

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

Members present were Howard Thompson, Chairman; Shelby Guazzo, Patricia Robrecht, Susan McNeill, Martin Siebert, and Hal Willard. Merl Evans was excused. Department of Land Use & Growth Management (LUGM) staff present were 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.

APPROVAL OF THE MINUTES – The minutes of June 25, 2012 were approved as presented.

PUBLIC HEARING

Ms. Yvonne Chaillet gave an overview of the following text amendments stating the public hearing was advertised in The Enterprise on June 22, 2012 and June 27, 2012. Ms. Chaillet indicated State of Maryland amended their standards for Day Care and Family Homes which is what prompted the following text amendments.

Chapter 50, "Use Classifications," Schedule 50.4 – Use Type 112, Day Care, Family Home
Amend the maximum child care capacity from eight or fewer children to "12 children" in a private residence.

Chapter 90, "Definitions," - Family Day Care

Amend the definition of Family Day Care to show a change from eight or fewer children to a maximum of 12 children.

Chairman Thompson opened the hearing to public comment, hearing none, closed the hearing to public comment.

Ms. Guazzo made a motion in the matter of text amendments to Zoning Ordinance Z10-02 Chapter 50, "Use Classifications," Schedule 50.4, Use Type 112, Day Care, Family Home to amend the maximum child care capacity from eight or fewer children to "12 children" in a private residence and in Chapter 90, "Definitions," Family Day Care to amend the definition to Family Day Care to show a change from eight or fewer children to a maximum of 12 children, noting State of Maryland regulations changes prompted the amendments and that the Chairman be allowed to sign a resolution recommending approval to the Board of County Commissioners and Ms. McNeill seconded. The motion passed by a 6-0 vote.

DEVELOPMENT REVIEW

MSUB #03-120-007 – Porto Bello Estates, Phase 2, Section 2

The applicant is requesting final review and approval of 29 lots. The property contains 43.60 acres; is zoned RPD; and is located at Frog's Marsh Road, Drayden, Maryland; Tax Map 62, Grid 02 & 03, Parcel 33.

Owner: Porto Bello Development, Inc.
Presenters: David Berry; LUGM and Paul Summers

Mr. Berry indicated the applicant submitted a letter tonight proffering condition number two (2) be amended to read "No building permit shall be issued in Phase 2, Section 2 until the recreational facility is built and operating."

Mr. Siebert stated for the record that he and Mr. Paul Summers were once business partners however have not been for the past three to four years. Mr. Paul Summers agreed. Mr. Siebert stated for the record he stands to receive no financial gain from this project. Mr. Summers agreed.

Ms. Guazzo made a motion in the matter of MSUB #03-120-007, Porto Bello Estates, Phase 2, Section 2, containing 29-lots, having accepted the staff report and having previously made findings of adequate facilities pursuant to Section 40.10 of Zoning Ordinance #90-11 except for Stormwater Management, and now making a finding of adequate public facilities for stormwater management, and accepting the proffer that no construction permits for Phase 2 Section 2 will be issued until the community recreation facility that is currently cited and permitted be completed, I move that the final subdivision plan be approved and Mr. Willard seconded. The motion passed by a 6-0 vote.

ANNOUNCEMENTS

None

ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Jada Stuckert
Recording Secretary

Approved in open session: July 23, 2012

Howard Thompson
Chairman