

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING  
CENTER HALL \* SOUTHERN MARYLAND HIGHER EDUCATION CENTER  
44219 AIRPORT ROAD \* CALIFORNIA, MARYLAND  
Monday, November 8, 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; Sue Veith, Environmental 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, and Assistant County Attorney Heidi Dudderar were also present.

The Chair called the meeting to order at 6:32 p.m.

**APPROVAL OF MINUTES** – The minutes of October 25, 2004 were approved as recorded.

**DEVELOPMENT REVIEW**

**CCSP #02-132-005 – FIRST MISSIONARY BAPTIST CHURCH**

The applicant is requesting review and re-approval of a concept site plan for a 36,307 square foot church. The property contains 11.56 acres, is zoned Residential Mixed Use (RMX) and is located on the north side of Pegg Lane approximately 400 feet west of its intersection with Pegg Road; Tax Map 43, Grid 15, Parcel 474.

Owner: First Missionary Baptist Church  
Agent: Billy Mehaffey, of Mehaffey & Associates, PC

Mr. Shire explained that this site plan was reviewed and approved by the Planning Commission on December 9, 2002. The one year allowed duration of a concept approval has expired, and the applicant has requested re-approval of the same site plan.

**Mr. St. Clair moved that having accepted the staff report, dated October 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. Thompson and passed by at 7 – 0 vote.**

**SSUB #95-2434 – GREENBRIER SUBDIVISION, Section 3**

The applicant is requesting preliminary review and approval of a 32-lot major subdivision. The property contains 14.63 acres, is zoned Residential Low Density (RL), and is located on the west side of Hermanville Road approximately 1 mile south of its intersection with MD Route 235; Tax Map 51, Grid 18, Parcel 606.

Owner: Millison Development, Inc.  
Agent: John B. Norris, Jr., of NG&O Engineering, Inc.

**Mr. Reeves moved that having accepted the staff report, dated October 28, 2004; and having made a finding of adequate facilities except for stormwater management, as**

**noted on the checklist in the file; and noting that this project must meet all TEC requirements and return to the Planning Commission for final approval; the Planning Commission grant preliminary subdivision plan re-approval, as requested. The motion was seconded by Mr. Greenwell and passed by a 7 – 0 vote.**

## **PUBLIC HEARING**

### **LEXINGPARK DEVELOPMENT DISTRICT MASTER PLAN**

#### **Planning Commission Working Draft – October 4, 2004**

The legal ad for the public hearing was published in the Enterprise on 10/20/04 and 10/27/04.

Jeff Jackman provided an overview of the October 4, 2004 Working Draft of the Lexington Park Development District Master Plan. He described some of the changes being recommended from the March 2004 draft of the plan including additions to, as well as deletions from, the Development District.

The Chair opened the hearing to public comment.

Bob Lewis, from the Potomac River Association, spoke in support of an integrated community of nature and man-made, people and animals. He reminded the Planning Commission members that he had spoken in support of removing Myrtle Point Park, and the area just south of the park, from the Development District at the public hearing in May. He said that he was disappointed to hear that it might now be returned to the Development District in the Master Plan.

Paul Summers, of P. F. Summers, said that he has assembled several properties at the intersection of MD Route 235 and Shady Mile Drive. He requested that the zoning for these properties along MD Route 235, and extending back to the wetlands, be changed to Community Commercial (CC). He explained that he has the ability to buffer himself with other adjacent properties he has assembled. He also requested that the zoning for the adjacent properties be changed to Residential Low Density (RL).

Robert Jarboe, a Leonardtown resident, read a prepared statement in opposition of enlarging the Lexington Park Development District. He said that he felt that the only reason the enlargement of the Development District was being proposed was to get a school site, and to keep that school site in the Development District. He said that if the Adequate Public Facilities provision in the St. Mary's County Comprehensive Zoning Ordinance was followed and no developments were exempt, then the needs for expansion of existing schools and new school sites would be met. He presented the Planning Commission with signatures from 131 people supporting his views regarding adequate public facilities.

Suzanne Henderson, a California resident, said that she was pleased with the environmental criteria that was part of the Plan but was concerned that all sensitive lands might not be adequately protected. She said that since this plan is not a specific process, with measurable development criteria, she is concerned with how compliance can be enforced. She feels that this Plan should make a point of providing specific protection to the Lower Patuxent River Watershed because it is the largest watershed in the Lexington Park Development District. Ms. Henderson also said that she supports removing Myrtle Point Park from the Development District.

Doris Bean, an Indian Bridge Road resident, said that she is concerned with the watershed project in the area and with the decrease in forest due to increased development and housing projects. She said that flooding is a concern when it rains excessively and the lake overflows, causing further flooding in Great Mills.

Chip Dudderar, a resident of California near Myrtle Point Park, said that he couldn't find answers to his questions in the Lexington Park Development District Master Plan. He said that he found the Plan vague, inconsistent, and incomplete. He questioned the waiving of impact fees, the inclusion of Patuxent River Naval Air Station in the Development District, the inconsistency in addressing environmental issues, and the relationship between the Development District and the water supply.

Frank Taylor, who has operated a business on Great Mills Road since 1950, said that he thinks that the Development District is already extremely large and he sees no reason for it to be expanded further. He suggested that it is important to keep Great Mills Road in mind as a Commercial Corridor that services Lexington Park, and to keep options open with regard to Great Mills Road.

Linda Vallandingham, an Indian Bridge Road resident, said that she spoke on behalf of 89% of the residents on and in the areas adjacent to Indian Bridge Road. She spoke in opposition to the proposed school site on Indian Bridge Road, as well as the proposed Williams Run Development (the Beavan property). She stressed the importance of protecting the watershed and the rural areas of the County.

Charlotte Norris, another Indian Bridge Road resident, explained that she has nothing against sensible growth but does feel that the rural areas and character of the County need to be protected and preserved. She questioned why, if the proposed school site property was purchased to protect the watershed, the watershed no longer needs to be protected.

David Dudzic, a resident of Long Bow Drive off of Indian Bridge Road, cautioned the Planning Commission to consider possible increases in crime, and to develop wisely to protect the integrity of the aquifers.

Suzi Raley, who owns property on Three Notch Road directly across from First Colony, explained that she received a letter from State Highway Administration which states the "highest and best use" of her property is the implementation of commercial or industrial utility. She requested that her property be rezoned from RMX (Residential Mixed Use) to Commercial since her property is in the Lexington Park Development District.

Bubby Norris, president of the St. Mary's County Farm Bureau and a resident of Chaptico, said that he feels that there is no need to further expand the Lexington Park Development District at this time. He said that he supports mandatory clustering, improvement in the TDR (Transferable Development Rights) program, and feels that any new school construction should occur within the existing Development District. He feels that growth should be curtailed until schools catch up with need. Mr. Norris said that he agreed with the comments made by Mr. Jarboe and Ms. Vallandingham.

Donnie Tennyson, a Dameron resident, agreed with the comments of Mr. Jarboe, Ms. Bean, Mr. Taylor, Ms. Vallandingham, and Ms. Norris, Mr. Dudzic, and Mr. Norris. He proposed that the area between Park Hall Elementary School and Willows Road should be taken out of the Development District, and that the area between Park Hall Elementary School and Great Mills Road should be kept in the Rural Preservation District (RPD).

Donna Buffin, a resident of Victorian Drive, spoke in opposition to the Indian Bridge Road school site and the proposed Williams Run development. She said is primarily concerned with the displacement of the local wildlife, and with the increased likelihood of traffic accidents that would come with a major increase in traffic flow on Indian Bridge Road. She said that she was sure that a majority of the residents don't want this type of development in this area.

Dr. Robert Paul, a resident of Lexington Park, said that he is primarily concerned with the environmental integrity of the watersheds and the Development District, in general. He said that

he is opposed to expanding the Development District along Indian Bridge Road, feeling that the property was set aside for environmental protection and that those concerns for the environment are real. He said that he thinks that it is important to protect the watersheds by having buffers.

Joan Poor, an Environmental Economist and Hollywood resident, presented research on the value of preserving the environment on property values. She said that, on average, property values decline significantly within the watershed as the water quality is degraded due to increases in impervious surfaces and runoff, because people do desire to live in a clean environment. She said that preserving open space maintains individual property values.

Thomas Combs, an Indian Bridge Road resident, explained that his family sold the property which is now proposed as a school site. They sold it to the state of Maryland as a part of runoff & watershed property for the St. Mary's River. He understood that the property would be used as a game reserve and watershed. He asked why anyone would want to build a school on top of a watershed, and said that he is definitely opposed to the plan.

Raphael Guenther, a resident of Magnolia Drive off of Indian Bridge Road, said that currently there are about 3 school buses in the morning and 3 school buses in the afternoon on the wrong side of the road near Cecil's Mill due to the road alignment there. He asked what would happen when there were 40 buses on the wrong side of the road every day due to the fact that a school is located on Indian Bridge Road. He also spoke in opposition of further intense development in Wildewood.

Kara Mattingly, on behalf of Tana Glockner, read a statement concerning properties directly across MD Route 235 from First Colony. She asked that the properties along this corridor be rezoned to commercial.

Donald Strickland, a resident of Strickland Road off of Chancellors Run Road, asked why the Development District needed to be enlarged when areas of the existing Development District are currently deserted. He suggested that future development be "forced" into the already developed areas. Mr. Strickland said that he didn't feel that taxpayers' money should be spent to purchase land to prevent further flooding due to overdevelopment.

**The Chair closed the public hearing, leaving the record open for ten (10) days for written comment.**

## **DISCUSSION/REVIEW**

### **HERITAGE MANOR**

John B. Norris, III, the County Attorney, spoke regarding the requirements of Article 9, Section 506 of the Environment Article of the Annotated Code of Maryland for the Planning Commission to make findings on each of seven points, regardless of whether their recommendation is for approval or denial of the applicant's request. The motion made on CWSP #04-120-016, Heritage Manor Subdivision, at the Planning Commission Meeting on October 12, 2004 addressed one of these points, and did not mention the other six required points. He requested that the Planning Commission consider re-opening the discussion at the next meeting and addressing the remaining points which need to be addressed at that time in order to clarify any motion made. Mr. Taylor said that this would be done at the next meeting, as requested.

## **ADJOURNMENT**

The meeting was adjourned at 8:29 p.m.

---

Sharon J. Sharrer  
Recording Secretary

Approved in open session: November 22, 2004

---

John F. Taylor, Sr.  
Chairperson