

OFFICIAL MINUTES
Carroll County Planning and Zoning Commission

November 17, 2015

Location: Carroll County Office Building

Members Present: Matthew S. Helminiak, Chair
Richard J. Soisson, Vice Chair
Alec Yeo
Eugene A. Canale
Cynthia L. Cheatwood
Richard S. Rothschild, Ex-Officio
Daniel E. Hoff, Alternate

Members Absent: Jeffrey A. Wothers

Present with the Commission were the following persons: Philip R. Hager, Mary Lane, and Kelly Martin, Department of Planning; Lynda Eisenberg and Andrea Gerhard, Bureau of Comprehensive Planning; Clay Black, Laura Matyas, Price Wagoner, Martin Percy, and John Breeding, Bureau of Development Review; Gail Kessler, County Attorney's Office; Louis Mangione; Brooks Leahy; Bob Sandmeyer; Joseph Ucciferro; Arla Ely; John Lemmerman; Linda Alexander; Robert Clark; Billy Miller; Dan Staley; Dr. Frederick Smith; and Scott Lynn.

CALL TO ORDER/WELCOME

Vice Chair Soisson called the meeting to order at approximately 9:05 a.m.

ESTABLISHMENT OF QUORUM

Kelly Martin took the attendance of the Commission, noting that five members were present, and there was a quorum.

PLEDGE OF ALLEGIANCE

OPENING REMARKS

Philip R. Hager, Secretary, noted that November is historically the Commission's organizational meeting with the Election of Officers and the review of the Administrative Rules. He reviewed the remainder of the agenda, noting that Alec Yeo would not be in attendance until approximately 10:00 a.m. For this reason, he suggested that the Commission may wish to reorder the agenda to relocate the Election of Officers.

(Commissioner Rothschild entered the meeting.)

REVIEW AND APPROVAL OF AGENDA

The Commission, on motion of Mr. Canale, seconded by Ms. Cheatwood, and carried, moved Item No. 9, Election of Officers to follow Item No. 12, Rezoning Case No. 224.

The revised agenda was approved on motion of Mr. Hoff, seconded by Mr. Helminiak, and carried.

PUBLIC COMMENTS

There were no public comments.

REVIEW AND APPROVAL OF MINUTES

- A. October 20, 2015
- B. November 4, 2015
- C. November 4, 2015 – joint meeting

Daniel E. Hoff, Commission member, indicated that he had left the November 4 joint meeting prior to its conclusion and that should be noted in the minutes.

The minutes of October 20, November 4, and November 4, 2015 joint meeting, as amended, were approved on motion of Mr. Hoff, seconded by Mr. Helminiak, and carried.

COMMISSION MEMBER REPORTS

- A. Commission Chair
- B. Ex-Officio Member

A. COMMISSION CHAIR

Vice Chair Soisson indicated he had nothing to report.

B. EX-OFFICIO MEMBER

Commissioner Rothschild indicated he had nothing to report.

REVIEW OF ADMINISTRATIVE RULES

Secretary Hager distributed copies of the Administrative Rules and reviewed each proposed change for Commission consensus. He noted that Gail Kessler, Deputy County Attorney, had reviewed Section 3.13 Alternate and determined that the existing language was appropriate. Secretary Hager indicated it would not be necessary to seek a legislative change to continue the Commission's current practice, but recommended one minor change. He discussed Section 8.1 a) which is a new change that was not previously discussed with the Commission. After meeting with Tom Devilbiss and Clay Black, Department of Land and Resource Management, they were comfortable with the change since the issue is addressed in the Code.

Mr. Black discussed the current procedures involving Section 8.1 a) with the Commission.

Secretary Hager reviewed the changes to Section 4.11 regarding Ex Parte Communications.

(Alec Yeo entered the meeting.)

The Commission, on motion of Mr. Soisson, seconded by Mr. Helminiak, and carried (Commissioner Rothschild abstained), approved the proposed changes to the Administrative Rules of Procedure and Operation.

ADMINISTRATIVE REPORT

- A. Administrative Matters
- B. Extensions
- C. BZA Cases
- D. Other

A. ADMINISTRATIVE MATTERS

Philip R. Hager, Secretary, reported that the vacancy created from Tay Harris' departure was advertised for the second time and closed on Friday.

B. EXTENSIONS

Clay Black, Bureau of Development Review, reported that two extensions had been granted since the last meeting, including: a fifth one-year extension for the site plan for Liberty Crossing located at the intersection of MD 26/MD 27 in Taylorsville in the County's BG District; and a third one-year extension of the three-lot subdivision of the Komiski Property in Election District 13 in the County's Conservation District.

C. BZA CASES

Secretary Hager reported that staff provided comments to the Board of Zoning Appeals (BZA) on two cases as follows: BZA Case No. 5896, Timothy J. Beksinski, a request for a variance for the expansion of a one-car garage to a two-car garage on .30888 acres of property at 846 Snowfall Way in Westminster in the County's R-10,000 District; and BZA Case No. 5902, Gary W. Underwood, Jr., request for a conditional use and variance for a retail garden store on 5.250 acres at 3150 A Baltimore Boulevard in Finksburg within the County's Restricted Industrial District.

D. OTHER

Secretary Hager indicated he had nothing further to report at this time.

REZONING CASE NO. 224 – LUERS AVENUE PROPERTIES LLC

Andrea Gerhard, Bureau of Comprehensive Planning, explained that the request was to reclassify 11 parcels totaling 15.56 acres from Neighborhood Retail Business (B-NR) to General Business (BG). She noted that the neighborhood was the same one used for the rezoning case for 1320 Liberty Road. Ms. Gerhard explained that the zoning for 1320 Liberty Road had not yet been changed on the maps. She reviewed agency comments that were received, public facilities, and staff's findings regarding Mistake in Current Zoning and Change in the Character of the Neighborhood.

Brooks Leahy, attorney for the applicant, asked the applicant, Louis Mangione, a series of questions regarding examples of developments his family business has completed, his education, his work experience, his business dealings in Carroll County, the family's intention to consolidate the parcels into one deed if the rezoning is granted, the zoning of the property when it was purchased, how the change from Local Business "BL" to "B-NR" changed his ability to develop the property, etc.

Mr. Mangione discussed a possible grocery store tenant and other plans for the property.

Mr. Leahy highlighted an analysis of the B-NR zone in the County prepared by Joe Cronyn, Valbridge Property Advisors, which is included in the staff report.

Alec Yeo, Commission member, asked about the line around the grocery store area on the drawings.

Mr. Mangione explained that all the properties will be consolidated, but 2.5 acres will be subdivided off for the grocery store at the buyer's request.

Mr. Yeo suggested that the consolidation of these parcels could lead to an improved traffic situation.

There were no public comments.

The Commission, on motion of Mr. Helminiak, seconded by Ms. Cheatwood, and carried (Commissioner Rothschild abstained), directed staff to transmit the findings to the Board of County Commissioners with a recommendation for consolidation of the properties and rezoning to "BG" based on Change in the Character of the Neighborhood and Mistake in Current Zoning.

ELECTION OF COMMISSION CHAIR, VICE CHAIR, AND SECRETARY

Alec Yeo turned the meeting over to Secretary Hager for the Election of Officers.

Secretary Hager asked for nominations for the office of Chair.

Alec Yeo was nominated as Chair on motion of Mr. Canale and seconded by Ms. Cheatwood. Matthew Helminiak was nominated as Chair on motion of Mr. Hoff and seconded by Ms. Cheatwood. The nominations were closed and ballots were distributed, collected, and tabulated. Matthew Helminiak was elected Chair.

Richard Soisson was nominated as Vice Chair on motion of Mr. Hoff, seconded by Mr. Yeo, and carried. The nominations were closed and Mr. Soisson was elected Vice Chair via acclamation on motion of Mr. Helminiak, seconded by Mr. Hoff, and carried.

Secretary Hager relinquished the gavel to Chair Helminiak.

Philip R. Hager was nominated as Secretary on motion of Mr. Hoff, seconded by Mr. Canale, and carried. The nominations were closed and Mr. Hager was elected Secretary via acclamation on motion of Mr. Hoff, seconded by Ms. Cheatwood, and carried.

Clay Black, Bureau of Development Review, introduced the new Engineering Reviewer, Martin Percy.

CONCEPT SITE PLAN REVIEW

- A. S-15-0013, North Carroll Community School
- B. S-15-0015, Miller Asphalt Plant – Finksburg (5th Amended Site Plan)

A. S-15-0013, NORTH CARROLL COMMUNITY SCHOOL

Daniel E. Hoff, Commission member, recused himself from this discussion as he has had numerous business dealings with North Carroll Community School in the past.

LOCATION: South side of Stone Road, west of Littlestown Pike (MD Rt. 97), E.D. 3

OWNER: Mark Lynn, 508 Old Bachman Valley Road, Westminster, MD 21157

DEVELOPER: North Carroll Community School, c/o Scott Lynn, 75 Lamb Drive, Westminster, MD 21158

ENGINEER: RTF Associates, Inc., 142 East Main Street, Westminster, MD 21157

ZONING: Agricultural

ACREAGE: 12.697 acres

WATERSHED: Double Pipe Creek

FIRE DISTRICT: Pleasant Valley

MASTER PLAN: Agriculture

PRIORITY

FUNDING AREA: Outside

DESIGNATED

GROWTH AREA: Outside

Laura Matyas presented the background.

Action Required:

The plan is before the Planning and Zoning Commission per Chapter 155 of the Code of Public Local Laws and Ordinances of Carroll County for consideration of a concept site plan. **No action is required.**

Existing Conditions:

The property for the North Carroll Community School development consists of 12.697 acres in the Agricultural Zoning District with existing access onto Stone Road, a County road. It was created when the relocation of Stone Road, a State Highway Administration project, severed it from the parent parcel. Both the subject property and parent parcel are owned by Mark Lynn. For the road relocation project, a Traffic Design Analysis was conducted which led to turn lane configurations at the MD Rt. 97 / Stone Road intersection and the sighting and design of the access to the subject property from Stone Road. The study used a private school, church, and two ballfields as the proposed site development in the analysis. To the south of the subject property, the dead end Old Stone Road remains to serve five residential properties. There is no existing access to the site from Old Stone Road or MD Rt. 97.

Currently vacant, the subject property has been extensively landscaped and the southwest portion graded and stabilized for a playing field. Steep slopes along MD Rt. 97 create an approximately 25-foot drop in elevation. Guardrail lines the side of the state route and landscaping defines the slope. There are no streams or floodplains on site.

The lands to the north and west across Stone Road host a 120-acre farm and 10 lots of the Hy-Crest subdivision, recorded between 1987 and 2015. (See plats, attached.) South across Old Stone Road, a 132-acre farm lies in an Agricultural Preservation Easement, an unbuilt property hosts 11.5 acres of open farm land, and a few small residential properties dot the dead end of Old Stone Road. Across MD Rt. 97 lies a farm property as well as the Carroll County Sports Complex. All properties share the Agricultural Zoning designation.

Site Plan History:

The concept site plan was subject to citizen involvement at the October 26, 2015 meeting of the Technical Review Committee. One citizen spoke on the preservation and stewardship of agricultural lands, questioning the intended use of the site. Staff conveyed that schools are a principle permitted use in the Agricultural Zoning District. After the meeting, a second citizen arrived and communicated to staff a concern of potential increased traffic on Murkle Road. No written correspondence has been received by Development Review.

Site Plan Review:

The developer proposes to construct a two-story, 20,018 square foot school to serve the private North Carroll Community School community of children in grades kindergarten through eight. Schools are a principle permitted use in the Agricultural Zoning District. A future gymnasium, Phase II, is depicted on the plans. While the gymnasium will be addressed with this plan for stormwater management purposes, an amended site plan will be required in the future to review the gymnasium parking requirements as well as the building elevations.

The Zoning Code, Chapter 158, outlines the bulk requirements for schools in the Agricultural Zoning District.

§ 158.070 “A” AGRICULTURAL DISTRICT.

(H) **Bulk requirements.** The following minimum requirements shall apply, except as hereinafter modified in § [158.130](#):

(1) **Dwellings, schools, etc.**

<i>Use</i>	<i>Lot Area</i>	<i>Lot Width (feet)</i>	<i>Front Yard Depth (feet)</i>	<i>Side Yard (Width Each Side Yard) (feet)</i>	<i>Rear Yard Depth (feet)</i>
Schools:					
Elementary	5 acres	400	150	100	50
High	10 acres	500	150	100	50
Colleges	15 acres	500	150	100	50

With an area of 12.697 acres, the site exceeds the lot area requirement. Setbacks are met in accordance with the Zoning Code definition for a Front Yard.

 **§ 158.002 DEFINITIONS.**

YARD. An open area on the same lot with a principal building(s) which lies between such building(s) and the lot line and is open and unoccupied from the ground up.

(1) **FRONT YARD.** A yard extending across the full width of the lot and lying between the front lot line and the nearest line of the principal building. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as required herein, except that not more than one rear yard shall be required.

Access is proposed from the existing entrance on Stone Road. The access drive aisle meets the minimum 18-foot requirement and is intended for two-directional traffic. An additional 10-foot lane accommodates 21 vehicles for drop-off and pick-up queuing. Utilizing the entry lane as a second queuing lane would increase the queuing potential to 40 vehicles. Development Review has emphasized to the developer that vehicles will not be permitted to queue onto Stone Road.

The minimum number of parking spaces required for an elementary and middle school shall be determined by the Department after an assessment of the school community and capacities.

 **§ 155.077 MINIMUM NUMBER OF SPACES.**

School:	
Elementary, middle, high school and equivalent private or parochial school, or institution of higher learning	The number of parking spaces required will be subject to a detailed parking analysis and study which shall address the following: number of faculty and staff, projected enrollment, requirements for special events, and capacity of special assembly areas. The final determination will be made by the Department.

With a current enrollment of 115 students, the school staffs 21 total full-time and part-time employees. A projected enrollment of 200 students will increase staff and faculty to 35 total full-time and part-time people.

Two distinct paved parking lots are proposed with a total of 47 stalls, including 3 handicap spaces. The northern lot contains 24 spaces plus 3 handicapped stalls. The southern lot proposes 20 spaces.

All-school special events occur on average once each month. For event parking, utilizing the drop-off / pick-up lane for parallel parking 13 vehicles plus overflow parking for 8 on the grass shoulder to the south of the drop-off / pick-up lane yields a total of 68 parking spaces.

The Developer proposes that the grassed open area to the north of the northern parking lot will also be used to park vehicles during large scale events. Access is proposed from the western edge of the parking lot drive aisle. The Engineer has designed a level access transition and indicated that approximately 80 vehicles might be accommodated on the grass. Total site parking, including grassed overflow potentially equals 148 spaces.

Trash pick-up is on-site with no commercial dumpsters planned. A screened pad for trash receptacles is proposed at the far end of the southern parking lot.

Water and sewer will be provided via a private well and septic system. The building will need to be equipped with an automatic sprinkler system to comply with Fire Protection. Fire Protection Review has suggested depicting a reserved area for the tank on the plans.

The building elevations are included on sheets 3 and 4 of the concept site plan. The building profile is low and long, 86'-0" x 232'-0" with a centered second story measuring approximately 43'-0" x 176'-0". Clerestory windows punctuate the second floor elevations. One cupola and two alternate cupolas adorn the roof. Exterior building materials include white vertical steel siding, blue metal posts, gray stone veneer, and a blue metal standing seam roof.

No commercial lighting is proposed for the site; only building-mounted lighting. The playing field will not be lit. A 9-foot by 4-foot unlit monument sign is proposed at the entry drive. Materials include gray stone veneer and masonry caps, and blue lettering on a white background.

On October 13, 2015, the Design and Architectural Review Committee (DARC), an advisory group, met to review the project. Comments and suggestions include:

1. The overall building orientation, long elevations facing east and west, does not consider passive heating and cooling opportunities. Orienting the long elevation towards the south instead would provide relief from the high summer sun and capture rays of the low winter sun. Conversely, the orientation depicted may excessively heat the building.
2. The striped pedestrian crossing at the south parking lot directs pedestrians toward the playing field, across a swale. Consider a bridge over the swale or an alternate route.
3. Does the walkway around the perimeter of the building permit an accessible path of travel when the egress doors are open at a ninety degree angle?
4. Parking lot landscaping may need to be increased. Verify with Landscape Review.

The Bureau of Resource Management has granted concept Stormwater Management (SWM) approval. SWM will be addressed through grass swales, downspout and non-downspout disconnects, and infiltration facilities. Forest Conservation for this parcel was previously addressed under the approved forest conservation plan for the Lynn property. The site will need to comply with the Landscape Manual. A plan must be submitted showing existing, live landscape plants and additional proposed landscaping.

The final site plan will be tested and reviewed for conformity with Chapter 156 of the Code of Public Laws and Ordinances of Carroll County Maryland: Adequate Public Facilities and Concurrency Management.

Discussion:

Chair Helminiak noted that the biggest issue from the staff report is how the facility will handle the traffic flow during drop off and pick up. He asked how many vehicles would be involved.

Scott Lynn, North Carroll Community School, indicated 40-50 cars are involved in drop off and pick up.

John Lemmerman, RTF Associates, noted that should the drop off system become an issue, the school could stagger their times by grade.

Richard Soisson, Commission member, asked whether the developer would be addressing any of the suggestions from DARC.

Mr. Lemmerman responded that the building location could not be changed due to septic location, building size, and topography. He noted that the bridge area and walkway will be considered during the final construction phase.

Alec Yeo, Commission member, cautioned the developer about their dependence on the grassy area as overflow parking for events in snowy and muddy conditions when it would become unusable.

There were no public comments.

(Mr. Hoff re-entered the meeting.)

B. S-15-0015, MILLER ASPHALT PLANT – FINKSBURG (5TH AMENDED SITE PLAN)

LOCATION: East side of Dede Rd, 4th ED

OWNER: CJ Miller, LLC, Members: Charles J. Miller, III and William Miller, 3514 Basler Rd. Hampstead MD 21074

DEVELOPER: CJ Miller, LLC, c/o Billy Miller, 3514 Basler Rd., Hampstead MD 21074

ENGINEER: D.R.S. & Associates, 52 Winters Street, Westminster MD 21157

ZONING: Industrial-Restricted
ACREAGE: 21.28 acres
WATERSHED: Liberty Reservoir
MASTER PLAN: Designated Growth Area (Finksburg)
LAND USE: Industrial
PRIORITY
FUNDING AREA: Inside
FIRE DISTRICT: Reese

Price Wagoner presented the background.

Action Required:

This plan is before the Planning and Zoning Commission for concept review of an amended site development plan. No action is required.

Existing Conditions:

The property is located on the east side of Dede Road, North of MD Rte.140 with direct access to Dede Road. The property consists of existing structures and materials pertaining to asphalt products and production. The adjoining properties to the north consist of Boobut LLC (Industrial-Restricted) and the William S. and Suellen W. Kaltenbacher Trustee (Conservation). The properties to the east are Triple M LLC (Industrial-Restricted) and Carroll Land LLC (Business-General), adjoining properties to the south include Dede World LLC (Business-General) and Watts Center LLC (Industrial-Restricted). The properties across Dede Road are both zoned Industrial-Restricted. The site has two (2) existing asphalt plants online, with Plant #2 being replaced by this amended site plan.

Site History:

Charles J Miller Realty, Inc. purchased 15.24 ac(s) in 1975 and purchased an additional 6.04 ac(s) in 1980 totaling 21.28 ac(s). The original site development plan for Miller Asphalt-Finksburg was approved in 1979. In 1990 a 2nd amended site plan was approved for the relocation and resizing of the two sand and dust buildings. In 1991, a 3rd amended site plan was approved for the addition of a conveyor, scale and storage bins for plant #1. In 2013, a 4th amended site plan was approved which added a truck terminal facility.

Site Plan Review:

Plant # 2 is being modernized in order to produce asphalt meeting the State of Maryland's specifications. A concept plan (5th Amended) for the modernization of Plant # 2 as submitted to the Bureau of Development Review. The developer plans to remove an existing concrete pad, retaining wall, curbing and transformer associated with Plant # 2. Also part of the demolition

plan is the removal of the existing cold feeder bins, conveyor system, control house, bag house, dryer and batch tower, scales and silos and the underground asphalt tank.

The concept plan proposes the installation of new cold feeder and fine rap bins, new bag house with power center and silo. There will also be a new asphalt storage facility with containment wall, new drum assembly, control center, silos and scales complete the proposed structures. The site leading up to the to the fine rap bins will have a new retaining wall along with new type A curb and gutter, a 15 foot concrete apron and new paving. The new equipment will be set onto and secured to new concrete footings. Total developed area of these improvements is 32,617 square feet.

Access to the site is through an existing entrance from Dede Road a County maintained road. There will be no new traffic generated by the modernization of plant # 2.

To meet the requirements of the Forest Conservation Ordinance, the developer will purchase into a Forest Conservation Bank. Since the work to be done is internal of the site, landscaping is not required.

Concept approval of the plan was granted for Storm Water Management. Water quality for the redeveloped area will be provided in pond two (2) with volumes provided for future redevelopment.

The site is subject to the requirements of Grading and Sediment Control. Water Resource Management recommends approval of the proposed plan as presented.

The concept site plan was subject to citizen involvement at the Technical Review Committee meeting on Monday, October 26, 2015. No citizens were in attendance at that meeting. No written comments have been received. Development Review did receive an inquiry from an adjoining residential property owner pertaining to noise levels.

The maximum allowable sound level, measured at the property line of the receiving land use, is 65 dBA during the day and 55 dBA at night. Plant # 2's sound level will be 65 dBA at a measurement of 150 feet. The property line, nearest the residential dwelling, of the receiving land use is 800' +/-.

Action Requested:

No action is required, however, in accordance with the adopted Administrative Rules, the Commission can authorize the Chair to approve an amended site plan on behalf of the full Commission.

Discussion:

Chair Helminiak asked about the noise from the fan.

Billy Miller, Miller Asphalt, indicated the noise from the new fan should be about half of that from the current fan.

Daniel E. Hoff, Commission member, asked about the history of the monitoring wells.

Mr. Miller explained that the monitoring wells were required by Maryland Department of the Environment (MDE) in the early 1980s when the plant burned dirty dirt from gas stations. The plant has not been involved in that practice for 15 years. The MDE requirement for the monitoring wells ended 10 years ago. The wells were recently closed.

There were no public comments.

Decision:

The Commission, on motion of Mr. Hoff, seconded by Mr. Canale, and carried (Commissioner Rothschild abstained), delegated approval authority of the amended site plan to the Commission Chair.

FINAL SITE PLAN REVIEW

A. S-14-0026, Gerstell Academy Phase 5, Alumni House & Storage Shed

A. S-14-0026, GERSTELL ACADEMY PHASE 5, ALUMNI HOUSE & STORAGE SHED

LOCATION: North side of Baltimore Boulevard (MD Route 140) at Brown Road

OWNER: The Freven Foundation, LLC, 10706 Beaverdam Road, 5th Floor Sinclair Building, Cockeysville, MD 21030 (LLC Members: List Attached)

DEVELOPER: Same as Owner

ENGINEER: Site Design Concepts, 127 West Market Street, Suite 200, York, PA 17401

ZONING: R-40,000 & Conservation

ACREAGE: 92.869 acres

WATERSHED: Liberty Reservoir

FIRE DISTRICT: Reese

MASTER PLAN: Residential – Low Density

PRIORITY

FUNDING AREA: Outside

DESIGNATED

GROWTH AREA: Outside

Laura Matyas presented the background.

Action Required:

The site plan is before the Planning and Zoning Commission per Chapter 155 of the Code of Public Local Laws and Ordinances of Carroll County for consideration and approval.

Existing Conditions:

The 92.869-acre subject property hosts Gerstell Academy, a private K-12 school with a current enrollment of 345 students. A Campus Master Plan was approved by the Planning and Zoning Commission on March 7, 2001. Since then, multiple components of that plan have been realized through four phases of site development plans. Phase 1 included an administration office and classroom building, parking lots and inner-campus drives, tennis and basketball courts, and athletic fields. Phase 2 approved an athletic facility. With Phase 3, a dining hall was approved. The track and field facility was developed with Phase 4. Forest conservation and stormwater management requirements were addressed with the overall campus plan in 2001. Forest conservation easements exist on site as well as private stormwater management facilities.

Access is from Old Westminster Pike with separate entry and exit points and an alternate access exists at Brown Road south of Arabian Drive. A locked gate currently secures the Brown Road access point. An emergency entry key firebox with gate key and lift gate pass will be provided on the gate for Emergency Services. The rear of the lot hosts a forest as well as floodplain associated with the stream on the adjoining properties.

The property is outside of priority funding areas, designated growth areas, and water and sewer service areas. It has an extensive, existing private water and sewer system.

Adjoining properties to the west, east, and south are zoned R-20,000 with Todd Village Mobile Home Park to the east, Hillendale Mobile Home Park to the south across Baltimore Boulevard, and an established low density, single-family residential neighborhood to the west. The Freven Foundation owns a 97-acre adjoining property to the east in the Conservation Zoning District. Additional single-family residences on Conservation-zoned lots exist to the west and north of the subject property.

Plan Review:

The developer proposes to build a 12,700 square-foot, one-story building to accommodate alumni services including a conference center, bookstore, gathering hall, offices, a kitchen, and a lounge. A 2,880 square-foot patio on the east side of the building connects directly to the conference center. Also proposed is a 5,000 square-foot, one-story, 25-foot high, metal storage building in the Conservation-zoned area of the campus. It is proposed to have multiple overhead doors with a thru-access drive.

Required parking for the site calculates to 87 spaces based on current enrollment and 465 stalls exist. While Gerstell Academy projects their enrollment to increase, no new parking spaces are necessitated or proposed with this phase of development. Albeit, existing spaces will be converted to create handicap parking spaces to serve Alumni House visitors, yielding a campus total of 459 total spaces after the conversion.

With the existing parking lot nearest the Alumni House approximately nine feet higher in elevation than the building, both a stair and an accessible ramp are proposed. Site Compliance Review has approved the plan as being in compliance with the Maryland Accessibility Code, but noted that the slopes on the accessible route are close to or at the maximum permitted by the standard leaving little room for tolerance in construction. Each path of travel will cross the existing access drive and converge at a western patio entry to the building. A vehicular drop-off is proposed at the south side of the Alumni House with an accessible route provided.

The proposed land use is consistent with the 2014 Carroll County Master Plan land use designation of Low Density Residential. The Plan dictates that properties designated as Low Density Residential are utilized for residential development with lot sizes of approximately one acre. As the Master Plan informs the zoning and schools are a principal permitted use in the R-40,000 Zoning District, the land use designation should be found to be consistent with the comprehensive plan.

A landscaping screen is provided between the storage shed and Brown Road to address Landscaping requirements. Forest conservation was addressed with the campus plan. Overall stormwater capacity was calculated with the initial campus plan and stormwater management for the current development will tie into the existing system. The project is exempt from the Water Resources and Floodplain Codes.

For Fire Protection, the Alumni House will have an internal fire suppression system and a fire hydrant exists on the subject property. The Maryland Department of the Environment (MDE) has notified the Health Department that the existing wastewater treatment system, designed to serve a greater capacity than currently exists, must undergo modifications to be in compliance with their requirements. The Health Department has notified the Owner / Developer that their issuance of building permits will be conditional upon notification from MDE that the wastewater treatment system is in compliance with all requirements.

Elevations are shown on sheets 14 and 15 of the plan set with renderings shown on sheet 11. With red brick facades, beige cast stone details, a pediment element, and red brick patio pavers, the Alumni House design compliments the campus aesthetic. Situated in a densely forested area, the storage shed elevations propose brown metal siding and a brown metal roof. New lighting includes twenty-two decorative pole-mounted fixtures at fourteen feet above finished grade. No new signage is proposed.

In response to the Design and Architectural Review Committee's suggestions, the Owner / Developer added 4 pole-mounted light fixtures at the eastern patio, a walkway adjoining and parallel to the parking lot at the handicap stalls to provide a safe and accessible route to the ramp, a cutout for accessibility at the front curb at the vehicular drop-off, and a wider apron at the access drive to the storage building.

The proposed site plan was subject to Citizen Involvement during the February 23, 2015 Technical Review Committee meeting. There were no citizens who spoke at the meeting and no written comments were forwarded to the Bureau of Development Review.

A concept site development plan for the subject property was reviewed by the Planning and Zoning Commission on March 17, 2015. The meeting minutes are attached.

Recommendations:

Pursuant to Chapter 155, staff recommends approval of the site development plan subject to the following conditions:

1. That the Developer enters into a Public Works Agreement with Carroll County that guarantees completion of the improvements.
2. That a Stormwater Management Easement and Maintenance Agreement be granted to the County Commissioners of Carroll County as an easement of access to the County Commissioners or authorized representatives by a deed to be recorded simultaneously with the Public Works Agreement.
3. That a Landscape Maintenance Agreement be recorded simultaneously with the Public Works Agreement.
4. That any changes to this plan will require an amended site development plan to be approved by the Carroll County Planning and Zoning Commission.

Discussion:

Daniel E. Hoff, Commission member, questioned why two of the windows on the front elevation would be fake rather than real windows.

Dr. Frederick Smith, Gerstell Academy, indicated that each building contains two bronze plaques, and they will be placed in those locations.

There were no public comments.

Decision:

In accordance with Chapter 155, the Commission, on motion of Mr. Hoff, seconded by Mr. Soisson, and carried (Commissioner Rothschild abstained), approved the final site plan with the four conditions outlined in the staff report.

CONCEPT SUBDIVISION PLAN REVIEW

A. P-15-0001, Long Reach Farm, Resubdivision of Lot 19

A. P-15-0001, LONG REACH FARM, RESUBDIVISION OF LOT 19

LOCATION: South side of Liberty Road, 1000 feet east of Klees Mill Road, 14th ED

OWNER: Long Reach Farms, Inc., 129 Liberty Road, Sykesville, MD 21784

DEVELOPER: Long Reach Farms, Inc., 129 Liberty Road, Sykesville, MD 21784

ENGINEER: CLSI, 439 East Main Street, Westminster, MD 21157

ZONING: Business Neighborhood Retail (B-NR)/Conservation

ACREAGE: 25.6 acres

WATERSHED: South Branch Patapsco

MASTER PLAN: Freedom Plan

DESIGNATED
LAND USE: Conservation

PRIORITY
FUNDING AREA: Outside

DESIGNATED
GROWTH AREA: Freedom

FIRE DISTRICT: Winfield

Clayton R. Black presented the background.

Action Required:

This plan is before the Planning and Zoning Commission for concept review of a resubdivision of Lot 19. No action is requested or required.

Existing Conditions:

The property is located between the south side of MD Route 26 (Liberty Road) and North side of Rhonda Road. This 25 acre lot was created as part of the Long Reach Farm subdivision and is identified as lot 19, recorded in Plat Book 52 Pages 192-196 (attached). Lot 19 contains a 100 year Floodplain easement, Forest Conservation Easement and a Forested Water Resource Protection Easement. A residence with several outbuildings, served by private well and septic system is located on the property. Two existing driveway entrances to Liberty Road provide access.

The property is comprised of two zoning districts; Conservation and B-NR. The properties to the south are zoned Conservation and contain newly constructed single-family residential dwelling units on private well and septic systems. The adjacent property to the east is also zoned Conservation and contains a residence with numerous farm buildings. The adjacent property to the west is zoned Business General and is comprised of several businesses. Properties to the north (opposite side of Liberty Road) are zoned Agricultural and B-NR. The Agricultural zoned properties are a mix of existing residences and Century High School. The B-NR property has an approved site plan (44 Liberty Road).

The property owner submitted a rezoning request which was introduced to the Planning and Zoning Commission on August 7, 2013 and a full staff report was given on September 17, 2013. Following review, the Planning and Zoning Commission voted to approve the requested rezoning petition and unanimously approved a motion to forward the request to the Board of

County Commissioners with a favorable recommendation. In accordance with Section 4-203 of the Land Use Article of the Annotated Code of Maryland, a Public Hearing was scheduled before the Board. The Board held a public hearing on November 21, 2013. On December 5, 2013 the Board unanimously approved the rezoning request with a written decision to follow. Future lot 20 is the area that was rezoned from Conservation to Business Neighborhood Retail.

Subdivision Plan Review:

A concept plan for the resubdivision of lot 19, Long Reach Farm, was submitted on January 26, 2015 to the Bureau of Development Review. The developer plans to divide the existing 25 acre lot into two lots. Lot 19A will retain the existing structures and be comprised of 19 acres. The previously recorded easements will be located on proposed 19A. Lot 20 will be comprised of 6.6 acres fully situated in the area that was rezoned.

The concept site plan was subject to citizen involvement at the February 23, 2015 Technical Review Committee meeting. One citizen was in attendance at that meeting and has submitted written comments (attached).

The plan identifies a structure that meets all zoning setbacks. To receive Health Department approval, the lot must demonstrate it is buildable. In accordance with § 158.077 “B-NR” NEIGHBORHOOD RETAIL BUSINESS DISTRICT of the Carroll County Code of Public Local Laws, a single family dwelling is a principal permitted use. Construction of a single-family dwelling does not require site plan approval.

Although a subdivision plan was submitted and is currently in the review process, no site plan has been submitted. In accordance with § 155.059 SITE PLAN REQUIREMENTS of the Code, a site plan will be required for any non-residential development. The site plan will require Planning and Zoning Commission approval. A note stating that requirement will occur on the final plat and be included as a condition of final approval.

On October 16, 2015 State Highway Administration gave approval to the concept plan; however, upon submittal of a site plan for the commercial development of lot 20, SHA reserves the right to request additional access through adjoining properties. Additionally, any future development proposal for lot 20 may be subject to a traffic study and roadway improvements.

Forest Conservation was previously addressed through the subdivision of the entire property. Landscaping will be addressed with site plan submittal. Concept Storm Water Management approval was granted. The plan does not impact the recorded Water Resource Protection easement or the Floodplain easement.

Action Requested:

No action is required.

Discussion:

Linda Alexander, CLSI, requested that the Commission allow the preliminary and final subdivision plan approvals to be pursued as one.

There were no public comments.

It was the consensus of the Commission to allow the preliminary and final subdivision plans to come before the Commission at the same time.

FREEDOM PLAN WORK SESSION

Consideration of Concurrency: Element 4

The Commission, on motion of Mr. Soisson, seconded by Ms. Cheatwood, and carried, gave a finding of Concurrency with regard to Element 4.

Checkpoint: Element 5

Ms. Cheatwood asked whether the “Lifelong Community” mentioned on page 11 is a County concept or a guidebook that is not specific to our area. She noted that staff had spent a great deal of time over the years researching what the community wants in terms of goals and visions and suggested that data would be better utilized here. Ms. Cheatwood indicated that the chapter suggests the need to attract younger families, but there is no analysis as to whether land is available for this to happen.

The Commission discussed this issue. Ms. Eisenberg indicated this will be reviewed in the Land Use Chapter.

Public Comment: Elements 1-3

Secretary Hager indicated that no comments have been received by staff with regards to Elements 1-3. He asked that the Commission “endorse” the elements which will be brought back for any necessary changes when the final document is assembled.

Arla Ely, Eldersburg, asked how “households” were defined in the Plan.

Secretary Hager stated that a “household” is an occupied dwelling unit. He noted that the Plan utilizes the Census Bureau definition which is all persons living at an address.

Ms. Ely urged the Commission to keep in mind the 20 percent of the households that earn less than \$50,000 when housing issues are discussed. She asked about the difference between the Freedom Area Boundary and the Designated Growth Area and whether the area the Plan covers was changing.

Ms. Eisenberg explained that the Freedom Area contains a lot of protected/preserved lands like Patapsco State Park. There has been discussion about the Plan focusing on the area we can actually grow and develop and not the entire Freedom Area. Staff will be coming back to the Commission in the future for further discussion.

PC Consideration of Endorsement: Elements 1-3

The Commission, on motion of Mr. Soisson, seconded by Mr. Yeo, and carried (Commissioner Rothschild abstained), “Endorsed” Elements 1, 2, and 3 of the Freedom Plan.

PUBLIC COMMENTS

There were no public comments.

The next Commission meeting is scheduled for Wednesday, December 2, 2015 at 6:00 p.m. The Commission adjourned at 12:40 p.m. on motion of Mr. Soisson, seconded by Mr. Yeo, and carried.

Secretary

Approved