



Commissioners of Leonardtown

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

301-475-9791 • FAX 301-475-5350
leonardtown.somd.com

DANIEL W. BURRIS
Mayor

LASCHELLE E. MCKAY
Town Administrator

Commissioners of Leonardtown
Leonardtown Planning and Zoning Commission Meeting
October 20, 2014 ~ 4:00 p.m.

Attendees: Jean Moulds, Chairperson
Laura Schultz, Member
Jack Candela, Member
Christy Sterling, Member

Absent: Heather Earhart, Member

Also in attendance were Town staff members: Teri Dimsey, Recording Secretary, Maria Fleming, Events Coordinator, DeAnn Adler, Town Planner, and Mayor Daniel Burris; also Mr. Jonathan Blasco from Mehaffey and Assoc., Mr. John Erskine, town resident and Eric Samiec, James Eardman and Brian Norris representing the Old Line Bank project. A complete list of other attendees is available on file at the Leonardtown Town Office.

Chairperson Moulds called the meeting to order at 4:00 p.m. The minutes for the June 23, 2014, meeting were presented for approval.

Member Candela moved to approve the June 23, 2014 minutes as submitted; seconded by Member Schultz, no further discussion; motion passed unanimously.

Town Administrator's Report:

Ms. McKay was absent. The minutes for the September Town Council meeting were provided in the Board's packets instead.

Old Business:

Case # 92-07 Dr. Luke's Office Building Expansion - Request for final site plan re-approval

Contractor/Applicant: W. M. Davis, Inc.
Owner/Developer: Thachara, LLC
Location: 26220 Point Lookout Road
Zoning: Commercial-Business

Engineer: Mehaffey & Assoc., PC

Ms. Adler introduced the project, stating that this project received its original concept approval on December 17, 2007. It then proceeded to final site plan approval, which was obtained on October 27, 2008 (with conditions – see Oct. 27th minutes). The project plans were revised the next day and those are the plans you have before you today. Nothing has changed since that time. The project has received final approvals from the Town WWTP, Local Fire Dept. and DPW. The project has received unanimous re-approval from this P & Z Board once before - on October 15, 2012. Also, new soil conservation approvals were obtained on October 6, 2014. Because this project received final site plan approval before May 4, 2013, the stormwater administrative waiver will remain in effect as long as construction is completed May 4, 2017.

Ms. Adler then introduced Mr. Jonathan Blasco from Mehaffey and Assoc. Engineers, who was representing the project.

Member Sterling asked if the architectural for this project had been approved. Ms. Adler stated yes, the applicant had come back with mutually acceptable architectural. There was no further discussion.

Member Candela made a motion to approve the re-approval of the final site plan for Case #92-07 – The Dr. Luke Office Building Expansion Project as submitted. It was seconded by Member Sterling. No further discussion. The motion passed unanimously.

New Business:

Case # 61-14 – Old Line Bank – 23152 Newtowne Neck Road - Request for concept plan approval.

Applicant/Developer: The Cherry Cove Companies

Owner: Old Line Bank

Engineer: Ben Dyer Associates, Inc.

Zoning: Commercial Highway

Ms. Adler introduced the project, stating that this project is located on a property that was subdivided back in 1999 into 3 parcels. One parcel has the Exxon/Dash-In gas station on it and the second parcel has the Kentucky Fried Chicken/Taco Bell Restaurant on it. This is the third parcel. It was originally approved for a car wash back in 1999, but was never built. Now the applicant is requesting concept approval for a 2,505 square foot bank building with a two lane drive thru. The setbacks, stormwater management, landscaping and parking requirements have been met and are shown on the plan, even though this is only concept approval at this time.

This parcel has a recorded 0.18 acre Forest Conservation Easement that is meant to serve as mitigation for all three parcels. To make this site work for the bank building, the forest conservation easement will need to be moved. There are 0.26 acres of land shown to the south of the LOD line that the forest conservation easement can be moved to, so there is plenty of room. Plus there is 0.20 acres of land in the far corner that is in the floodplain – so it can't be used for a

recorded forest conservation easement – but it is heavily treed and will remain that way. Ms. Adler then passed around pictures of the site and stated that the edges of the property where this forest conservation easement would be is already heavily vegetated, and nothing more would be required of the applicant, except to erect signage stating that the area is a forest conservation easement, protect this area during construction, and to re-record the new easement. There is also sufficient vegetation buffer between the Port of Leonardtown Park and this site – as long as they do not disturb this buffer. On the building permit it will be stated that this area must not be disturbed during construction.

Wetlands: The car wash plans done back in 1999 showed a 25’ wetlands buffer area that is now impacted by this new site plan. Because of this, a wetlands determination will be required before final site plan approval.

Ms. Adler then introduced Mr. Eric Samiec, Mr. James Erdman and Mr. Brian Norris who were representing the project. Mr. Erdman gave a brief presentation of the proposed project. He stated that the builder will be attempting to get Gold LEED Certification. He addressed lighting and trash issues and stated that the bank will not be putting out trash because of security issues, that trash will be collected by a third party and shredded. He stated that they will execute a quit-claim deed on the existing forest conservation easement and record the new forest conservation easement and will probably go ahead and include all of the wooded area outside the limits of disturbance.

Member Candela and Member Moulds asked him to explain more detail about the lighting and Mr. Brian Norris answered their questions.

Ms. Adler asked about the geo-thermal pipe location. Ms. Schultz asked about the entrance and exits to the site. Ms. Schultz asked where Mr. Goddard (the produce seller on the site) would be moving to. Mayor Burris answered that the town is looking to expand the farmer’s market area on the square. Ms. Moulds asked if the whole building will be brick, the answer was yes. There were no further questions or discussion.

Member Schultz made a motion to approve the concept plan for Case #61-14 – The Old Line Bank Project. It was seconded by Member Sterling. No further discussion. The motion passed unanimously.

Case # 59-14 – Request for Subdivision of Parcel 33 at 23205 Hollywood Road – Tax Map 121, Block 23

Applicant/Owner – Mr. John Erskine

Surveyor – Nokleby Surveying

Zoning – R-SF

Ms. Adler introduced the project, stating that the applicant, Mr. Erskine, would like to subdivide this property into two single family lots. This property is across from the governmental center and the police barracks on Hollywood Road. The newly created lot in the back of the property would have access from Spalding Lane and meets the minimum lot requirements which are:

minimum lot area of 10,000 square feet, minimum lot width of 70 feet, and minimum lot depth of 100 feet. Spalding Lane is a 15' right-of-way with 3 existing driveways fronting on it and also a secondary driveway for the house on the corner of Greenbrier and Spalding Lane. I have included a location sketch and the Leonardtown Subdivision Code for your review. Please note that most of the subdivision code pertains to large subdivisions such as Leonard's Grant or Clark's Rest and not to individual lots. She then introduced Mr. Erskine.

Member Candela stated that he would need to excuse himself from voting on this project because his wife, a realtor, had sold Mr. Erskine this property. Ms. Adler stated that we still had enough people for a quorum.

Mr. Erskine then stated that the reason for the subdivision is that his daughter is living in the existing house on the property and that he and his wife would like to build a new house in the back for themselves, to be close to their daughter and their grandchildren.

Ms. Moulds asked about the 3 existing driveways. Ms. Adler clarified.

Ms. Schultz asked if the neighbors had had any input regarding this subdivision. Ms. Adler stated that according to town code, subdivisions do not have to go to a public hearing, so the neighbors probably do not know about this subdivision request. But the P & Z Board can request a public hearing if they think the subdivision will be controversial. The Town Council actually requested the public hearing on the subdivision request at the end of Greenbrier Road because there was so much public objection to it. Ms. Moulds asked Mr. Erskine if he had talked to any of the neighbors on Spalding Lane. He stated that he had talked to a few of them and they didn't seem to have a problem with it. Mayor Burriss stated that the town did check with their attorney and he didn't think there would be any issues with this approval.

Member Sterling made a motion to approve the subdivision request for Case #59-14 – The Erskine Property. It was seconded by Member Schultz. No further discussion. The motion passed unanimously.

Review of Monthly In-House Permits – No comments

Review of Approved Town Council Meeting Minutes – No comments

Member Moulds entertained a motion to close the meeting. Member Candela made the motion, and it was seconded by Member Sterling, no further discussion, motion passed unanimously. Meeting ended at 4:35 pm.

Respectfully Submitted:

DeAnn Adler

Approved:

Jean Moulds, Chairperson

Jack Candela, Member

Christy Sterling, Member

Laura Schultz, Member

Heather Earhart, Member