

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING  
ROOM 14 \* GOVERNMENTAL CENTER \* LEONARDTOWN, MARYLAND  
Monday, April 9, 2007**

Members present were Steven Reeves, Chair; Howard Thompson; Merl Evans; Shelby Guazzo; Brandon Hayden; and Susan McNeill. Department of Land Use and Growth Management (LUGM) staff present were Denis Canavan, Director; Sabrina Hecht, Planner IV; Jeff Jackman, Senior Planner; Bob Bowles, Planner II; Amanda Sivak, Recording Secretary. Deputy County Attorney, Colin Keohan; George Erichsen Director of Department of Public Works and Transportation; John Groeger, Deputy Director Department of Public Works and Transportation were also present.

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

**APPROVAL OF THE MINUTES** – The minutes of March 12, 2007 and March 26, 2007 were approved.

**DEVELOPMENT REVIEW**

**Standard Subdivision #03-120-007, Porto Bello Estates Section 2, Phase 2**

The Applicant is requesting a preliminary review and approval of 29 lots in a STANDARD SUBDIVISION. The property contains 44.14 acres; is zoned Rural Preservation District (RPD); and is located at the West Side of Frogs March Road, approximately 3,000 feet north of its intersection with Drayden Road, Maryland; Tax Map 62, Grid 09, Parcel 33

Owner: Casimir & Mary Szlendak  
Applicant: The Tech Group, Inc.  
Present: Pat Mudd, P.F. Summers; Chris Longmore.

Mr. Bowles explained there are outstanding issues with the subdivision. It is under Ordinance # 90-11 and is allowed to mitigate middle school seats. Stormwater management and the completion of the community recreation center are due at final approval. The concept site plan started back in September of 1996 and was approved by the Planning Commission in October of 1996. The preliminary subdivision plan was reviewed by the TEC agencies in the May 1997 review cycle. The plat for Phase 1 was recorded on June 26, 1998. The Applicant did not have Phase 1, section 2 recorded by February 22, 1999 and the planning commission granted re-approval for Phase 1, section 2 to be recorded by February 22, 2000 and asked for another extension on June 12, 2000. Phase 1 Section 2 was finally recorded on March 20, 2001. Phase 2, Section 1 was reviewed by the TEC in May 2002 and was granted preliminary approval on September 23, 2002 with the understanding the recreation center would be built before or guaranteed with bonds before recordation of this section. This section was never finalized. On April 11, 2005 the Planning Commission granted an extension of vesting of phasing. Phase 2, Section 2 has Stormwater management, construction of a community recreational center, homeowners association documents, and school capacity mitigation as outstanding issues.

Ms. Guazzo asked Mr. Bowles if the Planning Commission had this in front of them since December 1997. Mr. Bowles answered yes. Ms. Guazzo explained when this kind of project comes online there should be a community facility online one-half or two-thirds of the way through the project and in this case the facility was attached to Phase 2, Section 1 of this project. Mr. Bowles explained Phase 2, Section 1 is in record plat stage, and it is just not finished yet. Mr. Reeves questioned if the facility has been bonded yet. Mr. Bowles explained the facility has not yet been bonded. Ms. Guazzo explained that she understands the developer doesn't want to pay taxes on the small lots, but she has a problem with the developer skipping over Phase 2, Section 1.

Mr. Pat Mudd explained the recreation facility was designed, plans were submitted and some of the agencies approved it and others did not. Mr. Mudd explained since he has come to the project, he has been trying to resurrect the plans for the facility and get them bonded. Mr. Thompson asked if the homeowners in Phase 1 had the recreation facility on their plats. Mr. Mudd explained there has always been a recreation facility on the concept plan for this community. Mr. Thompson questioned why this project is going to move faster this time. Mr. Mudd explained the company has an understanding with the landowners to move forward with the development. Ms. Guazzo questioned if Mr. Summers has a controlling interest in the LLC that owns the property. Mr. Mudd explained Mr. Summers is working on a purchasing the development agreement with Mr. Szlendak for the lots, but that has not been finalized yet. Mr. Reeves explained they are moving forward on this project so they can mitigate schools with bonds, but there are no bonds for the owners. Mr. Reeves asked Mr. Bowles what happens if the Commission denies this section of the division. Mr. Bowles explained if it is not approved, it would fall under the new ordinance, unless they get another extension. Mr. Reeves questioned if they would have to go through all the filing again and would it affect the phases approved before. Mr. Bowles explained they would not have to re-file again and the phases completed are already recorded.

Mr. Mudd explained Phase 2, Section 2 cannot be constructed without Phase 2, Section 1 being constructed. Ms. Guazzo explained the minutes stated the rec. facility will have access off the public road by a road that has been constructed. Mr. Mudd explained that was incorrect. There is no road right now in Phase 2. Mr. Evans explained the pressure is on the Developer to bond the facility. Mr. Evans questioned how many houses have been built. Ms. Guazzo explained there are 38 houses in Phase 1. Mr. Chris Longmore explained one of the issues that held up the process was the middle school seat mitigation back in 2004 and 2005. This was the point that school seats shut down development in that district. Mr. Longmore explained the developer and LUGM staff has been working to try and resolve the school seat mitigation issue. Ms. Guazzo stated the developer had final approval for Phase 2, Section 1 four years ago. Mr. Longmore explained that denying the action would be harming the community. P.F. Summers is committed to finishing this project. Mr. Longmore explained to fully get the recreational facility built, it would be helpful to let the community be built as it was intended to be. Mr. Longmore does not believe the conditions imposed in the motion are inappropriate considering the time frame of this project and there is any hesitancy on P.F. Summers part to provide reports on the progress. Ms. Guazzo explained when Phase 2, Section 1 was approved the middle schools were not an issue. Mr. Thompson explained he takes exception to the fact Mr. Longmore said denying the proposed plan would be harming the community. Mr. Thompson questioned how long P.F. Summers has been involved in this development. Mr. Longmore explained he was not sure on the time frame. Mr. Chase asked Mr. Bowles if it was possible to build Phase 2, Section 2 before Section 1. Mr. Bowles explained the road needs to be built in Section 1 first to go back into Section 2.

Mr. Canavan explained he, in fairness to the community that is already in the development, would like to see that recreation center built. In order to offset some of the cost of this, move forward with Phase 2 Sections 1 and 2. He would suggest they go with Mr. Evans suggestion to amend the recommended motion so Phase 2, Section 1 is recorded in the same 90 days with the school mitigation. Ms. Guazzo explained Phase 2 Section 1 has no standing anymore since its final approval was granted in December of 2002. Mr. Chase questioned if they could add that to Phase 2, Section 2. Mr. Canavan explained they could do that and offset the construction costs.

**Ms. Guazzo moved that having accepted the staff report, dated March 30, 2007, and having made findings of adequate facilities pursuant to Section 40.10 of Zoning Ordinance #90-11 for Stormwater Management as noted on the attached adequate facilities checklist; that the applicant is entitled to provide school mitigation; and that the project must meet all TEC agency requirements and return to the Planning Commission for final approval, The Board moves that the preliminary subdivision plan be approved with the conditions that:**

1. **School mitigation fees, approved by the Planning Director are paid within 90 days of Preliminary Approval, and**
2. **The Community Recreation Facility be constructed and ready for use before application for final approval of the subdivision.**

**The motion was seconded by Mr. Thompson and passed by a 6-0 vote. Ms. McNeill excused herself due to conflict of interest.**

**Concept Site Plan # 06-132-036, SMCPS 0606, Wildwood Site**

The Applicant is requesting a review and approval of a Concept Site Plan for a 73,351 square foot Elementary School. The property contains 54.99 acres; is zoned Rural Preservation District (RPD); and is located at end of Wildwood Parkway, California, Maryland; Tax Map 33, Grid 24, Parcel 245.

Owner: St. Mary's County Public Schools  
Present: George Erichsen, Director of DWPT; Kim Howe, BOE; Bradley Clements, BOE; Jackie Meiser, Attorney.

Mr. Bowles explained the final finding of adequate public facilities will be made administratively by the Planning Director as a prerequisite for final site plan approval. The concept site plan was reviewed at the October 2006 TEC Review cycle following the August 2006 TEC application meeting. The conditional use approval was granted by the Board of Appeals on November 10, 2005. The proposed school will be served by public water and sewer and the construction will commence in five years. The limits of disturbance will be limited to the minimum necessary to provide adequate facilities for the school. A five-foot fence will be placed around the play areas and athletic fields. The order was re-approved on January 25, 2007. The St. Mary's water and sewer plan was amended by the BOCC to permit extension of water and sewer service to certain school sites that adjoin development districts. The Planning Commission held a public hearing to amend the Comprehensive Water and Sewer Plan on January 22, 2007 and recommended the amendment to the BOCC. On March 22, 2007, the BOCC held a public hearing and no testimony was given at the hearing, the record was left open for 10 days. An airport environ study was conducted and it was found that the new elementary school is compliant with being located within Area 4 of the St. Mary's County Airport Environs.

Mr. Bowles explained the school is consistent with the Comprehensive Plan. The concept plan has no outstanding issues that would prevent a favorable determination that adequate facilities are, or could be made to be available for this project. The school will be design and constructed to meet current codes and will, by the nature of activities and services provided by the school, will promote the health, safety, and welfare and enhance a sense of community and with appropriate buffering will not adversely affect the surrounding residential communities or landscapes. The staff believes the objectives of Section 62.3 of the Zoning Ordinance are met with this plan.

Mr. Reeves questioned if Area 4 was a noise area. Mr. Bowles explained that it is a noise area. Mr. Reeves questioned if it is in the traffic patterns for the airport. Mr. Bowles explained in the area of the school, the height of the planes are above the height restrictions. Mr. Reeves explained that the planes look like they are coming off the take off area and coming due south of it. Mr. Bowles explained the planes might fly over the school but not while they are landing. Ms. McNeill expressed concerns about the noise around school because of the flying program. Mr. Erichsen explained that the aircraft approach the airport at a 45 degree angle from the center line of the airport make a turn about 1,000 feet away then land. This Fly Quite Program is a volunteer program. The new school is about 1,000 feet away from the established traffic pattern at the airport. Ms. McNeill explained if this was a volunteer program, then the pilots can use it. Mr. Erichsen explained that the program is only used if the weather conditions, pilot experience, and instrument control make it safe for them to use. There is a quarter mile shift in the flight path depending on weather conditions. But there is still about a 1,000 feet between the school and the flights paths. Ms. McNeill questioned if the program has

been evaluated because the school site will be located so close. Mr. Erichsen explained there can be a study done and the program is voluntary. Mr. Erichsen also explained the Wildwood school site was put into a FAA study specifically. This study analyzed accident data and noise compatibility with the school. Mr. Erichsen explained Hollywood Elementary School is also in the flight path and there have been no registered complaints regarding noise. Mr. Thompson asked Mr. Erichsen's thoughts about the letter from the Pilots Association that was sent to the Commission. Mr. Erichsen explained the letter had some incorrect assumptions in it. The figures they included are correct, but inaccurately portrayed and the chart Mr. Erichsen made was from the same handbook the Association quoted. Mr. Erichsen doesn't disagree with what was in the letter, but the percentage of accidents happening was lower than what they had stated.

Ms. Guazzo asked which aquifer the school would be drawing out of. She explained that the Aquifer should only be used for residential projects and that the school should be using the Patapsco Aquifer. Ms. Meiser explained that the school project will be using the Patapsco Aquifer for water. This was confirmed by the head of METCOM in a letter. Ms. Guazzo asked if Ms. Meiser has a copy of this letter to be entered into the record. Ms. Meiser explained she does not have a copy of this letter, but LUGM should have one in their office. Mr. Canavan explained it can be made part of the record, but they are part of the record for the BOCC. Ms. Meiser explained the St. Mary's County Public Schools were to go before the BOCC for a CWSP change, but this had not happened since the meeting was canceled.

**Mr. Thompson moved that having accepted the staff report, dated March 30, 2007, and having made a finding that the objectives of Section 60.5.3 of the Zoning Ordinance have been met, and noting that the referenced project has met all requirements for concept approval, also noting that the Patapsco Aquifer is the aquifer approved for that project, the Planning Commission grant approval of the concept site plan. The motion was seconded by Mr. Evans and passed by a 7- 0 vote.**

#### **Concept Site Plan # 04-132-009, MTA Park and Ride Concept Plan**

The Applicant is requesting a review and approval of a Concept Site Plan for a 10 acre 500 space Park and Ride. The property contains 10.00 acres of a parent track of 115.46 acres; is zoned Rural Preservation District (RPD); and is located at the north side of MD Rt. 6, northeast of its intersection with MD Rt. 5; Tax Map 4, Grid 16, Parcel 56.

Owner: St. Mary's County Board of County Commissioners  
Applicant: Maryland Transit Authority  
Present: Judy Sikorski, Project manager MTA; Tom Hannon Whitman, Riker and Associates; Ernie Bastin, Manager of Project development MTA; Don Newton, Chief of Environmental Planning MTA; David Baski, Consultant Manager J. E. Jacobs Civil Inc.

Mr. Bowles explained this application is for a 500-park and ride lot. The concept site plan was reviewed in the 2004 April TEC review cycle. The Pre-Application Meeting was held October 2002 and the Board of Appeals held a public hearing in August of 2002. In October 2004 the BOA granted the Conditional Use approval and in October 2005 the BOA granted an extension. On November 14, 2005 the Planning Commission held a meeting opened it to public comment and then voted to table it until more information was received. The MTA provided a binder to the Commission that addressed all the comments received and the MTA will give a presentation.

Ms. Sikorski explained MTA started providing bus service in 1989 to St. Mary's County. They have added two more busses since 2001. Charlotte Hall provides about 45% of the 523,000 riders per year. There is only one park and ride in the Charlotte Hall/New Market area and that is the

shopping center. Mr. Reeves asked if the MTA is proposing a lot in Charlotte Hall also. Ms. Sikorski explained they are because the day the New Market Lot would open, it would be over capacity. Mr. Thompson questioned where the other lot would be located at. Ms. Sikorski explained it would be located at the Golden Beach Road area. Ms. Guazzo asked if that was their first choice. Ms. Sikorski explained New Market is what the BOCC in 2003 asked them to focus on and only plan the other property if they can justify it. The Charlotte Hall and New Market projects started in 2001. There was a traffic impact study done in 2002, which has been revised several times over the last few years. MTA held an open house in Charlotte Hall to discuss the projects. There were budget cut backs in 2003, so MTA chose the Charlotte Hall Golden Beach Road site to build first. The idea was presented to the BOCC, but the BOCC asked them to focus on the New Market site and then the Charlotte Hall site if they could justify it.

There was a public open house for the New Market site in 2004. The concept site plan was approved and then needed an extension. In 2005, MTA came before the Planning Commission, but there were some comments made on the traffic study. The two traffic studies in 2006 were completed because the MTA was asked to coordinate with the State Highway Association in the studies. The comments addressed the Park and Ride proximity to the 5<sup>th</sup> District Park and the traffic impact of it, impacts to Golden Beach Rd, All Faith Church Road and the impact on the Amish buggies that travel Route 5 and 6, and the proximity to the Lettie Marshal Dent Elementary School.

Mr. Hannon explained his company was brought on board after the last Planning Commission meeting. They conducted additional studies to the traffic impact. He explained MTA expects people from the south will be the ones using this Park and Ride and be returning to the south. The Park and Ride would be at the northeast section of the intersection. On Rt. 5 there would be a right-in, right-out turn and on Rt. 6 there would be a left-in, right-out turn. When the company performed the traffic study they noted the west bound queues fill the median constantly and the north bound queues never fully clear the median. MTA expects the traffic numbers will be going down of those coming from the north, but it will increase the number coming and going south bound. SHA and MTA considered improving the median, but found it would cause more problems than it would solve. But they agreed a separate left turn signal along with adjustments of the other signals timing would help alleviate the problems of the intersection. They used to separate methods to calculate levels of service for this intersection. One was the critical lane service. This is a planning method that shows the highest level of service in the area. The other is a national method used to calculate service levels. Both methods marked the intersection as a service level 'C'.

MTA has agreed, to move ahead with the project, to extend the left hand turn lane. SHA is willing to adjust the timing of the lights if there is a need. Mr. Hannon explained Rec. and Parks said that there would be little interaction with the 5<sup>th</sup> District Park. The possibility of people using All Faith Church Road as a pass through was also brought up and they did a timing of the routes and found it to be longer to use All Faith Church Road than to stay on Route 5. The Amish buggies are another issue raised. There is evidence they are using the Three Notch Trail. Mr. Thompson asked about the corner market that the Amish would need to use the larger buggies and carts. He explained they would need to use and cross Routes 5 and 6 to it. Mr. Hannon explained that buggies would be coming from the west and noticed SHA has installed cameras at the intersection should there be a need to adjust the signals there on a moments notice. Mr. Thompson asked how they conduct the traffic study, averages over days. Mr. Hannon explained that they perform a mid week study to get average traffic conditions. Mr. Thompson questioned what time of year were the counts done. Mr. Hannon explained they did the latest in March and the one before that was in January of 2006. Mr. Thompson asked if that was the first week after the New Year. Mr. Hannon explained that it was January 4, 2006. Mr. Thompson explained that there is little traffic that time of year. Ms. Guazzo explained that the market that the Amish run would be generating traffic. Mr. Hannon asked when the market would be open. Mr. Thompson explained that it was open on Wednesdays and Saturdays.

Ms. Guazzo questioned when the first bus leaves in the morning. Ms. Sikorski explained that the first bus leaves at 4:15 a.m. in the morning and the last bus in the evening is at 7:33 p.m.

Ms. Guazzo explained that the rush hour going to Washington D.C. doesn't end until about 8:30-9:00 which is at the time that the buggies are on the road also. Ms. Sikorski explained the buses would be taking some of the rush hour traffic off the roads. The question was raised about the commuter buses on Rt. 6. Most of the buses will be making the right on Rt. 5, the buses that are going south in the afternoon will be the ones that are going to be turning on Rt. 6 and going south. Ms. Guazzo questioned what the length was between the intersection and the right-in, right-out. Mr. Hannon explained it was 500 feet. There was an issue with the buses queuing in the median. Mr. Hannon explained there is usually only about 2 busses at anyone time in the Park and Ride lot. Mr. Evans questioned if the capacity of the New Market lot is 500. Mr. Hannon explained it was. Mr. Evans questioned what the capacity of the lot in Charlotte Hall will be. Ms. Sikorski explained they would start at 500, but by the time they would get to final design it will be less then that. Mr. Evans asked what the capacity of the lease lot is now. Ms. Sikorski explained it started out at 300, and then expanded to 600 lots. Mr. Evans explained that people have been saying that if this lot opens, it will too small almost instantaneously and it would draw traffic into an already congested area.

Ms. Guazzo asked Mr. Hannon if he said that SHA would not change the single until they get enough complaints. Mr. Hannon explained SHA wants to wait and complete an after-study to analyze what will happen with the intersection, but in the mean time they want complete a design request. Mr. Reeves questioned if Charlotte Hall will be closed when this lot opens. Ms. Sikorski explained that the current lease is until 2010 but there is a six-month clause in it. Ms. Guazzo explained a good number of accidents in this intersection were rare-endings. Even though the number doesn't make it one of the worst in the state, it probably makes it one of the worst in the county. Mr. Hannon agreed and explained that the nature of the road with high speed traffic, introducing a traffic light will almost always increase the number of accidents. Ms. Sikorski explained the comments about the proximity to the elementary school were another concern for the MTA. There is a natural wetland barrier so there would be some difficulty in crossing that to get to the school. Ms. Sikorski explained also that the lot would have several security features in it. The lights would be on a timer to get brighter as the busses start in the morning and get dimmer after the last bus leaves. There would be pay phones on the lot. There is a 25ft buffer request by the BOCC. Mr. Thompson expressed concerns about the isolation of the site. Ms. Sikorski explained that the passengers look out for one another. Ms. McNeill asked if this was going to be open to car-poolers. Mr. Bastin explained that it would be mostly bus commuters.

Ms. Guazzo questioned why they did not use the corner closer to the road. Mr. Bastin explained the Board of Appeals wanted a 300 foot buffer from the convenience center and they never considered that property, but SHA at one time proposed a park and ride there. Ms. Guazzo questioned in the future should they be allowed into that buffer to make more parking. Mr. Bastin explained they could, but they were honoring the agreement. There haven't been any environmental investigations to consider if there was anything else preventing them from building. Mr. Evans questioned how close the two lots are to each other in timeline. Ms. Sikorski explained that they should be opening the same year. Mr. Evans questioned how many spaces there will be in the Charlotte Hall lots. Ms. Sikorski explained it would be about 500 spaces roughly. Mr. Evans asked if there was land in Charlotte Hall they could expand into and does MTA anticipate Charlotte Hall expanding. Ms. Sikorski explained that they would have to have environmental studies done and need the land to be under contract with the property owners. Also MTA doesn't think they can get approval for a lot of more than 500 spaces.

The Chair opened the case to Public Testimony.

Mr. John Parlett explained he was concerned about the lack of notification about the meeting. In November of 2005 the community had asked to be notified by MTA about anything that would be happening with this lot. Mr. Parlett explained that MTA had notified their riders about this meeting, but no one else. Mr. Parlett explained the expert presenting gave some ideas on how to improve the intersection, but many of them seem to be out of this project's budget. Mr. Parlett feels that the current lot location was a political decision. In Charlotte hall there are a number of properties that could be used for a 'mega-lot'. The site behind the WaWa doesn't perk and could be used. The

intersection is working on at least an 'A' level. Mr. Parlett believes because of the federal and state money being used, it would be more efficient to create one large lot. He believes that they are acting only on the mandate of the BOCC. Mr. Parlett doesn't believe they have addressed the issues at the intersection. He stated there is not room for three busses without the front and back bus hanging out in the intersection. Mr. Parlett explained there are other lots that can be bought that would not be in conflict with traffic patterns, the Amish community and the Amish Market.

Ms. Martina Gravett explained that she rides the commuter buses. She explained it is a dangerous location. The location isn't in the open like the Mattawamon lot, the Charlotte hall lot has the shopping center, and the Airport is a decent location.

Ms. Kim Cutchins explained she lives next to Lettie Marshal Dent and she hears the helicopter that lands for traffic accidents. She is not sure if the traffic was assessed correctly. She is concerned about the proximity of the lot to the school. She explained if she had known about the meeting earlier she would have walked the wetland areas to see how much of a buffer there is with those wetlands. She explained also the Amish buggies need to travel this section of Route 6 frequently. The commuters that come up Golden Beach Road to go to the Charlotte Hall lot will probably not do that. They would cross at All Faith Church Rd. While Rt. 6 is a decent road, All Faith is a twisting hilly road that doesn't have shoulders on it.

Mr. John Bailey explained in the first few meetings the state had met with community and the community had written to the state and hadn't been given a response back yet. The pervious project manager took their emails and addresses and said they would be contacted. He stated he doesn't think the traffic study has been done satisfactorily. The other issue is the group doesn't know when the Amish market is open. There was nothing addressed about the concrete trucks that use the intersection. Mr. Bailey explained he doesn't think the times they gave for going across All Faith Church Road and Traveling Route 5 to be false. He stated he lived there all of his life and has never seen it work that fast. He explained they found out about this meeting on accident. Ms. Guazzo asked Mr. Bailey if he would opposed to a 1000 space lot on Golden Beach Road. Mr. Bailey explained he was not. He explained he has seen too many issues with the intersection to support it. He stated that the people from Golden Beach Road on Route 6 would just make the problem worse. He stated that he is not opposed to a Park and Ride in Northern St. Mary's. He also would like to know how the traffic studies have taken into account the congestion that is no longer in Hughesville.

The Chair closed the hearing to Public Testimony.

Mr. Reeves thanked the MTA people for being professional about this and their presentation. Mr. Reeves asked the board if they wanted to make a decision tonight or leave it open. Ms. McNeill explained that because it's not a public hearing they can't leave it open to public comment. Mr. Evans explained the MTA people did a wonderful job with their presentation, but he has always had issues with the New Market intersection. He thinks that the Golden Beach Road site is a good location and he hopes they can move forward on that. In the short term, MTA does have the lease site and accesses on to Route 5.

Ms. Sikorski explained, in response to Mr. Parlett, both sites were on track in 2001, but because of budget problems, many projects were put on hold. Mr. Bastin explained the Charlotte Hall site public meetings had more opposition than the New Market site. MTA can't get more than 500 spaces in that site. There is also a six month notice at the current lots, if the property owner wants to develop that site they don't have a back up. They considered many sites, but only six didn't have the environmental issues or community issues. Ms. McNeill believes MTA has put a great deal of work in to this and she thinks that there should be more debate on this. Mr. Evans explained he would recommend MTA should not use this site. This intersection poses a lot of concern with the traffic issue. Ms. Guazzo explained she is ready to vote and had several concerns with the site. She believes the BOCC was in error to direct the MTA to this site, the security of the site is an issue, its proximity to the school, and the traffic is an issue. The better site would be Golden Beach Road. Ms. McNeill questioned how long it would take to get another site approved. Mr. Bastin explained it

would be several years to get the ball rolling. Ms. Guazzo explained they would have enough room at Charlotte Hall, but the current lot owner has been amicable to the MTA. Mr. Bastin explained they could not convince the lot owner to go into a longer lease agreement. Mr. Evans explained since there is a Charlotte Hall site in a parallel course, the lot owner would be able to work with MTA.

**Mr. Thompson moved that having accepted the staff report, dated April 2, 2007, and having made a finding that the objectives of Section 60.5.3 of the Zoning Ordinance have not been met and noting that the referenced project has not met the requirements for concept approval, the Board moved that the concept site plan not be approved. The motion was seconded by Mr. Evans and passed by a 6-1 vote with Ms. McNeill objecting.**

#### **ANOUNCEMENTS**

There were no announcements.

#### **ADJOURNMENT**

The meeting was adjourned at 9:40 p.m.

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Amanda Sivak  
Recording Secretary

Approved in open session:

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Stephen T. Reeves  
Chairman