

La Plata Planning Commission
Town Hall, La Plata, Maryland
Regular meeting and work session
September 2, 2008, 7:00 PM

Present: Vice Chairman Keith A. Hettel, Garyton C. Echols, Jr., Debra W. Posey, James Goldsmith – Commission members; Cathy Flerlage, Director of Planning and Zoning; Judith T. Frazier, Town Clerk (Due to the absence of Chairman Gilpin and Mr. Rose, Ms. Posey had full voting rights.)

Town Staff: Daniel J. Mears, Town Manager

Minutes:

Vice Chairman Hettel called the meeting to order at 7:04 PM and asked Mr. Goldsmith to lead the Commission and audience in reciting the Pledge of Allegiance.

Approval of August minutes

Mr. Goldsmith moved to approve the minutes of the August meeting. Ms. Posey seconded the motion and it passed by unanimous vote.

Accessory Dwelling Units – final text for ordinance

[A staff report dated September 2, 2008 was included in the Planning Commission's meeting packets.]

Ms. Flerlage reported that the owner-occupancy issue had been resolved and that Mr. Sussman, Town Attorney had reviewed the document. Mr. Sussman had concerns about the language regarding requiring a letter of approval from the neighborhood Architectural Review Board prior to the Town issuing a building permit for the ADU. The language was amended to reflect only that a notice of the ADU application shall be sent to the appropriate homeowners or citizens association.

Following discussion, Mr. Echols moved to recommend the proposed amendment to Town Code Chapter 191 to the Town Council. Mr. Goldsmith seconded the motion and it passed by unanimous vote.

Comprehensive Plan 2008 Update/The Housing Element – recommendation for adoption

[A staff report dated September 2, 2008 was included in the Planning Commission's meeting packets.]

Clarification was provided that the Planning Commission was not taking action to adopt any of the individual Elements of the Comprehensive Plan prior to the completion of a draft document to put through the public hearing and review/comment stage, but was reaching consensus on each of the Elements in their draft form so they could move forward to the next Element.

Planning Commission consensus: Following discussion, the Planning Commission agreed to the language in the current draft of the Housing Element.

Other business

Ms. Flerlage advised that there may be some property owners coming before the Commission at the October meeting to present conceptual rezoning requests.

Ms. Flerlage reported that the Board of Appeals will hold a hearing on September 25, 2008, on the request of the American Legion for a variance to the required front yard, to replace the existing vestibule with a covered porch. The existing building is nonconforming in that it encroaches on the required 45' front yard. The covered porch would run the entire length of the front of the building and would increase the degree of nonconformity. A brief discussion ensued regarding the prohibition on increasing the degree of nonconformity, as specified in § 191-11 of the Town Code.

There being no further business, Mr. Echols moved to adjourn at 7:35 PM. Mr. Goldsmith seconded the motion and it carried. The Planning Commission continued in work session regarding Comprehensive Plan/2008 update.

Work Session – Comprehensive Plan/2008 update

The Sensitive Areas Element – review and discussion of draft

[A staff report dated September 2, 2008 was included in the Planning Commission's meeting packets.]

The Commission reviewed and discussed the Mission Statement and Sensitive Areas Element as provided in the staff report. No changes were suggested to the Mission Statement; however, the Commission agreed that additional language is needed within the Sensitive Areas Standards and Implementation section regarding:

- sediment and erosion control
- corrective action for older facilities
- enforce maintenance schedules
- language from the WRAS document regarding pre-existing facilities, as listed in Objectives E and F on pages 4-2 and 4-3 of that document.

Following discussion, it was agreed that more review time is needed and that absent members need to be given an opportunity to comment on this draft of the Sensitive Areas Element. It was also noted that there should be a review of and list created of items that may need to be codified in order to provide for a means of enforcing some of the items in the Comprehensive Plan.

There being no voiced objection, the work session adjourned at 8:33 PM.

Submitted by:

Judith T. Frazier
Town Clerk