

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Monday, October 27, 2014**

Members present were Howard Thompson, Chairman; Shelby Guazzo, Patricia Robrecht, Susan McNeill, Martin Siebert, and Hal Willard. Merl Evans was excused. Department of Land Use & Growth Management (LUGM) staff present were Phil Shire, Director; Bill Hunt, Deputy Director; Bob Bowles, Planner IV; and Jada Stuckert, Recording Secretary. County Attorney George Sparling was also present.

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

APPROVAL OF THE MINUTES – The minutes of September 22, 2014 were approved as presented.

PUBLIC HEARING - DEVELOPMENT REVIEW

CCSP #14-132-009 – Wanamaker Auto Dealership

Bob Bowles, Phil Shire, Christy Hollander, and Dan Kelsh were sworn for the record. Phil Shire indicated this hearing is being continued from the September 22, 2014 meeting at which time the Planning Commission had asked for additional information from the applicant. Mr. Shire referenced a memo from Bob Bowles to the Planning Commission dated 10/20/14 which answers questions asked at the 9/22/14 hearing.

Mr. George Sparling referenced a color coordinated site plan and explained the easements. Mr. Sparling indicated the 20 foot Metcom easement has been terminated. Mr. Sparling referenced a 50 foot Metcom easement and explained that this easement does not exist. Mr. Sparling stated the yellow outline is an easement that crosses the railroad right-of-way was created 1986, problem is, it is in the wrong place. Mr. Sparling indicated a mistake was made in 1986 that recorded the easement in the wrong location. Mr. Sparling stated it would be necessary for him to confer with the County Commissioners' on how they would like to proceed. Ms. McNeill asked if this should be corrected prior to the Planning Commission voting on the project. Mr. Sparling stated he feels the Planning Commission could proceed with a condition that this easement be clarified first.

Ms. Hollander clarified the 10 foot easement indicating Metcom does not need the easement. Mr. Siebert asked if Metcom has everything they need in regards to this project. Ms. Hollander stated yes, Metcom has everything they need. Mr. Siebert asked if that right-of-way were to be moved; would not affect Metcom. Ms. Hollander indicated it would not.

Mr. Sparling referenced one last easement which runs right through the center of everything and indicated SMECO holds the rights to this easement. Mr. Tom Russell of SMECO was sworn for the record. Mr. Russell testified that SMECO was granted rights to control what happens to this 66 foot easement. Mr. Russell stated SMECO has no issues with this application.

Mr. Thompson asked if there were any issues with crossing the Three Notch Trail. Mr. Kelsh indicated they have been in contact with Recreation and Parks and have no foreseen issues. Mr. Bowles reviewed the additional approvals that would be necessary for the applicant to move forward.

Ms. Guazzo asked about the half acre that SMECO is not interested in. Mr. Jeff Wanamaker was sworn for the record. Mr. Wanamaker clarified the remaining half acre indicating SMECO has made an offer on so we are in the process of selling. Mr. Kelsh stated there is no intent for development and the subdivision documents will be used to make it an open space parcel.

Ms. Guazzo asked about the two phase development. Mr. Kelsh clarified the two phases stating phase 1 would contain parking, dealership, service bays; phase two would be future and unidentified auto repair space. Mr. Wanamaker indicated he's worked on this project for over 18 months and until he has some approvals he can't solicit a brand to make a commitment to this space.

Mr. Siebert made a motion in the matter of CCSP #14-132-009, Wanamaker Auto Dealership, 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 following conditions:

- 1. Crossing the Commissioners' right-of-way be approved; and***
- 2. Boundary Line Adjustment Plat and Subdivision Plat be recorded; along with a Comprehensive Water and Sewerage Amendment prior to final approval, and***
- 3. A variance from the buffer yard requirements is approved.***

Mr. Willard seconded and the motion passed by a 6-0 vote.

DISCUSSION

Planning Commission and Technical Evaluation Committee 2015 Schedule

Mr. Bowles presented the two schedules.

Ms. Robrecht made a motion to approve both and Mr. Siebert seconded. The motion passed by a 6-0 vote.

ADJOURNMENT

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

Jada Stuckert
Recording Secretary

Approved in open session: November 10, 2014

Howard Thompson
Chairman