

MINUTES

Baltimore County Planning Board Meeting

May 7, 2015

Contents

Call to order, introduction of Board members, Pledge of Allegiance to the Flag and announcements

Review of today's agenda

Minutes of the April 2, 2015 meeting

Items for Introduction

1. Osprey Pointe Development Plan- PAI project number XV-757

Other Business

2. Report from the April 9, 2015 meeting of the Landmarks Preservation Commission
3. Recent County Council Legislation of interest to the Board:
 - a. Resolution 23-15 – Amending Boundaries- Arbutus Commercial Revitalization District

Appendices

Appendix A	Tentative Agenda
Appendix B	Minutes
Appendix C	Osprey Pointe
Appendix D	Landmarks Preservation Commission
Appendix E	Legislation

Minutes

May 7, 2015

Call to order, introduction of Board members, Pledge of Allegiance to the Flag, and announcements

Chairman Scott Phillips called the meeting of the Baltimore County Planning Board to order at 4:09 p.m. The following members were:

Present

Mr. N. Scott Phillips
Ms. Nancy Hafford
Mr. Mark Schlossberg
Ms. Lori Graf
Mr. Scott Jenkins
Mr. Jon Herbst
Mr. Howard Perlow*
Ms. Christina Berzins
Mr. Wayne McGinnis
Mr. Scott Holupka*

Absent

Mr. Jeff Gordon
Mr. Paul Miller
Mr. Eric Lamb
Ms. Michelle Lipkowitz

County staff present included: Andrea Van Arsdale, Jeff Mayhew, Lloyd Moxley, Matt Diana, Kathy Schlabach, Janice Graves, and Jenifer Nugent.

Mr. Scott Holupka arrived at 4:17 p.m.

Mr. Howard Perlow arrived at 4:20 p.m.

Review of today's agenda

Chairman Phillips asked if there were any changes to the tentative agenda. Staff stated that there were no changes to the agenda.

Minutes of the March 19, 2015 meeting

There was one correction to the April 2, 2015 meeting minutes. Mr. Schlossberg moved to approve the revised minutes and Mr. Herbst seconded the motion, which passed unanimously at 4:11 p.m. Absent were Messrs. Gordon, Lamb and Miller and Ms. Lipkowitz. Messers. Holupka and Perlow arrived after proceedings began.

Items for Introduction

1. Osprey Pointe Development Plan

Mr. Lloyd Moxley from the Department of Planning introduced the Osprey Pointe Development Plan before the Planning Board. Mr. Moxley began by presenting the plan and going over some of its basic elements. The Osprey Pointe Development Plan is located at 1630 Turkey Point Road in the 7th Councilmanic District. It is zoned DR 3.5. The plan calls for 16 single family detached dwelling units on 6.776 gross acres. The site is wooded with one existing structure to be removed. Access to the proposed lots would be provided via a proposed 500 foot T-turn around street. The project has progressed through the full development process. It was the subject of a concept plan conference, a community input meeting, a development plan conference and finally an Administrative Law Judge hearing. Mr. Moxley indicated that the surrounding zoning is DR 3.5. He continued by stating that the reason this plan is before the Board is because the Hearing Officer (ALJ) referred it to the Board due to a potential conflict between the development plan and the Master Plan, and more specifically a potential conflict with the Lower Back River Neck Community Action Plan, which was adopted into the Master Plan, in May 2010. Mr. Moxley further stated that the position of the Department of Planning was that the development plan was in conformance with the Master Plan.

Mr. Moxley stated that the Department of Planning did an evaluation of the development plan with regard to the Master Plan at the concept plan stage. He stated that the Department of Planning found that the plan was in conformance with the Master Plan because of several locational attributes. It is within the URDL. It is within a Priority Funding Area for growth and it is labeled Growth Tier 1 (served by public water and sewer) with a T-3 sub-urban transect (lower density, single family dwellings that can be located near higher density areas). The location of the project would also buffer the more rural lower end of the peninsula. The site is also outside of the Chesapeake Bay Critical Area. Mr. Moxley reiterated that the Department of Planning finds that the plan conforms with the Master Plan.

Mr. Moxley closed by requesting that a Public Hearing be set for Thursday, May 21, 2015 at 5:00 p.m.

Mr. Herbst asked about the exact location of the site in relation to the URDL. Mr. Moxley clarified the location and stated that the URDL goes from urban to rural once you start heading south down the Back River Neck peninsula.

Mr. Schlossberg asked if the site is currently wooded. Mr. Moxley stated that the site now is wooded with one existing house to be removed. Mr. Schlossberg also pointed out that it appears that there is another development directly adjacent to the proposed site.

Mr. McGinnis asked what are the major objections not covered by the Master Plan that have been made. Mr. Moxley stated that density is probably the primary issue that will be discussed. How do you calculate the number of lots permitted on that piece of property?

Mr. Herbst asked whether there are a significant number of residents opposed to this, or if this is a People's Counsel issue? Mr. Moxley stated that he could get the sign in roster from the CIM so that Mr. Herbst could review it to see how many residents were actually present to oppose the project.

Mr. Holupka stated that he thought that one of the concerns had to do with how the number of units was calculated and whether or not all 6.8 acres can be utilized. Mr. Moxley stated that, without getting into too many details, there is a question of whether the unit count was calculated based on net or gross area, and which method is appropriate in this case. Mr. Holupka continued by asking that if they were to follow the recommendation of the protestants, how many other properties could that impact? Mr. Moxley responded that while that issue hasn't been teased out fully, there may be ramifications countywide for other similar projects subject to community plans.

Mr. Perlow stated that this is a major issue for him. Mr. Perlow recalled the smart growth initiatives instituted by former Governor Glendening directing development in a way that is reflected by this development. Mr. Perlow questioned why the community and the Office of Peoples Counsel would get involved in an infill project such as this which is not the type of development that typically generates opposition from the community the way something like a 200 unit townhouse development would. Mr. Perlow stated that the County needs growth such as this to continue to not raise taxes and do other things, that there is a need for new housing, especially work force housing close to employment centers and that infill parcels such as this are what's available. Mr. Perlow concluded by saying this is where housing should be built.

Ms. Berzins stated that the density is there and that they should be allowed to develop.

The Board debated whether or not to move the Public Hearing to the first week in June, as some Board members have a conflict on May 21. Mr. Perlow stated that he would like to move the Public Hearing because he would like to be present to hear the community members' comments.

Mr. McGinnis asked whether or not there was any open space provided in the plan. Mr. Moxley stated that he thinks that there was a fee in lieu paid, but that he would confirm that.

Ms. Hafford made a motion to set a Public Hearing for Thursday, May 21, 2015 at 5:00 p.m. Mr. Holupka seconded the motion which passed unanimously at 4:43 p.m. Absent were Messrs. Gordon, Lamb and Miller as well as Ms. Lipkowitz.

Other Business

2. Report from the April 9, 2015 meeting of the Landmarks Preservation Commission

Mr. Jon Herbst gave a report on the April 9, 2015 meeting of the Landmarks Preservation Commission.

The LPC voted to issue Certificates of Appropriateness for alterations of two properties, and one Notice to Proceed. The Certificates of Appropriateness were for: "John Brown's Store", at 13501 Falls Road in Cockeysville, and the "Noppenberger House", at 1610 S. Rolling Road in Relay.

The Notice to Proceed was for the “Gorsuch Tavern and setting”, at 15911 York Road in Sparks.

The LPC also voted to issue three Certificates of Appropriateness for Tax Credit applications. The applications were for: the Degenahrd/Sarmiento property at 178 Dumbarton Road in Rodgers Forge, the “Miller House” at 215 Melancthon Avenue, Lutherville, and the Bonavuglia property at 323 Dunkirk Road in Rodgers Forge.

The LPC also voted to issue a new 6 month extension for work on the Lee property at 3613 Stoneybrook Road in Randallstown.

3. Recent County Council Legislation of interest to the Board:
 - a. Resolution 23-15 – Amending Boundaries - Arbutus Commercial Revitalization District.

Mr. Diana gave a brief report on the recent County Council legislation of interest to the Board. Resolution 23-15 amended the boundaries of the Arbutus Commercial Revitalization District. The proposed amendments included adding a large portion of land near Sulphur Spring Road, on the east side of Southwestern Boulevard.

Adjournment of Board Meeting

Mr. Herbst made a motion to adjourn the meeting. Ms. Hafford seconded the motion, which passed unanimously at 4:45. Absent were Messrs. Gordon, Lamb and Miller as well as Ms. Lipkowitz.