

1 COMMUNITY INPUT MEETING 1

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3 IN THE MATTER OF:

4 ROCK SPRING STATION

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7 The above-captioned meeting was held on December

8 15, 2016, commencing at 6:00 p.m. at the Newport Terrace

9 Hall, 23 Newport Drive, Forest Hill, Maryland.

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11 APPEARANCES:

12 JOSEPH SNEE, ESQUIRE

13 Gessner, Snee, Mahoney and Lutche

14 11 South Main Street

15 Bel Air, Maryland 21014

16 On behalf of the Developer

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18

19

20 Reported by:

21 Penny L. Comeau

1 PROCEEDINGS 2

2 MR. SNEE: Good evening, everyone. Thank you for

3 attending the Community Input Meeting tonight for Rockspring

4 Station.

5 My name is Joseph Snee. I'm the attorney for the

6 developer. With me also, who signed you all in, is my legal

7 assistant, Leigh Shotto. Then, our engineers from Frederick

8 Ward Associates are Tory Pierce and Lou Schaffer.

9 This is the first step in the development approval

10 process. The Community Input Meeting starts everything, and

11 the purpose of the meeting is to present the plan to the

12 community, to answer any questions you have, to hear any

13 comments or concerns you have.

14 Everything that is said tonight is being

15 transcribed by Penny Comeau from Bel Air Reporting as

16 the law also requires. Ms. Comeau will take down everything

17 verbatim and, when we get the transcript from Ms. Comeau, we

18 will do a certification to the Department of Planning and

19 Zoning saying that we met, the number of people in

20 attendance, what the concerns are, and we will attach the

21 transcript. For everybody signing in, we'll be happy to

1 send you that certification. That kicks off the 3

2 process.

3 Once we file the certification, the next step in

4 the approval process would be for the engineers then to file

5 for what we call the Development Advisory Committee, the

6 so-called DAC, D-A-C.

7 When we submit for DAC, that will be advertised,

8 too and, 30 days after we submit, there will be a DAC

9 hearing at 220 South Main Street in Bel Air. That's the

10 County Administrative Building, and that's on the second

11 floor conducted by Moe Davenport, the Chair of the DAC. So,

12 you will get notice of that as well.

13 So, I'm going to turn it over to Mr. Schaffer.

14 Mr. Schaffer is going to present the plan, and then we will

15 be happy to hear from anybody in attendance here tonight.

16 MR. SCHAFFER: As you know, the site is at 2000

17 Rockspring Road, and it's adjacent to the Forest Lakes

18 Center there with the Kohl's, the bank, Chick-Fil-A. It is

19 in between a site that is, I believe, the urgent care

20 facility and the water tower.

21 So, it's an infill lot. It's really what the

1 County has been promoting for the last 15 or 20 4

2 years of having development go into these infill parcels.

3 Parcels like this, particularly what's left, are very

4 difficult to work with but, you know, it's a matter of

5 having the right product and the right plan to develop the

6 property.

7 We are proposing -- I'm sorry, I lost my space --

8 a 54-unit apartment, multi-story apartment building and,

9 as you can see, it's three stories. It will meet the

10 County Code in maximum height of 45 feet, and it will

11 require 100 parking spaces for the residential, but then

12 there's a large element of retail space, 20,500 feet, that

13 will also have to be parked based off of the County Code

14 which would require another 100 spaces.

15 Total-wise, the building is roughly 78,000 square

16 feet. The lower level of the building, as you face 24, it

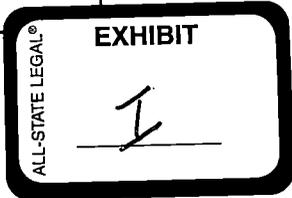
17 will be the retail component, and there will be some retail

18 along the back, mainly the back entrances to the facilities,

19 and all the residential will be above the retail.

20 In this (indicating) back corner of the project

21 will be some amenity space for the community, meeting



1 room, a gym, whatever it works out is best for the 5
2 program for this facility, as well as the management
3 offices.

4 we will obviously adhere to all the County zoning
5 codes which our plan does currently. We will provide
6 buffering landscaping. Some stormwater management will
7 occur in the front of the site in these microretention
8 facilities which are water-filtering devices to catch the
9 first inch of rainwater.

10 Behind the site and out of sight, there will be the
11 other type of quantity management facilities that will
12 provide the remainder of the stormwater management.

13 There will be a retaining wall along the backside
14 of the site, and that is just because there is so much slope
15 from front to back. We will need to just hold that side up
16 with a retaining wall, as you can see right here
17 (indicating) the architectural site.

18 So it will be landscaped in accordance with County
19 standards, and most likely the developers have different
20 standards than what the County does; so they add a little
21 bit more than what is required in many cases; as well as all

1 these stormwater management facilities will be 6
2 landscaped. These facilities are designed under the latest
3 State codes and have been very effective over the last six
4 years that they've been in use.

5 The site gains access off of 24, across from
6 Maurice Drive and, if you will notice, the site comes up and
7 does a little snake to get to one side. We did that on
8 purpose so that, as folks drive up the drive aisle, they
9 get to this (indicating) decision point. If they are going
10 to go back to the residential, they are going to go straight
11 on back. If they are going to turn into the retail, they
12 can turn without being encumbered by a backup because people
13 are making turns or backing out of parking spaces or
14 whatever; plus, the fact that we have more than adequate
15 stacking in the lane if someone were to get confused up here
16 at the intersection. So, we feel that will be a very safe
17 and effective way to get traffic in and out of the site.

18 The other thing we will be doing is, we will
19 provide widening along 24 right here (indicating) that will
20 be very similar to the widening that was done for the
21 Crick-Fill-A and the Kohl's and just to give that added lane,

1 left turn lane, and accel lane for incoming and 7
2 outgoing traffic, as well as providing a left turn into the
3 site.

4 MR. SNEE: Just one correction on the parking, Lou.
5 For the retail, it's 53 spaces. For the residential,
6 it is a hundred. I think you said a hundred for both. Just
7 that one correction.

8 MR. SCHAFER: Yes, that is correct.

9 MR. FINE: Sorry for being late. I have a
10 question.

11 THE REPORTER: Excuse me, sir. Can you identify
12 yourself?

13 MR. FINE: Stephen Fine. I live in Forest Lakes
14 community.

15 THE REPORTER: Thank you.

16 MR. FINE: I presume the apartments are above
17 the commercial?

18 MR. PIERCE: Correct.

19 MR. SCHAFER: Commercial down on the first level,
20 and the apartments are all on the second and third levels.

21 MR. FINE: Okay.

1 when you drive into this area, the egress 8
2 is only one egress, or is there an alternate egress?

3 MR. SCHAFER: No. There is only one egress.

4 MR. FINE: Hmm. Okay.

5 The next thing. As you are coming in, there is an
6 indication or a sign that would be put up that will put
7 people into the residential parking as opposed to
8 commercial?

9 In other words, people come in for commercial won't
10 be driving into residential?

11 MR. SCHAFER: Correct.

12 Part of the requirement of the mixed-use plan like
13 this is having a proper and Planning and Zoning approved
14 pedestrian lighting/vehicular circulation plan, and that
15 will include the proper signage and traffic control devices
16 to get people to where they intend on going.

17 MR. FINE: Is there a gate that you would enter --
18 is there a device to open and close for gates?

19 MR. SCHAFER: No, there's not. It's not a closed
20 community.

21 MR. FERGUSON: Is this open for questions now?

1 MR. SNEE: Yes. Just for the court 9
 2 reporter's benefit, if you would state your name and spell
 3 your last name each time you ask a question or make a
 4 comment, that would be great.
 5 MR. FERGUSON: Frank Ferguson, F-E-R-G-U-S-O-N, in
 6 Forest Lakes, resident of Forest Lakes.
 7 So somebody leaving — it's just two lanes coming
 8 in and out. So, somebody leaving and wanting to make a
 9 left, you could have people stacked up behind you.
 10 MR. SCHAFER: Yes, that's correct. Now, that
 11 could change. We have not done the traffic study. So, more
 12 than likely, a two-lane situation, because there's no
 13 real through opportunity, other than going up to
 14 Maurice Drive; so, putting a third lane in there would
 15 probably not be very beneficial and probably confusing.
 16 MR. FERGUSON: That's the main thing that I'd think
 17 would be an issue, a bunch of people leaving from
 18 residences and commercial at the same time and, if one
 19 person wanted to make a left, you would stack a lot of
 20 people up there, you know, with everybody else wanting to
 21 make a right.

1 I know you can't say: Right turn only. 10
 2 MR. SCHAFER: Right.
 3 MR. PIERCE: That's an excellent point. The
 4 needs of people wanting to turn north on 24 — I'm Tony
 5 Pierce from Frederick ward. That certainly needs to be met.
 6 It's a good point.
 7 MR. SCHAFER: Part of the traffic study that will
 8 be done will be looking at all these —
 9 MR. FERGUSON: So there's a possibility that there
 10 could be three lanes.
 11 MR. PIERCE: Thirty-six foot wide.
 12 MR. FERGUSON: Okay.
 13 MR. SNEE: I saw this lady and then this gentleman.
 14 MS. METTEE: Ann Mettee, M-E-T-T-E-E.
 15 If you go out there Saturday morning and try to get
 16 out of that development and go, say, down to Rocks, the
 17 traffic is so far backed up and people are so crazy, how
 18 they drive, and this is going to bring much more traffic.
 19 MR. SNEE: Well, as Mr. Schaffer said, we don't
 20 know yet because the traffic impact analysis is not required
 21 until after this meeting, and that would be the subject of

1 the submission for DAC when the engineers submit. 11
 2 So that will be done, but we just don't know at this point.
 3 MS. METTEE: The traffic on Saturday is backed up
 4 almost to the road up here.
 5 MR. METTEE: Up to 23.
 6 MR. SNEE: I'm sorry, sir. Please give your name.
 7 MR. METTEE: I'm John Mettee. She is saying
 8 traffic is backed all the way up to 23 in the mornings and
 9 in the afternoons, too. People trying to make a left-hand
 10 turn out of this development, they are going to have a hard
 11 time doing it.
 12 MR. SNEE: Yes, sir?
 13 MR. McAULIFFE: Dave McAuliffe, M-C-A-U-L-I-F-F-E.
 14 I've got two questions. What is the line of sight
 15 if you are standing on Osborne looking through Kohl's?
 16 What is the line of sight going to look like?
 17 MR. SCHAFER: It will be a clear line of sight as
 18 it currently stands. There's not much of a grade
 19 difference. There's not many things in the State
 20 right-of-way that would impede sight distance.
 21 So, once we get in and we do the actual engineering

1 measurements that we need to do and all that we need 12
 2 to do — I have been to the site, and it is pretty good
 3 sight in both directions.
 4 MR. McAULIFFE: So, no chance for landscaping or
 5 a berm or something to break it up? It's going to be
 6 parking lots all the way across there?
 7 MR. SCHAFER: There's a restriction in the Code,
 8 both State Highway Administration Manual and the County
 9 Zoning manual, and there is a sight triangle that needs to
 10 remain clear at all intersections, and how you measure, you
 11 take a look at the sight distances that, according to the
 12 State, where the intersections occur, there is a certain
 13 distance back when you're sitting in your car and you look
 14 right and left, and you should see 300, sometimes up to
 15 500 feet in distance. You should be able to see the top of
 16 a —
 17 MR. McAULIFFE: Okay. I think we are talking about
 18 two different things. I'm thinking about the line of sight
 19 that, if you are actually down here (indicating) looking
 20 across Kohl's parking lot where Chick-Fil-A and all that is,
 21 is it just clean parking lots?

1 MR. SCHAFFER: No. That whole hillside 13
2 right here (indicating) will have landscaping along here as
3 well as we will have some landscaping along there. We will
4 also have landscaping along the front in this parking lot
5 and along the stormwater management facility.
6 MR. MCAULIFFE: I mean, more than just a line of
7 trees or —
8 MR. SCHAFFER: We haven't designed it yet but,
9 typically in these things, there is a mixture of trees and
10 shrubs, generally on the sides of the property. The
11 effective type landscape is screening with pines and, you
12 know, thick trees of that nature, if you're going to provide
13 a buffer; but, generally, in the front you are going to do a
14 combination of deciduous trees and shrubs and sometimes
15 pines.
16 MR. MCAULIFFE: The second question is, I
17 understand what you're doing out front for the stormwater
18 management, but stormwater — the majority of the stormwater
19 is going to be going to the backside?
20 MR. SCHAFFER: Correct.
21 MR. MCAULIFFE: Heading down toward the creek?

1 MR. SCHAFFER: Where it currently goes today. 14
2 MR. PIERCE: There is a storm drain system that is
3 installed underneath the ball fields behind the elementary
4 school, and that captures the drainage that comes off the
5 top of that hill. Right now, it captures all that
6 water and pipes it across the ballfields before it gets down
7 to the stream area downstream.
8 MR. MCAULIFFE: But now it's vegetation there.
9 MR. PIERCE: Right. So the stormwater management,
10 stores the water, filters it in the ground, and relays it
11 back or discharges it back to attempt to match the existing
12 condition.
13 So we have to assume that the existing condition
14 on the site is forest, and then we have to manage the runoff
15 as if it's still forest.
16 MR. SCHAFFER: When we release that runoff, we
17 can't release anymore — the benchmark is what they call a
18 ten-year storm so that, in a pre- and post-condition
19 situation, we can't release anymore in the post-development
20 state than exists today.
21 MR. MCAULIFFE: Just for reference, my house backs

1 up against that stream. So I'm just kind of 15
2 curious as to additional water flow or something like that.
3 MR. SCHAFFER: There will be no addition. As a
4 matter of fact, most cases, particularly with these
5 filtering devices that we have to put in there — there
6 is one there (indicating), one there — those things act in
7 many cases depending on the soil types as an infiltration,
8 putting groundwater back into the site, and they are also
9 slow release, 24 hours, and they hold what's known as the
10 one-year storm event, the first flush.
11 So, generally, we have found that, when we put
12 those in in cooperation with the quantity management pond,
13 the discharge rate is less than the ultimate condition that
14 it was currently.
15 MR. SNEE: This lady had her hand up.
16 MS. DEAN: My name Cindy Dean, D-E-A-N. I'm also
17 a resident of Forest Lakes. I have two questions.
18 The first one is going back to the traffic study.
19 I know you don't really have a lot of control, but can the
20 community have some kind of input as to whether they do
21 multiple days and do it at various times.

1 As Ann had said, the weekends, both 16
2 actually Route 24 north and south is bad. It gets backed up
3 for probably a mile and a half or two. So, I was just
4 wondering if they would do it at various times during
5 non-busy times, perhaps during the week after seven o'clock
6 or eight o'clock.
7 MR. PIERCE: The requirement in the County Zoning
8 Code is that you do the a.m. peak, the p.m. peak, and then
9 the weekend peak.
10 MS. DEAN: So they would do the Saturday. Okay.
11 That's the one.
12 The other question I have regards the lighting in
13 the parking lot. What I was wondering is, Kohl's tends to
14 have that lighting where it kind of points downward, and
15 it's not overly bright. I just wondered, are they
16 considering that for the lighting?
17 MR. SCHAFFER: That is in the County Code for that
18 type of cut-off lighting to be used everywhere. So, yes, we
19 will have that type of lighting.
20 MS. DEAN: Okay. Thank you.
21 MR. PIERCE: That will be done just for the

1 residents themselves. They are not going to want to
 2 have the outside of the building all lit up. So --
 3 MS. DEAN: I have a third question.
 4 The retail, are they going to be like doctors'
 5 offices? Is that the type of retail or --
 6 MR. SCHAFER: It is unknown at this point in
 7 time. The project hasn't been put out on the market for
 8 leasing yet to see what kind of interest there is.
 9 MR. SNEE: Yes, sir?
 10 MR. ROUX: Ted Roux, R-O-U-X, from Forest Lakes.
 11 I just want to point out one thing here. This
 12 (indicating) is the current location of the bank? Kohl's is
 13 over here?
 14 MR. SNEE: The bank is here (indicating).
 15 MR. ROUX: Okay. Here (indicating) is a driveway
 16 coming out of Kohl's and the bank. Can you make a left from
 17 here onto 24?
 18 MR. PIERCE: You cannot.
 19 MR. SNEE: It's right in and right out.
 20 MR. PIERCE: And a left in.
 21 MR. ROUX: From here (indicating) to here is so

1 close, but yet you can make a left here and not a
 2 left here. I was wondering if it was a possibility or a
 3 consideration to have the access from here (indicating) over
 4 here.
 5 MR. PIERCE: Have a connection --
 6 MR. ROUX: They are so close together.
 7 MR. SCHAFER: Certainly there is a potential
 8 for that to happen, but you are dealing with two different
 9 property owners. You're dealing with a residential mix
 10 versus a commercial mix. There is agreements that need to
 11 be had between both sides, plus there is a considerable
 12 grade difference between the drive on my client's property
 13 versus the drive by the bank.
 14 So, when we put together and we look at this
 15 pedestrian and vehicular circulation plan, it is one of the
 16 things that we need to look at; is there an ability to have
 17 some linkage across the site, likewise, with the urgent care
 18 facility on the other side. There are things we really
 19 need to study in detail before we go on.
 20 MR. SNEE: Lori?
 21 MS. PIETROWSKI: Lori Pietrowski,

1 P-I-E-T-R-O-W-S-K-I, West Jarrettsville Road.
 2 I understand the property is zoned for this type
 3 of business. My complaint tonight is about the traffic. I
 4 drive this road every single day to get to Bel Air. It is
 5 six miles exactly from my house. It takes me between 20
 6 and 25 minutes to get to work.
 7 I am backed up every morning almost to the
 8 Forest Hill Post Office. Everyday. I did call SHA today
 9 for them to check on the lighting timing, especially the
 10 one at Spencola Parkway. It's every single day. It's the
 11 same way coming back home.
 12 I don't know whether you have hit any traffic
 13 coming up here, but usually between 5 and 6 you are backed
 14 up.
 15 For someone to make a left out of that development,
 16 it's not going to happen. I'm not letting you in. It is
 17 going to be tough. They're going to be making a right and
 18 maybe going down to Kohl's and going into that parking lot,
 19 getting the light and taking a left.
 20 It's just a big traffic issue. That is all my
 21 concern is.

1 MR. SNEE: Again, we don't know at this
 2 point what type of restrictions will be put on that
 3 entrance, exactly what kind of entrance it's going to be.
 4 As we go through, as you know, Lori, the
 5 development process, that's the kind of stuff that gets
 6 worked out in the process before you come up with
 7 your final plan.
 8 I saw this gentleman and then that gentleman.
 9 MR. PFINGSTEN: Rich Pfingsten, Brandy Drive,
 10 Forest Hill.
 11 MR. SNEE: Could you spell your last name?
 12 MR. PFINGSTEN: P-F-I-N-G-S-T-E-N. I'm sure you
 13 had it that way.
 14 I have a couple of questions about stormwater
 15 management. It looks like your water quality facilities
 16 including the one by the road are all draining to the
 17 holding pond eventually?
 18 MR. SCHAFER: Correct.
 19 MR. PFINGSTEN: And then that pond looks like it is
 20 outfalling just into a forest area as opposed to into a
 21 storm drain.

1 MR. SCHAFFER: Correct. 21
2 MR. PFINGSTEN: Is there a swale that then takes
3 that down —
4 MR. SCHAFFER: We need to provide an appropriate
5 natural drainway to get it into the wetlands down there
6 which is where the storm drain is located.
7 As you can see, if you look at the contours right
8 in this (indicating) area, there's a big wall where this is
9 a valley and everything is sloping down and the
10 water is falling down in this direction.
11 MR. PFINGSTEN: Once it gets there, does it go
12 directly to the tributary or the channel that goes to Bear
13 Creek, or does it go ultimately into the facility that is on
14 the Forest Lakes School property, or does it bypass that
15 facility?
16 MR. SCHAFFER: It does not go into that school
17 property facility. As Mr. Pierce stated earlier, there is a
18 storm drain system under the school fields that pick up the
19 drainage from this (indicating) part of 24. It will
20 discharge into that eventually.
21 MR. PFINGSTEN: So it does get to a storm drain.

1 It's not overland flow all the way to Bear Creek. 22
2 It ends up in a storm drain.
3 MR. SCHAFFER: Right.
4 MR. SNEE: Mr. Ferguson, did you have a comment?
5 MR. FERGUSON: Frank Ferguson again. What is the
6 timeframe on this, when it could be done?
7 MR. SNEE: In terms of the approval process, we
8 could be submitting for DAC — it's up to the engineers —
9 MR. PIERCE: The process will probably take about
10 18 months before construction could start.
11 MR. FERGUSON: Okay.
12 MR. SNEE: Yes, sir?
13 MR. WEISS: I'm Rob Weiss, W-E-I-S-S, Forest Lakes.
14 In regards to the zoning, the current zoning
15 doesn't need to be changed for this type of thing?
16 MR. SNEE: Correct. It's B-2.
17 MR. WEISS: Okay; and it's been that way for some
18 time?
19 MR. SNEE: Yes, sir.
20 MR. FINE: I have some questions about —
21 MR. SNEE: Please state your name again.

1 MR. FINE: My apologies. 23
2 MR. SNEE: That's okay.
3 MR. FINE: Stephen Fine, F-I-N-E, like Larry Fine
4 in the Three Stooges, but it's Stephen. Okay.
5 Residential parking. I presume that's in the back,
6 if we could call it that. I make that assumption.
7 MR. SCHAFFER: It's in this (indicating) area.
8 MR. FINE: A couple of questions about that.
9 Are they going to be numbered, or is it open
10 parking?
11 MR. SCHAFFER: That's generally a programming issue
12 with the management and owner of the complex to make that
13 decision. Right now, there has been no decision. It's a
14 little too early to make that determination.
15 MR. FINE: The other thing is, will the residents
16 then be issued permits such that their windshields will
17 show that they are residents of that location because it has
18 everything to do with organizing and monitoring and
19 supervising the parking so that we don't wind up with an
20 excessive amount of traffic that goes in for commercial
21 purposes using residential parking, and what you ultimately

1 wind up with is jammed traffic coming in and out. 24
2 MR. SCHAFFER: I am sure that as the project moves
3 forward there will be some type of control there, but we
4 don't know what it will be.
5 MR. PIERCE: The residential program will be by
6 permit only, and they will probably have stickers hanging
7 on their car on their dash or on their bumper or hanging
8 from their thing. So, there is going to be no commercial
9 parking in the back.
10 MR. FINE: The problem that I see is, it is beyond
11 just what it appears to be acceptable as parking privileges
12 because, for residents, they — I've been in apartment
13 buildings before. Typically, a resident has a space
14 reserved, and they allow an extra spouse for company or
15 guests.
16 Seriously, as I look at this, because you have 54
17 apartments and if you just simply count along with the
18 parking spaces that are available, I am not certain that
19 that's going to be capable of accommodating the parking that
20 you have here. You need to define the number of spaces that
21 you have for cars that are authorized to be there based on

1 residents, but then here is the other thing. A 25
2 husband and wife will each drive a separate car.

3 If you have a family, then you may or may not add a
4 car and then you have the right for visitors and guests.
5 I'm not seeing — unless you're going to build a garage
6 below the level, I don't see that you have enough
7 accommodations here because what I do see is you have
8 intrusion. You have the capability of having intrusion here
9 where people are going to overflow and just drive into
10 there.

11 MR. SCHAFER: There is always that potential, but
12 it is a matter of how the management company really manages
13 and controls the situation.

14 I know that with our client, the type of developer
15 that he is, his team stays up on top of this stuff,
16 maintains their properties very well. There will be some
17 type, like Mr. Pierce said, of control for parking, and I
18 have a hard time, at least the way I feel about it, feeling
19 that there will be any ability to store vehicles or
20 whatever back there by residents just for the sake of it
21 like sometimes you see in people's driveways; but it is

1 something that will have to be controlled. No doubt. 26
2 MR. FINE: The plan that you have as it's written
3 here is too nebulous for feeling comfortable that you are
4 going to prevent jamming and you're going to prevent
5 traffic.

6 You are going to allow traffic control — I'm
7 thinking you are going to really diminish traffic
8 capability on this. I'm not at all comfortable as what
9 I see here is the capability to maintain what I call safe
10 and reasonable traffic within these confines. I have real
11 concerns, especially since you have just one egress and you
12 have by Kohl's — has double egress. Limitations based on
13 major thorough — Route 24 — it doesn't appear to be in my
14 estimation, humble as it be, to be tenable.

15 MR. SCHAFER: They are certainly all good points
16 and, like I said before, as we get into the traffic and
17 traffic control phase of the project, they will all be the
18 type of things that we'll be looking at, as well as getting
19 recommendations from the traffic engineer for how to
20 mitigate some of these situations.

21 Needless to say as well, State Highway

1 Administration will have a great deal of impact on 27
2 what happens in their roadway system.

3 MR. SNEE: Yes, sir?

4 MR. PFINGSTEN: Rich Pfingsten again.

5 Going back to the stormwater. The reason we are
6 concerned in Forest Lakes about the stormwater issue
7 is, we have a lot of these developments that are
8 popping up now. We have the urgent care, Kohl's. They are
9 going to have to do — yes, while you are managing
10 stormwater per the requirements, what is happening is we are
11 getting a bunch more ponds within the watershed, and those
12 ponds are all holding it for the ten-year storm or
13 whatever the storm event is and are releasing it, and it's
14 all coming down into the stream.

15 So, essentially, instead of there being one big
16 regional pond to manage, we have multiple ponds that are
17 all coming in and they are starting to rip out the channel.
18 Our problem is that we have an instream stormwater
19 management pond along Osborne Parkway that has to be
20 maintained, and we're seeing that we are having to maintain
21 that riser structure and slopes. Wayne can tell you about

1 that. It is having to be maintained every three or 28
2 four years as opposed to once every ten or twenty years,
3 like we were told originally.

4 So, anything that you guys can do — I know you are
5 going to follow the standard guidelines, but the
6 maximum amount of infiltration you guys can get out
7 here is really going to be helpful to us. If you could go
8 forward to try to push for really a lot of infiltration out
9 here because we are getting desaturated by flows, multiple
10 flows coming from different points.

11 MR. SNEE: Yes, sir?

12 MR. LEBLANC: Wayne LeBlanc, L-E-B-L-A-N-C, Forest
13 Lakes.

14 Just to reiterate what he's saying. Downstream
15 in Bear Cabin, it's an instream flow of management facility,
16 and right now that area during big storms, not ten-year
17 storms — that entire valley turns into a lake and, right
18 now, we are facing a \$12,000 repair that washed out that
19 entire covering of the pipe, right now, and that was just
20 from some big heavy rains and it turns it into a lake.

21 So that is something that we will all be looking at

1 mitigating and maybe get the owners involved, but 29
2 another question. These are all going to be rental
3 apartments?
4 MR. SCHAFER: Yes, one-, two- and three-bedroom
5 units.
6 MR. LEBLANC: Who is the developer?
7 MR. SCHAFER: The developer is Rockspring Station,
8 LLP, which is an entity for just this project. Who the
9 individual players of that LLP are, I'm not quite sure.
10 MR. LEBLANC: What would be the nearest similar
11 facility that they have like this that we could --
12 MR. SCHAFER: Probably not -- they recently did a
13 complex down in Constant Friendship, but they were garden
14 style apartments.
15 MR. LEBLANC: No retail?
16 MR. SCHAFER: No retail.
17 MR. LEBLANC: I was talking retail/residential.
18 MR. SCHAFER: I believe that they have some sites
19 in Anne Arundel County and Baltimore County and the
20 Washington, DC area. I have seen pictures, but I don't know
21 exactly where they are.

1 MR. SNEE: If you just e-mail me tomorrow, 30
2 I will try to find out if there is a similar product like
3 what we have here and I would be happy to send it to you.
4 Yes, sir?
5 MR. MCAULIFFE: Dave McAuliffe.
6 So, you're looking at the commercial piece. It
7 looks like maybe six separate stores? Is that the
8 idea? Is that six different types of business or are
9 they are blended together?
10 MR. SCHAFER: They can blend together. It can be
11 any kind of configuration there for the space. It's just a
12 matter of the use and what type of space that they would
13 require.
14 MR. MCAULIFFE: So, I assume the developer decided
15 there is value in having that commercial instead of just all
16 residential? There is open space down the road as I have
17 seen it. I am curious as to what is the thought behind
18 filling that up?
19 MR. SNEE: I have had no discussions regarding
20 that, have you guys?
21 MR. SCHAFER: No.

1 MR. PIERCE: We have not, no. 31
2 The project is called a mixed use center under the
3 zoning guidelines. It is a special development within the
4 Zoning Code, so it allows residential development within
5 commercially zoned properties if you do a mixed-use
6 configuration.
7 So, it is a huge risk that's being taken
8 here on a project like this. There isn't anything like this
9 in Harford County yet. This will be the very first mixed
10 use building that is all contained in one building.
11 MR. MCAULIFFE: I guess the traffic thing in my
12 mind, people coming in and out. I just wondered what the
13 commercial effect versus having residential. It just seems
14 to add some significant degree to it. It is going to
15 depend on what type of business that is going to be there.
16 Anyway --
17 MR. SCHAFER: When they do the traffic study,
18 they project worst case type permitted uses in these
19 buildings. So they can get a pretty good composite
20 number of what, as a study number. A lot of cases, at the
21 end of the day, those numbers tend to be high.

1 MR. MCAULIFFE: I just want to add one 32
2 more vote for really working on that stormwater management.
3 As you got Kohl's and this property and you got the urgent
4 care and -- is it Walgreen's? I can't remember the stores
5 that are on there. All the sudden, the whole top of that
6 hill is impervious surface. So that's a lot of water
7 heading our way.
8 MR. SNEE: Yes, sir?
9 MR. PFINGSTEN: Rich Pfingsten again.
10 I know at one time the Kohl's property went through
11 that integrated shopping center procedure. This mixed use
12 is not one that allows for liquor licenses or anything so
13 the retail could not be a restaurant retail -- well, a
14 restaurant with a liquor license retail or what?
15 MR. SNEE: That provision for the ICSC, we were
16 involved in that. Obviously, that use never came to be, but
17 you could, in theory, have a retail use in there that's a
18 restaurant. Again, we just don't know at this point.
19 MR. PFINGSTEN: So, even with its locale close to
20 the school, if it is not an ICSC -- I know the rules or the
21 law that passed was for ICSC. I was wondering if the mixed

1 use also fit in that category or if that is something 33
2 that would have to go through the legislature to get
3 approved.

4 MR. PIERCE: We would have to check that.

5 MR. SNEE: The rule on that is — and I know it by
6 heart — the alcoholic beverage law says in Harford County
7 you measure nearest point to nearest point. So whatever
8 point is closest to Forest Lakes as the crow flies is a
9 thousand feet. Okay? But, then, the Liquor Board has the
10 authority to waive the thousand feet down to 300 feet in its
11 discretion.

12 It's the same discretion that is allowed in the
13 City of Aberdeen, the City of Havre de Grace, and the Town
14 of Bel Air. So, it starts out as a thousand feet, but it
15 can be waived by the Board in their discretion down to 300
16 feet.

17 MR. FINE: Stephen Fine again.

18 How many commercial units are anticipated in this
19 particular development? What is the space allocation that
20 is anticipated?

21 MR. PIERCE: Twenty thousand square feet.

1 So probably six separate uses. 34

2 MR. FINE: Okay, and there's no, yet, restrictions
3 for the type of — they can just sell washing machines? Any
4 restrictions for the commercial activity?

5 MR. SCHAFER: There are certain permitted uses per
6 the Zoning Code. So you really have to be in one of those
7 categories in order to come into a retail center like this,
8 selling certain types of merchandise.

9 So it really — there's a broad range of types of
10 businesses that could be allowed, but there is also a much
11 larger range of businesses that aren't allowed. So, it is
12 your typical retail type use, I would think.

13 It could be a medical or dentist office. It's
14 just so difficult to predict what could go in there at this
15 point in time.

16 MR. FINE: Okay.

17 MR. FERGUSON: Frank Ferguson, Forest Lakes.

18 Like the gentleman said back here, this was
19 probably the best bang for the buck for this developer or
20 owner of the land. We kind of went through this, not with
21 residential, but it was going to be something similar to

1 this on the Kohl's lot. It was going to be — I 35
2 think it was going to be like a multi-layer thing like this
3 with stores in the front and commercial space above that was
4 more an office space or something.

5 Anyway, what I'm getting at is this hypothetically
6 could never happen. Right? You guys could wind up turning
7 it into another box store or strip mall potentially if this
8 doesn't go through. Like I said, this is probably the
9 best bang for the buck for you guys. You got a little bit
10 of a quick hit, commercial stuff and apartments because
11 everybody needs apartments these days because, the new way
12 people are living, they want to be able to jump and run.

13 So this could just be a pipe dream hypothetically.
14 It could wind up being a little strip mall or another box
15 store. So, this again — this is why we're all here.
16 This is the first phase. This would be great maybe if it
17 all works out.

18 Just the thing about a left turn out of there could
19 shut the whole thing down relative to the State Highway
20 Administration. They could say trying to pump all these
21 people out at 7 in the morning, half of them making a left

1 or a third of them making a left, whatever they 36
2 factor in — so, you know —

3 MR. SCHAFER: You're absolutely right and, as
4 Mr. Snee was saying, there is the development process.
5 Where we would go next is submitting the concept plan
6 package to the County, and that concept plan would entail a
7 more detailed zoning site plan, architectural renderings.
8 It would also include pedestrian lighting, bicycle and
9 pedestrian plan, and a vehicular circulation plan. There is
10 a whole group of criteria, types of drawings that need to be
11 submitted at that point in time and, you know, that plan
12 will get presented before DAC. Everyone that has been
13 notified of that plan will be notified again by Planning and
14 Zoning that something is going to DAC in your area.

15 MR. FERGUSON: So, if this flips to something else,
16 a strip mall, a box store or whatever, we will be notified
17 and doing this all over again?

18 MR. SNEE: Yes. Yes, sir?

19 MR. PFINGSTEN: Rich Pfingsten again.

20 So, for the basic concept plan, will you have met
21 with State Highway Administration on their needs, or do they

1 first comment at DAC? 37

2 MR. SCHAFFER: We like to get an understanding

3 with State Highway Administration early on in a project to

4 see what they think their needs are there. So, we would

5 probably have a site meeting there and talk about the access

6 and just get a preliminary conversation going.

7 MR. PFINGSTEN: As a State road, I'm trying to

8 remember what the rules were. From a traffic standpoint, if

9 the intersections nearby that you are impacting are rated a

10 D, you don't have to improve them to a C. You only have to

11 meet a D —

12 MR. SCHAFFER: You have to mitigate your impact —

13 MR. PFINGSTEN: — (continuing) to keep it at a

14 similar — whatever is messed up to be right now, you only

15 have to get it to be up to that standard.

16 MR. SCHAFFER: Yes, sir.

17 MR. FERGUSON: That's a good way to put it.

18 MR. SNEE: Yes, sir?

19 MR. KEGGINS: Tim Keggins.

20 I know the concept plan is next, the approval.

21 Who is behind the concept plan? I know it's Rockspring

1 Station, LLP, I'm assuming, but there has to be 38

2 someone.

3 MR. SCHAFFER: It's a conglomerate of people.

4 MR. KEGGINS: I understand that. There has to be

5 someone seeking the plan approval. Not you guys, I assume.

6 MR. SNEE: No.

7 MR. KEGGINS: It's not you guys. Someone is

8 behind the concept plan approval. Someone is seeking that.

9 I'm just trying to find out who is seeking that. That may

10 lead us to know who the developer might be.

11 MR. SNEE: This entity is an LLC.

12 MR. KEGGINS: An LLP. Right.

13 MR. SNEE: It is an LLC. It's a limited liability

14 company.

15 MR. KEGGINS: Not an LLP?

16 MR. SNEE: The owner is the LLC. Then, the

17 purchaser is the LLP, to be clear.

18 The developer right now that has worked with me is

19 Osprey Development.

20 Kolocher (phonetic) just owns it, is the contract

21 seller.

1 Any other comments or questions? 39

2 (No response.)

3 MR. SNEE: Well, thank you all for coming out

4 tonight. I wish you happy holidays, a Merry Christmas and a

5 Happy New Year.

6 (The meeting was concluded at 6:50 p.m.)

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1 CERTIFICATE OF NOTARY PUBLIC/REPORTER 40

2 STATE OF MARYLAND,

3 COUNTY OF HARFORD, to wit;

4 I, Penny L. Comeau, do hereby certify that the

5 within proceedings were recorded stenographically by me and

6 then transcribed from my notes in a true and accurate manner

7 to the best of my knowledge, ability and belief.

8 I further certify that I am not related to any of

9 the parties to this proceeding and have no interest in its

10 outcome.

11 As witness, my Hand and Notarial Seal this 17th day

12 of December, 2016, in Bel Air, Maryland.

13

14

15

16 Penny L. Comeau, Notary Public

17

18 My Commission expires 4-21-20.

19

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