

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
CHESEAPEAKE BUILDING
Thursday, October 29, 2009**

Present: Commissioner President Francis Jack Russell
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Betty Jean Pasko (Recorder)

**PUBLIC HEARING
ST. MARY'S COUNTY COMPREHENSIVE PLAN
2009 DRAFT UPDATE**

The first of three BOCC public hearings on the St. Mary's County Draft Comprehensive Plan 2009 Update, herein after referred to as the "Plan," was held in the Chesapeake Building Meeting Room. Prior to the public hearing, staff set-up several exhibits in the meeting room and had copies of the plan available for the public.

Mr. Jackman provided a summary of Planning Commission responses to written comments received during the April 13, 2009 through August 7, 2009, open record period to the meeting recorder for the record and to provide copies to the BOCC.

Call to Order:

The public hearing was called to order by Commissioner President Russell at approximately 6:30 PM. Several general announcements about the public hearing and the comprehensive plan were made.

Staff Presentation:

Present: Derick Berlage, Director, Land Use & Growth Management (LU&GM)
Jeff Jackman, Planner IV

Mr. Berlage stated for the record that the draft Plan was prepared in accordance with Article 66B; the media release was published on October 8; and the Legal Notice was published in the October 9 and 14, 2009, editions of the Enterprise newspaper. Copies of the Plan are available at the three public libraries and posted on the County web-site

Mr. Berlage presented an overview of the draft Plan, which highlighted background information, to-date and future public process, and proposed changes to the current Comp Plan. State law requires an update to the plan every six years.

Boundary changes to growth areas (most significant affecting New Market, Mechanicsville,

and Hollywood town centers) and policy recommendations; e.g., create an AICUZ around Webster field, create and RL transition zone, and plan to update the Lexington Park Development District (LPDD) Plan were highlighted.

Mr. Berlage said that the plan is a critical road map and once adopted (target date is December 15, 2009), will be the basis for a number of changes to zoning ordinances and maps. Updating of zoning ordinance is anticipated to start January 2010 and continue through the spring.

Public Testimony:

Commissioner President Russell opened the hearing for public testimony at 6:46 pm.

Robert Willey, 23919 Mill Cove Rd., California, MD 20619

Mr. Willey provided testimony requesting Mill Cove neighborhood be removed out of the Lexington Park Development District (LPDD).

- Waterfront in Critical Area
- Density of five (5) dwellings/acre inappropriate; some homes on 16/100 acre lots.
- Environmental impact of Myrtle Point (impervious surface runoff contributing to bacteria in Chesapeake Bay)
- Development should be directed toward areas with adequate roads and water/sewer.

Mr. Willey submitted a written copy of his testimony for the public hearing record.

Bill Guy, 21624 Oakley Rd., Clements, MD 20624

William Guy Jr., 38872 Chasko Rd., Abell, MD 20606

Mr. Bill Guy and Mr. William Guy Jr. both provided testimony in support of keeping the Clements boundary intact, (Planning Commission recommended reducing the Clements village center boundary).

Debby Shields, 24141 Mill Cove Rd., California, MD 20619

Mrs. Shields provided testimony requesting removing Myrtle Point peninsula out of the Lexington Park Development District (LPDD). She presented a petition of 518 citizen names that oppose changing the water and sewer category for the Mill Cove neighborhood (critical area). Petition was previously submitted to the Planning Commission.

Ms. Shields submitted a copy of the petition and summary for the public hearing record.

Greg Shields, 24141 Mill Cove Rd., California, MD 20619

Mr. Shields provided testimony requesting removing Myrtle Point peninsula out of the Lexington Park Development District (LPDD). He said this would be more in alignment with current/proposed comprehensive plan (referencing specific sections) and prevent further damage.

When questioned about acceptance of the one acre per dwelling, Mr. Shields said he does not find that extremely acceptable, but he would be willing to collaborate with the Planning Commission along with other citizens and the Board of County Commissioners.

Commissioner Mattingly questioned if the property is removed (from the development district) would the ability to put in water/sewer be eliminated. Staff responded, “not eliminate,” but (public) water/sewer is generally not run outside of the growth area.

Mrs. Debby Shields added concern about clustering (five acres but all five homes can be built close together), stating this we don’t want.

Mr. Shields submitted a written copy of his testimony for the public hearing record.

Raymond Dudderar, 45655 Swan Fallway, California, MD 20619

Mr. Dudderar said he had the same request once before, in conjunction with the Lexington Park Development District review; i.e., from Myrtle Point north (Route 4) everything should be removed from the LPDD. In addition to water/sewer, he also expressed concern for inadequate roads, traffic, and dense development in a critical area. Mr. Dudderar requested defining the Residential Low Density Transitional Zoning (with regards to density) at a minimum of one dwelling per acre.

Mr. Dudderar submitted a written copy of his testimony for the public hearing record.

Carleen Downs, 45309 Mill Cove Harbor, California, MD 20619

Ms. Downs provided testimony in request of removing Mill Cove neighborhood from the LPDD. Ms. Downs moved here in 2001. Because of sediment in yard, has invested in walls and plantings and sees a life-long battle with erosion and sediment control.

Paul Downs, 45309 Mill Cove Harbor, California, MD 20619

Mr. Downs provided testimony in request of removing Mill Cove neighborhood from the LPDD. Referring to the vacant homes at the Woods at Myrtle Point (358 home development), Mr. Downs added that the erosion and sediment control is detrimental to wildlife, the environment, and the water.

Mr. Downs submitted a written copy of his testimony for the public hearing record.

Joseph Cullison, 45382 Sypher Rd., California, MD 20619

Mr. Cullison said he seconded Mr. Dudderar’s comments and provided testimony in request of removing Myrtle Point from the LPDD. He said the first plan was to remove a section, but nothing happened. Referring to the Woods at Myrtle Point as a “failed development,” Mr. Cullison voiced concern about the inadequacy of roads and water/sewer, pollution and water overflows, and questioned having another development in the critical area. Mr. Cullison said that he had provided a letter to Mr. Reeves (Planning Commission) regarding his concerns.

Richard Huff, 24107 Mill Cove Rd., California, MD 20619

Mr. Huff said that he was in agreement with what the others are saying. He provided testimony about traffic problems (Rt. 235 to bridge) and the need for adequate roads (west

of Rt. 4 and Rt. 235). He said 28,000 cars drive on Rt. 4 (bridge) everyday. He also commented regarding the density of one house per acre being as already being too dense.

Ken Berry, 23989 Mill Cove Rd., California, MD 20619

Mr. Berry displayed a jar of water (water sample taken from his property/pier) and commented about the visibility (less than one inch). He said he periodically takes (and retains) water samples.

Jack and Karen Bailey, 38159 New Market-Turner Rd, Mechanicsville, MD

The Bailey's said they have a small family (parent's purchased) farm in New Market (Rt. 6) that and that he has purchased other adjoining pieces of property. His parent's property was zoned in the growth district. Commenting about the nearby gravel pit operations, development, and school district (Lettie Dent Elementary), Mr. Bailey provided testimony in support of and requested keeping his property in the growth district.

Garner Morgan, P. O. Box 338, Clements, MD

Dr. Morgan signed the sign-in sheet as wishing to speak, but declined when called by the Commissioner President.

Commissioner President Russell closed the public hearing at 7:31 pm and announced that written comments can be sent the BOCC. He also announced the second public hearing on the draft Plan will be Thursday, November 5, 6:30 pm, at St. Mary's College's Cole Cinema, and the third public hearing will be on Tuesday, November 17, 6:30 pm t the Northern Senior Center in Charlotte Hall.

Minutes Approved by the Board of County Commissioners on _____

Betty Jean Pasko, Sr. Admin. Coord. (Recorder)