

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Monday, March 22, 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 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 March 8, 2010 were approved as presented.

DEVELOPMENT REVIEW

MSUB #08-120-005 – Lands of Leonard Kessler, Lot 16

Mr. Berry gave an overview of the request for a 1 lot major subdivision stating general note #39 addresses 3 required design enhancements. Mr. Berry stated enhancement H, states "Establish environmental easements with a private land trust, with the County or State for permanent open space protection and post easement boundaries with signs stating purpose and allowable uses/activities within the easement. Mr. Berry stated the plan does not show the established easement however there are no other outstanding issues that would affect a decision. Mr. Berry stated the proposed lot is being created under the child lot provisions of Section 26.11 of the Ordinance and the grantee is prohibited from transferring the lot to a third party for a period of seven years. Mr. Berry stated the applicant must record the subdivision plat no later than May 13, 2012.

Mr. Meinert asked if #39 needs to be addressed tonight by the Planning Commission. Mr. Berry stated he believes staff can work out #39 with the applicant and explained the reason for the Planning Commission review. Mr. Meinert asked if there was a road maintenance agreement in place. Mr. Berry stated there would be at some point in time.

Mr. Seibert made a motion in the matter of MSUB #08-120-005, Kessler Subdivision, Lot 16, 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. McNeill seconded. The motion passed by a 7-0 vote.

ANNOUNCEMENTS

Mr. Hayden recommended public hearing notices including the certified mailing sent to neighbors include a statement that recommends the public confirm the agenda to make sure certain projects are in fact being heard at a certain time and date.

Mr. Berlage gave an update on the Comprehensive Plan stating a final vote by the County Commissioners should be made at tomorrow's meeting meaning it would take effect in 14 days. Mr. Berlage stated there were a few changes to the Planning Commission's recommendations. Mr. Berlage stated now that we are finished with the Comprehensive Plan we will need to begin working on the Zoning Ordinance Update. Mr. Berlage stated staff hopes to have a PowerPoint summary at the next meeting as well as a schedule.

Ms. Guazzo asked if the County Commissioners addressed the AICUZ at Webster Field. Mr. Berlage stated the County Commissioners modified this and recommended to create a study area rather than an AICUZ Overlay Zone.

Mr. Evans referred to the Joint Land Use Study and asked who would actually be doing the study. Mr. Berlage stated he is confident the Navy will be in contact with LUGM to set this up and when

he is made aware of the schedule and/or plan he will bring this information to the Planning Commission.

Mr. Evans stated at the last meeting he asked questions about mitigation funds etc. and is appreciative of LUGM's response. Mr. Evans stated he was not so pleased with Finance's response. Mr. Evans stated he would like to know many funds we mitigate for and over history if projects are not built what happens to the funds? Mr. Evans asked if a citizen could go and find out where we are within the ability of completing a project. Mr. Evans how, when, who makes the determination, how are they held, and where are they held, etc. Mr. Berlage stated there are 4 funds where we know exactly where the money is with LUGM. Mr. Berlage stated in April we will be presenting a group of projects in which this money can be spent. Mr. Evans stated he is more concerned with the Transportation mitigation fees. Mr. Berlage stated this is something he would be willing to speak with DPW&T and Finance and hopefully return with some clearly stated answers.

Ms. Guazzo stated she feels the Planning Commission should be looking at de-platting ancient projects that will never be built. Give mitigation money back and get back our EDU's etc. Ms. Guazzo stated there has to be a drop dead date for permits. Ms. McNeill stated she would like to know the status of the law and the position of Metcom before we pursue this.

ADJOURNMENT

The meeting was adjourned at 7:02 p.m.

Jada Stuckert
Recording Secretary

Approved in open session: April 12, 2010

Brandon Hayden
Chairman