

MINUTES

Baltimore County Planning Board Meeting

May 4, 2017

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

Minutes
May 4, 2017

Call to Order, Introduction of Board Members

Chairman Phillips called the meeting to order at 4:05 p.m. The following members were:

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

County staff present included Andrea Van Arsdale, Jeff Mayhew, Kathy Schlabach, Lloyd Moxley, and Jeff DelMonico from the Department of Planning. Ms. Berzins arrived at 4:12 p.m. and Mr. Warren arrived at 4:18 P.M.

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 20, 2017 Meeting

Chairman Phillips asked the Planning Board members if they had any questions regarding the minutes from the April 20th, 2017 meeting. No questions were posed and the Chair entertained a motion to accept the draft minutes. Mr. Yaffe made the motion and Mr. Herbst seconded the motion, which passed unanimously at 4:07 p.m. Absent for the vote were Ms. Berzins, Mr. Warren, Mr. Gordon, Ms. Lipkowitz, Ms. Wolfson, and Dr. Haffer.

Item for Introduction

1. Baltimore County Open Space Manual Revision

Ms. Kathy Schlabach from the Department of Planning presented proposed revisions to the Baltimore County Open Space Manual pursuant to County Council Bill 73-16 and 83-16. The proposed amendments represents a very strict interpretation of the provisions of the bills coupled with some technical updates. Ms. Schlabach provided the Board with a print out of the presentation, a draft of the revised manual, a comparison of text changes within the manual and Bill 73-16 and 83-16.

Mr. Yaffe asked who decides where the money is allocated, Ms. Schlabach confirmed that the Department of Recreation and Parks would make those choices as the fees are deposited into their capital improvement program. Mr. Yaffe inquired about if there is a timeline in which the money would need to be spent. Ms. Schlabach stated that there are no regulations establishing a time limit. In previous years, money was saved until there was sufficient capital to buy new park land or develop existing parks.

Mr. McGinnis asked about whether an open space parcel would be required for a subdivision consisting of a few lots. Ms. Schlabach stated that the previous law would allow a fee in lieu of providing open space for developments with 20 units or less; the current manual does not.

Mr. Warren inquired as to who received the 30% for operating expenses. Ms. Schlabach responded the recipient would be NeighborSpace.

Mr. Jenkins inquired if this new manual would do away with the Honeygo Overlay District individual open space requirements. Ms. Schlabach noted that the language still exists in the zoning regulations about local open space requirements, however the new manual has renamed local open space to open space which could lead to confusion. Mr. Jenkins questioned if there was a provision for grandfathering previous development by still allowing them to adhere to the previous Open Space Manual. Ms. Schlabach replied by saying that there are provisions within Bill 73-16 that state when the new requirements will take effect.

Chairman Phillips called for a motion to set a public hearing. Ms. Berzins made the motion to set the public hearing for May 18, 2017 at 5:00 p.m. which was seconded by Mr. Schlossberg. The Chairman asked if there were any final discussions. Mr. Yaffe asked for postponement of the public hearing in order to gain more time to gather further information on Bill 73-16 from the County Council. Mr. Yaffe stated the Bill affects a lot of people and would like the Board to take a closer look. The Chairman stated that a public hearing does not require a vote on that date and would allow the Board to ask further questions on this Bill. Mr. Yaffe shared his concerns about not being able to adequately answer questions from the public by the next meeting date. The Chairman asked if the Board is bound by any time constraints from the County Council. Director Van Arsdale confirmed that there was an April 1st, 2017 deadline for the Board to respond by but believes that the Council would not take issue with the postponement.

Mr. Yaffe offered a motion to amend the original motion by postponing the public hearing date of the Baltimore County Open Space Manual from May 18, 2017 to June 1, 2017. Mr. Herbst seconded the motion which passed unanimously at 4:30 p.m. Absent for the vote were Mr. Gordon, Ms. Lipkowitz, Ms. Wolfson, and Dr. Haffer.

Ms. Van Arsdale stressed to the Board that the Department is amending the manual as per the Council's Bill and cannot answer questions regarding the rationale or history behind the Council Bill. Staff will not be able to answer questions about why the changes were made, only what was changed and how the manual will be affected.

The Chairman called for a motion to include the Yaffe amendment. Ms. Berzins made the motion to set the public hearing for June 1, 2017 at 5:00 p.m. for the Baltimore County Open Space Manual Revision. Mr. Schlossberg seconded the motion which was passed unanimously at 4:41 p.m.

Other Business

1. Recent County Council Legislation of Interest to the Board
 - a. Bill 14-17 – Zoning Regulations – Neighborhood Commons Overlay District

Mr. DelMonico gave a report on the recent County Council legislation. The only legislation of interest was Bill 14-17 regarding the Neighborhood Commons Overlay District.

Adjournment of the Board Meeting

Chairman Phillips called for a motion to adjourn the Board meeting. Ms. Hafford made the motion and Mr. Warren seconded the motion, which passed unanimously at 4:42 p.m. Absent for the vote were Mr. Gordon, Ms. Lipkowitz, Ms. Wolfson, and Dr. Haffer.
