

La Plata Planning Commission
Town Hall, La Plata, Maryland
Regular meeting
April 1, 2008, 7:00 PM

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

Town Staff: Daniel J. Mears, Town Manager; Frederick C. Sussman, Town Attorney

Minutes:

Vice Chairman Hettel called the meeting to order at 7:00 PM and asked Mr. Goldsmith to lead the Commission and audience in reciting the Pledge of Allegiance.

Approval of March minutes

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

Public hearing: Ordinance 08-4 Comprehensive Rezoning – Notice of Hearings

[A staff report dated April 1, 2008 was included in the Planning Commission's meeting packets.]

Vice Chairman Hettel called the hearing to order. Ms. Flerlage entered into the record the Certification of Publication that the notice of the hearing was properly advertised in the March 14, 2008, edition of the Maryland Independent newspaper.

Vice Chairman Hettel asked if anyone in the audience wished to speak regarding the ordinance. There were no speakers.

There being no speakers, Vice Chairman Hettel closed the hearing at 7:03 PM.

Recommendation to Town Council on Ordinance 08-4

Ms. Flerlage provided a brief review of the staff report.

Following discussion, Mr. Rose moved to recommend that the Town Council adopt Ordinance 08-4. Mr. Goldsmith seconded the motion and it passed by unanimous vote.

Heritage Green Development Rights and Responsibilities Agreement (DRRA) – Review and confirm consistency with the Comprehensive Plan (Ordinance 08-6)

Nancy L. Slepicka, attorney representing Heritage Green Development, LLC, was present to answer any questions posed by the Planning Commission. Prior to the meeting, Ms. Slepicka provided each Commission member with copies of her letter to Mr. Rich Gilpin, Chair, La Plata Planning Commission, dated April 1, 2008, to which was attached a memorandum from Nancy L. Slepicka, Esq. and Jessica S. Barnes, Esq. to Mr. Charis Lapas, dated April 1, 2008, which contained points of

consistency of the Heritage Green DRRA with the Town's Comprehensive Plan. [*Copy attached to the original minutes.*]

Mr. Sussman described the process regarding the Planning Commission confirming that the DRRA is consistent with the Town's Comprehensive Plan, as required by state law. Mr. Sussman made reference to the letter provided by Ms. Slepicka regarding points of consistency of the Heritage Green DRRA with the Town's Comprehensive Plan, and asked Ms. Flerlage to provide her analysis as to whether the DRRA is consistent with the Town's Comprehensive Plan. Following her presentation, Ms. Flerlage recommended that the Planning Commission find the DRRA to be consistent with said Comprehensive Plan.

There being no other discussion, Vice Chairman Hettel introduced Resolution 08-PC-1, a Resolution concerning Heritage Green Development Rights and Responsibilities Agreement, for the purpose of confirming that the terms, provisions, conditions, and obligations of the proposed Heritage Green Development Rights and Responsibilities Agreement are consistent with the Comprehensive Plan of the Town of La Plata; and all matters relating thereto.

Following discussion, Mr. Rose moved to adopt Resolution 08-PC-1. Ms. Posey seconded the motion. Vote on the motion: Mr. Hettel, Mr. Rose and Ms. Posey voted aye; Mr. Goldsmith abstained. The motion passed.

Comprehensive Plan/2008 update

Ms. Flerlage provided a brief update on the results of the joint work session held by members of the Town Council and Planning Commission on March 27, and noted that staff was working on updating the municipal growth areas map based on results of the discussion at the joint work session. Ms. Flerlage also noted that staff was continuing to research the concept of "buffer" areas. During discussion, Ms. Posey asked at what stage public participation would occur. Ms. Flerlage advised that hearings would be held by the Planning Commission and Town Council prior to adoption of the Plan and for comprehensive rezoning. Ms. Posey suggested that the Town include an article in the next newsletter to let residents know that the Town is working on updating the Comprehensive Plan. Ms. Flerlage pointed out that public comment would be sought, but discouraged inviting comment in the very early stages of the update as there would be too little information to share with the public for their review and comment.

Other business

Ms. Flerlage provided an update on the status of various projects in the Town.

There being no further business, Ms. Posey moved to adjourn at 7:59 PM. Mr. Rose seconded the motion and it carried.

Submitted by:

Judith T. Frazier
Town Clerk