

**Commissioners of Leonardtown
Leonardtown Planning and Zoning Commission Meeting
Monday, July 17, 2006 ~ 3:30 p.m.**

Attendees: Jean Moulds, Chairperson
Jack Candela, Member
Tom Collier, Member

Absent: Frank Fearn, Member
Gary Simpson, Member

Also in attendance were: Laschelle Miller, Town Administrator; Jackie Post, Fiscal Clerk, Teri Dimsey, Recording Secretary; Beat Tatlow, Resident; Wayne Davis, WM Davis; Ernie Williams, Community Bank; Jason Roth, Bolton & Assoc.; Mayor Norris. A full list of attendees is available at Town Hall.

Chairperson Moulds called the meeting to order at 3:30 p.m.

The meeting minutes for the June 19, 2006 Planning and Zoning Commission meeting are presented for approval.

Chairperson Moulds entertained a motion to approve the June 19, 2006 meeting minutes, Member Collier moved to approve the minutes, seconded by Member Candela; motion passed unanimously.

Town Administrators Report – Laschelle Miller

Sludge Hauling Bid – At the July 10, 2006 Town Council meeting the contract for sludge hauling was awarded.

Ordinance No. 125 – Public Works Agreement – This ordinance is for the purpose of establishing the requirement for public works agreements for public improvements within new developments. Ordinance No. 125 was introduced at the June 2006 meeting and was passed at the July 10, 2006 Town Council meeting.

Introduce Ordinance No. 126 – Water and Sewer Capacity Allocations – This ordinance is for the purpose of changing the time of collection of connection fees for single family residential

homes to Building Permit issuance instead of Occupancy Permit issuance as previously discussed. This action was suggested to avoid fees being overlooked. Also this spells out the specifics of the program that was not previously spelled out. It is not changing the rates. This was the introduction of this ordinance and no action will be taken until the August 2006 Town Council meeting.

Introduce Ordinance No. 127 – Payment of Development Impact Fees – This ordinance is to change the time of payment of impact fees on residential single family homes from OP to BP as discussed in the previous item. In addition to the reasoning above, the Town allocates an EDU for each unit at BP issuance and we have very limited capacity available. This was the introduction of this ordinance and no action will be taken until the August 2006 Town Council meeting.

Grant Overview – A grants overview, prepared by Barbara Dotson, was provided in the packets. This shows the amazing success of the Town’s efforts of applying and receiving grants. Leonardtown Wharf has received \$1,075,500 in grants and with the various other grants we have received a total of \$2,007,650.

T& T Sweeping Contract Renewal – The contract with T&T Sweeping Services was at the end of their three year term and they had two one-year options, the contract was renewed for another year.

SMECO Pump Station – In 2005 SMECO agreed to install a duplex grinder pump so that the Pump Station that serves only their location could be taken off line. They had requested that the Town help with the demolition costs. Council approved a specific cost and SMECO had agreed to bury the lines at the Port of Leonardtown.

NEW BUSINESS

CASE #69-06: **Lot 3-41710 Mile Post Lane**
 Two-Foot Rear Setback Variance for Addition

Applicant: **Beatrice Tatlow, Owner**
Location: **Lot 3-Mile Post Lane**
Zoning: **Residential Single Family**

Enclosed:

- **Property plat - existing conditions**

- **Application for variance by home owner**

The owner, Beatrice Tatlow, is requesting a variance of two feet for the rear yard setback to construct a 20' x 24' addition. A property plat is enclosed to show the existing condition and the application for variance by the homeowner. There is a twenty-five foot rear setback requirement. She had had an addition designed to go on her home not realizing the setback and she needs a variance for two feet on the rear setback. She is here today to explain the situation.

Ms. Tatlow came forward and explained that the design is difficult to change due to the layout and the view of the neighbor's home which is extremely close to her home. Ms. Tatlow showed the Board members how close the neighbor's property is to her home and the view of their property that she would not want to have.

Member Candela asked if the neighbor's garages were there before the Ordinance? Ms. Tatlow responded that they had been there for quite a while.

Ms. Tatlow commented that she wanted to place her closet to block that view and if she moved the design around the windows would face the road. The view she is working to obtain is one of her own back yard, if she can obtain the variance.

The Members viewed the photographs and looked over the copy of the site plan.

Member Collier moved that Case #69-06, Lot 3, 41710 Mile Post Lane a two-foot variance request for a rear yard setback for an addition to the home based on the exceptional difficulty of the lot, is granted a favorable recommendation to the Board of Appeals, seconded by Member Candela, motion passed unanimously.

**CASE #70-06: 25395 Point Lookout Road, Map 127, Parcel 281
Community Bank of Leonardtown Concept Approval**

**Property Owner: Tri-County Federal Savings and Loan
Developer: Bolton and Associates
Builder: WM Davis, Inc.
Zoning: Commercial Business (C-B)**

Chairperson Moulds asked Ms. Miller for comments:

The applicant is proposing to demolish the existing 1,440 square foot bank and to build a 2,701 square foot building on the .761 acre site. The new building will be moved back from Rt. 5 several feet and the main entrance to the building will face Lawrence Avenue.

Parking required: 1 space per 200 sq. ft- 14 spaces
Parking Provided: 18 standard and 1 handicap space

Discussion items:

- Is any lighting provided in parking area?
- SHA submission needed
- Signage proposed along Rt. 5?
- Case number needed on plan
- Remove C-SC Zoning on site plan under Zoning on site plane.

Action needed: Concept Plan approval, approval with conditions, tabled or denied.

Mr. Jason Roth of Bolton and Associates introduced himself and stated that the existing bank will be demolished and a new larger bank built in its place. Based on the staff reports he received prior to the meeting, he made revisions to the plan to address those comments and he is here today to present the revised plan.

- Lighting – they will have lighting within the parking lot area. Right now it is currently in design and the plan has been revised to show some wall packs that will be attached to the building.
- SHA – He has spoken with them about submission and explained that current access to/from the building is a left out/right out and it will be a right out only. SHA was very pleased to hear this.
- Signage – they currently have two signs. An informational sign and a rear free standing pole sign. They want to get rid of the informational sign, keep the pole sign but put the informational sign within the pole sign so they will go from two to one sign and change the face of the sign to enhance the look. Sign details will be submitted later.

Chairperson Moulds asked if the sign would be on Route 5 rather than on Lawrence Avenue?

Mr. Roth replied that was correct, it will still be in the same location on Route 5.

- Case Number was added on the plan and removed the label under the zoning and site tabulations.
- Dumpster location – The dumpster has been moved back farther and placed at an angle to allow room for the common access easement.

Mr. Roth stated that due to the future widening of Route 5, the new building will be setback to help accommodate the widening, with potentially twenty-five feet to be removed.

The SWM will not actually be a pond, it was never planned to be a pond. It was more of a recharge facility, like a grass channel. Any type of retention has been planned from the beginning to be underground and, if we need to, we could redesign it to be totally underground. We may end up setting the building back a little bit farther to help compensate for the road widening and this will need to be revised to allow for the turns.

Member Collier noted that in driving around the building the turns would be difficult to get out to Route 5 so the building will need to be set back farther.

Mr. Roth stated that he should only need to move it back about five feet and most likely it will be moved back a little farther more, just to add in additional grass area.

Member Collier commented that the lighting will be all on the building.

Mr. Roth responded that there will be parking space lighting which is being designed right now but does not have the location of the poles at this time.

Ms. Miller stated that we would like to see the same style of lighting that the Town uses downtown and will provide Mr. Roth with that information.

Member Candela commented that from an aesthetic standpoint, the existing bank is one of the most beautiful locations that we have in Leonardtown and as people come into the Town, it makes for a very beautiful entrance into the Town. He does not like the fact that what is proposed does not seem as nice and looks very plain. The side of the building facing Route 5 is just a brick wall with a couple of windows. He does not like the concept here. Also, a SWM is planned between the building and the street there is nothing aesthetically nice about it.

Member Collier agreed with Member Candela and does not like the façade that is proposed.

Chairperson Moulds stated that the present shrubbery makes a beautiful statement.

Mr. Roth stated that the client plans to do something very similar to the current plantings, it is not reflected on the plans in detail.

Ms. Miller commented that they will continue to have the grassy area but that this area will be the most difficult widening section and they are being very cooperative to work the best design. With the historic property on the other side, that State Highway cannot touch, it will require the widening to be all on the banks side but, certainly until we move forward with the widening they will have these plantings.

Member Collier responded that he and Member Candela are looking at the whole concept and having the driveway out in the front will be very vulnerable along with the sidewalks and that it would be a whole lot better to do something with the existing building.

Ms. Miller stated that the existing building is within the twenty-five feet of the widening.

Mr. Roth noted that the new building will sit about thirty feet back from the existing property line.

Member Candela asked if the State will take twenty five of the thirty.

Ms. Miller responded that we did not have a lot of warning about this and just this morning pulled out the plan for that section along there and brought forward for the members to review.

Member Collier commented that the façade facing Route 5 is not very appealing and some cosmetic things to make it look nicer would be helpful.

Mr. Roth stated that he could discuss this with the architect.

Member Candela stated that the board had recently approved a project that required two fronts, with a false front facing Route 5. We are looking at the same scenario and maybe you could design two fronts, one for Lawrence Avenue and one for Route 5.

Member Candela remarked that the side of the structure needs to match the landscaping and Member Collier commented that the building faces a major road into Leonardtown it needs to look appealing.

Mr. Roth noted that he could push it back and have more detailed landscaping as more of a buffer as they drive by.

Ms. Miller commented that they could come back with architectural for the finals to keep moving forward.

Member Candela stated that he feels there are too many issues at this time, in terms of the widening the State will need and architectural design.

Ms. Miller responded that there are no more issues than what we typically deal with and if they are spelled out in the minutes, they will all be addressed before it comes back for final approval.

Mr. Roth stated that they will address the concept approval conditions regarding State Highway widening and moving the building back and the plan appears to show a SWM pond but it really will be underground.

Member Collier stated that with all these issues he has a problem approving the concept plan.

Chairperson Moulds asked if you were to move the building back five feet what will that do to the parking area, will it make a problem with the number of spaces?

Mr. Roth responded that it should not.

Member Candela asked that you need to only move the building back five feet in order to accommodate the State future taking of twenty five feet?

Mr. Roth replied yes.

Ms. Miller stated that they have been very accommodating and have been making changes and will be required to come back with architectural and final site plan details, but your approval allows them to keep moving forward.

Member Candela stated that making a motion today would require a whole lot of stipulations tied to it and is not comfortable with that.

Member Collier moved to table Case #70-06, 25395 Point Lookout Road Concept Approval, until the issues and changes as discussed are addressed, Member Candela seconded, motion passed unanimously.

Monthly In-House Permits – No Questions

Town Council Minutes – No Questions

Member Collier moved to adjourn the meeting at 4:10 p.m., seconded by Member Candela, motion passed unanimously.

Respectfully Submitted:

Teri Dimsey, Recording Secretary

Approved:

Jean Moulds, Chairperson

Absent
Frank Fearn, Vice Chair

Jack Candela, Commission Member

Tom Collier, Commission Member

Absent
Gary Simpson, Commission Member