



Newsletter

Volume 2, Issue 3

Fall 2004

POST OFFICE MAY STAY! New Developer Offers Upscale Design for Fuel, Food, and Possible Post Office Use

Kenneth Muller, noted for his development of the waterfront in Chesapeake Beach and North Beach, has developed a new plan for the commercially zoned lot on the southwest corner of the Harwood Road and Route 2 intersection. In place of Eastern Petroleum's original proposal for the site, the developer has worked with an architect to create an attractive brick edifice with dormers and skylights that will house a convenience store, a sandwich shop, a car wash, and possibly a new post office in addition to the Eastern Petroleum retail gas product.

At a meeting with the Harwood Civic Association Board on September 13, Mr. Muller shared architectural drawings depicting the planned building and showed how the building could easily be subdivided to include adequate space for housing a new post office. "I have been in contact with the United States Postal Service and we have begun discussions on the possible leasing of space. We hope that this will resolve the dilemma for both the Harwood residents and the USPS," he said.

HCA Statement on Proposed Anne Arundel County Zoning Ordinance Changes August 2004

The following has been presented by the Harwood Civic Association in support of testimony to the Anne Arundel County Council regarding proposed zoning changes:

- The new code ought to have some sort of introductory statement of principles that acknowledges the enormous and unique citizen effort that went into the creation of the General Development Plan (GDP) and the 16 Small Area Plans. The code should reference these documents and commit to being the implementation tool to carry out their ideas.
- The draft fails to deal with the commitment to agricultural land preservation. The current program is stalled with only 25% of the goal having been reached. The outlook for future progress based on purchase of easements is poor. The zoning code seems an appropriate and timely opportunity to introduce concepts like Transferable Development Rights (TDR'S). Pending legislation affirming agricultural rights represents a modest additional tool in this area.
- Family Conveyance. The Harwood Civic Association strongly supports the elimination of Family Conveyance being proposed by the county as part of the comprehensive zoning code revision or, at the very least, adoption of the principals in Appendix 4 of the South County Small Area Plan that would restrict Family Conveyance to owners of record as of 1981 and the incorporation of strong enforcement provisions. Family Conveyance, as currently structured in Article 26, Section 4-301 of the County Code, does not meet its intended purposes of permitting farmers to provide homes for children to help run the farm or of compensating landowners whose holdings were down zoned to one house per 20 acres in 1981. Moreover, as the County has stated, it is unenforceable. Additionally, a language conflict between Article 26, Section

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Letter from the President -

Zoning Out

This issue has lots of stories about zoning and hearings and meetings. Why? It seems that the County Executive and the County Council are realizing that unless something is done soon, the zoning laws and permitting processes are going to be so broken as to be un-repairable. Without strong laws and observances, what is left of the open space in South Anne Arundel County is going to pretty much look like Route 2 in Glen Burnie.

Don't get us wrong. We are not against growth. Our county needs growth in jobs, revenues and services. We want to see Anne Arundel County hold its place as one of the premiere areas for living in the United States. But we also don't want to see the paving of our farmland or the county becoming one giant suburb of housing developments.

The time for smart growth planning has been here for several years and the window of opportunity to keep our community open and beautiful is diminishing daily. Action is needed urgently. That is why members of the board testified at the recent Council meeting about issues as diverse as cultural heritage, landfills, family conveyance, farming rights, and water rights issues.

We hope that you will take the time to read each of the articles in this issue and take a few moments to reflect on how you can help us keep the rural feel of our community. It is up to you to keep our elected official from zoning out on our interests.

Joan Turek, President
Harwood Civic Association

Public Meeting on Harwood Landfill Scheduled

By Mike Lofton

The Maryland Department of the Environment will hold an Informational Meeting on Wednesday, November 3, 2004 at 7PM in the Southern High School auditorium concerning plans to discharge 171,000 gallons of water per day from the PST landfill on Sands Rd in Harwood.

Many critical questions remain about the future impact of this landfill on the air we breathe and water we drink. Although the decline in truck traffic may lead residents to think the worst is over, the greatest risks likely are ahead. The dump received waste from all over the East coast for over 10 years with no meaningful monitoring of the waste stream for most of that period. The landfill operated without a liner and leachate collection system now required at these facilities.

In addition to concerns about our drinking water, sewage sludge has been approved for application on the surface of the site and methane gas is being discharged from a series of vents into the decomposing material dumped there. No one seems to know what the long-term monitoring plans are or what uses may take place at the site.

State and local officials are expected to attend this meeting. You should too! Residents of Harwood need to insist that every possible technique be used to protect our health!

Please attend.

Harwood History Event – Historic Success

The July 15th meeting of the Harwood Civic Association at Christ Church Parish Hall in Owensville featured a presentation by HCA member Donna Dudley who also serves as Executive Director of **Four Rivers: The Heritage Area of Annapolis, London Town and South County**. The association preserves and interprets local history through heritage area partnerships and promotes tourism by inviting others to experience the places, artifacts, resources, and activities that authentically represent the stories and people of the past and present. The association has sponsored South County Sundays and the award-winning audio travelogue historical tour CD and interpretive map of South County. Future activities include a new history explorers' map and travel guide to Four Rivers and a new "history by the water brochure". Non-profit heritage related organizations within the heritage area are eligible for low interest loans and other funding sources for developing new heritage related activities.

Following Ms. Dudley's presentation, the assembled HCA members discussed creation of a historical society, initially under the auspices of the HCA, to explore and preserve Harwood's heritage. An initial planning meeting will be held at Joan Turek's home November 10, 2004 at 7:00 p.m. Many of those attending indicated an interest in participating in this activity. If you plan to attend the planning meeting, please call Joan Turek at 410-867-0715 or email her at jlturek@aol.com.

HCA Statement *(continued from page 1)*

101and Section 4-302 allows for multiple interpretations and confusion. As a result of all of these factors, Family Conveyance has unintentionally become a major force promoting development in South County.

- Landfills. Astonishingly, the draft code continues to permit commercial landfills in RA zones despite calls for elimination in the South County Small Area Plan unanimously approved by the County Council and signed by the County Executive. The current County Solid Waste Plan specifically notes the absence of need for such facilities. At this time citizens are facing two more large landfills in spite of attempts by county officials to fend them off.
- Impact fees. New residential development continues to generate demand for expensive public services that are not covered by existing impact fees. Added costs are transferred to existing residents in the form of higher taxes or a shared degradation of services.
- Mega facilities. The draft permits ultra large facilities in RA zones. This approach seems inconsistent with much hyped efforts to contain sprawl development. Massive additions of impervious surfaces, increased vehicle traffic and more demand for related public services seem illogical. While the search for lower cost land is the obvious motivation of those charged with siting these facilities, the added costs are borne by others. The County should discourage this use in RA zones and instead find incentives to locate these uses in areas with existing public facilities.
- Noise and Hours of Operation. Several obnoxious uses are permitted by “Special Exception” in RA zones. There is no consistency as to limits on noise or hours of operation on these uses. It seems reasonable that all these uses should be subject to the same (most restrictive) limitations.

Specific concerns:

- Sec. 27-4-301 Declares RA minimum lot size to be 40,000 sq ft and permits 25% lot coverage. Cluster development may have lots as small as 20,000 sq ft.
- Sec. 27-11-131 Continues to permit commercial landfills in spite of explicit public policy actions by the County Executive & Council to the contrary. A separate detailed statement is submitted on this subject.
- Sec 27-11-133 Wood composting operations are permitted as a “Special Exception” use in RA zones. Prior experiences with these processes have been disastrous. Anne Arundel County & Howard County jointly operated a facility near Dorsey that was finally closed due to the inability of the operator to control noxious odors. Unless & until there is proven practice for this activity it should not be permitted.
- Sec 27-11-148 Rubble processing facilities are permitted as a “Special Exception” use in RA zones. These facilities will draw large tractor-trailers on to rural roads unsuited for their use. There are no limits on hours of operation.
- Sec 27-11-150 Solid Waste Transfer stations are not listed on the special exception chart showing which zones are targeted.

What can you do?

- **Read the bills. Online at www.aacounty.org**
- **Contact Councilman Ed Reilly**
44 Calvert St
Annapolis, MD 21401
410-222-1401
410-721-2461
ereilly@aacounty.org
- **Contact County Executive Janet Owens**
44 Calvert St
Annapolis, MD 21401
410-222-1821
countyexecutiveowens@aacounty.org

HCA TREASURERS REPORT

9/30/2004

1. Balance as of January 01, 2004	\$2054.22
2. Income thru 6/30/04	\$2010.00
3. New Income	
a. Membership Dues	\$ 70.00
b. Admission Fees	\$ 30.00
Total Income	\$2110.00
4. Expenses thru 6/30/40	\$ 344.10
5. New Expenses	
a. Postage	\$ 51.80
b. Printing	\$ 77.18
c. Food and Beverage	\$ 69.42
d. Gift for Speaker	\$ 7.86
Total Expenses	\$ 550.36
6. Balance as of September 30, 2004	\$3613.86

Note from the Treasurer: *As with prior years, the major expenses of the organization occur in the last quarter.*

Impact of Family Conveyance on Rural Areas in AA County

Excerpts from a report prepared by Earl Bradley, Technical Director, and Joan Turek Ph.D, Chair of the Board of Directors of the South County Exchange

Introduction

Anne Arundel County is undertaking a comprehensive revision of its subdivision and zoning regulations. The county is proposing to abolish its family conveyance program and replace it with bonus lots for owners of 50 or more acres. There is both strong support for and opposition to the county's proposal. The family conveyance program allows owners of property in the residential agricultural (RA) district to subdivide land for family members in addition to the lots they are otherwise allowed to create at a density of 1 home per 20 acres. The South County Exchange, which is dedicated to preserving the rural character and quality of life in South County, conducted a study of completed family conveyances undertaken since 1996 when this program was changed to require owners to hold the property for at least 5 years before it could be sold outside the family. Lots were also required to be transferred to the designated family member within two years of the date of the family conveyance subdivision.

Public information available over the Internet and a list of completed family conveyances obtained from the Office of Planning and Zoning were used to undertake this study. Of principal interest to the Exchange was the how the family conveyance program affected the rural character of areas now zoned residential agricultural (RA) in Anne Arundel County. The intended purposes of family conveyance are to permit farmers to provide homes for children to help run the farm or to compensate landowners whose holdings were down zoned to one house per 20 acres in 1981. Of secondary interest was whether property owners were abiding by the provisions of the family conveyance program.

Major Findings

The principal finding of this report is that subdivision of land through family conveyance is altering the rural character of lands zoned residential agriculture creating developments more characteristic of suburban residential areas. Family conveyance is not serving its intended purpose of permitting farmers to provide homes for children to help run the farm. Specifically:

- Since 1996, nearly 2,900 acres of land were subdivided using family conveyance.
- Ninety-one parcels were converted to 317 parcels.
- Without family conveyance, an additional 67 parcels could have been created.
- The median size lot fell from 25 acres to 3.1 acres. The average lot size fell from 31.5 acres to 8.9 acres. However, because the distribution of lots is

highly skewed the average is not a good measure of central tendency—over 76% of the new lots created were smaller than 8.9 acres.

- The lots created through family conveyances are more characteristic of suburban residential areas than rural areas. One-half of the lots created are 3.1 acres or less in size; 65.6% are less than 5 acres;
- Only 10.7% of the lots created are greater than 20 acres or more in size. The RA district normally requires a density of 1 house per 20 acres.
- Nearly 20% of the family conveyances created five or more lots—the largest created 13 new parcels from the original property.
- The majority of properties subdivided through a family conveyance did not involve large farms. In nearly half of the cases, the original property was already 25 acres or less in size; 77% of the original properties were less than 40 acres in size.
- Since over half of the lots created by family conveyances completed since 1996 do not have homes on them, the true impact of these family conveyances on the character of the RA zones in which they are located is not apparent.
- Many of those who have utilized family conveyances appear to meet the letter of the law, however, some fail to transfer their land as required within 2 years and a few have sold to a third party before the 5 year holding period is over. For some, no information was available.
- It is difficult to determine whether the time restrictions regarding the transfer of lands to designated property owners within two years or their sale before five years have been violated since such transactions are only recorded as a normal transfer of property with no viable enforcement mechanism.
- It is very difficult to enact penalties on violators even if discovered because if homes have begun to be built, innocent homeowners are more likely to be adversely impacted than the person violating the family conveyance provisions.

Conclusions

Subdivision of land through family conveyance is altering the rural character of lands zoned residential agriculture creating developments more characteristic of suburban residential areas. Family conveyance is not serving its intended purpose of permitting farmers to provide homes for children to help run the farm. Given these facts, and the inability of the county to adequately monitor this program, the proposal to eliminate Family Conveyance being proposed by the county as part of the comprehensive rezoning should be adopted. The proposed subdivision regulations incorporate many of the exemptions from the full engineering and design requirements if the property is a minor subdivision (5 lots or less).

*Contact Joan Turek if you would like a copy of the full report.
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THE HARWOOD CIVIC ASSOCIATION

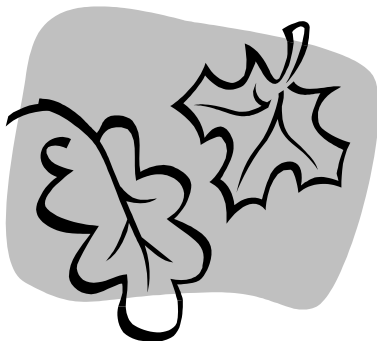
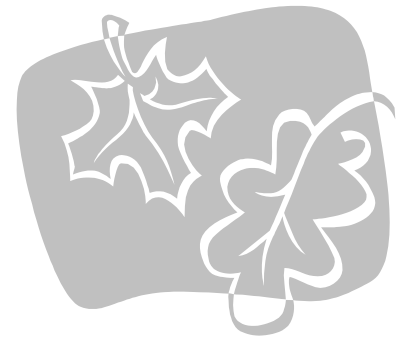
Presents

Harwood Harvest

*An afternoon of fabulous food, important information and good company
just for members of the Harwood Civic Association!*

**Sunday
November 7, 2004
1:00 p.m. – 4:00 p.m.**

12th Precinct Pistol and Archery Club
450 Harwood Road
Harwood, Maryland



- State Representative Bob Costa, Guest Speaker
- Free hamburgers, hotdogs, chips and beverages
- A demonstration of indoor archery and air pistol target shooting by 12th Precinct Club members
- Door prize
- Meet your neighbors and other members

Bring a covered dish to add to our pot luck buffet!

There is no admission charge to members of the HCA but your RSVP is requested. Call Event Chair Mike Stricker at (410) 867-0389 or Joan Turek President at (410) 867-0715 for more information or to respond. Or respond via e-mail to HarwoodCivic@aol.com

Members are encouraged to bring potential new members for the HCA to the event. Membership applications and dues will be accepted at the door in lieu of admission for non-members.

Member Profile – **Dick and Jane’s Farm**

The last weeks of October bring fun things to do at Dick and Jane’s Farm, the roadside produce stand and nursery on Solomon’s Island Road in Harwood. For instance, there is a maze constructed from wood pallets and corn shucks that will keep children (and adults) turning in all directions trying to figure a way out. There are pumpkins – some so huge it will take three people to lift them, some looking like Cinderella’s coach, some ghost like with white skins instead of orange, and plenty looking like great jack-o-lantern material. Groups of children can go on specially arranged for hayrides during the week. And there is always plenty of fresh produce from surrounding farms.

If the atmosphere at Dick and Jane’s Farm always seems friendly, that is because it is an enterprise born out of friendship. “A friend was growing flowers and needed a place to market them. That was twelve years ago,” explains Theresa Engblom, close family friend and employee. “The Bishops had a big wagon and filled half of it with flowers and the other half with vegetables and look how it has grown.” Richard and Jane Bishop own and operate the business with an eye to providing high quality food and flowers in atmosphere that feels like an old country store with gracious and friendly assistance from the employees. According to Engblom, the Bishops feel that this business and all they do should be a reflection of their faith and love for God and the people around them.

Customers have only a couple more weeks to enjoy the atmosphere, before the plants are winterized, the jelly house is closed, and the Halloween decorations are removed. Then Dick and Jane’s Farm lies dormant until the Spring when Easter flowers prompt a reopening. “This next spring will bring lots of new varieties of azaleas as well as the old standbys,” says Sandy Harner, daughter of the Bishops, as she looks up from tending one of the beautiful floral displays that attract customers into the shop. “Just like a plant, in the winter we may look like nothing is happening here, but we are getting ready for our next big blooming in the spring.”

Water Resource Meeting

Hosted by Councilman Ed Reilly

An Informational Presentation on

**“The Findings of the Governor’s Advisory
Committee on the Management and Protection of
the State’s Water Resources”**

October 26, 2004

7:00 p.m. – 9:00 p.m.

Southern High School Media Center

4400 Solomons Island Road
Harwood, MD

Meeting Purpose: To provide the community with information regarding the future of our water supplies.

Guest Presenter: Frank L. Wise, a local Health Department Representative

Technical Expertise: David C. Andreasen, MDNR Hydrologist, author of “Future of Water Supply from the Aquia and Magothy Aquifers in Southern Anne Arundel County” published in 2002

Please join Ed Reilly and other concerned Anne Arundel County citizens for an evening of information from experts on water resources.

It’s Harvest Time in Harwood!

The Harwood Civic Association announces that it will hold a fall event for its membership entitled "Harwood Harvest" on Sunday, November 7, 2004 from 1:00 to 4:00 p.m. at the 12th Precinct Pistol and Archery Club on Harwood Road. The event will provide HCA members the opportunity to meet local civic leaders while enjoying a picnic dinner with Harwood neighbors. This year's event will feature remarks from State Delegate Bob Costa, a question and answer session and a door prize for one lucky Harwood Civic Association member. The Harvest provides us a way to thank our members for their support throughout the year.

The event is open to all current members, as well as those who wish to join on site. Annual memberships cost \$15.00 for families and \$10.00 for individuals. Members are encouraged to bring a contribution to the pot luck buffet. Desserts and side dishes are especially needed.

For more information and to R.S.V.P. (very important to help us plan how much food to purchase), please contact the Harwood Civic Association by 3 Nov at (410) 867-0715 by phone or via e-mail at HarwoodCivic@aol.com. You may also call HCA Events Committee chairman Mike Stricker at (410)867-0389. Hope to see you there!

HCA CALENDAR OF EVENTS

HARWOOD HARVEST

NOVEMBER 7, 2004 1-4 P.M.

12TH PRECINCT PISTOL AND ARCHERY CLUB, 450 HARWOOD ROAD

Our annual member social event includes a great pot luck dinner, interesting guests and the opportunity to meet your neighbors in a friendly and relaxed environment. There is no charge for members, but bring a dish to share with your neighbors.

THE HARWOOD CIVIC ASSOCIATION ANNUAL MEETING

FEBRUARY 9, 2005, 7:00 P.M.

SOUTHERN HIGH SCHOOL, MEDIA CENTER
SOLOMONS ISLAND ROAD

Our annual membership meeting provides an opportunity for the membership to enact its agenda for the year, approve new officers, meet with elected officials, and hear important presentations on issues affecting the quality of life in Harwood.

THE HARWOOD CIVIC ASSOCIATION NEWSLETTER

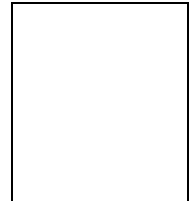
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