

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING  
PATUXENT BUILDING \* LEONARDTOWN, MARYLAND  
Monday, November 10, 2008**

Members present were Steven Reeves, Chairman; Howard Thompson, Shelby Guazzo, Susan McNeill, Merl Evans, Brandon Hayden, and Lawrence Chase. Department of Land Use & Growth Management (LUGM) staff present were Bob Bowles, Planner IV; Dave Berry, Planner II; and Jada Stuckert, Recording Secretary. Deputy County Attorney David Weiskopf was also present.

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

**APPROVAL OF THE MINUTES** – The minutes of October 27, 2008 were approved as presented.

**DEVELOPMENT REVIEW**

**Major Subdivision #04-120-003 – Twin Ponds, Section Two**

Mr. Berry gave an overview of the 64 lot major subdivision stating there are no outstanding issues that would affect a decision tonight.

Ms. Guazzo asked if the nine lots approved in 2005 will come back for final approval. Mr. Berry stated the findings of adequate facilities have already been made however the lots have not been recorded. Mr. Higgs stated the lots haven't been recorded because the owner felt all 34 lots would be needed to financially support the building process.

Ms. Guazzo asked where the recreational area is located. Mr. Higgs stated part of out parcel A would be used and there are trails throughout the property. Ms. Guazzo asked about the sewer. Mr. Higgs stated the sewer system would be in conjunction with Broad Creek and the pump station has been designed. Ms. Guazzo asked where the system would be located and stated she would like it to go to the boundary line. Mr. Higgs stated the pump station will be used by other developments on Route 235 and 245. Ms. Guazzo asked that METCOM give the Commission a presentation identifying sewer systems in this area at a future meeting.

***Mr. Thompson made a motion in the matter of PSUB #04-120-003, Twin Ponds, Section 2, Phase 2, containing 25 of 64 lots, having accepted the staff report and having made findings pursuant to Section 30.5.5 of the Subdivision Ordinance (Criteria for Approval of a Preliminary Plan), including adequate public facilities, except for schools and compliance with the annual growth policy and a finding of Adequate Public Facilities for schools and compliance with the Annual Growth Policy for Phase 2 (25) lots, as described in the Director's Report, including all findings by staff, I move that the preliminary subdivision and phasing plan be approved with the following conditions:***

- 1. The Applicant must return to the Planning Commission for approval of each successive Phase with regard to APF for schools and compliance with the Annual Growth Policy.***

***Mr. Hayden seconded and the motion passed by a 7-0 vote.***

**MS. MCNEILL EXCUSED HERSELF FROM THE MAJOR SUBDIVISION #08-120-011 – THE PRESERVE AT BIG CHESTNUT, PHASE TWO.**

**Major Subdivision #08-120-011 – The Preserve at Big Chestnut, Phase Two**

Mr. Berry gave an overview of 13 lots in a major subdivision stating there are no outstanding issues that would affect a decision. Ms. Guazzo asked if the APF report numbers are calculated before or after this development. Mr. Bowles stated the 107 available are calculated up to tonight

therefore it would be before. Ms. Guazzo asked if parcel B is developable. Mr. Norris Jr. stated no, these are two 15 acre farmsteads.

***Mr. Evans made a motion in the matter of PSUB #08-120-011, Big Chestnut Subdivision, Phase 2, containing 13 of 22 lots, having accepted the staff report and having made findings pursuant to Section 30.5.5 of the Subdivision Ordinance (Criteria for Approval of a Preliminary Plan), including adequate public facilities, as described in the Director's Report, and compliance with the annual growth policy, I move that the preliminary subdivision plan for the remaining 13 lots be approved and Mr. Chase seconded. The motion passed by a 6-0-1 vote with Ms. McNeill not voting.***

#### **Concept Site Plan #07-132-027 – Smithfield Park**

Mr. Berry gave an overview of the 76 apartment units stating final findings for adequate public facilities will be made administratively by the Planning Director, as a prerequisite to final site plan approval. Mr. Reeves asked if these are apartments or townhouses. Mr. Berry stated they are apartments.

Ms. McNeill asked if the trailer homes were owned or rented. Mr. Don Mills stated he believes they are all rentals. Ms. McNeill asked if the renters have been notified. Mr. Mills stated his partner was dealing with this. Ms. McNeill stated she wants to make sure we are satisfied with any legal implications. Mr. Berry stated the owner must comply with State regulations.

Ms. Guazzo asked about the mulch trail around the property and the fence over the wetlands. Mr. Mills stated he was unsure why there is a fence proposed on this portion of the property. Ms. Guazzo recommended leaving the 30 foot buffer on this section and removing the fence. Mr. Mills stated he is sure the owner would not have a problem with this.

***Mr. Thompson made a motion in the matter of CCSP #07-132-027, Smithfield Park Apartments, having accepted the staff report and having made a finding that the objectives of Section 60.5.4 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 with the footbridge shown on all final plans and Ms. McNeill seconded. The motion passed by a 7-0 vote.***

#### **DISCUSSION**

**Commission on the Environment Survey:** It was the consensus of the Commission to individually respond to this survey.

**Wind Turbines Work Session, Tentative November 17, 2008:** After discussion, the Commission decided the work session would be held on November 17, 2008 at 3:00 p.m. in the Land Use and Growth Management conference room.

#### **ANNOUNCEMENT**

Ms. Guazzo stated she attended the APA work session last week and many other jurisdictions have a density cap on how much a development can change during the approval process. Ms. Guazzo suggested this recommendation be made to Mr. Jackman and Mr. Shire for inclusion in the Comprehensive Plan Update. Ms. Guazzo recommended the cap be set at no increase over 10% and if there is an increase above 10% you must begin the process all over again.

#### **ADJOURNMENT**

The meeting was adjourned at 7:45 p.m.

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Jada Stuckert

Recording Secretary

Approved in open session: November 24, 2008

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Stephen T. Reeves  
Chairman