

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION
MEETING
SOUTHERN MARYLAND HIGHER EDUCATION CENTER
44219 AIRPORT DRIVE, CALIFORNIA, MARYLAND
Monday, May 9, 2005**

Members present were Larry Greenwell, Chairman; Joseph St. Clair, Vice Chair; Bryan Barthelme; Lawrence Chase; Julia King; Steve Reeves; and Howard Thompson. Department of Land Use and Growth Management (LUGM) staff present was Denis Canavan, Director; Jeff Jackman, Senior Planner IV; Phil Shire, Planner IV; Sue Veith, Environmental Planner IV; Mark Kalmus, Planning Technician; and Sharon Sharrer, Recording Secretary. Deputy County Attorney, Heidi Dudderar, was also present.

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

APPROVAL OF MINUTES – The minutes of April 25, 2005 were approved as recorded.

PUBLIC HEARING

CWSP #04-120-018 – EL DORADO FARM SUBDIVISION

The applicant is requesting amendment to service map III-4 to change the service area category from NPS (No Planned Service) to RW (Rural Water). The property contains 115.6 acres; is zoned Rural Preservation District (RPD); and is located south and west of the intersection of Golden Beach Road and Laurel Ridge Road; Tax Map 4, Grid 5, Parcel 247.

Owner: Eldorado Farms, LLC
Agent: Randy Barrett, of R. A. Barrett & Associates, Inc.

Mr. Jackman explained that the Planning Commission voted to forward a recommendation for approval of a requested amendment to the Comprehensive Water and Sewer Plan (CWSP) for this development to the Board of County Commissioners on October 12, 2004. Due to neighborhood impacts, the request for amendment to the CWSP was denied by the Board of County Commissioners. Mr. Jackman explained that the plans have been redesigned by the applicant, and the current request is based on the new plans.

Mr. Barrett explained that the applicant has purchased an adjacent property and now plans to have a separate entrance into the proposed development instead of accessing the development through the existing Laurel Ridge Subdivision. The proposed development will still be connecting to the

water system for the Laurel Ridge Subdivision. He explained that most of the previous adverse public comments had been transportation related.

Commission members asked if there was the potential to connect the two subdivisions at a later date. Mr. Barrett explained that this potential would be available, if connection was deemed appropriate at a later date.

The Chair opened the hearing to public comment.

Larry Boswell, a resident of Laurel Ridge Subdivision, explained that his property currently gets water draining off of the property next door. He expressed concern that any development would make this situation much worse. He also expressed concern that the necessary work to connect the water systems for the two developments would require that his property would be disturbed.

Dean George, another Laurel Ridge resident, explained that he has currently problems with water pooling on his property, and already had to install a drainage system. He expressed concern that the proposed development is too close to the existing subdivision. Mr. George said that the area residents do not want a connecting road to ever go through Laurel Ridge Subdivision.

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

Mr. Barrett explained that the proposed development will connect to an existing 8" water line, with minimal disturbance required to tap into that line. This work will not be on the existing residents' property, and will not cause any damage to those properties. He explained that the developer will have to prove that no negative impact will be caused, with regard to stormwater management, before approvals can be granted.

Mr. St. Clair and Ms. King asked that the Planning Commission be provided with as much detail as possible concerning the Board of County Commissioners' denial of the applicant's previous request to amend the CWSP for this development. Ms. King expressed her continued concern with the use of Transferable Development Rights (TDRS) to increase allowable density for development in the RPD.

Mr. Canavan explained that the issue before the Planning Commission was a request for amendment to the Comprehensive Water and Sewer Plan. Questions relevant to the actual plot layout, stormwater management, grading, infrastructure, and the water should be addressed during the subdivision plan approval process, which will be the next step of the approval process if the request for amendment to the CWSP is approved by the Board of County Commissioners. He explained that changes to the TDR program are currently

being studied by many groups, but no final decisions have been made at this time.

The Planning Commission conducted and closed a public hearing, leaving the record open for ten (10) days for written comments and to receive more detailed information from staff on the Board of County Commissioners' actions on the prior request for amendment to the Comprehensive Water and Sewer Plan for this development.

REQUEST FOR EXTENSION OF VESTING PURSUANT TO SECTION 27.4 OF THE ST. MARY'S COUNTY COMPREHENSIVE ZONING ORDINANCE

SSUB #98-0490 – AVONLEA SUBDIVISION, PHASING PLAN

The applicant is requesting extension of vesting of phasing of a standard subdivision. The property contains 145.78 acres; is zoned Rural Preservation District (RPD); and is located at the end of Guy Family Drive, off of Mechanicsville Road; Tax Map 9, Grid 19, Parcel 127.

Owner: William E. & Margaret A. Guy
Agent: William Higgs, of Little Silences Rest, Inc.

Mr. Shire explained that the first two phases of this subdivision have been recorded, and are currently under construction. Due to requirements in Section 27.4 of the Comprehensive Zoning Ordinance regarding Phasing Plans approved under the previous Zoning Ordinance, an extension is needed to complete the final phase of the Avonlea Subdivision.

Mr. Reeves moved that having accepted the staff report, dated April 29, 2005, and having made findings pursuant to Section 27.4.2 (a-d) of the St. Mary's County Comprehensive Zoning Ordinance (*Criteria for Revision of a Grandfathered Phasing, Staging Plan and Schedule*), the Planning Commission approve the request to extend the plan until May 13, 2007. The motion was seconded by Mr. St. Clair and passed by a 7-0 vote.

JOINT MEETING

LAND PRESERVATION, PARKS AND RECREATION PLAN, AND ALPD BOARDS

Present: Clive Graham, of ERM, Inc.
George Baroniak, Agricultural Preservation Advisory Board
Dorothy Gass, Recreation and Parks Board
Coleman Hillman, Recreation & Parks Board

Jody Payne, Recreation & Parks Board
Phil Rollins, Director, Department of Recreation, Parks and
Community Services
Donna Sasscer, Agricultural & Seafood Development
Coordinator, DECD

Mr. Canavan explained that the purpose of the joint meeting was to solicit comments from the Planning Commission, the Agricultural Preservation Advisory Board, and the Recreation & Parks Board relevant to the April 2005 draft Land Preservation, Parks, and Recreation Plan (LPPRP). He explained that authorization has been received from the Board of County Commissioners to take the Plan through the public hearing process.

Mr. Graham, a consultant from ERM, Inc., gave a brief PowerPoint presentation of the draft LPPRP. He explained that the State requires that updated County Land Preservation, Parks and Recreation Plans be submitted to the State every six years. These plans qualify local governments for State Program Open Space (POS) grants and other programs related to the plan's objectives for three land resource elements:

1. Recreation and Parks,
2. Agricultural Land Preservation, and
3. Natural Resource Conservation.

Mr. Graham explained that the April draft of the LPPRP has already been submitted to the Town of Leonardtown, to adjacent counties, and to the State for a mandatory 60 day interagency review. A Planning Commission public hearing is tentatively scheduled for June. Following the Planning Commission's public hearing, a public hearing will be held by the Board of County Commissioners. Commission and Board members' comments, as well as comments from the public, will be welcomed during the entire open record period. Once the Plan is adopted by the County, it will be sent to the State for final State approval. Once the Plan received approval from the State, an amendment will be made to the Comprehensive Plan to incorporate the LPPRP into the Comprehensive Plan.

Mr. Coleman asked for a further breakdown of Watershed and Subwatersheds to be added to the Plan. Commission and Board members were urged to send in their comments and questions during the time before the first of the public hearings.

Steve Riley, an area resident and avid hunter, explained that, while the LPPRP does cover the need for parks and ball fields, the needs of area hunters are not addressed. He asked that these needs be considered in the preparation of a final version of the Plan.

ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

Sharon J. Sharrer
Recording Secretary

Approved in open session: May
23, 2005

Joseph St. Clair
Vice Chair