



DANIEL W. BURRIS
Mayor

Commissioners of Leonardtown

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LASCHELLE E. McKAY
Town Administrator

Commissioners of Leonardtown Leonardtown Planning and Zoning Commission Meeting *April 21, 2025 ~ 4:00 p.m.*

Attendees: Jean Moulds, Chairperson
Laura Schultz, Vice-Chair - Excused
Doug Isleib, Member
Andrew Ponti, Member
Sean Lawson, Member - Excused
Heather Earhart, Alternate Member, Excused

In attendance were Town staff members Laschelle McKay, Town Administrator, Jeanine Harrington, Town Assistant Administrator, Mike Bailey, Town Planner; Teri Dimsey, Town Executive Secretary, Laura Clarke; Clarke Consulting, Roger Mattingly; LVFD, Annette Hodges; St. Mary's Nursing & Rehab Center, Josh Cheseldine; CMC, Glenn Gass; CMC, Steven G. Valentine; Courthouse Drive, LLC, Jay Hopson; J. Hopson Consulting, Griffin Valentine, CMC, Jacob Weaver, Joe Densford; St. Mary's Nursing Center, and Dave Viar; St. Mary's Nursing Center. Sign-in sheets for this meeting are on file at the Town Office.

Chairperson Moulds called the meeting to order at 4:00 p.m. Member Ponti, made a motion to approve the minutes of March 17, 2025 and Member Isleib seconded. The motion passed by a 3-0 vote.

Town Administrator's Report:

Mrs. McKay gave an overview of the last Town Council meeting that was held on April 14, 2025. Mrs. McKay communicated that in the April meeting the Council held a Public Hearing FY2026 Budget which was approved by the Council. Town Council also had a Public Hearing for the 2025 Leonardtown Comprehensive Plan which was approved. The Council granted final approval to the Meadows at Town Run Section 2, Phase three Community Building and One Apartment Building.

New Business:

- **Case No. 43-21 – St. Mary's Assisted Living & Memory Care Facility – Site Plan Permit Extension** - Request Planning Commission Approval Per Chapter 155-109 for a Permit extension of twelve months.

Owner: **St. Mary's Assisted Living Facility, LLC.**
Client: **St. Mary's Assisted Living & Memory Care Facility**
Property: Property located at the northwest corner of St. Andrews Church Road and Maryland Route 5 (Point Lookout Road).
SDAT: Tax Map 041, Grid 0001, Parcel: 002
Land Area: 20.51 Acres+/-
Zoning: Institutional Office District (I-O)

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

Mr. Bailey communicated the subject property is located at the northwest corner of St. Andrews Church Road and Maryland Route 5 (Point Lookout Road). The property consists of 20.51 acres. The property was granted Final Site Plan and Architectural Approval on March 20, 2023 by the Planning Commission. The owners where issued a Grading Permit on February 26, 2024 and Demolition Permit February 29, 2024 to remove the three (3) dilapidated structures and remove the debris from the site. (See Attachments) Per the Town Municipal Code Chapter 155-109 Time limits for permits and approval; extensions [Amended 5-20-2008 by Ord. No. 135; 5-9-2011 by Ord. No. 149]

Any zoning permit, building permit, concept approval, preliminary approval or final approval shall become invalid if the authorized use, approval or construction for which the permit or approval was issued is not commenced within 12 months of the date of issuance for residential and two years for commercial. There must also be evidence of ongoing construction activity for the permit to remain valid. The Town Administrator or Town Planner may, upon good cause shown, extend a building permit for an additional period not exceeding 12 months. Extensions for any plans approved by the Planning Commission can only be granted by the Planning Commission. In granting an extension, the Commission may not impose additional requirements. After expiration, the project must go back through the approval process to obtain reapproval. If a project is developed in phases, each phase must be approved separately, and each phase's approval will be valid for 12 months from the date of issuance for residential and two years for commercial.

Mr. Bailey communicated that per his field inspection by the Town Planning Department of the property the existing structures have been removed and appropriate sediment controls have been placed for the demolition of the existing buildings which meets with the evidence that ongoing construction has occurred.

Action Needed Today: The applicant is requesting site development plan permit extension for twelve (12) months. The Planning and Zoning Commission can vote to approve, approve with conditions, delay or deny.

Being no further discussion, Chairperson Moulds entertained a motion for Case No. 43-21 – St. Mary's Assisted Living & Memory Care Facility – Site Development Plan Permit Extension. Member Isleib made a motion to approve the extension for Permit Case No. 43-21 – St. Mary's Assisted Living & Memory Care Facility – Site Plan Development Permit Extension per Town Municipal Code Chapter 155-109 for an additional period on twelve (12) months, seconded by Member Ponti. There being no further discussion, the motion passed by a 3-0 vote.

New Business:

- **Case No. 2-25 – Leonardtown Apartments – Concept Site Development Plan - Request Concept approval to proceed with final design.**

Owner: **Estate of Harry & Jannette Norris.**
Client: **Bumpy Oak Corporation**
Consultant: J. Hopson Consulting, LLC.
Property: Property located at the west side of Courthouse Drive and the south side of Fenwick Street.
SDAT: Tax Map 133, Grid 011, Parcel: 440
Land Area: 42,688 square feet +/-
Zoning: Commercial Business District (C-B) with Critical Area Overlay of Intensely Developed Area (IDA)

Mr. Bailey communicated that the applicant is requesting concept approval of a 22-unit residential apartment building that is proposed on the property now or formerly owned by Harry & Jannette Norris. The proposed building is to parallel Courthouse Drive and be set back from the right-of-way approximately thirty-four (34) feet.

The property consists of 42,688 square feet of land zoned Commercial Business with a Critical Area Overlay designated as Intensely Developed Area (IDA). The proposed apartment building is a total of three stories with the ground floor proposed to be underground parking. The proposed floor area is 13,725 square feet.

Mr. Bailey communicated that per Town Municipal Code Chapter 155-55 the proposed 22 unit apartment building is required to provide two parking spaces per unit which equates to forty-four (44) parking spaces, this would include two (2) ADA compliant handicap spaces. The proposed plan reflects nineteen (19) standard spaces plus one (1) handicap space outside and twenty-three (23) standard spaces plus one (1) handicap space in the garage area.

Currently the proposed plan is reflecting a stormwater outfall onto the adjacent Town property across Courthouse Drive with a proposed grass-swale. In the Comment letter provided to the consultant on February 21, 2025 from the Town Planning Department the consultant was instructed to provide a stormwater management easement on the Town property and the Planning Department indicated that this easement and outfall would need to be presented to Leonardtown Town Council for approval. Based on additional research the Town at this time does not want additional waters being conveyed onto the Town property. The Town already has a water issue with drainage to the waste water treatment plant facility in which the Town has spent a lot of resources to mitigate; therefore, it is the recommendation of the Planning & Zoning Department to provide 18" HDPE storm drain piping from the proposed Inlet 111 on Park Avenue to proposed Inlet 107 on Courthouse Drive.

Mr. Bailey communicated that the Planning Department reviewed the property and will be required to address forest conservation per Town Municipal Code 80-5 Forest Conservation Application Requirements, a person making application after the effective date of January 1, 1993, for subdivision or local agency project plan approval, a grading permit, or sediment control permit, or a sediment control permit for an area of land 40,000 square feet or greater shall:

1. Submit to the Planning Office a forest stand delineation and forest conservation plan for the lot or parcel which the development is located; and
2. Use methods approved by the Planning Office, as provided in the Forest Conservation Manual, to protect and retain forests and trees during construction.

Based on the proposed use the Town has estimated that the proposed apartment building will require twenty-two (22) EDUs prior to being issued a use & occupancy permit. This estimate is based on not knowing how many bedrooms each unit will have. One (1) and two (2) bedroom units require less than one (1) EDU per unit. The Waste Water Treatment Plant expansion is at substantial completion and the Town Council plans to repeal Ordinance 132, that requires new projects be approved by the Town Council for approval of EDUs.

The project has received concept approval from St. Mary's County Public Works & Transportation on March 27, 2025, St. Mary's County Soil Conservation District on March 17, 2025, Town of Leonardtown Capital Projects Department and Town of Leonardtown Planning Department on March 31, 2025.

Preliminary architectural drawings were submitted in the package; however, they have not been reviewed by the State Fire Marshal at this time, this is not a requirement for concept approval by the Planning Commission at this time.

Mr. Bailey communicated that the applicant is requesting concept site plan approval for Case No. 2-25, Leonardtown Apartments. The Planning and Zoning Commission can vote to approve, approve with conditions, delay or deny a decision.

Mr. Valentine, gave a brief description of the proposed apartment building to include the first-floor parking, number of floors proposed and a brief description of the exterior landscaping. Mr. Valentine communicated that there would be six (6) two-bedroom apartments and sixteen one-bedroom apartments. Mr. Valentine further communicated that there would be direct access from the two (2) story building by ramp to Fenwick Street.

Member Isleib inquired as to the proposed size of the individual apartments and what was the anticipated rent for the units. Mr. Valentine communicated the sizes range from approximately eight-hundred (800) square feet to eleven-hundred (1100) square feet and the projected cost per month for rent would be \$2,250 for one bedroom and \$2,500 for a two bedroom.

Mr. Weaver gave a presentation in reference to the type of construction materials that would be used to construct the proposed apartment building exterior as well as reviewed the architecture utilizing a few exhibits during the meeting. Mr. Weaver communicated that there would be two proposed entrances along Courthouse Drive to the proposed complex.

Mr. Hopson gave a presentation in reference to the proposed storm water management proposed on-site describing the contributing waters to the site and utilizing micro-bio retention rain garden facilities to treat the impervious surfaces being proposed. Mr. Hopson proposed to cross Courthouse Drive with a storm drain pipe and to obtain an easement on the adjacent Town owned property with an additional grass swale on the Town Property. Mr. Hopson gave an overview of the drainage map for adjacent and the subject property. Mr. Hopson reviewed several large trees at the rear of the

building that would need to be removed because of the proximity to the building and needed grading for the direction swale at the rear of the proposed building.

Member Ponti inquired asking the consultant to explain why the building couldn't move forward to protect some of the larger growth trees. Mr. Hopson explained that the rear slope is very steep and to grade it to a 2 to 1 slope which is required requires a certain distance and in order for him to design a bench or swale at the back of the building to direct water left and right of the rear of the building.

Member Isleib communicated that this is one of the primary entrances to the Town and that the removal of the large trees are a critical issue. Member Isleib communicated that he visited the site and counted almost twenty large trees that were twenty-four inches in diameter or more that would have to be taken out for the proposed construction.

Mrs. McKay communicated that the property is considered an infill property zoned Commercial Business with a Critical Area Overlay zone of Intense Development Area.

Member Isleib communicated that he would like to see the front of the building not look so much like a large warehouse looking structure, he would like to see more interesting items resolve the long straight building.

Chairperson Moulds inquired of Mr. Bailey whether the consultant answered questions in reference to storm water management. Mr. Bailey communicated that there was not enough information on the plan to address his concerns but it was not a requirement for concept approval.

Being no further discussion, Chairperson Moulds entertained a motion for Case No. 2-25, Leonardtown Apartments. Member Ponti made a motion to approve Case No. 2-25, Leonardtown Apartments Concept Site Development Plan with the condition that Ordinance 132, is repealed prior to building permits being issued, seconded by Chairperson Moulds with Member Isleib opposed. There being no further discussion, the motion passed by a 2-1 vote.

Review of Monthly In-House Permits (March 2025)

Chairperson Moulds entertained a motion to adjourn the meeting. Member Isleib, made the motion to adjourn meeting; seconded by Member Ponti, there being no further discussion, the motion passed by a 3-0 vote. The meeting was adjourned at approximately 4:58 p.m.

Respectfully submitted:

Michael A. Bailey, Planning & Zoning Coordinator

Approved:

Jean Moulds, Chairperson

Excused

Laura Schultz, Vice Chairperson

Andrew Ponti, Member

Excused

Sean Lawson, Member

Doug Isleib, Member

Excused

Heather Earhart, Alternate Member