



## PLANNING COMMISSION MEETING

**Minutes of February 3, 2020 6:00 p.m.  
County Commissioners Meeting Room  
La Plata, Maryland 20646**

The Charles County Planning Commission held its regularly scheduled meeting on Monday, February 3, 2020 at 6:00 p.m. in the Charles County Government Building, La Plata, Maryland.

### The following persons were present:

Wayne Magoon, Chairman  
Angela Sherard, Vice Chair  
Rick Viohl, Secretary  
Robin Barnes  
Vicki Marckel  
William Murray  
Kevin Wedding  
Wes Adams, County Attorney  
Elizabeth Theobalds, Deputy County Attorney  
Deborah Carpenter, Director of Planning and Growth Management  
Jessica Andritz, Acting Deputy Director of Planning and Growth Management  
Jason Groth, Planning Director  
Heather Kelley, Program Manager  
Cyndi Bilbra, Program Manager  
Kirby Blass, Planner III  
Melissa Hively, Clerk

### **1. Call to Order:**

The Chair called the meeting to order at 6:04 p.m. in the Commissioners Meeting Room with seven (7) members in attendance.

### **2. Approval of the Agenda:**

Mr. Magoon announced that he would like to have the agenda rearranged to hear the Work Session for Zoning Text Amendment #19-155 before the scheduled Public Hearing, and add a Closed Session to the text amendment work session. A **MOTION** was made by Mr. Wedding to approve the Agenda as amended, which was **SECONDED** by Ms. Sherard. The vote was unanimous, and the **MOTION** passed.

### **3. Approval of the Minutes:**

#### **1. December 16, 2019**

A **MOTION** was made by Ms. Sherard to approve the Minutes, which was **SECONDED** by Ms. Marckel. The vote was unanimous, and the **MOTION** passed.

## 2. January 6, 2020

Ms. Marckel recused herself as she was not present at the January 6, 2020 meeting. A **MOTION** was made by Mr. Wedding to approve the Minutes, which was **SECONDED** by Mr. Barnes. The vote was unanimous, and the **MOTION** passed.

## 4. Chairman's Comments:

Mr. Magoon welcomed and introduced the new Director of Planning and Growth Management, Ms. Deborah Carpenter. Mr. Magoon acknowledged that this would be Ms. Markel's final meeting as a Planning Commission member and thanked her for her service. He wished her well in her future endeavors.

## 5. Personal Appearances:

None

## 6. Work Session:

### 1. **Zoning Text Amendment #19-155, Watershed Conservation District (WCD) Zone Transitional and Grandfathering Provisions**

Mr. Viohl and Ms. Marckel announced that they were recusing themselves from this item and then they removed themselves from the auditorium.

A **MOTION** was made by Mr. Wedding to enter into a Closed Session to (1) consult with counsel to obtain legal advice in accordance with § 3-305(b)(7) of the Maryland Open Meetings Act; and (2) to consult with staff, consultants, or other individuals about pending or potential litigation in accordance with § 3-305(b)(8) of the Maryland Open Meetings Act. The **MOTION** was **SECONDED** by Mr. Barnes. The Closed Session began at 6:16 p.m. with Mr. Adams, Ms. Theobalds, Mr. Groth, Ms. Hively, and all remaining Planning Commission members present. The Closed Session concluded at 6:27 p.m.

Open Session resumed at 6:29 p.m. Mr. Groth gave a brief overview of the proposed Zoning Text Amendment and made a statement regarding the public comments received during the open record period. A **MOTION** was made by Ms. Sherard to recommend approval of the text amendment to the Board of County Commissioners, which was **SECONDED** by Mr. Wedding. The vote was unanimous, and the **MOTION** passed.

## 7. Public Hearings:

### 1. **Amendment to Docket 90 (Revised and Restated) and the Master Plan for Fairway Village of St. Charles, PDZA #19-90(21)**

Staff presented a brief overview of the proposed Amendment, and the Planning Commission asked several questions of staff. Next, representatives for the Applicant, ALD Properties, LLC, provided a presentation of their proposed Amendment, which was followed by several additional questions from the Planning Commission.

For the public hearing, eight (8) members of the public voiced comments on the proposed Amendment.

After discussion, a **MOTION** was made by Mr. Viohl to hold the record open for thirty (30) days to allow further public comment and so the Applicant could gather additional information, which was **SECONDED** by Ms. Sherard. The vote was unanimous, and the **MOTION** passed. The Planning Commission requested that the Applicant's presentation slideshow be uploaded to BoardDocs.

The record shall remain open until 4:30 p.m. on Thursday, March 5, 2020. All comments are to be submitted to the Clerk for the Planning Commission. A Work Session was tentatively scheduled for the March 16, 2020 Planning Commission meeting.

A recess was called at 7:58 p.m., and the meeting resumed at 8:08 p.m.

**8. Public Meeting:**

None

**9. Work Session:**

**1. Zoning Text Amendment #19-153, Business Park (BP)**

Staff provided an overview of the zoning text amendment and explained that the amendment had been reworked by the Applicant and staff to address areas of concern with the originally proposed Amendment. Next, the Planning Commission asked several questions. Representatives for the Applicant made themselves available and answered several additional questions. A **MOTION** was made by Mr. Viohl to recommend approval to the Board of County Commissioners, which was **SECONDED** by Mr. Barnes. The vote was unanimous, and the **MOTION** passed.

**10. Unfinished Business:**

**1. Update: School Allocation in Development District**

Mr. Groth announced that a representative from the Charles County Board of Education would be attending the February 10, 2020 Planning Commission meeting to present, with Staff, an update regarding the research on School Allocations within the Development District.

**11. New Business:**

None

**12. Director's Report:**

Mr. Groth thanked Ms. Marckel.

Ms. Marckel offered final remarks expressing gratitude and appreciation to the Planning Commission and Staff.

**13. Adjournment:**

A **MOTION** to adjourn the meeting was made by Mr. Barnes, which was **SECONDED** by Ms. Marckel. The vote was unanimous, and the meeting adjourned at 8:50 p.m.



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Rick Viohl, Secretary



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Melissa Hively, Clerk