

MINUTES

Baltimore County Planning Board Meeting

October 4, 2018

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

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**Minutes**  
October 4, 2018

**Call to Order, Introduction of Board Members**

Vice Chairwoman Berzins called the meeting to order at 4:01 p.m. The following members were:

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

County staff present included Andrea Van Arsdale, Jeff Mayhew, Lloyd Moxley, Jenifer Nugent, Krystle Patchak and Jeff DelMonico from the Department of Planning. Mr. Warren arrived at 4:13 p.m. and Mr. McGinnis arrived at 4:16 p.m.

**Review of Today's Agenda**

Vice Chairwoman Berzins asked staff if any changes were made to the agenda. Mr. DelMonico indicated that no modifications to the agenda were made.

**Minutes of the September 6, 2018 Meeting**

Vice Chairwoman Berzins asked the Planning Board members if they had any questions regarding the minutes from the September 6<sup>th</sup>, 2018 meeting. No questions were posed and the Vice Chair entertained a motion to accept the draft minutes. Mr. Schlossberg made the motion and Ms. Wolfson seconded the motion, which passed unanimously at 4:03 p.m. Absent for the vote were Mr. Phillips, Ms. Graf, Ms. Hafford, Mr. Schweitzer, Mr. Warren, Mr. McGinnis and Mr. Perlow.

**Item for Introduction**

1. Hyde Park Overlook, PAI #: 15-092, Master Plan Conflict\*\*

Vice Chairwoman Berzins welcomed Ms. Jenifer Nugent, development review chief, to present the Department of Planning's report on Hyde Park Overlook. Ms. Nugent explained the history of the site with prior development plans and zoning changes. Ms. Nugent explained that the T3 transect area is described as being low density residential adjacent to higher mixed use areas. BM zoning on the property

is higher density than the DR 3.5 zoning across the street from this property. The density is being reduced from previously approved plans and therefore is putting it in further compliance with the master plan 2020. The Department of Planning finds that the Hyde Park Overlook is not a master plan conflict. There were no questions for Ms. Nugent.

Ms. Patricia Malone, Esq., on behalf of Goldstone Properties, provided the Planning Board with a review of the development plan. Ms. Malone indicated that the BM zone is one of the most intensive zoning layers that the County has. The goals of the Master Plan 2020 aim to maintain most high density uses within the Urban Rural Demarcation Line (URDL). Ms. Malone quotes the Master Plan 2020 in saying that transects “are a sequence of environments that identify a range of habitats from the most natural to the most urban.” The T3 suburban zone includes low density residential areas adjacent to higher density zones that contain mixed use.

Ms. Wolfson asked if any of the two vested plans would be in conflict with the Master Plan. Ms. Malone did not want to speak for the Administrative Law Judge but ventured to guess he may find the commercial plan in conflict. Ms. Wolfson inquired if there is a comparison of total impervious surface between each plan. Ms. Malone did not have the numbers but showed the prior plans which had more impervious areas.

Mr. Herbst asked if there are any community associations that oppose the plan. Ms. Malone indicated that one group was in opposition.

Ms. Berzins asked if there is a definition of what low density residential is. Ms. Malone indicated that the zoning regulations do not specify.

Ms. Kathleen Elmore stated that the Rockaway Beach / Turkey Point Improvement Association opposes the development plan proposed for this site. The association is not opposed to any development, but only development which is inappropriate for the area. Ms. Elmore indicated that the T4 is adjacent to the T3 but is separated by a four lane highway with a sound wall. Ms. Elmore also stated that the T3 is designed to be adjacent to the T4 transect and that townhouses do not qualify as being low density. The Community Conservation Plan for Essex and Middle River explicitly calls for development to have compatibility with the existing community and stresses its importance when considering a development plan. This plan encourages single family dwellings with deep setbacks and discourages townhomes.

Mr. Warren asked if there is a townhome community down the road from this development. Ms. Elmore indicated that there is.

Ms. Berzins asked how the community association would feel if one of the prior commercial development plans were built there instead of the residential one. Ms. Elmore stated that the association was concerned with the amount of impervious surface but could not speak to whether the association had an issue with those specific plans.

The Vice Chairwoman invited any speakers to apprise the Board on Hyde Park Overlook. Mr. David Thaler, civil engineer for Hyde Park Overlook, stated that the residential density immediately adjacent to this property is DR 16. The density proposed is less than what Mr. Thaler believes the development is allowed under the BM zone. In general, the community associations support this plan as opposed to the apartment plan. Mr. Thaler also stated that the transect concept was designed to coordinate with a form based zoning rather than Euclidian zoning. Mr. Thaler urged the Board to not find a master plan conflict with this development.

## **Other Business**

### **2. Report from the September 13<sup>th</sup>, 2018 meeting of the Landmarks Preservation Commission**

Mr. Yaffe reported on the September 13<sup>th</sup>, 2018 meeting of the LPC. The LPC voted to issue 5 Certificates of Appropriateness (COA). The LPC also voted to delineate Historic Environmental Settings [HES] for three properties and adopted the Technical Committee's recommendations for the Code Enforcement violation for "Richardson House".

### **3. Recent County Council Legislation of Interest to the Board**

Mr. DelMonico provided a brief report on the recently passed County Council legislation which is listed below.

- a) Bill 64-18 – Zoning Regulations – Honeygo Subarea Limits
- b) Resolution 73-18 – Planned Unit Development – Keller Road, LLC – Woodholme Center II
- c) Resolution 74-18 Planned Unit Development – Herman & Kittle Properties, Inc.-Sycamore Springs Senior Apartments

## **Adjournment of the Board Meeting**

Vice Chairwoman Berzins called for a motion to adjourn the Board meeting. Ms. Wolfson made the motion and Mr. Warren seconded the motion, which passed unanimously at 4:47 p.m. Absent for the vote were Mr. Phillips, Ms. Graf, Ms. Hafford, Mr. Schweitzer, and Mr. Perlow.