

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Monday, May 10, 2010**

Members present were Brandon Hayden, Chairman; Shelby Guazzo, Joe Meinert, Susan McNeill, Merl Evans, Martin Siebert, and Lawrence Chase. Department of Land Use & Growth Management (LUGM) staff present were Derick Berlage, Director; Bob Bowles, Planner IV; Dave Chapman, Capital Facilities Planner; 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 April 26, 2010 were approved as presented.

PUBLIC HEARING

CWSP #09-200-003 – Multiflora Estates

Mr. Chapman gave an overview of the request to amend service area map III-9 to change the water service category from W-6D (service in 6 to 10 years, developer financed) for 348.5 acres described as Tax Map 9, Grid 8, Parcels 369 (Outparcel A), 47 (Outparcel B), 370 (Outparcel C), and 353 (Lots 1-5) in the Mechanicsville area of the 5th Election District in anticipation of providing community water service to a proposed residential subdivision (5 lots of which are already recorded) located on MD Route 5 (Three Notch Road) and Flora Corner Road.

Ms. McNeill asked if the applicant has withdrawn the request for a W-3D category. Mr. Chapman stated the application has not been amended however he is unable to achieve the W-3D category under the new Comprehensive Plan. Mr. Chapman stated staffs recommendation is for a RW-D category. Ms. McNeill asked who owns the water and sewer. Mr. Chapman stated the initial system is installed by the developer and when complete the system is turned over to Metcom for ownership and management. Ms. McNeill asked if surrounding property owners would be required to connect to the system. Mr. Chapman stated yes if they are within 200 feet of the system.

Mr. Dean Wilkinson stated the applicant is comfortable with staff's analysis at this time. Mr. Siebert asked if a surrounding property owner is required to connect to the water line is the applicant willing to help pay for their cost? Mr. Wilkinson stated he is not aware of any adjacent properties that would be required to connect to the system. Mr. Wilkinson stated currently there are five recorded lots on the property that are in the process of being sold. (Tape) Mr. Wilkinson stated he would imagine that if a property owner is required to connect he would imagine the developer would pay the cost of the connection; however he would have to consult with his client. Ms. Meiser stated section 113 of the code requires adjoining property owners to connect; however in this case unless a property is within the subdivision itself they will not have to connect. Ms. Meiser stated this occurs because there are no roads abutting properties to make them connect.

Chairman Hayden opened the hearing for public comment.

Mr. John Rosche

Mr. Roache stated he is concerned that the water and sewer category change is being requested without knowing exactly what type of development will take place on the property. Mr. Roache stated the staff report clearly states there may be connection fees for adjoining property owners.

Mr. Kyle Burroughs

Mr. Burroughs stated he is concerned that he will have to pay to connect to the lines. Mr. Burroughs asked if he is unable to pay to hook into the line what will happen.

Ms. Wanda Roache Valiante

Ms. Valiante stated if this does not fall into the plans of the County for the future why hasn't this been down-sized so that they would not need the water category change.

Mr. T.A. Thompson

Mr. Thompson stated he has the same concerns as the other speakers. Mr. Thompson stated he lives on a fixed income and can't afford to connect to a central system. Mr. Thompson stated he believes this should be kept to less than 25 dwellings for this property.

Mr. Robert Black

Mr. Black stated he would really like to know how this property will be built out. Mr. Black stated the concern is that we do not want a Waldorf in our back yards.

Mr. Barry Roache

Mr. Roache stated there are a lot of steep slopes on this property that lead to fox run tributary and developing this property will not help the water quality there.

Mr. Hayden closed the hearing for public comment. Ms. Guazzo stated explained this is not a development area; we do not want this portion of the County to grow. Ms. Guazzo stated these are good soils therefore the systems should not fail. Ms. Guazzo stated the water lines as the developer has stated will be within the development as will the water lines therefore no neighbors will be required to hook into the system. Ms. McNeill stated she believes her concerns have been addressed by Ms. Meiser as to the involuntary connection to a central line. Ms. Guazzo stated the Planning Commission is simply making a recommendation to the Board of County Commissioners who will hold their own separate public hearing on the matter therefore there will be another opportunity to have your concerns heard.

Ms. McNeill made a motion to leave the record open for ten (10) days to receive additional comment and to make a decision on this matter at the next meeting and Ms. Guazzo seconded. The motion passed by a 7-0 vote.

DISCUSSION**Metcom Capital improvement Budget and Program for FY11-FY16**

Ms. McNeill stated at the last meeting she asked if there was a master public facilities plan. Ms. McNeill stated Mr. Chapman had responded that there was not a plan that contained all public facilities. Ms. Meiser stated through the years there have been many facilities plan however the current facilities plan dated 2009 covers the 5th and 8th sanitary districts.

Mr. Meinert made a motion that the Planning Commission accepts the FY11-FY16 St. Mary's County Metropolitan Commission Capital Improvements Budget and Program as being consistent with both the Comprehensive Land Use Plan and the Comprehensive Water and Sewerage Plan, and that the chair be authorized to sign a letter to the Board of County Commissioners confirming this finding of consistency and recommending approval and Mr. Siebert seconded. The motion passed by a 7-0 vote.

DEVELOPMENT REVIEW**MSUB #09-120-007 – Sirk Family Subdivision**

Mr. Berry gave an overview of the request for a 5 lot major subdivision stating there are no outstanding issues that would affect a decision tonight. Mr. Meinert asked how far away the proposed access is to Circ Road. Mr. Berry stated he is unsure. Mr. Meinert asked if there is a standard as to how far away it has to be. Mr. Berry stated a minimum of 175 feet. Mr. Meinert asked if we can through the subdivision approval process restrict the amount of accesses from the parent parcel onto Mechanicsville Road.

Mr. Evans made a motion in the matter of MSUB #09-120-007, Sirk Family subdivision, having accepted the staff report and having made a finding that the objectives of Section 30.5.5 of the Subdivision Ordinance have been met, and noting that the referenced project has met all requirements for Preliminary Plan approval, I move that the Preliminary Plan be approved and Ms. Guazzo seconded. The motion passed by a 7-0 vote.

CCSP #08-132-004 – Hotel Site PC Patel

This item was moved to the May 24, 2010 meeting.

FIVE MINUTE BREAK

DISCUSSION

Briefing on Staff Draft of Zoning Map & Zoning Ordinance Revisions

Mr. Berlage reminded the members of the three joint public hearings to be held next week on the Zoning Map and Zoning Ordinance revisions. Mr. Berlage gave an overview of the significant amendments to the Zoning Ordinance as well as the fine-tuning amendments. Mr. Hayden announced the Planning Commission work sessions will be held every Thursday from 8:00 a.m. to 11:00 p.m. and non-meeting Mondays from 2:00 p.m. to 5:00 p.m. with the exception of June 1, 2010 to begin May 27, 2010. Mr. Hayden stated this schedule will avoid additional compensation for staff members as they are day meetings. Ms. Stuckert stated she would email the schedule out to everyone. Mr. Meinert asked if members can request additional amendments be included in the Planning Commission draft. Mr. Hayden stated yes. Ms. Guazzo asked for a list of certified RNC areas. Mr. Berlage stated if we do not have one on file we can create one for distribution.

ADJOURNMENT

The meeting was adjourned at 8:15 p.m.

Jada Stuckert
Recording Secretary

Approved in open session: May 24, 2010

Brandon Hayden
Chairman