

MINUTES
Baltimore County Planning Board
May 17, 2007

Contents

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

Review of today's Agenda

Minutes of the May 3, 2007 meeting

Special Presentation
Walkable Towson

Items for introduction and initial discussion

1. Cycle IV Zoning Action (Case No. R-07-334)— Petition for Reclassification – 11024 Reisterstown Road, Council District 4 – OR 1 to CB

Items for discussion and vote

2. Amendment to the Baltimore County Code regarding subsewershed designations: Discussion for approval of removal of subsewershed designations from the list of required background information for development plans.
3. Resolution No. 41-07: Pedestrian/Bicycle Project - Cromwell Bridge Road/Minebank Run Stream Valley Corridor

Items for further discussion

4. Middle River Community Plan and Related Zoning Changes, Council District 6

The Planning Staff presentation is deferred until the Public Hearing at 5 p.m.

Other business

5. Resolution No. 44-07: Out of Cycle Zoning Reclassification Petition - 1924 & 1928 Powers Lane - 1st District
6. Report from the Landmarks Preservation Commission – May 10, 2007 Meeting

Adjournment of the Board meeting

Public Hearing**
by the
Baltimore County Planning Board
Frank O. Heintz, Chairman

Call to order, introduction of Board members, and remarks on procedures by Chairman

Middle River Community Plan and Related Zoning Changes, Council District 6
Introduction by Jeff Mayhew, Chief, Community Planning

**Comments by citizens

Adjournment of Public Hearing

Appendices

Appendix A	Advance Tentative Agenda
Appendix B	Approved Minutes of the May 3, 2007 meeting
Appendix C	Power Point – Walkable Towson Presentation
Appendix D	Cycle IV Zoning Action (Case No. R-07-334)— Petition for Reclassification – 11024 Reisterstown Road, documented site plan
Appendix E	Amendment to the Baltimore County Code Regarding Subsewershed Designations
Appendix F	Legislation <ul style="list-style-type: none">▪ Resolution No. 41-07: Pedestrian/Bicycle Project - Cromwell Bridge Road/Minebank Run Stream Valley Corridor▪ Resolution No. 44-07: Out of Cycle Zoning Reclassification Petition - 1924 & 1928 Powers Lane - 1st District
Appendix G	Landmarks Preservation Commission Meeting Report— May 10, 2007
Appendix H	Middle River Community Plan – Draft April 27, 2007, and PowerPoint

Minutes
May 17, 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. Gerard Wit
Mr. Aaron E. Dock, Sr.
Mr. Dean Hoover
Mr. R. Craig Witzke, Jr
Mr. Paul G. Miller
Ms. Dorothy Foos
Ms. Donna G. Flynn
Mr. Wayne C. McGinnis

Absent

Mr. Dennis P. Hoover
Mr. H. Edward Parker
Mr. Robert J. Palmer
Mr. Gordon K. Harden, Jr.

County staff present included Arnold F. ‘Pat’ Keller, III, Jeff Mayhew, Lynn Lanham, Curtis Murray, Barbara Weaver, Krystle Patchak, Kathy Schlabach, Caren Hoffberger, Julia Haskins, Laurie Hay, Dennis Wertz and Jessie Bialek from the Office of Planning.

Mr. Heintz drew Board member’s attention to the inclusion in their notebooks of information pertaining to the Fiscal Year 2008 Public School Construction Program, comments from the community regarding the Middle River Community Plan, and to details regarding the Board Retreat planned for June 28.

Review of today’s Agenda

Mr. Heintz noted the Revised Agenda includes the addition of Item No. 1 regarding a Cycle IV Zoning action. The Revised Tentative Agenda is filed as Appendix A.

Minutes of the May 3, 2007 meeting

Mr. Cogar moved the acceptance of the Minutes of the May 3, 2007 meeting as circulated. Ms. Foos seconded the motion, which passed by acclamation. Absent were Messrs. Harden, Dennis Hoover, Palmer, and Parker. The Minutes are filed as Appendix B.

Special Presentation
Walkable Towson

Ms. Weaver, Planning Associate, Office of Planning, highlighted the Walkable Towson Design Charrette. The intense multi-day event will see a team of professionals working closely with stakeholders in interactive sessions. The goal is a buildable plan for a walkable Towson. The event kicks off Monday, June 4, 2007 at 7 p.m. at Trinity Episcopal Church, 120 Allegheny Ave. Other public events include two pinup sessions to provide feedback on Tuesday, June 5th at 7 p.m. and Wednesday, June 6th, at 7 p.m. The final plan will be presented Saturday, June 9th at 2 p.m. A copy of the PowerPoint presentation on Walkable Towson is filed as Appendix C.

Items for introduction and initial discussion

1. Cycle IV Zoning Action (Case No. R-07-334)— Petition for Reclassification – 11024 Reisterstown Road, Council District 4 – OR 1 to CB

Mr. Mayhew, Division Chief, Community Planning, introduced the issue, explaining that the matter had been before the Board in January 2007 with an open site plan. The Board recommended against the re-classification Petition. Now that a documented site plan has been filed, the issue is being reintroduced to the Board.

The attorney representing the owners filled in a few more details, stressing that the change in zoning allowing the proposed restaurant for fine and casual dining will be a boost to the area. Engineer, Mr. Church, using the documented site plan, illustrated location of the building on the property and noted the large area of woodland that will be conserved. He advised that the community has been involved and will continue to be involved if the zoning is approved. The documented site plan, along with supporting material, is filed as Appendix D.

Items for discussion and vote

2. Amendment to the Baltimore County Code regarding subsewershed designations: Discussion for approval of removal of subsewershed designations from the list of required background information for development plans.

Ms. Haskins recapped her May 7th introduction of the issue. She advised that the Office of Planning is requesting removal of subsewershed designations from the list of required background information for development plans. County Code, section 32-4-222. (9)(3) requires that subsewershed designations are shown on a development plan by the applicant. The information, which is now obsolete, is no longer used by the Department of Public Works to determine water and sewer capacity. A more sophisticated GIS system for tracking and mapping sewer capacities has been in place for sometime. Therefore, the Office of Planning staff recommends that subsewershed designations be removed from the required background information.

Mr. Cogar moved that the Baltimore County Planning Board approve amending the Baltimore County Code, Section 32-4-222 to remove the subsewershed designations from the list of required background information for development plans. The motion was

seconded by Dr. Gregory and passed by acclamation. Absent were Messrs. Harden, Dennis Hoover, Palmer, and Parker. A copy of the Amendment to the Baltimore County Code Regarding Subsewershed Designations is filed as Appendix E

3. Resolution No. 41-07: Pedestrian/Bicycle Project - Cromwell Bridge Road/ Minebank Run Stream Valley Corridor

Ms. Haskins introduced Resolution No. 41-07, which needs action by the Planning Board. A request from the County Council directed that the Office of Planning and Department of Recreation and Parks establish a certain pedestrian/bicycle project pursuant to the Eastern Baltimore County Pedestrian and Bicycle Access Plan.

She explained that In November 2006, the County Council adopted the Eastern Baltimore County Pedestrian and Bicycle Access Plan as part of the Master Plan. One of the areas identified in the Plan for the development of a pedestrian/bicycle project to provide access to the Gunpowder Falls corridor is the Cromwell Bridge Road/Minebank Run stream valley corridor.

Mr. Cogar moved that the Planning Board request that the Office of Planning and the Department of Recreation and Parks develop a plan for a pedestrian/bicycle project and facility as outlined in County Council Resolution No. 41-07. The motion was seconded by Ms. Foos and passed by acclamation. Absent were Messrs. Harden, Dennis Hoover, Palmer, and Parker. A copy of the Resolution is filed as Appendix F.

Items for further discussion

4. Middle River Community Plan and Related Zoning Changes, Council District 6
(The Planning Staff presentation is deferred until the Public Hearing at 5 p.m.)

Other business

5. Resolution No. 44-07: Out of Cycle Zoning Reclassification Petition - 1924 & 1928 Powers Lane - 1st District

Ms. Haskins updated the Board on Resolution No. 44-07, which was passed by the County Council on May 7, 2007. The Resolution exempts the property at 1924 and 1928 Powers Lane from the regular cyclical zoning regulations. The Board of Appeals will schedule a Public Hearing.

6. Report from the Landmarks Preservation Commission – May 10, 2007 Meeting

Dr. Gregory highlighted a few items that are in the Landmark Preservation Commission's Report of the May 10, 2007 meeting. The LPC voted to place one nomination on the Preliminary Landmarks List. Two requests for alterations to Landmark structures or properties in County Historic Districts were approved as were tax credit applications.

Mr. Cogar moved the adjournment of the meeting. The motion was seconded by Ms. Foos and passed by acclamation. Absent were Messrs. Harden, Dennis Hoover, Palmer, and Parker.

**Public Hearing by the
Baltimore County Planning Board
Frank O. Heintz, Chairman**

Call to order, introduction of Board members, and remarks on procedures by Chairman

Middle River Community Plan and Related Zoning Changes, Council District 6
Introduction by Jeff Mayhew, Chief, Community Planning

Mr. Mayhew referred the Board to the copies of the Middle River Community Plan (MRCP), which had been distributed at the previous Planning Board meeting. Using a PowerPoint presentation, he outlined the background and highlighted significant points of the Plan. In April 2004, County Council Resolution No. 40-04 requested that the Planning Board prepare a Middle River Road Community Plan. The resolution recognized the need to explore ways to strengthen the existing residential character of the Middle River Road community. It also recognized the need to explore ways to strengthen the reasonable future development of the area.

A core advisory group worked with other community members and county staff. As Mr. Mayhew indicated, there was not a clear consensus within the Advisory Group as to how to move forward. Among issues analyzed extensively and outlined in the Plan were:

- Development, land use and zoning
- Infrastructure (i.e. roads, water and sewer, and schools)
- Parkland
- Police and fire coverage
- Design compatibility and historic preservation
- Pedestrian and bicycle facilities
- Environmental protection and impact on water quality

Staff concurs with the recommendations as outlined in the MRCP, which is filed as Appendix H, along with a copy of the PowerPoint Presentation. Mr. Mayhew focused in particular on recommendations for Zoning Issues No. 1 – 3 as follows:

- Issue No. 1 – N of Bird River Rd. to Ebenezer Rd. W of Vincent Lane to Windlass Run: Existing zoning is RC 2, RC 3 and RC 5; requested change to DR 1
- Issue No. 2 – S of future Campbell Blvd from Bird River Rd to White Marsh Blvd.: Existing zoning DR 1 and DR 2; requesting change to DR 3.5
- Issue No. 3 – E and W sides of the Campbell Blvd and White Marsh Blvd intersection: Existing zoning DR 2; requested change to DR 3.5 and B.L.

Members of the community testified on the Plan before the Board. Mr. Jim Wolf, owner of the 4 corners at Campbell and White Marsh Blvds., with the zoning change, would look forward to going through the PUD process to get approval development of the site. Mr. William Wright feels that both Mr. Romadka and Mr. Cogar of the Advisory Council have a conflict of interest. He would like to freeze zoning the way it is. Mr. Mike Homsey is opposed to the Plan. He feels that the area defined in not in Middle River, but rather in White Marsh. Mr. David Devilliers, and Mr. Scott Barhight, representing FRP Bird River, LLC, spoke in favor of approving the Plan, pointing out that their client is committed to the PUD process to insure a high quality development. BRAC is on the way, and this is the best way to meet the challenge. Ms. Courtney Topolski expressed her concerns on behalf of the Bird River Beach Assoc. regarding environmental impact and moving the URDL. As a member of the Civic Council, she expressed opposition to setting a precedent. Mr. Marek Topolski , speaking as a community member as well as a trained aquatic biologist, expressed his opposition to the Plan based on negative impact to watershed. Ms. Sandra Magsamen votes for no change.

Mr. Doug Eshelman and Ms. Jennifer Busse, spoke on behalf of Gambrill Farms Two, LLC., emphasizing that the zoning change to DR 3.5 is appropriate and stressing that this development will provide the perfect walkable community.

Ms. Kathy Stumpf, who is a member of the Advisory Panel, spoke in opposition to the Plan. Although she is a business owner in the area, she feels that the proposed density increase is not needed. Infrastructures become over burden. Schools are overcrowded. She feels the Plan does not reflect what the community believes. Mr. Doug Wingler, Mr. John Hoffman, III, and Ms. Nancy Piper expressed concerns. Mr. Charles O'Brien, who opposes any density increase, also opposes a Bike Path. Mr. Josh Sines spoke as a member of the Advisory Panel who opposes any change in zoning.

Mr. Tom Frech, representing Rohe Farm Lane Development, spoke in favor of the zoning change. Attorney John Gontrum stressed his support for the plan. Ms. Shirley Spiegel who owns property along Campbell Blvd. feels the change in zoning to DR. 3.5 would benefit her. Mr. Mark Atwood and Rev. Edward White see no need for increased density.

Mr. Heintz encouraged the submission of comments in writing. The Hearing was adjourned at 6:50 p.m.

bw

Approved 6/7/07