



Commissioners of Leonardtown

22670 Washington Street
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

Town Council Meeting Minutes November 13, 2023

Live streamed video of the meeting can be found on
YouTube – www.youtube.com/c/TownofLeonardtown

Attendees: Daniel W. Burris, Mayor
J. Maguire Mattingly IV, Vice President
Nick Colvin, Council Member
Heather M. Earhart, Council Member
Christy Hollander, Council Member
Mary Maday Slade, Council Member

Also, in attendance were: Laschelle McKay, Town Administrator; Teri Dimsey, Executive Secretary, Angie Graves, Treasurer; Mike Bailey, Planning; Will Morehead, JustTech; Emily Stagner, Main Street Manager, Cpl. Roszell, Town Deputy; Jeff Buckler/John O'Connell, Laurel Grove Properties, LLC, John/Kristy Parker, Residents/Owners; Mary Swales, Resident; Xaviar Emmerson, Resident; Matt Morgan, State Delegate; Mike Alderson, Jr, SMC Commissioner. A complete list of attendees is on file at the Town Hall.

Councilmember Colvin gave the invocation and Ms. Dimsey lead the Pledge of Allegiance.

Approval of Minutes

Mayor Burris entertained a motion to approve the meeting minutes of October 10, 2023.

Councilmember Mattingly moved to approve the minutes of October 10, 2023, as presented; seconded by Councilmember Colvin; motion passed unanimously.

Mayor Burris asked Councilmember Mattingly to present the Municipal Government Works Month Proclamation.

Mayor Burris presented a Proclamation in reverence to the loss of former Mayor J. Harry "Chip" Norris, III.

Treasurers Report – Angie Graves

Ms. Graves reported that \$100,000 was transferred to the checking account. We are one-third through the budget year. We received \$180,000 of grant funds. We purchased a new truck for the Waste Water Treatment Plant facilities staff. The payments for the WWTP expansion have been going out regularly and we have been using the funds from CDA account. We have received an audit extension through December 31st and the auditor will be here next week to complete the audit.

COUNCIL: NICK COLVIN HEATHER M. EARHART
CHRISTY HOLLANDER J. MAGUIRE MATTINGLY IV MARY MADAY SLADE

Planning and Zoning Report – Mike Bailey

Mr. Bailey stated that there are no items to be heard at this time and the November meeting has been cancelled. There are upcoming items to be heard at the December 18th meeting.

Police Report – Mayor Burris

Cpl. Roszell provided a written report and has no issues to report at this time. Deputy Roszell did note that the Veterans Day Parade event went smoothly with no big issues.

Councilmember Mattingly thanked Deputy Roszell and all the deputies and emergency responders for the assistance; everyone's participation and assistance is very much appreciated.

Town Administrators Report – Laschelle McKay

Downtown Strategic Plan Phase 4 Contract for Mahan Rykiel Associates

The next phase of the Downtown/Waterfront Strategic Plan encompasses completing several sections of the Comprehensive Plan due for completion in early 2025 as well as more in-depth analysis of expanding parking facilities, Main Street Program start up assistance, Fenwick Lawn and West Side coordination and finally implementation of the RFI for the Leonardtown Wharf Food Hall. Staff submitted another grant to DHCD to cover some of these expenses as we had in the past but did not receive the grant. However, we had budgeted \$50,000 for continuation of the Downtown Plan and Comprehensive Plan in this year's budget. Additionally, we received \$25,000 instead of the \$10,000 budgeted for the Main Street Program. We are making significant progress on these important fronts and it is imperative that we continue to be proactive and not reactive in planning these areas of the Town. The Consultants are in Town and a meeting is scheduled tomorrow with the Pleasants developers to begin taking a look at their plans.

Councilmember Earhart moved to award the Phase 4 Downtown Strategic Plan contract to Mahan Rykiel Associates, Inc. in the amount of \$40,000; seconded by Councilmember Colvin, no further discussion, motion passed unanimously.

4:15 Public Hearing- Case #71-21 Leonardtown Cottages-Proposed Infill and Re-development District (PIRD overlay)

Ms. McKay provided a brief summary of the project:

Town Council referred the project to the Planning Commission at their October 10, 2023 meeting. The Planning Commission, after holding a public meeting on October 16, 2023 sent a favorable recommendation to Town Council. A public hearing is scheduled to be held on November 13, 2023 at 4:15 pm. A notice was published October 19th in the County Times and on the Town Website. Notices for both the Planning Commission meeting on October 16th and the Public Hearing for November 13th were sent registered mail to 64 property owners living within 300 feet of the proposed project.

The owner is requesting a Planned Infill and Re-development District (PIRD) overlay and concept approval for the property located at 22800 Lawrence Avenue. The concept approval also consists of a minor subdivision to divide the existing 0.59-acre property into two (2) lots. Lot 1 consisting of 0.271 acres or 11,804.76 square feet and Lot 2 consisting of 0.319 acres or 13,895.64 square feet.

The existing property consists of 0.59 acres or 25,700.4 square foot. The property in 2021 had an existing 9,990 sq. ft. 12-unit apartment building with associated gravel and asphalt area utilized for parking. The property was issued a demolition permit in August, 2021 to remove the dilapidated building.

Per the Town Municipal Code Chapter 155-34, the purpose of the Planned Infill and Re-Development District (PIRD) is to encourage the re-development of deteriorated sites while preserving the residential character of the surrounding residential neighborhood.

The proposed PIRD requests construction of eight (8) single family dwelling units, four (4) dwelling units on the proposed lot 1 and four dwelling units on the proposed lot 2 with a base unit foot print between 640 square foot and 1080 square foot. All proposed dwellings will be two-story. The owner is requesting a reduction of the rear building restriction line from 30' to a 15' rear building restriction line for the proposed lot 2. All other set back requirements are being met with the proposed plan.

Maximum density requirements for property zoned RMF is ten (10) dwelling units per acre or 4,356.0 sf per unit. The building that was demolished consisted of twelve (12) units. The previous density based on the demolished building was units or 2,141 sf per unit. The owner is requesting a density reduction from 4,356 sf per the Municipal Code to 3,212 sf per unit. The requested eight (8) units are less than the density of the previous use, but is higher than the Municipal Code requirements without the PIRD overlay.

Per Chapter 155-55. the proposed project is required to have two (2) parking spaces per unit or sixteen (16) parking spaces for eight (8) dwelling units. The project has met the required sixteen (16) parking spaces for eight (8) dwelling units.

The property currently has twelve (12) Equivalent Dwelling Units (EDUs). Eight (8) EDUs are required for the proposed Leonardtown PIRD. The remaining four (4) EDUs would be held inactive for use with a future project.

The proposed project must meet the storm water management Town Municipal Code Chapter 155-73. D. Redevelopment standards. The design will be part of the final site plan process. Additionally, the plans will need to address water drainage issues currently existing with the neighboring townhome properties.

The applicant shall demonstrate per Title VIIA, Section 155-34.3 of the Leonardtown Municipal Code the following:

A. The Planned Infill/Redevelopment District is intended to accommodate a wide range of land uses and redevelopment options on sites constrained by the form and characteristics of existing structures and residential character in surrounding areas. Specific land uses and specific development standards for each PIRD District shall be determined on a case-by-case (site-by-site) basis by approval of a master development plan filed concurrently with any proposal or request for Zoning Map amendment.

B. The Planned Infill and Redevelopment District classification request may be submitted by the property owner, concurrent with the required master development plan. In order to be eligible for consideration for PIRD classification there must be a finding by the Town Council that:

- (1) The development or redevelopment proposed for the subject property is consistent with the purpose and intent of this district;
- (2) The proposed development or redevelopment of the subject property(s) would be compatible with, and not adversely impact, the surrounding neighborhoods, including impacts from traffic, noise, light and glare, parking, and signs;
- (3) The services and infrastructure for the site will be sufficient to accommodate the type and intensity of the proposed development;

- (4) The proposed development would provide needed housing opportunities, services, jobs, or amenities and/or would improve or enhance the character of the site;
- (5) The general performance standards and limitation established in § **155-34.6F** can be met on the subject property, and;
- (6) The granting of the Planned Infill and Redevelopment District classification will promote the general welfare of the Town and will not be detrimental to the health, safety and welfare of Town residents.

Prior to the October 16th PZ meeting four neighbors sent questions/concerns and also met with staff. Letters of response were sent to all four residents.

Following the close of the Public Hearing the Town Council may approve, approve with conditions, delay or deny the PIRD designation and concept plan for the Cottages of Leonardtown.

Mr. John O'Connell and Mr. Jeff Buckler are in attendance to present information on the project and answer any questions.

Mayor Burris entertained a motion to close the regular meeting and open the Public Hearing.

Councilmember Mattingly moved to close the regular meeting and open the Public Hearing on Case #71-21 Leonardtown Cottages – Proposed Infill and Re-development District (PIRD overlay).

Mr. Buckler explained that when he purchased the property in 2013 there were twelve units in rough shape. He decided to demolish the building and initially pursued building a small apartment complex with underground parking but after looking at the drawings he felt that the building did not fit the neighborhood and decided to return to the drawing board and the result was to build small rental homes designed to fit in the neighborhood, to provide porches and parking as affordable workforce housing for single or family tenants.

Mr. O'Connell presented a power point presentation with site design and architectural renderings of the cottages with the floor plan layout.

Mr. Buckler remarked that there is a water flow collection issue surrounding this property, to include the existing townhomes, and he will be addressing this issue as a whole for both properties while working with the Town, to alleviate this existing issue, at his own expense.

Mr. O'Connell noted that there is an existing easement, which is owned by Mr. Buckler, who is consenting to use of the easement to the residents of the townhomes. We propose to leave this easement in place and take it through to Church Street to help with driving in/out and to accommodate getting in and out of parking spaces for both the townhomes and the cottages.

Mr. Buckler stated, that as we do for our other rental homes, we will provide the maintenance for the homes on the property, such as landscaping, any spray treatment, snow removal and such.

Councilmember Colvin inquired about the leasing arrangements.

Mr. Buckler stated that his preference will be a minimum two-year lease.

Mayor Burris opened the floor up to the public for comment.

Mr. John Parker, 22720 Lawrence Avenue resident and also the owner of Mattingley Gardiner Funeral Home. Mr. Parker remarked that this specific property needs additional discussion in regards to high density housing, revitalization and urban planning with walkability in regards to home ownership, those who take pride and invest in the enjoyment and growth of the Town. The broader issue is what are the goals of the Council, do you really think that these kinds of projects apply as they work counter intuitive to the Town goals. Speaking as a resident of Lawrence Avenue, the rentals don't always draw a higher-level workforce as mentioned and there has been a large volume of incidents requiring police intervention along Lawrence Avenue which has a high rate of rentals.

Mrs. Kristi Parker noted that Lawrence Avenue has always been considered the "back street" and known as an undesirable section of Town. It would be nice to see that change and that the goal to be that all of the Town and its streets to be considered desirable.

Ms. Mary Swales, 22790 Lawrence Avenue and her concern is how tight the access is to get into and out of her driveway in the back which will be directly in front of one of the cottages and she will need to come in through Church Street, as well as her view will be obstructed by a cottage. She is very concerned about the environmental impact as she can hear and watch all the wildlife and is opposed to so much concrete and asphalt and would like to see the property, Lot 2, behind her home remain vacant and green. Also, the impact of the noise and inconvenience during the construction is very unwelcome. Putting in a water and sewer line and a manhole right behind her home is not something she wants so close to her home and who will put it in and pay for the infrastructure.

Ms. McKay responded that engineering design is presented during the next phase and the owner will work with the Town to meet all the required regulations. As it is private property, the cost of the water and sewer infrastructure is the responsibility of the owner.

Mr. Xaviar Emerson, 22796 Lawrence Avenue, and agrees with Ms. Swales. The intersection already is unsafe for his kids as many cars speed down Lawrence Avenue and also run through the stop sign. Adding more homes will only increase traffic and make it more unsafe. We do not have an issue with Lot 1 but we do have an issue with Lot 2 and house number 3 is directly behind my home and each owner will back up into the others driveway and this is unsafe if children are playing or any animals around. Spacing and privacy are an important issue which will lead to many complaints because the homes are so close.

Mayor Burris entertained a motion to close the Public Hearing and open the regular meeting.

Councilmember Hollander moved to close the public hearing and open the regular meeting; seconded by Councilmember Slade.

Ms. McKay addressed the Parker's concern and stated that West Fenwick is very important to the future of the Town and all of our planning for the last 15 years has been focused on transitioning the Tudor Hall area for development that blends in with the Town's culture and vitality.

Councilmember Slade remarked that she is still trying to get a visual of the four homes on Lot 2.

Councilmember Earhart would like to hear and see more about the plan to get in and out of Lot 2.

Mr. O'Connell pointed out the exit/entrance on the site design to show how the easement, which Mr. Buckler owns, will be used for the townhomes and the homes specifically located on Lot 2 and Lot 1 and explained the reasoning and how it worked best for all the homes and that it meets the Town's design specifications.

Ms. McKay noted that Mr. Buckler broke the property into two lots for financing purposes and he has met all the set-back specifications except for a small section in the rear of Lot 2. These cottages are being labeled affordable workforce housing but Mr. Buckler's goal is to provide homes that are rental affordable for working professional singles, couples and small families that cannot afford to purchase a home at this time or may be here temporarily working at Patuxent River Naval Base or the hospital.

Mr. Buckler will have his surveyor stake the properties for Council to walk the property to have a clearer vision of the layout of the homes.

Ms. McKay stated that we will advertise the walk of the property as it will be considered a meeting and the public is invited to attend once a day and time is established.

Councilmember Earhart moved to delay a decision on approving the PIRD overlay and concept plan for Case #71-21 Leonardtown Cottages located at 22800 Lawrence Avenue until Council has walked the property for a clearer understanding of the concept plan; seconded by Councilmember Slade, no further discussion, motion passed unanimously.

Issues were raised about the intersection of Lawrence Avenue and Church Street and Mayor Burris asked Deputy Roszell to work with the residents directly on this issue.

Mayor's Report – Mayor Burris
No report at this time.

LBA Report – Kristy Parker
No report at this time.

Events – Heather Earhart
Councilmember Earhart reported that the Town had a busy past month with the Scarecrow Stroll, which were varied and amazing and she offered congratulations to the winners. Thank you to all the Veterans Day Parade supporters and staff for all their hard work, very honored to have participated. Happy to have been a part of the Ace's Angels Walk and support their breast cancer cause and present a Proclamation from the Town. Next month we have Christmas on the Square, Small Business Saturday and Meet and Greet with Santa and we have some special lighting decorations for Light up Leonardtown all around Town with some secret hidden nuggets.

Community Development and Planning – Nick Colvin
Councilmember Colvin attended the Veterans Day Parade and Memorial Ceremony which was very moving. Wishing everyone a Happy Thanksgiving and enjoyable upcoming time through the holidays.

Utilities – Christy Hollander
Councilmember Hollander reported that she has spoken with the facilities staff and they tell her the treatment plant upgrade is going smoothly so far and they will soon begin driving piles to set in the storage tanks. Wishing everyone a Happy Thanksgiving.

SMMA Update – Jay Mattingly

Councilmember Mattingly reported that he attended the Fall Conference with 393 attendees, one of the largest on record. He was glad to see Councilmember Earhart attend as she works on completing the Academy of Excellence course work. The next SMMA meeting is scheduled for January 10, 2024 and the next MML Board meeting will be virtual sometime in January. Happy Thanksgiving to all.

Business Development – Mary Maday Slade

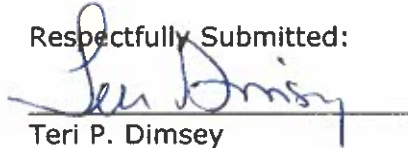
Councilmember Slade reported that she attended the ribbon cutting for a new business located in the Vault, previously the old Bank of America building, and take a look at page 3 of the Beacon you can see all the new businesses listed which is so fantastic to see the retail growth in the Town. Remember to shop small businesses as 53% of people prefer to shop local, looking to find unique products and enjoy great customer service. Small Business Saturday is happening in Town after Thanksgiving Day so please come out and shop local. On the Maryland side the IRS has done some new reporting and many clients have been receiving letters saying they owed money but the State of Maryland has some sort of system glitch so please be aware and don't just pay until you do more research.

Ms. McKay announced that there is also another ribbon cutting on December 1st for the opening of the bridal shop located in the Vault.

Mayor Burris entertained a motion to adjourn.

Councilmember Mattingly moved to adjourn the meeting at 5.22 p.m.; seconded by Councilmember Slade, motion passed unanimously.

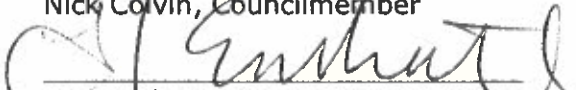
Respectfully Submitted:



Teri P. Dimsey

Approved:


Daniel W. Burris, Mayor


Nick Colvin, Councilmember


Heather M. Earhart, Councilmember


Christy Hollander, Councilmember


J. Maguire Mattingly IV, Councilmember


Mary Maday Slade, Councilmember