

**Indian Head Planning Commission Meeting Minutes**  
**Indian Head Pavilion**  
**February 21, 2018**

Michael Pellegrino called the Planning Commission meeting to order at 7:00p.m. Members in attendance:

Michael Pellegrino, Chairman  
Warren Bowie  
Wayne Higdon  
Anita Sampson

Staff in attendance:  
Scott Longstreth, Zoning Administrator  
Ryan Hicks, Town Manager  
Andrea Brady, Clerk

Approval of Meeting Minutes for December 20, 2017– Chairman Pellegrino had one comment in reference to the presented minutes, to change light longer to lighter longer. Chairman Pellegrino requested a motion to approve the minutes as amended. Warren Bowie made a motion to approve the minutes as presented. Anita Sampson seconds the motion. Motion carried.

Critical Area Commission Zoning Update – Scott Longstreth prepared an updated Critical Area Ordinance to be incorporated into the Town’s Zoning Ordinance because it was requested by the Critical Area Commission. The draft was put together after meeting with the Jennifer Esposito from the Critical Area Commission and the Town Manager. The draft Ordinance is what would replace the current Critical Area section in the Zoning Ordinance. Mr. Longstreth explained that there isn’t much difference to the current section in the Ordinance. The draft contains all edits/notations to allow the Commission to see what was changed. Mr. Longstreth explained that the Commission can make a recommendation to the Council, but the Council would be the ones to actually amend the Critical Area portion of the Zoning Ordinance. Mr. Longstreth explained that the change came up due to the buffer removal done on Mattingly Avenue. Town Manager Hicks gave background information on the situation that occurred along the creek, around 40 linear feet on Town owned property. There will be signage put in place and meetings with the HOA in reference to the violation. Since the Town did not witness the violation it is unclear who is responsible. The Planning Commission would like to be informed when critical area violations take place. Mr. Bowie suggested the Town put together a welcome package for new residents in Town to help them understand things like the critical area. The Commission briefly discussed a future proposed home to be built in the Critical Area on Sixth Street. Warren Bowie made a motion to approve the critical area ordinance as presented and recommend approval by the Council. Anita Sampson seconds the motion. Motion carried. The approved ordinance will be incorporated into the Zoning Ordinance pending Council approval.

Sign Ordinance – Chairman Pellegrino explained that at the MD Planning Commission Conference there was a discussion on sign regulations and as a result Chairman Pellegrino reviewed the Town’s existing Sign Ordinance and highlighted sections to be reviewed by the

Planning Commission (see attached). When excluding signs based upon the message, or based on sign size with varying amounts of time they are able to be displayed it can potentially be considered unconstitutional. Chairman Pellegrino discussed a case that took place in Texas that went all the way to the Supreme Court and resulted in a ruling that the sign ordinance was against first amendment rights. Mr. Longstreth had a fellow engineer look at the Town's sign ordinance, and Mr. Longstreth agrees with Mr. Pellegrino that the ordinance does need to be simplified. The Commission discussed the regulations on political signs and the required \$50 deposit and the issues that the Town of La Plata had with their sign ordinance. Chairman Pellegrino's concern is with the constitutionality of the ordinance. Town Manager Hicks will send the ordinance to the Town's attorney for his comment. The Commission discussed enforcement of the ordinance that addresses the signs for closed businesses. Town Manager Hicks stated that a municipal infraction could be issued as part of enforcement, but the infraction does not bring the sign down. Town Manager Hicks will also ask the Town's attorney for input on enforcement. The item was placed on the table for future action.

Comp Plan Review: Chapter 3, Environmental Element – The Commission discussed the matrix for Chapter 3 of the Comprehensive Plan (see attached).

Review of Draft Town of Indian Head History – Mr. Higdon stated that the portion that states the Town is positioned across the river from Mount Vernon is not correct since Mount Vernon is further up. The Commission agreed this would need to be updated to remove that statement and just state that the Town parallels the Potomac River. Mr. Higdon discussed the origination of the Town's name and the possibility that it may be due to the shape of the Town from an aerial view. The topic is tabled for future discussion. The Commission members will take more time to review the proposed history section and will submit all comments to be reviewed by Mr. Blake so he can edit his original document. Mr. Longstreth stated that the Commission will also need to decide what portion of the first chapter this drafted history will replace. The draft will potentially be a complete replacement. The comments are due a week prior to the March meeting and Mr. Blake will set the time frame for an updated draft.

Chapter 4 of the Comp Plan will be sent to the Commission members for review and comment and Town Clerk Brady will check in with the Commission on when they will feel prepared to discuss it.

Mr. Longstreth recently had a swimming pool application and found that it is not addressed in the Zoning Ordinance and suggested that the Commission may want to review that and consider adding it as an accessory use. Mr. Longstreth will look into how other municipalities address this, and will make a formal suggestion to the Commission. The Commission is not sure that it needs to be addressed by the Commission since it is addressed by building codes but asked for Mr. Longstreth to provide additional information.

The Commission asked if there were any Town updates from the Town Manager. The Town Manager does not have a current update on the Ely property, but did explain that the college will not be purchasing any property, they will have a lease. There are state agencies involved right now with the hazard mitigation and funding for demolition.

Ms. Sampson asked if natural gas is available in Indian Head. Town Manager Hicks explained that Washington Gas is available at a cost for connection. River Watch will be the first neighborhood to have natural gas, the neighborhood being developed by Rainbow Construction will be the second. It is important to get your neighbors involved to help cut down the cost for connection.

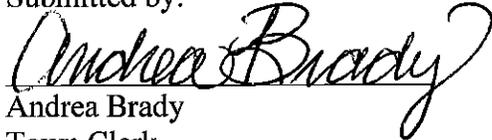
The developers have purchased the property on Seventh Street, but there has been no further movement with the project at this time.

Rainbow Construction has the permit for the model home and has started work. There will be 9 homes total.

No updates on CIRI at this time.

Without further comment, Chairman Pellegrino requested a motion to adjourn. Warren Bowie made a motion to adjourn. Wayne Higdon seconds the motion. Motion carried. Chairman Pellegrino adjourned the meeting at 8:06pm.

Submitted by:

  
Andrea Brady  
Town Clerk

6/20/18  
Date