

PUBLIC MEETING MINUTES FOR THURSDAY, AUGUST 21, 2014

Commissioner Blaine R. Young, *President*, called to order a public meeting of the Board of County Commissioners (“Board”) of Frederick County, Maryland, for Thursday, August 21, 2014, at 6:00 p.m. in Winchester Hall. Present were Commissioners C. Paul Smith, *Vice President*; Billy Shreve and Kirby Delauter. Also in attendance were Ms. Lori Depies, County Manager and Ms. Patti Morrow, Recording Secretary. Commissioner David Gray was absent from the meeting.

The meeting began with a moment of silence followed by the recitation of the Pledge of Allegiance.

PUBLIC HEARING

To Consider the Casey Property Development Rights and Responsibilities Agreement (DRRA #13-01) in Accordance with Chapter 1-25 of the Frederick County Code and to Consider a Combined Adequate Public Facilities Ordinance (APFO) Letter of Understanding (LOU) as Part of the DRRA Approval Process – Jim Gugel, Community Development Division and Kathy Mitchell, Office of the County Attorney

Commissioner Young swore in all who would give testimony.

A public hearing was held, as duly advertised, on DRRA #13-01 for the Casey property.

Mr. Gugel presented the staff report. He indicated the petition for the DRRA from the Eugene B. Casey Foundation, was submitted to the county on June 27, 2013, and on July 25, 2013, the Board voted to accept the petition and move forward with the review and negotiation of the DRRA. He noted Zoning Map Amendment #R-13-03 was approved on July 15, 2014, to rezone 634 acres on the Casey property from Agricultural (A) to Planned Unit Development (PUD), to allow for up to 1,010 single-family dwelling units.

Mr. Gugel reported that the Frederick County Planning Commission reviewed the draft DRRA and voted to find the location, character, and extent of the proposed DRRA to be consistent with the Frederick County Comprehensive Plan.

Mr. Ron Burns, Community and Development Division, summarized several of the items related to the APFO LOU. Mr. Rod Winebrenner, Utilities and Solid Waste Management Division, was present to answer any questions regarding the water and sewer service as addressed in the APFO LOU.

The following citizens cross-examined the staff:

- Carol Swandby
- Michelle M. Rosenfeld, Esquire, The Law Offices of Michelle M. Rosenfeld, LLC
- Betsy Smith
- Stephens Dempsey
- Stan Mordensky
- Matt Seubert

PUBLIC MEETING MINUTES FOR THURSDAY, AUGUST 21, 2014

- Peggy Kaflan
- Kathryn Randuf

(The Board took a break from 7:30 p.m. – 7:50 p.m.)

The applicant, Eugene B. Casey Foundation, Betty Brown Casey, Trustee, was represented by Mr. Bob Dalrymple, Esquire and Ms. Lisa Graditor, Esquire, Linowes and Blocher LLP; Mr. Frank DeShong and Mr. Mark Friis, Rodgers Consulting; Mr Peter Spizak, Wells and Associates; and Mr. Andrew Horman, Executive Director, Casey Management.

The following citizens cross-examined the applicant's representatives:

- Craig Hicks
- Anya Crane
- Jamison Bowman
- Dr. Carol Swandby
- Stan Mordensky
- Matt Seubert
- Dan Adams
- Teddy Kroll
- Pam Abramson
- Carolyn Taylor, Montgomery Countryside Alliance
- Pam McKay
- Steve McKay
- Kathryn Randazo
- Michelle M. Rosenfeld, Esquire, The Law Offices of Michelle M. Rosenfeld, LLC
- Betsy Smith
- Amy Reyes

(Commissioner Young left the meeting.)

Public comment was heard from:

- Karl Bickel
- Stephanie Cacopardo
- Joe Mehra
- Pam Abramson
- Steve McKay
- Stephens Dempsey
- Betsy Smith
- Pam McKay

(Commissioner Young returned to the meeting.)

- Meaghan Holahan

PUBLIC MEETING MINUTES FOR THURSDAY, AUGUST 21, 2014

- Amy Reyes
- Rolan Clark
- Carolyn Taylor, Montgomery Countryside Alliance
- Anya Crane
- Richard Jeffries
- Libby Santacroce
- Ed Morgan
- Teddy Kroll
- Michael Hollins
- Steve Quarles
- Stan Mordensky
- Matt Seubert
- Karl Bickel
- Charlie Norris
- Michelle M. Rosenfeld, Esquire, The Law Offices of Michelle M. Rosenfeld, LLC
- Carol Swandby
- Jan Gardner
- Sara Stull

The applicant’s representatives gave a rebuttal on the public comments heard this evening.

Motion to approve the Casey property DRRRA #13-01 as presented, and direct staff to bring back to the Board at a later date the final draft of the DRRRA for signature after signing the Rezoning Ordinance for Case #R-13-03 – Passed 3-1.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young				X		
Smith	X		X			
Shreve		X	X			
Gray						X
Delauter			X			

Motion to make a finding of adequacy in accordance with the APFO and approve the APFO LOU for the Casey property PUD, and direct staff to bring back the final draft of the LOU to the Board at a later date for signature after the signing of the Rezoning Ordinance for Case #R-13-03 – Passed 3-1.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young				X		
Smith	X		X			
Shreve		X	X			
Gray						X
Delauter			X			

PUBLIC COMMENTS AND/OR REQUESTS

None.

ADJOURN

PUBLIC MEETING MINUTES FOR THURSDAY, AUGUST 21, 2014

The meeting adjourned at 11:45 p.m.

Patti Morrow
Recording Secretary