

PELU TASK FORCE MEETING #6
Wednesday, February 13, 2008

Start Time: 6:16 p.m.
End Time: 8:14 p.m.

Members present: Brian England, Bill Erskine, Judy Fisher-George, James Howard, II, Cathy Hudson, William Lewis, Julia Mattis, Frank Mirabile, Bridget Mugane, Susan Scheidt, Tim Sosinski, Andrew Stack.

Also present: Kimberley Flowers, Lisa Nissley, Stephanie Scott, Theodore Wimberly

Bill Erskine opened the meeting.

The minutes for the meeting held on January 29, 2008 were approved.

James Howard II was elected co-chair by the members. (Co-chair Howard Weinstein previously resigned due to time constraints.)

Eileen Powers, Zoning Counsel (ZC), was introduced to the task force and available for a question and answer session.

Powers introduced herself as a land-use attorney from Anne Arundel County.

Information Imparted by ZC:

- Ms. Powers has been employed by the County for six years on a contractual basis.
- When the County Council contemplated the ZC position 6 years ago, it decided against creating a "People's Counsel" position for the current structure.
- The role of the ZC is to:
 1. Attend piecemeal zoning cases to defend the County's comprehensive zoning and ensure that the record is complete; and
 2. Upon the request of the County Council, meet with community associations and attend pre-submission community meetings to give procedural advice.
- Typically, the ZC attends 2-3 hearings per quarter and 1-2 community meetings per year.
- The ZC is NOT involved in other land use cases such as conditional uses, floating zones, ZRAs.
- 95% of her time is spent doing piecemeal cases.
- Was asked by the last County Council to draft legislation to redefine the ZC position (she will forward to the task force).
- ZC is concerned that the position is not modeled after any other jurisdiction and may be susceptible to legal challenge.

- ZC believes that the Zoning Board rules should be changed to allow all parties to give an opening statement before testimony is given in cases; or allow the ZC to make arguments first before testimony is given.
- ZC is concerned that DPZ staff is not available at ZB hearings.
- ZC is familiar with the small area comprehensive planning process and believes the process is too unwieldy.

Task Force Issues/Concerns of ZC:

- Asked Ms. Powers to submit to the task force a list of improvements or changes that she would make to her position.
- Suggested the ZC be given a more prominent position on Council web site, including contact information.
- Suggested a 3 minute introduction of ZC before each ZB hearing.
- DPZ or Councilmembers should be the gatekeepers for ZRAs.
- Site specific ZRAs should be required to post property.

The task force made the following decisions:

Break task force into sub committees, using the Stack proposal. The following subcommittee assignments were made:

Committee #1

Judy Fisher George
Cathy Hudson
Frank Mirabile
Deb Poquette
Bill Lewis

Committee #2

Ada Louise Bohorfoush
Julia Mattis
Susan Scheidt
Ronald Schimel

Committee #3

Brian England
Bill Erksine
Julia Mattis (2nd)
Frank Mirabile (2nd)
Briget Mugane
Tim Sosinski

At the next meeting(s)–

Cindy Hamilton is to participate in a question and answer session on subdivision review process.

The next meeting will be held:

February 28, 2008
5-7 p.m., Tyson Room

The meeting was adjourned at 8:14 p.m.

Respectfully submitted,
Stephanie Scott
Theodore Wimberly