

## DEVELOPMENT ADVISORY COMMITTEE MINUTES

The Development Advisory Committee (DAC) met on March 18, 2020 at 9:00 a.m. in the Harford County Council Chambers, 212 S. Bond Street, Bel Air, and Maryland. The meeting was chaired by Moe Davenport, Department of Planning and Zoning.

The following members were in attendance:

|                 |                             |
|-----------------|-----------------------------|
| Moe Davenport   | Chairman, DAC               |
| Bill Snyder     | Volunteer Fire & EMS        |
| Bill Snyder     | Emergency Operations        |
| Mike Rest       | DPW Engineering             |
| Crysta Draayer  | Planner, Development Review |
| Lori Pietrowski | Administrative Specialist   |

Also in attendance:

|            |                     |
|------------|---------------------|
| Bob Wilson | Patricia Sarigianis |
|------------|---------------------|

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 the 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. If anyone has questions that are not answered, there are information request forms that can be filled out and submitted to the Department of Planning and Zoning and they will be responded to in writing. 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.

### **EXETER GREEN LOTS 39 & 41 - PRELIMINARY**

Located on the south side of Jomat Drive; west of Joppa Road. Tax Map 55; Parcel 838. Third Election District. Council District B. Planner Crysta.

Plan No. P79-2020 Subdivide existing Lot 39 into 2 lots/5.452 acres/RR

Received 02-19-2020 Duck Shores Maryland, LLC/Wilson Deegan & Associates, Inc.

### **Verbatim Transcript**

#### **Bob Wilson – Wilson Deegan & Associates Inc**

The plan is for a subdivision of existing lot 39 in the Exeter Green subdivision. It is improved by an existing house and we will create a lot 41 to make a 2 acre lot.

**Development Advisory Committee Minutes**  
**March 18, 2020**  
**Page 2 of 8**

**Bill Snyder – Volunteer Fire & EMS**

No comment.

**Bill Snyder – Emergency Operations**

Based on review of the proposed lot subdivision the following addresses are recommended:

Lot 41 to be addressed as 1203 A Jomat Drive

Lot 39 to be addressed as 1203B Jomat Drive

Currently there are no opportunities for individual house numbers in this span of Jomat Drive. Rather than address out of sequence we are recommending the use of A and B.

**Mike Rist – DPW Engineering**

1. A standard sediment control plan shall be required for land disturbing activities exceeding 5,000 square feet.
2. Stormwater Management must be provided in accordance with the 2000 Design Manual as amended by Supplement 1.
3. A standard stormwater management plan for single lot residential construction or an engineered plan shall be submitted and approved prior to the issuance of a grading or building permit.
4. Stormwater management practices designed for and located on individual lots shall be constructed and inspected prior to the issuance of use and occupancy permits.
5. Maintenance of the stormwater management facilities is the responsibility of the lot owner.
6. An access permit is required for the proposed driveway.
7. The driveways shall provide adequate sight distance for a 30 mph design speed and must be paved within the County right-of-way prior to issuance of a certificate of occupancy.

**Development Advisory Committee Minutes**  
**March 18, 2020**  
**Page 3 of 8**

**Crysta Draayer – Planner**

1. This plan proposes to revise previously recorded plat 51-5, titled “Final Plat I, Exeter Green”, by subdividing Lot 39 into 2 single family residential lots, revising the minimum building setback line, and revising the 40,000 square foot septic reserve area.
2. This project is subject to the Harford County Forest Conservation Regulations. A Declaration of Intent (DOI) was submitted to the Department of Planning and Zoning stating that zero (0) square feet of forest are to be cleared.

**Moe Davenport for Len Walinski, Health Department –**

The preliminary plan, as submitted by the consultant on February 19, 2020, contained incomplete information to allow for the comprehensive review of this proposal. In order for the HCHD to continue the review of this plan, the items listed below must be submitted on a revised plan to this office.

- The type of well construction for the well servicing Lot 41 must be indicated. Well construction may include such descriptions as a drilled well, pit drilled well, buried well, or hand dug well. If the well is drilled, the consultant and/or developer needs to indicate if a well tag is present and, if present, the tag number must be provided on a print to this office.
- The well tag must be indicated for the well servicing Lot 39.
- Provide the cleanout location and existing trench layout for Lot 39.
- Provide a legend on the plan that clearly differentiates between satisfactory and unsatisfactory soil tests.

Upon receipt of the above information, this office will update its comments.

**Public Comments:**

**Patricia Sarigianis** – I reside a 1205 Jomat Drive. My property abuts this lot. Several of my neighbors were very interested in attending the hearing today but, because of health issues the gentlemen whose property will be behind this lot and who will most be affected was really upset that he couldn't be here today but, he is sick. He is coughing and I said to him everyone says to stay home. So, I feel like I'm the one person from our neighborhood that is here but at the same time I was able to collect some questions and feedback from the other

**Development Advisory Committee Minutes**  
**March 18, 2020**  
**Page 4 of 8**

neighbors. So, if you will bear with me I kind of wanted to go through a list of questions and whether the consultant here, I'm sorry, I don't know your name, can respond to those or other people here that would be great. One of the first questions is why is this hearing being held now as opposed to when the lot was initially purchased and people in the neighborhood were the scuttlebutt for lack of putting it any other way was that the lot had already been subdivided and the two homes would go in there and the question at that time was why wouldn't there be a hearing. It seems too many of the neighbors and owners in the development that this is a done deal. It's like the builder says I'm buying this lot and I'm subdividing it and I'm going to put two houses on it and it is what it is and there have been several people in the neighborhood who have felt that this hearing basically is just a sampling of what the builder wants to do. So, I'd be curious about any feedback on those comments?

**Moe Davenport** – This plan was submitted to us a month ago, 30 days ago. Since it is more than five lots in the Exeter Green subdivision it has to come through the DAC committee. The DAC committee does not accept any plans that aren't permitted by right. Meaning, the property has the right to do it. If you ask for an exception to the rules and regulations or a variance from those rules and regulations you have to go in front of the County Council because the laws would not permit it. The current laws for rural residential zoning allow one building or home/single family home per every two acres. If you have more than two acres you can create two lots. The minimum lots size is 1 ½ acres. You have to meet those criteria. You have to meet front yard setback, the lot width and illustrated you have to have a satisfactory perc test and meet all of the state and other regulations regarding the creation of a single family residential lot. The minute that we receive it we start the due process of advertising, posting and notifications by mail. Prior to that if you had a perc test done a year ago or two years ago only until we receive an official document can we speculate or know what the property owners plan on doing.

**Patricia Sarigianis** – Ok. We built our home 18 years ago and we probably bought it about 20 years ago. Several people had bought that lot with the intent of subdividing it and the feedback always was it could not be subdivided. It couldn't be subdivided. It couldn't be subdivided. So, I'm curious that all of a sudden a builder buys it as opposed to someone like a private citizen and they are able to subdivide it where all of the other private citizens that bought the lot were never able to.

**Bob Wilson** – I might be able to address that to a certain extent. When the builder hired us to explore the subdivision part. The first thing that we do is go to the Health Department because, like Moe says, the numbers say it is subdivide-able but you still have to meet all of the other requirements. The only one that would really stop us from subdividing would be that it would not perc. So, the first thing we do is go to the Health Department and check out the perc test. There were perc's done prior on the property and a lot of them failed. The other thing that comes into play here is that some of the purchasers that you are probably

**Development Advisory Committee Minutes**  
**March 18, 2020**  
**Page 5 of 8**

talking about and when the lot was originally recorded the requirement was 40,000 sq ft for septic which is almost an acre. It is now down to 10,000 which is much less and it is based on the actual perc rate and not a certain area. So, we were able to get satisfactory perc test. Actually, most of the perc rates were very good but, in a much smaller area because the area has gotten much smaller which is required. That might have a reason why they could not get it subdivided before.

**Patricia Sarigianis** – One of the other questions that came up is about the well and septic tank. What is the distance that those two things need to be apart from one-another.

**Bob Wilson**- It is 100 feet.

**Patricia Sarigianis** – 100 feet. Ok. When we built our house obviously they were much different because, again the well is already on the property so the well for the house that's been built is there but, there is already a well on this lot.

**Bob Wilson** – If you look at the plan. I don't know if you have seen the plan. You can have this copy. Part of the plan is we show the existing wells and septic and proposed septic reserve areas. We actually put a 100 foot circle around the well to demonstrate that we have a separation. That is in addition to our lots. It is also to the adjoining lots.

**Patricia Sarigianis** – Two of the other biggest concerns and I would love to have a copy of the plan. The drainage on this area. The soil is very heavily clay. My side yard that abuts this property even in July, in the heat of the summer, you would expect it to be dry. For us to mow that side yard is very challenging. The mower consistently gets stuck. It is always very, very wet there. The neighbor who is behind where these two houses now are proposed to be he has the same challenges. So, one of the things we were asking about is the stormwater management or just the drainage in general for this area and, how putting another house and more paved area will impact the drainage in the area.

**Moe Davenport** – They are obligated to meet the current laws regarding stormwater management and erosion control which the most recent regulation were adopted in 2012 so, they are more stringent than they have been prior to that. Our Department of Public Works will require a review of stormwater management for the building of the home which would include French drains and practices which were not necessarily practiced more than 10 year ago.

**Mike Rist** – They will address the impervious area of the house, the driveway and, things like that. They may have to put in some dry wells for the down spouts. If you have wet areas along your property lines it is not really going to make that worse but, it is not going to address making it any better either.

**Development Advisory Committee Minutes**  
**March 18, 2020**  
**Page 6 of 8**

**Bob Wilson** – Lot of this size we don't do any mass grading so, the drainage path will not change. The water is going to go the same places it went before. The general contour of the ground will stay the same.

**Patricia Sarigianis** – I hear you. I'm just the messenger raising the concerns. It's like my pregnant daughter is going to say you went where Mom. But again because, this sounded like this was the only opportunity and there wasn't another opportunity.

**Moe Davenport** – Let me assure you and your neighbors that they can call me personally at any time. Now, we are working some at home and some not at home but, we will respond to your emails and phone calls at any time.

**Patricia Sarigianis** – That's good to hear.

**Moe Davenport** – This is not an approval. The plan is not approved at this time. We are obligated to approve the plan if they demonstrate that they have complied with all of the regulations but, until that time it won't be approved. If any of your neighbors has any questions they can contact Crysta Draayer or myself.

**Patricia Sarigianis** – Perfect. So, are your contact numbers in the thing?

**Moe Davenport** – I will give you my contact number.

**Patricia Sarigianis** – That would be great because I think there were a couple of neighbors especially the gentleman who is behind, who is home coughing and I told him not to come.

**Moe Davenport** – He does not need to come here. Your neighbor not appearing here does not have an impact on this.

**Patricia Sarigianis** – Thank you, I appreciate that. He had sent me an email if you guys will bear with me for a minute I want to find it. He wanted to raise a couple of points and I just wanted to make sure that I raised them up. One of the other things is most of the lots in this development are very large lots. I myself have 4 ½ acres, I believe. So, most of the homes have just big open spaces around them. Part of the concern is that this lot and because of the; it's more of a rectangular shaped lot and it's not particularly deep lot it seems like it has more front road frontage. It goes longer this way so to put a house on it, it is not going back very much and again, it's not going have very much of a back yard. Privacy for the existing neighbors was a concern. When we built our house we knew eventually there was going to be another house in between us and the end so we put in a row of trees to be able to block that so, we feel like we just have a few other trees that we will put in. But, again the person behind and the person over here and even the other people in the neighborhood so, landscaping or doing something as much as possible to create some privacy. So, people

**Development Advisory Committee Minutes**  
**March 18, 2020**  
**Page 7 of 8**

don't feel like other subdivisions where you literally can go out and reach your arm out and touch the house next to you. I don't know if the county has any requirements for that?

**Moe Davenport** – Since they are the same lot standards we cannot obligate or recommend that they provide the screening. They can work with the builder and they might consider something the neighbors would like but, they are not required to.

**Patricia Sarigianis** – The last comment that I think this gentleman would want me to raise here and I will just read it to you as he sent it to me. Home values, he evidently worked as a mortgage person for 12 years and closed many loans and looked at many appraisals. The dirt, meaning the land was bought for \$230,000 in 2018. According to appraisals for this area the amount of the land plays a large role on home values. Typically, between 30-50% of total value. Subdividing the land instantly impacts every homeowner in the community. Instead of a home being built on a \$230,000 piece of land it is now being built on an \$115,000 piece of land. We can argue about how much of a negative impact this would have but what is largely not debatable is that it will hurt our home values. Typical lot values in the area are about \$150,000-\$175,000. This negatively impacts every home value in the community by a minimum of \$35,000 and is much more likely when you consider my next point. Homes in the community are all custom built. There was not one developer for this community. The homes were not built all at the same time. They are very, very, very different. I mean there are not two homes in this development that look alike. So, I'd be very interested to hear from the builder exactly what type of home is going to be built on this lot. Is it going to be very similar to the house that is already there? Will that really conflict with the appearance of the neighborhood and have a negative impact on home values?

**Bob Wilson** – I'll address so of this. I'm not an expert on appraisals but, I don't totally agree with what he said. I'll agree with the fact that whatever the lot cost and there are two lots so, if you want to divide that in half for lot value that's fine but, I can assure you the builder is not going to sell that lot for half of what he paid for it. He is going to get the full amount once that sale goes on record that is what it is. It will be market value. I think the market value down there is about \$200,000 a lot. That is what he is going to put on that lot when he sells it. I don't think that is going to hurt your values but, again that is not my field of expertise. As far as the home goes I assume it will be something similar to what he has built. I don't know yet but, that is most likely what he will build.

**Patricia Sarigianis** - I'm the messenger. It is what it is that's my mantra. I don't think I have any other questions or comments but, let me look at my list. No, that was my list of questions.

**Moe Davenport** – My number is 410.638.3232. Thank you for attending the meeting this morning.

**Development Advisory Committee Minutes  
March 18, 2020  
Page 8 of 8**

**Meeting adjourned at 9:20 am.**