

**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

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**Commissioners of St. Mary's County  
August 22, 2017 Public Hearing Documents**

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

**Case 17-200-001  
Dollar General - Hollywood**



## Notice of Public Hearing

### **Proposed Amendment to the St. Mary's County Comprehensive Water and Sewerage Plan for Tax Map 34, Parcel 651, AKA 23848 Mervell Dean Road, Hollywood**

NOTICE IS HEREBY GIVEN that the Commissioners of St. Mary's County will conduct a public hearing in the Commissioners' Hearing Room of the Chesapeake Building, located at 41770 Baldrige Street, Leonardtown, Maryland, on Tuesday, August 22, 2017, beginning at 6:40 p.m., for the purpose of receiving public testimony concerning proposed amendments to the St. Mary's County Comprehensive Water and Sewerage Plan (CWSP).

The proposed amendments would change the water and sewer service categories for 3.2 acres described in a deed recorded among the Land Records of St. Mary's County in Book No. 641, Page 279, located at 23848 Mervell Dean Road in Hollywood and further described as parcel 651 on tax map 34. The Property is located on the northeast side of Mervell Dean Road approximately nine hundred feet south of the intersection with Clarke's Landing 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). The sewer service category would change from S-6D (service in 6 to 10 years, developer financed) to S-3D (service in 3 to 5 years, developer financed). These amendments are requested in anticipation of providing public water and sewerage service for proposed commercial development. The applicant will bear all installation costs involved in connecting the subject development to existing water and sewer service. Properties between existing lines and the proposed connection to Dollar General will not be affected by the installation of new service lines 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](http://www.stmarysmd.com).

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

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 28, 2017 and August 4, 2017.

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**PUBLIC HEARING STAFF REPORT**

To: Commissioners of St. Mary's County  
From: Kathleen Easley, Senior Planner  
Date: July 5, 2017  
Requested Hearing Date: August 22, 2017

**Re: Dollar General - Hollywood CWSP Amendment, Case No. 17-200-001**

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An amendment of the St. Mary's County Comprehensive Water and Sewerage Plan (the "CWSP") has been requested as follows:

**Proposed: Amend service area maps III-34 and IV-34 to change the water and sewer service categories from W-6D and S-6D (service in 6 to 10 years, developer financed) to W-3D and S-3D (service in 3 to 5 years, developer financed) for 3.2 acres described as Tax Map 34, Grid 2, Parcel 651 (also known as 23848 Mervell Dean Road) in the 6<sup>th</sup> Election District in anticipation of providing community water and sewerage service to a proposed retail sales establishment. The Property is located on the northeast side of Mervell Dean Road approximately nine hundred feet south of the intersection with Clarke's Landing Road.**

I. DEVELOPMENT DATA:

Owner: Ronald E. Wood et al

Location: Tax Map 34, Grid 2, Parcel 651 at 23848 Mervell Dean Road

Zoning: Town Center Mixed Use (TMX), Airport Environs (AE) overlay, Hollywood Town Center

II. BACKGROUND INFORMATION:

This proposed commercial development (16-132-005) was reviewed by all Technical Evaluation Committee (TEC) agencies in January, 2017. Principal TEC comments from the Health Department and MetCom support the proposed connections to public water and sewer service.

The planning commission has conducted a public hearing on the requested amendment and recommends approval.

III. ANALYSIS REQUIRED PURSUANT TO SECTION 1.5.2(D) OF THE ST. MARY'S COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN

1.5.2(D)(1) A public hearing is requested for August 22, 2017; notice will 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:

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

- b) Provided to the Maryland Department of the Environment (MDE) a statement that the above agencies have been consulted; and
- c) Provided MDE with prior written notice of the 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 proposed development lies within the Hollywood Town Center which is a planned growth area. §7.4.2.A.i.a calls for the provision of central water supply systems in the development districts and town centers. §7.6.1.B.iii.a directs that planned sewerage service be provided to growth areas. Therefore, this proposal is consistent with the Comprehensive Plan.
- 2) Planning and zoning issues. The proposed connections would serve a commercial use which is approvable in the Town Center Mixed Use zoning district. Sections 70.8.1 and 70.9.1.a of the Comprehensive Zoning Ordinance require the connection of new development to public sewer and water systems. The property is within a Maryland Department of Planning Priority Funding Area (PFA).
- 3) Population estimates. The allocation of 2 EDUs of water and sewerage capacity will be required. The Lexington Park water supply system and the Marlay-Taylor Water Reclamation Facility and collection system are 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 and sewer service. Per current regulations, intervening properties will not be affected by the installation of these service lines and will not be required to connect.
- 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 and sewerage service to the subject property.

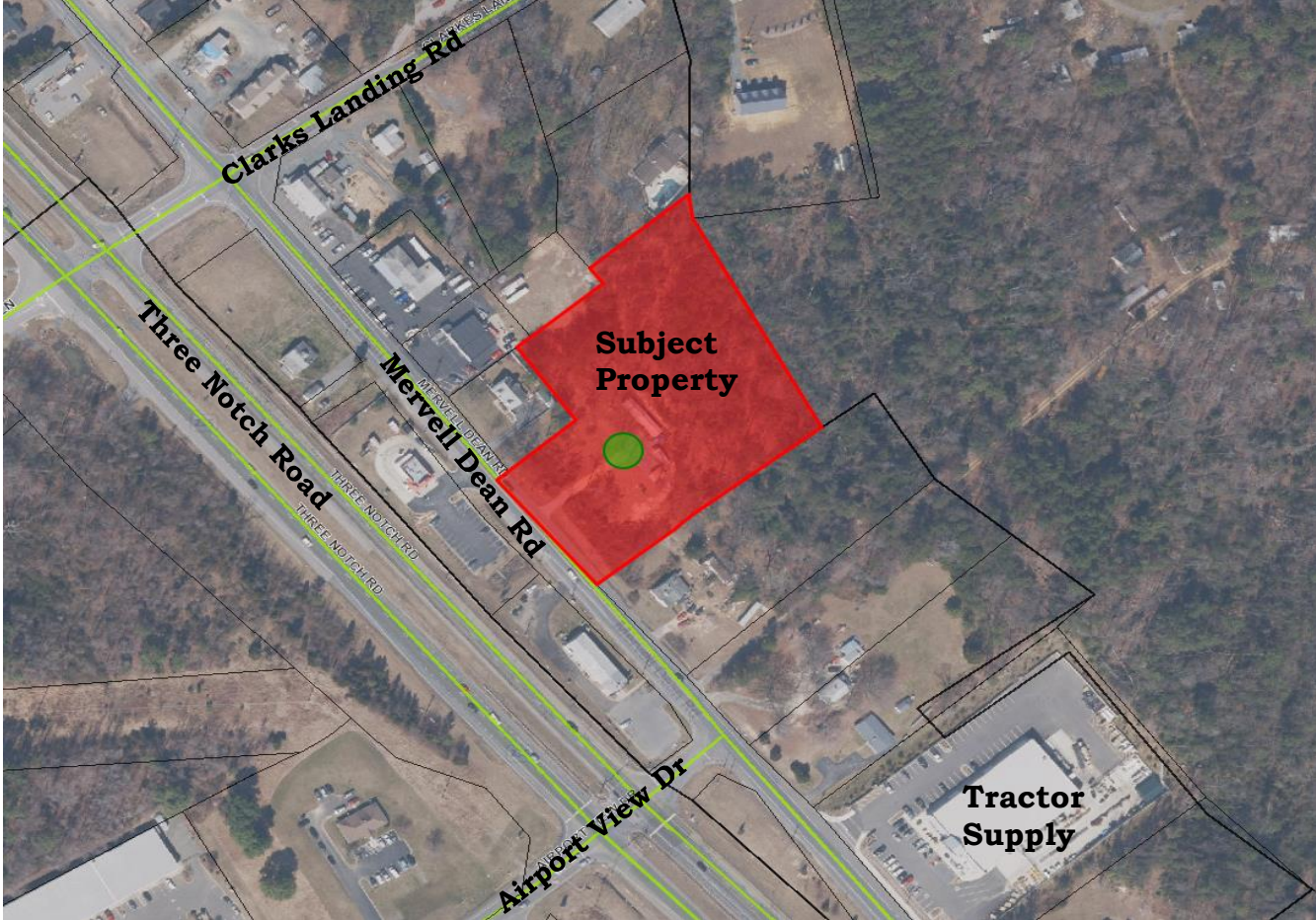
#### IV. RECOMMENDATION OF THE PLANNING COMMISSION:

Following a public hearing on June 12, 2017, by a 8-0 vote, the Planning Commission authorized the Chair to sign PC Resolution 17-01 to convey to the Commissioners of St. Mary's County its recommendation. A copy of the Planning Commission resolution is attached to this report.

#### V. ACTION REQUESTED

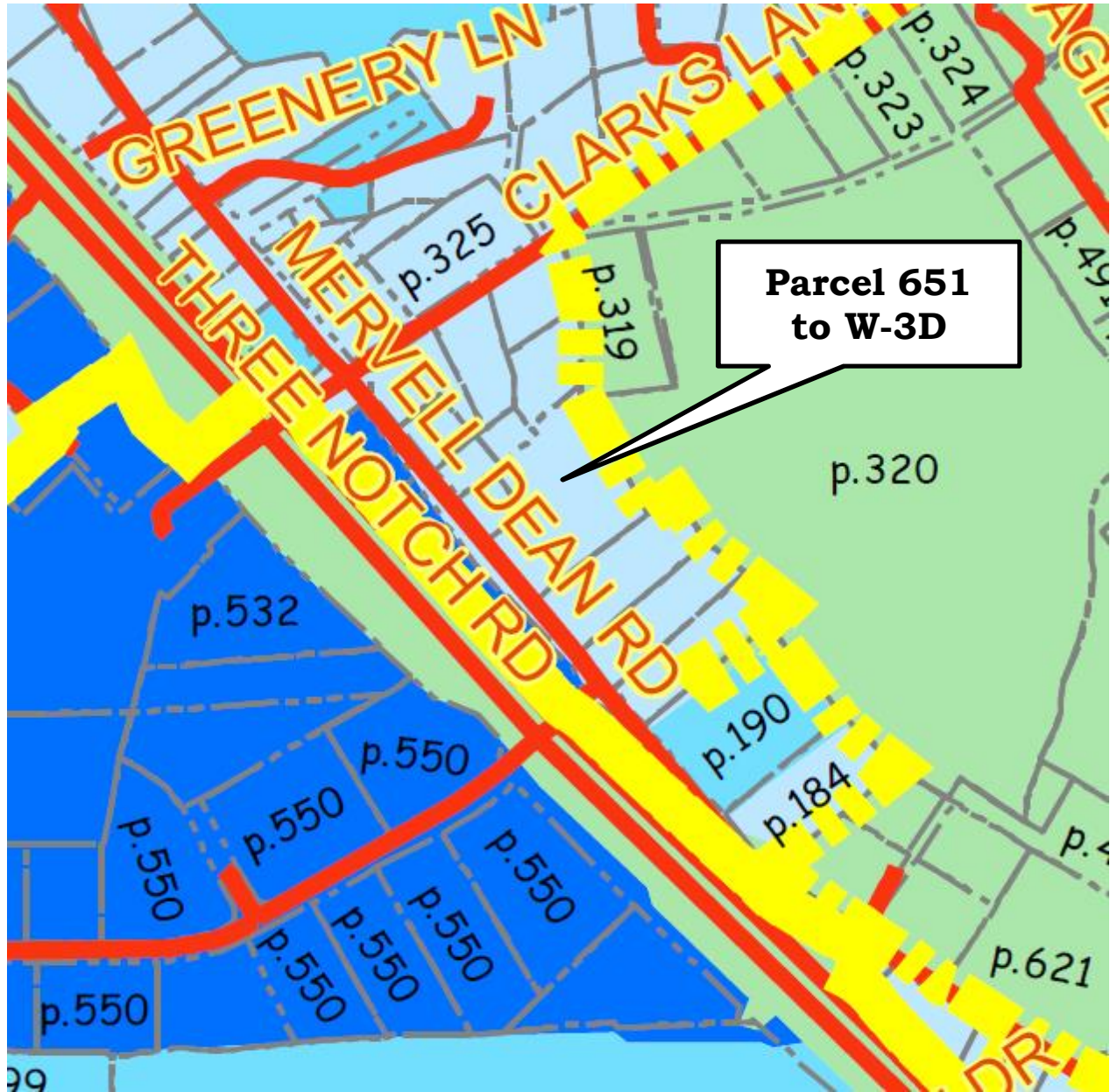
- 1) Conduct a public hearing
- 2) Close the record
- 3) Notify the Maryland Department of the Environment regarding this amendment to the CWSP as required by the Environment Article

### Vicinity Map



### Proposed Revision of Water Service Map Section 3 Map 34

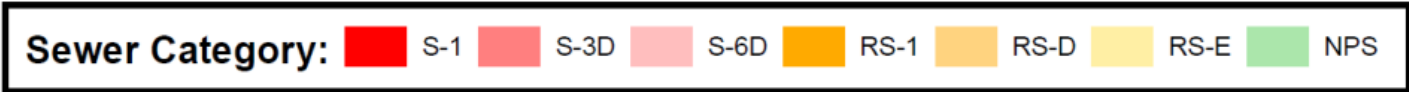
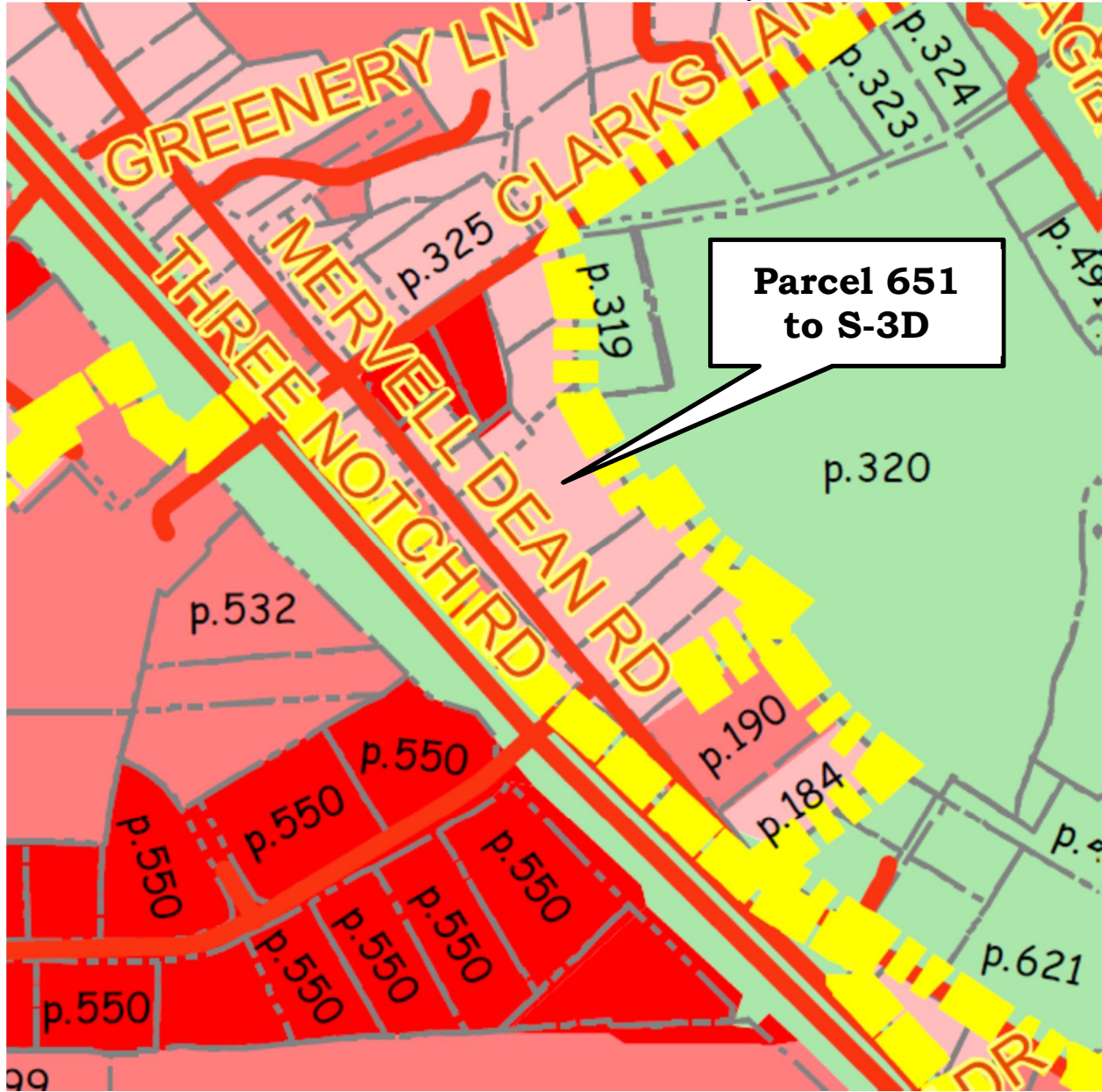
#### Parcel 651: Dollar General – Hollywood



**Parcel 651  
to W-3D**



**Proposed Revision of Sewer Service Map Section 4 Map 34  
Parcel 651: Dollar General – Hollywood**



**Subject: Comprehensive Water and Sewerage Plan:**

To amend the St. Mary's County Comprehensive Water and Sewerage Plan by designating 3.2 acres described in a deed recorded among the Land Records of St. Mary's County in Book No. 641, Page 279 and located at 23848 Mervell Dean Road in Hollywood, Maryland, as Water Category W-3D and Sewer Category S-3D. CWSP #17-200-001, Dollar General – Hollywood

**RESOLUTION**

**WHEREAS**, Oxford Chase Development, Inc. (the "Applicant") made application to access community water and sewer service for proposed commercial development on 3.2 acres described in a deed recorded among the Land Records of St. Mary's County in Book No. 641, Page 279 and located at 23848 Mervell Dean Road, Hollywood, Maryland, and designated as Tax Map 34, Grid 2, Parcel 651 in the 6th Election District of St. Mary's County, Maryland (the "Property"); and

**WHEREAS**, this access necessitates amendment to the St. Mary's County Comprehensive Water and Sewerage Plan (hereinafter the "CWSP"); and

**WHEREAS**, following due notice published in the May 24, 2017 and May 31, 2017 editions of The Enterprise, a newspaper of general circulation in St. Mary's County, the posting of the Property, and written notification to the adjoining property owners, the St. Mary's County Planning Commission conducted a public hearing on June 12, 2017 to consider the Applicant's request; and

**WHEREAS**, the St. Mary's County Planning Commission concludes that the proposed amendment meets the requirements of §9-506(A)(3) of the *Environment Article* of the *Annotated Code of Maryland* based on the following findings:

i) Compatibility with the St. Mary's County Comprehensive Plan.

The Property lies within the Hollywood Town Center, 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. §7.6.1.B.iii.a directs that planned sewerage service be provided to growth areas. Therefore, this proposal is consistent with the Comprehensive Plan.

ii) Planning and Zoning Issues.

The proposed connections would serve a commercial use which is permissible in the Town Center Mixed Use zoning district. Sections 70.8.1 and 70.9.1.a of the Comprehensive Zoning Ordinance require the connection of new development to public sewer and water systems. The property is within a Maryland Department of Planning Priority Funding Area (PFA).

iii) Population Estimates.

The allocation of 2 EDUs of water and sewerage capacity will be required. The Lexington Park water supply system and the Marlay-Taylor Water Reclamation Facility and collection system are currently adequate to serve the proposed development.

iv) Engineering.

All construction will be in accordance with the St. Mary's County Metropolitan Commission's *Standard Specifications for Water and Sewerage Construction*.

v) Economics.

The applicant will bear all installation costs involved in connecting the subject development to existing water and sewer service. Intervening properties will not be affected by the installation of new service lines and will not be required to connect per current regulations.



PC Resolution No. 17-01

**Subject: Comprehensive Water and Sewerage Plan:**

To amend the St. Mary's County Comprehensive Water and Sewerage Plan by designating 3.2 acres described in a deed recorded among the Land Records of St. Mary's County in Book No. 641, Page 279 and located at 23848 Mervell Dean Road in Hollywood, Maryland, as Water Category W-3D and Sewer Category S-3D. CWSP #17-200-001, Dollar General - Hollywood

Page 2 of 2

vi) 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. The proposed amendment is consistent with applicable state laws and programs.

vii) 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 community water and sewer service to the property; and

**WHEREAS**, the St. Mary's County Planning Commission finds that the requested service would promote the public health and safety, and amending the CWSP is necessary and appropriate.

**NOW THEREFORE BE IT RESOLVED** by the St. Mary's County Planning Commission, to recommend to the Commissioners of St. Mary's County that the CWSP be amended as follows: amend service area map III-34 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) and service area map IV-34 to change the sewer service category from S-6D (service in 6 to 10 years, developer financed) to S-3D (service in 3 to 5 years, developer financed) for the Property.

**BE IT FURTHER RESOLVED** by the St. Mary's County Planning Commission that this Resolution shall be effective upon its adoption.


Date of Adoption:

Ayes: 8 Nays: 0 Abstain 0

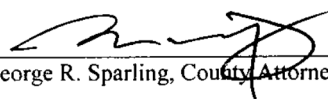
**ST. MARY'S COUNTY PLANNING COMMISSION**

  
\_\_\_\_\_  
J. Howard Thompson, Chair

Attest:

  
\_\_\_\_\_  
William Hunt, Acting Director  
Department of Land Use and Growth Management

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
George R. Sparling, County Attorney