



PLANNING COMMISSION MEETING

**Minutes of September 9, 2019 6:00 p.m.
County Commissioners Meeting Room
La Plata, Maryland 20646**

The Charles County Planning Commission held its regularly scheduled meeting on Monday, September 9, 2019 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
Kevin Wedding
Elizabeth Theobalds, Deputy County Attorney
Jason Groth, Planning Director
Heather Kelley, Program Manager
Charles Rice, Program Manager
Aimee Dailey, Planner III
Ben Yeckley, Planner II
Kyle Redden, Planner II
Michael Jurkovic, Planner I
Melissa Hively, Clerk

Not Present:

William Murray

1. Call to Order:

The Chair called the meeting to order at 6:02 p.m. in the Commissioners Meeting Room with six (6) members in attendance.

2. Approval of the Agenda:

A **MOTION** was made by Ms. Sherard, and **SECONDED** by Mr. Barnes, to approve the Agenda. The vote was unanimous, and the **MOTION** passed.

3. Approval of the Minutes:

1. August 5, 2019 Meeting Minutes

A **MOTION** was made by Mr. Barnes, and **SECONDED** by Ms. Marckel, to approve the minutes as presented. The vote was unanimous, and the **MOTION** passed.

2. August 19, 2019 Meeting Minutes

A **MOTION** was made by Mr. Wedding, and **SECONDED** by Mr. Barnes, to approve the minutes as presented. The vote was unanimous, and the **MOTION** passed.

4. Chairman's Comments:

Mr. Magoon commented on upcoming agenda items, including a discussion about school seat allocations, the upcoming 2020 meeting schedule, the status of commercial development in the Planned Unit Development (PUD) zone, and an update to the status of subdivisions with time extension requests as previously requested by Mr. Viohl. Mr. Magoon announced that a discussion on Superior Design will be scheduled as an agenda item during an upcoming agenda setting meeting.

5. Personal Appearances:

None

6. Public Hearings:

None

7. Public Meeting:

1. Aspenleigh, Revision #3, PLREV-190017

Prior to Staff presentation, Ms. Marckel announced that she was recusing herself from this item, and she then removed herself from the auditorium.

Staff presented an overview of the proposed Revision. Next, the Planning Commission asked several questions. The Applicant provided some additional background information on the recordation of lots in response to a request for clarification on a statement in the Staff Report regarding the total number of lots within the Project. After a brief discussion, Staff agreed that the total number of lots should be corrected from sixteen (16) to fifteen (15). The Planning Commission had no additional questions for the Applicant. A **MOTION** was made by Mr. Barnes, and **SECONDED** by Mr. Viohl, to approve the Revision with the findings and recommendations included in the amended staff report. The vote was unanimous, and the **MOTION** passed.

Ms. Marckel returned to the auditorium after the vote.

2. Summit Ridge, XPN #06-0022, Request for Extension of Time & Conformity Review

Staff presented an overview of the Request for Extension of Time. Next, the Planning Commission asked several questions. The Applicant was present and answered several additional questions. Mr. Viohl mentioned that conditions #2 and #14 were duplicates. Staff confirmed and the duplicate conditions were removed. A **MOTION** was made by Mr. Barnes, and **SECONDED** by Ms. Marckel, to approve the Request with the findings and

recommendations included in the Staff Report. The vote was unanimous, and the **MOTION** passed. The expiration date was set to March 17, 2020.

3. Summit Ridge, XPN #06-0022 – Modification 104 Request

Staff presented an overview of the Section 104 Modification Request. After the staff presentation, the Planning Commission asked several questions. Next, the Applicant gave his presentation and made himself available for questions, however there were none. A **MOTION** was made by Ms. Marckel, and **SECONDED** by Mr. Wedding, to approve the Section 104 Modification Request with the conditions and recommendations included in the staff report. The Planning Commission discussed the Request and the **MOTION**. Mr. Groth confirmed that a statement in Item II of the Staff Report was included erroneously. Ms. Marckel amended her **MOTION** to remove the erroneous statement, and Mr. Wedding **SECONDED** the amendment. The vote was unanimous, and the **MOTION** passed.

A recess was called at 7:19 p.m., and the meeting resumed at 7:25 p.m.

4. Summit Ridge, Revision #2, PLREV-190015

Staff presented an overview of the proposed Revision, which included a request for a new preliminary plan expiration date. Next, the Planning Commission asked several questions. The Applicant was present and answered several additional questions. A **MOTION** was made by Mr. Viohl, and **SECONDED** by Ms. Sherard, to approve the proposed Revision with the findings and recommendations included in the staff report, and to grant a new preliminary plan expiration date of March 17, 2022. The vote was unanimous, and the **MOTION** passed.

8. Work Session:

1. Expansion of the Zekiah Watershed Rural Legacy Area

Staff presented an update regarding the seventeen (17) Public Comments that were received during the ten (10) day period during which the record was held open following the August 19, 2019 meeting. Next, the Planning Commission asked several questions. A **MOTION** was made by Mr. Viohl, and **SECONDED** by Ms. Sherard, to recommend to the County Commissioners that two (2) Rural Legacy applications be prepared for submittal to the State for consideration for approval in 2020 – one for the Zekiah Rural Legacy Area, as recommended by County staff, and the other for a new Nanjemoy-Mattawoman Rural Legacy Area. The Planning Commission discussed the **MOTION**. After discussion, a roll call vote was taken. The results were as follows:

Mr. Wedding – No
Ms. Marckel – No
Mr. Barnes – No
Ms. Sherard – No
Mr. Viohl – Yes

The vote was four (4) against to one (1) in favor and the **MOTION** failed. (Mr. Magoon, as chair, did not vote as his vote would not have affected the outcome of the vote).

Next, a **MOTION** was made by Mr. Viohl, and **SECONDED** by Ms. Sherard, to recommend to the County Commissioners that the application for expansion of the Zekiah Rural Legacy Area be approved as recommended by County staff for submission to the State's 2020 Rural Legacy Program, and that an application for a new Mattawoman-Nanjemoy Rural Legacy Area be prepared for submittal to the State's 2021 Rural Legacy Program. The vote was unanimous, and the **MOTION** passed.

9. Unfinished Business:

None

10. New Business:

None

11. Director's Report:

Mr. Groth commented on the upcoming agenda items that were previously mentioned by Mr. Magoon.

12. Adjournment:

A **MOTION** was made by Ms. Sherard, and **SECONDED** by Mr. Wedding, to adjourn the meeting. The vote was unanimous, and the meeting adjourned at 8:33 p.m.



Rick Viohl, Secretary



Melissa Hively, Clerk