

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING  
CHESAPEAKE BUILDING \* LEONARDTOWN, MARYLAND  
Monday, April 12, 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 Derick Berlage, Director; Bob Bowles, Planner IV; Dave Berry, Planner II; Kelly Palmer, Environmental Planner; 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 22, 2010 were approved as presented.

**DEVELOPMENT REVIEW**

**MSUB #04-120-042 – Lighthouse Commons Phase II**

Mr. Berry gave an overview of the request for a 25 lot major subdivision stating there are no outstanding issues that would affect a decision tonight.

***Mr. Evans made a motion in the matter of MSUB #04-120-042, Lighthouse Commons, Phase II containing 25 lots, 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 Mr. Chase seconded. The motion passed by a 7-0 vote.***

**MSUB #04-120-039 – The Crossings at Riverside Farm**

Mr. Berry gave an overview of the request to approve 19 lots of 43 lots and to remove the 55 and older condition stating 38 TDRs would be required for 19 of the 43 lots and there are no outstanding issues that would affect a decision tonight.

Mr. Berry stated there are three entrances one being Greens Rest Drive, and Greens Rest North and South. Mr. Meinert asked if the applicant has authority to use Usher Road. Mr. Berry stated no because Usher Road is a private road.

Ms. Guazzo asked about the ownership of parcel 1-A. Mr. Beck stated 1-A is owned by Arrowhead LLC which is part of Greens Rest subdivision and it can not be developed as all the TDRs have been removed from this property. Mr. Seibert asked what the main road is going into this site. Mr. Beck stated it is North Greens Rest Drive. Mr. Berry quoted 30.5.5.b from the Ordinance and stated we are only reviewing one subdivision. Mr. Seibert asked if there is a limit on how many 75 lot subdivisions can utilize a single entrance onto a public road.

Ms. Guazzo asked if Mr. Beck agrees that 38 TDRs are needed for the 43 lots. Mr. Beck stated all 38 have already been recorded as of May 2007 therefore this requirement has been met. Ms. McNeill asked if there was ever intent to utilize this property as a 55 and older subdivision. Mr. Beck stated the age restriction was a device to vest our rights in the property. Mr. Hayden asked if this is all single-family houses and if they will appear to be single-family houses. Mr. Beck stated yes they will be and look like single-family houses.

Ms. Guazzo asked if the regulations pertaining to accessory apartments have been changed. Mr. Berry stated yes a text amendment was passed in regards to accessory apartments. Mr. Meinert stated there seems to be a lot of property being set aside. Ms. Guazzo stated she is still concerned with the connection to one of the roads in the Greens Rest subdivision. Ms. Guazzo stated there is really only one collector road which is Flat Iron Road.

***Mr. Seibert made a motion in the matter of MSUB #04-120-039, The Crossings at Riverside Farm containing 43 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, 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 (24 lots), as described in the Director's Report, I move that the preliminary subdivision and phasing plan be approved with the following condition:***

- a. 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.***

***Mr. Meinert seconded and the motion passed by a 6-1 vote with Ms. Guazzo opposed.***

**CCSP #09-132-007 – St. Mary's Crossing**

Mr. Berry gave an overview of the request for 333 multi-family rental units stating final findings for adequate public facilities for all phases will be made administratively by the Planning Director, as a prerequisite to final site plan approval.

Mr. Norris III gave an overview of the project stating the project meets Section 4.1.1 of the new 2010 Comprehensive Plan. Mr. Norris Jr. gave an overview of the project utilizing maps which show Hunt Club Road and Johnson Pond Lane with applicable setbacks and the number of multi-family housing units. Mr. Norris Jr. stated the project was designed with the new Stormwater Management regulations. Mr. Norris stated the applicant realizes the issues with traffic therefore have proposed to build a stop light at the intersection of Route 4 and Wildewood Parkway. Mr. Norris Jr. stated this will provide a cue for traffic entering Route 4 off Hunt Club Road. Mr. Norris Jr. stated the applicant will also be providing a left hand turn lane onto St. Andrews Church Road.

Mr. Hayden asked if this would be retained ownership. Mr. Norris Jr. stated yes this will be retained ownership. Mr. Bradcliff stated the applicant is prepared to offer 1 unit per building to a teacher, police officer, etc for workforce housing. Mr. Hayden asked if there are sidewalks going out to Route 4. Mr. Norris Jr. stated yes there would be sidewalks with proper lighting.

Ms. Guazzo asked if school buses utilize private roads. Mr. Norris stated he imagines the schools buses will have stopping points on Hunt Club Road. Ms. Guazzo asked if Johnson Farm Lane will have a 50 foot right-of-way and if it will be paved for emergency vehicles. Mr. Norris Jr. stated yes it will be paved and be made wide enough for emergency vehicles. Ms. Guazzo asked if the 188 unutilized acres would be developed in the future. Mr. Radcliff stated the applicant would be willing to build two bus shelters on Hunt Club Road and the 188 acres has no development rights without the purchase of TDRs and the applicant has not done any of these calculations. Ms. Guazzo asked if the traffic study would include all of Wildewood. Mr. Norris stated this decision would have to be made by the proper agencies. Mr. Groeger stated the existing traffic volumes and the proposed traffic volumes would have to be studied and yes this would be for all of Wildewood's approved lots.

Mr. Seibert stated the setback is more than 100 feet from the right-of-way and asked what was actually required. Mr. Norris stated the State asked for 50 feet and 75 feet is actually required. Ms. McNeill asked if the applicant has met with the neighbors regarding this project. Mr. Norris Jr. stated no contact has been made since the last hearing process. Ms. McNeill asked if any property owners would be affected by the extension of the sewer line. Mr. Norris Jr. indicated the line route stating property owners should not be affected by the extension.

Mr. Meinert asked for an explanation of the design of the buildings. Mr. Bradcliff gave an overview of the design of the buildings showing a mix of brick and vinyl siding façade and stating each building will have elevators as well as an elevator lobby. Ms. Guazzo asked why there was no indication of school seats included in the staff report. Mr. Berry stated this finding will be made prior to final site plan approval by the Planning Director. Ms. Guazzo stated she understands why it was left out however it would be useful to have in the future.

Mr. Hayden stated this is not a public hearing however due to the number of citizens in the audience he will allow a few comments to be made.

Ms. Mary Broadhurst

Ms. Broadhurst stated she is concerned about the position of the traffic light as she can not get out of her driveway as it is. Ms. Broadhurst asked if the new stormwater management regulations are stricter. Ms. Broadhurst expressed her concern about the narrow-mouth toad which resides within this area.

Ms. Mary Ruth Horton

Ms. Horton stressed the danger on Route 4 stating this is a hazardous area for all drivers. Ms. Horton stated as far as she knows the feelings of the estate owners have not changed in regards to this project.

Mr. Oscar Horton

Mr. Horton asked if consideration has been given to placing a round a bout at Indian Bridge Road. No answer was given.

Mr. Meinert asked that staff explain the public notice requirements as well as the appeals process to the citizens present tonight. Mr. Berry explained the process for which the public is notified for different application processes.

***Ms. Guazzo made a motion in the matter of CCSP #09-132-007, St. Mary's Crossings, 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 including offers from the applicant to include 1) nine (9) workforce housing unit, 2) two (2) bus shelters to be located on Hunt Club Road, and 3) pave Johnson Pond Lane for emergency vehicle access, I move that the concept site plan be approved and Mr. Meinert seconded. The motion passed by a 7-0 vote.***

## **DISCUSSION**

### **CCSP #07-132-011 – Wicomico Shores**

Mr. Larry Day gave an overview of the concept site plan amendments. Ms. Guazzo stated she has an issue with parcel 1 as the lots seem more like urban lots and are too small. Mr. Meinert agreed with Ms. Guazzo's comments regarding parcel 1. Mr. Rollins gave an overview as to the affect this concept development plan will have on the Wicomico Shores Golf Course.

### **Overview of Comprehensive Map Amendment and Comprehensive Zoning Ordinance Revision Process**

Mr. Berlage gave a PowerPoint Presentation regarding the Comprehensive Map amendment and the Zoning Ordinance revision process.

## **ADJOURNMENT**

The meeting was adjourned at 9:30 p.m.

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Jada Stuckert  
Recording Secretary

Approved in open session: April 26, 2010

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Brandon Hayden  
Chairman