



# Westerlee Community News



A Proud Covenant Controlled Community

March, 2008

[www.westerleenews.com](http://www.westerleenews.com)

## From the President's Desk...



### WESTERLEE THREATENED BY ZONING CHANGES. YOUR ACTION IS NEEDED!

Zoning is a dry issue that many residents in Baltimore County rather not deal with. However, it affects all of us and we can't afford to turn a blind eye to it. Baltimore County tries to collect all zoning change applications in its big zoning change process (called CZMP) every four years. 2008 is a CZMP year!

There are four change applications directly in front of our doorsteps that your Westerlee Board discussed in detail and voted on (see also articles in previous Newsletters) Beyond these immediate issues is zoning case 031 in which a developer wants to convert 120 acres of protected Resource Conservation land into development land for offices and housing! This land is located between Johnnycake and Dogwood Road just east of the Patapsco Park and is one of the last large tracts of farmland in the southwest area of the county not located in a park. This change should never happen!

Below I repeat parts of your Board's official positions stating our opposition to any additional changes bringing more commercial use or higher density to the areas surrounding Westerlee. The first hearing conducted by the Planning Board on zoning in our District 1 will have passed by the time you read this newsletter. However, the final decisions in these cases will be made by the County Council which will have another hearing for the 1st Council District on Wednesday, June 18, 2008 at Lansdowne Senior High School. Please write to our Councilman Samuel Moxley in support of our positions.

### **JEHOVAH'S WITNESS LOT ON POWERS LANE**

(Case 1-043 from DR 3.5 to BL or BR as a component of a package of zoning changes)

Westerlee Inc. is opposed to any kind of conversion from residential zoning to business zoning north of Powers lane for the following reasons:

( From the President's Desk, continued on page 4)

### **Westerlee Community, Inc. BOARD OF DIRECTORS**



**President**  
**Vice President**  
**Secretary**  
**Treasurer**

**Klaus Philipsen**  
**Shirley Smith**  
**Marilyn Maxwell**  
**Joan Goudy**

**Directors:**  
**Paul Galindo**  
**Ron Matthews**  
**George Simon**  
**John Williams**

**Bettye Gray**  
**Fred Hickok**  
**Wanda Richardson**  
**Chuck Sprague**  
**Charles Yingling**



## New Neighbors

We have two new neighbors on Fernglen.  
Please give them a warm  
Westerlee welcome! They are:

Sungfoo Oh  
2124 Fernglen Way

and

Pamini Senanayake  
2112 Fernglen Way  
410-744-8473



## Directory Corrections

**Fred and Helen Hickok,**  
410-744-3101, fredhickok1@comcast.net

and **Ronald** Glancy's name was omitted from their listing at 1201 Wisteria Drive. We apologize for the omissions.

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## **Board Meeting Minutes**

January 10, 2008

Block Captains reported: Jan said she has called most of the members of the group; Donetta has not reached about 20% of the members of her group. Klaus thanked the block captains for their work. The goal of the block captain program is to promote positive events in our community. Block parties were suggested. It was noted that, although we can't recreate the 50's when life and community were much different, the board would encourage the Block Captains to plan some events that will foster a sense of community.

Update on CZMP (Comprehensive Zoning Map Process). Every four years the county collects applications for zoning change. The deadline for this cycle was Oct. 07. Anyone, businesses and individuals, could apply for zoning change. The following items fall into our area:

A. Russel at Powers Lane: We have been addressing this issue for some time now. Typically zoning stands as it is and zoning changes are approved only if no one objects. If we are opposed to a zoning change, generally this should mean that the rezoning would not be accepted.

B. Russel property at Powers Lane and Dlong: initially Russel asked for conditional use; now they are filing for permanent rezoning. The majority of a vote (by proxy) was against giving Russel the exception or new zoning. If Russel would get this rezoning, then they would be in a position to do other things, including building. As in the Frosty zoning request, precedent is formed, and other neighbors can request zoning change.

C. Frosty has now withdrawn their request for and out-of-cycle zoning change. We can only conclude that they have found some other way to solve their problem.

D. Hoffman farm east has request rezoning from DR 3.5 to DR 16 (16 units per acre). We had, in the previous board filed an application with NeighborSpace that the property be saved for open space. Moxley has filed a request that the property be down-zoned to DR 1. The CZMP process would result in a decision which zoning would ultimately be selected for this site.

E. Neighborspace has hired a staff person to look at the Hoffman land, so that they can make a decision as to whether they want to buy this land. If Neighborspace would pursue the open space protection path they could negotiate with Hoffman to buy all or parts of the land. A full purchase is probably cost-prohibitive. Partial open space protection would allow the Hoffmans to cluster the houses on some part of the property.

If we just let the zoning process play itself out, we might wind up with the status quo. Up-zoning could occur unless the surrounding communities oppose it. Down-zoning might be considered a "taking" by the courts but has happened in the past based on council applications.

A motion was made and seconded that we take a position to be opposed to any increase in density on the Hoffman farm. All were in favor.

Russel owns 4 or 5 small lots as part of the old Circuit City site and wanted to consolidate them. This request was denied by the DRC (Development Review Committee) review and referred to zoning. Russel apparently withdrew the petition.

Annual meeting needs to be planned and scheduled

A. Ron Matthews and Wanda Richardson agreed to coordinate the use of the school. Dates proposed were Tuesday, March 11th or March 25th. (The latter date was later determined to be within spring break; March 18th is a possibility). Post meeting note: The dates are not available and have been changed to 4/1/08.

B. Marilyn will take care of refreshments again. She will also ask Officer Helphenstine, a community relations officer, to come to speak.

C. Per bylaws this is the year for the election (or re-election) of all officers

D. Nominations for board. A nominating committee was formed. Chuck volunteered (after the meeting, Charlie and Marilyn volunteered to assist him);

### Report on bulk trash collection:

At the community meeting we will announce that we will do this again, but this time we will be more specific as to what is allowed. After some discussion, it was decided that we will have an electronics collection which we will organize and set up ourselves as we did in the past, and a bulk collection.

Westerlee signs: We have tried in vain to call the owners of the homes on the corner of Cedar Circle Drive and Rolling Road. It was suggested that, with permission, a sign could be put on the BGE utility pole; need to get permission. Shirley reported that she has contacted the county about the street sign on the corner of Wisteria and Fernglen; it will be replaced in a few weeks.

Charlie showed sponsored American Flags that are put up in Woodbridge Valley on Fourth of July and other patriotic holidays. Paul Galindo volunteered to sponsor flags for Westerlee, but the board suggested that advertising cannot be on the flag. Suggestion was made to put a sponsor notice in the newsletter, as a statement, not as an advertisement, rather than on the flag itself. This suggestion was accepted.

Meeting adjourned at 9:10.

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February 19, 2008

This extra meeting was held primarily to further discuss CZMP issues and to prepare for the General Meeting.

Joan Goudy, Treasurer, has prepared statements to be sent out to those who have not paid dues, including back years owed.

Vote on zoning case #1-005/ 1-033. Russel has filed a re-zoning request for the existing lot where they have been storing their vehicles on the south side of Dlong and the western extension of Powers Lane; those portions are still residentially zoned. The rezoning would convert the current "conditional" use permit for parking in a residential zone -- to commercial zoning with all rights associated with that zone, (same as in the case of the lot for employee parking, discussed in last meeting). Dennis Werz, the County planner for the area had contacted Klaus and suggested that the current condition of these lots is unsatisfactory. The choices are that:

A. We approve but consider conditions, e.g. better landscaping, prettier fence, more esthetically pleasing lighting

B. We oppose zoning change altogether  
It was explained that Westerlee had posed conditions for the use permit and that conditions were technically met (landscape buffer, slats in fence screening the view) but as long as the land is zoned residential and Russel has only a use permit all changes need to be permitted and the right to park commercial vehicles does not convey with a sale.

We are now faced with the possibility that if Russel gets the re-zoning, all other agreements with us in the past would be null and void. It was

motioned and seconded that we oppose rezoning; all were in favor. As a result, Klaus will write a letter to all making decisions in the rezoning process (Planning Board, County Council), the letter will summarize our position in all zoning matters we voted on.

Annual meeting:

Ron Matthews had volunteered to arrange the meeting. It is now confirmed for between 6:30 and 9:00 on April 1st.

Finalized agenda:

1. Welcome by Klaus Philipsen
2. Sam Moxley's report
3. President's recap
4. Treasurer's report – Joan Goudy
5. Real estate report – Bettye Gray
6. Architectural review report – Shirley will do this in conjunction with code enforcement
7. Police report – Marilyn will do this in conjunction with Officer Alisha Helphenstein. We should avoid making crime a central theme. The focal point should be making the community safe by calling the police so that the police know what's going on.
8. Klaus will talk about zoning issues.
9. Chuck will report about the bulk trash pickup --. We will do this again, electronics and paint collections will be done separately, since these items are not permitted as part of bulk trash.
10. Ron will point out the suggestions papers and encourage people to write down suggestions that they might have. We will funnel all these questions and suggestions to the block captains, who will then provide the board with suggestions. Charlie will call the Block captains and ask them to introduce themselves; they will then be given a moment to say something about themselves.
11. At the end of the discussions, the board will again take over the meeting. Chuck will explain the bylaws and the elections of board members. Elections will take place, ballots counted, the results announced and the meeting will be adjourned.

Newsletter deadline: March 3rd

Next Board meeting date: April 10: at Marilyn Maxwell's house, 2019 Cedar Circle Drive.

Meeting adjourned at 8:37 p.m.

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From the President's Desk, continued from p. 1.

The existing Baltimore County Zoning limits non-residential zoning in the area to a narrow corridor on either side of US 40 with the exception of a short corridor along Rolling Road north (and south) of the intersection with US 40.

West of N. Rolling Road, along its entire length, Powers Lane is the dividing line between non residential zoning contained south of Powers Lane and strictly residential zoning north of Powers Lane with the one (1) exception of the shopping center located directly on N. Rolling Road.

- All businesses west of Rolling Road have access from an arterial road (US 40 or Rolling Road) whereas this lot has only access from Powers Lane.
- The north side of Powers Lane is reminiscent of the historic character of the area with rolling hills, farms and forests. On the north side of Powers Lane one can see a few existing historic farmhouse style residences, the Jehovah's witness church structure in the style of a ranch house.
- The communication towers and the water reservoir already have a detrimental effect on our community. Enough is enough.
- The area immediately to the north of the property proposed for B zoning is an open space that was used as a peach orchard until 2006 and is now a meadow. No intended use is known for this land. The proposed zoning change for the Jehovah's Witness property would have a detrimental effect on this land, regardless of whether it were to remain an open space or become a residential subdivision within the any kind of residential zoning. The proposed zoning classification will

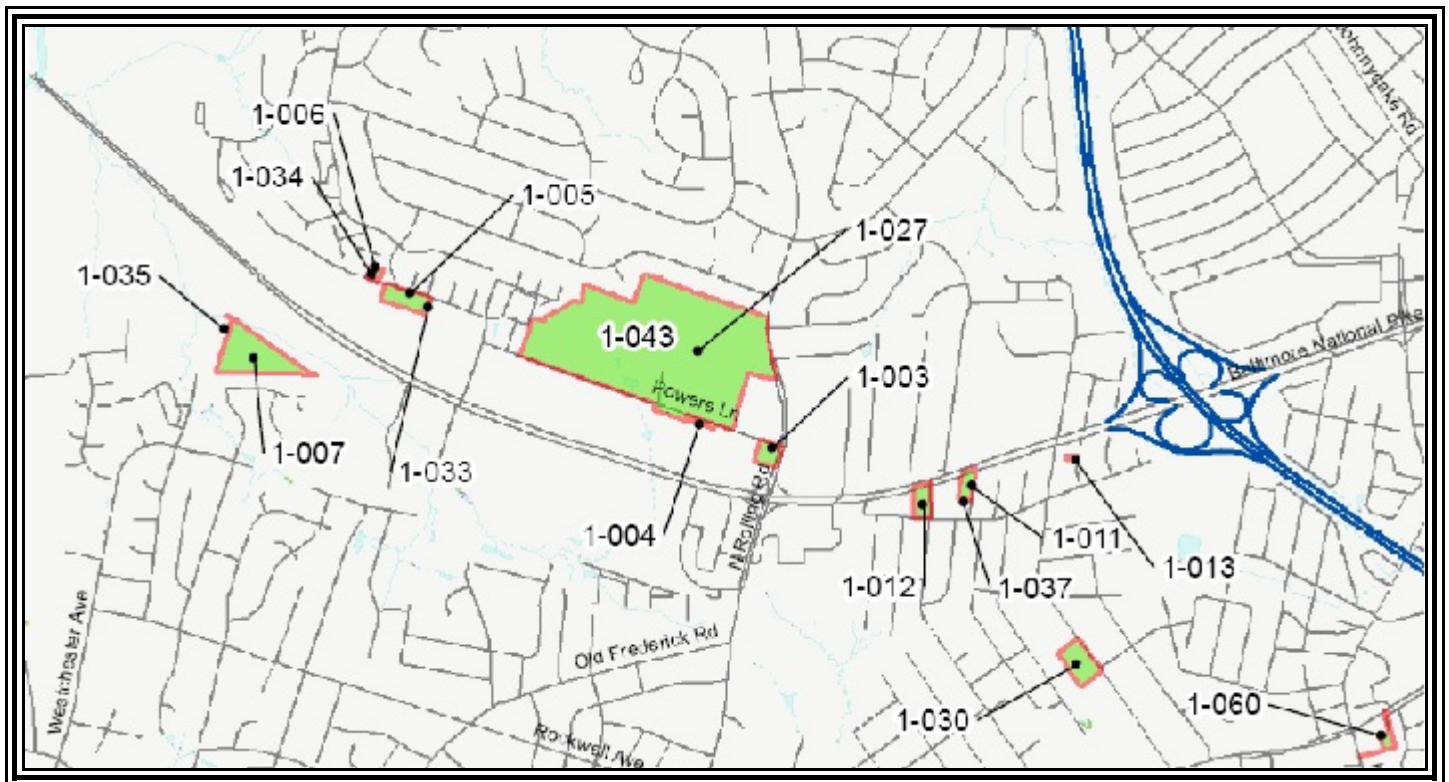
set a precedent and will potentially encourage adjacent property owners to see re-zoning with the purpose of higher yields on their land

**HOFFMAN FARM EASTERN HALF**  
(Case # 1-1027, from DR 3.5 to DR 16)

**Westerlee Inc. is opposed to any additional increase of density on residential zoning north of Powers lane for the following reasons:**

- Westerlee Inc. has already agreed to an increase in zoning density for the western portion of the Hoffman farm where the Mews was subsequently erected. (In October, 2000, the Westerlee Community Association entered into a Restrictive Covenant Agreement with Merry Hill, LLC, the owner of the approximately 6 acres of land located on the northside of Powers Lane, southeast of the intersection of Nuwood Drive and Cedar Circle.
- The Association cannot agree to any further increases in development density in the areas adjacent to the south of Westerlee which are important open spaces buffering the community from the noisy and visually unpleasant Route 40 strip commercial corridor. Enough is enough.

**RUSSEL PARKING ON BOTH SIDES OF POWERS LANE NEAR APARTMENTS POOL**  
(Case # 1-006 and 1005, from DR 16 to BR)



Westerlee Inc. is opposed to any kind of additional conversion from residential zoning to business zoning north of Powers lane for the following reasons.

- Westerlee met with the applicant, Russel Automotive in 2006 and agreed to a "conditional use" of this area for employee parking under certain conditions.
- The Westerlee community Inc. does not support a change of the underlying zoning which will give the owner vastly more rights than the current use permission.
- Eight years ago Westerlee met with the applicant, Russel Automotive and agreed to storage parking as a commercial use on this residentially zoned former farmhouse area with conditions. Russel technically met all conditions regarding landscaping and fencing. The result of the change, however creates an unsightly western gateway into our community. With changing the underlying zoning the residential neighbors to the north would lose all leverage over this site and the Russel would gain vastly more rights than the current use permission allows.

Your Board believes that the community and previous boards have shown willingness to accommodate reasonable requests and that we have been constructive partners to business and land owners over the years. In past years a number of open spaces or low density use parcels were converted into uses that have had a detrimental effect on the quality of life in our community. We feel that we have reached the limit regarding concessions and cannot accept further deterioration of the built and unbuilt environment south of our community.

We will only succeed in having the Zoning Board and Council adopt our positions if many residents come out at the hearings or write to the Board and Council. The next opportunity to make your position known to the council is our Annual Meeting on 4/1 advertised in this newsletter. Please support your Board and make your voices heard!!

*N.H. Dwyer*

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### **Westerlee Board of Directors**

At the upcoming annual meeting of the community association, we will again be electing Board members to serve for a two year term. Eleven of the current thirteen Board members have volunteered to serve again if elected. If you would like to serve as a

Board member please so indicate at the meeting when ballots for voting are distributed to each household represented at the meeting.

The Board meets quarterly to discuss and act on issues of interest or concern to our community. At the first meeting of this new term, we will elect association officers as well as committee members for several recurring Board service activities. You are not required to serve on any committees but it is hoped that you will offer to help in some of the many one time activities that are necessary to provide information or services to our community that make it a better place to reside.

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### ***A Joyous Occasion!!***



Marguerite Mills, the mother of Clarence Mills of 2023 Cedar Circle Drive, celebrated her 100<sup>th</sup> birthday recently. Charles Yingling brought her a card signed by many of her immediate neighbors. She was thrilled!!

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### **Newspapers**



If you're going to be away, please don't let your newspapers pile up in your driveway. Not only are they unsightly, but they also encourage burglars. Call your Block Captain. They'll be happy to pick them up for you, or else they'll ask someone else to do it for you.

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### ***It's Dues Time!!!***



Westerlee Community Association Dues for 2008 (\$15.00) can be sent to:

Joan Goudy, Treasurer  
2008 Fernglan Way  
Catonsville, Maryland 21228

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Westerlee Community News is published by the Westerlee Community Association, Inc., and is edited by Marilyn Maxwell. For further information or to submit articles for publication, contact her at [westerleenews@comcast.net](mailto:westerleenews@comcast.net)

