

**Bel Air Board of Town Commissioners  
Town Hall Public Meeting Agenda  
February 21, 2023, at 5:30 PM  
Bel Air Library  
100 East Pennsylvania Ave., Bel Air, MD 21014**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES
5. PRESENTATION
  - a. Certificate of Recognition to Steve Greene
6. PUBLIC COMMENTS ON NEW BUSINESS ITEMS
7. NEW BUSINESS
  - a. [Ordinance 811-23 Amending Town Code Chapter 165 Comprehensive Plan and Development Regulations Part 2 Zoning](#)
    1. Exhibit A: Article II Administration and Enforcement
    2. Exhibit B: Article III Establishment and Regulation of Zoning Districts
    3. Exhibit C: Article V Historic Resource Conservation Regulations
    4. Exhibit D: Article VI Environmental Regulations
  - b. [Charter Resolution 136-23 Annexation of 304, 308 and 310 Tollgate Road](#)
  - c. Annexation Petition for Williams Subdivision, Lots 2, 3 and 4
  - d. Shamrock and Gateway Sanitary Sewer Pump Station Upgrade Design Contract
  - e. Sidewalk Tripping Hazard Removal Contract
  - f. Appointment to the Historic Preservation Commission
    1. Keith Smithson
8. PUBLIC ANNOUNCEMENTS
9. PUBLIC COMMENTS
10. COMMISSIONER'S COMMENTS
11. ADJOURNMENT

Bel Air Board of Town Commissioners

Agenda

February 21, 2023

Ordinance No. 811-23

Development Regulation Amendments

RECOMMENDED MOTION: "...that Ordinance No. 811-23, amending Articles II, III, V and VI be received by the Bel Air Board of Town Commissioners."

I. BACKGROUND

In 2022, Bel Air adopted an updated Comprehensive Plan which called for several new initiatives and adjustments to Town Development Regulations. The Town held several public meetings through 2021 and early 2022. The Planning Commission held several public meetings which were advertised in the local paper and Town website. Descriptions of the changes were available to the public through digital media. Stakeholders such as Town committees and commissions were provided information by the Planning Department.

II. PRIMARY ISSUES

The Town Comprehensive Plan emphasized the need for flexible and equitable Regulations that include objective and clear requirements for proposed development. The proposed revisions to Chapter 165 are based upon review and recommendation from the Planning Commission, public input from residents and property owners, clarification of text by staff and comment from the Town Board during work sessions. These changes are reflected below:

**Article II Administration and Enforcement**

- Section 165-15 & 16 – clarify the powers of the Planning Director and Public Works Director
- Section 165-15.L – provide detailed description of development submissions which the Planning Director is responsible for review and approval.
- Section 165-19 & 20 – Revise wording to provide a clearer description of the code enforcement powers
- Section 165-21 – revise the code to provide an option for Commissioners to bypass official acceptance of the County Growth Report if this report does not change the way development is reviewed by the Planning Commission.

**Article III Establishment and Regulation of Zoning Districts**

- Section 165-24.A – reinforce the preference to not bisect properties with zoning lines resulting in the split zoned parcel
- Sections 165-25,26,27,28,29,30,31,32 & 33 – provide for Accessory Dwelling Units (ADU) and Short Term Rentals (STR) in most districts.
  - ADU – R1(Special Exception), R2(Special Development), R3(Special Development) & RO/B1/B2/B2A/B3/B3A (Permitted)
  - STR – RO/B1/B2/B2A/B3/B3A (Special Exception)
- Section 165-28.E – limit commercial development in the RO to 7,500sf or less
- Section 165-29.C – apply development requirements for architecture and site design in the RO to the B1 zone
- Section 165-30.C(3) – provide for walls to substitute for building façade if approved by the Planning Commission
- Section 165-30.C(5) – revise abutting to adjoining for off-site parking in the B2 district

- Section 165-30.C(5), 31.C(4) & 33.C(5) – require walls, fences and/or landscape to screen parking at a minimum height of 3-feet
- Section 165-30.E – prohibit jersey walls as permanent barriers and require Public Works Director to approve temporary barriers other than chain link
- Section 165-31.C(4) – revise adjacent to adjoining to specify limits on off-street parking
- Section 165-32.B – remove the reference to the RO district for site design and place edited regulations in the B3 zoning section of the code
- Section 165-34.B(8) – require screening of exterior storage

#### **Article V Historic Resource Conservation Districts**

- Section 165-40 – clarify the process for designation of historic properties
- Section 165-40.A – eliminate criteria for designation of historic property since this is already found in Chapter 246 of the code
- Section 165-40.B – require recordation of any property designated as historic in the land records of Harford County

#### **Article VI Environmental Regulations**

- Section 165-43 – clarify the zoning map used for boundaries are in the Comprehensive Plan
- Section 165-47 – expand non-tidal wetlands to include streams
- Section 165-47.C – require seasonally flowing streams to have a non-disturbance buffer of 25-feet and allow for mitigation
- Section 165-47.D – require seasonally flowing streams in the 100-year floodplain to have a 50-foot non-disturbance buffer and allow for mitigation

### III. DISCUSSION

The Town Board of Commissioners through the work session review process adjusted the zones for Short Term Rentals and retained the allowance for a 10% building height adjustment when structured parking is provided. Based on the new Comprehensive Plan, the Planning Commission, and staff with the assistance of many local citizens, business representatives and state representatives evaluated and revised the current Development Regulations. The proposed document incorporates recommended modifications from the Planning Commission with minor adjustments referenced.

### IV. RECOMMENDATION

The Planning Commission and Planning staff recommend that the Board of Town Commissioners receive Ordinance No. 811-23. A public hearing will be held on March 20 at the McFaul Activity Center (525 MacPhail Road) at 5:30pm.

**BEL AIR BOARD OF TOWN  
COMMISSIONERS**

**AGENDA  
February 21, 2023**

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

**RECOMMENDED 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 Commissioners.

**I. BACKGROUND**

The Town of Bel Air accepted a petition for annexation from 304, 308 & 310 Tollgate Road LLC and KRG Bel Air Square, LLC at its October 3, 2022, meeting. The 2.6718-acre parcel is identified as Parcels A, B, C & D on the attached Plat dated August 12, 2022. The property is located on the west side of Tollgate Road with a small section on the east side of the road.

**II. PRIMARY ISSUES**

The annexation resolution contains the property description necessary to assure that the boundary survey is accurately represented and has been reviewed by the Department of Public Works and found to meet the requirements of the official survey map of the Town Boundary. The Town attorney has reviewed the petition and finds that the request as it relates to Parcel D is legally sufficient. The Town attorney has reservations concerning the request due to current case law regarding Parcels A, B and C. A report summarizing the property and neighborhood including the proposed zoning, any extension of services and proposed conditions of annexation is provided for review. Also, within the report is a financial analysis, plan exhibits and summary of the property data. The Town also notified Harford County, the State of Maryland and the Baltimore Metropolitan Council and their comments are pending.

**III. DISCUSSION/EXPLANATION**

The Bel Air Planning Commission reviewed the request for annexation at a public meeting on February 2, 2023 and found that it was consistent with the Town Comprehensive Plan and the proposed zoning of B3 was appropriate. Attached is the recommendation from the Planning Commission which include Findings of Fact in accordance with the Land Use Article of the Annotated Code of the State of Maryland and recommended conditions of annexation.

#### **IV. RECOMMENDATION**

The staff recommends receipt of Resolution 136-23, a public hearing is scheduled for 5:30pm, March 20, 2023, at the McFaul Activity Center (525 MacPhail Road) following a required notice in accordance with State code.

Bel Air Board of Town Commissioners  
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Annexation Petition for Williams Subdivision, Lots 2, 3 & 4

RECOMMENDED 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."

I. BACKGROUND

The annexation process is governed by Subtitle 4 of the Local Government Article in the Annotated Code of Maryland. This process may be initiated by a petition from a minimum of 25 percent of property owners or registered voters within the area to be annexed. Once the Town Board has verified that the signature(s) on the petition are valid, it accepts the petition and authorizes preparation of a resolution and creation of an Annexation Plan. This plan is forwarded to Harford County, Maryland Department of Planning, and the Baltimore Metropolitan Council for comment. The proposal is also reviewed by the Planning Commission to make a recommendation regarding conformance with the Comprehensive Plan and appropriateness of the proposed zoning.

II. PRIMARY ISSUES

Following acceptance, the Town Board will receive the resolution and subsequently hold a public hearing. This review will include a description of the area to be annexed, public services needed for the anticipated use, and a description of how the annexation will finance the anticipated additional services. The Town Board may attach conditions through inclusion in the resolution which are deemed necessary to mitigate impact to neighborhood properties, limit future development of the property and/or protect any environmental or cultural resources in the area.

III. DISCUSSION/EXPLANATION

The petition proposes B3 (General Business zoning). Future use, access from public right-of-way and relationship to adjacent property will be critical to the evaluation process.

IV. RECOMMENDATION

Staff recommends the Board of Town Commissioners accept the petition from Annette Cameron Blum and refer the petition to the Planning Commission for review and recommendation.

**COMMISSIONERS OF BEL AIR**  
**AGENDA**  
**February 21, 2023**

**AWARD OF CONTRACT FOR DESIGNING UPGRADES FOR THE SHAMROCK ROAD AND GATEWAY DRIVE SANITARY SEWER PUMP STATIONS**

**RECOMMENDED MOTION:** "...that the unit prices 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."

1. BACKGROUND

The Shamrock Road Pump Station was originally built in 1970 and was upgraded in 1988. Many of its components are old, outdated, and need upgrading at this time. The Gateway Drive Pump Station was built in 1982 and for all intents and purposes is composed of its original componentry aside from an emergency generator that was added to the station back in 2014. The scope to design the upgrades to these two Sanitary Sewage Pumping Stations was developed through a comprehensive audit of the facilities last year.

2. PRIMARY ISSUES

Two separate Contracts will be let for this project. One Contract will be entered into with KCI to design and provide construction drawings for upgrades to the Shamrock Road Pump Station in an amount of \$98,420. A second contract will be entered to design and provide construction drawings for the Gateway Drive Pump Station for \$136,500.

3. DISCUSSION / EXPLANATION

The Town is afforded the opportunity of "piggy-backing" on the prices obtained by Howard County Government under Contract No. 4400003551. By doing so, the Town can obtain excellent pricing for the work required because of the large contracts and quantities Howard County bid. The Town's procurement regulations allow for competitive bids from other Maryland jurisdictions to be used to purchase goods and services.

4. RECOMMENDATION

Staff recommends the proposal of KCI Technologies as provided to and accepted by Howard County Government under Contract No. 4400003551, be utilized by the Town for 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.

**COMMISSIONERS OF BEL AIR**  
**AGENDA**  
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**SIDEWALK TRIP HAZARD REMOVAL CONTRACT**

**RECOMMENDED MOTION:** “. . . that the proposal of Precision Concrete Cutting of Delaware and Maryland, 215 Middleboro Road, Wilmington, Delaware 19804 to furnish all labor, materials, and 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.”

1. **BACKGROUND**

As concrete sidewalk ages and is affected by other external forces, panels often heave or settle causing an unlevelled or uneven joint which ultimately cause tripping hazards for pedestrians. In an effort to make Town Sidewalks safe for all users, trip hazards must be removed to provide a leveled safe walking surface. Staff feels that this is the best method for eliminating the most hazards at the lowest possible cost.

2. **PRIMARY ISSUES**

The Town’s Procurement Regulations allow for the purchase of supplies or services where only one source is practical because the provider is the sole source of a certain method or service. Precision Concrete has obtained several US Patents on the method and equipment to cut the trip hazard from a concrete sidewalk panel. Funding necessary to complete this project was budgeted in the FY 2023 Streets Budget.

3. **DISCUSSION/EXPLANATION**

The Department of Public Works with the help of Precision Concrete has identified 567 sidewalk trip hazards in the Homestead Village Development. All repairs will be measured, inspected, and mapped utilizing GIS integration and come with a three-year guarantee from the time of the initial repair. This is the sixth year of a multi-year program to repair sidewalk trip hazards on Town Sidewalks.

4. **RECOMMENDATION**

The Staff recommends that the Bel Air Board of Town Commissioners accept the proposal of Precision Concrete Cutting of Delaware and Maryland, to furnish all labor, materials, and equipment to remove sidewalk trip hazards in a number of locations in Town in an amount not to exceed \$41,500.00.