

MINUTES
Baltimore County Planning Board Meeting
and Public Hearing
Regarding the Request for a Planned Unit Development
known as Brandywine, PDM # XIV-472
July 2, 2009

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by the
Baltimore County Planning Board
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Minutes
July 2, 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. The following members were:

Present

Mr. Paul Miller
Mr. Wayne C. McGinnis
Mr. Dean Hoover
Mr. Gerard Wit (arrived 4:15 p.m.)
Ms. Dorothy Foos
Mr. William Moore
Ms. Nellie Grinage
Dr. Robert Gregory (arrived 4:37 p.m.)
Mr. Robert J. Palmer
Mr. Adam T. Sampson
Mr. Edward Parker
Mr. Gordon K. Harden, Jr. (left 4:15 p.m.)

Absent

Mr. Aaron Dock
Mr. Dennis Hoover

County staff present included Pat Keller, Curtis Murray, Barbara Weaver, Krystle Patchak, Jeff Mayhew, Lynn Lanham, Jen Nugent, Laurie Hay, Kathy Schlabach, and Lloyd Moxley from the Office of Planning.

Review of today's Agenda

There were no changes to the Tentative Agenda as published, which is filed as Appendix A. However, it was noted that the Cycle I Zoning Reclassification issue would be the first item of business.

Minutes of the June 18, 2009 meeting

Mr. Parker moved to accept the Minutes of the June 18, 2009 meeting as prepared. The Motion was seconded by Ms. Grinage and passed unanimously at 4:02 p.m. Absent were Mr. Dock, Mr. Wit, Mr. Dennis Hoover and Dr. Gregory. A copy of the approved Minutes of the June 18, 2009 meeting is filed as Appendix B.

Announcement

Mr. Lloyd Moxley noted for the record that the Pattern Book for Plinlimmon Farm (Revised June 2009) was provided to each member along with the Draft Staff Recommendations Planned Unit Development Findings PDM # II-739. He pointed out that the modification of standards language on page H-2 was not accurate and directed attention to the modifications as detailed in the Staff Report. Copies of the Revised Pattern Book and Draft Staff Recommendations are filed as Appendix C.

Item for Community Input, Further Discussion and Vote

1. Cycle I Reclassification

- a. 14345 Jarrettsville Pike, Case No. R-2009-0270

Mr. Miller moved approval of the Petitioner Lintz’ request for split zoning of the property located at 14345 Jarrettsville Pike to RO-CR in the front where the buildings are located and RC 5-CR to the rear provided a documented site plan is submitted. Mr. Parker seconded the Motion. The Motion passed unanimously at 4:05 p.m. Absent were Mr. Dock, Mr. Wit, Mr. Dennis Hoover and Dr. Gregory.

- b. 1206 Molesworth Road, Case No. CR-2009-0269

Mr. Harden moved that Petitioner Mr. Neal Jacobs, whose property is located at 1206 Molesworth Road, be permitted to proceed with the reclassification process before the Board of Appeals. Mr. Parker seconded the Motion. Mr. McGinnis noted that this request was part of a large 2008 CZMP issue. He opposes this Petition. Mr. Harden expressed concern that the property owner had already paid non-refundable fees to the County and was unaware of the CZMP issue affecting his property. The Motion to approve the Petition was passed by a majority vote at 4:15 p.m. Mr. McGinnis and Mr. Miller voted against the motion. Absent were Mr. Dock, Mr. Dennis Hoover and Dr. Gregory. Copies of the Petitions for Reclassification are filed as Appendix D.

Mr. Dean Hoover moved to suspend the meeting for the Public Hearing. The Motion was seconded by Ms. Foos and passed unanimously at 4:16 p.m. Absent were Mr. Dock, Mr. Dennis Hoover and Dr. Gregory.

Public Hearing
Baltimore County Planning Board
Edward J. Gilliss, Chairman

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

Brandywine, PUD, PDM # XIV-472

Chairman Edward Gilliss convened the Public Hearing at 4:17 p.m., for the Planned Unit Development (PUD) known as Brandywine, PDM # XIV-472. G. Scott Barhight,

Esquire, representing the developer, Iron Horse Properties, spoke about the qualifications and experience of the development team responsible for the PUD, which is located in the 6th Councilmanic district, at E/S Kenwood Ave @ NE corner Delege Road. Mr. David Martin presented the PUD, describing its location in the greater community and outlining specifics of the project, which was first introduced to the Planning Board by Planning Staff on June 18, 2009. The PUD proposes 72 townhouse units on 7.44 acres of land. Thirty-seven are rear-loaded garage units; thirty-five are front-loaded. Additional parallel parking in recessed bays on the street will be available for visitors. Mr. Barhight presented additional information concerning “the community benefit.” The original Resolution No. 65-08 directed the community benefit funds of \$1,000 per unit to Franklin Square Hospital. However, Resolution No. 31-09 amended the community benefit to direct the funds to effect improvements to Rosedale Park, including upgrading parking and repairing soil erosion.

Mr. Moore, Board Member, commented that he understood that the expectation of the PUD process was to have a higher quality development, and questioned whether the building materials were of high quality. In response, using illustrations, Mr. Martin identified the mixture of treatments, color, and overall site design that demonstrate added quality. Mr. Moore also inquired of the limited green space, much of which is used for stormwater management. Mr. Wit, Board Member, inquired about the sale price of the homes. He was advised that the homes would be priced in the mid to high \$200,000’s. It was noted that the school analysis indicated the development would not trigger a school moratorium.

Comments by citizens

Mr. Joseph Leake, who resides in Greenview Park, Rosedale, expressed his concern about increased traffic and the impact of the proposed development on local schools, which are already over capacity. Instead of the PUD, Mr. Leake would like to see a park located on the site—possibly one with a focus on theater. Planning Staff will address the school issue.

Adjournment of Public Hearing

The public hearing was concluded at 4:56 p.m

. The Board meeting reconvened at 4:57 p.m..

2. **The Overlea-Fullerton Community Plan**

Ms. Laurie Hay, Sixth District Community Planner, introduced the Overlea-Fullerton Community Plan to the Board. She noted that there were no re-zoning issues and requested the scheduling of a Public Hearing for July 16, 2009. Mr. Parker moved that a Public Hearing on the Overlea-Fullerton Community Plan be scheduled for July 16, 2009. The motion was seconded by Mr. Sampson and passed unanimously at 5:00 p.m. Absent were Mr. Harden, Mr. Dock and Mr. Dennis Hoover.

A copy of the draft Overlea-Fullerton Community Plan, Approaches for the Future, May 5, 2009, is filed as Appendix F.

3. Water and Sewerage Plan, Amendments, Cycle 27

Mr. Jeff Mayhew, Chief, Community Planning, presented this matter in the stead of Mr. David Thomas, Deputy Director, Department of Public Works, and requested that the Planning Board schedule a public hearing for July 16, 2009. Staff will present details at the time of the Public Hearing. Mr. Parker moved that a Public Hearing be scheduled for July 16, 2009 regarding Water and Sewerage Plan, Amendments, Cycle 27. Ms. Foos seconded the Motion, which passed unanimously at 5:03 p.m. A copy of the proposed amendments is filed as Appendix G.

4. Legislation: Wind Turbines

Ms. Kathy Schlabach, Chief, Strategic Planning, introduced the draft of proposed Amendments to the Baltimore County Zoning Regulations Regarding Small Wind Energy Systems, dated June 22, 2009. On July 7, 2008, the Baltimore County Council passed Resolution 52-08, which requested that the Planning Board propose amendments to the zoning regulations in order to regulate the location and use of wind turbines for residential energy use. At the request of the Planning Board, the Office of Planning has proposed amendments to the zoning regulations per the Report; filed as Appendix H. A copy of the draft Report is on the County website. Mr. Gilliss advised that the Board has established an ad hoc committee with Mr. Sampson, as Chair and Mr. McGinnis, Mr. Moore, Mr. Dean Hoover, and Mr. Parker as committee members. The committee's task is to review the draft Report and make a presentation to the full Board. Thereafter, a decision on scheduling a public hearing will be made.

Mr. Parker moved the adjournment of the July 2, 2009 meeting of the Baltimore County Planning Board. Mr. Miller seconded the Motion, which passed unanimously at 5:16 p.m. Absent were Mr. Harden, Mr. Dock, and Mr. Dennis Hoover.

bw

Approved 7/16/09