



**HARFORD COUNTY**  
PUBLIC SCHOOLS

**DECISION ON**

**THE HOMESTEAD/WAKEFIELD ELEMENTARY SCHOOL REPLACEMENT PROJECT  
TOWN OF BEL AIR'S PLANNING APPROVAL CONDITIONS  
PROPOSED MACPHAIL ROAD CONNECTION**

Board of Education  
April 25, 2022



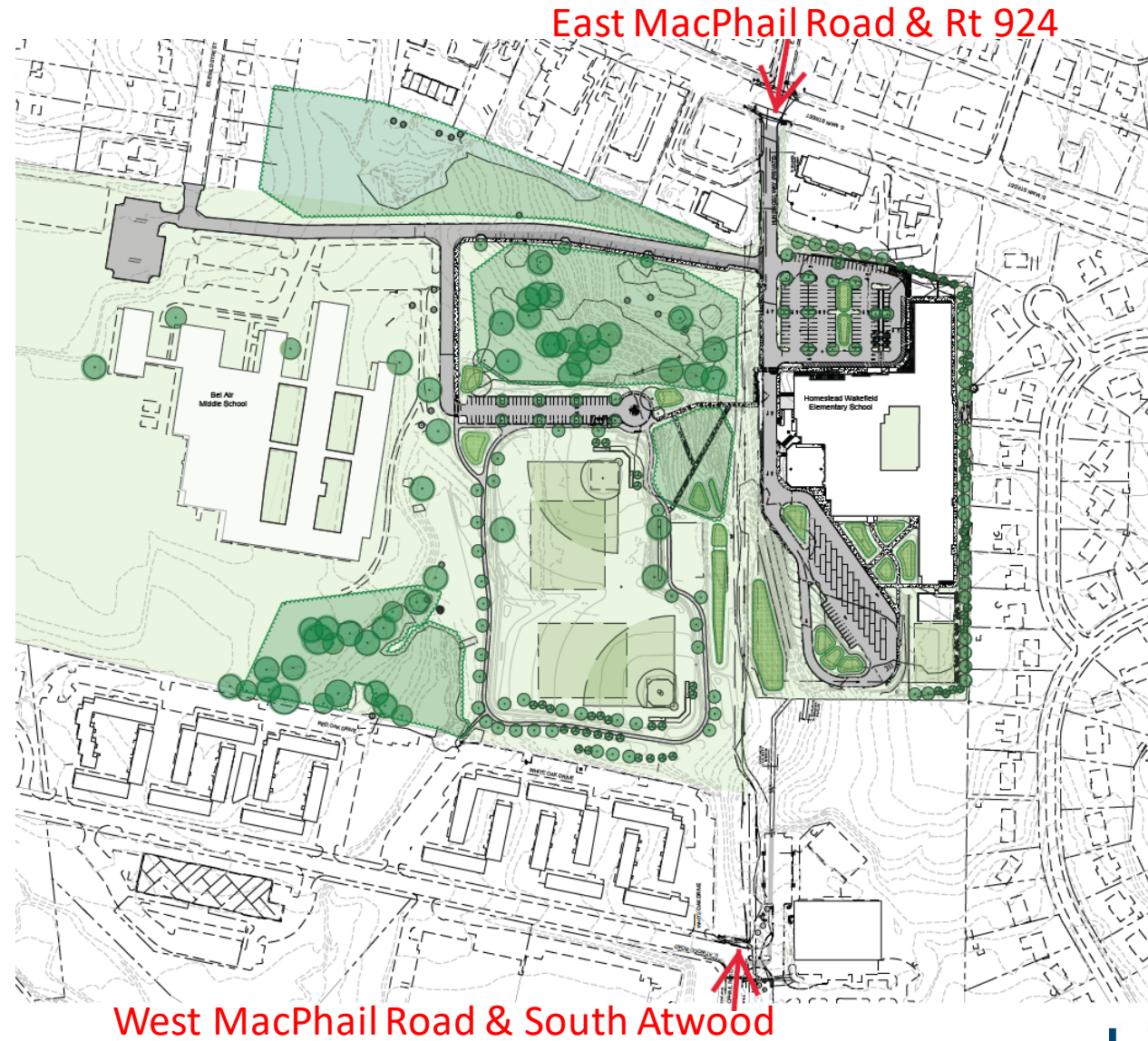
# Background

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- 15 years ago, in 2007 a scope study was completed
- Project deferred
- Revised scope study was approved by the BOE February 2021
  - Fully replace the building with a single 1129 capacity school facility
  - Site of the current Wakefield building
  - Expectation that the future John Archer Facility would be located on the Homestead site
- \$82.5M Homestead Wakefield Elementary School Replacement Project
  - The Maryland Interagency Commission for School Construction approved the project for the State portion of funding through the Built to Learn Act
  - Local funding share committed by the County
  - Phase I: Site work and portables under contract– work currently being completed
  - Construction Documents approved by the State on March 23, 2022



# Planned Site Development





# HCPS Coordination with Town of Bel Air

- Concept Meeting 1 - August 12, 2021
- Traffic Impact Analysis/ Study
  - Outside 3<sup>rd</sup> party consultant
  - 7 meetings with Town of Bel Air Planning and Zoning Department
  - Increased study area (outside typical requirements) at additional BOE cost
  - Results – Based on specified data parameters, the data shows that none of the studied intersections require any improvements
  - HCPS agreed to work with Harford County Parks and Recreation (P&R) to provide an emergency access point
- HCPS/ Harford County/ Town of Bel Air - March 3, 2022
  - HCPS and the Town committed to continue to work together to complete a regional study
  - A town lead stakeholder group would evaluate all the needs
  - Develop a plan to provide the best outcome for all stakeholders
  - The Town would not cause a delay to the project
- Concept meeting 2 - March 25, 2022
- Planning Commission – April 7, 2022



# Consequences of adding the connector road to the Bel Air Campus

- Jeopardize safe access to school grounds and facilities for students and staff.
- Reduce program space currently dedicated and used for educational purposes on a campus with two over-capacity school facilities located within the County's growth envelope.
- Restrict the future construction plans for Bel Air Middle School as proposed to address planned growth in the surrounding Bel Air area.
- Impose additional costs with funding designated for School construction.





# Logistical Concerns

- HCPS cannot directly dedicate property to the Town - Local Education Agencies (LEAs) are not authorized to purchase or sell property
- Responsibility rests with the County (Local) Government
- Lengthy process involving multiple stakeholders
- Negative impact to project schedule and budget

## State procedure to transfer public-school property

1) LEA must determine that the **property is no longer required** for educational programs.

2) LEA must submit a request to the State to obtain State approval.

3) Board must approve prior to transferring.

4) Property transferred to County Government



# Legal Precedence

## Zoning

- Maryland's Attorney General issued an opinion dealing with a zoning and planning issue between the Board of Education for Montgomery County and the City of Rockville (*87 Opinions of the Attorney General 119 (2002)*).
- In that matter, the Attorney General advised that while the plans for the development of the property were subject to review by the Rockville Planning Commission, the Board of Education for Montgomery County could overrule that decision by a recorded vote of at least two-thirds of its membership. (*87 Opinions of the Attorney General at 124*).



# Town of Bel Air Planning Commission

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The Town Planning Commission attached conditions to the approval of the HWES Site Plan and issuance of permits for demolition, grading, the construction of utilities, and final Use and Occupancy of the proposed replacement HWES requiring HCPS to:

- Include a concept design for the road and associated stormwater management facilities
- The property be transferred to the Town for the purpose of connecting East and West MacPhail Road at a future date to be determined



# Conditions Included

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1. Final Site Plan Approval Condition requires the submission of revised Final Site to include Superintendent's signature obligating public road right-of-way
  - **HCPS does not have the Authority to fully execute this requirement**
2. Wakefield Demolition Permit Approval requires Town and Police Department approval of construction traffic access
  - **HCPS reached out to Harford County Parks and Recreation (P&R) prior to the Planning Commission Meeting – they do not want P&R property used for construction access**
3. Grading Permit Approval requires Submission of a Forest Conservation Plan depicting connecting road across the site
  - **Requires additional design and stormwater management for proposed connector road**
4. Utility Construction Drawing Approval requires addressing standard technical review comments
  - **HCPS will work to address feasible standard technical comments not related to the connector road**
5. Issuance Use & Occupancy Permit requires the dedication of a public road right-of-way across the site connecting East MacPhail Road to West MacPhail Road
  - **HCPS does not have the Authority to fully execute this requirement**
6. Landscape Plan Approval is tied to Building Permit Application, Grading Permit and submission of Forest Conservation Plan depicting the proposed connecting road across the site.
  - **All approvals subject to the connector road**



# Questions, Discussion, & Decision

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The Superintendent does not recommend accepting the Town of Bel Air's April 8, 2022, decision requiring a public road right-of-way across the school site purpose of connecting East MacPhail Road to West MacPhail Road as a condition for issuance of a building permit. The Town's proposed road will serve no educational purpose. The property is currently being used for educational programs at Homestead/Wakefield Elementary and will be needed for the future Bel Air Middle School project.