MINUTES
Baltimore County Planning Board Meeting
January 16, 2020

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   e. Bill 54-19 Zoning Regs. – Building Height Requirements in the D.R. 16 Zone
   f. Bill 56-19 Capital Budget – 209-209-P894 Owings Mills Center-CCBC
   g. Bill 57-19 The Building Code of Baltimore County – Agricultural Buildings
   h. Bill 58-19 Conveyance of Property – Governments and Non-Profit Entities
   i. Bill 59-19 CEB – Homeless Solutions Program (HSP) (State DHCD)
j. Bill 60-19 CEB – Housing Rehab Program (CDBG) McKinney Emergency Shelter Grants

k. Bill 63-19 Zoning Regulations – Yoga and Meditation Studios

l. Bill 64-19 Lobbying Registration during CZMP

m. Bill 66-19 Zoning Regulations – Boarding or Rooming Houses

n. Resolution 130-19 Expanding the Towson Commercial Revitalization District

o. Resolution 140-19 Support of designation – Maryland State Arts Council–Arts & Entertainment District-Catonsville


r. Resolution 152-19 Economic Development Revenue Bond – Oak Crest Village, Inc./Riderwood Village, Inc.

s. Resolution 153-19 Extension of Sanitary Sewer System – Meredith’s Ford Road, Towson

t. Resolution 154-19 Support for Main Street Maryland Program designation – Reisterstown

**Adjournment of the Board Meeting**

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**Appendices**

**Appendix A** Draft Report on Public Water and Sewer Status

**Appendix B** Draft Report on Transportation Basic Service Map

**Appendix C** 2020 Basic Services Map: Water Supply Area

**Appendix D** 2020 Basic Services Map: Transportation Zones

**Appendix E** 2020 Basic Services Map: Sewer Deficient Areas and Areas of Concern

*Note: A copy of the appendices is located in the official Planning Board file.*
Minutes
January 16, 2020

Call to Order, Introduction of Board Members

Chairman Phillips called the meeting to order at 4:00 p.m. The following members were:

<table>
<thead>
<tr>
<th>Present</th>
<th>Absent</th>
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<tr>
<td>1. Mr. N. Scott Phillips</td>
<td>1. Ms. Christina Berzins</td>
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<td>3. Mr. C. Scott Holupka</td>
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<td>4. Mr. Paul Hartman</td>
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<td>5. Mr. Steven Heil</td>
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<td>6. Ms. Cathy Wolfson</td>
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<td>7. Mr. Howard Perlow</td>
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<td>8. Mr. Mark Heckman</td>
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<td>9. Mr. Robert Baier</td>
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<td>10. Mr. Jonathan Herbst</td>
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<td>11. Mr. Robert Schweitzer</td>
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<td>12. Mr. Todd Warren</td>
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County staff present included Pete Gutwald, Jeff Mayhew, Myles Muehlberger, Chris Davis, Brett Williams, Jen Nugent, Jennifer Meacham, Amy Mantay and Marta Kulchytyska from the Department of Planning, and Jeff Peluso and Michael Filsinger from the Department of Public Works. Mr. Warren arrived at 4:10 p.m.

Review of Today’s Agenda

Chairman Phillips asked staff if any changes were made to the agenda. Mr. Muehlberger indicated that no changes to the agenda were made.

Minutes of the October 17, 2019 Meeting

Chairman Phillips asked the Planning Board members if they had any questions regarding the minutes from the October 17th, 2019 meeting. No questions were raised by the Board members.

The Chair entertained a motion to accept the draft minutes. Mr. Schweitzer made the motion and Ms. Wolfson seconded the motion, which passed unanimously at 4:02 p.m. Absent for the vote was Mr. Todd Warren.

Presentation

* A Special Presentation by County Executive John A. Olszewski, Jr. –Introducing the FY 2021-2026 Capital Improvement Program Process

Chairman Phillips, on behalf of the entire Board, began by welcoming the County Executive (CE). County Executive Olszewski thanked the members of the Planning Board and expressed his sincere
gratitude for their service to the residents of Baltimore County. The CE explained that during his first year in office and in the process of making the County more transparent a concerning fiscal situation was discovered that had been hidden from the public. In the past spending for school facilities were conducted without regard for fiscal sustainability which created deficits in the budget. During his first year in office the County was able to maintain its triple A bond rating while also continuing to invest in schools. The CE also mentioned that he was proud to expand citizen engagement through townhalls and online platforms.

The CE mentioned that last year’s input on the budget process from citizens influenced the inclusion of items such as bikeways and pedestrian access, traffic calming, and street revitalization. Other changes that occurred over the CE’s first year included a modification to the way the Departments are involved in the budget planning process and sustainability guidelines to improve resiliency in capital budget requests. This year’s budget will also include nearly $340 million in bonds to be voted on by residents of Baltimore County in November. The bond levels will also continue to increase in Fiscal Year (FY) 2022 and 2024 in comparison to 2020, and will continue at the same level from 2024 to 2026. The CE stated that the majority of this money will go towards school infrastructure as did in the prior year.

Chairman Phillips thanked the County Executive for coming out and introducing to the Board the FY 2021-2026 Capital Improvement Program process. Mr. Phillips indicated that members of the Board looked forward to working closely with the County Executive and opened the floor for the board members to ask questions.

Mr. Howard Perlow asked the CE how the County planned to find more money for education funding with the Kirwan Commission releasing a statement that the counties of Maryland will have to look to non-state sources for funds. The CE replied that due to investments in the school system during FY ‘20 the County is better positioned to cover the $88 million projected budget needs over the next 10 years, including that this is slightly more than double what the County invested in the past year. The CE expounded that the County is committed to being efficient where possible in terms of spending such as pouring less salt on the roads.

Ms. Nancy Hafford stated that she appreciates the CE investing in tourism in Baltimore County. The CE executive agreed that people need to know the story of the County and that this year was the first year the County honored and surpassed spending of 8% of the hotel tax as mandated by the County Council.

Ms. Cathy Wolfson thanked the CE for recognizing the impact that commercial-truck traffic has on residential roads and mentioned that Delaware instituted legislation for commercial-truck monitoring systems and that this is needed within the County. The CE stated that in collaboration with Baltimore City the County is seeking authority from the State to monitor these trucks in a similar fashion.

Mr. Scott Holupka asked the CE what type of development would be most cost effective and rewarding to the County and whether County agencies are looking into this as well. The CE replied that Mr. Pete Gutwald and the Department of Planning are looking into this information for CZMP as well as questioning if a Master Plan can be drawn up after the collection of Census data. He also mentioned that the County must find ways to increase densification while honoring the URDL.

Mr. Perlow proposed that the Board members should visit Tradepoint Atlantic in its current stage of development. The CE added that the Board should also visit Aviation Station as well. Mr. Perlow then asked if they were receiving any tax credits for the development of this project. The CE responded that they received historic preservation credits and the County is also in support of their efforts to receive Tranist Orient Development (TOD) and Better Utilizing Investments to Leverage Development (BUILD) grants.

Mr. Warren asked the CE for his thoughts on the lack of affordable and specifically workforce housing in Baltimore County in relation to the limitations the URDL provides. The CE replied that as part of their voluntary compliance agreement with the Department of Housing and Urban Development
(HUD) the County is required to construct 1,000 units of affordable housing and that they are on track to complete this goal.

The County Executive wished the Board luck with the CZMP process going forward and the Chair thanked the CE for coming before them.

**Items for Introduction**

1. **Basic Services Maps**

   Mr. Jeff Peluso from the Department of Public Works (DPW) addressed the Planning Board and asked them to review the materials provided and set a Public Hearing and vote before the end of February as required by the Baltimore County Zoning Regulations. Mr. Peluso began by stating that the Water and Sewer maps for 2020 had not changed from 2019 indicating no deficiencies on the Water map and five areas of concern and one deficient area on the Sewer map. Mr. Peluso stated that DPW has begun or completed projects in all the areas of concern. For the Transportation map Mr. Peluso mentioned that there are 35 failing intersections in the County with a service level of D, E, or F. Three intersections improved from a level F to C or D on the map from 2019 to 2020 and four worsened within the same period.

   Mr. Hartman asked Mr. Peluso if he was aware of the Administrative Law Judge’s ruling from August 31st, 2019 that the basic services maps are not final in their findings. Mr. Peluso responded that they are aware of this and believe that their maps are accurate and that DPW reviews all development that comes in through the County.

   The Chair entertained a motion to set the public hearing. Ms. Hafford made a motion to set a Public Hearing for February 6, 2020. Ms. Wolfson seconded the motion, which passed unanimously at 4:29 p.m.

2. **Broadway Estates PAI # VIII-907, Growth Tier III, Major Subdivision Review**

   Chairman Phillips called on Mr. Brett Williams, Development Review Planner, to give a brief introduction on the development plan known as Broadway Estates. Mr. Williams provided legislation from State and local entities that instruct the Board to review developments in a Growth Tier III area served by onsite septic systems. The Board’s role in reviewing this plan is limited solely to the environmental constraints of the development. Mr. Williams described the development plan for Broadway Estates as 20.7 acres on Broadway Road with improvements of 10 single-family dwellings in an RC-5 zoned area surrounded by single-family dwellings. Mr. Williams thanked the Board for their time and allowed Mr. Christopher Mudd of Venable to speak on the development.

   Mr. Mudd introduced himself, and his colleague Jenifer Frankovitch and professional land surveyor Jeff Schultz. Mr. Mudd indicated that public services such as trash, snowplowing, and fire departments are already in existence in the area of the development. Noting no bodies of water on the site or in proximity along with no forest buffers on the sight. Mr. Mudd also mentioned that all of the schools that the development is in the district of are under capacity.

   Mr. Hartman asked if there was a reason that the houses along Broadway did not connect directly to Broadway. Mr. Mudd responded that the Department of Planning had posed the same question but that DPW preferred for there to be one entrance and that there would be a line-of-sight issue with the entrance to the homes along Broadway.

   Mr. Heinl asked what the expected value of the homes for sale was and what the process would be if the community wanted to add a gate to the entrance of the road that is planned to be public. Mr. Mudd replied that it is likely they will be sold at close to $1 Million and that the road could be made private
prior to final dedication of the road or the community would have to petition to close the road and purchase the road from Baltimore County.

Mr. Heckman commented that it was his belief that there would likely be more impervious surface as the road design currently stands connecting all lot entrances to one road rather than having individual driveways off of Broadway Road. Mr. Mudd addressed the comment by stating that though it may be insignificantly more impervious surface area during discussion with the Department of Planning they learned that a wider impervious area would have to be completed along Broadway with individual drives. Mr. Heckman also commented that the steep grading on the site along the road would make it difficult to preserve a higher number of trees.

Mr. Peluso commented that he believes the single entrance would make it easier on traffic flow along Broadway and that single-family dwellings on larger lots are a necessity in the 2nd District.

Mr. Herbst asked if the homes on the lots will be custom homes. Mr. Mudd replied that the style of homes will be up to the developer, an individual property owner.

The Chair entertained a motion to set the public hearing. Ms. Hafford made a motion to set a Public Hearing for February 6, 2020. Mr. Heckman seconded the motion, which passed unanimously at 4:57 p.m.

Other Business

3. Report from the November 14, 2019 and January 9, 2020 meetings of the Landmarks Preservation Commission

Mr. Muehlberger reported that on November 14th, 2019 the LPC voted to issue 6 Certificates of Appropriateness and on January 9th, 2020, the LPC voted to issue 3 Certificates of Appropriateness and 1 Notice to Proceed.

4. Recent County Council Legislation of Interest to the Board

Mr. Muehlberger gave a report on the recent County Council legislation. The legislation is listed below for reference.

   a. Bill 47-19  Zoning Regulations – Assisted-Living Facilities
   b. Bill 48-19  Zoning Regulations – Security Guard Booths
   c. Bill 49-19  Human Relations – Housing Opportunity Made Equal (HOME)
   d. Bill 52-19  Zoning Regs.-Permitted Uses -Alternative Uses & Dev. Proposals Adjacent to the MD43 Overlay District
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s. Resolution 153-19  Extension of Sanitary Sewer System – Meredith’s Ford Road, Towson

t. Resolution 154-19  Support for Main Street Maryland Program designation – Reisterstown

**Adjournment of the Board Meeting**

Chairman Phillips called for a motion to adjourn the Board meeting. Ms. Wolfson made the motion and Ms. Hafford seconded the motion, which passed unanimously at 5:12 p.m.