

**MINUTES**

**Baltimore County Planning Board Meeting**

**January 21, 2016**

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**Minutes**

**January 21, 2016**

**Call to order, introduction of Board members, Pledge of Allegiance, and announcements**

Chairman Phillips called the meeting to order at 4:00 p.m. He welcomed two new Planning Board members, Chris Haffer, representing the 7<sup>th</sup> District, and Cathy Wolfson, representing the 4<sup>th</sup> District.

The following members were:

Present

Mr. Scott Phillips  
 Mr. Scott Jenkins  
 Ms. Christina Berzins  
 Mr. Jeffrey Gordon  
 Mr. Chris Haffer  
 Ms. Nancy Hafford  
 Mr. Jon Herbst  
 Mr. Wayne McGinnis  
 Ms. Cathy Wolfson

Absent

Ms. Michelle Lipkowitz  
 Mr. Mark Schlossberg  
 Ms. Lori Graf  
 Mr. Howard Perlow  
 Mr. Rick Yaffe  
 Mr. Todd Warren

County staff present included: Andrea Van Arsdale, Jeff Mayhew, Kathy Schlabach, Matt Diana, Dave Thomas, Don Mohler, Matt Carpenter, Ed Blades and Keith Dorsey.

**Review of today's agenda**

Chairman Phillips asked if there were any changes to the tentative agenda. Staff indicated that there were no changes to the tentative agenda.

## **Special CIP presentation by the County Executive**

### *Introducing the FY 2017-2022 Capital Improvement Program Process*

County Executive (CE) Kevin Kamenetz addressed the Planning Board regarding the FY 2017-2022 Capital Improvement Program process. The County Executive opened by thanking the Planning Board for the service they provide to the County, especially during this time of year when the CIP and CZMP are both occurring. The County Executive also welcomed the two newest members of the Planning Board.

The County Executive stated that this is an “on-year cycle” in the biennial Capital Budget Process. This means that the referendum amounts submitted for voter approval will be determined. The capital budget will continue to fund three key areas: schools, roads and stormwater management. The “Schools for our Future” initiative will continue to address school modernization, eliminate current and projected overcrowding, which includes eliminating the use of trailers, and provide public safety and technology improvements to every school. In addition, 85% of the County’s school are now air conditioned with the remaining 15% to be completed within the next four years.

Construction of new schools is underway. Ten new schools will be added and eleven school additions are underway. School consolidation will occur in later years and those schools that are under capacity will be consolidated into new schools. The County Executive also noted that he appreciated Chairman Phillips’ letter to the President of the School Board regarding capacity and rising enrollment. The County is studying which schools will be impacted by the rising enrollment using the new methodology.

The County Executive noted that two new schools have been opened recently, Lyons Mills Elementary School in the fall and Mays Chapel Elementary School last year. There have also been groundbreaking ceremonies for replacement schools at Catonsville Elementary at Bloomsbury, Westowne Elementary School, and Relay Elementary School, as well as an addition as Westchester Elementary School. Designs are also underway for replacement schools at Lansdowne Elementary, Victory Villa and a new northeast area elementary school. In addition to this, the adopted FY 2016 capital budget included \$80 million in renovations. The County Executive also noted the renovation work being done at Pikesville High School. The County Executive continued, stating that if the state would forward fund dollars for future years, the air conditioning upgrades could be complete by 2019 as opposed to 2021. The CIP request shows an increase in bond funding to \$166 million in FY 2018 and \$167 million in FY 2020. He noted that school renovations go beyond simply adding air conditioning by adding capacity and modernizing at the same time, and that an investment in the schools is an investment in the neighborhoods as well.

The County Executive noted that the County’s roads continue to need upgrading. There are 8,800 lane miles to maintain. He also stated that \$10 million has been added to in FY 2018 and FY 2020 to help with infrastructure improvements.

The County Executive noted that the County Council has reduced the Stormwater Management fees for FY 2017, with elimination of the fee occurring in FY 2018. However, the obligation to meet the state mandate has not been eliminated. The County requests bond funding of \$24 million to pay for the stormwater improvements. There will be a significant bond funding increase for waterway improvements as well.

The County Executive closed by stating that the proposed bond referendum for FY 2018 and FY 2020 is \$290 million and the proposed bond referendum for FY 2022 is \$264.5 million dollars.

The floor was then opened to questions from the Planning Board. Mr. McGinnis thanked the County Executive for his support of the Ag Center. He also asked for continued support for the new arena. Mr. McGinnis expressed concern for the lack of activity space for students, stating that there is not enough room at the existing indoor facilities in the northern part of the county. The County Executive stated that Hereford has received funds, but that they were unable to do everything they would have liked to. The County Executive also noted that the county would continue to support agricultural preservation in the future. Mr. McGinnis stated that preserving land has reduced the need for infrastructure in the county. The County Executive responded saying that Baltimore County is very unique and had the foresight to concentrate development, and expand the tax base, inside the URDL.

Mr. Jenkins thanked the County Executive for appearing before the Planning Board. He noted that it is important to keep the AAA bond rating, and that the county has done a good job portioning money for education and schools in such a perilous economic time, without having to raise taxes or risk losing the AAA bond rating. Mr. Jenkins continued, stating that there is still a need for open space in Towson, mentioning the Radebaugh property specifically. Mr. Jenkins asked for an update on the Radebaugh property, noting that there were members of the community in attendance who were concerned about the lack of open space. The County Executive replied that the county entered into negotiations for the property, but found there would be a significant cost related to demolition. Funds from Project Open Space do not cover demolition, but that the negotiations are continuing. He also said that the Patriot Plaza renovation would provide a larger and more centrally located site, and suggested that the Planning Board members urge the County Council to approve the contract for the plaza.

Ms. Hafford stated that the Towson community has sent a letter to the County Council asking to approve the Patriot Plaza project.

Mr. Herbst asked why the County Council was delaying the Patriot Plaza project. The County Executive replied that he was not sure why there has been a delay, but that is up to the County Council and their own internal discussions.

Chairman Phillips commended the County Executive for the significant upgrades to the County's public schools, which include much more than just air conditioning upgrades. Chairman Phillips also stated that many neighborhoods are affected by flooding from drainage and runoff and asked what is being done to prevent major flooding from happening in the future. The County Executive noted that adjacent development is putting pressure on the surrounding communities, and that the older communities do not have the necessary infrastructure, such as curbs and gutters, to help remedy the situation. The county is trying to identify some of these neighborhoods where curb and gutter improvements can be made. The County Executive noted that in the past the county has purchased homes that sit in flood plains as a preventative measure, and that is a possibility in this situation as well.

Ms. Wolfson stated that schools in Randallstown are some of the lowest testing schools in the county. Specifically, Winfield Elementary school is in need of some upgrades, and that any upgrade to the school would also improve the neighborhood. The County Executive responded, saying that they are surveying every school on an objective basis, and that low scores do not always dictate which schools receive

upgrades first. He also noted that the county is utilizing technology to help raise the test scores at county schools.

Chairman Phillips asked whether the technology was purchased using funds from the capital budget, or from some other sources. The County Executive stated that the funds came from the operating budget.

The County Executive again thanked the Board for their service before taking his leave.

### **Minutes of the October 15, 2015 meetings**

There were no changes to the minutes from the October 15, 2015 meeting. Chairman Phillips called for a motion to accept the minutes from the October 15, 2015 meeting. Ms. Hafford made the motion and Mr. Herbst seconded the motion, which passed unanimously at 5:03 p.m. Absent were Messrs. Schlossberg, Warren, Yaffe and Perlow, as well as Ms. Lipkowitz and Ms. Graf.

### **Other Business**

2. Report from the November 12<sup>th</sup>, 2015 and January 14<sup>th</sup>, 2016 meetings of the Landmarks Preservation Commission.

Mr. Mayhew gave an update from the most recent meetings of the Landmarks Preservation Commission. Mr. Mayhew noted that the LPC issued eight Certificates of Appropriateness and one Notice to Proceed, and voted to adopt a long-term mothballing plan for the Shaw-Bauer House located on Bauers Farm at the November 12<sup>th</sup> meeting, and at the January 14<sup>th</sup> meeting voted to issue five Certificates of Appropriateness. He directed the Planning Board members to their workbooks for the addresses that were awarded the Certificates of Appropriateness.

Mr. Mayhew also noted that at the January 14<sup>th</sup> meeting the Chair and Vice-Chair of the LPC were voted to serve another term, and that an update was provided to the LPC regarding the “Mensana” property, the ongoing CZMP process and the proposed demolition of the Glencoe Railroad Station by the Department of Natural Resources.

Chairman Phillips asked what the term “mothballing” refers to. Mr. Mayhew replied that the Shaw-Bauer house is a historic property that is associated with a development project and is falling into disrepair. The developer is going to rehab the house as part of the project and has agreed to mothball the house, which means that the house is put in a stable condition so that rehabilitation work can be done to it at a later time.

3. Recent County Council legislation of interest to the Board

Mr. Diana gave a report on the recent County Council legislation. There were eight pieces of legislation highlighted for the Board members. They were:

- a. Bill 69-15 – Zoning Regulations – Manufacturing, Light zone
- b. Bill 70-15 – 2015-2016 Capital Budget – Southland Hills Mini Park
- c. Bill 78-15 – Recreational Space – Reports

- d. Bill 79-15 – Basic Services Maps
- e. Bill 83-15 – Medical Cannabis
- f. Bill 84-15 – Recreational Space Fees
- g. Bill 85-15 – Stormwater Management Fee
- h. Bill 86-15 – Manufacturing, Heavy (M.H.) Zone Use Regulations

Ms. Berzins asked in which zones is medical cannabis is allowed to be grown. Mr. Diana replied that medical cannabis can be grown in RC zones as well, but Bill 83-15 applies only to the ML-IM zone.

Chairman Phillips asked if Bill 86-15 was in reference to any project or piece of land in particular. Mr. Mayhew replied that it referred to Tradepoint Atlantic, the former Sparrows Point site.

Ms. Berzins asked about the size restrictions related to Bill 69-15. Mr. Diana replied that anything under 2,500 square feet is allowed, mostly for small businesses.

### **Items for Introduction**

#### 1. Basic Services Maps

Dave Thomas, from the Department of Public Works, presented the 2016 Basic Services Maps. There are three Basic Services Maps that need to be examined every year. The maps are transportation, sewer and water. Mr. Thomas noted that the water map has no deficiencies. The sewer map had an area of concern, which was resolved. The remaining areas of concern are continuing to be monitored and should be resolved over the next few years. The transportation map had several additions. Rossville Blvd. at Belair Road and at Pulaski Highway are now performing at a level of service D, rather than a level of service C. Mr. Thomas noted that levels of service D through F are mapped, but that level of service D is a warning with no impact on development.

Mr. Haffer asked how the levels of service are determined and how performance is defined. Mr. Thomas replied that performance is determined based on how many red-light cycles it takes to get through an intersection and is not based on road conditions or other similar factors.

Chairman Phillips asked about the levels of service that impact building permits. Mr. Thomas noted that levels of service E and F limit or prohibit development, but there are exemptions such as in Bill 79-15.

Mr. Thomas also noted that the failing and near failing intersections are all state roads. The county and the state do collaborate on timing to make sure the intersections run as smoothly as possible. He also noted that the state and the county have slightly different methodologies for determining levels of service.

Mr. Jenkins asked how Bill 79-15 is noted on the maps. Mr. Thomas stated that the exempted areas are notched out of the commuter shed areas for all Commercial Revitalization Districts.

Mr. Phillips asked if additional Commercial Revitalization Districts have been added since Bill 79-15. Ms. Van Arsdale noted that any revitalization district approved before Bill 79-15 will be grandfathered in,

but that any subsequent ones will not be exempted. This is to maintain the integrity of the revitalization program.

Ms. Berzins made a motion to set a Public Comment Period for February 4, 2016. Mr. Herbst seconded the motion, which passed at 5:23 p.m. Absent were Messrs. Schlossberg, Warren, Yaffe and Perlow, as well as Ms. Lipkowitz and Ms. Graf.

### **Adjournment of Board meeting**

Before the meeting adjourned, Ms. Hafford asked if a letter from the Planning Board could be sent to the County Council regarding Patriot Plaza. Mr. Jenkins also asked if the Radebaugh Property could be included in that letter. Ms. Van Arsdale noted that these are two separate issues and that they should be treated separately. Patriot Plaza is an action of the County Council and the Radebaugh property is an Administrative issue. Ms. Van Arsdale noted that the Department of Planning would consult with Chairman Phillips before sending out the letters.

Chairman Phillips called for a motion to adjourn the Board meeting. Mr. Herbst made the motion and Ms. Hafford seconded the motion, which passed unanimously at 5:27 p.m. Absent were Messrs. Schlossberg, Warren, Yaffe and Perlow, as well as Ms. Lipkowitz and Ms. Graf.