

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Monday, April 9, 2012**

Members present were Howard Thompson, Chairman; Shelby Guazzo, Patricia Robrecht, Susan McNeill, Merl Evans, Martin Siebert, and Hal Willard. Department of Land Use & Growth Management (LUGM) staff present were Phil Shire, Director; Bob Bowles, Planner IV; 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 12, 2012 were approved as presented.

DEVELOPMENT REVIEW

FSUB #03-120-036 – Broad Creek Subdivision

The applicant is requesting to change the conditions set forth by the Planning Commission's July 26, 2004 Preliminary Plan Approval of the 183-lot subdivision. The property contains 92.827 acres; is zoned RL and AE; and is located on the northwest side of St. Johns Road at Broad Creek Drive; Tax Map 26, Grid 24, Parcel 85.

Owner: Talon, LLC

Presenters: Bob Bowles, LUGM; Randy Barrett, R.A. Barrett & Associates; John Groeger, DPW&T

Ms. Guazzo made a motion in the matter of FSUB #03-120-036, Broad Creek Subdivision, having accepted the staff report and having made findings pursuant to Section 30.5.5 of the Subdivision Ordinance #02-02, whereas the second condition of the original approval of July 26, 2004; "that the plat for the second 75 lots may not be recorded until a second access point is approved and constructed or bonded" be stricken and superseded by the improvements now proffered by the applicant, specifically:

- 1. The applicant would design, bond, and construct the required improvements at MD 235 & St. John's Road associated with full signalization and be responsible for all costs associated with the design, construction, and utility relocations.***
- 2. The applicant would construct the Barbet Drive connection to the Dean property and the Daphne Drive connection to FWD Drive, in normal construction phasing and buildout of the Broad Creek Subdivision.***
- 3. When the bond is posted for the additional MD 235 & St. John's Road intersection, (described in 1 above) the bond for the right-in and right-out on MD 235 (Barbet Drive extended) would be released.***
- 4. Applicant would move forward with the construction of the MD 235 & St. John's Road improvements in an expeditious manner. Generally defined by the Applicant as 12 to 18 months after receiving final authorization and approval.***
- 5. The Applicant will provide staff with a letter from the State Highway Administration defining all the improvements to complete the full signalization to the intersection of MD 235 and St. Johns Road.***

I move that these proffered improvements and conditions be approved and Mr. Willard seconded. The motion passed by a 7-0 vote.

MSUB #11-120-003 – DW Bowles Estates

The applicant is requesting preliminary plan approval of 1 lot and 1 farmstead. The property contains 34.39 acres; is zoned RL; and is located at 44145 & 44149 Joy Chapel Road, Hollywood, Maryland; Tax Map 27, Grid 14, Parcel 433.

Owner: Douglas W. & Mary Laura Bowles

Presenters: David Berry, LUGM; Bill Higgs, Little Silences Rest, Inc.

Mr. Evans made a motion in the matter of MSUB #11-120-003, D.W. Bowles Estates, Lot 6 and Farmstead 1, 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.

MSUB #11-120-004 – Stallman Section 6

The applicant is requesting preliminary plan review and approval of 16 lots. The property contains 17.80 acres; is zoned RL; and is located at 21680 Tammie Drive, Great Mills, Maryland; Tax Map 42, Grid 24, Parcel 169.

Owner: Peter & Paul Stallman

Presenters: David Berry, LUGM; Bill Higgs, Little Silences Rest, Inc.

Mr. Evans made a motion in the matter of MSUB #11-120-004, Stallman Subdivision Section 6, 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 and establishing the required open space to be 36.8%, I move that the Preliminary Plan be approved and Ms. McNeill seconded. The motion passed by a 7-0 vote.

CCSP #11-132-013 – Golden Corral Restaurant

The applicant is requesting concept site plan approval for an 11,087 square foot restaurant. The property contains 3.42 acres; is zoned CMX; and is located at 22606 Three Notch Road, Lexington Park, Maryland; Tax Map 43, Grid 01, Parcel 332.

Owner: Aldridge Ford Inc.

Presenters: David Berry, LUGM; Butch Bailey, Nokleby Surveying Inc.; Phil Shire, LUGM

Ms. McNeill made a motion in the matter of CCSP #11-132-013, Golden Corral Restaurant, 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 and Mr. Siebert seconded. The motion passed by a 7-0 vote.

MSUB #10-120-001 – Kingswood Subdivision

The applicant is requesting preliminary plan review and approval of 9 lots. The property contains 16.037 acres; is zoned RPD; and is located at 43660 Pump House Lane, Leonardtown, Maryland; Tax Map 49, Grid 18, Parcel 66.

Owner: The Lightfoot Group LLC

Presenters: David Berry, LUGM; Butch Bailey, Nokleby Surveying; John Groeger, DPW&T; Phil Shire, LUGM

Mr. Evans made a motion in the matter of MSUB #10-120-001, Kingswood Subdivision, lots 1 thru 9, having accepted the staff report and having made a finding that although the objectives of Section 30.5.5 of the Subdivision Ordinance for new development cannot be met due to the existing non-conforming lot dimensions, density, setbacks and private road capacity, and noting that the referenced project cannot meet all requirements for Conditional Preliminary approval without the granting of certain variances to address the non-conformities, I move that the Plan may return to the Planning Commission for preliminary subdivision approval pending granting of the following variances by the Board of Appeals:

1. A Density Variance

2. **Variance from 15' side setback requirement for lots 1 thru 5.**
3. **Variance from 50' front setback requirement for lots 1 thru 6.**
4. **Variance from 150' minimum lot width for lots 1 thru 6.**
5. **Variance from 75' minimum frontage for lots 2, 3, and 4.**
6. **Variance from private road requirements allowing a maximum of 5 lots on a private road for Pump House Lane and a similar variance for Winters Lane.**

In addition we would like to make the Board of Appeals aware of Planning Commission discussion in regards to a small portion of land being upgraded to public road standards. Mr. Siebert seconded and the motion passed by a 6-1 vote with Ms. Guazzo opposed.

MSUB #11-120-001 – McIntosh Subdivision 3 Lot Resubdivision Lots 500-6 and 500-7

The applicant is requesting preliminary plan review and approval of 3 lots. The property contains 15.022 acres; is zoned RPD; and is located at 42141 and 42121 Tom Court, Hollywood, Maryland; Tax Map 20, Grid 19, Parcel 429-1-500-7 & 500-6.

Owner: Stephen C. & Beverly L. Wilson
 Presenters: David Berry, LUGM; Mr. Ocker, NG&O Inc.

Mr. Siebert made a motion in the matter of MSUB #10-120-002, Broyhill 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 with the following condition:

1. ***The Applicant shall secure two (2) TDRs for this project.***

Mr. Evans seconded and the motion passed by a 7-0 vote.

ADJOURNMENT

The meeting was adjourned at 9:35 p.m.

Jada Stuckert
 Recording Secretary

Approved in open session: April 23, 2012

Howard Thompson
 Chairman