

**ST. MARY'S COUNTY GOVERNMENT
DEPARTMENT OF LAND USE
AND GROWTH MANAGEMENT**

William Hunt, Director



COMMISSIONERS OF ST. MARY'S COUNTY

James R. Guy, President
Michael L. Hewitt, Commissioner
Tom Jarboe, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner

Public Hearing Documents

St. Mary's County Planning Commission and Commissioners of St. Mary's County

July 24, 2017 and July 26, 2017

St. Mary's County Comprehensive Water and Sewerage Plan Amendment

**Case 17-200-002
Morelli Automotive Group**



Notice of Public Hearings

Proposed Amendment to the St. Mary's County Comprehensive Water and Sewerage Plan for Tax Map 43, Parcel 479, Southwest Side Three Notch Road, California, Maryland

NOTICE IS HEREBY GIVEN that public hearings will be held for the purpose of receiving public testimony concerning a proposed amendment to the St. Mary's County Comprehensive Water and Sewerage Plan (CWSP). The public hearings will be held as follows:

- 1) The St. Mary's County Planning Commission will conduct a public hearing in the Commissioners' Hearing Room of the Chesapeake Building, located at 41770 Baldrige Street, Leonardtown, Maryland, on Monday July 24, 2017 beginning at 6:30 p.m.
- 2) As the designee for the Commissioners of St. Mary's County, the Director of the Department of Land Use and Growth Management will conduct a public hearing at the Department of Land Use and Growth Management, located in the Patuxent Building at 23150 Leonard Hall Drive, Leonardtown, Maryland, on Wednesday July 26, 2017 beginning at 12:00 noon.

The proposed amendment would change the water service category for a 5.1 acre parcel described in a deed recorded among the Land Records of St. Mary's County in Book No. 4549, Page 495, and further described as parcel 479 of tax map 43. The Property is located approximately 500 feet from the southwesterly side of Three Notch Road and approximately 600 feet west of Chancellors Run Road. The water service category would change from W-6D (service in 6 to 10 years, developer financed) to W-3D (service in 3 to 5 years, developer financed). This amendment is requested in anticipation of providing public water service for proposed commercial development. The applicant will bear all installation costs involved in connecting the subject development to existing water service. Properties between the existing line and the proposed development will not be affected by the installation of a new service line and will not be required to connect under current regulations.

A copy of the proposed amendment is available for viewing at the St. Mary's County Department of Land Use and Growth Management, 23150 Leonard Hall Drive, Leonardtown, Maryland, and at www.stmarysmd.com.

Note that as a result of the evidence and comments made at the public hearings, changes may be made to the proposed amendment.

Kathleen Easley, Senior Planner
St. Mary's County Department of Land Use and Growth Management
(301) 475-4200 ext. *1541

To publish as a legal notice in *The Enterprise* on July 5, 2017 and July 12, 2017.

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PUBLIC HEARING STAFF REPORT

From: Kathleen Easley, Senior Planner

Date: June 29, 2017

Re: **Morelli Auto Group CWSP Amendment, Case No. 17-200-002**

Pursuant to provisions of the St. Mary's County Comprehensive Water and Sewerage Plan (the "CWSP"), public hearings will be held to consider a request to amend the CWSP as follows:

Proposed: Amend service area map III-43 to change the water service category from W-6D (service in 6 to 10 years, developer financed) to W-3D (service in 3 to 5 years, developer financed) for 5.1 acres described as Tax Map 43, Grid 1, Parcel 479 in the 8th Election District in anticipation of providing community water service for proposed commercial development. The Property is located approximately 500 feet from the southwesterly side of Three Notch Road and approximately 600 feet west of Chancellors Run Road.

I. DEVELOPMENT DATA:

Owner: Morelli Automotive Group, LLC

Location: Tax Map 43, Grid 1, Parcel 479

Zoning: Community Commercial (CC), Lexington Park Development District

II. BACKGROUND INFORMATION:

This proposed commercial development (14-132-009) was reviewed by all Technical Evaluation Committee (TEC) agencies in July 2014. Principal TEC comments from the Health Department and MetCom support connection to a public water system. The property is currently in sewer service category S-1 and does not require a category change for sewer service.

Because the property lies within the Lexington Park Development District, the Commissioners of St. Mary's County have designated the Director of the Department of Land Use and Growth Management to conduct their public hearing per Resolution 2015-14.

**III. ANALYSIS REQUIRED PURSUANT TO SECTION 1.5 OF THE ST. MARY'S COUNTY
COMPREHENSIVE WATER AND SEWERAGE PLAN**

1.5.2(D)(1) The public hearings are scheduled with notice to be advertised in *The Enterprise*, a newspaper of general circulation in St. Mary's County. The property will be posted and adjoining property owners notified by certified mail as required.

1.5.2(D)(2) The Department of Land Use and Growth Management has:

- 1) Consulted every official planning agency having any immediate jurisdiction in the county, including those with multi-county or regional jurisdiction;

- 2) Provided to the Maryland Department of the Environment (“MDE”) a statement that the above agencies have been consulted; and
- 3) Provided MDE with prior written notice of the Planning Commission public hearing.

1.5.2(D)(3) Staff report, including the analysis required pursuant to §9-506(a)(3) of the Environment Article of the Annotated Code of Maryland:

- 1) Compatibility with the St. Mary’s County Comprehensive Plan. The Property lies within the Lexington Park Development District, a planned growth area. §7.4.2.A.i.a calls for the provision of central water supply systems in development districts and town centers. Therefore, this proposal is consistent with the Comprehensive Plan.
- 2) Planning and zoning issues. The proposed connection would serve a commercial use which is permissible in the Community Commercial zoning district. Section 70.9.1.a of the Comprehensive Zoning Ordinance requires the connection of new development to a public a water system. The property is within a Maryland Department of Planning Priority Funding Area (PFA).
- 3) Population estimates. The allocation of 2 EDUs of water capacity will be required. The Lexington Park water supply system is currently adequate to serve the proposed development.
- 4) Engineering. All construction will be in accordance with the St. Mary’s County Metropolitan Commission’s *Standard Specifications for Water and Sewerage Construction*.
- 5) Economics. The applicant will bear all installation costs involved in connecting the subject development to existing water service. Intervening properties will not be affected by the installation of new service lines and will not be required to connect per current regulations.
- 6) State, regional and municipal plans. Before an amendment to the CWSP is finalized, it must be reviewed by the state for compatibility with state laws and programs. A copy of the proposed amendment has been submitted to MDE for distribution to appropriate state agencies. Staff anticipates that the proposed amendment will be found to be compatible with applicable state laws and programs.
- 7) Comments received from other agencies in the County. Per section 1.5.3(C)(2) of the CWSP, principal Technical Evaluation Committee comments from the Health Department and the Metropolitan Commission must become part of the record to complete the application. These agencies support the provision of public water service to the property.

IV. ACTION REQUESTED OF THE PLANNING COMMISSION

- 1) Conduct a public hearing.
- 2) Close the record.
- 3) Forward a recommendation to the Commissioners of St. Mary’s County designee.

SAMPLE PLANNING COMMISSION MOTION: In the matter of the requested amendment to the St. Mary’s County Comprehensive Water and Sewerage Plan (CWSP) for the Morelli Auto Group Property, Case No. 17-200-002, I move that the Planning Commission recommend to the Commissioners of St. Mary’s County designee that service area map III-43 be amended to change the service category from W-6D to W-3D for the property described as Tax Map 43, Grid 1, Parcel 479 in the 8th Election District; I further move that the Chair be authorized to sign a resolution on behalf of the Planning Commission to transmit this recommendation to the Commissioners of St. Mary’s County designee.

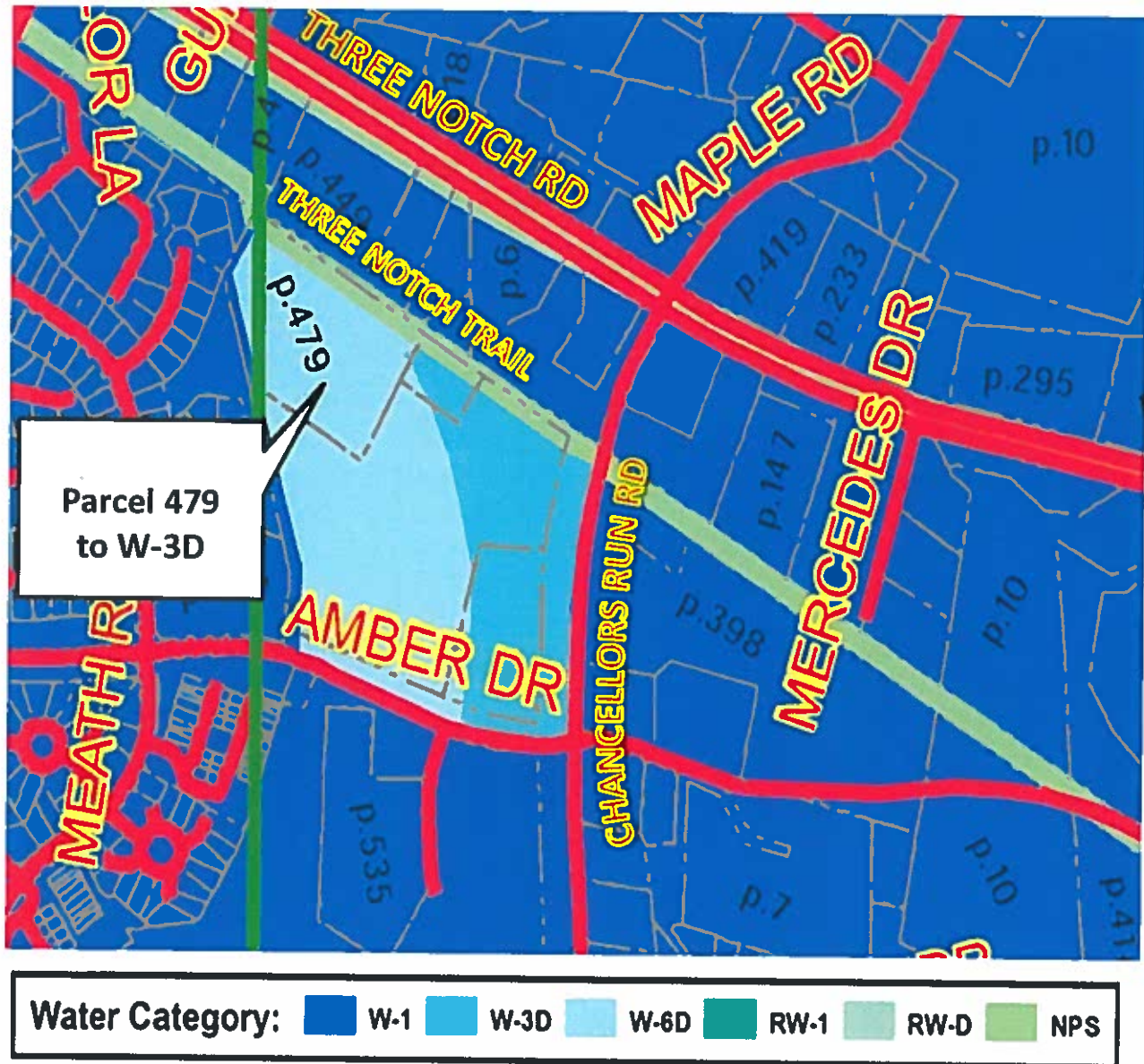
V. ACTION REQUESTED OF THE COMMISSIONERS OF ST. MARY'S COUNTY DESIGNEE

- 1) Conduct a public hearing on behalf of the Commissioners of St. Mary's County per Resolution 2015-14 (attached).
- 2) Close the record.
- 3) Submit the adopted amendment to The Maryland Department of the Environment for approval.

Location Map



Proposed Revision of Map III-43 for Morelli Automotive Group



LIBER 0020 FOLIO 221

Resolution No. 2015-19

Subject: Administration: To Designate the Director of the Department of Land Use and Growth Management to Conduct Public Hearings for the Purposes of Considering and Approving Certain Proposed Amendments to the St. Mary's County Comprehensive Water and Sewerage Plan

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RESOLUTION

TO DESIGNATE THE DIRECTOR OF THE ST. MARY'S COUNTY DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT TO CONDUCT PUBLIC HEARINGS FOR THE PURPOSES OF CONSIDERING AND APPROVING CERTAIN PROPOSED AMENDMENTS TO THE ST. MARY'S COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN

WHEREAS, pursuant to §9-506(3)(v) of the *Environment Article* of the *Annotated Code of Maryland*, the Commissioners of St. Mary's County may appoint a designee to conduct public hearings required by §9-503(d) of the *Environment Article* of the *Annotated Code of Maryland* for purposes of considering and approving amendments to the county plan containing a public sewerage system or water supply system in growth areas shown on an adopted Comprehensive Land Use Plan; and

WHEREAS, the Commissioners of St. Mary's County, Maryland, find that it is in the best interest of the health, safety, and welfare of the citizens of St. Mary's County to designate the Director of the St. Mary's County Department of Land Use and Growth Management to conduct public hearings for purposes of considering and approving proposed amendments to the St. Mary's County Comprehensive Water and Sewerage Plan in development districts designated in the St. Mary's County Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of St. Mary's County, pursuant to §9-506(3)(v) of the *Environment Article* of the *Annotated Code of Maryland*, that the Director of the St. Mary's County Department of Land Use and Growth Management is designated to conduct public hearings required by §9-503(d) of the *Environment Article* of the *Annotated Code of Maryland* for purposes of considering and approving proposed amendments to the St. Mary's County Comprehensive Water and Sewerage Plan in development districts designated in the St. Mary's County Comprehensive Plan, including, but not limited to, incorporation of the St. Mary's County Metropolitan Commission's 5-year Capital Improvement Plan required by §113-30.B. of the *Code of St. Mary's County, Maryland*.

BE IT FURTHER RESOLVED, by the Commissioners of St. Mary's County that this Resolution shall be effective upon the date written below.

Those voting Aye: _____

4

Those voting Nay: _____

1

LIBER0020 FOLIO222

Resolution No. 2015- 147

Subject: Administration: To Designate the Director of the Department of Land Use and Growth Management to Conduct Public Hearings for the Purpose of Considering and Approving Certain Proposed Amendments to the St. Mary's County Comprehensive Water and Sewerage Plan

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Those Abstaining: _____

Date of Adoption: 4/28/15

Effective Date: 5/12/15

ATTEST:

COMMISSIONERS OF ST. MARY'S COUNTY


Rebecca B. Bridgett
County Administrator


James R. Guy, Commissioner President


Michael L. Hewitt, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


George R. Sparling
County Attorney


Tom Jaroo, Commissioner


Todd B. Morgan, Commissioner


John E. O'Connor, Commissioner