

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

June 23, 2009

Location: North Carroll High School Auditorium

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

Members Absent: Charles M. Chadwick
Julia Walsh Gouge, Ex-Officio

The meeting opened at 7:00 p.m.

Mr. Steve Horn, Director, Department of Planning, reviewed the purpose of the meeting and the Pathways timeline. He noted that the Planning Commission Public Hearing is scheduled for Tuesday, July 14, 2009 at 6:00 p.m. at the Winters Mill High School Auditorium.

Mr. Brauning introduced the members of the Commission and noted that the Plan is a draft document. He stated all comments will be taken under consideration before a Plan document is forwarded to the Board of County Commissioners. Mr. Brauning indicated comments should be limited to three minutes.

PUBLIC COMMENT PERIOD

Bob Schotta, 3001 Merle Court, New Windsor – property rights and values are going down and property taxes are going up; employment area will bring crime; nothing smart about Smart Growth.

Russell Fleming, 2610 Old Fort Schoolhouse Road, Hampstead – representing 400+ acre family farm; proposed zoning regulations devalue property by 50 percent; possibility of being grandfathered in or annexed into the Town of Manchester.

Mr. Horn suggested Mr. Fleming put his request in writing and contact the Town of Manchester regarding possible annexation.

Scott Davis, 4021 Franklinville Road, New Windsor, Maryland – distributed a binder for each Commission member; speaking on behalf of Albert Condon, 3800 Franklinville Road; opposed to Taylorsville employment area; he and his brother are the largest landowners on Franklinville Road; 80 + acres in the family since the 1940's; brother owns 100+ acres which he actively farms; opposed to loss of off-conveyance rights; consider costs of maintenance and expansion to equipment and buildings; how do they pay property taxes in a drought year; taking; County is tying up the property indefinitely; makes landowner custodian of the property; no water and

sewer services; quality of life; according to the Pathways document, agricultural uses, as well as employment and industrial uses, use less services than residential development.

Gregor Becker, 273 Blackhaw Trail, Westminster – representing Sierra Club; master plan should correct miszoning; opposed to proposed rezoning in Taylorsville; rezoning does not support agriculture and ag preservation which are major goals of the plan; proposed employment area in Mount Airy has the highest concentration of natural springs in the State of Maryland; preserve conservation acres.

Jean Knill, 4930 Roop Road, Mount Airy – opposed to Taylorsville rezoning; this process has brought people together as a community; Smart Growth goals and traditional villages included in plan are not supported by the rezoning; farms/acreage/lots are bought on the basis of the potential for that land as part of the owner's future plans; arbitrary changes to zoning deny the owner the options he had when he bought the land and are unacceptable; opposed to amending County Code to replace the agricultural zoning district with the new ARP zoning district which changes the lot yield calculations.

Bill Knill, 4930 Roop Road, Mount Airy – ag needs to be protected west of MD 27; have never taken lots off my farm; opposed to lot yield reduction; opposed to changes in off-conveyance regulations; basic lot yield reduction means taking away retirement options.

Dan Hoff, Carroll County Association of Realtors – opposed to loss of lot right between 6 and 20 acres; opposed to changes to multi-parcel deeds; this change is a real problem from a legal and land planning standpoint; in some cases there is a 30-40 percent reduction in lot yield because of the multi-parcel deed change; concerned with existing residential subdivisions being zoned ARP; depending on a development's covenants and restrictions, larger parcels could raise chickens, etc.

Jim Blaney, 4018 Grave Run Road, Manchester – understand plan is needed to comply with Smart Growth regulations from the State; opposed to losing lot between 6-20 acres in ag district; proposed compromise at 10 acres; less lots available for sale drives up the prices of existing lots; where will people live that work in the employment centers; opposed to changes to multi-parcel deed provisions; opposed to changes in lot yield; opposed to changes to off-conveyance regulations; if someone bought their property with the intentions to subdivide after five years, a date needs to be established to protect the rights of the people who bought with that intent.

Russ Blackburn, 1330 Boerner Road, Westminster – opposed to removal of a portion thereof which reduces a farmer's property rights and values; property rights are taken with no compensation; consider TDR program to move development from agricultural district to the towns; farmers need to be compensated; opposed to the provision of honoring preliminary plans only if they receive final approval; bought a farm in County; in order to settle with an ex-wife had to take all but one of the development rights; \$15,000 tied up in engineering and review fees for that lot; once the County accepts review fees that is an implied contract; suggest you do not follow the same path you did when the deferral problems arose.

Wayne Watkins, 4401 Roop Road, Mount Airy – opposed to employment area in Taylorsville; there will be hundreds of non-conforming properties within the 1,700 acres; 39 years experience as a land planning consultant and never seen a plan put forth for employment without thought to infrastructure; staff tells me it could be decades before this comes about; supports OPE

designation on Heinz property, Hoods Mill Road property, and Bill Knill's property north of Mount Airy; consider using the employment zone as an overlay; talk to the people with large pieces of land before you decide to rezone it; older people do not have time for planners' dreams to come true.

Sarah Nenninger, 4235 Buffalo Road, Mount Airy – opposed to employment area in Taylorsville; employment area would cause the roads to be widened; people across from her house are in agricultural land preservation program, so the road widening would occur on the opposite side of the street affecting 13 houses; not part of the actual rezoning area but indirectly impacted through widening of the roads for the employment area.

Suzanne Chaconas, 1930 Long Corner Road, Mount Airy – opposed to Mount Airy employment area; Howard County resident but the proposed plan affects her property; works for Maryland Stadium Authority; would never even consider a project if the infrastructure was not in place; traffic concerns; lack of notification.

Judy Ketterman, 7800 Pheasant Ridge Drive, Mount Airy; trailer park resident; \$90,000 in house; will be no residential uses with employment campus; no questions have been answered; 101 families living in the park; pay County taxes; trout streams and protected areas are not shown on the maps within the employment area; compensation for being moved out.

Stephen Bittner, 4223 Iroquois Drive, Taylorsville – opposed to Taylorsville employment area; numerous contradictions in EDLENS and comprehensive plan; does not meet Smart Growth goals; lack of water and sewer service; page 16 – development and redevelopment; page 76 – expand on existing business piece at Hoods Mill; EDLENS recommends 947 acres for employment in Taylorsville; County suggests that 400-800 acres are necessary for a future landfill; Pathways calls for 1,700 acres for industrial use in Taylorsville; discrepancy of 800 acres; is Taylorsville being considered for a future landfill.

Mr. Horn indicated Taylorsville was not being considered for a future landfill.

Joan Allender Oeffner, 305 Park Avenue, Lewes, Delaware – owns 60 acres near MD 30 in Hampstead currently zoned R-40,000; County plans to downzone land to ARP; located next to Piney Branch Golf Course; not interested in the suggestions in the plan; protection from County arbitrarily robbing us of our land value; told plan reflects the vision of the full community; who was the full community; lack of notification; listen to the community; pages 53-55 of the plan state that 50 percent of Carroll's population cannot find affordable housing; displacing residents; affected landowners are seldom mentioned in the report; zoning changes must be a two-way street.

Michelle Jefferson, 416 Sycamore Avenue, Westminster – Carroll County Commerce Center on MD 97 unoccupied; questioned whether there was a specific industry the County had in mind because how do you plan for a park or area when you don't have a client; use existing corporate centers; school tax could be utilized; roads to be built by developer.

Frank Lago, 2607 Sunset Lane, Finksburg – for environmentally sensitive development; for attractive design; opposed to zoning change at Hillandale Orchard property across from Gerstell Academy; R-40,000 and R-20,000 to Boulevard District; one point of access; no water and sewer service now or planned for the future; no road improvements to MD 140; bordered by residential

neighborhoods; read definition of Boulevard District; more proper use might be 9-5 commercial office use; Boulevard District does not make sense for this property.

John Lopez, 2470 Twin Knolls Circle, Reisterstown – support environmentally sensitive development; concerns regarding rezoning residential lots to ARP because of underlying uses; MD 140 failing corridor; traffic congestion; boulevard district at Gerstell and property across the street would create additional traffic; limited water and sewer availability; concern about development of wastewater treatment plants; redevelopment of old corridor; restrict boulevard district to MD 140 from MD 91 to Baltimore County line.

Angelina McDermott, 3204 Kimberly Drive, Mount Airy – opposed to Taylorsville rezoning; streams; wildlife; clean air; traffic.

Janet Cole, 4040 Franklinville Road, New Windsor – opposed to Taylorsville rezoning; people do not want to walk to work; moved to Carroll County 30 years ago for rural setting; don't want area changed; remove my property from consideration.

Jim Harris, 1176 Brehm Road, Westminster – Smart Growth area around towns; land around Westminster zoned R-40,000 – 60-70 lots will be reduced to 4 lots; will bring lawsuits to the County; suggested another zoning designation around the towns so people know where the growth is going to be; effort to push land prices down artificially so someone else can buy land and make money.

Kelly Double, 224 Hoff Court, Mount Airy – opposed to Mount Airy rezoning; selection process of Mount Airy employment area; keep congestion north of Mount Airy; referred to EDLENS study – this area identified as a special study area in report; noting lack of direct access, lack of water and sewer, and area of aquifer protection; further analysis should be completed to determine whether these issues can be addressed; thought the County had done further studies, Ms. Dinne confirmed that no subsequent reports were done; why 624 acres in an environmentally sensitive area; remove land from rezoning area.

Kevin McCracken, 4015 Iroquois Drive, Westminster – opposed to Taylorsville employment area; lack of notification; proposed employment area is 2.6 square miles; impact to environment and community is tremendous; does not preserve heritage that is Carroll County; rolling hills gone and replaced with lights, parking lots, crime, roads; existing vacant industrial/commercial buildings; too big for our County; will not serve all of Carroll County at current location; too far from northeast portion of the County.

Howard Norseth, 2317 Carrollton Road, Westminster – two common questions from previous meetings: (1) what can I do with my property once this plan is approved? (2) why are you doing this to me? Smart Growth doctrine outlined on pages 19 and 20 of the plan; held meetings, conference, and charettes—came up with just what the State mandated; understand the Commission must develop a plan that will be approved by the State in order to get State funding; suggested the County reject State funds; once this draft is approved, Smart Growth becomes binding; comprehensive eminent domain; draft claims community processes; reject the draft.

Brenda Musselman, 2902 Clear Hill Lane, Mount Airy – opposed to Taylorsville employment area; lack of notification; why not use existing resources, improve rundown employment centers;

listen to the people; read every letter and e-mail; our homes and properties are our biggest investment.

Karen Eaten, 5701 Bethel Road, Woodbine – recently purchased 48 acres of conservation zoned land; downgrading zoning without proper compensation; use ag preservation and/or TDR's to compensate landowners for downzoning; visited the Planning Department before purchasing the 48 acres to question the possibilities for this parcel; no one mentioned the downzoning of this parcel; bad economic conditions; look at Springfield Hospital property for industrial space; expand existing industrial spaces before rezoning land in Taylorsville and Mount Airy; involve community earlier in the process; community will challenge plan through the court system if necessary.

Allen Daniels, 3002 Liberty Road, New Windsor – opposed to Taylorsville rezoning; you can't decide where big business wants to locate, it is up to them to decide; questioned whether County Government owns any of the 1,700 acres proposed for rezoning.

Mr. Horn indicated the County does not own any of the land proposed for rezoning in Taylorsville.

Mr. Daniel – where are you going to put the water treatment plant and office buildings except on someone else's property.

Joel Jessee, 4139 Old National Pike, Mount Airy – biologist; disclosures when applying for patents – duty to disclose what is known; is the Commission receiving the information it needs to receive if it is going to be making these decisions; discrepancies in mapping Tier II waters; Mount Airy area did not make it into the Tier II water area in the first set of maps, but it did on the second set of maps; spoke with MDE, agree you are using the wrong maps; changed Tier II Waters but did not change PPA's; encouraged Commission to read the Builders for the Bay report signed by the three Commissioners.

Doug Carroll, 1117 Greenspring Valley Road, Lutherville – representing Tannery LLC; 75 acres at Brehm Road; planning 1,000 acre annexation into the City of Westminster; spent \$3 million on surveying, planning, debt service, etc.; land will be downzoned to farmland; net a \$2 million loss to our corporation; loss of opportunity for City of Westminster to plan that area well.

Roger Mann, 737 Old Baltimore Boulevard, Westminster – opposed to IR change to MP-R without conditional uses allowing commercial development on IR parcels; County allowed conditional uses on neighboring parcels; several properties formerly IR were changed to BG in the Westminster Plan; requested that same change for my parcel and was denied; now being robbed of the value of my property; you will have another lawsuit; why wasn't my property changed? Have anything to do with getting my property for Market Street extended? mixed use development area.

Kelly Hemmings – opposed Taylorsville employment area; curious what the difference is between eminent domain and stealing people's property; 1,700 acres in Taylorsville is already occupied area; would be different if it was property the County already owned; other areas in the County available for this use.

Richard Rothschild, 2360 Eagle Wood Drive, Mount Airy – worse than eminent domain, downzoning does not require compensation; Plan represents wishes of COG and State agencies; focus groups provided input but residents were never provided opportunities to provide input; questioned how many legal residents support Mount Airy rezoning, Taylorsville rezoning, visions of subsidized housing, MPDU's, workforce housing, apartments, rowhomes; plan never represented the wishes of the residents; plan is null and void and must be discarded.

John Chambers, 446 East Saw Mill Road, Westminster – opposed to Union Mills Reservoir; reservoir would incorporate John Owings Landfill; ruin ag enterprises; assumption of the report is that the reservoir will be constructed; suburbanize northeast County; 30 years ago Union Mills Reservoir was forwarded to the Commissioners and killed at the State/Federal levels; Carroll does need water; Piney Run is a good example – it cannot be used; County owns 1,600 acres of land on the Pipe Creek; water needs to be privatized; modify decisions for Pipe Creek dam to make it smaller; reject Pathways Plan; redesign to address citizen concerns; people are struggling in these economic times.

Peter Keifer, 4840 Buffalo Road, Mount Airy – lack of notification; neighboring Taylorsville rezoning; invest some of the time you spent putting the plan together in communicating it to the residents; when will our questions be answered.

Steve Reynolds, 1322 Bachmans Valley Road, Westminster – not watching out for the needs of the people in the community with projects like the airport, Union Mills Reservoir, and Pathways; lack of notification; bad economic times; urge Commission to reject plan.

Melissa Melum, 2627 Sunset Lane, Finksburg – supports plans for an attractive gateway in Finksburg corridor; boulevard district makes sense there; opposed to Hillendale Orchard boulevard district area; surrounded by residential community served by well water; traffic concerns.

Brenda Klaumberg, 4909 Buffalo Road, Mount Airy – opposed to Taylorsville rezoning; wildlife; Chesapeake Bay preservation; traffic concerns; lack of notification; opposed to Mount Airy rezoning; where will the food come from when you destroy all the farms.

Jonathan Wareham, 2212 Timothy Drive, Westminster – opposed to Taylorsville rezoning; postcard not adequate notification; why weren't there any local meetings in South Carroll area; unbelievable proposal.

Karen Donaldson, 657 Downhill Drive, Westminster – not a farmer, but I buy my food locally when possible; concerned about landowners in agricultural district; farmers are backbone of the County; lot rights should be more generous; 10 acres instead of 20; farmers would receive one extra lot at 10 acres and go in 20 acre increments thereafter; multi-parcel deeds—each of the deeds is a separate legal entity in determining lot yield; proposed changes could lead to unintentional sprawl instead of clustering of lots; encourage preservation of large remaining portions.

Stephanie Daniels, 3002 Liberty Road, New Windsor – opposed to Taylorsville rezoning; South Carroll High School student; drugs and other problems when an area is built up.

Art Monroe, 2631 Washington Way, Manchester – pastors two congregations in southern Carroll County; contact the Town of Mount Airy as so much of the issue of rezoning revolves around water; Mount Airy 2003 master plan projected a negative water situation by 2015; already there; currently drilling wells that will at best meet the current needs; any development in Taylorsville area that draws more water has no source; Army Corps concerns with regard to future water from Gillis Falls Reservoir; fix water first then pursue plan.

Mary Kowalski, 1635 Indian Valley Trail, Westminster – asked County Government to allow six month time period for public review and comment; 175 page document requires time for thorough review; 4-5 years to put it together and then citizens get 2 months to review it and comment; why is this being rushed; EAC is holding an emergency meeting on this plan on July 7; EAC and public should not be rushed to prepare comment; Commissioner Gouge should be here—she is a member of the Commission.

Mary Jo Burkett, 819 Bennett Branch Road, Mount Airy – opposed to Mount Airy employment area; questioned whether citizens would be able to ask questions and have them answered at the July 14 meeting at Winters Mill High School.

Mr. Horn explained that July 14 is the Commission’s official public hearing. Citizens will be allowed to offer comment for the official record.

Ms. Burkett – questioned when the public would be able to ask questions of the Commission and receive answers in a public forum; this process has brought the community closer together.

Janice Kurtenbach, New Windsor – opposed to Taylorsville employment area; frightened that a business park is being put in her backyard; moved here to get away from high crime, traffic, lights; protect wildlife; water issues; Hooper Road is being repaved again.

Mr. Horn reminded the audience that the Planning Commission’s public hearing is scheduled for July 14 at 6:00 p.m. at the Winters Mill High School auditorium. Any interested parties will be given the opportunity to provide official comments for the record. Following the public hearing, the Commission will hold work sessions to review all comments that have been received.

Mr. Brauning thanked everyone for attending the public meeting.

There being no further comments, the meeting adjourned.

Secretary

Approved