Board of Appeals (Thursday, June 9, 2022)

Drafted by Sherrie Young, BOA Recording Secretary on Friday, June 10, 2022

1.CALL TO ORDER: Meeting called to order at 6:30 pm.

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

Board of Appeals Members Via: CSMC Meeting Room

Wayne Miedzinski, Vice Chair Lynn Delahay, Member Rich Richardson, Member Guy Bradley, Member Ronald Payne, Sr., Alternate Member Steve Scott, Board Attorney

Excused:

Dan Ichniowski, Chair

SMCG Supporting Staff to be in Attendance Via: CSMC Meeting Room

Bill Hunt, Director -LUGM Stacy Clements, Planner III- LUGM Sherrie Young, BOA Recording Secretary- LUGM John Houser, Assistant County Attorney Jim Gotsch, Director, DPW&T

Via: Media Control Room

Amy Carter, Video / Media Producer

<u>Applicants, Representatives & Speakers to be in Attendance</u> <u>Via: CSMC Meeting Room & ZOOM</u>

Joshua Brackett Jeff Walton, Project Manager- Kokosing Construction Company Michelle Keller, Environmental Scientist- Johnson, Mirmiran & Thompson, Inc. (JMT)

3. AGENDA: June 9, 2022, Board of Appeals Meeting

4. PUBLIC HEARINGS:

A. BRACKETT VAAP 21-1598

"In the matter of VAAP 21-1598 having made a finding that the standards for granting a variance and the objectives of Section 24.3 of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move to approve the variance request from Section 71.4.2.a(2) to disturb the 100' perennial stream buffer to construct a bridge walkway, path, and road culvert repair."

Motion: Rich Richardson Second: Guy Bradley

Final Resolution: Motion Carried 5-0

B. MD 5 LAYDOWN AREA VAAP 21-0897

In the matter of VAAP # 21-0897 having made a finding that the standards for granting a variance and that the objectives of Section 24.3 of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move to approve the request for a variance from Section 71.8.3 to disturb the Critical Area Buffer and Section 71.5.2 to disturb the Wetland Buffers due to the temporary disturbance resulting from the construction trailer area and temporary laydown areas associated with the construction of MD 5 Point Lookout Road, upon condition that Applicant fully pay any and all administrative, civil, and criminal penalties which may be imposed under Natural Resources Article, §8-1808(c)(1)(iii)14-15 and (2)(i), Annotated Code of Maryland.

Motion: Guy Bradley Second: Rich Richardson Final Resolution

Final Resolution: Motion Carried 4-1 Against: Ronald Payne, Sr.

5. REVIEW AND APPROVAL OF ORDERS:

A. PEIL & EVANS ORDER VAAP 21-1414

"I make a motion to approve and for Vice Chair, Wayne Miedzinski to sign the VAAP 21-1414 PEIL & EVANS ORDER."

Motion: Lynn Delahay Second: Rich Richardson Final Resolution: Motion Carried 5-0

B. BOB HALL ORDER VAAP 21-1320

"I make a motion to approve and for Vice Chair, Wayne Miedzinski to sign the VAAP 21-1320 BOB HALL ORDER."

Motion: Lynn Delahay Second: Rich Richardson Final Resolution: Motion Carried 5-0

7. ADJOURN:

"I move to adjourn the June 9, 2022, Board of Appeals meeting at 7:45 p.m."

Motion: Guy Bradley Second: Rich Richardson Final Resolution: Motion Carried 5-0