



Commissioners of Leonardtown

41660 Courthouse Drive • P. O. Box 1, Leonardtown, Maryland 20650

301-475-9791 • FAX 301-475-5350

J. HARRY NORRIS III
Mayor

leonardtown.commissioners@verizon.net
leonardtown.somd.com

LASCHELLE E. McKAY
Town Administrator

Commissioners of Leonardtown
Leonardtown Planning and Zoning Commission Meeting
May 17, 2010 ~ 4:00 p.m.

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

Absent: Glen Mattingly, Member
Tom Collier, Alternate

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 April 17, 2010 meeting were presented for approval.

Member Candela stated that the minutes needed to be changed to reflect that Chairperson Moulds called the meeting to order and not Member Candela.

Member Fearn moved to approve the April 17, 2010 with the changes; seconded by Member Candela, motion passed unanimously.

Town Administrator Report – Laschelle McKay

Ms. McKay reported that during the May 10, 2010 Town Council meeting the Town held the swearing in of the three newly elected council members for the 2010 to 2014 term. We also had two requests from existing businesses for premise extensions for outdoor patios. The grand opening for the Winery is scheduled for Friday, May 21 at 2:00 p.m. The Comprehensive Plan has been finalized, copies are available at the Town Office and an electronic version is available on the Town website.

COUNCIL: WALTER WISE, *Vice President* DANIEL W. BURRIS
THOMAS R. COLLIER ROGER L. MATTINGLY LESLIE E. ROBERTS

Ms. McKay requested that there be a change in today's agenda, as Mr. Gertz has not yet arrived. Can we move on to Case #110-08 first?

Chairperson Moulds agreed and Case #110-08 was heard first.

OLD BUSINESS:

Case # 110-08 - 22840 Lawrence Avenue – Request for final site plan approval.

Owner: James and Rosalie Hooper
Engineer: NG & O Engineering, Inc.
Architect: Healy Studio
Zoning: PIRD Designation

Project Description:

Ms. Adler reported that this project came before the P & Z and Town Council back in February and March of 2009. (See enclosed minutes of those meetings). All necessary permitting requirements have been obtained at this time, including DPW and Soils Conservation. The only major change between this plan and the original plan approved in 2009 is the loss of one additional parking space due to the handicap ramp requirement. Approval by the board is needed to permit this lack of required parking. One space was requested to be removed already to allow for a properly screened dumpster. (See Feb. 17th P & Z Minutes). It was felt that since two of the units are one bedroom, and would probably be rented to singles, that the parking would be adequate without that space. There is also the opportunity for on-street parking on Lawrence Ave.

Action Needed Today: The applicant is requesting final site plan approval. The Planning and Zoning Commission can vote to approve, approve with conditions, deny, or delay a decision.

Ms. Adler stated that Mr. John Norris and Ms. Angela Healey were in attendance to answer any questions the Board may have.

Member Fearn asked if there had been any discussion regarding the parking.

Ms. McKay noted that with the PIRD designation, the Board can approve the reduce parking without fees in lieu. Minutes from the February 17, 2010 Planning and Zoning meeting on this subject were included in your packet noting that the Board has previously asked that one parking space be eliminated to allow for a dumpster. This plan allows for one parking space for each one bedroom and two parking spaces for two bedrooms and there is off street parking available too.

Mr. Norris added that one of the significant concerns was the lack of drainage along Lawrence Avenue so he had rearranged the swm design to help keep the rainwater run-off on the property.

Member Candela asked how many parking spaces are required under the code and how many does this plan include?

Ms. Adler responded that twelve parking spaces are required and the plan is designed for ten.

Member Candela moved on Case #110-08 to approve the Final Site Plan with the ten parking spaces instead of twelve; seconded by Member Fearn, no further discussion, motion passed unanimously.

Case # 64-04.3 & 64.04.5A & 64-04.4 – Leonard’s Grant Phases 3, 4 and 5A - Request for final site plan approval.

Applicant: Quality Built Homes
Engineer: Loiderman Soltesz Assoc., Inc.
Zoning: PUD

Ms. Adler reported that the applicant is requesting final site plan approval for Phases 3, 4 and 5A of Leonard’s Grant. Please see the enclosed site plans showing each phase. Phase 3 consists of 81 lots, Phase 4 consists of 45 lots and Phase 5-A consists of 19 lots. The original concept plan for Leonard’s Grant was approved on January 10, 2005 for 324 lots. As of now, counting the forthcoming Phase 5 B, which is not ready for approval at this time, the final lot count will be 335 lots. This is 11 more lots than the original concept plan was approved for. This number is well within the 5% allowable change rule for a PUD. All necessary permitting requirements have been obtained at this time, including DPW and Soils Conservation.

Phase 1 – 76 lots
Phase 2 – 82 lots
Phase 3 – 81 lots
Phase 4 – 45 lots
Phase 5a – 19 lots
Phase 5b – 32 lots
Total – 335 lots

Action Needed Today: The applicant is requesting final site plan approval for Phases 3, 4 and 5A at this time. The Planning and Zoning Commission can vote to approve, approve with conditions, deny, or delay a decision.

Member Collier asked for clarification regarding the EDUs.

Ms. McKay stated that at this time, for this project, 225 EDUs have been allocated, with a total of 335 EDUs needed for the entire project. Once they have reached that and if we have not upgraded or found another solution to free up more EDUs then we will not have any EDUs available for the rest of the project. When we go to recordation of the final plat, we have to work with the Health Department because there is language that they require to be show on the plats. It states that we will not issue a building permit once we use our available EDUs. We continue to work towards a solution.

Member Collier noted that this information should be included as part of the motion for future clarification.

Chairperson Moulds stated she had read they were doing approximately 35 units per year, is that correct?

Ms. McKay remarked that they had signed an agreement with the Town to pay for 35 EDUs per year. That was our funding stream if we did the expansion, but that has not happened. There are other checks in place to keep us from issuing a building permit if there is not an EDU available. Mr. Gertz stated that the 35 units represented a guaranteed minimum, but not a cap. He proceeded to explain their process, timeline and how the phases are planned to be completed. He described the completion of the village green and the new playground equipment.

Member Candela commented that this is a very nice development, well built and well planned out.

Member Fearn's inquired about the connector road.

Ms. McKay responded that the road is linked to the Clark's Rest development which does not have a determined start date at this time.

Member Collier inquired if there is a sidewalk from the community to Rt. 245?

Ms. McKay remarked no, it ends at Mattingly Street. It is something that has been discussed and continues to be brought up with State Highway. We will keep working on this for the future; we would love to see connectivity with the downtown.

Chairperson Moulds commented that she would didn't see any handicapped parking at the playing fields. Could they add a few handicapped parking spaces for those folks who want to enjoy the play areas?

Mr. Bice responded that the plans do not indicate handicapped parking spaces but they will be sure to include a few.

Member Fearn's moved on Case # 64-04.3 & 64.04.5A & 64-04.4 to approve Final Site Plan; Member Candela seconded, no further discussion, motion passed unanimously.

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 Fearn moved to adjourn the meeting at 4:37 p.m., seconded by Member Earhart, no further discussion, motion passed unanimously.

Respectfully Submitted:

Teri Dimsey

Approved:

Jean Moulds, Chairperson

Frank Fearn, Vice Chair

Jack Candela, Member

Heather Earhart, Member

Absent
Glen Mattingly, Member