



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 July 17, 2023 ~ 4:00 p.m.

Attendees: Jean Moulds, Chair
Laura Schultz, Vice-Chair
Doug Isleib, Member
Andrew Ponti, Member
Sean Lawson, Member

Also, in attendance were Town staff members Laschelle McKay, Town Administrator, Mike Bailey, Town Planner; Teri Dimsey, Executive Secretary, Karl Schwartz, engineering consultant, Brian Fenwick, owners' representative, and Gordon Stellway. Sign-in sheets for this meeting are on file at the Town Office.

Chairperson Moulds called the meeting to order at 4:00 p.m. Vice-Chair Schultz made a motion to approve the minutes of June 20, 2023 and Member Lawson seconded. The motion passed by a 5-0 vote.

Town Administrator's Report:

Mrs. McKay gave an overview of the recent Town Council meeting that was held on July 10, 2023 which included a presentation from Carter Reitman, Program Manager, for the Sustainable Communities Designation which is a designation the Town already has, but the Town is in the process of being re-designated. This designation is required to have for the Town to be able to apply and be awarded State grants. The application for this designation has to be submitted in August 2023. Mrs. McKay reported the extension of the Sludge Hauling Contract with Synagro. The Council had a Public Hearing on Ordinance No. 217, which was to repeal the Board of Education impact fee that we currently collect, because St. Mary's County repealed their current ordinance. The County is no longer collecting the Board of Ed. impact fee, the County has now implemented a county excise tax which is completely different from the Town ordinance, which states that the Town would collect the impact fee and submit those impact fee's directly to the County. Mrs. McKay also communicated that the Council prepared a letter of support to the Liquor Board for the Old Towne Pub Beer Fest to be held September 2023. Mrs. McKay expressed the need for volunteers for the Wharf celebration coming up with the world's largest duck.

New Business

Case No. 16-22	Lot 1 – Tudor Hall Farm Minor Subdivision
Owner:	The Besche Oil Company, Inc.
Surveyor:	Linear Surveys, Inc.
Property:	25945 Point Lookout Road, Leonardtown, MD 20650
Subdivision:	Tudor Hall Farm, Outparcel 'C' – Plat 53-85
SDAT:	Tax Map 126, Grid 0005, Parcel 228
Land Area:	1.17 Acres or 50,965.2 square feet
Zoning:	Commercial Highway (C-H) Limited Development Area (LDA) Overlay

Mr. Bailey communicated the applicant is requesting a Minor Subdivision review and approval of Outparcel 'C', being part of the Tudor Hall Subdivision. The proposed lot is located on the southside of Maryland Route 5 (AKA, Point Lookout Road). The applicant is required to submit Outparcel 'C' through the subdivision process to create a legal building lot. The property was originally part of the Tudor Hall Farm which was surveyed and subdivided in February 25, 2002, which created Outparcel 'C', the plat is recorded in the Maryland Land Records at Plat 53, page 85. The property is within the newly expanded 1000-foot Critical Area Boundary (Adopted May 2021), with an overlay zoning being designated as Limited Development Area (LDA). The subject property has the following site features associated with the property. Non-Tidal wetlands are present on the southside of the property and applicable stream buffers have been shown on the plat. The property also has an intermittent stream present on the east side of the property and the proposed plat is reflecting an intermittent stream buffer as required. A fifty-foot setback is shown on the plat as required by Leonardtown Municipal Code along Maryland Route 5.

Mr. Bailey communicated that the plat has received approval from Maryland Critical Area Commission (CAC), Maryland Department of Environment (MDE), Maryland State Highway Administration (SHA) and the Leonardtown Planning Department.

Action Needed Today: *The applicant is requesting approval to record the Minor Subdivision of Lot 1. The Planning and Zoning Commission can vote to approve, approve with conditions, delay or deny.*

Mrs. McKay, communicated that when Tudor Hall was originally subdivided the subject property and another outparcel were not evaluated as buildable lots. Mr. Bailey communicated that Lot 1 was required to go through the minor subdivision process to ensure that the parcel met with all the requirements of the Town Ordinances.

Member Isleib moved to make a motion to approve the request for Case No. 16-22 – to record the Minor Subdivision of Lot 1, Tudor Hall Farms and Member Ponti seconded. The motion passed by a 5-0 vote.

Case No. 44-22 Lot 1 – Dash In Food Stores Subdivision Site Development

Owner: Dash In Food Stores, Inc.
Engineer: The Plan Source (TPS)
Property: 26065 Point Lookout Road, Leonardtown, MD 20650
SDAT: Tax Map 126, Grid 0004, Parcel 101
Land Area: 0.9797 Acres or 42,674 square feet
Zoning: Commercial Highway (CH) Intensely Developed Area (IDA) Overlay

Mr. Bailey communicated that the applicant is requesting concept site plan approval for the relocation and reconstruction of the existing building on the subject property. Mr. Bailey reported the subject property is Lot 1 of the Dash In Food Stores Minor Subdivision recorded on November 5, 1999, in the Plat Records in Plat Book 49 at page 8. The property is located at the south side of the intersection between Newtowne Neck Road and Maryland Route 5 (Point Lookout Road). The building is currently occupied by Dash In Convenience Store and Exxon Gas Station. Mr. Bailey communicated that the applicants proposed site development plan is to totally demolish the existing convenience store, canopy with gas pumps and underground gas tanks and relocate the building to the southwestern portion of the property with the canopy

with gas pumps being directly in front of the building. The existing building and canopy are approximately 8,694 sq. ft. The proposed building and separate canopy are 8,102 square feet. Mr. Bailey further communicated that the existing curb and gutter lying within the State Highway right-of-way will remain intact so the disruption to traffic along Newtowne Neck Road and Maryland Route 5 (Point Lookout Road) will be minimal. The proposed concept plans limit of disturbance only impacts the Joint Access Easement on the subject property. This will allow approximately 20 feet of the travel portion of the access easement to be untouched and remain open to continued traffic use. Mr. Bailey also explained per Chapter 155-34, A. Not less than 10% of the gross lot area shall be devoted to landscaped green areas, including all side, front and rear yards. Mr. Bailey also communicated the project meets the requirements for parking.

Mr. Bailey communicated that the project has received concept approval from the St. Mary's County Department of Public Works & Transportation, St. Mary's County Soil Conservation District and the Leonardtown Planning Department. The State Fire Marshal and St. Mary's County Health Department are currently reviewing the project.

Mr. Bailey communicated to the Planning and Zoning Board that the applicant is requesting concept site plan approval for the relocation and reconstruction of the existing building on the subject property. The Planning and Zoning Commission can vote to approve, approve with conditions, delay or deny a decision.

Member Isleib inquired as to the intent of the plan submitted, was it to update and or improve the existing structure. Mr. Fenwick communicated that the current building by its old design does not allow for updated equipment to meet with today's retail market requirements.

Mrs. McKay communicated that the architectural drawings included in the package are not part of the approval today, but have been provided to give the Planning and Zoning Board an idea of what the proposed new facility would look like. Façade approval will be reviewed and approved with the final site plan review process.

Mr. Stellway inquired as to whether Taco Bell and the Dash In Food Store are the same owner. Mr. Stellway inquired if the two businesses are going to be combined. Mrs. McKay communicated that the Taco Bell site is a separate parcel from Dash In Food Store and are being developed separately. Mr. Stellway requested a copy of the concept site plan for the Dash In Food Store project.

With no further questions, Chairperson Moulds requested a motion for the project. Member Ponti made a motion to approve the request for Case No. 44-22, Concept Site Plan Approval for the relocation and reconstruction of the existing building on the subject property pending Fire Marshal approval. Vice Chairperson Schultz seconded. The motion passed by a 5-0 vote.

Review of Monthly In-House Permits (June 2023)

Mr. Bailey communicated that EV chargers for single family dwellings are on the rise. Mr. Bailey reported that one EV charger permit was completed in June and three EV chargers were approved in May 2023.

Chairperson Moulds entertained a motion to adjourn the meeting. Member Isleib, made the motion to adjourn meeting; seconded by Member Lawson. There being no further discussion, the motion passed by a 5-0 vote. The meeting was adjourned at approximately 4:25 p.m.

Respectfully submitted:

Michael A. Bailey, Planning & Zoning

Approved:

Jean Moulds, Chairperson

Laura Schultz, Member

Andrew Ponti, Member

Sean Lawson, Member

Doug Isleib, Member