

MINUTES

Baltimore County Planning Board Meeting

April 21, 2016

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Minutes

April 21, 2016

Call to order, introduction of Board members

Ms. Hafford called the meeting to order at 4:30 p.m. The following members were:

Present

Ms. Christina Berzins
Mr. Scott Jenkins
Mr. Mark Schlossberg
Ms. Michelle Lipkowitz
Ms. Cathy Wolfson
Ms. Nancy Hafford
Mr. Jon Herbst
Mr. Wayne McGinnis
Mr. Todd Warren*

*Mr. Warren arrived at 5pm

Absent

Mr. N. Scott Phillips
Mr. Jeffrey Gordon
Mr. Howard Perlow
Dr. Chris Haffer
Mr. Rick Yaffe
Ms. Lori Graf

County staff present included: Andrea Van Arsdale, Jeff Mayhew, Kathy Schlabach, Matt Diana, and Lloyd Moxley

Review of today's agenda

Vice Chair Berzins asked if there were any changes to the tentative agenda. Staff indicated that there were no changes to the tentative agenda.

Minutes of the April 7, 2016 meetings

There were no changes to the minutes from the April 7, 2016 meeting. Vice Chair Berzins called for a motion to accept the minutes from the April 7th, 2016 meeting. Ms. Wolfson made the motion and Mr. Schlossberg seconded the motion, which passed unanimously at 4:34 p.m. Absent were Messrs. Gordon, Phillips, Perlow, Haffer and Yaffe, as well as Ms. Graf.

Item for Introduction

1. Foundry Station – Planned Unit Development involving a historic structure

Mr. Lloyd Moxley, of the Department of Planning, introduced the Foundry Station Planned Unit Development (PUD), noting features of the site and explaining to the Board their role in the project. Mr. Moxley pointed out the two historic features on the site, the smokestack and water tower. Mr. Moxley

stated that there was an on-site technical visit of the Landmarks Preservation Commission (LPC) on April 11th, 2016, and that the Department of Planning (DP) recommends that the PUD reflects positively on comments made by the LPC.

After Mr. Moxley concluded his introduction, Mr. Chris Mudd, Attorney for the developers, made additional comments. He noted that there had been a call for redevelopment of the site for many years, and that the current owners of the property had gone through several iterations. Mr. Mudd also remarked that the current plan uses the historical elements as a central theme of the project.

Mr. Matt Bishop, a landscape architect with Morris and Ritchie Associates, addressed the Board next. He went through some of the background of the site, noting its location and the adjacent uses. Mr. Bishop mentioned that the non-historic structures on the site would be razed in order to clear the site for development. He also made comments about the site layout and features of the townhomes, pointing out that all of the end units would be twenty feet wide, and the interior units sixteen feet wide. All of the units will be rear-loaded with alleys running behind the units. Mr. Bishop commented on the historic features, noting that the central entrance view corridor would highlight the smokestack and water tower, and that there would be good pedestrian access and circulation throughout the site, with open space amenities surrounding the historic features. Mr. Bishop then showed architectural renderings of the proposed townhomes, both the regular units and the high visibility treatments.

Ms. Wolfson asked if there are rear loaded units facing any public streets? Mr. Bishop pointed out on the site plan the 3 sticks of townhomes facing a public street, but noted that those rears will receive high levels of treatment and also noted that there will be vegetative buffering between the units and the street. Mr. Moxley also noted that it is Department of Planning policy to not allow any front to rear orientation, but this case is an exception to that rule due to comments made by the Fire Marshall regarding safety concerns.

Mr. Herbst asked about the Planning Board's role in this situation. Mr. Moxley stated that the Planning Board has been asked to evaluate whether the proposed development places the historic structures in any sort of jeopardy, or otherwise compromises the historic structures. Mr. Mudd followed up on that statement by explaining that the Board is reviewing the involvement of the historic structures to identify any potential impacts that development might have on them.

Mr. Schlossberg asked about the size of the proposed trees that will surround the structures. Mr. Bishop replied that everything is still schematic and that no species had been selected, but that they would most likely be ornamental, flowering trees as opposed to shade or canopy trees and that they would not block the structures even at full maturation.

Mr. Herbst asked if anything will be done to the water tower. Mr. Bishop replied that they will remediate the paint and repaint it after determining that it is structurally sound. Mr. Bishop also noted that they plan on repointing the brick on the smokestack and removing the graffiti.

Mr. McGinnis noted that this land is being shifted from an industrial use to a residential use, and wondered why this seems to be happening so much in this area of the county. Ms. Van Arsdale replied that economic development always supports land use with job creating potential, but that the buildings on this site suffered from demolition by neglect and that it was becoming hazardous to the public. She also

noted that this site is surrounded entirely by residential uses and that it had been up for sale for some time and that there was no market for non-residential development. Mr. Mayhew also pointed out that the housing stock is old and that this project will infuse the area with new housing stock. Ms. Van Arsdale also noted that industrial uses have been targeted further down the point.

Mr. Linwood Jackson, from Turner Station, signed up to speak. Mr. Jackson stated that this site is an eye sore and it's dangerous. The buildings are falling down and are covered with graffiti. The area needs to be revitalized in order to attract new residents.

Other Business

2. Report from the April 14th, 2016 meeting of the Landmarks Preservation Commission.

Mr. Mayhew gave a report from the April 14th, 2016 meeting of the Landmarks Preservation Commission. There were two certificates of appropriateness awarded at the April 14th meeting. They were for: The Mersinger house at 14 Chatsworth Avenue, and the Price House at 501 Bond Avenue. The LPC also provided comments on the Foundry Station PUD to the Planning Board.

3. Recent County Council legislation of interest to the Board.

Mr. Diana gave a report on recent County Council legislation of interest to the Board. There was one item on the agenda, Bill 17-16. Bill 17-16 prohibits certain gaming activities on land with a Mercantile Exposition (M.E.) Overlay District designation; permits pari-mutuel betting on land with an M.E. Overlay District designation; and permits certain uses in an M.R. zone that adjoins the Overlay District.

Adjournment of Board Meeting

Vice Chair Berzins called for a motion to adjourn the Board meeting. Ms. Hafford made the motion and Ms. Lipkowitz seconded the motion, which passed unanimously at 5:00 p.m. Absent were Messrs. Gordon, Phillips, Perlow, Haffer and Yaffe, as well as Ms. Graf.

Items for Public Hearing

1. MD. Code Ann., Environmental Article, § 9-206 (g)(1)(iv) and Land Use § 5-104 (c) requiring Planning Board recommendation on the Rehberger Property – PAI number 10-0467

Mr. Lloyd Moxley, from the Department of Planning, gave an overview of the project as it pertains to the Growth Tier Law. Mr. Moxley addressed the scope of review for the project, and noted Baltimore County Code Section 32-6-102. Mr. Moxley also noted that the Planning Board's recommendation must take the form of a resolution. Mr. Moxley reviewed the site location and noted that there is no public water or sewer near the site. He also stated that the site is in the Rural/Residential Land Management Area, and that the project must reflect the rural aspect of the county, pursuant to the RC 5 performance standards.

Mr. Howard Alderman, Attorney for the developer, addressed the Board. Mr. Alderman noted the Growth Tier III requirement that brought the plan before the Board. Mr. Alderman stated that the development plan had been submitted and reviewed by the county agencies and had been before the Hearing Officer. During the initial hearing Mr. Alderman gave verbal notice of the Public Hearing. Mr. Alderman detailed the scope of review and the cost of public services, in this case what it would cost the county to extend

public services to this site. He also pointed out that natural resources inventory had been performed and that 47% of the site will be protected in perpetuity by an easement, and that no off site mitigation has been purchased. Mr. Alderman also noted that the majority of the specimen trees would be retained, there are no 25 percent slopes, wetlands or other environmental issues on the site. The five proposed lots will be accessed by a T-turn around and no CZMP issues had been filed on the property. Mr. Alderman stated that no zoning relief was being pursued and that the project was under density. He concluded by asking the Board to recommend approval subject to any findings contained in the letter from the Administrative Law Judge.

Mr. Schlossberg asked if the Exxon leak at the intersection of Jarrettsville Pike and Sweet Air Road had any impact on the site, specifically well contamination. Mr. Alderman replied that there was no know contamination in the vicinity and that the wells will be tested prior to permits.

Vice Chair Berzins asked if the access point being across from a nursery school was the safest location. Mr. Alderman replied that SHA dictated where the access point would be.

Adjournment of Public Hearing

No speakers signed up to address the Board. Vice Chair Berzins called for a motion to adjourn the Public Hearing. Ms. Wolfson made the motion and Ms. Hafford seconded the motion, which passed unanimously at 5:20p.m. Absent were Messrs. Gordon, Phillips, Perlow, Haffer and Yaffe, as well as Ms. Graf.