

Board of Appeals Teleconference (Thursday, December 17, 2020)

Drafted by Sherrie Young, Recording Secretary on Friday, December 18, 2020

1. CALL TO ORDER: Meeting called to order at 6:34 pm.

2. AGENDA: December 17, 2020 Board of Appeals Meeting

3. REVIEW AND APPROVAL OF MINUTES: Board of Appeals December 10, 2020 Meeting Minutes

"I move to accept the December 10, 2020 Board of Appeals Meeting Minutes."

Motion: Wayne Miedzinski Second: John Brown Final Resolution: Motion Carried 5-0

4. REVIEW AND APPROVAL OF ORDERS: ZAAP 18-110-031 Chapman's Rest Appeal Order

"I move to authorize Chairman Hayden to sign the ZAAP 18-110-031 Chapman's Rest Appeal Order."

Motion: Lynn Delahay Second: John Brown Final Resolution: Motion Carried 4-0
Recused: Wayne Miedzinski

5. REVIEW AND APPROVAL: "The Rules of Practice and Procedure of The St. Mary's County Board of Appeals"

The Board requests Hyperlinking of the referenced links throughout The Rules of Practice and Procedure of the St. Mary's County Board of Appeals document, when placed on the County's website.

"I move to authorize Chairman Hayden to sign the Rules of Practice and Procedure of the St. Mary's County Board of Appeals."

Motion: Wayne Miedzinski Second: John Brown Final Resolution: Motion Carried 5-0

6. ROLL CALL: Attendance of Members, Presenters and Staff Support

Board of Appeals Members to be in Attendance Via:

CSMC Meeting Room
George Allan Hayden, Chairman
John E. Brown, Vice Chair
Lynn Delahay, Member
Wayne Miedzinski, Member
Rich Richardson, Member
Steve Scott, Board Attorney

Remote Teleconference

Dan Ichniowski, Alternate Member

Supporting Staff to be in Attendance Via:

CSMC Meeting Room

Bill Hunt, AICP, LUGM Director

Harry Knight, LUGM Deputy Director

Stacy Clements, Planner III

Neil Murphy, Deputy County Attorney

John Deatruck, Director of DPW&T

Remote Teleconference

Courtney Jenkins, Planner III

Media Control Room

Amy Carter, Video / Media Producer

Savich Conference Room Phone

Sherrie Young, BOA Recording Secretary

Appellants, Applicants, Interveners & Representatives:

Remote Teleconference

Steven Knight

Jesieryl Hartzler

Chris Longmore, Esq.

Marie Treiber, AE Communications

Nicholas Speach, Bohler Engineering

Chantelle Marino, EBI Consulting

Jim Barringer, EBI Consulting

Mike Lenhart, Lenhart Traffic

Curtis Williams, 7-Eleven

Brianne Wilson, 7-Eleven

Erik Lowry, 7-Eleven

Suzanne Parker Schweikart, 7-Eleven

Earl Winterling, 7-Eleven

7. PUBLIC HEARING: Hartzler Property VAAP 20-1420

“In the matter of VAAP 20-1420, Hartzler Property, having made a finding that the standards for granting a variance in the Critical Area Buffer and the objectives of Section 24.4 of the St. Mary’s County Comprehensive Zoning Ordinance have been met, I move to approve the variance request to disturb the expanded Critical Area Buffer to construct an attached garage.”

Motion: Wayne Miedzinski

Second: John Brown Final Resolution: Motion Carried 5-0

8. PUBLIC HEARING: ZAAP 18-132-00021 Leonardtown 7-Eleven Appeal;
CONTINUANCE from July 23, 2020 Board of Appeals Meeting.

Public Testimony was closed by the Board on December 10, 2020 at 8:04 pm.

“In the matter of ZAAP 18-132-021, Leonardtown 7-Eleven Appeal, I move that the Board of Appeals deny the concept plan approval for a proposed 7-Eleven convenience store; Because of two standards that this Board believes they do not meet in the Comprehensive Plan:

#1) Doesn't meet the intent and spirit of the Comprehensive Plan itself.

#4) Doesn't meet the safety and general welfare of the public.”

Motion: Lynn Delahay Second: Wayne Miedzinski Final Resolution: Motion Failed 4-1
One Yes: Rich Richardson

9. ANNOUNCEMENTS AND ADJOURN:

Announcements:

Tonight's 12/17/2020 Board of Appeals, is Chairman, George Allen Hayden's last meeting. Starting in January 2021, Alternate Member, Dan Ichniowski has been upgraded to Full Board Member.

Meeting Adjourned at 9:19 p.m.

"I move to adjourn the December 17, 2020, Board of Appeals meeting. "

Motion: Rich Richardson Second: John Brown Final Resolution: Motion Carried 5-0