

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
FEBRUARY 15, 1994**

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Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Commissioner Barbara R. Thompson
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

LEONARDTOWN LIBRARY

Prior to beginning the regular meeting, the Commissioners met with Library staff and board members at the Leonardtown Library.

CALL TO ORDER

The meeting was called to order at 9:40 a.m.

APPROVAL OF MINUTES

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, February 8, 1994 and the Planning and Zoning portion of the January 11, 1994 meeting relative to Growth Allocations. Motion carried.

APPROVAL OF BILLS

Commissioner Bailey moved, seconded by Commissioner Thompson, to authorize Commissioner Loffler to sign the Check Register as presented. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) **Southern Maryland Higher Education Center (House Bill 538)**

The County Administrator presented a memorandum to the Commissioners addressing House Bill 538 relative to the Southern Maryland Higher Education Center. The memorandum synthesizes the duties and responsibilities of the County as a result of the legislation. The bill is scheduled for a public hearing by the Committee on Appropriation on February 16, and Delegate Slade has requested the County to testify in support of the legislation. Therefore, County Administrator Cox presented correspondence addressed to Delegate Slade expressing support of House Bill 538 as requested.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to sign and forward the letter of support as presented. Motion carried.

2) **Public Scoping Meeting
County Commissioners' Statement**

The County Administrator advised that as part of the base closure and realignment process, the Department of Navy will be preparing an Environmental Impact Statement to study the effect of consolidated activities in Southern Maryland. A Public Scoping Meeting has been scheduled for February 17 at the Carter State Office Building for the presentation of comments and concerns, and Capt. Hill in February 7 correspondence, requested the Commissioners to present comments at the hearing.

County Administrator Cox indicated that in 1992 major departments developed statements relative to the impact which was compiled into a one-source document entitled "A Community Response," which had been presented at the 1992 Scoping Meeting. He stated that the document will be updated as current information is received.

In response to the request for Commissioners' comments, Mr. Cox presented a Public Comment Statement setting forth the areas that would be impacted by the BRAC decisions and recognizing the challenge facing St. Mary's County.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and sign the Public Comment Statement to be presented at the February 17 Public Scoping Meeting. Motion carried.

3) Skydiving Center - Aircraft Self-Fueling

The County Administrator advised that in the afternoon of February 14 a FAX was received from Mr. Jacobs, attorney for the Skydivers, in response to correspondence received from the Airport Commission relative to refueling activity. The Airport Commission had denied the specific location request for a self-refueling facility, but not the concept and advised that the Airport Commission will determine a location for universal self-fueling services in accordance with the rules and regulations being developed. Attorney Jacobs requested a meeting with the Commissioners to discuss the self-refueling facility.

After discussion Commissioner Bailey moved, seconded by Commissioner Lancaster, that this request go through proper channels including the County Attorney, Department of Public Works and the Airport Commission. Motion carried.

4) Clearinghouse Projects

The County Administrator presented the following Clearinghouse Projects for the Commissioners' review and consideration, and recommended they be forwarded to the State with the comment that the projects are consistent with the County's plans, programs, and objectives.

MD 940207-0076 - Point Lookout Facilities Plan (Airedale Road)
(Metropolitan Commission)

MD 940202-0069 - Federal/State Marketing Improvement
Program for Cut Flowers
(Md. Department of Agriculture)

The Commissioners gave their concurrence.

5) Marcey House

The County Administrator advised that correspondence dated January 13 was received from Director Sampson of Alcohol Drug Abuse Administration advising that there will be no additional forthcoming monies to solve the Fiscal Year 1994 budget deficit of the Marcey House. Therefore County Administrator Cox presented correspondence to the Marcey House Board of Directors requesting a plan of action as to how the Board will address the approximately \$20,000 budget deficit.

Commissioner Lancaster moved, seconded by Commissioner Bailey, to approve and sign the letter as presented. Motion carried.

6) **Board of Barber Examiners
Letter of Endorsement**

The County Administrator presented correspondence dated February 2 from John O . Gatton, Sr. advising that his term on the Maryland Board of Barber Examiners will expire on June 30, 1994. The letter requests the Commissioners to send a letter of recommendation for his reappointment on his behalf to the Secretary of Licenses and Regulations.

Commissioner Bailey moved, seconded by Commissioner Thompson, to sign and forward the letter of recommendation as presented by County Administrator Cox. Motion carried.

7) **1994-95 Coastal Zone Management Grant**

On behalf of the Department of Planning and Zoning, the County Administrator presented correspondence addressed to the Department of Natural Resources applying for a Second Year Coastal Zone Management Grant in the amount of \$20,000 for Fiscal Year 1995. The funds will continue to help support DPZ's plan element, soliciting and responding to public comment, and developing and refining development regulations necessary to implement sensitive area policies.

Commissioner Thompson moved, seconded by Commissioner Bailey, to approve and sign the request for the \$20,000 CZM Grant. Motion carried.

8) **Budget Amendments**

The County Administrator presented the following budget amendments recommended for approval by the Director of Finance with justifications as indicated:

No. 94-50

Register of Wills

Funds required for conference table, chairs for Judges' of Orphans' Court and chair for Register of Wills (\$2,125)

No. 94-51

Planning and Zoning

Funds to purchase replacement computer equipment (\$3,500)

No. 94-52

Funds to cover the removal of asbestos containing tile and the replacement of the tile was taken from the construction contingency funds. The tile replacement and sub-floor repairs will now be done under the General Contractor's scope of work. (Park Hall Elementary School Addition and Renovation - \$70,000)

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Budget Amendments as presented. Motion carried.

9) **Governor's Advisory Board on Homelessness - Awards Nomination**

Also Present: Judy Pedersen, Information Specialist

Ms. Pedersen appeared before the Commissioners to present correspondence addressed to the Governor's Advisory Board on Homelessness forwarding two applications for the Homelessness Awards. The nominee being submitted by the County for the awards is the Three Oaks Homeless Shelter in Lexington Park.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the submission of the two award applications and to sign the letter of transmittal as presented. Motion carried.

10) **Walden/Sierra - Health Department Building Lease**

The County Administrator advised that Walden Sierra uses space at the County Health Department building and, as it is a revenue-generating program, will pay for use of the space. This is similar to the mental health program, which also uses Health Department space under a lease arrangement. Therefore, County Administrator Cox presented a Lease between the Board of County Commissioners of St. Mary's County and Walden Sierra, Inc. for the rental of approximately 3,000 square feet at the Health Department building in Leonardtown.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Lease as presented. Motion carried.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) **Addenda to Public Works Agreements**

Mr. Ichniowski presented the following Addenda to Public Works Agreements for the Commissioners' review and signatures:

Heard's Estates, Section 3

Between Quality Built Homes, Inc. and Board of County Commissioners extending the deadline for improvements to February 1, 1995. The Addendum is backed by Letter of Credit with Washington Savings Bank in the reduced amount of \$38,000.

Heard's Estates, Phase 2

Between Gertz, Inc. formerly Quality Built Homes, Inc. and Board of County Commissioners extending the deadline for completion of improvements to July 1, 1994. The Addendum is backed by a Letter of Credit with Washington Savings Bank in the amount of \$45,000.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the referenced Addenda as presented. Motion carried.

2) **Winter Storm Update**

Also Present: Larry Petty, Director, Metropolitan Commission
Steve King, "
Paul Wible, "

The referenced individuals appeared before the Commissioners to present an update on the recent winter storm.

Mr. Wible reported on the number of power outages, use of shelters at the fire departments, and NAS, Emergency Operation Center activities (incidents logged and 911 inquiries). He stated that approximately 1,000 calls were answered per hour on Friday, February 11.

Mr. Ichniowski reported on the costs of the recent storm which to date is over \$90,000 for overtime, equipment rental, salt and sand, etc. He advised that there were no major problems with county equipment and no injuries; salt and sand supplies are dangerously low; and clean up of trees and branches will continue for months. Mr. Ichniowski commended the county employees for their dedication and professionalism while working to clear county roads and expressed appreciation to all the volunteers who assisted in this effort. Mr. Ichniowski advised that he will be returning to the Commissioners with cost estimates for clearing, which will not include road damage repair costs.

Mr. Petty reported on the wells, pumping stations and wastewater systems in the County stating that: four pumping stations are running on generators and being hauled with septic trucks; three public water systems are using a water hauling system, and five pumping stations have overflowed. He advised that the overflows must be reported to the State as it is a violation of MetCom's permit.

In closing the Commissioners thanked staff for their dedication and commitment to the citizens of the County.

EXECUTIVE SESSION

Commissioner Thompson moved, seconded by Commissioner Bailey, to meet in Executive Session to discuss a matter of Personnel (Grievance Appeal and Consideration of Appointments to Boards, Committees and Commissions), as provided in Article 24, Section 4-210(a)1. Motion carried.

Personnel

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Commissioner Barbara R. Thompson
George Foster, Personnel Officer
Evelyn Wood, Asst. Personnel Officer
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)1

Topic: Personnel (Grievance Appeal)

Time Held: 11:05 a.m. - 11:22 a.m.

Action Taken: The Commissioners discussed the Grievance Appeal and agreed to sign correspondence to the Grievant in open session.

Personnel

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Commissioner Barbara R. Thompson
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)1

Topic: Personnel (Consideration of Appointments to Boards, Committees, Commissions)

Time Held: 11:25 a.m. - 12:05 p.m.

Action Taken: The Commissioners reviewed the current status sheet, made nominations, directed staff to contact nominees, and prepare appropriate letters of appointment.

FORMAL GRIEVANCE APPEAL - RESPONSE

Relative to the recent grievance appeal, the County Administrator presented correspondence to the Grievant advising that the Commissioners reviewed the findings and records of the Grievance Review Board, agreed to uphold the findings of the Formal Grievance Review Board, and believed that no further discussion is necessary.

Commissioner Jarboe moved, seconded by Commisioner Bailey, to approve and sign the letter as presented. Motion carried.

DEPARTMENT OF PLANNING AND ZONING PUBLIC HEARING (CONTINUATION) CRITICAL AREA GROWTH ALLOCATIONS

All Commissioners were present. Present from DPZ were Jon Grimm, Director; Mary Owens, Environmental Planner; and Peggy Childs, Recording Secretary.

CONTINUATION OF PUBLIC HEARINGS ROUND 4 GROWTH ALLOCATION PROJECTS

ISUB #92-0649 - ST. CLEMENTS WOODS, Lot 1

Requesting reclassification of 1.5 acres from RCA to LDA through the use of growth allocation. The property contains approximately 22.10 acres total, and is located on the northside of Lady Baltimore Avenue, approximately 500 ft. west of Bayside Road in Compton; Tax Map 39, Block 11, Part of Parcel 248.

Owner/Applicant: St. Clements Woods Partnership
Engineer: McCrone, Inc.

Also Present: Billy Mehaffey, of McCrone, Inc.

Mr. Grimm noted that this public hearing was continued from January 11, 1994 and reminded that, although staff recommended approval, the Planning Commission voted against recommending approval to the County Commissioners. Staff still recommends approval. The total 22.10 acres includes wetlands, leaving approximately 18.5 acres of useable land. The Critical Area Commission's position is that this entire parcel would have to be deducted as growth allocation; under the County program only 1.5 acres would be deducted as growth allocation, with another 1.5 acres set aside to achieve the required 3-acre zoning density.

Mr. Mehaffey reminded that the single lot is for residential use and the request for growth allocation is the initial phase; the project will still have to go through the TEC and the subdivision process. Commissioner Loffler stated he found it hard to justify the energy and expense for a simple one-lot subdivision that isn't even waterfront; however, Mr. Mehaffey pointed out that the single-lot subdivision is a growth allocation category.

Attorney Phil Dorsey, a member of the St. Clements Woods Partnership, recalled his experience with the Chesapeake Industrial Park project in the Round 1 Growth Allocations and also called the statement in the 11/22/93 Planning Commission minutes that a project presented for growth allocation should be "state-of-the-art" to be arbitrary and capricious for this project. He stated that this application is a matter of simple practicality - the land is within the 1,000 ft. Critical Area, it has public sewer, the applicant just wants to cut one lot out of the parcel, and staff has recommended approval.

Commissioner Loffler opened the hearing to public comment.

Jim Ryan, of Compton, pointed out that the wooded parcel adjoins a recreational area for St. Clements Shores and he said it is zoned Recreational, stated recreational use is in the best interest of the public for this piece of land. Mr. Ryan also pointed out the silt which development of the property would put into Cecil Creek, which he said is ready to die because of siltation and said St. Clements Bay is already dead for the same reason. He said oysters no longer grow in the Bay and the blue crab will probably also be endangered. He spoke against the request the protection of the creek and the Bay as a bequest to our children and grandchildren and asked that this Board of Commissioners have the vision to require that protection. Mr. Grimm corrected Mr. Ryan's statement that the property is zoned Recreational, explaining the property is zoned RPD with an RCA Overlay but adjoins the recreational area of the St. Clements Woods subdivision, which is actually zoned RNC, Residential Neighborhood Conservation, designed to uphold the existing character of the subdivision.

Mr. Grimm advised Commissioner Thompson that the owner has one development right on this parcel now and will receive one additional right if the growth allocation is approved, however if anything else is proposed for this property, the applicant would have to apply under another category, and would have to go through the same growth allocation process. Mr. Mehaffey stated they have perc'd the parcel and have two perc sites on this parcel, furthermore there is a ridge that runs through the center of the property with soils suitable for septic, which is uncommon for this general area.

Joseph Payne, Jr., of Compton, objected to the 47 EDUs and wells which he said were approved for this property, adding that the Health Department says they cannot afford to upgrade the sewage system, and if the new wells are allowed, it will cause many old people in the area to spend \$4,000 to \$5,000 to put in new wells, because he knows for a fact that some of the existing wells are only 15 ft. deep. However, it was explained that the 47 wells and allocations are not for this property but for the St. Clements Woods Subdivision, which, along with St. Clements Shores, was approved in 1926, and for lots resubdivided along Lady Baltimore Avenue five or six years ago, which are already approved. Mr. Dorsey stated for the record that there will be no further development on this piece of property, and this has nothing to do with the 47 wells and EDUs.

George Raley, of Compton, stated if the 47 wells do not pertain to this property the only thing he would add is that this growth allocation approval opens the property up to further development. Mr. Grimm has said that growth allocation approval is discretionary, Mr. Raley added, and he asked that the Commissioners see fit to rule in the best interest of the environment.

Following public comment, Commissioner Loffler responded that the purpose of growth allocation is to allow individuals to develop in the Critical Area, and the Commissioners must look at the effect on the Critical Area but must also consider the development rights of the property owners and apply and follow the rules uniformly.

SSUB #91-1717 - HANOVER POINT
(CLEARBROOK FARMS)

Requesting growth allocation reclassification from RCA to LDA.
 The property is zoned RL (RCA Overlay), and is located on the southeast side of Patuxent Boulevard on Myrtle Point; Tax Map 34, Block 6, Part of Parcel 126.

Owner/Applicant: Thomas Bronson
 Engineer: McCrone, Inc.
 Agent: Attorney Oliver Guyther

Also Present: Mr. Bronson
 Billy Mehaffey, of McCrone, Inc.
 Mr. Guyther

This public hearing was also continued from January 11, 1994. Mr. Grimm stated that staff recommends denial, citing a number of outstanding issues identified in the Staff Report. The Planning Commission also cited the unresolved issues and recommended denial.

Mr. Guyther began by stating that they have completely revamped this project from the Clearbrook Farms proposal (Little Creek) and since they met with the neighbors on January 22nd, cutting it from 120 townhouse/condos on 35 acres last year to 70 single family residences on 66 acres. He entered the following exhibits into the record, discussing each in turn:

- #1 - Development Plan
- #1a - Tax Map of property
- #1b - Aerial Photograph of property
- #1c - Planning Commission Rules of Procedure
- #2 - Letter to Jon Grimm dated 1/22/93
- #3 - Little Creek Location Map
- #4 & 4a - Planning Commission Minutes of 11/22/93
- #5 & 5a - Typical plans and photos of homes planned for Hanover Point
- #6 - Planning Commission Minutes of 10/25/93
- #7 - Memo from Jon Grimm to Board of CCRS regarding responses to questions from Little Creek Public Hearing
- #7a - Public Works Agreement between Route 347 Realty & SMCo
- #7b - Water/Sewer Bond for Patuxent River Farms (347 Realty Corp)
- #8 - Covenants & Restrictions for Hanover Point dtd 2/15/94
- #9 - Comm & Env Defense Services Article (excerpt from Report) entitled "Opportunities to Preserve & Enhance the Quality of Little Kingston and Kingston Creek"

Mr. Guyther stated that the owner of Clearbrook Farms had given MetComm the easement to tie into the new sewer line and quoted Tom Howard, Consultant for Patuxent River Farms, as saying the water/sewer line is 80% complete. Mr. Guyther stated the plan meets the forestation and adequate public facilities requirements, and said the plan was not approved by the Planning Commission because certain accommodations and changes had not been met, but now they have been.

Mr. Guyther charged that the Planning Commission meeting on 11/22/93 was loaded with irregularities; i.e., that he was denied the right, as attorney for the applicant, to address the Commission, and said the minutes were unclear as to whether the motion to deny was for the Hanover Point project or the St. Clements Woods project. He said the minutes show that the Commission got involved with St. Clements Woods, two motions were made and the Commission was getting ready to go into the Timber Lakes discussion when they took a break. After the break Mr. Guyther said he spoke to Mr. Fairfax pointing out he had improperly conducted the meeting and then made a motion to poll the Board regarding the Hanover Point motion, but Mr. Fairfax ignored him. Mr. Guyther stated also that he has since spoken with Mr. Lancaster, Vice Chairman of the Planning Commission, who assured him that he did not vote against the project and that the Planning Commission had taken no action on the project that night.

Note: A detailed accounting of the Planning Commission's discussion of the growth allocation projects on 11/22/93 has been provided to Mr. Guyther and the Board of County Commissioners under separate cover, and are being provided to the Planning Commission along with these minutes.

Mr. Guyther added that the DPZ case file contains a letter from a Judge in Virginia stating that he has a home on the property and that he is unalterably opposed to a double-wide trailer subdivision being placed on the property. Mr. Guyther stated that the proposal is not for double-wide trailers, but for quality homes of not less than 2,000 sq. ft. living space (plus porches, decks, and garages) on waterfront property and not less than 1,500 sq. ft. of living space for non-waterfront property. Exhibits #5 and #5a show plans and photographs of similar quality homes located in an existing County subdivision, built in 1993. The owner of the property will sell lots only; the homes will be built by local builders who have been in business at least 5 years

and have a good reputation. Mr. Guyther pointed out other conditions and prohibitions included in the Covenants & Restrictions and also said the owner has offered to completely remove the existing pier on the property.

Mr. Guyther quoted Exhibit #9, an article which he said states that the water quality and Little Kingston and Kingston Creek are the second worst in the County. Mr. Guyther said he has been to Annapolis and satisfied DNR that this property, including the wetlands, was part of a grant from the Crown of England. He also pointed out that the proposed homes will probably be bought by people whose children have moved through the early part of their education, and they will be paying high taxes toward education. Finally, Mr. Guyther said, in response to the neighbors' complaints that the homes will be too close to them, the reduction in the number of houses will move them further distant from the homes of the neighbors.

Mr. Mehaffey addressed scoring of items under the Comprehensive Plan. Item 3, the requirement for a 300 ft. buffer from the water's edge - this plan does not accomplish that, he said, but pointed out the areas cross-hatched in red are part of the open space buffer, and this acreage, combined with the waterfront area along the tidal pond and Little Kingston Creek, equals a 290 ft. resource protection area when divided by the effective length of the buffer.

Regarding item d., Best Management Practices for Stormwater Management, Mr. Mehaffey said this project didn't receive a score because it was unclear; however a vegetative buffer is one of the best devices for removal of sediment and nutrients, and they think this plan provides best management practices to score in this category.

Item e., Forestation - 20% of the forest will remain forested and 600+ ft. from the water's edge will be forested, scoring them 4 points in this category. Item 12a - Mr. Mehaffey said they feel the plan provides the additional 25 ft. called for in this item. 13a - Mr. Mehaffey entered a letter from Janet McKegg, Director, Natural Heritage Program, DNR, which states that there are no known Federal or State threatened or endangered plant or wildlife species present at this project site. 14a - This plan provides 50% open space.

Commissioner Loffler opened the hearing to public comment.

Martin Barley, of Kingston Creek, stated that every time the project gets presented it gets better because the neighbors have been meeting with the property owners, but the problem is that the original plan has already been through the Planning Commission and one meeting with the County Commissioners, and asked if staff has had a chance to review the proposed changes? Commissioner Loffler stated he believes it has not changed so much that it has to go back through the process. Mr. Grimm responded that the issue is that the project being considered this afternoon is the one that will have to go through the TEC process.

Commissioner Bailey stated from the minutes he has read he can't see where anything was presented to the Planning Commission. Commissioner Thompson added that changing the plan confuses the issue, because it is not the same plan the Planning Commission looked at and she doesn't know what they based their consideration on. Mr. Grimm stated that he would provide the Commissioners with minutes of the October 25th presentation and the November 22, 1993 meeting.

Betsy Barley, also of Kingston Creek, spoke, stating that the neighbors had met with Mr. Guyther on January 22nd, but she thinks he misunderstands their objections; they feel that the project is too intense for this fragile creek. She said their objection to the 120 units was because they wanted to maintain water quality and minimize impact on the area. The neighbors are not interested in the Covenants, she said, but suggested they would make a good project somewhere else. Further, she said she thought the property owner knew of the restrictions on the property when he bought it, and she is also concerned about policing the stormwater management because kids and dogs that are going to get into the buffer, and silt is going to get into the creek. Little

Creek and Little Kingston Creek have a very small opening and a sump bottom, so they don't manage pollutants as do other creeks. Only 3 other creeks in the County have the same restrictions for assimilating pollutants, she said - the creek has no flushing action, and you can dump this creek to a point where it can't be redeemed.

Catherine Kangas, who said she lives one lot over from the proposed project, stated she was in attendance at the Planning Commission meeting where the motion was made to deny this project. She said she remembers Mr. Guyther's comment regarding the King's Grant, so she knows he was given a chance to speak. Ms. Kangas stated that this process is the only thing that protects all of us and since this is not the plan that the Planning Commission voted on, it should go back through the process, and she is hoping that the Commissioners will deny the application per staff's recommendation.

Gloria Gehrig, of Kingston Creek, who lives just down the street, said she is tired of all this. She said the Commissioners' job is to protect our creeks and waterways and we have to take a very mean look at this project because we are doing more than turning down a project, we are ruining our waterways for years to come. She suggested the owner not ask for 20 houses but ask for 5 or 6 and raise the value. Ms. Gehrig said she felt Mr. Brosnon bought the property for an investment and should get his money back, but there is more at stake here than money and more than just this acreage; it is 1600 acres that we have to guard.

Mr. Guyther replied the reason he had asked his engineer to score the project is because the Planning Commission did not - someone asked if the Commission could adopt staff's scoring but nobody ever did it. He maintained the owner has the right to use his land as long as he doesn't injure his neighbor, and suggested this project would be better than a Disney or Marriott hotel.

Mr. Grimm replied that the Planning Commission did take action on this project - they recommended denial.

Mrs. Barley entered into the record the full report entitled, "Opportunities to Preserve & Enhance the Quality of Little Kingston and Kingston Creek," (Opposition's #O-1) asking that it be distributed to the County Commissioners. A copy of the Report is attached hereto for the County Commissioners.

Commissioner Loffler closed the public hearing, stating that the two cases would be brought back in two weeks for discussion/decision.

ADJOURNMENT

The meeting adjourned at 2:30 p.m.

Minutes Approved by Board of
County Commissioners on 2/22/94

Judith A. Spalding
Recording Secretary