

OFFICIAL MINUTES
Carroll County Planning and Zoning Commission
Pathways to Carroll's Future Landscape
Public Information Meeting

June 15, 2009

Location: Century High School Auditorium

Members Present: David L. Brauning, Chairman
Dennis Wertz, Vice Chair
Melvin E. Baile, Jr.
Wayne Schuster
Charles M. Chadwick
Alec Yeo
Robert B. Slade, Alternate

Members Absent: Julia Walsh Gouge, Ex-Officio

The meeting opened at 7:00 p.m.

Mr. Horn introduced the members of the Commission and reviewed the purpose of the meeting.

PUBLIC COMMENT PERIOD

Mayor David Pyatt, Town of Mount Airy – opposed to plan; Town/County plans incompatible; Town has good track record of developing according to adopted plans; upgrading water/sewer capacity could cost the Town \$50 million which is a staggering burden for 5,000 Town residents.

Councilman Nelson, Town of Mount Airy – supports walkable communities and agricultural preservation; opposed to Mount Airy employment area; most of the people affected do not live in the Town limits, but are part of our community—same schools, churches, playgrounds; work with the municipalities—we have some of the same goals; towns want increased economic development, but they are closer to the community so they know where it should be; work with the Mount Airy Planning Office.

Bill Knill, 4930 Roop Road, Mount Airy – opposed to Taylorsville employment area; 1,700 acres is too much land to tie up for something that may not happen for years; no water and sewer available; large area of forested land; owns 353 acres of farmland within the employment area—never took a building lot or off-conveyance.

Robert Collins, 4908 Fleming Road, Mount Airy – higher density development increases need for social services; lack of notification; opposed to Taylorsville employment area and Mount Airy employment area.

Julie Myers, 7713 Walnut Lane, Mount Airy – opposed to Mount Airy employment area; resident of Pheasant Ridge; what are we going to do with our mobile homes if you take our land?

James Billingslea, 329 Denton Drive, Westminster – Carroll County Association of Realtors – submitted position paper with a number of compromises; economic impact of downzoning

farms; may reduce farming in the County; grandfather people who have bought parcels with the understanding they could take off-conveyances five years later.

Sandi Mennerick, 4023 Franklinville Road, New Windsor – opposed to Taylorsville employment area; mentioned the conflicting Taylorsville Rural Village; timeline for development of employment area; define long term demand and non-conforming use; will the necessary utilities be put into place in the near future to make this a viable option; otherwise, people cannot do anything with their properties.

Catherine Mock, 4135 Baltimore National Pike, Mount Airy – opposed to draft plan; problems with adequate water supply, sewer needs, infrastructure; employment area listed in PB study as a special study area – how can the County condemn property when the study has not been commissioned; frustrated with things said to citizens; if the town and elected officials were informed, why did they only hear about the plan the end of May; area not viable for economic development.

Art Monroe, 2631 Washington Way, Manchester – pastors two congregations in Woodbine and Mount Airy; people are hurting, some are retired, many living in mobile home parks, getting by week to week; misunderstandings regarding what this change would mean for homeowners.

George Cramer, 21 Washington Lane, Apt. E., Westminster – Westminster High School teacher, farms in County; intends to development property for family lots and farm remainder; looked for a farm that had enough building rights for siblings and our children; worked with Carroll County and CLSI to make sure the property we chose would fulfill our needs; proposed plan will take away development rights; affect value of investment; against changes to zoning plan; current plan has served the County well.

Victoria James, 4615 Old National Pike, Mount Airy – opposed to Mount Airy employment area; questioned whether traffic studies were done for proposed employment areas; more information is needed to plan for the future.

Jeryl Wolfe, 7951 Bennett Branch Road, Mount Airy – opposed to Mount Airy employment area; need for employment areas based on assumption that our neighboring counties will run out of land for economic development, but there is no evidence to support this; will the County actually have a revenue shortfall if we stay an agricultural county; why aren't residents voting on this; what about the negative impact to the 200+ families that live there; discussed the \$24 million settlement on property north of Mount Airy; can the County afford to do that again; validity of this change.

Colette Henriette, 804 Bennett Road, Mount Airy – opposed to Mount Airy employment area; retired professor from McDaniel College; do everything to keep your land and wildlife; everything is destroyed by development in Europe.

Kimberly Hobin, 5136 Perry Road, Mount Airy – opposed to Mount Airy employment area; backhanded attempt at eminent domain without just compensation; create public and private nuisance to property owners; proposal conflicts with Chapter 173 – Right to Farm; any buildings or structures that are damaged by floods cannot be rebuilt unless they are a conforming use.

Robert Kelley, 4149 Old National Pike, Mount Airy – opposed to Mount Airy employment area; read about a 624 acre office park in Seattle that consumes enough electricity to light 50 homes; Microsoft headquarters only needs 400+ acres for 70 buildings; what kind of companies need 600+ acres; only three houses have been built on the 600+ acres in the last 20 years.

Lynda Arnold, 4042 Franklinville Road, Taylorsville – opposed to Taylorsville employment area; in the process of building a new home; if the proposal goes through, unable to use or improve our properties; banks may not lend money to homeowners in the area because of the proposed zoning changes; will have to apply to the County for non-conforming uses to build a barn, etc.; suggested County use industrial/commercial property already existing.

Suzanne Connole, 2904 Clearhill Lane, Mount Airy – opposed to employment area; the plan sounds great – creating a community where we can walk to work, bike to work, etc. – communism sounded great, too; if you create jobs in Carroll County, people will move to Pennsylvania because it is cheaper there; they won't want to live here because of the traffic and crime it will bring.

Joel Jessee, Mount Airy – issue regarding the wrong Tier II Waters map being used in the plan with amended documents on the website; scheduled meeting with MDE Secretary to discuss this concern; Bureau of Resource Management staff are not allowed to discuss this issue, referred to Gale Engles, Bureau Chief.

Carolyn Jones, 114 Lassiter Circle, Finksburg – lives in a mobile home park; considers herself just as much a homeowner as someone with a stick built home; the County has enough commercial areas; fill existing areas; protect the wildlife; enough crime in the County.

Pat Murphy, 138 Lassiter Circle, Finksburg – Hillendale Mobile Home Park is a great community; want to keep it that way.

Colleen Colvin, 4155 Baltimore National Pike, Mount Airy – opposed to Mount Airy and Taylorsville employment areas; lack of notification; not currently represented by the three Commissioners in office; use land at Springfield Hospital Center for employment center; 750 acres with infrastructure already in place.

Emily Kelley, 4149 Old National Pike, Mount Airy – gave her time to Skip Colvin.

Skip Colvin, 4155 Baltimore National Pike, Mount Airy – County says the community has been involved through the whole process; land was originally threatened in 2005, so he attended Grassroots Programs; poor attendance, boring, looked at pictures of street lamps and sidewalks; nothing accomplished so people stopped attending; local Town Mayor/Council/Commission not informed; County railroading the community.

Joan Allender Oeffner, 305 Park Avenue, Lewes, Delaware – opposed to downzoning of R-40,000 land to Agricultural Resource Protection; County Attorney informed her citizens have the option of pursuing litigation if they are unhappy with what the County rezones their property to; she does not want to pay for litigation; doesn't think the County can afford to pay after the recent settlement.

Kaye Shumar, 7801 West Hill Road, Mount Airy – resident of Pheasant Ridge; born and raised in Carroll County; everything is being taken away from the residents; Carroll County will no longer be a great place to live, work, and play.

Kelly Hemmings, 1485 Bloom Road, Westminster – opposed to Taylorsville employment area; this is about money—not protecting our rights; quality of life in danger; lack of need for commercial area.

Michele Johnson, 6220 Woodwinds Court, Mount Airy – Masters degree in Planning and 15 years of experience; concerned about planning process; better locations for economic employment area than Taylorsville; Mount Airy industrial land was developed commercially; suggested use of Warfield Complex in the Town of Sykesville where infrastructure is already in place; requested County/municipal cooperation; suggested restarting the Pathways process in 2011; tell the State we cannot meet their deadlines; questioned why there was a large gap in time between providing citizens with information; mentioned \$23 million lawsuit; bad legal advice.

Bruce Attridge, 4802 Roop Road, Mount Airy – asked for compromises.

Tanja Zirkle, 947D Lorimel Road, Eldersburg – opposed to Taylorsville employment area; roads not suitable for this use; safety of children in area; secretive nature of plan; leave Carroll County beautiful; save the wildlife; how much are the taxpayers going to have to pay in order to foot the bill.

Gail Kline, 4650 Roop Road, Mount Airy – opposed to Taylorsville employment area; proposal is an outrage; plan full of contradictions; area of wetlands, steep slopes, woods, farmland—this will ruin the area.

Michelle Dahl, 2940 Sams Creek Road, New Windsor – opposed to Taylorsville employment area; where is the continuation of the original Carroll County Master Plan and vision; it focused growth on population centers; plan not in line with common sense; for 35 years heard about necessity of industrial tax base—still waiting for that to materialize; why would a business locate in Carroll County when Howard and Frederick Counties have the roads, airport, and necessary infrastructure; changing economy and changing definition of place of employment; idea in conflict with stated purposes of plan; infringement of individual property rights; questioned why the gender of the Commission does not reflect the demographics of the County.

Shirley Walker, 7717 Walnut Lane, Mount Airy – resident of Pheasant Ridge; promised several years ago when we fought this proposal that you would not touch our land again.

Richard Walker, 7717 Walnut Lane, Mount Airy – several years ago participated in meetings when the County considered zoning changes at Pheasant Ridge; asked to be notified in the future of any proposed zoning changes; found out about this plan from my neighbor.

Barbara Freeburger, 647 Lakeview Drive, Mount Airy – opposed to Mount Airy employment area; property been in family since 1837; historic landmark where four counties (Howard, Carroll, Frederick, and Montgomery) meet; marked with a monument; headwaters of the South Branch of the Patapsco.

Donald Cosman, 7704 Pheasant Ridge Drive, Mount Airy – opposed to employment area; changing conservation zoning to commercial zoning; this will displace 102 families in an economic downturn; businesses are closing in the area; irreversible harm to watershed and green space from hard surface runoff; people in community will lose their homes; reconsider the consequences.

Paul Drnec, 4048 Baltimore National Pike, Mount Airy – opposed to employment area; listen to what the people are saying; presenting ideas in the plan that no one wants; spring on property that feeds Patapsco River.

John Hamilton, 5319 Fleming Road, Mount Airy – opposed to Taylorsville employment area.

Sam Schell, 2809 Sams Creek Road, New Windsor – opposed to Taylorsville employment area; very qualified folks expressing opinions; suggested they form an internal consulting group to look at our own property and manage our own growth.

Kelly Double, 224 Hoff Court, Mount Airy – opposed to Mount Airy employment area; headwaters, aquifer protection area, and recharge area located within employment area; Horn spoke to EAC and stated with the strict State environmental laws there would be no contamination of the headwaters; discussed testing of wells which showed high levels of MTBE; probability of groundwater being contaminated; Horn stated landowners are more harmful and worse for the environment than a business park would be; degradation of water quality; industrial and municipal effluents are the cause.

Stephen White, 2045 Red River Road, Eldersburg – attended Pathways kick-off meeting; received e-mail about the plan; some good things in the plan; opposed to Taylorsville employment area; other locations in County where industrial zones are appropriate but not in Mount Airy or Taylorsville.

Pete Podolak, 91 Dutrow Road, Westminster – engineer; intent of office park and employment zone is sound; targeting growth around municipalities is sound planning; people are being evicted in favor of commercial development; against downzoning; suggested applicability clause be revised; learn from deferral; takes at least a year to get a preliminary plan approved for a major subdivision; subdivision is the primary method by which the County receives environmental easements; business park needs rethinking; unconstitutional to prohibit residential uses in the area; makes residential uses non-conforming; overwhelmed by the amount of land that is being rezoned for the business park; areas in and around Westminster's growth area that could benefit from the designation; requested Planning Commission make recommendations and changes to the plan and send out again for 60 day review.

Stacy Wright, 2207 Dulany Terrace, Westminster – opposed to Taylorsville employment area; discussed Smart Growth requirements of 3.5 dwellings per acre as a requirement for State funding; commute to work for a reason; do not want my office park in my backyard; increase in crime, traffic, noise; questioned whether the Board of Commissioners would be voting on the plan on July 15.

Mr. Horn indicated the 60-day review period ends on July 10. The Planning Commission will send the plan to the Commissioners in August at the earliest. The Commissioners will have their own review process. The Commission will hold a public hearing following the 60-day review

period. After the public hearing, the Commission will meet and review all the comments received, consider changes to the plan and zoning, and then forward it to the Commissioners. Once the Commissioners receive the plan, they are required to hold a public hearing on proposed zoning changes because they are the legislative body in Carroll County.

April Rose, 1100 Algernon Drive, Westminster – opposed to downzoning; violation of property rights; elderly people living on those properties which are their source of retirement income; spoke regarding business property vacancies in the County; attend local business meetings; frustrating for local business owners that wish to expand and have to deal with government processes; Carroll County taxpayers cannot afford to foot the bills for lawsuits from these decisions.

Bob Gerstmyer, 21 Ruxview Court, Towson – opposed to downzoning of conservation land; no longer be able to develop our property on Snowdens Run Road; presently able to develop two three-acre lots; if the plan is approved, the property cannot be developed; lack of notification; some conservation areas are being rezoned to business and some will not be able to be developed; that he will own property, pay taxes, and not be able to develop it is ridiculous.

Ellen Beard, 4309 Ridge Drive, Mount Airy – several disabilities; lives in Pheasant Ridge – most affordable housing she could find in the County; she will be out on the street if her home is taken away.

Mary Jo Burkett, 8101 Bennett Branch Road, Mount Airy – opposed to Mount Airy employment area; presented pictures of the property; pollution concerns.

Tom Gamper, 306 East 33rd Street, Baltimore – representing Trout Unlimited; architect with LEED accreditation; land use issues and natural environment; East Branch Patapsco trout population; opposed to rezoning conservation land for employment use; impervious surface affects trout.

Ernest Wilson, 6312 Old Washington Road, Sykesville – opposed to downzoning; owns 10 acres with the intent to use that land for his children; 3-acre zoning currently exists; unconstitutional taking of property; reconsider proposed changes to conservation zoning district.

John Wnek, 13008 Purdum Court, Mount Airy – lives just over the line in Frederick County; opposed to rezoning; notification of Frederick County and its residents who will be affected by this plan.

Mr. Horn indicated a copy of the plan was sent to the Frederick County Commissioners the week of May 4th.

Mr. Wnek – area will become like Rt. 29 corridor – Silver Spring; poor planning turned that area into chaos; reconsider.

Gem Nenninger, 4235 Buffalo Road, Mount Airy – lived next to a business park in New Jersey; lived here 24 years; opposed to Taylorsville employment area; technical advances are not available in the area—no cable or high speed internet; electricity goes out for days at a time during storms.

Charlene Scovitch, 5402 Ridge Road, Mount Airy – opposed to Taylorsville employment area; traffic concerns; quality of life; taking property away from people who have worked so hard for their land; poor economic times.

Deborah Paisie, 3787 Boteler Road, Mount Airy – speaking for friends who live in the affected area; four county farm – historic; buy food from local farmer and meat locker; thought “pathways” postcard referred to rails to trails; protection of the Chesapeake Bay; taking away of rights.

Lorinda Titus, 16836 Frederick Road, Mount Airy – live in rural conservation area of Frederick County; will be affected by rezoning in Carroll County; Arundel Mills comparison – everything went up for properties in the area, house insurance, car insurance; traffic concerns; noise/dust pollution.

William Harrison, 6901 Eden Mill Road, Woodbine – opposed to land use changes for agricultural district; some of the farmers in the area are lifetime farmers; some have taken lots, some have not; feel for people in Taylorsville and Mount Airy; currently working with Agriculture Preservation Program with regard to his property; will lose about half of his lot yield if changes go through; how will that affect his easement offer; won't be able to afford land preservation; will have to sell lots; opposed to changes to off-conveyance and multi-parcel deeds; changes will severely impact lot yield; need to keep the lots we have in place available so we can keep farming.

Allen Gartrell, 4195 Hooper Road, New Windsor – opposed to Taylorsville employment area; owns 2 percent of the land designated for that use; do not include his property for consideration as an employment area.

Bruce Holstein, 3318 Oakwood Drive, New Windsor – opposed to Taylorsville and Mount Airy employment areas; no one in audience supports this plan; what are the benefits of this plan to the landowners, homeowners and taxpayers of the County; erase the paving over of Mount Airy and Taylorsville from the plan; listen to the people.

Jim Bowman, 2660 Dotsons Ridge Road, Mount Airy – opposed to Taylorsville employment area; traditional village designation; traffic concerns; why so much acreage; doesn't make sense.

Carol Naldrett, 7827 East Hill Road, Mount Airy – resident of trailer park; pay taxes, too; why is the County taking our homes away; questioned why Mr. Horn was not present at the open house in Mount Airy; staff was unable to answer questions of citizens; opposed to employment areas; lack of notification; promised to leave us alone 5 years ago; lack of trust.

Donna Jessee, 4139 Old National Pike, Mount Airy – opposed to Mount Airy employment area; lack of notification; is there someone who wants this land.

Mr. Horn indicated there is no buyer.

Ms. Jessee – increased crime concerns; don't want the businesses here.

Sylvia Walz, 7827 East Hill Road, Mount Airy – resident of Pheasant Ridge; Commission members not taking personal responsibility for what they are trying to do to the community; should be charged criminally; no one on Commission will be affected by what is in the plan.

Erica Saxton, Mount Airy – commute to work in Washington, D.C. for quality of life here; just because you can do this through eminent domain, doesn't make it right.

John Condon yielded his time to Bill Knill.

Bill Knill – better use of employment campus could be using the smaller acreage that is available around the towns; no one area wants all the burden; lack of water; plan for Gillis Falls Reservoir first before going forward with rezonings; Taylorsville hasn't had enough time to review and understand the proposed changes; because of the Taylorsville rezoning, didn't realize the other downzoning contained in the report; government has gotten too big; citizens are losing out; for employment campus area on Watersville Road; could not give children or grandchildren a lot from my farm in Taylorsville with the zoning change; private property rights is the key.

Paige Colvin, 4145 Old National Pike, Mount Airy – opposed to Mount Airy employment area; we have a backyard; safe environmental to play in; local fishing; aunts/uncles around us.

Garrett Colvin, 4145 Old National Pike, Mount Airy – opposed to Mount Airy employment area; invite my friends over to my house to introduce them to the outdoors—hunting and fishing.

Sheila Colvin, 4145 Old National Pike, Mount Airy – opposed to Mount Airy employment area; pollution/noise from industrial park; 5,000+ acres of industrially zoned land in the County per your report and you list problems with that acreage—undevelopable and unusable because of the lack of public water and sewer; the proposed area does not have public water; foster efficient fiscally sound land use; this proposal could cost landowners \$50 million; protect water quality, fishing, wildlife; headwaters of the Patapsco; look for a more suitable place in other areas.

Mary Nunemaker, 1012 Marydale Boulevard, Mount Airy – Maryland has no natural lakes, so why would you mess with what we do have—the headwaters to the Patapsco; where will future water come from.

Richard Rothschild, 2360 Eagle Wood Drive, Mount Airy – political dogma of Smart Growth; high density housing and business parks will not improve the quality of life; Pathways asserts our communities need more diversity; 67 percent of the County's population is conservative; don't believe Pathways is unbiased; lack of notification; "Pathways" is a confusing title—people thought it was about bicycle paths; do not accept this as a valid interpretation of our interests; work with you to fix this plan; rural charm over smart growth; delay Pathways until next year; representative from every area; plan assaults private property rights.

Debra Wittle, 4767 Roop Road, Mount Airy – opposed to Taylorsville employment area; lack of infrastructure and roadways in Taylorsville; spoke regarding County Attorney's comments with regard to current use continuing to be allowed on the property but becoming nonconforming use; without infrastructure land will remain in limbo; who would buy our properties with that uncertainty; property values will decline; State tax website; mortgage and refinancing issues with financial institutions because nonconforming use; no substantiated studies have been done; read from EDLENS report regarding absence of infrastructure causing the best sites to continue to be

lost; land grab—putting citizens' lives on hold; protect what makes Carroll a great place to live, work and play.

Anthony Wisnieski, 3249 Green Knoll Road, Windsor Mill – owner of 16 acres of property in Finksburg in the Conservation zone; losing 80 percent of value of our property; will our taxes be reduced 80 percent; we could clear cut the land and sell the lumber or lease for agricultural operations, but in an area zoned for conservation we should not be able to do that; pro-farmer, but not in close proximity to the reservoir; fighting erosion problems caused by bad farming practices and clear cutting; sediment piles into streams that drain into the reservoir; not allowed to do mitigation on that because of invasive exotic wetland plants; suggested County remove invasive exotic plants from the wetlands definition; suggested alternatives to downzoning in order to make the conservation zone work like requiring that 50 percent of the land in the 3-acre lots be banked into forest if the land is clear.

Mr. Horn indicated the 60-day review period ends on July 10, 2009. A public hearing will be scheduled the following week. Staff will take the comments received from the public hearing, public information meetings, Pathways feedback forms, letters, e-mails, etc., and put them into a document for the Commission to review prior to finalizing a plan that goes to the Board of Commissioners. There will be several public deliberation sessions scheduled. A plan, along with zoning and subdivision regulation changes and other implementation measures, will be forwarded to the Board of Commissioners by the end of August. The Commissioners will review the plan and zoning changes and hold a public hearing on the implementation measures, which includes the zoning portion, late summer/early fall. The earliest the Board would be in a position to make a decision on the Plan would be the first of November. Check the website for information updates. E-mail notifications will be sent regarding future meetings.

Mr. Joel Jessee questioned how information could be sent to the Commission without going through staff. He discussed the Tier II water maps in the documents and suggested there has been serious manipulation of data and the Commission may not have legitimate documents from staff.

Mr. Horn indicated that staff were available in the back of the auditorium to answer questions.

There being no further comments, the meeting adjourned.

Secretary

Approved