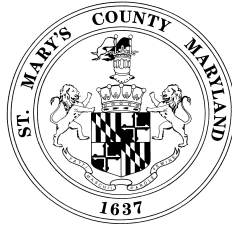


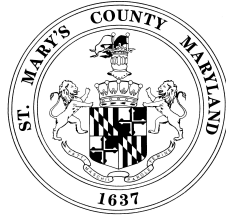
ST. MARY'S COUNTY GOVERNMENT
DEPARTMENT OF LAND USE
AND GROWTH MANAGEMENT
Phillip Shire, Director
William Hunt, Deputy Director



COMMISSIONERS OF ST. MARY'S COUNTY
James R. Guy, President
Michael L. Hewitt, Commissioner
Tom Jarboe, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner

Commissioners of St. Mary's County
March 10, 2015 Public Hearing Documents

St. Mary's County
Comprehensive Water and Sewerage Plan Amendment
Case 14-200-004
M^cCauley Property, Charlotte Hall



Notice of Public Hearing

Proposed Amendment to the St. Mary's County Comprehensive Water and Sewerage Plan for the M^cCauley Property, Charlotte Hall

NOTICE IS HEREBY GIVEN that the Commissioners of St. Mary's County will conduct a public hearing in the Public Meeting Room of the Chesapeake Building, located at 41770 Baldrige Street, Leonardtown, Maryland, on Tuesday March 10, 2015 beginning at 10:15 a.m., for the purpose of receiving public testimony in considering an amendment to the St. Mary's County Comprehensive Water and Sewerage Plan (CWSP). The amendment to be considered is as follows:

For case #14-200-004, J. Michael & Phyllis C. M^cCauley Property, Charlotte Hall: amend service area map III-4 to change the water service category from W-6D (service in 6 to 10 years, developer financed) to W-3D (service in 3 to 5 years, developer financed) for 1.89 acres described as Tax Map 4, Grid 10, Parcel 91 as shown on recorded plat 69/68 (also known as 29626 Charlotte Hall Road, Charlotte Hall, MD) in the 5th Election District in anticipation of providing public water service for a future detached dwelling with accessory apartment.

Note that as a result of the evidence and comments made at the public hearing, changes may be made to the proposed amendment.

A copy of the proposed amendment is available for viewing at each public library within the County, at the Public Information Office located in the Chesapeake Building at 41770 Baldrige Street, Leonardtown, Maryland, and through links on the St. Mary's County Government web page: www.co.saint-marys.md.us

To be published as a legal notice in the *Enterprise* on February 20 and February 27, 2015.



PUBLIC HEARING STAFF REPORT

To: Commissioners of St. Mary's County
From: Jeffrey Jackman, Senior Planner
Date: February 11, 2015
Hearing Date: March 10, 2015
Re: **M^cCauley Property, Charlotte Hall - CWSP Amendment, Case No. 14-200-004**

Pursuant to provisions of the St. Mary's County Comprehensive Water and Sewerage Plan (the "CWSP"), the Commissioners of St. Mary's County will hold a public hearing on March 10, 2015 to consider a request to amend the CWSP as follows:

Proposed: amend service area map III-4 to change the water service category from W-6D (service in 6 to 10 years, developer financed) to W-3D (service in 3 to 5 years, developer financed) for 1.89 acres described as Tax Map 4, Grid 10, Parcel 91 as shown on recorded plat 69/68 (also known as 29626 Charlotte Hall Road, Charlotte Hall, MD) in the 5th Election District in anticipation of providing public water service for a future detached dwelling with accessory apartment.

I. DEVELOPMENT DATA:

Owner: J. Michael & Phyllis C. M^cCauley

Location: Tax Map 4, Grid 10, Parcel 91 in the 5th Election District (also known as 29626 Charlotte Hall Road), Charlotte Hall Town Center

Zoning: Residential Low Density (RL)

II. BACKGROUND INFORMATION:

Comments from the Health Department and MetCom support the proposed connection to public water.

The planning commission has conducted a public hearing on the requested amendment and recommended approval.

III. ANALYSIS REQUIRED PURSUANT TO SECTION 1.5.3(D) OF THE ST. MARY'S COUNTY COMPREHESIVE WATER AND SEWERAGE PLAN

1.5.3(D)(1) A public hearing to be conducted by the Commissioners of St. Mary's County is scheduled for March 10, 2015; notice is to be advertised in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on February 20 and February 27, 2015. The property will be posted and adjoining property owners notified by certified mail as required.

1.5.3(D)(2) The Department of Land Use and Growth Management has:

- 1) Consulted every official planning agency having any immediate jurisdiction in the county, including those with multi-county or regional jurisdiction;
- 2) Provided to the Maryland Department of the Environment ("MDE") a statement that the above agencies have been consulted; and
- 3) Provided MDE with prior written notice of the hearing.

1.5.3(D)(3) Staff report, including the analysis required pursuant to §9-506(a)(3) of the Environment Article of the Annotated Code of Maryland:

- 1) Compatibility with the St. Mary's County Comprehensive Plan. The Property lies within the Charlotte Hall Town Center. §7.4.2.A.i.a calls for the provision of central water supply systems in development districts and town centers. Therefore, this proposal is consistent with the Comprehensive Land Use Plan.
- 2) Planning and zoning issues. The proposed connection would serve a future detached dwelling with accessory apartment which is approvable in the Residential Low Density zoning district.
- 3) Population estimates. A dwelling and accessory apartment would require the allocation of 2 EDUs of water capacity. The Charlotte Hall Water System is currently adequate to serve the proposed development.
- 4) Engineering. All construction will be in accordance with the St. Mary's County Standard Specifications for Water and Sewerage Construction.
- 5) Economics. The applicant will bear all installation costs involved in connecting the future home to existing service on the opposite side of Charlotte Hall Road. No other properties are affected by this change in service area.
- 6) State, regional and municipal plans. Before an amendment to the CWSP is finalized, it must be reviewed by the state for compatibility with state laws and programs. The proposed amendment is consistent with applicable state laws and programs.
- 7) Comments received from other agencies in the County. Per section 1.5.3(C)(2) of the CWSP, principal Technical Evaluation Committee comments from the Health Department and Metropolitan Commission must become part of the record to complete the application. In summary, these agencies support the provision of public water service to the subject property.

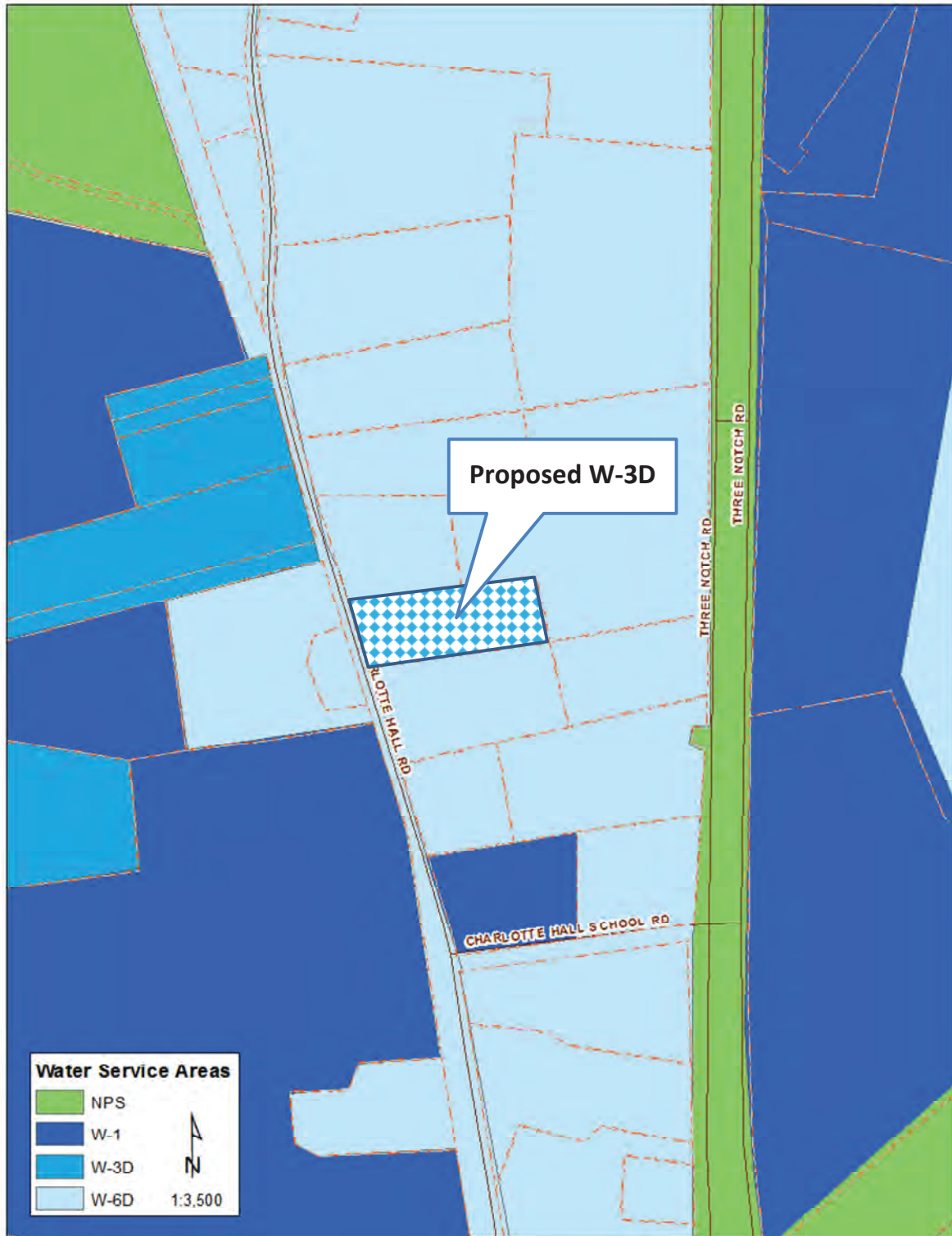
IV. RECOMMENDATION OF THE PLANNING COMMISSION:

Following a public hearing on December 8, 2014, by a 7-0 vote, the Planning Commission authorized the Chair to sign PC Resolution 14-06 to convey to the Commissioners of St. Mary's County its recommendation that the CWSP be amended as requested. A copy of the Planning Commission resolution is attached to this report.

V. ACTION REQUESTED

- 1) Conduct a public hearing
- 2) Close the record
- 3) Notify the Maryland Department of the Environment regarding this amendment to the CWSP as required by the Environmental Article.

Proposed Revision of Map III-4 for the M^cCauley Property



RESOLUTION

WHEREAS, J. Michael & Phyllis C. M^cCauley (the "Applicants") made application to access community water service for a future detached dwelling with accessory apartment to be constructed on 1.89 acres described as Tax Map 4, Grid 10, Parcel 91 as shown on recorded plat 69/68 (also known as 29626 Charlotte Hall Road, Charlotte Hall, MD) in the 5th Election District of St. Mary's County, Maryland (hereinafter the "Property"); and

WHEREAS, this access necessitates amendment to the St. Mary's County Comprehensive Water and Sewerage Plan (hereinafter the "CWSP"); and

WHEREAS, §1.5 of the CWSP sets forth the procedures for amendment; and

WHEREAS, following due notice published in the November 21, 2014 and November 28, 2014 editions of *The Enterprise*, a newspaper of general circulation in St. Mary's County, the posting of the Property, and written notification to the adjoining property owners, the St. Mary's County Planning Commission (hereinafter the "Planning Commission") conducted a public hearing on December 8, 2014 to consider the Applicants' request; and

WHEREAS, the Planning Commission concludes that the proposed amendment meets the requirements of §9-506(A)(3) of the *Environment Article* of the Maryland Annotated Code based on the following findings:

i) Compatibility with the St. Mary's County Comprehensive Land Use Plan.

The Property lies within the Charlotte Hall Town Center. §7.4.2.A.i.a calls for the provision of central water supply systems in development districts and town centers. Therefore, this proposal is consistent with the Comprehensive Land Use Plan.

ii) Planning and Zoning Issues.

The proposed connection would serve a future dwelling with accessory apartment which is approvable in the Residential Low Density zoning district.

iii) Population Estimates.

A dwelling and accessory apartment would require the allocation of 2 EDUs of water capacity. The Charlotte Hall Water System is currently adequate to serve the proposed development.

iv) Engineering.

All construction will be in accordance with the St. Mary's County Metropolitan Commission's *Standard Specifications for Water and Sewerage Construction*.

v) Economics.

The applicant will bear all installation costs involved in connecting the future home to existing service on the opposite side of Charlotte Hall Road. No other properties are affected by this change in service area.

vi) State, Regional, and Municipal Plans.

Before an amendment to the CWSP is finalized, it must be reviewed by the state for compatibility with state laws and programs. The proposed amendment is consistent with applicable state laws and programs.

vii) Comments received from other agencies in the County.

Per section 1.5.3(C)(2) of the CWSP, principal Technical Evaluation Committee comments from the Health Department and the Metropolitan Commission must become part of the record to complete the application. These agencies support the provision of community water service to the property; and

WHEREAS, the Planning Commission finds that the requested service would promote the public health and safety, and amending the CWSP is necessary and appropriate.

NOW THEREFORE BE IT RESOLVED by the St. Mary's County Planning Commission to recommend to the Commissioners of St. Mary's County that the CWSP be amended as follows: amend service area map III-4 to change the water service category from W-6D (service in 6 to 10 years, developer financed) to W-3D (service in 3 to 5 years, developer financed) for the Property.


BE IT FURTHER RESOLVED by the St. Mary's County Planning Commission that the foregoing recitals are hereby incorporated and adopted as if fully set forth.

BE IT FURTHER RESOLVED by the St. Mary's County Planning Commission that this Resolution shall be effective upon its adoption.

Date of Adoption: 12-08-2014

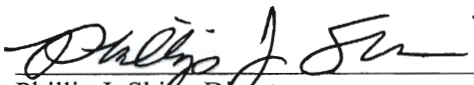
Ayes: 7 Nays: 0 Abstain 0

ST. MARY'S COUNTY PLANNING COMMISSION



J. Howard Thompson, Chair

Attest:



Phillip J. Shive, Director
Department of Land Use and Growth Management

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Office of the County Attorney

Subject: Comprehensive Water and Sewerage Plan:
To amend the St. Mary's County Comprehensive Water and Sewerage Plan by designating 1.89 acres shown and described on a Boundary Line Adjustment Plat recorded among the Land Records of St. Mary's County in Book No. 69, Page 68 and located at 29626 Charlotte Hall Road, Charlotte Hall, Maryland, as Water Category W-3D

Page 1 of 2

RESOLUTION

TO AMEND THE ST. MARY'S COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN BY DESIGNATING 1.89 ACRES SHOWN AND DESCRIBED ON A BOUNDARY LINE ADJUSTMENT PLAT RECORDED AMONG THE LAND RECORDS OF ST. MARY'S COUNTY IN BOOK NO. 69, PAGE 68 AND LOCATED AT 29626 CHARLOTTE HALL ROAD, CHARLOTTE HALL, MARYLAND, AS WATER CATEGORY W-3D

WHEREAS, J. Michael & Phyllis C. M^cCauley made application to access community water service for a proposed residential improvement on 1.89 acres shown and described on a Boundary Line Adjustment Plat recorded among the Land Records of St. Mary's County in Book No. 69, Page 68 and located at 29626 Charlotte Hall Road, Charlotte Hall, Maryland, and designated as Tax Map 4, Grid 10, Parcel 91 in the 5th Election District of St. Mary's County, Maryland; and

WHEREAS, pursuant to §9-506 of the *Environment Article* of the *Annotated Code of Maryland*, the St. Mary's County Planning Commission has reviewed the amendment of the Plan proposed for adoption and, on December 8, 2014, made recommendations to the Commissioners of St. Mary's County; and

WHEREAS, in accordance with §9-503(d)(2) of the *Environment Article* of the *Annotated Code of Maryland*, a notice of a public hearing was advertised on February 20, 2015 and February 27, 2015, in *The Enterprise*, a newspaper of general circulation in St. Mary's County, and a public hearing was held on March 10, 2015, to receive public comment and consider adoption of the amendment of the Plan; and

WHEREAS, the Commissioners of St. Mary's County, Maryland, find that it is in the best interest of the health, safety, and welfare of the citizens of St. Mary's County to adopt the amendment of the Plan,

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of St. Mary's County, pursuant to §9-503 of the *Environment Article* of the *Annotated Code of Maryland*, that Service Area map III-4 in the St. Mary's County Comprehensive Water and Sewerage Plan is amended as follows:

1.89 acres shown and described on a Boundary Line Adjustment Plat recorded among the Land Records of St. Mary's County in Book No. 69, Page 68 and located at 29626 Charlotte Hall Road, Charlotte Hall, Maryland, is designated as Water Category W-3D.

BE IT FURTHER RESOLVED, by the Commissioners of St. Mary's County, that the foregoing amendment of the St. Mary's County Comprehensive Water and Sewerage Plan be submitted to the Maryland Department of the Environment; and

BE IT FURTHER RESOLVED, by the Commissioners of St. Mary's County that this Resolution shall be effective upon the date written below.

Subject: Comprehensive Water and Sewerage Plan:
To amend the St. Mary's County Comprehensive Water and Sewerage Plan by designating 1.89 acres shown and described on a Boundary Line Adjustment Plat recorded among the Land Records of St. Mary's County in Book No. 69, Page 68 and located at 29626 Charlotte Hall Road, Charlotte Hall, Maryland, as Water Category W-3D

Those voting Aye: _____

Those voting Nay: _____

Those Abstaining: _____

Date of Adoption: _____

Effective Date: _____

ATTEST:

COMMISSIONERS OF ST. MARY'S COUNTY

Rebecca B. Bridgett
County Administrator

James R. Guy, Commissioner President

Michael L. Hewitt, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Tom Jarboe, Commissioner

George R. Sparling
County Attorney

Todd B. Morgan, Commissioner

John E. O'Connor, Commissioner