

MINUTES

Baltimore County Planning Board Meeting

April 20, 2017

Contents

Call to Order, Introduction of Board Members, Pledge of Allegiance, and Announcements

Review of Today’s Agenda

Minutes of the April 6, 2017 Meeting

Other Business

- 1. Report from the April 13th, 2017 meeting of the Landmarks Preservation Commission

Adjournment of the Board Meeting

Public Hearing**
by the
Baltimore County Planning Board

Call to Order, Introduction of Board Members, and Remarks on Procedure by Chairman

Items for Public Hearing

- 1. Amendment Baltimore County Master Plan 2020 – [Growth Tiers](#), Overview**
- 2. Amendment Baltimore County Master Plan 2020 – 2017 Land Preservation, Parks and Recreation Plan (LPPRP), Overview**

**Comments by citizens

Adjournment of Public Hearing



Appendices

Appendix A Growth Tiers overview with Growth Tier map

Appendix B Letter of Recommendation on Master Plan Amendment to include the Growth Tiers

Appendix C Letter of Recommendation on Master Plan Amendment to include the 2017 LPPRP

***Note:** A copy of the appendices is located in the official Planning Board file.*

Minutes
April 20, 2017

Call to Order, Introduction of Board Members

Chairman Phillips called the meeting to order at 4:50 p.m. The following members were:

<u>Present</u>	<u>Absent</u>
1. Mr. N. Scott Phillips	1. Ms. Christina Berzins
2. Mr. Howard Perlow	2. Mr. Jeffrey Gordon
3. Mr. Scott Jenkins	3. Ms. Michelle Lipkowitz
4. Ms. Cathy Wolfson	4. Mr. Jon Herbst
5. Mr. Wayne McGinnis	5. Dr. Chris Haffer
6. Mr. Rick Yaffe	
7. Ms. Nancy Hafford	
8. Mr. Mark Schlossberg	
9. Mr. Todd Warren	
10. Ms. Lori Graf	

County staff present included Andrea Van Arsdale, Jeff Mayhew, Kathy Schlabach, Lloyd Moxley, Jeff DelMonico, Kristopher Weaver, and Pat McDougall from the Department of Planning.

Review of Today's Agenda

Chairman Phillips asked staff if any changes were made to the agenda. Mr. DelMonico confirmed that no changes were made to the agenda after being sent to each Board member the week prior.

Minutes of the April 6, 2017 Meeting

Chairman Phillips asked the Planning Board members if they had any questions regarding the minutes from the April 6th, 2017 meeting. No questions were posed and the Chair entertained a motion to accept the draft minutes. Mr. Jenkins made the motion and Mr. Schlossberg seconded the motion, which passed unanimously at 4:51 p.m. Absent for the vote were Ms. Berzins, Mr. Gordon, and Ms. Lipkowitz, Mr. Herbst, and Dr. Haffer.

Other Business

1. Report from the April 13th, 2017 meeting of the Landmarks Preservation Commission

Mr. Yaffe reported that on April 13th, 2017 the LPC voted to issue 3 Certificates of Appropriateness.

Adjournment of the Board Meeting

Chairman Phillips called for a motion to adjourn the Board meeting. Ms. Wolfson made the motion and Mr. Warren seconded the motion, which passed unanimously at 4:54 p.m. Absent for the vote were Ms. Berzins, Mr. Gordon, and Ms. Lipkowitz, Mr. Herbst, and Dr. Haffer.

Public Hearing**
by the
Baltimore County Planning Board

Call to Order, Introduction of Board Members, and Remarks on Procedure by Chairman

Items for Public Hearing

1. Amendment Baltimore County Master Plan 2020 – [Growth Tiers](#), Overview**

Chairman Phillips asked the Board Members if there were any questions for Mr. Lloyd Moxley concerning the Master Plan amendment to include the Baltimore County Growth Tiers. No questions were raised for Mr. Moxley. The Chairman then called for public speakers on this topic. Mr. DelMonico informed the Board that there were no speakers signed up this evening.

Chairman Phillips found it appropriate to call for a vote on this Master Plan amendment. The Chairman asked if there were any final comments before the vote is taken. Mr. Hafford brought the Board's attention to the Becker Property at 12170 Falls Road. This land is currently within Growth Tier IV but the owner would like to change it to Growth Tier III. The property has a portion of RC 5 zoning on a 35 acre parcel. This parcel has 19 acres of cleared space which is not located near the stream that runs along the western portion of the property. A proposed development would be consistent with other residential developments within the area. Ms. Hafford made a motion to amend the Baltimore County Growth Tiers by altering the status of the Becker Property from Growth Tier III to Growth Tier IV. Mr. Warren seconded the motion.

Chairman Phillips asked if staff had any comments about the motion to amend the Becker Property growth tier. Mr. Moxley explained that the Sustainable Growth and Agricultural Preservation Act of 2012 provided direction and criteria from the State about how local jurisdictions should map their growth tiers. The definition of Growth Tier IV is for protection of the County's natural resources. The Becker Property does exhibit the Growth Tier IV criteria. This property retains agricultural and forest areas identified on the State of Maryland's Growth Print. This land is under a permanent preservation easement and is assessed as agriculture. The property is mapped as a resource preservation area in the Master Plan 2020 Land Management Areas and is split zoned both RC 4 and RC 5. The RC 4 zone is designated as watershed protection. Mr. Moxley pointed to this criteria as justification for the Growth Tier IV status of the Becker Property. The Department of Planning recommends that the Baltimore County growth tiers and map, as they currently exist in their official capacity, be adopted into the Master Plan 2020 without modification. Mr. Moxley stated that the current maps, which have existed for five years, best implements the legislative goals of the Sustainable Growth and Agricultural Preservation Act of 2012.

Mr. McGinnis asked if there is a map that the Board can review for reference. Mr. Kris Weaver presented the Becker Property utilizing the County's Geographic Information System (GIS). Chairman Phillips asked for clarification on the split zoning on the property. Mr. Moxley indicated that the parcel at 12170 Falls Road is Lot 10 from a prior approved development plan. Chairman Phillips asked if the RC 5 would allow for development. Mr. Moxley stated that RC 5 is intended for large lot development and allows for major subdivision development on individual well and septic systems subsequent to review by the Planning Board. Chairman Phillips questioned if the development is to be within the RC 5 zone. Mr. Moxley shared that there were previous attempts to develop this land but were not successful. These original plans did cluster development within the RC 5 area, however, no new proposal has been submitted.

Ms. Hafford shared that the property owner is proposing five houses on this land. Ms. Hafford believes that it is fair for the owner to be able to plead their case in front of the County Council and not let the Board limit their opportunity of developing land that has been under their possession for 45 years. Ms. Wolfson indicated that the owner had 45 years to develop this land but has not acted upon it. Ms. Wolfson shared her concerns about altering the growth tier maps for this single property. Ms. Wolfson believed that making an exception for this owner would lead to other changes and insisted that the growth tiers remain consistent with the zoning classifications.

Chairman Phillips asked staff if it would be a fair statement to say that the possibility of development for this property was in limbo due to the inclusion of the growth tiers. Mr. Mayhew, Deputy Director of Planning, concurred with that statement. Mr. Schlossberg asked if any community associations have provided comments to the Department regarding this property. Mr. Mayhew indicated that the Department of Planning posted the public hearing notice online but did not receive inquiries from the local associations.

Chairman Phillips called for a vote on the motion made by Ms. Hafford to change the growth tier for the Becker Property from Growth Tier IV to Growth Tier III. The motion passed at 5:15 p.m. with Mr. Warren, Mr. Perlow, Mr. McGinnis, Ms. Hafford, Ms. Graf, Mr. Jenkins, and Mr. Yaffe all voting in favor of the motion. Ms. Wolfson voted against the motion and Mr. Schlossberg abstained. Absent for the vote were Ms. Berzins, Mr. Gordon, and Ms. Lipkowitz, Mr. Herbst, and Dr. Haffer.

The Chairman called for a motion to adopt the amendment to the Baltimore County Master Plan 2020 to include the Baltimore County Growth Tiers as amended. Ms. Hafford made the motion and Mr. Perlow seconded the motion. The motion passed at 5:16 p.m. with Mr. Perlow, Mr. McGinnis, Ms. Hafford, Ms. Graf, Mr. Jenkins, Ms. Wolfson and Mr. Yaffe voting in favor. Mr. Warren voted against the motion and

Mr. Schlossberg abstained. Absent for the vote were Ms. Berzins, Mr. Gordon, and Ms. Lipkowitz, Mr. Herbst, and Dr. Haffer.

2. Amendment Baltimore County Master Plan 2020 – 2017 Land Preservation, Parks and Recreation Plan (LPPRP), Overview**

Chairman Phillips asked if any Planning Board members had any follow up questions for Mr. Mayhew regarding the 2017 Land Preservation, Parks and Recreation Plan (LPPRP). Ms. Wolfson asked about the inventory of undeveloped open space and inquired about the procedure for developing those open spaces. Mr. Patrick McDougall, Planner, indicated that there is a variety of undeveloped land owned by the County. A majority of them have natural features which would limited their development potential. Ms. Wolfson explained that a 258 acre open space off Old Court Road in Granite has a no trespassing sign on the grounds and is wondering if there are any plans for this area. Mr. McDougall explained that it was a recent acquisition, is predominantly natural, and no funds are presently budgeted for park development. There were no speakers registered for this topic.

Chairman Phillips called for a motion. Ms. Hafford made the motion to adopt the 2017 Land Preservation, Parks and Recreation Plan into the Master Plan 2020 as proposed by the Department of Planning. Ms. Wolfson seconded the motion which passed unanimously at 5:20 p.m. Absent for the vote were Ms. Berzins, Mr. Gordon, and Ms. Lipkowitz, Mr. Herbst, and Dr. Haffer.

Adjournment of Public Hearing