

**OFFICIAL MINUTES**  
**Carroll County Planning and Zoning Commission**

**April 15, 2014**

Location: Carroll County Office Building

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

Members Absent: Alec Yeo, Chairman  
Eugene A. Canale

Present with the Commission were the following persons: Philip R. Hager, Mike Roberts, and Kelly Martin, Department of Land Use, Planning, and Development; Lynda Eisenberg, Bureau of Comprehensive Planning; Clay Black, Patrick Varga, Laura Matyas, and John Breeding, Bureau of Development Review; Jonathan Bowman, Bureau of Resource Management; Jay Voight, Zoning Administration; Scott Campbell, Office of Public Safety; Melissa Appler, Maryland Department of Planning; Dave Beall; Marty Hackett; Dixon Harvey; John Dirndorfer; Mike Trenery; David K. Bowersox; Garnet Bean; Scott Biddle; and Herberto Alanis.

**CALL TO ORDER/WELCOME**

Vice Chair Soisson called the meeting to order at approximately 9:15 a.m.

**ESTABLISHMENT OF QUORUM**

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

**PLEDGE OF ALLEGIANCE**

**OPENING REMARKS/ADMINISTRATIVE MATTERS**

Philip R. Hager, Secretary, asked that the Commission remove Item 13, Proposed Text Amendments – Solar Farms, from the agenda. At the last meeting, the Commission had finalized a concept plan. Staff was to discuss a legislative mark up at today's meeting. Mr. Hager noted that he had just received additional information regarding definitions that he would like to review prior to presenting to the Commission. Mr. Hager also suggested that if Item 12 is finished prior to 11:30, that the Commission continue meeting with Item 15 prior to recessing for lunch.

**REVIEW AND APPROVAL OF AGENDA**

The Commission, on motion of Mr. Helminiak, seconded by Mr. Wothers, and unanimously carried, approved the agenda with the elimination of Item 13.

## **REVIEW AND APPROVAL OF MINUTES**

- A. March 5, 2014
- B. March 18, 2014
- C. April 2, 2014

The minutes of March 5, 2014, March 18, 2014, and April 2, 2014, were approved as written on motion of Mr. Helminiak, seconded by Mr. Wothers, and carried.

## **COMMISSION MEMBER REPORTS**

- A. Commission Chairman

### **A. COMMISSION CHAIRMAN**

Vice Chair Soisson, sitting as Chair, indicated he had nothing to report.

## **DEPARTMENT OF LAND USE, PLANNING & DEVELOPMENT STAFF REPORTS**

- A. Director

### **A. DIRECTOR**

Philip R. Hager, Director, reported that five development extensions had been granted since the last meeting: a third one-year extension for the minor subdivision plan of Walkerwood Estates, one lot and a remaining portion located in the agricultural district in the Manchester area; a third one-year extension for the subdivision plan of Vista Green, 12 lots located on the terminus of Bluebird Drive in the New Windsor area; a fourth one-year extension for the site plan of Crossroads Automotive Service Center, located in the Finksburg area; a second one-year extension for the minor subdivision plan of Coffman Acres, two lots located in the Union Bridge area; and a third one-year extension for the minor subdivision plan of Orchard View Estates 2, three lots located in the Manchester area.

Mr. Hager reported that staff provided comments to the Board of Zoning Appeals (BZA) on three BZA cases: BZA Case No. 5748, Jay and Virginia Baker, request for a conditional use for the modification of a previously authorized conditional use (BZA Case No. 5571) to also now include a country inn on a 17.78 acre property located at 1550 Old Westminster Road, Westminster, within the County's Agricultural zone; BZA Case No. 5749, Phil Gruewtzel, Jr., request for a conditional use for a fitness training studio on a 1.72 acre property located at 100 Railroad Avenue (Unit 103), Westminster, within the County's General Industrial zone; and BZA Case No. 5750, William and Brenda Rash, request for a conditional use and variance for a contractor's equipment storage yard for a tree removal and related excavating business on a 17 acre property located at 5514 Old Washington Road, Sykesville, within the County's Agricultural zone.

With regard to the Lehigh project, Mr. Hager indicated that the Commission will be reviewing the quarry expansion at a separate meeting from the conveyor system. This is being proposed to facilitate the review of those two plans while ensuring that the Commission is able to attend to other business items.

**CONCEPT SITE PLAN REVIEW**

- A. S-14-005, Cherrytown Chicken, Amended Site Plan
- B. S-13-016, The Winery, Country Inn, and Farm at Cold Saturday

**A. S-14-005, CHERRYTOWN CHICKEN, AMENDED SITE PLAN**

LOCATION: On the south side of Cherrytown Road, east of MD Rt. 97, 3<sup>rd</sup> Election District

OWNER: David W. Beall, 1211 Cherrytown Road, Westminster, MD 21157

LESSEE: Motorola Solutions, Inc., c/o Kevin Lenehan, 1303 E. Algonquin Road, Schaumburg, IL 60196

DEVELOPER: Carroll County Office of Public Safety, c/o Scott Campbell, 225 North Center Street, Room 023, Westminster, MD 21157

ENGINEER: Carroll County Department of Public Works, c/o Richard Krebs, 225 North Center Street, Room 219, Westminster, MD 21157

ZONING: A – Agriculture

ACREAGE: 10.25 Acres (Approximately 1,200 square feet on the plan)

FIRE DISTRICT: Pleasant Valley

WATERSHED: Double Pipe Creek

MASTER PLAN: Agriculture

**PRIORITY**

FUNDING AREA: Outside

**DESIGNATED**

GROWTH AREA: Outside

Patrick Varga presented the background.

Action Required:

The plan is before the Planning and Zoning Commission per Section 103-19 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 subject property is improved with a cell tower, a single-family home and several buildings that in the past were used for raising chickens. In 1999, the Board of Zoning Appeals approved a conditional use request for a 250-foot-high tower at the location as shown on the site development plan. Attached is a copy of the decision (Case #4417). A site plan for a 250-foot high cell tower was approved by the Planning and Zoning Commission in 2000 and the tower was built in 2001. The original plan showed a compound that was 50' by 50' in size. The compound was expanded by a 20' by 50' area by another cell carrier. All adjoining properties are zoned Agriculture except a split-zoned property to the southwest which is zoned "BG" and "A". Properties to the east and west are unimproved. Two homes exist immediately to the north and a large field is to the south. All adjoining properties are served by private wells and private septic systems.

#### Site Plan Review:

The developer proposes to construct a 10'6" by 11'8" shelter for equipment inside of an enclosed 20' x 50' compound expansion. A generator will also be installed. Additional antennae will be mounted onto the tower for emergency services communication. The site is unmanned and will be infrequently visited for routine maintenance. Access to the compound is shown over a recorded right-of-way through the property. There are no proposed changes to the entrance or driveway. The proposed use is consistent with the designation of Agriculture in the 2000 Carroll County Master Plan.

Based on the initial submission, the plan is exempt from the requirements of the Forest Conservation Ordinance and Stormwater Management Ordinance. A grading plan will be required for final plan approval. A chain-link fence will be constructed to enclose the expanded compound area and will match the existing fence, however, no landscaping is required.

The proposed site plan was subject to Citizen's Involvement during the March 24, 2014 Technical Review Committee meeting. One citizen spoke at the meeting and requested confirmation that the owner was not planning on raising chickens on the site. This office has received several phone calls asking for clarification on the use of the site with regard to the chicken farm.

The property is not subject to the provisions of Concurrency Management, Chapter 71 of the Code of Public Local Laws and Ordinances of Carroll County; however, the project will be tested for Adequate Public Facilities before the site plan is presented to the Planning Commission for approval.

As this is an amended site plan, the Commission may delegate approval authority to the Chairman upon receipt of all agency approvals.

#### Discussion:

Vice Chair Soisson questioned the need for such a large expansion of the facility.

Scott Campbell, Office of Public Safety, explained that Motorola had proposed the size necessary for the project to meet the County's needs.

Philip R. Hager, Secretary, noted that because of the site's topography, there is very little visibility from surrounding areas.

Mr. Varga explained that because the project is an amended site plan, the Commission has the ability to delegate approval authority to the Chairman.

It was the consensus of the Commission to delegate authority to Chairman Yeo to sign the final approval of the amended site plan.

**B. S-13-016, THE WINERY, COUNTRY INN, AND FARM AT COLD SATURDAY**

LOCATION: East side of Gamber Road (MD Rt. 91), north of Preserve Drive, E.D. 4.

OWNER: Scarlett and Garnet Bean, 3251 Gamber Road, Finksburg, MD 21048

DEVELOPER: Same as Owner

ENGINEER: Development Design Consultants, Inc., 192 East Main Street,  
Westminster, Maryland 21157

ZONING: Conservation

ACREAGE: 44.68 Acres

FIRE DISTRICT: Gamber

WATERSHED: Liberty Reservoir

MASTER PLAN: Private Conservation

**PRIORITY**

FUNDING AREA: Outside

**DESIGNATED**

GROWTH AREA: Outside

Patrick Varga presented the background.

**Action Required:**

The plan is before the Planning and Zoning Commission per Section 103.19 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 subject property is Lot 1A of Bean's Estate (Plat Book 38, Page 120) and other lands not shown as part of that development. The current record plat is attached. The subject property is improved with three houses, a log cabin, and several sheds, barns, and accessory structures. Per

the National Register of Historic Places, the large stone house and several other structures were listed on the tax rolls by 1804, and many others were built over the course of the succeeding century. The documentation for this property describes its historical significance based on the federal architecture and an “extensive complement of outbuildings (that) spans 150 years of agricultural use and demonstrates the owner’s evolving pursuits.”

The property is comprised of rolling hills and a stream runs through the eastern portion. A road also runs from the northwest corner of the property by the houses on the site and crosses the stream and exits onto Cold Saturday Drive.

All surrounding properties are zoned Conservation. Single-family homes are located to the north in the Cold Saturday subdivision and single-family homes are located to the south in the Bean’s Estate, The Preserve of Cold Saturday subdivision. The subject property and all adjoining properties are served by private wells and private septic systems.

#### Site Plan Review:

The developer applied for a conditional use request for a winery and country inn in 2013. The Board of Zoning Appeals approved the use and the decision is attached. The Bureau of Comprehensive Planning as part of the conditional use process indicated that this use is compatible with the vision and goals for the area. The proposed use is consistent with the designation of Private Conservation in the 1981 Comprehensive Plan for the Finksburg Area and Environs.

The owner proposes to develop the property using several of the existing structures on the site. Approximately five acres of the property will be planted in vineyard. The existing stone house would be utilized as the country inn and the six bedrooms would be available for use. Parking is provided to the west and northwest of the house and a drop-off area is located immediately west of the structure. The owner has indicated that they would like to highlight the rich history of the property through this business venture and have elected to develop the property in a manner as to limit the impact to the property and adjoining property owners.

The largest barn on the property will be used for wine tasting and events. A 550 square-foot addition will be constructed as the front entrance of the wine tasting and event building. Eleven parking spaces and two accessible spaces are located at the front of the structure. A sidewalk will be installed to provide an accessible route to the entrance.

Lot 1A will need to be amended as stormwater management and parking requirements are shown on both properties.

Based on the number of bedrooms of the country inn (6) and the capacity of the barn (270) for events, six parking spaces are required for the inn, thirteen spaces are required for the winery, and ninety spaces are required for the banquet facility. Twenty-three standard spaces are shown and three accessible spaces are shown. This plan shows a 36,000 square-foot area in a field to the east of the banquet facility to accommodate overflow parking, which does not meet the code requirement of a durable and dustless surface for parking areas. A previous discussion on parking at wineries in March of 2014 was with regard to overflow parking that was above and beyond the minimum parking required on the site. The Bureau of Development Review has commented that the parking requirement has not been met but would like guidance on this issue.

A level spreader will convey stormwater to the stream on the property. The project will be exempt from the requirements of Forest Conservation upon confirmation from the applicant that the disturbance is under the minimum threshold of 40,000 square feet. There are no requirements to address for floodplain or water resources.

The proposed site plan was subject to Citizen's Involvement. A Public meeting was held on March 24, 2014 during regularly scheduled meetings of the Technical Review Committee (TRC). There were no citizens present for this plan. This office has received several phone calls regarding this project to discuss hours of operation and the noise ordinance, which is enforced by the Carroll County Sheriff's Office.

Discussion:

Garnet Bean, owner, discussed the current parking situation with the Commission.

Vice Chair Soisson questioned whether the developer anticipated requesting a waiver to keep the parking as it currently exists.

Mr. Bean indicated that was correct, noting that they are trying to maintain a farming atmosphere.

Matthew Helminiak, Commission member, questioned what materials are allowed for the parking area.

Mr. Varga reviewed a list of materials, including: gravel, paving grids, and porous paving.

Daniel Hoff, Commission member, noted that 90 spaces are required and only 33 are shown. He indicated he would be comfortable waiving some, but not all of the required spaces.

The Commission discussed with the applicant how parking is currently handled for larger events.

Mr. Varga noted that staff supports a reduction in the parking requirement, but is seeking direction from the Commission.

Mr. Hoff suggested that the staff and developer work together on a compromise, perhaps limiting the capacity at this time.

Mr. Helminiak noted that for larger events, there will be caterers, workers, etc., in addition to the 270 guests.

Mr. Bean explained that the caterers and workers would park in another area of the farm.

Vice Chair Soisson stated that the Commission would be more comfortable with staff and the developer coming up with a plan to provide additional parking spaces. He noted that he felt this was a great idea to utilize the facility in this way.

**SPECIAL REPORT**

A. F-08-008, Pinewood

**A. F-08-008, PINEWOOD**

LOCATION: Pinewood Court, Southwest side of Pine Knob Road, E.D. 05

OWNER: PI Development Corporation, 94 Tira Court, Eldersburg, MD 21784  
lots 1-3, 5-8

DEVELOPER: PI Development Corporation, 94 Tira Court, Eldersburg, MD 21784

ENGINEER: CLSI, 439 East Main Street, Westminster, MD 21158

NO. OF LOTS: 8 existing

DESIGNATED  
GROWTH AREA: Westminster

Clay Black presented the background.

Action Required:

The developer requests that the Planning Commission allow for a reduction of the number of street trees required.

Background:

Pinewood was approved by the Carroll County Planning and Zoning Commission at the November 20, 2007 meeting and subsequently recorded on March 7, 2013 in Plat Book 53 Pages 34-36. At the time of approval, compliance with the landscape ordinance required 49 street trees being placed along the subdivision street.

In May of 2011, Chapter 134 – Landscape Enhancement of Development was amended. The amendments included the removal of the street tree requirement. At the March 20, 2012 meeting, the Planning Commission voted to allow an administrative reduction of up to one-third of the street tree planting units on an approved preliminary plan. Any reduction beyond one-third would have to be approved by the Planning and Zoning Commission.

Attached is a sketch, provided by CLSI, which shows the street trees and the limits of proposed clearing of the existing woods. The Forest Conservation Plan (FCP), approved October 16, 2012, shows a larger number of the trees being cleared. The developer has purchased bank credits to remove all the trees noted on the approved FCP. The developer has requested time with the Commission to discuss a reduction of the landscape requirements greater than the 33% staff allowance.

Attached are copies of the record plat, approved landscaping plan, and approved FCP.



**Discussion:**

Mr. Black explained that the developer is requesting a greater than one-third reduction in street trees as required on the approved plan.

Marty Hackett, CLSI, noted that the forest conservation plan for the property allows it to be cleared. Property owners need to have the right to clear the entire septic area in the event they need a reserve area. He suggested that most people buy wooded lots for the trees, and the lots would most likely not be cleared. Mr. Hackett explained that the proposed trees will be located five feet from existing mature trees, hundreds of which will be left on the property. He noted that money was paid by the developer for forest banking. Mr. Hackett requested that no street trees be required to be planted for the project.

Scott Biddle, Lot 4, agreed with Mr. Hackett that there are a lot of trees remaining on the property. He requested that a portion of the required trees be retained to provide screening around the stormwater management area.

Mr. Hackett indicated that he would have the developer contact Mr. Biddle about providing shrubs and other screening. No trees are allowed on the stormwater management ponds.

Jonathan Bowman, Forest Conservation Specialist, reminded the Commission that the Forest Conservation Plan is what is enforceable by the County's Codes. If landscaping is not memorialized on the conservation plan, there is no assurance that it will not be removed. Mr. Bowman noted that most of the trees on the plan are major trees. He suggested that minor trees (25-30 feet in height at maturity) be incorporated as street trees, so as not to interfere with the existing trees. Mr. Bowman noted that the Commission chose a 33 percent reduction of street trees for a previous plan. That amount was chosen so as not to undo the landscaping of the streets.

Mr. Hackett noted that the previous project reduced to 33 percent by the Commission was on property without trees; this is a wooded area. He reminded the Commission that if the plan was approved today, there would be no requirement for street trees.

The Commission discussed the types and number of mature trees already located on the property.

**Decision:**

The Commission, on motion of Mr. Helminiak, seconded by Mr. Wothers, and unanimously carried, approved the elimination of the street trees requirement for the Pinewood landscaping plan.

**FINAL SITE PLAN REVIEW**

A. S-14-002, Eldersburg Commons, Amended Site Plan

**A. S-14-002, ELDERSBURG COMMONS, AMENDED SITE PLAN**

LOCATION: South side of Liberty Road (MD Rt. 26), between West Hemlock Drive and Ridge Road, E.D. 5

OWNER: Eldersburg Sustainable Redevelopment, LLC, 10055 Red Run Blvd., Suite 130, Owings Mills, MD 21117 (Managing Member: Dixon Harvey)

DEVELOPER: Black Oak Associates, 10055 Red Run Blvd., Suite 130, Owings Mills, MD 21117

ENGINEER: Development Design Consultants, Inc., 192 East Main Street, Westminster, Maryland 21157

ZONING: BG – General Business

ACREAGE: 29.78 Acres

FIRE DISTRICT: Sykesville – Freedom

WATERSHED: Liberty Reservoir & Patapsco River - South Branch

MASTER PLAN: Local Business – Proposed Boulevard District

PRIORITY  
FUNDING AREA: Freedom

DESIGNATED  
GROWTH AREA: Freedom

Patrick Varga presented the background.

Action Required:

The plan is before the Planning and Zoning Commission per Section 103.19 of the Code of Public Local Laws and Ordinances of Carroll County for consideration and approval of an amended site plan.

Existing Conditions:

The subject property is currently improved with four standalone businesses. These include two restaurants, a bank, and a retail store. The large retail shopping center on the site that was built in the 1970's was demolished in 2013.

The Carroll County Public Library to the west, as well as all residential properties to the south and east, are zoned R-10,000. The church to the west is zoned Conservation and all properties on the opposite side of Liberty Road are zoned Neighborhood Retail Business. The bank and gas station located to the northeast are zoned Neighborhood Retail Business and Carrolltowne Elementary to the south is zoned Conservation. All adjoining properties are served by Freedom public water and public sewer.

The subject property was rezoned from Neighborhood Retail Business to General Business in 2008.

A site plan for 279,305 square feet of new retail space was approved by the Planning and Zoning Commission on October 2, 2013. The minutes from that meeting are attached.

Site Plan Review:

Several changes to the previously approved plan are proposed as part of this plan. Access to the site from Liberty Road and Ridge Road is changing. The right-in/right-out that was previously approved has been changed to a right-in only. The Maryland State Highway Administration approved the right-in, but would not approve the right-out citing several concerns. Several storm drain inlets have been shifted and several planting units have been relocated in the interior of the site near the right-in access point on Liberty Road. The access point on Ridge Road opposite Kali Drive will now be constructed as a full movement, signalized intersection. All other road improvements are significantly similar to the plan that was approved in October of 2013. There are no proposed changes to the buildings. The parking variance discussed at the previous Planning and Zoning Commission meeting was granted by the Zoning Administrator in 2013 and is attached.

The developer has submitted road improvement plans to both the County and Maryland State Highway Administration for review. As part of the review process, the County is working with the Developer to execute a Memorandum of Understanding (MOU) regarding the review, inspection, and maintenance costs associated with the new traffic signal. Based on the schedule that has been provided to us by the developer, this MOU needs to be agreed upon by April 11, 2014.

Recommendation:

Staff recommends approval of the amended site plan subject to the following conditions:

1. That the Developer enter into a Public Works Agreement with Carroll County that guarantees completion of the on-site improvements.
2. That the Developer enter into a Public Works Agreement with Carroll County that guarantees completion of the required County road improvements.
3. That a Memorandum of Understanding for the traffic signal at the intersection of Ridge Road and Kali Drive be executed.
4. That a Landscape Maintenance Agreement be recorded simultaneously with the Public Works Agreement.
5. That the right-of-way required for a traffic light be conveyed at the intersection of Kali Drive and Ridge Road to the County Commissioners of Carroll County by a deed to be recorded simultaneously with execution of the Public Works Agreement.
6. That a crosswalk be shown on the road improvements that are included as part of the State Highway Administration Access Permit.

7. That the sidewalk be constructed along the full frontage of MD Rt. 26, Liberty Road, from West Hemlock Drive to Ridge Road, and along the frontage of Gemini Drive, as shown on the site development plan.
8. That a Stormwater Management Easement and Maintenance Agreement be granted to the County Commissioners of Carroll County by a deed to be recorded simultaneously with the Public Works Agreement.
9. That an amended site plan will be required for approval of Building "E".
10. That the developer comply with all requirements of the Memorandum of Understanding regarding Regional Stormwater Management Facility between Carroll County and Eldersburg Sustainable Redevelopment, LLC, executed August 29, 2013.

Discussion:

Mr. Varga noted that an e-mail was received at 8:29 this morning and distributed to the Commission for their information. He explained that neither of the items in the e-mail are the responsibility of the developer.

There were no public comments.

**Decision:**

In accordance with Chapter 103, the Commission, on motion of Mr. Helminiak, seconded by Mr. Wothers, and unanimously carried, approved the final site plan subject to the ten conditions listed in the staff report.

**EXTENSION REQUESTS – POTENTIAL TEXT AMENDMENT**

Clay Black, Bureau of Development Review, reported to the Commission that the proposed amendment was reviewed during the monthly Surveyors Meeting, and forwarded to that group via e-mail. No comments have been received.

Philip R. Hager, Secretary, explained that the Commission must make a determination as to how the new amendment is applied: (1) everything already approved would be subject to new provisions; (2) establish effective date (perhaps July 1) and everything approved after that date would be subject to those provisions, everything else would be grandfathered in; and (3) the Commission would not specify either and give that responsibility to the Commissioners.

Vice Chair Soisson asked which scenario would be best for the staff.

Mr. Black noted there are roughly 35 projects that would be affected. Staff could make either provision happen with no problem regarding recordkeeping.

(Commissioner Rothschild entered the meeting.)

The Commission, on motion of Mr. Helminiak, seconded by Mr. Wothers, and carried (Commissioner Rothschild abstained), approved the wording for the proposed text amendment and directed staff to make it effective immediately for everyone.

Mr. Hager noted that based on the Commission's decision, everyone in the queue will be impacted immediately. He suggested that staff send a letter to everyone in the queue explaining that after the expiration of the fifth extension, the request will need to be brought before the full Commission for review.

Daniel Hoff, Commission member, noted that this is just a procedural change.

Jeffrey Wothers, Commission member, agreed, stating that no substantive right is being taken away.

### **MASTER PLAN: DISCUSSION**

Lynda Eisenberg, Bureau of Comprehensive Planning, and Mike Roberts, GIS Analyst, presented Map Cluster 2 to the Commission for review. Ms. Eisenberg noted that the Commission had approved the land use designations on the map cluster, but two additional properties, both owned by the same person, were brought to the County requesting a land use change. The properties are adjacent to the cluster already identified for change. The request is to change the land use from Agriculture to Industrial. Ms. Eisenberg reported that staff supports the requested change. It was the consensus of the Commission to add the two properties to the map cluster.

Ms. Eisenberg discussed Map Cluster 4, south of Westminster. These properties are proposed to change from Agriculture to Employment Campus.

Commissioner Rothschild questioned the number of acres.

Ms. Eisenberg noted it is an additional 115 acres. The property was suggested for addition by the Commission at the last meeting. She noted that she had not yet talked with the landowner. Ms. Eisenberg explained that the recommendation for the original request came from the EDLENS report.

The Commission discussed adding the additional property and the merits of including the conservation area as well. It was the consensus of the Commission to add the parcel discussed at the previous meeting. The Commission then discussed adding the conservation area with two existing residences.

Philip R. Hager, Secretary, stated that the staff recommends that the Commission not add the large agriculture parcel or the conservation piece. He explained that there is sufficient acreage with landowner support. There is no clear idea what the County would do with the additional acreage that would be produced by the addition of these properties.

The Commission, on motion of Mr. Hoff, seconded by Ms. Cheatwood, and carried (Mr. Helminiak voted "No"; Commissioner Rothschild did not vote), voted to remove the property discussed at the previous meeting and keep the original outline proposed by staff.

In reviewing Map Cluster 8, Mr. Hoff questioned why if there are properties of the same zoning that are currently vacant are staff adding additional properties of the same designation outside of the growth area.

Mr. Hager explained that the property owner requested the change and has a very clear plan for utilization of the railroad. He explained that staff would not be bringing any properties to the Commission for rezoning that do not have property owner consent, based on Board direction.

Ms. Eisenberg suggested that if the property was added, it should also be added to the Designated Growth Area boundary.

Matthew Helminiak, Commission member, indicated he would be more comfortable with the proposal if the other side of the railroad tracks was also included. He questioned whether there was any indication that Taneytown wanted a change.

Ms. Eisenberg indicated staff could work with the Town to bring it to their attention.

The Commission, on motion of Mr. Wothers, seconded by Mr. Helminiak, and carried (3-1), accepted the land use designation as Industrial.

The Commission, on motion of Mr. Helminiak, seconded by Mr. Hoff, and carried, directed staff to extend the Designated Growth Area (DGAs) of Taneytown to include the parcel just added and the triangle property left out.

Mr. Hager reminded the Commission that DGA designations are done in conjunction with the towns, so no motion is needed in this regard.

The Commission, on motion of Mr. Hoff, seconded by Mr. Wothers, and carried, directed staff to change the land use designation on the smaller parcels in tan to Industrial to make it contiguous.

Ms. Eisenberg distributed the Master Plan Land Use Draft Concepts and reviewed same with the Commission.

Mr. Hoff requested that the Carroll County Master Plan map be emailed to the Commission members for their use. He questioned the advisability of changing land use designations for properties that developed residentially and were clustered as allowed in the agricultural district. He noted that these properties developed as planned, and residential uses are permitted in the Agricultural District. Mr. Hoff questioned how those changes in land use designations will affect future growth in these areas. He expressed concern that this action would open the door for local land use attorneys to justify filling in the cluster pockets with residential development. Mr. Hoff suggested that the future land use map is one of the most important maps the Commission approves. He indicated that he was more comfortable with Concepts 1-4.

Commissioner Rothschild asked that the visual presentations be forwarded to the Commission members.

Ms. Eisenberg distributed Future Land Use Definitions, asking that the Commission review them prior to the next meeting.

Commissioner Rothschild indicated that citizens in District 4 like their homes surrounded by farmland and clustering has been good in many ways. He suggested use of a very limited low density Transferrable Development Rights (TDR) program to preserve larger areas of farmland.

Mr. Hager indicated that the Board of Commissioners directed staff to come up with some type of plan for remainders. A limited TDR program will be examined during these discussions.

**PUBLIC COMMENTS**

There were no public comments.

There being no further business, the Commission adjourned at approximately 2:10 p.m.

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Secretary

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Approved