

## DEVELOPMENT ADVISORY COMMITTEE MINUTES

The Development Advisory Committee (DAC) met on June 17, 2020 virtually at 9:00 a.m. in the Harford County Government Administration Building, 220 S. Main Street, Bel Air, Maryland. The meeting was chaired by Moe Davenport, Department of Planning and Zoning.

The following members were in attendance:

Moe Davenport	Chairman, DAC
Bill Snyder	Volunteer Fire & EMS
Darryl Ivins	DPW Water & Sewer
Mike Rist	DPW Engineering
PFC Dan Buchler	Sheriff's Office
Jennifer Wilson	Planner, Development Review
Crysta Draayer	Planner, Development Review
Lori Pietrowski	Administrative Specialist
Chelsea Broach	GIS Analyst

Also in attendance:

John Behnke	Douglas Kopeck
Adam Feehan	Alex Galbreath

**Moe Davenport** – I am Moe Davenport, with the Department of Planning and Zoning, I would like to welcome everyone to this virtual meeting. With me today are the following members of our committee/staff: Bill Snyder, Darryl Ivins, Mike Rist, Dan Buchler, Chelsea Broach, Lori Pietrowski, Jennifer Wilson and Crysta Draayer. Today's meeting will be following the protocol under the Open Meetings Act during the Covid-19 emergency. The public will be able to view and listen to the meeting today via the internet. As always, anyone with questions, comments or concerns can forward them via email or by phone to the Department of Planning & Zoning at any time. Additionally, we will allow up to 30 minutes after the DAC members comments have concluded for the public to type in questions and concerns that I will then read into the record.

We do record today's meeting and take minutes from that recording. As soon as those minutes are available, we will place them on the Planning & Zoning's webpage. I will go over the protocol for today's meeting. There will be a brief presentation of the project by the owner/developer or his representative and then I will go around to the DAC committee members for their questions and comments. After that we will give an opportunity for anyone to type in questions or comments.

With that, we will begin today's meeting.

**FALLING FRANCH BREWERY-SITE PLAN**

Located on the south side of Highland Road and the west side of Emory Church Road. Tax Map 17; Parcel 38. Fifth Election District. Council District D. Planner: Jennifer

Plan No.	S183-2020	Repair and replace Brewhouse/1.26 acres/AG/Commercial
Received	05-20-2020	W. Allen & Deborah Galbreath/George, Miles & Buhr, LLC

**Verbatim Transcript**

**Douglas Kopeck – George, Miles & Buhr**

Good morning Moe and Members of DAC. This virtual presentation is a little new to me so if I stumble a little bit please forgive me. Doug Kopeck now with George, Miles & Buhr here to present the Falling Branch Brewery. The overall plan in front of you is just that, it is an overall plan view of the entire farm that has been owned by the Galbreath family since 1924 as an active farm. I have with me Mr. Alex Galbreath who is the son of Allen & Kim Galbreath who are the owners of the farm. The entire property actually consists of two parcels. There is a 97-acre parcel, which is the bulk of the farm, and then if you look at the center of the site there is actually an existing residential property, which consists of approximately 2 acres. That is currently where Allen Galbreath and Kim Galbreath live. The other thing that you can see by this overview is that the entire complex is surrounded by farmland, cropland, it is actively farmed. You can also see by this exhibit that there are no existing residential structures anywhere near the farm complex where the structures are. If you can zoom into the second plan. What we are proposing is to expand the brewery, the brew house. There was an existing farm structure there. That building is located right behind the tap house basically, right in the center of the exhibit that you are looking at. That building, that structure, there was actually a structure there for many, many years. It has been removed and replaced with the brewhouse. The existing building was 6,798 square feet. The proposed brew house, which is actually constructed now, is roughly 6,12e square feet. So, it is actually smaller than what was there historically. The parking for the new brew house and the tap house is in the lower corner kind of at the bottom of the page. There was actually an existing farm structure there for many, many years. It has been removed. The concrete pad still exists and they are utilizing that for parking and when the structure was removed the concrete walls, foundation walls were actually left in place so they actually act as a pretty good screen for that parking area. Again, keeping this simple the proposal is just to get approval from DAC for the new brew house. If you have any questions please let me know.

**Bill Snyder – Volunteer Fire and EMS**

I have no comments however, Doug one question as this property has expanded over the last couple of years or so can you brief me if there is any fire protection feature that is going

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in this brewery or the brew house or anywhere else on the property.

**Doug Kopeck** – According to the architect this is exempt from any additional fire protection for the brew house. I think that answers your question.

**Bill Snyder** – Yes. That is all I have.

**Moe Davenport** – Water & Sewer has no comments.

**Mike Rist – DPW Engineering**

1. A sediment control plan and a grading permit will be required if land disturbing activities exceed 5000 s.f. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.
2. Stormwater Management must be provided in accordance with the 2000 Design Manual as amended by Supplement 1 if land disturbing activities exceed 5000 s.f. The limits of disturbance shall be shown on a revised plan.

**Jennifer Wilson – Planner**

1. This property is subject to a Harford County Agricultural Land Preservation easement. The proposed project must be created in accordance with the terms of that easement.
2. Prior to Site Plan Approval, a revised Landscape Plan must be submitted that includes a protective measures statement signed by the owner. The plan must also include a detailed cost estimate that provides for the cost of materials, installation and maintenance of the proposed landscaping.
3. This project is subject to the applicable requirements and conditions for Alcoholic Beverages set forth in the Maryland Annotated Code, as amended.
4. The owner shall obtain all required Federal and State licenses and approvals prior to operating.

**Moe Davenport for Patrick Jones – Soil Conservation District**

No comment.

**Moe Davenport for Rich Zeller – State Highway Administration**

The MDOT SHA has no objection to Site Plan approval as access to this site is from a county road, and there are no right-of-way impacts to the MDOT SHA.

**Moe Davenport for Brian Phipps– Health Department**

The site plan as submitted by the consultant on May 27, 2020 contained incomplete information to allow for the comprehensive review of this proposal. In order for the HCHD to continue its review, the following information must be submitted:

1. Provide a detailed floor plan for the proposed brewhouse replacement building. Describe the number and types of proposed rooms within the building, specifically any restroom facilities which are planned that would be accessible to staff and/or patrons. Additionally, provide a written description of the number of full and part time employees that will be utilizing this space. This information is needed in order to ascertain whether an Onsite Sewage Disposal System (OSDS) will be required for this building.
2. Clarify whether the building will solely be used as a production space during the brewing process, or if other uses are planned. These additional uses can include but are not limited to: office space, kitchens, etc. If additional uses are planned, provide a more detailed description to this office. This information is required in order to properly size an OSDS should it be deemed necessary.
3. Clarify whether the existing brewhouse is planned to be razed. If the intent is to not raze the structure, will the building remain as a component of the brewing process in any capacity? If other uses are planned for this space, provide a detailed written description to this office.
4. What is the current brewing capacity of the existing brewhouse? Will the proposed replacement brewhouse constitute an increase in the production capacity for the facility as a whole, compared to what was submitted to the HCHD in January of 2020? This information is required in order to properly size the capacity of the holding tanks previously installed for the waste water generated during the brewing operations on the property.
5. Clarify the uses of all structures labeled as “Existing Building” on the property, specifically any building that is involved in the brewing or production process. Additionally, indicate whether or not each of these buildings has indoor plumbing and which existing well and/or OSDS serves each structure.

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6. Has the existing well, which is located closest to the existing house, been properly abandoned as required by the HCHD for the Certificate of Occupancy for building permit #BC-016139-2019? Please be aware that no future building permits will be approved for this property until the well in question is properly abandoned by a Maryland licensed well driller, and the well abandonment report is submitted to this office for review.
  
7. The OSDS permit #20034S0050 for the installation of the holding tanks to serve the existing brewhouse and taphouse has not been finalized. HCHD records indicate that an alarm test is still required prior to the approval of this permit. Please be aware that no future building permits will be approved for this property until this OSDS permit has been completed.

Upon receipt of the above information, this office will update its comments. Additional requirements may be forthcoming upon review of a revised plan.

**Moe Davenport** – Doug, obviously I just think you need to sit down and meet with them and go over the plan and answer the questions they have.

**Doug Kopeck** – I agree Moe, I will get with the Health Department. I expected extensive comments from them so, we will get with the Health Department.

**Moe Davenport** – It sounds like they need some clarification.

**Doug Kopeck** – Yes, and a lot of that I'm going to have to get from the owners.

**Moe Davenport** – Very good.

**Moe Davenport for Paul Magness – Parks & Recreation**

No comment.

**1712 HANSON ROAD-SITE PLAN**

Located at 1712 Hanson Road. Tax Map 65; Parcel 623. First Election Distruct. Council District A. Planner: Crysta

Plan No.	S181-2020	Radio telecommunications facility consisting of a proposed 175' Monopole W/A 4' lightning rod in a new fenced compound/ 0.918 acres/B2
Received	05-20-2020	Mikael III LLC/Prime Tower Development LLC/BC Architects & Engineers

**John Behnke – BC Architects & Engineers**

I will kind of give the initial overview as the site real estate guy that got this through BOA back in November. Thank you for this time. Members of the committee. Just a brief overview the parent parcel is roughly an acre we are going to develop 2500 square feet. This will be a fenced compound and contained within that compound will be a 175' monopole, no wires just a stand alone self support monopole. There will be some cabinets and equipment within the interior of the compound in order to provide the switching equipment for the wireless service. Access will be straight off of Hanson Road. From a traffic stand point if we get one visit a month in a year that would be very busy. So, there is not that much activity once construction is completed. This of course is on an existing convenience store property. There is no sewer and there is no water. There is only electricity. It is the only utility used to operate the facility. The carrier is T-Mobile and those are the highlights.

**Moe Davenport** – And, there is room for other carriers?

**John Behnke** – Yes, there is room for three other carriers and we will have that metered for them from the very beginning of construction. We will also have an additional meter spot for Harford County should they ever need to co-locate Motorola antennas or any other communication device below the 4<sup>th</sup> carrier. They can do that at no charge of course.

**Moe Davenport** – Excellent, thank you John.

**Bill Snyder – Volunteer Fire & EMS**

No comment.

**Darryl Ivins – DPW Water & Sewer**

I just want to remind any interested parties that there is a sewer easement along the eastern most property line of the general tract. The sewer line itself is pretty close to the eastern most stretch of fence located on the plan because of that, we don't have any negative comments regarding the proposed fencing or the paving in the easement area but, we would

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like the landscaping plan to be revised to remove the eastern most arborvitae at the corner and, do not adjust the spacing of the previous arborvitaes. That would provide adequate spacing required away from the existing public sewer in that location. We would require another series of the landscaping plan. The Site Plan is fine.

**Mike Rist – DPW Engineering**

1. Land disturbing activities exceeding 5000 square feet will require that sediment control and stormwater management be addressed.
2. The existing storm drain through the site shall be shown on the plan.

**Crysta Draayer – Planner**

1. This plan proposes to construct a radio telecommunications facility consisting of a 175' monopole with a 4' lightning rod in a fenced compound.
2. A new series of this Site Plan is required. The Site Plan shall specify the property's percent of impervious surface and percent of building coverage.
3. This plan is subject to the conditions of Board of Appeals Case #5911.
4. A Landscape Plan (L182-2020) has been submitted, but cannot be approved. A new landscape plan must be submitted that includes the Protective Measure Statement signed by the owner/developer, and a cost estimate.
5. This project must adhere to MDE Guidelines for a property in a Tier II Watershed. Any questions regarding the checklist should be directed to MDE.
6. No lighting is proposed at this time. If lighting is proposed in the future, a lighting plan shall be submitted to the Department of Planning and Zoning for review and approval.
7. No signage is proposed at this time. If signage is proposed in the future, it must conform to the Sign Code, and permits shall be obtained from the Department of Planning and Zoning.
8. This project must meet the provisions stated in the Telecommunications Facilities section of the Harford County Development Regulations. Communications towers shall be utilized continuously for wireless communications. In the event that a communications tower ceases to be used for wireless communications for a period of

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six (6) months, the approval will be revoked. In the event that the Director of Planning is presented with evidence that further viability of the tower is imminent, the Director of Planning may grant one (1) extension of the approval for a period not to exceed six (6) months beyond the revocation of the use. The applicant shall take all necessary steps to dismantle the tower and remove and dispose of all visible remnants and materials from the subject parcel within ninety (90) calendar days after termination. The applicant shall ensure removal of the tower and all associated accessory structures by posting an acceptable monetary guarantee with the County on forms provided by the Department of Planning and Zoning. The guarantee shall be submitted prior to the issuance of a building permit and shall be for an amount equal to a cost estimate approved by the Director of Planning for the removal of the tower, plus a 15% contingency.

9. This site is located in the Edgewood Neighborhood Overlay District and the Edgewood Sustainable Community Area.
  
10. This site is located in the Edgewood/Joppa Enterprise Zone. Please contact the Office of Economic Development for additional information.

**Moe Davenport for Leonard Walinski – Health Department**

This plan proposes to construct a radio telecommunications facility consisting of a 175' monopole with 4' lightning rod in a fenced compound on the existing convenience store property. The site is not for human habitation and will not require water and sewer facilities. However, the property is serviced by Public Water & Sewer.

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.

**John Behnke** – I just have two questions if I may for Mr. Ivins. I just want to be clear on the landscaping change that you are requesting relative to the sewer easement. Was that the northeast corner that you wanted modified or less landscaping?

**Darryl Ivins** – Yes, since the easement runs along the eastern property line of the entire tract the one arborvitae tree in the northeast corner needs to be removed and the others should remain right where they are.

**John Behnke** – Ok

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**Darryl Ivins** – That will be fine.

**John Behnke** – Then Crysta, I have one question for you. You said a portion, I believe of the landscaping was not approved. Did I hear that correctly? There was a protective component that you mentioned.

**Crysta Draayer** – Yes, so on the Landscape Plan it should include what is called a Protective Measure Statement and that needs to be signed by the owner.

**John Behnke** – Got it, ok.

**Crysta Draayer** – We also need the cost estimate as well for the plan.

**John Behnke** – Are those forms on the website?

**Moe Davenport** – We can make a note available to you but, the cost estimate you would have to provide with the plan itself. The surety and the Surety Agreements forms are on our webpage when you get to that point.

**John Behnke** – Ok, that is all of the questions I have. Thank you.

**Moe Davenport** – Are there any other questions or comments on these plans? Chelsea, do we have any written comments?

**Chelsea Broach** – No, we don't have any questions or comments in the Q & A panel.

**Moe Davenport** – With that, I will conclude today's meeting.

**Meeting adjourned at 9:30 am.**