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Join us for our next general meeting on  
September 11<sup>th</sup> at 7PM in the Vista Room  
Of the Maryland State Fair

## **What Lies Ahead ?**

With the start of the State's fiscal year in July, Governor Moore wasted little time in cutting \$150 million from existing programs so that the cuts could be used to cover shortfalls in the State's Medicaid and early childcare budgets. Approximately 1.7 million Marylanders are currently on the Medicaid rolls. That is nearly twenty five percent of all insurance enrollees in the state. State-subsidized childcare enrollment has also ballooned over the last couple of years. When Governor Moore took office enrollment stood at 24,000 children, and it is expected to rise to well above 40,000 in the coming year. But these cuts and transfers could be just the beginning of many budgetary gymnastics that this administration will face in the coming years. The budget surpluses of the recent past, that resulted in part because of federal aid related to the pandemic, are now in the rear-view mirror, and Comptroller Brooke Lierman reports that state revenues are falling. The state legislature chose to increase many fees, tolls and small item-related taxes in the last session, but all experts acknowledge that this is a band-aid approach similar to the route chosen during the O'Malley years and not a long-term solution to the problem.

Budget analysts project a structural budget deficit of \$1 billion in the coming year, and that will grow to \$1.3 billion by 2027 and to nearly \$3 billion in 2028. It is unclear if those figures include all of the added spending resulting from the state's Blueprint for Maryland's Future, the educational reforms, and those deficit figures were generated before any consideration was given to the state's share, if any, in the replacement of the Francis Scott Key Bridge. Hopefully, the federal government will cover all of those bridge costs, but that is not a guaranteed matter at this point in time. Also, the construction cost of the Red Line light rail system has not been articulated. Clearly the state will have to pay for part of those costs, which could be \$2 billion, or more. We just don't know how much at present, and the State's anti-fossil fuels initiatives could cost up to \$1 billion per year over the next decade.

There will surely be discussions of broad-based tax increases next year, whether it be income tax rates or property tax. Let's hope that these discussions are balanced with some significant dialogue about spending cuts, as well. Given the current composition of the legislature, I am not sure that spending cuts will be seriously considered. Hope I'm wrong.

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It is not surprising that public works projects can sometimes run into unexpected delays or snafus. There could be unexpected supply chain problems that delay the delivery of needed materials, or unanticipated field conditions that dictate change orders that delay construction or other factors. But for a neighborhood south of East Timonium Road, seeing construction of a replacement sewer main result in their streets being torn up for weeks, if not months, with no activity taking place was a tough pill to swallow. Or consider the plight of some residents in Sudbrook Park, Milford Mill and/or Owings Mills who experienced low or no water pressure due to water main replacement projects. What would life be like if you woke up on any given morning and did not have enough water pressure to take a shower or to fill your pet's water bowl?

These problems are difficult to live thru, but they are sometimes understandable due to the nature of challenging public works projects. What is not acceptable is that in both of these cases the residents were not adequately informed of the delays, the outages or the reasons behind the problems that residents were experiencing. That lack of communication has been a common complaint from residents in both of these situations. Apologists point to the fact that for water projects both the city and the county have distinct responsibilities that may be better addressed with one regional unit responsible for all water projects. While that may be true, it seems more apparent that this present administration has not prioritized keeping residents informed as an important component of its governance.

Eric Rockel  
VP, GTCC

### **Another Twist in the Greenspring Manor Saga**

Greenspring Manor is a proposed 61-unit single family dwelling development that is located on West Joppa Road, near Falls Road, in the Brooklandville area. Back in the Summer of 2023 an Administrative Law Judge denied approval of that development plan because she found that the sewer system serving the property was inadequate to handle the additional flow generated by the homes. As is their right, the developer's attorney filed a motion for reconsideration, and an additional hearing took place in February 2024, in which an additional

witness from the Department of Public Works and Transportation Planning expressed belief that the development could be built if eight sewer segments were replaced that would relieve the concerns regarding sewer overflows. In addition, there was additional evidence in the form of a letter from County Attorney James Benjamin that sought to clarify why the County had previously not required a neighboring project, initiated by Johns Hopkins, to perform sewer improvements as the County expected, and to also set the record straight on other matters in the original hearing. This letter was a novel reaction coming from the County's Office of Law, and one that longtime observers had never seen in the past.

When that reconsideration hearing was complete, the Administrative Law Judge reversed her earlier ruling and approved the development of 61 homes for this property.

But the matter did not end with the reversal, and the protestants appealed that second ruling to the County Board of Appeals.

On August 14, the County Board of Appeals ruled in favor of the protestants and the development of the 61 homes on this property has been denied. The Board found that the letter from the County Attorney had "no probative value," and that reliance on it to offer assurance concerning some "future completion" of sewer improvements is "unsupported, unproven and erroneous." The Board also found that the DPWTP additional witness offered information based on memory, not documentary evidence, which weakened his impact. The Board also questioned why the protestants were not allowed the ability to offer any rebuttal witness(es) against this additional testimony, nor to ask questions related to publicly available documents that had a bearing on the testimony.

It is expected that the developer may appeal this denial to the Circuit Court of Baltimore County, but as of this writing that appeal has not been filed.

### **In Memorial**

Community associations around the county lost a true advocate with the passing of Peter Max Zimmerman, who lost a battle with cancer, on July 15. Pete Zimmerman was educated at Swarthmore College, where he was a member of Phi Beta Kappa, and he went on to receive a degree in law from Harvard University.

After being admitted to the bar in 1972, he went to work in the Office of People's Counsel in 1978, where he first served as Deputy People's Counsel. In 1993 he took over as People's Counsel.

Citizens often misunderstood the role of the People's Counsel. It was not to oppose development per se. But if Mr. Zimmerman felt that any development violated the spirit and intent of the Master Plan or the development violated the zoning laws or County Code in a way

that was injurious to the surrounding community, he would object to that development in administrative hearings. He could be relentless in his questioning of witnesses in zoning or development cases and in trading barbs with attorneys representing those developers. Yet he left that demeanor in the court room, and he could be very cordial to those same opponents when outside of court.

After serving the people of Baltimore County for nearly fifty years, it will be hard to replace Peter Max Zimmerman. As both a good man and a learned legal mind, he will be missed.

### **Expansion of the County Council Moves on to the Voters**

In July, the County Council passed a measure that will allow voters to decide in November whether the Council should be expanded from seven districts to nine districts, starting in 2026. This marks the culmination of over three years of wrangling over possible expansion of the Council. A copy of a suggested redistricting map can be access here:

<C:\Users\erock\Downloads\b04724.Exhibit A.pdf>

The map of the districts is not meant to be the permanent solution to the question of district boundaries, according to County Council Chairman Izzy Patoka, who said that the council will create a redistricting committee or similar group to make a permanent map that will benefit from a public input process. However, not all citizens are satisfied with the map and the expansion to nine districts.

The American Civil Liberties Union of Maryland objects to the map and redistricting plan because the map was not adopted under the involvement of an appointed redistricting commission that gave the public the opportunity for comment and analysis. While the ACLU's assertion that a redistricting commission was lacking is certainly true, the public did have two opportunities, thru Council work sessions, to comment on the map before the Council's vote on the referendum measure took place.

The ACLU of Maryland's legal director, Deborah Jeon, wrote to Councilman Patoka and County Attorney James Benjamin that the Council's bill was illegal because the proposed map was "racially dilutive and unlawful" and could weaken black residents voting power, a possible violation of federal law. However, it is unclear how adding two additional districts can be viewed as dilutive to the average citizen. Certain State elected officials, including State Senator Charles Sydnor III and Delegate Michele Guyton, have also been critical of the Council's legislation, and both have indicated they may join the lawsuit if the ACLU files legal action. Senator Sydnor also objects that the legislation usurps state elected officials' authority to nominate county election board members, but Councilman Patoka responded that this assertion was never an intended purpose of the bill.

As of this writing it remains unclear just what path all parties will follow to resolve these issues, but it seems certain that further responses will take place.

## **Developer for Lutherville Station Alarms Residents Further**

With many Lutherville residents already concerned about the proposal for redevelopment of the site at Lutherville Station, at the end of West Ridgely Road, the developer for the project poured more gasoline on the flames with his submission of a revised Transit Oriented Development application. The application is part of a process wherein county officials review a request for Transit Oriented Development status and if approved the application is forwarded to the State. The Governor's Subcabinet on Smart Growth then reviews the request, and if approved the project is eligible for certain assistance and benefits thru the state.

The previous application for the Lutherville Station site could not move forward because the property lacked the proper zoning to construct the residential development proposed for part of the site, but with Governor Moore's recently passed "Housing Expansion and Affordability Act of 2024" having been passed by the legislature, when the legislation takes effect in January 2025, that previous hurdle will have ended.

The most significant change under the new application is that the developer now proposes 560 units of multi-family housing, whereas the original application proposed 450 units. The new plan also details two areas committed to commercial/restaurant use: one being two levels totaling 25,500 square feet, and the second being two levels containing 14, 650 square feet. Finally, the project also proposes a five-story office building that is over 96,000 square feet in size.

This project will be one of several topics covered at the next GTCC general meeting on September 11. At that time, we will listen to your comments on it.

## **Other Development-Related News**

The owners of the property at 111 Schilling Road have submitted a concept plan to transform the property into a mixed-use development. Currently, a one-story office building occupies approximately one half of the twelve-acre site. If the plan is approved, the site would feature a multi-level, 220-unit, multifamily housing building, as well as several commercial buildings that will house retail tenants and ground level parking.

The owner of the property indicated that they hope to break ground on this project in the next three years, but first they must create a development plan and pattern book to demonstrate the details of the development, as well as experience a hearing officers hearing to approve the residential development. The property already has the retail zoning, with CCC designation, to allow this type of development. So, there will be no delay with a zoning request for the project.

The community input meeting for this project drew only two citizens who sought information on the project. That may have resulted from the fact that the site is not near any

residential neighborhood. The developer is expected to submit its development plan for the project within the next ten months.

### **Motorist Alert**

Both nationally and locally data shows that motorists are ignoring important safety considerations regarding stopped school buses. According to the National Association of State Directors of Pupil Transportation Services, each year motorists pass stopped school buses an estimated 43.5 million times. Locally, Police Chief McCullough stated that last year this problem occurred 387 times in our county.

So, the Police Department, County Public Schools and a private firm, AngleTrax will partner to install automated school bus enforcement cameras on all of the County's school buses. Motorists who illegally pass a stopped school bus with activated flashing red lights will be subject to a \$250 fine. Each citation will be verified by AngelTrax and reviewed and verified by a member of the Police Department. The citation will be sent to the registered owner of the vehicle, and this citation does not carry any points.

To acclimate drivers to this new citation, warning notices will be sent to motorists for at least a 30-day break-in period. When approaching a stopped school bus with flashing red lights, Maryland law requires that drivers traveling in both directions stop at least 20 feet from a school bus.

The Public School's press release on this topic, unfortunately did not convey any information about the private contract with AngelTrax. We know from their website that AngelTrax has approximately 125,000 contracts to provide monitoring services in the United States, and their customer base includes school systems, mass transit systems, and waste management providers around the country.

### **Councilman Kach Announces Zoning Changes for 2024 CZMP**

On August 27 Councilman Wade Kach unveiled his zoning decisions for the 2024 Comprehensive Zoning Map Process. Clearly, not everyone walks away satisfied after a CZMP cycle, but Councilman Kach continued his pattern of trying to strike a balance between growth and the status quo in his decisions for this cycle.

One of the most common requests in the Timonium area for this CZMP was the designation of Commercial Community Core District ("CCC") for many properties in order to facilitate the building of apartments. In no district was this more prevalent than the Timonium area of the Third District, and its critics would argue that the current administration has encouraged that outcome. Councilman Kach changed a few, but certainly not all, of the

properties that requested the CCC district, and in some cases, he allowed a zoning designation termed RAE-I, which allows residential apartments with elevators at a density level of 40 units per acre. For example, the property at 1301 York Road, Heaver Plaza, was rezoned to include 3.61 acres of RAE-I to the rear of the Heaver Plaza building. He also included a buffer of residential zoning ( DR I, .93 acre) behind the apartment designation. He also placed an Elderly and Senior Housing District designation on the portion zoned for apartments as a way to encourage senior housing for this site.

For the shopping center on York Road at Shawan Road, occupied in part by a Giant Food Store, the owner had requested that the full 9.4 acres be zoned BL CCC to facilitate apartment construction on the site. Councilman Kach re-zoned 4.66 acres to BL-CCC, but the remainder of the property was given a residential classification (DR 5.5). The property at 245 Shawan Road was originally zoned ML-IM, a manufacturing designation, but the Planning Board recommended, and the councilman approved, a change to BM-CCC ( Business Major with a CCC District Designation) that would allow apartments on this tract.

Properties at Lutherville Station, a portion of the Seminary Galleria, and vacant lots on Adams Avenue, north of E. Padonia Road, did not receive the “CCC” designation that their owners requested. The Lutherville Station property was given a DR 16 designation, which will still allow apartments on the site, but at considerably less density than had it been given the “CCC” classification.

Finally, for the “CCC” designation, the former Red Lion hotel at 2004 Greenspring Drive was given the BL-CCC ( Business Local, with CCC district) designation, but the councilman also placed an Elderly and Senior Housing district designation on the property. The owners of this property entered into a covenant with GTCC that will limit the number of apartment units to be built on the site, if they decide to pursue that option.

Many properties along York Road in the Timonium area saw no change in their current zoning, including 1829 York Road, which was kept at its residential office classification; 1202 York Road, kept as a mixture of residential office and plain residential; 1420 York Road, kept with a DR 5.5 residential zone; 2007-2023 York Road 9 (the commercial strip center that contains Maria’s Pizza), kept as a Business Local commercial classification; 1513 York Road, kept as residential office.

For a full description of every item in the Third Council District, go to the attached link

[Log of Issues | Comprehensive Zoning Map Process \(arcgis.com\)](#)

Councilman Kach will join us at our next meeting to discuss his decisions.

### **Tentative GTCC Meeting Agenda for September 11<sup>th</sup> at 7 PM**

- 1.) Introductions
- 2.) Report on Public Safety from Precinct 7

