

**MINUTES
Baltimore County Planning Board
February 7, 2008**

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Public Hearing
by the
Baltimore County Planning Board
5 p.m.
Edward J. Gilliss, Chairman**

Triennial Review of Master Water and Sewerage Plan

*Amendments to the Zoning Regulations Regarding
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Call to order, introduction of Board members, and remarks on procedures by Chairman Gilliss

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Adjournment of Public Hearing

Reconvene Board Meeting for discussion and vote on issue addressed at Public Hearing:

Triennial Review of Master Water and Sewerage Plan

Adjournment of the Board meeting

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Minutes
February 7, 2008

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

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

| Present | Absent |
|-------------------------------------|----------------------|
| Mr. H. Edward Parker | Mr. H. Edward Parker |
| Mr. Wayne C. McGinnis | |
| Mr. Robert J. Palmer | |
| Mr. Dennis P. Hoover | |
| Ms. Nellie Grinage (Public Hearing) | |
| Dr. Robert Gregory | |
| Ms. Dorothy Foos | |
| Mr. Paul G. Miller | |
| Mr. Dean Hoover | |
| Mr. Gerard J. Wit | |
| Mr. Aaron E. Dock, Sr. | |
| Mr. Adam T. Sampson | |
| Mr. William H. Moore | |

County staff present included Arnold F. ‘Pat’ Keller, III, Jeffrey Long, Lynn Lanham, Krystle Patchak, Jeffrey Mayhew, Kathy Schlabach, Lloyd Moxley, and Julia Haskins from the Office of Planning; David Thomas and Steve Weber from the Department of Public Works.

Mr. Gilliss opened the meeting by expressing his gratitude to Mr. Frank Heintz for his stellar service to the County as Chair of the Planning Board over the last several years. He welcomed Messr. William H. Moore and Messr. Adam Sampson, who are newly appointed members of the Board.

Review of today’s Agenda

The published revised agenda is filed as Appendix A.

Minutes of the January 3, 2008 meeting

Mr. Dennis Hoover moved the acceptance of the corrected minutes of the January 3, 2008 Baltimore County Planning Board meeting. The Motion was seconded by Ms. Foos and passed unanimously. Absent were Mr. Parker and Miss Grinage. The Minutes are filed as Appendix B.

Item for discussion and vote

- ** 1. Annual review of the Basic Services Maps – Public Water, Sewer, and Transportation. Recommendations to the County Council.

Mr. Dave Thomas, of the Department of Public Works, distributed packets of updated information regarding the Basic Services Maps to the board. The packets are filed as Appendix C.

Mr. Thomas informed the board that there were no changes to the water and sewer maps, which were drafted on January 3, 2008. The transportation map was amended to remove the White Marsh Town Center from the E-level intersection traffic shed at White Marsh & Honeygo Boulevards. Town Centers are exempt per section 4A02E(1)e.

Mr. Dean Hoover questioned what projects are planned or are currently underway to help with the identified D, E, and F-level intersections. Mr. Steve Weber, of the Department of Public Works explained current planned improvement projects for Harford & Putty Hill as well as Falls & Seminary and Pulaski & Middle River. Mr. Hoover also commented on the ability for redevelopment in these areas. He explained the importance of redevelopment for the future of the county. Mr. Keller, Director of the Office of Planning, explained that all development must comply with basic services, with some exceptions.

Ms. Laurie Mitchell, of the Chatterleigh Association, expressed her concerns regarding the intersection of Cowpens Avenue & Cromwell Bridge Road. The intersection is located adjacent to the F-level intersection of Loch Raven Boulevard & Joppa Road, which has a northern boundary of 659 as the boundary. Ms. Mitchell is concerned with the fact that the traffic volume on Cowpens Avenue has become a major problem, due to cut-through traffic, as well as increased development and traffic from the local schools. She is concerned with the safety of pedestrians as well as future further congestion problems. Ms. Mitchell, on behalf of the Chatterleigh Association, requested that the Department of Public Works along with the Planning Board extend the boundaries of the Loch Raven & Joppa intersection to include the intersection at Cowpens & Cromwell Bridge when evaluated in the spring.

Dr. Gregory moved that the Planning Board recommend the adoption by the County Council of the 2008 Basic Services Maps for Public Water and Public Sewerage, and Transportation, as submitted by the January 17, 2008 memoranda to the Director of the Department of Public Works. The motion was seconded by Mr. Dennis Hoover and passed by acclamation. Absent were Mr. Parker and Miss Grinage.

Other business

2. Legislation of interest to the Planning Board.

- a. Resolution No. 1-08 – For the purpose of expanding the existing boundaries of the Woodlawn Commercial Revitalization District along Woodlawn Drive and Security Boulevard.

A copy of Resolution No. 1-08 is filed as Appendix D.

3. Wells McComas Community Plan – Update

Mr. Mayhew, of the Office of Planning presented the board with a brief background and update on the Wells McComas Community Plan. In 2002, the County Council adopted the plan with land use objectives for the area and in 2005 the Council asked for the plan to be revisited to address the land use issues. In response, the Planning Office formed an advisory group along with the community and they established 14 areas to be re-zoned. The plan was revised and a draft plan was presented to the Planning Board along with a public hearing on September 20, 2007. At that time, there was not a consensus on the land use recommendations between the residential community and the business community. The Planning Board asked the staff to keep working on the plan update to build a consensus on the land use recommendations. Between the community associations within the plan area and the County Council have raised zoning requests through the 2008 Comprehensive Zoning Map Process (CZMP) that cover the same areas within the study area. All 14 land use recommendations addressed in the plan are now a part of the 2008 CZMP process and will be resolved when the County Council makes its decision on the rezoning requests through the 2008 CZMP. Therefore, the need to continue with the Community Plan update is moot. A notification to the County Council will be sent to inform them of this decision.

4. Comprehensive Zoning Map Process (CZMP) – Briefing

Mr. Mayhew gave the board a brief update on the Comprehensive Zoning Map Process, which occurs every four years and allows the public to ask for any zoning on any property. He distributed a set of materials to the board which included:

- Log of Issues - A guidebook to zoning requests which lists the parties requesting a zoning change, the location of the requested change, as well as the existing and requested zoning. The log will be also be filled in with recommendations from staff.
- CZMP Powerpoint - Outlines the CZMP process and lists the number of issues in each district
- Notification Letters - Sample letters sent out to property owners and adjacent property owners, informing them of the requested zoning change.
- Ethics Powerpoint - Outlines the importance of ethics in dealing with the public

Mr. Mayhew also informed the board of sign posting procedures as well as the county web site which includes a vast amount of information regarding CZMP 2008. A copy of the CZMP packet of materials is filed as Appendix E.

5. Report from the Landmarks Preservation Commission – January 10, 2008

Dr. Gregory informed the board of the major actions that took place at the January 10, 2008 Landmarks Preservation Commission Meeting. There were five items up for a public hearing, two of them were placed on the preliminary landmarks list. A notice to proceed was issued for a proposal for an alteration to a structure located within a County Historic District. Other major actions discussed included the approval of two Part II tax credit applications as well as the conclusion of the subcommittee, which was studying economic hardship. The committee decided against adopting standards for economic hardship.

At this time the regular business portion of the meeting was recessed to accommodate the 5:00 p.m. public hearing.

Public Hearing

The Board meeting was recessed at 5 p.m. for a Public Hearing so that the Board could hear testimony in regards to the Triennial Review of the Master Water and Sewerage Plan as well as the Amendments to the Zoning Regulations Regarding Changeable Copy Sign Regulations. Mr. Gilliss explained that speakers would have two minutes in which to present their points.

Triennial Review of Master Water and Sewerage Plan

Mr. Dave Thomas, of the Department of Public Works, summarized the revisions to map S-22A, which had an error. This map depicts the area of South Hilltop Road (Baker and Hilltop) where they are S-3 and not S-6. This was the only correction to the Triennial Review of Water and Sewerage Plan.

There were no members of the public signed up to speak on behalf of this issue.

*Amendments to the Zoning Regulations Regarding
Changeable Copy Sign Regulations*

Lloyd Moxley, of the Office of Planning, summarized the recommendations of the Planning Office to the board. Ms. Haskins distributed a memo to the board informing them of regulations in other counties regarding changeable copy signs. At that time the board was ready to hear testimony from the community.

Mr. Mike Pierce, of 7448 Bradshaw Road, stated to the board that no study has proven that signs are a hazard. Mr. Pierce also commented on the challenges with regards to enforcement.

Ms. Laurie Mitchell, of 1106 Chatterleigh Circle, was concerned with changeable copy signs creeping into residential neighborhoods. She would like to see the signs shaded, and turned off during evening hours as well as notification to community members of this type of sign.

Mr. Richard Parsons, of the Greater Towson Council, stated that he is in support of the Planning Office's recommendations. He stressed the importance of public safety to the board.

Mr. Leigh Keller, of the Greater Kingsville Civic Association, stated his concerns with regards to safety. Mr. Keller asked for the planning boards support of a 24-hour frequency of change. He also stressed the importance of no grandfathering.

Mr. Richard Pepper, representing CVS Pharmacy, stated that they have approximately 10 message board type signs in the area and their frequency of change is approximately 6 seconds. He stressed the importance of these signs to business and he requested that the board allow them to continue use of the signs.

Mr. Kenneth Peskin, of the International Sign Association, presented a Power Point to the board, which outlined the different types of changeable copy signs, such as scoreboards, which will not be in conformance. He also stressed the need for dimming technologies.

Mr. Jarrett Bolton, of Daktronics, stressed his opposition to any regulations on signs. He also commented on the fact that no traffic studies have linked these signs to a driver distraction.

Mr. Andy Militello, representing Walgreens, stated his concerns about sign restrictions. Walgreens uses their signs to inform customers of specials, services, and even Amber Alerts. These regulations will prohibit them from wreaking the benefits of advertising specials and being able to reach out to the public.

Mr. Keith Scott, of The Baltimore County Chamber of Commerce, stressed the importance of these signs to small businesses. He feels that these restrictions will prohibit growth.

Mr. Ellis Shapes, of VMD Inc., stated that this issue regarding signs has been discussed in the past, with no outcome. He feels that changeable copy signs will allow businesses to maximize potential.

Mr. Louis Miller, a member of the GTCC, stated his support for the revised regulations.

Ms. Sarah Wheelan, a Perry Hall resident, was concerned with the frequency of change and challenges of enforcement. Ms. Wheelan was also concerned with the aesthetics of the signs.

Mr. Doug Behr, of the Greater Kingsville Community Association, requested that the board allow only one change per day, as well as restrict colors, and reduce intensity at night.

Mr. Harry Cohen, representing Firehouse Tavern, stated his concerns with regards to economic impacts of the signs and a potential loss of business due to the new regulations. Mr. Cohen requested that no changes be made to the sign regulations.

Mr. Nick Paros, a small business owner and former Maryland State Trooper, stressed the importance of these signs to business. He also stated that cell phones are more of a distraction than changeable copy signs.

Mr. Howard Alderman, representing CVS Pharmacy, stated that CVS is against the proposed changes. He also commented on the challenges of enforcement.

Mr. Steve Kimball, of the White Marsh Car Wash, requested that the signs be allowed to change with a several second frequency of change.

Mr. Benn Barr, of Time-O-Matic, discussed his observations of signs in many cities. He feels that electronic signage has cleared up signs in the county in many ways.

Mr. Bob Nethen, of Triangle Signs, commented on the fact that current regulations are not enforced. He feels that no new regulations should be enacted until the old ones are enforced. He also stated that there are companies such as banks that also use these types of signs in a very reasonable manner.

Mr. Robert Begleighter, a small business owner, commented that he paid \$35,000 for a changeable copy sign and it has helped a lot in his business. He feels that small business success is important to the county as a whole.

Mr. Scott Haupt, a Baltimore county resident, commented on the main corridor of York Road. He feels that the changeable copy signs provide clutter and the future will only be worse if we continue allowing these signs with the current regulations.

Mr. Ken Steinbach, a Baltimore county business owner, stated that he purchased a changeable copy sign a few years ago and it has allowed him to increase profits and hire more employees. He feels that these additional restrictions would hurt business and Maryland's economy as a whole.

Ms. Sandra Leiken, of the Glyndon Community Association, stated her concerns with regards to the signs infringing on the rights of residents. Ms. Leiken recommended that the signs be restricted in rural and historic areas and all regulations be enforced.

Ms. Kristen Berry, of the Kingsville Civic Association, suggested that the board look at the regulations in other counties. She feels that the signs can be very distracting, but they can be also be very useful.

Mr. Ray Wenger, of a Pennsylvania based sign company, stated that safety is a longstanding issue and sign companies take a sensitive approach.

Mr. Chip Reed, owner of Corner Stable Restaurant, stated that his changeable copy sign has added a 12% increase in business. He also stated that the sign is used to display amber alerts, as well as local school sports information.

Ms. Deborah Beatty, of the Perry Hall Improvement Association, stated her agreement with the second and third speakers. She suggested that the board look at the frequency of change and the color restrictions.

The public hearing was adjourned at 6:07 p.m. and the board meeting was reconvened.

The Board meeting was reconvened at 6:08 p.m. to continue with the business on the Agenda.

Item for discussion and vote after Public Hearing

Triennial Review of Master Water and Sewerage Plan

At this time, Mr. William Moore, recused himself from the vote on this issue, due to his recent appointment to the board.

Mr. Miller made a motion to have the Planning Board adopt the 2008 Triennial Review of the Water and Sewerage Plan as amended by the Department of Public Works. The motion was seconded by Mr. Dennis Hoover and approved by acclamation. Absent was Mr. Parker

Mr. Miller moved the adjournment of the meeting. Ms. Foos seconded the Motion that was passed unanimously at 6:11 p.m. Absent was Mr. Parker

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