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Baltimore County Planning Board Meeting,
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Minutes
July 21, 2011

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. Dennis P. Hoover
Mr. William Moore
Mr. Edward Gilliss
Mr. Gerard J. Wit
Mr. Paul Miller
Mr. Robert E. Latshaw, Jr.
Dr. Robert Gregory
Mr. John Polek
Mr. C. Scott Holupka
Mr. Albert Zawicki
Mr. Howard Perlow
Mr. Wayne C. McGinnis
Mr. Mark Schlossberg (arrived 4:04 p.m.)

Absent

Ms. Nellie Grinage
Mr. Randy Thompson

County staff present included Andrea Van Arsdale, Jeff Mayhew, Kathy Schlabach, Curtis Murray, Barbara Weaver, Krystle Patchak, and Bruce Seeley from the Office of Planning, and David Thomas from the Department of Public Works.

Mr. Gilliss noted that there would be no Board meetings in August. The first meeting in the fall is scheduled for September 1st, followed by September 15th.

Review of today's Agenda

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

Minutes of the June 16, 2011 meeting

Mr. Latshaw moved that the Minutes of the June 16, 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. Absent were Messrs. Schlossberg and Thompson, and Ms. Grinage. A copy of the approved Minutes is filed as Appendix B.

Presentations

1. Implementation Strategy Master Plan 2020

Mr. Bruce Seeley, Office of Planning Master Plan Coordinator, noted that the Baltimore County *Master Plan 2020* was approved by the Planning Board on October 7, 2010 and adopted by the Baltimore County Council on November 15, 2010 (Res. No. 94-10).

Using a PowerPoint presentation, Mr. Seeley outlined the overall framework for implementation. Some key points included:

- Focus on sustainable development, with its components of community, economy, and environment.
- Encourage redevelopment inside the urban area and maintain the Urban Rural Demarcation Line (URDL).
- Preserve Rural Areas.
- Comply with Recent Mandates, Article 66B Annotated Code of Maryland, especially the Water Resources Element, which stipulates that Nitrogen and Phosphorous in runoff must be reduced.

New Concepts under *Master Plan 2020* embrace higher-density, mixed-use development, which includes a variety of housing choices, green space (created or preserved), and much less stormwater runoff. Also, mixed-use development can reduce vehicle miles traveled (VMT's) individually by 3,000 – 7,000 miles per car. Redevelopment Area Criteria and potential locations for “Community Enhancement Areas” (CEA's) were described.

Mr. Seeley spotlighted the stakeholders that play a major role in achieving the goals of *Master Plan 2020*, including:

- The Administration
- The Council
- The Planning Board
- Agencies and Office of Planning
- Master Plan Implementation Committee (MPIC) made up of agency representatives

In summary, he stated, “We believe the County will move forward with sustainability as the overarching theme.” A copy of Master Plan 2020 is filed as Appendix C along with a copy of Mr. Seeley's PowerPoint. The Master Plan may be accessed on line at <http://www.baltimorecountymd.gov/Agencies/planning/masterplanning/index.html>

2. *PlanMaryland* by Maryland Department of Planning Staff

Mr. Rich Josephson, Director of Planning Services, Maryland Department of Planning, presented the details on *PlanMaryland*. He introduced Mr. Chuck Boyd who has been instrumental in working on the draft and stressed that the Plan is still in the draft stage with a comment period running until September 1, 2011. Additional comments are welcome.

Mr. Josephson stated that *PlanMaryland* is important in guiding State Agencies as well as local jurisdictions. He stressed that the Plan does not take away any local authority, but

rather lays a framework as to how the State can work with local jurisdictions and ultimately provide the basis for getting some help from Federal sources.

Key trends were identified:

- Growth
- Migration out of state
- Loss of farm land
- Travel (VMT), as mentioned by Mr. Seeley in his *Master Plan 2020* presentation
- Housing/Affordability
- Land Use/Land Cover 1973, 2010, and projected 2030

Mr. Josephson described:

- The PlanMaryland framework, such as policies to guide state agencies
- Key points about the Plan, including ongoing stakeholder involvement
- How PlanMaryland works, by helping to achieve smart growth goals
- PlanMaryland policies, State coordination
- How the Plan will be implemented, for instance, through capital and non-capital budgeting
- Monitoring and Evaluation, for example, by establishing key performance measures

October 2011 is the scheduled completion date for the project. To view the Plan, visit Plan.Maryland.gov. A copy of the PowerPoint presentation, along with the PlanMaryland Draft Plan Executive Summary, April 2011, is filed as Appendix D.

Planning Board Comments

In a period reserved for questions and comments that followed the two presentations, Mr. Josephson clarified for Mr. Hoover that the criteria for the “Green Print” was based on a scientific formula that took into consideration the ecological value of an area. In responding to Mr. Moore’s question regarding the apparent lack of “teeth” in the Plan, Mr. Josephson indicated that the consensus is that collaboration is the key element right now.

Mr. McGinnis commented that the agricultural community commends some points of the Plan, but disagrees with others. In particular, he cited the negative effect of fencing off and planting trees along streams. Mr. Perlow would like to see the State’s response time speeded up.

In response to Dr. Gregory’s question regarding funding, Mr. Josephson stated that current funding exists through agencies, such as MDOT and Housing, but that better sources are being pursued. Input from the County Executive and agency directors is ongoing.

Mr. Moore commended the efforts that produced *Master Plan 2020*. Mr. Seeley advised that a core group has been developing the strategy. The Master Plan Implementation Committee (MPIC), which is one of the actions within the Plan, will follow. At Dr. Gregory's request, Mr. Seeley acknowledged that he would bring periodic progress updates to the Board.

Mr. Moore would like to see the report on the Hess Road Bridge as promised during the CIP hearings.

Other Business

3. Report of the Landmarks Preservation Commission (LPC) meeting of July 14, 2011

Since the Board's liaison to the LPC, Mr. Perlow, was unable to attend the last meeting of the Commission, Mr. Gilliss directed the Board members' attention to the written Report of Major Actions of the July 14th meeting. A copy of the Report is filed as Appendix E.

4. Legislation and Legislative Actions of Interest

Mr. Murray presented the following recent legislation and legislative actions of interest to the Board:

- a. Bill No. 36-11: The Bill concerns Planned Unit Developments and requires a post-submission community meeting for a proposed Planned Unit Development.
- b. Bill No. 38-11: This Bill, concerning Towson Business Core Development, has a stated purpose of providing for an alternative review process for a development plan proposed for a property located in the Towson Business Core.
- c. Resolution No. 64-11: This Resolution is for the purpose of adopting the Towson business Core Design Principles.
- d. Appointment: Benjamin L. Polakoff, Esq. was appointed Chair, Baltimore County Ethics Commission.
- e. Appointment: Lawrence Daniels was appointed to the Baltimore County Ethics Commission.

Copies of the legislation are filed as Appendix F.

Adjournment of the Board Meeting

Mr. Gilliss adjourned the Board Meeting at 5:04 p.m. for the Public Hearing.

Public Hearing**
by the
Baltimore County Planning Board

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

The Public Hearing regarding Water and Sewerage Amendments, Cycle 29, July 21, 2011 was called to order at 5:05 p.m. by Chairman Gilliss.

David Thomas of the Department of Public Works highlighted the petitions that were presented this year:

- 11-01 Glendalough Farms: This property is located at the NE Corner of Wilkens Avenue & Rolling Road, in Council District 1. The Zoning classification is DR-2 & DR-3.5. The property is inside the URDL and the Metropolitan District boundary. Existing W & S Plan Designations are W-1, S1 & 5. Requested designations are W-1, S-3.
- 11-02 Ulrich Avenue Property: This property is located on the W/S of Ulrich Ave. approximately 100' south of current road terminus, in the 6th Council District with zoning classifications of DR-5.5, RC-2 & ML-M43. The property is inside the URDL and inside the Metropolitan District boundary. The existing W & S Plan designations are W-7, S-7. Requested designations are W-3, S-3.
- 11-03 Arbor Ridge (Withdrawn)
- 11-04 Rudy Property: The property is located at the end of Keech Road 700' S of Gun Road in the 1st Council District. It is inside the URDL and inside the Metropolitan District Boundary. The existing W & S Plan designations are W-1, S-6; requested, W-3, S-3.

In the question and answer period that followed, Mr. Miller requested a map of the Ulrich Property, Issue No. 11-02, showing zoning. Mr. Thomas will pursue.

A copy of the Booklet and CD outlining complete details of the issues, including maps, and supporting data from the Rudys is filed as Appendix G.

Speakers addressed issues as follows:

Mr. Jamie Rudy, along with his wife Laura, owns the 10.5 acres off Keech Road described as Issue 11-04. As he stated, the request to change the W & S classifications

from W-6, S-6 to W-3, S-3 has been before the County previously and denied. Connections to water and sewerage are close by; he just needs the authorization to hook up.

Mr. Paul Donohue, President of the Gun Road Historical and Protective Association, also speaking in regard to Issue 11-04, advised that he has been working with Councilman Quirk and Mr. Rudy on restrictions. Councilman Quirk has obtained advice from the County Attorney that the sewer hook ups may be restricted to no more than three houses.

Mr. Donohue advised that an added protection might be what is known as a “spite strip,” which is a narrow strip of land around the perimeter of the property that is deeded to another entity, such as the Community Association.

Adjournment of the public hearing/Adjournment of the Board meeting

Mr. Gilliss declared the public hearing concluded at 5:19 p.m. Mr. Zawicki moved the adjournment of the Planning Board meeting. The Motion was seconded by Mr. Latshaw and passed unanimously at 5:20 p.m. Absent were Mr. Thompson and Ms. Grinage.

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Approved 9/1/11