



# Commissioners of Leonardtown

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

301-475-9791 • FAX 301-475-5350

J. HARRY NORRIS  
Mayor

LASCHELLE E. MILLER  
Town Administrator

Commissioners of Leonardtown  
**Leonardtown Planning and Zoning Commission Meeting**  
*April 21, 2008 ~ 2:30 p.m.*

Attendees: Jean Moulds, Chairperson  
Dan Burris, Member  
Jack Candela, Member

Absent: Frank Fearn, Vice Chair

Also in attendance were: Laschelle Miller, Town Administrator; DeAnn Adler, Plans Reviewer; Teri Dimsey, Recording Secretary; Jackie Post, Fiscal Clerk; KariAn Behrens Treyes, Resident; Mary Mead, Resident, Bill Herring, Resident; Dean Beck, Home Builders Inc.; Christina Nelson, Resident; Wayne Hunt, LSR. A complete list is available on file at the Leonardtown Town Office.

Chairperson Moulds called the meeting to order at 2:30 p.m.

The meeting minutes for the March 17, 2008 Planning and Zoning Commission meeting were presented for approval.

Chairperson Moulds commented that she would like to see a change, on page 3, paragraph 5, the sentence "and since then have relocated the project site *from* the Governmental Center" to the word *at*.

**Member Candela entertained a motion to approve the March 17, 2008 meeting minutes with this change; seconded by Member Burris, no further discussion; motion passed unanimously.**

## **Town Administrator's Report – Laschelle Miller**

**Ordinances No. 135-140-** These text amendments were introduced at the Town Council meeting last week. These are revisions to the zoning ordinance that are to be proposed over the next several months. The ordinances were introduced at the April 14<sup>th</sup> meeting and then a public hearing is required to be held, which is being done today before the Planning Commission for a recommendation back to the Town Council.

**Ordinance No. 133- Mayor's Salary and Town Council Stipend-** This ordinance was introduced at the March 10<sup>th</sup> meeting and was approved on this month.

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**COUNCIL:** WALTER WISE, *Vice President*      THOMAS R. COLLIER  
ROBERT C. COMBS      LESLIE E. ROBERTS      J. MAGUIRE MATTINGLY, III



# Commissioners of Leonardtown

**Asphalt Paving bid-** The contract was awarded to Copenhagen Paving.

41660 Courthouse Drive

**Sludge Press Proposal-** Staff has been talking with MES about the possibility to rent a sludge press until the expansion. The Council approved the contract for one year with an option to renew for additional years at the same rate.

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**McIntosh Outfitters Proposal-** We received a proposal from McIntosh Outfitters to utilize facilities at Leonardtown Wharf and Port of Leonardtown for a canoe/kayak rental business. In return the company would open, close and clean the facilities at the Leonardtown Wharf. This would be done on a trial basis and a contract could be drawn up to be brought back to the table. We would like to allow Jim Beasley to begin upon the opening of the park in May. Council approved the proposal.

### 300<sup>th</sup> Birthday Event Update-

May 16<sup>th</sup>- Wharf opening and 300<sup>th</sup> Birthday celebration- 2-7 p.m.

September 12, 13 & 14- Maritime Weekend Celebration

- Friday night- Private cocktail reception
- Saturday- Family oriented, public water activities
- Sunday- Fashion show and tea

December 17<sup>th</sup>- Open house at Town Hall

CSM- Friday Night lecture series- 6/6, 8/1, 9/5, 10/3

County Times Leonardtown Collector Series- May, July, October, December

Leonardtown Cookbook- available this summer

December 17<sup>th</sup>- One day official USPS postmark

### NEW BUSINESS:

#### Case # 26-08 Lot 71 and Parcel G, Leonard's Grant – Lot Line Adjustment:

**Applicant:** Quality Built Homes  
**Engineer:** Loiederman Soltesz Associates, Inc.  
**Location:** Rt. 245  
**Zoning:** PUD-M

**Enclosed:** - Boundary Line Adjustment Plat

The applicant is requesting a boundary line adjustment of five feet for Lot 71 in Phase I of Leonard's Grant. The 20 foot access easement abutting this lot was reduced to 15 feet. The applicant would like to make this change because a sale is pending on this lot, contingent on the buyer being able to get this *particular* lot with a house that will not fit without the lot line adjustment.

- Case number needs to be added to plat.

Member Burris commented that he went out to the site to look at this easement and that this is the only access that the adjoining neighbors, the Alveys, will have to this parcel. He was concerned that cutting down the access by 5' would make that easement too narrow.



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Ms. Miller stated that Quality Built Homes felt that 15' would be plenty big enough. Mr. Burris asked if the easement would be used for utilities as well as a roadway.

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Ms. Miller stated that each lot also had a utility easement on the sides that could also be used if needed. Discussion was tabled to see if anyone from Quality Built Homes would be coming to answer some of these questions.

J. HARRY NORRIS  
Mayor

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LASCELLE E. MILLER  
Town Administrator

## OLD BUSINESS:

### Case # 136-04 Courthouse Square Project – Re-approval of Final Site Plan:

**Applicant:** Mr. Dean Beck  
**Engineer:** RA Barrett & Associates  
**Location:** Courthouse Drive  
**Zoning:** Commercial Office (C-O)

**Enclosed:** - Engineering Plans  
- Architecturals  
- Paperwork pertaining to History of Project

The applicant is asking for re-approval of the final site plan for this project. They received the original final site plan approval on May 15, 2006 and this original approval will expire May 15, 2008. Nothing has changed on this new request except for some updates which had been requested by the Planning and Zoning Commission at the May 15, 2006 meeting. These comments included adding the architectural drawings to the package for review, changing the lights to match what the Town has, adding the sequence of construction, and the approvals of the off site drainage by the appropriate agencies. These have all been complied with. The case number needs to be added to plan.

Ms. Adler stated that Mr. Dean Beck is in attendance today to answer any questions the Members may have about this project.

Member Burris asked if there had been any changes to this plan at all.

Mr. Beck replied that the only things that had changed were the sequence of construction and some changes to the sediment and erosion control drawings in response to comments made. They would be working with Tudor Hall to match their landscaping.

### **Member Candela moved to re-approve Case # 136-04 Courthouse Square Project – Final Site Plan.**

Member Burris made a comment that the name of the project was going to be confusing with the Court Square Building and Mr. Beck may want to think about changing the name at a later date.

Mr. Beck said that they may change it at a later date.

### **Motion was seconded by Dan Burris, motion passed unanimously.**



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2:45 p.m. Chairperson Moulds entertained a motion to close the regular Planning and Zoning Commission Meeting and Open the Public Hearing on Updating the Code of Leonardtown.

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J. HARRY NORRIS

Member Burris moved to close the regular meeting; seconded by Member Candela, motion passed unanimously.

LASCHELLE E. MILLER

Town Administrator

Ms. Miller stated that the staff had been reviewing the entire zoning code and is in the process of making revisions to a number of sections of the code. We are just going to review and present a few at a time. These are the first of a number of changes that we will be presenting over the next several months. At the April 14, 2008 Town Council meeting, the following ordinances were introduced and the Mayor and Town Council have forwarded them to the Planning and Zoning Commission for review and recommendations.

- Ordinance No. 135: Time Limits for Permits and Approvals (Section 155-109)
- Ordinance No. 136: Amendment to Accessory Use Definition (Section 155-4)
- Ordinance No. 137: Accessory Buildings (Section 155-60)
- Ordinance No. 138: Swimming Pool Setback Requirements (Section 134-1.1)
- Ordinance No. 139: Mixed Use PUD-Amendment to Article IV (Section 155-24)
- Ordinance No. 140: Administrative Variances (Section 155-105.C)

A Notice of Public Hearing was advertised in the Enterprise newspaper on April 11, 2008.

Ms. Miller provided a brief description and overview of the changes proposed. There were a few questions from the Commission Members which were answered by Ms. Miller.

Chairperson Moulds asked if there were any written or verbal comments.

Member Candela stated that he especially liked the Administrative Variance Ordinance; he thought it would eliminate a lot of unnecessary Board of Appeals meetings.

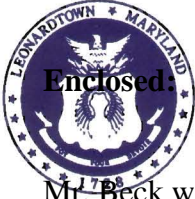
**Member Burris moved to close the public hearing and re-open the regular meeting; seconded by Member Candela, motion passed unanimously.**

**Member Candela moved to send a favorable recommendation of approval to the Town Council for all of the ordinances brought forward; seconded by Member Burris, no further discussion, motion passed unanimously.**

**Old Business (continued):**

**Case # 136-04 (A) Courthouse Square Project – Minor Subdivision Request-**

**Applicant:** Mr. Dean Beck  
**Engineer:** LSR, Inc.  
**Location:** Courthouse Drive  
**Zoning:** Commercial Office (C-O)



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Subdivision Application

Subdivision Plat Drawing 41660 Courthouse Drive  
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Mr. Beck was also requesting to subdivide this property into 3 lots for ease of financing.  
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Town Administrator

Ms. Adler stated that Mr. Beck was here to answer any questions on these next two cases also. Chairperson Moulds asked about Lot #3, the residential lot, if it would still be residential.

Mr. Beck stated that, yes, it would remain residential, but it would be used for storing equipment and dirt during construction.

**Member Burris moved on Case # 136-04 (A) to approve the request for subdivision as presented, seconded by Member Candela, no further discussion, motion passed unanimously.**

## Case # 38-06 (A) Sterling House Project – Minor Subdivision Request –

**Applicant:** Mr. Dean Beck  
**Engineer:** LSR, Inc  
**Location:** Washington Street  
**Zoning:** Commercial Business (C-B)

**Enclosed:** Subdivision Application  
Subdivision Plat Drawing

Ms. Adler reported that Mr. Beck is requesting some lot line adjustments and a subdivision of Parcel 476 into two lots for this project and Mr. Wayne Hunt of LSR is here to explain what they are proposing.

Ms. Adler stated that the members each have a color highlighted plan to help visualize how the lots will be subdivided. The case number needs to be added to plan also.

Mr. Burris asked about Parcel 474 is there enough room with the new sewer line that went through there?

Mr. Hunt replied that the 36" storm drain line is now on the Town's parking lot and then it comes back over to our property on the easement shown.

Mr. Burris asked if the building location was moved.

Mr. Hunt replied no it is in the same place as presented for the original approval.

Chairperson Moulds asked if they were going to have a shared parking agreement with all the parcels, separating them into separate lots.

Mr. Hunt replied yes, we will create a shared parking agreement, shared storm water management, and shared maintenance agreements.



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Mr. Burris asked if you sell off a lot how do you guarantee that lot will have use of the parking  
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J. HARRY NORRIS Mayor  
Mr. Hunt stated that a cross easement agreement would be signed before he sold the parcel to include parking, storm water management and maintenance. They could label and record the plat stating that the shared parking agreement, which was on the plat, is for all of those parcels.  
LASCHELLE E. MILLER  
Town Administrator

**Member Burris moved on Case # 38-06 (A) to approve the minor subdivision request for the Sterling House Project, with the stipulation that the shared parking agreement be shown on the plats; Member Candela seconded the motion, motion passed unanimously.**

### **Case # 26-08 Lot 71 and Parcel G, Leonard's Grant – Lot Line Adjustment:**

Member Burris stated that he was still concerned that the reductions in size of the easement not affect the Alveys' egress to their property.

Ms. Miller stated that her understanding was that Quality Built Homes has had conversations with the Alveys and that the easement was more than adequate to serve the Alveys' needs even with the 5' reduction.

Mr. Burris stated that he would feel inclined to approve this if the Town Staff could contact the Alveys and confirm that they had no problems with the reduction in the easement size.

Ms. Miller stated that that could be done.

**Member Burris moved to approve Case # 26-08, Leonard's Grant Lot Line Adjustment for Lot 71, with the stipulation that staff contact the adjacent properties and get a letter stating that they have no objections to this adjustment; Member Candela seconded the motion, no further discussion, motion passed unanimously.**

### **Monthly In-House Permits**

Member Candela asked what the difference was between "closed" and "approved" designation.

Ms. Adler stated that we have a new software system to print out the in-house permits. It just depends on what box you check, but they mean the same thing for our purposes.

### **Town Council Minutes – No Questions**



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Member Candela moved to adjourn the meeting at 3:10 p.m., seconded by Member Burris,  
no further discussion, and motion passed unanimously.

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Respectfully Submitted:  
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J. HARRY NORRIS  
*Mayor*

LASCHELLE E. MILLER  
*Town Administrator*

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DeAnn Adler, Plans Reviewer

Approved:

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Jean Moulds, Chairperson

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Frank Fearn, Vice Chair

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Dan Burris, Commission Member

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Jack Candela, Commission Member