

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Monday, April 27, 2009**

Members present were Steven Reeves, Chairman; Brandon Hayden, Shelby Guazzo, Susan McNeill, Merl Evans, Martin Siebert, and Lawrence Chase. Department of Land Use & Growth Management (LUGM) staff present were Derick Berlage, Director; Phil Shire, Deputy Director; Bob Bowles, Planner IV; Jeff Jackman, Senior Planner; Yvonne Chaillet, Zoning Administrator; 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. and introduced Mr. Derick Berlage as the new Director for the Department of Land Use and Growth Management.

Mr. Shire gave a brief overview of an upcoming text amendment which would grant extensions for relief of approved development projects due to the economy. Mr. Shire stated staff would be taking this before the County Commissioners tomorrow. It was the consensus of the Committee to hold a joint public hearing with the Commissioners to speed up the text amendment process.

APPROVAL OF THE MINUTES – The minutes of April 13, 2009 were approved as presented.

PUBLIC HEARINGS

Text Amendment – Wineries

Ms. Chaillet gave an overview of the text amendment. Mr. Bob Schaller stated this text amendment is being brought forth at a good time due to the tobacco buy-out. Ms. McNeill asked if the vineyards would have the opportunity to import grapes. Ms. Chaillet stated the State requires all grapes be from Maryland.

Ms. McNeill asked if staff considered beer brewing while looking at this text amendment. Ms. Chaillet stated they did not. Ms. McNeill stated when these text amendments come through staff should be looking at broader items that could be incorporated. Ms. McNeill recommended considering other brewing and processing during the Comprehensive Plan review.

Mr. Reeves asked if all wines had to be sold by a wholesaler. Mr. Richard Fuller stated small scale wineries can distribute if they generate 27,000 gallons or less. Mr. Fuller explained a winery generating more than 27,000 gallons would have to use a wholesaler to sell their wine. Mr. Reeves asked why we are combining "conference facility" with wineries. Ms. Chaillet explained most wineries also generate income by selling other items as well as holding tasting, weddings, and other special events.

Ms. Guazzo asked that staff research Ingleside Winery in Virginia and stated she is not opposed to wineries as long as they are the principal use and not accessory to the conference facility. Ms. McNeill asked if "food service" would include a restaurant. Ms. Chaillet stated this was not the intent. Mr. Siebert asked about the Health Department inspections. Mr. Fuller stated all wineries would have to have Health Department approvals.

Mr. Reeves opened the hearing to public comment, hearing none, closed the hearing to public comment. ***The Planning Commission closed the public hearing, left the record open for ten (10) days to receive public comment and tabled the discussion to a future meeting.***

DEVELOPMENT REVIEW

CCSP #08-132-019 – Willows Road Business Park

Mr. Berry gave an overview of the request for a 289,675 square foot business park stating final findings for adequate public facilities will be made administratively by the Planning Director, as a

prerequisite to final site plan approval. Mr. John Groeger submitted two exhibits for the record and gave an overview of the rights-of-ways stating historically there has been a 60 foot right-of-way. Mr. Evans asked who builds the roads. Mr. Groeger stated it is a joint effort between the County and the State.

Mr. Michael Pierce stated he submitted a letter from the owner agreeing to provide 10 feet of the buffer strip for future dedication if necessary. Mr. Siebert stated he does not find it appropriate to make the owner give away land that he paid for. Mr. Siebert asked why the building is being proposed to be only 35 feet away from the road when all the other buildings in the area are at least 50 feet away. Mr. Berry stated the minimum necessary per the ordinance is 35 feet.

Ms. Guazzo made a motion in the matter of CCSP #08-132-019, Willows Road Business Park, having accepted the staff report 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, and accepting the letter dated 4-22-09 in which the owner has agreed to provide up to a 10 foot strip of land for the future widening of Willows Road if necessary, I move that the concept site plan be approved and Ms. McNeill seconded. The motion passed by a 6-1 vote with Mr. Siebert opposed.

CCSP #04-132-030 – First Missionary Baptist Church

Mr. Berry gave an overview of the request for a 36,307 square foot church stating there are no outstanding issues pertinent to concept site plan approval, a revised forest conservation plan and easements are required prior to site plan approval and final findings for adequate public facilities will be made administratively by the Planning Director, as a prerequisite to final site plan approval.

Ms. Guazzo asked if an interparcel connector to Victory housing would be provided. Mr. Berry stated, yes. Ms. Guazzo asked if the church would have sprinklers. Mr. Mehaffey stated he is certain it will have sprinklers. Ms. McNeill inquired about a possible school. Mr. Mehaffey stated there would be Sunday school only, not a private school.

Ms. McNeill made a motion in the matter of CCSP #04-132-030, First Missionary Church, having accepted the staff report 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, I move that the concept site plan be approved and Mr. Siebert seconded. The motion passed by a 7-0 vote.

PSUB #04-120-006 – Forest Ridge Subdivision

Mr. Berry gave an overview of the project for 25 lots stating there are no outstanding issues that would affect a decision. Mr. Reeves asked if staff would ensure the proper open space is provided. Mr. Berry stated, yes. Ms. Guazzo inquired about the 38 lots. Mr. Ken Crouse stated there are 42 lots however 8 of them are outparcels that need perk tests. Mr. Siebert asked if all the stormwater management comments were met. Mr. Crouse stated these will be met during the engineering phase.

Mr. Siebert made a motion in the matter of PSUB #04-120-006, Forest Ridge Phase 1, containing 25 of 34 lots, having accepted the staff report and having made finding pursuant to Section 30.5.5 of the Subdivision Ordinance (Criteria for Approval of a Preliminary Plan), including adequate public facilities, except for schools and compliance with the annual growth policy and a finding of Adequate Public Facilities for schools and compliance with the Annual Growth Policy for Phase 1 (25 lots), as described in the Director's Report, I move that the preliminary subdivision and phasing plan be approved with the following condition: The applicant must return to the Planning Commission for approval of each successive Phase with regard to APF for schools and compliance with the Annual Growth Policy and Mr. Chase seconded. The motion passed by a 7-0 vote.

MSUB #09-120-002 – Essex Woods Section Four Phase 2

Mr. Berry gave an overview of the project for 24 lots stating there are no outstanding issues that would prevent a decision at this time. Mr. Shire apologized stating the applicant has requested the phasing lines be changed therefore this item should be placed on the next agenda. Ms. Guazzo stated she would like to see all public access to Willows Road at the next meeting. Ms. McNeill stated she would like to see all the picnic areas and the bike path at the next meeting. Mr. Berry stated he would provide the requested information.

PSUB #09-120-003 – Twin Ponds Section 2 Phase 3

Mr. Berry gave an overview of the request for 25 lots stating there are no outstanding issues that would affect a decision at this time. Ms. Guazzo inquired about a connection with Broad Creek. Mr. Billy Higgs stated there has been a road designed to connect to Broad Creek.

Mr. Hayden made a motion in the matter of PSUB #09-120-003, Twin Ponds, Section 2, Phase 3, containing 25 of 64 lots, having accepted the staff report and having made findings pursuant to Section 30.5.5 of the Subdivision Ordinance (Criteria for Approval of a Preliminary Plan), including adequate public facilities, and compliance with the Annual Growth Policy for Phase 3 (25 lots), as described in the Director's Report, I move that the Phase 3 preliminary subdivision plan be approved and Ms. McNeill seconded. The motion passed by a 7-0 vote.

DISCUSSION

Metcom Presentation of the Capital Improvement Budget

Ms. Jackie Meiser gave an overview of the 2010 water and sewer improvements.

Mr. Evans made a motion that the Planning Commission accept the FY10-FY14 Metcom Capital Improvements Budget 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.

Comprehensive Plan

Mr. Jackman gave an overview of the upcoming meetings regarding the Comprehensive Plan. It was decided to hold the public hearing at Great Mills High School.

Sign Resolution on Real Estate Signs

Ms. McNeill made a motion to sign the resolution and forward it to the Board of County Commissioners. The motion passed by a 6-0-1 vote with Mr. Reeves abstaining.

ADJOURNMENT

The meeting was adjourned at 9:47 p.m.

Jada Stuckert
Recording Secretary

Approved in open session: May 11, 2009

Stephen T. Reeves
Chairman