



# 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**  
*February 22, 2022 ~ 4:00 p.m.*

Attendees: Laura Schultz, Vice-Chair  
Andrew Ponti, Member  
Heather Earhart, Member  
Doug Isleib, Member

Excused: Jean Moulds

Also, in attendance were Town staff members Laschelle McKay, Town Administrator; Jada Stuckert, Planner and Teri Dimsey, Executive Secretary. Other persons present were Marvin Oursler of Marrick Properties, Taylor Faris of Richmond America Homes, Gene Burroughs of Little Silences Rest, and Ken Held of the Slice House. Sign-in sheets for this meeting are on file at the Town Office.

Vice-Chair Schultz called the meeting to order at 4:03 p.m. *Member Ponti made a motion to approve the minutes of January 18, 2022 and Member Isleib seconded. The motion passed by a 4-0 vote.*

**Town Administrator's Report:**

Mrs. McKay gave an overview of the February 2022 Town Council meeting.

**New Business:**

**Case No. 14-05**

**Clark's Rest – Phase 4 Boundary Line Adjustment Plat (BLAP)**

Request for review and approval of the Phase 4 BLAP.

Owner: Calvert, LLC  
Surveyor: Collinson, Oliff and Associates  
SDAT: Tax Map 0127, Grid 0001, Parcel 0514  
Land Area: 86.62 acres  
Zoning: Planned Unit Development (PUD)

Mrs. Stuckert gave an overview of the project indicating the Clark's Rest subdivision received final site plan approval from Town Council in March of 2012. Marrick has since requested additional changes to the approved site plan, the last amendment taking place on 12/21/2020 in Phase 4 to convert some lots to front load rather than rear loading driveways.

Marrick is requesting approval of a boundary line adjustment plat for Lot 314 in Phase 4 of the subdivision. An error was found in the original Phase 4 plats which contained an overlap of property into the Leonard's Grant subdivision. To correct the overlap, the BLAP removed 253 square feet from the northwestern side of Lot 314 and adding it back into the Leonard's Grant subdivision Parcel A.

Mr. Oursler of Marrick Properties indicated basically two engineers could not agree where the property line was located. Since then, they have come to an agreement on the property line and now the plat needs to be amended to reflect the correct property line.

***Member Isleib made a motion to approve the request for Case No. 14-05, Clark's Rest Phase 4 BLAP to correct a property line for Lot 314 and Member Ponti seconded. The motion passed by a 4-0 vote.***

**Case No. 14-05                      Clark's Rest – Phase 4A**  
Request for review and approval of the Phase 4A plat.

Owner:                                Calvert, LLC  
Surveyor:                            Collinson, Oliff and Associates  
SDAT:                                Tax Map 0127, Grid 0001, Parcel 0514  
Land Area:                         86.62 acres  
Zoning:                                Planned Unit Development (PUD)

Mrs. Stuckert gave an overview of the request stating the Clark's Rest subdivision received final site plan approval from Town Council in March of 2012. Marrick has since requested additional changes to the approved site plan, the last amendment taking place on 12/21/2020 in Phase 4 to convert some lots to front load rather than rear loading driveways.

Marrick is requesting plat approval for the Phase 4A plats which contain five (5) single-family homes on Watervale Drive. Watervale Drive is an existing road in the Leonard's Grant Subdivision which will be extended to accommodate the five (5) additional houses. Phase 4A is the last phase in the Clark's Rest Subdivision.

***Member Ponti made a motion to approve the request for Case No. 14-05, Clark's Rest Phase 4A Plats and Member Earhart seconded. The motion passed by a 4-0 vote.***

**Case No. 14-05                      Clark's Rest Subdivision**  
Request for architectural review and approval.

Owner:                                Calvert, LLC  
Surveyor:                            Collinson, Oliff and Associates  
Builder:                              Richmond America Homes C/O Taylor Faris  
SDAT:                                Tax Map 0127, Grid 0001, Parcel 0514  
Land Area:                         86.62 acres  
Zoning:                                Planned Unit Development (PUD)

Mrs. Stuckert gave an overview of the request indicating the Clark's Rest subdivision received final site plan approval from Town Council in March of 2012. Marrick has since requested additional changes to the approved site plan, the last amendment taking place on 12/21/2020 in Phase 4 to convert some lots to front load rather than rear loading driveways. Marrick Properties has entered into a contract with Richmond America Homes to sell them the remaining single-family lots in Phases 4 and 4A as well as nine (9) remaining unbuilt lots in Phase 3.

Marrick Properties will continue to construct the remaining 24 Townhomes and complete the required development work within the neighborhood. Richmond America Homes will build and sell the nine (9) homes in Phase 3, the thirty-three (33) homes in Phase 4, and the five (5) homes in Phase 4A. The architectural submissions are similar in shape, size, and materials to the existing Marrick Properties homes.

Member Ponti inquired as to why this is happening. Mr. Oursler explained that Marrick is gearing down towards retirement. Most developers are slowing down to the point where you will not see large 300+homes. The cost of building is simply too high. Marrick will continue to build out the infrastructure and the final townhomes within the subdivision. We are planning to be onsite for another 18 months. We do have another two-years of bonds so we will be around if anything is needed.

Taylor Faris introduced himself on behalf of Richmond America Homes indicating they are excited to be working with Leonardtown. The plan is to build out the final 59 single-family homes in the Clark's Rest subdivision.

***Member Earhart made a motion to approve the request for Case No. 14-05, Richmond America Homes architecturals and Member Ponti seconded. The motion passed by a 4-0 vote.***

***Case No. 05-08                      The Slice House – 41575 Park Avenue***  
Concept Site Plan review and approval for a 3,000 sq. ft. commercial building.

Owner:                                41565 Park Avenue, LLC C/O Ken Held  
Surveyor:                            Little Silences Rest C/O Gene Burroughs  
Property:                             41575 Park Avenue  
SDAT:                                Tax Map 0133, Grid 0009, Parcel 0231  
Land Area:                         5,523 sq. ft.  
Zoning:                                Commercial Business (C-B)

Mrs. Stuckert gave an overview of the project indicating the applicant is requesting review and approval of a concept site plan for the construction of a new 3,000 sq. ft. building. The applicant currently owns and operates The Slice House located at 41565 Park Avenue. In February of 2021, the applicant purchased a 5,523 sq. ft. piece of land on the west side of the existing Bell Family property for the purpose of building a new 3,000 sq. ft. building.

The applicant is currently proposing a 2,280 sq. ft. restaurant with 720 sq. ft. of covered outdoor seating. The new building will be required to have a grease trap on-site. Upon completion of the new building, the existing building located at 41565 Park Avenue will be demolished and replaced with the required parking, landscaping, and stormwater management facilities required for the new building. In order to demolish the existing building an asbestos report is required to be sent to the State of Maryland for review and approval prior to demolition. No Use and Occupancy will be issued for the new building until the old/existing building has been demolished.

Parking for the new building is required at one (1) space per 100 sq. feet of floor area. Typically, outdoor seating is not included in the calculation for parking considering outdoor seating is considered seasonal. Therefore, the required parking was calculated utilizing the 2,300 sq. feet. There are a total of twenty-three (23) parking spaces provided which meets the required parking regulations.

Both properties are currently entirely paved with no landscaping provided. The proposed development will provide for 1,314 sq. ft. of landscaping to include four modest garden areas with five (5) trees. There are currently no stormwater management facilities on either parcel. The proposed development will provide for three (3) planter boxes to manage the stormwater. Per §155-28.B.10, "Outdoor storage areas, mechanical equipment and trash receptacles should not be visible from adjacent streets and pedestrian walkways. The method of screening such areas from view should be architecturally integrated with the building with respect to materials, shape, and size." Screening of the dumpster area on Lawrence Avenue should be provided prior to final site plan approval.

The applicant has provided architectural renderings during the concept site plan review in order to receive feedback from the Commission prior to final site plan approval. The architectural renderings provided indicate the building will have metal panel siding, metal panel roofing, and pre-finished aluminum gutter and downspouts. The outdoor covered seating area will have wood accents to separate the seating area from the parking lot.

The applicant has submitted the plans to DPW for review and approval. DPW comments were received after the staff reports writing. DPW had several comments that need to be addressed prior to Final Site Plan approval. If the proposed project is approved, language will be added to the Final Site Plan motion (at the next meeting) regarding architectural, screening, and demolition of the existing building for the record.

Mrs. Stuckert read Chairperson Moulds comments into the record as follows.

*“Since I cannot attend today's meeting, I wanted to send my input on case No.5-08 The Slice House 41575 Park Avenue.*

*I am happy to see improvement on the site. For the architectural review I would like them to work more closely with the town, taking into consideration the development of the areas around their site. I would like to see a more traditional building that would complement the architecture of our historic district. There should be more landscape screening, especially on the property line shared with the proposed townhouses.*

*I hope these comments are helpful, I am looking forward to your new restaurant with more outdoor seating.”*

Member Isleib indicated he is a fan of the Slice House and appreciates the opportunity to comment on the architectural at this stage. The applicant needs to consider the architectural recommendations set forth in the zoning ordinance and the comprehensive plan to make the building more aesthetically pleasing to the surrounding area. The long blank walls and use of corrugated metal is not in keeping with the Town’s standards. Mr. Held indicated he would like to add additional outdoor seating on the side of the building which would break up the long blank wall. Member Isleib indicated he is not a fan of the warehouse look. Mr. Held stated he is open to changes for the exterior of the building and could add a second roof line over the entrance area on the side of the building to help with the look.

Member Isleib referenced the zoning ordinance and comprehensive plan indicating that wood, brick, and stone materials are referenced repeatedly. Mrs. McKay indicated the Town has not held applicants to these stringent materials and in recent times have allowed alternative materials. Mr. Held stated he could add some wood columns but is not sure about a brick façade. I will work closely with my architect to develop good architectural. Vice-Chair Schultz asked that Mr. Held also work closely with the Town.

Member Ponti inquired about the demolition of the existing building and the process for remediating potential asbestos. Mrs. Stuckert indicated every commercial building that is to be demolished must obtain an asbestos report and send it to the Maryland Department of the Environment for review and approval prior to demolition. If there is no asbestos the owner can demolish the building as they see fit. If asbestos is found, the owner must abate the asbestos using measures approved by the State.

***Member Ponti made a motion to approve the request for Case No. 5-08, owned by 41565 Park Avenue, LLC for Concept Site Plan for a 3,000 sq. foot commercial building and Member Isleib seconded. The motion passed by a 4-0 vote.***

**Review of Monthly In-House Permits** – No comments.

*Vice Chair Schultz entertained a motion to adjourn the meeting. Member Earhart made the motion; seconded by Member Isleib. There being no further discussion, the motion passed by a 4-0 vote. The meeting was adjourned at approximately 4:45 p.m.*

Respectfully submitted:

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Jada Stuckert, Planning & Zoning

Approved:

Excused

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Jean Moulds, Chairperson

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Laura Schultz, Member

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Andrew Ponti, Member

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Heather Earhart, Member

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Doug Isleib, Member