

MINUTES OF THE HOWARD COUNTY PLANNING BOARD – October 8, 2009

Members Present: Linda Dombrowski, Chairperson; Dave Grabowski, Vice-Chair; Tammy CitaraManis; Paul Yelder

Members Absent: None

DPZ Staff Present: Marsha McLaughlin; Lisa Kenney, Tanya Maenhardt, Chuck Dammers, Bob Lalush

MINUTES OF 1/8/09, 1/15/09, 2/5/09, 3/5/09, 4/2/09, 4/13/09, 4/30/09, 5/28/09, 6/18/09, 7/8/09

On Motion by Ms. CitaraManis and seconded by Mr. Grabowski the minutes of January 8, 2009 were approved. Vote: 4 Yea 0 Nay.

On Motion by Mr. Grabowski and seconded by Mr. Yelder the minutes of January 15, 2009 were approved as amended. Vote: 4 Yea 0 Nay.

On Motion by Ms. CitaraManis and seconded by Mr. Grabowski the minutes of February 5, 2009 were approved as amended. Vote: 4 Yea 0 Nay.

On Motion by Mr. Grabowski and seconded by Mr. Yelder the minutes of March 5, 2009 were approved as amended. Vote: 4 Yea 0 Nay.

On Motion by Mr. Grabowski and seconded by Mr. Yelder the minutes of April 2, 2009 were approved as amended. Vote: 3 Yea 0 Nay. Ms. Dombrowski abstained as she was absent for the meeting.

On Motion by Ms. CitaraManis and seconded by Mr. Grabowski the minutes of April 13, 2009 were approved as amended. Vote: 4 Yea 0 Nay.

On Motion by Mr. Grabowski and Seconded by Ms. CitaraManis the minutes of April 30, 2009 were approved as amended. Vote: 4 Yea 0 Nay.

The minutes of May 28, 2009 could not be approved due to the lack of a quorum. Ms. CitaraManis and Ms. Dombrowski were not present for this meeting. Vote: 2 Yea 0 Nay 2 abstained.

The minutes of June 18, 2009 could not be approved due to the lack of a quorum. Ms. CitaraManis and Ms. Dombrowski were not present for this meeting. Vote: 2 Yea 0 Nay 2 abstained.

On Motion by Mr. Grabowski and seconded by Mr. Yelder the minutes of July 8, 2009 were approved as amended. Vote: 3 Yea 0 Nay. Ms. Dombrowski abstained as she was absent for the meeting.

Ms. Dombrowski opened the public hearing at approximately 7:10 p.m.

PUBLIC HEARING

Board of Education

Presented By: Ken Roey
Petition: To review the FY 2011 Capital Budget and five-year Capital Improvement Program as well as a ten-year long-range master plan for the Howard County Public School System for State funding priorities in conjunction with the General Plan.

DPZ Recommendation: Approval
Petitioner's Representative: Joel Gallihue

Mr. Roey gave a brief overview of the proposed budget for the Howard County Public School System, stating substantial changes for the new budget.

Mr. Yelder asked how the pupil projections were made. Mr. Gallihue stated the process for calculating pupil projections as well as the process for working with Planning and Zoning in order to process housing data.

Ms. Dombrowski questioned the need for a new middle school and if things such as redistricting were an option. Mr. Roey stated that the project is new due to the increasing development of the Route 1 corridor. Mr. Gallihue explained that they tested several areas and ruled out all scenarios.

Motion:

Mr. Grabowski motioned to accept the School Budget as presented. Mr. Yelder seconded the motion.

Discussion:

The Board discussed their recommendation for the School Budget stating that it should state that the new school construction is in compliance with the General Plan and that there was clearly a demonstrated need for the school.

Vote:

4 Yea

0 Nay. The motion was carried.

PUBLIC MEETING

ZRA 127 – Marsha S. McLaughlin

Presented By: Bob Lalush
Petition: AZR: To amend Section 122.B of the Zoning Regulations to add the category “Hospital, intermediate care facilities and residential centers” as a use permitted as a matter of right in the M-1 District, etc.
DPZ Recommendation: Approval
Petitioner’s Representative:

Mr. Lalush gave a brief overview the proposal to add the use category as a use permitted as a matter of right in the M-1 District. He explained the background of the proposal stating that hospitals are only permitted in the POR districts and in land use no longer makes sense. He also stated that POR is supposed to have less intense uses, however hospitals are a very intense use.

Mr. Yelder questioned an emergency room in the middle of an industrial area. Mr. Lalush explained that most M-1 areas are designed with larger roads for truck traffic and close to major roadways. Mr. Yelder stated that traffic could be more intense in industrial areas. Mr. Lalush stated that in his experience there hasn’t been a traffic issue.

Ms. CitaraManis questioned the need for the proposal as well as the need in the Rt 1 area. Ms. McLaughlin stated that there has been interest in the Rt. 1 Corridor but nothing in the existing POR districts.

Ms. CitaraManis questioned why the use was only in the POR district. Mr. Lalush stated that the regulations were old and that POR was new and that it was unusual that the use ended up in POR.

Grace Kubofcik speaking on behalf of the League of Women Voters spoke in opposition of the proposed amendment, stating her belief that the process had not been followed for batched zoning regulation amendments and that there was insufficient notice to the public.

Grace Kubofcik speaking as a citizen spoke in opposition in opposition of the proposed amendment stating her concerns that the use wasn't appropriate for the M-1 zoning district.

Mr. Grabowski read a statement from the Greater Elkridge community in support of the proposed amendment.

Mr. Yelder stated his concerns that land for M-1 uses is shrinking in the County.

Motion:

Ms. CitaraManis motioned to continue ZRA 127 to give time to advertise on both DPZ website and Council's simultaneously. Mr. Grabowski seconded the motion.

Discussion:

The Board agreed that there needed to be more outreach to the public regarding the ZRA.

Vote:

4 Yea

0 Nay. The motion was carried.

SDP-08-097 Walgreen's

Presented By: Tanya Maenhardt
Petition: For approval of Site Development Plan, SDP-08-097, for the construction of a 14,820 square-foot Walgreens Pharmacy and associated improvements in accordance with FDP-43-A-III. The project would be constructed on 2.62 acres of land (zoned "New Town") known as Parcel 362, Lot "A", Tax Map 30, Grid 22. The site is located on Thunder Hill Road between its intersection with Twin Knolls Road and its intersection with Maryland Route 175. It is located in the 6th Election District of Howard County.
DPZ Recommendation: Approval
Petitioner's Representative: Bill Erskine,

The Board asked Mr. Johnson if the FDP must be recorded before a SDP is brought before the Board. Mr. Johnson stated that the regulations do not state the FDP must be recorded in order for the SDP to be considered, however the Board could condition their approval of the SDP based on the recordation of the FDP.

Ms. McLaughlin stated that in the past a FDP has been brought to the Board at the same time as the SDP and the Board conditioned their approval.

Ms. Barbara Russell stated her concern that the FDP would need to come before the Board because one of the conditions was overlooked. The Board explained that it was not the FDP that would need to be looked at, but the SDP would be approved or denied based on the criteria of the FDP.

Mr. Erskine stated that he is not aware of any authority that requires the FDP to be recorded before the SDP is considered. He also stated that the Board could make their approval conditioned.

Mr. Yelder stated that it would be a risk to go forward, however the public has attended in order to testify.

Ms. Maenhardt gave a brief overview of the plan, explaining that the architectural review committee has approved the plan, and that it was exempt from forest conservation. She also pointed out that the plan ; proposes more parking than required.

Mr. Chuck Dammers, Chief, Development Engineering, explained the configuration of the deceleration lane. He stated that the lane was reviewed by the Department of Public Works as well as Development Engineering and was found to be adequate. Mr. Dammers also explained in detail the change in the taper section makes for a smoother transition.

Mr. Erskine stated that the issue before the Board is if the SDP is in compliance with the FDP and the regulations. He also stated that the approved FDP was not the same one that the Planning Board originally saw, but as a result of that meeting the FDP was changed.

Mr. Erskine explained that several traffic studies have been conducted before the plan was complete.

Alex Kopicki of Manekin, LLC, explained the plan in detail and the safety issues implemented as well as the reasoning for the engineering. He also gave details regarding the architecture of the proposed building, specifically pointing out the proposed lighting on the structure. Mr. Kopicki stated that the plan had gained the approval of the Oakland Mills Village Board. He also explained the topography and physical features of the proposed site.

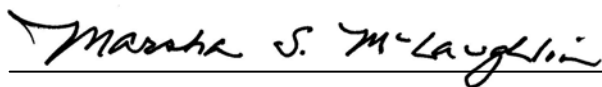
Ms. CitaraManis asked for clarification regarding the proposed lighting. Mr. Kopicki stated that the lighting is restricted per the FDP, which prohibits light pollution on adjacent properties, however all lights are depicted onto the proposed building not adjoining properties therefore the lighting would be in compliance with the approved FDP.

Mickey Cornelius, of the Traffic Group, explained in detail the circulation of traffic into and around the proposed plan.

Mr. Erskine questioned Mr. Cornelius regarding accident history of the intersection of 175 and Thunder Hill Road. Mr. Cornelius stated that there have been no fatal accidents and most of the accidents have been rear end accidents along 175.

Ms. Dombrowski stated that the plan would be continued until October 22, 2009

THERE BEING NO FURTHER BUSINESS, THE PLANNING BOARD ADJOURNED AT 11:15 P.M.



Marsha McLaughlin
Executive Secretary



Lisa Kenney
Recording Secretary