

Task Force on the Future for Growth and Development in Maryland
May 7, 2008 / 1:00 PM – 4:00 PM
The Maryland Department of Planning
Baltimore, Maryland

Meeting Summary

Attendance

Members: Jon Laria (Chair), David Beall, Derek Berlage, Karl Brendle, Dave Carey, Sandy Coyman, Jan Gardner, Carol Gilbert, Teena Green, Janet Greenip, Richard Hall, Frank Hertsch, David Jenkins, Brigid Kenney, Gerrit Knaap, Caitlin Rayman, Dru Schmidt-Perkins

Attendees: Tom Ballentine, Victor Bonaponte, Peter Bouxsein, Leslie Knapp, John Kortecamp, Katie Maloney, Susan Mitchell, Sandi Olek, John Papagni, Frank Principe, Tom Reynolds, Miranda Spiravack, Brian Turnbaugh

MDP Staff: John Coleman, Amanda Conn, David Costello, Arabia Davis, Pat Goucher, Don Halligan, Jocelyn Harris, Linda Janey, Jenny King, Stephanie Martins, Marco Merrick, Nery Morales, Mike Nortrup, Eric Schmitt, Shelly Wasserman

Welcome & Administrative Matters

The Chair, Mr. Jon Laria welcomed and thanked everyone for attending the meeting. Mr. Laria explained the agenda and its design to encourage a participatory meeting and also to form some smaller work groups.

Mr. Laria reminded the members that within the Task Force's charge are the requirement to serve as an advisory board to the Governor's Smart Growth Subcabinet, providing advice and guidance at least twice annually through December 31, 2010. Mr. Laria attended the April 23, 2008 Smart Growth Subcabinet meeting chaired by the Secretary of Planning, Richard E. Hall, and updated the Smart Growth Subcabinet on the status of the Task Force.

Questions to MML, MACO and MDP

In March Mr. Laria posed a list of questions for response to MML, MACo and MDP. The presentations from MML, MACo and MDP at the March 24, 2008 meeting answered some of the questions and in addition these groups have also provided written answers. Mr. Laria noted that these written answers will be distributed at the end of the meeting. The Task Force was encouraged to review these question and answers, address specific topics and themes, and to bring these comments to the June 5th meeting. At which time, the agenda will allow an arena for reactions and comments. Mr. Laria mentioned that the

value of these documents is their ability to provide a good basis for conversation. He also encouraged anyone who had questions or comments to contact him directly.

Infrastructure Assessment & Terrapin Run Workgroups

Mr. Laria suggested the creation of the Infrastructure Assessment Workgroup and appointed MDP to coordinate the logistics of this workgroup. In addition to examining charges 10 and 11, the workgroup will specifically address the following questions:

1. What does Infrastructure Assessment look like?
2. How can we get Infrastructure Assessment done?
3. How fast can we get it done?

An Infrastructure Survey was conducted in 2005 and distributed to the Task Force to serve as a resource to some of the Infrastructure Assessment questions. Secretary Hall commented that although this survey is not without its flaws, MDP is required to conduct the survey. Local governments are asked about their infrastructure condition and needs, while looking at the capital program.

Mr. Laria suggested that Task Force members such as Brigid Kenney from MDE and the MACo and MML representatives evaluate their contributions to this workgroup. MDP will coordinate the workgroup and will send out information to the Task Force soon. A preliminary report for this workgroup is scheduled for the June 30th meeting. The members were asked to contact Jenny King or Mr. Laria if you would like to be apart of this workgroup.

At the last meeting, Ms. Shelley Wasserman briefed the members on the Court of Appeals decision of the Terrapin Run case. Mr. Laria commented that the Terrapin Run decision has been given lots of national press and is unsure whether it has been fully analyzed. He stressed the importance and meaning of this decision. He commented that it would be a responsible action for the Task Force to figure out the following questions:

1. What does the Terrapin Run decision mean?
2. Do we need to take action?
3. Can we agree on the action?
4. Is there is some consensus?

Ms. Kenney agreed to lead a Terrapin Run workgroup. Mr. Laria requested a preliminary report at the June 30th meeting.

Mr. Hall attended the American Planning Association (APA) during the last week of April in Las Vegas. The majority of people attending this conference are local planners, state planners and some private sector planners. Although, APA does not usually get involved in court cases, Terrapin Run got a great deal of response at APA. Terrapin Run had an entire session devoted to its decision and was presented by the lawyer on the case, Mr. Bill Wantz.

Meeting One Synopsis

Ms. Gardner suggested the group more thoroughly discuss land use issues such as, trends, agricultural preservation, housing and job trends, and traffic problems.

Mr. Coyman pointed out that that when the group reviews the surveys from MML and MACo to take note of the common themes.

Ms. Gardner emphasized focusing more on the trends considering this is the procedure most people take when developing a local comprehensive plan. She also pointed out the usefulness in reviewing the entire State map and observing where population trends are shifting. Therefore, when discussing the parameters of a State plan, Ms. Gardner wondered if the preparation work had been completed.

Mr. Hall pointed out that MDP had a huge amount of trend data that had not been released in an effort to keep the Task Force's mission more clear rather than get mired in vast amounts of trend data. However, if the Task Force would like to have more of this type of information then it can be communicated.

Ms. Gardner emphasized that although MDP may have the information it is important that everyone understand the information before the Task Force makes their recommendations. She also suggested that the Task Force analyze how Smart Growth and its policies are working although this would be an underlying examination in most of the Task Force's statutory charge.

Ms. Dru Schmidt-Perkins consented to reviewing trends and also pointed out that the Task Force should focus on shifting growth in appropriate areas. She also suggested focusing more on the trends that should be in place vs. the current trends.

Ms. Gilbert indicated that the data is available it just needs to be presented in an appropriate and reasonable manner.

Ms. Gardner posed the question of how can the group demonstrate whether certain policies are working? She also asked if it was possible to know the reasons that people chose to live and move in certain areas.

Mr. Hall commented that MDP has compelling information with maps demonstrating jobs, growth, population and housing balances. This information was presented to the Task Force to figure out what looks good and where is Maryland spending money on land preservation and its results.

Mr. Coyman suggested the group develop and agree on a definition for Smart Growth.

Mr. Hall pointed out that MDP took a statewide look at concentrating on growth in the PFAs which are government focused growth areas and concluded that a trend is that lot

sizes are getting bigger which is a harmful trend as presented by MDP at the first Task Force meeting.

Mr. Laria suggested that Mr. Hall, Mr. Coyman, and Ms. Gardner hold a conference call to further discuss these issues. Ms. Gardner insisted that the Task Force should also have this discussion. The Chair, asked anyone who wanted to join the call to contact one of the three organizers to discuss the time and agenda of this call.

The State Development Plan

Mr. Laria asked Mr. Hall whom his Department (MDP) is charged with developing and delivering the State Development Plan (SDP) to guide the Task Force through the blueprint of the SDP.

Mr. Hall pointed out that the State Development Plan has been required by MDP for over 30 years and with the help of the Task Force will help solve the question of, what exactly is the SDP. Mr. Hall proceeded to discuss the blueprint of the SDP and explained that many of the subheadings are directly from the actual statute. Mr. Hall then asked the Task Force for their initial reactions, questions and suggestions.

Mr. Jenkins commented that he found it useful to hear the explanation of the sub-headings. Mr. Jenkins stated that from a rural perspective agricultural land is discussed but suggested expanding and relating this topic to rural land development, economic development and sustainability to further define rural Maryland. Mr. Jenkins noted that the Rural Development Action Team of which he is a member, developed by the Smart Growth Coordination Committee, is examining this blueprint.

Mr. Coyman suggested keeping the order of the legislation and asked about the outreach to local government component? This could be contained in the introduction section and be labeled "Public Participation". Mr. Coyman questioned the land use section and whether a segment should be devoted to the assessment of local planning? He also wondered if there were any statement of goals, objectives, standards and principals or if this was the purpose of each subheading. It was further suggested that implementation be added to the blueprint.

Mr. Hall replied that the SDP will have an introduction section that in theory will address the goals. Mr. Hall discussed the implementation of the land use section was intended to be covered by legislation but agreed that a segment devoted to local planning would be useful.

Ms. Gardner seconded many of the Mr. Coyman's suggestions and the importance of implementation and processes. She stressed the need to examine jobs and housing and suggested that libraries be included under the community facilities. Ms. Gardner questioned how much involvement the Task Force will have in writing the SDP (since it is not the Task Force charge) and recommended that the SDP be driven as a bottom up process.

Mr. Hall replied that there will be a grey area between the parameters born out of this Task Force and the actual writing of the SDP. Mr. Hall commented that as the Plan is written a great deal of outside input will be necessary.

Mr. Hertsch expressed his concern of whether the SDP should be a compilation of local plans or a comprehensive look beginning with jobs, population growth and follow it with housing needs and then public facilities. He also suggested that an overall SDP should begin with the foundation of the demands, such as the needed facilities in order to satisfy Maryland's population. He suggested that the SDP document provide the basis for a rational analysis for each County's comprehensive plans and a rational discussion of smart growth and PFAs.

Ms. Schmidt-Perkins thanked MDP for distributing the SDP blueprint and pointed out that it was quite useful. She stated her discontent with compiling the county and municipals plans. Instead she suggested beginning with a clear State goal and then seeing how comprehensive plans measure up to these goals. She stated that the Task Force should decide whether Maryland wants to keep up with trends or control the future. She recommend the group review issues such as, vehicle miles traveled, global warming both on impact and adaptation, drinking water (quality & quantity) and regional cooperation.

Mr. Carey commented on the lack of an implementation process and suggested that each section have an implementation portion. He also recommended providing incentives to local governments to plan accordingly to the vision of the SDP and for the private sector to build in these areas.

Mr. Brendle commented that although there might be lots of commonalities among areas in Maryland, the SDP will still need to address individual needs, because not one size fits all. He further noted that BRAC transcends in a large part of the State and planning needs to be more aligned with BRAC issues. Also, the reuse of land in brownfields, grayfields and general redevelopment should be addressed in the blueprint.

Mr. Knaap pointed out that the major weakness in the SDP blueprint is the lack of a clear set vision- does a SDP set State policy for spending? How does the role of the Smart Growth Subcabinet play in this process? What about a State Planning Commission? Aside from these questions that should be answered Mr. Knaap also suggested emphasizing climate issues and recommended the expansion of the topics of transportation and economic development.

Ms. Greene suggested highlighting the economic portion of the Plan and examine how much infrastructure will cost. She recommended the inclusion of the Potomac and Anacostia watersheds to the watershed section. She questioned whether Maryland will be able to sustain future population and what the impacts would be on industry, agriculture, and biotech opportunities to name a few. She also questioned that if Maryland had all of its development, how would Maryland maintain its public facilities.

Ms. Kenney asked whether the SDP would be a collection of policies? A local guide? Or outline consequences of decisions to guide State actions specifically in funding, and provide a positive step in regional planning issues. She informed the group that she has taken the initiative to revise the environmental section, which should cover everything in the statute. She also suggested that environmental site design be considered and that some input should be from the bottom up. Yet, if the group solely depends on local comprehensive plans it would become very difficult to redirect the current trends.

Mr. Beall expressed concern in Maryland upholding a self-sustaining balance. He noted the issue with people living in PA or VA but working in MD and how this can have bad impacts on Maryland.

Ms. Greenip commented that by identifying the current trends this will provide insight on future trends. She also discussed her excitement of reviewing State initiatives, since she witnesses many bills being passed but never gets to analyze if these bill are effective.

Mr. Berlage noted that a goal should be to protect the gray and reduce sprawl in non-PFA areas by encouraging TOD and redevelopment initiatives. He noted that even though zoning decisions will be local the State could provide a list of things the State will do versus what the locals can do (per their zoning code). The State has regulatory powers to reduce development, for example critical area laws. Also the “power of the purse” can be effective through tax incentives or infrastructure funding. In regards to local zoning and TODs the expectation of density around transit areas puts the power to zone “properly” in the hands of the locals. Local planning is a must but it should consult more with the State and focus on the goals of the SDP.

Ms. Rayman proposed incorporating MDOT’s transportation plans in the SDP sub-headings, as it might serve of use when further integrating the two plans. There hasn’t been a SDP and Maryland has suffered by this lacking component, yet this document is trying to achieving a great deals of goals. Therefore, she recommended that the SDP’s goals be laid out better in order to get a clear notion of the next steps. Ms. Rayman also suggested moving the Critical Areas of Concern to the front of the document in order to demonstrate the importance of use vs. the history.

Mr. Coyman put forward the idea of addressing the mismatch between PFAs and rural areas.

Ms. Gardner questioned the amount of population existing areas can accommodate and suggested reviewing local comprehensive plans. Mr. Coyman agreed that taking a look at these local comprehensive plans would be a great first step.

Ms. Rayman commented that reviewing the comprehensive plans may not be as helpful if the local growth areas are not consistent with the State goals.

Ms. Greenip recommended reviewing crime statistics as these numbers could be affecting people’s choices to move near train stations or similar areas.

Mr. Laria asked Mr. Hall to identify the next preliminary steps for the SDP blueprint. Mr. Hall replied that MDP will be incorporating the various comments received today by the Task Force members.

State Development Plan/Local Land Use Plans

Mr. Berlage advised that the SDP should start with a clear vision that contains a form of smart growth and that the role of the SDP should possibly enhance the relationship between the State and local governments. The SDP should foster best management practices for future growth and development.

Ms. Greenip suggested keeping a balance between individual needs and rights and each level of government and recommended better coordination through all levels of government.

Ms. Kenney commented that the SDP could serve to guide State decisions and serve as an objective yard stick for local plan comments. She went on to state that, although the comments are usually very thoughtful and taken seriously greater uniformity might be more useful. This role could really help local governments while keeping their own autonomy.

Ms. Greene stated that the price tag needs to be focused on whatever needs to be developed.

Mr. Knapp advised that the SDP should guide State decisions and should be a vehicle for the locals to coordinate their plans with the State's goals. He also stated that locals should be in charge of their own plans. Mr. Knapp also reminded the group that State and local plans are communication vehicles and should be seen as such.

Mr. Brendle commented that although the vision statement should encompass smart growth, it should also focus on the consequences. He expressed his discontent with how some locals did not comply with State law and thinks more education needs to be provided to local governments on what is expected and required by the State.

Ms. Rayman suggested the SDP articulate the State goals and recommended that the target audience be municipalities and counties.

Mr. Carey questioned if a SDP should provide a comprehensive plan template? He felt that often comments on local comprehensive plans are received very late in the local process and sometimes those comments would be helpful to know at the beginning of the local comprehensive plan process.

Ms. Schmidt-Perkins stated that the SDP provide a clear guidance on how the State is going to use its resources.

Mr. Hertsch stated that a SDP should be a statement on the State's priorities.

Ms. Gardner commented that the State vision, goals and objectives should be reviewed to see how they work with local plans. She also noted that there should be incentives for redevelopment and revitalization and that the State is not spending enough money for infrastructure.

Mr. Coyman noted that this might be a great opportunity for the State to discuss the problems that are occurring and provide methods to solve these issues, while putting flesh the Eight Visions. The entire intervention policy could be woven into this discussion.

Ms. Gilbert recommended reviewing what is and is not working in order to develop some solutions to these problems. DHCD believes there is a lack of job and housing balance and access to transit. This balance should be a high priority and therefore a need for the State to encourage and incentivize investment to fix this imbalance.

Mr. Jenkins suggested the role of the SDP focus more on the refinement of functional areas. He also advised the SDP outline the State's intentions to invest.

Final Comments

Mr. Laria noted the range of issues and options presented today. He suggested that the Task Force will have to find as many commonalities and substantial good faith disagreement and then triage from there. He stated that the Task Force should have no problem making the pitch that "we need more money". This is an implementation measure that can be considered for the long-term.

Ms. Kenney requested clarification regarding the Infrastructure Assessment Workgroup. Mr. Laria responded that MDP was requested to organize the group but a Chair has yet to be designated. A lead for this committee will be designated after people are assigned to this group. Those interested in joining this committee, contact Mr. Laria.

Mr. Laria also requested that the Task Force review common themes and decide whether additional workgroups would be necessary by the June 5th meeting.

Mr. Laria asked for public comments of which there were none.

Meeting adjourned at 4:00 pm.