



**Monday, August 4, 2025**  
**Charles County Planning Commission Meeting**

**This agenda is tentative and subject to change without notice.**

**A portion of this meeting may be held in Closed Session.**

**The Planning Commission will be holding this public meeting as a "Hybrid meeting" which means it will be both virtual and limited in-person. The public can watch this meeting on Comcast 95 (SD), Verizon FIOS 10, Roku or Apple TV streaming devices (Charles County Government), and the web at <https://www.charlescountymd.gov/services/media-services/charles-county-government-television/ccgtv-live-stream>. Residents without internet service can listen to the meeting at 301-645-0500.**

**1. Call to Order/Roll Call**

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**2. APPROVAL OF THE AGENDA - no public comments**

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**3. APPROVAL OF THE MINUTES**

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**3.a July 7, 2025 Minutes**

**4. CHAIRPERSON'S COMMENTS - no public comments**

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**5. PERSONAL APPEARANCES (items not on the agenda): PUBLIC COMMENTS**

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**6. PUBLIC HEARING: PUBLIC COMMENTS**

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**7. PUBLIC MEETING: PUBLIC COMMENTS**

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**8. WORK SESSIONS: No Public Comments**

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**9. UNFINISHED BUSINESS: No Public Comments**

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**9.a Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Request for Modification from § 278-25I(2)(a)[5] Major Subdivisions Review Procedures**

The Applicant is requesting Modification per Section 278-104 of the Subdivision Regulations to Section 278-25 I to allow an extension of the approved Preliminary Subdivision Plan for an additional 12 months, from the current scheduled expiration of August 19, 2025 to August 19, 2026. The Planning Commission originally considered this application during a Public Meeting held on [July 21, 2025](#). They deferred their decision and extended the public comment period until 4:30 p.m. on August 1, 2025. The comments received during this time will be provided below by 5:00 p.m. on August 1, 2025.

Click here to submit written comment: [COMMENT FORM](#) (until 4:30 p.m. August 1, 2025 only)

**Applicant:**

Peggy B. Dobson Revocable Trust

**Agent:**

Law Offices of Sue A. Greer (Sue A. Greer)  
Soltesz

**Staff:**

Heather Kelley, AICP, Planning Supervisor

[Public Comment - David Bird](#)  
[Public Comment - Dennis Anderson with Attachment](#)  
[Public Comment - Kendell Smith](#)  
[Public Comment - Brent Anderson](#)  
[Public Comment - Carol Ricciardi](#)  
[Public Comment - Dean Padgett with Attachment](#)  
[Public Comment - Donna Padgett](#)  
[Public Comment - Robert Ayers with Attachment](#)  
[Public Comment - Stefen Smallwood](#)  
[Public Comment - Joslyn Graves](#)  
[Public Comment - Lindsay Cox](#)  
[Public Comment - Adam Fitzpatrick](#)  
[Public Comment - Hal Delaplane Attachment Conservancy for Charles County](#)  
[Public Comment - Hal Delaplane](#)  
[Public Comment - Howard Dent](#)  
[Public Comment - Andre Capoen](#)  
[Public Comment - Catherine Anderson](#)  
[Public Comment - Bill Fitzpatrick](#)  
[Public Comment - Cindy Adams](#)  
[Public Comment - Patricia Adams](#)  
[Public Comment - Thaddeus Rose](#)  
[Public Comment - Charles Carruth II with Attachment](#)  
[Public Comment - Molly Pinkas with Attachment](#)  
[Public Comment - Dennis Anderson, III with Attachment](#)  
[Public Comment - Kenny Yekstat](#)  
[Public Comment - Mark Roberson](#)  
[Public Comment - Casey Fitzpatrick](#)  
[Public Comment - Mary Rita Bowling](#)  
[Piney Branch Estates Request for Modification 104 Applicant Response to PC](#)

**9.b Draft Affordable Housing Strategy**

Planning Commission members will provide feedback to staff on the drafted Affordable Housing Strategy.

**Staff:** Joel Binkley, AICP, Planning Supervisor

**10. NEW BUSINESS: No Public Comments**

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**10.a Poll of the Planning Commission Members for New Business**

**11. DIRECTOR'S REPORT: No Public Comments**

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**12. ADJOURNMENT**

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**13. VIRTUAL MEETING INFORMATION**

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**14. Signed Minutes**

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# Item Cover Page

## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** August 4, 2025

**SUBMITTED BY:** Amy Brackett

**ITEM TYPE:** Minutes

**AGENDA SECTION:** APPROVAL OF THE MINUTES

**SUBJECT:** July 7, 2025 Minutes

**SUGGESTED ACTION:**

**ATTACHMENTS:**

# Item Cover Page

## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** August 4, 2025

**SUBMITTED BY:** Amy Brackett

**ITEM TYPE:** Approval Item(s)

**AGENDA SECTION:** UNFINISHED BUSINESS: No Public Comments

**SUBJECT:** **Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Request for Modification from § 278-25I(2)(a)[5] Major Subdivisions Review Procedures**

The Applicant is requesting Modification per Section 278-104 of the Subdivision Regulations to Section 278-25 I to allow an extension of the approved Preliminary Subdivision Plan for an additional 12 months, from the current scheduled expiration of August 19, 2025 to August 19, 2026. The Planning Commission originally considered this application during a Public Meeting held on [July 21, 2025](#). They deferred their decision and extended the public comment period until 4:30 p.m. on August 1, 2025. The comments received during this time will be provided below by 5:00 p.m. on August 1, 2025.

Click here to submit written comment: [COMMENT FORM](#) (until 4:30 p.m. August 1, 2025 only)

**Applicant:**

Peggy B. Dobson Revocable Trust

**Agent:**

Law Offices of Sue A. Greer (Sue A. Greer)  
Soltész

**Staff:**

Heather Kelley, AICP, Planning Supervisor

**SUGGESTED ACTION:**

**ATTACHMENTS:**

Public Comment - David Bird  
Public Comment - Dennis Anderson with Attachment  
Public Comment - Kendell Smith  
Public Comment - Brent Anderson  
Public Comment - Carol Ricciardi  
Public Comment - Dean Padgett with Attachment  
Public Comment - Donna Padgett  
Public Comment - Robert Ayers with Attachment  
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Public Comment - Kenny Yekstat  
Public Comment - Mark Roberson  
Public Comment - Casey Fitzpatrick  
Public Comment - Mary Rita Bowling  
Piney Branch Estates Request for Modification 104 Applicant Response to PC

**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Wednesday, July 23, 2025 6:51:03 AM

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**[External Content Warning]** This message is from an external sender. Please exercise caution when opening attachments and hover over any links before clicking.

#### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4207606  
**IP Address:** 72.83.181.127  
**Submission Date:** 07/23/2025 6:50  
**Survey Time:** 16 minutes, 24 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

#### Please Choose One:

Submit a Public Comment

#### Read-Only Content

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

#### Agenda Items

Open Record Item - Please Choose From Dropdown List Below

#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

David Bird

#### Address

11315 Martha Hawkins Pl  
La Plata, MD 20646

#### Phone

(240) 832-9104

#### Email

drbirdjr@verizon.net

#### Comment

I respectfully request that the extension request be denied. Additional development is currently unnecessary given the number of new homes, townhomes, and apartments recently built and currently being constructed in Charles

County. The area in and around the Kerrick and Zekiah swamp region has already been encroached upon significantly and further development would have a negative impact in the region. Additionally, the roadways in and around the newly developed areas of the County can not handle any additional traffic. Our EMS system is taxed beyond its limits already with announcements almost daily from our dispatchers indicating that the County is "operating under limited EMS resources." The local hospital in La Plata (and indeed, those of the surrounding jurisdictions) are well beyond their limits. Jamming dozens, hundreds, and even thousands of homes into these micro developments has resulted in higher crime levels (as indicated by the crime maps for Charles County) and has all but destroyed the rural charm and characteristics of much of Charles County. I urge you to please allow this development request to die on the vine as a line in the sand against further overdevelopment in our County. Listen to you constituents, please. That is your mandate. Thank you.

**Upload File(s)**

Thank you,  
**Charles County, MD**

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The owners of Piney Branch Estates are seeking a variation to the subdivision regulations through Section 278-104 of the Charles County Subdivision Regulations. This section sets forth **very clear and specific requirements** that must be met in order for a modification to be granted. The Planning Commission may only approve such a modification if **all** of the following are true:

1. That special conditions exist that are unique to the property, and that strict enforcement would result in an unwarranted hardship not generally shared by other property owners.
2. That strict enforcement would deprive the owner of rights commonly shared by other similarly classified landowners.
3. That the modification would not confer any special privilege.
4. That the hardship is not self-created or self-imposed.
5. That lack of profitability or knowledge of the rules is not justification.
6. That the modification is consistent with the Comprehensive Plan.

**The Piney Branch Estates request does not satisfy even one of these requirements.** The so-called “hardships” are not unique, they are self-inflicted, and have been shaped entirely by the applicant’s decisions, delays, and poor planning.

The applicant cites a recent regulatory change by the Health Department as a hardship — claiming that a change, which popped up in May of 2025, regarding sewage easement platting, made their August 2025 final plat approval deadline “impracticable and unachievable.”

But that’s not the full story. The applicant had nearly two full years between the time school seats were granted and the time they submitted their Step 2 engineering plan where no activity happened. That is not diligence — it is neglect.

More importantly: had the applicant acted responsibly and submitted engineering sooner, the new rule wouldn't even apply. The so-called “hardship” only arose because they waited until the last minute. This is a textbook case of a self-created hardship — one that simply does not meet the legal test under 278-104. The health department claim is just a diversion away from the facts.

In the justification letter from the applicants attorney, she notes that updated sewage plat testing requires lots to be re-perced — a process that can only occur during the wet

season, February through April. Yet here we are, considering approval to move this project forward without knowing the results of those tests. What if the ground doesn't perc to current standards? What if the new perc locations don't match the current lot layout? That would mean shifting lots, re-aligning roads, and essentially starting the design process over. This is yet another reason this project should be denied.

Also ask yourself: if the sewage easement issue had never come up, would this development team have met their August 19th deadline? The answer is no. As of today, their development services permit still hasn't been issued. The last submission in June failed, according to the online portal. The applicant may call this a hardship, but the truth is it's irrelevant — even without the easement issue, they'd still be back here asking for an extension.

During the hearing, the applicant's team attempted to explain the nearly two-year delay between receiving school allocations and submitting their Step 2 Stormwater Management plans by suggesting that "other work" was happening behind the scenes—engaging consultants, conducting studies—and further implied that the general public doesn't fully understand the development process. If the deadline was known, why did the engineer and owner admit to spending five months—from September 2023 to January 2024—simply negotiating a contract for final engineering services? This delay, offered without clear justification, further undercuts the hardship argument and raises questions about whether the applicant took reasonable and timely steps to advance the project.

What the applicant failed to recognize is that many members of this community are, in fact, professionals in this industry. We do understand the process. We know that wetland delineations, environmental studies, geotechnical investigations, surveys, and archaeological reviews are all prerequisite tasks—often completed during early planning phases, and in many cases, years in advance.

In the case of Piney Branch, many of these studies were already completed years ago. And should any of them have expired or required updating, those updates could have been completed in a matter of weeks—not years. These are not new hurdles—they're standard steps in the process.

So to suggest that this work explains a nearly 24-month gap is not just misleading—it also dismisses the expertise that exists within this very community. The delay wasn't due to new processes, it's far more likely to be a case of inactivity or deliberate delay, not diligent progress.

The Planning Commission has a duty to represent Charles County and its residents—many of whom took the time to attend this hearing and voice their concerns. That duty should not be overshadowed by the interests of an applicant who doesn't even reside in the state and couldn't be bothered to attend this hearing in person.

If this Commission chooses not to deny this request, it risks sending a dangerous message to the development community. And if that happens, this case will move directly to the Board of Appeals, where the applicant's weak and unsubstantiated justification for delay will be scrutinized under far greater legal pressure.

The public has shown up. The facts are clear. It's time for the Commission to uphold its responsibility and deny this request.

In closing to satisfy my own curiosity, it is my understanding that in order to get another 4 year extension after an 8 year review period a project must then go thru a "Conformance Review" which according to the County's website requires the applicant to amend design to meet with County or State regulatory changes to be more in line with the current requirements having been basically dormant since a preliminary approval. If the Tier 4 septic designation was adopted in 2016 and a Conformance Review was done in 2021, why wouldn't this previously approved as a major subdivision been changed then to a minor subdivision when **Tier 4 very explicitly states major subdivisions are prohibited** and this was a regulatory change?

This property is in a very sensitive area that needs to stay as far away from development as possible. I can't imagine how approving the addition of 49 new septic systems and 50 new wells will do anything but be harmful and is in direct contradiction to the preservation efforts that the State and Charles County has been doing for decades.

I ask again, please do the right thing and deny this extension.

Respectfully,

Dennis Anderson

**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Wednesday, July 23, 2025 4:17:01 PM

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**[External Content Warning]** This message is from an external sender. Please exercise caution when opening attachments and hover over any links before clicking.

**Planning Commission Public Comment and Speaker Registration Form**

**Submission #:** 4209266  
**IP Address:** 173.13.231.229  
**Submission Date:** 07/23/2025 4:16  
**Survey Time:** 11 minutes, 36 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

**Please Choose One:**

Submit a Public Comment

**Read-Only Content**

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

**Agenda Items**

Open Record Item - Please Choose From Dropdown List Below

**Agenda Items**

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

**Name**

Dennis Anderson

**Address**

5825 BREEZY HILL PLACE  
Waldorf, Maryland 20602

**Phone**

(301) 399-2386

**Email**

da488@aol.com

**Comment**

Please open and read attachment

**Upload File(s)**

[Dennis Anderson Piney Branch Estates Letter\\_\(1\).pdf](#)

Thank you,

**Charles County, MD**

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**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Wednesday, July 23, 2025 12:20:42 PM

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#### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4208276  
**IP Address:** 74.96.5.182  
**Submission Date:** 07/23/2025 12:20  
**Survey Time:** 9 minutes, 26 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

#### Please Choose One:

Submit a Public Comment

#### Read-Only Content

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

#### Agenda Items

Open Record Item - Please Choose From Dropdown List Below

#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Kendell Smith

#### Address

1407 leicester dr  
La plata, Md 20646

#### Phone

(301) 752-8177

#### Email

kendellsmith@hotmail.com

#### Comment

Keep the stricter land-use policies in place. Everyone at my household is opposed to the unconstrained growth of Charles County. I request the county be opposed to the proposed 49 builders grade homes on 488. There is not

enough infrastructure of any kind to support this project or even the home projects already underway. Say no to the developers for once.

**Upload File(s)**

Thank you,

**Charles County, MD**

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**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Wednesday, July 23, 2025 10:30:54 AM

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#### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4207909  
**IP Address:** 173.13.231.229  
**Submission Date:** 07/23/2025 10:30  
**Survey Time:** 34 minutes, 29 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

#### Please Choose One:

Submit a Public Comment

#### Read-Only Content

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

#### Agenda Items

Open Record Item - Please Choose From Dropdown List Below

#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Brent Anderson

#### Address

1723 Allison Street NE  
Washington, DC 20017

#### Phone

(202) 507-3494

#### Email

brentma219@gmail.com

#### Comment

This Project cannot be allowed to move forward with this extension. There are points the applicant's consultants bring forward during this hearing that so badly conflict. (Are they at their own 20 yard line or the goal line? Do they



even know?). The applicant brings up 2 main issues over the course of 14 years - school seats and the Health Department change that happened 2 months ago (This applies!?). What about the 5 years between that? The applicant would not move engineering forward without school seats for nearly a decade but now is stating they intend to move CONSTRUCTION forward without percs in order to meet a new extension deadline! As was stated in the hearing, if they are moving forward, they intend to maybe get new percs in the Spring of 2026 and the only way to keep going is if they have construction moving before that time. Now we are taking that risk? There is another instance where the representative mentions that if percs fail they could lose lots or even the whole project. This is the roadmap to a failed development and a negative impact that is much greater to the community around it than to the applicant. Was the applicant at the hearing? There were no less than 20 residents spending 3 hours on a Monday evening all against this project. If the Planning Commission was to grant an extension here - they own this. It is no longer a "grandfathered" development that we all realize would never be approved now as it is against the current development of the county. Representatives of the Planning Commission also show an understanding of these issues beyond the hearing and show an understanding of the obvious counterpoints. If this was to approve - this hearing- maybe in appeal, is going to be brought back into the forefront. The County now doesn't want this and the Planning Commission now shouldn't approve this. The developer's consultants paint a bleak & porous case for hardship. End this now. Deadlines that are in place to prevent EXACTLY THIS.

**Upload File(s)**

Thank you,  
**Charles County, MD**

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**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Tuesday, July 22, 2025 6:41:48 PM

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**Planning Commission Public Comment and Speaker Registration Form**

**Submission #:** 4206836  
**IP Address:** 72.66.102.243  
**Submission Date:** 07/22/2025 6:41  
**Survey Time:** 3 minutes, 43 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

**Please Choose One:**

Submit a Public Comment

**Read-Only Content**

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

**Agenda Items**

Open Record Item - Please Choose From Dropdown List Below

**Agenda Items**

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

**Name**

Carol Ricciardi

**Address**

1120 East Patuxent Drive  
La Plata, MD 20646

**Phone**

(301) 932-6911

**Email**

carolricciardi@hotmail.com

**Comment**

I would like Charles County to stop residential building NOW on Rt. 488. Our county is struggling with roads and limited school seats. We need a construction moratorium NOW.

**Upload File(s)**

Thank you,  
**Charles County, MD**

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An argument this applicant made was that they didn't receive all school seat allocations until 2023 — nine years after preliminary plan approval. In a tiny little footnote, I guess hoping that no one would read it, on that page they stated that proceeding with fewer lots in 2022 “wasn't financially viable.” What they didn't explicitly state is that they had enough school seats in 2022 to move forward with the exact plan they moved forward with today.

But here's the contradiction: they claim it wasn't viable to proceed with fewer lots in 2022, but it is viable to proceed with even fewer lots — just 15 — in 2025?

Let's not forget:

- Construction costs have risen by 25%+
- Borrowing costs have doubled
- Home prices have fallen

Yet now, it's supposedly more viable? Give me a break. I feel that this question absolutely must be responded to.

Additionally, the applicant received partial seats in 2021 and the remainder needed to complete Phase 1 in early 2022. Engineering could — and should — have begun then. The applicant instead waited until mid-2024 to begin serious work. That delay is not a hardship — it's a choice.

Following public testimony, the applicant's attorney, Sue Greer, argued that the lack of school allocations could create difficulty in securing development financing—suggesting this was a meaningful obstacle to progressing the project. But let's be clear: even if we entertain the notion that financial hardship or profitability qualifies as a legitimate “hardship” under Section 278—which it does not—that argument still falls apart under scrutiny.

For projects like Piney Branch, which are not served by public water and sewer, lenders require approved/current percolation tests as a condition of financing. That's a standard industry prerequisite for projects relying on well and septic systems.

So if the applicant is claiming that a lack of school seats prevented them from obtaining funding, how exactly were they planning to obtain that funding without approved perc tests on the lots? They cannot have it both ways.

The applicant also points to the passing of Peggy Dobson in 2023 as a delay-causing event. While we acknowledge and respect the gravity of personal loss, the truth is: estate management and trust execution have no bearing on the subdivision regulations. If the trust had designated responsible parties who continued the project's progress, no delay would have occurred.

This is entirely internal and self-created. It is not a legal justification for modification under 278-104. For these reasons and more the planning commission **must** deny this project.

**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Wednesday, July 23, 2025 11:01:44 PM

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**Planning Commission Public Comment and Speaker Registration Form**

**Submission #:** 4210299  
**IP Address:** 72.66.102.61  
**Submission Date:** 07/23/2025 11:01  
**Survey Time:** 7 minutes, 38 seconds

You have a new online form submission.

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**Please Choose One:**

Submit a Public Comment

**Read-Only Content**

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**Agenda Items**

Open Record Item - Please Choose From Dropdown List Below

**Agenda Items**

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

**Name**

Dean Padgett

**Address**

9215 GUNSTON RD  
Welcome, MD 20693

**Phone**

(301) 751-4279

**Email**

sparohwk@gmail.com

**Comment**

For the record - I oppose the Piney Branch Estates development See Attached document

**Upload File(s)**

[Piney Branch Estates Dean Padgett Letter.docx](#)

Thank you,

**Charles County, MD**

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**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Wednesday, July 23, 2025 11:16:34 PM

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**Planning Commission Public Comment and Speaker Registration Form**

**Submission #:** 4210321  
**IP Address:** 72.66.102.61  
**Submission Date:** 07/23/2025 11:16  
**Survey Time:** 5 minutes, 16 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

**Please Choose One:**

Submit a Public Comment

**Read-Only Content**

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

**Agenda Items**

Open Record Item - Please Choose From Dropdown List Below

**Agenda Items**

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

**Name**

Donna Padgett

**Address**

9215 GUNSTON RD  
Welcome, MD 20693

**Phone**

(240) 687-0872

**Email**

qaidnqo@yahoo.com

**Comment**

I have lived and driven on highway 488 since 1980. Although I knew that this road would one day show development as St Charles was always in the background as planned, I never imagined that I would see what I am



seeing today. While this road, land owners were encouraged to protect the vital Zekiah swamp area which is part of the Potomac River basin and reaches 21 miles long throughout Charles county. This swamp is one of the most significant ecological areas in the Chesapeake bay watershed. My father and mother have a farm that contains 40 acres of and is protecting that very important place in our county. How is it that on that very same area that was so vital to protect, that we are even discussing the possibility of a potential housing development? It was this county, this state that so urgently wanted it's protection? I ask you to please keep what is a natural habitat just what it is and what it was meant to be, left alone. Please do not approve a housing development on that side of 488. It is sure to weigh heavily on the destruction of a very important ecosystem. 488 is nothing like the days, I remember, but must we destroy everything? I oppose the development of the Piney Branch Estates. Thank you, Donna Padgett

**Upload File(s)**

Thank you,  
**Charles County, MD**

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I strongly oppose this project, the hardships claimed by the applicant do not meet subdivision regulations 278 and the project timeline submitted does not show that the applicant was diligent in pursuing approvals.. The applicant did not submit their first submission of step 2 engineering until June 28<sup>th</sup>, 2024 with the hopes of fully engineering, bonding, permitting, and constructing the project by August 19<sup>th</sup>, 2025, only 14 months after initial submittal. In looking at the citizen self serve portal, county data proves this timeline was never going to be achievable.

In order to preserve the entitlement under Regulation 278, the applicant would have had to:

- Complete Step 2 and Step 3 engineering,
- Post bonds and development agreements,
- Obtain permits, and
- Fully construct both onsite and offsite infrastructure — all by August 19, 2025.

Across 7 recent Charles County projects, the average time, from the start of Step 2, to the completion of Step 3 engineering was 16 months. The fastest across the 7 projects reviewed was 12 months — and that's from highly respected and successful firms and developers with decades of local experience like Quality Built Homes, US Homes, Elm Street Development, Brookwood LLC, WRA, Soltesz, Lorenzi Dodds and Gunnell, and Dewberry. And that only covers engineering — it doesn't include bonding, permitting, or actual development.

**UPDATE AFTER HEARING:** After public testimony concluded, the engineer, from Soltesz addressed my remarks and somewhat dismissed my analysis by suggesting that large-lot subdivisions like Piney Branch shouldn't be compared to others because they lack water and sewer infrastructure, and therefore require less engineering effort. He implied my data was drawn only from major subdivisions with public utilities—suggesting an apples-to-oranges comparison.

That's not accurate.

One of the projects included in my analysis was Fishers Grant Phase 3—a large-lot subdivision with well and septic, just like Piney Branch. And importantly, it was also designed by Soltesz in 2023 and 2024. The Step 2 engineering submission was first received on January 6, 2023, and was not approved until September 11, 2023. Step 3 was submitted in October 2023 and ultimately approved on April 30, 2024. That is 15 months

and 3 weeks—virtually identical to the 16-month average I cited during my testimony. Please see exhibits from the CSS portal below.

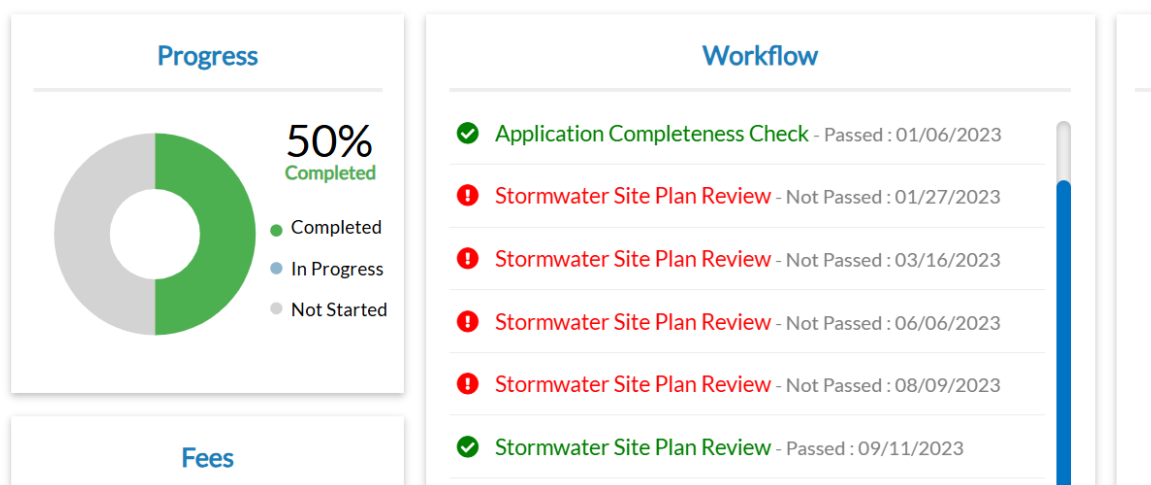
So let's be clear: the facts show that even a similar, recent, and comparably scoped project—designed by the very same firm—took nearly 16 months just to get through the engineering and approval process. That doesn't even include bonding and actual development.

So once again, I ask:

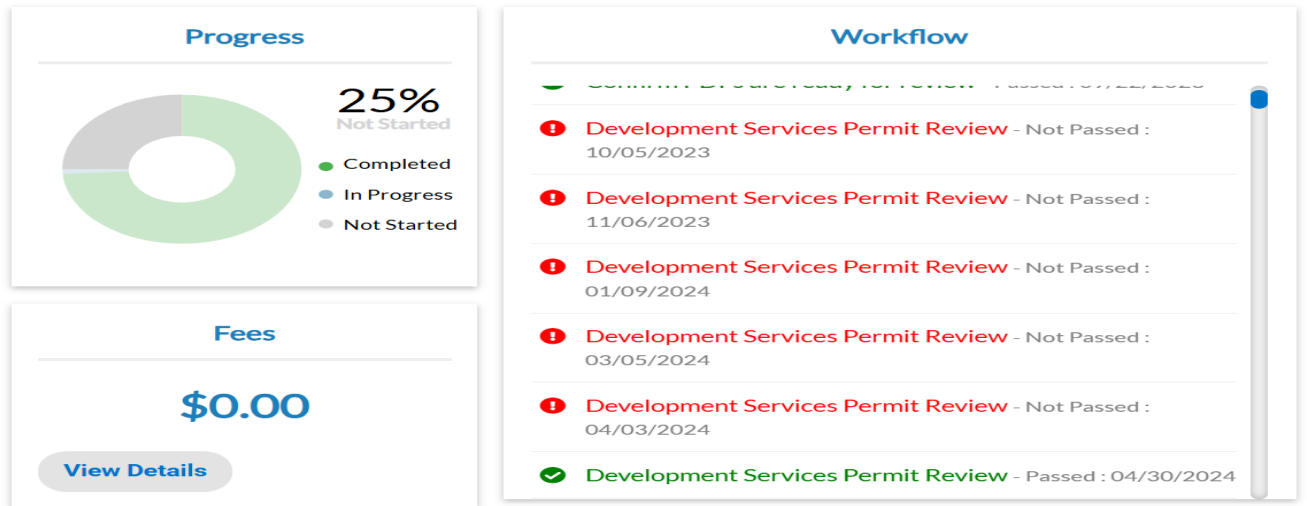
Was 14 months ever truly feasible to engineer, bond, and begin developing Piney Branch? The timeline for Fishers Grant—a real, comparable project—strongly suggests it was not.

### **Fishers Grant Progress**

- SSWM-230001 (STEP 2)



DSP-230038 (STEP 3)

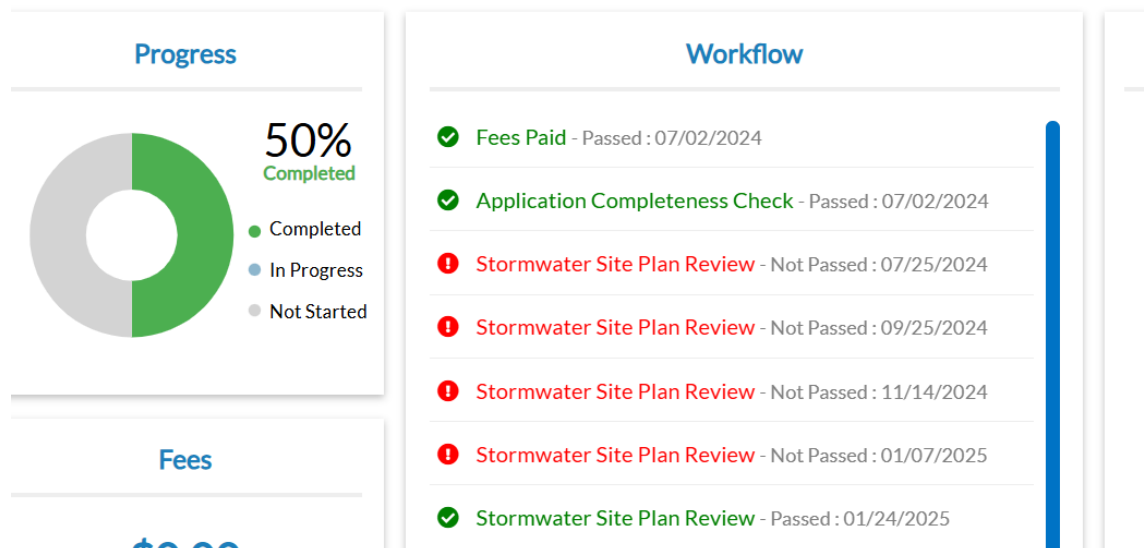


## Piney Branch Progress

SSWM – 240014 (STEP 2)

Applied Date:	06/28/2024	Issue Date:	
District:	Charles County	Expire Date:	
Finalized Date:			
Description:	Stormwater Management Step 2		

[Summary](#)
[Locations](#)
[Fees](#)
[Reviews](#)
[Inspections](#)
[Attachments](#)
[Contacts](#)
[Sub-Records](#)



DSP – 250011 (STEP 3)

Summary

Locations

Fees

Reviews

Inspections

Attachments

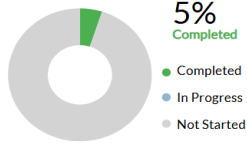
Contacts

Sub-Records

More Info

Conditions

### Progress



5%  
Completed

- Completed
- In Progress
- Not Started

### Fees

\$0.00

[View Details](#)

### Workflow

- ✓ Fees Paid - Passed : 02/26/2025
- ✓ Confirm PDFs are ready for review - Passed : 02/26/2025
- ✓ Application Completeness Check - Passed : 02/26/2025
- ❌ Development Services Permit Review - Not Passed : 03/19/2025
- ❌ Development Services Permit Review - Not Passed : 04/28/2025
- ❌ Development Services Permit Review - Not Passed : 05/16/2025
- ❌ Development Services Permit Review - Not Passed : 06/10/2025

### Available Actions

[i](#)  
No Actions

## Amy Brackett

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**From:** DO NOT REPLY - UNMONITORED ACCOUNT <no-reply@charlescountymd.gov>  
**Sent:** Thursday, July 24, 2025 8:25 AM  
**To:** Planning Commission  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form

**[External Content Warning]** This message is from an external sender. Please exercise caution when opening attachments and hover over any links before clicking.

### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4210667  
**IP Address:** 100.15.23.46  
**Submission Date:** 07/24/2025 8:25  
**Survey Time:** 2 minutes, 1 second

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

#### Please Choose One:

Submit a Public Comment

#### Read-Only Content

**Please Note:** Information submitted is considered public information under the Maryland Public Information Act.

#### Agenda Items

Open Record Item - Please Choose From Dropdown List Below

#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Robert Ayers

#### Address

12857 Leman Ln  
Waldorf, MD 20601

#### Phone

(240) 495-2175

#### Email

rayers@powersolutions-llc.com

#### Comment

Please see my attached letter

## Upload File(s)

[Reject Piney Branch Estates.docx](#)

Thank you,  
**Charles County, MD**

---

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## Amy Brackett

---

**From:** DO NOT REPLY - UNMONITORED ACCOUNT <no-reply@charlescountymd.gov>  
**Sent:** Thursday, July 24, 2025 12:10 PM  
**To:** Planning Commission  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form

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### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4211276  
**IP Address:** 98.117.192.82  
**Submission Date:** 07/24/2025 12:10  
**Survey Time:** 8 minutes, 15 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

#### Please Choose One:

Submit a Public Comment

#### Read-Only Content

**Please Note:** Information submitted is considered public information under the Maryland Public Information Act.

#### Agenda Items

Open Record Item - Please Choose From Dropdown List Below

#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Stefen Smallwood

#### Address

7050 P  
Paso robles court  
Chesapeake Beach, MD 20732

#### Phone

(240) 210-2610

#### Email

StefenSmallwood1@gmail.com

#### Comment



As a Charles County native for most of my life and a graduate of La Plata High School, and it was an amazing place to grow up. But over the years, it's changed so much it's hardly recognizable. The last thing we need is more rural land turned into big housing developments. I strongly oppose Piney Branch Estates in any form or fashion. Adding more houses will mean more traffic on Route 488, more pressure on local roads and services, and more loss of open space. The area around this land has families who chose to protect their farms forever by putting them into conservation. Letting this project move forward goes against all of that. Charles County is losing the quiet, rural feel that made it so special. Please deny the extension and let the land stay as it was meant to be. We need to stop the sprawl before there's nothing left to protect. Thank you for your consideration! Keep rural land rural!

### **Upload File(s)**

Thank you,  
**Charles County, MD**

---

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**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Monday, July 28, 2025 3:04:28 PM

---

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**Planning Commission Public Comment and Speaker Registration Form**

**Submission #:** 4219766  
**IP Address:** 174.216.176.251  
**Submission Date:** 07/28/2025 3:04  
**Survey Time:** 5 minutes, 46 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

**Please Choose One:**

Submit a Public Comment

**Read-Only Content**

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

**Agenda Items**

Open Record Item - Please Choose From Dropdown List Below

**Agenda Items**

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

**Name**

joslyn graves

**Address**

13094 Halloran Ln  
Charlotte Hall, Maryland 20622

**Phone**

(301) 710-8574

**Email**

joslyngraves16@gmail.com

**Comment**

I completely disapprove of this extension. This county does not need anymore, cheap, quickly made housing. The amount of apartments, townhomes, and houses that have gone up around the Charles County area is ridiculously

large. This county needs more community based construction. More parks, pools, rec centers, etc. Bring a new mall, a new hospital. Anything but housing. The traffic and the hospital/ER wait times have gotten extremely out of hand. You can't even go to the ER for anything less than 5 hours. Forget trying to get through Charles County quickly anymore. Everywhere you go there is traffic and more accidents. You people are setting this county up to fail. Finally listen to what the people are saying and quit approving housing. No one wants more people here.

**Upload File(s)**

Thank you,  
**Charles County, MD**

---

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**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Saturday, July 26, 2025 1:23:59 PM

---

**[External Content Warning]** This message is from an external sender. Please exercise caution when opening attachments and hover over any links before clicking.

#### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4216278  
**IP Address:** 108.56.246.223  
**Submission Date:** 07/26/2025 1:23  
**Survey Time:** 3 minutes, 52 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

#### Please Choose One:

Submit a Public Comment

#### Read-Only Content

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

#### Agenda Items

Open Record Item - Please Choose From Dropdown List Below

#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Lindsay Cox

#### Address

225 Buckeye Cir  
La Plata, MD 20646

#### Phone

(301) 653-0577

#### Email

lindsay\_c19@yahoo.com

#### Comment

Please vote against the extension for Piney Branch Estates. This project will add further stress on our beautiful county. This project will negatively impact the current water supply, will jeopardize the public spring that is currently

used by so many citizens for fresh water, will tax the already understaffed fire/ems/police resources, and will add more stress to the school system.

**Upload File(s)**

Thank you,

**Charles County, MD**

---

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**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Thursday, July 31, 2025 4:11:09 PM

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**Planning Commission Public Comment and Speaker Registration Form**

**Submission #:** 4229128  
**IP Address:** 96.244.126.95  
**Submission Date:** 07/31/2025 4:11  
**Survey Time:** 5 minutes, 13 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

**Please Choose One:**

Submit a Public Comment

**Read-Only Content**

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

**Agenda Items**

Open Record Item - Please Choose From Dropdown List Below

**Agenda Items**

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

**Name**

Adam Fitzpatrick

**Address**

4872 Gallant Green Rd  
Waldorf, md 20601

**Phone**

(301) 643-9831

**Email**

adam.fitz@yahoo.com

**Comment**

NO NEW DEVELOPMENT.

**Upload File(s)**

Thank you,  
**Charles County, MD**

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**7/31/2025**

**To:** Charles County Planning Commission  
Attn: Kevin Wedding, Chairman

**RE:** Piney Branch Estates Request for Modification (MOD 104) to Allow an Extension Beyond the Current Expiration Date of August 19, 2026

**Testimony of The Conservancy for Charles County — Opposing the Extension Request**

The Conservancy for Charles County respectfully requests that you **deny** the extension request for the Piney Branch Estates preliminary subdivision plan, for the following substantive reasons:

**1. Applicant Does Not Meet the County’s MOD 104 Exception Criteria (§ 278-104)**

The Planning Commission may grant a MOD 104 only in cases of exceptional, property-specific hardship not generally applicable to other properties:

- **School seat allocations are not unique:** All subdivisions in Charles County must contend with school seat allocation delays. This is a universal issue and does not constitute a property-specific hardship.
- **The asserted hardship is not “exceptional”:** While the late change in percolation requirements by the Health Department created a challenge, adapting to regulatory changes over a 12-year approval window is foreseeable and affects many applicants over time. Most of this project delays result from the applicant’s own pacing and sequencing, not solely from the last-minute Health Department rule adjustment.
- **Not consistent with public policy or the Comprehensive Plan:** Granting the exception would undermine both the subdivision regulations and the 2016 Comprehensive Plan, which together prioritize conservation of Tier IV and sensitive lands, and require older, unbuilt subdivisions to meet modern standards. Public comments have all expressed strong opposition to further extension of this plan.
- **Would create a special privilege:** Extending a major project after expiration, without having met required progress benchmarks, would be a special privilege not afforded to other applicants in similar circumstances. The purpose of the vesting criteria is to ensure that only those projects demonstrating substantial progress may proceed.

**2. Failure to Meet County Subdivision Vesting Criteria (§ 278-35, et seq.)**



Clear, objective thresholds must be met for a subdivision to “vest” and continue without further extensions:

- **No Lots Recorded:** Despite many years of opportunity, none of the 49 lots have been recorded in county land records. Pending applications or staff review do not satisfy this requirement; official recordation is mandatory.
- **No Substantial Physical Improvements:** There is no evidence of physical site work, such as road construction, grading, or utility installation. County staff reports and satellite imagery confirm the site remains undisturbed.
- **Fails both vesting tests:** Without at least 25% of lots recorded and substantial physical improvements completed, the project fails the tests necessary for continuation. By both code and precedent, this plan does not qualify for another extension and should expire as intended.

### 3. Consistency with the 2016 Charles County Comprehensive Plan Requires Denial

- **Growth and conservation policy:** The property is designated Tier IV—a rural conservation and resource protection area. The Comprehensive Plan directs new growth to designated infrastructure-served areas and restricts major subdivisions in places like this. Current County rules limit subdivisions in Tier IV areas to minor subdivisions (up to seven lots). Letting the grandfathered approval expire, and requiring compliance with updated standards, is far more consistent with the County’s vision for growth management and conservation.
- **Obsolete entitlements should expire:** Allowing the grandfathering provision to lapse, rather than extending a plan that no longer aligns with modern land use policies, directly supports the plan’s intent to protect community, natural, and fiscal resources.

### 4. Environmental Risks and Loss of High-Value Natural Assets

- **Tier II High Quality Waters (No Assimilative Capacity):** This property impacts Tier II streams that have no remaining capacity for additional pollution. Any development puts these rare, protected water resources at unlawful risk of degradation.
- **Significant ecosystem service value:** The parcel’s forests, wetlands, and open space provide ecosystem services—clean water, flood protection, carbon sequestration, wildlife habitat—valued at over **\$549,000 annually** (per Maryland Department of Natural Resources GreenPrint). These benefits would be irreversibly lost if this major subdivision proceeds.
- **Located in the Northern Zekiah Swamp Rural Legacy Area:** The state and county’s intent for this designation is to preserve exceptional ecological, scenic, and environmental values. The approval of new major development or extensions for plans that have not vested would defeat the Rural Legacy Area’s conservation purpose, undermine land preservation investment, and jeopardize irreplaceable natural resources.

## 5. State Policy and Purpose of SB236

- **SB236 (Sustainable Growth and Agricultural Preservation Act):** Enacted to protect water quality, limit sprawl, and channel development to appropriate, infrastructure-served areas. Tier IV's restrictions reflect Maryland's highest conservation priorities, and this property's inclusion in Tier IV mirrors its documented natural resource value and rural character. Under today's policies, only minor subdivisions would be allowed.

## 6. Upholding the Public Interest

Allowing development under obsolete, less protective standards contradicts Charles County's current land use, environmental, and public health priorities. The Comprehensive Plan, SB236, and the County's own vesting criteria are designed to safeguard both the environment and responsible growth for the future. Letting this plan expire will reaffirm the County's commitment to those principles and protect significant environmental and community assets for generations to come.

### In summary:

Piney Branch Estates has not met the fair and objective vesting requirements established by law. Granting a further extension would perpetuate outdated entitlements and undermine core planning, conservation, and fiscal goals. The public interest—and the clear intent of county and state policy—call for denial of this extension.

Thank you for your commitment to upholding Charles County's principles and protecting our shared future.

Respectfully submitted,

### The Conservancy for Charles County

Hal Delaplane, President

[hal@conservecharles.org](mailto:hal@conservecharles.org)



**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Thursday, July 31, 2025 3:40:53 PM

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**Planning Commission Public Comment and Speaker Registration Form**

**Submission #:** 4229031  
**IP Address:** 73.132.34.184  
**Submission Date:** 07/31/2025 3:40  
**Survey Time:** 53 minutes, 40 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

**Please Choose One:**

Submit a Public Comment

**Read-Only Content**

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

**Agenda Items**

Open Record Item - Please Choose From Dropdown List Below

**Agenda Items**

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

**Name**

Hal Delaplane

**Address**

Po Box 1358  
Waldorf, MD 20604

**Phone**

(301) 932-5714

**Email**

hal@conservecharles.org

**Comment**

The Conservancy for Charles County testimony is attached below.

**Upload File(s)**

[CCC testimony for Piney Branch Estates.pdf](#)

Thank you,

**Charles County, MD**

---

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**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Thursday, July 31, 2025 2:45:24 PM

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**Planning Commission Public Comment and Speaker Registration Form**

**Submission #:** 4228850  
**IP Address:** 73.132.34.184  
**Submission Date:** 07/31/2025 2:45  
**Survey Time:** 4 minutes, 56 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

**Please Choose One:**

Submit a Public Comment

**Read-Only Content**

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**Agenda Items**

Open Record Item - Please Choose From Dropdown List Below

**Agenda Items**

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

**Name**

Howard Dent

**Address**

14725 Bank O'Dee Road  
Newburg, MD 20664

**Phone**

(301) 259-0503

**Email**

hmdent3@yahoo.com

**Comment**

To: Planning Commission, Charles County; Kevin Wedding, Chair Re: Piney Branch Estates Request for Modification (MOD 104) to Allow an Extension Beyond the Current Expiration Date of August 19, 2026 Deadlines are imposed for

a reason, and deadlines need to be followed. Piney Branch Estates has had 12 years to comply with its deadline. They have not done so. What is the benefit to the County and the environment to extend their deadline another year? They have had 12 years, and they have not complied. The public seems to be overwhelmingly opposed to this extension. Enough is enough. Turn this request down. Thanks for your consideration in the matter. Howard Dent

**Upload File(s)**

Thank you,  
**Charles County, MD**

---

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**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Thursday, July 31, 2025 9:25:08 AM

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#### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4227842  
**IP Address:** 76.106.76.180  
**Submission Date:** 07/31/2025 9:25  
**Survey Time:** 41 minutes, 26 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

#### Please Choose One:

Submit a Public Comment

#### Read-Only Content

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

#### Agenda Items

Open Record Item - Please Choose From Dropdown List Below

#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Andre Capoen

#### Address

11725 ENGLEWOOD DR  
LA PLATA, MD 20646

#### Phone

(240) 349-2672

#### Email

andre\_capoen@comcast.net

#### Comment

There are myriad of reasons as to why this extension for this subdivision should not be granted, starting with the applicant's failure to meet the minimum requirements demonstrating that this subdivision will improve the area as

it will be adjacent to the Zekiah Swamp watershed. The State of Maryland has already stated that the area cannot support it and the expected runoff caused by the subdivision. The applicant has only submitted the engineering report for 15 of the 49 proposed lots. There are only enough schools to support those 15. Granting this extension also sets a precedent showing that any applicant can drag their feet in the development process, expecting the county to grant never ending extensions when the delays are caused by the developer not by the county.

**Upload File(s)**

Thank you,  
**Charles County, MD**

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**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Thursday, July 31, 2025 9:26:50 PM

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#### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4230067  
**IP Address:** 74.96.211.83  
**Submission Date:** 07/31/2025 9:26  
**Survey Time:** 10 minutes, 35 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

#### Please Choose One:

Submit a Public Comment

#### Read-Only Content

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

#### Agenda Items

Open Record Item - Please Choose From Dropdown List Below

#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Catherine Anderson

#### Address

5895 Breezy Hill Place  
Waldorf, Maryland 20602

#### Phone

(301) 932-0016

#### Email

ctanderson@starpower.net

#### Comment

This extension must be denied. The property is in a sensitive area that needs to be protected not decimated. I sincerely hope the Staff of the Planning Commission looks at the overwhelming response on Facebook to the articles

published by The BayNet. There were several hundred and all opposed to the extension. It is a real eye opener and a really good expression of the public concerning this matter. Please do the right thing and deny this request.

**Upload File(s)**

Thank you,

**Charles County, MD**

---

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**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Thursday, July 31, 2025 6:35:07 PM

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#### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4229608  
**IP Address:** 76.106.69.210  
**Submission Date:** 07/31/2025 6:35  
**Survey Time:** 12 minutes, 37 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

#### Please Choose One:

Submit a Public Comment

#### Read-Only Content

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

#### Agenda Items

Open Record Item - Please Choose From Dropdown List Below

#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Bill Fitzpatrick

#### Address

101 South Wiltshire Court  
La Plata, MD 20646

#### Phone

(301) 653-2827

#### Email

billyfitzjr@comcast.net

#### Comment

Traffic on 488, at this time, is already heavy and adding more developments needing access would bring added concern for safety entering the highway.

**Upload File(s)**

Thank you,  
**Charles County, MD**

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**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Thursday, July 31, 2025 6:00:50 PM

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#### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4229505  
**IP Address:** 174.254.211.84  
**Submission Date:** 07/31/2025 6:00  
**Survey Time:** 4 minutes, 18 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

#### Please Choose One:

Submit a Public Comment

#### Read-Only Content

**Please Note: Information submitted is considered public information under the Maryland Public Information Act.**

#### Agenda Items

Open Record Item - Please Choose From Dropdown List Below

#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Cindy Adams

#### Address

37505 Terry swann lane  
Mechanicsville, MD 20659

#### Phone

(240) 398-4206

#### Email

cindy.homan@yahoo.com

#### Comment

No new developments!!! project doesn't align with Charles County's current planning goals. According to the county's 2024 housing report, growth is to be concentrated within Priority Funding Areas (PFAs). Piney Branch

Estates is outside these areas. Extending approval for projects counter to long-term planning priorities undermines strategic development.

**Upload File(s)**

Thank you,

**Charles County, MD**

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**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Thursday, July 31, 2025 5:06:17 PM

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#### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4229336  
**IP Address:** 141.156.138.144  
**Submission Date:** 07/31/2025 5:06  
**Survey Time:** 17 minutes, 54 seconds

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#### Please Choose One:

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#### Agenda Items

Open Record Item - Please Choose From Dropdown List Below

#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Patricia Adams

#### Address

5910 Fenwick Rd  
Bryans Road, Bryan's Road 20616

#### Phone

(240) 285-4399

#### Email

tkirk625@netscape.net

#### Comment

La plata was once a beautiful little town, 488 was a breathtaking road that while driving down, made you feel like you were in a different time with the rolling pastures, wooded areas, and farm land. Now, 2025 the powers that be

have allowed building to happen on just about every inch of green space. For those of us on the outside looking in it appears the "Charles County Green Space Initiative" is just smoke and mirrors. I understand this project was approved many years ago however I also understand that they have missed deadline after deadline. Many other projects have been approved and are already in the works, which is putting a major environmental toll on the area. These additional lots and homes will only stress the area even more. The traffic, the hospitals, the schools, ect. We do not need more building. The infrastructure is not here. Please don't allow this.

**Upload File(s)**

Thank you,  
**Charles County, MD**

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**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
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**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Thursday, July 31, 2025 5:01:04 PM

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**Planning Commission Public Comment and Speaker Registration Form**

**Submission #:** 4229323  
**IP Address:** 108.51.157.166  
**Submission Date:** 07/31/2025 5:00  
**Survey Time:** 3 minutes, 13 seconds

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**Please Choose One:**

Submit a Public Comment

**Read-Only Content**

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**Agenda Items**

Open Record Item - Please Choose From Dropdown List Below

**Agenda Items**

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

**Name**

Thaddeus Rose

**Address**

11275 Berry Road  
Waldorf, MD 20603

**Phone**

(571) 236-6483

**Email**

thaddeus.rose@gmail.com

**Comment**

No new development

**Upload File(s)**

Thank you,  
**Charles County, MD**

---

**This is an automated message generated by Granicus. Please do not reply directly to this email.**

July 31, 2025

Charles County Planning Commission  
200 Baltimore Street  
La Plata, MD 20646

RE: \*OPPOSE\* PINEY BRANCH PRELIMINARY SUBDIVISION

Dear Planning Commission

I am writing to express my strong opposition to the proposed Piney Branch Subdivision on La Plata Road. I have lived on La Plata Road for 30 years, the increase in Housing and Development has also increased the amount of traffic.

The increase in population density has put a strain on the already overburdened infrastructure. Leading to increased traffic congestion, noise pollution and a strain on our public services. The construction of the proposed 50+ home project would result in environmental damage, destroying natural habitats and putting wildlife at risk. It would alter the aesthetic of the area, replacing the existing greenery and open spaces.

I am concerned about what this development would have on the surrounding properties. The influx of new housing could result in a decline in property values, making it difficult for current residents to sell their homes.

In conclusion, I strongly urge you to reconsider this proposed housing development. This project is not the right fit for our area. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Charles D Carruth II".

Charles D Carruth II  
12230 La Plata Road  
Waldorf, MD 20602

**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Thursday, July 31, 2025 5:58:18 PM

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**Planning Commission Public Comment and Speaker Registration Form**

**Submission #:** 4229500  
**IP Address:** 71.191.23.198  
**Submission Date:** 07/31/2025 5:58  
**Survey Time:** 41 minutes, 1 second

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**Please Choose One:**

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**Agenda Items**

Open Record Item - Please Choose From Dropdown List Below

**Agenda Items**

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

**Name**

Charles Carruth II

**Address**

12230 Laplata Rd  
Waldorf, MD 20602

**Phone**

(301) 518-5302

**Email**

carr3boys@gmail.com

**Comment**

Please see attached file.

**Upload File(s)**

[Piney Branch Subdivision.pdf](#)

Thank you,  
**Charles County, MD**

---

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Please deny the Piney Branch Estates Request for Modification. The request does not align with the County's Comprehensive Plan nor the current Rural Conservation zoning requirements. As a lifelong resident of Charles County, the continued destruction of the environment and degradation of quality of life for residents is unacceptable.

A goal of the Comprehensive Plan is to conserve large tracts of contiguous forest land and forest interior dwelling bird habitat. Interior habitat is considered forest that is 300 feet from the forest edge, which is suitable for FIDS. According to the Maryland DNR Greenprint, this property is considered a Tier 1 designation in the biodiversity conservation network scale, which indicates that this property is CRITICALLY significant for biodiversity conservation. Natural Resource Protection Policy number 5.8 in the Comprehensive Plan states that the county will utilize the state of Maryland's Greenprint maps for targeted ecological areas as a guide to focus conservation efforts in Charles County. This property must be preserved, not deforested.

This property directly impacts the Zekiah Swamp, which is considered one of the most important habitats in the entire Mid-Atlantic region. The continued overdevelopment and suburban sprawl allowed by the County has already irreparably damaged Zekiah Swamp and any future damages must be avoided. Preservation of this natural area will organically assist in mitigating the most intense negative effects of climate change, such as flooding and extreme heat.

Additionally, suburban sprawl is a drain on the County finances and will result in a financially insolvent neighborhood. Not only will this neighborhood likely experience extreme flood risk due to proximity to Zekiah Swamp, but there will also likely be issues with clean water and sewage as this property is not connected to any public infrastructure. La Plata Rd is already dangerous and is becoming worse from the Lennar developers, this is a main route to the only hospital in the County, and adding more houses and traffic in this rural area will lead to increased accessibility issues and costs to maintain critical County infrastructure. This would be another car dependent neighborhood in the County, adding more traffic and pollution.

Deny the Piney Branch Estates Request for Modification to protect current and future County residents.

**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Thursday, July 31, 2025 9:43:44 PM

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**Planning Commission Public Comment and Speaker Registration Form**

**Submission #:** 4230096  
**IP Address:** 74.96.211.201  
**Submission Date:** 07/31/2025 9:43  
**Survey Time:** 3 minutes, 1 second

You have a new online form submission.

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**Please Choose One:**

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**Agenda Items**

Open Record Item - Please Choose From Dropdown List Below

**Agenda Items**

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

**Name**

Molly Pinkas

**Address**

129 Tall Grass Ln  
La Plata, MD 20646

**Phone**

(301) 752-9035

**Email**

mollypinkas@yahoo.com

**Comment**

Please see the attached document. Thank you!

**Upload File(s)**

[Piney Branch Estates\\_Public Comment\\_073125.docx](#)

Thank you,

**Charles County, MD**

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## **To the Planning Commission:**

The decision of whether to grant an extension to the Piney Branch Estates preliminary plan through a Section 278-104 modification could not be clearer. The applicant's request fails to meet the six legal criteria required for approval, as demonstrated through direct citations of the subdivision regulations and a factual record that is both straightforward and compelling.

Piney Branch Estates was allocated sufficient school seats to proceed with the currently submitted plan in April 2022. Yet, the applicant did not begin coordinating with its engineer to advance the final plans until the end of 2023—an 18-month delay with no substantive progress. This inaction is entirely self-created. Approving an extension under these circumstances directly violates the requirement that a modification request cannot be based on conditions that are self-imposed or the result of applicant inaction.

Moreover, the applicant's own consultant admitted that the delay was a strategic choice driven by financial considerations. This further violates the legal standard, which explicitly states that neither profitability concerns nor ignorance of applicable restrictions can justify a modification.

The request also runs counter to the current Comprehensive Plan, which no longer permits a major subdivision on this property. Thus, the proposal fails the fundamental requirement that any modification must be consistent with the Comprehensive Plan.

At the July 21, 2025 hearing, it was clear that at least half the Planning Commission recognized these deficiencies and were prepared to vote for denial. Yet, rather than allow the motion to deny—immediately seconded—to proceed to a vote, the Commission instead opted to hold the record open for two additional weeks to allow for more public comment.

The record already contains ample public input—both written and verbal, in person and by phone—despite the fact that the agenda was posted only six days before the meeting. Since the record was held open, public opposition has only grown, even without additional outreach from the Planning Commission requesting further comment. Notably, public feedback has been unanimous in opposing the extension.

In the Falcon Ridge case, the Commission rightfully weighed concerns about setting a dangerous precedent. The same caution applies here. Sunset provisions in land use regulations exist for a reason: to ensure that outdated, unexecuted approvals do not conflict with the evolving needs, values, and policies articulated in updated Comprehensive Plans and zoning codes.

If this case—so clearly failing to meet the six legal criteria—were to be approved, it would render future denials of 278-104 modifications legally indefensible. Why enforce standards in future cases if they are disregarded here? Why have the law at all?

On a more hopeful note, this case provides the Commission with an opportunity to affirm its commitment to sound precedent, lawful process, and public trust. The facts are clear. The legal

requirements are unmet. Deny the request. Let it be known that the Planning Commission upholds the laws of Charles County and serves the best interests of its residents.

Thank you,  
**Dennis Anderson, III**

**From:** [DO NOT REPLY - UNMONITORED ACCOUNT](#)  
**To:** [Planning Commission](#)  
**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Friday, August 1, 2025 12:16:21 AM

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#### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4230311  
**IP Address:** 71.246.222.82  
**Submission Date:** 08/01/2025 12:16  
**Survey Time:** 1 minute, 31 seconds

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#### Please Choose One:

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#### Agenda Items

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#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Dennis Anderson, III

#### Address

2228 R St. NE  
Washington, DC 20002

#### Phone

(301) 848-5839

#### Email

andersod33@gmail.com

#### Comment

Please find attached my letter in opposition to this extension request.

#### Upload File(s)

[Dennis Anderson, III Public Comment Letter - Piney Branch Estates.docx](#)

Thank you,

**Charles County, MD**

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**Date:** Thursday, July 31, 2025 10:40:29 PM

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#### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4230176  
**IP Address:** 74.96.211.201  
**Submission Date:** 07/31/2025 10:40  
**Survey Time:** 1 minute, 57 seconds

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#### Please Choose One:

Submit a Public Comment

#### Read-Only Content

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#### Agenda Items

Open Record Item - Please Choose From Dropdown List Below

#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Kenny Yekstat

#### Address

129 Tall Grass Lane  
La Plata, MD 20646

#### Phone

(301) 481-2256

#### Email

k.yekstat@gmail.com

#### Comment

Please vote NO on the request for extension for the Preliminary Subdivision Plan for Piney Branch Estates. From the evidence presented, it appears that this development has been plagued with problems, and proceeded with no

sense of urgency, even after receiving all school seat allocations. Expirations and deadlines exist for this very reason, and this project has already received extensions. Grandfathered approvals with endless extensions allow the development district to functionally expand, further increasing strain on infrastructure that must be maintained by the county, and sets a dangerous precedent to allow encroachments beyond its natural barrier of Rt 488, which further increasing threats to Protected Lands and the watershed of the Zekiah Swamp. In addition to the above, it is dubious that this new development would provide any benefit to the county, as it is yet another disjunct residential development contributing to suburban sprawl rather than a revitalization of already developed areas. These projects are designed to maximize profitability for land owners and developers, while dragging antiquated planning practices into present day. Again, please vote NO; this project is an excellent example of limits of grandfathering, and how the enforcement of expiration dates helps to align development practices to the goals of the county. The land owners are free to continue to use their property compliant to its RC zoning.

**Upload File(s)**

Thank you,  
**Charles County, MD**

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**Subject:** \*NEW SUBMISSION\* Planning Commission Public Comment and Speaker Registration Form  
**Date:** Friday, August 1, 2025 3:40:17 PM

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#### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4231921  
**IP Address:** 74.96.211.204  
**Submission Date:** 08/01/2025 3:40  
**Survey Time:** 10 minutes, 38 seconds

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#### Agenda Items

Open Record Item - Please Choose From Dropdown List Below

#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Mark Roberson

#### Address

12133 LaPlata Road  
Waldorf, Maryland 20602

#### Phone

(240) 682-1795

#### Email

markroberson56@gmail.com

#### Comment

The previous planning meeting made it quite clear that despite the request for yet another extension , due diligence has not performed to follow the dictate of and goals as prescribed by the growth plan. Too much at stake too little

accountability.

**Upload File(s)**

Thank you,

**Charles County, MD**

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**Date:** Friday, August 1, 2025 3:08:22 PM

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**Planning Commission Public Comment and Speaker Registration Form**

**Submission #:** 4231812  
**IP Address:** 50.231.147.162  
**Submission Date:** 08/01/2025 3:08  
**Survey Time:** 9 minutes, 28 seconds

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**Agenda Items**

Open Record Item - Please Choose From Dropdown List Below

**Agenda Items**

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

**Name**

Casey Fitzpatrick

**Address**

2656 Leslie Rd  
Mount Airy, Maryland 21771

**Phone**

(202) 491-1133

**Email**

cbfitz06@gmail.com

**Comment**

No new development. If development occurs on 488, will 488 soon become widened and 2+ lanes each way? Traffic is already bad enough at 488/Rt6 interchange. Is there sufficient drainage to address the adjacent new development

along St. Charles Pkwy? Water table issues? Continuing extensions will set precedent for future development delays throughout the county. Will school capacity (and fire/ems/hospitals) keep up with new development demand? Bryantown area has been home to large lots and farms for a long time. Keep the sprawl and development towards Waldorf.

**Upload File(s)**

Thank you,  
**Charles County, MD**

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**Date:** Friday, August 1, 2025 2:15:41 PM

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#### Planning Commission Public Comment and Speaker Registration Form

**Submission #:** 4231618  
**IP Address:** 71.191.26.18  
**Submission Date:** 08/01/2025 2:15  
**Survey Time:** 38 minutes, 10 seconds

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#### Agenda Items

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#### Agenda Items

Piney Branch Estates Preliminary Subdivision Plan, PLREV-250003, Record Closes 8/1/2025 @ 4:30 pm

#### Name

Mary Rita Bowling

#### Address

12955 La Plata Road  
Waldorf, MD 20602

#### Phone

(301) 274-3469

#### Email

mrbowling519@gmail.com

#### Comment

My concerns for adding more homes in our area are: 1.the water level (we have already re-dug our well once). 2. the sewage (no public sewage is available in our area). 3. the traffic and road in general (in spite of all the traffic and

construction , including new streets into St Charles and the stadium little has been done to improve the road for safety at the east end of road. We have had cars run off the road into our yard because there are no shoulders at our end of La Plata Road. Planners should know the area and its residents concerns before considering more growth and follow the rules equally for everyone.

**Upload File(s)**

Thank you,  
**Charles County, MD**

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LAW OFFICES OF  
**SUE A. GREER**

p. 301.934.7988 | f. 301.934.7989 | suegreerlaw.com

August 1, 2025

Amy Brackett  
Clerk to the Planning Commission  
200 Baltimore Street  
La Plata, Maryland 20646

**Re: Piney Branch Estates XPN #12-0016; Request for Modification 104**

Dear Ms. Brackett:

Thank you for the opportunity to respond to the questions raised by the Planning Commission members.

1. *Please respond to the specific points raised by Nancy Schertler as a part of her public comments during the July 21 meeting.*

Ms. Schertler raised two primary issues, each of which will be addressed below.

- (a) *Ms. Schertler contends that granting the Modification 104 violates the intent of the Subdivision Regulations “to avoid locking in obsolete plans that no longer reflect up to date standards for public health, safety, environmental protection and infrastructure. Approving an extension for Piney Branch Estates would contradict the intent to ensure all projects are subject to current requirements.”*

**Response:** Section 278-104 of the Charles County Subdivision Regulations empowers the Planning Commission to

***grant modifications from the strict application of these regulations when, by reason of exceptional narrowness, shallowness or shape of specific parcels of property or by reason of exceptional topographical conditions or other extraordinary situations or conditions of specific parcels of property, the strict application of these regulations would result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of said property.*** However, the Planning Commission shall not grant modifications that will substantially impair the intent, purpose and integrity of these regulations, or any County ordinance.

The inclusion of §278-104 is a recognition that the Subdivision Regulations cannot be written in a manner that anticipates or addresses every situation and circumstance. With that in mind, §278-104 was written to give the Planning Commission the ability to provide relief and/or the ability to

address such circumstances or situations which create unusual practical difficulties to, or exceptional or undue hardship upon, the owner of said property.

The Planning Commission has consistently considered and granted Modification 104 Applications to extend the expiration of Preliminary Plans. Examples of granting such relief include, but is not limited to the following plans: 2019 (Pre-Covid) Mill Springs Subdivision (*which involved only one issue- the delay in obtaining School Seat Allocations*), 2019 Bensville Acres/Bensville Crossing (*which was impacted by road access, economic recession, relocation of a gas line and inclement weather conditions*), 2021 Pinehurst Subdivision (*COVID-19, Supply Chain issues*) and, most recently, 2025 - Falcon Ridge (*which involved financial impacts stemming from COVID-19 and stormwater management code changes*). Thus, granting the Modification 104 is consistent with the intent of §278-104 and with the Planning Commission's prior actions and approvals.

Section 278-104 does not alleviate the Project's need to comply with current rules and regulations related to public health, safety and welfare. The County has consistently exercised its authority to withhold permits and approvals should it determine a project does not meet public health, safety and welfare standards.

Section 278-25(I)(2)(d) requires a "conformity review" for additional extensions of time beyond eight years. One of the primary purposes of the Conformity Review is to ensure that the project meets all current regulations, to include compliance with adequate public facilities. For that reason, §278-25(I)(2)(d) provides that this review "*shall be consistent with that of a new preliminary plan.*" In addition to the conformity review, the engineering plans currently approved or under review with the County and the State were and are reviewed against current regulations. Piney Branch Estates was subject to a Conformity Review in 2021. This was reviewed and approved by the Planning Commission. Additionally, all plans currently reviewed or under review with the County and/or the State have been in accordance with current regulations.

*(b) Ms. Shertler statement implies that granting the Modification 104 is not consistent with the designation in 2016 of the area in which the Project is located as a Tier 4 Septic area.*

**Response:** Again, the Planning Commission has granted Modification 104 for projects where regulations related to the use or zoning of the land has changed. For example, the Planning Commission approved a Modification to extend the Mill Spring Subdivision preliminary plan by two (2) years because the project had to wait for School Seat Allocations. Mill Spring Subdivision was located on land zoned Agricultural Conservation (AC) and, like Piney Branch Estates, was subsequently designated as a Tier 4 Septic Tier.

Most recently, the Planning Commission granted a Modification 104 to extend the expiration date for the Falcon Ridge Subdivision. The Falcon Ridge Subdivision is located on property which was re-zoned to Watershed Conservation District ("WCD") and designated as a Tier 4 Septic. The rezoning of the property, down zoned the Falcon Ridge property to 1 per 20 acres. Despite the re-

zoning and designation of the property in a Tier 4 Septic, the Planning Commission granted the Modification 104.

In the present case, the Piney Branch Estates property is located in a Tier 4 Septic but remains zoned Rural Conservation (“RC”). The RC zone “maintains low-density residential development, preserves the rural environment and natural features and established character of the area.” The RC permits a base density of .33 per acre. The Piney Branch preliminary plan implements the intent of the RC Zone by providing low residential density in the form of large lots, with 115.8 acres of forest conservation or 55.5% preservation of green space. This is consistent with neighboring subdivisions.

2. *Explain the rationale for not pursuing a recorded engineering plat in 2022 after 24 school seats were granted, and again in 2023 during trust deliberations after all school allocations were received.*

**Response:** The Preliminary Plan approved in 2013 did not permit phasing (Phasing is consistent with moving forward with a limited number of School Allocations. Note Number 27 on the Preliminary Plan states, “The proposed project shall be designed and constructed in one stage. No sub-phasing is proposed.” When the owner was presented the option of and possibility moving forward with phasing, the owner directed his consultants to move forward in such a fashion.

School Seat Allocations were received in three increments; 2021- 8 Allocations, 2022 -16 Allocations and 2023 – 25 Allocations. Similar to the Falcon Ridge Modification 104 approved by the Planning Commission in March of 2025, this project has evolved during a time of economic uncertainty related to the world events, such as COVID-19 and changing regulations. The Piney Branch Estates project waited for 8 years to obtain the initial Allocations, with no certainty as to when or if the Project would be granted future and full allocations. For example, the School APF Eligibility List for 2022 listed the Project’s corresponding Middle School, Milton M. Somers at 0 capacity. This economic uncertainty impacted financial institutions and financing and the ability to move forward with a limited number of school seats without certainty as to further entitlements. While the Applicant certainly understands comments made by Planning Commission members during the July 21<sup>st</sup> Planning Commission Meeting, the Planning Commission took such similar circumstances into consideration when granting Modification 104 approvals for Mill Spring Subdivision, the Bensville Acres/Bensville Crossing Subdivision, the Pinehurst Subdivision and the Falcon Ridge Subdivision. Again, when the Applicant was presented with the possibility of phasing, the Applicant so directed his consultants.

Upon receipt of all of the requisite School Seat Allocations, the Applicant began moving forward in good faith with engineering and other development related tasks. This was brought to a temporary halt with the passing of Peggy Dobson. Her passing necessitated the resolution of legal

issues to provide authority for the Project to move forward. Following the resolution of the Trust issues and as noted in the Application the Applicant continued to undertake good faith efforts which “included, but were not limited to, final engineering, the Step 2 Site Stormwater Management Plan, initiation of the Development Services Permit (“DSP”), initiation of Final Plats, preparation of requisite dedication documents, initiation of the Maryland State Highway construction permit, recertification of the Forest Stand Delineation, updating the Forest Conservation Plan, updating the traffic impact study, completion of an Archeological/Historical Study and coordination with the La Plata Volunteer Fire Department regarding on-site fire suppression. Between 2024 and 2025, the Applicant expended almost \$600,000.00 accomplishing the steps necessary to achieve a final plat of subdivision.”

These steps were upended by the May 5, 2025, Charles County Health Department (“CCHD”) adoption of 2025 OSSD Guidance Document #7, entitled “On-Site Systems Division, Wastewater Pollution Prevention and Reclamation Program, Water and Science Administration” (“May 2025 Document #7”). To my knowledge, none of the other projects for which Modification 104 extensions were granted involved such drastic and impactful change in regulation. For this reason, Staff’s support of the Modification 104 is significant and should not be dismissed.

During public comment, one speaker referenced a contractual offer made to the owner of the property. Such information is not relevant to the determination before the Planning Commission. Therefore, it is not appropriate for the Applicant to set forth the merits, details and associated contingencies of such an offer. Rather, the Applicant would simply note that the Applicant does not agree with representations as set forth by the speaker.

As previously noted, the issue before the Planning Commission is not the approval of a subdivision. The subdivision has been approved and the lots have been programmed into the County’s development plan. Rather, the issue is the unique circumstances, which cumulatively, have impacted this project and created the practical difficulties and/or undue hardship.

Thank you for your time and consideration.

Respectfully,



Sue A. Greer

cc: File

Client



# Item Cover Page

## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** August 4, 2025

**SUBMITTED BY:** Amy Brackett

**ITEM TYPE:** Discussion

**AGENDA SECTION:** UNFINISHED BUSINESS: No Public Comments

**SUBJECT:** **Draft Affordable Housing Strategy**

Planning Commission members will provide feedback to staff on the drafted Affordable Housing Strategy.

**Staff:** Joel Binkley, AICP, Planning Supervisor

**SUGGESTED ACTION:**

**ATTACHMENTS:**

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## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** August 4, 2025

**SUBMITTED BY:** Amy Brackett

**ITEM TYPE:** Administrative

**AGENDA SECTION:** NEW BUSINESS: No Public Comments

**SUBJECT:** **Poll of the Planning Commission Members for New Business**

**SUGGESTED ACTION:**

**ATTACHMENTS:**