

ST. MARY'S COUNTY GOVERNMENT
DEPARTMENT OF LAND USE
AND GROWTH MANAGEMENT
Phillip Shire, Director
William Hunt, Deputy 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

Commissioners of St. Mary's County
October 20, 2015 Public Hearing Documents

St. Mary's County
Comprehensive Water and Sewerage Plan Amendment
Case 15-200-001
St. Anne's Anglican Catholic Church Property, Charlotte Hall



Notice of Public Hearing

Proposed Amendment to the St. Mary's County Comprehensive Water and Sewerage Plan for the St. Anne's Anglican Catholic Church property in Charlotte Hall

NOTICE IS HEREBY GIVEN that the Commissioners of St. Mary's County will conduct a public hearing in the Public Meeting Room of the Chesapeake Building, located at 41770 Baldrige Street, Leonardtown, Maryland, on Tuesday October 20, 2015 beginning at 10:00 a.m., for the purpose of receiving public testimony in considering an amendment to the St. Mary's County Comprehensive Water and Sewerage Plan (CWSP). The amendment to be considered is as follows:

For case #15-200-001, St. Anne's Anglican Catholic Church property, Charlotte Hall: amend service area map III-4 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 3.657 acres described in a deed recorded among the Land Records of St. Mary's County in Book No. 1117, Page 122 and located at 29530 Charlotte Hall Road, Charlotte Hall, Maryland, and designated as Tax Map 4, Grid 10, Parcel 316 in the 5th Election District in anticipation of providing public water service for a future parish hall.

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

A copy of the proposed amendment is available for viewing at each public library within the County, at the Public Information Office located in the Chesapeake Building at 41770 Baldrige Street, Leonardtown, Maryland, and through links on the St. Mary's County Government web page: www.co.saint-marys.md.us

To be published as a legal notice in the *Enterprise* on October 2, and October 9, 2015.

**ST. MARY'S COUNTY GOVERNMENT
DEPARTMENT OF LAND USE
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Phillip J. Shire, Director

William B. Hunt, AICP, Deputy Director



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PUBLIC HEARING STAFF REPORT

To: Commissioners of St. Mary's County

From: Jeffrey Jackman, Senior Planner

Date: September 18, 2015

Hearing Date: October 20, 2015

Re: **St. Anne's Anglican Catholic Church, Charlotte Hall - CWSP Amendment, Case No. 15-200-001**

Pursuant to provisions of the St. Mary's County Comprehensive Water and Sewerage Plan (the "CWSP"), the Commissioners of St. Mary's County will hold a public hearing on October 20, 2015 to consider a request to amend the CWSP as follows:

Proposed: amend service area map III-4 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 3.657 acres described in a deed recorded among the Land Records of St. Mary's County in Book No. 1117, Page 122 and located at 29530 Charlotte Hall Road, Charlotte Hall, Maryland, and designated as Tax Map 4, Grid 10, Parcel 316 in the 5th Election District in anticipation of providing public water service for a future parish hall.

I. DEVELOPMENT DATA:

Owner: St. Anne's Anglican Catholic Church

Location: Tax Map 4, Grid 10, Parcel 316 in the 5th Election District (also known as 29530 Charlotte Hall Road), Charlotte Hall Town Center

Zoning: Residential Low Density (RL) and Residential Mixed Use (RMX)

II. BACKGROUND INFORMATION:

Comments from the Health Department and MetCom support the proposed connection to public water.

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

III. ANALYSIS REQUIRED PURSUANT TO SECTION 1.5.3(D) OF THE ST. MARY'S COUNTY COMPREHESIVE WATER AND SEWERAGE PLAN

1.5.3(D)(1) A public hearing to be conducted by the Commissioners of St. Mary's County is scheduled for October 20, 2015; notice is to be advertised in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on October 2, 2015 and October 9, 2015. The property will be posted and adjoining property owners notified by certified mail as required.

1.5.3(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 hearing process.

1.5.3(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 Charlotte Hall Town Center. §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 Land Use Plan.
- 2) Planning and zoning issues. The proposed connection would serve future development which is approvable in the Residential Low Density and Residential Mixed Use zoning districts.
- 3) Population estimates. The proposed development would require the allocation of 1 EDU of water capacity. The Charlotte Hall Water System is currently adequate to serve the proposed development.
- 4) Engineering. All construction will be in accordance with the St. Mary's County Standard Specifications for Water and Sewerage Construction.
- 5) Economics. The applicant will bear all installation costs involved in connecting the proposed development to existing service on the opposite side of Charlotte Hall Road. No other properties are affected by this change in service area.
- 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. The proposed amendment is consistent 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 Metropolitan Commission must become part of the record to complete the application. These agencies support the provision of public water service to the subject property.

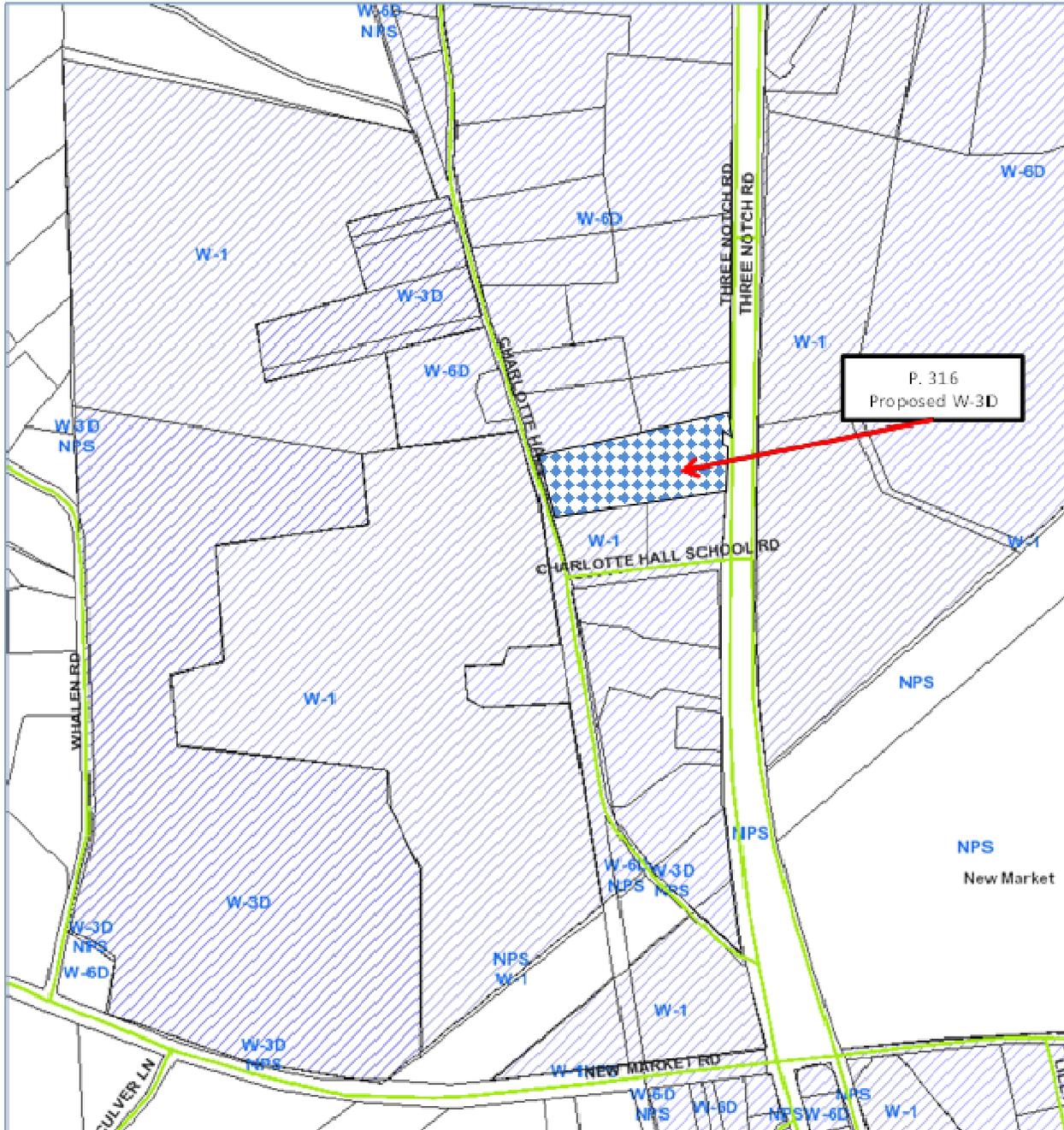
IV. RECOMMENDATION OF THE PLANNING COMMISSION:

Following a public hearing on August 10, 2015, by a 5-0 vote, the Planning Commission authorized the Chair to sign PC Resolution 15-01 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 Environmental Article.

Proposed Revision of Map III-4 for the St. Anne's Anglican Catholic Church Property in Charlotte Hall



To amend the St. Mary's County Comprehensive Water and Sewerage Plan by designating 3.657 acres described in a deed recorded among the Land Records of St. Mary's County in Book No. 1117, Page 122 and located at 29530 Charlotte Hall Road, Charlotte Hall, Maryland, as Water Category W-3D CWSP #15-200-001, St. Anne's Anglican Catholic Church

RESOLUTION

WHEREAS, St. Anne's Anglican Catholic Church, Inc. (the "Applicant") made application to access community water service for a proposed parish hall on 3.657 acres described in a deed recorded among the Land Records of St. Mary's County in Book no. 1117, Page 122 and located at 29530 Charlotte Hall Road, Charlotte Hall, Maryland, and designated as Tax Map 4, Grid 10, Parcel 316 in the 5th 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, §1.5 of the CWSP sets forth the procedures for amendment; and

WHEREAS, following due notice published in the July 22, 2015 and July 29, 2015 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 (hereinafter the "Planning Commission") conducted a public hearing on August 10, 2015 to consider the Applicants' request; and

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

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

The Property lies within the Charlotte Hall Town Center. §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 Land Use Plan.

ii) Planning and Zoning Issues.

The proposed connection would serve future development which is approvable in the Residential Low Density zoning district.

iii) Population Estimates.

The proposed development would require the allocation of 1 EDU of water capacity. The Charlotte Hall Water System is 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 future development to existing service on the opposite side of Charlotte Hall Road. No other properties are affected by this change in service area.

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.

To amend the St. Mary's County Comprehensive Water and Sewerage Plan by designating 3.657 acres described in a deed recorded among the Land Records of St. Mary's County in Book No. 1117, Page 122 and located at 29530 Charlotte Hall Road, Charlotte Hall, Maryland, as Water Category W-3D CWSP #15-200-001, St. Anne's Anglican Catholic Church

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 service to the property; and

WHEREAS, the 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-4 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 the Property.

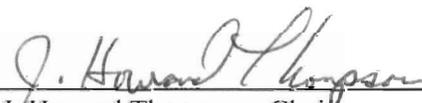
BE IT FURTHER RESOLVED by the St. Mary's County Planning Commission that the foregoing recitals are hereby incorporated and adopted as if fully set forth.

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

Date of Adoption: 8/10/15

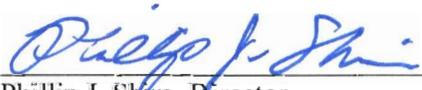
Ayes: 5 Nays: 0 Abstain 0

ST. MARY'S COUNTY PLANNING COMMISSION



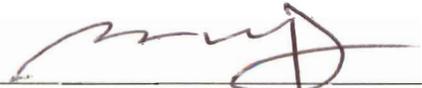
J. Howard Thompson, Chair

Attest:



Phillip J. Shire, Director
Department of Land Use and Growth Management

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Office of the County Attorney

Subject: Comprehensive Water and Sewerage Plan - To Amend the St. Mary's County Comprehensive Water and Sewerage Plan by Designating 3.657 Acres at 29530 Charlotte Hall Road, Charlotte Hall, Maryland, as Water Category W-3D

RESOLUTION

TO AMEND THE ST. MARY'S COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN BY DESIGNATING 3.657 ACRES LOCATED AT 29530 CHARLOTTE HALL ROAD, CHARLOTTE HALL, MARYLAND, AS WATER CATEGORY W-3D

WHEREAS, St. Anne's Anglican Catholic Church, Inc. made application to access community water service on 3.657 acres in the 5th Election District of St. Mary's County, Maryland, described in a deed recorded among the Land Records of St. Mary's County in Book No. 1117, Page 122 and located at 29530 Charlotte Hall Road, Charlotte Hall, Maryland, and designated as Tax Map 4, Grid 10, Parcel 316; and

WHEREAS, the application requires an amendment of the St. Mary's County Comprehensive Water and Sewerage Plan designating the property as Category W-3D;

WHEREAS, pursuant to §9-506 of the *Environment Article* of the *Annotated Code of Maryland*, on August 10, 2015, the St. Mary's County Planning Commission recommended adoption of the proposed amendment to the Commissioners of St. Mary's County; and

WHEREAS, in accordance with §9-503(d)(2) of the *Environment Article* of the *Annotated Code of Maryland*, a notice of a public hearing was advertised on _____ and _____, in *The Enterprise*, a newspaper of general circulation in St. Mary's County, and a public hearing was held on _____, to receive public comment and consider adoption of the amendment of the 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 adopt the amendment of the Plan,

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of St. Mary's County, pursuant to §9-503 of the *Environment Article* of the *Annotated Code of Maryland*, that:

SECTION I. Service Area map III-4 in the St. Mary's County Comprehensive Water and Sewerage Plan is amended as follows:

3.657 acres described in a deed recorded among the Land Records of St. Mary's County in Book no. 1117, Page 122 and located at 29530 Charlotte Hall Road, Charlotte Hall, Maryland, is designated as Water Category W-3D.

SECTION II. The amendment of the St. Mary's County Comprehensive Water and Sewerage Plan shall be submitted to the Maryland Department of the Environment.

Subject: Comprehensive Water and Sewerage Plan - To Amend the St. Mary's County Comprehensive Water and Sewerage Plan by Designating 3.657 Acres at 29530 Charlotte Hall Road, Charlotte Hall, Maryland, as Water Category W-3D

SECTION III. This Resolution shall be effective on the date of approval of the amendment by the Maryland Department of the Environment.

Those voting Aye: _____

Those voting Nay: _____

Those Abstaining: _____

Date of Adoption: _____

Effective Date: _____

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

George R. Sparling
County Attorney

Tom Jarboe, Commissioner

Todd B. Morgan, Commissioner

John E. O'Connor, Commissioner