

MINUTES

BOARD OF TOWN COMMISSIONERS

February 21, 2023

The regular meeting of the Board of Town Commissioners was called to order on Tuesday, February 21, 2023, 5:30 p.m. at Bel Air Library, Bel Air, Maryland.

MEMBERS PRESENT: Commissioner Kevin M. Bianca, Chair
Commissioner Mary F. Chance
Commissioner Paula S. Etting
Commissioner Erin S. Hughes
Commissioner Donna L. Kahoe

STAFF PRESENT: Edward Hopkins, Town Administrator
Stephen Kline, Director of Public Work
Lisa Moody, Director of Finance
Charles Moore, Chief of Police
Angela Robertson, Economic Department Coordinator
Kevin Small, Director of Planning
Charles Keenan, Town Counsel
Elizabeth Thompson, Attorney
Joan Suitt, Recording Secretary

ABSENT: Trish Heidenreich, Director of Economic Development
Michael Krantz, Director of Administration

APPROVAL OF AGENDA:

Commissioner Kahoe moved and Commissioner Etting seconded the motion to approve the Agenda as written.

Ayes: Commissioners Chance, Etting, Hughes, Kahoe and Bianca

Nays: None

The motion carried.

APPROVAL OF MINUTES:

Commissioner Kahoe moved and Commissioner Etting seconded the motion that the minutes of the Bel Air Board of Town Commissioners' meetings held on January 31, 2023, February 4, 2023, and February 6, 2023, be approved as submitted.

Ayes: Commissioners Chance, Etting, Hughes, Kahoe and Bianca

Nays: None

The motion carried.

PRESENTATION:

Certificate of Recognition to Steven Greene

Chair Bianca recognized Steven C. Greene for passing the Maryland Department of the Environment State Board of Waterworks and Waste System Operators Class 2 Water Collection Operator Examination.

On behalf of the Bel Air Board of Town Commissioners, Chair Bianca commended Steven Greene for his ongoing commitment and dedication to repairing and maintaining the critical infrastructure of the Town of Bel Air.

Mr. Kline, Director of Public Works, notified Steve Greene has been employed 24 years with the Town of Bel Air. During earlier years, Steve operated the Town's street sweeper and in the last 20 years performed snow/ice removal working tirelessly to make sure the streets were safe for everyone. Mr. Kline advised Steve decided to move to the Sanitary Sewer section in 2011 and has insured the sanitary sewer system operates in a top notch condition. The pump stations are inspected 365 days a year to make sure they are operating properly. Mr. Kline acknowledged Steve Greene for his continuous dedication to the Town of Bel Air.

PUBLIC COMMENTS ON NEW BUSINESS ITEMS:

Bart Bodt, 330 Broadway, Bel Air, Md. stated short term rentals were discussed during a Work Session and it was mentioned there were significant rentals in the Town of Bel Air. Only eight rentals were identified and they do not represent the demand but do represent eight proprietors trying to make a few bucks. Mr. Bodt stated knowing if the units are rented and how often would show the true demand.

Mr. Bodt feels short term rentals should not be allowed in residential districts, including R-O. Residents in R-O should have the same quality of life and protection. Mr. Bodt stated whether the business districts should have short term rentals is unknown. Mr. Bodt recommends prohibiting short term rentals in all residential areas, assess the business zones and look to see if additional short term rentals are put out on Airbnb or Vrbo.

Maryanna Skowronski, 512 N. Hickory Avenue, Bel Air, Md. informed her home is in the R-O zone and supports what Mr. Bodt has said. Ms. Skowronski does not want to see people coming in and out for short term rentals. The residential offices are small businesses and the property locally owned. The festivals and historic places in Town are mostly toured by residents. Ms. Skowronski is not in favor of short term rentals.

Annette Blum, 800 Cider Mill Lane, Bel Air, Md. feels people would use motels convenient to the area and not short term rentals.

NEW BUSINESS:

Ordinance 811-23 Development Regulation Amendments

Exhibit A: Article II Administration and Enforcement

Exhibit B: Article III Establishment and Regulation of Zoning Districts

Exhibit C: Article V Historic Resource Conservation Regulations

Exhibit D: Article VI Environmental Regulations

Commissioner Hughes moved and Commissioner Kahoe seconded the motion that Ordinance No. 811-23, amending Articles II, III, V and VI be received by the Bel Air Board of Town Commissioners.

Commissioner Kahoe requested more research on short term rentals. Commissioner Etting is interested in information on demand and informed a resident was not happy when seeing an advertisement on the internet for short term rental in her neighborhood.

Mr. Small stated the Town is limited to what can be researched and has applied to get status with Airbnb to see some information. Mr. Small advised it is not necessarily demand but how it impacts neighbors. Mr. Small will be meeting with counterparts in Aberdeen and Havre de Grace this week.

Mr. Small informed once the Ordinance is received any changes have to be made through a motion. The Public Hearing will be held March 20th at the McFaul Activity Center, 5:30 p.m.

Ayes: Commissioners Chance, Etting, Hughes, Kahoe and Bianca

Nays: None

The motion carried.

Annexation Charter Resolution No. 136-23 - 304, 308 & 310 Tollgate Road and p/o 615 Baltimore Pike

Commissioner Chance moved and Commissioner Hughes seconded the motion that the annexation Resolution No. 136-23 incorporating a 2.6718-acre parcel of land located on Tollgate Road and designated B3, General Business zoning be received by the Bel Air Board of Town Commissioners.

Commissioner Etting noted legal counsel has concern on this and questioned if the Town is ready to go forward. Chair Bianca advised it was made clear during the Work Session there is no legal precedent.

Mr. Keenan, Town Counsel advised the question is going forward with the annexation that does not include the road. In order to approve the road, the roadbed needs to be included within the annexation. There is no problem with the annexation, the concern is the payment for the survey to include the roadbeds. The applicant has not consented to pay the amount for the survey of the small section shown on the plat. Mr. Keenan advised this is a small amount of money. Mr. Keenan notified the zoning of B-3 in Town allows storage facilities and Harford County does not permit.

Mr. Small stated the Town of Bel Air has never "jumped the road" but Aberdeen has. Mr. Small advised there is no precedent in the State of Maryland on "jumping the road". Mr. Small does not believe either one is wrong.

Mr. Small would like to know how the Commissioners want to proceed. The applicant will attend the Public Hearing on March 20th and be able to answer questions. There will also be comments provided from Harford County and the State of Maryland.

Elizabeth Thompson, Town Counsel informed one of pieces must be adjoining the boundary and the other pieces must be adjoining each other. Ms. Thompson stated there is a break in the chain and that is "jumping the road". Mr. Keenan advised the "jumps" in Aberdeen occurred with I-95 and the railroad.

Commissioner Etting has no problem with accepting the petition but there are roads to travel for more information between now and the Public Hearing. Commissioner Etting reminded the applicant was turned down for the zoning in Harford County and has concern with the applicant asking the Town spend tax dollars for the survey.

The Public Hearing will be held March 20th at the McFaul Activity Center, 5:30 p.m.

Ayes: Commissioners Chance, Etting, Hughes, Kahoe and Bianca

Nays: None

The motion carried.

Annexation Petition for Williams Subdivision, Lots 2, 3 and 4

Commissioner Etting moved and Commissioner Chance seconded the motion that the Bel Air Board of Town Commissioners accept the Petition by Annette Cameron Blum for Parcel 387, Lots 2, 3 & 4 as shown on Tax Map 49 by acknowledging that a minimum of twenty-five percent of the property owners within the area to be annexed have signed the petition.

Mr. Small advised the petition will be referred to the Planning Commission for review and recommendations. The Public Hearing will be held March 20th at the McFaul Activity Center, 5:30 p.m.

Ayes: Commissioners Chance, Etting, Hughes, Kahoe and Bianca

Nays: None

The motion carried.

Award of Contract for Designing Upgrades for the Shamrock Road and Gateway Drive Sanitary Sewer Pump Stations

Commissioner Kahoe moved and Commissioner Etting seconded the motion that the unit process of KCI Technologies, 1352 Marrows Road, Suite 100, Newark, Delaware 19711 as provided to and accepted by Howard County Government under Contract No. 4400003551, be utilized by the Town to enter into two separate contracts to design and provide construction drawings for upgrades to the Shamrock Road and

Gateway Drive Sanitary Sewer Pumping Stations in an amount not to exceed \$240,000.00 be accepted by the Bel Air Board of Town Commissioners.

Ayes: Commissioners Chance, Etting, Hughes, Kahoe and Bianca

Nays: None

The motion carried.

Sidewalk Tripping Hazard Removal Contract

Commissioner Etting moved and Commissioner Chance seconded the motion that the proposal of Precision Concrete Cutting of Delaware and Maryland, 215 Middleboro Road, Wilmington, Delaware 19804 to furnish all labor, materials, equipment to remove sidewalk trip hazards in a number of locations in Town in an amount not to exceed \$41,500.00 be accepted by the Bel Air Board of Town Commissioners.

Commissioner Etting inquired about the number of years this process lasts in preventing hazards. Mr. Kline advised the majority problems are tree roots and this procedure costs less than having to dig up several panels of sidewalk to get the grade. Mr. Kline sees this process being ongoing.

Commissioner Kahoe asked about other locations where hazards were removed. Mr. Kline advised at first the concentration was in the downtown district and then moved to streets near main thoroughfares. The process is now going into the communities.

Commissioner Chance informed of falling on Main Street three years ago and thinks this process is a valuable thing to do.

Chair Bianca thanked Mr. Kline for his efforts and stated this is a great program.

Ayes: Commissioners Chance, Etting, Hughes, Kahoe and Bianca

Nays: None

The motion carried.

Appointment to the Historic Preservation Commission

Commissioner Hughes moved and Commissioner Kahoe seconded the motion that the appointment of Keith Smithson to the Historic Preservation Commission, for a term of three (3) years, effective immediately, be approved by the Bel Air Board of Town Commissioners.

Commissioner Hughes advised Cpl. Smithson is very involved in the Town of Bel Air and is excited he has accepted the appointment to the Historic Preservation Commission.

Ayes: Commissioners Chance, Etting, Hughes, Kahoe and Bianca

Nays: None

The motion carried.

PUBLIC ANNOUNCEMENTS:

Chair Bianca informed:

- Family Fun at the Armory - Saturday's - February 25, March 18, March 25 at 10:45 a.m. Tickets are free.
- Chocolate, Brew and Wine Tour - Saturday, March 4th 12:00-7:00 p.m. Sponsored by the Bel Air Downtown Alliance. Ticket information is available through their website.
- Take a Chance on Art - Saturday, March 11th 6:00 - 9:00 p.m., everyone goes home with a piece of art. Sponsored by the Harford Artist's Association. Ticket information available on their website.
- Garden Mart - Friday, May 19th at the Armory, 8:30 a.m. - 1:30 p.m.

PUBLIC COMMENTS:

Annette Blum is interested in the annexation proposed on Tollgate Road. Mr. Small will reach out to Ms. Blum.

COMMISSIONER'S COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned at 6:25 p.m.

APPROVED: March 6, 2023

Signature on file
Kevin M. Bianca, Chair
Board of Town Commissioners

Signature on file
Michael L. Krantz, Town Clerk