

MINUTES

Baltimore County Planning Board Meeting

March 16, 2023

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

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Baltimore County Planning Board**

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

Item for Discussion and Vote

1. Sparrows Point Country Club (Country Club Estates) Growth Allocation Requests for Chesapeake Bay Critical Area

Adjournment of Board Meeting

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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
March 16, 2023**

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. Through the meeting, the following Board members were:

Present	Absent
<ol style="list-style-type: none">1. Ms. Nancy Hafford, Chair2. Mr. Peter Arrey3. Ms. Emily Brophy4. Ms. Beverly German5. Mr. S. Chris Haffer6. Mr. Mark Heckman7. Mr. Shafiyq Hinton8. Mr. C. Scott Holupka9. Mr. Derick Johnson10. Mr. Wayne McGinnis11. Mr. Howard Perlow12. Ms. Cathryn Pinheiro (Arrived at 4:02 PM)13. Mr. Todd Warren14. Ms. Cathy Wolfson	<ol style="list-style-type: none">1. Mr. Steven Heintl

Attending County staff included: Mr. Steve Lafferty, Ms. Krystle Patchak, Ms. Courtney Rachuba, Ms. Laura Wolfe, and Ms. Taylor Bensley, all of the Department of Planning; Mr. Bob Smith, and Mr. Patrick McDougall of the Department of Recreation and Parks; and Mr. Paul Dennis of the Department of Environmental Protection and Sustainability.

Before reciting the Pledge, Chairwoman Hafford welcomed the two new Planning Board members, Mr. Shafiq Hinton and Mr. Chris Haffer. She then gave both members the opportunity to introduce themselves.

Mr. Hinton introduced himself as a County Executive Appointment and District 6 resident. He explained he worked in healthcare and real estate, and that he hoped to use his expertise from both of his careers in Board matters. He ended his introduction by thanking the Board for having him.

Mr. Haffer introduced himself as the District 7 Representative, and stated that this was his second time on the Planning Board. He continued to explain that he left the Board five years ago to take a Senior Executive Service position at the U.S. Equal Employment Opportunity Commission in Washington, DC. He noted before that position, he worked for the Center for Medicare and Medicaid Services in data and analytics and recently retired. Mr. Haffer thanked the Board for having him back.

Review of Today's Agenda

Ms. Bensley reported there were no changes to the Tentative Agenda published March 9, 2023.

Minutes of the March 2, 2023 Meeting

Chairwoman Hafford asked the Planning Board members if they had any changes to the March 2, 2023 Minutes. Hearing none, Chairwoman Hafford called for a motion to approve the Minutes as drafted. Mr. Arrey moved to approve the Minutes as drafted. Mr. Holupka seconded the motion, which passed at 4:03 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Haffer, Mr. Heckman, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Mr. Perlow, Ms. Pinheiro, Mr. Warren, and Ms. Wolfson. There were no dissenting votes.

Item for Discussion and Vote

1. Land Preservation, Parks and Recreation Plan 2022 (LPPRP)

Chairwoman Hafford informed the Board that the first item on the agenda was the discussion and vote of the 2022 Land Preservation, Parks and Recreation Plan (LPPRP). She stated that this item was first introduced to the Board on February 16th, 2023, and that a Public Hearing was conducted on March 2nd, 2023. She continued that staff from the Department of Recreation and Parks were present to answer any questions, and welcomed Mr. Bob Smith, and Mr. Pat McDougall from the Department of Recreation and Parks.

Mr. Smith had nothing further to add, but stated he and Mr. McDougall were present to answer any questions from the Board.

Chairwoman Hafford thanked Mr. Smith and opened up the floor for questions and comments from the Board.

Mr. McGinnis questioned if the facility at the Senior Center in Hereford would be large enough to accommodate some recreational activity. Mr. Smith responded that the facility would be managed by the Department of Aging so he was unable to speak on the specifics, but that the Department of Recreation and Parks would be working closely with the Department of Aging and hoped to have gymnasium space. Mr. McGinnis asked about future plans for the 30-acre site located at Middletown Road in Hereford. Mr. Smith replied that the County did not own the site and that it was owned by the Recreational Council.

Mr. Haffer suggested that, in the future when administering surveys, Recreation and Parks use a survey expert so they can perform a more scientific survey, receive better response rates, and therefore be able to draw better conclusions. Mr. Smith acknowledged the suggestion.

There were no further questions or comments from the Board.

With no further comments or questions from the Board, Chairwoman Hafford called for a motion on the Plan. Mr. Holupka moved that the Baltimore County Planning Board approve the Baltimore County 2022 Land Preservation, Parks and Recreation Plan (LPPRP), as prepared by the Department of Recreation and Parks with assistance from other County agencies, as an addendum to the Baltimore County Master Plan 2020. Mr. Arrey seconded the motion, which passed at 4:08 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Haffer, Mr. Heckman, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Mr. Perlow, Ms. Pinheiro, and Ms. Wolfson. Mr. Warren voted against the motion.

Mr. Lafferty noted that the LPPRP 2022 would be an addendum to Master Plan 2020 and would rollover to also become part of Master Plan 2030, once it was completed.

Other Business

- 2. Report from the March 9, 2023 meeting of the Landmarks Preservation Commission

Ms. Bensley gave a report on the major actions of the Landmarks Preservation Commission at their March 9, 2023 meeting.

- 3. 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, which included:

- a. Bill 7-23 – Zoning Regulations – Accessory Apartments
- b. Bill 9-23 – Zoning Regulations – Uses Permitted in the Manufacturing, Light (ML) Zone – Veterinarian’s Office in a Planned Industrial Park

Adjournment of the Board Meeting

Chairwoman Hafford called for a motion to adjourn the meeting. Ms. Wolfson moved to adjourn the meeting. Ms. Brophy seconded the motion, which passed at 4:10 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Haffer, Mr. Heckman, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Mr. Perlow, Ms. Pinheiro, Mr. Warren, and Ms. Wolfson. There were no dissenting votes.

The meeting adjourned at 4:10 PM.

**Baltimore County Planning Board Public Hearing Minutes
March 16, 2023**

Call to Order, Introduction of Board Members

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

Present	Absent
<ol style="list-style-type: none"> 1. Ms. Nancy Hafford, Chair 2. Mr. Peter Arrey 3. Ms. Emily Brophy 4. Ms. Beverly German 5. Mr. S. Chris Haffer 6. Mr. Mark Heckman 7. Mr. Shafiyq Hinton 8. Mr. C. Scott Holupka 9. Mr. Derick Johnson 10. Mr. Wayne McGinnis 11. Mr. Howard Perlow 12. Ms. Cathryn Pinheiro 13. Mr. Todd Warren 14. Ms. Cathy Wolfson 	<ol style="list-style-type: none"> 1. Mr. Steven Heintl

Attending County staff included: Mr. Steve Lafferty, Ms. Krystle Patchak, Ms. Courtney Rachuba, Ms. Laura Wolfe, and Ms. Taylor Bensley, all of the Department of Planning; and Mr. Paul Dennis from the Department of Environmental Protection and Sustainability.

Item for Public Hearing

1. Sparrows Point Country Club (Country Club Estates) Growth Allocation Requests for Chesapeake Bay Critical Area**

Chairwoman Hafford welcomed everyone and explained that, on March 2nd, 2023, Ms. Regina Esslinger of the Department of Environmental Protection and Sustainability, Ms. Patricia Malone of Venable LLP, and Mr. Conor Gilligan of CRD Golf introduced the Sparrows Point Country Club (Country Club Estates) Growth Allocation Requests for the Chesapeake Bay Critical Area. Chairwoman Hafford explained that Mr. Paul Dennis from the Department of Environmental Protection and Sustainability was present to recap the project, and Ms. Malone and Mr. Gilligan were present to answer any questions from the Board. She stated that following Mr. Dennis’ presentation, members of the public would have the opportunity to speak on the matter. Chairwoman Hafford then welcomed Mr. Paul Dennis.

Mr. Dennis provided a brief recap of the Growth Allocation Request and project at hand. He reminded the Board that the property is an approximately 268-acre site and that the property owner was proposing to develop a portion of it with 53 villa homes, 60 single family dwellings, and 193 townhomes. Mr. Dennis then explained that the growth allocation proposal sought to reclassify 40.72 acres of Resource Conservation Area (RCA) to Intensely Developed Area (IDA), and 14.63 acres of Limited Development

Area (LDA) to IDA. He continued by providing an overview of the steps in the Growth Allocation Process, and the Growth Allocation Review Committee (GARC) findings, which were included in the February 3rd, 2023 report. Mr. Dennis finished his presentation and recommended that the Planning Board vote to approve the Growth Allocation Request and forward the application to the Board of Appeals for approval, subject to all conditions listed in the February 3rd, 2023 Growth Allocation Committee report.

Chairwoman Hafford asked if there were any questions or comments from the Board. There were none.

With no comments or questions from the Board, Chairwoman Hafford began calling on members of the public who had signed up to speak on the topic.

Mr. Rod McMillion, a twice elected Baltimore County Board of Education Representative for District 7, stated he was speaking as an individual in opposition of the plan. He continued that he believed there was a disconnect between the Planning Board and the Board of Education. Mr. McMillion then shared school capacity numbers for Dundalk High School, Patapsco High School, and Sparrows Point High School, citing that they were all over capacity. He stated that, as a former Baltimore County public-school teacher of 35 years, he knew overcapacity would negatively affect the quality of the educational experience.

Mr. William Lambdin, a resident of Waterview Road in Dundalk, located directly across from the Sparrows Point Country Club and the future Country Club Estates property, spoke in opposition of the plan. He stated he was concerned that the allowable density was increased from approximately 210 dwelling units allowed by zoning to over 300 because the project was a Planned Unit Development (PUD). He noted that the increase in units also increased the acreage included in the critical area buffer from 57 acres to 76 acres. His concerns included overcrowded schools, increased traffic, and there only being one entrance for the majority of the development along with the millions of gallons of impervious surface run-off from the 26% of the grounds being impervious surface area. He concluded that the development did not meet the rules and regulations by having a 300-foot buffer from the water.

Mr. Jeffrey D. Weiss spoke in opposition to the plan. He stated he was an experienced boater of 14 years and was a 2-year resident of Dundalk. He explained that the programs of the RCA and LDA were put into place for a reason. Mr. Weiss noted he had watched the eco-system, bird life, horseshoe crabs, and other life forms evolve over the years with improvement to the water quality and wetlands. He stated he was concerned improvements would be undone with the development, and urged the Board to consider these factors before making their decision.

Mr. Dan Worthington, a resident of Bear Creek since 1996 spoke in opposition to the plan. He explained he kayaked the area three times a week, and had noticed a huge improvement in the water quality over the years. He was concerned the run-off from the development would negatively impact the water quality and tidal pond.

There were no other public speakers.

Ms. Patricia Malone of Venable LLP and Mr. Conor Gilligan of CRD stated they were present for any questions.

Chairwoman Hafford opened the floor up to questions and comments from the Board.

Mr. Arrey addressed Mr. Gilligan and stated he had heard two main concerns from the public: school overcrowding and environmental concerns. He asked Mr. Gilligan to clarify to the public how the school overcrowding and the environmental concerns were addressed by the project. Mr. Gilligan responded that the concern had been discussed during the March 2, 2023 meeting. He reminded the Board that the school

capacity issue had been present before the project was introduced. He continued that the current Baltimore County Fiscal Year Budget had allocated \$8 million toward the design and study of Patapsco High School and Sparrows Point High School. He stated that he believed that the budget for the study and design would generate the building of new schools or renovation of existing schools. Mr. Arrey asked Mr. Gilligan to confirm that the school overcrowding issue would be an existing issue regardless of the new development plan. Mr. Gilligan replied yes, that it had already been determined in the capacity studies. Ms. Malone noted that school capacity levels are evaluated at the beginning stage of development. She continued that this was done in 2019 prior to approval of the development plan, and that it was deemed there was sufficient capacity. Mr. Gilligan mentioned that it would take 5-6 years for full build out, giving the County time to address overcapacity issues.

Mr. Arrey questioned the water issues and concerns. Mr. Gilligan responded the site currently did not have any storm water management throughout the entire 270 acres. He stated Country Club Estates would have storm water management facilities, bio-retention facilities, and submerged gravel wetland facilities, before water was discharged into the pond and the bay. He explained that the 10% pollution reduction was for the entire site. Mr. Arrey requested that Mr. Gilligan submit a step-by-step project plan timeline to the Board to show when these facilities would be completed.

Mr. Haffer reiterated that overcrowding had been an issue for some time. He noted that, with the price of the homes and the demographics, the public should take into account the high possibility of homeowners homeschool their children or sending them to private schools, and therefore not impacting local public schools.

Mr. Perlow noted that, in regards to Mr. Arrey's comment, the County collected bonds on development projects to confirm work was completed; if the work and community benefits were not completed, the County would cash in the bonds.

Mr. Hinton asked if the developer had worked with the community to determine what sort of community benefit the neighbors wanted and questioned what kind of demographic the development projected marketing to. Mr. Gilligan responded that Country Club Estates would have a variety of products (townhomes, villas, single family detached), and that there would likely be something for everyone, regardless of what stage of life they were in. In regards to community benefit, Mr. Gilligan explained that his team had had three formal Community Input Meetings and dozens of informal community input meetings since 2015. During these meetings, what benefits the community was looking for often came up, and the developer took them into account during the development plan process. He noted that a complete breakdown of the community input was provided in the Pattern Book, in the PUD Resolution, and was emailed to the Board following the March 2nd, 2023 meeting.

Ms. German requested information on the School Impact Analysis (SIA) and that the projected pupil yield be clarified. Ms. Malone explained the SIA process, and that there was a formula for how many students a development would likely generate, based on the number and type of dwelling units. Ms. Malone stated that the SIA projected the development would generate was 85 elementary school students, 32 middle school students, and 34 high school students. She noted that this was completed in 2019 and that at that time, Sparrows Point High School (SPHS) was the only overcrowded school impacted.

Ms. German stated her daughter was the school nurse at SPHS. She continued that the County had a plan to build a new middle school on the peninsula but that no exact location had been determined. She stated that she believed that the timeline of 5-6 years for full build out would be sufficient time for the school system to address overcrowding in the area.

Mr. Perlow stated the County Executive spoke about the Capital Budget and that his top priority was schools. He reiterated that for the next 4-8+ years, schools would be a priority. Mr. Perlow noted that the County would not have a huge amount of new development, citing that Mr. Warren previously asked how many lots were still available for new development and the answer was approximately 4,000 lots. He stated that he believed this development would likely not add an unreasonable number of students, and that this was a reasonable request.

Mr. Johnson questioned when was the last time Mr. Gilligan met with the public and residents of the area. Mr. Gilligan reiterated that he had three formal community input meetings in the Sparrows Point County Club dining room. He continued that the latest meeting was held on January 16th, 2023. He noted that in addition to the three formal meetings, he held dozens of informal meetings in the area.

Mr. Johnson asked if Mr. Gilligan had noted any changes in the wants of the community from 2015 to now. Mr. Gilligan responded that no, there were not many changes. He continued that he had found many similarities throughout the country; residents' top five concerns, no matter where, were often: schools, traffic, environment, crime and safety, and public parks. Mr. Johnson stated it was very important that Mr. Gilligan heard the concerns of the community and kept the community incorporated into any decisions.

Ms. Malone reminded the Board that there were support letters from the community included in the packets distributed to the Board.

Mr. Dennis addressed the public testimony on environmental concerns. He stated that the plan met all the required critical area buffers. He reminded the Board that the 300 foot setback mentioned earlier could be reduced if the advantage would be better water quality or habitat benefits. He stated this would give an additional 20+ acres of planting for that reduction and reforestation.

With no other speakers, Chairwoman Hafford thanked members of the public for their participation. She noted that the Board would reconvene immediately for the discussion and vote on the matter.

Adjournment of the Public Hearing

Chairwoman Hafford called for a motion to adjourn the Public Hearing. Mr. Warren moved to adjourn the Public Hearing. Ms. Pinheiro seconded the motion, which passed at 5:40 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Haffer, Mr. Heckman, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Mr. Perlow, Ms. Pinheiro, Mr. Warren, and Ms. Wolfson. There were no dissenting votes.

The Public Hearing adjourned at 5:40 PM.

**Baltimore County Planning Board Meeting Minutes
February 16, 2023**

Call to Order, Introduction of Board Members

Chairwoman Hafford called the meeting to order at 5:40 PM and welcomed everyone. A roll call to account for the members of the Board was conducted and the following members were:

Present	Absent
<ol style="list-style-type: none"> 1. Ms. Nancy Hafford, Chair 2. Mr. Peter Arrey 3. Ms. Emily Brophy 4. Ms. Beverly German 5. Mr. S. Chris Haffer 6. Mr. Mark Heckman 7. Mr. Shafiyq Hinton 8. Mr. C. Scott Holupka 9. Mr. Derrick Johnson 10. Mr. Wayne McGinnis 11. Mr. Howard Perlow 12. Ms. Cathryn Pinheiro 13. Mr. Todd Warren 14. Ms. Cathy Wolfson 	<ol style="list-style-type: none"> 1. Mr. Steve Heintl

Attending County staff included: Mr. Steve Lafferty, Ms. Courtney Rachuba, Ms. Laura Wolfe, and Ms. Taylor Bensley, all of the Department of Planning; and Mr. Paul Dennis from the Department of Environmental Protection and Sustainability.

Items for Discussion and Vote

1. Sparrows Point Country Club (Country Club Estates) Growth Allocation Requests for Chesapeake Bay Critical Area

Chairwoman Hafford advised the Board that they now had the opportunity to discuss and vote on the Sparrows Point Country Club (Country Club Estates) Growth Allocation Requests for the Chesapeake Bay Critical Area. She stated that Mr. Paul Dennis from the Department of Environmental Protection and Sustainability and representatives for the applicant were present to answer any further questions from the Board during the discussion and before the vote.

Chairwoman Hafford asked the Board members if there were any questions.

Ms. Brophy stated that BCPS explained during their Capital Improvement Program presentation that enrollment had been declining since Covid. She asked if updated school capacity numbers had come out and if enrollment had declined. Mr. Lafferty responded he had not seen the new numbers, but the MYIPAS program had recognized overcrowding in that area and identified money to address it. He stated the population in the area had grown and that adding more seats was a priority.

Mr. Warren explained the country had a national housing shortage problem, which was creating massive dislocation in communities. He continued that 11 million people paid more than 50% of their income in rent. He noted that he enjoyed nature, but that his concern for humans was far greater. He stated the County needed to build more homes and think about the present children and generations to come. He continued that two-thirds of the County’s land mass was undevelopable, but that this site was within the URDL and that developing this site was a positive.

With no further discussion or questions, Chairwoman Hafford called for a motion on the matter. Mr. Holupka moved that the Planning Board approve of the Growth Allocation Requests for Chesapeake Bay

Critical Area for the Sparrows Point Country Club (Country Club Estates) development, subject to all Chesapeake Bay Critical Growth Allocation approval conditions listed in the Growth Allocation Review Committee findings dated February 3rd, 2023 and presented to the Board on March 2, 2023. Mr. Warren seconded the motion, which passed at 5:46 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Haffer, Mr. Heckman, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Ms. Pinheiro, Mr. Warren, and Ms. Wolfson. Mr. Perlow abstained from voting.

Adjournment of the Board Meeting

Chairwoman Hafford reminded the Board that the next meeting would be Thursday, March 30th, and then called for a motion to adjourn the meeting. Mr. Warren moved to adjourn the meeting. Mr. Arrey seconded the motion, which passed at 5:47 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Haffer, Mr. Heckman, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Mr. Perlow, Ms. Pinheiro, Mr. Warren, and Ms. Wolfson. There were no dissenting votes.

The meeting adjourned at 5:47 PM.
