

## DEVELOPMENT ADVISORY COMMITTEE MINUTES

The Development Advisory Committee (DAC) met on January 20, 2021 virtually at 9:00 a.m. in the Harford County Government Administration Building, 220 S. Main Street, Bel Air, Maryland. The meeting was chaired by Moe Davenport, Department of Planning and Zoning.

The following are committee members:

Moe Davenport	Chairman, DAC
Bill Snyder	Volunteer Fire & EMS
Patrick Jones	Soil Conservation District
Brian Phipps	Health Department
Darryl Ivins	DPW Water & Sewer
Robert Anderson	DPW Engineering
	Sheriff's Office
Missy Valentino	Harford County Public Schools
Paul Magness	Parks & Recreation
Teresa Eller	State Highway Administration
Eric Vacek	Planner, Development Review
Lori Pietrowski	Administrative Specialist
Chelsea Broach	GIS Analyst

Those in attendance:

Moe Davenport	Bill Snyder
Brian Phipps	Robert Anderson
Paul Magness	Eric Vacek
Lori Pietrowski	Chelsea Broach
Glen Hebel	Mark Keeley
David Taylor	Brad Stover & Associates
Keith Dolan	

**Moe Davenport** – I would like to welcome everyone to the January 20, 2021 meeting of the Development Advisory Committee. I am Moe Davenport with Harford County's Department of Planning & Zoning. We have a number of DAC members with me today from the County. We have one plan on the agenda today and that is for Dollar General Store Fallston. I will go over the protocol for the meeting. The Development Advisory Committee is a technical advisory committee. We do not accept any plans to this committee that are not permitted by right. We have received a number of emails and a number of comments on this and it will all be part of record. During the meeting, if you have any questions you can type them in and there will be an opportunity at the end and we will try to answer all of the questions that we have. If we do not answer any questions we will get back to you. Please be sure that this is not the only opportunity for questions and comments. As I said, we have received a number of questions and comments over the last four weeks. We will also continue to accept questions and comments on this plan after this meeting. Our meeting

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does not approve or deny the approval. We review the plan for the underlying zoning regulations and their application to the submittal in front of us. There will be a brief presentation from the consultants for the project then we will go around to DAC committee members for their questions and comments. Then we will open the meeting up to anyone in attendance that has any questions or comments. If you would like at any time you can type in your questions or comments in the side bar and we will have time at the end of the meeting to answer those questions or comments. With that, we will get started with today's plan. Consultant for the project, good morning.

**DOLLAR GENERAL STORE FALLSTON**

Located on the west side of Fallston Road (Route 152) at 2800 Fallston Road (Route 152). Tax Map 47; Parcel 332. Fourth Election District. Council District B. Planner: Eric.

Plan No. S522-2021 Proposed 9,100 sq. ft. Dollar General Store with 40 parking spaces including 2 handicap spaces/1.43 acres/VB

Received 12-22-2020 2800 Fallston LLC/David G. Taylor & Associates LLC

**Verbatim Transcript**

**David Taylor - David G. Taylor & Associates LLC**

My name is David Taylor. My firm is David G. Taylor & Associates LLC. We have prepared and are presenting this site plan for a proposed Dollar General Store, located at the corner of Baldwin Mill & Fallston Road. The property was previously developed and functioned as a gas station in times past. That use has been removed. There is existing infrastructure on the property such as three entrances, two on Fallston Road and one on Baldwin Mill. A parking lot, an underground stormwater management facility and, basically the building slabs of the old structures that have been removed. We did do some preliminary work with the Health Department in the area shown as the septic area in performing test pits and that area received preliminary approval from the Health Department. At that time, we did not know what the use was. Now we are proposing a Dollar General, which is a minimal use in respect to the private septic system. The idea of this project is to eliminate one of the entrances onto Fallston Road closest to the intersection, and maintain the further entrance and perhaps improve on it as shown. And also to use the existing entrance on Baldwin Mill as shown also with some improvements. Stormwater management again there is an existing underground facility, which we are going to leave in place, and use it and try to continue to use it in the same way as it was previously used. We are looking at this project as a re-development project as well. In that re-development we are looking again to keep some of the infrastructure, some of the paved surfaces and remove some. There will be net reduction in impervious area with what we are showing. We are showing a small water retention facility on the south west corner. That's about it. We have an extensive distance from Fallston Road which is a state right-of-way. It is a corner property with two fronts and

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two sides. With that, I will open it up to your comments.

**Bill Snyder – Volunteer Fire, EMS & DES**

- Building will require a Knox Box if there is a 24hr fire alarm monitoring system. It shall be keyed for the Harford County Fire Service. Contact [wrsnyder@harfordpublicsafety.org](mailto:wrsnyder@harfordpublicsafety.org) to obtain Box.
- Recommend the usage of non-combustible landscaping directly next to the building. Traditional, wooden-mulch increases likelihood of nuisance fires from outdoor smoking.
- Fallston VFC is requesting that a 30,000 underground tank be installed at rear of the property to assist in fire protection for both this business and other businesses in this community.

**Brian Phipps – Health Department**

The Harford County Health Department (HCHD) has extended its approval for the above referenced Site Plan. The site is located on the west side of Fallston Road (Route 152) at 2800 Fallston Road. This plan proposes to construct a 9,100 square foot Dollar General Store with forty (40) parking spaces including two (2) handicap spaces. The site is to be served by the existing water supply well and a proposed On-site Sewage Disposal System (OSDS).

Prior to the approval of the Health Department's portion of the building permit to construct the Dollar General, the following requirements would need to be satisfied:

1. A Stormwater Management (SWM) Concept Plan must be submitted and approved by the Harford County Bureau of Stormwater Management. All applicable setbacks between the proposed SWM devices and the existing well and proposed septic area must be met prior to approval.
2. The consultant to the plan must supply a revised Site Plan to the HCHD showing an initial OSDS and one replacement OSDS. Based on the proposed use, the OSDS design will be based on a peak wastewater flow of 400 gallons per day, which represents the minimum allotment for a commercial property.
3. Any existing buildings or structures planned to be razed will require a demolition permit that is secured through the Department of Planning and Zoning. All aspects of the demolition work must be reviewed, approved, and completed to the satisfaction of the Health Department. This includes, but is not limited to: the abandonment of any unapproved wells and septic systems, the management of asbestos, hazardous

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materials, and solid wastes, and the removal of any underground storage tanks. All documentation concerning the demolition work must be forwarded to the Health Department for review.

Prior to the issuance of the Certificate of Occupancy (COO) for the Dollar General, the following requirements must be completed:

1. Upon completion of the project, the existing well (HA-81-3570) must be chlorinated, and satisfactory water results must be obtained for the following parameters: bacteria (including total coliform & *E. coli*), Nitrates, Nitrites, Sand/Turbidity, Volatile Organic Compounds (VOCs) and a second bacteria sample taken a minimum of seven (7) days after the first sample.
2. A Harford County licensed septic installer must secure an OSDS permit in order to install the OSDS according to the approved OSDS plan. Any changes to the plan or changes/additions in use to the proposed building must be resubmitted, reviewed, and approved by the HCHD prior to the installation of the OSDS. All sewer line, septic system components, pump and alarm systems, and drainfield trenches must be inspected and approved by the HCHD.
3. Based on the current information provided, and the proposed use indicated, the water supply well will be designated as a public water system known as a "Transient Non-Community Water System" (TNCWS). As such, periodic inspections of the water supply well and routine water quality monitoring will be required by the Maryland Department of the Environment (MDE). Please contact MDE at 410-537-3577 for additional information pertaining to the requirements for a TNCWS.

Please be aware that requirements from other agencies may pertain to this facility moving forward:

1. The subject property was previously under investigation by the Maryland Department of the Environment (MDE) Oil Control Program under Case Numbers 94-1251HA and 97-1779HA. While both of these cases have been closed by MDE, the owner/developer is instructed to contact MDE Oil Control Program at 410-537-3442 or 1-800-633-6101 x3442 for any additional information or requirements pertaining to this site.

If the owner/developer has any questions, they may contact our office at their earliest convenience.

**Robert Anderson – DPW Engineering**

1. A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.
2. A grading permit shall be required for land disturbing activities exceeding 5,000 square feet. In addition, stormwater management must be addressed.
3. Stormwater Management must be provided in accordance with the 2000 Design Manual as amended by Supplement 1.
4. A stormwater management concept plan needs to be submitted for review and must be approved prior to preliminary plan approval. Comments must be addressed on subsequent stormwater plan submittals.
5. Discharge pipe locations for the stormwater management facilities must be shown on the plan.
6. A suitable outfall must be provided for the stormwater management facility and shall be approved at the time of final design.
7. A 20' wide access easement is required to the stormwater management facility for maintenance purposes.
8. The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.
9. Maintenance of the stormwater management facility (facilities) is (are) the responsibility of the lot owner (s).
10. The need for an NPDES industrial discharge permit through The Maryland Department of the Environment shall be investigated by the engineer.

**Highway Design**

1. A traffic impact analysis was submitted for review. Comments will be forwarded to Planning and Zoning.

**Moe Davenport** – Do we have a representative from the Sheriff's office? I do not see their name up there.

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**Paul Magness – Parks & Recreation**

Parks & Recreation has no comment on this plan.

**Moe Davenport** – Is there a representative from State Highway Administration? No response.

**Eric Vacek- Planner**

1. This Site plan proposes to construct a 9,100 square-foot Shoppers Merchandise store in the Village Business (VB) zoning district. The subject property totals 1.43+/- acres.
2. A Deed of Consolidation shall be submitted to the Department for the addition of the 0.015 acres of SHA right-of-way.
3. The Site plan proposes a total of forth (40) parking spaces based on 7.613 square feet. The consultant shall clarify the square footage of the proposed structure and provide the minimum parking as required in Section 267-26 (Parking/Loading). Parking areas shall be landscaped pursuant to section(s) 267-29 (Landscaping) and 267-30 (Buffer yards) of the Harford County Code. New version required.
4. A Combined Forest Stand Delineation/Forest Conservation Plan (FSD-FCP 504-2020) cannot be approved as submitted and shall be revised. The revised plan must detail the required afforestation with a proposed schedule and description of needed site and soil preparation, number and proposed location of plantings, species, size and spacing to be utilized. The applicant shall utilize native species planting stock if individual trees are proposed. Individual trees required for afforestation shall be identified on the revised plan. If approved, a reforestation bond must be received prior to the issuance of a grading or building permit and will be subject to the two-year release schedule for reforestation bonds.
5. The Landscaping (L523-2020) plan cannot be approved as submitted and shall be revised. Foundation plantings are required along the foundation of the proposed building. The trash receptacles shall be screened. A cost estimate shall be provided to reflect the additional required plantings. A landscape surety shall be submitted along with the surety agreement prior to the issuance of a grading or building permit. The landscaping plan must be signed by the Owner/Developer prior to site plan approval.

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6. A Photometric plan was submitted for review. Lighting shall be designed and directed so that the light intensity and brightness does not adversely affect the operation of vehicles or reflect onto residential lots or buildings.
7. The subject property is located in an area identified as the Upper Crossroads Village. The Rural Village Study shall be used as a guide for achieving architectural compatibility as determined by the Director of Planning and Zoning. New buildings shall be designed to be compatible and in harmony with the village relative to architectural design, scale, building height and the materials used in construction. Elements to be considered in determining compatibility with neighboring residential communities shall include massing and building materials as well as cornice line, window lines, roof pitch and entry. Architectural elevations and renderings shall be submitted to the Department for review and comment. The renderings shall be in color and include a list of proposed materials and finishes. The rear façade of the building shall be of a finished quality similar and consistent with the rest of the building.
8. All proposed signage shall comply with section 267-33 (Signs) of the Harford County Code. Permits shall be obtained from the Department of Planning and Zoning. No signage shall be placed within the SHA right-of-way.
9. Matt Kropp, Long Range Environmental -410.638.3103, Ext. 1364-Water Source Protection District, NTNC system, MDE Tier 2 watershed.
10. Alex Rawls, Long Range Traffic-410.638.3103, Ext. 1372-Traffic comments following review.

**Moe Davenport** - Are there any additional questions or comments from DAC members on this plan?

If not, I will begin with the questions.

**Public Comments:**

**Beth Scheir** - Where is the septic proposed for this site? Per CIM in stormwater management area.

**Moe Davenport** – Looks as though the septic is on the south-east corner of the building of the site. It is shown in that diagonal cross hatched area. Is this correct David?

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**David Taylor** – Yes, that is correct.

**Beth Poggioli** – What is the validity of the Traffic Impact Study during a pandemic? How can this study be accurately used to assess the impacts of the estimated additional trips per day on a Minor Rural Collector Road (Route 165)?

**Moe Davenport** – We have protocol in place right now for Traffic Impact Analysis under the pandemic. We look at existing traffic studies and use those numbers and add a growth factor. For specific details regarding that Beth you can contact Alex Rawls in our department and he can answer specific questions about the traffic impact analysis.

**Beth Scheir** – Will there be an opportunity during the meeting to make inquiries verbally to the panel?

**Moe Davenport** – No, all the inquiries are published and written.

**Beth Scheir** – I see septic reserve just over 8200 sq ft occurred for this project which implies 250+ trips per day. Will this retail location have public restrooms?

**Moe Davenport** – David do we know if the facility will have public restrooms?

**David Taylor** – Just restrooms that will be typical for a Dollar General Store. I do believe they will have restrooms whether they will be open to the public use; I think it is more for the customers if needed.

**Katie Gonano** – I am genuinely concerned about the potential contamination of our water supply again. The risk is not worth the reward. How would Dollar General deal with any type of leakage, run off, etc.?

**Moe Davenport** – Katie, I can only say that the Health Department is monitoring this with Maryland Department of the Environment. Please contact MDE to go over any protocol with regard to the previous uses on site.

**Anonymous** – Please make sure all speakers can be heard...can't hear current speaker.

**Beth Scheir** – When was the existing well tested for VOCs. Based on the current on site and off site contamination that exists on the remediated site just around 2 mi away at the 7-11 and the volume of contamination that exists at this site. I recommend testing at the site and any remaining area. Off-site wells have significant concerns about disturbing the contaminated soil.



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**Moe Davenport** – Again, Beth I think if you have specific questions you can contact the Health Department. Does the Health Department have any comments in that regard for this question?

**Brian Phipps** – Our office will be requiring VOC testing along with other water quality parameters for the existing well prior to the issuance of the Certificate of Occupancy for this permit.

**Anonymous** – What would be in the underground tank, water?

**Moe Davenport** – I think that relates to Bill Snyder’s comments from the fire company. It would be a water tank. They were asking if they would consider an underground tank for fire service.

**Josh Straub** – As a concerned Harford County resident who lives less than a mile from the location I have major concerns about the additional traffic this type of business would cause. Can you talk about how you plan to handle the additional volume and monitoring of non-local traffic?

**Moe Davenport** – Josh, we are reviewing with the State the traffic impact analysis in accordance with the regulations. Those traffic impact analysis have not been completed thus far but, under the current regulations for adequate public facilities they have to demonstrate they mitigate any off-site traffic issues they produce from this site. And, specific questions regarding the traffic impact analysis can go to Alex Rawls within our department.

**Rob Collins**- Is the Dollar General asking for any zoning variances that are not permitted within the Village Business zoning guidelines?

**Moe Davenport** – The Dollar General is asking for a variance for the sign location and that would go through the Board of Appeals and there will be a public process through the Board of Appeals for that. That is a separate process. There are no variances for the use of the Dollar General on this site.

**Anonymous** – What will be done about the impact of additional pass through traffic on Scarff Road?

**Moe Davenport** – Again, that will be reviewed during the traffic impact analysis review. Specific questions can be addressed to Alex Rawls.

**Anonymous** – Is this a done deal? Our community and the tax payers in this area DO NOT WANT THIS business in our neighborhood. Do we have any more say?

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**Moe Davenport** – We have received several comments regarding the desire of not having this use here. Again, that is not a prerogative of this committee. It is a permitted use. Again, we don't accept any plans to this committee that is not a permitted use. We cannot discriminate between particular uses or owners.

**Anonymous** – Does/did the Dollar General Store plan require any zoning changes?

**Moe Davenport** – No, it did not.

**Anonymous** – What consideration has been given to other small businesses currently at the intersection? We already have a mom and pop owned Deli that provide necessities to the community.

**Moe Davenport** – Again, that is not our consideration. The underlying zoning dictates the uses permitted on this particular site.

This question I believe has already been answered but Katie wrote:

**Katie Gonano** – Also, the traffic impact study was conducted during the pandemic when there were far less cars on the road. Will you be doing another traffic study? If so, when? I live very close to the proposed site. It is a very dangerous intersection.

**Moe Davenport** – The traffic impact analysis was done under the protocol for the Covid. We took studies from the past and added growth factors to them from the State Highway Administration growth factors to try and compensate for the growth.

**Beth Scheir** – Traffic analysis done during COVID time frame with significantly reduced traffic. Request that traffic study be done during normal traffic, not a reduced traffic flow.

**Rob Collins** – If so I have follow up questions.

**Moe Davenport** – Again, if you have follow up questions at any time you can contact our department at our web page.

**Anonymous** – What impact will a big box store have on our property values? One of the main concerns I have heard from the community including my direct neighbors are what about our property values?

**Linda Ziskind** – How can there be no information from the State Highway? That's important!

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**Moe Davenport** – They are part of this committee we will not approve the plan until we have their approval for the project. I can't answer for them why they did not show up today.

**Christine Medvetz** – I have huge concerns about the traffic pattern. The traffic is unsafe with the current entrances/exits onto state roads where the speed limit does not allow for gradual entry. Also, left turns onto 152.

**Moe Davenport** – Again, I haven't gotten comments from the State Highway Administration. We will not move forward without their approval of the project.

**Christine Medvetz** – The realtor sold the idea that the building size would be 9100 sq ft. In reality, the building size is 8,000 sq ft.

**Moe Davenport** – David, do you have any comment on that question?

**David Taylor** – No. It is 9100 square foot.

**Moe Davenport** – Ok, so the proposed building that we are looking at is 9100 square feet.

**David Taylor** – Correct.

**Anonymous** – Since the Sheriff and State Highway did not show for this meeting – what happens with their information?

**Moe Davenport** – We will publish all of the comments that we receive on our web page for this project. So, that information will be available as soon as we have it.

**Katie Gonano** – One other thing, is we have some bald eagles in the area, I mean, I've seen one pick up a squirrel out of my yard and seen some right behind the proposed site Will there be any protection for our local bald eagles?

**Moe Davenport** – There is nothing that will prohibit this property being developed for bald eagles in the area.

**Christine Medvetz** – Why didn't Dollar General consider building in the Route 1 area where other businesses of similar scope and size are built. It is crazy that a Dollar General can be built in a Village Business zone.

**Amy Coyner** – Since the Sheriff and State Highway did not show for this meeting – what happens with their information?

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**Amy Coyner** – The traffic impact study was done during the pandemic so there was a ton less traffic. How can that be accurate?

**Moe Davenport** – We look at the old traffic analysis and we add growth factors to them. Specific questions can go to our Transportation Planner, Alex Rawls.

**Christine Medvetz** – The proposed sign from Dollar General is larger and closer to the road than is allowed in Village Business Zoning. Again, if this type and size sign are requested, move this property to the Route 1 corridor.

**Moe Davenport** – Christine, any sign outside the parameters of the zoning code would need to go to the Board of Appeals. They have applied for that. Our approval will not and cannot approve a sign larger than the zoning code allows. That would have to be approved through the Board of Appeals.

**Anonymous** – At the previous meeting it was stated that there would be minimal digging and disruption of soil. A new septic system requires significant digging. Can MDE give more information on our water table due to soil disruption?

**Moe Davenport** – Does the Health Department have any response to that?

**Health Department** – I guess we are not really positive on the question. Can you reread that one?

**Moe Davenport** – Reread the question. So, MDE is not here. Does the Health Department have any comment.?

**Health Department** – The question is a little confusing. I don't think there is a real correlation between the installation of a septic system and impact on the ground water. They are two kind of entities.

**Moe Davenport** – All I can say is that the septic system installation will be reviewed and approved through the Health Department through the state standards.

**Health Department** – That is correct.

**Stephanie Flasch** – Will the recommendations that MDE provides be available to the public associated with this project?

**Moe Davenport** – I'm not certain of their protocol. You can contact the MDE about that question.

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**Anonymous** – Will the testing also take place after the septic dig?

**Moe Davenport** – Again, the Health Department has given their comments on this and they have specific criteria that they have established for the use and occupancy and a number of items that need to be addressed by the owners to the Health Department. Does the Health Department have anything else to add?

**Health Department** – We do not.

**Pam** – Who is going to follow up with Dollar General to make sure they contact MDE and their reporting?

**Moe Davenport** – Only the Health Department works with MDE closely.

**Anonymous** – Why is a building of a Dollar General being considered when there is already a Dollar General 4 miles away in Madonna?

**Moe Davenport** – Again, we don't have that discretion of how many Dollar General's exist or how far or how close they are apart.

**Tina Panati** – How will the design of the Dollar General achieve architectural compatibility with the surrounding village as set forth in the zoning requirements – such as cornices, finishes, building materials, etc? Based on design and aesthetic of existing Dollar General store in other areas changes would need to be made to the Dollar General to fit these regulations.

**Moe Davenport** – That is one our comments. That is up to them to demonstrate how they will meet those compatibilities of the code.

**Christine Medvetz** – I think having the Sheriff and State Highway here is vital to this project moving forward.

**Moe Davenport** – We will not move forward until we have their comments on this plan.

**Anonymous** – Will lights be on 24/7 and if so how will the light not impact the close nature of the residential buildings.

**Moe Davenport** – Again, they have to meet our requirements. Can the consultant answer the questions about the lights 24/7?

**David Taylor** – We can't answer that question at this particular time.

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**Stephanie Flasch** – Will a private well and recommendations from MDE be available?

**Moe Davenport** – I assume everything they will have is available to the public. But, that is a question for MDE.

**Allison Barton** – How does Dollar General meet the description of a Village Business rural zoning?

**Moe Davenport** – Again, we haven't see those architectural drawings yet so, I can't comment on them.

**Elaina Thomas** – There is a second Public Notice meeting today at 6:30 for restaurant/brewery literally a stone's throw away from proposed Dollar. When will traffic study be made public prior to any construction for residents to review. I was told the last traffic study would be available for January.

**Moe Davenport** – I understand that the brew pub has postponed that meeting tonight. That meeting is through the Board of Appeals and that is a separate process. Any studies submitted to us will be made available to the public, Elaina.

**Anonymous** – What are the guidelines being given to the Dollar General with regards to lighting?

**Moe Davenport** – The lighting regulations need to be as the lights needs to be directed down and away from adjacent residential properties and not impede traffic flow.

**Linda Ziskind** – Is there anything we can do to stop Dollar General from being built?

**Moe Davenport** – Other than purchasing the property; if they meet all of the regulations we are obligated to approve the plan. We will not approve the plan until we determine that they have met all of those regulations.

**Amy Coyner** – When will the Sheriff and State Highway comment on this project? They did not show so what is the next step?

**Moe Davenport** – They generally give their comments within four weeks. I can't answer for them but, we will not move forward without State Highway comments.

**Beth Poggioli** – It is my understanding that the location included in a water protection district per Harford County. Does that have an impact on the design requirements?

**Moe Davenport** – Beth, we will take a look at that along with the Health Department.

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**Stephanie Flasch** – Is there a requirement for bike paths?

**Moe Davenport** – Not on site. I don't know whether State Highway will require all of their review includes bike/pedestrian availability.

**Tina Panati** – When approving this development, what was/is considered by the DAC in terms of how this business will preserve and enhance the surrounding rural/village area?

**Moe Davenport** – We will look at the compatibility with architecture. All permitted uses would be permitted on this particular site and all other sites zoned Village Business.

**Rob Collins** – So the Dollar General is not asking for a variance to be closer to the road then permitted by the Village Business code?

**Moe Davenport** – No, I believe the application for a sign variance asks for a variance to the setbacks but not the Dollar General itself. We are not reviewing the sign variance application. This committee has no authority to do so.

**Christine Medvetz** – The realtor sold the idea that the building size would be 9100 sq ft in reality, the building size is 8000 sq ft.

**Moe Davenport** – Again, the building is 9100 sq ft.

**Beth Scheir** – I believe this is a non-conforming use for this property. Has the department reviewed this use relative to the new design and use plans for Dollar General? Per the CIM this location will be a new business design with additional cooler doors to address the increase in cold food products. Dollar General exists in Harford County in B3 and B2 only to date. It is not allowed in the B1. Why is it allowed in the VB?

**Moe Davenport** - Dollar General is a discount variety store which is under shoppers merchandise which is a permitted use in the Village Business.

**Anonymous** – Where is the traffic study? We were told at the last meeting it would be available.

**Moe Davenport** – We will put the traffic study on our web page. I will make sure that that is available.

**Linda Ziskind** – When is this building expected to be started and completed.

**David Taylor** – I expect we will hopefully have approvals by this summer and we can start construction in the fall and be done by early 2022.

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**Anonymous** – Putnam Road is used instead of Mountain Road. Please consider traffic increase here too it's going to be additional traffic.

**Linda Ziskind** – How can there be no information from the State Highway? That's important!

**Anonymous** – I know this is not for this committee but I would like to stress again that the entire community is against this business and no one will shop here... we can guarantee that.

**Moe Davenport** – I am trying to look for questions here that have not been asked.

**Beth Poggioli** – What is the definition of a Merchandise Store which is allowed in Village Business Zoning and how does Dollar General meet that criteria.

**Moe Davenport** – It is a shoppers merchandise which is a discount store/variety store it is included in the definition. I hope that answers that question.

**Beth Scheir** – Planned grading – based on the topography represented at the back of this property, how will runoff be managed at the rear grade that is directed at the residential property behind.

**David Taylor** – There is an existing pipe in the back of the property that receives all of the drainage from Baldwin Mill Road and the building and driveway all kind of flows to that pipe. It then enters into a storm drain system which then takes it to the outfall closer to Fallston Road. Any of the run-off from the roof or pavement areas will be directed to the underground stormwater facility or the new stormwater facility and then discharge into a pipe.

**Anonymous** – Who's the contact at state highway.

**Moe Davenport** – Our most recent contact is Teresa Eller with the State Highway Administration.

**Stephanie Flasch** – Will the recommendations that MDE provides be available to the public associated with this project?

**Moe Davenport** – I assume they would be but I really can't answer for MDE. Everything that our office receives is public.

**Barry Gabler** – When the renderings are submitted for the building, it was mentioned they need to be compatible with surrounding buildings. Who make that final determination and does the community have any say in that?



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**Moe Davenport** – The code requires the approval from the Director of Planning & Zoning.

**Moe Davenport** – I see more of the same questions we already answered.

**Allison Barton** – How does Dollar General meet the description of Village Business zoning. The district is intended to provide business services to rural areas and to PRESERVE AND ENHANCE THE CHARACTER and function of long lasting rural settlements.

**Moe Davenport** – They are providing shoppers merchandise to the community.

**Anonymous** – I believe a follow up public meeting will be needed since the DOT is not on the meeting today to answer questions that are needed?

**Moe Davenport** – Again, more of the same questions.

**Anonymous** – Who decides if this is needed or even wanted facility?

**Moe Davenport** – Nobody makes that decision. The zoning decides what uses are permitted on this particular site. We have no authority to discriminate between any uses.

**Pam** – Will we get the state highway's report?

**Moe Davenport** – When it is made available to us we will put it on our webpage.

**Anonymous** – What are the next steps for community input and the county approval process?

**Moe Davenport** – We expect revised plans which will be made available to the public. We accept citizen input as we have at any time during the process. As I mentioned earlier we have received dozens of emails prior to the meeting and we anticipate dozens of emails after the meeting.

**Anonymous** – How far does the road impact study cover when looking at existing site plan?

**Moe Davenport** – We will put that on our web page so you have the answers to that.

**Anonymous** – Will the Madonna location be closing if this location opens?

**Moe Davenport** – That is something that I cannot answer. Does anyone from Dollar General have an answer to that question?

**Dollar General ?** - That is an independent ownership group.

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**Moe Davenport** – You have no knowledge.

**Dollar General ?** - We have no knowledge.

**Ronnie Grevey** – How will this proposed business handle supporting local volunteer fire department?

**Moe Davenport** – I do not know. The fire company has issued their comments on this project and they have asked them to provide water there to service the area.

**Linda Ziskind** – What is the sign size currently allowed and what does Dollar General want it to be.

**Moe Davenport** – I don't have that application in front of me but the application is public. I don't know if you have those answers, Brad?

**David Taylor or Brad Stover** – I don't have those exact dimensions but the application is public through the Board of Appeals website and to the county's website.

**Moe Davenport** – Thank you.

**Anonymous** – What impact does the paved area have on the waste water/rain water run off?

**Moe Davenport** – They will have to comply with all stormwater management regulations in and out of the State Highway Administration and their property. The Department of Public Works will be reviewing those documents again, those documents will also be available and I would suggest any specific questions could be addressed by public works.

**Anonymous** – They are also proposing a brewery in and around this location. Where would that entrance be?

**Moe Davenport** – I believe that is on Scarff Road.

**Christine Medvetz** – The Health Department stated that the site was previously under investigation and we should contact MDE? Can you please provide that information?

**Moe Davenport** – Christine, I would contact the Health Department and they can get you in contact with the appropriate person at MDE.

**Anonymous** – Will the proposed Dollar General be open to get a beer and wine license?

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**Moe Davenport** – I don't know.

**Brad Stover** – We are not aware that they would be seeking that, Moe.

**Moe Davenport** – Thank you very much.

**Christine Medvetz** – Planning & Zoning said something about lighting. Can they repeat what they said about lighting?

**Moe Davenport** – The lighting is required to direct down and away from residential uses and should not impact traffic.

**Beth Scheir** – To the Health Department, the concerns about soil excavation relative to septic, fire dept storage tank, etc. at this site are likely specific to the contamination at this site. This is the site of significant contamination. What are the parameters for excavation at the site under these conditions?

**Moe Davenport** – Beth, all I can say is that the Health Department will work with MDE with regard to the previous uses on site and the previous contamination and testing of the wells and testing of the soil. Specific questions can go to MDE and the Health Department.

**Christine Medvetz** – Can Rob Anderson explain where the 20 foot wide access easement will be located on the site.

**Moe Davenport** – I am not certain what she is talking about.

**Robert Anderson** – That will be up to the developer and the consultant to determine where the access easement will need to be provided.

**Moe Davenport** – Ok, so that is yet to be determined.

**David Taylor** – In general, it will follow the existing driveway entrances into the property. Then go wherever our stormwater management facility is located on the property. But, it starts from the public right-of-way extends through the property to the stormwater facility.

**Stephanie Flasch** – What is the best way to keep up with to date with this project?

**Moe Davenport** – Again, you can contact our department. Eric Vacek is the planner for this project. You can contact us at any time to get updates on the project. Any plans submitted to the department will be put on the web page to keep from having to call or email us all of the time and ask for updates. When we get new plans we will put them on the web page. New comments, documents, traffic study, etc. I will make sure it all gets onto our web page.

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**Katie Gonano** – When will we receive more information for the traffic study from the Sheriff and State Highway Administration?

**Moe Davenport** – Everything we get we will put on the web page, Katie. We will update that when we get the information.

**Anonymous** – Is there a crime study around Dollar Generals?

**Moe Davenport** – I am not aware of any.

**Anonymous** – Is there somewhere where we can find a list of all of the regulations that the Dollar General must meet?

**Moe Davenport** – I know the zoning code under Village Business is where you can find all of the zoning code requirements.

**Christine Medvetz** – The Health Department said there is a revised site plan with a 400 gal/day sewage system. Is there a sewage system on the current property?

**David Taylor** – Moe, I can answer that. There is an old system that was installed from the Exxon Station. It is located down near that gravel road behind the building. That will be abandoned. It is not up to today's standards and we will put in a new up to date system.

**Moe Davenport** – Thank you, David.

**Anonymous** – Does the traffic for this and the Brew/Pub have to be reviewed together?

**Moe Davenport** – That is not an option but, we will look at the traffic. Any studies that we have we look at all of the other applications we have in the general area.

**Anonymous** – Where is the parking area?

**Moe Davenport** – The parking area is the dark shaded portions of the plan around the building.

**Amy Coyner** – Has the existing well and sewer system been checked and will it be rechecked after the building?

**Moe Davenport** – Amy, the Health Department has indicated that there are a number of items that will have to be satisfactorily checked and monitored prior to and after the permits are issued for the site.

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**Stephanie Flasch** – I just want to confirm the maximum building coverage and impervious surfaces standards applied as called in the VB district maximum building coverage 40% of the lot, the maximum impervious coverage 85% of the lot.

**Moe Davenport** – I don't know the code verbatim Stephanie but I believe that is correct.

**David Taylor** – Moe, the building is 15% of the property and the proposed impervious area is 47%. So, we meet both of those requirements.

**Moe Davenport** – She is just asking the coverage and she is correct. 40% is the building lot coverage and 85% of the lot is impervious which is the maximum permitted.

**Amy Coyner** – Will lighting impact traffic if the sign variance asks to have a large sign close to the street?

**Moe Davenport** – That is something that we will determine at the application. That is a variance and that will be a separate process. We will review the lighting plan for this project for the lights and signs that are proposed with this project.

**David Taylor** – I just want to add that the proposed signs which are under review as part of the Board of Appeals are significantly set back from the road. There is a very long distance from the road to the property as you can see on the plan. It is not up close to the street by any way of measure.

**Anonymous** – What are the dates of the past traffic studies used?

**Moe Davenport** – I don't have them in front of me. I will put them on our web page and specific questions can be addressed to Alex Rawls of our department.

**Anonymous** - I recently read an article that Dollar General plan to extend its merchandise selection to include some larger items. What if this morphs into something that is not technically a Village Business and becoming more like a Walmart? How will this be regulated?

**Moe Davenport** – Whatever use is on this property will have to be conforming to the permitted uses within the zoning district. If it becomes something other than shoppers merchandise if it is permitted or not permitted. If it is not permitted it would be a Zoning Violation.

**Michael Waskey** – How do we get a list of the county officials that have attended this meeting?

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**Moe Davenport** – The meeting is recorded. Please contact our department.

**Anonymous** – Who is attending this meeting from the Health Department?

**Moe Davenport** – Brian Phipps

**Anonymous** – How will the surrounding residential properties be protected from noise contamination/store lighting and view obstruction.

**Moe Davenport** – We will be reviewing the landscaping and lighting plans prior to approval of any project for this site.

**Beth Poggioli** – Is there someone at Dollar General the community can contact?

Brad Stover – I know that came up the Community Input Meeting and there was some outreach from members of the community to Dollar General Corporate. I do not at this time have a direct contact. Beth knows how to reach me so I can try and track that down.

**Anonymous** – Where and how do we see what state highway comments are?

**Moe Davenport** – They will be posted on our webpage under the Fallston Dollar General tab.

**Amy Coyner** – Crime Study?

**Moe Davenport** – There are no crime studies or any obligations or requirements to provide a crime study.

**Jennifer Schauman** – Will/Does the traffic study include Scarff Road? Traffic will significantly increase as people already cut through.

**Moe Davenport** – I don't know. Again, you can contact Alex Rawls of our department. I will make the traffic study available.

**Beth Paggioli** – Will the February 24<sup>th</sup> Special Exception Public Hearing for the larger sign take place regardless of DAC approval or is it pending DAC approval?

**Moe Davenport** – It will take place regardless of the DAC approval.

**Beth Scheir** – For the record – Teams would not let users in in many cases unless they came in anonymously. I am a frequent user of Teams and had to come in anonymously.

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**Anonymous** – I would like some input as to how our water will be effected by the digging of the septic tank. For the health department to say that they don't understand the question is ludicrous. There was a fuel leak that effected our water years ago from a previous owner. How will construction of the site effect our water? Soil disruption more contamination.

**Moe Davenport** – They will be reviewed closely by the county's Health Department and the Maryland Department of the environment. They are very much aware of the circumstances associated with the previous uses on the site and they have developed a number of criteria that must be satisfied to their satisfaction before they can move forward.

**Anonymous** – What are the general opening hours of Dollar General?

**Brad Stover** – To be determined specifically for this location. I can say that generally other Dollar Generals in the area are 8:00 am until 9:00 pm.

**Anonymous** – How does the proposed 9000 sq ft store and parking for 40 cars fit on the proposed site? The 10000 sf ft Brewery/restaurant with 50 spaces almost next door requires twice as much land.

**Moe Davenport** – I am not reviewing that so I don't know the comparison.

**Anonymous** – Will a left hand turn be allowed onto 165 or only right? Also, will a left going north on 165 into the Dollar General be allowed.

**Moe Davenport** – That will be determined by the State Highway Administration. When we get their comments we will make them available.

**Anonymous** - Is Scarff Road included in the traffic study?

**Moe Davenport** – We will check on that and we will make that study available.

**Anonymous** – Will a landscaping buffer be installed to protect the nearby residential properties from noise contamination/lighting and general view obstruction.

**Moe Davenport** – There is proposed landscaping on the site and on the plan now. We have asked for a revised landscape plan which will be made available. Do you have any other comments on that David or Brad?

**David Taylor** – We are heavily planning the west side, the left side of the project as you look at the plan. With additional evergreens and keeping the evergreens that are already there to the extent that we can. We are definitely adding significant landscaping.

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**Moe Davenport** – More people are asking about stopping the project. Again, we don't approve or deny a project. We are not a planning board. We review the project for the requirements of the code, for any use proposed on site. Once they have demonstrated that they have satisfied those requirements we will issue an approval of the project. If they can't demonstrate that we cannot issue approval of the project.

We have more questions about the impact study and what they covered. Again, we will publish that study and make that available and also any revisions to the study and any comments on the study from State Highway or the Planning Department.

**Christine Medvetz** – Those parking spaces that are facing the road (152)...if it is dark and the car's headlights are on, how will that not impede drivers on a state highway (rt. 152).

**Moe Davenport** – We do require a 4-foot buffer yard between parking spots and roads. The landscape must provide a buffer in that regard specifically to answer that question; for the lights.

**Anonymous** – Could something similar happen to the ground water like with the Exxon Station. What about all of our wells? We are all on well water.

**Moe Davenport** – From this particular site, regulations were implemented to prevent the approval of gas dispensing on areas not connected to public water. They are not producing any fuel on this site.

**Anonymous** – Has a study been done on how this will impact local wells given the water draw from a commercial operation.

**Moe Davenport** – They will need to obtain permits from MDE in accordance with the MDE and the Health Department Comar standards. They will be reviewed during permit application analysis.

**Lynn Faulkner** – Please address the use of non-light pollution standards.

**Moe Davenport** – Ok, she is asking us to look at darksky.org. Thank you.

This next question has been asked several times.

**Anonymous** – Why can no one answer what this project does to enhance the character and function of long established rural areas? This is taken verbatim from the code.

**Moe Davenport** – It is our responsibility to make determine that it is compliant with the code.



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**Anonymous** – It sounds like area residents have no recourse if all requirements are met, is this true?

**Moe Davenport** – If we find that the plan is in compliance with all of the zoning codes and regulations and we issue an approval for the project you can appeal that approval to Circuit Court or District Court if you choose to do so. I think it is a 20 day appeal period.

**Anonymous** – Please post a list of attendees and contact information. Having to contact your department will delay getting the information and delay in making our opposition known.

**Moe Davenport** – We will have a list of attendees in our minutes.

**Anonymous** – Just to confirm, the entrance along MD 152 will not be open to traffic?

**Moe Davenport** – That is the proposal at this point, yes.

**Anonymous** – What hours of operation have been approved for this business?

**Moe Davenport** – There are no regulatory hours of operations in the Village Business. I think they indicated they will be open 8-9.

**Anonymous** – Will the questions you aren't answering be answered and published on your web site.

**Moe Davenport** – I've tried to answer all of the questions.

**Beth Poggioli** – I appreciate the pivoting to virtual hearings during this time of COVID, but it is clear that citizen's questions and concerns are not accurately being represented. I respectfully request the Development Advisory Committee cease all pending approvals.

**Moe Davenport** – Thank you, Beth. At any time, you have any questions we are available to answer them.

**Stephanie Flasch** – What type of buffer is assigned to this project (A,B,C,D)?

**Moe Davenport** – I don't know that we have any adjacent buffer yard requirements other than the residential and I don't think that it is... Eric do we have a buffer yard requirement?

**Eric Vacek** – I don't believe there is a specific buffer yard requirement between VR and VB zoning. There may be plantings required with respect to the parking area but not between VR and VB.

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**Elaina Thomas** – The traffic study was supposed to be available at this meeting.

**Moe Davenport** – I will make sure the traffic study is available.

**Christine Medvetz**- Will Dollar General be held accountable if there is impact to our wells from their digging/disturbing the soil?

**Moe Davenport** – Again, that is a function of the MDE permitting.

**Katie Gonano** – I know a lot of people who wanted to attend this meeting, but were not able to due to the time of it. How can they ask their questions/voice their concerns?

**Moe Davenport** – We have taken dozens of emails, questions and comments. We will continue to do so at any time. Our department is willing to take any questions or comments.

I am getting near the end. Thanks for your patience.

Are there any additional questions, Chelsea?

Are there any additional questions or comments from DAC members?

**Anonymous** – I am not sure of your answer concerning entrance along 152. I thought David said that it will not be used.

**Moe Davenport** – There is an entrance on 152. There are two that exist. They are closing the one closest to 165 and just having one entrance.

**Katie Gonano** – You missed one of my questions. If this business is supposed to “enhance the character of our community” under the definition of village business and everyone in the area is opposed to it, well at least 500+ people I’ve spoken with.

**Moe Davenport** – This has been asked many, many times. We will have to determine whether it meets the Village Business standards and regulations. That is what we will do.

**Christine Medvetz** – Will Dollar General be held accountable if there is impact to our wells from their digging/disturbing the soil?

**Moe Davenport** – I think I have answered all of the questions. There is no market research and there is no obligation to do any market research Katie. It is not a function of the department. I’m sure Dollar General may have completed market research but it is not something we would have reviewed or use in determination of whether or not it is permitted.

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**Anonymous** – Looking at the site plan it appears there are two entrances. One on 152 and one on 165.

**Moe Davenport** – That is correct. There is one on 152 and one on 165.

**Anonymous** - You have not answered several questions.

**Moe Davenport** – I have attempted to answer every question. 200 of them.

Are there any other questions? Any questions from the committee? If not, we are here operating. We can answer any questions or we can accept any comments. We understand the overwhelming opinion about this in the community and we will review this project in conformance with the regulations that apply to it

That concludes our meeting for today. Thank you for your attendance.

**Meeting adjourned at 10:20 am.**