

**MINUTES  
PLANNING COMMISSION  
FEBRUARY 5, 2026**

The meeting of the Planning Commission was called to order at 6:00 PM on Thursday, February 5, 2026, at Town Hall, 39 N. Hickory Avenue, Bel Air, MD 21014.

**MEMBERS PRESENT:** James C. Hynes, Jr., Chair  
Peter Schlehr, Vice Chair  
Don Coates  
Phil Raub  
Jeffrey Stamm

**IN ATTENDANCE:** Kevin Small, Director of Planning  
Waqar Shah, Deputy Director of Planning  
Steve Chizmar, Town Commissioner  
Elizabeth Thompson, Town Counsel  
Heather Walls, Recording Secretary  
Anne Lavoie, Transcriptionist

**I. ADMINISTRATIVE MATTER**

**A. Approval of Meeting Minutes – January 8, 2026**

Mr. Hynes called the meeting to order at 6:00 PM. Mr. Hynes said he is the new Chair of the Planning Commission, and he acknowledged the successful tenure of the past Chair, Lois Kissinger-Kelly.

Mr. Hynes asked for changes or corrections to the minutes from January 8, 2026.

Mr. Hynes had a correction on page 13; first paragraph under ‘Master Plan’, it should read “...does **not** obligate the applicant to any future design...”

Mr. Schlehr moved to approve the January 8, 2026 meeting minutes (as amended) and Mr. Raub seconded. All in favor. Motion carried.

Mr. Hynes announced that the agenda has been changed so the Special Development Application will be discussed first and the Approval of the Planning Commission 2025 Annual Report will be discussed second.

**II. NEW BUSINESS**

**A. Review of a Special Development, Site Plan and Landscape Plan application to convert and existing building with a 4,764-sf restaurant and outdoor dining.**

Mr. Hynes asked Mr. Small to present the new application.

Mr. Small said the applicant requests a Site Plan and Landscape Plan approval for the conversion of an existing vacant 3,694-square-foot building at 126 North Main Street into a proposed restaurant, Brookside Market. The project includes a 1,070-square-foot addition featuring a freezer/refrigerator and interior storage area, an outdoor storage area, an office, and seasonal outdoor seating. The applicant also requests Special Development approval for the proposed outdoor dining area. The property is zoned B-2, Central Business. There would be a total interior seating capacity of 59 seats. The proposal includes 494 square foot outdoor dining area with 24 seats.

The project encompasses four parcels totaling .8089 acres. Mr. Small showed the parcels on the large screen for everyone to see and understand.

The Site Plan should be revised to provide existing total square footage, existing and proposed building area, proposed number of seats, both indoor and outdoor and the current deed of record show in the notes. There is also a discrepancy between the tax records and the Site Plan regarding acreage.

The existing principal structure is in the central portion of the site and complies with all setbacks. Vehicular access from North Bond Street and North Main Street will be maintained in their current location. The site plan shows a total of 41 parking spaces are provided on site, including two handicap spaces. The applicant is advised that they need to make sure that the proposed handicap spaces meet the slope requirements for handicap, which means the cross slope cannot be over 2%. The travel way can be 5%, but the cross slope can't be over 2%. Parking requirements for service use are exempt within the B-2 Central Business District. The proposed 59 seats plus 24 seats equaling 83 seats would typically require 20 parking spaces and 41 are provided. The applicant is over by quite a bit. The proposed development information notes should be corrected to show 41 spaces as indicated on the Site Plan.

Regarding the proposed trash dumpster pad shown on the northwest corner of the subject property, the staff recommends the following:

- a. A note for the "PROP. 20' (W) x 10' (D) CONC. TRASH PAD AND ENCLOSURE W/ 6' HIGH PVC FENCE ENCLOSURE TO MATCH ARCHITECTURE" be provided. They do not have a problem if they would like to go with another material.
- b. A pedestrian access entrance (for example a door/gate)

to the enclosure and confirm the materials and colors of the trash enclosure. This is needed to prevent the big doors from being opened on the first day and never being closed because of constant use.

- c. Please clarify whether the graphic shown within the enclosure is a portable grease trap. Staff does not recommend an above ground grease trap since it attracts rodents and creates a nuisance. Please clarify at the hearing.
2. One existing freestanding sign, currently located within the North Bond Street right-of-way, is shown to be relocated. Please specify the size, height and setback proposed on the final plan. If an additional sign is proposed, a separate submission to the Board of Appeals is required to obtain a variance from the limit of one freestanding sign per parcel. Staff would not oppose this.
3. The site plan includes a note stating "A/C UNITS TO BE REMOVED." Please indicate the new location of the HVAC system on the Site Plan. It was noted that there will be "RELOCATED ELECTRICAL." Please confirm it is inside or outside the structure at the hearing.
4. Please provide a legend detailing symbols, lines, and patterns used on the site plan.
5. A development agreement is required if the four parcels are not proposed for consolidation in the land records. Although these parcels are under the same ownership, they are recorded separately and need to be consolidated, or an agreement submitted. The reason this needs to be done is because whenever there are extra parcels, there is nothing that prevents the owner from selling off extra parcels and losing control over the parcel and/or parking.
6. Please clarify at the hearing if there will be exterior pedestrian access into the proposed outdoor dining area which could also be used to access the restaurant. There is no requirement for this, but Mr. Small is trying to ascertain if a customer has to walk around to get to the front door or if there is a way to get in through outdoor dining.
7. Please provide a callout identifying the type and height of the proposed railing located around the proposed outdoor dining area.
8. Please provide a bike rack on the final plan as required by Section 165-51.

## LANDSCAPE

The applicant submitted a Landscape Plan for review, however, while existing vegetation is identified, none of the proposed plantings are specified. Additional work is needed to provide the required information on the plan.

1. Provide a detailed Plant Schedule with the following information:
  - a. Plant Names (both common and botanical);
  - b. Quantity of each plant type to be installed;
  - c. Proposed height/caliper for trees and height for shrubs;
  - d. On-center spacing between proposed plants;
  - e. Additional notes regarding planting characteristics (ex. balled & burlap wrapped (B&B), container= cont., multi-stem, etc.).

Mr. Raub asked if for tonight's purposes they won't need to provide a landscape plan. Mr. Small said they are fine on the locations of the plantings, but they do need to have what type and the details on how they are represented and if they are big enough to meet the code. He said if the Planning Commission wants to continue the Landscape Plan to the next hearing or to allow the Staff to review and approve it based on the conditions being met, either would be fine with the Staff.

2. Please label each proposed (and existing) plant on the plan or provide a legend that differentiates symbols.
3. Please provide a calculation of how the proposed (and existing) plantings will address the code requirements (see attached form).
4. The Final Landscape Plan must be signed, dated, sealed by a Maryland Registered Landscape Architect or approved professional on the final plan.
5. While the buffer along N. Main Street only needs to be three feet to meet the width for commercial parking to right-of-way, four feet is needed to accommodate minor deciduous street trees.

The existing zoning violations for required landscape buffer between commercial parking and right-of-way is addressed with this submission. A Photometric Lighting Plan was not included with this application. If new lighting is planned, please provide locations and height of the proposed fixtures.

## ARCHITECTURE

The applicant has submitted color elevations and architectural renderings of the proposed building for review. These materials are also reviewed by the Town Architectural Consultant, whose comments are attached. Based on this review, staff recommends the following:

1. Please indicate the location of any HVAC or rooftop mechanical equipment included in the project. If rooftop HVAC or mechanical equipment is proposed, ensure that rooftop screening is provided in compliance with Town of Bel Air Code Section 165-53B(1)(k).
2. On Sheet A2.1, please elaborate on the materials, finishes, and colors of the proposed walk-in cooler/freezer and storage on the South (Rear) and West (Side) Elevations at the hearing. Based on Staff review, the addition does not appear to meet the Town of Bel Air Code 165-30D. The appearance of the proposed addition must be in harmony with the rest of the structure and the neighborhood and there does not seem to be an attempt to do so based on the information provided.

## SPECIAL DEVELOPMENT

The proposed development must comply with the Town of Bel Air's performance standards for outdoor dining as outlined in Code Section 165-53.I(2)i. The southern addition to the building will feature an outdoor seating area equipped with a television and other visual displays but will not include a bar. The development must adhere to restrictions on amplified music and live entertainment, limiting such activities to between 9:00 AM and 9:00 PM daily.

Typically, the exterior seating area is limited to 75% of the fire-rated capacity of the principal permitted use in accordance with the provisions of § 165-71C. Since parking is not required for service uses within the B-2 Central Business Zoning District, the development is not required to provide additional parking. This also means there is no limitation to the treatment of this area so it can be enclosed if desired. Mr. Small elaborated that if they wanted to enclose it right now, it's an outdoor dining area that cannot be enclosed or conditioned space. It can't be year-round, only seasonal. That is the whole concept of having the throw-away for parking. In this case, they don't need to provide that parking; therefore, enclosing it would not deter or create a problem with the Code.

Mr. Coates asked if they could enclose it with vinyl during the winter time or building a hard structure. Mr. Small said the way they looked

at it was that if the outdoor dining area is enclosed, it functions for 12 months out of the year. If it was functioning when it was 9 degrees out, that would be considered a conditioned space and would require parking in any other zone except B2. This is why the outdoor dining has the limitation of 75% of the interior.

Mr. Hynes invited the applicant to come forward for their presentation.

Paul Thompson, President of Architectural Design Works, 22 West Allegany Avenue, Towson, MD, came forward. He is the serving architect of record for the owner of Brookside Market. He introduced Dan Blevin, Civil Engineer, of the project. Mr. Thompson said the south elevation of the building is where they will do the shipping and receiving. It is screened by a lot of heavy foliage so they concentrated their architectural effort on the other three elevations to make sure they had a really nice stone base and other materials that would enhance both Main and Bond Streets. They understand comments that Mr. Edmeades made in his report and they have made some modifications to the architecture. He shared the updated colored elevations, as well as the revised color renderings that show brick on the walk-in box so that there is continuity of materials throughout all four elevations.

Mr. Thompson said they have added a louvered screening system on the top of the walk-in. He said their mechanical engineer has not been engaged yet, so they are not sure exactly what their approach will be yet, but they are going to put up the louvered system, at the very least, for the compressors in the walk-in coolers. He believes that the revised elevations and renderings meet the requirements in the Code and it should make Mr. Edmeades more comfortable with their approach.

Mr. Thompson they are going to make the trash corral as a very durable enclosure. He also stated that the item that appears to be a grease trap on the rendering is not, in fact, a grease trap. The grease trap will be located in the ground in the back of the building so that it can be pumped out. He said what is typical of these kinds of restaurants is a barrel that actually has leftover grease that isn't picked up by the grease trap before it goes into the Town sewer. He said people come and take that away. He added that it is capped and a pretty standard process in these types of restaurants.

Mr. Thompson said the pergola system that they are proposing on the flank overlooking Bond Street has been used at Libs Grill. They are not sure yet whether the enclosure will be enclosed. They will be having those discussions with the Liquor Board next. Their hope is to enclose it with an upgraded product. He said there is a product that is a

microperforated vinyl that comes down with a remote control. It is very modern and has a high-end aesthetic. There is also a glass enclosure that has a drink rail around it and the glass can slide back and forth. He said they are being used in Perry Hall at Conrad's and Michael's Café on York Road. They are about to put on the Bluestone Restaurant on Elsbury Road, as well. They want to make sure customers are comfortable with the experience they are providing.

Mr. Coates asked about the roof over the outdoor dining area. Mr. Thompson said it is a metal pergola system with a sensor that automatically closes when it rains. It sheds water into a gutter system and discharges it into the parking lot. Mr. Raub asked about the HVAC and its location. Mr. Thompson said on the back where the walk-in coolers are located, they have louvered vents specified on the elevations that would encapsulate the compressor units for the walk-in and freezer, as well as potentially the HVAC units that they may need for the restaurant itself. He added that they have not hired their mechanical engineer yet and this is why they don't have entitlement. The locations Mr. Thompson is showing are place holders to make sure everything is ready for approval.

Mr. Schlehr asked if they were going to reuse the existing windows. Mr. Thompson said they are trying to reuse them. They have a banquette that is going to be around the curved window on the opposite façade to the window facing Robinson Law. They will be clear windows, although, they will probably have some shading systems installed on the inside. Mr. Schlehr also asked about the storage area. Mr. Thompson clarified if he meant the area between the office and the walk-in cooler. He said they do a lot of catering and the thought was that it would be an area that they could park stainless steel equipment between catering operations. Mr. Schlehr said he sees that it is a fence currently and will it be screened from view. Mr. Schlehr asked if this area for catering equipment is not if use if anyone can use this for parking since they don't have the on-site parking requirement. Thompson said if they want it screened, they can use a slotted vinyl product to screen it. Mr. Schlehr said he believes it should be screened and Mr. Thompson responded they would be happy to do it.

Mr. Schlehr asked who is parking in the three parcels next to the American Legion. Mr. Thompson said there is a lot of spillover from other properties. He said they are hoping they won't need that parking and it is there for anybody since they don't have the on-site parking requirement. They want to make it easy for their customers to be able to get into and out of the building. They expect a lot of foot traffic.

Mr. Stamm said their rendering shows a lot of landscape planting shows some foundation plantings around the existing structure that doesn't show up on the Landscape Plan. Mr. Thompson said they added that as a placeholder and the renderings show a little bit of license with what they portray. He believes that it will probably be more than what they are showing. Mr. Stamm said near the walk-in cooler, there is a light on the corner that will be coming down. He asked if Mr. Thompson thought they would need to add additional lighting. Mr. Thompson said they really want to do really strong accent lights but it has not been designed yet. They will submit a photometric light design to the Staff as they move through the process to make sure everyone is comfortable with their approach. It will be designed by an electrical engineer.

Mr. Thompson introduced Dan Blevins, their civil engineer.

Dan Blevins, President of Development Designs Solutions, 320 2 Acton Road, Parkville, MD came forward. He said he prepared the Site Plan and agrees with the comments made this evening. He said that he wasn't aware that they needed the sign information on the plan and he will note that on the plan. He takes the Town's requirements for signage into consideration and will make sure it meets requirements as far as assigned square footage. Mr. Thompson said it will just be on the final plan and Mr. Blevins said correct.

Mr. Blevins said when he submitted the first Landscaping Plan to the Planning Commission, they only show a schematic. He said they didn't include all the types of plantings and so forth on it and he apologized. He said what it does show is where the plantings will go to meet the Town of Bel Air requirements. It shows how many street trees they need and how many shrubs. It does not show any plantings around the building area, as he was leaving that up to the owner. Mr. Small said foundation planting is not required. Mr. Thompson said when they do their Final Landscape Plan, they will show all the specimen trees as noted on the comments. Mr. Raub said they are used to having that information presented now. Mr. Blevins apologized and said he didn't know that; he thought he only needed the schematic. Mr. Raub asked when he expected the details to be available. Mr. Blevins said before the end of next week. Mr. Raub said they are asking the Planning Commission to approve a Landscaping Plan that doesn't have the details required on it. He said that isn't usual for their process so they will need to figure out how to work through that tonight. Mr. Blevins said he was more than happy to send something to Mr. Small so it can be approved. Mr. Raub said it is a matter of whether the Planning Commission will want to hold that piece over until the next meeting or let the Staff make that judgement for them.

Mr. Blevins asked if there is a certain type of tree that they would like. Mr. Raub said not being an arborist, he is not sure. Mr. Coates said there is a significant incline on the side of the building there from the sidewalk on Bond up. He asked what were they thinking in terms of trees for that area. Mr. Small said he thinks those are all existing. Mr. Blevins confirmed they are and they are not taking out existing trees. Mr. Coates asked if they are adding additional trees. Mr. Small said no, but there are additional shrubs. Mr. Blevins said there is a tree in the parking lot where the set of concrete steps are, and there are a couple trees along where the four parcels are. They will match the existing trees.

Ms. Thompson asked Mr. Blevins if his client, Mr. Brooks, purchased the property under an LLC. Mr. Blevins said that was correct. Ms. Thompson said according to his title deed, there is a covenant on the property that says subject to the continuing obligation and covenant of the grantee (Casey Brooks), its successors and its signs to maintain in its undisturbed state the stone property line marker on the Main Street side of the building in perpetuity. This covenant and restriction shall be subject to the enforcement of both the grantor who's the person that he bought it from, its successors and aides and the commissioners of the Town of Bel Air, otherwise known as the Board of Town Commissions. This covenant restriction shall run with and bind the land which is conveyed herein and shall be binding thereon in perpetuity. Ms. Thompson's asked where on the site plan is the marker. Mr. Blevins said he is unsure where it is located, as well. He added that they aren't touching anything from the parking out to the right of way, so if the marker is located within that area, it won't be disturbed. Mr. Thompson asked him to find it and mark it on the Site Plan. She said that the client has no intention of continuing to maintain it, then he would have to submit a request to the board of town Commissions to have this covenant released. She wants to be clear on this issue because she has no way of knowing if the landscaping will impact it or not. Mr. Hynes asked if they needed to make that a condition. Ms. Thompson said she thinks it should be a condition or the client would need to come to the Board to have that covenant released, if he wants to move it or does not want to maintain it.

Mr. Blevins said the owner has no plans on doing any additional lighting. There is one light pole that will come down and they are considering the possibility of a lighted wall pack to match the area. They will ensure the light does not go out into the street in any direction. If the client does decide to replace lights, they will submit a photometric light plan to the Planning Commission. Mr. Hynes said I would assume they would need at least security lighting. Mr. Small

said they may need a photometric plan to determine if there is adequate light there. Mr. Blevins said he will make sure that happens.

Mr. Schlehr asked about the traffic pattern. He asked if there will be a “no left turn” when someone comes in off Bond Street or will they be able to go wherever they want to go. Mr. Blevins said, no, they would put up a one-way sign. Mr. Small said that it will have to be at several locations. Mr. Coates noted that the elevation drawing shows that you can ingress and egress. Mr. Blevins said that was correct. Mr. Small said you wouldn’t be able to take a left once you’ve entered the site. He said for someone entering the site, there would have to be signs that say either no left turn or one-way, or do not enter; whatever is appropriate. Mr. Hynes suggested giant arrows on the black top. Mr. Small those would be hidden during heavy snowstorms. Mr. Raub asked if they had received clarification about people accessing the restaurant from the parking lot area – would they be able to enter through the outdoor dining or only the front entrance. Mr. Thompson came forward and said their intent is to drive everyone through the front door. Mr. Small clarified that it would be the only access from the outside. Mr. Thompson said yes, so they can control the access, and the liquor board will require this. He said the railing around the structure will be 34” to 42” tall and may have some shrubbery on the top of it to address it up. The thought is that it would have an exit gate off that patio because the International Code requires a second exit. Mr. Stamm said that they are also showing that they are putting handrailing on the existing stairs up from Bond Street. Mr. Blevins said there is a note on the plan that they intended to keep the existing stairs and to make them safer they would install handrailing. Mr. Small said it was something he had mentioned when the project came into his office. He said there would be a handrail if they intended to keep the stairs or if they didn’t intend to keep the stairs, get rid of them entirely.

Casey Brooks, Owner, 13825 Manor Road, Baldwin, MD, came forward to speak. He said he and his wife are excited to bring life back to that end of Bond Street and the corridor of downtown Bel Air. They are trying to bring an empty building back to life. They are very excited. He thanked each of the Planning Commission for their time spent on this project. Mr. Schlehr asked about the menu. Mr. Casey said they have a “copy and paste” model in Phoenix, Maryland. His wife’s family is in the restaurant business, and he was in it for 10 years prior on Joppa Road in Parkville. He said it is American driven food with a heavy influence of Italian. Mr. Small asked if they anticipate a lot of online pick-ups and would it make sense to designate a few parking spaces for this service. Mr. Casey said right now they don’t have designated spaces; he wouldn’t be opposed to it. Mr. Small said it’s purely curiosity on his part. Mr. Casey said they give a lot back to

the community they are in; they have their own 5013C charity, golf tournaments, sponsor schools, sign and ball fields.

Mr. Hynes opened the floor for public comments.

1. Nathan Booth, 135 Wallace Street, Bel Air, MD – He is very excited for this project. He lives across the street and he is happy to see the property be taken care of. The only consideration he has is that the trash receptacle be contained in vinyl fencing, but from what he is hearing it sounds like it will be enclosed in something that is sturdier and will match the veneer stone. His thoughts were that it should be taller to keep the trash from blowing out and stand up to commercial use. He said he can't wait to patronize the establishment.

Mr. Hynes asked for a motion. Mr. Small said they need to decide on the elevations that they were given tonight with revisions and to address them as they go through the motions. Mr. Coates asked about making the four parcels into one. Mr. Small said they would need to have some sort of arrangement that the four parcels are dependent upon each other. If they don't, then they need to be consolidated. If there is a development agreement that binds the parcels all together, they can always dissolve that agreement if they sell. But at that point, the Town is a signatory to that. Mr. Coates said it makes sense to him to codify the parcels. Ms. Thompson said the applicant needs to tell us what he wants to do. If he consolidates all four parcels, problem solved. If he doesn't, he would need an easement. She said she believes an easement would be appropriate to make sure that something is of record to memorialize the fact that the other three lots are encumbered by this approval. She will record the Planning Commission's letter with the easement. Mr. Small said one of the things the Planning Department is worried about is if something is put on one of those three lots that is not Code, the owner could say that they aren't on the lots in question. He feels a development agreement would put all of the lots in the same boat when it comes to zoning enforcement. Ms. Thompson said they can do a declaration, as well, to say lots are restricted in this use and subject to any further approvals by the Planning Commission. Mr. Coates says he has not desire to hold the owner forever; he has no problem with the easement dying if something else happens. Ms. Thompson said she looks at it from the perspective that the Planning Commission is giving him approval based on a representation that was made here today and he's to operate under that representation, if you approve it. Mr. Casey came forward and said they are happy to enter into any kind of declaration. He would rather not retitle and merge the parcels due to the expense. They have no intention of selling off parcels or separating them on their journey. Mr. Hynes asked Ms. Thompson if

that should be included as a condition of the motion. Ms. Thompson said yes. Mr. Small said currently, there is a condition that says the applicant will provide a development agreement for all four parcels or submit parcel consolidation. He said the Planning Commission could say 'provide a development agreement or approved legal document'. Ms. Thompson agreed. Mr. Hynes said they also have to add in the condition about the marker. Mr. Raub said he has the marker included in the motion.

Mr. Small said he had one more question. He said they have not talked about the American Legion, who currently uses that parking lot through a handshake agreement, he assumes. He said one of the parcels uses what he would call the alley that is owned by the American Legion for access in and out. He said there isn't a requirement from the Town's standpoint because you have adequate access, but it is a suggestion that maybe the owner would want to approach the American Legion to formalize something.

Mr. Hynes asked if there was any more discussion; there was no more discussion.

Mr. Raub made a motion that the proposed use meets the provisions of the 2022 Comprehensive Plan as required by Town Code Section 165-19. Mr. Coates seconded. All in favor; motion carried.

Mr. Raub made a motion for approval of the preliminary Site Plan conditioned on the following:

1. Prior to building permit application, submission of a final site plan for signature incorporating comments from the staff report and:
  - a. Comments from the Bel Air Fire Department,
  - b. Harford County Health Department,
  - c. Maryland State Highway Administration
  - d. Harford County Soil Conservation District and their comments,
  - e. Bel Air Public Works and their comments,
  - f. Town Architectural Consultant comments dated January 27th with revised elevations submitted at the meeting will satisfy the architectural recommendation.
  - g. Maryland American Water Company comments
2. Site Plan general notes and graphics:
  - a. Include the existing and proposed floor area, the total interior and exterior seating capacity, the correct parking count, and confirm the deed/owner on the final site plan. Provide a legend for site features detailed on the final site plan.

3. Refuse/Recycling Enclosure required prior to building permit issuance:
  - a. Revise the note for the trash dumpster pad to read:
  - b. "PROP. 20' (W) x 10' (D) CONC. TRASH DUMPSTER PAD AND 6'-0" ENCLOSURE W/ 6' HIGH PVC FENCE ENCLOSURE TO MATCH ARCHITECTURE."
  - c. Provide pedestrian access entrance to the enclosure.
  - d. Modify enclosure to provide a containment structure for the grease trap.
4. Specify the size, height, and location of the proposed freestanding sign adjacent to North Bond Street on the final plan.
5. Provide a development agreement for all four parcels or submit a parcel consolidation plan to merge the parcels into one prior to building permit.
6. Provide a callout identifying the type and height of the railing located around the proposed dining area.
7. Provide a bike rack on the property on the final site plans
8. Preservation of any existing historic stone marker located on the Main Street side of the property
9. Locate and preserve an existing stone marker along Main Street.
10. Provide screening for the storage area at the south rear of the property

Mr. Stamm asked if they would entertain a vinyl 6' high fence with gates instead of putting the slats between, like a chain link fence. The applicant agreed; Mr. Raub said so amended. Mr. Coates seconded. All in favor; motion carried.

Mr. Schlehr made a motion that, at a minimum, approval of the landscape plan is conditioned on the following:

1. Prior to the building permit application, submission of a final landscape plan incorporating comments from the staff report in the following:
  - a. A Maryland registered landscape architect must sign, date, and seal the plan.
  - b. Include a plant schedule that identifies the species, quantity, size, height, spacing, and material description of the proposed planting.
  - c. Provide a calculation on the plan of the proposed landscape based upon the Code requirements found in Article VIII and the Landscape Manual.
  - d. Provide identification on the plan graphic for all proposed plantings.
  - e. Increase the width of the landscape area between North Main Street and parking to accommodate street trees.
  - f. All the above is subject to staff review and approval by February 28th, 2026.

Mr. Coates seconded. All in favor; motion carried.

Mr. Stamm made a motion to approve the request for a special development for the outdoor dining. The Special Development for Mixed-Use Center is based upon the following findings of fact that the applicant has demonstrated adherence to Town of Bel Air Code Section 165-53.I(2)(i):

- a. Amplified music or use of a public address system will not be permitted between 9:00 p.m. and 9:00 a.m.
- b. Live entertainment or recreational games will not be permitted between 9:00 p.m. and 9:00 a.m.
- c. Outdoor dining/bar operations will adhere to requirements of Chapter 345 of the Town Code.
- d. The exterior area capacity will not be limited to 75% of the interior space since no parking is required except for handicapped spaces.
- e. The proposed development is not proposed within a shopping center and is proposed in a stand-alone commercial building in the B-2 Central Business District.

Mr. Coates seconded. All in favor; motion carried.

**B. Approval of the Planning Commission 2025 Annual Report**

Mr. Hynes asked if there were any additions to the copy that they received tonight. Mr. Small said yes, the State of Maryland requires that every Planning Commission provide a summary of the development activities in their respective towns, cities, or counties. That summary includes activity by the Planning Commission, the Board of Appeals, Historic Preservation Commission and any development activity that might be related to that, especially any code revisions that are made by the Town Board. That information was provided to all Planning Commissioners a week ago. It was missing a map of where all the development activity occurred and that is provided to you this evening. He said in addition to the map, a comprehensive plan project status is provided. Mr. Small said staff provides the info to the Planning Commission and then the Planning Commission provides that information to the State to show a summary of how the Town is doing in adhering to and accomplishing the goals that are set forth in comprehensive plan. In addition, there is adequate public facilities legislation that was passed in 2025. There is also a summary of building permits. The Town had five new residential single family dwelling permits issued and there were two new multifamily apartment condos that were also approved in 2025. None have received final use or occupancy permits as of right now. The last item is a worksheet that is required by the State that reviews what number permits were done, where they were put, if they were PFA, etc.

Mr. Stamm asked what the State does with the report, in terms of process. Mr. Small said most of the time they file it. He added that we do use the Annual Report when we go back and look at an update, which will be required for next year. There is an update that needs to be provided to the State regarding what the Planning Commission wants to do regarding the Comprehensive Plan. The

Comprehensive Plan was approved in 2022, and it is good for 10 years, but the State requires that the Planning Commission review it after five years to determine whether or not there's any changes that need to take place, such as additions or supplements. That summary would then be provided to the State for their records. It is important because they look at Comprehensive Plans and whether or not the Town of Bel Air adheres to State law.

Mr. Hynes said he read it, and it seemed like a very detailed report. Mr. Small said once the Planning Commission votes and approves it, he will file it with the Town Board and send it to the State. Mr. Schlehr asked if the 403 Baltimore Pike active play adventure was withdrawn. Mr. Small said it was approved and they just never moved forward with it. Mr. Raub thanked Mrs. Small and his staff for all the work they put into the document. He said it is a good document to have from year to year to see the direction of development in the Town.

Mr. Raub moved to approve the Annual Report as submitted. Mr. Coates seconded. All in favor, motion carried.

There was discussion about planning and the development in Town.

### **III. ADJOURNMENT**

Mr. Raub moved to adjourn the meeting and Mr. Coates seconded. All in favor. Motion carried. The meeting was adjourned at 7:32 p.m.