

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING  
ROOM 14 \* GOVERNMENTAL CENTER \* LEONARDTOWN, MARYLAND  
Tuesday, November 13, 2007**

Members present were Stephen Reeves, Chairman; Howard Thompson, Shelby Guazzo, Brandon Hayden, Susan McNeil, Lawrence Chase and Merl Evans. Department of Land Use & Growth Management (LUGM) staff present were Denis Canavan, Director; Phil Shire, Deputy Director; Bob Bowles, Planner II; and Jada Stuckert, Recording Secretary. Deputy County Attorney, Colin Keohan was also present.

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

**APPROVAL OF THE MINUTES**

The minutes of October 9, 2007 were approved with amendments and the minutes of October 22, 2007 were approved as presented.

**FAMILY CONVEYANCE CONTINUANCE**

**Minor Subdivision #07-110-002 – Dennis Property Lots 1 & 2**

Mr. Bowles stated the Commission held a public hearing for this matter on October 9, 2007 and tabled the decision to a future meeting. Mr. Bowles gave an overview of the staff report which recommended approval of an additional lot on a private road.

Mr. Delozier asked for clarification of the paving of the road. Ms. McNeill stated the road does not have to be paved unless agreed upon by the property owners. Mr. Jerry Nokelby stated there is no right-of-way width listed in the maintenance agreement. Ms. Guazzo asked how many of the property owners signed the maintenance agreement. Mr. Nokelby stated seven property owners signed.

After discussion, ***Mr. Thompson made a motion in the matter of MSUB #07-110-002, Dennis Property, Lot -2, 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 Mr. Evans seconded. The motion passed by a 7-0 vote.***

**DEVELOPMENT REVIEW**

**Concept Site Plan #07-132-001 – Charlotte Hall Square Retail Center**

Mr. Bowles gave an overview of the staff report which recommended approval for a 41,264 sq. foot retail shopping center. Mr. John Parlett pointed out the sewerage connection site. Ms. Guazzo asked about the space between parking lots. Mr. Parlett explained this is a potential pad site for a business later on. Mr. Parlett explained the design elements and architecture of the building to be erected. Ms. Guazzo asked about the traffic stacking at the corner. Mr. Parlett explained the traffic mitigation, lights, and number of lanes.

After discussion, ***Mr. Evans made a motion in the matter of CCSP #07-132-001, Charlotte Hall Square Retail Center, 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. Thompson seconded. The motion passed by a 7-0 vote.***

**Standard Subdivision #05-120-001 – Pembroke Subdivision Phases III & IV**

Mr. Bowles gave an overview of the staff report which recommended approval for 107-lots in a major subdivision. Mr. Reeves asked about the mitigation fee in lieu. Mr. Bowles stated it is approximately \$150.00 per lot. Mr. Parlett explained Pembroke has not asked for final approval of Phase II of this project as the rules have changed.

After discussion, ***Mr. chase made a motion in the matter of FSUB #05-120-001, Pembroke, Phases III and IV, containing 107-lots, having accepted the staff report and having made a finding of adequate facilities, including Stormwater management as noted on the attached checklist, and noting that the project meets all TEC agency requirements, I move that the final subdivision plan, be APPROVED and Mr. Hayden seconded. The motion passed by a 7-0 vote.***

## **FAMILY CONVEYANCE**

### **Minor Subdivision #07-110-071 – Mangum Family Estates**

Mr. Bowles gave an overview of the staff report which recommended approval of an additional lot on a private road. Mr. Reeves asked about the size of the parcel to be subdivided. Mr. Bowles stated it is 1.37 acres being split off as a separate parcel. Mr. Nokelby stated there is a 20 foot right-of-way through the property to access this parcel. Mr. Jim Carter stated he is not opposed to this project but is concerned with the number of houses on a private road. Mr. Bowles stated there is a maximum of five lots on a private road unless it is a family conveyance.

After discussion, ***Mr. Hayden made a motion in the matter of MSUB #07-110-071, Mangum Family Estates, 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 Mr. Thompson seconded. The motion passed by a 7-0 vote.***

### **Minor Subdivision #07-110-066 – Oak Farm Properties Lot 3**

Mr. Bowles gave an overview of the staff report which recommended approval of an additional lot on a private road. Mr. Evans asked if staff responded to the memo sent by Mr. Michael Bowles in regards to this project. Mr. Bowles stated staff contacted Mr. M. Bowles and clarified his concerns. Ms. Guazzo asked how many users there were on Oak Farm Lane. Mr. Bowles stated there were eight. Mr. Donald Carter stated this was intended to be a small subdivision and he disapproves with the family conveyance. Mr. Robert Swan asked if the road maintenance agreement was taken into consideration. Mr. Bowles stated the road maintenance agreement is part of the application and was taken into consideration.

After discussion, ***Mr. Thompson made a motion in the matter of MSUB #07-110-066, Oak Farm Properties, 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 Mr.Chase seconded. The motion passed by a 7-0 vote.***

### **Minor Subdivision #07-110-088 – Walter Countiss Subdivision**

Mr. Bowles gave an overview of the staff report which recommended approval of an additional lot on a private road.

With no discussion, **Mr. Thompson made a motion in the matter of MSUB #07-110-088, Walter Countiss 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 7-0 vote.**

## **DISCUSSION**

### **Capital Improvement Program (CIP Group) – Elaine Kramer**

Ms. Kramer submitted the FY 2009 Budget Calendar stating this is just the beginning of the 2009 budget process. Ms. Kramer submitted the three pages of the Capital Improvement Program Five Year Plan stating these are a few examples within the budget. Ms. Kramer asked the Commission if there were any comments from the Commission.

Ms. McNeill asked about the Leonardtown Library funding. Mr. Reeves asked about Myrtle Point Park. Ms. Guazzo asked about the seven million in school funding. Mr. Evans stated this is the time for us to pay close attention to how we plan for our public utilities.

## **ADJOURNMENT**

The meeting was adjourned at 9:55 p.m.

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Jada Stuckert  
Recording Secretary

Approved in open session:      November 26, 2007

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Stephen T. Reeves  
Chairman