

**MINUTES OF THE ST. MARY'S COUNTY BOARD OF APPEALS MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Thursday, February 9, 2012**

Members present were Howard Thompson, Chairman; Randy Guy, George T. Edmonds, Robert Moreland and Ronald Payne. Alternate Mike Mummaugh was also present. Department of Land Use & Growth Management (LUGM) staff present were Phil Shire, Director; Yvonne Chaillet, Zoning Administrator; and Jada Stuckert, Recording Secretary. Attorney George Sparling was also present.

A sign-in sheet is on file at LUGM. The Chair called the meeting to order at 6:05 p.m.

PUBLIC HEARINGS

CUAP #10-131-022 – Knott Family Farm Meat Processing Facility

Chairman Hayden stated for the record, this case is being continued from the January 26, 2012 hearing. Chairman Hayden stated tonight we will be hearing rebuttle from both parties, have questions from the Board, and lastly closing arguments from both sides.

Mike Nagy representing the opposition, presented standards for minimum designs for truck and bus turns for the record, **hereby labeled as Exhibit 1 by the Recording Secretary**. Chris Longmore objected stating these regulations are from Texas and possibly do not apply here in Maryland. Mr. Longmore further objected to Mr. Nagy providing testimony to the Board tonight. Mr. Sparling stated it is within the Board's discretion as to whether or not they will accept the received documents as evidence. Mr. Moreland stated he is not willing to accept the exhibit unless Mr. Nagy is a certified expert on the turning radius of trucks. The consensus of the Board was to not accept the exhibit. Mr. Nagy asked that the map providing turning radius be included in the record, **hereby labeled as Exhibit 2 by the Recording Secretary**. Mr. Hayden asked if Mr. John Groeger, Deputy Director of the Department of Public Works and Transportation, would feel comfortable discussing the information provided tonight. After further review, Mr. Shire and Mr. Groeger agreed the map is to scale. Mr. Groeger indicated trucks can maneuver in as many turns as they need to. Mr. Nagy asked how large the vehicle was that was witnessed in the field. Mr. Longmore provided a photo of the truck in question for the record, **hereby labeled as Exhibit 3 by the Recording Secretary**. Mr. Nagy submitted four (4) photos for the record, **hereby labeled as Exhibit 4 by the Recording Secretary**. Mr. Longmore does not object to the photos being submitted however does object to the testimony given tonight by Mr. Nagy.

Mr. John Groeger, Deputy Director of the Department of Public Works and Transportation was sworn for the record. Mr. Groeger reviewed the map in question. Phil Shire, Director of Land Use and Growth Management were sworn for the record. Mr. Shire questioned the accuracy of the scale on the map.

Mr. Longmore questioned Mr. Groeger and the review given to this project by the Department of Public Works and Transportation. Mr. Groeger stated he measured the road width and it is 18 feet at 4 different points and 1 point was only 17 feet. Mr. Nagy asked if there was a standard minimum width for County Roads. Mr. Groeger stated yes, it is 18 feet. Mr. Longmore asked if the one small portion of 17 feet changed his opinion of the approval. Mr. Groeger stated no.

Mr. Sparling stated he provided the Chairman CD from the opposition with additional information regarding the case for the record, **hereby labeled as Exhibit 5 by the Recording Secretary**.

Ms. Walker provided rebuttle testimony addressing all questions and concerns mentioned at the public hearing. Mr. Nagy provided closing arguments. Mr. Longmore provided closing arguments.

Mr. Edmonds made a motion to accept the staff report and Mr. Moreland seconded. The motion passed by a 5-0 vote.

Chairman Hayden summarized the case as it has been presented on January 26, 2012 and tonight. Mr. Sparling asked that the Board give their opinions tonight so that findings of fact can be drafted and decision be made at the next meeting. It was the consensus of the Board to approve the request.

MINUTES AND ORDERS APPROVED

The minutes of January 26, 2012 were approved as recorded.

The Board authorized the Chair to review and sign the following orders:

ZAAP #07-0118 Rice/Kuzmick

ADJOURNMENT

The meeting was adjourned at 8:40 p.m.

Jada Stuckert, Recording Secretary

Approved in open session: February 23, 2012

George Allen Hayden
Chairman