

MINUTES

Baltimore County Planning Board Meeting, May 19, 2011

Contents

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

Review of today's Agenda

Minutes of the March 3, 2011 meeting

Item for Introduction

- ** 1. Bear Creek Overlook, PDM #12-140 – Variation of Standards

Other Business

2. Report of the Landmarks Preservation Commission meeting March 10, 2011, April 14, 2011, and May 12, 2011

Adjournment of the Board Meeting

Appendices

Appendix A	Tentative Agenda
Appendix B	Minutes of the March 3, 2011 meeting, as approved
Appendix C	Bear Creek Overlook, PDM # 12-140, Application for Variation of Standards, Staff Report, Site Plan, PowerPoint presentation by the developer's representative and by the Department of Environmental Protection and Sustainability
Appendix D	Reports of the Landmarks Preservation Commission meetings - March 10, 2011, April 14, 2011, and May 12, 2011

Minutes
May 19, 2011

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

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

Present

Mr. Dennis P. Hoover
Mr. C. Scott Holupka
Mr. Robert E. Latshaw, Jr.
Mr. Gerard J. Wit (arrived 4:04 p.m.)
Mr. William Moore (arrived 4:25 p.m.)
Mr. Wayne C. McGinnis (arrived 4:20 p.m.)
Dr. Robert Gregory
Ms. Nellie Grinage
Mr. Edward J. Gilliss
Mr. Randy Thompson (arrived 4:45 p.m.)
Mr. Albert Zawicki
Mr. John Polek
Dr. Robert Gregory (deleted double reference)
Mr. Mark Schlossberg

Absent

Mr. Howard Perlow
Mr. Paul Miller

County staff present included Andrea Van Arsdale, Jeff Mayhew, Lynn Lanham, Curtis Murray, Krystle Patchak, and Barbara Weaver, from the Office of Planning, and Patricia Farr from the Department of Environmental Protection and Sustainability.

Mr. Gilliss recognized Ms. Dorothy Foos' service on the Board from 1989 until recently. He also introduced new Board members Mr. John Polek, who represents the 6th District, and Mr. Mark Schlossberg, who represents the 2nd District. He welcomed the new Director of Planning, Andrea Van Arsdale, as the Secretary to the Board.

Review of today's Agenda

There were no changes to the Tentative Agenda, which is filed as Appendix A.

Minutes of the March 3, 2011 meeting

Mr. Latshaw moved that the Minutes of the March 3, 2011 meeting of the Baltimore County Planning Board be approved as circulated. Mr. Hoover seconded the Motion, which passed unanimously at 4:03 p.m. Messrs. Miller, Wit, Thompson, McGinnis, Moore, and Perlow were absent. A copy of the approved Minutes is filed as Appendix B.

Item for Introduction

1. Bear Creek Overlook, PDM #12-140 – Request for Variation of Standards

Mr. Jason Vettori, of Smith, Gildea and Schmidt, spoke on behalf of the developer, Daria Land Group, LLC. Mr. Vettori, with the aid of a PowerPoint, described the proposed request for variation of standards of the Critical Area.

The proposal calls for 16 individual dwellings located in the Inverness neighborhood near Dundalk, across the water from the Sparrows Point Country Club. The homes will be situated on 3 parcels, known as A, B, and C, totaling 6.46 acres of mixed DR 3.5 and DR 10.5 zoning. Parcels A and B, not C, impact the 100-foot landward buffer. A stream running through the property expands the scope of the buffer area.

The main area in question involves a strip of land historically used for overflow neighborhood parking. Since this use predates the Critical Area Law, the community would like to continue to use that amenity and also create a pocket park.

Mr. Vettori stated that the development will have to go through a major subdivision review apart from the request for variation of standards and that the Planning Board is only being asked to address the impacts on buffer areas. Mitigation efforts will include replacing the lawn area with trees and removing some parking spaces that will provide better filtering of sediment and nutrient runoff.

Questions from Board members elicited responses that:

- Identified the stream as well as parking area;
- Clarified large tree requirements;
- Indicated that NeighborSpace will own and maintain the parking and pocket park after the development is completed; and
- The parking area may be paved and a fence erected between it and the water.

Ms. Farr, representing the Department of Environmental Protection and Sustainability, addressed the specific Variation of Standards Criteria, opining that the request meets all of the variation criteria as well as the three goals of the Critical Area Law, and recommending approval with the following conditions:

- A Buffer Management Plan and security shall be required for all Buffer planting, fencing, and parking space removal;
- All mitigation shall be completed within 2 years of grading permit issuance; and
- All onsite buffers, forests, wetlands, and planting areas shall be protected via a perpetual Baltimore County Critical Area Easement.

All supporting materials, including the Application for Variation of Standards, Staff Report, Site Plan, letters, and copies of PowerPoint presentations are filed as Appendix C.

Other Business

2. Report of the Landmarks Preservation Commission meetings - March 10, 2011, April 14, 2011, and May 12, 2011

Mr. Gilliss referred Board members to the reports of the Landmarks Preservation Committee Meetings for March 10, 2011, April 14, 2011 and May 12, 2011.

Adjournment of the Board Meeting

Mr. Latshaw moved the adjournment of the May 19, 2011 Planning Board meeting. Mr. Hoover seconded the Motion, which passed unanimously at 4:54 p.m. Absent were Messrs. Miller and Perlow.

bw/kp

Approved as amended 6/02/11