

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Monday, March 14, 2011**

Members present were Brandon Hayden, Chairman; Joe Meinert, Susan McNeill, Merl Evans, Martin Siebert, and Hal Willard. Shelby Guazzo was excused. Department of Land Use & Growth Management (LUGM) staff present were Derick Berlage, Director; Phil Shire, Deputy Director; Bob Bowles, Planner IV; Jeff Jackman, Senior Planner; Dave Chapman, Capital Facilities Planner; and Jada Stuckert, Recording Secretary. Deputy County Attorney David Weiskopf was also present.

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

APPROVAL OF THE MINUTES – The minutes of February 28, 2011 were approved as presented.

PUBLIC HEARING

CWSP#10-200-003 – Tractor Supply Company

Amend service area maps III-34 and IV-34 to change the water and sewer service categories from W-6D and S-6D (service in 6 to 10 years, developer financed) to W-3D and S-3D (service in 3 to 5 years, developer financed) for 3.0 acres described as Tax Map 34, Grid 2, Parcel 190 (also known as 23788 Mervell Dean Road) in the 6th Election District in anticipation of providing community water and sewerage service to a proposed retail sales establishment. The public hearing was advertised in the Enterprise on February 25, 2011 and March 2, 2011.

Mr. Chapman gave an overview of the request stating principal TEC comments from the Health Department and Metcom support the proposed connections to public water and sewer. Ms. McNeill asked about the adjoining properties. Mr. Chapman stated they are residential properties; the two properties across the street are already served. Ms. McNeill asked how many properties may be required to hook up to the new water and sewer line. Mr. Chapman stated Metcom is not expecting any mandatory connections.

Mr. Meinert asked if there is currently water and sewer on this side of the road. Mr. Chapman stated this will be the first property on this side of Mervell Dean Road however there are other properties in the Hollywood Town Center that are currently being served. Mr. Meinert asked if staff feels all the criteria have been met. Mr. Chapman stated yes. Ms. McNeill stated she believes this request to be consistent with our principles. Ms. McNeill stated the business is Tractor Supply Company and asked if this is a relocation. Mr. John Norris Jr. stated no, the closest location is in White Plains.

Chairman Hayden opened the hearing to public comment.

Deno Perotti

Mr. Perotti stated his property is south of the property in question. Mr. Perotti stated he does not have an issue with the development but stated he is concerned that he will be required to connect to the new line. Mr. Norris Jr. stated it is his understanding that from the route we have selected, there will be no abutting properties that will be required to connect to the new line. Mr. Norris Jr. explained the proposed location of the new water and sewer lines. Mr. Perotti stated he would be more comfortable having something in writing.

Chairman Hayden closed the hearing to public comment.

Mr. Evans stated in the past the Commission has requested TEC comments be provided with the staff report. Mr. Evans stated Mr. Perotti's comments are to be expected in these types of applications and they should be anticipated in advance. Mr. Siebert agreed that in the very least a written memo should state who may and may not be required to connect to the new lines. Mr. Hayden stated the lines will travel across commercial properties that are already connected. Mr. Chapman provided a visual aid showing where the proposed lines would run. Mr. Chapman stated

staff can request that Metcom provide revised TEC comment regarding this matter. Mr. Evans stated as the village and town centers grow infrastructure will be located in these areas. Mr. Meinert stated for properties within growth areas, the water and sewer category change process seems to be too lengthy and we should try and expedite them. Mr. Evans agreed. Ms. McNeill stated there are properties within the county that have special conditions and should be reviewed by the Commission. Mr. Willard stated in his previous term on this Commission property owners were prohibited from connecting to new lines. Ms. McNeill asked if there could be more assurances from staff regarding who may have to connect.

Ms. Christi Sterling of Metcom stated in order for them to be required to connect they have to be directly abutting and within 200 feet. Ms. Sterling stated in this particular case with where the lines are being ran it seems as if no property owner will be required to connect.

Mr. Meinert stated Staff found all of the criteria to be met therefore made a motion in the matter of the Tractor Supply Co., Case CWSP #10-200-003: having accepted the staff report dated February 11, 2011, and having held a public hearing on the request for amendment to the St. Mary's County Comprehensive Water and Sewerage Plan (CWSP), and having made findings of adequacy with respect to the objectives and policies of the CWSP as required by the Environment Article of the Maryland Annotated Code and of consistency with the St. Mary's County Comprehensive Plan, I move that the Planning Commission recommend to the Board of County Commissioners that service area maps III-34 and IV-34 be amended to change the service categories from W-6D and S-6D (service in 6 to 10 years, developer financed) to W-3D and S-3D (service in 3 to 5 years, developer financed) for property described as Tax Map 34, Grid 2, Parcel 190 in the 6th Election District; I further move that the Chair be authorized to sign a resolution on behalf of the Planning Commission to transmit this recommendation to the Board of County Commissioners and Mr. Siebert seconded. The motion passed by a 6-0 vote.

BREAK

ANNOUNCEMENTS

Capital Improvement Plan (CIP) 2012

Ms. Kramer gave an overview of the Capital Improvement Plan (CIP) for 2012 Proposed Budget and plan and asked for a recommendation from the Planning Commission. Commission members asked for an update on the Leonardtown Library, how the Workforce Housing Initiatives money is spent, and the Mattapan Farmers Market.

Mr. Evans stated he does not feel we are going to be able to achieve the numbers we are hoping for when it comes to the Workforce Housing Initiatives. Mr. Evans questioned \$250,000 being removed from AG Services and asked that this money be put back in the budget because there is an up-side to completing the consolidation. Mr. Evans questioned the process for collecting and utilizing mitigation fees for traffic signals.

Ms. McNeill made a motion to authorize the Chairman to sign a letter recommending the CIP to the County Commissioners with special emphasis on FDR Boulevard, AG Preservation, Forest Conservation/Critical Area Planting Program and Three Notch Trail as an addendum and Mr. Seibert seconded. The motion passed by a 6-0 vote.

St. Mary's Crossing Traffic Impact Issues

Mr. Shire gave an overview of the St. Mary's Crossing Traffic Impact Issues. Mr. Meinert stated the Concept Site Plan and Adequate Public Facilities (APF) Plan have changed from what was approved in April of 2010. ***Mr. Meinert made a motion to reconsider the Planning Commission's April 12, 2010 approval of the Concept Site Plan.*** Ms. McNeill recommended hearing from staff prior to making any motions. Mr. Meinert withdrew his motion for the time being. Ms. McNeill stated that a decision regarding the APF has not yet been made by the Planning

Director therefore there is still time for Mr. Meinert's questions to be answered. Mr. Willard stated the applicant should have to come up with an improvement for the issues at hand prior to getting Planning Director APF approval. Ms. McNeill agreed stating we should make sure this project is as safe as possible,

ADJOURNMENT

The meeting was adjourned at 9:31 p.m.

Jada Stuckert
Recording Secretary

Approved in open session: April 11, 2011

Brandon Hayden
Chairman