

## Sayers, Margery

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**From:** Mary Nichols <marynichols18@gmail.com>  
**Sent:** Tuesday, January 22, 2019 4:49 PM  
**To:** CouncilMail  
**Subject:** Testimony in support of CB-3

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

As a lifelong resident of Lawyers Hill Road and Vice President of the Elkridge Assembly Rooms, I strongly support CB-3.

The design guidelines for the Lawyers Hill Historic District (the only residential historic district in Howard County) were thoughtfully crafted to ensure that the architectural and landscape elements of this truly unique and historic community would be protected and valued as they have been since the 1800's. I grew up in one of the beautiful old summer homes which are treasured to this day.

It is essential that the members of the Historic Preservation Commission have the authority to ensure that all new construction in the historic district follows the guidelines as established. I find it very disturbing that no Certificate of Approval from the HPC is required for tree clearing, stormwater management, landscaping or new roads or shared use driveways. Why does the Planning Board, with no expertise in historic preservation, currently have the authority to approve these subdivision plans? Should consideration be given to removing the HPC from the Office of Planning and Zoning and creating an independent commission?

What we have on Lawyers Hill cannot be replicated anywhere in the County or in Maryland. Many residents chose to live in this beautiful and serene community because of the marvelous history of the old summer homes, the large and beautifully treed yards and the abundance of wildlife.

Please pass CB-3. Our beautiful historic districts are irreplaceable and the history of Lawyers Hill, the Thomas Viaduct and the Elkridge Assembly Rooms must be valued and preserved for future generations.

Thank you for your consideration.

Mary Atwell Nichols  
6521 Lawyers Hill Road  
Elkridge, Maryland 21075  
[marynichols18@gmail.com](mailto:marynichols18@gmail.com)

## Sayers, Margery

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**From:** gloria.larkin@outlook.com  
**Sent:** Tuesday, January 22, 2019 5:25 PM  
**To:** CouncilMail  
**Cc:** Sue; Lisa Badart; cmhudson@comcast.net  
**Subject:** in support of CB3 and CB4

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hello, I am a 40+ year homeowner in Lawyers Hill, in a historic home, in Howard County.  
I fully support CB3 and CB4 and hoped that you will too as we must protect the historic district's legacy in the buildings as well as the landscapes.

Thank you  
Gloria Larkin  
6044 Old Lawyers Hill Rd  
Elkridge MD 21075  
410-796-4483

**Sayers, Margery**

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**From:** Cindy Quick <cindyquick1@verizon.net>  
**Sent:** Tuesday, January 22, 2019 6:54 PM  
**To:** CouncilMail  
**Subject:** I support Bill **CB-3 2019.**

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

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## Sayers, Margery

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**From:** Wendy Ng <wendywn@verizon.net>  
**Sent:** Tuesday, January 22, 2019 6:20 PM  
**To:** CouncilMail  
**Subject:** CB-3 and CB-4

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hi, I am sending in my support for the bills, CB-3 and CB-4 to be considered at the Howard County Council meeting tonight at 7 p.m., January 22, 2019.

Both bills will ensure better protection of Howard County land from rampant development that would ultimately adversely affect the quality of life in Howard County.

CB-3 would protect the historic landmark areas by allowing a more unified approach to historic landmarks and historic districts. New developments and existing old structures in the Ellicott City and Elkrige Historic Districts will be given the same approval processes by the Historic Preservation Committee, thereby ensuring the viability of historic registered landmark areas and districts.

CB-4 would protect wetland area from overzealous development that would harm land values and homeowners as well as the neighborhood and general environment. For example, land on Lawyers Hill Road that is considered wetland is now being built upon. Homeowners are finding out that their yards are flooded. Larger context should also be considered - such as drainage issues that have plagued Old Ellicott City.

I urge the council to adopt both CB-3 and CB-4.

Thank you.

*Wendy*

Wendy Ng  
wendywn@verizon.net  
6086 Old Lawyers Hill Road, Elkrige, MD 21075  
410-796-1578

## Sayers, Margery

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**From:** Carl Gutschick <cgutschick@glwpa.com>  
**Sent:** Tuesday, January 22, 2019 4:47 PM  
**To:** CouncilMail; Wimberly, Theo  
**Cc:** Angelica Bailey  
**Subject:** Council Bills 3 & 4  
**Attachments:** 20190122154515314.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I will not be able to attend this evening's hearings, but please make the attached testimony available to each of the Council members. Please note that the attachment has one letter for each of the Bills.

Carl K. Gutschick, P.E., Principal



3909 National Dr., Suite 250 | Burtonsville, MD 20866  
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PH (Northern VA): 301-989-2524 | FAX: 301-421-4186

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The information transmitted is intended only for the addressee shown above.  
Any design information (calculations, drawings, etc.) included in this transmission is intended for the sole purpose agreed upon with Gutschick, Little & Weber, P.A. (GLW). If this information is to be used for any other purpose or transmitted to any other persons, prior consent must be received from GLW.



January 21, 2019

Howard County Council  
3430 Courthouse Drive  
Ellicott City, MD 21044

Re: **Council Bill 3-2019**

Ladies & Gentlemen:

I regret not being able to give this testimony in person, but I have the following concern with the proposed legislation.

I believe the Bill would place too much authority in one body's determination, over the destiny of a project. In an historic district, the Preservation Board's views should carry considerable weight, but not to the exclusion of other agencies. Meeting the voluminous regulations has always been challenging, but in the end, it is a balance of all the requirements.

Perhaps going to a model used for the Design Advisory Panel would be something to explore. The DAP's motions carry considerable weight, but there is a process to allow further discussion and compromise.

Sincerely,

Carl Gutschick, PE  
Principal



January 21, 2019

Howard County Council  
3430 Courthouse Drive  
Ellicott City, MD 21044

Re: Council Bill 4-2019

Ladies & Gentlemen:


I regret not being able to give this testimony in person, but I have the following concern with the proposed legislation.

I believe the Bill would eliminate a regulatory tool that has been used sparingly and properly for many years. There are plenty of times that an environmental impact for a development project has risen to the level requiring an Alternative Compliance Petition. The Department of Planning & Zoning has not been reluctant to require this type of evaluation when appropriate. However, there are times where an impact is so clearly necessary and warranted that it can be handled in a simpler manner. Using the “necessary disturbance” provisions of the Subdivision Regulations does not give the impact any less scrutiny; it is simply an easier way to process the request, as long as the conditions of using “necessary disturbance” are met as specified in the Subdivision Regulations.

An analogy may prove useful. The IRS has various forms for individuals to file taxes. Complicated returns must use the full 1040 to file. However, if the right conditions are met, a taxpayer can use the 1040-A or 1040-EZ. Given the right conditions for use of the easier form doesn't allow the taxpayer to pay less tax; it is just a simpler form to get to the same answer.

Please do not remove the “necessary disturbance” provisions. They serve a purpose, and I believe the process is used judiciously by DPZ.

Sincerely,



Carl Gutschick, PE  
Principal

## Sayers, Margery

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**From:** Brenda Schweiger <bkschweiger7@msn.com>  
**Sent:** Tuesday, January 22, 2019 2:58 PM  
**To:** CouncilMail  
**Subject:** Bill CB-3 2019

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hello- I'm writing to to give my support for Bill CB-3 2019 that will be submitted tonight.

Best,  
Brenda Schweiger

Sent from my iPhone



## Sayers, Margery

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**From:** Angela Katenkamp <akatenkamp@gmail.com>  
**Sent:** Tuesday, January 22, 2019 3:32 PM  
**To:** CouncilMail  
**Subject:** CB3

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

I am writing to you in support of CB-3. In its description of the Lawyers Hill Historic District, the Maryland Historical Trust states, "While the buildings vary in style, they are closely related in setting, scale, and materials. Lawyers Hill is also significant for its landscape architecture and community planning. Houses were built to fit the contours of the hillside and blend with the natural landscape. Most of the buildings are set back at least 100 yards from the narrow and winding roads, evoking the spirit of the pre-auto era. The natural and man-made landscape has been allowed to mature, shrouding the houses in foliage and creating thick canopies over the roads." (<https://mht.maryland.gov/nr/NRDetail.aspx?NRID=1114&FROM=NRMapHO.aspx>). Buildings are just one aspect that give the Lawyers Hill Historic District its character. Also important are the rolling hills and mature foliage. Without this important legislation the addition of a new subdivision that does not have to comply with all the important features that give a historic district its character and charm can permanently change an area that many have worked hard to preserve and deserves preservation. Elkridge is Howard county's oldest established settlements, and the Lawyers Hill Historic District which sits above the Thomas Viaduct is one of the last vestiges of our historic past. We must do all that we can to preserve this piece of our past. I urge you to vote in favor of CB3 to help protect Lawyers Hill and other historic districts.

Sincerely,

Angela Shiplet

## Sayers, Margery

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**From:** Meg Boyd <boydfamily11@gmail.com>  
**Sent:** Tuesday, January 22, 2019 10:40 AM  
**To:** CouncilMail  
**Subject:** Support CB 3-2019 and CB 4-2019

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Councilmembers,

We are writing in strong support of both CB 3-2019 and CB 4-2019, which provide important protections for our community.

Thank you,  
Meg and John Boyd  
6589 Belmont Woods Rd, Elkridge, MD 21075

## Sayers, Margery

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**From:** Van Wensil <farmvan@gmail.com>  
**Sent:** Tuesday, January 22, 2019 1:19 PM  
**To:** CouncilMail  
**Subject:** CB3 2019

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear council members, I welcome you to your new office and know that you have the best interest of our County at heart. As six generations of my family have lived or now live in Elkridge, I have seen the chance that has happened to our communities. The massive destruction of OEC is heart breaking, as when my grandmother would ask if I wanted to go to town, she meant downtown Ellicott City. We did our banking and some shopping at Mr. Paul's market, she stopped in to see friends that were shop keepers. We have lost so much of our historic properties and environment to over development and our County is worse for it. I lived on Old Lawyers Hill for many years and was instrumental in getting it established as an historic district. To see this very unique area stripped naked of trees and replaced with 17 homes is most definitely not in keeping with the treasure that is Lawyers Hill. Riding through this historic district you are instantly aware of the heavily wooded environment with each house completely different from the other. Many have large wooded step backs, 18 houses have setbacks of 125+' and 11 have over 200+' setbacks and several with setbacks of 362'-513'. Please consider and pass bill 3, as this would help protect our historic treasures by making developers develop in ways that are compatible with the areas that they are in. Thank you for being our voices, Van Wensil.

## Sayers, Margery

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**From:** Lisa May <lisavm78@vt.edu>  
**Sent:** Tuesday, January 22, 2019 10:18 AM  
**To:** CouncilMail  
**Subject:** Comments on CB 3 and CB 4 from HCAR  
**Attachments:** HCAR Comments on CB 3 and 4 1.19.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Good morning,

On behalf of the Howard County Association of REALTORS, please find attached our comments on CB 3 and CB 4, which will be heard before the Council this evening.

If you have any questions or concerns, please do not hesitate to contact us.

Sincerely,

Lisa May  
HCAR Government Affairs Director



Main 410-715-1437  
Fax 410-715-1489  
Web www.hcar.org

January 22, 2019

The Honorable Christiana Mercer Rigby, Chair  
Howard County Council  
George Howard Building  
3430 Court House Drive  
Ellicott City, MD 21043

Dear Chairperson Rigby,

On behalf of the Howard County Association of REALTORS® (HCAR), an organization representing over 2,000 real estate professionals and affiliates in the County, we are writing to offer comments on Council Bills 3 and 4, which will be heard before the Council on January 22.

HCAR believes that our community deserves both predictability and consistency in the development process. However, for orderly and effective development to occur, those businesses which provide housing within our County also deserve a sense of predictability and consistency. The passage of CB 3 and CB 4 as currently written have the potential to disrupt this balance, to the detriment of the housing industry and our area homebuyers.

CB 3 expands the role of the Historic Preservation Commission beyond its current function by adding yet another layer of approval to the already lengthy subdivision plan process. Meanwhile, CB 4 removes necessary disturbance provisions which are already limited in scope and are at times imperative to the successful use of the property. The delays, additional procedures or even project denials which would result from these bills would add costs to newly constructed housing and decrease available housing supply, resulting in less affordable options for our area workforce.

It is our hope that the Council will consider other means to provide a transparent, predictable development process for our residents and our development industry alike. Thank you in advance for your consideration of our comments.

Sincerely,

Dan Lampieri, President  
Howard County Association of REALTORS®

## Sayers, Margery

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**From:** Angelica Bailey <abailey@marylandbuilders.org>  
**Sent:** Tuesday, January 22, 2019 9:15 AM  
**To:** CouncilMail; Angelica Bailey  
**Cc:** Rigby, Christiana; Facchine, Felix; Walsh, Elizabeth; Dvorak, Nicole; Jung, Deb; Williams, China; Jones, Opel; Harris, Michael; Yungmann, David; Knight, Karen; Ball, Calvin B; Sidh, Sameer; Sager, Jennifer; Feldmark, Jessica; Irvin, Jim; Lazdins, Valdis; Lori Graf  
**Subject:** Written Testimony for CB3 and CB4  
**Attachments:** MBIA Opposition Letter to CB3 – Historic Preservation Commission.pdf; MBIA Opposition Letter to CB4 – Necessary Disturbance.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Good Morning,

Please find MBIA's written testimony for bills CB3-2019 and CB4-2019 attached. We look forward to working with you on these important issues this evening.

Best,  
Angelica Bailey

Angelica Bailey, Esq.  
Vice President of Government Affairs  
[abailey@marylandbuilders.org](mailto:abailey@marylandbuilders.org)  
Maryland Building Industry Association  
11825 W. Market Place  
Fulton, MD 20759  
Cell: 202-815-4445  
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Ph: 301-776-MBIA

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January 22, 2019

**Re: OPPOSITION TO CB3 – Removing certain exceptions for a certificate of approval for new development in a historic district**

Dear Chairwoman Mercer Rigby and Members of the Howard County Council:

The Howard County Chapter of the Maryland Building Industry Association (MBIA) writes in opposition to Council Bill 3 removing certain exceptions for a certificate of approval for new development in a historic district, essentially giving the Historic Preservation Commission the authority to stop any project in a historic district. The MBIA asserts that this would significantly and unnecessarily expand the Historic Preservation Commission's authority while creating inefficiency in the approval process.

Under the current law, a certificate of approval from the Historic Preservation Commission (HPC) is required before construction of any structure, construction of parking areas, or installation of exterior signs can begin in any historic district. If the HPC issues the certificate, the Department of Inspections, Licenses and Permits (DILP) can issue a permit for the work to begin. However, a certificate is not needed for ancillary construction like public streets and sidewalks, use-in-common driveways, storm drains and drainage swales, stormwater management facilities, utility lines, tree clearing or removal, or forest conservation plantings in a historic district. CB3 proposes to remove this exemption, requiring the HPC to issue a certificate of approval for basic work that does not substantively alter the integrity of a historic structure.

The alteration or removal of historic buildings is important, and the HPC should have a voice during such review. However, the exemption at issue does not relate to the buildings themselves; this exemption speaks to minor and necessary changes in historic districts like stormwater management facilities and the construction of public sidewalks. The HPC was designed to make recommendations, not conclusive decisions; granting it the authority to stop the approval process at the very end and send a developer back to the beginning for a non-substantive alteration is tremendous authority for a citizens' advisory board. Such a result is costly, unreasonable and disproportionate.

Furthermore, requiring HPC to provide a certificate for small alterations is redundant and does not further the HPC's purpose of protecting historic structures in Howard County. The Department of Planning and Zoning (DPZ) already considers the historic impact of a request during the approval process and provides opportunities for both experts and the public to provide feedback. The HPC participates in these steps, and assists in reviewing development plans several times throughout the approval process. The HPC therefore has ample opportunities to make recommendations at earlier stages. A third bite at the apple, which comes at the end of the approval process, is redundant and slows the process by adding more steps and more potentially-appealable decisions.

The MBIA urges you to vote against the removal of the exemption to the Historic Preservation Commission's certificate requirements.

Thank you for your attention to this vital issue and your continued support of the local home building industry. If you have any questions about these comments and would like to discuss MBIA's position further, please do not hesitate to contact me at [abailey@marylandbuilders.org](mailto:abailey@marylandbuilders.org) or (202) 815-4445.

Best regards,



Angelica Bailey, Esq., Vice President of Government Affairs

Cc: Councilman David Yungmann  
Councilman Opel Jones  
Councilmember Elizabeth Walsh  
Councilmember Deb Jung  
County Executive Calvin Ball  
Sameer Sidh, Chief of Staff to the County Executive  
Valdis Lazzdins, Director of Planning  
James Irvin, Director of Public Works

**Sayers, Margery**

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**From:** Lisa Badart <lbadart@gmail.com>  
**Sent:** Monday, January 21, 2019 10:40 PM  
**To:** CouncilMail  
**Subject:** CB3-2019 / CB4-10`9

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Howard County Council Members,

My husband and I totally support both CB3 and Cb4-2019 and hope that you will also.

Thank you,  
Lisa & Nicholas Badart  
6001 Old Lawyers Hill Road  
Elkrdige, MD 21075



## Sayers, Margery

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**From:** Angelica Bailey <abailey@marylandbuilders.org>  
**Sent:** Sunday, January 20, 2019 12:26 PM  
**To:** CouncilMail  
**Subject:** Tuesday Hearing Testimony Signup  
**Attachments:** CB4-2018 MBIA Testify.pdf; CB3-2018 MBIA Testify.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Good Afternoon,

I will be testifying against CB3-2019 and CB4-2019 at Tuesday's hearing.

Thank you,  
Angelica Bailey

Angelica Bailey, Esq.  
Vice President of Government Affairs  
[abailey@marylandbuilders.org](mailto:abailey@marylandbuilders.org)  
Maryland Building Industry Association  
11825 W. Market Place  
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Cell: 202-815-4445  
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## Sayers, Margery

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**From:** Angelica Bailey <abailey@marylandbuilders.org>  
**Sent:** Tuesday, January 22, 2019 4:48 PM  
**To:** CouncilMail  
**Subject:** RE: Tuesday Hearing Testimony Signup

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Good Evening,

Please note that MBIA will testify against CB4, **but not CB3. We** have submitted written testimony for both.

Thank you,  
Angelica Bailey

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**From:** Angelica Bailey  
**Sent:** Sunday, January 20, 2019 12:26 PM  
**To:** 'councilmail@howardcountymd.gov'  
**Subject:** Tuesday Hearing Testimony Signup

Good Afternoon,

I will be testifying against CB3-2019 and CB4-2019 at Tuesday's hearing.

Thank you,  
Angelica Bailey

Angelica Bailey, Esq.  
Vice President of Government Affairs  
[abailey@marylandbuilders.org](mailto:abailey@marylandbuilders.org)  
Maryland Building Industry Association  
11825 W. Market Place  
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