

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Monday, May 24, 2010**

Members present were Brandon Hayden, Chairman; Shelby Guazzo, Joe Meinert, Susan McNeill, Merl Evans, Martin Siebert, and Lawrence Chase. Department of Land Use & Growth Management (LUGM) staff present were Derick Berlage, Director; Bob Bowles, Planner IV; David Chapman, Capital Facilities Planner; Dave Berry, Planner II; and Jada Stuckert, Recording Secretary. County Attorney Christy Chesser was also present.

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

APPROVAL OF THE MINUTES – The minutes of May 10, 2010 were approved as presented.

DECISION

CWSP #09-200-003 – Multiflora Estates

Mr. Chapman gave an overview stating at the time the post-hearing staff report was mailed to the members only one written comment had been received. Mr. Chapman stated since that time two additional comments were received and have been distributed to the members prior to this meeting.

Ms. Guazzo addressed some of the concerns listed in Mr. Roach's letter stating we are concerning ourselves with the Water and Sewer Category Change for water service to this acreage and where the water will come from the **Patapsco** Aquifer. Ms. Guazzo stated we are not approving anything about this subdivision except for a change in category for the water and sewer service. Ms. Guazzo stated any maps that the applicant's agent has shown anyone, except for the five lots that have final approval and the 19 lots that have preliminary approval, are not being approved by the Planning Commission tonight. Ms. Guazzo stated the concerns regarding multiple lots are not being discussed as we do not know what staff will recommend and/or if the round-a-bout would be approved. Ms. Guazzo stated these are all items that will be reviewed by staff and the Planning Commission at a future date.

Ms. McNeill asked if there were to be additional lots approved would they have to go through this same process and be a part of this community water system. Mr. Chapman stated yes. Ms. McNeill stated it seems to be that Mr. Roache's concerns are that we will be increasing the number of lots in this area as well as utilizing the Aquia Aquifer would be alleviating the burden on the **Patapsco** Aquifer. Mr. Chapman agreed.

Mr. Meinert commented, the staff report as written is a good example of the Comprehensive Plan. Mr. Meinert stated a number of comments at the public hearing revealed owners are afraid of having to connect to the water system and asked if this is in fact the case. Mr. Chapman stated if they are within 200 feet of the line and/or abut the line they would be required to connect however both lines will be within the subdivision itself there they would not be required to connect unless they live in the subdivision itself.

Ms. Guazzo stated she has a concern with this property and the timing of the request considering we have a new Comprehensive Plan and are in the process of updating the Comprehensive Zoning Ordinance. Ms. Guazzo stated while the applicant has indicated that they would be happy with the RW-D classification she would rather hold off on voting on this process however, if a vote is necessary she would like to have a letter from the applicant stating he will stick with the RW-D classification. Ms. McNeill stated she agrees and asked if we can make our motion for approval and make this a condition of the approval. Mr. Chapman stated the requirement for the RW-D category is in the Comprehensive Water and Sewer Plan and the W-3D category is no longer available to this property as it is not located in the town center.

Mr. Randy Barrett, representative for the applicant stated the reason the application was made for the W-3D classification was because at the time the property was in fact located in the town center. Mr. Barrett stated when the Comprehensive Plan was approved this property was removed from the town center therefore we have no issue with the RW-D classification as long as it does not affect the underlying zoning.

Mr. Evans made a motion in the matter of Multiflora Estates, Case CWSP #09-200-003: having accepted the staff report dated April 21, 2010, and having held a public hearing on the request for amendment of the St. Mary's County Comprehensive Water and Sewerage Plan (CWSP), and having made findings of adequacy with respect to the objectives and policies of the CWSP as required by the Environment Article of the Maryland Annotated Code and of consistency with the St. Mary's County Comprehensive Plan, I move that the Planning Commission forward to the Board of County Commissioners a recommendation to amend service area map III-9 to change the service category from W-6D (service in 6 to 10 years, developer financed) to RW-D (rural service, developer financed) for property described as Tax Map 9, Grid 8, Parcels 369 (Outparcel A), 47 (Outparcel B), 370 (Outparcel C), and 353 (Lots 1-5) in the 5th Election District; I further move that the Chair be authorized to sign a resolution on behalf of the Planning Commission to transmit this recommendation to the Board of County Commissioners and Ms. McNeill seconded. The motion passed by a 6-1 vote with Ms. Guazzo opposed.

DEVELOPMENT REVIEW

CCSP #08-132-004 – Comfort Inn Suites

Mr. Berry gave an overview of the request for a hotel site stating the final findings for adequate public facilities will be made administratively by the Planning Director, as a prerequisite to final site plan approval and three TDRs will be required for final approval.

Mr. Meinert asked if the easement on the front of the property has an existing State Highway easement. Mr. Berry stated yes this easement has been in place since the 1940's and the State has no issue with this easement being used. Mr. Meinert asked how the interparcel connector gets recorded. Mr. Berry stated this would be finalized by the final site plan.

Ms. Guazzo asked for the height of the building. Mr. Berry stated general note six says it is 50 feet which is acceptable outside the AICUZ. Ms. McNeill asked how this property connects to the property to the south. Mr. Berry stated it currently stubs off until the southern property is developed then this would be connected. Ms. Guazzo asked if we are approving 5 stories or simply 50 feet. Mr. Berry stated each story is 1 story therefore 50 feet is considered accurate. Ms. McNeill asked if this is compatible with other hotels in the area. Mr. Berry stated yes. Mr. Meinert stated where the new interparcel connector is in the rear of the property it looks to run into several property lines. Mr. Meinert stated perhaps it should be realigned so that we are not crossing any property lines. Mr. Berry stated this could be revisited. Mr. Hayden asked if the movie theater connection has been solved. Mr. Berry stated there is a bit of a gap but we can only ask the applicant to build the sidewalk up to the property line.

Mr. Billy Mehaffey stated gave a brief overview of the project showing the Planning Commission the originally approved plan stating we have reoriented the building to provide for more open space on the property as well as adequate parking.

Ms. McNeill made a motion in the matter of CCSP #08-132-004, Hotel site PC Patel, having accepted the staff report and having made a finding that the objectives of Section 60.5.4 of the zoning ordinance have been met, and noting that the referenced project has met all requirements for concept approval, I move that the concept site plan be approved and Mr. Siebert seconded. The motion passed by a 7-0 vote.

DISCUSSION

Referencing the upcoming public work sessions regarding the draft Zoning Maps and Comprehensive Zoning Ordinance Text

Mr. Berlage gave an overview of the draft agendas for the upcoming work sessions.

ADJOURNMENT

The meeting was adjourned at 7:40 p.m.

Jada Stuckert
Recording Secretary

Approved in open session: June 14, 2010

Brandon Hayden
Chairman