

Commissioners of Leonardtown
Leonardtown Planning and Zoning Commission Meeting
Monday, August 21, 2006 ~ 3:30 p.m.

Attendees: Jean Moulds, Chairperson
Dan Burris, Member
Jack Candela, Member
Frank Fearn, Member
Dave Frock, Member

Also in attendance were: Laschelle Miller, Town Administrator; Jackie Post, Fiscal Clerk, Teri Dimsey, Recording Secretary; Jim Dimisa, Community Bank; Wayne Davis, WM Davis; Jason Roth, Bolton & Assoc.; Joe Densford, SMECO; Tom Russell, SMECO; Ernie Williams, Community Bank.

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

Mayor Norris introduced the new Planning and Zoning Commission Board members, Mr. Dave Frock, Director, Wellness Center for the College of Southern Maryland and Dan Burris, Owner, Olde Towne Insurance.

The meeting minutes for the July 17, 2006 Planning and Zoning Commission meeting are presented for approval.

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

Town Administrators Report – Laschelle Miller

At the August 2006 Town Council meeting CA Bean was awarded the bid to resurface some streets in town. Walter Wise usually handles those projects and he goes through the town each year and looks at what streets should be given the highest priority. The work should be completed by the end of October.

Today you will hear the case regarding the replacement of an existing SMECO Communication Tower. The Council did approve replacement of that tower in the Commercial Business zone. Typically, our towers are located in the Institutional-Office category but this is an existing tower

and Council has the right to approve the replacement. They referred the case to the Planning and Zoning board to review the site plan. You will be hearing that case today.

The Council also had discussions regarding the audit for Leonardtown Recreation Inc., (LRI) which is a corporation set up to handle the Tudor Hall project years ago. As there has been no activity, it was decided to continue but to reduce the scope of the audit.

Council received an update on the resurfacing of Route 5 between Route 245 and Route 243. We will see resurfacing of the majority of that section of the road and hopefully it will be completed by the end of October. State Highway is also looking at the storm drain deterioration across from Mattingly's. They are doing some additional investigation to see what is causing this problem before they pave.

New Business

CASE #86-06: SMECO Communications Tower, 23365 Hollywood Road

Applicant: SMECO, Property Owner
Location: 23365 Hollywood Road
Zoning: Commercial Business District

SMECO has requested replacing the existing communications tower located at their facility on Hollywood Road. This replacement and expansion is needed to meet the ever growing regional demands and to replace outdated equipment. SMECO is also experiencing significant blockage from growth of trees. The existing tower is 154' tall; the proposed tower will be 199' tall. This is the maximum height allowed by our ordinance. The Zoning ordinance allows communications towers in the Institutional/Office category; however SMECO has an existing tower in the Commercial Business district. Section 155-28-C of the CB Zoning states that "The Mayor and Council may modify the strict application of all the preceding standards where it is felt that such would further the objectives of this ordinance." The Town Council approved replacing the tower at the August 14, 2006 meeting.

SMECO will be relocating the tower on their site to ensure that the fall line would lie within SMECO's property boundaries.

There is an existing tower already on this site. The existing tower shall be disassembled following construction of proposed tower.

Discussion items:

- Proposed materials
- Will SMECO allow any other equipment or antennas to be placed on the tower?
- Elevation drawing depicting tower at proposed height with all planned equipment shown.

Tom Russell and Joe Densford are here today to represent SMECO and provide an overview of the project.

Mr. Russell provided a brief description and reviewed the site plan with the Board members explaining the need for a replacement tower.

Member Candela remarked that the code states “the identification of the maximum number of antennas that can be safely placed upon the tower” and asked if there would be any other antennas placed on the tower other than SMECO’s?

Mr. Russell responded that co-location is not an issue but would like to keep that option open if viable.

Ms. Miller stated that the code would require SMECO to bring it back before the Board each time they would add an additional antenna.

Member Candela noted that no one likes these towers, from a setting standpoint, and the more antennas you can get on a single tower, the less towers there may be and he would encourage SMECO to make the tower available to others.

Mr. Russell stated that SMECO is not opposed to co-location

Member Burris commented that he reviewed the letter sent to St. Mary’s County Planning and Zoning but wanted to know if they had also contacted Emergency Management, that SMECO’s tower would not interfere with Emergency Management’s tower.

Mr. Russell stated that the tower is not available for SMECO’s type of use and neither tower interferes with the other. SMECO may go to them in the near future, after the radio frequencies are cleared with the FCC, Emergency Operations and the Maryland State Police and, for safety reasons, would like to light the tower.

Ms. Miller commented that the ordinance states you cannot light the tower unless it is required.

Mr. Russell stated that with the helicopter traffic the tower should be lighted. The Council members agreed.

Mr. Burris asked if they would be disassembling the current tower?

Mr. Russell responded that that will not happen until the new tower is in service.

Member Candela moved that on Case #86-06 – SMECO Communications Tower Replacement - 23365 Hollywood Road, be approved, subject to the conditions of the Town of Leonardtown’s Code requirement, Member Burris seconded, no discussion, motion passed unanimously.

Member Burris mentioned burying the lines underground at the Port of Leonardtown.

Mr. Russell stated that that has been approved, there has been a delay but work should begin shortly.

CASE #87-06: Breton Market Place, 25470 Pt. Lookout Road. Concept Plan

Applicant: W.M. Davis, Property Owner
Engineer: Jonathan Blasco, Mehaffey and Associates
Location: 25470 Pt. Lookout Road, Old Mattingly's
Zoning: Commercial Business (C-B)

The owner/contractor W.M. Davis is currently renovating the existing commercial space, formally the Mattingly's grocery store site. A building permit has been issued and an artist's rendering is enclosed for your information. The new uses include 5 retail spaces, a restaurant, 2 offices, and a rental storage facility.

Mr. Davis also intends to newly construct a detached restaurant and three 2 story office buildings at this site as shown on the enclosed site concept plan. The two existing entrances are being kept and have been highlighted on the plan.

Discussion items:

- Is the restaurant setback enough for future road expansion? The front setback in CB is 0, however SHA's proposal for future widening shows the widening in this section to be 60' from the center line of Rt. 5
- Requires SHA submission
- Additional landscaping in parking lot to break up long rows of parking.
- Are there additional sidewalk/pedestrian facilities that could be added? Possibly in front of the office buildings to help move people to the retail sections.

Mr. Wayne Davis provided an overview of the plan to the members.

Member Candela asked if there was any reason why the restaurant could not be aligned with the first office building, as far as the setback is concerned.

Mr. Davis noted that the dashed line on the plan is misleading, as it is set by the two story height of the building but there is no problem to pull the restaurant back and realign it.

Ms. Miller stated that they could reconfigure some of the parking spaces to accommodate setting the building back a few feet.

Mr. Frock inquired if the restaurants they were considering had a drive-thru or mainly a sit down type restaurant.

Mr. Davis stated that the one they were leaning towards does not have a drive-through.

Mr. Burris commented that there had been previous discussions regarding the ingress/egress, are you looking at doing anything?

Mr. Davis responded that yes, they are looking at line demarcation to make the entrance and exits wider, more clear and accessible.

Chairperson Moulds asked if sidewalks could be placed along side the office buildings that would lead up to the retail area, with some sort of designation on the roadway.

Member Candela commented that he assumes the entrance to the restaurant is proposed to be on the parking lot side.

Mr. Davis responded yes.

Mr. Burris noted that they are over the number of required parking spaces.

Ms. Miller stated that they are about 11 to 15 spaces over at this point.

Chairperson Moulds asked if there had been any thought to change the entrance to the office building next door?

Mr. Davis responded that he had always contemplated to take the curb out so that people can cross over.

Mr. Burris commented that his concern is the closeness of the restaurant to Route 5. How much is the easement that the State could come in and need.

Ms. Miller responded that she is looking at about 40 feet from the existing centerline and it is difficult to ascertain on the concept drawings but it looks like about 21 feet, which would be just about back to where the 33-foot BRL but this is not all roadway, it also includes sidewalk and landscaping.

Mr. Davis inquired about the Oak tree down in front of the Church if it could be touched as it is seriously encroaching on the road.

Ms. Miller responded she did not know but the Church is considered an historic property.

Member Burris moved on Case #87-06 - 25470 Point Lookout Road, Breton Market Place Concept that it be approved as presented with the condition of State Highway road approval, along with the sidewalks and parking area islands and moving the restaurant back as far as possible, Member Fearn's seconded, no further discussion, motion passed unanimously.

Member Candela stated that although the setback is zero, he would hope that he would take into consideration today and set back the restaurant as far as possible.

Mr. Davis stated that any assistance the Council could provide in moving State Highway along to help get this project moving forward would be appreciated.

Ms. Miller stated that Secretary Flanagan is scheduled to tour Route 5 sometime in the near future.

OLD BUSINESS

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)

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:

- At last month's meeting, the case was heard and the decision was made to table the case until more outstanding items were resolved.
- SHA submission needed. The engineer has determined that the proposed building is set back far enough to accommodate future widening of Rt. 5.

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

Mr. Dimisa provided an overview of some of the changes suggested from the last meeting:

- adding shrubbery along the exterior wall
- underground water recharge
- building setback 20-30 feet to accommodate the future widening of Route 5
- right turn only out on Lawrence
- no box lighting
- signage on all three sides

Member Candela inquired about the sign that will be parallel along the brick, will that be uplighted?

Mr. Dimisa responded yes it will be and the sign in the rear as well. The sign on the side will have some reinforcement but no lighting.

Mr. Dimisa noted that they really want to enhance the green space.

Member Candela asked how much green space is in front of the building now?

Mr. Dimisa stated that we will actually pick up more.

Member Burris commented that his concern is the underground recharge and if it would be disturbed due to the widening.

Mr. Dimisa noted that if they move it around to the angle it should mitigate that, it is just shown conceptually in the middle, but we need to place it, we need to take more advantage of the area down Lawrence.

Member Candela stated that there is an existing sidewalk across the front right now and the widening will come towards the Bank for the expansion. Will the State replace the sidewalks?

Ms. Miller remarked that she is not sure what State Highway will do. They have not come back with comments on either the Mattingly site or this site as far as what they will want to see built within this project. Existing sidewalk is shown and this section is certainly the hardest part of the widening along Route 5. We have a lot of issues with residential along there, so timing wise this section will not be the first section. Most likely they will want to rebuild this sidewalk.

Member Candela stated that his concern is losing the proposed green space when State Highway comes through.

Member Burris asked how far they are moving back the building.

Mr. Roth stated twenty feet.

Mr. Dimisa stated that they have a hedge around the road they did not have before and if they pull it back between the hedge and the green space we picked up, that we didn't previously have, that this area immediately around the building might even provide more green space.

Member Candela remarked that the exit out to Route 5 is an egress only.

Mr. Dimisa agreed that it would be a right turn only and that State Highway is very happy about this feature; it is a definite safety feature.

Member Candela stated that one of the biggest issues is the aesthetics of the side of the building that parallel's Route 5. The members had trouble with the brick surface itself, it does not appear to have been changed, it looks like a back of the building when in fact it is the front and asked how long is the wall?

Mr. Dimisa remarked that there is not much space there in length; it will have a door, the brick privacy shield and signage. The bump out along the wall comes out about four feet and the wall is approximately 18 feet long and the bank name will also go along that wall.

Member Candela asked if they had checked our ordinance to allow that much signage?

Mr. Dimisa stated that it looks like that will be fine but we will work with the town's requirement.

The members discussed the look of the wall facing Route 5 and they noted that the concept showed a window and they would certainly add a window along that wall with a sign and the door to soften the look.

Ms. Miller stated that it was discussed to replace the pole sign as well. There will be signage on three sides plus the pole sign?

Mr. Dimisa remarked that there is an existing pole sign. Another existing sign in the green space will remain with additional information on a new face and be added to the pole sign.

Chairperson Moulds asked if they fall into the category of additional signage as the bank is located on a corner?

Ms. Miller remarked that they do not have any signage detail at this time but it will be looked at before final to make sure it meets our requirements.

Mr. Dimisa stated that they will work to meet the requirements and will drop a sign if necessary.

Member Burris inquired about the lighting along the Route 5 side.

Mr. Dimisa remarked that they do not have any pole lighting there as it creates a glare over the building and the police state they do not care for that and if we could make sure we have lighting on our signs coming up from the ground to illuminate the building would be effective.

Member Frock inquired if the look of the sign comes back before the Board before final.

Ms. Miller responded that on their final site plan they will be required to have detailed signage.

Member Fearn moved on Case #70-06, 25395 Point Lookout Road, Community Bank of Leonardtown Concept approval to approve the concept with the conditions discussed today and State Highway provisions, Member Candela seconded, no further discussion, motion passed unanimously.

Other Business

Chairperson Moulds stated that the members discussed changing the time of the Planning and Zoning Board meeting as many of the meetings run very late.

Councilmember Roberts remarked that an earlier meeting makes it difficult for the public to attend.

The members agreed that they would like to change the meeting time from 3:30 p.m. to 2:30 p.m.

Member Burris remarked that the town is working on getting the meeting back on the air.

Ms. Miller stated that we are looking into purchasing equipment to video the meetings.

Councilmember Collier commented that you will have public meetings and people will have to take off work to get to the meetings, it will be difficult.

Chairperson Moulds stated that in the past the meetings were held at 1:30 p.m. and could not recall any complaints.

Member Burris remarked that the regular meetings could be held at 2:30 p.m. and public hearings at 3:30 p.m.

The members were in agreement to change the meeting time to 2:30 p.m. beginning next month.

Monthly In-House Permits – No Questions

Town Council Minutes – No Questions

Member Burris moved to adjourn the meeting at 4:33 p.m., seconded by Member Fearn, motion passed unanimously.

Respectfully Submitted:

Teri Dimsey, Recording Secretary

Approved:

Jean Moulds, Chairperson

Frank Fearn, Vice Chair

Dan Burris, Commission Member

Jack Candela, Commission Member

Dave Frock, Commission Member