

## DEVELOPMENT ADVISORY COMMITTEE MINUTES

The Development Advisory Committee (DAC) met on September 4, 2019 at 9:00 a.m. in the Harford County Government Administration Building, 220 S. Main Street, Bel Air, Maryland. The meeting was chaired by Moe Davenport, Department of Planning and Zoning.

The following members were in attendance:

Moe Davenport	Chairman, DAC
Bill Snyder	Volunteer Fire and EMS
Robin Wales	Department of Emergency Services
Patrick Jones	Soil Conservation District
Leonard Walinski	Health Department
Mike Rist	DPW Engineering
PFC Dan Buchler	Sheriff's Office
Missy Valentino	Board of Education
Rich Zeller	State Highway Administration
Lori Pietrowski	Administrative Specialist

Also in attendance:

Tom Doyle	Richard Goutos
Dan Walling	Pat Walling
John Richardson	Jake Adler
Ron Schlicht	Linda Schlicht
Stephen Kaminski	Bob Filippi
Marlene Filippi	

Moe Davenport, of the Department of Planning and Zoning, welcomed everyone to the meeting. He explained there is one plan on the agenda. Mr. Davenport explained that a brief presentation will be given by the consultant for the project. The DAC members will give their comments on the project. The meeting will then be opened up for anyone in attendance that may have questions or comments. If anyone has questions that are not answered, there are information request forms that can be filled out and submitted to the Department of Planning and Zoning and they will be responded to in writing. There is an attendance sheet circulating for everyone to sign. If a correct address is given, a copy of the minutes will be mailed or e-mailed. The minutes are recorded and will also be published to the Department of Planning and Zoning's website.

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**CARDINAL'S CHOICE LOTS 5-8**

Located at the south side of West Jarrettsville Road; east of Baldwin Mill Road (Route 165).

Tax Map 32; Parcel 37. Fourth Election District. Council District D. Planner Jenni

Plan No. P335-2019 Subdivide remaining lands to create lots 5-8/50.82 acres/  
VR/AG.

Received 08-07-2019 1721 W Jarrettsville Road, LLC/Wilson Deegan & Associates, Inc.

**Verbatim Transcript**

**Bob Wilson – Wilson Deegan & Associates, Inc.**

The plan this morning is for lots 5-8 for Cardinal's Choice. It is a split zoned property, Village Residential and Agricultural on these will be lot 5-8 in the VR district. With that I'll turn it over to DAC.

**Stephen Kaminski –** Can you point to 5-8 on that diagram?

**Bob Wilson –** Right here along the road.

**Stephen Kaminski –** Was there a meeting for lots 1, 2, 3 and 4?

**Bob Wilson –** They are shaded in grey.

**Stephen Kaminski –** Was it posted and was there a meeting for lots 1-4?

**Moe Davenport –** Negative.

**Stephen Kaminski –** I thought that was a law that you had to?

**Moe Davenport –** Over five lots. It is required.

Laughter from **Stephen Kaminski**.

**Stephen Kaminski –** Sham.

**Moe Davenport –** It is a minor plan anything under five lots. Once you go over five lots it is a major plan and you have to go through the Development process.

**Stephen Kaminski –** So, they don't have to post?

**Moe Davenport –** No. If a farmer wants to build or sell one lot off his farm he can come in and do that. It is a minor subdivision.

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Laughter from **Stephen Kaminski**.

**Stephen Kaminski** – So, but what is he doing now four lots? You are saying you add four lots. You add these four to these four and there are 8 lots is that what you are saying.

**Moe Davenport** – Yes sir.

**Stephen Kaminski** – Is that why it is at DAC now?

**Moe Davenport** – Yes. There will be time afterwards. We will now go around to the DAC committee members for questions or comments and then we will open it up to anyone in attendance that has any questions or comments on this plan. We will begin with Bill Snyder, Volunteer Fire & EMS.

**Bill Snyder – Volunteer Fire & EMS**

No comment.

**Robin Wales – Department of Emergency Services**

Lot-8 will be addressed #1731 W Jarrettsville Rd, lot-7 #1729, lot-6 #1725. If the right of way will be used for an entry to the remaining lands, #1723 W Jarrettsville Rd will be assigned. Lot-5 #1721, and if the existing driveway will be used for the remaining lands #1709 W Jarrettsville Rd will be assigned. These addresses will work if displayed properly, available, and approved by planning & zoning.

**Patrick Jones – Soil Conservation District**

I just have two questions. Should the folks that are adjacent to this lot be advised as to where the farm entrance will be? Because, basically they will be driving on their driveways and the district has a concern about what might happen or citizens concerned about farm equipment all of a sudden coming across their driveway.

**Bob Wilson** – I assume you are speaking of the driveway here between 5 & 6?

**Patrick Jones** – Either one.

**Bob Wilson** – This common driveway, the existing common drive has language in it for use by the farm also.

**Moe Davenport** – Patrick, we will require a common drive agreement for all three parties that use or share the common drive.

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**Patrick Jones** – Like I said we were just concerned and the citizens need to know that the farm equipment will be accessing. We don't need any hassles.

**Moe Davenport** – Sure.

**Patrick Jones** – Is this to be constructed all at once or are the lots being taken down separately by different...

**Bob Wilson** – Most likely separately.

**Patrick Jones** – Ok, sediment erosion controls will be required.

**Bob Wilson** – Yes, standard plans.

**Patrick Jones** – Ok, but, if they go with 3 or more lots you will need to submit a sediment control plan.

**Len Walinski – Health Department**

This plan proposes to subdivide remaining lands to create Lots 5 thru 8. All lots are unimproved and will be serviced by individual wells and on-site sewage disposal systems (OSDS). Please note that Lot 5 does have an existing well (HA-16-0352) located on-site that will remain. The existing well (HA-81-4122) located on Lot 7 will be abandoned. Soil tests were conducted on July 29, 2019.

The consultant provided this office with a revised print on August 29, 2019 that addresses the following:

- Acceptable septic trench layouts provided for each lot.
- The well tags were provided for the wells located on the property.
- The proposed wells were adjusted to allow more separation from each other.

Prior to final plat approval, the following is required:

- The well (HA-81-4122) must be properly abandoned by a licensed well driller and a Maryland abandonment report submitted to this office.

The final plat must bear the well, septic reserve area, and plat plan notes. The square footage amount of the septic reserve area must be clearly labeled on the final plat.

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**Mike Rist – DPW Engineering**

1. A sediment control plan and grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.
2. Stormwater Management must be provided in accordance with the 2000 Design Manual as amended by Supplement 1.
3. A stormwater management concept plan has been submitted for review. Comments must be addressed on subsequent stormwater plan submittals.
4. The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.
5. Stormwater management practices designed for and located on the individual lot shall be constructed and inspected prior to the issuance of the use and occupancy permit. Practices located on the individual lot are the maintenance responsibility of the owner.
6. Access permits are required for the proposed driveways.
7. The driveways shall provide adequate sight distance for a 40mph design speed and must be paved within the County right-of-way prior to issuance of a certificate of occupancy.
8. Roadside drainage shall be addressed along Jarrettsville Road by providing a 3' graded shoulder and side ditch or other measures to be determined during final design.
9. A 30' right-of-way dedication is required along Jarrettsville Road.

**PFC Dan Buchler – Sheriff's Office**

No comment.

**Missy Valentino – Board of Education**

The attendance areas are for elementary, Jarrettsville Elementary School, middle school, North Harford Middle School and for high school, North Harford High School.

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**Rich Zeller – State Highway Administration**

The MDOT SHA has no objection to Preliminary Plan approval as access to this site will be from a county road, and there are no right-of-way impacts to the MDOT SHA.

**Moe Davenport for Jenni Daniels – Planner**

The plan is for 4 lots in the VR district. The property is split zoned. This will create a total of 8 lots within the VR zone so you will have to go to the Harford County Planning Advisory Board before we can issue any approvals for the project because it is located in a Tier III sustainable growth in an Ag Preservation property.

Common drive agreements will be required for all shared common drives and there looks like there are three proposed. Or at least two with the remaining lands. They will have to be stipulated.

Jarrettsville Road is a moderate collector therefore the minimum front yard setback is 40. The plan shows 25 feet front yard setback. That will need to be adjusted on any subsequent plans or plats.

Those are all of our comments.

Are there any additional questions or comments from DAC members?

At this time we will open it up to anybody who may have any additional questions or comments. Please give your name for our records.

**Stephen Kaminski** – Is there plans for additional lots behind these, at this time?

**Bob Wilson** – There will be four additional lots on the Agricultural portion of the property.

**Stephen Kaminski** – Will there be notification and will there be another DAC meeting for those four or do they fall under the other four and there won't be a meeting?

**Moe Davenport** – Yes, there will be another DAC meeting. Anything over 5 lots goes to DAC.

**Stephen Kaminski** – I'm sorry, please say that again.

**Moe Davenport** – Anything over 5 lots...

**Stephen Kaminski** – In other words he said four lots...

**Moe Davenport** – The additional four lots or any additional lots will come back through DAC.

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Once you get over five lots it is a major plan. If you go to lots 6, 7, 8, 9, 10, 11, 12, 13 they will all come back through DAC.

**Stephen Kaminski** – Who owns those lots now? I guess the builder, right.

**Moe Davenport** – The lots are owned by Jarrettsville Road LLC and so is the farm.

**Stephen Kaminski** – If he sells to someone else and they want to build four houses there they can without another DAC meeting? Since it is not his.

**Moe Davenport** – No, regardless of the ownership it goes with the property. So, we are looking at the property regardless of who owns it, and the number of lots created from that property since 1977. Once you go over 5 it is a major sub-division and any subsequent plans would have to come through the Development Advisory Committee.

**Stephen Kaminski** – Even if it is one more lot?

**Moe Davenport** – Even if it is lot 10. They are at lot 8 right now. If they just want to do them one at a time they would each come back through.

**Stephen Kaminski** – And, we would be notified?

**Moe Davenport** – That is correct. The same notification process.

**Bob Filippi** – Is there going to be road swale along Jarrettsville Road as it exists with lots 1 through 4?

**Moe Davenport** – I'll let Mike Rist answer.

**Mike Rist** – Yes, they are going to need to come up with a road swale along that frontage to address drainage along the road.

**Bob Filippi** – Who is responsible for the installation of the road swales?

**Mike Rist** – It is up to the developer.

**Bob Filippi** – Who is the developer?

**Bob Wilson** – The owners of the property installed the road swale in front of your lot and they will install in front of lots 5-8.

**Bob Filippi** – Are there going to be requirements for bio-swales for lots 5-8 as 2-4 has?

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**Mike Rist** – Yes, they are proposing that at this time. Yes, there will be bio-swales. They are showing bio-swales along the front and also dry wells to pick up the drainage from the house.

**Bob Filippi** – When you say proposed, proposed bio-swales?

**Mike Rist** – Well, this is like a preliminary plan and that is what they are proposing at this time. They need to go through the final plan process for approval. That could change. I don't expect it to but, there are other practices that they could utilize.

**Bob Filippi** – Will the new homeowners, will the new lot owners whoever they may be in the future. Will they be advised prior to purchase or during the purchasing process that road swales and bio-swales will be installed when they develop the property? And, who is responsible for notifying those homeowners prior to?

**Mike Rist** – Whoever comes up with the plan, which will be the developer I assume, will be responsible for notifying the home buyers as to what is going on with that property.

**Bob Filippi** – Prior to commitment to purchase? Or, after contract?

**Mike Rist** – There is no really set laws as to when they are notified.

**Bob Filippi** – But, they should be notified. I guess what I'm after is the land is being developed, lots are being sub-divided, real estate agents are selling and at what point in that process does the proposed owners who go to contract on these lands get notified as to what the environmental are. I'm assuming that is what we are talking about, these are environmental issues that need to be addressed by the homeowners, ultimately because they are responsible for...

**Mike Rist** – It is strictly up to the developer or the seller.

**Bob Filippi** – It is good business practices and nothing that is holding anybody's future.

**Moe Davenport** – Our approval letters have standard language in it that the property owners will be responsible for the stormwater management facilities located on site. It is in our approval letters so it is the obligation of the developers or the property owners to share that information with their buyers. We put that in to our approval letter.

**Bob Filippi** – So, the ultimate property owners of the sub-divided property ultimately have no recourse then in regards to the environmental issues that come to light after purchase.



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**Bob Wilson** – The real estate agents are familiar with what is required by the county and what is approved prior to selling the lots. I would have to say that they certainly should convey that to the buyers. Prior to the sale of the lots all of these plans are approved and are public record. The approved stormwater management plans that are required for each lot are approved prior to the sale of the lots and the seller should be aware of them and that should be conveyed by the real estate agents.

**Bob Filippi** – I'll drop that for now.

**Moe Davenport** – Ok, thank you Bob.

**John Richardson** – Duxbury Court, Jarrettsville. Sir, if you don't mind I will continue that just a little bit. I think the questions is will like the grading plans that will show up. I assume there is a grading plan as part of the sediment control plan for each of these lots. I wasn't aware and maybe somebody can say one way or the other. Whether the grading plans for the existing lots where the houses are shown the drainage swale in front of their property. It seems to me there were an awful lot of problems there and finally the drainage swale ended up there which may or may not have been part of the original grading plan. So, I think this gentlemen is asking, you know, before somebody wants to buy one of these other lots as part of the grading plan for that lot which he should be aware of is that going to show that drainage swale across and in front of those other four lot? And, if not the owner should be aware that there is a potential problem there just like there are problems in front of the first four lots.

**Bob Wilson** – Yes, on all of the stormwater management plans and sediment erosion control plans the drainage swale is part of that plan. In other words, it is all one plan that shows the swales, the dry wells for the roof top run offs and for the bio-swales in front of each lot.

**Mike Rist** – The plans are approved before they can even get a building permit. The plans are public record. We don't distribute them to anyone unless they ask for them. They are approved beforehand.

**John Richardson** – Presumably, the real estate agents in trying to sell the lots, or a lot or two lots or whatever, are going to show their perspective customers that there is going to be a drainage swale cut in and across the front of your property?

**Moe Davenport** – We can't say what a real estate agent says. We have no way of knowing. They should disclose the information that the county has. As far as the design for the stormwater management and the grading plans as Mike said they are all approved and must be approved and certified by our department and public works before the building permits are even issued. Secondly, we inspect those facilities and won't issue the certificate of occupancy... Mike am I correct?]

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**Mike Rist** – Correct.

**Moe Davenport** – Until those are built to our satisfaction in accordance with the plans that we approved. So, our inspectors, just like electrical and plumbing inspectors will do a final. We will have to do a final on the grading and stormwater management plans before we issue the certificate of occupancy for those buildings or those homes. So, we would hope whether it is the new owner or whether it's the builder himself and whether they disclose or what they disclose to prospective buyers this committee can't say. We don't have any control over that other than that is information that they should know just like any other mechanical information with the house. Whether they disclose or not disclose; if they have a sewage ejector pump in the basement because it is above or below the grade of the septic system. They should disclose that to the individual buyer. These are all things that should be disclosed. But, we really can't say.

**Marlene Filippi** – I'm Bob's wife. Can I just go through my notes?

**Moe Davenport** – Certainly.

**Marlene Filippi** – This time seems to be appropriate. We are residents of Harford County for 26 years. We brought up four children and I'm a retired Harford County school teacher who has chosen to retire in this county. So, we have been looking for a place to down size and we finally found this beautiful lot. Lot 4 and we live on lot 4 now in Cardinal's Choice. Down sized to our new ranch and looked forward to limiting the trimming, the weeding and the yard work, the big garden as we rain in expenses being on a set income now. We bought this beautiful lot in August of last year. It was road level extending back to beautiful farm fields. This is where we were going to build our final house for retirement. We had no idea, we were not told by a realtor, we were not told by a builder of what we would end up with. We knew as with our other homes that there was an easement and we could see that on the plan. And, there were some underground dry wells. Well that's no problem. We heard about stormwater management and didn't have a clue about stormwater management. We didn't know about bio-swales, we didn't know about a street swale until we actually saw this street swale being dug out one day. We didn't even know about it. We weren't prepared for the massive dig around our new home for pipes connected to the down spouts of the roof gutters to collect the rain water and these pipes travelling through the front, the sides and the back yards to five dry wells which I thought were just an underground thing. But, I couldn't believe the site leaving us with 14 white pipes protruding up through our back yard, then adding the two wide circular cement system covers and our yard is like a mine field. And, I have pictures that I will show you. I can't even imagine our family running around playing back there. At a later date, another big dig which I told you surprised us a road swale for a run-off of rain water that is not collected by the gutters. Our property is 100' wide. By this time we hear about the bio-swale. Now, the ground before the road swale was excavated and refilled with special expensive dirt planted with some bushes and special seed

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a cost exceeding \$7,000 and it is still climbing to collect and filter water off of our lot. The water that doesn't go into the dry wells that comes off our lot before it gets to the street swale it filters the water, the bio-swale filters the water before it goes to the street swale and on. We are responsible to upkeep this 70' bio-swale that goes almost the entire length of our front yard. There will be inspections and we will get a punch list if something is wrong with it we will need to fix it otherwise it get tacked onto our tax bill. We need to change the three inch layer of mulch every three years by taking off the old layer and replacing it with another three inch layer of mulch. The permeable dirt underneath that the water flows through; filters the water; if that clogs we need also change that dirt and I saw on a list that that according to the builder that is \$3,000 worth of dirt or something. No matter what the cost is to us we need to upkeep this and I lose sleep over this at night. We are on a limited income and I don't even know what are weeds and what is flowers coming up in this and we are supposed to keep it weeded. I've asked for help. I've had questions about this. I asked about a bio-swale, when I first heard about a bio-swale I sent an email and I have it. I sent it to the county office and asked can you please tell us what physical work is going to be required with this because, we are retired, we are getting older, and our backs are aching at night just from unpacking those boxes. I can't imagine doing all of that work and that street swale that was put in front. We figured, well the county put it in they must be taking care of it, like they go along and trim the roads because it's deep and it's wide and we can't put a lawn mower in there and we can't weed whack that whole thing. We can't physically do it. I mean to be blindsided by all of this at a time in our life when we were downsizing our costs and downsizing our yard work and all of that. That is not good for us. This was a house of our dreams. This is where we were going to stay and I don't know what, we have no control over what was put in our yard and we are responsible for it. I don't know what it is going to cost and I don't know all of the work that we are going to have to do. I'm sorry.

**Bob Filippi** – What she is trying to drive at is that she would like to make sure that the new homeowners when they come and buy the next four lots don't get blindsided like we did. We know the owners of lot 2, lot 3 has no owner yet so they won't get blindsided I don't think and we are the lot 4 homeowner. We hope they don't get blindsided like we were blindsided and we feel like everybody involved from the developer to owners of the lots, to the owners of the land and the real estate agents to the builders because those stormwater management plans were drawn up for those lots a year before we purchased the land. It's not Harford County's issue and I don't think that is why we decided to come today. It is a moral issue of a purposeful lack of information fed to a purchaser on purpose because it is not a positive aspect of the lots.

**Marlene Filippi** – The realtor said nothing. The builder was going to meetings about it but he said he didn't really know, that was Korey who ended up folding and then our new builder who basically built in Baltimore County didn't know anything until he had to be doing this stuff. Well, we had already paid for the land. People are saying you hope this would happen, you hope that would happen. Well, I tell you it's not happening, and we would

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never ever have bought that lot if we knew what was going to come down on us. We weren't prepared for more responsibility and more expenditures and all. We are trying to streamline and it seems like the county is not going to be forgiving if something goes wrong with that bio-swale. It is going to have to come out of our pockets. I think there should be a definite, definite time for a definite person to let the people know who buy these lots as to what is going on. This is a bio-swale. This is a picture of a bio-swale. This is what you are going to have to do before they buy the lots.

**Moe Davenport** – I can certainly appreciate your circumstances and I agree. We try to do everything we can to let the people know the potential responsibilities that they would have. Hopefully, in this scenario these lots are mirror images of each other so anybody looking can look down the road 100-200 yards and say oh, my front yard is going to look like this.

**Marlene Filippi** – Well, now they can but, it's too late for us.

**Moe Davenport** – We will do everything we can to ensure...

**Marlene Filippi** – There are 14 pipes in my background and everybody has about the same amount.

**Moe Davenport** – What I suggest to everybody this is the only plan we have here so if there are specific questions you have about bio-swales and your property we will be here afterwards.

**Ron Schlicht** – As a property owner I started many years ago coming to zoning and I know we stopped short of saying Harford County. What I'm kind of dismayed as a business owner. If I ran my business this way I probably wouldn't be in business as long as I have been in business. When I started I think about three years ago, maybe four, coming to your office I've been given different answers from day one. I spoke to several different people and I could never get a straight answer which was concerning to me. I met with Chad, still the same thing. And, the plans kept growing and Mr. Wilson hasn't shown there are additional plans for that other 40 acres that have been drawn out. What I'm trying to grasp here is what is the point of this committee because, all I hear is you don't sound like you have much authority and you don't know what is going to happen, and that is concerning to me. It is all proposed and a lot of what ifs. What I don't understand is you have fifty acres in a rural community, 40 of it approximately is zoned Ag and he is not required to come with a final development plan. I can't comprehend that. Why is this being done piece meal? I just don't understand that. I can't grasp that why Harford County does not require him because what he is going to do end up doing with additional 40 acres is getting other development rights from other properties and move them over into this 40 acres and these 4 lots are not going to be 4 lots. They are going to be whatever Bob can go and bring from what is 2 miles around I can't remember what the radius is and bring other development rights and the next

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thing you know this 40 acres is 10 homes, 15 homes. Why isn't this being brought to us now? Why?

**Moe Davenport** – I can't mandate that a property owner develop his property. He can sell those 40 acres. If you come with the right amount of money to him tomorrow and say hey I want to give you 2 million dollars for this 40 acres he will sell it to you and you can keep it as a horse farm if you want. You can hunt it, you can do whatever you want to with it or you can put four lots on it. That's your prerogative. That's the property owner's prerogative. The committee's responsibility is to make sure that they comply and that anything they do submit complies too the county's regulations. To say that he has to show a plan showing his future and what he want to do there we can't predict.

**Ron Schlicht** – Well, that's a broken system then. Once the shovel went in the ground it's being developed and that is where the county should have smart growth. I mean the intersections at 23 and 165 are overcrowded. The main intersection at Jarrettsville, you probably don't live there but, if you did you'd know sometimes it takes three time to get through the light. What is Harford County doing for us? I'm missing it and what is your authority? Because, when I go to development meetings I went to the one with the Day Care facility requesting where Karen's property is and I hear people from your office say minimal impact. Each time I hear minimal impact. Even hear I hear no comment, no comment, and no comment. When does this start to add up for our community? That's what is confusing to me.

**Moe Davenport** – The property is zoned Agricultural and VR. The zoning has been in place for forty years. That dictates what can happen on the property. The Ag zoning is approximately one development right per 10 acres. RR zoning are 10,000 sf lots. That drives what and how the property is developed. The other thing that drives it is the property owner. I think it was the Archbishop of Baltimore owned it so it was bought to put a Catholic Church on it. They chose to sell it. The Catholic Church could have put a church on it and that is what is was planned for initially for forty years. Things change. If they change the zoning there are public hearing and things that happen there and due process. But, that has not changed in my lifetime, or forty years. The committee's responsibility is to ensure that the property is developed in accordance with those zoning categories and classifications. As for the future, you can't purchase more than 20% of the number of the development rights that you have. You can't increase more than 50%, I mean. If they have four they can only get two. The maximum number of lots in those 40 some odd acres of Ag is six. I hope that answers your question. So, if they were to purchase two they can and they would have to conform with the half mile. They would also have to conform with 20%, you can't sell more than 20% than you have so you'd have to find a property over 100 acres to get two. Those are the laws. Hopefully, that answered your question.

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**Tom Doyle** – I'm the Trustee Chairman of Jarrettsville United Methodist Church which borders on the proposed lots. One thing that I haven't heard from the Health Department or from anyone on this committee or board sitting here today is what is the impact on the water table in the village? The village water table is not that stable. There is a car wash right there at the intersection just down the street and they don't run the car wash because of water issues. Jarrettsville Creamery and Deli can't have extended hours because they have water issues. There is a well just across the street from Jarrettsville down toward the Grimmel property that went dry. Our well at Jarrettsville United Methodist Church and at our parsonage is probably 100 to maybe 125 feet and we are working off of jet pumps. I'm sure that all of the new proposed housing and the existing lots that went in there, their punching 500-600 feet deep wells. My major concern is what is going to happen to that water table in Jarrettsville when our wells go dry, the developer develops the property and sells off the lot and takes his money and leaves town and we are sitting there with dry wells. Now, I understand these folks back here, on their water issue, why they bought those lots because when that property was being developed water would run out on Jarrettsville Road and puddle past the center line. It was over 6 inches deep. In the winter we have 6 inches of ice on the road. They had no idea those swales were going to go in there. I had no idea about the swales. I understand their concern but, my concern is that water table and most people that I have talked to in the Jarrettsville area and in the community they have no idea of where their well is right now and the depth of these new wells. I would like to see some assurance if you are going to go through with this and everyone has a feeling this is a pre-set thing and a done deal if you will and there is no use to come and complain or voice an opinion. But, I've seen it done on real estate sales. My brother-in-law sold a house up on North Bend Road just out of town a couple of miles. The owner had a concern about a well there. My brother-in-law, the proposed seller had to post an escrow amount for \$8,000 for a time period of one year; that if that well went dry or they had problems that \$8,000 was there to use to drill a new well. If you are going to approve this I see no reason why the developer should not post a bond or post escrow money in the amount of at least \$25,000 and least for a two year time period from the last occupancy of the last dwelling because it is going to take that long to get the people in there to use the water table and see what's going to happen. I feel the people in the village of Jarrettsville and Harford County are not being served well by this additional development.

**John Richardson** – I'm also a member of the Trustees of Jarrettsville United Methodist Church. My wife and I have lived in the Jarrettsville area since 1978 but my wife grew up in Jarrettsville and her family moved to Baldwin Mill Road just up from the intersection. Anyway, not to long after they moved in my late father-in-law had to do something in regards to his well because they no longer had access to the well that was being used for that property. He ended up having to drill six wells before there was enough water at 1129 Baldwin Mill Road for a family of five. I think most everybody who has been around Jarrettsville for a while is aware that there is a hydrologic issue. Underground water table issue. Not only the Jarrettsville area but the Madonna area as well. I just wanted to echo

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Tom's concerns to that what is going to happen with the wells that support our church parsonage and also the other well that supports both our church sanctuary and our education building when four more lots are done and four more wells are drilled and maybe four to six more wells are drilled on the agriculturally zoned property behind there.

**Moe Davenport** – All I can say is they will have to comply with the MD Department of the Environment's regulations. Len you can add something if you would like.

**Leonard Walinski** – You mentioned about Jarrettsville Creamery. That has nothing to do with the well. That was a failing septic system. That is their problem. They have to pump every day until they get the septic system correctly designed and functioning. It has nothing to do with the well for that one. Regarding the house with the dry well. Do you have an address for that? I'm curious. You said someone had a dry well?

**Tom Doyle** – I can get it for you.

**Leonard Walinski** – I'd just like to know. To see what kind of well it was.

**Tom Doyle** – Our church has been in existence for over 150 year.

**Leonard Walinski** – When our office first received the Preliminary Plan this plan may be a little different from what you saw. The proposed wells were very close together, maybe 40' apart. We had the consultant move the wells at least 100' apart. If wells are within 50' we can't accept the plan. We can't accept any wells within 50' because they can't hydro frack the well. If the wells are closer than 100' we make the wells to be yield tested simultaneously to see if they are inter-connected. This way they meet the code of Maryland regulations, Maryland Department of the Environment. We did make them show the wells 100' apart so they meet that requirement in terms of inter-connectivity. With the typical house people use water and it goes into the septic tank, goes out to the drain fields and goes back to recharges the water. That is typically what happens it is part of hydrological cycle. Water goes in, and goes back into the ground and recharges the water so, it is not technically a net loss of the water and with the dry wells that does help recharge the ground water because you have run-off that does go back into the ground. I know Mrs. Filippi's house, when I was doing a perc test out there on lot 5 I looked over to your house and saw all of those white pipes. I said, wow what a bunch of white pipes. I was so surprised by that. It shocked me. I was thinking how do you cut the grass?

**Bob Filippi** – We don't. We weed whack the grass.

**Leonard Walinski** – I saw that when I was doing the perc right there on lot 5. It just caught my eye because we went over to locate the well to make sure we had the proper distance. When I saw all of those white caps I said how do you use that yard and how do you cut the

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grass? They do serve a function in terms of like putting the ground water back into the ground. If there are problems with drilling these wells, if they can't drill it and that is why they drill wells first before the building permit process. If they can't get water. We have a situation out on Aldino Road, they hit four dry holes. That lot may not be developed. If they can't get water on these lots and they can't meet the setback requirements then that lot cannot be developed. So, we will yield test and if there is any problems we will yield test the neighboring well simultaneously with this well. We are concerned about the water quality and quantity we know it is always an issue in certain areas, Madonna yes, Houcks Mill Road there are problems with getting water. Usually those wells are 300' deep. That is typical, maybe 8 gallons a minute. The minimum gallon per minute is one gallon per minute. That is the State minimum. It is not much but that is what Maryland Department of the Environment says is acceptable for development of a well. If they can't meet that they can't have a lot, they must have one gallon per minute standard. We are very conscious of it. We go through a well permit process. They have to give us a satisfactory site plan showing the well locations and make sure they don't interfere with anybody's wells and stable septic system and then we issue permit. Then we do a grout inspection. Then a yield test. If there are any problems with the yield test we may make them drill another well simultaneously to make sure they are not inter-connected.

**Tom Doyle** - What is the depth of the well on the existing lots currently?

**Leonard Walinski** – I don't have that information available with me.

**Tom Doyle** – Would you think it is 500-600 feet?

**Leonard Walinski** – I don't have that. You can always file a Public Information Act request and we will get that information for you.

**Bob Wilson** – Actually, the wells on these first four lots are not real deep because the volume of water was unusual for Jarrettsville. Unmeasurable on a couple of lots as far as well driller's capability was beyond that. In other words, I think they put down 25 gallons a minute.

**Tom Doyle** – An access of 25 gallons a minute.

**Bob Wilson** – Yes, in case of excess in what they were capable of measuring.

**Tom Doyle** – That is pretty unheard of.

**Bob Wilson** – It is. I live right next door to this property so, I am well aware of local issues. These wells were unusually high volume to work.



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**Leonard Walinski** – We have a lot of checks and balances. The Health Department does not want to approve a lot that is going to affect other people’s water or the neighboring lots here or their own lot.

**Tom Doyle** – So, there is no safe guards for the existing residents within Jarrettsville that you could have an escrow account established or bond posted

**Leonard Walinski** – No, there is nothing that we know of. We have the regulations that were given by the Maryland Department of the Environment and we have to enforce those regulations. We cannot deviate from that because that would be like showing favoritism and violating the law ourselves. The last thing the Health Department wants to do is to have someone not have water. We are very careful and we have a lot of checks and balances to make sure they don’t interfere with neighboring septic’s and so on and so on.

**Karen Richardson** – Yes, there is a lot of water in these wells but we’ve had two years of really good rain and I’m sure a high water table. Is there any allowance that allows for the years when it is dry and the water table is low?

**Leonard Walinski** – Last year was unusually wet and we had elevated water tables. We have monitoring wells throughout the county. Last year we had a lot of premature septic failures because of elevated water. A lot of time we test certain locations in the wet season but, the water came way up and some of these new houses have been on septic systems because of the water table. The well driller will go down so deep. They want to make sure they hit those different fractures. They will stop when they hit the first fracture. They want to make sure they have an extra reserve in the well casing. That is why wells typically don’t go dry. If they are a deep drilled well they typically don’t go dry because they dig down, they hit water, then keep drilling and hit another fracture in the rock, keep going, keep going, keep going until they hit these multiple fractures. These fractures will fill up the water column and that provides a reserve supply. Basically, a yield test if you have like 6-8 gallons it will stay there regardless of the dry or wet conditions. Maybe more, but at least you have met the minimum standard and you have that water column that will keep the water stable. In terms of like any allowances for it being wet or dry no that is not figured into it but, the well drillers don’t want to drill a well that is going to do dry because they hit one fracture and they stopped. They know to keep digging, digging, and digging to hit multiple fractures. If one for some reason closes off and goes dry they will have multiple fractures to depend on. Some wells, if they do go dry they can be re-drilled by going deeper and that does happen. They will come back and will put the well machine right on top and dig deeper. That solves a lot of problems too or it will increase the storage tank capability inside the house. The last thing we want is a dry wells.

**Moe Davenport** – Thank you, Len.

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**Stephen Kaminski** – So, the back portion of this approximately 48 acres zoned agriculture. Is there a loop hole that the builder can go, get around, not having a meeting when these houses are going up? One at a time?

**Moe Davenport** – There is no loop hole. If he does lot 10, he comes back to DAC.

**Stephen Kaminski** – If he does one lot at a time there is another meeting?

**Moe Davenport** – Yes. Those lots are a minimum 2 acre lot. They can do three 2 acre lots and keep 40 some odd acres or they can do 4 ten acre lots. That is up to them.

**Marlene Filippi** – Bob, do you know how many lots there will be eventually?

**Bob Wilson** – I know that they are proposing to do four, two acre lots on the Agriculture portion of the property.

**Bob Filippi** – What is the maximum number of lots you can develop there?

**Bob Wilson** – Four more, and as Moe said they would have the ability to try and purchase two additional development rights and do a total of six on the back portion in addition to these, it would be the maximum amount allowed by zoning. At this point in time, I know of no negotiations to buy additional development rights. But, they do have plans to do the four, two acre lots on the remaining Ag portion.

**Moe Davenport** – Thanks, Bob. Are there any other questions or comments? As I indicated I'll be here if you have any other questions. I thank you for your attendance.

**Meeting adjourned at 9:55 am.**