

**MINUTES**  
**Baltimore County Planning Board Meeting,**  
**Hearing Regarding Creameries**  
**January 15, 2009**

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- \*\* 1. Annual review of the Basic Services Maps: Initial discussion for approval of recommendations to the County Council. Distribution and explanation of information by David Thomas, Department of Public Works

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  - b. Resolution No. 99-08: Amend the South Perry Hall-White Marsh Area Plan
  - c. Resolution No. 103-08: Request that the Office of Planning and the Department of Economic Development develop a revitalization plan for the Main Street commercial corridor of Reisterstown.
  - d. Resolution No. 104-08: Request that the Office of Planning prepare a community plan for the Perry Hall area of Baltimore County, 5<sup>th</sup> Councilmanic District.
  - e. Resolution No. 91-08: A request for planned unit development (PUD), known as Restoration Village Senior Community, 4<sup>th</sup> Councilmanic District, is eligible for County review.

- f. Resolution No. 102-08: Amend the Baltimore County Water Supply and Sewerage Plan per 2008 recommendations
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**Adjournment of the Board meeting**

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

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

***Proposed Amendments to the Baltimore County Zoning Regulations  
Regarding Creameries***

\*\*Comments by citizens

**Adjournment of Public Hearing**

## **Appendices**

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<b>Appendix F</b>	Memorandum, dated December 30, 2008, re PUD – Comprehensive Manual of Development Policies
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<b>Appendix H</b>	Staff Report on the proposed amendments to the Baltimore County Zoning Regulations (BCZR) regarding creameries
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Minutes  
January 15, 2009

**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. All the Board members were present, including:

Mr. Paul Miller	Mr. Gerard Wit
Mr. Wayne C. McGinnis	Ms. Nellie Grinage
Mr. Dennis P. Hoover	Mr. Aaron Dock
Ms. Dorothy Foos	Dr. Robert Gregory
Mr. William Moore	Mr. Robert J. Palmer
Mr. Dean Hoover	Mr. Gordon K. Harden, Jr.
Mr. Edward Parker	Mr. Adam T. Sampson

County staff present included Pat Keller, Jeff Long, Curtis Murray, Barbara Weaver, Krystle Patchak, Lynn Lanham, and Kathy Schlabach from the Office of Planning; Fred Homan, Administrative Officer; Donna Morrison, Deputy Administrative Officer; Keith Dorsey, Director of the Office of Budget and Finance, Ed Blades, Office of Budget and Finance; Edward Adams, Director, Dave Thomas, Assistant to the Director, Stephen Weber, Chief, Traffic Engineering Division, Department of Public Works; Don Mohler, Communications Director, and Bill Jones, Senior Advisor, County Executive's Office.

Mr. Gilliss congratulated Dr. Gregory and Ms. Grinage on their reappointment to the Baltimore County Planning Board. He expressed sympathy on behalf of the Board to Ms. Grinage on the death of her husband in December and noted that a former Planning Board member, Mr. Arthur Rogers passed away in early January.

**Special Presentation by County Executive James T. Smith, Jr. –  
Introduction to the Capital Improvement Program Process**

County Executive James T. Smith, Jr. opened his remarks by offering his thanks to Planning Board members on behalf of the County for the time and energy that they devote to the County. "Without you, we couldn't do the important work of the County," he said. The County Executive appears before the Board every year to introduce the Capital Improvement Program process. Since this is an "off" year in the biennial process review, he expects the review to be less burdensome. There are few changes in the program adopted for the 2010 fiscal year with the exception of the \$165 million for the Board of Education—a \$53.8 million increase over 2009. Mr. Smith commented that due to the uncertainties of the economy, it is too early in the Budget Year to commit to the specific request. He is hopeful that a portion of the new administration's stimulus funding will be earmarked for Baltimore County. To that end, Baltimore County has "shovel ready" construction ready to go. The Board can look forward to hearing more details from Dr. Hairston and his staff in the future.

County Staff was available to answer questions. A copy of the Capital Budget Supporting Detail, Fiscal Year 2010, Capital Program, Fiscal Years 2011 through 2015, along with a schedule of FY10 Funding Parameters, is filed as Appendix A.

In answer to Dr. Gregory's question regarding "green" construction, County Executive Smith noted that a number of green features were incorporated in the construction of Vincent Farms Elementary School and the Perry Hall Library. Mr. David Carroll, Director of the Office of Sustainability, continues to evaluate green alternatives and commercial tax credits. The County Executive concluded, saying that, in these economic times, the County needs to be careful of not stifling economic development. The goal is to move forward, but move forward in a reasonable way.

### **Review of today's Agenda**

There were no changes to the Revised Tentative Agenda as published, which is filed as Appendix B.

### **Minutes of the November 20, 2008 meeting**

Mr. Miller moved to accept the minutes of the November 20, 2008 meeting as published. The motion was seconded by Mr. Dennis Hoover and passed unanimously at 4:20 p.m. A copy of the approved Minutes of the November 20, 2008 meeting is filed as Appendix C.

### **Item for introduction**

1. Annual review of the Basic Services Maps: Initial discussion for approval of recommendations to the County Council. Distribution and explanation of information by David Thomas, Department of Public Works

Mr. David Thomas, Assistant to the Director of Public Works, distributed a CD, along with copies of Memoranda, to each member. The CD and Memoranda, which are filed as Appendix D, contain information about Basic Services for 2009 as well as 2008. He asked the Board to please consider the issues presented. There will be an opportunity for public comment prior to the Board vote.

Issues spotlighted included:

- **Transportation:** The intersection at Honeygo and MD 43 has been upgraded to a D rating. Goucher Blvd /Putty Hill Ave. has been added to the list with a D rating. Eight F level intersections are identified on the 2009 Basic Services Transportation Map that would impact development.
- **Water:** Areas are outlined, where varying degrees of improvement have been made, as well as those that remain deficient.
- **Sewerage:** The County is particularly careful about issuing any new permits in areas identified as "of concern" for possible sanitary sewer overflows. (See Memorandum on Sewerage and map on CD for details).

Several Board members raised questions, which were answered by Mr. Weber and Mr. Thomas. Mr. Thomas will look into Mr. Miller's question regarding a sewerage spill and get back to him.

## **Other business**

### **2. Legislation**

Per Motion by Mr. Dennis Hoover, which was seconded by Mr. Palmer, and passed unanimously, Resolution No. 97-08, Resolution No. 99-08, Resolution No. 103-08, and Resolution No.104-08 were referred to the Administrative Officer for further review and authorization in order for the Planning Office to move forward.

- a. Resolution No. 97-08: Request to the Office of Planning to review and update the Greenspring-East Pikesville Community Action Plan
- b. Resolution No. 99-08: Amend the South Perry Hall-White Marsh Area Plan
- c. Resolution No. 103-08: Request that the Office of Planning and the Department of Economic Development develop a revitalization plan for the Main Street commercial corridor of Reisterstown.
- d. Resolution No. 104-08: Request that the Office of Planning prepare a community plan for the Perry Hall area of Baltimore County, 5<sup>th</sup> Councilmanic District.

The following Resolutions were presented to the Board for informational purposes.

- e. Resolution No. 91-08: A request for planned unit development (PUD), known as Restoration Village Senior Community, 4<sup>th</sup> Councilmanic District, is eligible for County review.
- f. Resolution No. 102-08: Amend the Baltimore County Water Supply and Sewerage Plan per 2008 recommendations
- g. Resolution No. 105-08: A request for a planned unit development (PUD), known as Nottingham Ridge, 5<sup>th</sup> Councilmanic District, is eligible for County review.

Copies of the legislation are filed as Appendix E.

### **3. Plans for Advisory Group/Committee on PUD procedures**

As suggested at the November 20, 2008 Board meeting, an informal committee of the Board has been set up to take an in-depth look at the PUD process. Mr. Gilliss will chair the Committee with members including Mr. Dean Hoover, Mr. Sampson, Mr. Miller, and

Mr. Parker. Comments are welcome from all. A copy of the Memorandum is filed as Appendix F.

4. Landmarks Preservation Commission Report on January 8, 2009 meeting

Mr. Dean Hoover reported to the Board on highlights of the Landmarks Preservation Commission’s meeting. A copy is filed as Appendix G.

5. Proposed Amendments to the Baltimore County Zoning Regulations regarding creameries – Staff update in preparation for Public Hearing

Ms. Schlabach recapped the introduction that had first been presented on November 6, 2008. The amendments are intended to address the large agricultural industry in Baltimore County and the fact that the use of creameries in Resource Conservation (R.C.) zones is not clearly defined. These amendments will seek to protect the agricultural industry in the County and also to promote the sale of locally grown and produced products. The Planning Office proposes amendments that will clearly define a creamery as an establishment where dairy products such as milk, butter, cheese, ice cream and yogurt are made or where dairy products are prepared or sold. The amendments will also address the production of farm products as well as issues associated with inconveniences of locating creameries. The use of creameries in certain R.C. and M.L. zones was also revised.

She also outlined the modifications to the proposed amendments as of January 7, 2009. The Draft proposed amendments are filed as Appendix H.

**Adjournment of the Board meeting**

Dr. Gregory moved the adjournment of the Board meeting. The Motion was seconded by Mr. Parker and passed unanimously at 4:55 p.m.

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**Public Hearing\*\***  
**by the**  
**Baltimore County Planning Board**  
**Edward J.Gilliss, Chair**

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

**Proposed Amendments to the Baltimore County Zoning Regulations**  
**Regarding Creameries**

Comments by citizens

Twenty-six members of the community expressed their opinions on the proposed Amendments to the Baltimore County Zoning Regulations regarding creameries. Many County residents, who did not formally address the Board, filled the hearing room. Thirteen written comments were submitted prior to, during, or after the Hearing. These

written comments, along with a copy of the sign-in sheet listing speakers, are filed as Appendix I.

Several themes, some of which are competing, emerged from the comments, and these are highlighted below:

- Consider a two-tier approach with one for small to medium farms, the other for larger agribusiness.
- Allow as special exception
- Adopt the amendments as they are proposed
- Allow for “Buy Local” with the benefits to the consumer and to the farmer
- Table the draft creamery legislation until a larger question is addressed: How much nonresidential development can occur on Resource Conservation zone lands before there is adverse impact on R.C. land?

The public hearing was adjourned at 6:00 p.m.

bw

Approved 2/5/09