

MINUTES

Baltimore County Planning Board Meeting

September 1, 2022

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

**Baltimore County Planning Board Meeting Minutes
September 1, 2022**

Call to Order, Introduction of Board Members

Chairwoman Hafford called the meeting to order at 4:00 PM and welcomed everyone. A roll call to account for the members of the Board was conducted and the following members were:

Present	Absent
1. Ms. Nancy Hafford, Chair	1. Mr. Mark Heckman
2. Mr. Peter Arrey	2. Mr. Steven Heintz
3. Mr. Henry Callegary	3. Mr. C. Scott Holupka (Arrived at 4:05 PM)
4. Mr. George Fotis	4. Mr. Wayne McGinnis (Arrived at 4:09 PM)
5. Ms. Beverly German	5. Ms. Cathy Wolfson
6. Mr. Derick Johnson	
7. Mr. Howard Perlow	
8. Ms. Cathryn Pinheiro	
9. Mr. Robert Schweitzer	
10. Mr. Todd Warren	

Attending County staff included the following Department of Planning representatives: Mr. Steve Lafferty, Ms. Amy Mantay, Ms. Jenifer Nugent, Ms. Krystle Patchak, Mr. Henry Ayakwah, and Ms. Taylor Bensley; the following Department of Public Works and Transportation (DPWT) representatives: Ms. Erin McKenna-Streyle, Ms. Lisa Eicholtz, and Mr. Richard Keller; and the following Department of Environmental Protection and Sustainability (EPS) representatives: Mr. Jerry Siewerski, and Mr. Kevin Kopenick.

Review of Today’s Agenda

Ms. Bensley reported no changes to the Tentative Agenda, published August 25th, 2022.

Minutes of the July 21st, 2022 Meeting

Chairwoman Hafford asked the Planning Board members if they had any changes to the July 21st, 2022 Minutes. Hearing none, Chairwoman Hafford called for a motion to approve the Minutes as drafted. Mr. Warren moved to approve the Minutes as drafted. Mr. Arrey seconded the motion, which passed at 4:03 PM with affirmative votes being cast by Mr. Arrey, Mr. Callegary, Mr. Fotis, Ms. German, Mr. Johnson, Mr. Perlow, Ms. Pinheiro, Mr. Schweitzer, and Mr. Warren. There were no dissenting votes.

Item for Discussion and Vote

1. Cycle 40 Water Supply and Sewerage Master Plan Amendments

Chairwoman Hafford welcomed Ms. Erin McKenna-Streyle, Chief of Water Design for the Department of Public Works and Transportation (DPWT) to provide any additional information on the Cycle 40 Water Supply and Sewerage Master Plan Amendments.

Ms. McKenna-Streyle stated that the Board received additional documents on Petitions 22-03 and 22-04 regarding Rocky Point Golf Course and Eastern Sanitary Landfill. She stated she was available for any questions.

Chairwoman Hafford opened up the floor for discussion amongst the Board members, stating that the Petitions would be discussed and voted on individually. Because she expected Petition 22-02: CP Crane to garnish significant discussion, she advised it would be addressed last.

Chairwoman Hafford opened up the floor for discussion regarding Petition 22-01: Todd's Inheritance Historic Site, Inc., located at 9000 North Point Road.

Mr. Perlow asked if Todd's Inheritance was the site that hosted historic programs and events and was in need of functioning bathrooms. Chairwoman Hafford confirmed.

Mr. Holupka entered the meeting at 4:05 PM.

With no further discussion or questions, Chairwoman Hafford called for a motion on Petition 22-01: Todd's Inheritance Historic Site.

Mr. Warren moved that the Baltimore County Planning Board adopt Staff's recommendation and reports for the Water and Sewerage Plan Amendment Cycle 40 Reference Number 22-01 to designate Todd's Inheritance Historic Site, Inc., located at 9000 North Point Road, as W-1, S-3. Mr. Schweitzer seconded the motion, which passed at 4:07 PM with affirmative votes being cast by Mr. Arrey, Mr. Callegary, Mr. Fotis, Ms. German, Mr. Holupka, Mr. Johnson, Mr. Perlow, Ms. Pinheiro, Mr. Schweitzer, and Mr. Warren. There were no dissenting votes.

Chairwoman Hafford opened up the floor for discussion amongst the Board members regarding Petition 22-03: Rocky Point Golf Course, located at 1935 Back River Neck Road.

Mr. Schweitzer sought clarity on the staff recommendations, asking if the water and sewer would only be for the existing facilities. Mr. Lafferty confirmed that was correct, stating that EPS had provided information that water and sewer would be provided for existing and planned facilities, and would not allow future, detached facilities or the entire site to hook up to it.

Mr. McGinnis entered the meeting at 4:09 PM.

Mr. Perlow confirmed the whole site could not connect. Mr. Lafferty stated that that was correct and that the staff recommendation was only to provide for existing and planned facilities. Mr. Perlow asked if the connections could be used if the golf course expanded their clubhouse, to which Mr. Lafferty answered yes. Mr. Perlow confirmed the golf course could not use the water and sewer to build around the

perimeter/exterior of the course, stating that he did not want to see 200+ homes built on the outskirts of the golf course. Mr. Lafferty confirmed that was also correct.

Mr. Warren stated that Rocky Point was a great golf course and approval would allow them to have a world class facility.

With no further discussion or questions, Chairwoman Hafford called for a motion on Petition 22-03: Rocky Point Golf Course.

Mr. Holupka moved that the Baltimore County Planning Board adopt Staff's recommendation and reports for the Water and Sewerage Plan Amendment Cycle 40 Reference Number 22-03 to designate Rocky Point Golf Course, located at 1935 Back River Neck Road, as W-3, S-3 to the existing facilities at the park and golf course with other parcels and properties being precluded from connecting to the public water and sewer (Recommended by EPS & Planning). Mr. Schweitzer seconded the motion, which passed at 4:11 PM with affirmative votes being cast by Mr. Arrey, Mr. Callegary, Mr. Fotis, Ms. German, Mr. Holupka, Mr. Johnson, Mr. Perlow, Ms. Pinheiro, Mr. Schweitzer, Mr. Warren, and Mr. McGinnis. There were no dissenting votes.

Chairwoman Hafford opened up the floor for discussion amongst the Board members regarding Petition 22-04: Eastern Sanitary Landfill, located at 6259 Days Cove Road.

Mr. Lafferty noted that the Board received additional information from EPS addressing questions from the Maryland Department of the Environment.

Mr. Perlow confirmed this request was to be able to add bathrooms and provide clean drinking water for employees. Chairwoman Hafford confirmed.

With no further discussion or questions, Chairwoman Hafford called for a motion on Petition 22-04: Eastern Sanitary Landfill.

Mr. Holupka moved that the Baltimore County Planning Board adopt Staff's recommendation and reports for the Water and Sewerage Plan Amendment Cycle 40 Reference Number 22-04 to allow for an URDL exemption for Eastern Sanitary Landfill, located at 6259 Days Cove Road. Mr. Warren seconded the motion, which passed at 4:14 PM with affirmative votes being cast by Mr. Arrey, Mr. Callegary, Mr. Fotis, Ms. German, Mr. Holupka, Mr. Johnson, Mr. Perlow, Ms. Pinheiro, Mr. Schweitzer, Mr. Warren, and Mr. McGinnis. There were no dissenting votes.

Chairwoman Hafford opened up the floor for discussion amongst the Board members regarding Petition 22-02: CP Crane Generating Station, located at 1021 Carroll Island Road.

Mr. Warren asked Ms. McKenna-Streyle if the site had existing water and sewer. Ms. McKenna-Streyle confirmed that water and sewer served some parcels.

Looking at the Staff Recommendations, Mr. Warren stated that the Department of Planning was opposed to the request, but DPWT was recommending approval of water and sewer for select parcels. He asked why this was. Ms. McKenna-Streyle explained that the site was in the Metropolitan District, which was why DPWT was in support of some parcels being approved for water and sewer. She continued on that the Metropolitan District pre-dated the URDL, which is why they did not line up, but that the Metropolitan District was what DPWT used for their review and recommendation.

Mr. Perlow confirmed the request did not currently involve the URDL. Ms. McKenna-Streyle stated that was correct, explaining that any URDL exemption or expansion request for the site would be taken up separately and at a later meeting.

Mr. Perlow noted that the site had development rights by right and asked what it was zoned. Ms. Warren stated that the site was zoned RC 5 and, according to his calculations, had development rights for approximately 75 dwellings.

Mr. Perlow stated that the site was near the Bay and there was a significant push to save and clean up the Bay. He continued on that he would prefer to see the site have water and sewer than to be developed on septic systems, as even brand new septic systems can have significant problems. He stated that, so long as the URDL was not being adjusted at this time, he was accepting of water and sewer being made available for the development units available by right.

Mr. Holupka asked Ms. McKenna-Streyle to provide some insight on DPWT's recommendation regarding specific parcels. Ms. McKenna-Streyle explained that DPWT looked at which parcels specifically did/did not have existing water and sewer.

Mr. Perlow questioned if the Board's decision would go to the State. Ms. McKenna-Streyle explained that the decision would go to the County Executive for review, then the County Council; Council's decision would be forwarded on to the State, who would have the final decision. She explained that the State would determine if the designation met the County's Master Plan and, if they did not feel it did, they could deny the approval. Ms. McKenna-Streyle stated that had happened in the past – the County was on board with a water and sewer amendment and the State denied it.

Mr. Warren asked staff to explain the Staff Recommendations. Mr. Lafferty explained that EPS was recommending W-1, S-1 for the existing power plant; Planning was recommending no change in the designation; and DPWT was recommending W-1, S-1 for Parcel 155, Parcel 154 (between Parcel 155 and Parcel 141), and Parcel 141, and W-3, S-3 for Parcel 154 (above Parcel 155), Parcel 140 Part 1 and Parcel 140 Part 2.

Mr. Lafferty noted that Planning was not in support of changes to the existing designation due to the applicant not having a sufficient reasoning upon filing the petition and because of significant community opposition and concern.

Mr. Perlow asked if the existing plant was on Parcel 140 and Parcel 141. Mr. Lafferty confirmed.

Ms. McKenna-Streyle stated that Parcel 155 and Parcel 154 (between Parcel 155 and Parcel 141) were included in DPWT's recommendation for W-1, S-1 because they had existing water and sewer.

Ms. Pinheiro asked if the Board knew what would be developed if water and sewer was approved. Chairwoman Hafford stated the Board did not know and they were only looking at the water and sewer approval.

With no further discussion or questions, Chairwoman Hafford called for a motion on Petition 22-02: CP Crane Generating Station.

Mr. Perlow moved that the Baltimore County Planning Board adopt Staff’s recommendation and reports for the Water and Sewerage Plan Amendment Cycle 40 Reference Number 22-02 to designate CP Crane Generating Station, located at 1021 Carroll Island Road, as W-1, S-1: Parcel 155, Parcel 154 (between Parcel 155 and Parcel 141), and Parcel 141 and W-3, S-3: Parcel 154 (above Parcel 155), Parcel 140 Part 1 and Parcel 140 Part 2. (Recommended by Public Works) with the URDL adjustment deferred at this time. Mr. Warren seconded the motion, which passed at 4:27 PM with affirmative votes being cast by Mr. Arrey, Mr. Callegary, Mr. Fotis, Mr. Holupka, Mr. Johnson, Mr. Perlow, Ms. Pinheiro, Mr. Schweitzer, and Mr. Warren. Mr. McGinnis and Ms. German voted against the motion.

Chairwoman Hafford thanked the Board for their time on the matter.

Other Business

- 2. Recent County Council legislation of interest to the Board

Ms. Bensley gave a report on the recent legislation passed by the County Council of interest to the Board:

- a. Bill 51-22 Development – Review and Approval Process – Limited Exemptions
- b. Resolution 27-22 Review of PUD – Ridgedale

Adjournment of the Board Meeting

Chairwoman Hafford called for a motion to adjourn the Board Meeting. Mr. Callegary moved to adjourn the meeting. Mr. Warren seconded the motion, which passed with affirmative votes being cast by Mr. Arrey, Mr. Callegary, Mr. Fotis, Ms. German, Mr. Holupka, Mr. Johnson, Mr. Perlow, Ms. Pinheiro, Mr. Schweitzer, Mr. Warren, and Mr. McGinnis. There were no dissenting votes.

The meeting adjourned at 4:30 PM

**Baltimore County Planning Board Public Hearing Minutes
September 1, 2022**

Call to Order, Introduction of Board Members, and Remarks on Procedure by Chair

Chairwoman Hafford called the Public Hearing to order at 5:00 PM. A roll call to account for the members of the Board was conducted and the following members were:

<u>Present</u>	<u>Absent</u>
1. Ms. Nancy Hafford, Chair	1. Mr. George Fotis (Arrived at 5:03 PM)
2. Mr. Peter Arrey	2. Mr. Mark Heckman
3. Mr. Henry Callegary	3. Mr. Steven Heil
4. Ms. Beverly German	4. Ms. Cathy Wolfson
5. Mr. C. Scott Holupka	
6. Mr. Derick Johnson	
7. Mr. Wayne McGinnis	
8. Mr. Howard Perlow	
9. Ms. Cathryn Pinheiro	

<p>10. Mr. Robert Schweitzer 11. Mr. Todd Warren</p>	
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Attending County staff included the following Department of Planning representatives: Mr. Steve Lafferty, Ms. Amy Mantay, Ms. Jenifer Nugent, Ms. Krystle Patchak, Mr. Henry Ayakwah, and Ms. Taylor Bensley; the following Department of Public Works and Transportation (DPWT) representatives: Ms. Erin McKenna-Streyle, Ms. Lisa Eicholtz, and Mr. Richard Keller; and the following Department of Environmental Protection and Sustainability (EPS) representatives: Mr. Jerry Siewerski, and Mr. Kevin Kopenick.

Mr. Lafferty requested a moment to read the complete motion for Water and Sewerage Plan Amendment Cycle 40 Reference Number 22-02, CP Crane Generating Station, located at 1021 Carroll Island Road, into the record to confirm it was adequately captured. He stated that the Board approved DPWT’s Staff Recommendation to designate Reference Number 22-02 as W-1, S-1: Parcel 155, Parcel 154 (between Parcel 155 and Parcel 141), and Parcel 141 and W-3, S-3: Parcel 154 (above Parcel 155), Parcel 140 Part 1 and Parcel 140 Part 2 with the URDL adjustment deferred at this time.

Chairwoman Hafford acknowledged that the meeting and hearing would be the last for Mr. Schweitzer. She and member of the Board thanked him for his service to the Planning Board.

Mr. Fotis entered the meeting at 5:03 PM.

Item for Public Hearing

1. New Facility Amendment to the Solid Waste Management Plan – Daniels Sharpsmart, Inc. – 1201 67th Street, Rosedale 21237 (Medical Waste)**

Chairwoman Hafford welcomed everyone and introduced Mr. Richard Keller of Baltimore County Public Works and Transportation (DPWT). She explained that, on July 21st, 2022, Mr. Keller introduced the New Facility Amendment to the Solid Waste Management Plan – the Daniels Sharpsmart, Inc. Medical Waste facility, located at 1201 67th Street, Rosedale 21237. Chairwoman Hafford explained that, tonight, the Board had an opportunity to hear statements from Mr. Jerry Siewierski and Mr. Kevin Koepenick of the Department of Environmental and Sustainability (EPS), a presentation from Mr. Keller, and comments from members of the public on the issue.

Mr. Siewierski stated that EPS was considering an application by Daniel Sharpsmart, Inc. for a new medical waste facility, and that the public hearing on approval or denial of the permit for the facility was required by the Maryland Code. He stated that the permit application needed to be reviewed by the following departments: Fire, Zoning Review, EPS, and Public Works; Fire and Zoning Review had already approved the permit for their departments. He noted that the applicant for the facility, Mr. Kyle Little, was in attendance, should the Board have any facility-specific questions.

Mr. Perlow questioned the address of the facility. Mr. Siewierski confirmed it was 1201 67th Street, not 1201 6th Street as noted on some documents.

Mr. Keller delivered a brief presentation on the medical waste facility amendment. He explained that the Ten Year Solid Waste Management Plans were required by Code of Maryland Regulations (COMAR)

Section 26.03.03 to ensure Baltimore County had adequate capacity to handle all materials generated within the County for the next 10 years. He continued on that all plans and amendments needed to be approved by the Maryland Department of the Environment, and that the current plan covered 2019-2028. Mr. Keller stated that, in accordance with COMAR Section 26.03.03.05, Baltimore County was required to amend its plan to include new proposed solid waste facilities.

Mr. Keller then explained specifics of the Daniels Sharpsmart, Inc. facility. He explained that the facility would be privately financed and operated, would accept and treat general medical waste, would sterilize material and transport offsite to a permitted landfill, and would also warehouse, process, and distribute reusable medical waste containers. He noted that the applicant for the facility, Mr. Kyle Little, was in attendance, should the Board have any facility-specific questions.

Chairwoman Hafford thanked Mr. Keller, Koepenick, and Mr. Siewierski, and asked for questions from the Board.

Mr. Johnson asked how much waste the facility would handle. Mr. Kyle Little, applicant, stated approximately 8 tons per day. He noted that the number was on par with an existing facility the company also operated in Baltimore City. Mr. Little stated that the reason for a new facility was because the company had outgrown the existing facility and needed more floor space.

Mr. Holupka inquired if the facility in Baltimore City would remain open. Mr. Little stated it would not.

Mr. Holupka asked how the medical waste material would be received. Mr. Little stated it would be brought in by truck, specifically approximately 10-15 box trucks per day.

Mr. Johnson questioned what the impact would be to the area. Mr. Little stated there would be no impact. He explained that the existing facility was adjacent to residences and small businesses, and that the facility had a small footprint and was a good neighbor.

Mr. Arrey asked why the facility needed to be moved. Mr. Little explained that the facility was growing and needed a larger space with more floor area.

Mr. Arrey inquired on the impact to residents. Mr. Little reiterated there would be no impact, stating that there would be a few additional trucks but nothing else.

Mr. Holupka asked if the new facility would use an existing building. Mr. Little confirmed it would. He noted that the existing building was a warehouse that trucks already went to, so there would not be a significant change.

Mr. Arrey raised concern on contamination. Mr. Little explained that there was no risk, that the facility would be permitted, and that the facility would be heavily regulated by the State to assure there would be no impact to residences and/or the environment. Mr. Little also noted that the reusable medical waste containers mentioned in Mr. Keller's presentation were designed to keep employees handling them safe and protected.

Mr. Arrey asked if the facility would bring in any jobs. Mr. Little stated that the company currently had 30-40 employees, but that they hoped to expand in the coming years.

Mr. Warren sought additional information on what was done with the used needles. Mr. Little explained that the needles would be taken from the truck, unlocked and emptied into a bin by a machine, steam sterilized in an autoclave, and then taken by truck to a permitted landfill out of state.

Mr. Perlow asked if the facility was going to occupy an existing building. Mr. Little confirmed the facility would use an existing building and it would just require a build out. He stated there would be vigorous safety and regulation programs in place to make sure everyone was safe.

With no further comments or questions from the Board, Chairwoman Hafford called on the single speaker that had signed up.

Mr. Russell Mirabile of the Rosedale Community Association testified that his biggest concern was traffic. He stated that Route 40 and Route 7 had not been widened and he was shocked the Fire Department had approved the new facility permit. He raised concern that, with the new Wawa, there would be significant backups and heavy traffic congestion.

With no further speakers, Chairwoman Hafford thanked Mr. Keller, Koepenick, Mr. Siewierski, and the members of the public for their participation. She advised that the item was tentatively scheduled for a vote at the September 15th, 2022.

Adjournment of the Public Hearing

Chairwoman Hafford called for a motion to adjourn the Public Hearing. Mr. Warren moved to adjourn the meeting. Ms. Pinheiro seconded the motion, which passed with affirmative votes being cast by Mr. Arrey, Mr. Callegary, Mr. Fotis, Ms. German, Mr. Holupka, Mr. Johnson, Mr. Perlow, Ms. Pinheiro, Mr. Schweitzer, Mr. Warren, and Mr. McGinnis. There were no dissenting votes.

The hearing adjourned at 5:25 PM.