

GREATER FALLSTON ASSOCIATION, INC.

SUBJECT: 2008 Annual Meeting Minutes

MEETING DATE/TIME: September 11, 2008, 7:00 p.m.

MEETING LOCATION: Grandview Christian Church, 2022 Fallston Road, Fallston, Maryland 21047

ATTENDEES: Fallston Community (Open To The General Public)

ADMINISTRATIVE:

Call to Order: Dr. Roman Ratych (President GFA) called the meeting to order at 7:00 pm. Article IV Section 2 and 3 of the Bylaws regarding meeting notice and quorum were noted. Dr. Ratych gave a brief description of the evenings planned agenda and outlined the amount of time speakers would be given to present and answer questions.

Moment of Silence: Mrs. Beth Scheir (Vice-President, GFA) presided over a brief memorial and moment of silence in remembrance of 9-11.

Review and Approval of Minutes: Mrs. Beth Scheir read the minutes from the 2007 Annual Meeting. The Minutes were unanimously approved by the quorum of members.

Treasurers Report: Mrs. Colleen Craven (Treasurer, GFA) announced the Treasurers Report. The opening Balance as of the 11-13-2007 Annual meeting was \$ 1,677.51 . The closing balance as of the 09-11-2008 Annual Meeting was \$ 2,246.47. Total income since the last report was \$ 839 Total Expenditures since the last report were \$ 270.04.

Old Business: The GFA Board elected to retain the current officer ship in accordance with the procedures of the By-Laws. The GFA Board accepted the resignation of Mr. Greg Solak as Secretary and approved Mrs. Beth Solak as the new Secretary. We thank Greg for his service to the community.

NEW BUSINESS:

Zoning Code Update Overview: The 2008 Annual Meeting of the GFA, Inc. was designed to familiarize the community with the proposed changes to the new Harford County zoning code.

Guest Speakers: Pete Gutwald, Director, Harford County Department of Planning and Zoning and Nancy L. Giorno, Deputy county Attorney. Format of the meeting was a brief introduction of the topic by Dr. Ratych, comments by Mr. Pete Gutwald and Nancy Giorno, followed by questions and comments from the audience.

Transfer of Development Rights (TDR) Program

Introduction: The TDR program is designed to preserve agricultural (AG) land by allowing owners of certain AG land to sell their development rights rather than building on the land or selling the land to a developer. The permanently preserved AG land is the sending area. Certain areas of the County (designated as the receiving area) would require development rights in order to develop and build in the receiving area. The current proposal would designate the

rural residential overlay areas of Fallston, Joppa, Jarrettsville and Forest Hill as the receiving area.

P&Z: The last two cycles of the Master Plan have designated rural residential overlays in Fallston, Joppa, Jarrettsville and Forest Hill. Rather than permit development by right, the TDR program would require developers to purchase development rights in these highly sought after regions.

Audience: Fallston is over developed. Receiving areas should be within the development envelope.

Citizen Rights

Introduction: First, allow any aggrieved person to request an interpretation from the Director of Planning and Zoning as to why a zoning decision was made. Allow the aggrieved person to appeal the decision before the Board of Appeals (County Council). Current proposal would only require that the Director of P&Z provide a written determination to an applicant as to whether a proposed use is permitted in a particular zoning district, or whether a proposed use is a legal nonconforming use. The applicant would be required to file an appeal through the Circuit Court rather than the Board of Appeals (County Council). Second, P&Z and the Development Advisory Board (DAC) should involve citizens early in the planning stages and formally respond to citizen comments prior to any zoning decision. Currently, community input meetings are held late in the planning process and the role of citizens in DAC meetings is perfunctory.

P&Z: Stated that the new proposed zoning code is essentially unchanged from the current code. Allowing appeals by any party would place an undue burden on the government. All citizens comments are weighted in the decision making process.

Audience: Aggrieved parties should be provided the same rights as the applicant. There is no formal process to respond to citizen comments at Community Input Meetings or DAC.

Signs

Introduction: Signs should conform to a style compatible with architecture style or period of the surrounding community. The proposed code only requires that signs conform to the architectural style or period of the building which may or may not conform with the style of the surrounding community.

Electronic message boards should not be allowed in residential, village business or B1 zoned properties. The current proposed code would allow electronic signs in all zoning districts.

P&Z: Agreed with the position that electronic message boards are more appropriate in business and industrial sectors and not in any residential environment. P&Z encourages innovative sign design and lighting. It is difficult to regulate architectural conformity.

Audience: Commented on the non-conforming style of the commercial signs at Pleasantville Road and MD 152. Many individuals expressed strong opposition to electronic message boards in or adjacent to rural residentially zoned areas.

Watersource Protection

Introduction: Motor vehicle repair shops and motor vehicle filling and service stations should not be permitted in the water source protection area of the Perryman well fields, community and non-transient – non-community water source protection areas. The proposed zoning code removed motor vehicle filling stations as a prohibited use in these watersource protection areas.

P&Z: Motor vehicle filling or service stations are only permitted in VB, B2, B3, C1 and MO and are only permitted if all properties adjacent to the proposed use are served by a public water supply.

Audience: There was strong opposition to any zoning proposal that would change County Council Bill 05-23 that prevented new gas stations in areas served by private wells.

Special Developments/Special Exceptions

Introduction: Only commercial vehicles used for agricultural purposes should be stored on AG zoned land utilized for agricultural purposes. There should be a minimal acreage requirement and the vehicles should be buffered from view by enclosures. School buses stored on AG zoned land should have a minimal acreage requirement. The workgroup recommended changing the “commercial and construction vehicles and equipment storage” from a special exception to a special development thereby preventing impacted neighbors from filing objections.

P&Z: The recent agricultural bill sponsored by Councilman Schrodes (Bill 08-20) that addresses these issues will likely prevail.

Audience: One member stated that individuals have the right to do whatever they want on their own property. Several members of the audience commented that commercial vehicles on residential AG land conflict with the intention of AG land utilized for residential purposes.

Buffers

Introduction: In the absence of transitional zoning, current buffer distances are inadequate to shield from the effects of adjacent but divergent zoning districts. There is a need for noise regulation since the State of Maryland has relegated noise regulation to local jurisdictions.

P&Z: Current zoning buffer distances are adequate.

Audience: Attempts by the County Council to regulate ATV noise were unsuccessful.

Growth Allocation

Introduction: School capacity is currently the limiting factor in regulating development in the Fallston area. The proposal by the Workgroup to redistrict students to less crowded school, thereby lowering school capacity and causing building to resume is a temporary fix and will result in recurrent school overcrowding.

P&Z: Moratorium stands.

Audience: The only solution to school overcrowding in Fallston is to limit development. Redistricting is not the answer. Fallston is need of additional elementary school space.

Natural Resource District

Introduction: Reducing the nontidal wetlands buffer from 75 feet to 25 feet along with increased developmental density threatens the County’s surface water, animal and vegetative habitats and the Chesapeake Bay. The design density bump-up provision that allows a developmental adjustment to the next most dense housing and design requirements if 30% of land is in the NRD compromises the integrity of the NRD. Even though “overall” developmental density of the land does not change, increased density next to the NRD with reduced setbacks will eventually destroy adjacent NRD land.

P&Z: There is strong opposition to the recommendation by the workgroup to reduce the nontidal wetlands buffer. The NRD developmental adjustment does not increase “overall” density.

Audience: Despite the argument that “overall” density is not changed with the developmental adjustment, the density of land adjacent to the NRD is indeed increased. If anything, there should be an attempt to decrease density adjacent to the NRD.

Split Zoning

Introduction: § 267-27 C. (7) allows septic reserve areas in any district to serve a use located and permitted in another district if the property is split-zoned under the same ownership. These uses may also be permitted in a use setback. Stormwater management may be permitted in any district to serve a use permitted and located in another district. If a party desires to develop a property that is split zoned, the owner should apply for rezoning of the parcel that would be required to accommodate the septic reserve or stormwater management system. Rezoning would give citizens affected by the intended development to have a voice before the hearing examiner, rather than allowing the development by right.

P&Z: The intention was to allow development of properties within the county that had potential use but could not be developed because of lack of septic reserve or stormwater management facilities.

Audience: There was strong opposition to this proposal, essential by many members of the Black Horse community that successfully fought the development
Of a gas station on split zoned property in White Hall.

UPDATES FOR THE FALLSTON COMMUNITY

Pleasantville 7-11 tank upgrades: All old tanks and pumps have been replaced. MTBE have been non-detect in the onsite supply well.

Uppercrossroads ExxonMobil remediation: Overall there is a trend of slowly declining MTBE levels. The pump and treat at the ExxonMobil station site appears to be working effectively.

Fallston Activity Center: Floor plans and architectural renderings were provided.

Gas station moratorium: A Harford County MTBE Task Force was established by Harford County Council Resolution 27-08. The Task Force will address whether MTBE is still used as a fuel additive in Harford County, evaluate the effectiveness of state regulations on the storage of gasoline and provide recommendations regarding motor vehicle filling stations in high-risk groundwater areas. Dr. Ratych is a member of the Task Force.

Uppercrossroads Class Action Suit Update: Mary Koch, Esquire of the Peter Angelos Law firm addressed the audience on the current status of the class action lawsuit. The case was remanded to Harford County from the southern district of New York. Judge Carr has been assigned to the case.

9:10 p.m. Adjournment