

MINUTES

Baltimore County Planning Board Meeting

September 7, 2017

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

Minutes

September 7, 2017

Call to Order, Introduction of Board Members

Chairman Phillips called the meeting to order at 4:04 p.m. The following members were:

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

County staff present included Jeff Mayhew, Lloyd Moxley, Jeff DelMonico, Jen Nugent, Dennis Wertz, Bill Skibinski and Marta Kulchytska from the Department of Planning. Also present were Dave Thomas and Doug Adams from the Department of Public Works as well as Jan Cook from Permits, Approvals and Inspections.

Review of Today's Agenda

Chairman Phillips asked staff if any changes were made to the agenda. Mr. DelMonico notified the Board that Resolution 28-17 had been added to the agenda prior to the meeting for introduction.

Minutes of the July 20, 2017 Meeting

Chairman Phillips asked the Planning Board members if they had any questions regarding the minutes from the July 20th, 2017 meeting. No questions were posed and the Chair entertained a motion to accept the draft minutes. Mr. Warren made the motion and Mr. Schlossberg seconded the motion, which passed unanimously at 4:06 p.m. Absent for the vote were Ms. Berzins, Ms. Lipkowitz, Ms. Graf and Mr. Yaffe.

Item for Presentation

1. Baltimore County Sidewalk Analysis for ADA Compliance

Chairman Phillips introduced Mr. Doug Adams from Baltimore County Department of Public Works (DPW) to present on Sidewalk Analysis for ADA Compliance. Mr. Adams stated that DPW has been working on this project for over a year. DPW is responsible for the County's ADA transition plan to review how well the County is making public infrastructure ADA compliant. Mr. Adams explained that the project is utilizing a Geographic Information System (GIS) to create a heat map of where the greatest need for investment is.

Mr. Perlow asked how the public could petition to have a sidewalk in their community and requested DPW return and present its response to the Board.

Dr. Haffer inquired if the model accounts for measures of mobility impairment. Mr. Adams stated that the data is confirmed by the ADA Commission. Dr. Haffer suggested that the American Community Survey asks six questions on disabilities and mobility impairments. The data could be improved by using this information from a census level. Mr. Adams indicated that the United States Census Bureau, American Community Survey, disability questions are included in the Social Vulnerability Index. The disability questions are included in the Household Composition & Disability theme. While each individual disability type is not explicitly included in the Social Vulnerability Index, the aggregation of the questions into a single variable should be enough to support the assertion that the variable of "ambulatory difficulty" has been included.

Mr. Herbst questioned if the County has any obligation to put in sidewalks where they do not presently exist to meet ADA compliance. Mr. Adams indicated the responsibility of sidewalk compliance is typically the responsibility of the property owner but Baltimore County will install when performing substantial construction. Mr. Herbst asked if the County was at risk of being penalized for having a low percentage of ADA compliance with sidewalks. Mr. Adams stated that the County is not currently under a consent decree for sidewalks and curb ramps.

Mr. Perlow asked Jeff Mayhew, Deputy Director for the Department of Planning, if the Planning Board could be presented on the right-of-way dedication process in order to understand property owner responsibilities as part of a sidewalk petition.

Ms. Wolfson inquired about the general cost of bringing a ramp up to ADA compliance. Mr. Adams stated that an individual ramp would cost about \$2,500. Chairman Phillips asked if the high percentage of ADA non-compliance in the County is due to changes in requirement standards over the years. Mr. Adams indicated yes, but the older ramps may not comply while all new ramps do.

Chairman Phillips thanked Mr. Adams for addressing the Board. Mr. Adam concluded by stating that a survey will be sent to each member to gain feedback on sidewalk grades. The survey can be found at <https://www.surveymonkey.com/r/bacosidewalksurvey>.

Item for Introduction

2. Resolution 28-17 – Review of Regulations on Development Plans and Plats

Chairman Phillips invited Mr. Jan Cook, Development Manager for the Department of Permits, Approvals and Inspections, to inform the Board on Resolution 28-17. Mr. Cook requested that the Planning Board set a public hearing for Resolution 28-17 on October 5th, 2017.

The Chair entertained a motion to accept the request for a public hearing. Ms. Hafford made the motion and Mr. Herbst seconded the motion, which passed unanimously at 4:25 p.m. Absent for the vote were Ms. Berzins, Ms. Lipkowitz, Ms. Graf and Mr. Yaffe.

Items for Vote

3. Cycle 35 Water Supply and Sewerage Master Plan Amendments

Mr. Dave Thomas, Department of Public Works, reminded the Board that a public hearing was held for both topics on July 20, 2017. The amendments concern two projects, they being the Pearlstone Center and the Randallstown Animal Hospital. Mr. Thomas requested a vote of approval on Cycle 35 Water Supply and Sewerage Master Plan Amendments. No questions were raised.

The Chair entertained a motion on Cycle 35 Water Supply and Sewerage Master Plan Amendment Reference Number 17-01. Ms. Hafford made the motion and Mr. Warren seconded the motion, which passed at 4:29 p.m. Ms. Wolfson voted against the motion, all other Members voted to approve. Absent for the vote were Ms. Berzins, Ms. Lipkowitz, Ms. Graf and Mr. Yaffe.

The Chair entertained a motion on Cycle 35 Water Supply and Sewerage Master Plan Amendment Reference Number 17-02. Ms. Hafford made the motion and Mr. Warren seconded the motion, which passed unanimously at 4:30 p.m. Absent for the vote were Ms. Berzins, Ms. Lipkowitz, Ms. Graf and Mr. Yaffe.

4. Water Supply and Sewerage Master Plan Triennial Review

Ms. Wolfson conveyed her concern that the report from the Green Towson Alliance (GTA) had not been fully addressed and expressed a reluctance to approve the plan. Given the devastating flooding from Hurricane Harvey recently, Ms. Wolfson wants the Board to be more responsive to the GTA report.

Dr. Haffer responded by indicating that the GTA report relied heavily on conjecture and was not supported by hard data. Dr. Haffer shared his view that the County has adequately met the States statutory requirements for this report based upon his comparison of Baltimore County's report against that of an adjacent jurisdiction. Dr. Haffer specified that State law does not require Baltimore County to provide data beyond what was indicated in this report. Dr. Haffer suggested that the GTA work with Maryland's Department of Environment or State Representatives to change the law so that more detailed data is requested. Dr. Haffer recommended approval of the Water Supply and Sewerage Master Plan Triennial Review.

The Chair entertained a motion on Water Supply and Sewerage Master Plan Triennial Review. Ms. Hafford made the motion and Mr. Haffer seconded the motion, which passed unanimously at 4:37 p.m. Absent for the vote were Ms. Berzins, Ms. Lipkowitz, Ms. Graf and Mr. Yaffe.

Other Business

5. Recent County Council Legislation of Interest to the Board

Mr. DelMonico gave a report on the recent County Council legislation of interest to the Board. These legislative items are listed below.

- a. Bill 43-17 – Zoning Regulations - Collection Bins
- b. Bill 45-17 – Zoning Regulations - Assisted-Living Facilities
- c. Resolution 54-17 – Amendment to the Baltimore County Master Plan 2020
- d. Resolution 55-17 – Adopt Baltimore County 2017 Land Preservation and Recreation Plan
- e. Resolution 69-17 – Amending the Pikesville Commercial Revitalization District

Adjournment of the Board Meeting

Chairman Phillips called for a motion to adjourn the Board meeting. Ms. Wolfson made the motion and Mr. Haffer seconded the motion, which passed unanimously at 4:44 p.m. Absent for the vote were Ms. Berzins, Ms. Lipkowitz, Ms. Graf and Mr. Yaffe.