



Maryland Sustainable Growth Commission Meeting
July 28, 2014/1:00 to 4:00 P.M.

Talbot County Public Library
100 West Dover Street, Easton, MD 21601

Meeting Summary

Members: Jon Laria, Derick Berlage, Diane Chasse, David Costello, Dan Colhoun, Sandy Coyman, Alan Girard, Rich Hall, Don Halligan (represented by Marty Baker), Frank Hertsch, Gerrit Knaap, Mary Ann Lisanti, Steve Lafferty, David Lever, Robb Merritt, Dru Schmidt-Perkins, Raymond Skinner, Bryce Turner, Stan Wall, Bruce Williams, Duane Yoder

Elected Officials: County Council President Corey W. Pack and Delegate Adelaide Eckardt

Attendees: Paige R. Bethke, Robert Boras, Cleo Braver, Stacey Dahlstrom, Olivia Campbell, Duane Felix, Erik Fisher, Katheleen Freeman, Les Knapp, Crystal Lemieux, John Papagni, Clarence Snuggs, Lynn Thomas, Mary Kay Verdery, Tracey Ward,

MDP Staff: Valerie Berton, Chuck Boyd, Amanda Conn, Paul Cucuzzella, David Dahlstrom, Arabia Davis, Rich Josephson, Jenny King, Laura Lutkefedder, Kristen Mitchell

Welcome and Opening Remarks

Chairman Jon Laria thanked everyone for coming to the meeting and reiterated the Commission's commitment to traveling around the State to hear from local officials about growth and development issues impacting their respective jurisdictions. Mr. Laria then introduced County Council President Corey W. Pack.

Council President Pack welcomed the Commissioners and meeting participants to Talbot County. He provided remarks on Talbot County's commitment to developing land-use policies that help to cultivate an environment that is sustainable. In closing, Council President Pack offered to partner with the Commission to continue to promote smart growth.

Overview of the Town of Easton

Mr. Thomas offered welcoming remarks on behalf of Mayor Robert C. Willey, who was unable to attend.

Mr. Thomas also provided the following facts about the Town of Easton:

- Based on the 2010 Census, Easton population count is 15,945.
- It is the second largest municipality on Maryland's Eastern Shore.
- It was incorporated in 1710.

Mr. Thomas stated that the Town of Easton's overall growth philosophy is to preserve its small town, rural character. As background information, in 1996 the Town of Easton's Comprehensive Plan enacted the urban growth boundary. Over the last decade, town officials have worked closely with County Officials to ensure that the visions of both the town and county are aligned.

Mr. Thomas mentioned that to help move smart growth forward, the Town created three priority annexation areas - Priority 1 Areas are classified as Boundary Refinement Areas; in most cases they correspond to areas that are already developed in Talbot County and they are deemed appropriate for consideration for Annexation during the life of this Plan. Priority 2 Areas are referred to as Intermediate Growth Areas and Priority 3 Areas are referred to as Long Range Growth Areas. Neither priority area is envisioned as being necessary to develop in order to accommodate any growth during the upcoming planning period.

He also discussed the Town's Planned Redevelopment Overlay (zoning) District, which serves as an instrument for the redevelopment, rehabilitation, and general improvement of older areas within the Town. The Overlay District also provides local officials with the ability to develop residential projects in areas previous zoned for industrial use.

In conclusion, Mr. Thomas spoke about the project entitled "The Hill" in southeast Easton that Morgan State University has been working on to document the earliest settlement inhabited by free African-Americans, dating back to 1790.

Overview of Talbot County

Mr. Sandy Coyman, Director of Talbot County Department of Planning and member of the Commission, stated that Talbot County has 480 square miles, which includes 270 square miles of land and 210 square miles of water; that there are 600 miles of shoreline; a population of 38,000 people; 119,500 acres of farm and forest; and, 24,000 miles of developed land. County officials and constituents often refer to Talbot County as the Hamptons of the Chesapeake Bay because of its irresistible picturesque hamlets and distinctive charm.

Mr. Coyman also mentioned that Talbot County is considered the retail center for the surrounding region. He spoke about the shared desire by the majority of people living in Talbot County to move smart growth forward and that growth areas and designated priority funding areas should mirror much of what the town of Easton has done. He said that a major step in preserving open space occurred in 1991 when Talbot County adopted a comprehensive rezoning of rural and agricultural lands, reducing the density permitted in agricultural areas to 1 dwelling unit per 20 acres. This has been very successful in helping protect the county's agricultural resources, particularly in the eastern portion of the county.

Mr. Laria mentioned that during the week of July 14th, he attended the Competition Artists Paint Out that is held in Easton every year in July. The competition consists of air artists from five continents, who travel to Easton to compete for over \$20,000 in prizes. Their paintings are presented for exhibition and sale. He encouraged the Commissioners to consider attending this international event next year.

Mr. Laria commended and thanked Mr. Coyman for being an extraordinary partner and ambassador for smart growth in his current role as a member on the Sustainable Growth Commission and past role as a Commission Member on the Task Force on Growth and Development.

Announcements:

- ✓ Mr. Laria welcomed Delegate Adelaide Eckardt
- ✓ Mr. Laria welcomed Olivia Campbell from the Governor's Office to the meeting. Ms. Campbell is Assistant Chief of Staff and is very much interested in the Commission's work on Infill, Redevelopment and Revitalization Initiative.
- ✓ The Preliminary draft recommendations for the Infill, Redevelopment Revitalization effort were released on July 22nd for a 30-day public review and comment. The deadline for review is August 20th. For additional information, visit: planning.maryland.gov/irr

Task Force on Homeownership Strategy:

Mr. Laria asked Mr. Raymond Skinner and Delegate Steve Lafferty to provide an update on the Task Force on Homeownership Strategy.

Mr. Skinner informed the group that one of the primary goals of the Task Force on Homeownership Strategy is to examine the impact of the housing crisis on homeownership around Maryland. He also mentioned that the Task Force was made up of a group of very distinguished individuals. The Task Force met on Thursday, July 24. The meeting's focus involved examining historical data that pertained to housing value and number of homes owned, recent foreclosure activity, etc. The next meeting of the Task Force is scheduled to occur in mid/late August. Commission members and interested parties are welcome to attend.

Delegate Lafferty stated that the intent of the Task Force is also to develop recommendations to help stabilize historically owner-occupied neighborhoods, which is very critical to the goals of the Task Force. He mentioned that the final report is due by the end of December 2014.

Mr. Laria asked Valerie Berton to post information concerning the Task Force on Homeownership Strategy meetings on the Growth Commission's website.

Discussion of Infill, Redevelopment and Revitalization (IRR) Initiative

Mr. Jon Laria began the discussion by thanking Kristen Mitchell for her management of the Infill, Redevelopment and Revitalization effort. The Commission really appreciates all of her hard work and dedication on moving this initiative forward.

He also expressed his appreciation to the Growth Commission's Steering Committee for their dedication and input regarding accomplishing Governor O'Malley and Lt. Governor Brown's directive which is to develop recommendations to accelerate infill, redevelopment and revitalization in Maryland. Mr. Laria thanked staff from the Department of Planning and the Department of Housing and Community Development for their assistance. He also thanked the Maryland Department of Transportation, specifically, Don Halligan, Andy Scott and Stan Wall from WMATA on leading the discussion on Transit-Oriented Development, along with an impressive group of stakeholders, who has been asked to assess where Maryland is on TOD; and, what can we do to make TOD better. To date, the group led by MDOT has had two (2) focused meetings. Some of the recommendations from this TOD review group overlap with the recommendations coming out of the broader Infill, Redevelopment and Revitalization effort.

One of the issues raised in the many meetings with stakeholders has been the specificity of the recommendations. What can be realistically accomplished? Mr. Laria stated that he is hoping to have a balance of recommendations, where some are very specific actionable items while others, given the complexity of the issues and the time available, will not be as specific.

Mr. Laria reported that the Infill, Redevelopment and Revitalization report to the Governor and Lt. Governor is beginning to take shape. A tremendous amount of outreach has taken place, as noted in the draft report, and we continue to encourage people to be engaged and provide

comments on the draft currently out for public review. The Governor and Lt. Governor's Office are very interested in the end product that the Commission will be sending.

Summary of the Draft Infill/Redevelopment/Revitalization Recommendations:

Mr. Laria introduced Ms. Mitchell and asked that she walk the Commissioners through the draft of potential recommendations for public comment. Ms. Mitchell explained that in order to enhance Maryland's smart growth policies and laws that quality Infill, Redevelopment and Revitalization is pivotal. Ms. Mitchell spoke about the formatting of the recommendations and that they were organized based on general themes and principles. She informed the Commission that she would be focusing on recommendations that appeared to receive a higher level of attention from the Commission during their past discussion.

Ms. Mitchell began by summarizing the recommendations in Section "A", which focused on Education and Technical Assistance.

Comments on Section "A" included:

- ✓ Mr. Coyman: "Not In My Back Yard" attitude by people in the general public is a huge problem that should be addressed in this report. The solution can only be accomplished through behavioral modification and education. A really intense marketing campaign is needed. We need to reach the younger generation now to instill the right message.
- ✓ Mr. Derick Berlage: Sustainable living is of the utmost importance. We need to come up with a plan that address best practices that displays Maryland's commitment to sound land-use planning. It has to be a large part of our strategy.
- ✓ Mr. David Costello: The structure of the recommendations contained in the report should be clearly delineated. The recommendations need to be set-up in a way that highlights the Commission top strategies. Having more than 5 to 10 recommendations could make the report less impactful.
- ✓ Delegate Steve Lafferty: The report needs to also highlight local government responsibilities. Consider separating the issues by importance to state and local entities.
- ✓ Mr. Frank Hertsch: Provide a clearer definition to explain what infill really means. Is "infill" anything not developed, which is completely surrounded by development - or does it mean "infill" development can only occur inside the Priority Funding Area (PFA), even though it may be at the edge of the (PFA). Does not necessarily think that the following statement "in Targeted Growth and Revitalization Areas, particularly in Sustainable Communities" should be sprinkled throughout the document.
- ✓ Mr. Coyman: The report should contain a problem statement at the beginning of the document better explaining why this is being done.

Comments on Section "B" - Equitable Development included:

- ✓ Delegate Steve Lafferty: Regarding Recommendation B1: The question was raised whether the intent of this recommendation is to only target job growth or also business stabilization? Or is it really aimed at a larger business opportunity?

Ms. Mitchell responded by noting that this recommendation will be updated to reflect a desire to support the stability of existing businesses. The Commission will need to work with other agencies/departments to ensure that they are aware of the recommendations that they may be charged with implementing. For recommendation B1 - this particular task could possibly be assigned to several agencies/departments: MSDE, Higher Education, etc.

- ✓ Ms. Dru Schmidt-Perkins: Regarding #B1, MDOT should be included in the list of State agencies because they have a lot of infrastructure funds that should be directed to targeted areas to promote economic development.
- ✓ Mr. Greg Bowen: Noted that the word “should” is used in many instances where a stronger word could be used – and in other instances a less obligatory word is appropriate. In the case of Recommendation B5 - “The Commission in consultation with local government should evaluate and make recommendations on tools that capture a portion of the increased revenue that results from state investments and distribute it to a local government, Community Development Corporation or similar community-based organization, which can then use the funds for community priorities.” The Commission has control over this evaluation, so if the Commission believes it is appropriate to investigate – then “shall” is the appropriate word. In the case of recommending others take action “should” may be the most appropriate word.

The issue of “should” versus “shall” or some form of stronger directive action received a lot of Commission comments. The concern was raised that if the recommendation was too ambivalent it would not be implemented. One of the members suggested that the use of the word “should” needed to be limited and the use of “shall” should be maximized.

- ✓ Mr. David Lever: Many of the issues identified thus far in the document connect across themes/categories. One issue that needs to be addressed is Storm Water Management. The Maryland Public School Construction Program and Maryland Department of Planning will be holding a seminar on September 16th on Stormwater Management and school Siting.
- ✓ Mr. Bruce Williams: Consider modifying the word “should” and replace with “should continue to” or “should enhance.”
- ✓ Mr. Coyman: Has anyone looked at what the successful components of a project include?

Ms. Mitchell responded by noting that case studies and best practices are currently being developed to illustrate how these recommendations can be implemented. In addition, DHCD has done some research on how communities can be more successful with redevelopment projects. Commissioners were directed to review the bottom of page 4 for additional information.

- ✓ Councilwoman Mary Ann Lisanti: For the purpose of moving this effort forward, she suggested that the recommendations be placed in a matrix that could be set-up by priorities, lead state or local agencies, revenue source, etc. to help sort through the recommendations and determine what recommendations should be or should not be maintained.
- ✓ Mr. Williams: One way to address the organizational question raised here is to include labels or key terms to categorize the recommendations, possibly around subjects such as funding, regulations and technical assistance.

Comments on Section “C” - IRR Programs:

- ✓ Mr. Berlage: Regarding Recommendation C1, this recommendation is very important for the long term success of infill, redevelopment and revitalization. We all know that it is extremely difficult to obtain additional money for initiatives such as this. If the folks are really serious about taking smart growth to the next level, then money is needed from the State government/local government and private industries.

Comments on Section “D” - Regulations and Policies:

- ✓ Mr. Bowen: He noted that he was very uncomfortable with Recommendation #D8 and was concerned about the administration/implementation of third-party reviews. Several other

members expressed similar concerns, while others noted there were reasons why the third-party reviews were needed.

- ✓ Ms. Schmidt-Perkins: It should be noted that if agencies were adequately funded to perform the required reviews there would be no need to propose third-party reviews. The notion is that permitting agencies need to be well-funded to get projects moving in a timely fashion.

Ms. Mitchell mentioned that the Washington DC government agencies do not pay for this service. The applicant is responsible for paying. The third party is responsible for doing all the inspections in accordance with established procedures set up by the DC permitting authority.

- ✓ Mr. Laria: Staff was asked to figure out the pros/cons of the allowing the “Third Party” reviews. The desire for allowing Third Party reviews were made strongly during the TOD Roundtable Discussions.
- ✓ Mr. Rich Hall: Commissioners were reminded that the recommendations should be viewed as a two-tier approach, with some recommendations rising to the top at the Executive level and others that will be embedded in the body of the document as lower priority items.
- ✓ Mr. Alan Girard: For some of these recommendations that the Commission is considering, such as Third Party reviews, I think we need some standards to evaluate whether or not some recommendations will make us more sustainable.
- ✓ Mr. Bowen: Possibly the Recommendation D8 should be reworded to explain that the reasoning for “third-party reviews” is to speed up the process, which at times can hinder infill and redevelopment efforts.
- ✓ Mr. Bryce Turner: From my experience with third-party reviews, they have been a beneficial part of the process that has helped both the public side and the private developer.
- ✓ Mr. Hertsch: Third Party reviews will work well for local jurisdictions that have a well-defined process, where the review process is administrative and does not involve a lot of discretion. The reason third-party reviews are being proposed by developers is because they are not getting timely reviews due to the lack of staff capacity. If the review process were timelier, developers would not be asking to pay extra to get the reviews completed.
- ✓ Mr. Laria: What we have heard from the various stakeholders is that Maryland needs to develop clearer roles, create a faster permitting process as well as provide for regulatory differentials. In essence, extra efforts need to be made to create a better one-stop shop.

Comments on Section “E” - Targeted Financial Tools:

Ms. Mitchell noted that Recommendation E1 received a lot of positive feedback and preferences from the Commission members when asked to list their top five recommendations.

- ✓ Mr. David Costello: Recommendation E1 is a good example of consolidating limited state resources. It is not likely that a lot more money will be available to fund more IRR efforts. One of the realistic approaches to addressing the IRR needs is to target resources to achieve the greatest return. Proposals to fund new small programs will defeat this purpose; therefore the Commission should look at ways to focus resources and consider recommending consolidation of programs.

Comments on Section “F” - Community Design and Preservation:

- ✓ No comments for this section.

Comments on Section “G” -Metrics:

- ✓ Mr. Coyman: The Commission should create metrics that measure what state and local governments are doing to implement these recommendations. For example, how many local governments are using form-based zoning to improve redevelopment predictability – both from the developer and the general public perspective?
- ✓ Mr. Rich Hall: He concurred that the form-based codes can be useful tool to encourage infill and redevelopment and that could be fleshed-out more in the recommendations. This recommendation would only work if local governments support its implementation.

Comments on Section “H” -Transit-Oriented Development:

- ✓ Mrs. Schmidt-Perkins: It will be important to ensure the local community is part of the TOD design process and not be limited to just a few property owners adjacent to the transit station. It will be important to include a recommendation that promotes pedestrian oriented development as an option, regardless if transit is available or not.
- ✓ Mr. Greg Bowen: The Commission should consider how well this recommendation will fit in rural areas.

Ms. Mitchell pointed out that Recommendation H18 tries to address this concern.

- ✓ Mr. Stan Wall: For recommendations that address communities where TODs do not exist, consider relocating recommendations on “walkability” to the Community Design section.

Mr. Laria thanked Kristen for doing an excellent job summarizing the recommendations and asked the Commissioners if they had any last thoughts to share on the recommendations:

- ✓ Mr. Lever noted that some of the recommendations appear to be broader – more like objectives, while other recommendations are much more specific – like strategies. Possibly one way to organize the recommendations to cluster specific strategies under a series of objectives.
- ✓ Mr. Costello reiterated his initial comment that the Commission should focus on identifying the consolidation of programs and the targeting resources. Secondly, he recommended that the report encourage the Governor’s Office to be actively engaged in implementing the report’s recommendations.
- ✓ Mr. Colhoun: He encouraged the Commission to consider wording recommendations that the State could implement using a stronger word such as “shall,” but when local governments would be implementing the recommendation using the word - “should.”

Infill/Redevelopment/Revitalization Potential “Headline” Recommendations:

Mr. Laria handed out a condensed list of recommendations entitled “I-R-R Potential “Headline” Recommendations”, which attempts to consolidate some of the recommendations that logically fit together. The Commissioners were asked to review and provide comments directly to either Mr. Laria and/or to Ms. Mitchell.

- ✓ Mr. Turner: He thought this was a good start to consolidating the major issues, but he recommending including a short title or key phrase that encapsulates the issue.
- ✓ Mr. Lever: Two things stand out for him as he examined the recommendations. One is overcoming barriers, and the second is increasing opportunities. Under each section there are three (3) subsections: Information/Coordination/Money. From these you can create a six (6) point approach, which may be a way to look at the recommendations.
- ✓ Delegate Eckardt: The Commission needs to be cognizant that this Commission serves communities throughout the state, and that the works of the Commission will influence and hopefully promote a better quality of life for all Marylanders.

- ✓ Mr. Girard: The Commission should look to StateStat as a method to measure if the work of the Commission is successful.

Mr. Laria stated that he hoped everyone was satisfied with the results of this meeting and that he was impressed by the great attendance of the Commission Members. They will be convening a Steering Committee Meeting within the next few weeks to future discuss the Infill, Redevelopment and Revitalization effort. He reiterated that the desire of this group is to provide the Governor and Lt. Governor with a platform on how to move infill, redevelopment and revitalization forward.

Workgroup Updates

Mr. Bowen has agreed to take the lead on the Rural Economies Workgroup. It is extremely important to recognize the quality of life of rural Maryland. The Commission should continue to maximize where and whenever possible the benefits of rural areas. It is very important for the Commission to continue to develop a rural effort that identifies what Infill, Redevelopment and Revitalization looks like in rural areas.

The other workgroup updates can also be found in today's meeting packet.

Final Comments:

Reminder: August 27th, 2014 1:00 - 2:30 PM ** Special Meeting: To ratify the Recommendations to Governor Martin O'Malley and Lt. Governor Anthony Brown on Accelerating Infill, Redevelopment and Revitalization in Maryland

Mr. Turner mentioned that for everyone using twitter, please follow the Maryland Sustainable Growth Commission's Twitter account and re-twit what's being said to your network of folks.

Public Comments

None

Chairman Laria adjourned the meeting at 3:50 p.m.