

BOARD OF TOWN COMMISSIONERS

WORK SESSION

May 30, 2023 5:15 P.M.

PRESENT: Commissioner Donna L. Kahoe, Vice Chair
Commissioner Mary F. Chance
Commissioner Paula S. Etting
Commissioner Erin S. Hughes
Edward Hopkins, Town Administrator
Stephen Kline, Director of Public Works
Michael Krantz, Director of Administration
Lisa Moody, Director of Finance
Charles Moore, Chief of Police
Angela Robertson, Director of Economic Development
Kevin Small, Director of Planning
David Anderson, Media & Public Relations Specialist
Elizabeth Thompson, Town Attorney

ABSENT: Commissioner Kevin M. Bianca

OTHERS: Joan Suitt, Recording Secretary

APPROVAL OF AGENDA:

Vice Chair Kahoe called for approval of the agenda.

The Town Administrator informed item g., Rockfield Manor House Renovation Project, is being removed from the agenda to be discussed in June.

Commissioner Chance moved and Commissioner Hughes seconded the motion to approve the agenda as revised. The agenda was approved by the Commissioners.

TOWN ADMINISTRATOR'S REPORT:

David Anderson Appointed to Harford TV Board

The Town Administrator advised David Anderson has been appointed to the Harford TV Board and will be the Town's voting member on the Board.

Commissioner Etting wanted clarification on why Harford TV could not accommodate the Town.

The Director of Administration notified Harford TV would outsource the recording and cost is the concern.

Harford County Bill No. 23-009 Solid Waste Disposal Fees (Tipping Fee)

The Town Administrator notified of a new waste tipping fee effective July 1st that the Town did not know was coming.

Commissioner Etting stated the fee is \$45 per ton and the Town's estimated cost is an extra \$56,700. Commissioner Etting asked if the trash hauler might be picking up other trash. The Director of Public Works has investigated and found they are only picking up the Town's trash. Commissioner Etting recommends revisiting the cost with the new County administration.

The Director of Public Works advised a solution may be for the Town to purchase 2 frontend loader trucks and increase insurance for trucks to go onto private condo property.

Commissioner Hughes suggested looking at all options.

The Town Administrator stated there will be no answers before July 1st but would like to set up discussions with the other municipalities to approach the County as a group.

Town Hall Construction Update

The Town Administrator informed the end of construction for Town Hall is getting close and feels everyone will be back in their offices by the end of June.

Thomas/George Streets Capital Improvement Plan Meeting Update

The Town Administrator and the Director of Planning attended the Thomas/George Street improvement meeting. The meeting was well attended with good ideas that will be taken into consideration.

Town of Bel Air 150th Anniversary Celebration Update

Julia Potler is the Chair for the Town's 150th Anniversary Celebration and additional committee members have been selected. The Town Administrator notified April 27, 2024 is the date for the event at the Armory. Good ideas are coming together to make this special.

Ribbon Cutting for Shamrock Park and Town Hall Renovations

The Town Administrator advised the ribbon cutting for Shamrock Park will be late June and the benefactors will be recognized on a sign.

The Town Administrator notified the Town Hall ribbon cutting is being planned for September.

Commissioner Etting notified the grand opening for Coppermine Bel Air Athletic Club is June 1st. Ribbon cutting at 6:00 p.m. and facility open to the public until 8:30 p.m.

Commissioner Etting is impressed the Town Hall construction is on time and on budget.

Commissioner Etting stated the Thomas/George Street improvement project was well received and asked if the project goes beyond budget will the project be scaled back or look elsewhere for money. The Director of Planning advised the project would be scaled back.

TENTATIVE AGENDA FOR TOWN MEETING (June 5, 2023 at 5:30 p.m. McFaul Activities Center)

Presentations:

Introduction of Miss Bel Air Independence Day 2023, Giovanna Ward

The Director of Administration advised Giovanna Ward will be introduced as Miss Bel Air Independence Day 2023.

Public Hearing:

Ordinance 812-23 Amending Chapter 165. Comprehensive Plan and Development Regulations, Part 3. Signs, Article XV. Sign Regulations and Part 4. Subdivision of Land, Article XVI. Subdivision and Site Development

The Director of Planning has not received further requests from the public on the Ordinance. The public hearing is scheduled for June 5th.

Unfinished Business:

Ordinance 812-23 Amending Chapter 165. Comprehensive Plan and Development Regulations, Part 3. Signs, Article XV. Sign Regulations and Part 4. Subdivision of Land, Article XVI. Subdivision and Site Development

The Commissioners will vote on Ordinance 812-23.

New Business:

Resolution 1203-23 Town Fee Schedule Amendments

The Director of Administration reviewed the amendments to the Town Fee Schedule.

Resolution 1204-23 Amending Resolution 1097-17 Fines and Penalties for Violation of Regulations in the Bel Air Town Code

The Director of Finance emailed changes to several parking fines to the Commissioners. A review of 24 municipalities was completed and the Parking Committee is recommending the changes to be comparable with other jurisdictions. The Director of Finance reviewed the amendments and notified the Resolution will be for introduction. A public hearing will be scheduled.

Heating, Ventilation, and Air Conditioning (HVAC) Contract

The Director of Public Works informed the project was budgeted for over \$100,000 but recently found a contract to piggyback on for \$52,000. The HVAC unit will be replaced at the DPW/Planning building, install new air conditioning in the DPW Maintenance Shop, and install a unit in the Armory classrooms.

Howard Street Resurfacing Contract

The Director of Public Works advised Community Block Grant funds of \$40,359 will be used for the project on Howard Street. The remainder of \$991.00 will come from the resurfacing street budget.

Courtland Street Courthouse Phase II Contract

The Director of Planning notified after reviewing this contract further, the company planned to install a concrete pad under the pavers. This was not done for the Office Street project and removed from Courtland Street. The Director of Planning advised approximately \$40,000 will be eliminated from the cost.

Addendum to Harford County - Town of Bel Air Sewer Service Agreement

The Director of Finance reported this is an addendum to the Town's sewer agreement with Harford County. Harford County sends calculations to the Town that are reviewed each year. The increase in rates for FY23:

- \$3.77 to \$4.85 (increase of \$1.08)
- ENR rate - .16 to .18 per 1,000 gallons

Appointment to the Board of Appeals

Commissioner Hughes received an application from Charmian Knight Hess who is looking for ways to get involved with the Town. Commissioner Hughes met with Ms. Hess to discuss the responsibilities of the position. Ms. Hess attended a Board of Appeals meeting and is interested in an appointment to the Board. Commissioner Hughes recommends Ms. Hess for the appointment.

STAFFING UPDATE:

The Director of Administration reported:

- Economic Coordinator - position posted.
- Human Resources Administrative Secretary - position posted.
- Accounts Receivable - position posted.
- Laborer - position posted.

The Director of Public Works informed the last interview for the Facility Manager was today. The decision will be made soon.

CALENDAR:

Commissioner Hughes advised the Harford County/Cecil County meeting on July 20th in Perryville will possibly meet at the Great Wolf Lodge.

The Director of Planning reported the Board of Appeals is not meeting in June and will begin meeting the 3rd Tuesday of the month.

MISCELLANEOUS:

Bel Air Parks and Recreation FY25 Capital Projects

The Town Administrator received a letter from Parks and Recreation regarding their FY25 capital improvements. The project connecting the end of Thomas Street to Heavenly Waters Park and the Ma & Pa Trail is very appealing. The Town Administrator asked the Commissioners if they had projects to add to the list.

Discussion continued and the Commissioners agreed the connection project could come together with the Thomas/George Street project. The Town Administrator will respond to Parks and Recreation by next week and asked the Commissioners to contact him if they have other thoughts.

Ordinance Amending Chapter 165. Comprehensive Plan and Development Regulations, Part 2 Zoning, Article III. Establishment and Regulation of Zoning Districts Re: Accessory Dwelling Units (ADU) and Short-Term Rentals (STR), Article VII. Development and Performance Standards including Cannabis and Mixed Use/Shopping Centers, Article XIV. Definitions, and Attachment 1, Permitted Use Chart

The Director of Planning reviewed the following changes:

Permitted Uses Chart

Country club, golf, tennis club removed to institutional - added banquet facility.

Cottage Housing - changed to Accessory Dwelling Unit, with Special Development in R-1, R-2, R-3. Goes before the Planning Commission.

Home Occupation - encouraging that it is reported.

Short Term Rental - Special Exception in R-0, B-1, B-2/B2A and B-3/B-3A.

Commissioner Etting recommends R-0 be removed because of complaints received and stated the Town can always make changes.

Commissioner Hughes disagrees and feels the Town should be more permissive with short term rentals and not only permit them in business districts.

Commissioner Hughes recommended the following:

1. Airbnb be allowed in all districts in the Town. In R-1, R-2, R-3 the entire dwelling unit cannot be rented and the owner be on-site. Need to go before Board of Appeals for Special Exception permit.

Havre de Grace recent legislation - permits \$500 for 2 years and renewed at \$250. The fees would have to cover the cost of Planning Department staff time for creating a registry on each property.

2. Penalties - having permit revoked for a certain period of time.

Commissioner Hughes wants to give people more options for their property and be done in a regulated and safe way. Commissioner Hughes does not see Airbnb's being placed in pre-existing business districts.

Commissioner Etting moved to the Town of Bel Air to live in a residential community and feels most people will not want a business operation in their neighborhood.

Commissioner Kahoe has heard complaints about not having places for people to stay when coming to Bel Air.

Commissioner Chance stated the bad experience reported during a Town meeting was property under a Homeowners Association that could be controlled by them. Commissioner Chance does not see an excessive amount of people wanting to do Airbnb but should be given the opportunity. Commissioner Chance is interested in exploring more with a regulatory process.

The Director of Planning stated this can be a Special Exception across the board and examine conditions in the performance standards. The Director of Planning would like to see this be a licensed use.

The Director of Planning also suggested Short Term Rental could be discussed on a separate day.

The Commissioners decided to pull the Short Term Rental section out to explore further.

Mixed-use center - proposing to make it similar to shopping centers. Removing from R-0 and putting into B-2/B-2A and B-3/B3A.

Beauty shops - include nail service.

Cannabis Business - map distributed where business could be permitted with Special Exception process.

Sidewalk café - added sales.

Definitions

- Added - Aforestation - removal of an existing forest.
- Afforestation - clarification.
- Animal, Domestic - removed horses, cows, sheep, goats and fowl.
- Animal, Farm - removed monkeys and poultry. Adding pigs.
- Banquet Hall - changed to Banquet Facility.
- Bed and Breakfast - expanded to 9.
- Billboard - relocated to Sign, Billboard.
- Boardinghouse - clarification.
- Building Area - added Envelope.
- Building Height - making it defined the same.
- Added - Cannabis Business and definition.
- Construction/Sales - added Office Trailer
Convenience Goods - limited to 5,000 sq. ft.
Cottage Housing - replaced with Accessory Unit.
- Added - Country Club, Golf, Tennis, Swim Club - combines other establishments.
- DBH (Diameter at Breast Height) - better defined.
- Added - Dwelling Accessory - replaces Cottage Home.
- Added - Family, Immediate and definition.
Added - Family, Extended and definition.
- Added - Flag and definition.
- Forest Stand Delineation - clarification.
- General Merchandise - added over 5,000 sq. ft.
- Habitable Space - does not include basements.
- Indoor Recreation - relocated to Recreation, Indoor.
- Liquor Store - include establishments with more than 50% of sales are liquor.

- Added - Lot, Multi-Fronted and definition.
- Medical Services - clarification added.
- Mixed-Use Center - clarification added.
- Parking Deck - removed.
- Added - Parking Structure and definition.
- Added - Poultry and definition.
- Professional Services - removed overlap with Medical Services.
- Added - Project Area and definition.
- Recreation, Indoor (relocated) with definition.
- Added - Recycling/Refuse Bin or Container and definition.
- Shoppers' Merchandise - added exceeding 5,000 sq. ft.
- Added - Short Term Rental and definition.
- Sign, Billboard (relocated) with definition.
- Sign - added Electronic Message and definition.
- Added - Sign, Feather or Windsail and definition.
- Sign Political - removed.
- Sign Temporary - added - a limited time period.
- Added - Sign, Window and definition.
- Added - SPA and definition.
- Specialty Food Store-added less than 5,000 sq. ft.
- Specialty Shops - added less than 5,000 sq. ft.
- Supermarket - added exceeding 5,000 sq. ft.
- Added - Use, Temporary and definition.
- Yard, Front - further defined.
- Yard, Rear - further defined.
- Yard, Side - further defined.

Commissioner Chance inquired about awning regulations. The Director of Planning advised there are limits to how far they can project. Commissioner Chance also asked about upkeep of awnings. Commissioner Etting requested information on exterior trim on windows. Information will be sent.

Article VII - Development and Performance Standards

B. Parking space required.

- Adding institutional to the allowance.
- Shared parking facilities - adding - Planning Commission responsibility.

C. Flexibility.

- Satellite parking - adding - requires an agreement that the Town is a party to.
- Fee in lieu of on-site parking - added clarifications.
- Added - approval of Planning Commission.
- Parking and Loading - adding -hardship
- Parking Spaces - further defined handicapped spaces.

F. Parking lot/driveway design, construction and maintenance

- Adding (k) - Bicycle parking facilities - to provide a bike lane.
- Adding (l) - Space designated for drop-off, pick-up and parcel delivery. Count as 2 required spaces.
- Adding (m) - All parking lots shall be brought to minimum standards.

Nonresidential district requirements.

- d & e - removed.

H. Required off-street parking by use/activity.

- Multifamily - added 1 per studio dwelling unit.
- Added - 55 & over dwelling units - reducing parking.
- Banquet facility - added 1 per 3 persons.
- Beauty & Barbershop - added 1 per 200 gross sq. ft. or 2 per station.
- Business and personal service - relocated - 1 per 300 sq. ft.
- Mixed Use - added - 3.5 per 1,000 gross sq. ft. (less requirement for shopping center).
- Outdoor Dining/Bar - added - 1 per 150 sq. ft. or 1 per 3 seats, whichever is greater.
- Restaurant - clarification.
- Loading areas - isolating to commercial uses.

Open space and recreation.

- being redefined as active or passive.

C. Fee in lieu of open space.

- added expiration - 15 years.

Performance standards and development guidelines by use.

- Added - mandatory for special exception and special development. Variance may be obtained for special development, but not for special exception,

- Added - use not found in code and cannot be reasonably applied to another use, it is prohibited.

B. General performance standards and development guidelines by use.

- Added - (n) any part of a lot not used for building, other structures or paved for off-street parking, drive aisles, loading, maneuvering, and pedestrian walks needs to be landscaped and properly maintained.
- Added - (m) all setbacks and separations are from property line to property line unless otherwise specified.

C. Use category performance standards and guidelines.

- Country club, golf, tennis, swim club - added banquet facility.
- Added - (b) All doors and windows must be closed when entertainment is provided during the hours of 9 p.m. to 9 a.m.

Guidelines

- Added - (a) Board of Appeals may specify other requirements.

Fortune telling

- Added - (a) or within 100 feet of a residential district.

Tavern with entertainment

- Added - (b) same requirements as banquet facility.

Civic service club, fraternal organizations

- Added - (b) same requirements as banquet facility.

G. Use category performance standards and guidelines.

- Added - (a) Accessory Dwelling Unit.
- Added [b] - guidelines to Bed & Breakfast

Accessory Dwelling Units - extended family and includes a caregiver for a person residing in the primary residence. Owner occupied and Special Exception in R1 and Special Development in R2 or R3. Fire code inspection and tax application plus guidelines for review.

Group Homes - adding clarifications.

Home occupations - trying to reduce requirements.

Short Term Rental - item to be removed from document and discussed later.

Cannabis Business - added

Performance standards.

- [a] Operation of on-site consumption establishments is prohibited.
- [b] Use must be setback 500 feet from all public parks, playgrounds, recreation centers, libraries, schools, and day care facilities.
- [c] Use must be setback 500 feet from all residential uses.
- [d] Use must be setback 1000 feet from all other cannabis dispensaries.

Guidelines.

[a] The Board of Appeals may review and stipulate limitations to meet requirements of the special exception criteria:

1. hours of operation
2. signage
3. security
4. disposal of refuse and recycling

Shopping Centers - definitions included.

- Added - (h) (regarding owners disagreeing with each other) Gives a requirement for a recorded Development Agreement with the Town providing all owners acknowledge and agree to be bound by these performance standards.

Traffic/Parking study - Director of Planning to make the decision if needed.

Performance standards

- Storage containers to be screened.
- Ear piercing included under Beauty/Spa

Communications Tower

- h and i removed (not allowed to enforce).

Drive-through facility - clarification and more flexibility.

Medical service/medical clinic - allowance for the Planning Commission or Board of Appeals could adjust the parking requirements.

Mixed-use center - incorporating requirements of a shopping center.

Outdoor dining or bar service - adding amplified music, use of public address system, live entertainment and recreational games not permitted between 9:00 p.m. and 9:00 a.m.

Dining in shopping center with table/chairs out front - could be reviewed by an administrative process.

The Ordinance will be introduced on June 5th.

OMMISSIONERS' COMMENTS:

Commissioner Chance complimented the Department of Public Works for their outstanding quick response to a sinkhole on Roland Place. The Director of Public Works informed a water pipe burst and was emptying in a storm drain.

Commissioner Hughes reported a resident came before the Board of Appeals requesting to build an accessory dwelling unit on their property for their challenged adult son. The family received approval.

Commissioner Hughes informed the property at 108 N. Bond Street was recently purchased and the owner came before Historic Preservation Commission with renovations. The proposal was in keeping with what was acceptable to HPC.

Commissioner Kahoe is pleased to see Ms. Robertson and Ms. Thompson at the meeting.

ADJOURNMENT:

With no further comments, the meeting was adjourned at 7:31 p.m.

APPROVED: June 20, 2023

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

Signature on file
Michael L. Krantz, Town Clerk