

MINUTES

Baltimore County Planning Board Meeting,
May 2, 2013

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Minutes
May 2, 2013

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

Edward J. Gilliss, Chair, called the meeting of the Baltimore County Planning Board to order at 4:02 p.m. The following members were:

Present

Mr. Edward Gilliss
Mr. Paul Miller
Mr. N. Scott Phillips (*arrived at 4:15 p.m.*)
Mr. Gerard Wit
Ms. Nancy Hafford
Mr. Wayne C. McGinnis
Mr. Scott Jenkins
Mr. Scott Holupka
Mr. John Polek
Mr. Mark Schlossberg

Absent

Mr. Randy Thompson
Mr. Jeffrey Gordon
Mr. Rainier C. Harvey, Sr.
Mr. Howard Perlow
Mr. Eric Lamb

County staff in attendance included Andrea Van Arsdale, Jeff Mayhew, Lynn Lanham, Curtis Murray, Janice Graves, and Kathy Schlabach from the Department of Planning, and Vincent Gardina, Director, Department of Environmental Protection and Sustainability

Review of today's Agenda

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

Minutes of the April 18, 2013 Meeting

Mr. Miller moved to accept the Minutes of the March 7, 2012 meeting as circulated. Mr. Polek seconded the Motion, which unanimously passed at 4:05 p.m. Absent were Messrs. Phillips, Thompson, Gordon, Perlow, Harvey, Sr., and Lamb.

A copy of the approved Minutes is filed as Appendix B.

Special Presentation to the Board

Storm Water Remediation Fees

Mr. Gilliss invited Mr. Gardina, Director of the Department of Environmental Protection and Sustainability, to give his presentation entitled "Baltimore County Storm Water Utility Fee Development." Mr. Gardina advised the Board that the catalyst for storm water remediation was a lawsuit brought by the Chesapeake Bay Foundation and others (Fowler vs. Environmental Protection Agency (EPA)). As a result of the lawsuit, the EPA was required to develop Total Maximum Daily Loads (TMDLs) to monitor the total amount of pollutants entering the Chesapeake Bay. The actions compelled the State of Maryland to develop a plan of action to address the pollution in the Chesapeake Bay. Storm water is a significant source of pollution in the Bay. The Maryland Department of Environment (MDE) requires the county to address local water impairments through the development of TMDL Implementation Plans, in part through its MS4 permitting.

Waterway impairments include nitrogen, phosphorus, sediment, bacteria, chlordane, PCBs, mercury, and trash. However, the three major pollutants currently controlled by local TMDL implementation plans are nitrogen, phosphorus, and sediment. The MS4 permit also requires a variety of other management and monitoring plans to mitigate pollution issues.

Mr. Gardina advised that State lawmakers recognized that the cost of addressing storm water pollution exceeds current local funding for environmental restoration programs. In response, the General Assembly approved House Bill (HB) 987 during the 2012 legislative session. HB 987 required the 10 largest jurisdictions in Maryland to develop a Storm Water Utility Fee and establish a watershed protection and restoration program. Pursuant to HB 987, the Baltimore County Council adopted Bill 20-13 entitled Storm Water Remediation Fees to assist the clean-up efforts of the Chesapeake Bay and its tributaries and reservoirs.

Several Board members asked questions concerning the remediation fees. The questions involved exemptions, definitions, past practices versus current pollution treatment practices, and funding sources for pollution management programs other than that which is generated by remediation fees. The Board also questioned where businesses and citizens could go to obtain more information about their fees and potential credits. Mr. Gardina replied that the *My Neighborhood* online application will have a layer showing the specific area credits and fees.

Mr. Miller expressed his support for the program and environmental restoration and treatment programs. Mr. Miller commended Mr. Gardina for running the Department of Environmental Protection and Sustainability in a very efficient and successful manner.

A Copy of the Baltimore County Storm Water Utility Fee Development (Storm Water Remediation Fees) presentation is filed as Appendix C.

Transit Oriented Development

Mr. Gilliss invited Ms. Lanham from the Department of Planning to introduce the Transit Oriented Development project. Ms. Lanham advised the Board that the staff report was provided on their notebooks for their review.

Ms. Lanham advised the Board that County Council Resolution 29-11 requested the Baltimore County Planning Board to review relevant Baltimore County laws and regulations relating to Transit Oriented Development (TOD) and policies of other charter counties to determine what if any changes are needed to Baltimore County policies, laws, regulations, or zoning classifications and to report their findings and recommendations to the County Council.

Ms. Lanham requested that the Board conduct a public hearing on May 16, 2013 at 5:00 p.m. to hear staff recommendations and any public comments regarding Transit-Oriented Development.

Mr. Miller moved that a Public Hearing be set for Thursday, May 16, 2013 at 5:00 p.m. regarding the staff report and recommendations for Transit-Oriented Development and to hear any public comments. Mr. Polek seconded the motion which unanimously passed at 5:07 p.m. Absent were Messrs. Thompson, Gordon, Perlow, Harvey, Sr., and Lamb.

A copy of the transit-oriented development staff report is filed as APPENDIX D.

Prior to the adjournment of the Board meeting Mr. Miller raised concerns regarding parking for Board members. Mr. Miller requested that staff provide or prepare a map of the areas wherein Board members are permitted to park during or after normal business hours.

Adjournment of the Board Meeting

Mr. Schlossberg moved to adjourn the Board meeting. Mr. Polek seconded the Motion, which passed unanimously at 5:12 p.m. Absent were Messrs. Gordon, McGinnis, Wit, and Thompson.

Cjm

APPROVED 6/6/2013-cjm