

INTERGOVERNMENTAL AFFAIRS DIVISION
COUNTY AGENCY LEGISLATIVE COMMENT REQUEST FORM

Reviewing Agency: Department of Permitting, Inspections and Enforcement

Bill/Resolution Number: CB-72 [Class 3 Fill Reclamation]

Brief Summary of the Bill/Resolution: This bill would amend requirements for limited Class 3 fill uses as a method of reclaiming former sand and gravel mining properties for public use in the Residential-Agricultural (R-A) Zone.

Agency Impact:

Will this bill impact your Agency financially or operationally, or your Agency's mission?

☒ Yes ☐ No ☐ Undeterminable at this time

If yes, please select the appropriate impact: ☐ Positive Impact ☒ Negative Impact ☐ No Impact

Discussion of Impact: We suggest the following changes to footnote J on the last page:

A grading permit shall be issued by Prince Georges County DPIE. After completion of the reclamation using Class 3 fill materials and prior to the expiration of the permit, ~~whichever is earlier~~, and within two years after the cessation of Class 3 fill operations, the permittee shall, as a condition of the same permit approval, ~~shall~~ stabilize the site in accordance with an approved Prince George's County Soil Conservation Plan. Certain improvements such as roads, parking lots, patios, sidewalks, trails, stormwater management and utilities shall be installed only over class II fill. Certain improvements such as buildings, swimming pools and other structures shall be installed only over class I fill area that extends 10 feet beyond all structures. The applicant shall also construct a 24-foot wide site access road and ~~minimum 100-space~~ onsite parking lot(s) ~~to a subbase grade with recycled concrete over an area of class II fill (not over class III fill).~~ The applicant shall construct outdoor recreational fields and features in class III fill areas; these shall be for outdoor public use. These may include multi-purpose competition-size playing fields ~~containing a minimum of three multi-purpose fields, two full professional size basketball courts, a tot lot~~ playgrounds, and supporting recreational uses deemed appropriate in accordance with this plan and submitted to and approved by DPIE, after consultation with Maryland-National Capitol Park and Planning Commission (M-NCPPC) staff, as a condition of permit approval of the Class 3 fill operation. All field and recreational use areas shall have a minimum of 2-feet of Class 2 or better cover material ~~over the class III fill, and a minimum of 12" of topsoil over the cover material.~~ Upon completion of the above defined improvements said multi-purpose fields and recreational facilities, the property shall be dedicated to the M-NCPPC - Prince George's County Department of Parks and Recreation for public use; and

- a. The permittee shall post a bond equivalent 125 percent of the overall project cost, to include of all class III fill, topsoil and stabilization, reforestation, stormwater management, storm drain, roads, parking lots, recreational features, landscaping, and other site improvements, prior to permit issuance.*
- b. The permittee shall record a restrictive easement on the land area upon which class III fill is placed. This restrictive easement shall prevent any future construction of buildings, structures, roads, parking lots, utilities and other site improvements within the class III fill area.*

Fiscal Impact: The legislation would have a negative impact on the agency in that it would cost more in resources in inspection time. This would impact workloads in our Site/Road Plan Review and Inspections divisions. Site/Road would require at one additional plan reviewer and Inspections would require two more site inspectors at approximately \$175,000 per year: \$75,000 for the plan reviewer and \$50,000 each for the site inspectors.

Agency Position Recommendation:

☐ Support

☐ Oppose

☒ Support with Amendments

☐ No position

Please specify any suggested amendments in the space below?

Additional Information:

Has your agency been contacted by the State Department of Legislative Services staff regarding this proposal?

☐ Yes ☒ No

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Date: Sept. 29, 2020

Comments by Associate Directors Mary Giles, Site/Road Plan Review Division and Behdad Kashanian, Inspections Division

