



Commissioners of Leonardtown

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J. HARRY NORRIS
Mayor

LASHELLE E. MCKAY
Town Administrator

Commissioners of Leonardtown
Leonardtown Planning and Zoning Commission Meeting
April 19, 2010 ~ 4:00 p.m.

Attendees: Jean Moulds, Chairperson
Frank Fearn, Vice Chair
Jack Candela, Member
Glen Mattingly, Member
Heather Earhart, Member

Alternate: Tom Collier

Also in attendance were: Laschelle McKay, Town Administrator; DeAnn Adler, Plans Reviewer; Jackie Post, Fiscal Clerk; Teri Dimsey, Recording Secretary; Billy Mehaffey, Mehaffey & Assoc.; Michael Gardiner, Mattingly Gardiner Funeral Home; John Parlett, CMI General Construction, Inc.; Mayor Harry Norris. A complete list is available on file at the Leonardtown Town Office.

Chairperson Moulds called the meeting to order at 4:00 p.m.

The meeting minutes for the March 15, 2010 meeting were presented for approval.

Member Fearn moved to approve; seconded by Member Candela, motion passed unanimously.

Town Administrator Report – Laschelle McKay

Ms. McKay reported that during the January Town Council meeting a public hearing was held regarding the Comprehensive Plan and Comprehensive Zoning Map update. Town Council will hold another meeting on April 22, 2010 to vote on both of these issues.

A public hearing was also held regarding the FY2011 Budget and Setting the tax Rate for 2011.

The grand opening for the Port of Leonardtown is scheduled for Friday, May 21, 2010 at 2:00 pm.

COUNCIL: WALTER WISE, *Vice President* DANIEL W. BURRIS
THOMAS R. COLLIER ROBERT C. CONNORS LESLIE E. ROBERTS

The St. Mary's County's Destination Guide, featuring Leonardtown, is now available. A new restaurant is planned for the Corbel's site and the Leonardtown Grille will be opening soon in the old Doo Dah Deli site as well. Heavenly Presents, a gift shop, is opening in the old Tea Room on the square.

Ms. McKay gave a quick update on stormwater management legislation. An emergency bill was passed to allow projects already in the approval stages to be grandfathered in under the old regulations. We will be moving forward to adopt our own stormwater management ordinance now that the bill has been passed.

Member Moulds moved on to the next order of business.

NEW BUSINESS:

Case # 75-09 - Mattingley – Gardiner Funeral Home – 41590 Fenwick Street - Request for final site plan approval.

Applicant: Michael Gardiner
Engineer: Mehaffey & Assoc, P.C.
Zoning: C-B (Commercial Business)

Ms. Adler reported that the project received concept approval on November 16, 2009. All necessary government approvals have been obtained at this time, including DPW and Soil Conservation. Ms. Adler reported that Mr. John Parlett was in the audience today to provide an overview of the project and answer any questions regarding this project

Mr. Parlett came forward to show the changes and upgrades made to the site, pointing out in particular all the new green spaces that have been added to the site to meet the storm water management requirements - 20% of the existing impervious area was removed and turned back into pervious area through the removal of asphalt and the addition of pervious pavers in the driveway.

Mr. Parlett presented final architectural plans that included the proposed landscaping. Final landscape plans have not been completed yet.

Member Fearn asked if there had been any significant changes between the original concept plans and the plans Mr. Parlett was showing us today. Mr. Parlett replied no, except that the final placement of the required impervious areas had changed slightly.

Member Mattingly asked if the number of parking spaces adjacent to the existing flower shop had changed. Mr. Parlett replied no, the same number of spaces exist. They did shorten the backup space to make room for more impervious area and landscaping.

Member Mattingly asked about final architectural plans for the inside of the building. Mr. Parlett replied that he did not bring architectural plans today, but they will be provided when they apply for a building permit.

Member Candela made a suggestion that they add a Maryland flag next to the American flag shown on the plans.

Member Fearn moved on Case # 75-09 to approve the request for final site plan approval. Member Mattingly seconded, no further discussion, motion passed unanimously.

NEW BUSINESS:

Case # 13-10 – 22635 Washington Street – Request for a BOA recommendation for a special exception to build a new single family home in the C-B (Commercial Business) district.

Applicant: Harry Lancaster
Engineer: Mehaffey & Assoc, P.C.
Zoning: C-B (Commercial Business)

Ms. Adler reported that Mr. Billy Mehaffey of Mehaffey and Assoc. was present today to answer questions since Mr. and Mrs. Lancaster were unable to attend the meeting. The applicant is requesting permission to build a single family home on the corner of Lawrence Ave. and Washington Street on a piece of property owned by Mr. Lancaster. This property is zoned Commercial Business and a single family home would be permitted there as a special exception use. The existing site has parking that is being removed for the proposed building. The finished site will have two spaces for each of the residential buildings; however two of them are proposed inside the garage of the existing residential unit with two in front of the garage. This building will still be zoned commercial even though it is being used as residential right now.

Mr. Candela asked if it was possible under our code to have two special exceptions on the same piece of property. Ms. McKay answered yes, as long as they both met the setback and parking requirements. She also added that Mr. Lancaster did not go through a special exception process for the other house he had previously added to this property.

Member Fearn asked if the new property would be able to be used as a commercial property if someone else bought it from Mr. Lancaster in the future. Ms. McKay replied that the property would not be able to be subdivided, as it would not meet the subdivision requirements. The entire site would have to be sold as one property, with commercial zoning. If a commercial use went into either of the buildings it would be subject to the parking requirements for that commercial use.

Member Mattingly asked if this plan met the parking requirements and setbacks for all that is proposed, including the existing two story office building on the site. Ms. Adler replied yes and Mr. Mehaffey gave an explanation of where the parking was located.

Member Fearn asked about the parking located in the garage. Ms. Adler replied that the county allows it but that that has never come up in the Town before. Member Mattingly asked for clarification on the setbacks required for this project.

Member Moulds asked if the trees shown were in the right of way. Mr. Mehaffey replied there is one existing tree, that all of the others are in the right of way. Ms. McKay added that this would be one of the items that would need to be discussed at concept approval stage.

Member Candela asked if the swimming pool area could someday be filled in to make room for additional parking. Mr. Mehaffey replied that yes it could, if the swimming pool was removed. He also added that the Lancaster's have no intention of ever using these houses for commercial. If, after the Lancaster's sell, then the commercial issue might have to be addressed, because the parking right now would not support commercial uses. But the Lancaster's are only planning to use the house for residential for one of their parent's to live in.

Member Candela said he personally didn't have a problem with the two parking spaces inside the garage and the two behind it. Member Fearn said it was not an ideal site, but they did a pretty good job squeezing the house on the site. He added that with the goal of trying to maintain high density in the downtown area he could see approving this project, his only concern was that down the line this could become commercial, but that with the lack of parking it would probably have to stay residential unless drastic changes are made to the site plan.

Member Moulds said that speaking as a former nursing home supervisor she liked the idea of providing housing for the elderly parents nearby.

Member Candela moved to send a favorable recommendation to the Board of Appeals for a special exception for Case # 13-10 – 22635 Washington Street to build a single family residence in the commercial business district. Member Fearn seconded no further discussion. Vote was four ayes and one no from Member Mattingly.

Review of Monthly In-House Permits – No comments

Review of Approved Town Council Meeting Minutes – No comments

Member Mattingly moved to adjourn the meeting at 4:38 p.m., seconded by Member Earhart, no further discussion, motion passed unanimously.

Respectfully Submitted:

DeAnn Adler

Approved:

Jean Moulds, Chairperson

Frank Fearn, Vice Chair

Jack Candela, Member

Heather Earhart, Member

Glen Mattingly, Member