

**CONCEPT SITE PLAN REPORT**  
to the  
**Carroll County Planning and Zoning Commission**  
**August 20, 2024**

**Prepared by**  
**David Becraft, Bureau of Development Review**

**SUBJECT:** S-23-0027 – Eldersburg Overlook Retirement Village

**LOCATION:** South side of Bennett Road, east of Progress Way; C.D. 05

**OWNER:** Long Meadow Farm 21784 LLC, 741 Klees Mill Road, Westminster, MD 21157  
(Members: Susan Rash, Hunter Beaty, Sharon Beaty, Heidi Condon)

**DEVELOPER:** St. John Properties Inc., 2560 Lord Baltimore Drive, Baltimore, MD 21244

**SURVEYOR:** DDC, Inc. 192 East Main Street, Westminster, MD 21157

**ZONING:** R-20,000

**ACREAGE:** 58.69 acres

**WATERSHED:** Liberty Reservoir

**NO. OF UNITS:** 156 age restricted units

**FIRE DISTRICT:** Sykesville Freedom District Fire Company

**MASTER PLAN:** Residential Medium – Freedom Community Comprehensive Plan 2018

**PRIORITY**

**FUNDING AREA:** Freedom

**DESIGNATED**

**GROWTH AREA:** Freedom

❖ **Action Required:**

The plan is before the Planning and Zoning Commission per Chapter 155 of the Code of Public Local Laws and Ordinances of Carroll County for consideration of a concept site plan. **No action is required.**

❖ **Existing Conditions**

The subject property is one of four parcels which collectively are recognized as the “Beaty Property.” The subject property is 58.69 acres and is currently undeveloped. The northern portion of the property is comprised of mostly open meadow, with the southern portion mostly consisting of environmental features; a stream, steep slopes, non-tidal wetlands, and wooded areas. There is a stream which crosses the property, but no 100-year floodplain designations are located on the property. To the east, the property abuts the existing Wilson Farms and Long Meadow subdivisions. Properties to the west consist of commercial-and industrial-zoned

properties. The northern and southern adjoining properties are also owned by the same entity (Long Meadow Farm 21784 LLC) and have plans in process for single-family residential developments. The subject property and all adjoining properties lie in the Existing / Final Planning Water and Sewer Service areas.

❖ **Project History:**

On March 9, 2022, morning and evening Town Hall meetings were held by Commissioner Rothstein to invite conversation as it relates to the “Beaty Property” with the developer. During these meetings, discussion focused on environmental impacts and traffic. An email was received prior to this meeting which stated opposition to the development (email attached).

On March 30, 2022, the Master Plan for the “Beaty Property” was presented to the Planning and Zoning Commission as a special report to receive initial project feedback from the Commission and the public (minutes attached). The subject property was depicted as being developed with an age-restricted community of attached units. Discussion from the Commission revolved around traffic. Citizens present at the meeting raised concerns about the environmental impact, water/sewer allocation, and traffic as it relates to the subject project.

On September 20, 2022, morning and evening Town Hall meetings were held by Commissioner Rothstein to invite conversation as it relates to the “Beaty Property” with the developer. During these meetings, discussion focused on tractor trailer traffic to and from the industrial portion of the overall project, overall development phasing, and connection to water/sewer in the area.

On November 20, 2023, morning and evening Town Hall meetings were held by Commissioner Rothstein to invite conversation as it relates to the “Beaty Property” with the developer. During these meetings, discussion focused on environmental impacts, traffic and the construction of Georgetown Boulevard Extended.

❖ **Plan Review:**

On November 16, 2023, an initial site development plan for the subject property was submitted to the Bureau of Development Review and distributed to technical review agencies. The developer proposes to construct 156 two-story townhouse units in the Eldersburg Overlook retirement village. All units are proposed as attached and are shown in groups which vary from 4–5-unit buildings. The building locations are within the northern portion of the subject property, with half proposed between the industrial-zoned property and Bennett Road and the other half proposed between the industrial-zoned property and the existing subdivisions to the east. A retaining wall is shown adjoining the Wilson Farm subdivision on the east side of the property with details to be provided on the final plan. Sidewalks are proposed throughout the site with connectivity throughout the “Beaty Property.”

Also proposed is the construction of a 1-story clubhouse with outdoor seating/pool and independent parking. The clubhouse is shown as being centralized between the units proposed and will be accessed directly from Road ‘E.’

The development proposes a road network on the property which is to be privately owned and maintained. Access to the site will be via Bennett Road, with two emergency-only access points connecting to the proposed industrial-zoned development to the west. Parking requirements for age-restricted adult townhouses are 2 spaces for each dwelling unit with

additional parking for overflow/guest parking being required at the discretion of the Planning Commission. Each unit has a garage and a private driveway provided and additional parking areas have been proposed throughout the retirement village. Parking requirements for a community center equal 1 space for every 3 persons based on maximum capacity. With a maximum capacity of 102 persons, 34 parking spaces are required for the community center; 34 parking spaces are provided.

A traffic impact study was required and submitted to the County for all four parcels/projects comprising the “Beaty Property.” The study determined that the combined impact of the four proposed projects would in total impact the intersection capacity of MD Route 32 & Bennett/Johnsville Road, Md Route 32 and Progress Way, and MD Route 32 and Londontown Boulevard. The developer has proposed mitigation improvements to each of the three intersections and the County and Maryland State Highway Administration have approved the concept design of the mitigation.

Building elevations are included in the plan set. Proposed colors include tan, brown, blue, and gray with white trim and garage doors. Although materials are not yet annotated, the rendering appears to depict siding, stone veneer, and asphalt shingled roofs. Decorative garage doors, trim details, rooflines, shutters, light fixtures, and custom windows adorn the facades. Street lighting is proposed throughout the development. The detail provided within the plan set (sheet 24) depicts pole-mounted lights roughly 16’ in height.

On April 2, 2024, the Design and Architectural Review Committee (DARC), an advisory group, met to review the project. Their comments are as follows:

1. With only front elevations provided for residential units, it is unclear what the neighboring subdivisions will view as they will see the rear of the structure.
2. The residential units look identical to one another. Questioned if there were plans to visually distinguish the units to help residents to find their unit. Recommended varying the front elevations or color.
3. Elevation shows steps into main entrance – best practice for age-restricted community?

The plan was subject to citizen involvement on December 18, 2023 during the Technical Review Committee meeting. Two emails were received prior to the meeting regarding the proposed Road A connection onto Bennett Road, as well as the density of the development and the cemetery located on the “Beaty Property” (emails attached). During the meeting, three citizens signed in and provided feedback. Two citizens asked questions/voiced concern regarding the cemetery. The remaining citizen questioned the proposed private Road A and whom would be permitted to use this roadway. After the meeting, a phone call was received from one area citizen who voiced concern over traffic generated from this development impacting Bennett Road.

Retirement homes are a conditional use in the R-20,000 Zoning District requiring Board of Zoning Appeals (BZA) authorization. Prior to the BZA review, the project was brought before the Planning and Zoning Commission (PZC) on April 16, 2024 to review the site development plan and traffic study, and make determinations regarding density, exterior design, and site layout (minutes attached). During this meeting, there was extensive discussion as it relates to the proposed entrances into the site. Citizens at the meeting raised concerns of environmental impacts and the effect to those existing neighboring residents. The meeting concluded with

the Commission having no significant changes to the exterior design or site layout provided. The use was approved by the BZA in case #6502 on May 30, 2024 (decision attached).

Following the PZC and BZA meetings, various correspondence has been received via emails and phone calls. Many concerns raised relate to project density, traffic, and environmental impacts (emails attached).

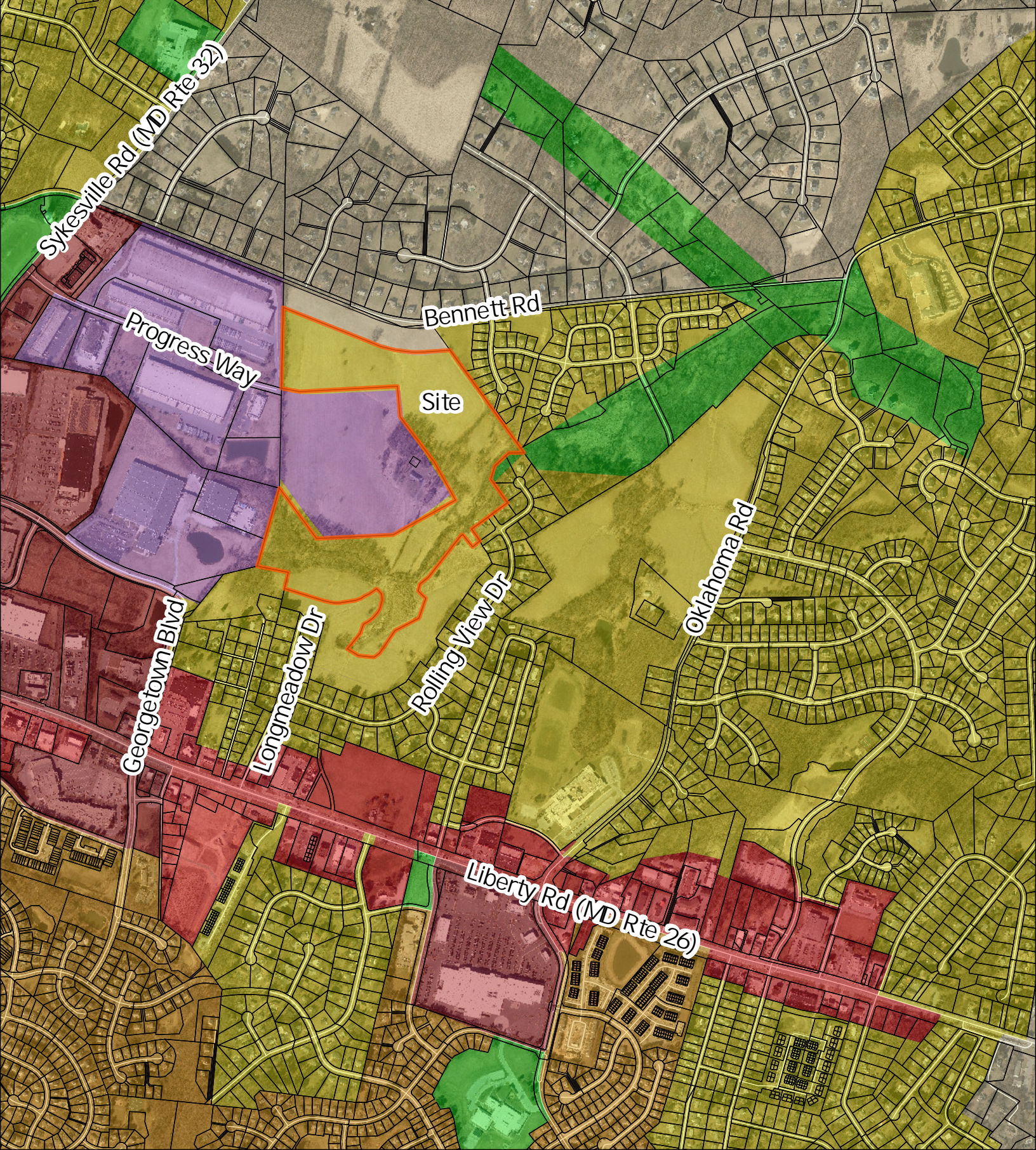
The Bureau of Utilities has granted concept approval of the plan with water and sewer connections proposed. Site Compliance and Zoning have granted approval of the concept plan. Fire Protection has approved the concept plan with the addition of fire hydrants on-site. Engineering review and State Highway Administration have granted concept approval of the plan with additional review of the Traffic Impact Study to be performed with the final plan review.

Landscape requirements have been met on the concept plan. The majority of the proposed landscaping is shown abutting Progress Way, abutting the industrial-zoned property to the west, and surrounding the internal parking areas. Along the Wilson Farm subdivision to the east, a note on the plan states the existing vegetative screen is to remain to the best of the developer's ability. Areas where the existing vegetative screen is completely removed, supplemental screen plantings are to be provided. Forest Conservation, Water Resource Management, and Floodplain Management have approved the concept plan.

The plan has received concept Stormwater Management approval. Requirements are addressed by means of micro-bio retention facilities, drywells, grass swales, and submerged gravel wetlands.

In their review, the Bureau of Comprehensive Planning determined that the proposed plan is consistent with the 2018 Freedom Community Comprehensive Plan land use designation of Residential-Medium.

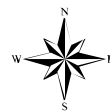
The final site plan will be tested and reviewed for conformity with Chapter 156 of the Code of Public Laws and Ordinances of Carroll County Maryland: Adequate Public Facilities and Concurrency Management.



|              |          |     |
|--------------|----------|-----|
| Zoning       | R-20,000 | C-2 |
| Conservation | R-10,000 | C-3 |
| R-40,000     | R-7,500  | I-1 |

# Eldersburg Overlook Retirement Village

## S-23-0027



Property line shown hereon are from tax maps and therefore are approximate and are shown for illustrative reference only. Photograph date: Spring 2020



# Eldersburg Overlook Retirement Village S-23-0027



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for illustrative reference only.  
Photograph date: Spring 2020

— HYD\_StreamsLidar

**MEETING SUMMARY**  
**Carroll County Planning and Zoning Commission**  
**March 30, 2022**

Location: Reagan Room (003)

Members Present: Jeffrey A. Wothers, Chair  
Janice R. Kirkner, Vice Chair  
Peter Lester  
Matthew Hoff  
Michael Kane  
Stephen A. Wantz, Ex-officio

Members Absent:

Present with the Commission were the following persons: Lynda Eisenberg and Laura Bavetta, Department of Planning; Chris Heyn, Laura Matyas, and Amy Barcroft, Development Review and Jim Almon, County Attorney's office.

**CALL TO ORDER/WELCOME**

Chair Wothers called the meeting to order at approximately 6:05 pm.

**ESTABLISHMENT OF QUORUM**

Laura Bavetta took attendance and noted that six members of the Board were present and a quorum was in attendance.

**PLEDGE OF ALLEGIANCE**

**REVIEW AND APPROVAL OF AGENDA**

On motion of Mr. Lester, seconded by Ms. Kirkner and carried, the Agenda was approved.

**ADMINISTRATIVE REPORT**

**A. ADMINISTRATIVE MATTERS**

Secretary Eisenberg reviewed the process for the meeting and how citizens should sign in to speak.

**B. OTHER**

There were no other comments.

**SPECIAL REPORT**

SUBJECT: The Beaty Property

LOCATION: 1701 Bennett Road, Eldersburg, MD 21784; E.D. 5

OWNER: Long Meadow Farm 21784 LLC, 741 Klees Mill Road, Westminster, MD 21157

DEVELOPER: St. John Properties, 2560 Lord Baltimore Drive, Baltimore, MD 21244

SURVEYOR: DDC, Inc. 192 East Main Street, Westminster, MD 21157

ZONING: R-40,000 (7.4 acres) / R-20,000 (80.2 acres) / I-1 (33.4 acres)

ACREAGE: 120.9407 acres  
WATERSHED: Liberty Reservoir  
FIRE DISTRICT: Sykesville  
MASTER PLAN: Residential Medium & Commercial High–2018 Freedom Community Comprehensive Plan

**PRIORITY**

FUNDING AREA: Freedom

**DESIGNATED**

GROWTH AREA: Freedom

**SEWER/ WATER**

DISTRICT: Freedom

❖ **Action Requested:**

The plan is before the Planning and Zoning Commission by request from the developer for consideration of the developer’s master plan for the Beaty Property. **No action is requested.**

❖ **Existing Conditions:**

Five parcels comprise the 121-acre subject site. Three zoning districts, coinciding with adjoining properties’ zoning, split the property into two distinct residential zones and one industrial zone. Across Bennett Road to the north lies Quincy Station subdivision, recorded in 1994. Adjoining to the northeast is the R-20,000-zoned Wilson Farms subdivision, approved in 2015. To the south and lies the 1961 Long Meadow subdivision in the R-20,000 zoning district. To the west along Progress Way lie single-tenant and multi-tenant buildings in the I-1 zoning district. To the west along Londontown Boulevard lie commercial and retail businesses in the I-1 and C-3 zones.

The property is in the existing water and sewer service areas. The 2018 Freedom Community Comprehensive Plan includes Georgetown Boulevard extended as a Planned Major Street connection from Georgetown / Londontown Boulevard to Progress Way. A stream and its forested banks bisect the property from west to east.

❖ **Review:**

The developer, St. Johns Properties, is actively engaging in community outreach opportunities to present their proposal. On March 9, 2022, they participated in Commissioner Rothstein’s morning and evening Town Hall meetings. The plan is before the Planning and Zoning Commission, at a public meeting, for information and consideration of St. Johns Properties’ master plan. On February 22, 2022, a plan was submitted to the County with request for informal comment. A Traffic Impact Study has been submitted to the County and the State Highway Administration for technical review.

For consideration, the following are select agencies’ collective comments in response to the developer’s master plan for the Beaty Property:



1. The extent of roadway and neighborhood inter-connectivity is appreciated. As previously noted, there is still some concern regarding impacts to Bennett Road, but the traffic impact study will quantify any issues to be resolved.
2. Sidewalks and walking paths are encouraged to provide bicycle and pedestrian options. Examples include:
  - a. Connecting to existing sidewalk along Bennett Road.
  - b. Providing walking paths within the community.
  - c. Connecting to adjoining neighborhoods.
  - d. Connecting to retail and commercial destinations.
3. Streetscapes should complement existing neighborhoods and promote a sense of community. Examples include:
  - a. Siting structures with front elevations parallel to roadways.
  - b. Liberal use of landscape features to enhance the aesthetics of the community.
4. Geometry of the planned major street extension of Georgetown Boulevard shall accommodate safe and uninterrupted traffic movement.
  - a. The 90 degree turn at Georgetown Boulevard and Progress Way is not acceptable; realign to allow uninterrupted movement.
  - b. The horizontal curve of Georgetown Boulevard near Londontown Boulevard shall comply with the Collector roads minimum in the DPW Manual.
  - c. The extension of Georgetown Boulevard is to be the same typical section as existing Georgetown Boulevard; a Major Collector with a median.
  - d. Georgetown Boulevard shall be designed to accommodate a WB-67 truck.
  - e. Intersection spacing requirements must be addressed.
5. It is understood that the developer is seeking to phase the development. Phase One should include public infrastructure for the entire Beaty Property.

**Discussion:**

Laura Matyas presented the staff report.

Tom Pilon and Matt Taylor, St. John Properties, were present.

Mr. Pilon and Mr. Taylor presented the potential development plan for the Beaty Property. The presentation illustrated existing business parks St. John Property has developed in other parts of Maryland as well as the potential proposal for this project.

Ms. Kirkner expressed concern regarding traffic funneling onto Bennett Road.

Mr. Lester expressed concern regarding traffic and congestion in the area.

Chair Wothers thanked the developers for presenting to the Commission and the public early in the process to gain insight and feedback for the potential plan going forward.

**PUBLIC COMMENT**

J. Brooks Leahy, Attorney representing the Beaty Family, reviewed the zoning history of the property.

Fadra Nally, citizen, is against the project and urges the county to reconsider the land use for the Beaty farm.

Stephen Debreceny , citizen, stated the proposal is not as objectionable as other proposals that have been discussed. Mr. Debreceny feels there are opportunities to work with the developer.

Jeff Sturgess, citizen, is against the project. Mr. Sturgess is concerned about the last few large parcels of land in the area that are being developed. Mr. Sturgess is concerned about the environmental impact, the stream area and open space.

Denton Gosnell, citizen, states the property for the circle will go through his property. Mr. Gosnell is concerned about environmental safety and the runoff.

Karen McFarland grew up in the area and has family in the area. Ms. McFarland is against the project and is concerned about the environmental impact.

Joyce Klein, citizen, is against the project. Ms. Klein stated the sentimental impact and environmental impact on the area.

Phil Martin, citizen, is against the project. Mr. Martin is concerned about the environmental impact and impact on his property.

Barb Nolan, citizen, is against the project. Ms. Nolan is concerned about the impact on her property and the traffic and runoff.

W. Grant Tait, citizen, is concerned about the roads, stream, water and sewer.

Mark Krebs, citizen, is against the project. Mr. Krebs is concerned about traffic.

#### **GENERAL PUBLIC COMMENT**

There was no public comment.

#### **ADJOURNMENT**

On motion of Mr. Hoff, seconded by Ms. Kirkber and carried, the Commission adjourned at approximately 7:20 pm.

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Secretary

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Approved

HB 131 (Housing Development Permit Applications - Local Reporting Requirements) passed and sent to the Governor.

With respect to bills related to cannabis:

HB 805 (Licensee Locations Restrictions) was passed and sent to the Governor.

SB 399 (Advertising - Prohibited Locations) failed.

With respect to other bills:

HB-991 Food Processing Residuals Utilization Permit passed and was sent to the Governor. This bill requires a person to obtain a *food processing residuals utilization permit* at any site where residuals are being used in conjunction with an agricultural operation.

## **SPECIAL REPORT**

**SUBJECT:** S-23-0027 – Eldersburg Overlook Retirement Village  
**LOCATION:** South side of Bennett Road, east of Progress Way; C.D. 05  
**OWNER:** Long Meadow Farm 21784 LLC, 741 Klees Mill Road, Westminster, MD 21157  
**DEVELOPER:** St. John Properties Inc., 2560 Lord Baltimore Drive, Baltimore, MD 21244  
**SURVEYOR:** DDC, Inc. 192 East Main Street, Westminster, MD 21157  
**ZONING:** R-20,000  
**ACREAGE:** 58.69 acres  
**WATERSHED:** Liberty Reservoir  
**NO. OF UNITS:** 156 age restricted units  
**FIRE DISTRICT:** Sykesville Freedom District Fire Company  
**MASTER PLAN:** Residential Medium – Freedom Community Comprehensive Plan 2018  
**PRIORITY**  
**FUNDING AREA:** Freedom  
**DESIGNATED**  
**GROWTH AREA:** Freedom

### **❖ Action Required:**

The plan is before the Planning and Zoning Commission per Chapter 158.161 for review of the site development plan and traffic study, and determinations regarding density, exterior design, and site layout. Code requires the Commission’s review and determinations prior to a hearing before the Board of Zoning Appeals with a request for a conditional use for a retirement village. **Action is required.**

### **❖ Existing Conditions**

The subject property is one of four parcels which collectively are recognized as the “Beaty Property.” The subject property is 58.69 acres and is currently undeveloped. The northern portion of the property is comprised of mostly open meadow, with the southern portion mostly consisting of environmental features; a stream, steep slopes, non-tidal wetlands, and wooded areas. There is a stream which crosses the property, but no 100-year floodplain designations are located on the property. To the east, the property abuts the existing Wilson Farms and Long Meadow subdivisions. Properties to the west consist of commercial-and industrial-zoned properties. The northern and southern adjoining properties are also owned by the same entity (Long Meadow Farm 21784 LLC) and have plans in process for single-family residential developments. The subject property and all adjoining properties lie in the Existing / Final Planning Water and Sewer Service areas.

❖ **Project History:**

On March 9, 2022, morning and evening Town Hall meetings were held by Commissioner Rothstein to invite conversation as it relates to the “Beaty Property” with the developer. During these meetings, discussion focused on environmental impacts and traffic. An email was received prior to this meeting which stated opposition to the development (email attached).

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❖ **Plan Review:**

On November 16, 2023, an initial site development plan for the subject property was submitted to the Bureau of Development Review and distributed to technical review agencies. The developer proposes to construct 156 two-story townhouse units in the Eldersburg Overlook retirement village. All units are proposed as attached and are shown in groups which vary from 4–5-unit buildings. The building locations are within the northern portion of the subject property, with half proposed between the industrial-zoned property and Bennett Road and the other half proposed between the industrial-zoned property and the existing subdivisions to the east. Sidewalks are proposed throughout the site with connectivity throughout the “Beaty Property.”

Also proposed is the construction of a 1-story clubhouse with outdoor seating/pool and independent parking. The clubhouse is shown as being centralized between the units proposed and will be accessed directly from Road E.

A Retirement Village is a conditional use in the R-20,000 Zoning District requiring Board of Zoning Appeals authorization. Prior to BZA review, the Planning Commission shall review the site development plan and traffic study, and make determinations regarding density, exterior design, and site layout.

**§ 158.161 RETIREMENT VILLAGE.**

The authorization of conditional use for a retirement village shall be subject to prior concept site development plan and traffic study review and determination of density, exterior design, and site layout by the Planning Commission. The determination of density shall not be increased at any subsequent site plan reviews.

The Zoning Code states the bulk regulations and density in a retirement village in the R-20,000 Zoning District shall be determined by the Planning Commission, and the maximum allowable density “shall not exceed three and one-half dwelling units per acre [...]” The development is on a property with an area of 58.69 acres. The maximum density at a ratio of 3.5 units for every acre would be 205 units. This plan proposes 156 units. Setbacks are depicted as 40-foot from the northern and eastern property boundaries and 50-foot on all other boundaries.

**§ 158.075.03 RESIDENTIAL DISTRICTS: BULK REQUIREMENTS.**

**(C) Exceptions.**

(2) The bulk regulations and density in a retirement village shall be established by the Planning Commission at the time of initial site plan review. The maximum allowable density in the R-20,000 district for a retirement village shall not exceed three and one-half dwelling units per acre, and shall not be increased at any subsequent site plan reviews.

The development proposes a road network on the property which is to be privately owned and maintained. Access to the site will be via Bennett Road, with two emergency-only access points connecting to the proposed industrial-zoned development to the west. Parking requirements for age-restricted adult townhouses are 2 spaces for each dwelling unit with additional parking for overflow/guest parking being required at the discretion of the Planning Commission. Each unit has a garage and a private driveway provided and additional parking areas have been proposed throughout the retirement village. Parking requirements for a community center equal 1 space for every 3 persons based on maximum capacity. Maximum capacity will need to be provided as well as a parking tabulation.

A traffic impact study was required and submitted to the County for all four parcels/projects comprising the “Beaty Property.” The study determined that the combined impact of the four proposed projects would in total impact the intersection capacity of MD Route 32 & Bennett/Johnsville Road, Md Route 32 and Progress Way, and MD Route 32 and Londontown Boulevard. The developer has proposed mitigation improvements to each of the three intersections and the County and Maryland State Highway Administration have approved the concept design of the mitigation.

Building elevations are included in the plan set. Proposed colors include tan, brown, blue, and gray with white trim and garage doors. Although materials are not yet annotated, the rendering appears to depict siding, stone veneer, and asphalt shingled roofs. Decorative garage doors, trim details, rooflines, shutters, light fixtures, and custom windows adorn the facades. Street lighting is proposed throughout the development. The detail provided within the plan set (sheet 23) depicts pole-mounted lights roughly 16’ in height.

On April 2, 2024, the Design and Architectural Review Committee (DARC), an advisory group, met to review the project. Their comments are as follows:

1. With only front elevations provided for residential units, it is unclear what the neighboring subdivisions will view as they will see the rear of the structure.
2. The residential units look identical to one another. Questioned if there were plans to visually distinguish the units to help residents to find their unit. Recommended varying the front elevations or color.
3. Elevation shows steps into main entrance – best practice for age-restricted community?

The subdivision plan was subject to citizen involvement on December 18, 2023 during the Technical Review Committee meeting. Two emails were received prior to the meeting regarding the proposed Road A connection onto Bennett Road, as well as the density of the development and the cemetery located on the “Beaty Property” (emails attached). During the meeting, three citizens signed in and provided feedback. Two citizens asked questions/voiced concern regarding the cemetery. The remaining citizen questioned the proposed private Road A and whom would be permitted to use this roadway. After the meeting, a phone call was received from one area citizen who voiced concern over traffic generated from this development impacting Bennett Road.

Staff and the Developer are seeking determinations from the Commission specific to density, exterior design, and site layout. Following determinations from the Commission, the conditional use request may be heard by the Board of Zoning Appeals. The concept development plan is in the technical review process and the plan will be back before the Planning and Zoning Commission for review and consideration of a concept plan.

Mr. Becraft presented this special report. Also present were Ms. Kelly Shaffer-Miller, Mr. Matt Taylor, Ms. Ali Phillips, and Mr. Thomas Pilan on behalf of St. John Properties, Inc; Mr. Kevin Scott from NVR. Ms. Jackie Chandler and Mr. Kyle Schmid with Traffic Concepts; Mr. Jim Mathias for DDC (Development Design Consultants); Brooks Leahy on behalf of the property owner; and Ryan Langrehr from Century Engineering. Mr. Becraft stated that this project is being presented as a special report and per the Zoning Code, this must come before the Planning and Zoning Commission prior to going before the Board of Zoning Appeals.

### **Discussion**

Mr. Soisson asked if there will be room for residents to park their car or visitor’s car(s) in front of the garage.

Ms. Shaffer-Miller responded that the driveway will be 19 ft. to the sidewalk so there will be space for additional parking at each unit.

Mr. Robertson asked if there is street lighting, since he had heard there will be no street lighting.

Ms. Shaffer-Miller explained that there will be street lighting and it has been proposed in the project.

Mr. Robertson asked how many people would be expected to be in each unit.

Mr. Scott responded that the units are two-bedroom units with an optional third. So rarely would there be more than two people in each unit. There is a deed restriction that states the owner(s) must be 55 or older.

Ms. Kirkner responded that while this is a senior community, they do normally allow children and grandchildren to visit the resident.

Mr. Lester asked if Oklahoma Rd. and Bennet Rd. were included in the traffic impact study?

Ms. Shaffer-Miller said that the study did include those roads.

Mr. Robertson asked how the public would be restricted from the two emergency-only access points.

Mr. Pilan explained that since the project began, there has been feedback on access to the community. There will probably be a gate on the two emergency accesses that will be triggered by the emergency vehicles themselves. The community and the County requested to limit access to the community so that is why there is only one point of public access to the community.

Mr. Robertson asked why there was not a two-lane entrance and two-lane exit access to the site.

Mr. Pilan explained that the access road is 30 ft. wide, which creates an entrance and exit lane of 15ft. each. The average is 11 to 12 ft. per lane.

Ms. Kirkner said that a few of the Planning Commissioners spoke with Secretary Daly about mitigating traffic in and out of the project and stated that there will be an opportunity to look at options in the process of reviewing the plan.

Mr. Lester asked if there is a better location along Bennett Road for the access to this site.

Mr. Pilan stated that after studying all locations for access, the one shown is the best access point for this project.

### **Public Comment**

Madison Ehrenberger was the first citizen to speak on the proposal. Ms. Ehrenberger's concern about the project was the impact on the environment, especially the impact on the Red Fox and turtles at the proposed project area. Brought to the meeting was a petition with 81 signatures requesting not to build on the property. The petition was distributed to the Planning and Zoning Commissioners for review. It was briefly stated that the project would impact the schools and the people who live and work around the proposed development.

Jessica Lam at 1700 Bennett Rd said that they live right across from the proposed access to the development and that it is not in line with their religious belief, and they are not in favor of the development.

Ms. Shaffer-Miller responded to the citizens' comments that this project was designed to maximize preservation of the environmental features. It also was stated that since this is a 55+ community, it would not impact the schools and their capacity.

### **Decision**

On motion of Mr. Kane, seconded by Mr. Soisson and carried, the Planning and Zoning Commission per Chapter 158.161 approved the site development plan and traffic study and determinations in regard to Density, Exterior Design and Site Layout for Eldersburg Overlook Retirement Village (S-23-0027), knowing that the code requires Commissioners' reviews and determinations prior to a hearing before the Board of Zoning Appeals to request a conditional use for a Retirement Village.

## **SPECIAL REPORT**

**SUBJECT: P-23-0056 – Reservoir Run**

**Tax Map/Block/Parcel**  
**No. 73-6-247 & 246**  
**Case 6502**

**OFFICIAL DECISION**  
**BOARD OF ZONING APPEALS**  
**CARROLL COUNTY, MARYLAND**

**APPLICANT:** St. John Properties, Inc.  
2560 Lord Baltimore Drive  
Baltimore, MD 21244

**ATTORNEY:** Kelly S. Miller, Esq.  
Shaffer, Miller & Hurff, LLP  
73 E. Main Street  
Westminster, MD 21157

**REQUEST:** A request for a conditional use for a Retirement Village.

**LOCATION:** The site is located at Bennett Road/1701 Bennett Road, Sykesville, Maryland on property zoned "R-20,000" and "I-1" Residential District 20,000 and Light Industrial District in Election District 5.

**BASIS:** Code of Public Local Laws and Ordinances, Sections 158.075.01; 158.075.03(C)(2), 158.002, and 158.161.

**HEARING HELD:** May 28, 2024

**FINDINGS AND CONCLUSION**

On May 28, 2024, the Board of Zoning Appeals (the Board) convened to hear a request for a conditional use for a Retirement Village. Based on the testimony and evidence presented, the Board made the following findings and conclusions.

Counsel for the applicant asked that the site plan filed with Development Review be made a part of the Board's file, and her request was granted. A site plan was submitted on April 16, 2024 to the Planning Commission. The conditional use request for this case involves the retirement village and not the other uses for the property.

Thomas Pilon testified for the applicant. He is an Executive Vice President for Development for St. John Properties, Inc. The company is involved in commercial development. The retirement village is noted in the darkest portion of Exhibit 2. It is also noted in the brown shaded area in Exhibit 1 as Eldersburg Overlook. The property is currently farmland. On November 16, 2023, an initial site development plan for the subject property was submitted to the Bureau of Development Review and distributed to technical review agencies. There is a stream in the middle of the property. This project meets the definition of a retirement village in section 158.161. The retirement village will be accessed by Bennett Road. The Planning Commission approved a density for the retirement village of 156 units for the two-story



townhouse units.. The retirement village would be restricted to people over the age of 55 years old. He anticipates that it would be a gated community. The intent would be to not have traffic going through the neighborhood. The streets would not be maintained by the Carroll County Roads Department. This case comes to the Board after the density has been established by the Planning Commission. The authorization of conditional use for a retirement village shall be subject to the prior concept site development plan and traffic study review and determination of density, exterior design, and site layout by the Planning Commission. Based on the minutes of the April 16, 2024 meeting, the Planning Commission approved the site development plan and traffic study and determinations in regard to Density, Exterior Design and Site Layout for Eldersburg Overlook Retirement Village. Exhibit 5. The County and State required the extension of Georgetown Blvd. and Progress Drive.

James Mathias testified for the applicant. He was accepted by the Board as an expert in land use planning and site design. He worked on the site plan on this project. He stated that the townhouse units would have garages. Most of the units would have two bedrooms, but some could have three bedrooms. There is a community center shown on the plans. There would be two parking spaces for each residential unit. There would be more than one hundred parking spaces at the clubhouse. The retirement village would have private roads maintained by the condominium association. Such maintenance is typical for retirement communities in the county. Mr. Mathias was present at the April 16, 2024 Planning Commission meeting.

Jackie L. Chandler testified for the applicant. She was accepted as an expert in traffic consulting and planning. She is a Project Manager and Transportation Planner. She provided traffic engineering consulting services on the project. She was involved in the site plan process. The traffic study deals with the whole Beaty Farm and not just the retirement village. The study considers all four uses at the Beaty Farm. An initial traffic study was performed in June 2022. A revised study was approved in January 2024. See Exhibit 8. She also mentioned that retired individuals do not drive during peak traffic hours. She stated that the Traffic Mitigation Proposal was approved by the Carroll County Department of Public Works and the State Highway Administration. The proposal met all of the requirements of the County and the State.

Heidi Condon testified as the owner of the property. She was a representative for the Long Meadow Farm 21784, LLC. Her father purchased the property in 1958. He was a builder. Her dad believed that he could get 900 units on the property. She brought with her Exhibit 9, a letter from J. Brooks Leahy, Esq., an attorney for the company. The letter provides the history of the property.

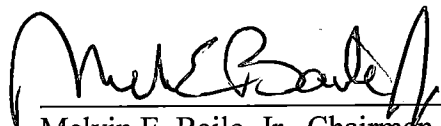
Christopher Chausse testified about the project. He noted that the retirement village did not have through streets. He believed that that would mean more traffic at the Long Meadow subdivision. The Long Meadow subdivision does not have sidewalks. Children do walk to school. The speed limit on Long Meadow is 25 mph.

A May 14, 2024 memorandum from the Department of Planning and Randolph Mitchell, Planning Technician, stated that the staff finding was that this request is consistent with the *2018 Freedom Community Comprehensive Plan* and would not have an adverse effect on the current use of the property.

The Board was convinced that authorization of the request for a conditional use was consistent with the purpose of the zoning ordinance, appropriate in light of the factors to be considered regarding conditional uses of the zoning ordinance, and would not unduly affect the residents of adjacent properties, the values of those properties, or public interests. Based on the findings of fact made by the Board above, the Board found that the proposed project would not

generate adverse effects (i.e., noise, traffic, dust, water issues, lighting issues, property depreciation, etc.) greater here than elsewhere in the zone.

May 30, 2024  
Date

  
Melvin E. Baile, Jr., Chairman

Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court for Carroll County within 30 days of the date of the decision pursuant to Land Use Article, Section 4-401 of the Annotated Code of Maryland.

Pursuant to Section 158.132 (E) of the County Code, this approval will become void one year after the date of issuance if the construction or use for which the certificate was issued has not been started. **Contact the Office of Zoning Administration at 410-386-2980 for specific compliance instructions.**

Pursuant to Section 158.133(H)(3) of the County Code:

(3) **Approvals.**

(a) If the application is approved by the BZA which does not require a **site plan**, the approval shall become void unless a building permit conforming to the plans for which the approval was granted is obtained within six months.

(b) An approval for which a building permit is not required shall become void unless the use or variance is implemented within one year of the date of the written decision.

(c) An approval for which a **site plan** is required shall become void unless the concept **site plan** has been submitted for distribution to the reviewing agencies and accepted by the Bureau of Development Review, or its success agency, within six months from the date of the written decision. An approval for which a **site plan** is required may become void if the property owner or developer fails to take action to secure an approval of the **site plan** from the Planning Commission in a timely manner, as determined by the Bureau of Development Review.