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Baltimore County Planning Board
March 1, 2007

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Minutes
March 1, 2007

Call to order, introduction of Board members, pledge of allegiance to the Flag, and announcements

Chair, Frank O. Heintz, called the regularly scheduled meeting of the Baltimore County Planning Board to order at 4:00 p.m. The following members were:

Present

Mr. Randall Cogar
Dr. Robert Gregory
Mr. Wayne C. McGinnis
Mr. Aaron E. Dock, Sr.
Ms. Donna G. Flynn
Mr. H. Edward Parker
Mr. Dennis P. Hoover
Mr. Dean Hoover
Mr. R. Craig Witzke, Jr
Mr. Robert J. Palmer

Absent

Mr. Paul G. Miller
Ms. Dorothy Foos
Mr. Gordon K. Harden, Jr.
Mr. Gerard Wit

County staff present included Arnold F. 'Pat' Keller, III, Jeffrey W. Long, Lynn Lanham, Curtis Murray, Barbara Weaver, Krystle Patchak, Jeff Mayhew, Kathy Schlabach, Jackie MacMillan, Caren B. Hoffberger from the Office of Planning; Darrell Wiles, Chief, and Keith Link, Program Manager, the Department of Traffic Engineering and Transportation Planning; and David Thomas, Assistant to the Director of Public Works.

Mr. Heintz noted that an update to the Amendment Cycle 24 – Water & Sewer Plan, Summary of Results, March 1, 2007 along with a correction to the 2007 Transportation Basic Service Map was distributed to the Board members by Mr. Thomas. These updates are filed as Appendix I.

Special Presentation
Update on Traffic Calming,
Darrell Wiles, Department of Traffic and Transportation

Mr. Wiles, along with Mr. Link, updated the Board members on the Neighborhood Traffic Management Program. By way of background, Mr. Wiles outlined how the program was developed in 2003 in response to citizen concerns. The process involved a Planning Board Committee, citizens' advisory groups, hearings, and ultimately the County Council. Traffic Calming focuses on local residential streets and gives priority to speeding and cut through cases that meet the outlined criteria..

Using his report/PowerPoint presentation, Mr. Wiles noted that since, 2003, completed projects equal 49. Applications far outweigh the projects underway. However, as Mr.

Wiles explained, there are criteria that must be met before an application can move forward, including neighborhood commitment and assessment of traffic speed and volume. Among types of Traffic calming devices installed are: Speed Humps, Diversion islands, traffic circles and street trees. The average cost per project is \$25,000.

Questions were addressed regarding the disparity of the number of applications/projects in various districts. Part of the explanation involved geographic distribution and narrower streets, which translate into slower traffic. At this time criteria will not be revised until there is a surplus of project funds.

The Board expressed keen interest in working with the Department of Traffic and Transportation to look at the Traffic Calming program, assess projects, procedures, criteria, and citizen input. Mr. Dennis Hoover will chair a Board Sub-Committee. Members Mr. Parker, Ms. Foos and Mr. Cogar will join him.

Review of today's Agenda

The Revised Tentative Agenda is filed as Appendix A.

Minutes of the February 1, 2007 meeting

Mr. Parker moved the acceptance of the Minutes of the February 1, 2007 meeting as circulated. Mr. Dennis Hoover seconded the motion, which passed by acclamation. Absent were Ms. Foos, Messrs. Harden, Miller, and Wit. The Minutes are filed as Appendix B.

Items for initial discussion

1. Petition for Zoning Reclassification, from Density Residential (DR) 3.5 to Business Major (BM) - 1924 and 1928 Powers Lane

Mr. Mayhew outlined the request for Exemption from Cyclical Procedure for a zoning reclassification for the properties at 1924 and 1928 Powers Lane. Frosty Refrigeration Company, Inc., a heating and air conditioning contractor, is the prospective tenant. A change in zoning from DR 3.5 (Residential) to BM (Business Major) is required to allow the desired business activity on the properties. The Board is not being asked to rule on the merits of the zoning change, but rather on the appropriateness of granting the exemption from the cyclical process. Staff concurs that the change would be “manifestly required in the public interest. . .”

Mr. Neil Lanzi attorney for the owners and for Frosty Refrigeration Company, Inc. urged support for the Petition, noting that the rezoning is in the public interest. Frosty, a family-owned company, employing 32 people, is very interested in remaining in the County. The increased investment in the property, including renovations, will be substantial. Time is a factor as the Company's current lease is expiring. In response to Board member's

question, Mr. Long indicated that the Board of Appeals could put conditions on the property's use at the time of review.

Mr. Hoffman, a resident who owns 4 acres near the property in question, voiced his concerns.

The Staff Report and map are filed as Appendix C.

2. Jessop Property Development Plan – Review of two existing structures currently on the Preliminary Landmarks List

Ms. Lanham introduced the proposed development of the Jessop Property, which involves structures on the Baltimore County Preliminary Landmarks List. The property is located West of I-83, North of the Beltway at the end of Westford Road West of Valleyfield Road in Councilmanic District 2. She explained that the matter was before the Board based on Baltimore County Code: Section 32.4.231. “The Hearing Officer shall refer the Development Plan to the Planning Board where it involves a building, structure or site included on the Landmarks Preservation Commission preliminary or final list or is located in a county historic district.” The Board then has 45 days to “file its written decision with the Hearing Officer, including the reasons therefore.”

Using a graphic representation, Ms. Lanham described the plan that proposes 106 units (40 single family detached and 66 single family semi-detached), located on 38 acres, zoned DR 3.5, and within a community conservation area. The two historic structures in question—the Jessop House and the Tenant House—were placed on the Preliminary List July 13, 2006. The Office of Planning has reviewed the Development Plan and recommends approval subject to the listing of additional requirements outlined in the March 1, 2007 Report to the Planning Board. Staff finds that the development involves an historic structure. The preservation of the two structures on the preliminary list and the siting of the proposed development effectively preserve the historic resources.

Mr. Rob Hoffman, Attorney for the Developer, elaborated on some of the points presented by Ms. Lanham. He noted that County Council Bill No. 21-07, which will see a vote March 19, 2007 concerning the Final Historical Landmarks List, would include the Jessop House exclusive of the rear addition and would exclude the Tenant House. With the Bill in mind, Mr. Hoffman explained that the developer would reconfigure the structures to give a more prominent view of the Jessop house. The Tenant House would be torn down, allowing for reconfiguring of storm water management ponds. Planning Staff confirmed agreement with the developer's proposed changes in light of the anticipated passage of Bill No. 21-07.

Mr. Dean Hoover recused himself from any deliberations on the Jessop property.

The Jessop Property Development Plan Staff Report, photos, and site plan, and other supporting data are filed as Appendix D.

Items for discussion and vote

3. Tomorrow's Towson – Planning Board Resolution

Ms. MacMillan recapitulated details of the Resolution, which is a statement of intent to designate Towson's core as an interim Towson Walkable District during the 12-month period following the effective date of the Resolution. She urged moving forward with the adoption of the Resolution as presented at the February 1, 2007 meeting. She noted that the preliminary boundaries could be modified later.

Two members of the community addressed the issue. Mr. Bruce Campbell, representing Prospect Hill Cemetery, reiterated his support as expressed in his email of February 27th as well as his desire to have the district boundary extended to run along Lambourne Road to Fairmont and back to Dulaney Valley Road and concern that public access pathways might run through the Cemetery. Mr. Mark Counselman voiced his support for the Resolution.

Mr. Dennis Hoover moved that The Planning Board adopt the Resolution, with accompanying map, designating Towson an Interim Walkable District. Mr. Cogar seconded the motion, which passed unanimously. Absent were Ms. Foos, Messrs. Harden, Miller, and Wit. A copy of the Resolution, along with map, is filed as Appendix E.

4. Capital Improvement Program: Recommendation to the Budget Director

Mr. Ed Parker, Chair of the Committee on Capital Budget, reported on the activities of the Committee over the last six month, which included:

- Citizen Input Meeting before the Planning Board on November 16, 2006. Nineteen citizens expressed their concerns
- County Executive Jim Smith's presentation to the Board on January 18, 2007
- School Superintendent Dr. Joe Hairston's presentation to the Board on February 1, 2007
- CIP Committee vote to accept the Planning Staff's recommendations for the FY 2008 Capital Budget and Five-year Program with some additional requests expressed in the cover letter to the director of the Office of Budget and Finance on February 22, 2007

Mr. Parker concluded by moving that the Baltimore County Planning Board approve the FY 2008 Capital Budget and Five-Year Program and the accompanying cover letter, as recommended by the Committee on Capital Budget, for transmittal to the Director of Budget. Mr. McGinnis seconded the motion, which passed by acclamation. Absent were Ms. Foos and Messrs. Harden, Miller, and Wit.

CIP Program Recommendations and the cover letter to Mr. Homan, Director, Office of Budget, along with Mr. Parker's report, are filed as Appendix F.

5. Legislation

Mr. Keller commented on the following legislation:

- a. Bill 9-07 – Zoning Regulations – Liquefied Natural Gas Facilities. The Bill involves restrictions on liquefied natural gas facilities, specifically at Sparrows Point.
- b. Bill 15-07 - Zoning Regulations – R.C. 2 Zones. The purpose of the Bill is to clarify the subdivision lot density requirements of the R.C. 2 Zone.
- c. Bill 16-07 – Zoning Regulations – Planned Unit Developments. The Bill has limited scope—applying to maritime usage outside the URDL.
- d. Resolution 8-07 – Review of Planned Unit Development – MCS Edgemere, LLC. The Resolution address approval of a new PUD.

Copies of the legislation are filed as Appendix G.

6. Report from the Landmarks Preservation Commission—February 8, 2007

Dr. Gregory highlighted some key points of the Landmark Preservation Commission Report of February 8, 2007, which is filed as Appendix H. He noted that the Dowden Chapel and cemetery along with the entire property was placed on the Preliminary Landmarks list. Demolition of 14 structures in Towson Manor Village was approved. Since June 2006, there have been over 50 County Tax Credits. Two Landmark Commission “first-overs” were also presented to the Board, including a LPC Handbook and a draft of the Final Landmark List.

Mr. Keller introduced a new member of the Planning Office Staff, Mr. John Alexander, who will be the office’s sole reviewer of Patter Books when they come through on the permit process and will assist with the community charrette process.

Adjournment

Mr. Cogar moved the adjournment of the meeting. The motion was seconded by Mr. Parker and passed by acclamation at 5:25 p.m. Absent were Ms. Foos and Messrs. Harden, Miller, and Wit.

bw/kp

Approved as corrected 3/15/07