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Minutes
October 21, 2010

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. Robert J. Palmer
Mr. William Moore
Mr. Dean Hoover
Mr. Edward Gilliss
Mr. Gerard J. Wit
Mr. Paul Miller
Mr. Robert E. Latshaw, Jr.
Mr. Adam T. Sampson
Dr. Robert Gregory
Mr. Lionel van Dommelen
Mr. Wayne C. McGinnis
Mr. Dennis P. Hoover

Absent

Ms. Nellie Grinage
Ms. Dorothy Foos

County staff present included Pat Keller, Lynn Lanham, Jeffrey Mayhew, Kathy Schlabach, Curtis Murray, Barbara Weaver, Krystle Patchak, Diana Itter, Lloyd Moxley and Donnell Zeigler 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.

Minutes of the October 7, 2010 meeting

Mr. Miller moved that the Minutes of the October 7, 2010 meeting of the Baltimore County Planning Board be approved as amended to indicate on Page 4, No. 2, Master Plan Amendment A, 3rd line: phrase added "with Mr. Latshaw abstaining," and on Page 6 Public Hearing 2801 Bay Drive, Referral of PUD, 2nd paragraph, modified to read, "Mr. Moxley referred to the extensive history of the PUD." Dr. Gregory seconded the Motion, which passed unanimously at 4:02 p.m. Absent were Ms. Foos and Ms. Grinage. A copy of the approved Minutes as amended is filed as Appendix B.

Item for Introduction

1. Perry Hall Community Plan

Mr. Zeigler briefly introduced the Perry Hall Community Plan. County Council Resolution No. 104-08, passed on December 1, 2008, requested that the Baltimore County Planning Board prepare a community plan for the Perry Hall area of Baltimore County as an amendment to Master Plan 2010. Copies of the draft plan were distributed to the Board members.

Dr. Gregory moved that a Public Hearing be scheduled for Thursday, November 4, 2010 at 5 p.m. regarding the Perry Hall Community Plan. Mr. Dennis Hoover seconded the Motion, which passed unanimously at 4:05 p.m. Absent were Ms. Foos and Ms. Grinage. A copy of the Plan is filed as Appendix C.

Item for Deliberation & Vote

2. Greenspring – East Pikesville Community Action Plan

Ms. Itter referred the Board to “The Recommended Changes to the Greenspring East Pikesville Community Plan to address Agency Comments October 20, 2010.” There were some minor grammar and text changes as stated on the insert. A last minute email from Ms. Patz, a community member, expressed concern that recommended zone changes would adversely affect her property and others. Creating a new “institutional” zone was mentioned as an action item for possible legislative consideration by the County Council.

Mr. Miller moved that the Baltimore County Planning Board approve the draft Greenspring – East Pikesville Community Action Plan dated September 13, 2010 with amendments and additions as of October 20, 2010 as an amendment to Master Plan 2010. Dr. Gregory seconded the Motion, which passed unanimously at 4:10 p.m. Absent were Ms. Foos and Ms. Grinage. A copy of the Plan with changes is filed as Appendix D.

3. 2801 Bay Drive – Remand of Planned Unit Development (PUD), PDM# XV-915

Mr. Moxley, Planning Staff, was present to answer any questions from the Board members. Board member, Mr. van Dommelen, briefly recapped his observations of the issue, highlighting the long complex history. He moved that the Baltimore County Planning Board as a result of inter-agency and public comments on 2801 Bay Drive Planned Unit Development--Remanded (Case No. CBA-08-133), PDM # XV-915, recommendations from the Office of Planning as articulated in the Staff Report to the Planning Board, input from the public hearing on October 7, 2010 and deliberations on October 21, 2010 FINDS :

That density units and dwelling units available to the development have been correctly calculated within the provisions of Section 430.3.C.2 BCZR and that the PUD concept

properly distributes the combined 13 units among the 9 three bedroom single-family dwellings; and, that the compatibility requirements of Section 32-4-402 (d) BCC are met.

And that the Planning Board APPROVES the 2801 Bay Drive Planned Unit Development--Remanded (Case No. CBA-08-133) as fully articulated in the Staff Recommendations, Planned Unit Development Findings document (DRAFT) for the 2801 Bay Drive Planned Unit Development--Remanded in accordance with Section 32-4-245 of the Baltimore County Code. Mr. Latshaw seconded the Motion.

In the discussion that followed, Mr. Moore expressed continued concern with storm water management, but acknowledged that the State's stringent new parameters should provide extensive review. He takes issue with a duplex structure being given the same consideration as an individual structure, with regards to compatibility, and would like the Planning Office to look into that particular issue. Mr. Palmer sees no exacerbation of flooding in an area that is already prone to floods.

Mr. Miller, using the PowerPoint schematic of the houses, suggested recessing the front entrances and eliminating the bump outs on each of the six units on the waterfront lot, and utilizing that footage to increase the setbacks on each side of the lot. He asked if Mr. Wolfe, the developer, were present. He was, and Mr. Miller asked "Do you think you'll do this?" "Mr. Wolfe responded, yes, we will." Mr. Moore asked if this agreement should be added to Mr. van Dommelen's Motion, and Mr. Miller replied that was not necessary and that Mr. Wolfe's word was sufficient for him.

Mr. McGinnis stated his appreciation for the efforts on the part of Mr. Zimmerman's office.

The Motion passed unanimously at 4:31 p.m. Mr. Dean Hoover recused himself. Absent were Ms. Foos and Ms. Grinage. A copy of the final approval form is filed as Appendix E.

Other Business

4. Landmarks Preservation Commission (LPC) Report- October 14, 2010 Meeting

Mr. Dean Hoover, the Board's representative to the LPC, highlighted items contained in the Report, which is filed as Appendix F.

5. Legislation:

Mr. Murray referred the Board to legislation of interest that was circulated to the Board, and is filed as Appendix G, including:

- a. Resolution No. 63-10 – Baltimore County Design Manual
- b. Resolution No. 73-10 – Support of State of MD Grant – White Marsh General Motors Facility
- c. Resolution No. 75-10 – Metropolitan District Extension No. 163 – Lyons Mill Road – 4th District

- d. Resolution No. 83-10 – Appointment – County Auditor – Lauren M. Smelkinson
- e. Bill No. 75-10 – Zoning Regulations – Housing Standards
- f. Bill No. 78-10 – Zoning Regulations – Condominium Regimes
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He highlighted the following:

Resolution No. 63-10: Baltimore County Design Manual. The Baltimore County Department of Public Works Design Manual was adopted with amendments as recommended by the Planning Board, as well as amendments deemed appropriate by the County Council. The Baltimore County Design Manual is intended to guide the design of public works projects in the County.

Resolution No. 73-10 – Support of State of MD Grant – White Marsh General Motors Facility. The County Council is in support of a grant in an amount up to \$3,000,000 from the State of Maryland’s Department of Business and Economic Development to Baltimore County, MD for the benefit of General Motors LLC. The County determined that the project is a priority for the County and therefore seeks to endorse the project and endorse and receive the grant.

Resolution No. 83-10: Appointment – County Auditor – Lauren M. Smelkinson. The County Council has conducted an extensive search and interviewed qualified applicants for the appointment of a County Auditor. Lauren M. Smelkinson was unanimously chosen to serve as County Auditor for an indefinite term effective September 8, 2010

Bill No. 75-10 – Zoning Regulations – Housing Standards. The Baltimore County Zoning Regulations are being amended for the purpose of revising certain setback and building height standards and requirements for certain types of traditional housing units; and generally relating to uses in the County’s business zones. This will repeal and re-enact, with amendments Section 1B01.2.C.1.b. and c. of the Baltimore County Zoning Regulations as amended.

Adjournment of the Board Meeting

Mr. Latshaw moved to adjourn the Baltimore County Planning Board meeting. The Motion, which was seconded by Dr. Gregory, was passed unanimously at 4:41 p.m. Absent were Ms. Foos and Ms. Grinage.

Public Hearing**
by the
Baltimore County Planning Board

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

The Public Hearing was called to order at 5:00 p.m. by Chairman Gilliss.

Ruxton-Riderwood-Lake Roland Area Plan

Ms. Itter, in her preliminary remarks, brought recent amendments and “fine” tunings suggested by County Agencies to the Board for consideration. Mr. Al Barry, consultant, using a PowerPoint presentation described the details of the Plan, which is an update to the existing 2002 Plan. Among items highlighted were Major Accomplishments, which included: Baltimore County assuming control from Baltimore City of Robert E. Lee Park, the creation of Greater Area Ruxton Foundation, and the creation of the Baltimore County Design Review Panel area.

He elaborated on the theme of “connecting,” pointing to:

- The new bridge
- Lake Roland Park - Bare Hills Village to capture infill growth
- Historic preservation
- Enhanced commercial and residential infill development
- Pedestrian and Bike Enhancements

In response to Board members’ questions regarding the possibility of a light rail stop in Ruxton, Mr Barry clarified that there would be no further consideration of a light rail stop in Ruxton at this time. There was a great deal of participation on the part of the community and that the \$3 million in County funds used to purchase Lake Roland Park were matched by \$3 million from the State.

Comments from the public included the following:

Elise Butler, Falls Road resident, spoke in support of the Plan. She thanked the Board for their interest. She is excited about the walkability and access to the Park. Kathy Mountcastle, President of the Board of Ruxton-Riderwood-Lake Roland Area Improvement Association, stated she was pleased with the results of the Plan, which included the creation of a design review panel area and takeover of Robert E. Lee Park. David Meese, directed attention to the Appendix, Section 1: Traffic and Light Rail. He stated that working with the County on the Plan produced a positive outcome in his opinion. Marsha Ramsay was involved with the Pedestrian and Bike Enhancements,

specifically. She felt that it was important to address all forms of “transportation” and not just vehicular and to work on a link to the trail systems and establish a parking area in Brooklandville. Jeffrey Budnitz worked to establish the Robert E. Lee Park as a Baltimore County park. He was involved with setting up the Nature Council and pursuing fund raising efforts for the Park that would assist with cost of dredging the lake. He envisions making the Park a “destination,” and asked, rhetorically, “How do we create a balance of mixed use?”

A copy of the Ruxton-Riderwood-Lake Roland Area Plan, changes, and the PowerPoint Presentations are filed as Appendix H.

Adjournment of the Public Hearing

Mr. Gilliss adjourned the October 21, 2010 Public Hearing of the Baltimore County Planning Board at 5:36 p.m.

**Citizen Input Meeting
by the
Baltimore County Planning Board**

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

Capital Improvement Program (CIP)

The Citizen Input Meeting on the CIP was called to order at 5:39 p.m. by CIP Committee Chairman William Moore. Agency representatives were present to hear citizens’ comments; represented were the Department of Community Conservation, the Police Department, the Fire Department, the Department of Recreation and Parks, the Department of Economic Development, the Department of Environmental Protection and Resource Management, the Department of Public Works, and the Department of Budget and Finance.

A final bound version of the Capital Budget, Fiscal Year 2011, Capital Program, Fiscal Years 2012 – 2016, adopted May 27, 2010, is filed as Appendix I along with other comments from citizens.

Mr. Walter Savoye, a member of various Towson-area community organizations including Cromwell Valley Park Council, had submitted a similar proposal two years ago for supplying water to Cromwell Valley Park which was dropped from the 2010 budget. He stated that there is an even greater need now and is hopeful that this proposal will be considered. The proposal is included as part of Appendix I. Ms. Laura Pawlak, speaking on behalf of Friends of Hereford Library, urged approval of funding for a library building. The current leased facility, which has limited parking and no meeting rooms, is extremely inadequate and cannot accommodate the 400 visitors a day. Mr. Rob DeFord,

Vice President Long Green Land Trust, President Boordy Vineyards, supports funding for land preservation projects in the County and would like to see an increase in funding for land preservation and easements. Mr. Justin King, representing Tomorrow's Towson, an organization established in 2006 that has worked to create and implement a vision for Towson, asks that the program be fully funded with \$2 million dollars in order to complete the work that was started. Mr. Thorne Gould asks that the County review the policy on easements and property in agricultural preservation. He states that the policy seems counter-productive. Ms. Harriett Husted, supports an increase in agricultural land preservation funding from \$2 million to \$4 million and in rural legacy funding from \$500,000 to \$2 million. She notes that land in agriculture preservation pays taxes but requires little in the way of infrastructure in return. Mr. James Constable, Monkton resident and officer in several land conservation groups in the North County, supports previous remarks made in favor of land preservation. Mr. McGinnis, Board Member, speaking on behalf of the PTA of the school known as Seventh District Elementary, urged increased funding to cover upgrades to the school which currently is dealing with old open space classrooms and an out-dated gym.

Ms. Schlabach referred the Board to the copy of Capital Budget Supporting Detail, Fiscal Year 2011, adopted May 27, 2010 that was distributed to them. This is the budget that the Board worked on last year, covering years 2012 – 2016. She highlighted some key points of the process, including, FY 2011-2016 appropriations, funding sources FY 2011 – 2014 for \$2 billion, plus (mostly from bonds), and the flow chart. The Planning Board can add, modify or delete projects and funding amounts; the County Council can only decrease and delete projects.

Adjournment of the CIP Citizen Input Meeting

Mr. Moore adjourned the October 21, 2010 CIP Citizen Input Meeting of the Baltimore County Planning Board at 6:03 p.m.

bw

Approved 11/4/10