AGENDA ITEM: 5
AGENDA DATE: 6/25/2020

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

Detailed Site Plan DSP-08035-02
Norbourne Property

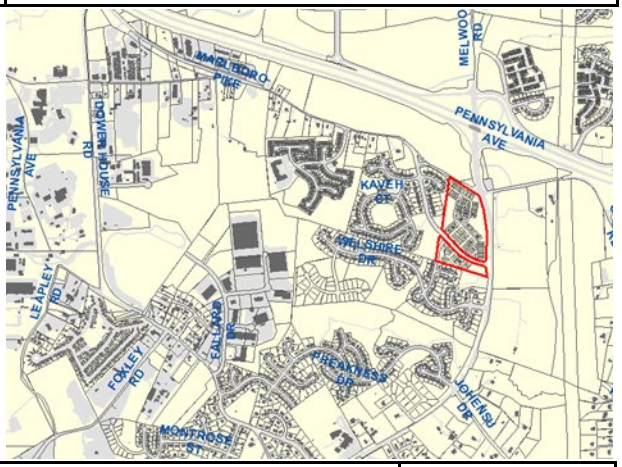
REQUEST	STAFF RECOMMENDATION
An amendment for the addition of three new Ryan Homes architectural models.	APPROVAL

Located in the northwest quadrant of the intersection of MD 725 (Marlboro Pike) and MD 223 (Woodyard Road).

Gross Acreage:	27.50
Zone:	R-T & M-I-O
Dwelling Units:	N/A
Planning Area:	77
Council District:	09
Election District:	15
Municipality:	N/A
200-Scale Base Map:	208SE09

Applicant/Address:
NVR, Ryan Homes
8000 Virginia Manor Road, Suite 140
Beltsville, MD 20705

Staff Reviewer: N. Andrew Bishop
Phone Number: 301-952-4897
Email: Andrew.Bishop@ppd.mncppc.org



Planning Board Date:	06/25/2020
Planning Board Action Limit:	07/14/2020
Staff Report Date:	06/09/2020
Date Accepted:	05/05/2020
Informational Mailing:	02/19/2020
Acceptance Mailing:	04/20/2020
Sign Posting Deadline:	05/26/2020

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.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-08035-02
Norbourne Property

The Urban Design staff has reviewed the detailed site plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions, as described in the recommendation section of this report.

EVALUATION

The detailed site plan was reviewed and evaluated for conformance with the following criteria:

a. The requirements of the Prince George's County Zoning Ordinance in the Townhouse (R-T) Zone.

b. The requirements of Zoning Map Amendment A-9977;

c. The requirements of Preliminary Plan of Subdivision 4-07086;

d. The requirements of Detailed Site Plan DSP-08035 and its amendment;

e. The requirements of the 2010 *Prince George's County Landscape Manual;*

f. The requirements of the Woodland and Wildlife Habitat Conservation Ordinance; and

g Referral comments.

FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommends the following findings:

1. **Request:** The subject amendment to a detailed site plan (DSP) requests the addition of three new Ryan Homes architectural models. This DSP was originally accepted as a Planning Director level limited minor amendment, pursuant to Section 27-289(c) of the Prince George's County Zoning Ordinance. Posting of the subject property was required and a written request for a public hearing was submitted within the posted time period.

2. Development Data Summary

	EXISTING	PROPOSED
Zone	R-T/M-I-O	R-T/M-I-O
Use(s)	One-family Metropolitan Dwellings	One-family Metropolitan Dwellings
Acreage	27.50	27.50
Parcels	20	20
Number of Lots/Units	165	165

3. Location: The site is in Planning Area 77, Council District 9. More specifically, it is located in the northwestern quadrant of the intersection of MD 725 (Marlboro Pike) and MD 223 (Woodyard Road).

4. Surrounding Uses: The subject property is bounded to the north by Marlboro Pike, with residential development and open space beyond; to the east by Woodyard Road, with residential development beyond; to the south by single-family detached residential development and park land; and to the west by single-family detached residential development.

5. Previous Approvals: The site is the subject of Zoning Map Amendment A-9977, which was approved on July 23, 2007 with no conditions by the Prince George's County District Council. Preliminary Plan of Subdivision (PPS) 4-07086 was approved by the Prince George's County Planning Board on July 24, 2008 for the creation of 165 townhouse lots and 19 parcels, subject to 35 conditions (PGCPB Resolution No. 08-99). DSP-08035 was approved on December 16, 2010 (PGCPB Resolution No. 10-131) and was amended one time by the Planning Director for the addition of an architectural model. The site is currently under development.

6. Design Features: This application proposes the addition of three new architectural models, the Schubert D, Schubert E, and the McPherson Grand, with no changes to the site plan. The proposed 22- and 24-foot-wide townhouses are accessed from Marlboro Pike via a series of private roads and alleys, which are organized in a grid pattern on the north and south side of the roadway.

Architecture: Three additional townhouse models, the Schubert D, Schubert E, and the McPherson Grand, are proposed with this application, and are being added to the mix of models available in the development. These new models include rear and front garage units with multiple front elevation options and a variety of exterior finishes and roof designs, including shutters, balanced fenestration, and enhanced window and door trim. The buildings have been designed to incorporate a variety of materials, including brick and standard vinyl siding, creating a clean and contemporary design, which will complement the surrounding uses and the other approved models within the community.

The Schubert D is 22 feet wide, 42 feet deep, and approximately 34 feet high, with a front-loaded, two-car garage, and a base finished area of 2,339 square feet.

The Schubert E is also 22 feet wide, 42 feet deep, and approximately 34 feet high, but includes a rear-loaded, two-car garage, and a base finished area of 2,298 square feet.

The McPherson Grand is 24 feet wide, 46 feet deep, and approximately 37 feet high, and includes both front- and rear-loaded, two-car garage options. The base finished area of the McPherson Grand is 2,677 square feet.

All units have architectural shingles on the roof and offer a variety of window treatments and architectural finishes, including a mix of high-quality building materials on the façades, such as vinyl and brick. Options are available for rooftop decks, dormers, bay windows, and decks. The treatment for highly visible elevations are shown in the general notes of the DSP, in addition to the notes on the architectural elevations, and require full-brick façades on the side elevation of specific units in the development.

Staff notes that no side elevations were submitted for the Schubert D and Schubert E models. This is because these 22-foot-wide models will only be located on the interior of the townhouse sticks. The end units on the townhouse sticks are all proposed to be 24-foot-wide and will use the McPherson and McPherson Grande architectural models, which propose side elevations and options for highly visible units.

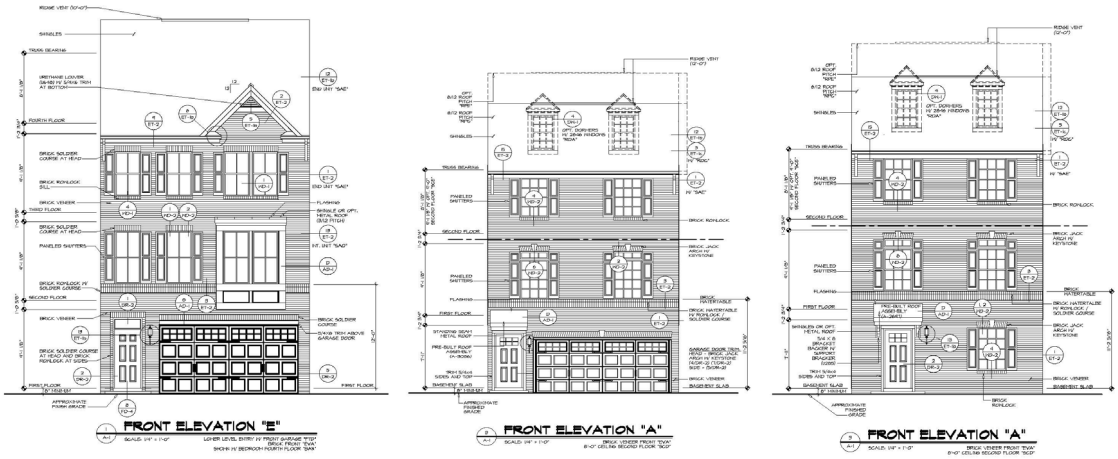


Figure 1: Proposed Architectural Elevations

COMPLIANCE WITH EVALUATION CRITERIA

7. Prince George's County Zoning Ordinance: The subject application has been reviewed for compliance with the requirements in the R-T Zone and the site plan design guidelines of the Zoning Ordinance.

a. The subject application is in conformance with the requirements of Sections 27-441 and 27-442 of the Zoning Ordinance, which regulate uses in residential zones, and provide regulations for development including requirements for setbacks, net lot area, lot frontage, building coverage, and green area. Conformance with the uses proposed and the regulations applicable to the application were found with DSP-08035 and are not proposed to change with this limited amendment.

b. The DSP is in general conformance to the applicable site design guidelines, as referenced in Section 27-283 of the Zoning Ordinance and contained in Section 27-274 of the Zoning Ordinance. Conformance to these guidelines was found with DSP-08035 and this limited DSP amendment for approval of three new architectural models will not change those findings.

8. **Zoning Map Amendment A-9977:** Zoning Map Amendment A-9977 was approved by the District Council on July 23, 2007, rezoning approximately 27.50 acres of land from the Rural Residential Zone, to the R-T Zone and did not contain any conditions of approval. Conformance to A-9977 was found with DSP-08035 and this limited DSP amendment for approval of three new architectural models does not change that finding.

9. **Preliminary Plan of Subdivision 4-07086:** PPS 4-07086 for 165 townhouse lots and 19 parcels was approved by the Planning Board and PGCPB Resolution No. 08-99 was adopted on July 24, 2008, subject to 35 conditions. Conformance to 4-07086 was found with DSP-08035 and this limited DSP amendment for approval of three new architectural models does not change that finding.

10. **Detailed Site Plan DSP-08035 and its amendment:** DSP-08035 was approved by the Planning Board on December 16, 2010 and amended once by the Planning Director for an additional architectural model. The original staff report contained a number of conditions related to the architectural design of the dwellings and established the character for the development. These conditions were addressed, prior to the final Planning Board approval of DSP-08035, and have been evaluated with this application. Specific treatments for the architecture have been conditioned with this application, as appropriate.

11. **2010 Prince George's County Landscape Manual:** Conformance to the requirements of the 2010 *Prince George's County Landscape Manual* was found with the approval of DSP-08035 and this limited amendment for the approval of three new architectural models does not change this finding.

12. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the property has a previously approved Type I Tree Conservation Plan, TCPI/007/08 and a Type 2 tree conservation plan (TCP2) is required. TCP2-058-09 was approved with DSP-08035 and this limited amendment for the addition of three new architectural models does not affect this plan approval.

13. **Referral Comments:** Due to the limited nature of this amendment, the subject application was not referred to any review agencies or divisions.

14. As required by Section 27-285(b) of the Zoning Ordinance, the DSP represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

As required by Section 27-285(b)(4), for approval of a DSP, the regulated environmental features on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the Prince

George's County Subdivision Regulations. Due to the limited nature of this amendment, no new impacts are proposed with this application, and it is determined that these have preserved to the fullest extent possible.

RECOMMENDATION

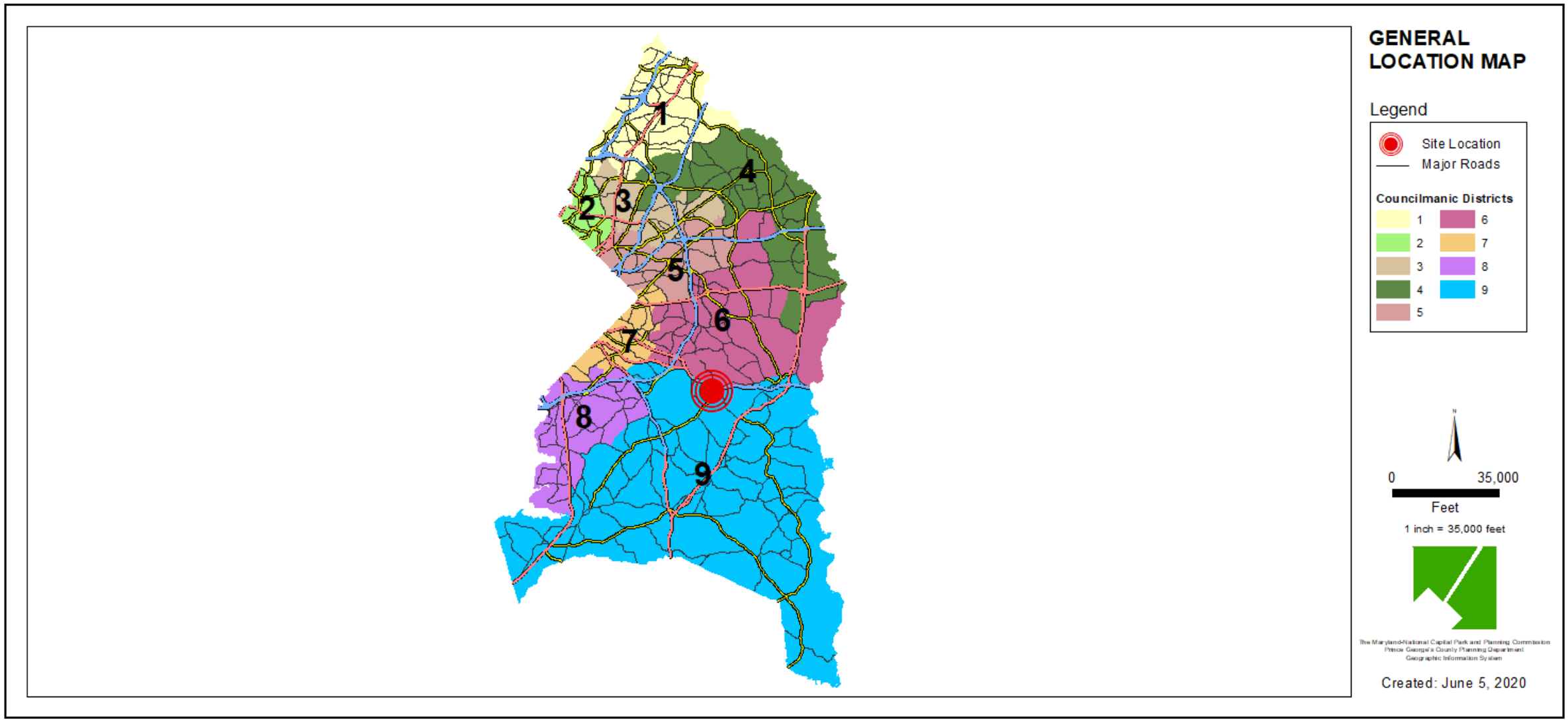
Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-08035-02, for Norbourne Property.

ITEM: 5

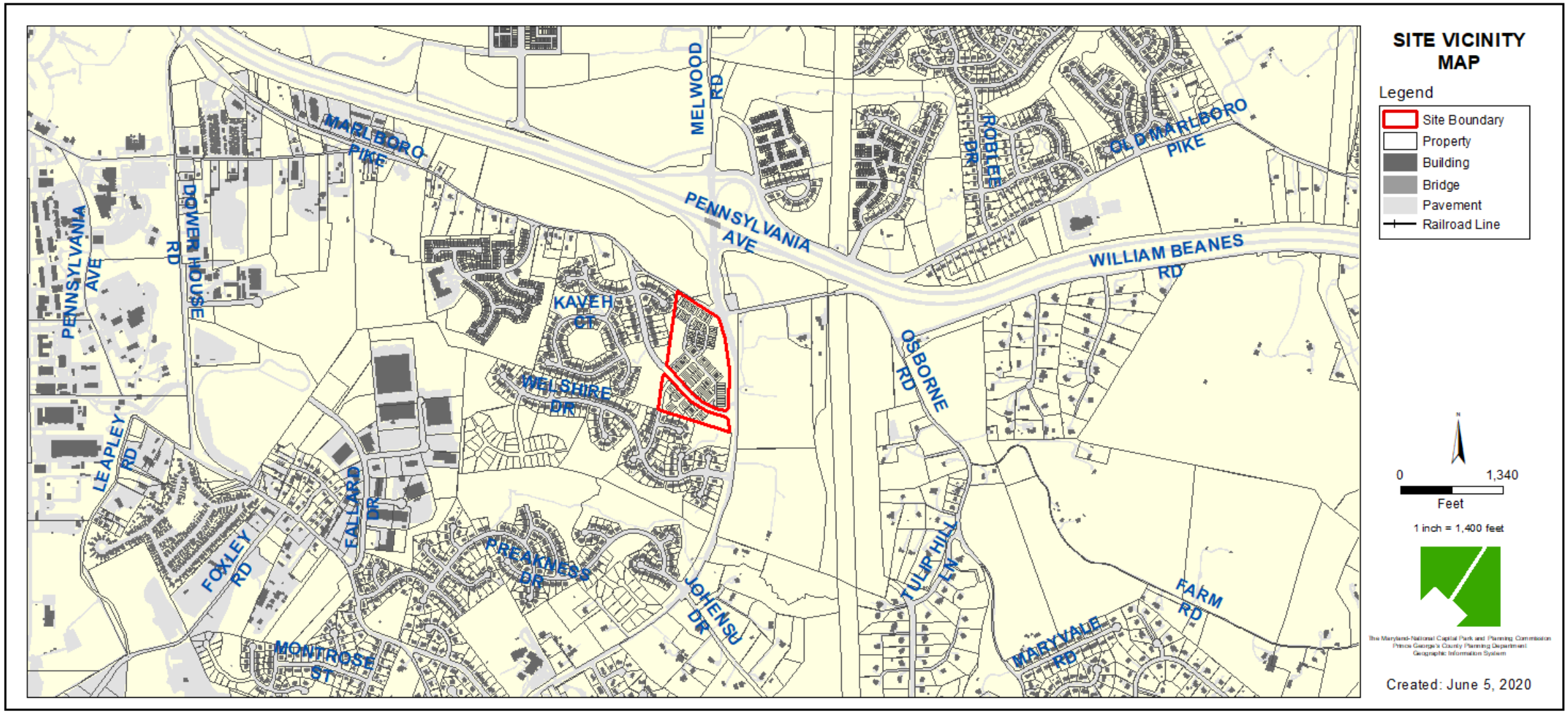
CASE: DSP-08035-02

NORBOURNE PROPERTY

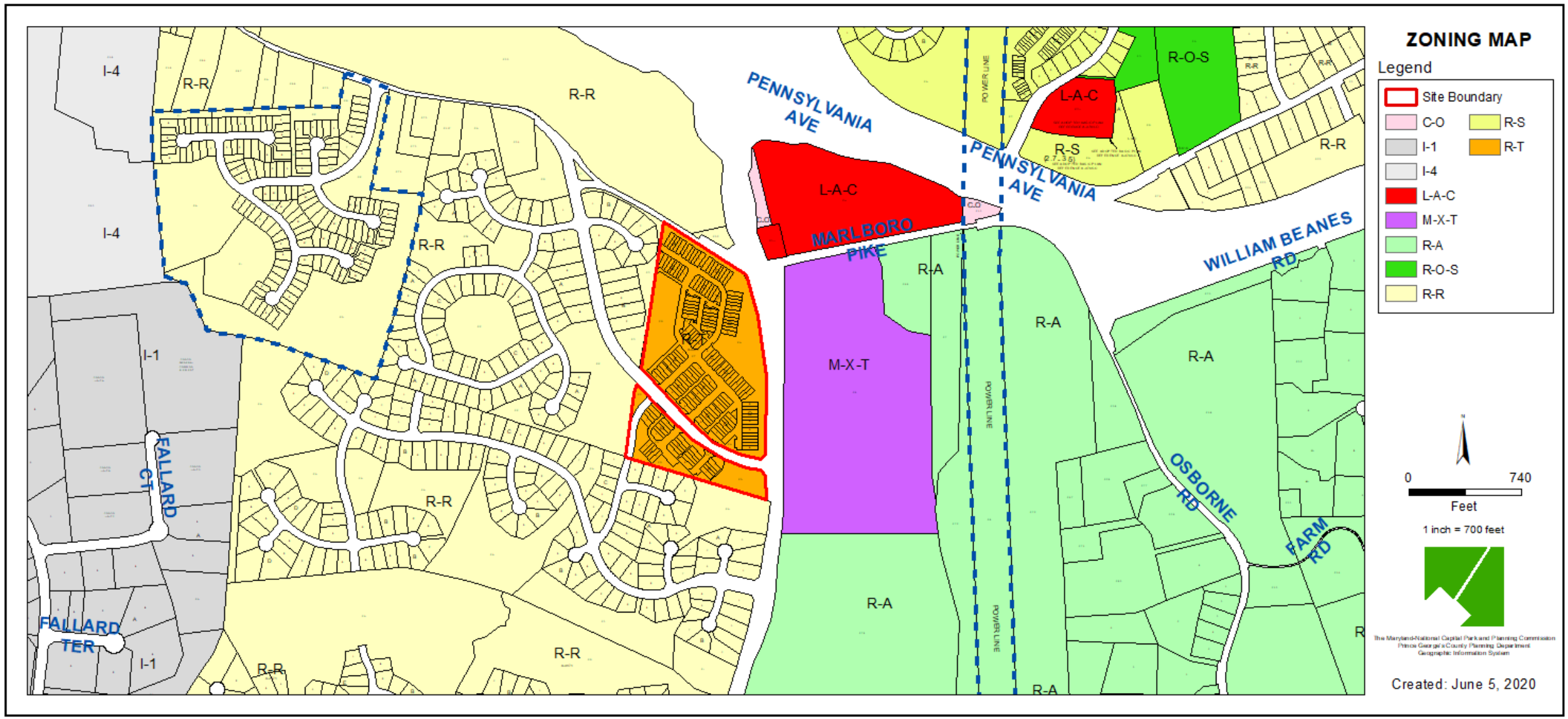
GENERAL LOCATION MAP



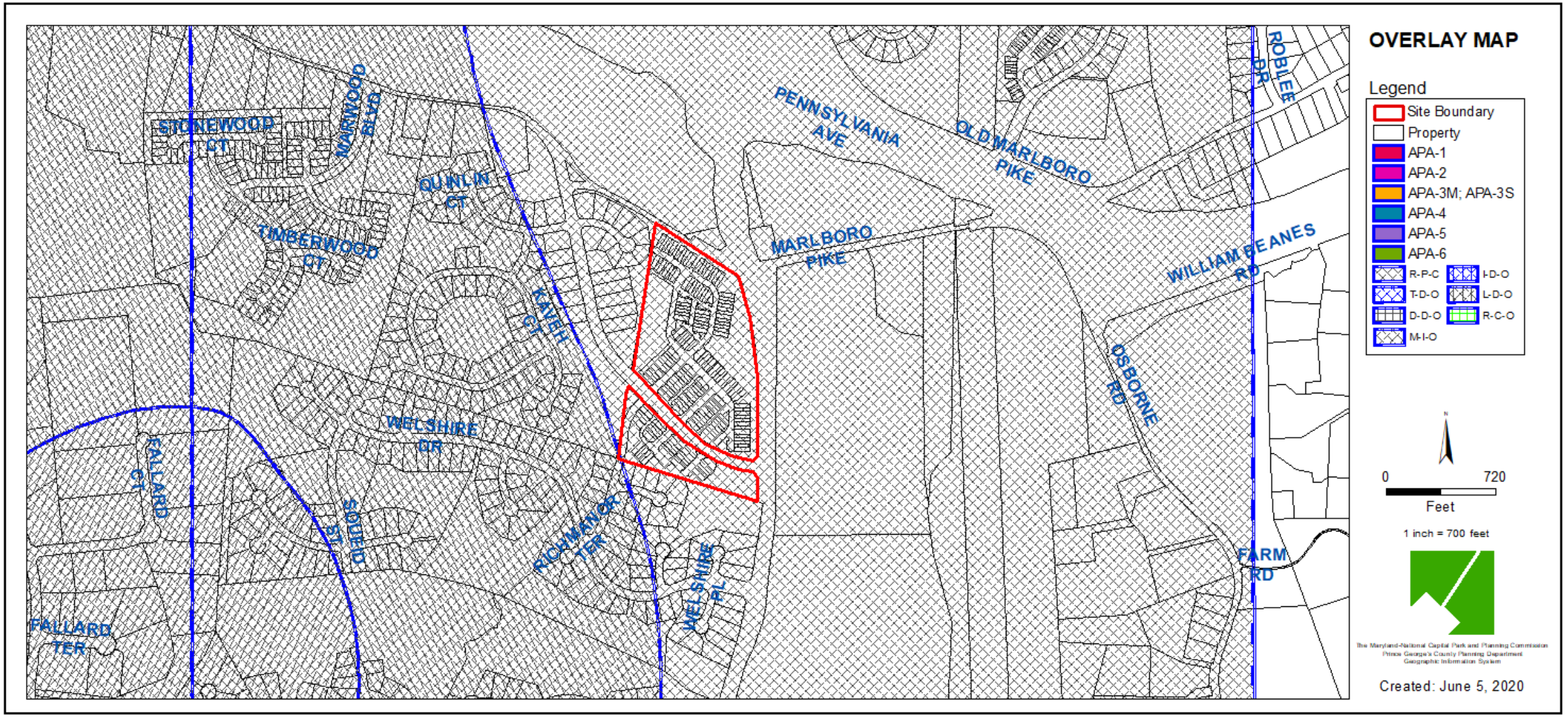
SITE VICINITY



ZONING MAP


ZONING MAP
Legend
Site Boundary
C-O
I-1
I-4
L-A-C
M-X-T
R-A
R-O-S
R-R
R-S
R-T
PENNSYLVANIA AVE
MARLBORO PIKE
WILLIAM BEANES RD
OSBORNE RD
FARM RD
FALLARD CT
FALLARD TER
POWER LINE
0
740
Feet
1 inch = 700 feet
Created: June 5, 2020

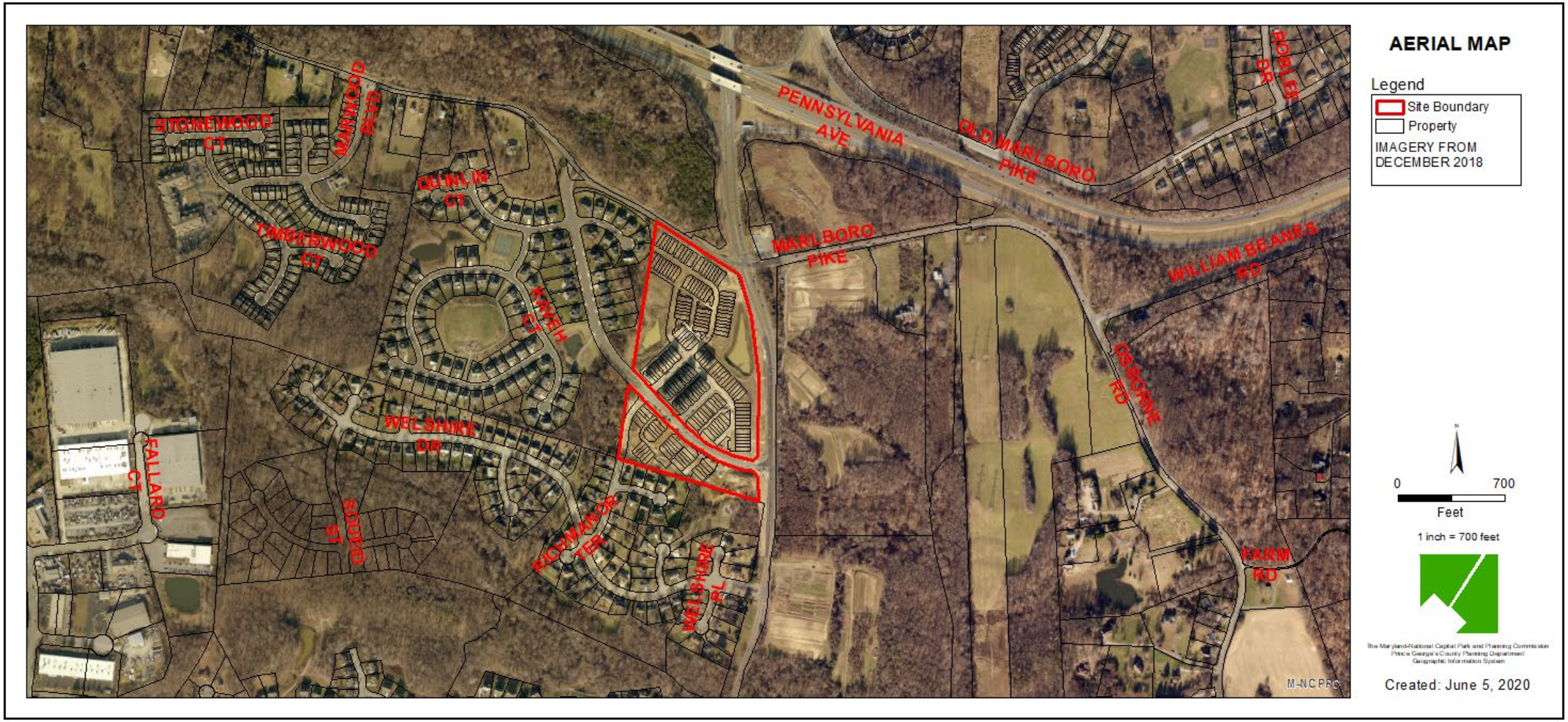
OVERLAY MAP



6/25/2020

DRD THE DEVELOPMENT REVIEW DIVISION

AERIAL MAP



6/25/2020

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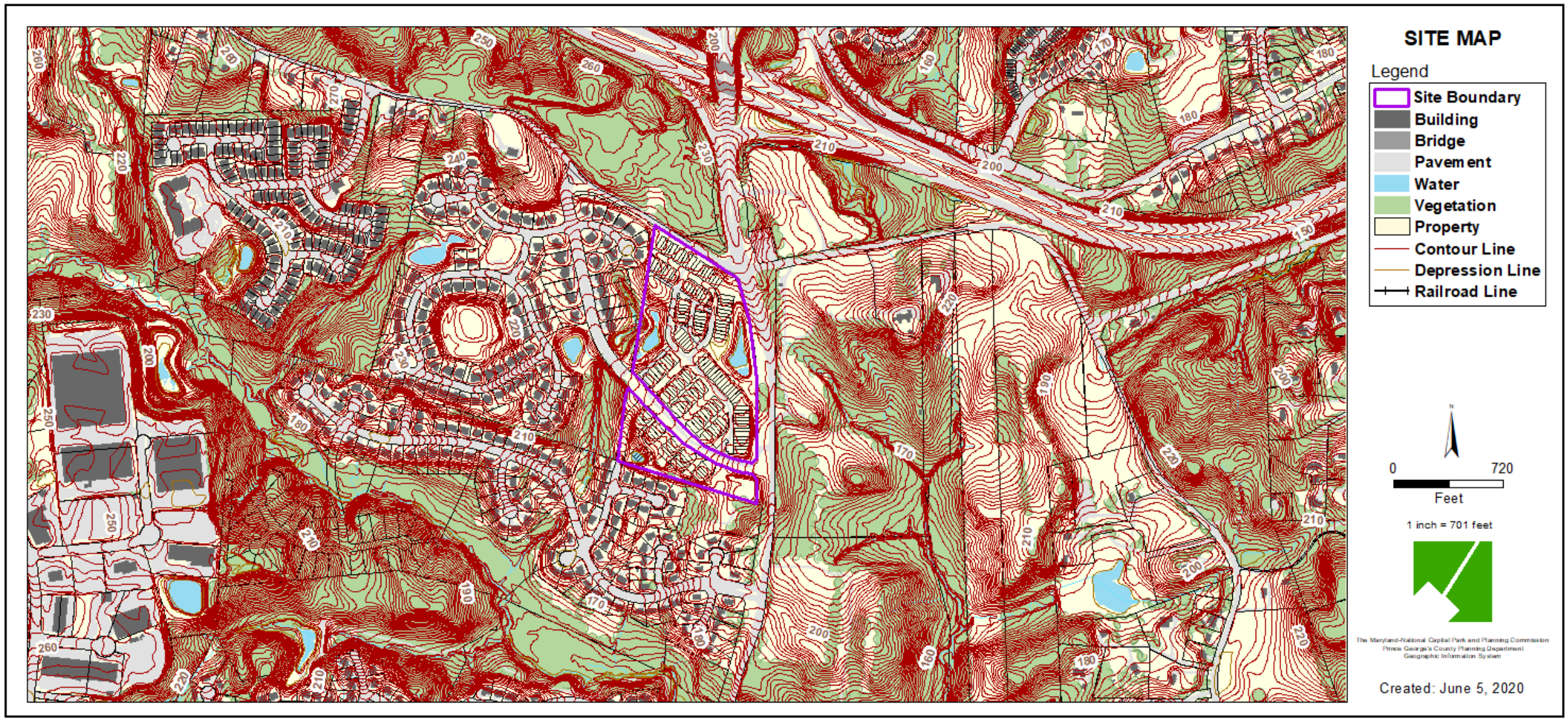
SITE MAP



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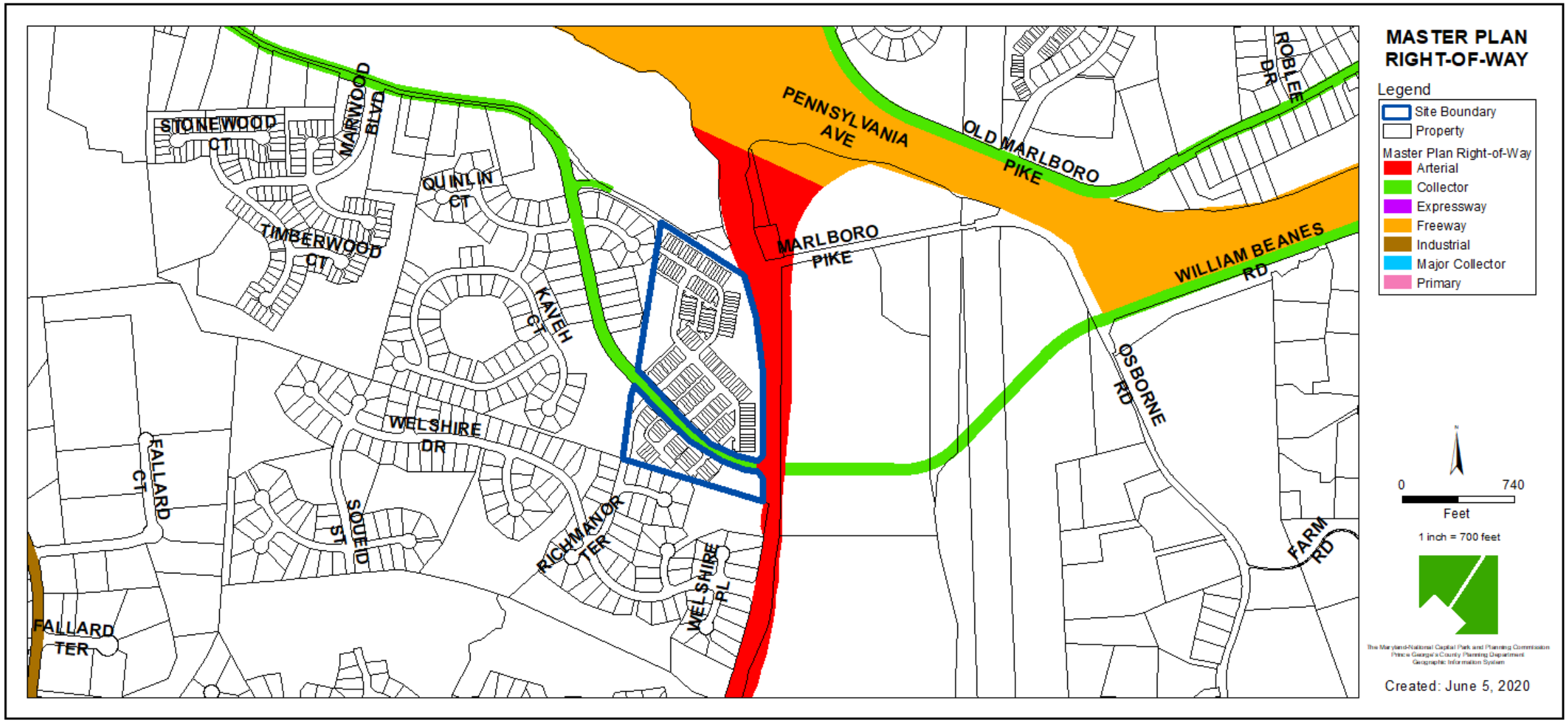
THE DEVELOPMENT REVIEW DIVISION

MASTER PLAN RIGHT-OF-WAY MAP



6/25/2020

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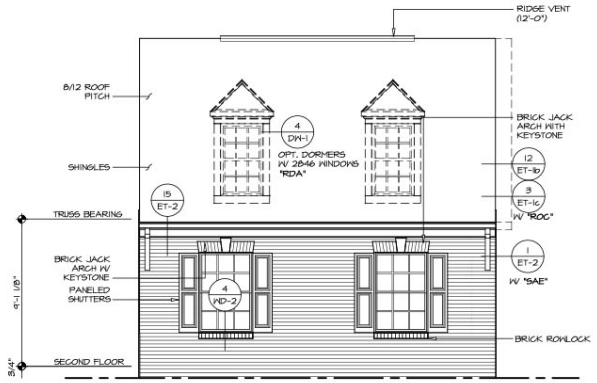
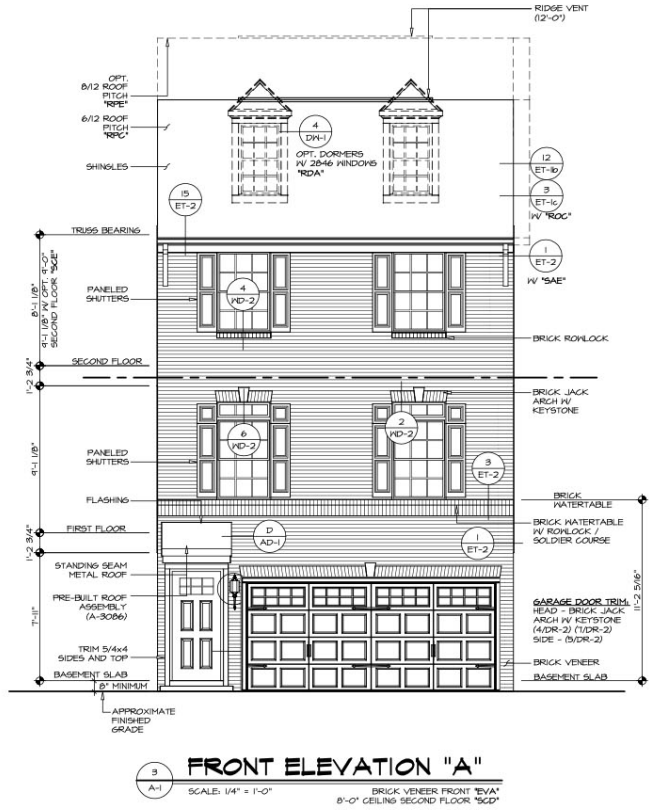
BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED

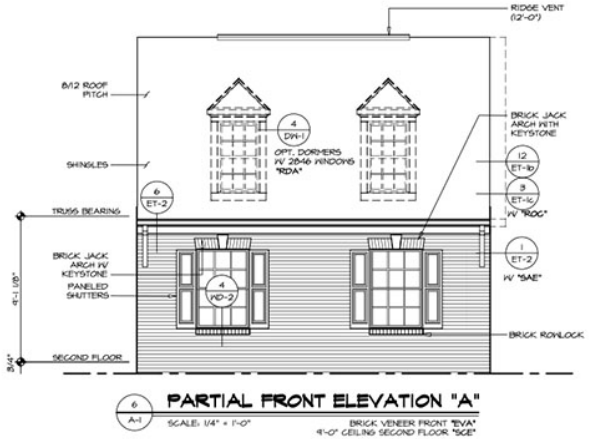
SCHUBERT, MODEL D

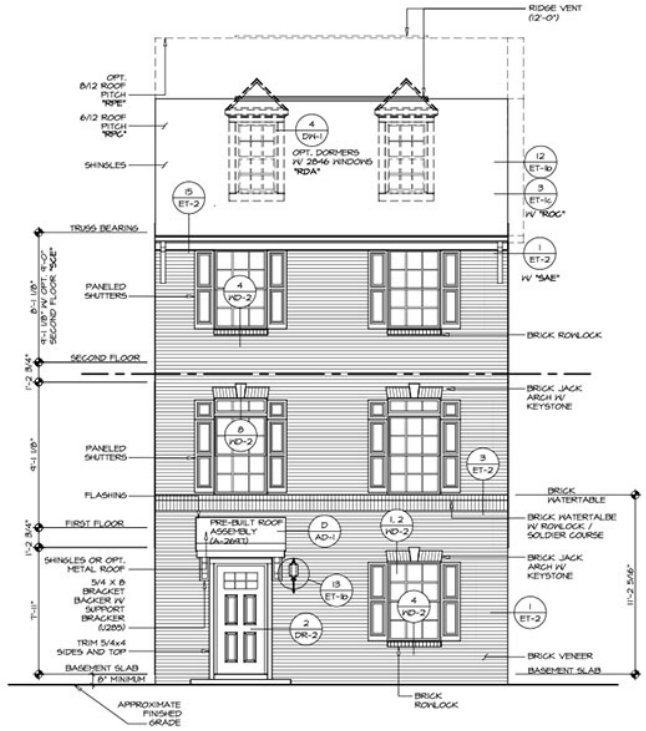




DRD THE DEVELOPMENT REVIEW DIVISION

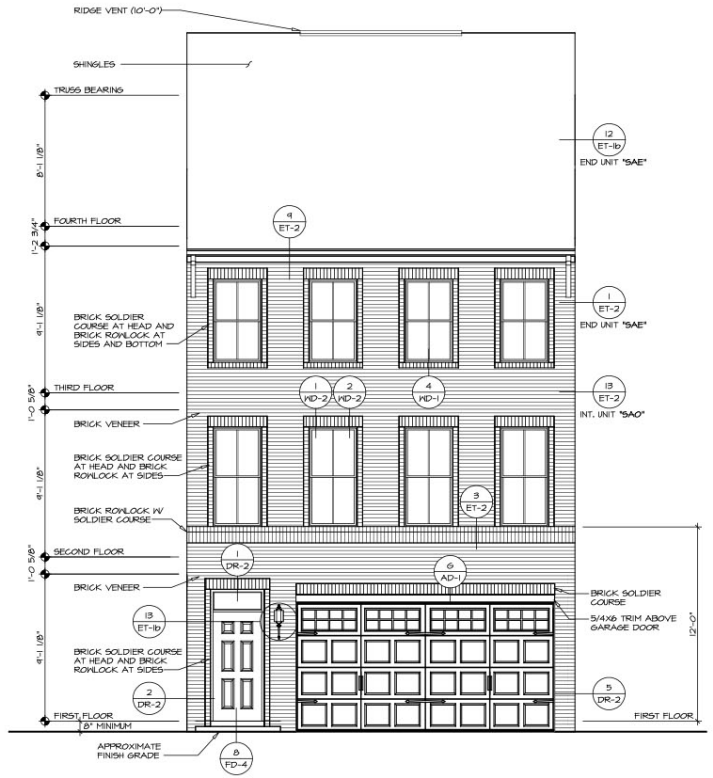
SCHUBERT, MODEL E





THE DEVELOPMENT REVIEW DIVISION

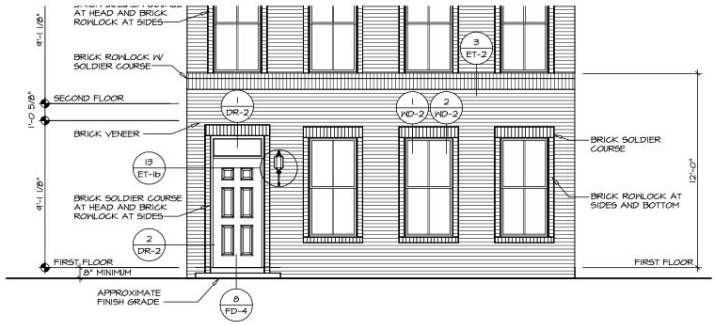
MCPHERSON GRAND



FRONT ELEVATION "A"

SCALE: 1/4" = 1'-0"

LOWER LEVEL ENTRY W/ FRONT GARAGE "FTD" BRICK FRONT "EVA" SHOWN W/ BEDROOM FOURTH FLOOR "BAN"



PARTIAL FRONT ELEVATION "A"

SCALE: 1/4" = 1'-0"

LOWER LEVEL ENTRY "FTE" BRICK FRONT "EVA"

PGCPB No. 10-131 File No. DSP-08035

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at public hearings on November 18, 2010 and December 16, 2010 regarding Detailed Site Plan DSP-08035 for Norbourne Property, the Planning Board finds:

1. **Request:** The subject application is for 165 single-family attached metropolitan dwelling units in the R-T Zone.

2. **Development Data Summary**

	EXISTING	**APPROVED**
Zone	R-T	R-T
Use(s)	Vacant	Single-family Attached Metropolitan Dwelling Units
Acreage	27.50	27.50 (after dedication)
Parcels	1	20
Number of Lots/Units	0	165

OTHER DEVELOPMENT DATA

	Parking Schedule	
Description	**Required**	**Provided**
165 Units (2.04 Units)	337	
Handicap Spaces (301 to 400 = 8 spaces)	8	
Garages (2 spaces per)		330
Driveway (2 exterior per)		330
On Street Parking (including 8 handicap spaces)		96
Total	**345**	**756**

3. **Location:** The site is in Planning Area 77, Council District 9. More specifically, it is located in the southwestern quadrant of the intersection of Marlboro Pike and Woodyard Road.

4. **Surrounding Uses:** The subject property is bounded to the north by Marlboro Pike, with residential development and open space beyond; to the east by Woodyard Road with residential development beyond; to the south by single-family detached residential development and parkland; and to the west by single-family detached residential development.

5. **Previous Approvals:** The site is the subject of Zoning Map Amendment A-9977 which was approved with no conditions by the County Council, sitting as the District Council, on July 23, 2007. Preliminary Plan of Subdivision 4-07086 was approved by the Planning Board subject to 35 conditions and the resolution (PGCPB No. 08-99) was adopted on July 24, 2008. Pursuant to County Council Bill CB-8-2009, the preliminary plan for 165 lots and 19 parcels remains valid until December 31, 2010, and CB-7-2010 subsequently further extended the validity of the preliminary plan until December 31, 2011.

6. **Design Features:** In an unusual configuration, existing Marlboro Pike bounds the subdivision to the north and the ultimate alignment of Marlboro Pike cuts through the subdivision at its southern end, with Woodyard Road providing an eastern boundary. While these two roads are both public roads, the majority of the road/alley network in the subdivision is private. Public Road I/Private Road B (the extension of Richmanor Terrace), however, is an exception and provides an outlet from the subdivision in the southwestern corner of the site to Richmanor Terrace of the adjacent subdivision, Windsor Park, to the south. Many of the roads cut through the subdivision in a diagonal fashion (northeast to southwest or northwest to southeast). Private Road A, however, follows a curvilinear route from the northern to the southern end of the subdivision.

   The site design for the subdivision is dense with most of the land area not devoted to the street/alley network or stormwater management facilities lotted out. There is minimal open space and little room left between single-family attached metropolitan dwelling unit sticks. The stormwater ponds on both the eastern and western sides are enhanced by three proposed fountains each and a gazebo on their northern ends. The proposed gazebo on the eastern side of the property is significantly larger than the one on the western side and is complemented by other recreational facilities including a second large gazebo, a 10-foot-wide trail, a tot lot, and a picnic area on its western and southern sides. A number of small parcels throughout the subdivision are indicated to be dedicated to the homeowners association. A single parcel, known as Parcel N, in the southeastern portion of the subdivision and measuring 53,820 square feet, is noted to be dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) to be utilized as part of a proposed 130-foot by 200-foot open play area.

   The recreational facilities for the proposed subdivision were originally concentrated on the eastern periphery of the site, but for a gazebo on the northern end of the two stormwater management ponds and one on the western side of the stormwater management pond on the eastern side of the site. The recreational facilities met the base requirement of the formula utilized for determining the value of recreational facilities to be provided in subdivisions. That is, whereas the value of facilities to be provided was calculated at $169,650, the applicant was providing approximately $188,500. However, their placement along Woodyard Road was questionable, both because of noise and because they could not be conveniently reached from all lots in the

subdivision. Placement of the tot lot, picnic area, and gazebo closer to the center of the subdivision as per revised plans presented at the Planning Board hearing makes the facilities more accessible to more lots and removes them from the noise generation of Woodyard Road. A side benefit of such relocation is to remove the need for, and the expense of, construction of noise attenuation structures and the expense of the third gazebo. The proposed tot lot and picnic area have been relocated as per revised plans presented at the second Planning Board hearing.

As required in the R-T Zone, the architecture for the project proposes single-family attached metropolitan dwelling units that appeared originally to have been designed using the applicant's Jefferson and Lincoln townhome models. Typical footprints for the units indicated two simple rectangles, the middle unit measuring 22 feet by 40 feet, or 2,640 square feet, and the end unit measuring 24 feet by 40 feet, or 2,880 square feet. Both were specified as "slab units, 3 stories above grade, with front and rear loaded garages."

The drawings of the single-family attached metropolitan dwellings submitted at the second Planning Board hearing indicated an improvement over the originally submitted townhouse-based architecture, and they demonstrate the "single architecturally integrated front walls" specified in the Zoning Ordinance for single-family attached metropolitan dwelling units and conform to the recommendations made in the technical staff report. Therefore, the Planning Board approves the architecture as submitted.

The applicant initially only provided illustrations of the 4-unit stick as rear loading and the 5- and 6-unit sticks as front loading. Sticks of single-family attached metropolitan dwelling units in the Norbourne Property development are distributed as follows:

Distribution of Sticks in the Norbourne Project

Number of Units-Loading	Number of Sticks of Type Indicated
4-Front	1
4-Rear (initially had color rendered images)	5
5-Front	9
5-Rear (initially had color rendered images)	1
6-Front (initially had color rendered images)	1
6-Rear	9
7-Front	None
7-Rear	1
8-Front	1
8-Rear	2
Total Sticks	**30**

Additionally, at the initial public hearing for the project, the applicant had only submitted the following color rendered images of the appearance of the single-family attached metropolitan dwelling units only for the 4- and 5-unit rear loading and 6-unit front loading sticks and no graphics of any kind, black and white or color, for the following types of metropolitan sticks:

4 Unit - Front Loading
5 Unit - Front Loading
6 Unit - Rear Loading
7 Unit - Rear Loading
8 Unit - Front Loading
8 Unit - Rear Loading

Therefore, because the Planning Board had not reviewed the architecture for the remainder of the types of sticks with respect to appearance and design quality, it was not prepared at that time to approve the application as proposed. However, architecture for the remaining types of sticks was proffered at the subsequent Planning Board public hearing, held December 16, 2010, and the Planning Board found it acceptable and approved the architecture presented.

The chart below summarizes the Planning Board's revisions to the three types of single-family attached metropolitan dwelling units that were submitted for review at the first Planning Board hearing on the project:

Architectural Feature	4-unit front (rear loading)	5-unit front (front loading)	6-unit front (front loading)
Box window	Remove box-bay window on the second unit from the left and replace it with a Palladian-style window on the second floor and a double shuttered window on the third floor as evidenced on the third unit from the left.	Remove box-bay windows from the third and fourth units from the left and replace them with a Palladian-style or double-shuttered window.	Remove box-bay windows from the third and fifth units from the left and replace with a Palladian-style or double-shuttered window.
Lintels	Ensure sufficient room on the third floor of the units to provide a visible and architecturally well balanced rowlock lintel with a keystone above each window on that story.	Ensure sufficient room on the third floor of the units to provide a visible and architecturally well balanced rowlock lintel with a keystone above each window on that story.	Ensure sufficient room on the third floor of the units to provide a visible and architecturally well balanced rowlock lintel with a keystone above each window on that story.
Portico	A portico should be provided at the front entranceway to each unit, providing protection from the elements when entering/exiting the house as well as to add to the distinctiveness of the architecture. A maximum of two different portico designs should be utilized per stick of Single-Family Attached Metropolitan Dwelling Units.	A portico should be provided at the front entranceway to third unit from the left, providing protection from the elements when entering/exiting the house as well as to add to the distinctiveness of the architecture. A maximum of two different portico designs should be utilized per stick of Single-Family Attached Metropolitan Dwelling Units.	A portico should be provided at the front entranceway to the third and fourth units from the left, providing protection from the elements when entering/exiting the house as well as to add to the distinctiveness of the architecture. A maximum of two different portico designs should be utilized per stick of Single-Family Attached Metropolitan Dwelling Units.
Decorative Brickwork	The line of decorative brickwork sporadically employed on units between the second and third story should be carried across all units in a stick.	The line of decorative brickwork sporadically employed on units between the second and third story should be carried across all units in a stick.	The line of decorative brickwork sporadically employed on units between the second and third story should be carried across all units in a stick.
Staggering of Units	The end units of each stick shall protrude symmetrically, but no more than two feet.	The end units of each stick shall protrude symmetrically, but no more than two feet.	The end units of each stick and the two middle units shall protrude symmetrically, but no more than two feet.

Architectural Feature	4-unit front (rear loading)	5-unit front (front loading)	6-unit front (front loading)
Sills	Pronounced and decorative sills shall be provided for all windows.	Pronounced and decorative sills shall be provided for all windows.	Pronounced and decorative sills shall be provided for all windows.
Gables	Gables shall be entirely bricked, not sided.	Gables shall be entirely bricked, not sided.	Gables shall be entirely bricked, not sided.
Garage Doors	Not Applicable	Shall utilize carriage style hardware.	Shall utilize carriage style hardware.
Dormers	If dormers are used, they must be used on at least two units in a reasonably balanced or symmetrical fashion.	If dormers are used, they must be used on at least two units in a reasonably balanced or symmetrical fashion.	If dormers are used, they must be used on at least two units in a reasonably balanced or symmetrical fashion.
Brick Color	The four colors of brick should be simplified to create a more unified façade. No more than two brick colors should be used.	The four colors of brick should be simplified to create a more unified façade. No more than three brick colors should be used.	The four colors of brick should be simplified to create a more unified façade. No more than three brick colors should be used.

The proposed architecture submitted for review at the first Planning Board hearing for the rear elevations was totally unadorned and monotonous in the initial submission. As many of the rear-loaded elevations would be highly visible from several main streets in the development and would have, in the aggregate, presented a rather dreary and unsightly "alley-scape," the rear elevations facing alleys were enhanced with decks that are standard, shutters on the second-story windows, and carriage-style hardware on the rear-loaded garages. Side elevations are adorned by a double cross gable, keystone lintels on the windows, and brick on the first floor only on lots designated as "highly visible." Brick is required to wrap on the first floor in all cases.

The Planning Board recommended in the initial hearing that the applicant make the above-cited improvements to the architecture. Architecture presented at the second hearing on the project comported with the above recommendation for the specified sticks and was approved by the Planning Board.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-T Zone and the site plan design guidelines of the Zoning Ordinance.

   a. The subject application is in conformance with the requirements of Section 27-441, which regulates uses in residential zones. The proposed single-family attached metropolitan dwelling unit development is a permitted use in the R-T Zone.

b. The subject application, as approved is in conformance with Section 27-433, which regulates uses in the R-T Zone. The subject project conforms with the requirements of the following basic standards for development in the R-T Zone and the standards set out for single-family attached metropolitan dwelling units:

Minimum Net Lot Area	2,200
Maximum Lot Coverage	50%
Maximum Height	40 Feet
Minimum Lot/Width Frontage	22 Feet
Minimum Front Yard	25 feet
Minimum Side Yard	*
Minimum Rear Yard	25 Feet

Note: For single-family attached metropolitan dwelling units, specific individual yards are not required. Instead, at least 800 square feet per lot shall be allocated for front, side, or rear yard purposes; however, the actual yard area may be reduced to not less than 500 square feet for the purpose of providing steps, terraces, and open porches (decks) which project into the otherwise required yard area.

The proposed architecture presented at the second hearing, as approved by the Planning Board, meets the stated purpose of the R-T Zone as expressed in Section 27-433(a)(2)(B), i.e. to encourage variety in the design and mix of dwelling unit types. Additionally, they would meet the standards specified in Section 27-433(d)(8) for single-family attached metropolitan dwelling units which include design with a single, architecturally-integrated "Front Wall" constructed of a minimum of 100 percent (defined to exclude only garage door areas, windows, or doorways) of high-quality materials such as brick or stone and employing other distinctive architectural features. Rather, the architecture is enhanced by the predominant use of brick and the addition of other distinctive architectural features. The proposed architecture has an architecturally-integrated "Front Wall" and is in keeping with the requirements of the Zoning Ordinance for single-family attached metropolitan dwelling units.

c. The proposal is generally in conformance with the requirements of Section 27-442, Regulations, regarding other relevant regulations for development in residential zones.

8. **Zoning Map Amendment A-9977:** Zoning Map Amendment A-9977 was approved without conditions by the District Council as Zoning Ordinance No. 8-2007 on July 23, 2007, rezoning approximately 27.50 acres of land from the Rural Residential (R-R) Zone, to the Townhouse (R-T) Zone. The proposed rezoning was to allow the development of single-family attached metropolitan dwelling units at a maximum density of six dwelling units per acre. In their decision on the rezoning, the District Council stated that single-family attached metropolitan dwelling units are consistent with the visions, goals, and policies for the Developing Tier, to maintain a pattern of low- to moderate-density suburban residential communities. Further, they stated that the negative impacts of the proposed master plan improvements on the surrounding roadways

were not adequately taken into account at the time of the 1994 Approved Master Plan and Sectional Map Amendment for Melwood-Westphalia (Planning Areas 77 and 78) which placed the property in the R-R Zone. The District Council stated that development of the subject property with single-family attached metropolitan dwelling units would provide a transition and buffer between the high-density developments to the north and east and the existing lower-density subdivisions south of the site.

9. **Preliminary Plan of Subdivision 4-07086:** Preliminary Plan of Subdivision 4-07086 was approved by the Planning Board and the resolution (PGCPB Resolution No. 08-99) adopted on July 24, 2008. Pursuant to CB-8-2009, the preliminary plan for 165 lots and 19 parcels remains valid until December 31, 2010, and CB-7-2010 subsequently further extended the validity of the preliminary plan until December 31, 2011. The preliminary plan that was certified, however, contained 20 parcels, which is the number the detailed site plan reflects. The resolution of approval contains 35 conditions. Twenty-six of those conditions (Condition 2–5; 9–11; 13–17; 19–24; 27; and 29–35), were identified in referral comments offered on the subject detailed site plan. Of those, the relevant conditions are included in bold face type below, followed by Planning Board comment. Relevant conditions for the purpose of this review are those to be considered and fulfilled at the time of approval of the relevant detailed site plan, not those triggered at a later stage of the development review process:

2. At the time of detailed site plan, a Type II tree conservation plan shall be approved.

The Planning Board has approved Type 2 Tree Conservation Plan TCP2-058-09 with conditions with the subject application. Therefore, it may be said that the applicant has complied with this requirement.

3. Development of this site shall be in conformance with Stormwater Management Concept Plan, No. 43660-2007-00 and any subsequent revisions.

The Department of Public Works and Transportation (DPW&T) has stated that the proposed detailed site plan is in conformance with approved Stormwater Management Concept Plan 43660-2007-00. Therefore, the application is in conformance with this requirement of the approval of the preliminary plan of subdivision.

4. The applicant, the applicant's heirs, successors and/or assignees shall construct an eight-foot-wide, Class II asphalt trail in accordance with SHA standards along the property's entire street frontage of Woodyard Road (MD 223) unless modified by the State Highway Administration.

A condition of this approval requires that the applicant, prior to signature approval, indicate an eight-foot-wide trail along the subject site's Woodyard Road (MD 223) frontage, to be constructed in accordance with Maryland State Highway Administration (SHA) standards. Therefore, it may be said that the applicant has complied with this requirement.

5. The applicant, the applicant's heirs, successors and/or assignees shall provide standard sidewalks along both sides of all internal streets (excluding alleys), unless modified by the Department of Public Works and Transportation, at the time of issuance of street construction permits.

The applicant has provided five-foot-wide sidewalks with accessible ramps along both sides of all internal private roads that contain dwelling unit walk-out access. This both fulfills and exceeds the requirements of the above preliminary plan condition. Requirements regarding these private sidewalks have been established in the subject approval and may not be modified by DPW&T.

9. Prior to final plat approval, the applicant, the applicant's heirs, successors and/or assignees shall have a detailed site plan approved by the Planning Board in accordance with Part 3, Division 9, of the Zoning Ordinance. The Planning Board shall determine at the time of detailed site plan whether dwelling units and lot areas shall be removed from the required Landscape Manual buffer area or if approval of alternative compliance or a departure from design standards is permitted.

The applicant shall have complied with the first requirement of the above condition as the subject detailed site plan application is herein approved by the Planning Board. The alternative compliance application is also being herein approved. Therefore, it may be said that the second component of the above requirement has been fulfilled as well.

15. The applicant shall allocate appropriate and developable areas for the private recreational facilities on homeowners association (HOA) open space land. The private recreational facilities shall be reviewed by the Urban Design Section of DRD for adequacy and property siting in accordance with the standards outlined in the Park and Recreation Facilities Guidelines at the time of detailed site plan approval.

The recreational facility package has been reviewed and found to be adequate. The siting of the facilities has been adjusted in the revised plans in response to concerns that the facilities are located too close to noise-generating roadways. Therefore, the Planning Board finds that the private recreational facilities are adequately sited in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines* fulfilling the above requirement.

22. The construction drawings for the recreational facilities on public parkland shall be reviewed and approved by the DPR staff prior to approval of the detailed site plan.

The Planning Board has reviewed drawings for the recreational facilities on parkland and found them acceptable.

27. Prior to the acceptance of the detailed site plan, the package shall be evaluated to ensure that it includes a Phase II noise study which details how interior noise levels will be mitigated to 45 dBA Ldn or less for interior areas, and to 65 dBA Ldn for all rear outdoor activity areas. If a noise wall is proposed, it shall be placed on an HOA

parcel with a minimum of ten feet of unencumbered area on each side of the wall for future access and maintenance.

This condition of approval was complied with prior to acceptance of the detailed site plan.

29. The applicant, the applicant's heirs, successors and/or assignees shall provide the Historic Preservation Section with scaled and detailed graphic documentation of the layout of the existing farmstead prior to its demolition.

With the submission of the final Phase I archeological report to the Historic Preservation staff, Condition 29 of PGCPB Resolution No. 08-99 had been fulfilled.

35. At the time of detailed site plan, the final determination of the design of existing Marlboro Pike, west of MD 223 shall be determined (i.e., whether it connects to MD 223 as exists, or ends in a cul-de-sac with no connection), and the transportation improvements shall be reviewed (and adjusted accordingly) to ensure that adequacy is maintained. Documentation of the final determination of the design of Marlboro Pike, along with any resulting changes, shall be submitted by the applicant.

Noting that nothing was submitted by the applicant in response to this condition and the plans make no indication that existing Marlboro Pike would be closed to MD 223 and noting that the presumption is that existing Marlboro Pike will remain open matches the assumption made by the traffic study, and transportation-related preliminary plan Conditions 32, 33, and 34 (compliance with which is triggered at later stages in the development review process) are fully consistent with this presumption. Further, without adjustment to this condition, it would appear that the overall intent of the condition had been met.

Findings 8 and 14 of PGCPB Resolution No. 08-99 are listed below and followed by Planning Board analysis.

Finding 8. Plan Comments (in part)

The 1994 Melwood-Westphalia Master Plan shows a relocation of Marlboro Pike, C-629, traversing the southeast and southern portion of the site. The facility is correctly reflected on this plan, and is proposed for dedication to provide access and circulation within the site and to adjacent properties.

The same master plan shows P-614, an extension of Richmanor Terrace to new Marlboro Pike. This connection was recommended as a means of providing alternative access for communities south of the subject property. This connection was seen as very important in providing an alternative to MD 223 for access to those subdivisions, and as traffic has grown along MD 223, that need has been increased. The P-614 connection is adequately reflected on this plan.

MD 223 is a master plan arterial facility. It appears that sufficient right-of-way consistent with master plan requirements has been either deeded or otherwise obtained. Therefore, no further dedication along MD 223 is required of this plan.

The SHA has reviewed the submitted traffic study and that agency offered several concerns:

- **The site trip distribution provided by SHA is more consistent with other studies than the distribution used in this study. Nonetheless, the distribution used by this applicant was deemed acceptable at the time of scoping, and is accepted as the basis for making findings for the subject application.**

- **Incorrect lane configurations were used at two intersections within the study area. At both locations, the lane configurations were verified with aerial information prior to referring the traffic study; these have been confirmed with newer aerial photographs since that time and it is believed that the intersections were analyzed correctly.**

- **Regarding the issue of whether concurrent northbound and southbound left-turn movements can be accommodated if a dual southbound left-turn lane is implemented, design issues that will be addressed by the applicant when the improvements are designed, and permitted by SHA.**

- **Weaving would be a concern between the MD 4 Off-Ramp and the Marlboro Pike intersection, and requested that a weaving analysis be done as a part of the traffic study. Given the brief time remaining for review of this application along with the legitimacy of the concern, the weave has been analyzed. Under total traffic conditions, it is determined that the weave operates at LOS B in the AM peak hours and LOS E in the PM peak hours. It should be noted that the "Guidelines" cite no standard regarding a policy level-of-service for weaving sections, and therefore, is not a finding for adequacy. It would be observed that the upper limit of LOS E is generally considered to represent a capacity situation; therefore, it would be stated the weave between the MD 4 Off-Ramp is operating at or near capacity.**

The dedication along the future alignment of C-629, new Marlboro Pike, and Richmanor Terrace is consistent with the preliminary plan. Regarding SHA's concerns reflected in the above finding, the property in question was the subject of a 2008 traffic study and was given subdivision approval pursuant to a finding of adequate transportation facilities made in 2008 during the review of Preliminary Plan of Subdivision 4-07086 and may not be revisited at the time of detailed site plan.

14. Urban Design—The Urban Design Section has reviewed the revised preliminary plan of subdivision for the Norbourne Property. On

July 23, 2007, the District Council approved the rezoning of subject property from the R-R Zone to the R-T Zone for the development of metropolitan dwelling units in accordance with Section 27-433(d) of the Zoning Ordinance.

Conformance with the Landscape Manual
Along the property's west and south boundary areas, where the subject property is adjacent to the existing or future single-family detached houses, a Section 4.7 bufferyard is required. However, several private roads are within the bufferyard along the site's west boundary areas. Alternative Compliance must be obtained for any intrusion into the required bufferyard at the time of detailed site plan.

The alternative compliance application being approved together with the subject detailed site plan satisfies this concern.

Private Recreational Facilities
For 165 single-family attached units in Planning Area 77, a total value of approximately $190,000 in private recreational facilities is recommended for this subdivision. The applicant should identify the location for the on-site recreational facilities. Specific type, quantity, orientation of the on-site recreational facilities will be reviewed at the time of detailed site plan.

The Planning Board has evaluated the recreational facilities package and found that it met the dollar amount recommended through calculation of the standard formula routinely utilized for determining expected contribution in monies expended on recreational facilities.

Other Design Issues

a. In order to improve the on-site vehicular circulation, staff recommends extension of private road "A" on Parcel J to relocated Marlboro Pike, which is a public street.

b. Visitor parking spaces should be provided and should be strategically located to serve each building cluster.

c. Two private streets, Private Roads B and E, end as a stubbed street without providing any turn-around treatment. Turning treatment should be provided at the ends of the private streets to facilitate vehicle movement.

The subject project fulfills the requirements of transportation-related preliminary plan conditions applicable at the time of approval of the subject detailed site plan. The on-site

circulation pattern is generally acceptable. Private alley signage shall be placed so that they would not be considered and utilized as through streets.

Regarding master-planned Marlboro Pike (C-629), the extension of Richmanor Terrace (P-614), and MD 223: C-629 and P-614 are correctly reflected on the plan. Further, dedication shall be accomplished in accordance with Condition 31 of the preliminary plan and since right-of-way consistent with master plan requirements has been obtained, no further dedication along MD 223 would be required. The Norbourne property was the subject of a 2008 traffic study and was given subdivision approval pursuant to a finding of adequate transportation facilities made in 2008 during the review of Preliminary Plan of Subdivision 4-07086.

10. **Prince George's County Landscape Manual:** The proposed development is subject to the following requirements of the *Prince George's County Landscape Manual:* Section 4.1, Residential Requirements; Section 4.6, Buffering Residential Development from Streets; and Section 4.7, Buffering Incompatible Uses. While the originally submitted plans conformed to the requirements of Section 4.1, they did not entirely conform to the requirements of Sections 4.6 and 4.7.

Further, Condition 9 of the approval of Preliminary Plan of Subdivision 4-07086 (PGCPB Resolution No. 08-99) for the subject property stipulated that, at the time of approval of the detailed site plan, it will be decided whether dwelling units and lot areas shall be removed from the buffer area required by the Landscape Manual or if an alternative compliance or a departure from design standards might be approved. An alternative compliance application, approved herewith as a companion case to the subject detailed site plan application, fulfills this condition.

More specifically, that application requests relief from the strict application of Sections 4,6, Buffering Residential Development from Streets and 4.7, Buffering Incompatible Uses of the Landscape Manual due to the configuration of master plan roadways (relocated Marlboro Pike) and two stormwater management ponds located at the perimeter of the site.

The request for relief from Section 4.6 was along the eastern property boundary where a portion of the rear elevations of the single-family attached metropolitan dwelling units would be oriented to the right-of-way of Woodyard Road, which is an arterial roadway. The embankment of the stormwater management pond is designed to abut the roadway and cannot be planted. Therefore, the required plant units have been relocated to the opposite side of the pond, closer to the single-family attached metropolitan dwelling units. An annual and perennial wildlife food mix is proposed to be planted along the roadway edge.

Development of the subject property also requires an "A" type bufferyard along the western property boundary because the subject development of single-family attached metropolitan dwelling units is adjacent to single-family detached homes. This is the subject of the second and third requests for alternative compliance. The plant units have been relocated to accommodate required roads and stormwater management ponds.

The second request for alternative compliance is for relief from the requirements of Section 4.7 along the western property boundary, north of relocated Marlboro Pike. A stormwater management pond is proposed to be located along the northwestern property line and the embankment is located adjacent to the property line. The plant units have been moved from one side of the pond to the opposite side closest to the single-family attached metropolitan dwelling units, as the plant units cannot be placed on the dam embankment. An annual and perennial wildlife food mix is proposed to be planted along the embankment and property line.

The third request is for relief from the requirements of Section 4.7 along the western property boundary, south of relocated Marlboro Pike. A proposed future homeowner's parcel is adjacent to single-family detached homes and a public road, which connects to the property to the south. The proposed road and sidewalk encroach into the required ten-foot landscape bufferyard. The plant units associated with this bufferyard have been placed within the parcel where possible and on the opposite side of the road for the length in which alternative compliance has been requested.

The Planning Board approves the additional building setback and landscaping provided to accommodate required roadways and stormwater management ponds for development of the property along the eastern and western property boundaries would be equal or better than normal compliance in terms of quality, effectiveness, durability, hardiness, and ability to fulfill the design criteria as set out in Section 3 of the Landscape Manual and alternative compliance with respect to the required landscaping pursuant to Sections 4.6 and 4.7, along the eastern and western property lines respectively.

The above alternative compliance approval has been appropriately reflected on the submitted plans. Therefore, it may be said that the subject project conforms to the requirements of the 1990 Landscape Manual.

It should be noted however, that on October 26, 2010, the Prince George's County Council, sitting as the District Council, approved a comprehensive update to the Prince George's County Landscape Manual, including no grandfathering provisions. Therefore, the plans shall be changed to indicate conformance to the new regulations at time of building permit issuance. If another alternative compliance application is required in order to meet the requirements, such application may be approved by the Planning Board or its designee.

11. **The Woodland and Wildlife Habitat Conservation Ordinance:** The property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the property has a previously approved Type I Tree Conservation Plan, TCPI/007/08 and a Type 2 tree conservation plan is required.

The Planning Board has reviewed the submitted Type 2 Tree Conservation Plan, TCP2-058-09, and hereby approves it with conditions that bring it into conformance with the requirements of the plan, and therefore it may be said that the project is in general compliance with the Woodland and Wildlife Habitat Conservation Ordinance.

12. **Public Utility Easement (PUE):** In accordance with Sections 24-128(b)(12) for private roads, and 24-122(a) when utility easements are required by a public utility company, the subdivider shall include the following statement in the dedication documents recorded on the record plat: "Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3708 at Folio 748."

    The detailed site plan correctly delineates a ten-foot public utility easement along the public/private right-of-way. However, if any infrastructure improvements are located within the PUE they should be removed unless specific approval is granted by all utility companies, including Verizon, Baltimore Gas or Electric Company (BGE) or Potomac Electric Power Company (PEPCO), and Comcast.

    A condition of this approval requires the applicant, at the time of final plat, dedicate a ten-foot PUE along all public and private rights-of-way, or as approved by the utility companies, including Verizon, BGE or PEPCO, and Comcast.

13. **Further Planning Board Findings and Comment from Other Entities:** The subject application was referred to the concerned agencies and divisions. The comments are summarized as follows:

    a. **Historic Preservation—**The proposed detailed site plan for 165 single-family attached metropolitan dwelling units in the R-T Zone will have no effect on identified historic sites, resources or districts.

    b. **Archeological Review—**

        (1) The subject property includes Norbourne Farm (77-003), a late 19th century dwelling associated with the William D. Bowie and Richmond Irving Bowie families. This house was built for Richmond Irving Bowie in the late 1870s or early 1880s. The 1878 Hopkins map is the first historical map that shows a house at this location. The property was originally proposed for inclusion in the Historic Sites and Districts Plan in 1981, but ultimately was not included in the inventory of historic resources associated with the plan. Therefore, the property is not currently subject to the Prince George's County Historic Preservation Ordinance (Subtitle 29 of the County Code).

        (2) In addition to the main house, the property also includes 13 outbuildings of varying ages and materials that are located west and south of the dwelling. The house and outbuildings are in poor condition and most of the southern area of the property has been impacted by the construction of a trailer park on the property.

        (3) Condition 29 of PGCPB Resolution No. 08-99 dated July 24, 2008, states: "The applicant, the applicant's heirs, successors and/or assignees shall provide the

Historic Preservation Section with scaled and detailed graphic documentation of the layout of the existing farmstead prior to its demolition."

(4) A Phase I archeological survey was completed on the 30.42-acre property in 2006. A total of 346 shovel test pits were excavated across the property to identify any cultural remains or features on the property. No archeological sites were identified in the survey. The southern portion of the property was disturbed by the construction of a trailer park in that area. A final report, A Phase I Archeological Survey of the Sauerwein Property, Prince George's County, Maryland, Preliminary Plan 06-164, File A-9977, on February 22, 2007. No further work was recommended on the Norbourne property since no archeological sites were identified. The Planning Board concurs with the report's findings that no further archeological work is necessary on the property. The county archeological requirements for this property have been fulfilled.

Conclusion

(1) The layout of the Norbourne Farm and photographs of the house and outbuildings are provided in the final Phase I archeological report. With the submission of these materials, Condition 29 of PGCPB Resolution No. 08-99 has been fulfilled. Because all traces of the Norbourne Farm and Bowie family occupancy of the property will be removed during development, the Planning Board concludes that because of the historic significance of the property, this history should be reflected in the new community in the form of street names that reflect the property's history and significance.

(2) Section 106 review may also require archeological survey for state or federal agencies. 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 state or federal monies or permits are required for a project.

Conditions of this approval implement the above archeological concerns.

c. **Community Planning—**The land use proposed by this application is consistent with the 2002 *Prince George's County Approved General Plan* Development Pattern policies for a Regional Center in the Developing Tier, and conforms to the recommendations of the 2009 Subregion 6 Master Plan and Sectional Map Amendment recommendations for a residential medium land use. Marlboro Pike is recommended for relocation and to be upgraded to a four-lane collector and that a floating symbol for a future park site of 0 to 40 acres in the southern portion of the site in the Subregion 6 Master Plan. See Transportation and the Parks and Recreation comments below for a discussion of the subject project's conformance to these aspects of the relevant master plan. Noting a gap at the end of Private Roads E and A (Parcel U as shown on Sheet 6 of the plans), if

sidewalks or pedestrian paths are not provided at this juncture, residents of Blocks D and G would create their own path while walking to Marlboro Pike Relocated or the adjacent park. A condition of this approval assists in bridging the identified gap in the proposed pedestrian network.

d. **Transportation Planning—**The plan complies with transportation-related Conditions 30 through 35 of the preliminary plan. Conditions 30 through 34 concern issues of dedication and off-site improvements, all of which would need to be satisfied at later stages of review. Condition 35, however, is a little more complicated in that it requires that a determination be made, at the time of detailed site plan, of whether existing Marlboro Pike will continue to connect to MD 223 or end in a cul-de-sac at MD 223. The condition furthermore requires that transportation-related conditions required for adequacy be reviewed and adjusted as necessary. Finally, the condition requires that the applicant submit documentation of the final design of Marlboro Pike along with any changes to the conditions. Nothing was submitted, however, by the applicant in response to this condition. The plans make no indication that existing Marlboro Pike would be closed at MD 223; therefore, the presumption that Marlboro Pike would remain open matches the assumption made by the traffic study and preliminary plan Conditions 32, 33, and 34 are fully consistent with this presumption. In conclusion, on this matter the Planning Board finds that there is no need to adjust the conditions in response to this condition and it would appear that the overall intent of the condition had been met.

Few changes were made to the on-site circulation pattern in response to initial comments regarding the same. Instead, the applicant submitted a write-up of a meeting on January 21, 2010 with the Department of Public Works and Transportation (DPW&T) that indicates that corrective changes to the plans are not needed or designed. Since that time, the write-ups were confirmed by DPW&T. Therefore, it was not necessary to incorporate the comments and changes to the plan.

The applicant has revised the plans to reflect needed signage at the entrances to all private alleys indicating that they are private service entrances and not through streets.

C-629 and P-613 are correctly reflected on the plan and dedication will be made in accordance with Condition 31 of the preliminary plan and sufficient right-of-way consistent with master plan requirements has been obtained. No further dedication along MD 223 would be required as part of this approval.

The subject property was the subject of a 2008 traffic study, and was given subdivision approval pursuant to a finding of adequate transportation facilities made in 2008 during the review of Preliminary Plan of Subdivision 4-07086.

The site plan is deemed to be acceptable from a standpoint of transportation as confirmation has been received from DPW&T as to the conclusions of their

January 21, 2010 meeting. Signage has been placed at the entrances to all private alleys indicating that they are private service entrances and not through streets.

e. **Subdivision Review—**The property is the subject of Preliminary Plan of Subdivision 4-07086, approved by the Planning Board and the resolution (PGCPB No. 08-99) adopted on July 24, 2008 and that, pursuant to CB-8-2009, the preliminary plan for 165 lots and 19 parcels (although the certified plan contains 20), remains valid until December 31, 2011. The relevant conditions of approval are Conditions 2–5, 9, 11, 13–23, 27, and 29-35. Finding 9 above contains a detailed discussion of those conditions. A discussion of Findings 8 and 14 of the approval of Preliminary Plan of Subdivision 4-07086 relevant to the approval of the detailed site plan is also included in Finding 9. The following subdivision-related plan comments are hereby made by the Planning Board:

(1) The DSP shall contain the following finding and condition:

Additional Finding
Public Utility Easement—In accordance with Sections 24-128(b)(12) for private roads, and 24-122(a) when utility easements are required by a public utility company, the subdivider shall include the following statement in the dedication documents recorded on the record plat:

> "Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3708 at Folio 748."

The detailed site plan correctly delineates a ten-foot public utility easement along the public/private right-of-way. However, a number of infrastructure improvements are located within the PUE and should be removed unless specific approval is granted by all utility companies, including Verizon, BGE or PEPCO, and Comcast.

Condition
- At the time of final plat, the applicant shall dedicate a ten-foot public utility easement along all of the public and private rights-of-way.

(2) The applicant proposed a number of entrance feature easements with the preliminary plan which are not reflected on the DSP but shall be by condition of this approval. Section 27-624 of the Zoning Ordinance provides specific guidance for the DSP regarding entrance features. Also, the information regarding the entrance feature easement on Parcel Q on Sheet 6 and Sheet 5 shall be corrected by a condition of this approval.

(3) Section 27-282(e)(7) of the Zoning Ordinance requires that the detailed site plan include the easement locations of all utilities including water/sewer and storm

drains. The DSP shall label or delineate the stormdrain easements and width by a condition of this approval.

(4) The site plan legend shall be revised to include the stormdrain by a condition of the detailed site plan.

(5) The minimum lot size approved with the preliminary plan is 2,200 square feet, which is reflected on the DSP.

(6) The width of Parcel C at Private Road B and the distances for all parcels shall be provided by condition of this approval.

(7) The width of Parcel A on Sheet 4 of the DSP between Lots 4 and 5, Block A, has been reduced from 22 feet as shown on the preliminary plan to 12 feet on the DSP. The adequacy of this width for the sidewalk and appropriate treatment has been determined with the DSP, and is not found to be inconsistent with the preliminary plan.

(8) The western terminus of Private Road B and Private Alley 1 was of concern with the preliminary plan and was evaluated for adequacy with this DSP, as noted on the approved preliminary plan.

(9) The approved preliminary plan depicted parallel parking spaces on Private Road A between Lots 9, Block A and Lot 1, Block D. The appropriateness of this parking arrangement has been determined in the subject approval.

(10) The parking lot on Parcel D, adjacent to Lot 8, Block C, extends into the required ten-foot PUE and shall be relocated unless the applicant can provide the concurrence of all affected utility companies for the parking lot location by a condition of this approval.

(11) The width of Parcel C between Lots 12 and 13, Block D, on Sheet 5 has been reduced from 22 feet to 20 feet with the DSP.

(12) Utility coordination has been accomplished by a condition of this approval.

The detailed site plan as conditioned is in substantial conformance with the preliminary plan.

f. **Trails—**The subject detailed site plan was reviewed for conformance with the Approved Countywide Master Plan of Transportation (MPOT), and the 1994 *Approved Master Plan and Sectional Map Amendment for Melwood-Westphalia (Planning Areas 77 and 78).*

The area master plan and the MPOT contain a recommendation for a bikeway along Old Marlboro Pike/Marlboro Pike (C-629), from Dower House Road to Woodyard Road. Old Marlboro Pike/Marlboro Pike (C-629) is a master-planned, four-lane, 80-foot-wide roadway.

The area master plan recommends a trail along Woodyard Road (MD 223). This trail has been approved for construction as part of the nearby Equestrian Estates development (DSP-03005). The trail will be constructed along MD 223 for the entire frontage of Equestrian Estates. Equestrian Estates is approximately 1,500 linear feet south of the subject property. This trail will be parallel to the road and within the public right-of-way, but behind the curb. The trail shall be constructed along the subject application's entire frontage of MD 223, consistent with the Equestrian Estates approval. This trail will also provide access to the adjacent parkland owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC) in the Windsor Park subdivision.

There is a public use hiker-equestrian easement shown on the adjacent Belmont Crest development (4-03060). This easement connects to the Windsor Park subdivision to the south and does not impact the subject property. Consistent with the Belmont Crest approval, standard sidewalks shall be provided along both sides of all internal roads including the realignment of Marlboro Pike. Although the internal roads are proposed to be private, sidewalks are still appropriate due to the approvals of the adjacent property and the density of the subject application.

Woodyard Road (MD 223) is recommended for a shared-use sidepath from MD 4 to Livingston Road in the MPOT. As stated in the master plan, a shared-use sidepath or wide sidewalk is recommended along this rapidly developing corridor in southern Prince George's County. Currently, sidewalks are fragmented or missing in many areas. There has been consistent feedback from the community that safe pedestrian facilities are needed along this heavily traveled and rapidly developing corridor. This trail will provide safe access to numerous schools and park facilities, as well as link adjoining residential communities.

The MPOT does not recommend a specific type of bikeway for C-629. West of the subject site, the road has been constructed with standard sidewalks. The area master plan recommends that bikeway corridors be implemented when road improvements occur (p. 153).

Trails-related conditions of the Preliminary Plan of Subdivision 4-07086 are discussed Finding 9 above.

With respect to sidewalks, the applicant has provided five-foot-wide sidewalks along both sides of the internal roads and on both sides of relocated Marlboro Pike. The sidewalks along the roads appear to be adequate for the proposed use. All of the proposed units appear to have walk-out access to a sidewalk, road, or alley. Sidewalks are provided along private alleys where homes will have front walk-out access.

The applicant has proposed an eight-foot-wide asphalt trail along Woodyard Road (MD 223). This trail is recommended in the MPOT. The trail is proposed north of the main entrance on Marlboro Pike and shall be continued by the applicant south of the Marlboro Pike entrance at MD 223, per condition of the preliminary plan and this approval. The trail shall be constructed along the entire property frontage of Woodyard Road (MD 223). The trail shall be separated from the curb or the edge of the road in accordance with the standards set by SHA, which typically include a green space separation between the trail and the curb or roadway. An eight-foot-wide trail connection shall be made along the south side of Marlboro Pike between the proposed trail on Woodyard Road and the trail adjacent to the proposed open play field.

The proposed trail connection to the Windsor Park subdivision to the south is acceptable, appears to be adequate for the proposed use, and fulfills the prior approval conditions.

Signage for the master-planned bikeway along Marlboro Pike shall be provided as recommended in the area master plan and the MPOT and required by a condition of this approval.

g. **Parks and Recreation—**The Planning Board has reviewed the subject project for conformance with the parks-related requirements of approved Preliminary Plan 4-07086 and the Park and Recreation Facilities Guidelines. See Finding 9 for a more detailed discussion of the relevant parks-related conditions of the preliminary plan approval.

h. **Permit Review—**Permit-related comments have either been addressed by revisions to the plans or in the recommended conditions below.

i. **Environmental Planning—**The area included in the subject application was previously reviewed in conjunction with the approval of Zoning Map Amendment A-9977. The Prince George's County Planning Board heard the rezoning case for the subject site on July 6, 2006 and approved the rezoning of the site from Rural Residential (R-R) to Townhouse (R-T). Additionally, the property has been previously reviewed the subject property as Natural Resources Inventory NRI/071/07, Preliminary Plan 4-07086, and Type I Tree Conservation Plan TCPI/007/08, approved by PGCPB Resolution No. 08-99.

The site is a 27.50-acre parcel located in the R-T Zone, on the southwest corner of Marlboro Pike and Woodyard Road, south of Marlboro Pike and west of Woodyard Road. The site contains a small pocket of non-tidal wetlands and associated buffer located on the western border of the property. This site is not within the designated network of the *Approved Countywide Green Infrastructure Plan.* Woodyard Road, classified as an arterial, is an anticipated source of traffic-generated noise. No scenic or historic roads are affected by this application. According to the Maryland Department of Natural Resources, Wildlife and Heritage Service, no rare, threatened, or endangered species occur on this or on adjacent properties. According to the *Prince George's County*

Soil Survey, the predominant soil types on-site are in the Adelphia and Westphalia series. The site is located in the Developing Tier according to the General Plan.

Environmentally-related preliminary plan conditions 2, 3, 10, 24, 26, and 27 are discussed in Finding 9 above.

Conditions of this approval deal with environmentally-related issues of the subject case.

j. **Fire/EMS Department—**The Prince George's County Fire/EMS Department offered information on required access for fire apparatus, private road design, and the location and performance of fire hydrants.

k. **The Department of Public Works and Transportation (DPW&T)—**DPW&T stated the following:

Right-of-way dedication and frontage improvements, in accordance with DPW&T urban primary residential road specifications and standards would be required along the project's Marlboro Pike frontage and any proposed internal subdivision streets, consistent with the approved master plan for this area.

A signal warrant study is required at the proposed major and four-lane collector roadway intersections, as well as at its intersections with primary residential roadways. Road right-of-way shall vary at the signalized intersection in order to provide exclusive turning lanes. Roadways are to be fully coordinated with the proposed roadway connections of the developments adjacent to the subject property.

Any proposed and/or existing master plan roadways, including the interchange roadways at MD 223 and those that lie within property limits, must be coordinated with the SHA, M-NCPPC, and DPW&T and may involve right-of-way reservation, dedication and/or road construction in accordance with DPW&T's specification and standards.

The relocated urban four-lane collector road for Marlboro Pike (C-629), as shown on the applicable area master plan, lies within the proposed subdivision. Right-of-way dedication and roadway improvements along the frontage are required as is coordination with SHA for the proposed intersection of MD 223 and relocated Marlboro Pike (C-629). The proposed detailed site plan is consistent with approved Stormwater Management Concept Plan 43660-2007-00, dated January 3, 2008.

l. **Maryland State Highway Administration (SHA)—**No comment was received from SHA regarding this subject project.

m. **Washington Suburban Sanitary Commission (WSSC)—**No comment was received from WSSC regarding the subject property.

n. **Verizon and PEPCO—**Verizon and PEPCO stated that the applicant must show a public utility easement crossing all private roads and alleys and may not contain any entrance features, and that any paths or trails may cross, but not run coincident with, the easement for any extent. Additionally, the applicant must document receipt of approval of all signatory utilities on the easement document recorded at Liber 3703, Folio 748 for any and all public utility easements that measure less than ten feet wide.

14. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

Additionally, as required by Section 27-285(b)(4), the detailed site plan and the tree conservation plan, as submitted, have preserved the regulated environmental features of the site to the fullest extent possible.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type 2 Tree Conservation Plan (TCP2-058-09) and APPROVED Alternative Compliance No. AC-10010, and further APPROVED Detailed Site Plan Norbourne Property including architecture for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan (DSP), the applicant shall revise the plans for the project and/or submit additional required documentation as indicated:

a. The applicant shall revise the plans to show an eight-foot-wide asphalt trail to be constructed along the subject site's Woodyard Road (MD 223) frontage in accordance with Maryland State Highway Administration (SHA) standards.

b. The applicant shall revise the plans to indicate five-foot-wide sidewalks with handicap-accessible ramps along both sides of all internal private roads or alleys that contain dwelling unit walk-out sidewalk access. Such sidewalks shall be clearly labeled on the plans and their width dimensioned. In particular, the applicant shall provide five-foot-wide sidewalks on the top stretch of Norbourne Farm Road as shown on Sheet 4, Block D, Lot 1 and on Richmanor Terrace as shown on Block C, Lots 1–8 as shown on Sheet 5 of the detailed site plan.

c. The applicant shall clarify the following with respect to the six-foot noise wall and the seven-foot noise wall at the rear of Lots 9 through 17:

(1) Provide a legible color detail of the wall and include it on the detail sheet.
(2) Provide top-of-wall and bottom-of-wall elevations on the site.

(3) Provide the total height of each wall including safety fence/railing, if required, on the site plan.

The final design of said noise wall shall be approved by the Environmental Planning and Urban Design Sections (M-NCPPC) as designees of the Planning Board.

d. The applicant shall more prominently identify the three units, E-1 (Sheet 5), G-17 (Sheet 6), and C-15 (Sheet 5), identified as having potential to be developed as handicap-accessible units through barrier-free design.

e. The applicant shall provide a detail of the handicapped parking sign on Sheet 7 of the detailed site plan set.

f. The applicant shall show the main entrance structure/gateway signs drawn to scale on the site plan, set back from the roadway to maintain unobstructed lines of vision for 500 feet in all directions of travel.

g. The applicant shall revise the plans to indicate a six-foot-high, non-white, non-wood, low-sheen, durable privacy fence on the individual lots along the eastern property line of Lots 1 through 4, Block K, to be maintained by the owners of these lots.

h. A detail for the noise attenuation fences shall be placed on the DSP. The design shall be certified by an acoustic engineer that the fences are able to reduce noise levels to 65 dBA Ldn for these outdoor activity areas. The design of said noise attenuation fences shall be approved by the Environmental Planning and Urban Design Sections as designees of the Planning Board.

i. The landscaping along the southern boundary of Block D, Lot 46 and the stub-out of Norbourne Farm Road near Marlboro Pike shall be increased so as to afford privacy for the single-family attached metropolitan dwelling unit located on that lot and so as to enhance views from Marlboro Pike. The final design of said landscaping shall be approved by the Urban Design Section as designee of the Planning Board.

j. The applicant shall include parallel parking spaces on Norbourne Farm Road between Lot 10, Block A and Lot 1, Block D as shown on the preliminary plan of subdivision, or provide the same number elsewhere on the detailed site plan.

k. The applicant shall submit to Urban Design staff, as designee of the Planning Board, a plan indicating the conceptual placement of all involved utilities on the site. Such plan shall be approved by all affected utilities. Water/sewer and storm drain easements shall be delineated on the detailed site plan and their widths shall be dimensioned.

l. The applicant shall correct the notes on the cover sheet of the detailed site plan set to correctly reflect the total area to be conveyed to the HOA and M-NCPPC. Indication on the Site Data Chart that mandatory dedication of parkland is “none” shall be corrected to

read “to be dedicated.” Likewise, General Note 2 shall be corrected so that “to be determined” is replaced with the correct acreage.

m. All fencing included in the project and specified as “board on board” shall be replaced with a “non-white, non-wood, low-sheen durable material.” Details of such fencing shall be approved by the Urban Design Section as designee of the Planning Board and, if utilized for noise attenuation, the Environmental Planning Section as designee of the Planning Board.

n. The applicant shall revise the detailed site and landscape plans to ensure that each block is correctly identified by its letter nomenclature.

o. The Type 2 tree conservation plan (TCP2) shall be revised to:

(1) Eliminate the use of afforestation on the site if revisions resulting from the relocation of the proposed recreational facilities result in a total afforestation area that is less than 0.85 acre.

(2) Meet the tree canopy coverage for the detailed site plan.

p. The applicant shall revise the name of Public Road I to “Richmanor Terrace” on Sheet 6 of the plan set.

q. Handicap-accessible and regular parking spaces for the adjacent M-NCPPC-owned park to the south shall be shown on the site plan, but shall not be reflected in the parking schedule nor should they be credited toward required regular or handicapped spaces.

r. The parking schedule shall be corrected to accurately reflect conformance to Zoning Ordinance parking requirements and the provision, at a minimum, of an additional 43 parking spaces including at least five designed in accordance with requirements for the handicapped.

s. The detailed site plan and the landscape plan sets shall be identical except the landscape plan set shall include landscaping and attendant details.

t. Delete the following private alley names from the plans for the project as private alleys are not named:

Name of Alley	Sheet Location
Addison Lane/Coolidge Way	Sheets 4 and 5
Clotilda Lane	Sheet 5
Keene Court	Sheet 5
Effie Court	Sheet 6
Clotilda Lane	Sheet 6
Mulliken Way and Richmond Irving Court	Sheet 6

u. The applicant shall submit black and white elevations and colored renderings of all sticks-types as presented at the hearing.

v. Highly visible side elevations shall be corrected to be brick.

w. On the units to be placed on the following lots, the optional rear deck shall be made standard.

Block B, Lots 1 and 2
Block E, Lots 9 and 10
Block F, Lots 9 and 10 and 19 and 20
Block G, Lots 9 and 10 and 16 and 17
Block H, Lots 1 and 2 and 5 and 6
Block I, Lots 1 and 2 and 6 and 7
Block K, Lots 1 and 2
Block D, Lots 45 and 46

2. Prior to the issuance of building permits for the units to be constructed on Lots 1 through 4, Block K, the applicant shall schedule a pre-construction meeting and proceed with construction of the public park facilities. Clearing and grading on parkland and installation of signage announcing a future public park shall constitute construction.

3. At the time of final plat:

a. The applicant shall dedicate a ten-foot public utility easement (PUE) along all public and private rights-of-way, or as approved by the utility companies and reflected on the detailed site plan.

b. All parcels shall be dimensioned.

4. At the time of building permit issuance, applications for building permits for lots shown on the detailed site plan as Lots 8-10, Block A; Lots 1–19, Block D; and Lots 27–46, Block D shall contain a certification to be submitted to M-NCPPC, prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less.

5. Prior to the issuance of the first building permit, all approved afforestation/reforestation areas shall conform to PGCPB Resolution No. 08-99, Condition 26:

> **All afforestation/reforestation and associated fencing shall be installed prior to the issuance of the first building permit. Certification prepared by a qualified professional may be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each afforestation area, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.**

6. All approved afforestation areas shown shall be placed in conservation easements at the time of final plat and the following note shall be placed on the plat:

> "Certain of the conservation easements on this plat include afforestation areas which are proposed to be planted so that they may regenerate as perpetual woodlands in fulfillment of woodland conservation requirements and precludes any disturbance or installation of any structure within specific areas shown on the approved Tree Conservation Plan. Failure to comply will mean a violation of an approved Type 2 Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance."

7. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC, Planning Department.

8. Prior to the signature approval of the TCP2, the plan shall be revised to include a solid, non-wood, non-white, low sheen, board-on-board fences or the equivalent shall be placed five (5) foot off the lot lines in the rear of the units for Block D, Lots 9 through 19 and on Parcel A parallel to Woodyard Road in the vicinity of Block D, Lots 31-34. A detail for the design of these fences shall be certified by an acoustical engineer that the fences are able to reduce noise levels to 65 dBA Ldn for these outdoor activity areas. The detail shall be placed on the TCP2.

9. The applicant and the applicant's heirs, successors, and/or assignees shall coordinate all required Section 106 review with the Historic Preservation Section (M-NCPPC), the U.S. Army Corp of Engineers, and the Maryland Historical Trust, National Historic Preservation Act, if required. If

not so required, the applicant shall submit a written indication of the same from the Historic Preservation Section.

10. The applicant and the applicant's heirs, successors, and/or assignees shall provide four "Share the Road" signs in accordance with county requirements and a financial contribution of $840 to the Department of Public Works and Transportation (DPW&T) for the placement of this signage, unless modified by DPW&T. Where road frontage improvements are required by DPW&T, wide asphalt shoulders are encouraged. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.

11. Prior to the issuance of the first building permit for the project, the applicant shall submit a copy of a signed maintenance agreement placing responsibility for maintaining the permanent gateway sign on the homeowners association (HOA), or other entity or person designated in such agreement, and approved by the Prince George's County Department of Environmental Resources (DER).

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * * * * * * * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Cavitt, with Commissioners Squire, Cavitt, Vaughns and Parker voting in favor of the motion, and with Commissioner Clark absent at its regular meeting held on Thursday, December 16, 2010, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of February 2011.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Acting Planning Board Administrator

PCB:JJ:RG:arj

Dewberry

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January 8, 2019

Ms. Jill Kosack
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
14741 Governor Oden Bowie Drive, 4th Floor
Upper Marlboro, MD 20772

RE: Norbourne Property
Detailed Site Plan Revision (DSP-08035/02)

Dear Ms. Kosack:

We have enclosed the completed Application Form and package for the above referenced project in order for M-NCPPC to determine if the DSP application may be processed under Planning Director level review.

Ryan Homes proposes to add the McPherson Grand and update the currently certified Schubert house types. The McPherson Grand is two (2) feet longer than the currently certified McPherson model with the optional four (4) foot extension. Additionally, the base finished square footage is 2,677SF which is larger than the smallest base finished square footage of 2,256 currently certified.

The Schubert model, since certification on 02/23/2017, has be updated to meet current building code requirements. As a result of this engineering necessity update, the base finished square footage is 19SF less than the currently certified model with 2,237 SF.

Finally, all elevations for each model, as proposed, have a full brick front façade in keeping with the currently certified architecture. On behalf of Ryan Homes, we are submitting this application for revision.

Based on our experience, these revisions meet the conditions to be reviewed at the Planning Director level. As a result, we request your consideration to process this revision under Planning Director level review. If you have any questions regarding the above, please feel free to call us at 301-364-1854.

Thank you very much.

Sincerely,
DEWBERRY ENGINEERS INC.

Alyson C. Murray
Project Manager

Additional Back-up

For

DSP-08035-02
Norbourne Property

McNamee Hosea
Attorneys & Advisors

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Matthew C. Tedesco, Esquire
Admitted in Maryland

E-mail: MTedesco@mhlawyers.com
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June 23, 2020

Electronically Submitted
The Honorable Elizabeth M. Hewlett, Chair
and The Honorable Planning Board Commissioners
Prince George's County Planning Board
M-NCPPPC
14741 Gov. Oden Bowie Drive
Upper Marlboro, Maryland 20770

Re.: Norbourne Property (DSP-08035-02)
Agenda Item No. 5

Dear Chair Hewlett and Planning Board Commissioners:

On behalf of the applicant, NVR, Inc. c/o Ryan Homes, we are writing to advise the Planning Board that the applicant wishes to modify its request in the above-referenced matter. Specifically, the applicant had originally requested, among other things, that the McPherson Grand model be added to the approved model types for the Norbourne Property. However, since filing DSP-08035-02, the applicant has elected to no longer include, for consideration/approval by the Planning Board, the McPherson Grand model for this development. Instead, and pursuant to all prior approvals and ongoing construction, the applicant will continue to provide the McPherson model for the remaining phase of the Norbourne Property.

For this reason, the applicant hereby formally withdraws its original request to add the McPherson Grand model to DSP-08035-02. All other requests contained in DSP-08035-02 remain as originally requested.

Thank you in advance for the Planning Board's time and consideration of this matter.

Respectfully submitted,

Matthew C. Tedesco
Attorney for the Applicant

cc (via e-mail): James Hunt
Jill Kosack
N. Andrew Bishop
Daniel Norris
Jessica McMahon
Kyle Harris
Bryan Turton

Matthew C. Tedesco

From: Matthew C. Tedesco
Sent: Tuesday, June 23, 2020 4:23 PM
To: jallen@windsorparkmdhoa.com
Cc: Bishop, Andrew (Andrew.Bishop@ppd.mncppc.org); Jill.Kosack@ppd.mncppc.org
Subject: RE: NORBOURNE PROPERTY

Mr. Allen:

As we just discussed, below is the email that I attempted to send to you a moment ago to introduce myself. Thank you for taking my call and for providing me with a different email address, which I hope facilitates your receipt of these correspondences.

As discussed, the amendment requested to the elevations is very minor only contemplates very subtle changes to the previously approved architecture that include changes to the jack arch (brick feature) above the front door and over some of the second story windows and replacing the quoin corners with traditional brick. Primarily the change to the jack arch is that instead of having an arch over the window, the brick detail is now straight above the window (and door in some instances, in others it has been removed over the door). These changes are best depicted in the screen shots below:

I hope this answers your questions, but please feel free to contact me if any other information is needed.

Matt

McNamee Hosea
Attorneys & Advisors

Matthew C. Tedesco
*Principal**

McNamee Hosea
6411 Ivy Lane, Suite 200 O 301.441.2420
Greenbelt, Maryland 20770 F 301.982.9450

Facebook | mhlawyers.com

**Admitted in Maryland*

From: Matthew C. Tedesco
Sent: Tuesday, June 23, 2020 3:57 PM
To: allsr09@gmail.com
Cc: Bishop, Andrew <Andrew.Bishop@ppd.mncppc.org>; 'Jill.Kosack@ppd.mncppc.org' <Jill.Kosack@ppd.mncppc.org>
Subject: NORBOURNE PROPERTY

Good afternoon, Mr. Allen.

I hope that this email finds you well.

Please know that I was recently provided with your email address by Andrew Bishop, who is the Senior Planner in the Urban Design Section of M-NCPPC assigned to the minor amendment for DSP-08035-02. I believe that you have previously spoken to Alyson Murray, with Dewberry, about this matter, but I also wanted to reach out to you and introduce myself (as I just recently became involved in this matter), and see if you had any additional questions regarding the application. Please feel free to email or call, and I will be happy to answer any questions that you may have.

Sincerely,

Matthew C. Tedesco
*Principal**

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**Admitted in Maryland*