Comments Received Through BCC Public Hearing on December 3, 2020

C2-05-2020-0028 Beaty Property Lester, Peter Eisenberg, Lynda FW: Bennett Rd re-zonin

Thursday, August 27, 2020 12:19:33 PM

Mr. Lester.

Thank you for your interest in this property. Lynda Eisenberg is responsible for the requested rezoning of the Beatty Property so I have forwarded her your and Ms. Hornman's email. We will also make the counties planning commission aware of Ms. Horneman's concerns as it pertains to the rezoning

Please let me know if you have any other questions or concerns.

Thank you.

Hannah Weber Carroll County Department of Planning 225 N. Center Street Westminster, MD 21157 hweber@carrollcountymd.gov

410-386-5145

Due to the COVID-19 Pandemic, county operations have been reduced. The office is staffed 5 days a week, and open to the public by appointment only. If you need immediate assistance, please call the Carroll Department of Planning at 410-386-5145.





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From: Lester, Peter <plester@lwarner.com>

Sent: Thursday, August 27, 2020 12:00 PM

To: 'etgregg@msn.com' <etgregg@msn.com>; 'gibbyvet@gmail.com' <gibbyvet@gmail.com>; Craig Saunders <saunders4096@gmail.com>; Christopher Tomlinson <Christophertomlinson1@gmail.com>

Cc: Dixon, Timothy A. <tdixon@carrollcountymd.gov>; Windham, Roberta J. <rwindham@carrollcountymd.gov>; Weber, Hannah G <hweber@carrollcountymd.gov>

Subject: FW: Bennett Rd re-zoning

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

I trust this note finds you all well and in Good Spirit.

Below is a note Kathy Horneman sent over last night. Kathy is the lady who asked us to look into a property in the Freedom District - The Dorsey Family Cemetery - also known locally as The

I totally understand this property is not located in the Overlay. Having said this:

- In that we are the Carroll County Historic Preservation Commission (and not simply the Uniontown Commission), I believe the citizens of our county believe our role is more broad
- . Additionally, while the name of our Commission is simply an implication, the fact that our Commission's mission mandates that we are "required to maintain and update the Maryland Inventory of Historic Properties ("MIHP") for Carroll County..", I believe there is a broader responsibility to the entire County

I have not had time to reach out to the resources at the state concerning the MIHP, and what it takes to update those listings. Frankly, I am most concerned about adding a property located on Hodges Road to the list (this property was noted in the most recently approved Freedom Community Comprehensive Plan – see page 104 – first paragraph: "... An additional property that is not currently listed on the MIHP that deserves specific recognition for its historical significance is the cemetery located at the intersection of Lancaster Drive and Hodges Road. The Cemetery is home to several hundred Colored Troops who fought and died during the American Civil War..."). Guys, I have run down Hodges Road at least 100 times and never knew this cemetery was there until I read this. It is very humbling...

Is this an instance where we should make the commissioners & Planning & Zoning aware that there is Historical Interest in this property and the parcel should be flagged in some way so that these concerns can be addressed if / when permits are sought? In my view, the fact that a cemetery is on the property does not impact the property's re-zoning. Where it would come into play is when an actual permit is pulled.

In that Ms. Horneman has brought this property to our attention, what is our responsibility to her, the Freedom District, and Carroll County?

Best regards,

Peter H. Lester Senior Vice President, Executive Benefits The L. Warner Companies, Inc. 9690 Deereco Road, Suite 650 Timonium, MD 21093 Phone: (410) 252-0808 x7741 Mobile: (410) 591-2310

Fax: (410) 510-1796 Website: http://www.lwarner.com/

From: Kathleen Horneman < kathleen.horneman@gmail.com >

Sent: Wednesday, August 26, 2020 6:02 PM

To: Timothy Passarello "> centofanti Chris "> cary Eath (stigerity@gmail.com">"> com > cary Eath (stigerity@gmail.com">"> com > cary Eath (stigerity@gmail.com">"> cary Eath (stigerity@gmail.com") c DennisFDCA@gmail.com

Subject: Bennett Rd re-zoning

Good Evening, FDCA. As expected, I was notified by mail today that the Carroll County Department of Planning has ruled in favor of re-zoning 15-30 acres of the 117 acre Beaty property

As I looked over the map, I am concerned about the existing, documented cemetery on the property may be affected by the change. If you check the link below and view the map, in the forested area around the house, lies the Dorsey Cemetery which has the bodies of several Dorsey family members including Major Nicholas Dorsey, who served in the War of 1812.

Inscriptions by Cemetery Location

Dorsey Family Cemetery

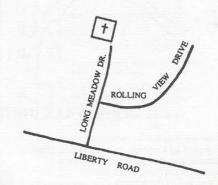
Page 9

[06-05] Dorsey Family C

This small family cemetery is located off Long Meadow Drive just north of Liberty Road [Route 26].

In a title search of the land where the cemetery is located, it was learned that the property was owned by beholas DORSEY about the time the cemetery would have originated. He was buried here in 1857. The two earliest stones which were found [deaths 1811-1816] were inscribed D and O.C.D. [or O.G.D.] and were presumably from an earlier generation of DORSEYs, perhaps his parents. Consequently, it is designated as the DORSEY CEMETERY.

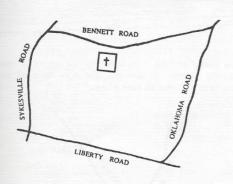
Six stones were located. The two mentioned above were may hand-carved fieldstones. The first name on the stone chappears to have been for Major DORSEY's wife was not less the and no research was attempted to document her first or to determine what, if any, connection existed for two stones which have WARFIELD and NORRIS (or MORRIS) makes. The last burial in this cemetery appears to have in 1862.



The inscri	ptions were copied 15 April	1978 by Ann Pa Date Born	rry HORVATH.
OF-01 OF-02 OF-03 OF-04 OF-05 OF-06	WARFIELD, Deborah NORRIS, Jonathan DORSEY, Nicholas [Major] DORSEY, [illegible] D., O. [OD] D., O.C. [OCD]	8 10 1821 c ca.1776 ca.1788 ca.1778	

At Age: Comments:
40 11
74 cd=MORRIS or NORRIS; ft=JN
69 ft=ND
51 to her memory
could be 1814
could be 0GD

[06-06] Bennett Family Cemetery



A title search of the land on which this cemetery is located, indicated that Perry BENNETT leased the ground from Elisha BENNETT in 1837. The two earliest burials which could be determined from inscriptions [1848-1849] apparantly were young children of Perry BENNETT and, since there is another "BENNETT FAMILY CEMETERY" in the county, this cemetery is designated as the PERRY BENNETT CEMETERY

Three of the four stones located bore the family surname [spelled BENNET on two of them] and the other was for a five year old child who was also assumed to have been a BENNETT. Bennett WILSON, a descendent of Perry BENNETT, restored the cemetery.

This cemetery is located on Bennett Road between Route 32 and Oklahoma Road [just north of Liberty Road]. The scriptions were copied during November 1977 by Ann Parry HORVATH.



Comments:
our Mother; ft=EB
ft=CB
ft=WRB
just="in Memory of Robert Tive, aged 5 yrs

Perhaps we can discuss our approach at a Zoom meeting prior to my drafting an objection as an affected property owner?

approx. p. 115

Property: C2-05-2020-0028

https://www.carrollcountymd.gov/media/12199/by-request-property-booklet2.pdf

Kathv

[EXTERNAL MESSAGE]

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From: Info CCG

To: Carroll Rezoning

Subject: Comprehensive Rezoning - Comment Card Submission

Date: Friday, August 28, 2020 9:54:28 AM

The following comment was submitted:

Name

Warren Duke

Email

Duke61957@comcast.net

Property of Interest Request

C2-05-2020-0028

Submit Comments

I am opposed to commercial rezoning

in this area. Over the years you have

turned this peaceful area into one of noise,traffic and with the gigantic Wal-Mart one that brings into my neighborhood a criminal element.

Enough is enough take it and put it in the trash

We do vote

From: Info CCG
To: Carroll Rezoning

Subject: Comprehensive Rezoning - Comment Card Submission

Date: Monday, August 31, 2020 2:16:42 PM

The following comment was submitted:

Name

Dani Phillips

Email

dkp5020@gmail.com

Property of Interest Request

C2-05-2020-0028

Submit Comments

I am concerned about this rezoning request due to increased traffic on Bennett Rd, decreased viewshed for those living off of Bennett Rd, increased noise level for nearby residents, as well as the disregard for the historical and environmental significance of this property (more info below).

Historical significance - In 1989, the Carroll County Genealogical Society recorded and described two cemeteries along Bennett Rd. The Dorsey Cemetery contained the remains of Major Nicholas Dorsey and his family as well as some unidentified graves.

Environmental significance - The stream that runs in the back of this property is also bordered by the community of Long Meadow. This stream, Snowden Run, is a Class III-P stream. This classification is reserved for non-tidal cold water streams and sources of public water. They are particularly protected. In the 1980's this stream contained brook trout. Brook trout are an indicator species as they are indicative of the health of the stream. They only exist in local non-tidal cold streams. The species has not been identified during recent assessments. However, Trout Unlimited indicated that the stream is still cold water and, thus, a prospective stream to introduce brown trout. This stream not only has a history of including brook trout, but, it is part of a larger archaeological study that was done in 1991 by the Maryland Historical Trust that noted evidence of soapstone manufacture by Native Americans roughly 4,000 - 8,000 years ago. Prehistoric Native Americans traveled along the stream-bed and rested and manufactured soapstone equipment. There is documentation of soapstone bowls found in the area.

From: <u>Timothy Passarello</u>

To: CCGov Planning & Zoning Commission; Eisenberg, Lynda; Rothstein, Edward; Weaver, Richard; Wantz, Steve;

Bouchat, Eric; Frazier, Dennis

Subject: Carroll County Comprehensive Rezoning - Property C-2-05-2020-0028 (Beaty property)

Date: Sunday, August 30, 2020 5:40:29 PM

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Greetings, All. I am writing on behalf of the members of the Freedom District Citizens Association (FDCA) regarding the Carroll County Comprehensive Rezoning process. On July 21, 2020 one of the properties that was discussed, C-2-05-2020-0028, commonly referred to as the Beaty property, contains inaccurate information in the staff report as follows:

- 1. On pg. 3, No. 5, "Environmental Restraints", the report indicates "Nothing of significance on this portion of the property." The map, however, indicates that the parcel of 15-30 acres, transects a Class III-P stream, Snowden Run. This stream not only has a history of including brook trout, but, it is part of a larger archeological study that was done in 1991 that noted evidence of soapstone manufacture by Native Americans roughly 4,000 8,000 years ago. Snowden Run is also a major tributary to Liberty Reservoir, the main source of our drinking water. I believe that this has been brought to your attention before by other interested citizens.
- 2. Also on pg. 3, No. 6, "Historic Resources Identified", the report indicates "None on this property". A parcel on this property has clearly been identified and brought to your attention in the past. The Carroll County Genealogical Society noted the gravesite in their publication: Carroll County Cemeteries Volume One: Southeast (1989). The CCGS recorded grave inscriptions that included a local War of 1812 veteran, Major Nicholas Dorsey, as well as several members of his family. Major Dorsey's will clearly lies out the measurements of a cemetery on his property. This documentation exists in the land records of Carroll County. Major Dorsey also owned several slaves at the time of his death (1857) and they are documented in his will. Several of the gravestones are unidentifiable. There is serious risk to the remains of any person disturbed at the site of any graves without proper ground radar truthing. Recent cemetery law prohibits the removal or destruction of cemeteries without proper care.

As you approach the September 2, 2020 rezoning hearing, the FDCA urges you to look into ways that the Planning & Zoning Commission can protect the historical and environmental record that exists on the property.

Sincerely,

Timothy P. Passarello, President Freedom District Citizens Association

From: Info CCG

Sent: Thursday, September 3, 2020 2:35 PM

To: Carroll Rezoning

Subject: Comprehensive Rezoning - Comment Card Submission

The following comment was submitted:

Name

Christopher Chausse

Email

goffer2@mail.com

Property of Interest Request

C2-05-2020-0028

Submit Comments

I am strongly against the proposed rezoning the property on Bennett Road. I am against it for both personal reasons and for those of a general Eldersburg resident. Personally I have concerns about it disrupting the view from my property (one of my reasons for purchasing it), extra light pollution at night, and potential for added traffic through my neighborhood and general area. As a resident I believe we have plenty of new development to take place off 26, 32 and Georgetown Blvd that this is unneeded for our sized community that does not require more grocery stores, banks or more of the similar than we have. This area is cherished for one part because it is still abundant with nature and not overdeveloped (don't ruin that). Zoning for commercial right in the center of an area that is residential disrupts that community and harms property values. Ultimately, we will not know the full economic effect of Covid on our commercially leased spaces until 2021, and it is sadly likely that lease-able spaces will open as places close their doors. These spaces should be filled by viable businesses before any new spaces are developed and leave buildings vacant for a considerable amount of time (Ex. Wendy's and KFC have been vacant forever and one still will be). Please prioritize the residents and community of this areas over the potential for business people's desires or tax revenue.

From: Info CCG
To: Carroll Rezoning

Subject: Comprehensive Rezoning - Comment Card Submission

Date: Sunday, August 30, 2020 3:20:46 PM

The following comment was submitted:

Name

michael bloom

Email

mike3281@yahoo.com

Property of Interest Request

C2-04-2020-0028

Submit Comments

- 1. on zoning history ans following pages, address is 373 LIBERTY ROAD, SYKESVILLE, MD 21784 where is this located?
- 2. Historic Preservation Checklist somewhere on the property is a forgotten familycemetery.
- 3. Transportation Checklist Planned Major Streets on-site or in proximity Georgetown Blvd Extended and connects

Georgetown to Progress Way on the West Side of the property. This is a critical connection for

this property and future development to MD 26 and MD 32 where is this going to be at?

- 4. who asked for the rezoning? the owners or the county. i ask because this has been rumored to have happened previously.
- 5. time line as to when this will happen.
- 6. will the only way to access this "rezoned" area is via progress way and georgetown? no access via bennet?

I look forward to your response.

From: <u>Kathleen Horneman</u>

To: CCGov Planning & Zoning Commission; Eisenberg, Lynda

Cc: Rothstein, Edward; Weaver, Richard; Wantz, Steve; Bouchat, Eric; Frazier, Dennis

Subject: Carroll County Comprehensive Rezoning - Property C-2-05-2020-0028 (Beaty property)

Date: Friday, August 28, 2020 9:38:29 PM

Attachments: <u>clip_image001.pnq</u>

clip image002.png

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

I am writing, once again, to bring your attention to a historic property situated within a larger parcel (C-2-05-2020-0028 – Beaty property). This parcel was discussed during the virtual July 21, 2020 Planning & Zoning discussion regarding the Comprehensive Property Rezoning process. The property is located at 1701 Bennett Rd. It is currently owned by the Long Meadow Farm, LLC, the surviving children of Raymond Beaty.

Since 2016, I have written to the Planning & Zoning Commission and attended P&Z hearings regarding my concerns for the historic nature of this property. I have, also, written to former and current Boards of Carroll County Commissioners, our States Attorney, Brian DeLeonardo, as well as the Historic Preservation Commission of Carroll County. Each time, I have noted that this property incorporates items of both historical and environmental significance to our unincorporated area of Eldersburg. I have provided a vast amount of documentation to support these concerns. It appears my concerns have not been taken noted. As an adjacent property owner, I was informed of the requested zoning change of the above property. I was referred to the Comprehensive Rezoning map to review and contribute comments. To my disappointment, I found that on page 3 Item #5, *Environmental Constraints*, "nothing of significance on this portion of the property" was noted. Also on page 3, Item #6, *Historic Resources Identified*, "none on this property" was recorded. As an optimist, I assume my comments were just overlooked. So, I will reiterate my concerns and include the associated and footnoted documentation for your consideration.

Historic Family Cemetery

According to Carroll County land records, the property was once owned by Major Nicholas Dorsey (1788-1857) a veteran of the War of 1812[1]. In Major Dorsey's will[2], filed October 19, 1857, Major Dorsey stipulated a "fifty by fifty square of land" to be set-aside as a family cemetery. Dr. Charles Hall, Maryland State Terrestrial Archeologist with the Maryland Historical Trust, noted that the property has a 1000 ft. out-holding owned by Mr. Beaty that is described as "Burial Lt", located immediately adjacent to a centrally located structure. Dr. Hall goes on to note that "while this may correspond to the lot set aside by Major Dorsey, historic cemeteries have a way of expanding well beyond the boundary. Often such burials are unmarked and represent interments of individuals from marginalized groups." The Carroll County Genealogical Society documented the Dorsey Cemetery in their publication: *Carroll County Cemeteries Volume One: Southeast (1989 & 2015)*. I have attached a copy of this documentation. As you will note, as recently as 1989, a gravestone was still visible in the overgrowth in the cemetery. Six gravestone inscriptions were recorded for the CCGS

publication with the identified location of the cemetery. Two of the graves were unidentifiable. I have an additional concern for those unidentifiable graves.

Possible African American Slave Burial Site

The unidentifiable graves could include one of the bodies of the four slaves that are listed in Major Dorsey's Will: Dennis White b. 1829; Noah McCormack, b. 1838, Hannah Barney, b. 1835 and "Caroline" born 1842, but deceased by 1859. Major Dorsey's will is a fascinating historical document as it represents the culture and traditions in Carroll County as it was leading up to the Civil War. For example, the will mentions granting a "negro boy, Noah and a negro girl, Hannah" to his nephew until they reached the age of thirty. The description of persons as property holds relatable significance to anyone studying Carroll County history, especially in the context of pre-Civil War. The land is another item of interest as the land is described in "perches", as well as, in geographical points of interest within the property.

Pre-Historic Native American Archeological Significance

There is another interesting piece of historical documentation regarding the Beaty property. Dr. Charles Hall described a survey done in 1977<!--[if!supportFootnotes]-->[3]<!--[endif]-
. The survey notes a large soapstone quarry. Mrs. Ann Horvath of the Carroll County Genealogical Society has a photo of a soapstone bowl (also attached at the end of this email) that was found on the property adjacent to Long Meadow Rd. The use of this type of soapstone bowl dates back between 4,000-8,000 years ago used by local Native American groups. Soapstone manufacture typically occurred along streambeds.

Environmental Significance

I would like to bring your attention to the streambed along the Beaty property. Snowden Run is a Class III-P stream. This designation is defined as Non-Tidal Cold Water and Public Water Supply. According to Trout Unlimited, until the late 1990's, this stream contained Brook Trout. Brook Trout are considered an indicator species as they indicate the health and overall well-being of the streams that they inhabit. I urge you to walk along the streambed behind the Beaty home. It is one of the most beautiful areas in Eldersburg. It is rich with wildlife and lush native vegetation as well as a beautiful green space in our area. In 2016, Mr. Art Senkel, Advocacy Chair for the Mid-Atlantic Council of Trout Unlimited, sent me an email regarding my concerns for the stream. He noted that the stream still remains cold and there exists the possibility of reintroducing trout, particularly brown trout, to Snowden Run. I am appealing to you to please consider the environmental sensitivity of this property and the possibility of both creating and protecting a significant green space/streambed that supplies our watershed.

Finally, I would like to draw your attention to the Bennett Family Cemetery listed in the above mentioned CCGS publication just below the Dorsey Family Cemetery. Despite efforts by the CCGS to protect the Bennett Family Cemetery property, it was bulldozed, and gravestones were destroyed during the construction of the Oak Creek Community along Bennett Rd. Since that time, protections for cemeteries have been enacted by the Maryland General Assembly. Maryland Burial Law<!--[if!supportFootnotes]-->[4]<!--[endif]--> authorizes the State's Attorney for the County to require an archeological investigation of a "known, but not necessarily documented, cemetery" in order to determine "the precise location

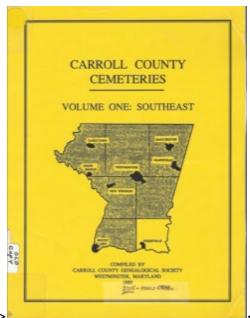
and boundaries of the burial site." The preferred method today involves ground-penetrating radar coupled with some physical ground-truthing (limited excavation to determine the nature of any anomalies detected by GPR). As I mentioned, over the last couple years, I have written to States Attorney, Brian DeLeonardo, regarding the updated language of code, however, I have not received a reply.

With full understanding that the owner of this property has broad protected land-owner rights, I urge you to, also, consider the historic and environmental significance of this property.

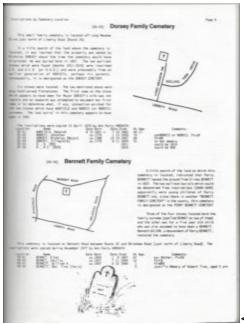
I appreciate any and all efforts that you and your staff will consider regarding this property.

Sincerely,

Kathleen L. Horneman



<!--[if !vml]--> <!--[if !vml]-->



<!--[endif]--> <!--[if !vml]-->



<!--[endif]-->

<!--[if !supportFootnotes]-->

<!--[endif]-->

<!--[if !supportFootnotes]-->[1]<!--[endif]--> "United States Registers of Enlistments in the U.S. Army, 1798-1914," 029-030, 1815 May-1821 Jun, D-H > image 74 of 491; NARA microfilm publication M233 (Washington, D.C.: National Archives and Records Administration, n.d.)

<!--[if !supportFootnotes]-->[2]<!--[endif]--> Maryland Register of Wills, Carroll County. Will No. 572, LIBER J.B.No. 2, Folio 351

<!--[if !supportFootnotes]-->[3]<!--[endif]--> Accessed from the Maryland Historical Trust's Public Access Synthesis Project Database (https://mht.maryland.gov/secure/synthesis/pdf/18CR18.pdf) by K. Horneman, 12/14/2016.

[4] §10-402(c)(8) https://mht.maryland.gov/documents/PDF/research/Burial_Law.pdf

From: Info CCG

Sent: Monday, August 31, 2020 2:09 PM

To: Carroll Rezoning

Subject: Comprehensive Rezoning - Comment Card Submission

The following comment was submitted:

Name

michael bloom

Email

mike3281@yahoo.com

Property of Interest Request

C2-05-2020-0028

Submit Comments

will I get answers to my questions befor the virtual meeting on sept 2?

From: Tracy and Sheri Hall <tandshall@hotmail.com>
Sent: Wednesday, September 2, 2020 8:49 AM

To: CCGov Planning & Zoning Commission; CCPlanning; Tracy and Sheri Hall

Subject: C2-05-2020-0028 - Bennett Road

Importance: High

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Hello -

We are long time Carroll County residents, living in the Sykesville/Eldersburg area. We have seen a lot of growth and development in our town over the years. It's a fabulous place to live and raise a family.

We have also noticed the abundance of available/vacant commercial buildings in Sykesville/Eldersburg, so we are surprised (and disappointed) to see the request to rezone property C2-05-2020-0028 to a commercial property. Is more commercial space needed when there are so many existing buildings underutilized?

Additionally, this property is nearly surrounded by residential properties, some built as recently as the last year. Residents have concerns over the additional traffic, noise pollution, and light pollution that will result with using the aforementioned property as commercial. Commercial property just doesn't belong in a neighborhood.

I understand that the commission has already discussed the rezoning and I apologize for the late notice of our feedback. Even though I live near this property, I was not made aware of the proposed rezoning until I received a notice in the mail this week. From taking to several neighbors, they are also unaware of this rezoning request. I ask that you do not interpret the communities' lack of feedback as acceptance of this rezoning; kindly know that we are just uniformed. I encourage you to send additional communication and allow additional time for the community to respond.

Just to restate, we are asking that C2-05-2020-0028 is not rezoned to allow for commercial use.

I appreciate your time and welcome any feedback you have. We can be reached at tandshall@hotmail.com or at 410-549-3287.

Sheryl and Tracy Hall

From: Info CCG

Sent: Wednesday, September 2, 2020 9:34 AM

To: Carroll Rezoning

Subject: Comprehensive Rezoning - Comment Card Submission

The following comment was submitted:

Name

Beth Gray

Email

beth_a_gray@yahoo.com

Property of Interest Request

C2-05-2020-0028

Submit Comments

I have concerns about the process. Once again, parties with an interest in this phase of comprehensive rezoning were NOT notified In a timely manner. For example, I came upon the video one month after, PROVISIONAL approval was granted.

So I essentially had no notice, and no opportunities to comment as the process occurred.

I see several properties within the Freedom Area, not identified by "name" but only number; which were given "Provisional Approval" on July 21, have just last week, August 27, been brought to the attention of adjacent and interested home owners, myself included.

The Freedom Area has a fully formed Citizens Group, THE FDCA, to which It was acknowledged, and "promised" would be informed in advance of ANY rezoning efforts in the Freedom Area.

Only after a request, prompted by the FDCA, did we learn of the Freedom Area requests for rezoning... And then, it has been a two or three step process to identify these properties. Again, making it difficult for the public!

I request, that time be granted to the FDCA and ALL interested and or adjacent property owners, for all properties being considered for rezoning in the Freedom Area, to submit Public Comments. BEFORE the next and or final phase of this process.

From: Info CCG

Sent: Thursday, September 3, 2020 5:48 PM

To: Carroll Rezoning

Subject: Comprehensive Rezoning - Comment Card Submission

The following comment was submitted:

Name

Tina Brennan

Email

tinabrennan1@comcast.net

Property of Interest Request

C2-05-2020-0028

Submit Comments

I called into the Property Rezoning call on Sept. 2, 2020 and I was not able to speak on the call. I first want to convey my extreme frustration with how the call was structured:

- 1.) there was a lack of clear instructions provided as to how the process would work for callers to provide their 3 minutes of input.
- 2.) Callers had difficulty getting off mute and complained that when they un-muted, they were immediately placed back on mute.
- 3.) The committee scheduled far too many properties to review on one call. I waited patiently on the call for over two hours and the committee had not even gotten to the property that was of concern to me. The committee should give serious consideration to the public's time and schedule more calls with fewer properties per call.

In addition to the above concerns, Carroll County Comprehensive Rezoning did not provide sufficient notice to residents! I did not receive a notification in the mail until 6 days before the Sept. 2, 2020 call and residents in my community, along with myself were not aware that there had been prior committee meetings back in July regarding the C2-05-2020-0028 - Bennett Road property. This is unacceptable!

I strongly urge this planning committee to deny the approval of the rezoning of this property for the following reasons:

- 1.) By law, Carroll County was required to notify all adjoining property owners before the July meeting. They did not. Your process has come under scrutiny, as planning and zoning was not done openly with all parties having transparency.
- 2.) It is my understanding that this property has historical and environmental significance as documented by the Carroll County Genealogical Society in 1989 which recorded the cemetery of Major Nicholas Dorsey and his family and some unidentified graves (as documented in the Carroll County Land Records). This site also indicates the names of several slaves.
- 3.) Environmental significance it is my understanding that there is a stream that runs through the back of this property and is classified as Classic III P-Stream which is for non-tidal cold water and these streams are particularly protected.
- 4.) It is my understanding there is evidence of soapstone which was manufactured by Native Americans 4,000 8,000 years ago.

I respectfully urge this committee to protect the historic and environmental sensitivity of this area and deny plans to rezone this property for commercial or industrial use.

Lastly, Bennett road is a residential neighborhood with very nice single family homes and Bennett road is already a very busy road with children catching school buses. The last thing our community needs is a commercial or industrial park to ruin the beauty of our neighborhood, safety and reduce our property values. There are PLENTY of other more viable properties within the county that should be considered. Please spare my neighborhood!!!!

Regards, Tina Brennan Please complete From: Brian Harves

To: Rothstein, Edward; Eisenberg, Lynda

Subject: Concerns Regarding Commercial Development at the Beaty Property

Date: Wednesday, September 16, 2020 2:46:34 PM

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

All,

I realize you two are busy, so I will try to keep this email short and sweet. A significant number of neighbors in the Eldersburg area are worried about the prospect of including commercial property in the proposed development of the Long Meadow Farm (Beaty Property). I, along with many of my neighbors, wanted to raise the following concerns:

- Whether commercial development is needed. Residents are confused by the need for commercial development when there are multiple shopping centers with empty storefronts (e.g. the Panera shopping center and the Basta Pasta shopping center). I concur with the confusion, and was wondering what the rationale is for more commercial properties if the current ones lack tenants?
- If commercial properties are deemed necessary on the Long Meadow Farm, the residents are adamant about preventing access to any commercial properties from Bennett Road. An access point on Bennett Road would encroach on residential areas on a road that already saw a dramatic uptick in traffic within the last two years. I would like to give kudos to the Carroll County Sheriff's Office for consistent radar traps on Bennett Road which help mitigate some of the existing issues!

Thank you for your time,

Brian Harves

From: Windham, Roberta J.

To: dcallaway@callawaytransportation.com
Cc: Rothstein, Edward; Eisenberg, Lynda
Subject: FW: Long Reach Farms Lot 20

Date: Wednesday, September 16, 2020 2:52:50 PM

Dear Mr. Callaway

Commissioner Rothstein asked me to reply to your inquiry on his behalf. We thank you for reaching out to the county regarding development. All resident feedback and questions are appreciated; it is a good opportunity to review and consider the county's operations.

Overall, in Carroll County the system is free market with the economic system based on supply and demand with little government interference. Development is a broad concept which crossed several departments. Master plans and other plans are put into action as a broad overview or vision of the uses for space. Most of these plans are long range as a snapshot of the community prepared with feedback from the community. Where necessary, specifics and adjustments are determined through zoning.

Three county departments or bureaus impact these areas:

The Planning Department, whose goal is to develop, prepare and implement comprehensive and functional plans, or issue-specific, plans for the county and smaller regions within the county. The Department of Planning's overall mission is to provide leadership in all aspects of planning, resource conservation, public facility investment, and growth management by developing and implementing plans that allocate personnel, physical, natural, fiscal and constructed resources in a manner that is equitable, responsible and defensible. The Department's activities support efforts to maintain the fabric of our communities; conserve our natural, mineral and cultural resources; minimize sprawl and inefficient development practices; actively encourage an environment that stimulates sound economic development opportunities; protect farmland, agricultural activities and their associated primary, secondary and tertiary economic contributions; and preserve our distinctive culture, heritage and lifestyle. This is accomplished through the preparation of plans, initiatives, programs and implementation measures that facilitate a balanced and harmonious equilibrium of economic opportunity, resource protection and the intelligent utilization of human resources in a manner and methodology that respects the rights and dignity of our citizens and their constitutionallyguaranteed protections. The role of planning and the Planning Commission is not to determine whether a property owner's business plan is viable or not, but rather to make informed opportunities to have development meet the needs of the community.

The county's Department of Economic Development's goal is to stimulate the creation of wealth for Carroll County through job creation, capital investment and an increased tax base. We recognize the importance of micro, small and medium enterprises, as well as large companies. The county does not discriminate or judge the viability of ventures but provide assistance to all county businesses, from small business assistance to larger economic development projects to allow for a diverse economic base. The department works closely with businesses that provide the most revenue and best job opportunities to county residents. They generally don't directly facilitate the development of retail enterprises nor do they offer job training or other incentive opportunities to retail.

The Department of Land and Resource Management's mission is to maintain, develop and implement programs in an efficient and effective manner related to development review, zoning, resource management, geographic information systems, and agricultural preservation. This is accomplished through the administration of plans, initiatives, programs, implementation measures and code enforcement that ensures the continued protection and use of the natural and built environment by the citizens of Carroll County. Zoning Administration is responsible for the implementation and enforcement of Chapter 158 Zoning of the Carroll County Code. The Code promotes the health, safety and general welfare of the community by establishing criteria for the use of land. Zoning Administration conducts public hearings, responds to complaints related to violations of the Code, and undertakes enforcement actions when necessary. The three departments work together to advise the Carroll County Board of Commissioners and assist the county's residents in the overall plan for the county.

To more directly influence the development in a community would conflict with private property rights and individual business decisions. Determining viability is an inexact science and difficult, at best, to predict. Changing market conditions, take the current pandemic as an example, greatly influence success. We are not in the position as a county government to determine the viability or the sustainability of a business.

Again, we thank you for your inquiry and hold ourselves available for any future questions or concerns you may have.

Best regards,

Roberta J. Windham, Esq. County Administrator 225 North Center Street Westminster, MD 21157 410-386-2876 443-289-5340 (c)



----- Original message -----

From: dcallaway@callawaytransportation.com

Date: 8/24/20 11:09 AM (GMT-05:00)

To: "Rothstein, Edward" < erothstein@carrollcountymd.gov>

Cc: dcallaway@callawaytransportation.com Subject: FW: Long Reach Farms Lot 20

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for

information.

Commissioner Rothstein,

Good morning and thank you for taking time out of your busy day to read my email. Is there a process by which an agency can be created within the county to study requests for new developments and their potential viability? Or to add this responsibility to an existing agency? I understand that currently no agency within the county looks at viability of proposed commercial projects.

The project currently planned to be developed at Long Reach Farms Lot 20 is being listed online by the developer as a future business hub and they reference Liberty Exchange down the road. Liberty Exchange has had significant vacancies since it was first built a number of years ago and I believe existing vacancies will create an even greater amount of vacancies and blight within the county.

Thank you very much Commissioner.

Dave Callaway Carroll County Resident



Virus-free. www.avast.com

From: Bacon, William

To: Rothstein, Edward; Frazier, Dennis; Wantz, Steve; Bouchat, Eric; Eisenberg, Lynda

Subject: Commercial Rezoning Request - Long Meadow Farm

Date: Wednesday, September 16, 2020 1:44:45 PM

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Ladies and Gentlemen,

As a resident of Oak Creek and a long time Carroll County citizen, I want to express my deep concerns in the possible commercial rezoning of the Beaty property/Long Meadow Farm.

First, I support and understand the need for development here in the Freedom Community, however, it needs to be appropriate. That said, the idea of developing a corn field which is currently adjacent to low to medium-level residential properties into a "high commercial" land area is not only *inappropriate*, but is highly irrational.

With all of the available commercial land along the route 26 and 32 corridors, please help me understand the need to convert this existing farmland into a "high commercial" property. Yes, we understand that the development of this property was always a possibility, however, based on the 2017 Freedom Community Comprehensive Plan's recommendations — "Facilitate residential infill development in character with the existing housing in Freedom's established neighborhoods" (Planning Commission Acceptance (3/29/17) / Page 2 — I don't see how such a plan would be or could be aesthetically "in character" with the surrounding neighborhoods.

I welcome and look forward to your response in helping me (and my neighbors) understand the necessity and logic in making such drastic changes to our area when there are numerous other areas for economic development that will not negatively impact the residents of the communities in Eldersburg.

Respectfully,

Bill Bacon

Senior Advisor & International Coverage Consultant

Corporate Benefits

P:301-458-2136 | F:301-937-7892 | <u>william.bacon@nfp.com</u> | nfp.com





https://trendreport.nfp.com/

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From: katie gardner <kgardn2@yahoo.com>
Sent: Wednesday, September 16, 2020 2:45 PM

To: Rothstein, Edward; Weaver, Richard; Frazier, Dennis; Wantz, Steve; Bouchat, Eric;

Eisenberg, Lynda; CCPlanning

Cc:Rebecca KaufmanSubject:rezoning Beaty Farm

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

To Whom it may concern:

I am writing to oppose the rezoning of the Beaty Farm property to from Industrial to Commercial. Firstly, commercial development is not "in character with the surrounding neighborhood". A direct quote from the Freedom Plan which is the document that guides growth in S. Carroll. Yes Beaty property has been designated industrial for years, however, the county allowed numerous low density residential development around them. Now they need to fit with us not the other way around. secondly, commercial and industrial development belongs in the "area targeted for economic development". That is the 26 & 32 corridor. Thirdly, roads roads roads - demand traffic studies on Bennett & Oklahoma these are residential roads that are not designed for the amount of traffic they carry now much less adding 100's of trips per day. This is a main concern of mine because cars already drive very fast up and down Bennett Road, which is used by many residents to walk and ride bikes, and I fear for their safety with the lack of sidewalk, shoulder, and speed control. I am almost hit daily at the traffic circle by cars not stopping or slowing when they enter it. Another point us that the county and district should maintain a rate of development that is consistent with the County's ability to provide public facilities in a timely manner" direct quote Freedom Plan. We can see this isn't possible. Bennett, Oklahoma can not be widened. Improvements to 26 & 32 are necessary to prevent the county from shoving more commercial development into residential areas. These improvements can't be made without the county prioritizing tax dollars. The State is not solely financially responsible for these improvements. Finally, I am VERY disappointed with the lack of communication - there needs to be open communication with citizens from the county. Not notifying adjoining property owners of rezoning requests is poor communication. Thankfully my neighbors notified me of the upcoming hearing, because I received nothing from your office.

Thank you for taking the time to read and consider my opinion and stance.

Katie Farrar Freedom district resident

From: <u>katie gardner</u>

To: Rothstein, Edward; Weaver, Richard; Frazier, Dennis; Wantz, Steve; Bouchat, Eric; Eisenberg, Lynda; CCPlanning

Cc: Rebecca Kaufman
Subject: rezoning Beaty Farm

Date: Wednesday, September 16, 2020 2:45:11 PM

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

To Whom it may concern:

I am writing to oppose the rezoning of the Beaty Farm property to from Industrial to Commercial. Firstly, commercial development is not "in character with the surrounding neighborhood". A direct quote from the Freedom Plan which is the document that guides growth in S. Carroll. Yes Beaty property has been designated industrial for years, however, the county allowed numerous low density residential development around them. Now they need to fit with us not the other way around, secondly, commercial and industrial development belongs in the "area targeted for economic development". That is the 26 & 32 corridor. Thirdly, roads roads roads - demand traffic studies on Bennett & Oklahoma these are residential roads that are not designed for the amount of traffic they carry now much less adding 100's of trips per day. This is a main concern of mine because cars already drive very fast up and down Bennett Road, which is used by many residents to walk and ride bikes, and I fear for their safety with the lack of sidewalk, shoulder, and speed control. I am almost hit daily at the traffic circle by cars not stopping or slowing when they enter it. Another point us that the county and district should maintain a rate of development that is consistent with the County's ability to provide public facilities in a timely manner" direct quote Freedom Plan. We can see this isn't possible. Bennett, Oklahoma can not be widened. Improvements to 26 & 32 are necessary to prevent the county from shoving more commercial development into residential areas. These improvements can't be made without the county prioritizing tax dollars. The State is not solely financially responsible for these improvements. Finally, I am VERY disappointed with the lack of communication - there needs to be open communication with citizens from the county. Not notifying adjoining property owners of rezoning requests is poor communication. Thankfully my neighbors notified me of the upcoming hearing, because I received nothing from your office.

Thank you for taking the time to read and consider my opinion and stance.

Katie Farrar Freedom district resident

From:Kristin Snyder <kristinsnyder04@yahoo.com>Sent:Wednesday, September 16, 2020 2:31 PMSubject:Commercial Rezoning - Long Meadow

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Good Afternoon,

My name is Kristin Melvin and I currently live in a residential neighborhood off Bennett Rd in Sykesville. It is my understanding that there has been a request to rezone the farm land to C-2 (medium density commercial) when it has always been zoned for light industrial. I am VERY concerned and opposed to this request. Commercial development is NOT in character with the surrounding neighborhood, which was the original recommendation laid out in the Freedom Community Plan. Commercial and industrial development belong in areas on 26 and 32 that are suited for high levels of traffic and are targeted for economic development, not residential roads like Bennett Rd.

Please consider my opposition.

Thank you,

Kristin Melvin

From: Thomas Kearns
To: Eisenberg, Lynda
Cc: Rothstein, Edward

Subject: Re: Followup from FDCA Meeting on 9/16 in relation to the Beaty Property of Bennett Road

Date: Thursday, September 17, 2020 9:01:12 PM

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Thanks Lynda for providing an overview. My intent was to receive specific feedback related to the rezoning of the Beaty property. I will try to be direct with my questions below if you would be willing to answer

- 1) Was this property rezoned at the request of the landowner or based on an analysis by the Planning Commission?
- 2) Does the Planning Commission see a benefit to the community by rezoning an area from industrial to commercial, if so could you please quantify that benefit? Perhaps a weighted matrix that Commissioner Rothstein discussed in the meeting last night?
- 3) In light of the fact that there are numerous vacant commercial lots already on the Route 26/32 corridor, does the Planning Commision still believe the assessment based on the Freedom Community Comprehensive Plan Adopted by the Board of County Commissioners' in 2018 that the Beaty property still should be rezoned to commercial? Said another way, does trh Planning Commision see a need for my commercial development? If so what quantitative data is this based on?
- 4) What makes the Beaty lot an ideal commercial lot for development as it is not visible to the major roadways currently in the Freedom area, and requires access by a one entrance road currently?

Overall the discussion last night was extremely beneficial for me, however what resonated with me is that you specifically referenced te Freedom Plan of 2018, as a guiding document, but provided limited details on why the Planning Commission is recommending some of these changes. My intent is to learn what data/information/assumption to make recommendations for these changes, specifically related to the Beaty property.

Thank you again for your support and taking the time to answer my questions.

Respectfully Tom Kearns

On Thu, Sep 17, 2020 at 11:34 AM Eisenberg, Lynda < <u>leisenberg@carrollcountymd.gov</u>> wrote:

Mr. Kerns,

Thank you for participating in the FDCA meeting last night. The zoning request is part of the implementation of the Freedom Community Comprehensive Plan Adopted by the Board of County Commissioners' in 2018 and is the guiding document for the community. This is a Comprehensive Rezoning effort and is a step in the Plan's implementation process. This

change from industrial to commercial in the 2018 Plan was in response to the changes in the Freedom Area. The area was heavily zoned industrial beginning in 1977, as industry changed nationally the area naturally moved away from industry and to a more commercial/service-based area to support the residential development in the community.

Carroll County's Planning and Zoning Commission as well as the Board of County Commissioners' spent years developing the plan with the Community. This plan was adopted in 2018. These rezoning requests follow the recommendations set forth in the plan and most importantly the future land use designations in the plan.

Best,

Lynda D. Eisenberg, Director

Carroll County Department of Planning

225 N. Center Street

Westminster, MD 21157

leisenberg@carrollcountymd.gov

410-386-5145

443-547-4776 (mobile)

Carroll County offices are staffed 5 days a week, and open to the public by appointment only. If you need immediate assistance, please contact call

the Carroll Department of Planning at 410-386-5145.



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From: Thomas Kearns < tqkearns@gmail.com > Sent: Wednesday, September 16, 2020 8:07 PM

To: Rothstein, Edward < erothstein@carrollcountymd.gov>; Eisenberg, Lynda

<leisenberg@carrollcountymd.gov>

Subject: Followup from FDCA Meeting on 9/16 in relation to the Beaty Property of Bennett

Road

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Good Evening Lydia and Ed

Thank you for taking the time to talk with the community aboutaboabout the updates to the Freedom Area of Carroll County. As a resident of Oden Ct, I want to express my deep concerns in the possible commercial rezoning of the Beaty property/Long Meadow Farm.

Several questions regarding the Beat property/Long Meadow Farm has been requested to be changed to "high commercial" and when it is adjacent to currently an Industrial zone and low/med residential zone. Specifically answers to the three below questions.

- 1. What is the justification for this zoning change?
- 2. What is the benefit to Carrol County and Eldersburg that the Planning/Zoning commission saw to changing this designation
- 3. Which organizations/bodies within Carroll County recommended this change? And why?
- 4. Will Carroll County governing bodies be open to reevaluate and changing this designation back to what is currently adjacent to?

As you are aware, and as my neighbors have addressed there is a surplus of commercial land along the route 26 and 32 corridors, to support continued commercial growth. In fact so much so that our community has vacancy in southern Carroll County to support the needs of any and all commercial venture. In addition these changes seem to be at odd to 2017 Freedom Community Comprehensive Plan's recommendations – "Facilitate residential infill development in character with the existing housing in Freedom's established neighborhoods" (Planning Commission Acceptance (3/29/17) / Page 2 – I don't see how such a plan would be or could be aesthetically "in character" with the surrounding neighborhoods.

I welcome and look forward to your response in helping me (and my neighbors) understand the necessity and logic in making such drastic changes to our area when there are numerous other areas for economic development that will not negatively impact the residents of the communities in Eldersburg.

Respectfully

Tom Kearns

Please note that e-mail and any attachments sent to and from this address may be subject to the Maryland Public Information Act and unless otherwise privileged, must be disclosed to third parties.

From: Rothstein, Edward
To: Eisenberg, Lynda

Subject: RE: Commercial Rezoning - Long Meadow **Date:** Friday, September 18, 2020 1:50:06 PM

Thanks!!!

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: "Eisenberg, Lynda" < leisenberg@carrollcountymd.gov>

Date: 9/18/20 1:49 PM (GMT-05:00)

To: "Rothstein, Edward" <erothstein@carrollcountymd.gov>

Subject: RE: Commercial Rezoning - Long Meadow

No just seeing it now. I will send a response.

Thanks

From: Rothstein, Edward <erothstein@carrollcountymd.gov>

Sent: Friday, September 18, 2020 1:36 PM

To: Eisenberg, Lynda <leisenberg@carrollcountymd.gov> **Subject:** FW: Commercial Rezoning - Long Meadow

Did you respond to this one? Thanks

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: Kristin Snyder < kristinsnyder04@yahoo.com>

Date: 9/16/20 2:31 PM (GMT-05:00)

To:

Subject: Commercial Rezoning - Long Meadow

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Good Afternoon,

My name is Kristin Melvin and I currently live in a residential neighborhood off Bennett Rd in Sykesville. It is my understanding that there has been a request to rezone the farm land to C-2 (medium density commercial) when it has always been zoned for light industrial. I am VERY concerned and opposed to this request. Commercial development is NOT in character with the surrounding neighborhood, which was the original recommendation laid out in the Freedom Community Plan. Commercial and industrial development belong in areas on 26 and 32 that are suited for high levels of traffic and are targeted for economic development, not residential roads like Bennett Rd.

Please consider my opposition.

Thank you,

Kristin Melvin

Altering the land use designation to any level of commercial on this property is too great an intensity. Commercial designation will create noise, light, and traffic pollution that will negatively affect the surrounding residential neighbors all hours of the day, evening, and weekends.

This property is the last vast open area in Eldersburg. An area with great population and absolutely no recreational or functional open areas.

Don't miss this final opportunity to create an area that will enhance the well-being of an entire community.

Wendy Buerger Spring Tree Drive

From: Info CCG

Sent: Wednesday, September 23, 2020 5:28 PM

To: Carroll Rezoning

Subject: Comprehensive Rezoning - Comment Card Submission

The following comment was submitted:

Name

Kathryn Barilla Beller

Email

Kbbeller@msn.com

Property of Interest Request

C2-05-2020-0028

Submit Comments

Hello,

My family & I reside at 1510 Bennett Road in Eldersburg which is less than 1/4 mile from Long Meadow Farm. Even though we live so close to this property, we never received a postcard from the Planning Commission soliciting our input about the proposed change in zoning of the property to Commercial. Unfortunately, it appears as though the Commission was very selective in to whom they sent notices and our property didn't make the cut. This comment serves as notice of our OPPOSITION to the proposal to re-zone the Long Meadow Farm property to Commercial. We recognize the land owner of LMF has the right to ask for re-zoning, but are hopeful the Commission also takes into account all the wishes of the residents of the area. We don't believe changing the property to Commercial is in keeping with the residential nature of the entirety of Bennett Road and the neighborhoods that offshoot Bennett.

We've lived on Bennett for almost 24 years and in that time, have never had an issue with the industrial-zoned Merritt business park that lies directly across Bennett Road. The pine trees that were planted along the business park side of Bennett Road have done a wonderful job of buffering any noise or bright lights coming from the business park and in all those years, we've barely noticed its existence. If the landowner of Long Meadow Farms changes its zoning request to Light Industrial and commits to installing natural barriers along Bennett Road that are similar to those installed by Merritt Properties, we may be open to that type of zoning. Additionally, even though the posted speed limit on Bennett is 30 mph, rarely do motorists adhere to that speed. It's become a very dangerous speedway and putting a Commercial property off Bennett will only increase these violations. We know how these things work and if Commercial building ends up on the LMF property, even if there's no access to the property from Bennett initially, we foresee that eventually there will be a petition to looking grant access via Bennett in the future. We don't want that to EVER happen. Once again - we are OPPOSED to changing the zoning of this property to Commercial!

Please complete

From: Wendy Buerger <wsbuerger@yahoo.com>
Sent: Tuesday, September 29, 2020 2:40 PM
To: CCGov Planning & Zoning Commission
Subject: Freedom Plan C2-05-2020-0028

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

I am writing today regarding my concerns with Comprehensive Rezoning. Particularly with regard to the property designated C2-05-2020-0028, also known as the Beatty Property or Long Meadow Farm, located at 1701 Bennett Road in Eldersburg, MD.

A land use designation of commercial is unnecessarily intense for this neighborhood. When the Planning Commission allowed several low density residential neighborhoods to be build along Bennett Road it forever changed the characteristic of this neighborhood and altered the way the Freedom Plan should be implemented. This neighborhood has undergone a substantial change and now is predominantly residential and not suited for commercial development. The Route 26 corridor has been the targeted area for economic development in South Carroll and that is where commercial development belongs.

The By-Request Comprehensive Rezoning application by the owner of this property states:

B. ApplicableMasterPlanGoalsandObjectives

This property meets the following goals from the 2018 Freedom Community Comprehensive Plan:

GOAL 1 Pursue policies that facilitate the implementation of the plan vision, including development in appropriate areas within density limits that respect the overall Vision of the community, where water, sewer, and other infrastructure are projected to be available.

No member of the Bennett Road or Long Meadow communities have ever spoken in favor of this intense development nor do the residents envision commercial real estate as part of their community.

GOAL 2 Allow appropriately timed and scaled development which supports, enhances, respects, and reinforces the identity and character of the Freedom CPA.

This intrusive development is not appropriately timed or scaled considering the numerous empty commercial properties already located in the area. Nor does the land use designation of commercial enhance the community or respect the surrounding land owners wishes.

GOAL 4 Facilitate economic development opportunities that support the local skilled workforce and entrepreneurs and expand the county's employment tax base.

How does commercial zoning enhance the county's employment tax base more than the already zoned light industrial?

This neighborhood has undergone a substantial change and now is predominantly residential and would be severely negatively impacted by the noise and light pollution as well as the increased traffic that will occur during all hours of the day and weekends with a designation of commercial on this property. Growth is necessary for the county but it must be responsible, well integrated, and without infringing on adjacent property owners rights. To zone this area commercial, at any level, is a mistake and professionally irresponsible. Land use designation changes should be minimal and have a

justifiable positive impact on our community. Designating this property any level of commercial is a major change without any justifiable positive impact on our community.

Thank you for your time, Wendy Buerger Spring Tree Drive Eldersburg, MD

From: Info CCG

Sent: Tuesday, October 13, 2020 8:01 PM

To: Carroll Rezoning

Subject: Comprehensive Rezoning - Comment Card Submission

The following comment was submitted:

Name

Paul Pokos

Email

popbumper1015@yahoo.com

Property of Interest Request

C2-04-2020-0028

Submit Comments

One only has to view the maps shown on pages 9 and 10 of the Carroll County Department of Planning Comprehensive Zoning Assessment Report to see the complete change to the character of the existing neighborhood! Going from I1 to C2 would place commercial high property adjacent to and surrounded on three sides by a residential zone property/community. This request is just wrong for this property.

Please complete

From: Info CCG

Sent: Thursday, October 29, 2020 9:34 PM

To: Carroll Rezoning

Subject: Comprehensive Rezoning - Comment Card Submission

The following comment was submitted:

Name

Michael Mulcahy

Email

mulcahys14all@comcast.net

Property of Interest Request

C2-05-2020-0028

Submit Comments

The commissioners should consider another hearing on C2-05-2020-0028 as you have witnessed several speakers with opposition and other proposed speakers were dropped off of the virtual call. The communities ability to participate in a virtual call were complicated by the process that was not well documented nor obvious to the elderly residents in our community.

My name is Michael Mulcahy resident of Bandy Avenue.

Please vote NO on this proposal!

I and other residents of Bennett Rd., Monroe Ave., Bandy Ave. oppose Department of Planning Recommendation of Favorable.

This zoning proposal change was fought with vigor at a rezoning planning commission held in 2018 at the South Carroll Senior Center .. many residents expressed their concern for similar change proposal back then and many residents express their displeasure of this change at this time and hearing.

As was said many times in this hearing the County is short of industrial land and this partial should not be changed.

The county already has zoned Commercial High along liberty road are not well used or fully out-fitted with functioning businesses. Commercial Leases are down due to COVID and there are businesses closing creating extra commercial space for new businesses.

This is a quiet residential area that would be extremely negatively impacted by the move to commercial activity both for vehicular traffic and for light pollution. Traffic being sent down Bennett road would impact residents' daily lives. This is a highly used road for walking, running and riding.

This is a poor location for a High Commercial use accessible only through the industrial park and eventually through the proposed residential medium zone.

As was said many times in this hearing the County is short of industrial land and this partial should not be changed.

The comments by the lawyers for this property stating that a retirement home would be placed there are not guaranteed and can be considered misleading to the commissioners and the residents.

Please complete

From: Anna VanDusen <amh031@gmail.com>
Sent: Thursday, October 22, 2020 2:12 PM

To: CCPlanning

Subject: Rezoning Rolling View/LongMeadow

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Good afternoon,

I am writing as a resident of Cedar Court in Sykesville, MD. My hope is that the Department of Planning will NOT be changing our surrounding areas to high commercial, medium commercial, high residential or medium residential. The hope of everyone in our neighborhood is to leave the preservation areas as they are.

As a mother of four, my primary concern is the safety of my children and all the children in our community. Our neighborhood was established over half a century ago. There are no sidewalks through our neighborhood and there are no street lights for residents who may need to walk their dogs in the evenings. If the surrounding areas are turned into heavily populated businesses or homes, this could increase the traffic through our streets and present danger to those who have resided here peacefully for quite some time.

I am unclear on the push for rezoning this property when the amount of homes in Sykesville/ Eldersburg already has our schools at over capacity. There are also numerous retail store fronts that are sitting vacant throughout Eldersburg/ Sykesville.

Thank you for your time.

Anna M. VanDusen

Grade 6 Teacher Mathematics/ Science Telephone: 443-682-3402

Email: amharvey@bcps.k12.md.us

From: <u>Kimberly Madeja</u>

To: Rothstein, Edward; Wantz, Steve; Bouchat, Eric; Frazier, Dennis; Weaver, Richard
Cc: CCPlanning; Eisenberg, Lynda; Windham, Roberta J.

Subject: Freedom Area Comprehensive Rezoning

Date: Thursday, November 12, 2020 1:43:37 PM

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Dear Commissioners -

I am once again writing about proposed rezoning in the Freedom Area. I hope those of you who are term limited as well as those with higher aspirations will take into consideration the gravity of your legacies and vote against industrial and commercial rezoning inside residential neighborhoods and unsustainable development throughout South Carroll.

Since the Freedom Community Comprehensive Plan was adopted on October 10, 2018, numerous opportunities for the County to keep the lines of communication open have failed. Citizens were denied their due process when the County Planning Department failed to notify adjoining property owners of important upcoming meetings discussing the rezoning of three hotly contested properties, Beaty, Zabel and Ridge Road. Adjoining property owners were either notified an average of 28 days late in an undated letter from the County Planning Department or where not notified at all. Procedural due process in zoning requires a minimum standard of fairness during public decisions that impact private rights. Relevant standards include proper public notice, reasonable and impartial standards in decision-making, and the availability to access public records. Substantive due process also factors in zoning and requires that regulations have a rational basis for adoption and are reasonably related to health, safety and welfare of the citizens. It protects private citizens against capricious and inconsistent public decisions. According to Director of Planning Lynda Eisenberg, "there is no County or planning policy for comprehensive rezoning notifications". This is another example of failure to follow procedural due process and must be addressed.

South Carroll is in a tenuous position caused by rapid and poorly planned development and now the County expects citizens to pay for their missteps with decreased home values, increasingly crowded roads, additional light and noise pollution and higher taxes for the entire County. Under our current process of using ongoing zoning map changes, individual property owners are the impetus for initiating and requesting changes in zoning—not the county. This is piecemeal rezoning. Allowing such individual requests blurs the distinctive lines between comprehensive rezoning, a legislative process initiated by the county that involves many properties and where the Maryland "changemistake rule" does not apply, and the right of a property owner to petition for piecemeal rezoning on their property which involves a quasi-judicial proceeding before the County Commissioners. From 1965 to 2014 Carroll Countians were shown a complete comprehensive plan with all the accompanying zoning maps and related text amendments on the table at the same time for them to pursue prior to public hearings. After citizens input and participation was invited and meetings where held, (ones in which citizens input wasn't dismissed, held to a three minute time limit or where it was suggested they be denied the opportunity to speak again because "they've already been heard"), comments were taken into consideration and the plan was forwarded to County Commissioners who as the legislative body, make the final decisions on comprehensive plans and zoning. The procedure described above and as prescribed by the State Planning and Zoning enabling law was employed for almost fifty years in Carroll County. This is the true implementation of comprehensive planning and zoning and what we should aspire to return to.

According to William Caine, Facilities Planner for the Carroll County Public Schools, all schools in South Carroll except Liberty High School will be at or approaching inadequate status by 2029. Freedom Elementary was built in 1955. Increased traffic on that two-lane road, coupled with buses attempting to turn in and out, make it a tragic accident waiting to happen. Liberty High School was constructed in 1980. It is in need of repairs and refurbishing. Carrolltowne Elementary, built in 1977, also in need of repairs and refurbishing. Oklahoma Rd Middle School is our "newest" school constructed in 1997. The Board of Education wrote The Freedom District Citizens Association (FDCA) "It may interest you to know that we received a request from Carroll County Government on 3 properties requesting a residential rezoning in the Freedom Area. We did provide comments back to the County indicating that the region has schools that are currently overcrowded, and that the projections indicate that overcrowding will increase." There are no large parcels of land in South Carroll to build additional schools or replacements.

Over two years later the most important Priority Implementation Steps have still not been completed. The first and most important was the mandate that zoning codes be updated "within 18 months of adoption of this plan" (April 2020). This update was the highest priority and should have been at or near completion and any attempt to blame the current pandemic for the delay is disingenuous. The County must come to the realization that they're insistence to rezone using 2020 models, methods and ideals with zoning codes from the 1960's benefits no one. Secondly, a citizen's community advisory group (of which I was a member) was formed and met twice. After months of no communication from County Planning Department, the committee was abruptly disbanded with no explanation. Luckily citizens had formed The Freedom District Citizens Association so we still have a voice.

The Summary of Recommendations seems woefully behind schedule as well. While some of these will indeed be part of an ongoing process the only community input now comes from the citizens through the FDCA.

Recommendation Status Next Step (From the adopted 2018 Freedom Comprehensive Plan)

Any increases in land use densities will be generally limited in order to mitigate the impact on traffic and existing infrastructure. We do traffic studies after development review begins. Our process is backwards. We need to know traffic impact long before site development. Using a 3-4 year cycle to gather traffic volume data doesn't tell us enough about future development impact.	In- Process	Land use densities will follow the Adopted Plan.
Allow potential for a variety of housing types and densities to serve all ages, particularly the aging population and families with young children, consistent with the Vision Statement of this Plan.	In- Process	This is continually being developed as part of the rezoning effort and the residential text revisions.
Recognizing that many citizens came to the Freedom Area to escape the trappings of urbanization in surrounding counties, the government will not attempt to fundamentally transform communities against the will of		

existing homeowners and residents. Recognizing that Freedom is a suburban/rural area, government will respect the character of the community and its neighborhoods. The county allowed hundreds of low to medium density residential neighborhoods to be built on 3 side of the Beaty property. Now commercial and or industrial development no longer fits the character of the surrounding neighborhoods. Bennett Road will be adversely affected by additional single family homes. Since the zoning codes have not been updated the surrounding neighbors cannot be comforted by Mr. Leahy's words about "senior housing". As the codes stand we could have another three story apartment building in the midst of low and medium residential single family homes. Just another reason we must wait for the codes to be updated before rushing into additional rezoning requests. The Beaty property was rezoned less than 2 years ago. The county is not respecting the communities along Bennet Road by allowing commercial and high density housing. This development is a direct contradiction to your stated	On- Going	
recommendations. Please explain how allowing this is not fundamentally transforming our communities? According to the Pew Research Center there		
is an increasing trend toward "Generational Housing" wherein multiple generations live under one roof. "A record 64 million Americans live in multigenerational households." Freedoms should remain a place that will accommodate larger homesites that can accommodate additions of in-law suites or similar improvements that enable multiple generations of families to live together. Facilitate residential infill development consistent with the character of adjacent housing in Freedom's existing established neighborhoods, recognizing the value that many citizens place on larger lot development.	In- Process	This is continually being developed as part of the rezoning effort and the residential text revisions.

Surgically refine intracounty multimodal transportation to better target the needs of the elderly and disabled.	In-Process	This is being developed as part of the County's 5-year Transit Development Plan.
Increase the amount of land designated for commercial and light industrial uses in the areas targeted for economic development. Per the Freedom Community Comprehensive Plan the 26 & 32 corridor is our business area.	In-Process	This is part of the Comprehensive Rezoning effort, following the Adopted Plan.
Maintain a predictable, consistent and evenly applied development review process. Develop several small-scale, pedestrian friendly, destination- oriented places through the development of vacant parcels and through redevelopment.	Completed And On- Going	This is part of the existing Development Review Process. As the implementation of the Plan continues to move forward development of these communities will continue.
Address the visual appearance and lack of "sense of place" in Freedom's commercial corridors.		
This was and is a citizens priority from years ago. As the county allows more and more infilling and piecemeal development the business corridor becomes more disjointed and unappealing every day.	Forthcoming	
Reduce the boundaries of the Freedom Designated Growth Area (DGA) to remove State-owned conservation lands and environmentally sensitive areas.	Completed	This was done with the Adoption of the Plan.
Investigate and establish policies, strategies, and practices to encourage cost effective redevelopment of aging obsolete, or blighted properties.	Forthcoming	
Promote intelligent and appropriate use of historic resources and develop programs for the Freedom area that will encourage and enhance historic preservation.	Forthcoming	
Identify and promote bicycle and pedestrian connections to key historic, tourism, and scenic destinations.	Completed And On- Going	This was completed with the Adoption of the Freedom Plan and the Certification of the County-Wide Bike-Ped Plan. This will be an ongoing effort as the network is developed.
Conserve sensitive area lands through		

existing policies and programs and minimize the impact of development upon sensitive areas. This is an ongoing issue with the proposed development of the Beaty property with its graveyard and Zabel property which is conservation land	Completed And On- Going	This was completed with the Adoption of the Plan and is reaffirmed with County policies protecting these lands.
Continue to improve and enhance the movement and conveyance of people and materials via our system of roads within Freedom's	In-Process And On- Going	Improving and enhancing is an ongoing effort in the County. Implementation is in-process with various development projects in the community.
transportation network. Consistently implement, through the development review process and a variety of funding mechanisms, the construction on all Planned Major Streets identified in the Plan.		
Continue to aggressively pursue capacity enhancements to MD 32 and MD 26. This will not happen until the County allocates funding for these projects. The State of Maryland does not bear the entire cost of these projects.	In-Process	The SHA recently completed a thorough study of the MD 26 corridor. This study will assist the county in prioritizing enhancement and improvements to the corridor. MD 32 is currently being upgraded with a \$15 million project for the new Army National Guard facility. The BCC continues to include these two roads in the CTP Priority Letter to the Secretary of Transportation
Continually explore and determine the needs for n Intracounty Transportation.	In-Process	
Conduct small area analyses within the Freedom CPA to provide more specific right-of-way, traffic operations, and geometric design guidance for implementation of the local area network.	Completed	This was completed with 3 various projects: MD 32 Planning and Environmental Linkages Project MD 26 Corridor Study Carroll County Transportation Corridor & Subarea Analysis by Mead & Hunt.
Ensure that the proposed development plans are consistent with the Adopted Comprehensive Plan and Plan Elements to		

improve traffic flow and facilitate alternative intracounty transportation alternatives for the elderly and disabled, as well as bicyclist and pedestrian needs, to be addressed through the development review process.	On-Going	This is part of the policies and procedures of the Bureau of Development Review.
Ensure approved development does not outpace the County's ability to provide public facilities in a timely manner. For now Fire/EMS/ Sheriff response times are adequate in South Carroll but how long can that continue? The Sykesville Fire Dept. has expressed growing concerns that traffic congestion is/will hinder response times and wants another station on the north side of Liberty Rd. Where is the land for this?	On-Going	Part of the County's Adopted concurrency management ordinance.
Ensure approved commercial and residential development does not outpace the County's financial ability to provide water and sewer capacity.	On-Going	Part of the County's Capital Improvements Program and Concurrency Management.

Put forward the Water and Sewer Service Area text and maps as part of the 2018 Carroll County Water and Sewer Master Plan Triennial update.	Completed	Adopted and MDE Approved as part of the Water and Sewer Master Plan Triennial update.
Revise the PFA boundary to reflect the sewer service area that is recommended in the 2017 Carroll County Water and Sewer Master Plan Triennial update.	Forthcoming	With Adoption and Approval of the W&S Triennial Update and subsequent rezoning County Planning will evaluate and submit updated PFA boundaries to the MDP.
Reallocate unused sewer service capacity for properties on septic systems within Sewer Service areas to potential new development.	Completed And On- Going	This was done with the Adopted and Approved W&S Triennial Update. There is still some limited availability of W&S that can be reallocated for future projects.
Periodically evaluate concurrency management standards for Emergency Medical & Fire Protection and Police Protection facilities and services.		
For now Fire/EMS/ Sheriff response times are adequate in South Carroll but how long can that continue? The Sykesville Fire	On-Going	This is evaluated regularly by the Department Emergency Services and the Bureau of Development Review.

Dept. has expressed growing concerns that traffic congestion is/will hinder response times and wants another station on the north side of Liberty Rd. Where is the land for this?		
Develop and implement a long- term corridor enhancement project for the MD 26 business district to improve conveyance, connectivity, and increase redevelopment opportunities.	In-Process	The SHA recently completed a thorough study of the MD 26 corridor. This study will assist the county in prioritizing enhancement and improvements to the corridor
Promote Community Investment Program (CIP) projects that are necessary to preserve the quality of life that this land use plan seeks to preserve.	On-Going	Part the annual CIP.
Review, revise and amend the County Zoning Ordinance to ensure uses are consistent with the County Master Plan. Was to be completed in April 2020. What is the timeline for completion?	In-Process	This is underway with comprehensive rezoning process text amendments and mapping updates.

As always we appreciate your consideration in these matters. The citizens of Carroll County will be affected by your decisions for many decades to come so please make good choices. Our expectation is that our elected officials will abide by the plan they adopted and vote accordingly so Carroll remains a great place to live, work and play.

Sincerely,

Kimberly Madeja

5835 Monroe Ave

Eldersburg MD 21784

From: Windham, Roberta J.
To: Eisenberg, Lynda
Subject: FW: Bennett Rd. area

Date: Wednesday, November 18, 2020 3:54:46 PM

FYI – for the record.

Roberta J. Windham, Esq. County Administrator 225 North Center Street Westminster, MD 21157 410-386-2876 443-289-5340 (c)

From: bob
bhodgkiss72@gmail.com>

Sent: Wednesday, November 18, 2020 3:13 PM

To: Commissioners < commissioners@carrollcountymd.gov>

Subject: Bennett Rd. area

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

To: Steven Wantz
Richard Weaver
Dennis Frazier
Eric Bouchat
Ed Rothstein

We are writing to you in reference to the proposed retail development on Bennett Rd.in Eldersburg known as the Beatty Property. This land was recently changed from

it's intended zoning of residential, to a retail zoning that is not conforming to the surrounding area use. Since there are numerous empty retail buildings already existing

in the true retail zone of Liberty Rd., what justification is there for a shopping area in an established residential neighborhood with many small children?

We went through this in the Bennett Rd. area in the 1990's when the existing commissioners lied to the residents of the area regarding the construction of the

Merritt Athletic Club.We were "promised" that it would be a one story building, hidden by a berm, so as not to be visible from our neighborhoods and to reduce noise.

It became a 3 story building. When we asked what happened, we were told "We don't know, but there is nothing we can do about it now". INCREDIBLE!

As residents of the area for 35 years, my wife and I respectfully ask that you not allow this unwanted retail invasion of our peaceful, beautiful neighborhood.

We elected you to represent us and expect you to properly carry out that trust. This is a common sense request.

Thank you,

Robert and Elena Hodgkiss

From: Jennifer Vinson < jennvinson24@gmail.com>
Sent: Wednesday, October 28, 2020 9:52 PM

To: CCGov Planning & Zoning Commission; CCPlanning; Rothstein, Edward; Weaver,

Richard; Frazier, Dennis; Wantz, Steve; Bouchat, Eric; Eisenberg, Lynda

Cc: Thomas Vinson

Subject: Petition: Request #C2-05-2020-0028 - Long Meadow Farm in Eldersburg

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Board of Carroll County Commissioners & Planning Commission -

I am writing to inform you that there is currently a petition circulating that expresses the community's concerns and opposition to the #C2-05-2020-0028 rezoning request, as well as concessions that we are requesting if the rezoning is approved.

Please click on the link to view the community's concerns and requested concessions. We will continue to circulate this until just before the public hearing on December 3rd. Please see the petition at: https://www.change.org/p/carroll-county-commissioners-concerns-concessions-regarding-eldersburg-farm-rezoning

Thank you,

Jennifer Vinson 1690 Bennett Road Eldersburg, MD 21784

From: Thomas Vinson <tvins04@vt.edu>

Sent: Thursday, October 29, 2020 12:26 AM

To: CCGov Planning & Zoning Commission; CCPlanning; Rothstein, Edward; Weaver,

Richard; Frazier, Dennis; Wantz, Steve; Bouchat, Eric; Eisenberg, Lynda

Cc: Jennifer Vinson

Subject: Rezoning by request #C2-05-2020-0028

Attachments: Letter to Commissioners Long Meadow Farm.docx

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Board of Carroll County Commissioners & Planning and Zoning Commission,

I have attached a letter with my concerns regarding the rezoning of Long Meadow Farms, also known as the Beaty Property.

Thank you for your time and consideration.

Thomas Vinson 1690 Bennett Rd Eldersburg, MD 21784 To the Carroll County Board of Commissioners, & Planning and Zoning Administration,

I am writing you in regards to the comprehensive rezoning process of Long Meadow Farm C2-05-2020-0028, also known as the Beaty property.

We are not against development. We are against development just for the sake of development or development that is not consistent with the surrounding areas. We believe that the zoning process should be modified. We are repetitively told that the rezoning only creates the "potential" for development and we won't know anything more until the site planning process. If residents knew a general concept for a development and what types of businesses and the size of businesses that were being targeted, it may help alleviate some of our concerns and may actually garner some support for the local community. Once the property is zoned a certain way, the property may be sold to a developer and they have the right to develop the property in any manner that is consistent with the current county codes in regards to that intensity of zoning. They could develop something that the residents do not want and does not make sense for the surrounding neighborhoods. The entire process could be smoother if potential buyers or developers presented at least a limited plan or vision for what they would like to do before the zoning is changed.

The 2018 Freedom Community Comprehensive Plan Summary of Recommendations include the following important statements. It is vitally important that you consider these statements when considering this rezoning request. These statements should not just be "lip service" to the community if they are not going to be followed as guiding principles when considering the impact of zoning changes. While the Freedom Plan Future Land Use Designation from 2017 / 2018 already made the decision to allow high density commercial on this property, we believe the process failed to consider these important statements and you now have the opportunity to reconsider the conclusions that were previously made.

- Recognizing that many citizens came to the Freedom area to escape the trappings of urbanization in surrounding counties, the government will not attempt to fundamentally transform communities against the will of existing homeowners and residents. Recognizing that Freedom is a suburban / rural area, government will respect the character of the community and its neighborhoods.
- Freedom should remain a place that will accommodate larger homesites that can accommodate additions of in-law suites or similar improvements that enable multiple generations of families to live together. <a href="Facilitate residential infill development consistent with the character of adjacent housing in Freedom's existing established neighborhoods, recognizing the value that many citizens place on larger lot development.
- Any increases in land use densities will be generally limited in order to mitigate the impact on traffic and existing infrastructure.
- Additionally, we recognize the following statement, "Increase the amount of land designated for commercial and light industrial uses in the areas targeted for economic development.
 - This should not be at odds with the first two above statements and should not take priority over the first two statements when considering rezoning.

- <u>Maintain a predictable, consistent and evenly applied development review process</u>. Develop several small-scale, pedestrian-friendly, destination oriented places through the development of vacant parcels and redevelopment.
 - We believe the proximity of this property to surrounding residential would be a better fit for a neighborhood style commercial space that is smaller and less intense than what is being requested or what is proposed in the future land use designations.
- Ensure approved development does not outpace the county's ability to provide public facilities in a timely manner.
- Ensure approved commercial and residential development does not outpace the county's financial ability to provide water and sewer capacity.
- Develop and implement a long-term corridor enhancement project for the MD 26 business district to improve conveyance, connectivity, and increase redevelopment opportunities.
 - We feel that this is where the county should be focusing its efforts towards economic development and increasing the county tax base. This is the natural area for higher intensity commercial development and not the area that is currently in question. Additionally the Warfield Complex would be a much better location for developing larger scale commercial development with high visibility, high traffic along a main road, and limited residential development surrounding it

Throughout this statement I will refer to both medium and high density commercial (C-2 & C-3). Despite the current request for rezoning as medium density commercial, the future land use designation allows for high density commercial. We are concerned that after the property is sold a developer may seek a new rezoning request for high density commercial as it would be consistent with the current future land use designations.

We recognize property owner rights to utilize their land, however zoning laws exist for a reason and this situation is that exact reason. It should make sense for the surrounding area. I cannot just sell my one acre of land to a commercial developer that thinks it is a great place to build a fast food restaurant or gas station even if it would be a great location for business. Looking at the current zoning and future land use designations in Carroll County, I do not see where low density residential is in such close proximity to medium or high density commercial, especially for this size of land parcel that is currently in question.

1. Not in keeping with the surrounding neighborhoods

Commercial development doesn't make sense for the surrounding neighbors. If the residents of these neighborhoods knew they would have medium or high density commercial spaces across the street, I doubt they would have wanted to build homes like currently exist in the neighborhood. The properties on the north side of Bennett are generally on lots over 1 acre. We purchase larger lot sizes for a reason and that is to have more space and not feel crowded. It provides a level of peace and tranquility to not live

in a densely populated area. My wife and I moved here for that specific reason after living in very crowded neighborhood. That is part of our quality of life. Many people have invested a good amount of money into purchasing and maintaining the characters of their homes and the neighborhood, but they didn't do this with the hopes to live next to a big box store or a busy commercial strip mall. If we live within a few hundred feet of a busy commercial space, it may adversely affect property values as prospective buyers are less likely to find the appeal of a low density residential area that is adjacent to high traffic commercial space. We will be the ones losing out due to development. It is clear that their was consideration that commercial space would not be in keeping with current surrounding neighborhoods given the proposed medium density residential buffer. The reality is that a 300 ft residential buffer is a minimalistic attempt to provide cover to the commercial space. The reality is that it will change the character of the existing neighborhoods.

The historical zoning for light industrial also doesn't make sense anymore given how the area around it has been developed. We do not disagree that rezoning the property was appropriate, but we think the proper rezoning was for a light to medium residential that would be in keeping with the existing neighborhoods provided the local schools could support such development. Prospective buyers of that property would also be aware they are building near existing commercial and industrial spaces, not the other way around. Industrial zoning dating back to 1970's made sense 30-40 years ago when the residential areas didn't exist. However, the county has allowed these residential areas to be built and at this point, the property in question should conform to surrounding residential areas and not the other way around.

It has been stated that extending commercial development to this area is consistent with the current light industrial zoning to the west of the property. It has also been stated that similar uses are allowed in both light industrial (I-1) and medium commercial (C-2). We do not feel this is accurate. The existing businesses within the current light industrial area primarily operate Monday through Friday during normal business hours 8 am to 5 pm. There is limited traffic to this area during the evenings and on weekends when many residents in the surrounding communities are enjoying time at their homes. Commercial developments on the other hand generate higher traffic in the evenings and on weekends and as such would significantly increase traffic flow during the exact times that local residents are home. While some commercial development is allowed within the I-1 district, it is significantly limited as to the amount of commercial development and the size of businesses that would be allowed compared to any of the commercial zonings. We do not believe it is fair to say that commercial zoning is consistent with light industrial space to the west and it is certainly not consistent with light and medium density residential areas to the north and east. If they were so similar, then why was there a need to change the zoning as the property has been zoned light industrial for almost 40 years.

If you drive through the neighborhoods that currently exist off Bennett, Oklahoma, Mineral Hill, and Pine Knob, you will see nothing but low to medium density residential. Additionally, the homes on the north side of Bennett Rd were required to be road facing when they were built. This was in keeping with the other surrounding homes on Oklahoma, Mineral Hill, and Pine Knob. If the long term plan for the area was to have a large scale, medium to high density commercial space on the other side of Bennett Rd, then the surrounding neighborhoods could have been built in a manner that did not require them to be facing Bennett Rd and could have created a wooded buffer from the road and

a buffer from the commercial space. Having visible commercial or industrial space within 300 feet of Bennett Road is not in keeping with the character of the surrounding community and neighborhoods. It goes against the statement that "the government will not attempt to fundamentally transform communities against the will of existing-home-owners and residents. Providing a small buffer of medium residential homes will not have a meaningful impact to reduce the noise, traffic, and light pollution that will come with commercial development of the size that is currently proposed. We are also concerned about an increase in crime to the surrounding neighborhoods due to proximity to commercial spaces. There is minimal crime in our area and we are concerned about increased level of crime that is reported around Walmart and to a lesser extent Martin's shopping centers. There have been issues with crime spilling over into the surrounding neighborhoods near Walmart and we do not want that issue.

2. Impact to local schools and whether the residential buffer zone will actually be built.

We are highly concerned about the possibility that the residential buffer zone may not be built. Other developments in the area have been placed on hold due to insufficient capacity at the local schools, specifically Freedom Elementary. Additionally, there is already another large development in the site planning phase at the Hoby Wolf property and other large properties undergoing rezoning for residential use such as the Zabel property and yet another property off Hodges Rd that is for sale touting a great residential development opportunity. This will increase the capacity at other local schools (Carrolltowne Elementary, Freedom Elementary, Eldersburg Elementary, Oklahoma Rd Middle, and Liberty High) and may create a situation in which the promised residential buffer zone may not be built. We are concerned that if the residential buffer will not be built that we will see commercial development only. Additionally, if the residential buffer cannot be built due to insufficient school capacity, we fear that future county commissioners may be willing to allow further commercial development. There may be new commissioners several years down the road who will claim it is not their promises they are breaking. They may also claim there is need for more commercial real estate in Eldersburg and that it makes sense due to proximity to existing commercial space (just as is being done now). The precedent will already be set at that point to potentially allow more commercial development. There is no guarantee that we will get any kind of buffer around the commercial properties.

Freedom elementary is already over capacity and projections indicate that the over-crowding will only get worse. There has been discussion about redistricting schools to reduce the overcrowding issues. We have concerns that some students currently in the district for Freedom Elementary and Liberty High School will be moved to Mechanicsville Elementary and Westminster High School. We did not move to this area for our kids to go to schools that are 5-15 miles from our home when we live 1-2 miles away from 3 different elementary schools and 1 mile away from a high school. We feel that rezoning the Beaty properties should wait until there is a plan to deal with the school capacity issues. The commercial space should not be allowed unless the residential buffer is built. The residential buffer should not be built unless there is adequate school capacity.

3. Impact to property values.

Homes within close proximity to a commercial space may be most impacted by effects on property values. The type of people that seek to live on larger lot sizes with more distance between their homes loathe to live next to high traffic commercial space. They

purchased their property for peace and serenity that comes with lower density neighborhoods. If we wanted to hustle and bustle, we would live in a city. If we wanted more congestion we would live in smaller, more compact communities. When it comes time for residents to sell their homes, are we likely to see lower property values because the type of people that want to have larger lot sizes don't want to live next to a busy shopping center?

4. Impact of traffic to Bennett Rd.

There is major concern about the impact on Bennett Road. Despite the zoning and planning committees declaration that the only access will be from Progress Way, we are not so naive to think that there will never be access to Bennett Road. Commercial developers and businesses will want more than one ingress and egress point, especially for a property of that size. Eldersburg Commons has five ingress and egress points, Eldersburg Marketplace (Martins / Home Depot) has 3, Freedom Village Shopping Center (old Shoppers) has 5, Londontown Square (Safeway) has 3, the old Walmart Shopping Center has 5. Even if there is not direct access from Bennett Road, we are concerned that Bennett Road could see a significant amount of increased traffic from people bypassing the Rt 26/ Rt 32 intersection to get to the new commercial space off of Progress Way.

We believe that commercial businesses will want visibility and their highest visibility would be from Bennett Rd. Even if they aren't given that access at this time, in 5 to 10 or maybe 15 years, we could envision those businesses requesting access. Development plans may always leave open space for a future possible ingress / egress point to be built. Once the space is developed, businesses could threaten to leave, taking their jobs and their revenue generation if they aren't granted access.

Finally, if a residential buffer is built, we cannot see home owners wanting to drive through an industrial park, then through a commercial space to get to their homes. Those homeowners will want additional ingress / egress points and if there is a communication between the residential and commercial spaces, then you will have indirectly provided additional vehicle access to the commercial development.

5. More commercial space is not needed and certainly not in an area that is not immediately adjacent to major roads.

There are already vacant unused commercial buildings in Eldersburg. There are already vacant lots designated for commercial development, some of them have been vacant for years. The business corridor for Eldersburg is primarily off Route 26. You are starting to localize heavier commercial development away from the main high traffic areas. We feel that medium and high intensity commercial development should be restricted to those high traffic corridors that already exist.

Based off current zoning maps of Carroll County and future land use designation, this would be the <u>ONLY</u> medium to high density commercial space of this size in Eldersburg or all of Carroll County that does not have visibility from the main business corridors. All other medium to high density commercial spaces, especially for 30-40 acres of development, in the county as a whole are located on main, highly travelled roads with their access points off those roads. Additionally, no other commercial spaces of this size are surrounded in such close proximity to current residential areas. We recognize that there

are trends to developing mixed use communities with businesses located in close proximity to residential areas. This makes sense in urban environments where traveling farther distances is time consuming. As stated in the objectives of the Master Plan and Freedom Plan, people came to the area to escape the trappings of urbanization. You are now trapping the residents next to medium or high density commercial space. You are trapping residents next to urbanization. You are trapping residents who built or purchased homes in a low density residential area next to highly trafficked, busy, medium or high intensity commercial space that they did not intend to live next to.

Additionally, consider that there has been an ongoing trend towards E-commerce which is only continuing to increase. Large brick and mortar retailers have been struggling with many companies going out of business or significantly downsizing their operations. Some of these companies only operate retail stores in very densely populated areas. There should be concern that continuing trends towards the rise in E-commerce will only serve to reduce the need for commercial retail space. This may lead to increased commercial vacancies which will not be beneficial for the community.

6. Concerns about the rezoning process

We believe that the process for developing the future land use designations for the Beaty property in the 2017 / 2018 Freedom Comprehensive Community Plans were erroneous and did not take into consideration the impact that commercial development would have on the surrounding neighborhoods. The initial plan intended to have the entire Beaty property (approximately 120 acres) zoned to high density commercial development. We certainly understand that a property of that size in close proximity to Rt 32 & Rt 26 with water and sewer available is attractive to develop as a commercial space. It would be a financial windfall to the property owner and the county would benefit from the increased tax revenue. If there was not surrounding low to medium density residential areas, then we would support using it for commercial, but the fact is that these communities do exist and these communities do not want commercial development. Some members of the community feel that it was a hard fought battle and that the current iteration is the best compromise that could be obtained. We believe it is egregious that the initial plans would have ever considered zoning the entire Beaty property to high density commercial. It should have never been a hard fought battle and should not be considered a grand compromise to have the current iteration of the future land use designation. We do not believe that high density commercial should have been made an acceptable use for the land.

7. Request that you vote against allowing commercial or industrial development.

We strongly encourage you to vote against allowing development of this parcel of land for commercial or industrial utilization. The county has allowed low and medium density residential to be built surrounding this property for the last 35-40 years and further development of the land should follow in line with what has currently been built in the surrounding neighborhoods. We did not choose to build or purchase homes next to a pre-existing commercial development. If I wanted to live next to high intensity commercial spaces or busy urban environments, we would have moved to the city or Columbia.

Concessions

At this juncture, we recognize that the future land use designation is being used as a guiding document and it is likely a foregone conclusion that commercial development will still occur on the Beaty property. Should you feel that allowing commercial development is still reasonable, the following is a list of requests and suggestions to help minimize impact to the surrounding community.

- We would strongly encourage you to consider limiting commercial development to the lowest density (C-1) along with limiting the number of acres that can be developed. The property owners request asks for 15-30 acres and as such, the acreage could be limited to the lower end of that amount (15-20 acres). Limiting commercial development to C-1 should minimize the amount of traffic from outside areas and businesses would exist to support the local community and not draw people from outside of the region.
- Additionally, minimizing traffic, noise, and light pollution to the surrounding neighborhoods by keeping the development south of where Progress Way terminates and developing the closest 15 acres that keeps the commercial space directly adjacent to the existing light industrial space.
- We recommend creating a natural buffer surrounding the commercial development on any side that would border residential spaces.
- If commercial development is south of Progress Way, the remaining surrounding space being developed as low to medium density residential would provide more of a buffer to the existing surrounding neighborhoods and help to keep the development closer to the atmosphere that currently exists.
- We request that no other land surrounding it shall ever be allowed to be developed commercially or more intense than medium density residential.
- We request that no access to Bennett Road shall ever be granted now or in the future for the commercial space directly or indirectly via access to the residential buffer.
- We would prefer to see a row of low density residential such as currently exists on Bennett Rd with homes facing Bennett Rd as opposed to the rear of the home facing Bennett Rd. This row of low density residential could then be followed by medium density residential.
- We recommend that the commercial development be created concurrently with the residential buffer as one planned community as opposed to the commercial space being its own separate development. This would help the commercial space feel more natural to the surrounding area.
- Finally, if you choose to move forward against our opposition by allowing the current zoning request as is, we would like to request that any commercial development requires construction of berms and natural vegetation (multiple rows of offset large trees) to create a
 natural buffer. We would also request low level lighting in the entire commercial space to
 minimize light pollution.

Finally, I would like all the County Commissioners to recognize that other areas of targeted growth are generally municipalities that have their own planning and zoning commissions and more control over what occurs in their communities without having it forced upon them. The local residents in those municipalities have more control over what happens in their area and their

representatives are held accountable for what happens in those areas. Any decision that you come to should have the support of our local County Commissioner Mr. Rothstein who we can hold accountable. We have no voice with the other County Commissioners who do not represent our district. Decisions that have a shared impact on the entire county don't need the support of all the commissioners. However, decisions that have a more significant impact on only a small portion of the county should have the support of that local commissioner.

We respectfully request that you vote against the commercial rezoning of the Beaty property. We ask that you consider our concessions for future discussion about the best uses for the property while respecting the other citizens of the South Carroll region and the property owners surrounding the Beaty property.

Sincerely,

Thomas Vinson 1690 Bennett Rd Eldersburg, MD 21784

From: Info CCG

Sent: Wednesday, November 4, 2020 7:08 AM

To: Carroll Rezoning

Subject: Comprehensive Rezoning - Comment Card Submission

The following comment was submitted:

Name

Kaitlin Harbin

Email

Kaitharbin@gmail.com

Property of Interest Request

C2-05-2020-0028

Submit Comments

As a current resident of the Morgan Estates community, I am very concerned about the addition of a Harvey commercial space nearby. For over a year we have been petitioning the county to try to get appropriate traffic calming measures installed in our neighborhood and have yet to receive any help. The traffic flow through our area has become down right dangerous and with many young children living there is it often scary to be outside with them. Given that we have been unable to make any progress with the county currently, it hard to believe that any additional measures would be taken to protect the current residents of the community if additional traffic were to be added. I am strongly opposed to this proposal in its current form.

Please complete

From: Kathleen Horneman <kathleen.horneman@gmail.com>

Sent: Wednesday, November 4, 2020 5:53 PM

To: CCGov Planning & Zoning Commission; CCPlanning

Cc: Rothstein, Edward

Subject: C-2 rezoning on Beaty property

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Once again, I would like to comment about the probable effects of rezoning approximately 30 acres of the Beaty property to C-2. Along the southern portion of the property is *Snowden Run*, a Class III-P stream. This designation is defined as Non-Tidal Cold Water and Public Water Supply. According to Trout Unlimited, until the late 1990's, this stream contained Brook Trout. Brook Trout are considered an indicator species as they are a measure of the health and overall well-being of the streams that they inhabit. Snowden Run is not only a rich area of wildlife and lush native vegetation as well as a beautiful green space. In 2016, Mr. Art Senkel, Advocacy Chair for the Mid-Atlantic Council of Trout Unlimited, sent me an email regarding my concerns for the stream. He noted that the stream still remains cold and there exists the possibility of reintroducing trout, particularly brown trout, to Snowden Run. The construction of hard surfaces that are typical for any commercial construction will result in significant disruption to the cold water nature of Snowden Run. According to the USGS, runoff from impervious surfaces have an effect on both water quality and streamflow. Sediment laden water introduces pollutants to streams. Rainfall and runoff from hard surfaces contribute to warming the surface water of tributaries which will permanently change the temperature of the tributary. Please consider the neighbors in this sensitive area. We have protected and celebrated the significance of having a Class iii-p stream along our neighboring borders. If the greenspace is dramatically altered, we will lose this resource and potentially burden the water quality and drinking water.

Please consider an extensive environmental study to measure the effects of hard surface runoff into *Snowden Run* before any changes to this area.

Kathleen L. Horneman

From: Heather VanDusen <vandusenhr4@yahoo.com>

Sent: Wednesday, October 21, 2020 9:29 AM

To: CCPlanning

Subject: Rezoning/Rolling View/Long Meadow

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Resident of Cedar Court, Sykesville, MD, 21784

Please do not change the surrounding areas, to high commercial or medium commercial. Please do not change the surrounding areas to high residential or medium residential. Please leave preservation areas as they are.

If the changes do occur, PLEASE do not build through the existing neighborhoods. These are high walking neighborhoods, with no sidewalks, no street lights, and have many children living in the area. If the neighborhood becomes a cut through to detour from 32 and 26 it will become dangerous for families to walk or bike with their young children. The homes have been there for many decades, I believe it is best to leave the neighborhood as is for the safety, well-being, and happiness of the current residents whom reside there.

I hope you can make the right decision for the residents of the area being rezoned.

From: Thomas Vinson <tvins04@vt.edu>

Sent: Wednesday, December 2, 2020 10:59 PM

To: CCGov Planning & Zoning Commission; CCPlanning; Rothstein, Edward; Weaver,

Richard; Frazier, Dennis; Wantz, Steve; Bouchat, Eric; Eisenberg, Lynda

Subject: Rezoning by request #C2-05-2020-0028

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Board of Carroll County Commissions & Planning and Zoning Commission,

I have listened to many of the discussions with the planning and zoning board, county commissioners and on the FDCA meetings with Commissioner Rothstein. It is frequently stated that zoning "only creates the opportunity." That "the county doesn't have any control over what is actually built."

On the recent planning and zoning meeting from November 17, 2020, there was a lot of discussion about the vision for the Beaty property being similar to Turf Valley in Howard County. Something that might look like Main Street in Sykesville. Something that gave the community a sense of place or a town center type feel. There was a lot of discussion about there being hope to develop it in that manner and that "it is a unique property and a desire to get it right."

During that meeting there was discussion between Commissioner Rothstein and Lynda Eisenberg about how other surrounding counties have zoning codes for a "floating zone or a straddle between urban and rural development." The goal is to blend that space and that the commercial area is there to support the local community and not necessarily be a destination for people outside of that community. We don't have zoning code that specifies that type of mixed business / residential use in Carroll County.

My fear is that without having the zoning code in the county where it can be zoned for a specific type of neighborhood mixed residential / business development that we may not get the type of development that is envisioned. The portion of the property zoned for medium density commercial can be developed in any manner that is fitting with the current zoning code. The county does not have control over the actual type of business use provided it conforms to the current codes. Hoping that it gets developed a certain way does nothing to ensure that actually happens. The developer could "get it completely wrong." We could end up with more gas stations, or auto part stores, or large retail stores that intend to draw people from outside the community. It may not have that town center feel.

Additionally, on the initial introduction of this property to the commissioners, the lawyer for the Beatty property, Mr. Brooks Leahy, stated that they have only received interest from developers in building an over 55 community in the commercial designated space. I do think an over 55 community that is more of villa style homes would be well received by the local neighborhoods as opposed to a large apartment style building similar to Snowden Creek that was recently built on Oklahoma Rd.

I would like the commissioners to take a step back on the commercial portion of the development and consider what type of development they would really want to see there. If they truly want to see something with a local community feel or a small town center type of feel like Main St Sykesville, they should ensure the zoning is made so that is how it is developed. I would rather see small neighborhood retail shops and potentially restaurants as opposed to another large Walmart style strip mall.

Thank you for your time and consideration.

Thomas Vinson 1690 Bennett Rd Eldersburg, MD 21784

From: Info CCG

Sent: Wednesday, December 2, 2020 9:53 PM

To: Carroll Rezoning

Subject: Comprehensive Rezoning - Comment Card Submission

The following comment was submitted:

Name

Jean Hruch

Email

jeanhruch@gmail.com

Property of Interest Request

C2-05-2020-0028

Submit Comments

The proposed changes to the parcel P247 does not make practical sense with the overall vision of this community. Placement centered between "Light Industrial" and residential without reasonable ingress and egress to 32 would put enormous traffic strain onto secondary, neighborhood roads. For this reason I am opposed to proposed zoning changes and encourage a more balanced approach that includes all concerns. For the last 20 years we have argued undefined zoning perimeters and conditional uses that favor a few individuals. We have attended numerous staged public input meetings by the PandZ only to have the majority concerns ignored in favor of 2/3 large land owners. Development is enevitable, yet the "cart before the horse" (build it and they will come) mentality of our county representatives continues to unravel the very fabric that makes South Carroll the community it continues to fight to remain! Please consider your positions and why you are there, not to represent the few but all residents who call Carroll County home.

Please complete

From: Jennifer Vinson < jennvinson24@gmail.com>
Sent: Wednesday, December 2, 2020 9:56 PM

To: Rothstein, Edward; Weaver, Richard; Frazier, Dennis; Wantz, Steve; Bouchat, Eric **Cc:** Thomas Vinson; CCGov Planning & Zoning Commission; CCPlanning; Eisenberg, Lynda

Subject: Hearing: Request #C2-05-2020-0028 - Long Meadow Farm in Eldersburg

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Board of Carroll County Commissioners -

I am writing to remind you of the petition that has been circulating and expresses the community's concerns and opposition to the #C2-05-2020-0028 rezoning request, as well as concessions that we, the community, are requesting if the rezoning is approved. I hope that you have had a chance to review it, and if not, can do so before a final decision is made.

Please click on the link to view the community's concerns and requested concessions: https://www.change.org/p/carroll-county-commissioners-concerns-concessions-regarding-eldersburg-farm-rezoning. At the time this email is being sent there are 417 signatures and many residents included comments reflecting their support of the petition and concerns regarding the rezoning. I hope that whatever decision is made it is made with the best interest of the affected communities in mind.

Thank you in advance for your time and consideration.

Jennifer Vinson 1690 Bennett Road Eldersburg, MD 21784