



**MINUTES OF THE
PLANNING AND ZONING COMMISSION APRIL 8, 2015**

- I. Jeff LaBar called the meeting to order at 7:10 p.m. In attendance were Commission Members; Nancy Feuerle, Jeffery Foltz, Keith Pardieck, and Megan Reiser. Also in attendance were the Planning and Zoning Administrator Christopher Jakubiak and Secretary Fran Addicott. Absent was Commission Member Dave Coull.

Chairman LaBar welcomed the newest Commission Member Jeffery Foltz to the Planning and Zoning Committee.

II. **Approval of the January 14, 2015 Agenda.**

MOTION: Mr. Jakubiak requested that Mama Lucia site plan review be moved from item V, to item IV on the agenda. Mrs. Feuerle made a motion to approve the agenda in the order mentioned. Seconded by Mr. Pardieck, all in favor.

III. **Approval of the amended Minutes of the January 14, 2015 Planning and Zoning Meeting.**

MOTION: Mr. Pardieck moved to approve the minutes of the January 14, 2015 Planning and Zoning meeting. Seconded by Mrs. Feuerle, all in favor.

IV. **Mama Lucia Site Plan review.**

Mr. Jakubiak introduced the proposed site plan and provided background on the project. He welcomed applicants Mr. and Mrs. Lubrano of Mama Lucia's on the Bay. Also present was their Architect, Ms. Denie L. McLaren with Denie Designs Studio. They presented their site plan along with some exterior drawings and informational building materials for the project. Mr. Jakubiak explained that the zoning of the site is R-V, Residential Village and that use of the property as a restaurant is a non-conforming use. This site is in the critical area and is IDA, which is mostly developed and partially in the flood plain. The Applicants can use this for a Restaurant and can expand the non-conforming restaurant up to 50%.

Mr. Jakubiak explained that because of the non-conforming nature of the project, that portion of the project including demolition of the back of the building and the number and arrangements for parking had been reviewed administratively by him as the acting Zoning Administrator. He noted that the focus of the Planning Commission site plan review is the new-reconstructed sections of the building, which replace the building components on the rear of the site. Given that, Mr. Jakubiak recommended that the Planning Commission approve the site plan.

Ms. Denie McLaren stated that the Applicant's intention is to clean up what is there at the building site. Septic tanks, propane tanks, and HVAC equipment have been placed between the property and in between existing buildings on the property for a long time.

She stated that the survey was updated in November of 2014. The building elevation and the FEMA guidelines were also discussed. Questions from the Commission Members were taken regarding the building material.

MOTION: Mrs. Reiser made a motion to approve the Site Plan for the reconstruction of Mamma Lucia's Restaurant (the rear section constituting the new construction) with the conditions that (1) The Applicant provide for a best management practice to address storm water as a mitigation for development activity in the critical area which could include rain barrels to address runoff from the new roof area to be added and (2) that the Applicant provide Flood Elevation Certifications from a Professional Engineer for town approval in compliance with the Town's floodplain ordinance.

V. Critical Area Ordinance Final Draft

Mr. Jakubiak made changes to the final version of the Critical Area Ordinance Regulations, which coordinate with the Critical Area Commission. The Planning Commission reviewed the document and after deliberation on the document and discussions about Planning Commission suggestions for minor changes to it, moved to approve it and transmit it to the Mayor and Town Council for adoption.

MOTION: Mrs. Reiser made a motion to approve the Critical Area Ordinance Regulations with the changes that were made by the Planning Commission, and that the new regulations be transmitted to the Mayor and Town Council with a favorable recommendation for their adoption. Seconded by Mrs. Feuerle, all in favor.

Public Comment:

Corey Wells – 4015 28th St., Chesapeake Beach, MD 20732
Jeffrey Krahling – 3216 Ina Chase, Chesapeake Beach, MD 20732
Larry Robey – 7811 Deforest Dr., Chesapeake Beach, MD 20732

There being no further business, the meeting adjourned at 9:43 pm on a motion by Mrs. Reiser. Phillips, seconded by Mrs. Feuerle, all in favor.

Fran Addicott



Secretary of Planning and Zoning