

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING  
ROOM 14 \* GOVERNMENTAL CENTER \* LEONARDTOWN, MARYLAND  
Monday, August 27, 2007**

Members present were Steven Reeves, Chairman; Howard Thompson, Shelby Guazzo, Brandon Hayden, Susan McNeil, Merl Evans, and Lawrence Chase. Department of Land Use & Growth Management (LUGM) staff present were Denis Canavan, Director; Phil Shire, Deputy Director; Sabrina Hecht, Planner IV; Jeff Jackman, Senior Planner; Bob Bowles, Planner II; and Jada Stuckert, Recording Secretary. Deputy County Attorney, Colin Keohan was also present.

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

**APPROVAL OF THE MINUTES**

**PUBLIC HEARINGS**

Comprehensive Water and Sewer (CWSP) Text and Map Amendments

Public Testimony Supplemental Information A and B were provided to the Commission members prior to the meeting. Mr. Jackman gave an overview of the proposed July 2007 text and map amendments to the CWSP stating the public hearing was advertised in The Enterprise on 8/10/07 and 8/15/07. Jackman stated this plan also serves as the Town of Leonardtown's CWSP. Jackman stated we are expecting endorsement from the Town of Leonardtown for this plan. Ms. McNeill recommended adding a glossary to the CWSP amendments. Steven King of MetCom stated the former CIP located in the plan has been updated.

Mr. Reeves opened the hearing for public comment. Audrey Scott representing Chaney Enterprises (Maypole Road) testified they are opposed to changing their area to "No Planned Service". Glenn Gass (Maypole Road) testified on behalf of a property owner with 400 acres which is being considered for change to become "No Planned Service" and he and his client are opposed. Rob Cecil (Indian Bridge Road) testified his family owns 92 acres of historic property that will be affected by the "No Planned Service" classification change. Mr. Cecil requested an exception be made for his family's property because it is historical. Cynthia Frank (Magnolia Drive) testified the sewerage change does not affect her at this point in time however; she would like to obtain access to public water. Anthony Ferraro (Willis Drive) testified his septic system has failed twice in the past and is upset that his property is being considered for change to "No Planned Service". Mr. Ferraro stated with the past classification of W-6 and S-6 he at least had a possibility of hooking into public sewer. Mr. Ferraro stated it is unfair to change the classification now when his septic is failing. Noel Wood (Whitestone Place) testified he has out lots in a Planned Unit Development and asked if they would be affected by this change. Mr. King stated the out lots are not part of a consent agreement.

Robert Jarboe read a statement that was later submitted as part of the record, hereby recorded as Exhibit A for the record. Linda Vallandingham commented she agrees with Mr. Jarboe's statements that the proposed CWSP amendments are not consistent. Ms. Vallandingham read a statement that was later submitted as part of the record, hereby recorded as Exhibit B for the record. Joseph Goddard stated he owns property that has four (4) EDU's allocated already and asked what could be done to increase the amount of service for this location. Mark Cohen requested the record be left open for thirty days after the hearing for the public to submit additional comments. Joe St. Clair requested the hearing be extended and/or hold additional public hearings on this matter.

Ms. Guazzo stated she is concerned the amendment process to the water and sewerage plan, specifically the County Commissioners may direct the Planning Commission to delegate responsibility for holding a public hearing to the Land Use and Growth Management staff. Ms. Guazzo stated this new Comprehensive Water and Sewerage Plan should greatly reduce the

need for so many individual public hearings. Ms. Guazzo stated the public is accustomed to having public hearings at the Planning Commission level.

Ms. Guazzo stated she is concerned about the new language in this proposed plan about access for new development near the bay Interceptor. Ms. Guazzo stated this language seems to greatly encourage hookups to this sewer line. Ms. Guazzo stated this sewer line runs through the RPD area of the county, south of the Lexington Park Development District, a no-planned service area. Ms. Guazzo emphasized the statement in Chapter 4 page 19 concerning the need to identify land in the north end of the county for future sewerage treatment areas because of new severe restrictions on discharges into the Patuxent River. Ms. Guazzo stated the town centers of Charlotte Hall, New Market and Mechanicsville will need to plan for sewer treatment facilities in the near future. After further discussion it was the decision of the Commission to leave the hearing open for fourteen (14) days to receive additional public comment.

#### PUD #06-145-004 – St. Mary's Crossing, PUD

Mr. Bowles read the staff report which recommended approval stating there are a number of issues to be resolved, including adequate public facility requirements, environmental protection, workforce housing, and impact on and within the surrounding community and others that may be identified tonight during public comment. Mr. Bowles stated on-going meetings between the applicant and agency staff members have made fact of these concerns however, staff considers it prudent to move ahead and begin the formal hearing process to solicit input from the developer, neighboring community and the Planning Commission.

John Norris III gave an overview of the 249 acres for phase A and B of the planned unit development and the donated school site of 29 acres. John Norris Jr. gave an overview of the project stating they plan to only develop 44% of the acreage. Mr. Evans asked if the Rivers Association was contacted in regards to the pond. Mr. Norris III stated yes, and they were provided with a copy of the site plan. Mr. Norris III stated the Rivers Association recommended additional buffering which was incorporated in the site plan. Mr. Norris Jr. stated the main access road will be built to County standards and will include two round-a-bouts to slow and redirect traffic towards the secondary roads. Mr. Dan Ichniowski further commented on the location and county requirements for the roads, right-of-ways, round-a-bouts, and traffic study.

Mr. Norris Jr. gave an overview of the work to be done on the dam stating it would take six 6x6 cross culverts. Ms. Guazzo stated she would like to have a copy of Soil Conservations TEC comments. Dan Ball gave an overview of the different types of housing proposed including duplex, townhouses, and single-family homes. Mr. Norris III asked the Commission to highlight the recommended approval condition number three regarding the traffic light. Mr. Norris Jr. provided the Commission with supplemental information as follows for the record.

- Supplemental Information A: St. Mary's Crossing Planning Commission Presentation
- Supplemental Information B: Letter to Denis Canavan, From Norris Dudderar P.C., Dated August 27, 2007, Regarding changes to the development plan.
- Supplemental Information C: St. Mary's Crossing pictures of proposed housing units. 16 Pages including front and rear cover pages.

Mr. Groeger of DPW&T stated they have reviewed the PUD and have some concerns including possible impact to landfill, access, stormwater management, traffic flow, etc. Mr. Groeger stated DPW&T is working with the applicant to address these concerns and provided the Commission with supplemental information as follows for the record.

- Supplemental Information D: Letter to Denis Canavan, From John Groeger, dated July 3, 2007 in regards to St. Mary's Crossing PUD

Jackie Meiser stated the applicant and the Board of Education are negotiating amendments to the agreement for the school site. Ms. Meiser stated the negotiations are in regards to the Planning Commission approval condition number six as it pertains to the utilization of Johnson Pond Road. Ms. Guazzo asked that the Commission be provided a copy of the agreement between the applicant and the Board of Education.

Mr. Reeves opened the hearing for public comment. Mary Ruth Horton submitted for the record a petition from the concerned citizens, hereby labeled for the record Exhibit A. Ms. Horton stated her concerns are the necessity for a stop light at St. Andrews Lane, school safety, viable second entrance, water table/sewerage, and environmental issues concerning the pond. Ilene Hessler stated she wants to see a traffic light on St. Andrews Lane and does not want any grandfathering. Mr. Hessler asked the Commission to give this project a lot of thought prior to a final decision. Andy O'Yea stated there is a 60 foot right-of-way on his property which contains 20.6 acres for this application. Mr. O'Yea stated he feels he was jerked around by the applicant in regards to this right-of-way. Mary Broadhurst stated she is concerned about the environmental integrity of the development. Ms. Boardhurst stated she is concerned about the wildlife on the property, including the ponds. Ms. Boardhurst asked if the applicant would need to have a permit from MDE. The Environmental Counselor for the applicant explained they are in negotiations with MDE and DNR regarding the environmental status of the property and working to obtain the MDE permit. Ms. Broadhurst asked the Commission to consider requiring the applicant to leave the pond alone and not allow canoes or boaters access to the pond. John Backstand stated he is concerned about the traffic and requested a traffic light be installed prior to the development of the property.

Ms. Guazzo stated, after reviewing the site plan, a portion of the parcel is not located in the Lexington Park Development District therefore this application can not be a PUD. Ms. Guazzo stated she would need answers regarding this at the next meeting. ***Ms. Guazzo made a motion to leave the hearing open to receive public comment and continue the case to October 22, 2007 and Ms. McNeil seconded. The motion passed by a 7-0 vote.***

DRARA #07-146-001 – St. Mary's Crossing

Mr. Reeves opened the hearing for public comment. Ms. Guazzo made a motion to leave the hearing open to receive public comment and continue the case to October 22, 2007 and Mr. Thompson seconded. The motion passed by a 7-0 vote.

## **ANNOUNCEMENTS**

## **ADJOURNMENT**

The meeting was adjourned at 10:45 p.m.

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Jada Stuckert  
Recording Secretary

Approved in open session:      September 24, 2007

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Stephen T. Reeves  
Chairman