant to discuss concepts for private on-site recreational facilities. Initially, the applicant proposed converting one Lot that is centrally located and away from the environmental areas. It incorporated a walking path, gazebo and an open green area. The size of the open space area in their original proposal was 21,500 square feet.

The initial proposal offered did not meet the minimum bonding amounts per the M-NCPPC formula. Staff determined that \$33,542 is the minimum amount that must be allocated for recreational facilities. In order to meet that amount, staff suggested that the applicant make some adjustments that included placing the gazebo on a concrete pad, using special paving materials, providing a trail around the stormwater management pond that connects back to the gazebo, if grading allowed, and providing a 100'x200' open play area located adjacent to the sitting area. Staff requested that the applicant review the recommendations and provide staff with a proposal demonstrating that the minimum bonding requirements were being met.

The applicant returned with a conceptual sketch that incorporated staff recommendations and provided an open play area adjacent to the gazebo. Brick pavers and benches surround the gazebo to provide additional areas for future residents to gather and sit. A trail has been placed along two sides of the Stormwater Management Pond. Due to grading constraints the applicant

was unable to complete the loop around the pond. Instead the applicant added a second gazebo that will overlook the pond and the natural buffer area. A feature that is ideal for bird watching or just experiencing nature. In order to accomplish the additional square footage for the open play area the sizes of Lots 9-16 were reduced. The revisions were internal to the site and did not affect the limit of disturbance or any other environmental features in any way.

6. **Trails**—Preliminary Plan 4-06011 Rosso Property was reviewed for conformance with the Countywide Trails Plan and/or the appropriate area master plan in order to provide the master plan trails. If a master plan trail is within a city, county, or state right-of-way, an additional two to four feet of dedication may be required to accommodate construction of the trail.

## **BACKGROUND**

The 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* designates Duckettown Road as a master plan trail corridor. This trail is intended to accommodate pedestrians and cyclists between adjacent residential communities and to provide multi-use trail access to the nearby parkland owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC) (former Sandy Hill Landfill site). The old landfill site has been acquired by the M-NCPPC Department of Parks and Recreation, and recreational facilities and trails are currently being planned. The trail will also provide access from local boarding stables to the planned trails at the M-NCPPC parkland. Staff recommends the provision of an eight-foot wide asphalt sidewalk along the subject site's frontage of Duckettown Road. Staff consulted with Trail Riders of Today (TROT) equestrian group to see if additional accommodations (such as a cleared grass strip parallel to the asphalt trail) were necessary for equestrian users and the stable facilities along this facility. It was determined that no additional accommodations were necessary for equestrians.

## **SIDEWALK CONNECTIVITY**

Existing Duckettown Road is open section with no sidewalks in the vicinity of the subject site. However, where road frontage improvements have been made, a standard sidewalk has been provided along the south side. The existing Oakstone/Severn Crossing development on the south side of Duckettown Road includes standard sidewalks along both sides of all internal roads. Staff supports the provision of standard sidewalk along both sides of the internal roads for the subject site as shown on the submitted preliminary plan.

7. **Transportation**—The following are this Section's comments concerning traffic impact of the subject application. These comments and findings are final.

## **TRANSPORTATION STAFF FINDINGS**

The application is a preliminary plan of subdivision for a residential development consisting of 31 single family detached dwellings. The proposed development would generate 24 AM (5 in, 19 out) and 28 PM (18 in, 10 out) peak hour vehicle trips as determined using *The Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The property fronts along Duckettown Road, just west of Springfield Road. The traffic generated by the proposed preliminary plan would impact the unsignalized intersections of:

- **Springfield Road and Duckettown Road**
- **Springfield Road and Good Luck Road**

These intersections are not programmed for improvement with 100% construction funding within the next six years in the current Maryland Department of Transportation *Consolidated Transportation Program* or the Prince George's County *Capital Improvement Program*:

The subject property is located within the Developing Tier as defined in the *General Plan for Prince George's County*. As such, the subject property is evaluated according to the following standards: **Links and signalized intersections:** Level-of-service (LOS) [C], with signalized intersections operating at a critical lane volume (CLV) of [1,300] or better; **Unsignalized intersections:** The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

The table below identifies the intersections as the ones on which the proposed development would have the most impact:

EXISTING CONDITION		
Intersection	AM	PM
	LOS/Delay (secs.)	LOS/Delay (secs.)
Springfield Road and Duckettown Road	A/9.6	<b>A/9.1</b>
Springfield Road and Good Luck Road	B/10.7	<b>B/10.3</b>

Staff's research of background developments revealed two developments that could potentially affect the referenced intersections. They are:

- Glenn Dale North 4-04170; 31 SF units
- Gallentine Property 4-04019; 15 SF units

Collectively, these background developments could add 14 and 17 trips to the AM and PM peak hours respectively. With the inclusion of these trips, the analysis revealed the following results:

BACKGROUND CONDITION		
Intersection	AM	PM
Springfield Road and Duckettown Road	A/9.7	<b>A/9.2</b>
Springfield Road and Good Luck Road	B/10.7	<b>B/10.4</b>

Citing the trip generation rates from the *guidelines*, the proposed development would generate 24 AM (5 in, 19 out) and 28 PM (18 in, 10 out) peak hour vehicle trips. By combining site-generated trips with background traffic, the results are as follows:



TOTAL CONDITION		
Intersection	AM	PM
Springfield Road and Duckettown Road	A/10.0	<b>A/9.7</b>
Springfield Road and Good Luck Road	B/10.8	<b>B/10.5</b>

The results of the analyses showed that adequate transportation facilities would continue to exist if this application is approved.

Duckettown Road and Springfield Road (on which the property fronts) are both 80' master planned collector facilities. The applicant's preliminary plan must show a dedication of at least forty (40) feet from the existing centerlines of these roads, or as otherwise determined by DPW&T.

### TRANSPORTATION STAFF CONCLUSIONS

The Transportation Planning Section concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved with the condition that the applicant dedicates a minimum of forty feet from the centerline of Springfield Road and Duckettown Road, or as otherwise determined by DPW&T.

8. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this preliminary plan for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and with CB-30-2003 and CR-23-2003 and concluded the following.

#### Finding

#### Impact on Affected Public School Clusters

Affected School Clusters	Elementary School Cluster 3	Middle School Cluster 2	High School Cluster 2
Dwelling Units	31 sfd	31 sfd	31 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	7.44	1.86	3.72
Actual Enrollment	5137	7218	10839
Completion Enrollment	178	112	223
Cumulative Enrollment	9.36	235.92	472.92
Total Enrollment	5331.80	7567.48	11538.64
State Rated Capacity	4838	6569	8920
Percent Capacity	110.21%	115.20%	129.36%

Source: Prince George's County Planning Department, M-NCPPC, December 2005

These figures were correct on the day the referral memo was written. They are subject to change under the provisions of CB-30-2003 and CR-23-2003. Other projects that are approved prior to

the public hearing on this project will cause changes to these figures. The numbers shown in the resolution will be the ones that apply to this project.

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between I-495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts on existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. Council bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,671 and \$13,151 to be paid at the time of issuance of each building permit.

The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

The Historic Preservation and Public Facilities Planning staff finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003, CB-31-2003, and CR-23-2003.

9. **Police Facilities**—The Prince George’s County Planning Department has determined that this preliminary plan is located in Police District V. The standard for emergency calls response is 10 minutes and 25 minutes for non-emergency calls. The times are based on a rolling average for the preceeding 12 months. The preliminary plan was accepted for processing by the Planning Department on March 28, 2006.

Reporting Cycle	Date	Emergency Calls	Non-emergency
Acceptance Date	01/05/05–02/05/06	10.00	22.00
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of 10 minutes for emergency calls and 25 minutes for non-emergency calls were met on February 5, 2006.

Pursuant to CR-69-2006, the Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels.

The Police Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Section 24 122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance.

The Prince George’s County Planning Department has determined that this preliminary plan is within the required seven-minute response time for the first due fire station Bowie, Company 19, using the *Seven-Minute Travel Times and Fire Station Locations Map* provided by the Prince George’s County Fire Department.

Pursuant to CR-69-2006, the Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels.

The Fire Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

11. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that stormwater management is required. Stormwater Management Concept Plan 40230-2005-00 has been approved with conditions.
12. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for the Rosso property and has no comments to offer.
13. **Archeology**—Phase I (Identification) archeological survey is not recommended by the Planning Department on the above-referenced property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability for the presence of archeological sites is low.

Section 106 reviews may require archeological survey for state or federal agencies, however. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when federal monies, federal properties, or federal permits are required for a project.

14. **Historic Preservation**—The Historic Preservation and Public Facilities Planning Section has reviewed the subject area and has found that there is no effect on historic resources.

## RECOMMENDED CONDITIONS

1. Prior to signature approval of the preliminary plan, the delineation of the PMA on the TCPI and the signed NRI shall be found to be in conformance, and the corresponding graphic symbol shall be included in the legend.
2. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the Patuxent River Primary Management Preservation Area, isolated wetlands and their buffers, and shall be reviewed by the Environmental Planning Section prior to certificate approval. The following note shall be placed on the plat:

Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.

3. Prior to signature approval of the preliminary plan, revise the TCPI as follows:
  - a. Show the ultimate right-of-way for Duckettown Road;
  - b. Revise Woodland Preservation Area 1 to be "Woodland Preserved, Not Counted," if the width of the area falls below the 35 feet-wide minimum;

- c. Revise the woodland conservation worksheet accordingly; and
  - d. After these revisions have been made, have the qualified professional who prepared the plan sign and date it.
- 4. Development of this subdivision shall be in conformance with approved Type I Tree Conservation Plan (TCPI/17/06). The following notes shall be placed on the final plat of subdivision:
 

Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/17/06) or as modified by the Type II tree conservation plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005.
- 5. Prior to signature approval of the preliminary plan, a revised stormwater management concept plan shall be submitted that demonstrates grading and retention of woodlands in general conformance with the TCPI submitted for approval.
- 6. The applicant the applicant's heirs, successors, and/or assigns shall provide an eight-foot wide, asphalt trail along the subject site's entire road frontage of Duckettown Road. This trail shall be behind the curb and separated from the curb by a grass/planting strip.
- 7. Provide standard sidewalks along both sides of all internal roads, unless modified by the Department of Public Works and Transportation (DPW&T).
- 8. Development of this property shall be in accordance with Stormwater Management Concept Plan Approval # 27550-2005-00 and any revisions.
- 9. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association (HOA) has been established and that the common areas have been conveyed to the HOA.
- 10. Prior to the approval of building permits, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association (HOA) 6.99± acres of open space land (Parcels A, B, C, and D). Land to be conveyed shall be subject the following:
  - a. Conveyance shall take place prior to the issuance of building permits.
  - b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
  - c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.
  - d. The conveyed land shall not suffer the disposition of construction materials, soil filling,

discarded plant materials, refuse or similar waste matter.

- e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved detailed site plan or shall require the written consent of DRD. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement and storm drain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
  - f. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
  - g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
  - h. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
- 11. The applicant, his successors, and/or assigns, shall provide adequate, private recreational facilities on site on the Home Owners Association (HOA) land in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.
  - 12. A Limited Detailed Site Plan review by the Planning Board or its designee is required for the proposed siting of private recreation facilities on Parcels B & D.
  - 13. Submission of three original, executed Recreational Facilities Agreements (RFA) to the DRD for their approval, three weeks prior to a submission of a final plat. Upon approval by the DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
  - 14. Submission to the DRD of a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, within at least two weeks prior to applying for building permits.
  - 15. The developer, his successor and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.