

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
ROOM 14 * POTOMAC BUILDING * LEONARDTOWN, MARYLAND
Monday, July 28, 2008**

Members present were Stephen Reeves, Chairman; Howard Thompson, Brandon Hayden, Merl Evans, Susan McNeill and Lawrence Chase. Department of Land Use & Growth Management (LUGM) staff present were Denis Canavan, Director; Phil Shire, Deputy Director; Dave Berry, Planner II; Jeff Jackman, Senior Planner; and Jada Stuckert was the recording secretary. Christy Chesser, County Attorney was also present.

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

APPROVAL OF THE MINUTES – The minutes of July 14, 2008 were approved as presented and June 23, 2008 were approved as amended.

FAMILY CONVEYANCE

Minor Subdivision #06-110-148 – Lot 3 Hodges Subdivision & Minor Subdivision #06-110-153 – Lot 2 Hodges Subdivision - Mr. Berry gave a brief overview of both requests for an additional lot on a private road for family conveyance and stated there are no outstanding issues pertaining to the family conveyance approval. Ms. McNeill asked how many lots this would make total for this subdivision. Mr. Berry stated there are eight (8) lots now and creating these two additional lots would make a total of ten (10).

Mr. Reeves asked if there is a Road Maintenance Agreement. Mr. Berry stated there is not one currently; however, one would be obtained prior to the recordation of the plat. Mr. Nokleby stated there is no formal Road Maintenance Agreement as most of the owners are family members however they will try to get as many signatures as possible.

Mr. Hayden made a motion in the matter of MSUB #06-110-148, Lot 3 Hodges Minor Subdivision, having accepted the staff report and having made findings pursuant to Section 30.11.4 of the Subdivision Ordinance (Criteria for Approval of a Family Conveyance), I move that the Family Conveyance subdivision plan be approved, with the condition that agreements ensuring access to, and use and maintenance of, the road shall be recorded prior to recordation of the plat and Ms. McNeill seconded. The motion passed by a 6-0 vote.

Mr. Hayden made a motion in the matter of MSUB #06-110-153, Lot 2 Hodges Minor Subdivision, having accepted the staff report and having made findings pursuant to Section 30.11.4 of the Subdivision Ordinance (Criteria for Approval of a Family Conveyance), I move that the Family Conveyance subdivision plan be approved, with the condition that agreements ensuring access to, and use and maintenance of, the road shall be recorded prior to the recordation of the plat and Ms. McNeill seconded. The motion passed by a 6-0 vote.

DEVELOPMENT REVIEW

Major Site Plan #05-132-033 – Lot 3 Flower of the Forest Concept Plan – Mr. Berry gave a brief overview of the request for a 18,380 square foot office building stating the final findings for adequate public facilities will be made administratively by the Planning Director, as a prerequisite to final site plan approval.

Mr. Nokleby stated all the engineering has been done for this property and were sent to the appropriate agencies for review. Mr. Nokleby stated they are now re-designing the storm water management system to meet the new requirements.

Mr. Thompson made a motion in the matter of CCSP #05-132-033, Flower of the Forest, Lot-3, having accepted the staff report and having made a finding that the objectives of Section 60.5.3 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. Evans seconded. The motion passed by a 6-0 vote.

DISCUSSION

Planning Commission Semi-Annual Wildewood PUD Update – Mr. Shawn Day gave updates on the progress report, activity update, approval history, land use program, updated maps, open space schedule, and open space detail for the Wildewood PUD.

Major Site Plan #07-131-003 – Ink Wizard Tattoo Building – Mr. Berry gave an overview stating the project started as a minor site plan to replace the existing structure. Mr. Berry stated the owner has now decided to utilize the existing structure with a 130 square foot addition at the rear of the structure. Mr. Berry explained due to the amount of public interest in this project staff has determined the Planning Commission should be given an opportunity to review the project.

Mr. John Hudson III stated it was too costly to replace the structure therefore he removed the termite damage and will utilize the structure and add an addition to the rear. Mr. Thompson asked if there would be a waiting room for the customers so they are not hanging out outside. Mr. Hudson stated he does not allow customers to hang out however they are required to go outside to smoke. Mr. Thompson asked about the hours of operation. Mr. Hudson stated he would be open from 2:00 p.m. to 9:00 p.m. daily. Mr. Thompson asked about a buffer between the property and the other residential homes. Mr. Hudson stated there would be a wooden privacy fence with 50 feet of trees and shrubs as a buffer. Mr. Hayden asked about there only being three parking spaces. Mr. Hudson stated he would be working with staff to gain more parking spaces.

Mr. Clements stated he is concerned with the noise and type of business. Mr. Clements stated he originally did not want this type of business right next door but now hopes everything works out. Mr. Reeves thanked Mr. Berry for bringing this to the Commission for input.

ANNOUNCEMENTS

Mr. Canavan stated four (4) meetings have been held in regards to the Comprehensive Plan Update and the last meeting will be held Thursday, July 31, 2008 at Ridge Elementary.

ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Jada Stuckert
Recording Secretary

Approved in open session:

Stephen T. Reeves
Chairman