

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
ROOM 14 * GOVERNMENTAL CENTER * LEONARDTOWN, MARYLAND
Monday, August 14, 2006**

Members present were Howard Thompson, Vice Chair; Lawrence Chase; Merl Evans; Shelby Guazzo; Brandon Hayden; and Susan McNeill. Steve Reeves was excused. Department of Land Use and Growth Management (LUGM) staff present were Phil Shire, Planner IV; Bob Bowles, Planner II; Keona Courtney and Cindy Koestner, Recording Secretary. County Attorney, Christy Holt Chesser, was also present.

The Vice Chair called the meeting to order at 6:35 p.m.

APPROVAL OF THE MINUTES – The minutes of July 24, 2006 were approved as recorded.

DEVELOPMENT REVIEW

CWSP #06-131-010 – VALLEY LEE VFD ADDITION

The applicant is requesting review of a Concept Development Plan, in order to proceed with an amendment to the Comprehensive Water and Sewerage Plan. The property contains 15.32 acres; is zoned Village Center Mixed Use (VMX) District; and is located at 45245 Drayden Road in Valley Lee, Maryland; Tax Map 61, Grid 5, Parcels 134, 78, 108, 399 and 418.

Owner: 2nd District Volunteer Fire Department
Present: Dan Ichniowski, NG&O Engineering, Inc.

Mr. Bowles explained there are no outstanding issues. The proposed site plan contains a 2,040 square foot addition to the firehouse. Provisions for water and sewer must be provided. Currently there is no planned service, but the property is within proximity to the sewer line. They are currently experiencing a failing septic system. There is a force main that runs along the eastern side of MD 249, along the property line.

Mr. Ichniowski described the project as a 68 foot by 30 foot addition to the existing fire house, which will include bunk rooms, small kitchens, bathrooms and a laundry room. This is not to add capacity to the fire department, but rather will add space where there are shortages in order to meet current capacity. There will also be parking and landscaping additions; otherwise the site will remain the same. They are trying to keep the disturbance under one acre.

Ms. Guazzo asked if the request to hook up to the sewer line includes privileges for the other properties owned by the 2nd District Volunteer Fire Department. Mr. Ichniowski explained they will request a water and sewer category change to cover the entire property at a later date since the water and sewer lines are nearing capacity; however, the water and sewer lines are adequate to serve the property as it currently exists.

Mr. Ichniowski noted that the acreage of the five parcels is 15.32 acres, rather than 25.2 acres as noted in the staff report.

Mr. Evans moved that having accepted the staff report, dated July 27, 2006, and having made a finding that the referenced project meets concept plan requirements to proceed with a Comprehensive Water and Sewerage Plan amendment to change the water and sewer categories from NPS to S-3D, the Planning Commission grant approval of the concept plan. The motion was seconded by Ms. Guazzo and passed with a 6-0 vote.

Mr. Evans excused himself from the next two cases due to a possible conflict of interest.

SSUB #04-120-029 – PEMBROOKE SUBDIVISION PHASE II

The applicant is requesting review and approval of a preliminary plan for 68 lots in a major subdivision. The property contains 33.8 acres; is zoned Residential Low Density (RL) District; and is located on the east side of Willows Road, approximately 2,500 feet north of MD Route 5; Tax Map 51, Grid 17, Parcel 390.

Owner: Pembroke, LLC (John K. Parlett)
Present: Ken Crouse, Lorenzi, Dodd's & Gunnill, Inc.

Mr. Shire explained Pembroke Subdivision Phases II, III, and IV contain similar issues. The subdivision contains 207 total acres with 412 lots planned over five phases. Mr. Shire noted Phase II is for 68 lots, rather than 64 lots as noted on the staff report. The biggest issue is the need for development of a traffic mitigation plan. Mr. Shire referenced the July 3, 2006 memo from the Department of Public Works & Transportation (DPW&T), signed by John J. Groeger, that details the recently updated traffic study for the subdivision. The memo states all intersections will operate at an acceptable level-of-service, but that a signal needs to be installed at the MD 5 and Willows Road intersection, which will cost around \$100,000. A \$54,500 fee-in-lieu, or \$142.67 per lot, is to be provided by the applicant to offset the cost of the signal. This is similar to fees charged for other Willows Road subdivisions. The study also recommends a left-turn bypass lane at the Willows Road and Colby Drive intersection.

Mr. Shire provided a brief overview of the other developments along Willows Road that have been approved or are currently under review and noted that together they contain a total of 1,476 lots. Prior to approval of the 175 lots of Pembroke Phases II, III & IV there are already 1,301 lots that will contribute to traffic on Willows Road.

Mr. Thompson asked Mr. Crouse to discuss the traffic reports and the traffic mitigation plan set forth in the DPW&T memo. Mr. Crouse agreed that future traffic on Willows Road may warrant a signal at the MD 5 intersection and there are no concerns over the fee-in-lieu to ensure addition of the traffic signal at a later date. Mr. Crouse expressed concern regarding DPW&T's requirement to widen Willows Road an additional 10 feet after the original road construction had already been completed; however the applicant is in the process of satisfying the new requirement. Mr. Crouse explained that Pembroke will share an entrance with Abberly Farms at Sun Cook Drive, giving the subdivision a total of three access points. Mr. Shire inquired about the width of the right-of-way. Mr. Crouse explained that the current right-of-way is 60 feet and with the additional 10 feet required on Pembroke's side, the right-of-way will ultimately be 80 feet wide if DPW&T requires developers on the other side of Willows Road to contribute 10 feet.

Ms. Guazzo expressed concerns about future traffic on Willows Road. She explained in the past the County privately purchased land to widen Chancellor's Run Road. Ms. Guazzo would like to see developers dedicate a 20-foot strip of land along Willow's Road. Mr. Crouse expressed concern about developers dedicating land for projects when there is no current transportation plan in place. Mr. Crouse explained there is already a requirement for a 75-foot setback from the right-of-way. Mr. Shire pointed out the 75-foot setback required under the old ordinance should already provide adequate space for future widening of Willows Road. Mr. Thompson expressed concern about the Planning Commission asking a developer to meet additional requirements that are not currently being asked of other developers.

Mr. Parlett pointed out DPW&T is already proactively considering future traffic concerns by collecting fees for a possible traffic signal at the MD 5 and Willows Road intersection; by requiring the additional 10 feet be added to the Willow's Road right of way; and by requiring a continuous sidewalk along Willows Road.

Ms. Guazzo inquired whether there will be enough space for three lanes at the Colby Road entrance. Mr. Parlett explained traffic at this entrance should not be an issue since the Sun

Cook Drive entrance will be used more frequently. Mr. Crouse explained the Colby Road entrance is 36 feet wide and can be designed to allow one lane in and two turn lanes out.

Ms. Guazzo inquired about a separate construction entrance to the development. Mr. Parlett responded that Colby Drive is currently being used as the construction entrance for Phase I; however, no construction vehicles will pass the existing residences. Sun Cook Drive will provide a construction entrance during later phases. Ms. Guazzo asked if Phase II will be constructed prior to Phases III & IV. Mr. Parlett explained that parts of Phase IV must be built during Phase II because the sewer pump will be located in Phase IV. He further explained that efforts have been made to accommodate the subdivision and environment by completing three separate designs for the sewer system. When the original location of the main sewer line presented environmental issues, the applicant purchased additional property to reroute the main sewer line. When the second design presented environmental issues, a third sewer design had to be developed with a pump station in Phase IV. The Phase IV pump station will serve 75 percent of the lots. The pump station already constructed during Phase I, designed to handle a larger volume, will now only be used for 25 percent of the lots. Mr. Parlett explained permanent impact to the wetlands has been minimized to about 6,000 square feet.

Mr. Thompson requested the Planning Commission meet with State Highway Administration (SHA), LUGM, and DPW&T to review future traffic mitigation plans for Willows Road and to verify the width requirements for the side of Willows Road opposite Pembroke Subdivision.

Ms. McNeill asked for clarification on whether the 75 foot setback requirement provides adequate space for three lanes. Mr. Crouse explained the applicant has been asked to add 36 feet from the center line to the edge of the property. This will allow for future design of three 12-foot lanes from the center line of Willows Road. If the same 36 feet will be required from the center line on the other side, Willows Road could eventually be designed as a six lane highway.

Ms. Guazzo moved that having made a finding of adequate facilities, except Stormwater management, as noted on the checklist and having accepted the staff report, dated July 27, 2006, and having made a finding that the referenced project must meet all TEC agency requirements and requirements set forth in the memorandum from the Department of Public Works & Transportation, dated July 3, 2006, regarding the Traffic Mitigation Plan; and having stated that the referenced project must return to the Planning Commission for final approval, the Planning Commission grant approval of the preliminary subdivision plan. The motion was seconded by Mr. Chase and passed with a 6-0 vote.

SSUB #05-120-001 – PEMBROOKE SUBDIVISION PHASE III & IV

The applicant is requesting review and approval of a preliminary plan for 107 lots in a major subdivision. The property contains 59.4 acres; is zoned Residential Low Density (RL) District; and is located on the east side of Willows Road, approximately 2,500 feet north of MD Route 5; Tax Map 51, Grid 17, Parcel 618.

Owner: Pembroke, LLC (John K. Parlett)
Present: Ken Crouse, Lorenzi, Dodd's & Gunnill, Inc.

Ms. Guazzo moved that having made a finding of adequate facilities, except Stormwater management, as noted on the checklist and having accepted the staff report, dated July 27, 2006, and having made a finding that the referenced project must meet all TEC agency requirements and requirements set forth in the memorandum from the Department of Public Works & Transportation, dated July 3, 2006, regarding the Traffic Mitigation Plan; and having stated that the referenced project must return to the Planning Commission for final approval, the Planning Commission grant approval of the preliminary subdivision plan. The motion was seconded by Mr. Chase and passed with a 6-0 vote.

ADJOURNMENT

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

Cindy R. Koestner
Recording Secretary

Approved in open session: August 28, 2006.

Stephen T. Reeves
Chairman