

MINUTES

Baltimore County Planning Board Meeting

July 17, 2014

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 - d. Resolution 52-14 – PUD, Merritt Pavilion, Dundalk
6. There are no August, 2014 meetings. The next meeting of the Planning Board is tentatively scheduled for Thursday, September 4, 2014 at 4:00 p.m.

Adjournment of the Board Meeting

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Minutes

July 17, 2014

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

Vice Chairman Paul Miller, standing in for Chairman Scott Phillips, called the meeting of the Baltimore County Planning Board to order at 4:30. The following members were:

Present

Mr. Paul Miller
Ms. Christina Berzins
Mr. Jonathan Herbst
Mr. Scott Jenkins
Mr. Wayne C. McGinnis
Mr. Howard Perlow
Mr. Lawrence Vincent
Mr. Eric Lamb
Mr. C. Scott Holupka
Mr. Mark Schlossberg
Mr. Randy Thompson
Ms. Nancy Hafford*

Absent

Mr. N. Scott Phillips
Mr. Jeffrey Gordon
Mr. Rainier C. Harvey, Sr.

*Ms. Hafford did not arrive until 5:50

County staff present included Andrea Van Arsdale (AVA), Jeff Mayhew, Lynn Lanham, Dave Green, Matt Diana, Joe Wiley, and Janice Graves. Dave Thomas from the Department of Public Works was present as well.

Review of Today's Agenda

Mr. Miller asked if there were any changes to the tentative Agenda previously published. Ms. Lanham indicated that there were no changes to the Agenda.

Minutes of the June 19, 2014 meeting

Mr. McGinnis moved to accept the Minutes of the June 19, 2014 meeting as circulated. Mr. Thompson seconded the motion, which unanimously passed at 4:34 p.m. Absent were Messrs. Phillips, Harvey, Gordon and Ms. Hafford.

Special Announcement

Andrea Van Arsdale announced that, moving forward, Matt Diana will be the Planning Board manager and Joe Wiley will be the audio/visual coordinator.

Items for Introduction

1. Triennial Report 2014

Mr. Dave Thomas made introductory remarks regarding the triennial review of the County's Water and Sewerage Plan. Baltimore County is required, under State regulations and law, to conduct a review of its water and sewer plan comprehensively once every three years. The last comprehensive review was in 2011. 2014 is the scheduled once every three year review. Mr. Thomas noted that not all of the detailed maps are complete. However, it is anticipated that within a couple of weeks the maps will be completed. An internet link for the maps will be sent out at that time. Mr. Thomas requested to schedule a public hearing. Mr. Thompson made a motion to set a public hearing regarding the Triennial Review of the Water and Sewerage Plan for Thursday the 4th of September, 2014. Mr. Schlossberg seconded the motion, which unanimously passed at 4:38.

Vice Chairman Miller suggested that the landmarks and legislation of interest should be reviewed before proceeding to the public hearing.

Other Business

4. Report from the July 10, 2014 Landmarks Preservation Committee Meeting

Vice Chairman Miller informed members of the Planning Board to refer to their binders for the most recent report from the Landmarks Preservation Committee Meeting.

5. Legislation of interest

- a. Bill 41-14 – Panhandle Lots
- b. Resolution 41-14 – PUD, DMS Development, LLC – 101 York Road
- c. Resolution 50-14 – PUD, 25 Main Street, Reisterstown
- d. Resolution 52-14 – PUD, Merritt Pavilion, Dundalk

Ms. Lanham summarized the legislation as approved by the Baltimore County Council.

Vice Chairman Miller requested a motion be made for a short recess before turning to the Public Hearings because it was not yet 5 o'clock. Mr. Scott Jenkins made the motion and Mr. Randy Thompson seconded the motion, which was unanimously passed at 4:45.

At the June 19, 2014 meeting of the Baltimore County Planning Board, Mr. Paul Miller made two separate motions to set Public Hearings for the July 17, 2014 meeting of the Baltimore County Planning Board. At 4:14 p.m. Mr. Miller made a motion to set a Public Hearing regarding the Cycle 32 Water and Sewer Amendments, seconded by Mr. Scott Jenkins, and at 4:17 p.m. Mr. Miller made a motion to set a Public Hearing regarding the Patapsco Heritage Area Management Plan, seconded by Mr. Scott Jenkins. The motions passed unanimously. Absent were Messrs. Harvey, Holupka, Lamb, Schlossberg and Thompson.

Items for Public Hearing

2. Cycle 32 Water and Sewer Amendments

Dave Thomas presented the Cycle 32 Water and Sewer Plan Amendments to the Planning Board. This year there was only one amendment requested. It was for a development site at the Timothy Norris property. There were concerns from several members of the Planning Board regarding sewer service to the site. According to Mr. Thomas, the site location corresponds to the appropriate classification in respect to the zoning, the URDL, the metropolitan district, the growth tiers, etc. The development is intended to be on public water and sewer, therefore there needs to be an amendment changing it from an S5 designation to an S3 designation.

The developer's engineer originally thought they could only serve the site by pumping. In that case the grinder pumps would have to be privately maintained. However, Mr. Thomas noted, it would be possible to serve the site by gravity sewer without pumps. However, to do that they would need to acquire an easement through the UMBC Research Park property. If the easement is available to the developer they would be served through the UMBC Research Park to a gravity sewer. If it's not available, however, that would not preclude development to the site. They would have the option of pumping, subject to the approval by the Department of Public Works.

Eric Lamb questioned whether or not they are pursuing the easement. Mr. Thompson noted that they are too early on in the development process to be doing that yet, but DPW will ask them to pursue it. They would have to demonstrate that gravity can't work in order to get permission to use the grinder pumps. Mr. Lamb also asked whether or not there is a financial commitment required in order to obtain the easement and who would make the commitment in that case (developer, DOP, etc). Mr. Thomas responded that that negotiation would fall under the purview of PAI. He also stated that a financial commitment might not be the issue, but whether or not the land owner would make the easement available at all.

3. Patapsco Heritage Area Management Plan

Mr. Gary Maule presented the Patapsco Heritage Area Management Plan on behalf of the Patapsco Heritage Greenway (PHG). The PHG is seeking to certify the area as a Heritage Area.

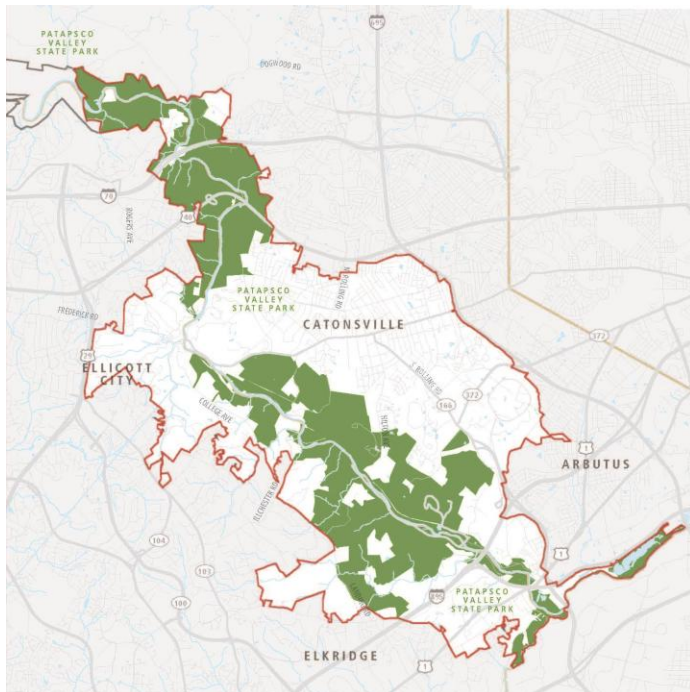
The Patapsco Heritage Area (PHA) has been recognized as a Heritage Area for 15 years. The difference between being recognized and being certified is state funding. Currently the PHG does not have access to state funds.

The Patapsco State Park is part of the Heritage Area and has always been part of the Heritage Area for as long as it has been recognized as one. There are other Heritage Areas throughout the state that have state parks in them. Last spring the PHG formerly began the process with a two day Charrette hosted by the Urban Land Institute. Since then PHG has held 17 public work sessions and met 59 times with numerous organizations, institutions and community groups regarding the certification.

Mr. Maule reiterated that the Patapsco is a very rich resource and he believes that it is not fully recognized by the communities in the region surrounding it. Furthermore, the Planning Board of Howard County has made a recommendation in support of PHG efforts to gain certification.

Mr. Maule emphasized that there will great benefits to becoming a certified Heritage Area. They include: makes grants and matching funds available (up to \$3 million per year), enhances public awareness of the Patapsco and its resources, provides a means to create partnerships with other organizations, municipalities and institutions, and provides a voice on issues impacting the Patapsco's resources. In order for the PHA to be certified as a Heritage Area they must: Identify boundaries, create a management plan (created one 15 years ago- have updated it), and gain approval from Howard and Baltimore Counties and then have the boundaries adopted into their respective comprehensive plans.

Below is a map of the Patapsco Heritage Area boundaries.



There are 15,360 total acres, including a 3,456 acre State Park. Mr. Maule also noted that there is potential for future expansion. The communities that abut the PHA are considered part of this effort.

Mr. Maule stated that public resources are very important for the sustainability of our communities (resources include open space, heritage, recreation, culture and more), and that these resources greatly improve quality of life.

Mr. Maule also noted the historical significance of the Patapsco, stating that the industrial revolution actually began in the Patapsco.

The PHG itself is a 501C3 created in 1980. They have a revolving board and membership (currently about 22 people sit on the board). Funding is sourced through dues and grants. The organization is currently expanding. Their mission is to promote the recognition and enhancement of the Patapsco's multiple resources. A management plan was created in 2000, upon being recognized as a Heritage Area.

Mr. Maule stated that PHG is facing several challenges, including: being divided by multiple jurisdictions, agencies and organizations that don't have a common mission or vision and being disconnected and not recognized as a significant regional resource. They would like to create a comprehensive vision uniting all valley and community resources.

Mr. Lamb questioned why the Sierra Club would be opposed to this. Mr. Maule replied that he believes that the Sierra Club is of the assumption that once certified as a Heritage Area the PHA plan would give them the ability to control the park. Which Mr. Maule said is not true.

Mr. Lamb questioned further regarding how the money would be used, within the park, outside of the park? Development? Mr. Maule replied that the mission of Heritage Areas is to provide income to a region. That could mean many things, including trail maintenance, etc. One goal would be to generate funds that would help DNR expand their staff and create a plan for the park.

Mr. Perlow questioned how this would impact development projects outside of the park, such as the Promenade? Overlay areas could potentially stymie development projects in the surrounding area. Mr. Maule stated that a Heritage Area can create value and not be inhibiting.

Mr. Miller asked whether they would consider a modification to the boundary lines. Mr. Maule said that could be possible but needs further discussion.

AVA stated that this was not interpreted as a "no growth" designation. The Department of Planning will investigate further to see if there are any potential future issues with the designation.

Mr. Holupka asked whether, for example in Spring Grove, PHG would have greater standing to talk about the rezoning or the use of that property. Mr. Maule stated that they would have no control or oversight in that situation.

Ms. Berzins suggested that a statement could be made in the Management Plan that would preclude the PHA from opposing/restricting development in certain areas. Mr. Maule said that yes, he could see that being a possibility.

Mr. Vincent stated that he would like to see some emphasis on taking care of the actual river as it flows through the Patapsco Valley.

Mr. Lamb asked why Arbutus was excluded. Mr. Maule stated that they chose to take the area that they did because that was the limit of what they could do in terms of networking and outreach, and that they took the stance that they could expand in the future.

Announcements

Before adjourning, Ms. Lanham noted that there will be no August meetings of the Planning Board.

Adjournment of the Board Meeting

Mr. Thompson moved to adjourn the meeting. Ms. Hafford seconded the motion, which was unanimously passed at 6:11 p.m. with Mr. Harvey, Mr. Gordon and Mr. Phillips being absent.