

Land Use Task Force: 16 April 2009



Town of Garrett Park
PO Box 84
4600 Waverly Avenue
Garrett Park, MD 20896

Scheduled Meeting of Task Force
Garrett Park Town Hall
10814 Kenilworth Avenue
Garrett Park, MD 20896

Draft MINUTES

Meeting Call to Order: Convener Gene Brantly called the meeting to order at 8:15 PM. Present were Task Force members Cal Baldwin, Lizzie Gliddon-Boyle, Harry Gordon, Suzanne Grefsheim, Kay Hager, Todd Harris, Ken Ingham, Barbara Jackson, Pat Keating, John King, Cindy Kratz, Peter Kratz, Pam Morgan, Kevin Pope, Natalie Shelton; Member *Ex Officio* Chris Keller; and Town Administrator Ted Pratt.

Approval of Agenda: Gene Brantly presented the agenda for approval:

Approval of Minutes: Meetings of 03/15 and 03/26.

Discussion of Subcommittee Scope of Work:

Technical Standards Subcommittee

Research Subcommittee

Communications Subcommittee

Reports from Subcommittees

Upcoming Meetings – Meeting Agendas

Gene asked if there were other items that should be added to the proposed agenda, and after a brief discussion it was approved without objection.

Approval of Minutes:

- Minutes of the Initial Meeting of 03/15/2009 – Gene Brantly asked for a motion to approve the minutes to get the matter on the floor for discussion. Ken Ingham **MOVED**

That the minutes of the Initial Meeting of the Land Use Task Force held on March 16th be approved as distributed. Todd Harris seconded the motion. Cindy Kratz asked that her request regarding contacting the County Attorney be included in the minutes. There was discussion on whether or not the request had been made prior to adjournment, and whether the Task Force itself had standing to contact lawyers directly or should go through Town government. It was the sense of the Task Force that the comments had taken place during the meeting and that the Task Force should go through Town government when seeking legal opinions or advice.

Cindy Kratz **MOVED**

That the minutes include her comments as reflected in her email of March 30th. Suzanne Grefsheim seconded the motion to amend, which **PASSED** with 14

members voting ‘Aye,’ 1 member voting ‘Nay.’

Gene Brantly then called the question on the amended motion to adopt the minutes of the March 15th meeting, which **PASSED** with 14 members voting ‘Aye,’ 1 member voting ‘Nay.’

- Minutes of the Meeting of 03/26/2009: Gene Brantly noted that these minutes had not been distributed prior to the meeting and asked if the Task Force wanted to postpone consideration, or take a few minutes to review the minutes that had been handed out. After a brief discussion, the Task Force took a few minutes to review the minutes and a number of minor corrections and changes were suggested.

Pat Keating **MOVED**

That the minutes of the meeting of March 26th be approved as corrected.
Suzanne Grefsheim seconded the motion, which was **PASSED** unanimously.

- Future Agendas & Minutes – Gene Brantly stated that in future he would distribute agendas for meetings at least one week in advance, and would work to get draft minutes circulated no more than one week after a meeting.

Action/Discussion:

- Review of Written Subcommittee Reports: Gene Brantly handed out copies of reports from the three subcommittees; Technical Standards, Research, and Communications (reports attached to these minutes). The Task Force then took a few minutes to read the reports.
- Subcommittees’ Scopes of Work: Gene Brantly called the meeting back to order at 9:10 PM and stated that the objective was to close out the discussion on the scope of work for each subcommittee so that they can get down to work.
 - o Draft Scope for the Technical Standards Subcommittee:
 - Scopes not “binding” and are expected to “evolve” as the subcommittee’s work progresses, some work in scope development remains to be done by subcommittees.
 - Subcommittees need to communicate with the Task Force to see that there are no objections to changes in the scope of work.
 - Regarding the question of seeking an opinion from the County Attorney it was the sense of the Task Force that while legal issues were certainly a matter for the Task Force to consider and discuss, it was not the Task Force’s role to make requests for legal opinions. If it was felt that a legal opinion was needed on any matter, the Task Force should ask the Town government to obtain it on the Task Force’s behalf.
 - Moving forward to review data and answer questions may require input from the Research Subcommittee and there would need to be communication and coordination between the two subcommittees.
 - There was discussion on a number of issues:
 - Tree Ordinances – Harry Gordon noted that many municipalities include a tree ordinance within their over-all zoning code.
 - Exceptions & Variances – Harry Gordon noted the need to consider the differences between these two methods of providing

relief from zoning regulations and to decide which is most applicable in any given provision for relief.

- Pat Keating noted the need to review development since the enactment of current Garrett Park zoning in 1992 to analyze the effect of the county overlay zone and the Town's zoning ordinance.
- Kevin Pope stated that the Task Force should try to answer the question 'Are our current laws producing the results we has sought in 1992?'
- Pat Keating suggested that the Town's demolition ordinance be reviewed to see if it adversely impacted the preservation of existing homes.

○ Draft Scope for the Research Subcommittee

- Subcommittee will need to know what is most critical.
 - Analyze other municipal ordinances
 - Develop and analyze Garrett Park building database
- Subcommittee will need input from Technical Standards Subcommittee regarding methodology for contrasting and comparing different municipal zoning ordinances.
 - There was discussion as to how to build the comparative document – matrix? chart?
 - There was discussion on the impact of cultural changes over time and the changing demand for larger houses.
 - Harry Gordon noted that an “outcomes” analysis of the current Garrett Park ordinance could utilize existing data on size tendencies of projects over the period from 1992.
 - Pat Keating commented that recent construction is being driven towards a “mean” by the current zoning code, limiting the variation in designs.
 - Gene Brantly emphasized the need for an objective and systematic approach.
 - There was discussion as to generating a “generic” or “model” lot that could be manipulated to demonstrate differing results of any given regulation as well as analyzing a random selection of actual houses modified or built since 1992. The problem of looking at one's neighbors' homes was noted.
 - Gene Brantly suggested analyzing a selected number of pre-1992 projects, as well.
 - Suzanne Grefsheim pointed out that establishing a listing of homes to which no changes had been made might be a useful baseline.
 - Suzanne Grefsheim summarized the discussion of the Research subcommittee's scope of work:
 - Develop an outcomes analysis of the existing Garrett Park Zoning Ordinance's effect on the 72 lots reviewed in 1992 in subsets of no projects, modifications to existing homes, and construction of new

homes.

- Work with the Technical Standards Subcommittee on setting up the contrast/compare methodology for selected municipal ordinances.

- Draft Scope of Work for Communications Subcommittee

- Cindy Kratz noted the need to reach out to the entire community, both to inform and get feedback. There was discussion of the appropriate format for disseminating information about the Task Force and subcommittees' work and the best method for receiving feedback.
 - Kevin Pope commented that each member could speak informally with residents.
 - Harry Gordon noted that presentations to the Citizens Association had been very helpful in developing other Town projects and policies and suggested the Task Force plan to make a presentation when it felt prepared to do so.
 - Gene Brantly state that he would like to combine the various methods of getting input that had been discussed with some form of a systematic survey of Town residents. Gene also noted that the Communications Subcommittee needed more members.

- Gene Brantly summarized the work done, asked the subcommittees to review the discussion and draw up revised scopes of work. He then asked the subcommittees to select their chairs so that the Task Force Executive Committee could be formed. The Technical Standards Subcommittee selected Bob Reinhardt, the Research Subcommittee selected Natalie Shelton, and the Communications Subcommittee selected Cindy Kratz.

Pam Morgan **MOVED**

That the Task Force accept the selection of subcommittee chairs. Harry Gordon seconded the motion, which **PASSED** unanimously.

- Future Task Force Meetings: Gene Brantly asked that the Task Force consider topics for upcoming meetings, noting that while there would be an evolving expectation as to how the Task Force should spend its time, there were a number of issues that could be scheduled for specific review so that the Task Force could develop a common understanding of a basic set of facts.

- The legal context – a briefing by a land use attorney on state and county law and practice. Gene agreed to look into possible attorneys to give such a briefing.
- The methodology of measuring properties – Harry Gordon agreed to develop an illustrated presentation for the Task Force on how the existing ordinances are intended to work.
- Reaching consensus on “outcomes” and “model” analyses.
- Reaching consensus on the ordinance contrast and compare analysis.
- Neighborhood visits to view illustrative properties.
- Hold a visioning session on outcomes of the Land Use Task Force process.

Pam Morgan stated that it would be a good idea to develop a list of deliverables and Gene Brantly agreed to put together a rough draft of a deliverables list for review by the

Task Force.

The meeting adjourned at 10:30 PM

Respectfully Submitted,

[TOWN SEAL]

Edwin Pratt, Jr., Clerk-Treasurer