

DEVELOPMENT ADVISORY COMMITTEE MINUTES

The Development Advisory Committee (DAC) met on February 16, 2022, at 9:00 a.m. in the County Council Chambers, 212 South Bond Street, Bel Air, Maryland. The meeting was chaired by Moe Davenport, Department of Planning and Zoning.

The following members were in attendance:

Moe Davenport	Chairman, DAC
Robert Anderson	DPW Engineering
Glen Hebel	DPW Engineering
Paul Magness	Parks and Recreation
Daryl Ivins	Water and Sewer
Bill Snyder	Volunteer Fire & EMS
Missy Valentino	Harford County Public Schools
Eric Vacek	Planner, Development Review
Jennifer Freeman	Planning and Zoning

Also in attendance:

Ted Janes	Tony Giangiordano
Jim Liescheidt	Michael Taylor
Jerry Backof	Michael Early
Bill Wehland	Karen Smoyer
Edward Panowitz	Steve Trancucci
Tom Miner	Robert Capalongo

Moe Davenport, of the Department of Planning and Zoning, welcomed everyone to the meeting. Mr. Davenport explained that a brief presentation will be given by the consultant for each project. The DAC members will give their comments on the project. The meeting will then be opened up for anyone in attendance that may have questions or comments. There is an attendance sheet on the back table. If a correct email address is given, a copy of the minutes will be e-mailed to you. The minutes are recorded and will also be published to the Department of Planning and Zoning's website.

Former Lands of Caddie Homes

Located north of Bel Air South Parkway and Blue Spruce Road, south of Plumtree Road, between Emmorton Road (MD 24) and Old Emmorton Road (MD 924). Tax Map 56; Parcels 56 & 60. First Election District. Council District B. Planner Eric.

Plan No.	C029-2022	Mixed Use Center / 33.93 acres / B3
Received	01/19/2022	Bel Air Village, LLC/FWA

Verbatim Transcript

Tom Miner – FWA

We are presenting here the concept plan for the Former Lands of Caddie Homes. This

**Development Advisory Committee Minutes
February 16, 2022
Page 2 of 29**

includes Lot 1 and Lot 2. That encompasses 25.3 acres. We are proposing a mixed use plan with residential and commercial space along with office. There is going to be a total of 276 residential uses down on the southwest corner of the site. Along with an Office building over on the northwest corner. On the center portion of the Lot 1 there will be retail. To the north along Plumtree will be Lot 2 and that will have a commercial building with approximately 30,000 square feet. As part of the preliminary plan, we have a traffic study approved. That has been preformed for the entire site. For this concept we are proposing we are meeting all the required regulation, Forest Conservation, Active Open space, and parking.

Bill Snyder – Volunteer Fire & EMS

The following structures will require Knox key boxes; Apartment buildings 1-4, the retail buildings A-D, the three-story commercial building and the one-story commercial building. I have the contact information on the sheet. The Apartment building #1 and the three-story commercial building, EMS access is possibly going to be very important. Any covered area should be a minimum height of 11 feet to allow ambulances to access the appropriate entrances for patient loading even during times of snow which may raise the unit up a couple of inches. A picture is included in the notes of what they are hoping to avoid. We also recommend the use of noncombustible landscaping such as wooden mulch directly next to any of the structures.

Emergency Services – Read by Bill Snyder

DES has identified 4 roadways within the plan layout that must be named. All road names must be approved by DES. Addressing of proposed buildings must follow the general address markup provided by DES. This document also identifies the roadways that are required to be named. Road signs must be installed where the roadways intersect their cross streets. All building/dwellings must display their address number where it is clearly visible from their road of access. The proposed commercial and retail buildings must display 10” – 12” address numbers. Please advise on which side of the building the main entrance is for the buildings identified as Retail A and Retail B, as this will help determine proper addressing.

“Public safety wireless radio communications inside a building is essential to the safety of those occupying the structure as well as fire, law enforcement and emergency medical providers responding to a call for help. Buildings that are greater than 5,000 square feet, higher than 50 feet, contain underground storage or parking and are constructed of materials that impede wireless radio signals that may adversely affect the response of public safety providers. Please consider including wiring, electrical connections and other infrastructure that may be needed for an in-building 700-800 MHz amplifier. Department of Emergency Services will test coverage in your facility once construction is finished. Call 410-638-4900 for this assistance.”

“Please advise if the facility will have Closed Circuit Television Cameras. If so, please comment on Emergency Service’s ability to access the camera feeds or provide a point of

**Development Advisory Committee Minutes
February 16, 2022
Page 3 of 29**

contact to comment on this matter. DES will follow up after use & occupancy permit approved.”

Darryl Ivins – DPW Water & Sewer

There are two existing water services in front of proposed Lot 2. Lot 2 shall use one of the services and abandon the unused service.

If Lot 1 is not subdivided, the water meter and backflow preventer shall be located in a stand-alone meter building in a location approved by the Division of Water and Sewer. The water meter and backflow preventer for Lot 2 shall be located within the proposed building as approved by the Division of Water and Sewer.

The engineer shall provide the Division of Water and Sewer with the projected sewage flow computations for the portion of the proposed development that will connect to the sewer in Blue Spruce Drive. The computations must be broken down by unit type if residential, and by square footage if commercial. This information shall be provided prior to, or concurrent with the submittal of the Preliminary Plan.

On the next plan that is provided after this is approved, we would like all of the interior water and sewer shown whether it is public or privately owned. So we can review it. There has been no adequate public facilities check performed for water or sewer for this, since it is a concept plan.

**Robert Anderson – DPW Engineering
Sediment Control
Required Design Standards**

- MDE – Maryland Standards and Specifications for Soil Erosion and Sediment Control, Dec 2011, or latest edition.

Required Plan Approvals

- A mass grading S/C plan has been submitted for initial grading. This project may include any buildings to be constructed during/after mass grading
- After completion and stabilization of the mass grading, a Sediment Control permit will be required as new buildings are proposed to be constructed.
- Stormwater management must be addressed.

**Stormwater Management (SWM)
Required Design Standards**

- MDE-Maryland Stormwater Design Manual Volumes I & II (October 2000, Revised May 2009) or latest edition
- SWM-Harford County Code Chapter 214.

Required Plan Approvals

Development Advisory Committee Minutes
February 16, 2022
Page 4 of 29

(All comments must be addressed to subsequent submittals)

- SWM Concept Plan
- SWM Site Development
- SWM Final Plan (approval required before issuance of grading permit)

Required Permits

- Grading (needs final SWM plan approval before issuance)
- Stormwater Management permit
- Note: Building permits require SWM permits before issuance
- Note: Use & Occupancy permits required SWM facilities to be constructed and inspected

Required Easements

- A 20' wide access easement is required to all stormwater management facilities for maintenance purposes.

Outfall Investigation

- A suitable outfall must be provided for the stormwater management facility and shall be approved at the time of final design.
- Additional topo shall be shown for the outfall to ensure that the adjacent property owner will not be adversely affected by runoff from the site.

Maintenance

- Maintenance of the stormwater management facility is the responsibility of the lot owner and shall be stipulated in the association documents.
- Practices located on individual lots are the maintenance responsibility of the owner.

SWM Design Comments

- A Stormwater Management Concept Plan has been submitted for review and approved. The SWM Concept Plan will need to be revised on the new layout of Lot 1.
- Stormwater management practices designed for and located on individual lots shall be constructed and inspected before the issuance of use and occupancy permits.
- Discharge pipe locations for the stormwater management facilities must be shown on the plan.
- Stormwater management facilities shall be shown on the plan based on the approved SWM Concept Plan
- Either show the SWM pond that is being reviewed for a mass grading permit or where and how quantity management is being provided.

Glen Hebel – DPW Engineering

Highway Engineering

Required Design Standards

- Harford County Road Code
- Maryland Manual on Uniform Traffic Control Devices (MdMUTCD) 2011 or latest edition (for the pavement striping and traffic control signs.)

Required Plan Approvals/Public Works Agreement

- Road and storm drain plans for Plumtree Road will need to be approved and a Public Works Agreement will need to be executed prior to the issuance of building permits for the site.

Sidewalks

- A sidewalk shall be constructed across the entire frontage and connected to sidewalks that extend into former Lands of Caddie Homes (AKA Bel Air Village)
- Sidewalk handicap ramps shall be constructed at the proposed entrances off of Plumtree Road.
- A pedestrian access/connection shall be provided from the Former Lands of Caddie Homes to Blue Spruce Drive.

Design Comments

- All identified offsite improvements as stipulated by Planning and Zoning from the Traffic Impact Analysis shall be addressed as necessary.
- Plumtree Road shall be widened to a minimum width of 36' (to accommodate a two-way center turn lane)
- West access shall be constructed as the main egress onto Plumtree Road with a minimum width of 24' and shall have a dedicated left turn lane and a dedicated (and channelized) right turn lane.
- East access at Plumtree Road shall be constructed as a right in/right out access
- A deceleration lane is required at both entrances on Plumtree Road. The turn lane at the main entrance may be constructed as primarily for passenger vehicles at 10' wide, 175' long with a 100' long taper. The deceleration lane at the right in/right out entrance shall be constructed to accommodate truck traffic – 12' wide and extend back to the proposed Plumtree Road west access.
- The exiting lane from the right out shall be continued to MD924 as a minimum 12' wide, dedicated right turn lane.
- Curb and gutter shall be per Harford County Plat S-1 along Plumtree Road.

Missy Valentino – Harford County Public Schools.

The school districts are Ring Factory Elementary, Patterson Mill Middle and High School. All of which all under the 110% capacity level.

Paul Magness – Parks and Recreation

The plan proposes a mixed use center on a 33.93-acre property including 24 townhomes and 252 apartment units. The proposed development requires 3 acres of open space with 1.5 acres of active open space. The plan proposes 7 acres with 1.5 acres of active open space. The active open space proposed between retail building A and retail building B appears to include outdoor seating areas for the businesses that will be using those buildings and should not be

Development Advisory Committee Minutes
February 16, 2022
Page 6 of 29

counted as toward the active open space for the project. Future plans should identify proposed amenities and uses for the active open space for review.

Eric Vacek – Planner

- A Preliminary Plan (P298-2020-2) was submitted to create seven (7) commercial lots. This Concept plan proposes a Mixed-Use Center on Lot 1 and Lot 2. The Mixed-Use Center will be developed under the Special Development Standards (267-76). Mixed-Use Centers are permitted in the B3 (General Business) zoning districts.
- This plan is subject to the Harford County Forest Conservation Regulations.
- Detailed/Revised Landscaping and Lighting Plans will be required for the development of the Mixed-Use Center project as well as the individual pad sites and future uses. Buffer yards are required for this project. All parking lots loading areas and outdoor storage areas shall be separated by a Buffer yard ‘D’ from any adjacent roads and residential zoning district. Buffer yard ‘A’ is required between RO and B3 zoning districts.
- Site plan(s) will be required for the development of the Mixed-Use Center as well as the remaining lots. The required Site plans are subject to future Development Advisory Committee (DAC) review(s).
- Each Mixed-Use Center shall provide a pedestrian circulation plan identifying improvements that are reviewed and approved by the Department of Public Works. (Section 267-76(H) (1-5). The Department would like to see interconnectivity, pedestrian access and transit circulation provided throughout the development and to the adjacent properties and road network as the Site Plans are developed. The Developer should also work with Harford Transit on possible solutions to provide transit service within the project.
- The Department is reviewing the open space/active open space areas amenities and acreage. The Consultant shall clearly delineate and clarify required active open space acreage. Outdoor seating areas for businesses cannot be applied toward active open space requirements.
- Architectural renderings were submitted to the Department of Planning and Zoning for review.
- The Preliminary plan (P298-2020-2) shall be revised to reflect the configuration of the SWM easements and open space.

State Highway Administration – Read by Moe Davenport
Concept Plan

An access permit will be required to construct the proposed entrances and frontage improvements on MD 924. The MDOT SHA has completed its review of the traffic impact study prepared for this development. An approval response letter was sent on December 23, 2021, denoting the required improvements to MD 924 including widening along Plum Tree Road at the intersection with MD 924 and MD 24. The required improvements listed in the TIS approval letter and listed below should be shown on this plan. MDOT-SHA has no objection to the internal site movements, although it is noted that the original right in right out onto Plum Tree Road which was in the approved TIS has been changed to a full movements

Development Advisory Committee Minutes
February 16, 2022
Page 7 of 29

access. We recommend that the county revisit this entrance and if revisions are made to the TIS, that MDOT-SHA has the opportunity to re-review the study.

The required improvements as noted in the December 23, 2021, TIA approval letter are as follows:

- MD 924 Site Access – Construct a right turn acceleration/deceleration lane along the site’s frontage from Plumtree Road to Bright Oaks Drive
- MD 924 at Bel Air South Parkway/Laurel Bush Road – Reconfigure the intersections to provide an additional north bound through lane along MD 924. Northbound MD 924 will be marked with an exclusive left turn lane, a through lane, and a shared through/right lane.
- MD 924 at Bright Oaks Drive/Proposed site access – Install a traffic signal subject to OOTS approval. Please submit a Design Request to District Traffic to receive formal approval of the traffic signal from OOTS. The Design Request should include all proposed signing, marking, lighting, and signal upgrades proposed along MD 924 and MD 24.
- MD 924 at Plumtree Road – Widen the eastbound Plumtree approach to provide an exclusive right turn lane that extends from the proposed Plumtree Road right-in/right-out access to MD 924. Remark the approach for additional left turn storage. Convert the southbound MD 924 right turn lane to a shared through/right lane.
- MD 924 at Ring Factory Road – Remark eastbound Ring Factory Road left turn lane to provide an additional 50 feet of storage.
- MD 924 at MacPhail Road – Remark westbound MacPhail Road to provide an additional 50 feet of westbound left turn storage.
- MD 924 at Wheel Road – Construct a westbound Wheel Road shared right/through lane, a through lane, and a left turn lane. The two westbound Wheel Road through lanes continue to MD 24. The eastbound Wheel Road approach to MD 924 includes a left turn lane and a shared through/right lane. The widening is proposed on the south side of Wheel Road. The improvement must maintain the proper road alignment along Wheel Road through the MD 924 intersection.
- MD 924 at Singer Road/Abingdon Road – Restripe the Singer Road approach to provide one left turn, one through, and one right turn lane. Widen along the south side of Abingdon Road leg to provide a left turn lane that extends along Abingdon Road to the Blue Silver Road. Restripe the existing short eastbound left turn lane to Blue Silver Road.
- MD 24 at Wheel Road – Widen westbound Wheel Road approach to allow for a second through lane.
- MD 24 at Plumtree Road – Widen westbound Plumtree Road to enable an extension of the existing westbound right turn lane by 100 feet.

If there are any questions, please contact Teresa Eller of SHA.

Health Department – Read by Moe Davenport

The Harford County Health Department has extended its approval for the above referenced concept plan. The site is located north of Bel Air South Parkway and Blue Spruce Road, south of Plum tree Road, between Emmorton Road and Old Emmorton Road. This plan

Development Advisory Committee Minutes
February 16, 2022
Page 8 of 29

proposes a mixed use area to include apartments, townhouses, retail, and commercial. The site will be serviced by Harford County public water and sewer. This office has the following comments regarding this proposal.

- At this time, the retail uses on the site have not been identified. If food service is planned, the HCHD must review and approve all food service and building plans prior to issuance of the building permit. Please contact the Permits and Plan Review Division for information. If the plan is recognized as a prototype plan, review will also be required by the Maryland Department of Health, Division of Food Control, Center of Facility and Process Review. If there are any questions regarding this review, the applicant should contact MDH.
- If the office/commercial building is occupied by dental/medical offices, certain permits and registrations may be required from the Maryland Department of the Environment. The Maryland Department of the Environment requires a facility that generates special medical waste to obtain a generator identification number and contract with a special medical waste hauler licensed/certified through the State of Maryland. The applicant/owner should contact MDE for further information if this requirement may be relevant. Facilities that conduct X-rays are required by MDE Air and Radiation Management Administration to be registered. If applicable the applicant/owner should contact the Radiological Health Program.
- Additional comments from this office will be provided at the time of the building permit or certificate of occupancy permit. It is the responsibility of the owner/operator to be aware of any regulatory requirements for the proposed use and for obtaining appropriate permits.
- The owner/developer is reminded that during the development of this project, when soil moisture conditions are low, measures must be implemented to prevent the generation of dust until a permanent vegetative cover is established and all paving is completed.

Public Comments:

Bill Wehland said you have a list of my questions and comments. Are we going to go through them or not?

Mr. Davenport said yes.

Mr. Wehland said okay. Then I will hold off any further comments until my concerns and questions are answered. Is that fair?

Mr. Davenport said you can present your questions and we will do our best to answer them.

Mr. Wehland said okay. You already went over the complete site. My question is, why is there not going to be another CIM to get public input based upon the changes made?

Mr. Davenport said the Community Input Meetings are there to introduce the project to the community and let them know that something is going on here. In this particular case, the

Development Advisory Committee Minutes
February 16, 2022
Page 9 of 29

plan is still conceptual. It is a concept plan. They chose to provide more detail than required on any particular concept plan, but the general idea is that there are 2 lots that are going to be developed with the mixed uses. Those uses I assume are not yet determined.

Mr. Miner said no.

Mr. Davenport said so those plans will again be advertised and another Development Advisory Committee will be held for the site plan approval for both the mixed use center and Lots 3-7. Independently or together, depending on how or when they find tenants for those spaces.

Mr. Wehland said you answered a couple of my questions then about why a CIM isn't required, and continuous DAC meetings are going to occur. The problem as I see it is, it is a mystery development. There are so many things undefined, Commercial buildings and I will cover that on another question and then the piecemeal on those five lots. I will cover that. Why are not lots 3 through 7 included in the mixed development if this is a mixed use center?

Mr. Davenport said you will have to ask the property owner. They've chose to develop in this manner. They could have included the entire 30 some odd acres. They could have included half of it. They provided 2/3 as a mixed use center.

Mr. Wehland said I guess Tom is not going to be able to answer this because the owner isn't here. And that is a shame. Why was the senior living building eliminated given the fact that this county lacks sufficient accommodations for seniors? And again, this is an owner question. But a very important question for Mr. Glassman who promotes, supposedly, senior living. And yet the Eva Mar project, which we just found out, is cancelled. I'd like to really know from the owner or P & Z or Mr. Miner about the five pad sites, Lots 3 through 7. If you see the big sign, it is KLNB real estate. If you go into the website, they are seeking pad for banks, restaurants, fast food, coffee, car wash, automotive repair, auto parts. I want to know if any of those tenants or businesses have been identified.

Mr. Miner said no.

Mr. Wehland said they have not. If so, why not?

Mr. Miner said it is a matter of the tenants that ...

Mr. Wehland said so the owner is actually going to be allowed to take piecemeal lot approval while continuing to conceal the actual future use. That is a crime. The concept plan has lots of detail as to the type, size, and number of apartments. In fact, there is going to be 252,342,000 gross square feet. There is references on these drawings to Housing and Urban development on Plan 2. Again, the owner is not here. But does he plan to lease the apartments on a subsidized or assistance basis?

Mr. Miner said I don't know.

Development Advisory Committee Minutes
February 16, 2022
Page 10 of 29

Mr. Wehland said you don't know. Is the owner going to participate in a voucher, Section 8, or similar program? You don't know.

Mr. Miner said legally in the state of Maryland you can't reject a voucher.

Mr. Wehland said you can't reject vouchers. Yet when the apartments at Avanti were approved, part of the conditions were that no Section 8 would be allowed. That was part of the conditions made by the Hearing Examiner. So, my question is how did these apartment compare to the Avanti apartments? Sizewise, development wise. Are they luxury? See. The point is it is the unknowns. Let me go onto the next one. The original concept plan showed three entrances/exits along Emmorton Road where the five pad sites are located. Apparently, the entrance between Lot 4 and 5 has been eliminated. Why?

Mr. Davenport said that would be a result of State Highway Administration. They are requiring they reduce the number of entrances on 924.

Mr. Wehland said next questions. A commercial building, you have 2 of them defined there. They are not in the zoning code, but they are on the concept plan. I heard this before. There are a lot of permitted uses unfortunately in B3 but what is a commercial building with no intended use. And how could you approve this concept plan on that basis.

Mr. Davenport said a commercial building is just a non-residential building. They will have to come back through site plan approval, and they will have to dictate and identify exactly what they proposing. I would say anything over 3 stories as a commercial building would be office.

Mr. Wehland said remember public safety, health, adverse conditions. All of that constitutes what you fellows by the code are not supposed to approve. It affects those. So how could it possibly be approved if those factors are affected. I will go on. The original concept plan showed Storm Water Management Park Amenity down near Blue Spruce Drive, 124,000 square feet. I see no reference to that on the current concept plan. I believe a little bit of Stormwater Management I heard a little while ago. Why was it eliminated from that big area down there?

Mr. Davenport said that is the same question we had when we asked that be clarified on the plan.

Mr. Wehland said we all know, dangerous traffic conditions and safety if going to be a major concern. There is a TIS you had in July 2020, and it was based on data supposedly taken in 2019. I saw a lot of correspondence back and forth that was submitted. And then a revised TIS apparently came in on November 2021. It is my understanding there is a mitigation plan by P & Z after this submittal was made and you are waiting for a response. However, a review of the revised TIS clearly indicates that the revised concept plan has not been taken into consideration. It still refers to the original concept plan presented at the DAC in August

Development Advisory Committee Minutes
February 16, 2022
Page 11 of 29

2020. And at the August 2020 DAC a question that I asked, “How can a traffic impact study be approved without knowing the intended use? The answer was, by this Committee, “We have tried to clarify those uses. The Traffic Impact Analysis must show the uses that are proposed.” There are no uses proposed. Based on that, here are my questions. The TIA must show the uses that are intended. The TIS submitted does not show the uses intended. Secondly, the updated TIS submitted is for the original concept plan and not for the one under review. It is clear an updated TIS is required. Question, have you or will you request one?

Mr. Davenport said we review the TIS for the proposed improvements in the TIA. Unless they generate more trips, we will not require an updated one. We will not approve a proposal that generates more trips than anticipated in the original approved TIA without an updated Traffic Impact Analysis. So, no approvals for any proposal that generates more trips than were projected in the traffic study that was approved. It can't be approved unless the traffic study is submitted.

Mr. Wehland said let me go on. How does the off-site traffic improvements required now compare to the offsite traffic improvements required for the controversial Walmart at this same site? I can't comprehend myself. Are they more or less?

Mr. Davenport said you can talk with Alex of our Department. Because that is very complicated. We have had a couple of improvements. MedStar came in. They have done some improvements. The state has done some improvements since then. That was 7 or 8 years ago. I can't speak specifically to that. But Alex maybe can help get you through that.

Mr. Wehland said can you ask Alex to respond to that. Why should I have to go through this?

Mr. Davenport said I am not a traffic engineer. I can't speak intelligently about the specifics of that. I do know that it has been 8 or 9 years since then. There has been a number of apartments approved. There have been other projects that have been approved. And other capital improvements from the State and the County that have been done. So, the current analysis is based upon the existing conditions that are there. Not necessarily what was done in 2008 or 2007.

Mr. Wehland said then I guess this question can't be answered. What are the average number of trips in and out to this site during the allowed so called peaks times during the week and weekends? Where can this data be found in the TIS?

Mr. Davenport said I did ask Alex. It is on page 17 in the TIA. I can give them to you. AM inbound is 582. AM outbound is 486. PM inbound is 700. PM outbound is 668. Saturday peak inbound is 868. And Saturday peak outbound is 833.

Mr. Wehland said I have to believe they were way understated. According to the TIA guidelines, the design year is supposed to be based on the expected completion date of the project supposedly discussed at the scoping meeting. Any changes to the preliminary or site plan may require the submission of an updated TIA. I am curious, what was the date of the

Development Advisory Committee Minutes
February 16, 2022
Page 12 of 29

scoping meeting and what was the expected completion date of the project discussed at the scoping meeting?

Mr. Davenport said I think it was a 3-year time frame. But again, for specifics you can talk to Alex.

Mr. Wehland said the next question was, I guess to Alex, was this expected completion date used in the TIA? Is it going to be changed to the current conditions and timeline for completion?

Mr. Davenport said I don't know.

Mr. Wehland said how long is the TIA data from 2019 considered valid and what is the present or revised expected completion date, Tom?

Mr. Miner said as soon as we can would be the answer. We are not trying to go slow.

Mr. Wehland said neighborhood residents, including myself, who use Plumtree Road between MD 24 and MD 924 daily, had never seen evidence of a traffic study being performed. I would like to know what type of verification that you really have that it was done.

Mr. Davenport said you can talk to Alex. I understand that it was camera.

Mr. Wehland said the TIS is a very complex document. It is not user friendly. I have not found where the counts for the five pad sites Lots 3 to 7. Can you refer me to the pages where they are accounted for?

Mr. Davenport said again, I think they are on page 17. It is 8,000 square feet of fast food with drive through pad and 29,000 square feet of high turnover sit-down restaurant pad sites.

Mr. Wehland said I was asking for the worst case scenarios used by Traffic Concepts for generating these trip inputs for the pad sites. You know, it could be a Chick-fil-A, a Seven Eleven. I guess you are going to say it is the worse case scenarios. What were the worst case scenarios?

Mr. Davenport said those generators, fast food with drive throughs are high generators in the traffic manuals. And so, it sit-down restaurants.

Mr. Wehland said here is a big question. Do you guys take into consideration existing unsafe traffic conditions, delays, and accidents? It is just coincidentally 2 to 3 pm yesterday there was an accident at 24 and Plumtree. And then there was another one right up at the site on 924. This is going to be a traffic nightmare. I don't care what a TIS study dictates. I am going to get into that as part of my final questions. So, I will let that go. But you are aware of that yesterday. Hopefully nobody got killed. Here is one that is very important to me travelling along 924 between 24 and 924 and 24. I asked the question back when, why

Development Advisory Committee Minutes
February 16, 2022
Page 13 of 29

weren't some of these other entrances and exits along that route not accounted for between going in and going out? The only one in the traffic study was the one at McDonalds and that is because you said it was directly across from an entrance point. My question is, when I asked that you said the guidelines for identifying intersections would not include private entrances along the road. The one that is across from McDonalds and M&T Bank, this is your words, is one of their proposed entrances. They have to study their proposed entrances/exits and affected intersections that are impacted by the proposal. We would not require the Towson Orthopedic or the other entrance/exits along Plumtree Road. We can't by code. I do not agree with that response. Regardless of your guidelines, P&Z needs to think outside the box. The entrance/exits are more than private entrance/exits. Towson Orthopedics, Advanced Radiology, Professional Offices, McDonalds, they all generate a lot of in and out trips. It is only 1/3 of a mile between 24 and 924. You can't simply look at only one new site entrance across from McDonalds as part of a traffic study to get a clear picture. You cannot use theoretical data. You must consider those entrances along with the other additional proposed ones. I found the existing traffic volumes shown on Exhibit 3 of the TIS to be understated for the "to and from" portions of Plumtree Road between MD 24 and MD 924. I strongly recommend that P&Z physically conduct an independent study to record the current traffic counts to verify the counts made by Traffic Concepts. That is between 24 and 924 along Plumtree Road. Additionally, record the traffic counts to and from the entrances/exit at Towson Orthopedics. Let me tell you that is a dangerous site and there is constant appointments. People going in and out. It is another nightmare of traffic. This is a major traffic safety issue, and I don't see how the proposed road improvements that I heard today are going to correct the problem, especially having two new entrance/exits to accommodate this site. So again, how are you going to possibly have a traffic mitigation plan along Plumtree Road without understanding what the existing traffic issues are at these so-called private entrances. Will you consider please what I am recommending and could you come back to me later with some plan. Thank you for your time.

Mr. Davenport said in response to that. I will let Mr. Hebel chime in but the TIA doesn't allow us to look at those intersections but that doesn't mean we don't look at those intersections. We have required improvements along the entire frontage along Plumtree Road. And Public Works understands the concerns that you have. They share your concerns. They have dedicated their lives to.

Mr. Wehland said you know where I am coming from along that stretch of road.

Mr. Davenport said I am saying, it is not necessarily in the TIA, but it is part of our overall review.

Mr. Wehland said hopefully it will be considered.

Ms. Smoyer said I am very concerned about the increase in students. Already, as people know, we have had to have redistricting, which is very unpopular. Ring Factory and Patterson Mill are very high-quality schools. And so now you are going to put in 200 apartments and however many other units. Where are all of these kids going to go to school? What is being

Development Advisory Committee Minutes
February 16, 2022
Page 14 of 29

done for the development, should we have to pay money whether they need to build another school or come up with another solution. We don't have the capacity in our schools for what we have now. And now they are going to put in more students. How is that being addressed?

Mr. Davenport said there are 2 means of addressing that. One is the Growth Management regulations we have in Harford County. Which provides adequate public facilities for roads which we discussed here for the traffic. Water and Sewer, which Water and Sewer has discussed. And schools. So, when schools capacities are projected to be over 110% of their State rated capacities, we can no longer approve residential developments. Each time that a plan is proposed to us, we look at those numbers. Not just the existing enrollment but the projected enrollment over the next 3 or 4 years.

Ms. Smoyer said so you aren't over enrollment. So, they are redistricting because the schools are too crowded now. And adding more students in will be higher than that. What is the projected percent capacity?

Ms. Valentino said Ring Factory is currently at 95% capacity. They are projecting out 3 years to be at 97% capacity. So that is under the 110% capacity. Patterson Mill, on Monday the Board of Education approved the balancing enrollment proposal to combine the capacities at that school. So, we are working with the state right now take the full facility capacity which will allow us to deal with the issues within the school. Currently the Middle School is at capacity pretty much. It is at 104% capacity. But the High School is under capacity at 81% capacity. So, we have space in the building, and we are looking to utilize that space so we don't have to impact the students attending that school with changes. Certainly, this is something we will keep an eye on as we move forward in the process. Part of the plan that was approved was also the recommendation to build a new elementary school in tandem with the John Archer School. So that is why all the elementary school redistricting was postponed until the 26-27 school year. This type of development and everything will be actually looked at as we look forward into the developing the boundaries of that new school and any other impacted areas.

Mr. Taylor said I want to mention a few things. Chapter 267 Article 41 of the County Code for Forest Conservation states Priorities and Time Requirements for Afforestation and Reforestation. Part A states that the required sequence for forest conservation, after techniques for retaining existing forest on the site have been exhausted, is as follows. Now I agree that the trees onsite aren't worth saving. They are not saving any of the existing trees. The required sequence, there are 9 items. And the first 3 pertain to this site in particular which is in that order, one first, two then three. One is selective clearing and supplemental planting on site. Two is on-site afforestation, if economically feasible, using transplanted or nursery stock that is greater than 1 ½ inches DBH. Three is on-site afforestation using whip and seedling stock with protective tree tubes. Now in that order everything, the forest should be met on site. Is it being met onsite?

Mr. Davenport said some of it is met onsite. The other is off site.

Development Advisory Committee Minutes
February 16, 2022
Page 15 of 29

Mr. Taylor said am I reading I wrong because it says, part B does say that a sequence other than the one described in Subsection A may be used for a specific project if necessary to achieve the objectives of the County Land Use Plan or County Land Use Policies or to take advantage of opportunities to consolidate forest conservation efforts. Is that why it is being done offsite?

Mr. Davenport said yes, sir.

Mr. Taylor said what are those reasons.

Mr. Davenport said there are very few water resources on this site. There are no streams. There is an isolated wetland that is going to be eliminated. So, we find that we have Bear Cabin Branch and we have off sites that on Winters Run Watershed that are in unforested floodplain and wetlands. And we find that we have better resource protection measures when take those resources and we plant them on our waterways in Harford County. We have unforested floodplain wetlands. And we also consolidate a number of Projects at these locations, so we have a bigger bang for our buck so to speak.

Mr. Taylor said I think it is better for the community to have it onsite. It would look like a much nicer development.

Mr. Davenport said we have a 30-foot buffer yard onsite along the entire perimeter of 24 and to the south. It is planted with larger stock.

Mr. Taylor said does that meet the requirements for reforestation.

Mr. Davenport said I think it is 35 feet.

Mr. Miner said I think it is 35 feet.

Mr. Taylor said you have the little 35-foot stripe along the Bertucci's side. Then the 24 side is a 30-foot strip. So, they aren't even trying to meet the 35 feet. If you look at that site. You look at all the apartments there. It is nothing but impervious area. Look at the Town of Country apartment on 924. That looks so nice. There is all kinds of green space there. You don't see that on this site. This is nothing but impervious area. It is going to look awful. If you required them to provide forest conservation onsite it would be much nicer. And I think you should. I think that is the way the law was written. You should require them to follow the law.

Ms. Smoyer said to add to that. With more impervious site, there is more runoff, more stormwater mitigation that is required. So, it is more important to have more green space and have things that can actually absorb the water so we are not just dealing with mechanical runoff solutions, but you are actually using the vegetation to take care of some of that excess runoff.

Development Advisory Committee Minutes
February 16, 2022
Page 16 of 29

Mr. Davenport said our stormwater management regulations require native planting to achieve some of those goals.

Mr. Taylor said chapter 214 article 31 of the code is stormwater management. Part A, 1A, the County shall require the planning techniques non-structural practices and design methods specified in the design manual. B, use to implement the environmental site design to the maximum extent practical. Also in that paragraph is control of the 10-year frequency storm is required according to the design manual except for residential lots greater than 2 acres. This plan doesn't show it, but Bill stated previously, there was a stormwater management facility on this site down on the lower left corner there. How are you treating 10-year management?

Mr. Anderson said that is yet to be determined. They will have to address it.

Mr. Davenport said we approved the concept stormwater management plan. We required it to be revised. It has to be approved again. It has to meet all the code requirements and standards.

Mr. Taylor said you are submitting this plan, showing the public this plan. But evidently you are doing underground stormwater management? What are you doing because you are not showing us anything?

Mr. Miner said correct me if I am wrong. But that concept stormwater revisions will occur during the site plan submission.

Mr. Davenport said prior to site plan approval.

Mr. Miner said prior to site plan approval. And yes, tentatively we have some quantity underground. And we will be providing our environmental site design per the regulations throughout the site. Similar to the previously approved concept stormwater plan.

Mr. Taylor said the notes state that stormwater management shall be designed in accordance with the MDE Design Manual latest edition. But the County Code also state you have to do 10-year management.

Mr. Miner said correct.

Mr. Taylor said you are not stating that in your note here. And you took it off the plan, the management pond.

Mr. Miner said that is for the next submission.

Mr. Taylor said for the next submission but that you are going to have to revise your plan, I would imagine. Unless you are doing it underground.

Mr. Wehland said I probably have to approach the plan. You said, by code, you can't look at

Development Advisory Committee Minutes
February 16, 2022
Page 17 of 29

other private entrances along here.

Mr. Davenports said according to the Traffic Impact Analysis guidelines.

Mr. Wehland said why isn't this on being considered, which is a new entrance and directly across is entrances to other buildings. Again, I believe that this definitely needs to be looked at down at Towson Orthopedics. You got to see the existing traffic conditions there. I don't care what the TIS said. Hopefully you will take a good look at this whole area. But again, you are talking code but you are not talking code here. It hasn't been addressed in the TIA at this other entrance.

Mr. Panowitz said I had more of a comment then a question. One of the things I noticed in this proposal is a traffic light at Bright Oaks Drive and 924. Going back in history, I know from the Wal-Mart days, it was made pretty clear to us that a traffic light at that intersection did not meet. I cannot give you the code.

Mr. Davenport said we did go back in forth. Again, that is up to the state since it is on a state road. But the state has approved a traffic signal at that location at this time.

Mr. Panowitz said one thing I remember is that during Wal-Mart days, the other fellow is not here today, he and I stood that that intersection at Bel Air South Parkway and 924 for days and watched the traffic flow. And how the traffic backed up there and especially the traffic coming out of Bel Air South Parkway making a left onto 924. How it backed up at that intersection at the peak times, at rush hour times. I could only think that a traffic light at the Bright Oaks Drive is only going to make that situation much worse, depending on the timing.

Mr. Davenport said sequency is going to be very important.

Mr. Janes said I was a school bus driver for 5 years. My route took me right past Plumtree every day. I drive it at least 6 or 8 times at day now. Mr. Wehland has emphasized the problems on Plumtree, but I know the problems on 924. And they are significant. Right now, at 8:00 in the morning just the cars trying to get into Patterson Mill High School to drop off, they are spilling out onto 924. The cars that are trying to turn in there. You have got a medical building/complex or something on the books for that corner. You have a fire house. One thing Mr. Wehland didn't mention and maybe it is going to be taken care of by the change in the plan, where Plumtree comes into 924 and across from that is the MedStar Complex. They are offset. If you go into McDonalds and buy a hamburger and come back out to 924 and try to make a left-hand turn. You can't tell whether the cars coming out MedStar are going to go straight or turn or what they are going to do. Because it is offset. Now maybe the new plan is going to take care of that. That is a safety issue right there. A big accident waiting to happen. In addition, I don't know if you gentlemen realize this but anytime, especially on a Friday, from 3:00 sometimes earlier, there is traffic backed up northbound on 924 from Ring Factory all the way to MacPhail. Why, because MacPhail doesn't have a righthand turn lane at the top. That is a known problem that is getting worse. The final comment that I would make is, I went to both CIM meetings. Some of us here have

Development Advisory Committee Minutes
February 16, 2022
Page 18 of 29

met with the homeowners. We have told them of all these issues. I don't see them being addressed here at all here. That is why Mr. Panowitz is here. There is no pervious surface in there. It is all impervious. My point is, the second CIM meeting that was had was truncated because of Covid. I went and there wasn't even a sign put up saying it has been cancelled or postponed. But my major point is, how can do you expect our communities to comment on this when we don't what is going on. When there is so much unknown about what is on that chart right there. The community deserves to be able to see a plan that they understand and that they can comment on.

Mr. Davenport said understood. And I would too. But that is not the nature of this case and many cases in commercial development, not residential development. If they had a tire store or McDonalds all lined up waiting to develop these lots, they would be shown on this plan. I guarantee it. They would be asking me to approve it tomorrow if they had people with money ready to give to the owners to develop a Carrabba's or Olive Garden or whatever else is going to go on their sites. So, they are going to market those sites and they are going to hopefully get buyers for those sites. And they are going to come back to us. Until that we have to use the best information that we have. Say they have a State Farm Insurance building on Lot 4. And their TIA which generates no trip. And then they come in with a Chick-fil-a. We are not going to approve a Chick-fil-a if the study said it was a State Farm Building. So those studies and the owner/developers have utilized the highest uses so they don't have to go back and redo these studies. They don't want to go back and redo these studies at a later date.

Mr. Janes said I am sorry, but I don't understand how they have studied this or if they put any kind of fast-food restaurant, how you are going to come up with. Take the average of all those numbers. Those in/out number, 700 or 800. I don't care what you pick. I know that Panera is going in there at one of those sites. That is information I have. I have some insider information. What do you think are the movements from Panera? I mean. My point is this. How can citizens make intelligent comments or judgements when there is no information? It is not reliable. Do we have to stand out there again with our clickers? I haven't seen a traffic study. Not one since the original ones were done for Wal-Mart. So, to me it is all theoretical what is going on here. Because what I do know, when I drive up and down 924 which I do all the time. I know every pothole that is on there right now between town and Bel Air Parkway. This is sad. And I am saying we volunteered our time and went to Ward and sat down and we discussed all these problems before. And we have been ignored.

Mr. Taylor said I would like to reiterate the Forest Conservation. Do you think that what they are doing is meeting the code?

Mr. Davenport said yes. I do.

Mr. Taylor said, do you? You think it meets this County, this law? I don't think it does. I don't believe it does. I don't think it is meeting the required sequence for Forest Conservation. Required being the operative word there. I don't believe it. I believe that a lot of developers have been getting away with this, but I don't believe this site. This site doesn't need to not meet it. It is not a small one-acre site or financially it will be a little difficult for

Development Advisory Committee Minutes
February 16, 2022
Page 19 of 29

them to meet it. This site can meet it. I don't think it is following the law. So. I would be a much nicer project if you just follow the forest conservation regulations.

Forest Hill Estates

Located on the north side of East-West Highway (MD 23), west side of Rock Spring Road (MD 24). Tax Map 33; Parcel 429 Lots 2 & 3. Third Election District. Council District D. Planner Eric.

Plan No. P030-2022 Create 70 single-family residential lots using Conventional with Open Space design standards/35.17 acres/R1

Received 01/19/2022 2226 Rock Spring Road, LLC and Country Club Investors, LLC/EN Engineering

Verbatim Transcript

Bob Capalongo – EN Engineering

The developer is proposing to build 70 single-family detached homes at 2220 -2226 Rock Spring Road. The site is across from Newport Drive at the intersection of Newport Drive and Route 24/Rock Spring Road. It is bordered on the South by MD Route 23, a very large Right-of-way. Route 24 is on the east side of the property. That is our main access, our only access, into the site. One the west you have existing large single-family homes. To the north you some single-family homes and Lutheran Church. We have been through Concept Plan. We meet all the requirements for zoning.

Bill Snyder – Volunteer Fire & EMS

The buildings on the panhandle lots with shared driveway shall have the address marked at any point the driveway splits to identify each dwellings address number. Directional arrows are recommended.

Emergency Services – Read by Bill Snyder

Proposed dwellings must be addressed to follow the updated address markup by DES for this plan (Uploaded to Energov). All proposed dwellings are to be addressed to their access road and must display house numbers where they are clearly visible from their access road. Road name signs must be installed for all roads where they intersect cross streets.

Darryl Ivins – DPW Water & Sewer

The following comment concerning fire hydrant service to the property must be addressed before the Division of Water and Sewer can recommend approval of the Preliminary Plan:

Development Advisory Committee Minutes
February 16, 2022
Page 20 of 29

Prior to approval of the Preliminary Plan which includes fire hydrant service to this development using the Maryland American water system, the developer must submit a petition to the Division of Water and Sewer requesting assessment of the lots within the subdivision for the annual fire hydrant charges from the Maryland American Water Company. The petition request should be submitted to the Division of Water and Sewer, W&S Administration Section, attention Ms. Portia Little. The Division of Water and Sewer will present the petition to the County Council for consideration. It must be approved before the approval of the Preliminary Plan can be recommended by the Division. The petition will require the residential lots created by this project to pay the annual fire hydrant charge assessed by the Maryland American Water Company (MAWC) against the County. The Developer shall provide notice to all purchasers of properties within the development of the annual fire hydrant charge from the County. The charge is subject to change upon approval by the Maryland Public Service Commission of an increase in the MAWC's hydrant charge.

After the above comment has been addressed by the Developer, the following comments shall be included as conditions of Preliminary Plan approval:

This project is served by the Maryland American Water System. The water main design shall be shown on the sewer construction drawings. The sewer design drawings may not be approved until the water design drawings are approved by the Maryland American Water Company and the approved design is added to the County Sewer contract drawings. Fire hydrants shall be located as required by the Harford County Division of Water and Sewer Design Guidelines.

Shift the water and sewer services for Lot 48 closer to the driveway to accommodate a tree shown on the landscaping plan between the services and the fire hydrant. There are trees shown on the landscaping plan that must be shifted to provide adequate clearances from water and sewer services, fire hydrants and driveways. Trees must be no closer than eight feet to a water or sewer service.

The proposed sewage pumping station must be placed on its own parcel that is dedicated in fee simple to the County. A Phase One Environmental Assessment and a title search must be performed for the pumping station property prior to final plat approval.

The design of the sewage pumping station must adhere to the requirements of the Design Guidelines, among which is the requirement to have a vehicle turn around outside of the perimeter fencing. The size/shape of the pumping station lot may need to be adjusted during the final design to accommodate this requirement.

The sewage pumping station will require a 2" water service. The Division of Water and Sewer requests that the proposed location of the water service be submitted for review before the water drawings are approved by the Maryland American Water Company.

A draft deed for the sewage pumping station site shall be prepared by the developer and submitted to the County for review concurrent with the prints of the water and sewer

Development Advisory Committee Minutes
February 16, 2022
Page 21 of 29

construction drawings. The deed must be approved by the County, signed by the property owner and given to the County for execution prior to issuance of the Operational Approval for the sewage pumping station. The County will be responsible for recording the deed for the pumping station lot after Operational Approval.

The contract numbers for this project are 20167 for water and 20168 for sewer. The contract number for the sewage pumping station is 20169. The numbers shall be placed on the utility construction drawings before their initial submittal to the county for review.

On the final design drawings, the location of the water and sewer mains in Begonia Way should be switched. The configuration of the sewer mains that will serve Lots 42 through 46 will be determined during the final design. If the sewer main remains between Lots 43 and 44, the easement must be widened to thirty feet and landscaping may not be placed in the easement. It may be advantageous to extend a sewer main down the common driveway for Lots 45 and 46 and serve them in this manner. It may also be possible to serve Lots 42 through 44 from this main, allowing the main in Begonia Way to be shortened.

The standard offset of parallel water and sewer mains from the road centerline is seven feet. This should be adhered to during the final design of the utilities.

A Public Works Utility Agreement (PWUA) is required for the construction of the public sewer mains and the sewage pumping station. It is the developer's/owner's or their representative's responsibility to contact the Division of Water and Sewer, W&S Administration Section at wspemits@harfordcountymd.gov to request the preparation of the PWUA concurrent or following the submittal of the water and sewer contract drawings for review. Building permits for the houses in this subdivision may not be approved by the Division of Water and Sewer until the sewage pumping station is within five months of being declared operational by the County.

Robert Anderson – DPW Engineering

Sediment Control

Required Design Standards

- MDE – Maryland Standards and Specifications for Soil Erosion and Sediment Control, Dec 2011, or latest edition.

Required Plan Approvals

- A sediment control plan is required for the development of this site.
- A grading permit is required.
- Stormwater management must be addressed.
- An Erosion and Sediment Control plan will be required for the initial grading, road construction and utility construction. This project shall include a future revision for the plan for new home construction sediment controls.

Stormwater Management (SWM)

Development Advisory Committee Minutes
February 16, 2022
Page 22 of 29

Required Design Standards

- MDE-Maryland Stormwater Design Manual Volumes I & II (October 2000, Revised May 2009) or latest edition
- SWM-Harford County Code Chapter 214.

Required Plan Approvals

(All comments must be addressed to subsequent submittals)

- SWM Concept Plan
- SWM Site Development
- SWM Final Plan (approval required before issuance of grading permit)

Required Permits

- Grading (needs final SWM plan approval before issuance)
- Stormwater Management permit
- Note: Building permits require SWM permits before issuance

Required Easements

- A 20' wide access easement is required to all stormwater management facilities for maintenance purposes.
- An easement agreement or letter of understanding is required for grading on the adjacent property.

Outfall Investigation

- A suitable outfall must be provided for the stormwater management facility and shall be approved at the time of final design.
- Additional topo shall be shown for the outfall to ensure that the adjacent property owner will not be adversely affected by runoff from the site.

Maintenance

- Maintenance of the stormwater management facility is the responsibility of the lot owner and shall be stipulated in the association documents.

SWM Design Comments

- A Stormwater Management Concept Plan has been submitted for review and must be approved before preliminary plan approval.
- Stormwater management practices designed for and located on individual lots shall be constructed and inspected before the issuance of use and occupancy permits.
- Existing SWM pond located adjacent to the Lutheran Church must be reviewed and approved to determine if the facility is still a low hazard DAM since houses are being placed directly down stream of facility.
- Submerged gravel wetlands #5 is not acceptable in a residential subdivision unless it is adjacent to existing wetlands.

Mr. Capalongo said have you reviewed the Stormwater Concept.

Development Advisory Committee Minutes
February 16, 2022
Page 23 of 29

Mr. Anderson said it is in our review que to be reviewed.

Mr. Capalongo said can you give me a rough idea of a timeline.

Mr. Anderson said within our 30-day timeline. We try to get everything within a month. I am not sure where it is right now.

Mr. Capalongo said the worse case is a few weeks.

Glen Hebel – DPW Engineering
Highway Engineering
Required Design Standards

- Harford County Road Code
- Maryland Manual on Uniform Traffic Control Devices (MdMUTCD) 2011 or latest edition (for the pavement striping and traffic control signs.)

Required Plan Approvals

- Road and storm drain plans will need to be approved and a Public Works agreement will need to be executed prior to the issuance of building permits for the site.

Rights-of-way/Easements required

- Drainage and utility easements are required along all storm drains along all storm drains from the edge of the right-of-way to the end of the outfall treatment.

Sidewalks

- Sidewalk handicap ramps shall be constructed at the entrance
- Sidewalks shall be constructed along the property frontage adjacent to Rock Spring Road MD Route 24

Drainage Comments

- Suitable outfalls must be provided for the proposed storm drain systems and shall be approved at the time of final design.

Design Comments

- The Preliminary Plan shows a proposed drainage system that conveys the State runoff along the property frontage and ultimately outfalls onto the open area that faces the MD Route 23. Provide manholes at the right of way of Raising Rock Way to identify the limits of the pipe crossing that will be maintained by Harford County.
- Residential access permits are required for the driveways that tie into the roads that will be maintained by Harford County.
- A private ingress and egress maintenance and use in common agreement shall be provided for lots 9, 10, 11, 45, and 46.
- Monumental Masonry mailboxes or structures shall not be constructed within the right of way.

**Development Advisory Committee Minutes
February 16, 2022
Page 24 of 29**

- A traffic impact analysis was submitted with comments to be forwarded to Planning and Zoning

Missy Valentino – Harford County Public Schools.

The school attendance areas are Forest Hill Elementary School, North Harford Middle School and North Harford High School. All of which are under the 110% threshold.

Paul Magness – Parks and Recreation

This plan proposes 70 single family residential lots using Conventional Open Space design standards on a 35.17-acre property. The project requires 3.52 acres of open space with 1.76 acres of active open space. The project proposes 14.11 acres of open space and 1.76 acres of active open space. An 8-foot-wide trail system around the property is part of the active open space requirement. The trail should either be asphalt or concrete. The 1.09-acre open lawn recreation area as identified on the plan must be graded to less than a 2.5% slope to be acceptable as active open space and should be clearly identified with signage. In addition to the less than 2.5% overall slope, the open lawn recreation area needs to be mowed every 7 - 10 days in season to qualify as active open space.

Eric Vacek – Planner

The site is zoned R-1 (Urban Residential) and totals 35.17+/- acres. This Preliminary plan proposes to reconfigure Lot(s) 2 and 3 and create seventy (70) single family dwelling units, respectively. These lots will be developed utilizing Conventional with Open Space (C.O.S) standards and the Natural Resource Adjustment.

- The required open space for this concept plan totals 3.52 acres. Fifty percent (50 %) or 1.76 acres of the open space shall be suitable for active recreation, or active open space. This plan proposes 14.11 acres of open space and 1.76 acres of active open space. An eight-foot (8'-0") wide trail system around the property is part of the active open space requirement. The trail should be either asphalt or concrete. The 1.09-acre active open space (lawn) recreation area, as identified on the plan, must be graded to less than a 2.5% slope to be acceptable as active open space and should be clearly identified with signage. In addition to the required slope, the active open space lawn shall be mowed every seven to ten (7-10) days in season to qualify for active open space. The proposed sewage pump station shall not be located on active open space. Access to proposed open space areas shall be provided with walking trails in conjunction with public rights-of-way. This shall be clearly delineated on the preliminary plan. Areas of active open space area shall be clearly accessible to the community. Active open space areas may not be used as a stockpile area.

Mr. Capalongo said the trail is crossing across the driveway to be utilized to go down to the pump station.

**Development Advisory Committee Minutes
February 16, 2022
Page 25 of 29**

Mr. Vacek said are you going to pour asphalt right up to that.

Mr. Capalongo said we would pour asphalt up to each end and there would be an asphalt drive to come down to the pump station. So, you just continuously walk across. It is the most environmentally friendly way to do that.

- Bear Cabin Branch shall be clearly delineated on all plans/plat.
- The project roads shall be constructed in accordance with Section 268-12(D). All internal roads, including stub roads, shall be constructed or improved to the prescribed width and road construction, as set forth in the Subdivision Regulations of Harford County and the Harford County Road Code, as amended.
- This site is also in a Water Source Protection District for the Advent Child Development Center (daycare). One of the lots (Lot 10) appears to have a house within 100'-0" from the existing well. No new impervious surfaces may be located within 100'-0" of these wells. The Advent Child Development Center is within a non-transient non-community water source protection area. This boundary should be shown on the plan. Additionally, 'no new impervious surface requirement' from any NTNC wells, and the potential impact to the future property owner of Lot 10. While the well radius is shown on the plan, it is not labeled as a 'no new impervious area'. This should be identified, including the final plat, so that any future property owner understands the impervious surface encumbrance on the lot.

Mr. Capalongo said the plan was to identify that area on the record plat for that lot and specifically state no impervious allowed to the home buyer when the time comes.

- A Forest Conservation Plan (FCP) and a Landscaping/Recreation (L plan was submitted to the Department of Planning and Zoning with the preliminary plan submission. The maximum percentage of total forest conservation requirements which may be satisfied thru individual tree plantings is thirty percent (30%).

Mr. Capalongo said on the Concept Plan we utilized some areas that were unforested. The plan would be to reforest some areas onsite. We can only use 30% of the trees.

Mr. Davenport said 30% of your obligation can be individual tree planting.

Mr. Vacek said you did identify some areas on the Concept Plan. We would like to see a plan that shows the revised.

- There are streams, slopes, wetlands located on the proposed site. Appropriate NRD buffers shall be consistently delineated on the plan. This site is also Tier 2 for MDE, which means they should follow MDE's recommendations for sediment and erosion control, and other water quality techniques.
- NRD (Natural Resource District) is not permitted on the proposed lots. No forest clearing

Development Advisory Committee Minutes
February 16, 2022
Page 26 of 29

is permitted within the NRD or associated buffers at any time for actual home construction. Forest Retention areas may not be located on any of the proposed lots.

- The number of panhandles may not exceed 10%. The consultant shall clarify the number/percentage of panhandles proposed.
- Demo Permit required for existing structures.
- Minimize SWM areas are located in buffer areas.

Mr. Capalongo said the area we are going to use for active open space. What is the engineering or design reason we couldn't use that as a temporary stockpile area.

Mr. Davenport said we find that those stockpile areas don't get removed.

Mr. Vacek said they stay there.

Mr. Davenport said we have had a number of issues in the past. Communities have adopted mountains as their active open space.

Mr. Capalongo said it is a prime location to stockpile the topsoil when you strip it and put it back. It isn't a structural issue. You are saying, you have had issues where they leave the stockpile and say, "Here go play on a hill."

Mr. Davenport said sledding is their proposal.

State Highway Administration – Read by Moe Davenport

The MDOT-SHA has no objection to the approval of the Preliminary plan however, we request the opportunity to review a Traffic Impact Study to determine the potential impacts on the existing roadway system. Improvements may include but are not limited to roadway widening, Right of Way dedication, Etc. Once the TIS has been reviewed and approved, an Access Permit plan package will be needed for the roadway improvements to include but not limited to, acceleration and deceleration lanes, bicycle compatibility and ADA compliance. If there are any questions, please contact Ms. Teresa Eller.

Mr. Capalongo said did they give you a specific cutoff date for their comments.

Mr. Davenport said not within this correspondence.

Health Department – Read by Eric Vacek

The Harford County Health Department has extended its approval for the above referenced preliminary plan. The site is located on the north side of East-West Highway, west side of Rock Spring Road. This plan proposes to reconfigure Lots 2 and 3 by creating 70 single family residential lots. Lot 2 is improved with one dwelling and several outbuildings and is serviced by an individual well and onsite sewage disposal system, Lot 3 is vacant. Soil tests

Development Advisory Committee Minutes
February 16, 2022
Page 27 of 29

were conducted on October 11, 12, and 26, 2012 and February 7, 2013. The 70 residential lots will be serviced by Maryland American Water Company and Harford County Public Sewer. Harford County Department of Planning and Zoning provided this office with a preliminary plan on January 24, 2022, that addressed our concerns from our letter dated November 3, 2021, for review of the C407-2021 Version 2 concept plan:

- The type of well construction and location were indicated.
- The existing cleanout was located for the existing house located on Lot 2
- The consultant located all wells and OSDS within 100 feet of the proposed lots.

Prior to final plat approval, the following are required:

- Any buildings listed 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 wells and septic systems, the management of asbestos, hazardous materials, and solid wastes, and the removal of underground storage tanks. All documentation concerning the demolition work must be forwarded to this office. If the owner/developer has any questions concerning the demolition work, they may contact the Permits and Plan Review Division.
- At the Discretion of the Department of Public Works, Division of Water and Sewer, drainage and utility easements should be platted along appropriate tract boundaries to facilitate the connection of neighboring properties to public utilities.
- The owner/developer is reminded that during the development of this project when soil moisture conditions are low, measures must be implemented to prevent the generation of dust until a permanent vegetative cover is established and all paving is completed.

The final plat must bear the master plan conformance statement. In addition, a statement signed by the owner must declare that a community water supply and/or a community sewerage system will be available to all lots offered for sale. The plan must meet all requirements of COMAR 26.04.03 (Subdivision Regulations) and all local codes and regulations.

Mr. Snyder said can you take a request back to the owner. Bel Air Fire Department would like to use the structures on the property for training right before they are torn down.

Mr. Capalongo said yes.

Public Comments:

Mr. Backof said I am president of the Advent Lutheran Church congregation. A number of concerns. One, great idea about taking down that building that is right on our property. It is a hangout for kids. We have been in contact with police continually because they come from all directions. I am surprised they haven't done a controlled burn already. A couple of things. For one, you mentioned the Advent Child Development Center. It is caput. It is closed permanently. We are now home to the Forest Hill Nature Preschool. It is one of the largest

Development Advisory Committee Minutes
February 16, 2022
Page 28 of 29

and one of the best run nature preschools in the country with over 300 kids on that property. And also, at this time about 50 staff members. So, we went from the 30 kids in that child development center to 300. And they are everywhere and they are just doing beautifully there. I am probably jump around a little bit. Part of the property that you are going to use for the kids there for basketball or anything, I think it is right down by the sewage pumping plant. That is almost all the way down to the far left by the Grafton Shop Road direction. We at Advent see a major problem. That that is the only place for the kids to go and play ball and have open area. They are going to turn around and they are going to look at Advent Lutheran and say “Hey. Look at all that property. Look at that playground. Look at all those playground toys.” Wagons and free wheelers that the children there use, and they can’t be locked up every day. We see a major problem with that becoming an attraction. So, the possibility of a fence would be probably helpful along our boundary. Has a survey of the property been done separating Advent Lutheran Church from the proposal?

Mr. Capalongo said yes. It has been surveyed.

Mr. Backof said so the markers are all there that we can see. The property does curve around Advent. It comes down the side and then it turns and goes to the right.

Mr. Capalongo said I don’t know whether we put in markers. We would typically find the markers. I don’t know that any were put in by us. Generally, we don’t put them in. We generally find markers that are already there.

Mr. Backof said so we should get a survey company to come in and make sure that is a clearly delineated line.

Mr. Capalongo said sure. You could hire a surveyor to confirm that.

Mr. Backof said it comes up real close. You ought to put a sign up at the entrance, “A Great Subdivision for Lutherans.” That would really help you and us. Just a thought.

Mr. Capalongo said there is a walkway that comes from our property and truncates at your property. So, they could safely walk there.

Mr. Backof said a traffic study. Has there been a traffic study for this at this point? Because I know at least twice a day, you have 300 kids over at our nature preschool. 300 cars, that is a lot of parents, twice a day that come in and come out again. Much of that day you can’t even pull out onto Route 24. I know at the present time, cars coming out at Newport Drive across the road, they can’t make the left turn to head towards the main intersection. They have to turn right. Go up and guess where they loop around. They come into our property and loop around in order to head south again. The traffic congestion in that area is really unbelievable. That can be really examined. You mentioned water. When the church was built 25 years ago, we sought county water and sewage and couldn’t because there used to be an agricultural envelope. And we were given special permission to have the church and the childcare center there. We could not get County water even though it is right across Route 24. Is there a

**Development Advisory Committee Minutes
February 16, 2022
Page 29 of 29**

possibility of Advent getting County water also? And one of the reasons it came up listening I heard mention of fire hydrants. We have gone up to 300 kids, 350 to 400 people in the building, it probably would be nice if we could get at least the county water also. Just something you can take back and consider. And the county can consider. Impact on schools you mentioned that it is far below the 115%.

Ms. Valentino said it is 110%.

Mr. Backof said it is 110%. Okay. Do you know what those numbers are for those schools?

Ms. Valentino said sure. Forest Hill is currently 82%. North Harford Middle is at 74%. And North Harford High School is at 79%.

Mr. Backof said so they are significantly under it. I know we have had people express that concern to us and at previous meetings also. I know there is a lot of noise on that corner. Is there anything being done as far as noise barriers for those houses. Because if you stand even on our property and listen to that traffic on 24 and 23, it is going to be pretty loud.

Mr. Davenport said no. Other than the state has reforested that acreage between.

Mr. Backof said we certainly appreciate that. Another question and this comes up and everybody looks at us like there is something wrong with us. In the past they have tried to rezone that, I believe, and the famous bog turtle kept it from happening. And at one of the meetings, we were told that someone came out from the department of Natural Resources. They walked around and didn't see it, so it is not there. The bog turtle is almost extinct. It is protected. And that bog turtle is just a little thing is in hibernation for 6 months of the year. And the rest of the time it only comes out in the morning, eats its breakfast and then burrows underground. I don't know how somebody in one visit could really find this bog turtle that is almost to the point of extinction. I was thinking I hope they all moved down towards the other end of that property where there is no building going on. But they will have to walk pretty fast. That is it for us.

Meeting adjourned at 10:39 am.