



# Commissioners of Leonardtown

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DANIEL W. BURRIS  
Mayor

LASCHELLE E. MCKAY  
Town Administrator

**Commissioners of Leonardtown**  
**Leonardtown Planning and Zoning Commission Meeting**  
*May 16, 2016 ~ 4:00 p.m.*

Attendees: Jean Moulds, Chairperson  
Heather Earhart, Member  
Christy Hollander, Member  
Laura Schultz, Member  
Jack Candela, Member

Also in attendance were Mayor Dan Burris, Town Administrator Laschelle McKay and Town staff members Teri Dimsey, Recording Secretary, and Jada Stuckert, Planning & Zoning Assistant.

Marvin Oursler of Marrick Properties, Mike Mummaugh of Paragon Properties, Debbie Mummaugh of The Saba Group, Farhad Saba of The Saba Group were also present. Several town residents were also in attendance. A complete list of attendees is on file at the Town Office.

Chairperson Moulds called the meeting to order at 4:10 p.m. The minutes of February 16, 2016 meeting were presented for approval.

**Member Earhart moved to approve the February 16, 2016 minutes as submitted; seconded by Member Hollander. There being no further discussion, the motion passed unanimously.**

**Town Administrator's Report:**

Ms. McKay reported on several items from the last five Town Council meetings. The March meeting included the introduction of the ordinance to adopt the budget and set the tax rate for FY 17. The tax rate was proposed to stay the same at .1266 cents per \$100 of assessment and this passed at the April meeting. Also, during the April meeting, Town Council voted to convert all the street lights in town to more efficient LED bulbs, approved the acquisition of property to be used as the new Town Hall located at 22670 Washington Street and approved GHD to design the Route 5 Water Loop which is a large water line that will connect from Academy Hills to the College. A special meeting was held in April for the final approval of the acquisition of property to be used for a new Town Hall as well as a stormwater easement at Doctors Crossing Road for the Quad House. A public hearing was held in May to approve a Community Development Block Grant to add an elevator into the new Town Hall building as well as approving an easement for landscaping at Academy Hills. A special meeting will be held on Wednesday to finalize financing for the new Town Hall.

**Old Business:**

**Case #14-05 Clark's Rest Subdivision, Phase 1A and 2A**  
Request for Phase 1A and 2A plat(s) approval

Owner: Calvert, LLC  
Contractor: Marrick Properties, Inc.  
Engineer: Collinson, Oliff & Associates, Inc.  
Property: Tax Map 127, Parcel 514  
Total Land Area: Phase 1A, 5.987 acres; Phase 2A, 6.079 acres  
Project Size: 12.066 acres  
Zoning: PUD-M

Ms. McKay gave an overview of the request for plat approvals, stating they have already received plat approval for phases 1 and 2. They received final site plan approval in March 2012 to build 205 single family homes and 130 townhomes on 177.3 acres. Phase one was approved in March of 2012 and phase 2 was approved in August of 2015. To date 62 building permits have been issued in Phase 1; 44 U&O's issued; and there are 27 lots remaining in phase one. Phase 1A is the plats for townhomes lots 90-13, and phase 2A includes 8 single family homes next to the recreation area.

Marvin Oursler indicated they are working on phase two grading now, 2A is the community center with the pool and tennis courts which will be complete by May 30, 2017. Member Hollander asked when the intersection would be completed. Mr. Oursler stated they have been working with State Highway, the north bound lane is ready to be paved however there needs to be a lane shift. The curb on the south bound side is lowered a bit, so we will not have full depth there. Mr. Oursler explained that the road will have to be built up in order to not collect water. The problem is that this type of work only be completed at night, which is required by the State Highway permits. Mr. Oursler stated they would continue to work with State Highway and are hoping to be done by early fall.

Ms. McKay explained that another letter was sent to the Governor indicating we feel strongly about placing a traffic light at this intersection which will help traffic at Abell Street, Hospital, Single Tree, Clark's Rest and also Leonard's Grant once the connection is made. We have met with the Hospital and the Church and are really trying to incorporate that light into the break-out project scheduled for 2018. We will continue to work on this.

Member Candela inquired about the area on the right that retains water. Mr. Oursler explained this is a storage area so the workers can work mostly behind the curb. Three triple pipes will have to be replaced in this area to help keep the water off the road. Mr. Candela also mentioned the far northern end of the property which remains wet. Mr. Oursler explained that the grades of the property are still being worked so that all the water empties into the local streams. Ms. McKay indicated once all the engineered stormwater management measures are in place, the water run-off will be better.

**Chairperson Moulds entertained a motion to approve the subdivision plats for Phase One A and Phase Two A for Case #14-05 – Clark's Rest Subdivision. Member Hollander made the motion, which was seconded by Member Earhart. There being no further discussion, the motion passed unanimously.**

**Case #14-05 Clark's Rest Subdivision, Entrance Monument Wall**  
Request for amended Entrance Monument Wall approval

Owner: Calvert, LLC  
Contractor: Marrick Properties, Inc.  
Engineer: Collinson, Oliff & Associates, Inc.  
Property: Tax Map 127, Parcel 514  
Project Size: 177.3 acres  
Zoning: PUD-M

Ms. McKay gave a brief overview of the project indicating final site plan approval was received in March 2012 and on September 9, 2013 amended site plan approval was received to include recreational amenities, walking trails and the entrance signage feature. The applicant is requesting the entrance monument wall approval be amended to eliminate approximately 115 feet of monument wall however the proposed sign will remain the same.

Mr. Oursler stated the monument wall was originally 240 feet long however after staking out the wall we realized the wall would not look appropriate or be practical therefore we would like to remove approximately 115 feet. We believe if the wall is only 125 feet long it will look more conducive to the surrounding area. Members asked if any of the lighting or treescaping plans would change. Mr. Oursler assured members that all other aspects will remain the same.

**Chairperson Moulds entertained a motion to approve the amended entry concept plan to reduce the length of the proposed monument wall for Case #14-05 Clark's Rest Subdivision. Member Candela made the motion, which was seconded by Member Schultz. There being no further discussion, the motion passed unanimously.**

**Case #42-14 The Hamptons at Leonardtown, Map 40 Parcel 254**  
Request for final site plan recommendation to Town Council

Owner: The Saba Group, LLC  
Engineer: Mehaffey & Associates, P.C.  
Land Area: 12.54 acres  
Project Size: 2 – 4 story apartment buildings, 142 units, 112,113 sq. ft. each building  
Zoning: R-MF

Ms. McKay gave an overview of the request for final site plan recommendation. The project was reviewed by Town Council in June 2014 and received EDU eligibility. Planning & Zoning Commission made a recommendation to Town Council on June 23, 2014 to approve the concept plan for the three-story apartment buildings and to forward the request for a density bonus and addition of a fourth floor to each building to the Board of Appeals.

Town Council approved the concept site plan at a public hearing in July 2014 for two-three story apartment buildings and made recommendation to the Board of Appeals to approve the fourth story. The Board of Appeals approved the fourth story with the conditions in September 2014 however, the applicant was unable to secure access therefore the project moved forward for the original request of

two-three story apartment buildings. The applicant received final site plan approval for three stories in October 2015 and have continued to pursue the access road to Fenwick Street in order to obtain the fourth story.

Ms. McKay indicated at this time the applicant is working with the Town and State to gain approval to build the road on the existing 30' sewer easement. The sewer line is currently located above ground however would be relocated underground to build the access road. The amended final site plan shows the utility easement being used as an easement and a second means of ingress and egress for the site. The applicant is requesting amended final site plan approval to add a fourth story to each building contingent upon approval of an access road from Fenwick Street to MD Route 5.

Mr. Candela asked if the tot lot is a playground for children. Ms. McKay stated this is correct, while it is not shown on the site plan, the tot lot is still part of the plan. Chairman Moulds asked if Planning & Zoning's original recommendation to the Board of Appeals included the four stories? Ms. McKay stated yes, and the Board of Appeals approved the fourth story contingent upon the access road. Ms. McKay indicated this request is for final site plan approval recommendation. These are the final engineering plans for adding the fourth story. Ms. Earhart indicated we would approve the fourth story today contingent on the access road to Fenwick being obtained. Ms. McKay agreed.

Member Candela indicated representatives from Foxwell attended a meeting in opposition of the access road being placed on their property. Mr. Candela asked if the owners of Foxwell would have access to the road that is now being proposed. Ms. McKay indicated the proposed access road would not be located on the Foxwell property. Mr. Candela indicated his only issue is Leonardtown has never had four story buildings. Mr. Saba stated the Planning & Zoning Commission has already approved the fourth story prior to sending it to the Board of Appeals. Mr. Saba stated the building is very similar to a three story because they are simply cutting the third story in half to create the fourth story. Mr. Saba indicated there would be elevators in the buildings and The Saba Group has already been receiving phone calls from citizens expressing interest in the apartments. Member Earhart asked if access off Route 5 would be right-in, right-out access. Mr. Saba indicated State Highway will not allow this type of access on Route 5. Mr. Saba indicated there would be two full entrances to the site pending approval of the access road to Fenwick Street.

Chairman Moulds inquired about the height of the building. Mr. Saba indicated the Town of Leonardtown Code restricts the height to 60 feet from the ground elevation. Ms. McKay indicated the Board of Appeals placed a contingency on the buffering to mitigate for the height of the building. Ms. McKay stated today members should look at whether or not the applicant meets the requirements for parking, set-backs, etc. Member Shultz asked if there would be parking spaces available for visitors. Mr. Saba stated yes, there are many parking spaces available.

**Chairperson Moulds entertained a motion to recommend approval of the final site plan approval for Case #42-14 The Hamptons at Leonardtown to include a fourth story contingent upon approval of the access road to Fenwick Street. Member Shultz made the motion, which was seconded by Member Candela. There being no further discussion, the motion passed by a 4-0-1 vote with Member Hollander abstaining.**

**Case #36-15 Orchard Hills, 22705 Johnson Lane, Map 133, Adjusted Parcel 482**  
Request for concept plan approval

Applicant/Owner: Annewayne Investments, LLC  
Developer: W.M. Davis Development, LLC  
Engineer: Wayne Hunt, Little Silences Rest, Inc.  
Project Size: 1.31 acres +/-  
Zoning: R-SF  
Critical Area Overlay  
LDA Limited Development Area

Ms. McKay gave a brief overview of the project stating this property was re-zoned last year and this piece was subdivided off from the original house lot. At that time the developer brought forth a sample plan showing four townhome units. The property was purchased in January of 2015 and in August of 2015 received R-MF approval. There are steep slopes on the property as well as critical area overlay, the developer will go through Critical Area Review and will meet the requirements for steep slopes. This property does meet the required set-backs, parking and open space requirements. We are awaiting conceptual review of the stormwater management plan. Water and sewer will be part of the final site plan approval. There will also be a separate entrance for this property.

Member Hollander asked if the units are the lots and if there would be a HOA involved. Ms. McKay indicated she would confirm how the lots are to be divided before final site plan approval. Member Candela recused himself.

**Chairperson Moulds entertained a motion to approve the concept plan for Case #36-15 Orchard Hills. Member Earhart made the motion which was seconded by Member Shultz. There being no further discussion, the motion passed by a 4-0-1 vote with Member Candela abstaining.**

**Review of Monthly In-House Permits** – No comments

**Review of Approved Town Council Meeting Minutes** – No comments

**Chairperson Moulds entertained a motion to close the meeting. Member Hollander made the motion; seconded by Member Schultz. There being no further discussion, the motion passed unanimously. The meeting was adjourned at approximately 4:41 p.m.**

Respectfully submitted:

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Jada Stuckert, Planning & Zoning Assistant

Approved:

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Jean Moulds, Chairperson

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Laura Schultz, Member

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Heather Earhart, Member

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Christy Hollander, Member

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Jack Candela, Member

*Absent*

Jack Candela, Member