

ST. MARY'S COUNTY

BOARD OF COUNTY COMMISSIONERS' MEETING

GOVERNMENTAL CENTER

Tuesday, August 8, 2006

Present:

Commissioner President Thomas F. McKay
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
George G. Forrest, County Administrator
Betty Jean Pasko, Senior Admin. Coordinator (Recorder)

The meeting was called to order at 9:15 AM

Commissioner McKay announced that there will be a Special Commissioner's Meeting on Thursday, 8/10 at 9:30 AM, for the purpose of a Rural Legacy Action. The meeting will be at 21078 Three Notch Road, Lexington Park, MD.

Commissioner Mattingly requested that the letter concerning the David Hall property annexation be placed on the agenda versus a consent letter. The letter was subsequently added to County Administrator list for discussion.

APPROVAL OF CHECK REGISTER

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register for checks dated 8/8/06 as presented. Motion carried 5-0.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners' meeting of August 1, 2006, as presented. Motion carried 5-0.

County Administrator

1. Draft Agenda for August 22, 2006 (there will be no BOCC meeting on August 15, 2006)
2. **Sheriff's Dept.** (Sheriff David Zylak; Erin Shoemaker, Fiscal Manager)

Commissioner Mattingly moved, seconded by Commissioner Raley, to authorize the Finance Department staff to proceed with preparing a Resolution for Board approval to increase the authority for exempt financing for FY2007 by \$120,000 for the purpose of funding the additional costs associated with the Sheriff's vehicles. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the COPS Law Enforcement Technology grant application package. Motion carried 5-0.

3. Department of Recreation, Parks, and Community Services (*Phil Rollins, Director, RP&CS*)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Budget Amendment decreasing the Portable Toilets/Trash Removal Grant project MD0707 budget by \$4,475, aligning the project budget with the actual grant award. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the FY08 Waterway Improvement Fund Application and Project Agreement forms. Motion carried 5-0.

4. Department of Public Works and Transportation (*George Erichsen, P.E., DPW&T Director;*
)

Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Budget Amendment for \$58,764, realigning the State Aid funding obligation in the amount of \$320,000 for the Pegg Road Extended Project (HW0601). Motion carried 5-0.

5. Information Technology, Land Use and Growth Management, and Department of Public Works and Transportation (*Bob Kelly, Director IT; Denis Canavan, Director, LU&GM; George Erichsen, P.E., DPW&T Director;*)

Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize posting Geographic Information System (GIS) layers on the County Website, allowing entire dataset downloading; which will allow users to access the most current GIS information available, without staff intervention. Motion carried 5-0.

6. Department of Finance (*Elaine Kramer, Chief Finance Officer*)

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Budget Amendment to realign funding sources of \$384,398 between Transfer Tax in the Asphalt Overlay Project; and, Bonds sold in the College of Southern Maryland Humidity Project; and to approve and sign the Ordinance to effect the re-alignment of the 2003 General Obligation Bond proceeds, in the amount of \$384,398, to properly reflect the 2003 General Obligation Bond impact of the budget amendment. Motion carried 5-0.

Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign the Budget Amendment transferring Transfer Tax and Pay-go from the FIN06 CIP Reserve to the FIN07 CIP Reserve and allow remaining funds of \$1,164,041 to lapse or fall to fund balance by increasing the budget authority available for CIP in FY2007 by \$239,750, using the least restrictive CIP funding left after close-outs and adjustments for FY2006; thus, allowing the budget authority that had been associated with the specific purpose funds (State and Federal) to lapse and allowing the budget authority of the "unsold bonds" to lapse because no sale is planned in FY07. Motion carried 5-0.

7. Walden-Sierra (*Kathleen O. O'Brien, Ph.D, Executive Director*)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Grant Agreement between the Maryland Department of Human Resources and the Board of County Commissioners for the

provision of services to victims of crime and the related sub-recipient agreement. Motion carried 5-0.

8. Land Use & Growth Management (Denis Canavan, Director LU&GM)

Commissioner Mattingly moved, seconded by Commissioner Dement, that the Board approve and authorize signature of the letter in consideration for the David Hall property for annexation into the town Leonardtown and that the Board expressed no opposition to the rezoning of the property in accordance with the Town zoning laws. Motion carried 5-0.

Department of Human resources: Decision Re: Fifth amendment to sheriff's office retirement plan

Present: Sue Sabo, HR Director

Ms. Sabo presented the Resolution outlining the proposed changes to the Sheriff's Office Retirement Plan Document. The Public Hearing was held on July 25, 2006. The effective date of the Resolution is September 1, 2006.

Commissioner Jarboe moved, seconded by Commissioner Dement, that the Fifth Amendment to the Sheriff's Office Retirement Plan, as presented today by staff, be approved and incorporated into the Sheriff's Office Retirement Plan Document. Motion carried 5-0.

County Attorney's Office: Proposed Resolution to Provide for Additional Seat on the Domestic Violence Council

Present: Christy Chesser, County Attorney

Ms. Chesser presented an Amendment to Resolution 2006-48 to add one representative from the St. Mary's Commission on Women to the St. Mary's County Family Violence Coordinating Council.

Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and sign the Resolution amending the membership by adding a member from the Commission on Women to the St. Mary's County Family Violence Coordinating Council. Motion carried 5-0.

Dept. of Land Use and Growth Management: Decision on Proposed Major Amendment to Res. "Patuxent Park West" #Z82-23 for Shady Knolls, Sec. 2, ZPUD#06-14500001, to Convert Part of Commercial Component to Residential and Increase Overall Density

Present: Phil Shire, Planner, LU&GM

The Public Hearing was held on July 18, 2006. The Department of Land Use and Growth Management received no public comment during the 10-day open record period since the hearing.

Commissioner Raley moved, seconded by Commissioner Dement, that in the matter of ZPUD #06-14500001, Shady Knolls (AKA Patuxent Park West) PUD Amendments, to convert approximately 11.2 acres currently designated for commercial use to residential

use, and, to increase the residential density from 5.4 dwelling units per acres to 5.9 units per acre to allow 60 dwelling units; having accepted the staff report and having found that the requested major change as defined in Section 44.4.4 of the Comprehensive Zoning Ordinance is: consistent with the intent of PUDs in general, compatible with the surrounding development, compatible with the County Comprehensive Plan and the underlying RL zone and the proposal is in accordance with the findings outlined in Section 44.4.2.b as part of final plan approval, I move that the proposed Amendment be approved and that also the accompanying Ordinance be approved. Motion carried 5-0.

Commissioner's Time

Commissioner Jarboe

Apologized to the Friends of St. Clements Island Museum; intended to be at the groundbreaking over the weekend but had two vehicles break down while enroute. Wished them well and is looking forward to the ribbon cutting; and hoped everyone had a nice weekend.

Commissioner Raley

Acknowledging the hot weather we've been having in St. Mary's County, expressed appreciation for the Detention Center Correctional Officers, working in heat 24/7 with uniforms and equipment not conducive to hot weather. They do a good job all the time, and we appreciate what they do, just want to pass it on.

Commissioner Dement

Toured some of the "Night Out" sites on Tuesday; i.e. Woodland Acres, Heards Estates, & Cherry Cove Builders (Indian Bridge apartments, Greenview Village apartments, and Lord Calvert). It was nice to see the kids enjoying themselves, great food, music, games, and fun.

Attended the groundbreaking at St. Clements.

Participated in the tour (school site, Lexington Park Manor and the Leonardtown Square) with Gov. Ehrlich last Thursday.

Extended condolences to Phil Rollins, on the recent loss of his mother.

Commented that the Beach Party on the Square at Leonardtown was successful and a great event.

Commissioner Mattingly

Stopped by the New Horizons Summer Camp which is coordinated by Christy

Bishop, Therapeutic Recreation Specialist with Recreation & Parks Dept. Had the opportunity to speak with some of the volunteers, some of which have been with the program 25 – 30 years, their commitment is gratifying. Congratulations to Christy and Art Shepard and everyone else involved in that program.

Participated in the St. Mary's Co. Dept. of Public Safety Hurricane Preparedness Table Top Exercise (mock hurricane exercise) on Wednesday. It was nice to see so many people taking the

time out to participate. Understand that the exercise went well and they are getting some good feedback.

Congratulated the St. Clements Island 100 on their groundbreaking. They are a hard working group of people, focused on their mission.

Commissioner McKay

Congratulations to all the neighborhoods participating in the "Night Out". The community leaders that pulled that together are to be commended. Commented on the importance of community safety and the importance of knowing your neighbors and each other in the community.

Beach party was great; the Mayor, Town Council, and the citizens in Leonardtown are to be commended.

Hollywood carnival completed their two weekends.

There will be a joint Public Hearing tonight (Board of County Commissioners and the Planning Commission) at the Higher Education Center. Subject will be Comprehensive Rezoning of Properties in the Lexington Park Development District.

VOTE TO MOVE INTO EXECUTIVE SESSION

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to enter into Executive Session for the purpose of discussing real property disposition as provided for in Article 24, Section 4-210(a)11. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Raley, to enter into Executive Session for the purpose of discussing litigation, as provided for in Article 24, Section 4-210(a)8. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Dement, to enter into Executive Session to discuss Personnel matters, specifically reclassifications and boards and committees, as provided for in Article 24, Section 4-210(a)1. Motion carried 4-1; Commissioner Jarboe voted against the motion.

EXECUTIVE SESSION

Real Property

Present: Commissioner Thomas F. McKay, President

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley

George Forrest, County Administrator

Christy Chesser, County Attorney

Phil Rollins, Director, Recreation, Parks & Community Services

Liz Passarelli, Real Property Manager

Donna Gebicke, Administrative Assistant to the BOCC, Recorder

Authority: Article 24, Section 4-210(a)11

Time Held: 10:48 am – 11:21 am

Action taken: The Commissioners discussed real property acquisition.

Personnel

Present:

Commissioner Thomas F. McKay, President

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley

George Forrest, County Administrator

Sue Sabo, Director, Human Resources

Donna Gebicke, Administrative Assistant to the BOCC, Recorder

Authority: Article 24, Section 4-210(a)1

Time Held: 11:23 am – 11:35 am

Action taken: The Commissioners discussed personnel

Personnel

Present:

Commissioner Thomas F. McKay, President

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley

Delores Lacey, Appointments Secretary

Donna Gebicke, Administrative Assistant to the BOCC, Recorder

Authority: Article 24, Section 4-210(a)1

Time Held: 11:36 am – 11:51 am

Action taken: The Commissioners reviewed applications for boards and committees.

ACTION FROM EXECUTIVE SESSION

Commissioner Mattingly moved, seconded by Commissioner Dement, to direct staff to proceed with reclassification of the Court Administrator position as discussed in Executive Session. Motion carried 4-1; Commissioner Jarboe voted against the motion.

Commissioner Mattingly moved, seconded by Commissioner Dement, to direct staff to proceed with reclassification of the Chief Investigator position as discussed in Executive Session. Motion carried 3-1; Commissioner Jarboe voted against the motion and Commissioner McKay abstained.

COLLEGE OF SOUTHERN MARYLAND

Present:

Dr. Bradley Gottfried, President, College of Southern Maryland
Dean F. J. Talley, College of Southern Maryland, Leonardtown Campus
Jamie Raley, CSM Board of Trustees

Mr. Raley introduced Dr. Bradley Gottfried, the new President of the College of Southern Maryland. Dr. Gottfried stated that he is very impressed with the Leonardtown campus and is dedicated to making CSM as good as it can be. Dr. Gottfried indicated that he is planning to work with local employers to help determine needs and structure educational programs and services to support those needs.

He further stated that he is looking forward to working with and being actively involved in community.

Visits to Local Businesses

The Commissioners recessed and reconvened at BAE Systems, located in Lexington Park. The Commissioners also visited MetroCast Communications, located in Hollywood, and Tidewater Dental, located in Lexington Park.

JOINT PUBLIC HEARING: BOARD OF COUNTY COMMISSIONERS AND PLANNING COMMISSION

A Joint Public Hearing with the Board of County Commissioners and the Planning Commission was held at the Southern Maryland Higher Education Center, located at 44219 Airport Road in California, MD. The purpose of the Joint Public Hearing was to receive public testimony regarding the proposed Text Amendments and proposed Zoning Map Changes

to the Comprehensive Zoning Ordinance to Implement the Lexington Park Development District Master Plan.

Jeff Jackman, Sr. Planner, Land Use and Growth Management, provided an overview of the proposed Text Amendments and proposed Zoning Map Changes, including tables listing four groups of proposed Amendments; i.e., Table 1 'Zoning Changes Recommended by the Master Plan', Table 2 'Requested Zoning Changes', Table 3 'Zoning Changes to Correct Mapping Errors', and Table 4 'PUD Boundary Confirmations'.

Public Comments:

Phil Dorsey, 22835 Washington Street, Leonardtown

Mistake in zoning was made re Map 51, Parcel 163. William Smith operated his trailer park for 40 years. Bertha Fields, his daughter, carried on and is now retiring. We are the contract purchasers of the property. Majority zoned RH or commercial. I asked Jeff Jackman if any trailer parks in St. Mary's are zoned RL and he couldn't think of any. Issues: it is an existing mobile home park; in 1989 the recommendation was to rezone from RL to RH because it was consistent with the plan, but it was never rezoned. It is obvious that this was a mistake. We ask that you consider this as a true mistake in that the property is existing and it should be afforded the same opportunity as other mobile home parks. We ask that you rezone the property as requested by Bertha Fields in 1989 (from RL to RH) that was consistent with the plan. If it was consistent then, why not now?

Bertha Fields, 20737 Hermanville Road, Lexington Park

Please rezone the Smith-Fields Trailer Park to RH.

Gordon Aldridge, Ridge

My brothers and I own 6 ½ acres, Parcels 69 and 68 on Rt. 235. I have the first letter my father wrote back in 1988. We have been approached by developers wanting to build restaurants, banks, etc., but RMX scares them. We request once again that you change these parcels to commercial zoning.

Melinda Mountjoy, 23202 Pembroke Dr., Hollywood

I have been President of the Venture Crew at Sanner's Lake for a year. This club makes it possible for young people to learn firearms safety. It would be a real shame if the club was not available any more.

John Mountjoy, Jr., President, Sanner's Lake Sportsman Club

(Asked the audience to raise their hands if they were there in support of Sanner's Lake. A large number raised their hands). The Boy Scout District Manager is also here tonight to support keeping the zoning as it is now for Sanner's Lake. We have many events sponsored by the Boy Scouts, camping, cookouts. We don't want to lose this resource and have our operations restricted.

Ronnie Taylor, 13104 Joy Road, Lusby

I'm here tonight with my son, Gavin, who also benefits from the activities at Sanner's Lake. This is the only shooting club in St. Mary's and Calvert. I have been able to show my son how to safely shoot a gun. I believe this rezoning could make it easier to close our operation in the future. This would be a great loss to St. Mary's and Calvert County sportsmen.

Lars Caspersen, President, Sanner's Lake Sportsman Club, 24555 Cotswold Dr., Hollywood

We have a pretty good turnout tonight of our members. This is about 1/5 of our membership. We have a lot of concern with the rezoning proposal. It will make it easier to close down the club and we will lose this very valuable asset. We provide training for coast guard, police, fire departments, Calvert Cliffs security personnel, Boy Scouts, Venture Crew. We teach children how to properly and safely use firearms. We have gone out of the way with our youth programs and open all of our events to the community. Even non-members use the facility. It would be a considerable loss to the community. We see rezoning as first step to losing the club.

Commissioner Raley asked Mr. Canavan if the club will be a nonconforming use if zoned RMX. Mr. Canavan replied, "yes," but he will have to thoroughly research the history and uses on the property, acreage, etc., and will provide the Board with an analysis before this issue goes to the Planning Commission meeting on August 28.

Shelby Guazzo, Planning Commission, asked if the zoning was changed and the property owner wanted to improve the property - - as a conditional use, would they have to go through the Board of Appeals process? Mr. Canavan replied, "yes."

Tana Glockner, 23028 Three Notch Road, California

I own property on Rt. 235, Map 34, Parcel 78. Lots 502-1 and 502-2, 4/1/3 acres combined as we are trying to keep parcels together to be sold as one unit. We have had three letters of intent so far. My property is directly across from First Colony (Ruby Tuesday's). Our request for CMX has been continually denied. Where else does staff think commercial growth should go? Based on changes in the neighborhood and our history, we ask that you honor our request to be zoned commercial.

Commissioner Raley asked –would you be ok with text amendment that would increase the buffer area between development and residences in the rear of the property? Ms. Glockner replied that increased buffer requirements would not be a problem for her - - it would be the developer's problem.

Suzi Sprinkle-Raley, 23046 Three Notch Road, California

My house is the one in the hole across from First Colony. Three of us - - Ms. Glocker, and Dr. Naini have coordinated our properties together. I have brought the buffer issue to the attention of the developers and they indicated they are used to buffers and whatever the County wants, they would get. Who on your staff would buy my house and live in it as their residence?

Louis Aldridge, Jr., Christy Lane, Lexington Park

The new zoning map splits our property – RMX and Commercial. I don't want to lose any of our property or give it to the county or state. We own 2 complete parcels zoned commercial. It is a commercial piece of property now.

Pete Williams, 41071 Sand Piper Lane, Leonardtown

Keep current zoning for Sanner's Lake. I have a slightly different perspective than the other speakers. I'm active duty on base and use the club professionally to keep up with weapons requirements and also to take advantage of the social aspect.

Joyce Lloyd Chappel, owns property at 22420 Three Notch Rd., Lexington Park (resides at 207 E. Tantallon Drive, Ft. Washington)

We own property on 235 and want it to continue as CMX. We are in the process of talking to developers. We are joining with other owners. It will serve the county no purpose to zone it RL. We are bounded by Quality Van Lines. We want to reaffirm existing CMX, we don't want RL. The total property should continue CMX, not just the front part.

Greg Knapf, 23362 Pembroke Dr., Hollywood

Past President of Sanner's Lake. (He also asked audience to stand if in support of Sanner's Lake and a large group stood). The club has been in existence since 1959. My questions are: in the master development plan, zoned CC, proposal is to go to RMX, are we nonconforming under "CC?" (response was, "no," you are conforming). Zoning change would make us nonconforming and would put us on the road to losing the club or at least involving us in a lot of bureaucracy. It would jeopardize our club. The Master Plan has it that roads would go through the property. Would eminent domain be used to acquire property for the roads? *Response: it would be based on a new development proposal. Don't see a need to exercise eminent domain – this would be subject to development.* How will roads be built across the property without eminent domain or some kind of taking of the property needed for the road.

Commissioner Mattingly responded: This would be based on owners coming with a development proposal for the property. I don't see eminent domain occurring in order for the county to build a road. The road would be built as property owner wants to develop. It would be decided by Mr. Sanner (property owner). The possibility of a road exists regardless of whether or not the zoning is changed.

Mike Chikar, 22312 Cedar St., Compton

We keep hearing that nothing is going to change if the property (Sanner's Lake) is rezoned, then why not leave the zoning alone? It is a unique property that supports young sports-boys and girls as well as men and women. If you allow for the potential to cut off Sanner's Lake it would take away important activities for young sportsmen.

Ed Sanner, P.O. Box 24, Lexington Park

I support what the other speakers have said tonight. I couldn't have said it better. How can someone else request that my property be rezoned? *Commissioner McKay explained that the consulting firm makes recommendations, but the Board ultimately makes the decisions, with public input, to accept or reject their recommendations.*

Susan McNeill, Planning Commission member, asked for a response to the speaker's question as to why the consultant recommended rezoning of the Sanner's Lake property.

Mr. Canavan responded: This is a large commercial corridor. Given the environmental setting, the thought was to reduce intensity of commercial uses and mix residential in for future residences. Also wanted to take advantage of proximity to Great Mills Road and the base. Land use recommendation is extension of RMX, and in line with reduction of density (land use premise). We are in the zoning stage today. We don't have to agree with the land use recommendation. This was put forward in the original draft and went through the public hearings and was adopted last November. Helps to shape and implement land use pattern for potential residential uses.

Commissioner Jarboe commented that the land use consultant did not have the opportunity to look at businesses or talk to owners. The human factor was missing. This is why we hold public hearings. Commissioner McKay stated that the Board has no intention of doing anything that the public is not aware of. We get recommendations and then we hold public hearings to get your input. In the past, rezoning was done and you would find out about it afterwards. We do hear you.

Pat Mudd, PF Summers

Regarding the corner of Rt. 235 and Shady Mile Drive. We have assembled several properties on the north side of 235 that includes an existing pond that provides a natural buffer. Existing buffer between commercial and residential is 75' – staff recommends including building restrictions to additional 50' above commercial and residence (75') *Phil Shire corrected: Commercial buffer is 30'*. The effect of zoning (CMX line) creates poor residential lot and poor commercial lot, since not enough depth, clears more trees, and brings construction closer to the pond. Boundary line adjustment plat that eradicates this line has been submitted. 122 in front, 104 in rear. We request that the zoning line follow the existing natural features (woodland and pond). (Paper copies of his exhibit were provided.)

Cara Grumbles, 48386 Sunburst Dr., Lexington Park, MD 20653

The club (Sanner's Lake Sportsman Club) provides the Sheriff's Department with training opportunities, as we don't have our own range. I pay for membership and it allows me and other officers to maintain our high performance level. DOD/Federal Swat Team trains there, as well as the military. The club is vital to all of us. If zoning doesn't have to change, then why do it?

Charles Carruth, CEO, Carruth & Sons, Ready-mix Concrete Co., 44901 Petite Point Lane, Valley Lee

We have operated as a conditional use granted by Board of Appeals in 1996. We sent a letter to (LUGM) in February objecting to the effort to downzone any of the property to a residential use. With the explosion of residences on Willows Road - the need for additional residential development along Great Mills Road seems highly questionable. Request that you strongly consider any change in zoning and assure Mr. Sanner and the Sportsman Club that we can all continue to operate as we are now.

Thomas Woodburn, 22390 Rt. 235 North, Lexington Park

I object to the proposed rezoning of the 18 acres owned by me (*Tax Map 43, Parcel 512, identified incorrectly on tax map as Parcel 32*) from CMX to RL. This would be devastating to my business (Quality Transfer) that I have had for 47 years.

June McWhirt, Secretary, Sanner's Lake Sportsman Club

We have 400 members and 100 associates. We provide a recreational facility for members and their guests. It is an historical property - - summer home of

Dashiell Hammett. We host Boy Scout activities, fishing derbies, have NRA certified instructors, personal protection training for women, coordinated programs with Rec and Parks, Jr. Olympics program, support college scholarships, and there is abundant wildlife. If you rezone, will the county provide us with another site?

Jerry Nokleby, Nokleby Surveying, Inc., 17777 Grace Lane, Tall Timbers, representing my client, Dennis Edwards

Map 51, Parcel 331, borders Sanner's Lake. We have started development on a project and found out the middle portion is zoned "cc" – we went to LUGM, as we thought it must be a mistake. When rezoning came up, my client put in for DMX. We are trying to give the property a good mix – affordable housing and larger lots. Want to compliment what we have done already on three sides. The County says recommendation is RMX. RMX allows base density of 1 per acre, or 5 with TDRs. We agree with Sanner's Lake speakers. Property should be DMX. DMX allows flexibility in commercial design and would enhance value.

Terry Adair, 23826 Meredith Court, Hollywood

I own property at 22185 Chancellors Run Road, corner property at Norris Road. I submitted a request on May 12 to Mr. Jackman for RL to RMX. State Highway is coming in and the stakes are within 3" of my property. All of my neighbors support this request.

Karin Giddings Weining (resides in Delaware) (brother, Jeff Giddings, also present)

We own property at Map 43, parcel 46. Rather than go from OBP to RL, it should be zoned RH, very convenient area for access to low cost housing.

Billy Price, 20570 Chingville Road,

Member of Ducks Unlimited, on the Board of Southern Maryland Heritage Consortium, and a member of the Sportsman Club. As was mentioned previously, there is a lot of heritage to this property that you should take into account when considering rezoning. The club also hosts a lot of youth events for Ducks Unlimited.

Rosalyn Wolbright, 22211 Chancellors Run Road

Ask that the Planning Commission re-look at rezoning the entire length of Chancellors Run Road. I will have a four lane highway in my front yard. The state is going to take every tree and yard and totally destroy the character of Chancellors Run and the lives of the people who live there. The state has given us no answers. If you are looking at re-zoning, look at the entire length of the road. No one will be able to live there and the property will be so devalued that only those who can't afford to live anywhere else will live there. This is unfair to them, too. It is unsafe. The highway will offer no buffering, noise levels will be high, and there will be a lot of pollution from the cars. No one is stopping the state, so you must be ok with it. Might as well convert all to commercial, then it will be like Rt. 235.

Commissioner Raley commented that his concern regarding proposed rezoning for Rt. 235 from Rt. 4 to Shady Mile Drive is that the residents in back should be protected from any additional loss in property value. Staff is proposing increased setbacks, but nothing about increased buffers. If we increase the buffers, will we have to go through the public hearing process again?

Mr. Canavan responded, "yes," because text amendment would change . . . , he then said "we could probably handle as part of this text amendment."

The hearing was closed at 9:00 pm, but will remain open for ten days for written comments.

ADJOURNMENT

The meeting adjourned at 9:00 PM.

Minutes Approved by the Board of County Commissioners on _____

Betty Jean Pasko, Senior Administrative Coordinator