

Howard County Schedule of Hearings Before the Board of Appeals April 13, 2017

BA - Board of Appeals Hearing:
 PB - Planning Board Meeting:
 All meetings and hearings are held on the first floor of
 3430 Courthouse Drive, Ellicott City, MD 21043
 Telephone: (410) 313-2350

Key-
 V - Variance
 C - Conditional Use
 D - Departmental Appeal
 BA - Board of Appeals
 TBS - To Be Scheduled

S - Sign Case
 N - Nonconforming Use (NCU)
 PB - Planning Board
 WS - Work Session

HEARINGS SCHEDULED @ 6:30 P.M.

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
BA 724-D	<u>Bruce & Ruth Altschuler</u> (continued) Appeal of a Planning Board denial dated 2/4/16 to adjust the accessory structure setback requirement for the existing radio antenna to remain in its present location. (7308 Silent Bird Ct., Columbia, MD) (appeal of Hearing Examiner's decision of denial)	TBS
BA 16-031V BL	<u>Greenleaf Builders, LLC.</u> (Meachum) Residential variance to reduce the setback for a principal structure from a public street right-of-way from 75' to 25'. (11855 Lime Kiln Road) (appeal of Hearing Examiner's decision of approval by Andrew Atwell)	TBS
BA 16-032V BL	<u>Greenleaf Builders, LLC.</u> (Meachum) Residential variance to reduce the setback for a principal structure from a public street right-of-way from 75' to 23.3' (11859 Lime Kiln Road) (appeal of Hearing Examiner's decision of approval by Andrew Atwell)	TBS

HEARINGS TO BE SCHEDULED

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
BA 727-D	<u>Tiru Liang, Alan Schneider & King Lin</u> Appeal of DPZ's May 4, 2016 Mylar final signature approval of SDP-14-059 for the Donaldson Funeral Home. (appeal of Hearing Examiner's decision to Dismiss)	TBS
BA 732-D	<u>Woodbine/Brantley, LLC.</u> (Talkin) Appeal of a decision of the Hearing Examiner to dismiss BA 07-020C, Woodbine/Brantley (which was on the Unscheduled Docket since January, 2008) for age-restricted Housing (15850 Old Frederick Road) (Appealing Admin. Dismissal by the Hearing Examiner)	TBS

HEARINGS TO BE SCHEDULED (cont.)

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
BA 718-D	<u>Two Farms, Inc.</u> (Oh) Appeal of the Planning Board denial of SDP 14-013 for one commercial Lot on 3.81 acres zoned NT for construction of a gas station, convenience Store and car wash (9585 Snowden River Parkway) (Appealing Admin. Dismissal by the Hearing Examiner)	TBS
BA 739-D	<u>Denise Cortis</u> (Taylor) Appeal of a decision of the Planning Board approving the Preliminary Development Plan in PB 418, for 13 SFD lots and 5 open space lots, on 8.55 acres owned by Charles T. Lacey, et al. (3538 Church Road)	
BA 740-D	<u>Alan & Garalyn Magan</u> Appeal of a decision of the Planning Board approving the Final Plan in PB 426, Ten Oaks Farm, F-16-123, for 6 single family lots 5 acres. (5038 Ten Oaks Road, Clarksville, MD)	

PENDING DECISION

<u>CASE #</u>	<u>PETITIONER</u>	
BA 702-D	<u>AMHA, LLC. & British American Building, LLC.</u> (K. Taylor) Appeal of a letter from DPZ to Two Farms, Inc. dated 2/11/14 approving request to waive Subsection 16.119(f)(1) of the Subdivision Regulations as it applied to plans for Royal Farms Store #186 & Canton Car Wash (WP 14-080) (Appeal by Kathryn Taylor, Esq. of the Hearing Examiner Dismissal)	To be Dismissed 9/8/15
BA 15-026C ZK	<u>Streaker Firewood, LLC.</u> (Meachum) Conditional Use for bulk firewood processing (13300/13370 Route 144, West Friendship, MD) (appeal of Hearing Examiner's decision of denial)	10/27/16
BA 14-022C BL	<u>Two Farms, Inc.</u> (Oh) Conditional use for a gasoline service station (8268 Lark Brown Road, Columbia) (appeal of Hearing Examiner's decision of denial)	11/22/16
BA 15-024C&V BL	<u>Naresh C. Das</u> (Oh) Conditional use for a religious facility to construct a 2,000 sq.ft. Hindu prayer hall for use by the Jagannauth Temple of North America and variance to reduce the use setback from lot lines to accommodate a proposed driveway (2028 Millers Mill Road, Woodbine) (appeal of Hearing Examiner's decision of denial)	3/23/17

DECISIONS MADE

<u>CASE #</u>	<u>PETITIONER</u>
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none

UNSCHEDULED DOCKET

<u>CASE #</u>	<u>PETITIONER</u>	<u>Date Placed on USD</u>
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BA 722-D	<u>Paul S. DiMarco</u> (Oh) Appeal of the denial by DPZ of WP 16-065 & subsequent e-mail refusing to Reconsider such denial. 16.3 acres on Underwood Road, West Friendship (appeal of Hearing Examiner's decision of denial)	3/28/17
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BOARD OF APPEALS CASES ON APPEAL TO COURT

BA 10-001C H32 ZK	<u>Donaldson Funeral Home</u> , (Oh) Conditional use for a funeral home. West of Route 108, about 1600' south of Ten Oaks Road intersection with Rt. 108. (12540 Clarksville Pike) Circuit Court affirmed Board of Appeals Decision of Approval Court of Special Appeals affirmed BOA Decision of Approval – 7/20/16 Reconsideration filed to Court of Special Appeals by Opposition Order by Ct. of Special Appeals denying Reconsideration Request – 9/28/16 Writ of Certiorari filed in Court of Appeals of Maryland on October 13, 2016. Appeal pending in Court of Appeals
BA 13-033C	<u>Al-Huda, Inc., t/a Dar-Us-Salaam</u> Conditional Use for structures used primarily for religious activities, child day care center and private academic school (14196 Frederick Road) Appeal to Circuit Court filed 3/11/16 by Al-Huda, Inc., ta/ Dar-us-Salaam Record filed in Circuit Court 5/17/16 Order by Circuit Court affirming Board of Appeals Decision – 10/11/16 Appeal filed with Court of Special Appeals (11/10/16)
BA 14-005C BL	<u>AT&T Mobility</u> (Rapisarda) (Continuation) New telecommunications monopole with related equipment and ground compound; 12200 Scaggsville Road Appeal to Circuit Court filed 4/4/16 by Viram Patel Partial record filed in Circuit Court on 8/5/16 Order dated 11/7/16 - Board of Appeals Decision Affirmed by Circuit Court (Motion to Dismiss granted) Appeal to Court of Special Appeals

**Howard County Schedule of Hearings
Before the Hearing Examiner
April 13, 2017**

HEARINGS SCHEDULED

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
BA 17-007V	<u>Charles Lewis, Jr.</u> (Springmann) Residential variance to reduce the side setback from vicinal properties to 3.4 feet and increase the maximum cumulative lot coverage for detached accessory structures to 1,319 square feet for a detached accessory garage (2938 Rogers Avenue, Ellicott City)	4/17/17 5:30 p.m.
BA 738-D	<u>Timothy Feaga</u> (Mayer) Appeal of a letter dated 12/21/16 from Ho.Co. Dept. of Housing & Community Development requiring 6 subdivided lots to be subject to MIHU. (12435 Lime Kiln Road, Fulton, MD)	4/24/17 9:30 a.m.
BA 16-034C BL	<u>Gleneig Country School</u> (Erskine) (continued) Conditional use to modify and expand existing private school (12793 Folly Quarter Road, Ellicott City)	5/1/17 6:00 p.m.
BA 16-028C&V ZK	<u>Marty A. Howard</u> (Farrar) (continued) Conditional use for an expansion of an existing Conditional Use for a Landscape contractor to include the addition of 2 existing buildings and a parking lot and related variances. (8045 Hunterbrooke Lane, Fulton)	5/4/17 6:00 p.m.
BA 16-026C ZK	<u>F. Maxine Walker</u> (Adams) (continuation) To modify conditions of approval in BA 09-035C, Robert & F. Maxine Walker, which was approved on June 5, 2012 for a Limited Outdoor Social Assemblies and Antique Shop Conditional Use (3666 Jennings Chapel Road, Woodbine)	5/22/17 6:00 p.m.
BA 17-003V	<u>Waverly Investors, LLC.</u> (Reuwer) Non-residential variance to reduce the required setbacks from external street and side to residential district (8159 Lark Brown Road)	5/25/17 9:30 a.m.
BA 16-030V	<u>Edgar Bonilla</u> Residential variance to reduce the setback for a deck, swimming pool and shed (8324 Dawn Court)	5/25/17 10:00 a.m.
BA 17-008V	<u>Robert Z. Hollenbeck</u> Residential variance to limit the height of accessory structure to 15 feet and limit the size of accessory structure to 600 square feet of lot coverage (3420 Sylvan Lane)	6/5/17 5:00 p.m.
BA 16-036C&V BL	Miller Family Trust (Jonathan & Sonya Miller, Trustees) <u>& Shady Acres Lane, LLC.</u> (Erskine) Conditional use for home based contractor and variance to reduce the bulk regulations 20' minimum use setback from lot lines (10430 Shady Acres Lane, Laurel, MD)	6/5/17 6:00 p.m.

HEARINGS SCHEDULED (continued)

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
BA 733-D	<u>Rainmaker Development, Inc.</u> Appeal of AA 16-010 – 2225 Millers Mill Road (Brian & Andrea Furlong & Celestino Torres, Petitioners) To reduce setbacks to construct a SFD, which was approved in DPZ’s D&O dated 9/26/16.	6/29/17 9:30 a.m. (postponed from 3/30/17)
CE 16-095	<u>Dar Al Taqwa Incorporated</u> Code Enforcement Citation – violation has not been abated Development is not in compliance with the approved Site Development Plan SDP-02-004 & BA 94-037E & BA 09-011C. (10740 Route 108, Ellicott City)	7/27/17 9:30 a.m.

CASES TO BE SCHEDULED

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
BA 735-D	<u>Science Fiction, LLC.</u> (Meachum) (continuation) Appealing the Planning Board decision not to add a liquor store as a permitted use for FDP-117-A-III, Seiling Ind. Center (Wegmans Food Markets) 8855 McGaw Rd., Columbia	TBS Remanded to Planning Bd.
BA 734-D	<u>Luis Felicio</u> (Springmann) Appeal of the decision of the Dept. of Planning and Zoning to deny the confirmation of a non-conforming use for motor vehicle towing/storage on CE-CLI zoned property (NCU-16-006) (9757 Washington Blvd., Laurel, MD) (waiting for supplemental D&O from DPZ as requested In Preliminary Order of Hearing Examiner on 4/5/17)	TBS
BA 737-D	<u>Robert H. Flathman</u> Appealing NCU 16-001 – DPZ denial of motor vehicle storage Use as NCU dated 11/30/16 (7009 Brookdale Drive, Elkridge) (waiting for supplemental D&O from DPZ as requested In Preliminary Order of Hearing Examiner on 4/5/17)	TBS
BA 17-010C	<u>St. Mary Coptic Orthodox Church of Maryland, Inc.</u> (Becker) Conditional Use for a religious facility on the former Woodmont Academy property. (14196 Frederick Road, Cooksville)	

PENDING DECISION

<u>CASE #</u>	<u>PETITIONER</u>	<u>HEARING HELD</u>
none		

DECISIONS MADE

<u>CASE #</u>	<u>PETITIONER</u>	
BA 16-012C BL	<u>BP Gas Station</u> (Chun) Conditional Use for office space in existing auto repair shop (8720 Baltimore Nat'l Pike, 21043)	GRANTED 3/15/17
BA 16-027C ZK	<u>Richard Waskey, Trustee for Windsor Mill Gospel Hall, Inc.</u> Conditional use for a religious facility (10002 Reed Lane)	GRANTED 3/19/17
BA 16-029V BL	<u>Farooq Khawaja</u> Residential variance to reduce the required 10' side setback to 0' For a storage shed (3749 Font Hill Drive)	DENIED 4/3/17
BA 17-001V	<u>Kelli McDonough</u> Variance to reduce the 30 foot rear setback to 18 feet for an attached 2.5-car garage on existing asphalt (3409 Hickory Drive, Ellicott City)	GRANTED 4/13/17

CASES IN PRESUBMISSION REVIEW**Date requested for more info:**

<u>CASE #</u>	<u>PETITIONER</u>	
BA 14-012C BL	<u>Oak Ridge Farm, LLC.</u> (Meachum) Conditional use for the production of mulch and firewood (2700 Woodbine Road, Woodbine)	
BA 14-004S	<u>ZDR Food Service, Inc.</u> (Kurlander) Sign variance for two freestanding ID signs: Sign A: 30 square feet Sign B: 50 square feet Both 10 feet from Baltimore National Pike ROW (9445 Baltimore National Pike)	
BA 15-007S	<u>MMGMB, LLC</u> (Alan & Philip Margolis) Sign variance for a 50 sq.ft. freestanding ID sign, 10 feet in height, to be located 10 feet from Washington Road (3060 Washington Road, Glenwood)	
BA 17-002C&V	<u>Michael Fitzpatrick</u> Conditional Use for a home based contractor (11910 Emerald Court)	
BA 17-004C	<u>PMIG 1027, LLC.</u> (Lynch) Conditional use for a motor vehicle fueling facility with convenience store and car wash (9320 Baltimore Nat'l Pike, Ellicott City)	
BA 17-002S	<u>Krista Wilson/Fastsigns Arbutus</u> To reduce the required setback for 60 sq.ft. freestanding ID sign, 5'11" in height (6600 Amberton Drive)	

CASES IN PRESUBMISSION REVIEW (cont)**Date requested for more info:**

<u>CASE #</u>	<u>PETITIONER</u>
BA 17-005V	<u>John L. Day</u> Residential variance to increase the required lot coverage of 600 sq.ft. for accessory structure (8085 Savage Guilford Road, Jessup)
BA 17-006C&V	<u>Locust United Methodist Church</u> (Coale) Conditional use for existing religious facility to add an addition and to expand the parking lot and variances to allow modifications (6821, 6851 & 6841 Martin Road, Columbia)
BA 17-009C	<u>S&C Realty, LLC & Animal Medical Hospital at Glenwood, Inc.</u> Conditional use for an animal hospital, kennel and pet grooming Establishment; 2892 McKendree Road, Glenwood
BA 17-011V	<u>Paul Saiz, t/a Bolder Restaurant</u> Nonconforming use to expand a restaurant to enlarge the kitchen, add a new outdoor roof structure and to increase the number of seats from 30 to 70 (17004 Frederick Road, Mt. Airy, MD)

HEARINGS UNSCHEDULED

<u>CASE #</u>	<u>PETITIONER</u>	<u>Date Placed on List</u>
CE 14-24	<u>Jonathan & Sonya Miller – 10430 Shady Acres Lane</u> Code Enforcement Citation – Maintenance of a contractor’s business including storage of related vehicles, equipment, and materials on R-20 (Residential:Single) zoned property (waiting for ZRA to be processed)	4/1/15
BA 595-D	<u>Rhonda and Barry Downey</u> Appealing disputes related to property, access and subdivision plat 410 Morgan Station Road, Woodbine (Arbitration Case pending in Court of Special Appeals)	
BA 728-D	<u>Gilliece Family, LLC.</u> (Erskine) Appeal of DPZ decision to deny Petitioner’s request to waive Sec. 16.116(a) which prohibits grading, removal of vegetative cover and trees, paving and new structures within 100’ of a perennial streambank for the single driveway crossing for Buildable Preservation Parcel A (SE River Road, Sykesville, MD)	4/20/16
BA 15-035C&V BL	<u>Waverly Investments, LLC.</u> (Reuwer) Conditional use for use of historic building for personal service establishment – health, spa, yoga, massage therapy, hair salon, nail salon, wellness classes and similar uses; and variance to reduce the front building setback (10437 Clarksville Pike, Columbia, MD)	5/12/16

HEARINGS UNSCHEDULED (cont.)

<u>CASE #</u>	<u>PETITIONER</u>	<u>Date Placed on List</u>
BA 730-D	<u>The Lyndwood Association, Inc.</u> (Zaller) Appeal of an administration decision by DPZ/Development Engineering, to approve a red-line revision to SDP 02-055 at the request of Hearthstone at Timbers Condominium, Inc. aka The Courtyards at the Timbers; DPZ letter dated 4/29/16 (16.375 acres adjacent to MD Route 103-Meadowridge Road)	3/1/17

Howard County Schedule of Hearings Before the Zoning Board April 13, 2017

ZB - Zoning Board Hearing:
PB - Planning Board Meeting:
All meetings and hearings are held on the first floor of
The George Howard Building
3430 Courthouse Drive, Ellicott City, MD 21043
Telephone: (410) 313-2350

Key
R - Regulation Amendment
M - Map Amendment
TBS - To Be Scheduled
SRC - Subdivision Review Committee
PB Rec. - Planning Board Recommendation
WS - Work session - Council Conference Room
ZB - Zoning Board

HEARINGS/MEETINGS/WORKSESSIONS SCHEDULED

<u>CASE #</u>	<u>PETITIONER</u>	<u>PB</u>	<u>ZB</u>
ZB 1105M ZK	<u>Chapelgate Presbyterian Church</u> (Oh) (continued) AZM: from R-20 (Residential) to CEF-M (Community Enhancement Floating-Mixed Use) zoning district – 61.83 acres (2600 Marriottsville Road, Marriottsville)	10/2/14	TBS Closings & Deliberation
ZB 1112M	Howard Research and Development Corp. <u>(Lang Miller & Assoc.)</u> (Meachum) Redevelopment of Grandfather's Nursery To increase the density of the NT district from 2.3727 dwelling units to 2.3808 dwelling units per acre 5320 Phelps Luck Drive, Columbia-assign 19 units 11608 Little Patuxent Parkway – assign 1 unit	5/4/17	
ZB 1113M	Howard Research and Development Corporation, <u>(Clary's Forest Ltd. Part.)</u> (Scherr) In conjunction with ZB 1112M, HRD (Land Miller & Assoc) for an amendment to a Preliminary Development Plan to increase the # of dwelling units permitted in NT by 1 dwelling unit to permit an existing office unit to be used as an apartment unit in the Poplar Glen Apartment Dev.	5/4/17	
ZB 1109M	<u>Bozzuto Homes, Inc.</u> (Oh) AZM: to rezone 3.7 acres from RR-DEO to R-SA-8. (11475 Route 216, Fulton, MD)	TBS	

DECISION MADE

<u>CASE #</u>	<u>PETITIONER</u>	<u>HEARING HELD</u>
ZB 1106M ZK	<u>Dorsey's Ridge, LLC.</u> (Erskine) Hearing for Petitioner to present to Zoning Board for approval an agreement to transfer the Pue-Fulton House to a non-profit organization for their operation & maintenance – (Rezoning to CEF-R approved 10/13/16) (3956, 3952 & 3960 (aka 3948) Cooks Lane, Ellicott City)	APPROVED 4/3/17

UNSCHEDULED DOCKET

<u>CASE #</u>	<u>PETITIONER</u>	<u>HEARING HELD</u>
ZB 1085M ZK	<u>Kit Kat Road Partners II, LLC</u> (continued) AZM: To apply the Solid Waste Overlay District to this property which is currently zoned M-2. Northwest of Kit Kat Road, south of US 1. (7167 Kit Kat Road)	

ZB CASES IN PRESUBMISSION REVIEW:

ZB 1111M	<u>Maple Grove at St. Johns, LLC</u> (Oh) AZM: to rezone 10.85 acres from POR, R-12 & R-20 to R-A-15 with site plan documentation (9011, 9060, 9061, 9071 & 9081 Upton Road, Ellicott City)	
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Schedule of Hearings Before the Howard County Council for Amendments to the Zoning Regulations April 13, 2017

CC - County Council Public Hearing:

PB - Planning Board Meeting: Held @ 7:00 p.m.

All meetings and hearings are held on the first floor of

3430 Courthouse Drive, Ellicott City, MD 21043

Telephone: (410) 313-2350

Key

R - Regulation Amendment

TBS - To Be Scheduled

* To be Televised, Cable 15

PB Rec. - Planning Board Recommendation

WS - Work session - Council Conference Room

CC - County Council

CB - Council Bill

HEARINGS SCHEDULED	PB	PREFILE	INTRO	PUBLIC
<u>CASE</u>	<u>DATE</u>	<u>DATE</u>	<u>DATE</u>	<u>HEARING</u>
ZRA 158				
<u>Jon Weinstein, Councilperson</u> To amend Section 128: Supplementary Zoning District Regs. to permit density from potential infill lots in R-20, R-12 & R-ED to be sent to R-SA-8, R-A-15, R-APT and CAC under certain circumstances.	5/19/16			
ZRA 160				
<u>Dayton Rural Preservation Society (Holzer)</u> To amend various sections to eliminate yard waste composting and mulching and add State of MD Regs. for Composting and Natural Wood Waste Recycling – based on discussions held by the Mulch and Wood Waste Task Force.				
ZRA 169				
<u>Warren H. Boyer (Erskine)</u> To amend Section 128.0.D in order to provide 1) that modular office buildings may be used as part of a CU Plan; 2) to provide that office trailers may be converted into modular office buildings; and 3) to provide that in all zoning district, a storage of refuse container may be used with certain conditions imposed.	9/1/16			
ZRA 171				
CB 31-2017 <u>Olenka Stasyshyn (Oh)</u> Amend Section 131.0. to add a conditional use for “School Instructional” that would be permitted for properties adjoining a non-residential zoning district or an existing conditional use in R-20 district	12/15/16	n/a	4/3/17	4/17/17
ZRA 172				
CB 32-2017 <u>Stephen Ferrandi, MD Land Advisors (Oh)</u> Amend Sec. 128.0.K. to make certain Neighborhood Preservation sending parcels eligible for a conditional use for Historic Building Uses	12/15/16	n/a	4/3/17	4/17/17

HEARINGS SCHEDULED (continued)

<u>CASE</u>	<u>PETITIONER</u>	<u>PB DATE</u>	<u>PREFILE DATE</u>	<u>INTRO DATE</u>	<u>PUBLIC HEARING</u>
ZRA 173	<u>Christopher J. Alleva</u> Amend Section 130.0.A.3. to clarify and define “aggrieved person” in the Zoning Regulations	8/3/17			
ZRA 174 CB 28-2017	<u>Mary Kay Sigaty (Johnson)</u> To add a definition for Cottage Food Business to Section 103.0; and to add a new Cottage Food Business use to Section 128.0.C.1. of Home Occupations section of Supplemental Zoning District Regulations	3/2/17	3/23/17	4/3/17	4/17/17
ZRA 175 CB 22-2017	<u>Valdis Lazdins, Director, DPZ (Johnson)</u> To amend Section 128.0.A.4. & 128.0.I.8. to exempt farms in the RC District and farms 20 acres or larger in the RR District from Animal Shelter and Riding Academy and Stable setback requirements from dwellings on new residential lots.	2/2/17	2/23/17	3/6/17	3/20/17 Approved 4/3/17
ZRA 176 CB 29-2017	<u>Mary Kay Sigaty & Greg Fox, Councilmembers (Johnson)</u> To amend the Zoning Regulations to delete Section 117.0, BRX (Business Rural Crossroads)	3/2/17	3/23/17	4/3/17	4/17/17
ZRA 177	<u>Valdis Lazdins, Director, DPZ (Johnson)</u> Clarifying requirements of Final Development Plans in that an approved FDP supersedes and embodies an approved Comprehensive Sketch Plan.				
ZRA 178	<u>K2 Properties, LLC. (Coale)</u> Add “hotels, motels, country inns and conference centers” as a matter of right in the B-1 district & to amend the definition of “hotel or motel” to allow for extended stays, not exceeding 6 months	8/3/17			
ZRA 179	<u>David Moxley (Erskine)</u> To amend Section 127.6 (Traditional Neighborhood Center) to provide for expansion of certain permitted uses and to modify and clarify the bulk regulations for properties in the Route 40 Corridor and to provide appropriate regulations for redevelopment of property with substantial existing structures and uses.	8/3/17			