



TOWN OF LA PLATA
Board of Appeals Minutes
November 13, 2024, 6:00 PM
Regular Meeting
Council Chambers, La Plata Town Hall
305 Queen Anne St
La Plata MD

PRESENT: Chair Hugh Williams
Mark Thorn
Jonathan Burruss

ABSENT:

TOWN STAFF: Kelly Phipps, Director of Legislative Services
Celia Craze, Town Contract Planner
Jay Gullo, Town Attorney

GUESTS: Jeannine James, Mayor

1. Call to Order

1.1. Pledge of Allegiance

Chair Williams called the meeting to order at 6:01 PM and led all assembled in the Pledge of Allegiance.

1.2. Roll Call

The Interim Town Clerk conducted Roll Call.

2. Approval of Minutes

2.1. Approval of minutes from meeting on January 10, 2024.

Mr. Thorn moved to approve the minutes from the meeting held on January 10, 2024.

Moved By: Mark Thorn, seconded by Jonathan Burruss.

Passed Unanimously

3. Public Hearing

SE-0001-2024, Senior Living Community, Pinegrove Neighborhood C

3.1. Review of Public Hearing Procedures (Town Clerk)

The Interim Town Clerk reviewed the public hearing procedures.

3.2. Call to Order (Presiding Officer/Chair)

Chair Williams opened the public hearing at 6:03 PM.

3.3. Review of Public Notices (Town Clerk)

The Interim Town Clerk reported that notice of the public hearing was published in accordance with Town Code.

3.4. Summary of Town Staff Report and Recommendation

Ms. Craze provided an overview of her professional credentials and a summary of the staff report and recommendations. Ms. Craze identified inconsistencies in the staff memorandum and Planning Commission report associated with this application, specifically yard requirements for single-family dwellings. Ms. Craze recommended that the inconsistencies be resolved and brought back to the Board [of Appeals] at a future date.

3.5. Applicant/Petitioner Presentation and Testimony

Chair Williams deferred presentation and testimony and proceeded to Questions from the Board.

3.6. Questions from the Board to the Applicant/Petitioner or Town Staff

Mr. Steve Scott of the Scott Law Group spoke on behalf of the applicant. The applicants concurred that the inconsistencies identified should be corrected and that the proceedings should be continued until those corrections are made so a complete and consistent record can be presented to the Board of Appeals.

3.7. Written Documents are Entered into the Record

Written testimony may be submitted in advance via email to legislative@townoflaplata.org or postal mail to Legislative Services Department, Town of La Plata, 305 Queen Anne St Box 2268, La Plata MD 20646, and must be received no later than 12:00 PM, two business days prior to the scheduled meeting.

Written documents for the record will be presented to the presiding officer prior to the opening of the public hearing.

This section of the public hearing was deferred in light of the request for a continuance.

3.8. Public Comment

- Speakers (signed up) are called on by the presiding officer.
- Those wishing to provide in-person testimony may sign up in advance no later than 3:00 PM on the day of the public hearing, via the town webpage (<https://townoflaplata.org/209/Public-Communications>), or upon arrival at the Council Chambers via sign-up sheet.
- Speakers who register in advance will be recognized prior to speakers who register upon arrival at the public hearing.
- In-person registration to speak will end when the relevant public hearing is opened.
- At the discretion of the presiding officer, time may be limited to 3 minutes and may not be yielded.

This section of the public hearing was deferred in light of the request for a continuance.

3.9. Additional Questions from the Board

This section of the public hearing was deferred in light of the request for a continuance.

3.10. Closing of Public Hearing

When the hearing is concluded, the Board will not hear further comments or questions during the meeting.

This section of the public hearing was deferred in light of the request for a continuance.

4. Motion for a Closed Session

4.1. Motion for a Closed Session

Tentatively Scheduled at the Discretion of the Board and Town Attorney

STATUTORY AUTHORITY TO CLOSE SESSION: State Government Article §3-305(b) (7) To consult with counsel to obtain legal advice on a legal matter.

Subject: Case Number SE-0001-2024

Chair Williams moved to enter closed session.

Moved By: Hugh Williams, seconded by Mark Thorn.

Passed Unanimously

A power outage occurred during the Closed Session which temporarily terminated public observation via Microsoft Teams video. The video connection was restored prior to resuming the Open Session.

5. Deliberations Regarding Application

5.1. Findings of the Board

After consultation with the Town Attorney, Chair Williams recommended granting the applicant's request for a continuance.

Chair Williams moved to grant a continuance of this public hearing at the request of the applicant and the Town until such time as the Town can correct the staff report and the applicant can clarify the application. If feasible, the hearing will be set before December 13.

Moved By: Hugh Williams, seconded by Mark Thorn.

Passed Unanimously

6. Other Business

There was no other business.

7. Adjourn

7.1. Adjournment

Chair Williams adjourned the meeting at 6:34 PM.

Submitted by:

Kelly Phipps, Director of Legislative Services