

SPARKS-GLENCOE COMMUNITY PLANNING COUNCIL



Preserving our rural heritage

Fall 2015 Newsletter

Dear Neighbor,

CZMP is back again! This year we have chosen to request downzoning on three environmentally sensitive properties that were upzoned in the Todd Huff era. We will also challenge requests for upzoning on similarly sensitive properties in the area. For more about this, please read the articles that follow.

In addition, we want to bring you all the information we have about the US Lacrosse presence in Loveton. There are some questions we have that remain unanswered, but please feel free to contact us with any of your concerns.

Lastly, and something we reiterate in our newsletters: we need your support. Please keep yourself in the loop: attend our meetings, back us financially, and express your opinions. Only by group action can we keep the rural in the North County.

The SGCPC Board



CZMP 2016

It's upon us again: the Comprehensive Zoning Map Process. The CZMP occurs every four years and allows any citizen (individual, contract purchaser, community organization, County Councilman) to request a zoning change on any property in the County. Our organization has filed three issues to right zoning wrongs that were imposed on the North County during the last CZMP.

These wrongs occurred during the administration of Third District Councilman Todd Huff - despite the fact that Baltimore County's Department of Environmental Protection and Sustainability (formerly DEPRM) recommended otherwise, and despite the fact that he ran on a platform that promised not to disturb what his predecessor had accomplished. Former Councilman Todd Huff chose to upzone three large parcels of land that were, and remain, environmentally sensitive, partially forested and contain multiple streams and tributaries flowing into the Loch Raven Reservoir. Mr. Huff was roundly defeated in the last election.

Parcel #1: The property of John Turnbull on Belfast Road. This 97-acre parcel which is half-forested, half in agriculture and is traversed by Piney Run, was upzoned in 2012 from RC (Rural Conservation) 7 and RC 2, to a combination of RC 5 and RC 4 which would allow 31 homes to be built. According to statements made by Mr. Huff in newspaper articles, Mr. Turnbull promised that in exchange for favorable zoning he would only give building lots to his children and put the rest of the property under a protective easement. Instead, Turnbull has contracted with a developer to design lots for 13 houses. For more detail on the history of this property,

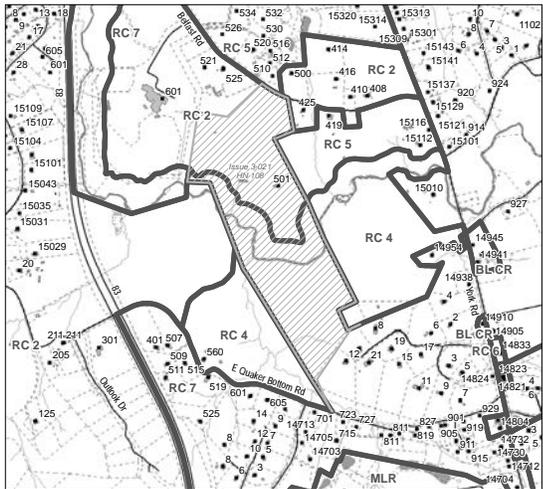
(continued on page 2)



We regret the passing of our friend, Sally Feimer, who for many years graciously lent her formatting and layout talents to the production of this newsletter, enhancing its readability and appearance. We will miss her.

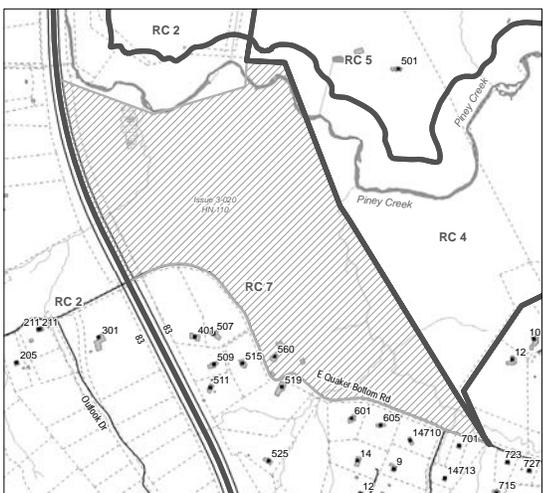
see the article about it in this newsletter. We are asking that the zoning be return to pre-Huff status.

PARCEL #1



Parcel #2: The property of Lenis Barney on Quaker Bottom Road. This 104-acre spread that borders the scenic viewshed along 1-83 is mostly in agriculture but contains steep forested slopes and a significant amount of buffer to Piney Run and its tributaries which, because they contain brown trout, are extremely sensitive to run off from development. Mr. Huff upzoned this property from RC 7 to a combination of RC 2 and RC 4 which would allow 10 houses to be developed. We are asking that the property be returned to the pre-Huff status.

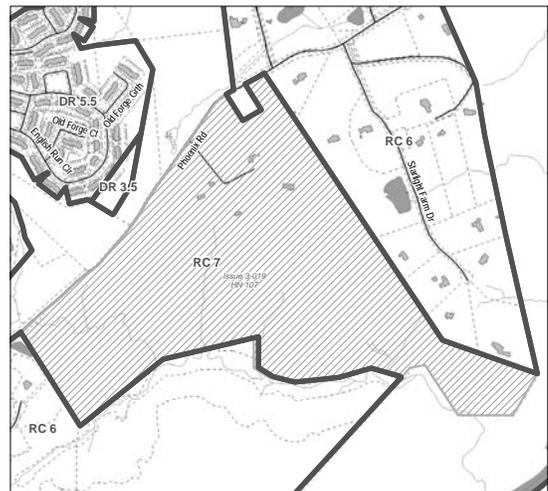
PARCEL #2



Parcel #3: The property of Carolyn von Schnell and Virginia Bartlett (formerly of Nancy Fait) on Phoenix Road. This 115-acre property which contains multiple streams and tributaries feeding into Loch Raven and is heavily forested abuts several tracts of land which have

already been placed in conservation easements. Mr. Huff upzoned this property from RC 6 to RC 4 which would allow 22 houses. We are asking that the property be rezoned to RC 7.

PARCEL #3



While SGCP is not seeking to downzone any other property in its territory, the organization will contend with properties that request an upzoning.

THE COMPLEXITY OF THE NEW SPORTS COMPLEX

Since April of this year, those of us who travel on York Road to and from our homes have been watching the earth move and a skeletal structure rise in the field across from the Loveton water tower. As most of us know, US Lacrosse is moving its headquarters from Johns Hopkins Homewood campus to Loveton, but the details surrounding the relocation have been unclear. So we invited US Lacrosse’s CEO, Steve Sternerson to our September meeting to give the community an overview.

The main purpose of the new sports complex, according to Stenerson, is to serve as a training and teaching facility for national teams. The 12-acre lot will hold a 45,000 square foot office building to house the organization’s 85 employees as well as a stadium that seats 500. There will be paved parking for 280 cars with overflow parking options on the neighboring Becton Dickinson lot. Part of the office space will be leased to MedStar Health which will operate a medical facility there and be available to the public.

(continued on page 4)

THE LATEST BUZZ ON HONEYBEES

As we mentioned in our spring newsletter, honeybees have been dying in huge numbers all across the globe—some U.S. beekeepers have lost the majority of their hives. Even if you're not a big fan of bees, you should take notice, because you're probably a fan of food. Honeybees are needed to pollinate our food crops, especially fruit, nuts and vegetables.

Honeybee colonies are susceptible to other threats, such as mites and pathogens, but the unprecedented scale of the die-off has been attributed to the increasing use of insecticides containing neonicotinoids, or neonics, for short. The USDA has also recently suggested that the Monarch butterfly decline may be attributed to the use of this chemical. It is estimated that 90% of the corn crop in the United States has been treated with neonics. When bees (or butterflies) drink nectar or get pollen on their bodies from flowers tainted with the pesticide, they can be killed outright, or their immune systems become weakened, making them more susceptible to other ailments. Neonics can cause them to lose their ability to navigate, so they cannot find their way back to the colony with the food they have gathered, leading the colony to collapse.

In addition to agricultural use of neonics, these chemicals are also present in lawn fertilizer that contains weed killer. Bees drinking from clover in a lawn treated with weed killer can be poisoned. Garden supply stores also sell insecticides containing neonics as well as plants and flowers that have been treated with the chemical.

There is some good news on the issue. In September, a federal Court of Appeals overturned a decision by the Environmental Protection Agency approving the use of sulfoxaflor, a new formulation of neonic. The Court noted the "precariousness of bee populations" in its decision, saying that the EPA had not sufficiently documented the impact on bees of the new chemical.

Also, national and local retailers have responded to consumers' desire to protect bees.

Lowe's is working with growers to eliminate the use of neonic pesticides on bee-attractive plants they sell, and is educating employees and customers with brochures, fact sheets, and product labels. They have also committed to phase out their sale of neonics within 4 years as suitable alternatives become commercially available.

Even more encouraging is the policy of Valley View Farms, which has pulled items that contain neonicotinoids from their shelves. In addition, their web site states that they will not apply neonicotinoid insecticides at their retail location on plants in pots or in the ground, and their grower will avoid using neonics on plants grown in their farm greenhouses. Plants sold at the store might still contain neonics, as some growers that sell plants to Valley View may use the chemicals.

Kingsdene Nursery has taken a more nuanced approach. There are applications of neonics that do not harm bees when used appropriately, so taking the product off the market would be overreacting, in their view. Kingsdene educates customers about products containing neonics, and offers alternatives. Growers who supply plant material are not legally required to divulge whether or not they have applied neonics, so that information is not always available to the nursery. As a member of the Maryland Nursery, Landscape and Greenhouse Association, Kingsdene stays abreast of the issue, and the many studies being done on these chemicals.

On another front, the Maryland House Environment and Transportation Committee is preparing recommendations regarding neonics. In its last session, the General Assembly considered, but did not pass, legislation which would have required plants treated with neonics to be labeled, and would have restricted the sale of neonics; instead, a committee was assigned to study the issue. Please ask your State representatives to ensure that a strong, protective law is passed this session!

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SPORTS COMPLEX (continued from page 2)

Some concerns about night lights were raised by those attending the meeting. Stenersen said plans included four posts using state-of-the-art directed lighting designed to focus beams and avoid light spill in the surrounding area.

Many questions, however, will go unanswered for the time, such as how frequently teams will be in town playing at night, whether there will be opportunities for local recreational leagues or school to use the facilities or how traffic will be managed when there is a big game.

The sports complex is slated to open in September of 2016.

IS NATURAL BURIAL COMING TO THE NORTH COUNTY?

With today's movement toward a more earth-friendly, green lifestyle, it seems fitting that a green death should come into the conversation. Conservation Burial, or Natural Burial, is a growing movement in the US, and the idea has been introduced into Baltimore County this year.

Conservation Burial is a burial method that eschews embalming and expensive caskets and tombs in favor of natural body shrouds and simple pine boxes. The overall idea is to have, in death, some positive effect on the earth, by allowing for the natural decomposition of the deceased to enrich the soil and pass our remains back to nature... from dust to dust.

In February of this year, the Baltimore County Council passed a bill (Bill 6-15) allowing Conservation Burial grounds on land zoned RC-8 with a Special Exception, along with special regulations and requirements for such an activity. And the owners of a property on Resh Mill Road in Northern Baltimore County are seeking just such a special exemption, so as to operate their rural property as the "Resh Mill Preserve," a Conservation Burial ground. But the idea is not without opposition: A group calling itself "Friends Against Resh Mill Preserve" has organized its efforts to change the outcome of the Resh Mill Preserve proposal.

Baltimore County Council Bill 6-15 sets several requirements for Conservation Burial grounds:

- land considered for use as a natural burial site must be at least 60 acres,
- must have an "environmental enhancement" designation

- it must be put into permanent preservation with a conservation easement.
- an administrative law judge must approve a zoning special exception.

In July of this year, the County Council also passed Bill 50-15 which imposes additional conditions on the use, to ensure that a conservation burial ground does not have any negative effects on nearby water quality as it relates to human health and the environment. This bill requires that the owner of land on which a conservation burial ground is sought must present, at a special exception hearing, the findings of a hydrogeologist - someone who determines the impact of a natural burial site on nearby streams, wells and the local water table.

Among the arguments advanced by the owners of the Resh Mill site are that conservation burial conserves the beauty and open space of rural land and places a permanent conservation easement on it.

Opponents, however, aren't happy with the prospective use of this property. At the heart of their concerns is the safety of the streams and local drinking water, and protection of neighboring property values. In addition, many aren't happy with the limited public input on the introduction and passing of the legislation discussed above.

It should be noted that the North County Community Group has filed for a zoning change on this parcel as part of the CZMP which would preclude any cemetery.

THE PROPOSED TURNBULL DEVELOPMENT AND IT'S ZIGZAG HISTORY

The Turnbull family resides on a farm in a lovely manor home on Belfast Road known as “Blackacre” and has enjoyed the unspoiled beauty of its 60 acres of woodlands and pristine Piney Creek for many years.

In Sparks, we live above the urban rural demarcation line, also known as the URDL, where there is no public water and sewer service. Because the pristine waterway on this land is within the Loch Raven watershed - which is already in violation of the Clean Water Act – there is an ongoing effort to limit development in the reservoir watershed in order to protect the water supply.

The Turnbull property was “upzoned,” or placed in protective zoning classifications in 2004 by Councilman Bryan McIntire as part of a larger effort to protect the farmlands and other natural resources of the Belfast Valley. Prior to that upzoning occurring, the landowner asked for and received the opportunity to apply for a conservation easement, which would have enabled the family to sell most of the development rights, retain a few lots, and preserve the remainder of the property.

Councilman McIntire acquiesced in this, an application was made for a conservation easement, but that application was subsequently withdrawn.

As a result, in the 2004 Comprehensive Zoning Map process, 43.16 acres of this property were placed in the more protective RC-2 Agricultural Protection zone and 53.96 acres were placed in the RC-7 Resource Preservation zone. That zone protects forests, streams, preserves rural character and limits growth in the volume of traffic generated by development.

In 2012 County Councilman Todd Huff, a close family friend of the Turnbills, rezoned the property to RC4 and RC5 permitting them to convert this farm, with its 60 acres of woods and pristine stream, into a housing development.

Councilman Huff justified his decision to upzone this property by saying that the resultant 31 lots the owner once again had because of the rezoning would really only result in 4 developable lots because the Councilman said the owner told him he was going to put the remainder of his property into an easement program. In Huff’s view it was a win/win situation. The landowners would receive more cash from public preservation funds, having more density rights to sell,

and the public would receive the benefit of preserved farmlands and woodlands. Sound familiar?

Former Judge Turnbull is not speaking publicly about his agreement with Huff nor the previous agreement with McIntyre, but it would appear that twice he has indicated that he would place his property in preservation, holding out a few lots for his children, and twice he has failed to do so.

Now there is a new councilman, Wade Kach, who has spoken with Turnbull and his representatives. Councilman Kach’s advice was that the Turnbills should talk with community members. Instead, Turnbull sent Michael McCann, of Goodier, Baker developers, to address the SGPC at its open meeting in July. Mr. McCann presented preliminary plans for 13 new houses. All of the lots exceeded the 1.5 acre minimum lot size. Incidentally, the Turnbills have yet to approve the plan, including the number of houses, which means they could substitute a plan which calls for more houses; and there is no process was underway for placing any part of the land in a conservation easement.

Mr. McCann has agreed to meet again with community members to provide further information.

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WELCOME JOE!

Because a conflict of interest came up, Ron Seward can no longer serve as our President. To serve in his place until the next election, Joe Evans has been chosen as Interim President.

A member of SGCPC for many years, Joe served as a former Assistant Attorney General for the State of Maryland for 7 years, as an Assistant US Attorney for the district of Maryland for 14 years and as an Assistant Federal Public Defender for 12 years. He has also been on the boards of the ACLU, St. Ambrose Housing Center, and American Friends Service Committee. We are very fortunate to have Joe step in and look forward to his leadership.



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GOALS

SGCPC BOARD 2015-2016

- ◆ Educating residents and land use representatives about the natural resources in northern Baltimore County;
- ◆ Encouraging the protection and preservation of the rural, historical, and agricultural environment of northern Baltimore County;
- ◆ Promoting responsible community planning which maintains the rural character of the area;
- ◆ Advocating growth in keeping with the level of public services available in the area.

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SGCPC
Community Meetings
are usually held on the
2nd Wednesday of the month,
Sparks School
Belfast Road
at 7:00 pm.
Please join us!

Officers and Directors may be contacted at:
www.sgpc.org or **info@sgpc.org**.



PLEASE JOIN !

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