

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
ST. MARY'S COUNTY BOARD OF EDUCATION * LEONARDTOWN, MARYLAND
Tuesday, October 12, 2004**

Members present were John Taylor, Chairman; Larry Greenwell, Vice Chair; Lawrence Chase; Julia King, Steve Reeves, Joseph St. Clair, and Howard Thompson. Department of Land Use and Growth Management staff present was Denis Canavan, Director; Jeff Jackman, Senior Planner IV; Phil Shire, Planner IV; Trish Guy, Planner II, Chad Holdsworth, Planner II; Mark Kalmus, Planning Technician II; and Sharon Sharrer, Recording Secretary. County Attorney John B. Norris, III, was also present.

The Chair called the meeting to order at 6:30 p.m.

APPROVAL OF MINUTES - The minutes of September 27, 2004 were approved as recorded.

DECISION

CWSP #03-120-014 – ESSEX WOODS & ESSEX WOODS NORTH

Requesting amendment of service maps III-51 and IV-51 to change the water and sewerage service categories from W-6D and S-6D (water and sewerage service in six to ten years, developer financed) to W-3D and S-3D (water and sewerage service in three to five years, developer financed). The property contains 132.07 acres, is zoned Residential Mixed Use District (RMX) and Residential Low Density District (RL), and is located on the west side of Willows Road 3,600 feet south of MD 246 (Great Mills Road) on Essex Drive South in Maryland; Tax Map 51, Block 10, Parcels 331 & 332.

Owner: Dennis Edwards
Agent: Jerry Nokleby, of Nokleby Surveying, Inc.

A public hearing was held on September 27, 2004. At that time the record was left open for ten (10) days for written comments. No written comments were received during the open record period.

Mr. Chase moved that having accepted the staff report, dated September 17, 2004, and after conducting a public hearing on the request for amendment to the St. Mary's County Comprehensive Water and Sewerage Plan in anticipation of public water and sewer being constructed as part of the proposed Essex Woods and Essex Woods North Subdivisions per case 03-120-014; and having found that the requested amendment complies with the spirit and intent of both the St. Mary's County Comprehensive Plan and the St. Mary's County Comprehensive Water and Sewerage Plan; the Planning Commission recommend that the amendment be forwarded to the Board of County Commissioners for adoption as proposed. The motion was seconded by Ms. King and passed by a 7-0 vote.

CWSP #04-120-015 – GRANDVIEW HAVEN SUBDIVISION

Requesting amendment of service map III-18 to change the water service category from NPS (No Planned Service) to RW (Rural Water Service, developer financed). The property contains 295.73 acres, is zoned Rural Preservation District (RPD), and is located on the west side of Morganza-Turner Road approximately 3,600 feet north of the intersection with MD 5 in Maryland; Tax Map 18, Block 5, Parcel 12.

Owner: Norman & Richard Bernstein
Agent: Dean Wilkinson, of R.A. Barrett Associates, Inc.

A public hearing was held on September 27, 2004. At that time the record was left open for ten (10) days for written comments. No written comments were received during the open record period.

Mr. Thompson moved that having accepted the staff report, dated September 17, 2004, and after conducting a public hearing on the request for amendment to the St. Mary's County Comprehensive Water and Sewerage Plan in anticipation of a rural central water system being constructed as part of the proposed Grandview Haven Subdivision per case 04-120-015; and having found that the requested amendment complies with the spirit and intent of both the St. Mary's County Comprehensive Plan and the St. Mary's County Comprehensive Water and Sewerage Plan; the Planning Commission recommend that the amendment be forwarded to the Board of County Commissioners for adoption as proposed. The motion was seconded by Mr. Chase and passed by a 5-2 vote.

CWSP #04-120-016 – HERITAGE MANOR SUBDIVISION

Requesting amendment to service map III-63 to change the water service category from NPS (No Planned Service) to RW (Rural Water Service, developer financed). The property contains 111.64 acres, is zoned Rural Preservation District (RPD), and is located on Point Lookout Road in St. Mary's City, Maryland; Tax Map 63, Block 23, Parcels 36, 37, 362, and lot 7.

Owner: Evelyn S. Clark
Agent: Dean Wilkinson, of R.A. Barrett Associates, Inc.

A public hearing was held on September 27, 2004. At that time the record was left open for ten (10) days for written comments. Mr. Holdsworth said that one letter was received during the open record period. The letter was signed by 26 area residents. Subjects of concern included the proximity of Webster Field, school seats, roads, and wildlife preservation. Mr. Holdsworth explained that these are issues which could be addressed in the subdivision review and preliminary subdivision approval, but may not be pertinent to the case being addressed at this meeting.

Commission members expressed concerns about recommending approval of an amendment to the Comprehensive Water and Sewerage Plan when there are so many concerns about the development itself. The Chair noted that this approval is for water and sewer changes only. Concerns about proposed density and possible future AICUZ changes are not the issue at this stage of the process.

Mr. Thompson moved that having not accepted the staff report, dated September 17, 2004, and after conducting a public hearing on the request for amendment to the St. Mary's County Comprehensive Water and Sewerage Plan in anticipation of a rural central water system being constructed as part of the proposed Heritage Manor Subdivision per case 04-120-016; and having found that the requested amendment does not comply with the spirit and intent of both the St. Mary's County Comprehensive Plan and the St. Mary's County Comprehensive Water and Sewerage Plan; the Planning Commission recommend denial of the requested amendment to the Board of County Commissioners. The motion for denial was seconded by Mr. Greenwell and passed by a 4-3 vote.

CWSP #04-120-018 – ELDORADO SUBDIVISION, TRACT B

Requesting amendment to service map III-4 to change the water service category from NPS (No Planned Service) to RW (Rural Water, developer financed). The property contains 115.6 acres, is zoned Rural Preservation District (RPD), and is located at 29844 Eldorado Farm Lane in Mechanicsville, Maryland; Tax Map 4, Block 6, Parcel 247.

Owner: Raymond & Lois A. Leicht
Agent: Dean Wilkinson, of R.A. Barrett Associates, Inc.

A public hearing was held on September 27, 2004. At that time the record was left open for ten (10) days for written comments. Mr. Holdsworth said that one letter was received during the open record period. This letter was sent to the Director of the Department of Public Works & Transportation and addressed road and easement issues. In response to questions from Commission members, Mr. Shire noted that a second access point to the proposed development is being actively sought by the developer.

Mr. Chase moved that having accepted the staff report, dated September 17, 2004, and after conducting a public hearing on the request for amendment to the St. Mary's County Comprehensive Water and Sewerage Plan in anticipation of a rural central water system being constructed as part of the proposed Eldorado Farms Subdivision per case 04-120-018; and having found that the requested amendment complies with the spirit and intent of both the St. Mary's County Comprehensive Plan and the St. Mary's County Comprehensive Water and Sewerage Plan; the Planning Commission recommend that the amendment be forwarded to the Board of County Commissioners for adoption as proposed. The motion was seconded by Mr. Thompson and passed by a 7-0 vote.

DEVELOPMENT REVIEW

SSUB #04-120-017 – GREENVIEW WEST PUD, SECTION 2

Requesting preliminary review of Section 2, a 57-lot major subdivision. The property contains 15.87 acres, is zoned PUDR (Planned Unit Development – Residential) 3.7, and is located on the west side of MD 237 approximately 3,500 feet south of its intersection with MD Route 235 in Maryland; Tax Map 43, Grid 7, Parcel 30.

Owner: Douglas Hallgren
Agent: Jerry Nokleby, of Nokleby Surveying, Inc.

Mr. Shire noted that land will be deeded to the state, in accordance with future widening plans for Chancellor's Run Road, prior to recording the record plat.

Mr. Greenwell moved that having accepted the staff report and having made a finding of adequate facilities, except for Stormwater management, as noted on the Preliminary Adequate Public Facilities Report in the file, and noting that the referenced project must meet all TEC agency requirements and return to the Planning Commission for final approval; the Planning Commission grant preliminary subdivision plan approval, as requested. The motion was seconded by Mr. St. Clair and passed by a 7-0 vote.

CCSP #04-132-023 – STORAGE USA, PHASE III

Requesting review and approval of a concept site plan for a 9,330 square foot storage addition. The property contains 11.24 acres, is zoned CMX (Corridor Mixed Use), and is located at 22672 Three Notch Road in Lexington Park, Maryland; Tax Map 43, Grid 2, Parcel 545.

Owner: Lexington Park Storage, LLC
Agent: Billy Mehaffey, of Mehaffey & Associates, PC

Mr. St. Clair moved that having accepted the staff report, dated September 28, 2004, and having made a finding that the objectives of Section 60.5.3 of the St. Mary's County Comprehensive Zoning Ordinance have been met, and noting that the referenced project has met all requirements for concept approval; the Planning Commission grant concept site plan approval, as requested. The motion was seconded by Mr. Reeves and passed by a 7-0 vote.

CWSP #04-110-073 – K & R SUBDIVISION

Requesting review and approval of a concept site plan for a 5-lot subdivision in order to proceed with an amendment to the Comprehensive Water and Sewerage Plan. The property contains 3.7 acres, is zoned RMX (Residential Mixed Use), and is located between MD Route 235 and Mervell Dean Road across from Clarks Mill Road in Hollywood, Maryland; Tax Map 34, Grid 8, Parcel 613.

Owner: Randy Johnson
Agent: William Higgs, of Little Silences Rest, Inc.

Mr. Reeves moved that having accepted the staff report, dated September 28, 2004, and having made a finding that the referenced project meets concept plan requirements to proceed with a Comprehensive Water and Sewerage Plan amendment to change the sewer category from S-6D (sewerage service in six to ten years, developer financed) to S-3D (sewerage service in three to five years, developer financed); the Planning Commission grant concept plan approval, as requested. The motion was seconded by Mr. St. Clair and passed by a 7-0 vote.

CWSP #04-120-006 – FOREST RIDGE SUBDIVISION

Requesting review and approval of a concept site plan for a 50-lot subdivision in order to proceed with an amendment to the Comprehensive Water and Sewerage Plan. The property contains 130.23 acres, is zoned RMX (Residential Mixed Use) and RL (Residential Low Density), and is located on the south side of Mount Wolf Road approximately 2,000 feet east of its intersection with MD Route 5 in Maryland; Tax Map 4, Grid 5, Parcel 10.

Owner: Jane G. Henderson
Agent: Pat Mudd, of Day Tech Engineering, Inc.

Ms. King moved that having accepted the staff report, dated September 30, 2004, and having made a finding that the referenced project meets concept plan requirements to proceed with an administrative Comprehensive Water and Sewer Plan amendment to change the water category from W-6D (water service in six to ten years, developer financed) to W-3D (water service in three to five years, developer financed) and the subdivision plan must return to the Planning Commission for preliminary approval; the Planning Commission grant concept plan approval, as requested. The motion was seconded by Mr. St. Clair and passed by a 7-0 vote.

PSUB #03-120-039 – HENDERSON FARM

Requesting preliminary review of an 11-lot major subdivision. The property contains 56.34 acres, is zoned RPD (Rural Preservation District), RMX (Residential Mixed Use), and RL (Residential Low Density); and is located on the

east and west sides of Jane Gay Way at its intersection with Golden Beach Road in Maryland; Tax Map 4, Grid 5, Parcel 10.

Owner: Jane G. Henderson, LLC
Agent: Pat Mudd, of Day Tech Engineering, Inc.

Mr. Mudd explained that there will not be any future phases in this development. The original application had shown the Forest Ridge Subdivision as Phase II of Henderson Farm.

Mr. Thompson moved that having accepted the staff report, dated October 1, 2004, and having made findings pursuant to Section 30.5.5 of the St. Mary's County Subdivision Ordinance (Criteria for Approval of a Preliminary Plan), including adequate facilities as described in the Director's Report, in the file; the Planning Commission grant subdivision plan approval with the understanding that two (2) TDRs will be obtained by the owner to increase density for the eleventh lot. The motion was seconded by Mr. Greenwell and passed by a 7-0 vote.

DISCUSSION/REVIEW

PLANNING COMMISSION AGENDA DEADLINE AND MEETING SCHEDULE FOR 2005

The Planning Commission accepted the 2005 Planning Commission Agenda Deadlines and Meeting Schedule as presented.

LEXINGTON PARK DEVELOPMENT DISTRICT MASTER PLAN

The discussion continued on the proposed changes to the Lexington Park Development District Master Plan in the October 2004 working draft. Commission members expressed concerns with some of the proposed additions to the Lexington Park Development District in the October 2004 draft of the Plan.

Ms. King made a motion to hold a public hearing on the October 2004 draft of the Lexington Park Development District Master Plan. The motion was seconded by Mr. St. Clair and passed by a 6-1 vote.

ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

Sharon J. Sharrer
Recording Secretary

Approved in open session: October 25,
2004

John F. Taylor, Sr.
Chairperson