



# TOWN OF BEL AIR

## DEPARTMENTS OF PLANNING AND PUBLIC WORKS

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## MEMORANDUM

TO: Planning Commission  
FROM: Rowan Glidden, Senior Planner, Planning & Community Development *RG*  
SUBJECT: Reconsideration of Condition #3 – Fence Requirement  
Approval Letter dated December 15, 2017  
09P-17-02-SP/SD  
DATE: July 2, 2024  
RE: 500 Upper Chesapeake Drive

The Department of Planning & Community Development received a request for modification (attached) of Site Plan condition number three of the Site Plan Approval dated Dec. 15, 2017 from University of Maryland Upper Chesapeake Health on May 20, 2024.

The Site Plan condition requires “Installation of an 8’-0” fence along the access road and associated parking from MacPhail Road to MD Route 24 as per the attached Exhibit, REVISED 12/7/17.” The attached approval letter contains the exhibit dated 12-7-2017. The length of the required fence is shown on the 12-7-2017 Exhibit and is approximately 2,210 linear feet.

UM-UHC is requesting a reduction in the length of the fence. Based upon the supplied request and exhibit one, staff estimates the requested length of the fence to be approximately 550 linear feet. Assuming the fence follows the common property line with the Sullivan parcel, we estimate the requested length of the fence to be approximately 1,000 linear feet. The applicant must clarify the request regarding the length of the fence at the hearing.

UM-UCH is requesting a reduction in the height of the fence. No height is specified in the submitted request from UM-UHC. Staff estimates the proposed fence height to be approximately 3.5 ft to 4.0 ft. in height as shown in their photo Exhibit Two.

The history of this condition of approval relates to patients exiting the campus (typically the emergency room) and wandering onto the adjacent properties (particularly Parcel 0247). These elopements are infrequent and usually harmless. However, the Planning Commission was concerned in 2017 that a barrier be required for approval of any further expansion to the facility. This requirement is attached to the Use & Occupancy of the Ambulatory Surgical Center located at the intersection of Tollgate Road and Marketplace Drive.

Staff is concerned with implications of this condition as related to the existing floodplain on the property. Any fence located in the floodplain could catch floating debris and create a potential restriction to the flow of excess runoff within Plumtree Run. In addition, the height of the fence may be excessive considering the assessed potential risk to the public and the frequency of trespassing. It is also the opinion of staff that the fence is needed in close proximity to the facility. This would include the area from W. MacPhail Road to the eastern corner of Parcel 0247 (1003 S. Tollgate Road).

The approval was issued in 2017 and was counter-signed by the Upper Chesapeake Health System. It was not appealed at that time and therefore cannot be eliminated as a requirement of approval now. However, the Planning Commission may modify or clarify this condition based on a request of the owner.

The Bel Air Police Department have been notified of this request and will provide a memorandum of the history of any recent incidents on or near the medical campus.

cc Kevin L. Small, Director of Planning  
Edward Hopkins, Town Administrator  
File