

July 30, 2009

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Susan Lareuse, Principal Urban Designer

SUBJECT: Greens at Piscataway, Piscataway Road and Associated Stormwater Management Pond  
Request for Reconsideration  
Specific Design Plan, SDP-9806

FINDINGS SDP-9806

1. In letter dated December 6, 2001, Andre J. Gingles, of O'Malley, Miles, Nylen & Gilmore, P.A., on behalf of the applicant, Bailey's Associates Inc., LP, requested that the Planning Board reconsider Condition 2 relating to the approval of the Specific Design Plan for Infrastructure (SDP-9806) for Piscataway Road and an associated stormwater management pond at the Greens at Piscataway. The Planning Board, at the December 20, 2001 public hearing, granted the request to reconsider their action contained in Planning Board Resolution No. 98-287 on SDP-9806 based on inadvertence and mistake. Condition 2 relates to the requirement of recording a Historic Property Security Agreement.
2. The original Specific Design Plan, SDP-9806, included the following condition:
  2. **The applicant shall submit a draft Historic Property Security Agreement to the Historic Preservation Commission for its review and approval. The draft agreement shall include a description of measures to be taken by the applicant to ensure the physical security of the Edelen House Historic Site. The Historic Property Security Agreement between the applicant and M-NCPPC shall be executed and recorded and a note referencing the agreement shall be placed on the first Final Plat for the Greens at Piscataway that is recorded.**

Comment: Condition 2 above provided for the creation of a Historic Property Security Agreement designed to ensure the short- and long-term maintenance and security of the Historic Site prior to its rehabilitation or restoration as part for the subject development. Such an agreement would have been reviewed and approved by the Historic Preservation Commission and executed between the applicant and The Maryland-National Capital Park and Planning Commission. The Planning Board policy has changed since the adoption of the condition which obviates such agreements.

The Historic Preservation staff provided alternative language to Condition 2 in order to retain the overall preservation intent of the original conditions and to remove the obligation of a Historic Property Security Agreement. The language below is based on, or replicates in part, language in Condition 2 as approved by the Planning Board and language approved by the Planning Board in similar circumstances such as those of Melford Historic Site (71B-16)[PGCPB No. 99-28(a) - Maryland Science and Technical Center] and Bowieville Historic Site (74A-18)[PGCPB No. 01-181 - Oak Creek Club].

The staff recommends that the Planning Board adopt the following revised language:

1. In order to ensure the short-term maintenance and preservation of the Edelen House Historic Site, within 60 days of the Planning Board's approval of the Final Plat, the applicant shall:
  - a. Install exterior security lighting and a fire and burglar alarm system. The burglar system shall be equipped with motion detectors and intrusion sensors on all windows and doors of the house (submit copy of annual advance payment and contract).
  - b. Ensure the routine maintenance of utilities including heating, plumbing and electrical systems (submit contractor's review of the systems and evidence of completion of needed repairs).
  - c. The applicant shall provide evidence of current fire insurance on the property including the house and outbuildings (submit copy of annual advance payment and contract).
  - d. Provide an inspection report by a qualified professional to include the current condition of the roof, walls, chimneys, windows, doors and foundations of the main house and all significant outbuildings and structures within the Environmental Setting. The report shall include recommendations for repair if needed in order to preserve the integrity of those physical features. Further, the applicant shall submit contractor's receipts as evidence of completion of the needed repairs.
  - e. Install "No Trespassing" signs at the street and around the Environmental Setting, locations to be determined by the applicant and the Historic Preservation staff.
2. In order to ensure the long-term preservation of the Edelen House Historic Site, within 90 days of the Planning Board's approval of the Final Plat, the applicant shall provide for continuous occupancy of the Historic Site by a tenant or on-site caretaker. The applicant shall duly advertise the availability of the property for tenancy as necessary, or take other steps, including consultation with the Historic Preservation Commission, to ensure continued and appropriate occupancy of the Historic Site until its rehabilitation/restoration.
3. The applicant shall provide the Planning Board (or its designee) with semiannual property inspection reports that demonstrate compliance with the above-cited conditions, the first of which shall be submitted on or before April 1, 2002. A copy of the most recent quarterly property inspection report shall be reviewed by the Planning Board with each future application for development of the subject site.

## RECOMMENDATION

The Development Review Division recommends that the Planning Board APPROVE the proposal to modify Condition 2 of Specific Design Plan SDP-9806 as contained in the Prince George's County Planning Board Resolution No. 98-287 as follows:

2. a. In order to ensure the short-term maintenance and preservation of the Edelen House Historic Site, within 60 days of the Planning Board's approval of the Final Plat, the applicant shall:
  - i. Install exterior security lighting and a fire and burglar alarm system. The burglar system shall be equipped with motion detectors and intrusion sensors on all windows and doors of the house (submit copy of annual advance payment and contract).
  - ii. Ensure the routine maintenance of utilities including heating, plumbing and electrical systems (submit contractor's review of the systems and evidence of completion of needed repairs).
  - iii. The applicant shall provide evidence of current fire insurance on the property including the house and outbuildings (submit copy of annual advance payment and contract).
  - iv. Provide an inspection report by a qualified professional to include the current condition of the roof, walls, chimneys, windows, doors and foundations of the main house and all significant outbuildings and structures within the Environmental Setting. The report shall include recommendations for repair if needed in order to preserve the integrity of those physical features. Further, the applicant shall submit contractor's receipts as evidence of completion of the needed repairs.
  - v. Install "No Trespassing" signs at the street and around the Environmental Setting, locations to be determined by the applicant and the Historic Preservation staff.
- b. In order to ensure the long-term preservation of the Edelen House Historic Site, within 90 days of the Planning Board's approval of the Final Plat, the applicant shall provide for continuous occupancy of the Historic Site by a tenant or on-site caretaker. The applicant shall duly advertise the availability of the property for tenancy as necessary, or take other steps, including consultation with the Historic Preservation Commission, to ensure continued and appropriate occupancy of the Historic Site until its rehabilitation/restoration.
- c. The applicant shall provide the Planning Board (or its designee) with semiannual property inspection reports that demonstrate compliance with the above-cited conditions, the first of which shall be submitted on or before April 1, 2002. A copy of the most recent quarterly property inspection report shall be reviewed by the Planning Board with each future application for development of the subject site.