

COMMISSIONERS OF BEL AIR

AGENDA

October 19, 2020

Annexation Charter Resolution 133-20

Liriod, LLC, - Catherine Street

RECOMMENDED MOTION:"...that the annexation Resolution N. 133-20 incorporating a 1.46-acre parcel of land located on Catherine Street and designated R-1 Low Density Residential be received by the Bel Air Board of Commissioners.

I. BACKGROUND

The Town of Bel Air accepted a petition for annexation from Liriod, LLC. At its July 20, 2020 meeting. The 1.46-acre parcel was purchased from the estate of Margaret Kelly by Liriod LLC and is identified as Parcel 001 on Tax Map 049 in the Harford County Land Records. The property is located on the west side of Bel Air abutting the corporate boundary and adjacent to the Liriodendron with frontage on Catherine Street.

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 request and finds it to be legally sufficient. 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 and summary of the requirements for annexation. The Town also notified Harford County, the State of Maryland and the Baltimore Metropolitan Council and their comments are pending. In addition, comments from the Liriodendron Foundation are attached.

III. DISCUSSION/EXPLANATION

The Bel Air Planning Commission reviewed the request for annexation at a public meeting on October 1, 2020 and found that it was consistent with the Town Comprehensive Plan and the proposed zoning of R-1 was appropriate. Attached is the recommendation from the Planning Commission and comments provided at October 1, 2020 meeting. In addition, a petition opposing

the annexation and correspondence from area residents was made part of the record and is attached. Based on review of a draft report and results of public input, the Planning Commission recommends the following conditions for annexation:

1. That any future land use is limited to three (3) Single Family Detached Lots;
2. That any subdivision plan must include a robust landscape buffering plan, to be approved by the appropriate regulatory body;
3. That no vehicular access will be permitted onto Gordon Street.

IV. RECOMMENDATION

The staff recommends receipt of Resolution 133-20, a public hearing has been scheduled for November 16, 2020 following the required notice in accordance with State code. The public will find access to the virtual Town Board public hearing on the Town website and advertised in the Aegis.

CHARTER RESOLUTION NO. 133-20

A RESOLUTION OF THE BOARD OF TOWN COMMISSIONERS
TO EXTEND THE CORPORATE BOUNDARIES AND
TO DESIGNATE THE ZONING
CLASSIFICATION OF THE LAND BEING ANNEXED

A Resolution of the Board of Town Commissioners, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and Section 4-4 of the Local Government Article of the Annotated Code of Maryland, entitled "MUNICIPAL", subtitled "Annexation", to enlarge the corporate boundaries of the Town of Bel Air by amending the description of the corporate boundaries and the official survey map of the Town Boundaries, as described in Article II, "CORPORATE BOUNDARIES" of the Charter of the Town of Bel Air, to annex to said corporate boundaries the following area, contiguous to and adjoining the present corporate boundaries of the Town of Bel Air, being a 1.461 acre parcel of land, owned by Liriod LLC located along Catherine Street, Third Election District, Harford County, Maryland, which is graphically shown on Exhibit A attached hereto, and which is particularly and separately described as follows:

Beginning for the same at an iron pipe heretofore set in the third line of the first parcel described or North 37 degree 51 minute 12 second West 499.30 foot line of that parcel of land which by deed dated December 5, 2005 was conveyed by Margaret Smith Kelly to Olga Elizabeth Mitchell, Susanne H. Kelly, and Howard A. Kelly and was recorded in the Land Records of Harford County, Maryland in Liber J.J.R. 6587 folio 151; Thence binding on aforementioned deed, the following two courses and distances:

1. **North 37 degrees 50 minutes 49 seconds West 196.02 feet** to a point in southernmost side of a fifty foot private Right-of -Way as described in a deed dated June 16, 1972 conveyed by Friedrich H. Kelly to W. Eugene Graybeal and Jean R.

Graybeal, his wife, and was recorded among the Land Records of Harford County, Maryland in Liber H.D.C. 899, folio 650; thence binding on said side of Right-of-Way, the following course and distance:

2. **North 48 degrees 51 minutes 49 seconds East 230.70 feet** to a point on western most side of a 25 foot wide alley as depicted on a plat titled "Revision and Extension of Howard Park" and recorded in the Plat Records of Harford, County, Maryland in Liber G.C.B. 4 folio 96; Thence leaving the aforesaid Right-of-Way and binding on the westernmost side of said alley the following course and distance:
3. **South 40 degrees 59 minutes 26 seconds East 405.89 feet** to a concrete monument in the northernmost right-of-way line of Catherine Street, 50 feet wide; thence binding on the northerly right-of-way line of Catherine Street the two following courses and distances:
4. By a curve to the left with a radius of **129.00 feet** for an arc length of **49.40 feet**; said curve being subtended by a chord bearing **South 38 degrees 09 minutes 00 seconds West 49.10 feet** to a point;
5. **South 27 degrees 10 minutes 45 seconds West 18.10 feet** to an iron pipe heretofore set at the end of the South 42 degree 44 minute 03 second East 205.88 foot line of Lot 1 as depicted on a plat titled "Final Plat, Land of Margaret Smith Kelly" and recorded in the Plat Records of Harford County, Maryland in Liber H.D.C. 50 folio 120; Thence binding reversely on Lot 1 as depicted on the aforementioned plat the following four courses and distances;
6. **North 42 degrees 46 minutes 23 seconds West 205.67 feet** to an iron pipe heretofore set;
7. **South 50 degrees 13 minutes 41 seconds West 139.91 feet** to an iron pipe heretofore set;

8. **North 39 degrees 24 minutes 37 seconds West 16.31 feet** to an iron pipe heretofore set;
9. **South 50 degrees 19 minutes 11 seconds West 30.61 feet** to the place of beginning;

CONTAINING 1.461 ACRES OF LAND, more or less, as surveyed by Bay State Land Services, Inc. in January 2020;

Being part of the first parcel and all of the third parcel of that parcel of land which by deed dated December 5, 2005 was conveyed by Margaret Smith Kelly to Olga Elizabeth Mitchell, Susanne H. Kelly, and Howard A. Kelly and was recorded in the Land Records of Harford County, Maryland in Liber J.J.R. 6587 folio 151;

WHEREAS, on the 20th day of July, 2020, was formally presented to the Bel Air Board of Town Commissioners, a written consent to this Resolution signed by the owners of not less than twenty-five percent (25%) of the assessed valuation of the real property located in the area to be annexed, requesting that the corporate boundaries of the Town of Bel Air be enlarged by annexing the area so described.

WHEREAS, the Town of Bel Air has caused to be made a verification of the signatures on said consent to annexation and has verified that there are no persons currently residing in the area to be annexed.

WHEREAS, it appears that the consents meet all the requirements of law.

Section 1. **NOW, THEREFORE, BE IT RESOLVED** by the Bel Air Board of Town Commissioners that the corporate boundaries of the Town of Bel Air be and the same are hereby enlarged by adding or annexing thereto the property that is contiguous to and adjoining the present corporate boundaries as particularly described in the aforesaid title to this Resolution;

Section 2. **AND BE IT FURTHER RESOLVED** that the conditions and circumstances applicable to the change in the said corporate boundaries and to the residents of the property in the area so annexed are as follows:

- a) that the area to be annexed and the owner(s) of the property therein shall be generally subject to the provisions of the Charter of the Town of Bel Air, without special treatment as to rates of the municipal tax, or as to municipal services and facilities.
- b) that the designation of the zoning classification of the land lying within the area herein described and hereby annexed shall be designated R-1 Low Density Residential District as described in the Development Regulations of the Town of Bel Air. The Bel Air Planning Commission has reviewed the Comprehensive Plan and proposed zoning and found the annexation is appropriate and meets the standards set forth in Section 4-204 of the Land Use Article of the Maryland Annotated Code. The annexed land shall be subject to all provisions and conditions of said Ordinance which are applicable to the specified zoning district.
- c) that the property will be subject to the following conditions of annexation:
 - i. Any future land use is limited to three (3) single family detached dwellings
 - ii. Vehicular access to any proposed dwellings be from Catherine Street
 - iii. A landscaped buffer shall be required along the north property boundary shared with the Liriodendron private drive at the time of subdivision with planting type, size and spacing to be reviewed by the Planning Commission

Section 3. **AND BE IT FURTHER RESOLVED** that in accordance with Article II of the Charter of the Town of Bel Air, the description of the corporate boundaries and the Official Survey Map of the Town Boundary are hereby amended by adding the property designated as "LX" being the thirteenth addition to the corporate limits following adoption of Resolution No. 102-97 repealing and reenacting the Charter of the Town of Bel Air with a new Article II, effective November 25, 1997.

Section 4. **AND BE IT FURTHER RESOLVED** that this Resolution shall become effective at the end of forty-five (45) days following its final enactment unless a petition for referendum hereon shall be filed as permitted by law.

INTRODUCTION:

PUBLIC HEARING:

ENACTMENT:

EFFECTIVE:

AYES:

NAYES:

ABSENT:

Amy G. Chmielewski, Chairperson
Board of Town Commissioners

Michael L. Krantz, Town Clerk

MARYLAND STATE
COORDINATE SYSTEM
N.A.D. 83 (2011)

LAND OF
BLAIR
J.J.R. 1231/446

EX 50' PRIVATE
RIGHT-OF-WAY
H.D.C. 849/650

EX MAGADAM DRIVE

GORDON
STREET

EX. PAV.

N 48°51'44" E 230.70'

N:680999.21
E:1443169.28

25' ALLEY
PLAT# C.G.B. 4-96

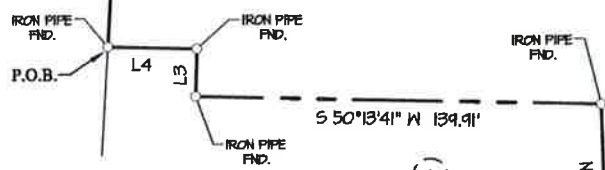
EX MAGADAM DRIVE

N 37°50'44" W 196.02'

LAND OF
HARFORD COUNTY
H.D.C. 049/644

TAX MAP #49
PARCEL #1
1.461 AC.±

(5)
GORDON STREET
EXTENSION OF
HOWARD PARK
PLAT# G.R.G. 6-63



OWNER:

LIRIOD LLC
222 CONSTITUTION ROAD
NEW FREEDOM, PENNSYLVANIA 17349
DEED REF.: J.J.R. 13732/321

(1)
FINAL PLAT
LAND OF
MARGARET SMITH KELLY
PLAT# H.D.C. 50-120

12.5' SUBJECT TO
THE RIGHTS OF
OTHERS

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	44.40'	129.00'	21°56'29"	S 38°09'00" W	49.10'

LINE TABLE

LINE	BEARING	DISTANCE
L2	S 27°10'45" W	18.10'
L3	N 39°24'37" W	16.31'
L4	S 50°19'11" W	30.61'



SURVEYOR'S STATEMENT

THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION ON OCTOBER 08, 2020 AND WAS MADE IN ACCORDANCE WITH THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYORS OF THE CODE OF MARYLAND REGULATIONS (09.13.06).

BAY STATE LAND SERVICES, INC.
Charles Dudley Campbell 10-08-20 DATE

CHARLES DUDLEY CAMPBELL
PROPERTY LINE SURVEYOR #300
LICENSE EXPIRATION: AUGUST 27, 2022

CATHERINE
STREET

REED
STREET

EXHIBIT A

BAY STATE LAND SERVICES
ENGINEERS * SURVEYORS
LAND PLANNERS
ENVIRONMENTAL CONSULTANTS

P.O. BOX 853
BEL AIR, MARYLAND 21014-0853
PHONE: 410-879-4747-FAX: 410-420-3949

PLAT TO ACCOMPANY PARTICULAR DESCRIPTION

PARTIAL LANDS OF
LIRIOD LLC

THIRD ELECTION DISTRICT HARFORD COUNTY, MARYLAND

SCALE: 1"=50' DATE: 10-8-20 DRAWN BY: JSC JOB NO.: 19012



TOWN OF BEL AIR

DEPARTMENTS OF PLANNING AND PUBLIC WORKS

705 E. CHURCHVILLE ROAD
BEL AIR, MARYLAND 21014
www.belairmd.org

PLANNING 410-879-9500
PUBLIC WORKS 410-879-9507
FAX 410-838-0775

BOARD OF COMMISSIONERS

Amy G. Chmielewski
Kevin M. Bianca
Erin S. Hughes
Donna L. Kahoe
Patrick T. Richards

DIRECTOR OF PLANNING
Kevin L. Small

DIRECTOR OF PUBLIC WORKS
Stephen D. Kline

October 2, 2020

Liriod, LLC
Attn.: Dennis Reimann
1804 Harford Road
Fallston, MD 21047

Re: Annexation Request
Catherine Street
10P-20-01-AX

Dear Mr. Reimann:

The Bel Air Planning Commission reviewed your request at its October 1, 2020 meeting for review and recommendations for the proposed Annexation of 1.46 acres, more or less, of land situated between Catherine Street and the 50-foot private drive extending westward from the end of West Gordon Street.

The Planning Commission found that annexation of the subject property is consistent with the Town Comprehensive Plan of 2016; and, found that the requested Town R-1 zoning designation is appropriate for the site as it is consistent with the land use designation as indicated on the 2016 Comprehensive Plan.

Therefore, the Planning Commission voted to recommend to the Bel Air Board of Town Commissioners that the 1.46 acres, more or less, be annexed into the municipal limits of the Town of Bel Air subject to the following conditions:

- 1) That any future land use is limited to three (3) Single Family Detached Lots;
- 2) That any subdivision plan must include a robust landscape buffering plan, to be approved by the appropriate regulatory body;
- 3) That no vehicular access will be permitted onto Gordon Street.

The recommendation was based upon the following findings of fact:

- Defined Neighborhood. For purposes of this evaluation, the neighborhood is generally defined as the area bounded on the west by Maryland Route 24, on the south by George Street, on the east by Williams Street, and on the north by County owned parkland;

Request for Annexation
Annexation
Catherine Street [10P-20-01-AX]
Attn.: Mr. Dennis Reirmann

October 2, 2020
page 2 of 2

- Population. There has not been substantial change to the neighborhood in the last 20 years. The population has remained stable during that time. There will be no negative impact to the amount of population in the area;
- Availability of Public Facilities. All public facilities will be available to the site upon annexation;
- Present and Future Transportation Patterns. Access to the parcel would be provided from Catherine Street. Due to the limited size of the parcel and the low traffic generated by the proposed use, no significant traffic impact is expected;
- Compatibility with the Existing and Proposed Development for the Area. The parcel is adjacent to the single-family detached housing and near the historic Liriodendron Mansion. The nearby event venue may create infrequent impacts to proposed residential uses on the subject property and landscape buffering could be employed to mitigate the existing use; and,
- Relationship of Rezoning to Comprehensive Plan. The requested zoning designation as R-1, Low Density Residential, is consistent with the land use designation as indicated on the 2016 Comprehensive Plan, Town of Bel Air, Maryland.

This decision will be forwarded to the Bel Air Board of Town Commissioners to accompany the introduction of the annexation resolution and at a public hearing on the annexation request. If you have any questions about this recommendation, please do not hesitate to call.

Sincerely,



Kevin Small, AICP, RLA
Director of Planning & Community Development

Cc: Planning Commissioners
Board of Town Commissioners
Jesse Bane, Town Administrator
Charles B. Keenan, Jr., Esquire, Town Counsel
Rowan G. Glidden, Senior Planner
File ✓



The Liriodendron Foundation, Inc.

September 30, 2020

Town of Bel Air Planning Commission
705 E. Churchville Road
Bel Air, Maryland 21014

Dear Planning Commission members:

As you know, The Liriodendron Foundation operates the Liriodendron Mansion located at 502 W. Gordon Street in Bel Air in partnership with Harford County Government who owns Heavenly Waters Park where the Mansion is located. Although not located within the Bel Air Town Limits, the Mansion and the many public and private events which occur there are part of the vibrant Town of Bel Air community.

To fulfill its Mission, the Liriodendron Foundation, Inc. strives to protect and maintain the Liriodendron Mansion and to honor the legacy of Dr. Howard Atwood Kelly and the Kelly family. Its Vision is to be fiscally sound through a robust rental program for weddings, private parties and business events, through grants from public and private entities and through fundraising events and donations from individuals and businesses. Its Vision also includes the promotion of the Mansion and grounds as a community asset and the focus of educational programs and activities available for little or no cost to the public.

The annexation and future development of the 1.5-acre vacant lot now owned by Liriod LLC concerns the Foundation Board of Directors. We recognize that the annexation of the lot is consistent with the Comprehensive Plan of the Town of Bel Air and the Harford County Master Plan. The future subdivision of the site should be reviewed in the context of the Liriodendron campus and the impact on the Historic Mansion. We concur with the County recommendations that the development of the site be limited to single family lots accessing via Catherine Street. No access from the Gordon Street private drive should be permitted. During review and approval of the subdivision, the overall "green space concepts" of the Liriodendron campus should be preserved. The scale and siting of the future residences should be reviewed as an extension of the existing neighborhood. Solid fencing and landscaping with larger trees and shrubs will be needed to reduce impact on the viewshed from the Mansion and a detailed buffering plan should be part of the subdivision review process. We recommend that these conditions be included in the Planning Commission's recommendation to the Town Commissioners.

We look forward to being able to continue to operate the Liriodendron Mansion as a community asset and a special place to celebrate events.

Sincerely yours,

Arden Case McClune
President, The Liriodendron Foundation, Inc.

c. Erin Schafer, Chief, Facilities and Operation, Harford County Government
Kevin Small, Planning Director, Town of Bel Air
Liriodendron Board of Directors

The Liriodendron Foundation, Inc. 502 W Gordon Street, Bel Air, Maryland 21014

410-879-4424 | www.Liriodendron.com | info@liriodendron.com

BARRY GLASSMAN
HARFORD COUNTY EXECUTIVE



BRADLEY F. KILLIAN, AICP
DIRECTOR OF PLANNING & ZONING

October 8, 2020

Kevin L. Small, Director
Department of Planning & Community Development
705 E. Churchville Road
Bel Air, MD 21014

RE: Proposed Annexation
Liriod LLC, Catherine Street (1.46ac +/-)
Map 49, Parcel 01, Tax Account Number: 03-048144

Dear Mr. Small:

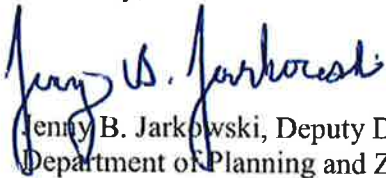
The Harford County Department of Planning & Zoning has reviewed the Town of Bel Air's Annexation Plan for the property referenced above. This parcel is zoned R2 Urban Residential and is designated as Low Intensity (LI) in the County's 2016 Land Use Plan.

The proposed Town of Bel Air zoning of R-1 (Low Density Residential) is consistent with the County's Land Use designation of Low Intensity (LI), and would not exceed the density limitations for annexations specified in the 2006 legislation titled Local Government Planning, more commonly known as HB1141.

Please also see the attached comments from the Harford County Department of Public Works, Divisions of Highways and Water and Sewer and the Harford County Health Department.

If you have any questions concerning this letter, please contact me at 410.638.3103.

Sincerely,



Jenny B. Jarkowski, Deputy Director
Department of Planning and Zoning

JBK: CD

Attachments

MARYLAND'S NEW CENTER OF OPPORTUNITY

410.638.3103 | 410.879.2000 | TTY Maryland Relay 711 | www.harfordcountymd.gov

220 South Main Street, Bel Air, Maryland 21014

THIS DOCUMENT IS AVAILABLE IN ALTERNATIVE FORMAT UPON REQUEST

**CC: The Honorable Barry Glassman, Harford County Executive
The Honorable Members of the Harford County Council
Bradley F. Killian, AICP, Director of Planning and Zoning
Joseph Siemek, Director of Public Works
John Resline, Acting Director, Bureau of Environmental Health, Harford County Health
Department**



Harford County Health Department

Main Office: 120 S. Hays Street • P.O. Box 797 • Bel Air, Maryland 21014 • 410-838-1500



Public Health
Prevent. Promote. Protect.

**Harford County
Health Department**

Marcy Austin • Acting Health Officer
Andrea Pappas • Acting Deputy Health Officer

410-877-2325
October 6, 2020

Ms. Jennifer Freeman
Harford County
Department of Planning and Zoning
220 South Main Street
Bel Air, MD 21014

**Re: Proposed Annexation
Catherine Street
Map 49, Parcel 01, Tax ID# 03048144**

Dear Ms. Freeman:

The Harford County Health Department (HCHD) has reviewed the proposed annexation of the above referenced property into the Town of Bel Air.

The information provided in the annexation plan indicates that public water will be provided by the Maryland American Water Company and public sewer will be provided by the Town of Bel Air upon annexation.

As a result, the HCHD has no objection to the described annexation.

If you have any questions, please call me at your convenience.

Sincerely,

John C. Resline LEHS

John Resline, LEHS
Acting Director
Bureau of Environmental Health

JR/jr

BEL AIR OFFICE
1 N. Main Street
Bel Air, MD 21014
410-638-3060

EDGEWOOD OFFICE
1321 Woodbridge Station Way
Edgewood, MD 21040
410-612-1779

EDGEWOOD OFFICE
2204 Hanson Road
Edgewood, MD 21040
443-922-7670

HAVRE DE GRACE OFFICE
2027 Pulaski Highway
Havre de Grace, MD 21078
410-939-6680

HAVRE DE GRACE OFFICE
2015 Pulaski Highway
Havre de Grace, MD 21078
410-942-7999

BARRY GLASSMAN
HARFORD COUNTY EXECUTIVE



JOSEPH J. SIEMEK, P.E.
DIRECTOR OF PUBLIC WORKS

Division of Water & Sewer | Administration & Engineering

October 5, 2020

MEMORANDUM

TO: Jennifer Freeman
Department of Planning & Zoning

THRU: Joseph J. Siemek, P.E.
Director of Public Works

FROM: William J. Bettin, P.E.
Deputy Director
Division of Water and Sewer

RE: Proposed Annexation – Town of Bel Air
Liriod LLC, Catherine Street

The Division of Water and Sewer reviewed the proposed annexation and has the following comments:

The site includes one parcel, tax id number 03-048144, tax map 49, parcel 001 adjacent to 510 Catherine Street in Bel Air. The property is located outside of both the Harford County water and sewer service areas, therefore, our office has no comments on the proposed annexation.

If you have any questions, please contact Dave Burke at 410-638-3300, extension 3370.

cc: Jenny Jarkowski, Deputy Director, Department of Planning and Zoning
Darryl Ivins, Civil Engineer, Division of Water and Sewer

MARYLAND'S NEW CENTER OF OPPORTUNITY

410.638.3285 | 410.879.2000 | TTY Maryland Relay 711 | www.harfordcountymd.gov

212 S. Bond Street, Bel Air, Maryland 21014

THIS DOCUMENT IS AVAILABLE IN ALTERNATIVE FORMAT UPON REQUEST

BARRY GLASSMAN
HARFORD COUNTY EXECUTIVE



JOSEPH J. SIEMEK, P.E.
DIRECTOR OF PUBLIC WORKS

**DEPARTMENT OF PUBLIC WORKS
DIVISION OF HIGHWAYS**

MEMORANDUM

OCTOBER 5, 2020

TO: Jennifer Freeman
Department of Planning and Zoning

THRU: Joseph J. Siemek, P.E.
Director of Public Works

Steven A. Walsh, P.E.
Deputy Director of Public Works

FROM: Glen C. Hebel, P.E.
Acting Chief Engineer

RE: Proposed Annexation – Town of Bel Air
Liriod LLC, Catherine Street

The Department of Public Works Division of Highways Engineering does not have any concerns regarding this proposed annexation. This parcel will access Catherine Street which is currently owned and maintained by the Town of Bel Air. The annexation will not affect the County road system.

Should you have any questions or if you need additional information, please do not hesitate to contact me at extension 1344.

GCH/ kjs

cc: File G:\KAREN-S\GLEN HEBEL\2020 10 05 - Annexation Plan Ltr - Catherine Street.docx

MARYLAND'S NEW CENTER OF OPPORTUNITY

410.638.3285 | 410.879.2000 | TTY Maryland Relay 711 | www.harfordcountymd.gov
212 S. Bond Street, Bel Air, Maryland 21014

THIS DOCUMENT IS AVAILABLE IN ALTERNATIVE FORMAT UPON REQUEST

