

Sayers, Margery

From: Jiayun Lu <lujiaiy@hotmail.com>
Sent: Wednesday, September 06, 2017 10:42 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Howard County Council members,

I am a resident of Howard County. Recently, the ongoing school redistricting process brought chaos in our community. I'm worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years.

Therefore, I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Sincerely,

Jiayun Lu
8757 wellford drive
Ellicott City, MD 21042

Sayers, Margery

From: Josyulas <darsanaandjr@gmail.com>
Sent: Wednesday, September 06, 2017 10:42 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: Written Testimony for Council Bill 61

Dear Council Members,

We moved to Howard County 10 years ago only for the schools and the green spaces. We have one child. We are active in the community and do our bit to help out. We clean roads, support local businesses, teach local kids, support the food banks etc. I am seeing the amount of new building and I am aghast when I note that the County collects \$1.2 per sq. ft as impact tax for county school construction (of the \$2.4, more than half goes towards transportation) and the cost of a new school. I ran some quick numbers and I see that impact tax per medium size home must be at least \$50,000 for school building and only \$3,000 is being collected from developers. The difference has to be paid from my taxes!

Developers need to pay \$50,000 per house for school capital costs. They can pass that on to buyers. We will get higher income residents, higher taxable income and higher property valuation.

The County Council needs to charge at least that amount. We all win! The \$3,000 that they currently pay is a pittance.

I am concerned that our property taxes will be increased to make up for the low fees that developers pay in our county.

I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population (fire, police and emergency services) and protect our quality of life. I'm worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years.

In the past 10 years my commute to Savage Marc Station has increased from 10 minutes to 25 minutes due to increased congestion.

I support the Feasibility Plan for redistricting.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 3.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

My name is Josyula R. Rao. I am not a US citizen but my wife and son are. My wife votes and soon my son will too. I expect to become a US citizen in the future. My address is 6453 Swimmer Row Way, Columbia, MD 20144. I hope you will do what's right to keep up the quality of life and services in Howard County. We want to make it home for as long as possible but worry about the future.

--

Best regards,
JR

satyaM brUyAt priyaM brUyAt ma brUyAt satyam apriyam | priyaM ca nAnRRitaM brUyAt eSha dharmah
sanAtanaH ||

Speak truth in such a way that it is pleasing to others. Please never speak truth in an unpleasant way. Never speak untruth, even if it sounds pleasant. This is the path of eternal morality, sanatana dharma.

Sayers, Margery

From: Na Chen <nachen818@gmail.com>
Sent: Wednesday, September 06, 2017 10:27 PM
To: CouncilMail; Kittleman, Allan
Subject: WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Madam/Sir:

My name is Na Chen. My family has been living in Howard county for over 17 years. I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population (fire, police and emergency services) and protect our quality of life.

I'm also very worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years, like AAC's decision on 08/22 of moving our Centennial Overlook community (Polygon 147) out of Centennial school district. We were just assigned by APFO to the Centennial school district in the end of 2015. AAC's decision violated the Howard county policy 6010. It greatly damages the stability of our community. It hurts our kids the most. My daughter has been worried for almost two months since she knew the redistricting chaos. It took her a lot of efforts to adjust to the new community and new school a year ago. It is nor fair to move us again after APFO assigned us less than two years ago.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Sincerely
Na Chen

8684 Wellford Dr.
Ellicott City, MD 21042

Sayers, Margery

From: Jian Xu <jian.xu01@gmail.com>
Sent: Wednesday, September 06, 2017 10:24 PM
To: CouncilMail; Kittleman, Allan
Subject: WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Madam/Sir:

My name is Jian Xu. My family has been living in Howard county for over 17 years. I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population (fire, police and emergency services) and protect our quality of life.

I'm also very worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years, like AAC's decision on 08/22 of moving our Centennial Overlook community (Polygon 147) out of Centennial school district. We were just assigned by APFO to the Centennial school district in the end of 2015. AAC's decision violated the Howard county policy 6010. It greatly damages the stability of our community. It hurts our kids the most. My daughter has been worried for almost two months since she knew the redistricting chaos. It took her a lot of efforts to adjust to the new community and new school a year ago. It is nor fair to move us again after APFO assigned us less than two years ago.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

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- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Sincerely
Jian Xu

8684 Wellford Dr.
Ellicott City, MD 21042

Sayers, Margery

From: C Steib <steibs@gmail.com>
Sent: Wednesday, September 06, 2017 9:53 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: WRITTEN TESTIMONY FOR COUNCIL BILL 61

All,

We were born and raised in Howard County and now currently have a student at Northfield Elementary School and another child in a local preschool. We are contacting you to express our frustration with the Howard County's APFO.

We are very concerned by several factors, but the one that bothers us the most is that we are continuing to allow developers to build all over the county, but not adequately preparing the infrastructure necessary to support this increase in population. Not to mention, our quality of life decreases with the increase of traffic, school overcrowding, our emergency services (police, fire, hospital, etc.) are strained, etc..

We are currently in the middle of a huge school redistricting effort that is tearing communities apart and we are concerned that if the county doesn't do a better job of controlling and planning for development, we will be forced to go through this stressful cycle in another few years. On top of that, since the developers only have to pay low fees to build here, our property taxes will most likely increase to help make the difference. Something drastic needs to change here!

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.

Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.

NO reductions to the current wait time for housing allocations or school tests.

APFO needs to be reviewed every 4 years.

Increase real estate transfer tax by 1.0%.

APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

We are part of a large family within Howard County and the outcome of the APFO legislation will be a deciding factor as we consider our election options in 2018.

Respectfully submitted,

Cara Steib - 3602 Underoak Drive Ellicott City, MD 21042

Christopher Steib - 3602 Underoak Drive, Ellicott City, MD 21042

Sayers, Margery

From: Wendy Lessels <wlessels@gmail.com>
Sent: Wednesday, September 06, 2017 9:37 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear All,

I have lived in Howard County for 50 years and have seen this county change dramatically with over development. I'm contacting you to express my frustration with the Howard County's APFO and my opinion on Council Bill 61.

I am very concerned by several factors, but the one that bothers me the most is that we are continuing to build all over the county, but not doing anything to adequately prepare the infrastructure necessary to support a growing population. However, at the same time - our roads cannot take any more traffic. I also think the way the county will increase our property taxes to make-up for the extremely low fees that the developers are charged.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure. School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.

Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.

NO reductions to the current wait time for housing allocations or school tests.

APFO needs to be reviewed every 4 years.

Increase real estate transfer tax by 1.0%.

APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

The outcome of the APFO legislation will be a deciding factor as I consider my election options in 2018.

Respectfully,
Wendy Lessels
10040 Waterford Drive
Ellicott City, MD 21042

Sayers, Margery

From: Wentao Fu <wentaofu@hotmail.com>
Sent: Wednesday, September 06, 2017 9:26 PM
To: CouncilMail
Subject: Written testimony for council bill 61

Dear Councilmen or Councilwomen: I moved here from Chicago about one and half year ago. I lived in Chicago area for over 14 years and never had a school redistricting over there. Now I am seeing an ongoing massive school redistricting effort and people told me a school redistricting happens once every several years in Howard county. It has been well recognized by the citizens of Howard County that the flawed APFO which has the loose criteria for developers to pass the school capacity test contributes to the never-ending cycle of school redistricting. As a matter of fact, my friend's community, Centennial Overlook whose construction is being completed, is on the AAC plan for being redistricted to Wilde Lake Schools. If the APFO had a stringent criteria for school capacity limit, this community wouldn't have been zoned to centennial schools three years ago, and the residents in Centennial Overlook wouldn't have to face the possibility of being redistricted. I am sure you are all aware that school redistricting breaks up communities and is so disruptive to students' social connections.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1: School capacity limits-including high schools-to be set at 100%. Schools are closed to new development at that level.
- 2: Mitigation (funding, additional time or both) begins when a school reaches 95% capacity.
- 3: No reductions to the current wait time for housing allocations or school tests.
- 4: APFO needs to be reviewed every 4 years.

Wentao Fu
11730 Trotter Point Ct.
Clarksville, MD, 21029

Sayers, Margery

From: Daniel Diep <dandiep.mtl@gmail.com>
Sent: Wednesday, September 06, 2017 8:21 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: WRITTEN TESTIMONY FOR COUNCIL BILL 61

Howard County is one of the best places in MD to raise a family in a diverse community and give our children the best educational opportunities. These are the main reasons why so many families like mine moved here two years ago. However, our dreams are quickly turning into a nightmare as we are suddenly facing comprehensive school redistricting just as our two boys got settled in their new schools. After four weeks of frantically trying to understand it all, I still find it is incomprehensible that our elected county and school officials are putting the interests of developers and profits ahead of our children's education and well being by using redistricting as a political tool to keep overcrowded "schools open" to new developments. In my view, the current situation mirrors that caused the Great Recession where incredible growth was lauded while risks were ignored until the system finally crashed and wrecked economic havoc. It is imperative for all school and county officials to learn from past lessons, work together and lead us on a slower and sustainable growth path rather than siding with developers and sacrificing our most vulnerable residents, our children.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

As a resident of Howard County, voter and father of two, ensuring that all children are the top priority for our politicians is my only voting concern. I sincerely hope that the County Council and Executive give serious consideration to this testimony as they debate and amend CB61 to strengthen APFO and help ensure our children's success in Howard County schools.

Daniel Diep

9823 Tenney Ct

Ellicott City, MD 21042

Sayers, Margery

From: hongyu xu <hongyuxu@yahoo.com>
Sent: Wednesday, September 06, 2017 8:13 PM
To: CouncilMail
Subject: Written testimony for council bill 61

Dear Councilmen or Councilwomen:

I moved here from Chicago about one and half year ago. I lived in Chicago area for over 14 years and never had a school redistricting over there. Now I am seeing an ongoing massive school redistricting effort and people told me a school redistricting happens once every several years in Howard county. It has been well recognized by the citizens of Howard County that the flawed APFO which has the loose criteria for developers to pass the school capacity test contributes to the never-ending cycle of school redistricting. As a matter of fact, my friend's community, Centennial Overlook whose construction is being completed, is on the AAC plan for being redistricted to Wilde Lake Schools. If the APFO had a stringent criteria for school capacity limit, this community wouldn't have been zoned to centennial schools three years ago, and the residents in Centennial Overlook wouldn't have to face the possibility of being redistricted. I am sure you are all aware that school redistricting breaks up communities and is so disruptive to students' social connections.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1: School capacity limits-including high schools-to be set at 100%. Schools are closed to new development at that level.
- 2: Mitigation (funding, additional time or both) begins when a school reaches 95% capacity.
- 3: No reductions to the current wait time for housing allocations or school tests.
- 4: APFO needs to be reviewed every 4 years.

Sincerely,
Hongyu Xu
11730 Trotter Point Ct.
Clarksville, MD, 21029

Sayers, Margery

From: Changrung Chen <changrungchen@gmail.com>
Sent: Wednesday, September 06, 2017 2:24 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear County Council Members:

Two and half years ago I moved my family from Boston, MA to Maryland to pursue a new life. We decided to build our dream home in Ellicott City because of its great community and school system. When our two kids finally fit into the new schools after two years of hard work, I was shocked to learn that Howard County has decided to initiate another round of school redistricting that potentially could move my kids to new schools. I began to research on the cause of school redistricting and realized that the cause of school redistricting was due to Howard County's weak APFO that resulted in overcrowded schools.

I'm worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years. As a parent, it is very hard to watch our kids to go through school changes every 2-3 year. They would need time to adopt to the new teachers, new peers and new facilities which would take away the time they could use to learn, to study and to have fun. Not to mention they will be forced to leave their beloved friends and teachers behind.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

It is time to address the overdue problems created by Howard County's weak APFO. The people in Howard County need your help to make it a sustainable community. The changes need to happen right away to prevent further damage to our already fragile community.

Sincerely yours,

Chang-Rung Chen

9706 Edmond Court

Ellicott City, MD 21042

Polygon #147

Sayers, Margery

From: Julie Chang <juliazhang10@gmail.com>
Sent: Wednesday, September 06, 2017 1:58 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear County Council members,

I am a Howard County resident with two kids at the Centennial Lane Elementary School. The reason we chose Howard County to our new home relocating from Minnesota two years ago is the diverse culture, nice school districts, and convenient commute time to the DC metro area. However, we have seen significant miscommunication between development and the lack of infrastructure needed in the area. For instance, our brand new neighborhood was approved by the county two years ago with current school assignment. However, only after two years, we are proposed to be redistricted at all three school levels due to the overcrowding issue. I see significant disconnection between development and the school system. Base on my living experience in four states of the nation, this is the most ridiculous I have seen in last over ten years.

Therefore, I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1) School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- 2) Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- 3) NO reductions to the current wait time for housing allocations or school tests.
- 4) APFO needs to be reviewed every 4 years.
- 5) Increase real estate transfer tax by 1.0%.
- 6) APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Best regards,
Julie Chang
9814 Tenney Ct
Ellicott City, MD 21042

Sayers, Margery

From: Williams, Jamie <Jamie.Williams@fisglobal.com>
Sent: Wednesday, September 06, 2017 11:06 AM
To: CouncilMail
Cc: Kittleman, Allan
Subject: Written testimony for council Bill 61

Dear County Council Members:

I have lived in Howard County for the past 25 years and have seen many changes in the county over that time. I feel that we need to take a step back at this point and re-assess the growth and over-crowding of our roads and schools and the impact to our infrastructure. We need to match growth to services that are required – not just schools, but hospitals, roads, fire and emergency services, traffic control, environmental and water management, and overall quality of life. I have had personal experience several times with over-crowding at Howard County hospital. The wait times in the emergency room were incredibly long, many gurneys lined up in hallways, and inability to admit my family member due to lack of beds.

The growth tests used by the county are weak and favor developers not residents. In comparison to other counties in the state, Howard County is listed as one of the worst managing APFO according to the report by the APFO Workgroup of the Maryland Sustainable Growth Commission published in March 2012. The schools policy needs to be changed to include high schools in the test and the school capacity “closed” percentage should be reduced to 100%. The hospital must be able to handle the patient capacity whether it is in the ED or an inpatient setting. The hospital support across the County should be part of the test for allotments. Environmental factors should also be included, including the need to develop buffers for our rivers and streams. Water management and sanitary solutions must be in place to handle proposed new development. There should be no reductions to the wait time for housing allocations or school tests.

I strongly support more controls on growth, and amendment of Bill 61 to include the recommendations of the Howard County Citizens Association (HCCA) and the APFO task force report. In my opinion, this is the most important issue before the county council.

Sincerely,
Jamie Williams
5927 Meadow Rose
Elkridge, MD 21075

The information contained in this message is proprietary and/or confidential. If you are not the intended recipient, please: (i) delete the message and all copies; (ii) do not disclose, distribute or use the message in any manner; and (iii) notify the sender immediately. In addition, please be aware that any message addressed to our domain is subject to archiving and review by persons other than the intended recipient. Thank you.

Sayers, Margery

From: Forrest Family <forrest_121@verizon.net>
Sent: Tuesday, September 05, 2017 9:59 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: Written Testimony For CB 61

My name is Laura Forrest and I reside at 10305 Greenbriar Ct, Ellicott City MD 21042. I have lived at this address for 9 years after living overseas for 5+ years. Prior to living in the UK for 5 years, I resided in the Elkridge section of Howard County for 5 years. It is safe to say I have seen lots of changes in the Howard County. My concern today is that we are not choosing to grow our county responsibly. I commend Mr. Kittleman for setting up a task force to look at APFO as it has been long overdue.

Let me give you some background on where my concerns stem. As I mentioned, my family has lived in Ellicott City for some time. My husband works in Annapolis. We choose Howard County as this is a midway point for the different directions we take to make a living. We choose Howard County because our previous experience living here....to put it simply we were coming home. We choose Howard County because of the school system and we knew our son would be given a good foundation for life. Today unfortunately we now deal with what was a 45-60 minute drive home for my husband to most evenings being closer to 90mins. The traffic at the intersections 100, 29, 40, 70 can now take 30+ minutes. My son attends Manor Woods Elementary School. In 2014 his 1st grade year, capacity was at 672, just below school capacity of 681. Last year we ended the year just at 115% of capacity, so we have lived through the growth numbers represented in APFO. Unfortunately the development does not stop because we have met this number....we will continue to grow with new developments being delivered as we speak. From a personal experience, this quick a growth for a school is difficult for the administration, the teacher, and the students. Mr. Kittleman you attended our Blue Ribbon ceremony in May, you could see how uncomfortable and perhaps unsafe it may have been to have that many students in the cafeteria. There is a separate issue related to how the school system responds to development they should know is coming. The answer can't be to just add portables. This a temporary fix. More money needs to be available to the school system and better communication needs to happened between DPZ and HCPSS to understand capacity impacts.

The recommendations from the APFO task force which do not go deep enough are reflected in CB-61. We need to amend CB-61:

- School capacity limits need to be set at 100%.
- School capacity must include High Schools. We are telling our 13-18 years olds they don't matter by not including a HS test in APFO. All stages of school are important and should be represented when making development decisions.
- No reductions to the wait times.
- Impact fees need to realistically cover the cost of an additional family. School, roads, fire, police, recreation all need some of these funds. Current impact fee does not come close to covering the cost of a school age child in the system.
- Real estate transfer tax needs to increase by at least 1.0%.
- APFO testing needs to include fire, police, recreation (quality of life factors). Our fire and police are ready to serve, let's listen to their needs so they can serve effectively.
- APFO legislation needs to be reviewed on a regular interval. Every 4-5 years would provide time to see how the county is fairing with current legislation. As with most things we need to adapt more quickly to needs as they appear.

I appreciate your time to consider my feedback. I hope you will help create a future for Howard County that will have the next generation proud to say they are from Howard County and that we have chosen to build responsibly.

Sincerely
Laura Forrest
10305 Greenbriar Ct
Ellicott City, MD 21042
Forrest_121@verizon.net

Sayers, Margery

From: min Zhang <minzhang5@yahoo.com>
Sent: Tuesday, September 05, 2017 8:16 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: Written testimony for council bill 61

Dear Councilmen or Councilwomen: I moved here from Chicago about one and half year ago. I lived in Chicago area for over 14 years and never had a school redistricting over there. Now I am seeing an ongoing massive school redistricting effort and people told me a school redistricting happens once every several years in Howard county. It has been well recognized that the flawed APFO, the loose criteria for developers to pass the school capacity test, contributes to the never-ending cycle of school redistricting. As a matter of fact, our community, Centennial Overlook whose construction is being completed, is on the AAC plan for being redistricted to Wilde Lake Schools. If the APFO had a stringent criteria for school capacity, this community wouldn't have been zoned to centennial schools three years ago, and we wouldn't have the chaos we are facing.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

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- 4: APFO needs to be reviewed every 4 years.

Regards

Min Zhang
8721 Wellford Dr., Ellicott City, MD, 21042

Sayers, Margery

From: Stu Kohn <stukohn@verizon.net>
Sent: Monday, September 04, 2017 9:36 PM
To: howard-citizen@yahoogroups.com
Cc: CouncilMail; Kittleman, Allan; Wilson, B Diane
Subject: Special Legislative Public Hearing -- 11 Sept 2017 at 6PM

FYI,

Next Monday, 11 September 2017 is a continuation of a County Council Public Legislation Hearing starting at 6PM at the George Howard building. It is extremely important as there are two major proposed Bills that the Howard County Citizens Association (HCCA) testified on 17 July. Please go to <http://howardcountyhcca.org/member-info/reports-documents-and-testimonies/> to read our testimony.

They are **CB61/62 - Adequate Public Facilities Ordinance (APFO)** – AN ACT amending the Adequate Public Facilities (APFO) Act requiring certain periodic review; specifying completion timelines for certain types of road remediation projects; requiring that certain agreements contain certain provisions with regard to the timing of road mitigation projects; amend the title of certain charts and other terminology; requiring certain waiting periods; clarifying certain exemptions; defining certain terms; amending certain definitions; making certain technical corrections; and generally relating to the Adequate Public Facilities Act of Howard County. You can go to <https://apps.howardcountymd.gov/olis/PrintSummary.aspx?LegislationID=2890> to see the Public and Written Testimony.

CB62 is an ACT amending PlanHoward 2030, the general plan for Howard County, to reduce the number of allocations in the Growth and Revitalization category and to increase the number of allocations in the Established Communities category, beginning in 2020; and generally relating to planning, zoning and land use in Howard County. You can go to <https://apps.howardcountymd.gov/olis/PrintSummary.aspx?LegislationID=2891> to see Public Testimony. As of the beginning of last week there were 17 additional individuals who had signed up to testify. In addition to the 15 who have already testified. We anticipate a large number to testify on Monday. This is especially true because citizens are very concerned with many aspects of the current APFO especially now hearing of the potential nearly 9000 students being redistricted. APFO simply needs to change. We only hope the Council will use their discretion and do something about placing more than adequate measures to ensure the proper balance is in place regarding quality of life issues which includes all infrastructure – Schools, Roads, Hospital, EMS, Police, Fire, and Stormwater, etc.

CB60 - AN ACT allowing certain composting facilities and emergency natural wood waste recycling facilities as accessory uses under certain conditions in certain Zoning Districts; allowing certain natural wood waste recycling facilities and composting facilities as a use permitted as a matter of right under certain conditions in certain Zoning Districts. This subject has been a very concerned issue for mainly the residents of western Howard County. However it affects all of us to ensure in the east that the proper facilities are protected to ensure the health and welfare of any residents nearby are protected. You can go to <https://apps.howardcountymd.gov/olis/PrintSummary.aspx?LegislationID=2892> to see both the Public and Written Testimony. As of the beginning of last week there were 50 additional individuals who had signed up to testify. In addition to the 15 who have already testified. There will be many more besides these 50 to publically testify.

HCCA was a member of both Task Forces relating to these legislative matters. They comprised of 22 and 24 meetings respectively. Thus far I have been very disappointed with the outcomes of the Task Force recommendations. The only way it will be rectified is if the Council takes the initiative to go way beyond the continuance of "Business as Usual" attitude. Yes – major amendments would be appropriate. I am sure the overwhelming majority of their constituents would be most appreciative for their actions.

I have Cc'd both the Council and the Administration in hopes that something positive will be accomplished in these most important pieces of legislation.

Sincerely,

Stu Kohn
HCCA, President

Sayers, Margery

From: Christine Hinds <cmhinds@verizon.net>
Sent: Monday, September 04, 2017 10:31 AM
To: CouncilMail
Cc: Kittleman, Allan
Subject: WRITTEN TESTIMONY FOR COUNCIL BILL 61

My name is Christine Hinds and I've lived in Howard County since 1991. I currently live along the route 32 corridor north of I-70 (Sykesville zip code) and have one child enrolled at Marriotts Ridge and my 20 year old graduated from Marriotts Ridge and now attends college. Both attended West Friendship and Mt. View Middle Schools.

I am truly concerned about the current level of development in the east that is now impacting the western rural areas of Howard County. The citizens along the route 32 corridor have fought for years to mitigate further hazards to the already treacherous route 32. Both Mr. Kittleman and the governor, as well as past politicians have recognized this route to be one of the most dangerous routes in our state. We have fought to make Route 32 "safe again" in this area after loss of life on this road, including a friend of my son's while he was in middle school. Lost a prominent physician as well. We've also fought against industrial mulch facilities and their attorney's finding loopholes in agricultural preservation regulation to bring industrial mulch facilities to our area. Developers overreach into Howard County's rural areas need to stop.

You can ride north or south on route 32 and you will come across signs warning drivers "Pay Attention! Left Turning Vehicles Ahead!". While we have a "suicide lane" added many years ago, the development to the north in Carroll County and now to the East in our own county have added to the overcrowding on this road. SHA has not kept up. Commute times and congestion have continued to creep with no signs of addressing the real problems – development without consideration of the current infrastructure.

Now my daughter may be redistricted in her junior year to Glenelg High School, adding to doubling her commute time (and even longer for children on Day Road) onto route 32 including parts of route 32 (I-70 to Linden Church) that SHA will not begin improving upon until 2019! If any of these students are killed on this route because they have had to commute outside of their neighboring schools and farther out to friends houses, I believe County Council and Executive will have blood on their hands as development in the east has only pushed out school redistricting to the west.

I am requesting that that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits – including high schools- to be set at 100%. Schools are closed to new development at that level.

- Mitigation (funding, additional time, or both) begins when a schools reaches 95% capacity.

- No reductions to the current wait time for housing allocations or school tests.

- APFO needs to be reviewed every 4 years.

- Increase real estate transfer tax by 1.0%.

-APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

In conclusion, my vote will be influenced by a number of factors, but mostly the outcome of this APFO legislation. I am not affiliated with a party and voted for Mr. Kittleman because of his moderate approach. Let's not lose sight of why you all were put into office – to serve the citizens/families of this county and not developers.

Christine Hinds
(410)489-5658
1465 Coventry Meadows Dr.
Sykesville, MD. 21784

Sayers, Margery

From: Caroline Bodziak <cbodziak@aol.com>
Sent: Monday, September 04, 2017 7:30 AM
To: CouncilMail; Kittleman, Allan
Subject: Written Testimony on CB 61-2017 for Sept. 11, 2017 re APFO

APFO Written Testimony
Sept. 11, 2017

To: councilmail@howardcountymd.gov, akittleman@howardcountymd.gov

Subject: Council Bill 61-2017

Introduction

My name is Caroline Bodziak and have been intimately involved in the local PTAs at the elementary, middle, and high school levels for the last 14 years. My four children are all attending or have graduated from Howard County schools and have already gone through two rounds of redistricting. The county's seemingly unfettered support of residential development has created a tsunami of school overcrowding that is forcing students west. These dividing lines have now been drawn so close to my home schools that neighborhoods abutting the high school are being ripped in two and WALKERS are expected to ride a bus past their neighborhood school to attend one eight miles further west.

The question my community continues to ask is, "Why are developers allowed to continue building homes when the schools they feed into are already overcrowded?"

The county council should support their constituents and amend CB 61-2017 to answer the above question by recognizing capacity is reached at 100% and requiring developers to pay their fair share of the cost of creating new school capacity.

The Cost of Growth in Howard County

In Howard County's general growth plan housing allocations are set at 2,000 units (or 2,300 when moderate income units are not required to be counted) annually (per the APFO Allocations chart). Developers assume 0.5 students per housing unit. The average size of an elementary school is 700 students. This means that the county is knowingly adding 1,000 students to the existing school system annually – more than an entire school's worth! – without adding additional corresponding school capacity.

A 700-student elementary school costs roughly \$35 million (per BOE 2018 Capital Budget) to build, at a cost of \$50,000/student. Current impact fees and excise and transfer taxes don't come close to covering the costs of building the required educational infrastructure. The average new home contributes about \$5,000 towards that cost (2000 new homes yields \$10 million – less than a third of the money required to build a new elementary school). Who pays the difference? Your constituents. Developers are being allowed to take advantage of Howard County's loose and generous APFO rules and the community is paying the price, literally by subsidizing school construction and figuratively in terms of community upheaval during school redistricting.

Besides money we also need to consider time. Currently in Howard County developers are allowed to build homes if they have waited a maximum of 4 years and schools continue to be overcapacity. Developers argue that anything longer than the current 4 year waiting period constitutes a "taking" of property rights, which

could lead to lawsuits. However, a recent U.S. Supreme Court ruling defines taking as causing no economic benefit to a property, not defining it as being held up from its maximum profit. The county thus has legal opportunity to increase this waiting period, allowing more time to construct needed school buildings. Howard County's own Capital Improvement Master Plan (CIMP) establishes a six-year schedule for planning and constructing facilities and infrastructure needed to support the delivery of County services (Plan Howard 2030 p. 102). Why should developers not be required to wait a corresponding 6 years?

Capacity means 100%

Something is at capacity when it is filled 100%. If a bucket is filled more than 100% it overflows. When a school is filled at greater than 100% capacity it also overflows. Teachers must force instruction into closets and hallways. Expensive portable classrooms must be added (**over \$20 million** requested for this through FY2018 in BOE's Capital Budget). High school students must eat lunch before 10am because the huge number of students require extra cafeteria shifts. Developers are allowed to build when schools are up to 115% capacity! Look at it this way. It's raining, the electricity cuts out and your basement sump pump stops working. The water level is even with your floor and is at 100% capacity. Now add 15% more water and then keep on adding more. You are now faced with a long, time-consuming and expensive clean-up project.

Action

I am requesting that CB 61-2017 be amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure:

1. School capacity tests:
 - a. must include **high schools** to fully reflect the impact of development on all students.
 - b. need to be set at **100%** from the current 115%.
 - c. must be **reduced NOW** – do not need to wait for state legislative action.
2. Mitigation costs:
 - a. must reflect the **full cost** for added school space necessary to accommodate growth.
 - b. must be **shouldered primarily by developers** by increasing excise taxes, impact fees and surcharges.
 - c. Should also be reflected in an increase in the real estate **transfer tax** by 1.0%.
3. The **wait time** for housing allocations plus schools should be increased from 4 years to 5 or 6 years.
4. APFO should be **reviewed** every 4 years.
5. APFO needs to include measures for **Fire, Police, Healthcare and Stormwater Drainage** similar to surrounding counties.

Conclusion

As elected officials, your responsibility is to your constituents – who vote! – to represent our interests and not that of developers, protect our top-rated educational system, and be stewards of responsible growth without overwhelming existing resources. Like that flooding basement, if we don't work to contain the overflow we will be faced with a time-consuming and expensive clean-up project. The current situation does not pass the common-sense test.

Please support your constituents and take the above actions in amending CB 61-2017.

Respectfully,

Caroline Bodziak
cbodziak@aol.com

Sayers, Margery

From: H Kan <hongjumkan@gmail.com>
Sent: Sunday, September 03, 2017 9:53 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: Written Testimony for Council Bill 61

Dear Howard County Council Members,

It is becoming clear, surprisingly though, that we have some issues with APFO Bill 61 that may have contributed to school overcapacity over the past years. As a new resident in Howard County, I am surprised with some loopholes in the Bill such as allowing new developments even when school is at up to 115% capacity. The cost of overdeveloping without an appropriate level of school capacity is born by everyone directly and indirectly, especially by our kids, which is not acceptable. I am writing to all you to request amending Council Bill 61 in order to avoid future school disruptions:

- School capacity limits - including high schools - to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity
- No reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed more frequently, eg, every four years
- Increase real estate transfer tax by 1.0%
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities

I would really appreciate you taking the suggestions into consideration when revising Bill 61. Thank you.

Sincerely,

Hongjun Kan
11722 Trotter Point Ct
Clarksville, MD 21029

Sayers, Margery

From: Doug Zhao <dzhao88@hotmail.com>
Sent: Sunday, September 03, 2017 9:09 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Consucilmen/women,

I'm writing to raise my concern that the county have failed funding the critical infrastructure (school, fire, police and emergency services, etc.) necessary to support a growing population and protect our quality of life. As a result, residents have been forced to undergo school redistricting once every few years. This is outrageous to me since school redistricting was considered the last option to solve school capacity issue in the places (Wisconsin, Michigan, Illinois) I lived previously.

I am a new resident in Howard County as my wife and I moved here from Chicago due to job changes a year and half ago. After an exhaustive house hunting, we decided to buy a new house in Centennial Overlook because of its convenient location to the park and award-winning schools. Due to the location and the quality of the schools, the developer (Beazer Homes) charged a premium price for the houses in Centennial Overlook, way higher than comparable new houses in surrounding communities. Now every house has been sold (the last one is still being built). Residents just settled and have built connections to the surrounding Centennial neighborhoods. The kids just got out of the stress caused by the previous school change and are enjoying new friendship in their new schools. Our peaceful life was suddenly disrupted by the news that the AAC-draft plan is redistricting us to Columbia schools which are further away from us in order to alleviate the overcrowding of the centennial schools. My 9- and 12-year-old daughters burst into tears after they heard the news. They have just made a lot of friends in their new schools after quite a period of lonely and unhappy time. If we were redistricted, they would be forced out of the current schools and had to start over to build their social connection in a completely new environment in three years.

As a new resident in Howard County, I was puzzled and was wondering why Beazer Homes was permitted to build a new community in a school district whose schools were already overcrowded. I learned through my research that the development plan of this new community in Polygon 147 passed the school capacity test done for development, under a policy called the APFO allowing school utilization rates of up to 115%, which is well above the utilization limit of 110% allowed by the school system under their redistricting policy. I also heard the surrounding neighborhood strongly opposed to the development plan due to the concern of school overcrowding. But the county gave the developer a green light to develop this new community in Centennial School District. How can the county's policies be so contradicting to each other? If you think 115% is the threshold for a new residential development to pass the school capacity test, why a lower limit is applied to the school redistricting later on? As a matter of fact, the major reason for us to be redistricted out is the utilization number for Centennial Elementary School, 114%. Obviously, both of the county government and the developer have benefited from charging a premium price for the location of Centennial Overlook. But later on, we became a target of redistricting which would mean a huge loss for the families in Centennial communities, especially for the kids. I completely understand that the school overcrowding needs to be solved. What I don't understand is why the county zoned Centennial Overlook to the Centennial Schools based upon one policy, and two years later they told the Centennial communities that your schools are overcrowded and some of your kids need to move out based upon another policy. Isn't this an act of irresponsibility to tax-paying residents? The flawed policies of APFO and school planning create never-ending cycle of school

redistricting. To resolve school overcrowding issue through this massive school redistricting is the cheapest way to the county, but has the most disruptive consequences to the communities and students. It is unfair to let the kids to carry the burden of county's flawed policies.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Howard county is one of the richest counties in the nation, but probably has the highest frequency of school districting in the nation and currently is planning the largest scale of school redistricting in the history. Howard county can do better than this with tax payers' money!

Sincerely,
Dong Zhao
8721 Wellford Dr.
Ellicott City, MD 21042

Sayers, Margery

From: Harikrishna Devalapally <hdevalapally@gmail.com>
Sent: Sunday, September 03, 2017 6:23 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Sir/ Madam,

We are submitting this testimony for a stronger APFO that imposes more regulations on new developments.

Our story:

More than 13 years ago we came to this county with lot of dreams and big ambitions. My self and my wife worked very hard and directly involved in many life saving research projects. We made a commitment to live in this historic Howard county and promised our 2 boys a safe & nurturing environment to thrive. But this unexpected & unpleasant decision to re-district is really unfair and very disappointing. We left our friends, family to make a home of our own and our kids have to move again now? How unfair that county officials gave permits to built new homes despite knowing there are no resources to accommodate (specially schools and other emergency services)! Our builder was very open why they are selling the same exact house for a much lower price out side of Howard county (because our community has all 10 scored schools so it is more pricy). Very disappointing to know that the builders win and hard working families loose. We invested a lot (time & money) and its not fair to move our kids just after 2 years because county officials couldn't figure out things right upfront! Over the past few years, there are some unpleasant changes we are dealing with (congestion everywhere with growing population, our commute has doubled), but not ready to put our kids under unnecessary stress by changing schools every couple of years. We sincerely request at least now the county officials have to come up with better solutions (fund for critical infrastructure needed) to address this over crowding issue so there wont be another re-districting in couple of years from now. Please don't just focus on easy way outs by moving our kids and breaking our communities. This affects our quality of life and this is not what we expected from this historic county. Please please help us stay together & stronger.

We are requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Please help us grow stronger together in this beautiful county.

Sincerely,
Harikrishna Devalapally and Swapna Pamu
8659 Wellford Dr, Elliott City, MD 21042

Sayers, Margery

From: Garvin and Ruth <gcrkc1@verizon.net>
Sent: Saturday, September 02, 2017 6:46 PM
To: Weinstein, Jon; Kittleman, Allan; CouncilMail
Subject: AFPO Written testimony regarding Council Bill 61

Hello,

Our family settled down in Howard County largely for its well known education system. We still believe it is a good one, but the recent information regarding AFPO plans is concerning, and honestly makes me double think if we made the right decision for our family.

Continued growth is necessary, but it's time to step back and have a fresh look at a more balanced approach for all AFPO stakeholders (schools, education, transportation, emergency services, developers, etc). The composite effect of the proposed AFPO amendments are biased towards economic growth and developer growth. It is time to review the big picture again to ensure other facets of AFPO are not getting left behind. I want to highlight a some key points that should be considered for CB-61:

- Take a fresh look at AFPO planning with education, public safety and emergency services as the highest priorities. See what plans come up with this approach.
- We need to let school capacity solutions catch up to all growth from the past years. In a way, this mean you all did too good of a job with growth for many years, and its time to get other things (education, public safety, emergency services, etc) to catch up! This will lead to a more balanced Howard County.
- High school capacity limits need to be included in AFPO criteria. This would make the assessment criteria more comprehensive.
- Re-shuffling/Redistricting students for school capacity numbers to be "balanced on paper" so further development can occur is not acceptable. Current residents should not be continually shafted for developer interests. That is not why so many young families want to move here.
- Review/refresh AFPO more often (every 3-5 years?). Not updating the AFPO for many years has led to a significant disconnect between the county and citizens. More regular updates will allow better course correction if priorities become unbalanced.

Please consider the above points strongly. I am proud to live in this county, but this pride will erode if the focus is continually on economic/developer growth, and not on the education and general well-being of the citizens. We need and demand better balance in Howard County.

Thank you for your attention and consideration.

Garvin Cung
5003 Cobble Stone Ct.
Ellicott City, MD 21043

Sayers, Margery

From: Pankaj Patil <pankaj_patil20@yahoo.com>
Sent: Saturday, September 02, 2017 5:48 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Council Council Members

When I moved to Howard County a couple of years back, I was proud to become a resident of neighborhoods that are often featured in '*Money magazine's best places to live*'.

My family was happy with our move to Columbia, we had great neighbors, trails backing into parks and all amenities within a short driving distance. As my kid got ready for joining school, we made a decision of moving to Ellicott City so my child can attend the '*accomplished schools*' usually highlighted in County's own press briefings sourced from Niche / U.S News sites.

As we are settling down with the move and adjusting to the new school system, we get to know that due to *fundamental flaws within the county's development process and how it interacts with the school system*, our neighborhood is nominated for redistricting.

Our assigned schools had utilization ratios that are concerning to the Board of Education, however under existing Adequate Public Facilities Ordinance (APFO), approval was granted for construction of our neighborhood. The projected student enrollment numbers quoted by developer in seeking approval were based on county guidelines that are no longer practical. Projecting and getting official approval for 4 school going kids in a neighborhood of 50+ houses seems impractical and illogical in an populous and developing county like ours. It almost seems like the county development process expects residents moving in to new communities to bring revenue in terms of home sales and higher taxes to fund various county plans but then subsequently forces them to be in a situation where they are deprived of things they originally moved for.

As a responsible, law abiding, tax paying resident, I am deeply concerned that lack of planning and oversight, collaboration with school system, negatively impacts us and most importantly our faith in the whole county system.

I am requesting that **Council Bill 61** is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity
- NO reductions to the current wait time for housing allocations or school tests.
- Make developers pay for School repairs and capacity addition
- APFO needs to be reviewed every 4 years
- Increase real estate transfer tax by 1.0%
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

- Revise archaic guidelines to determine projected student enrollment from new developments.

I hope that concerns from residents like me will be heard and acted on to maintain our trust with the County council and its members.

Regards
Pankaj Patil
8795 WELLFORD DR ELLICOTT CITY 21042

Sayers, Margery

From: Jim Reynolds <jb.reynolds32@gmail.com>
Sent: Saturday, September 02, 2017 4:08 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: Written testimony for CB 61 & CB 62

Dear County Council,

I write to you as a concerned parent and resident of Howard County regarding the proposed bills CB 61 & CB 62. Despite the high cost of living in this county my wife and I moved here in 2003 to be part of a better school district, growing county, safe place to live and put our roots down for the future. We worked hard to get here and stay here. We now have two children and are hopefully here to stay and be a part of this community.

However, I am concerned that Howard is not the utopia it is portrayed sharing titles such as "Best places to live", "Best Schools", and many more. For the first time in 14 years we are considering leaving the county because it has become obvious the growth is severely mis-managed. If the county doesn't do a better job of controlling the APFO to fund the appropriate facilities as they are needed then we are failing the future Howard County residents. Knowing that Howard County was ranked the lowest among 14 comparable counties regarding how we handle APFO is appalling. Developers need to pay their fair share (not pennies they are paying now).

The current policies have created a never ending loop of over crowding in this county and it will not slow until the open/closed and APFO are brought in line. Roads are over crowded, Schools are over crowded, storm water has become an issue, and much more. Why would 115% be acceptable anywhere. How about you let 15% more people into restaurants, hospitals or even your homes. Portable classrooms have become the norm in this county where we pay so much to live. Why? **Do the right thing and fix this problem.** Smart Growth is the main aspect you as a council can control. It is obvious the current policies are not working. This problem will not go away.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0% or propose a tiered rate structure so that those who can afford will pay their fair share.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

For CB 62 I am against developing even more in "established" communities. if we don't have room to build then we should not build. Changing the allocations is not the answer. Established communities are already over crowded, over capacity on schools and roads have become over crowded.

I urge you to "**Do the right thing**" for the voters of this county. I have never seen such momentum on any issue in this county. This will not stop until the policies are corrected. Residents, parents and voters are paying attention and realize we have a problem in this county. Be a part of the solution and not part of the problem.

Sincerely,

Jim Reynolds
6001 Bee Court
Elkridge, MD 21075

Sayers, Margery

From: Melissa Kistler <melissa.kistler@me.com>
Sent: Tuesday, August 29, 2017 1:56 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: WRITTEN TESTIMONY FOR COUNCIL BILL 61

To Howard County Council and County Executive:

I have lived in Howard County now for 8 years. My husband and I were attracted to the area due to location and the wonderful parks, paths, and schools. Our son just started kindergarten this past fall and had a tremendous experience. Within the last several months, however, we became aware of issues in the county stemming from weak APFO. We are seeing how allowing development to occur in areas where schools are overcrowded after only 4 years has led to some area schools being grossly overcrowded. This, in turn, led to a proposal for massive school redistricting this year that undermines the stability students need to be successful. Meanwhile, buildings and developments have been popping up everywhere and there has been noticeable impacts on traffic in the area. What used to be a five minute drive across town now takes 15 minutes or even longer depending on the time of day.

I am concerned that should the county continue down the path of weak APFO, that schools will continue to need to shuffle students around uprooting their sense of stability; that roads- particularly in Town Center- will be overcome with traffic; that home values will decrease due to the uncertainty about what schools are associated with particular neighborhoods and inadequate infrastructure all around. I'm concerned that what attracted us to live in this county initially will be gone without a much better APFO. I find it inexcusable for Howard County to continue down a path of a weak APFO.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1.) School capacity limits- INCLUDING HIGH SCHOOLS- to be set at 100%. Schools are closed to new development at that level.
- 2.) Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- 3.) NO reductions to the current wait time for housing allocations or school tests. I would advocate for INCREASING the current wait time.
- 4.) APFO needs to be reviewed every 4 years.
- 5.) APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

While I know many of the current council members are at the end of their terms, my vote will absolutely be influenced by how those who are up for re-election address these concerns. Howard county's future is at a tipping point, and I hope you will amend CB61 to tip it in the right direction.

I know redistricting and the way development has been done through the years in this county has just, in a way, always been like that. With that in mind, I leave you with this quote from Thomas Paine "A long habit of not thinking a thing wrong gives it a superficial appearance of being right."

I hope to see the right thing done for Howard County and its current and future residents. The right thing is a much stronger APFO- not more if the same inadequacy.

Best,
Melissa Kistler

9417 Aston Villa
Ellicott City, MD 21042
410-370-2162

Sayers, Margery

From: Kate Hudkins <khudkins@gmail.com>
Sent: Thursday, August 24, 2017 1:16 AM
To: CouncilMail
Cc: Kittleman, Allan
Subject: APFO Concerns

As a member of the Dunloggin Community, I ask that the following be added to APFO:

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Best Regards,
Kate Hudkins
3728 Chatham Road
Ellicott City, MD 21042

Sayers, Margery

From: Lisa Markovitz <lmarkovitz@comcast.net>
Sent: Wednesday, August 16, 2017 2:58 PM
To: CouncilMail
Subject: APFO issues, including a tech edit needed

Hello Council Members,

I hope you are enjoying the recess. Thank you to those with whom I have already spoken, and I thank you all for attention to some issues herein, which you may or may not have already sought to address.

In CB61, an edit is needed in the section that addresses when APFO will be reviewed in the future. On page 5, line 30, after "of this code" maybe add "or sooner", because the recommendation was to place a maximum timeframe to review it, not a minimum. :)

It is my opinion that it is grossly unfair to include the allocations/schools max wait of 5 years in CB61, page 11, without the counter compromises made in the SAME motion/recommendation by the task force. The "grand deal" had 3 main pieces. Having to hold off on 2 due to State jurisdictional needs is understandable, but why give the developers the benefit of the third with no counter balance now? The only fair thing to do, if you desire to implement the task force recommendation here, is to either put in the 110% overcapacity reduction now, OR take out the allocations/school wait cap. Developers were well-represented on the task force and agreed to this. Several felt that was the largest benefit to them of all.

For example, if a developer gets allocations and it took 5 years, or more, they would, according to CB61, not even take the school test at all, when currently they could have to wait up to 4 more years. There's a sliding scale of benefit to the developer depending on how long the wait was for allocations. Having a benefit in there without the compromise issue on the slow growth advocate side of the deal is not appropriate.

Thank you for your consideration of these issues, and I apologize to those for whom this is repetitive.

Take care,

Lisa

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

Sayers, Margery

From: Ellie <ptellie@aol.com>
Sent: Tuesday, August 15, 2017 7:56 PM
To: CouncilMail
Subject: APFO legislation

I would like to raise my concern with our current AFPO rules. From what I understand some changes must be made to continue to keep HoCo the best county in Maryland.

1. I want the council members to consider raising the amount developers have to pay per expected child their development is expected to bring to HoCo.
2. I want the capacity levels of high schools to be considered when planning developments not just the elem. and middle schools. I also want the capacity level to be only 100%, not 115%.
3. Lastly, please try to have the AFPO include the hospital and emergency services counted to make sure we have the capacity for more houses and more People. PG and Montgomery counties already do This. It makes sense.

Thank you for your time and please, Please consider these issues.
With gratitude,
Ellie Paczkowski
HoCo resident

Sent from my iPad

Sayers, Margery

From: Rebecca Roberts <rebecca.shopland.roberts@gmail.com>
Sent: Tuesday, August 15, 2017 7:52 PM
To: Weinstein, Jon; Ball, Calvin B; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg; CouncilMail
Subject: Fwd: APFO

Dear Council Members-

We have significant concerns about the continuous building in Howard County and the negative impacts it has on our existing infrastructure. The builders are not held accountable to support the new requirements for infrastructure. This is especially apparent with the new recommendations to redistrict our schools. the following are my concerns -

On a broader basis, County spends funds on studies, time and much effort, concluding that it's better for our sleepy high school students to start school later. Moving our students to a high school twice the distance away is directly contrary to the conclusions and goals of that effort. Any benefit of a starting time delay would be minimized because students have to leave earlier to get to a school twice the distance away. b. On a broader basis, County spends funds and advocates for bike and pedestrian plans / walkability / bikeability and ACC Draft Plan is contrary to that. c. Developers and the County have played a big role in creating this mess.

1. Keep the community together a. For more than 50 years, Dunloggin has historically been a well-defined neighborhood with clear and clean boundaries, is considered "established" even within other County policies, and is well-respected for its community voice. b. Dunloggin is definitely older and more established than other communities that are being left intact under the policy goal of "community stability". c. Dunloggin has always been able to speak with one voice. The County is undercutting our ability to advocate as a full community on high school and other education issues. d. The number of children affected should not directly be related to whether or not to split a community; communities should be kept intact and other adjustments made if necessary to make the numbers work. e. The fact itself that Dunloggin is divided into 8 polygons is not consistent with the well-established nature of our neighborhood with clear, historical boundaries as a neighborhood unit. It should never have been split up to begin with and this use of the polygons divides us. 2. Keep kids together as they feed from one school to the next a. There is already difficult splitting off of friends as students are moved from NES to DMS and Burleigh, and then from DMS to different high schools. Our kids have historically had the ability to stay together as a unit which has benefitted them socially, emotionally, and academically. Separating neighborhood friends at the high school level after they have been together, many for 8 years, has the same constructive effect as a family moving, when the family plan is purposefully not to move. b. The community stability is a known key aspect of and welcome relief to families who have moved frequently in the past such as military families. 3. Commute; Transportation; Distance; Safety a. Congestion is already difficult around downtown Columbia/Town Center and it is only going to get worse with the planned development. b. Any possibility of our kids being able to walk or bike to high school has been eliminated. A walk would take 1.5 hours. c. We bought our homes in Ellicott City to go to school in Ellicott City, not in Columbia. 4. High risk of frequent redistricting as County changes unfold. The redistricting seems premature given significant events on the horizon – new high school being built, downtown Columbia plan coming to fruition, etc. (see also #5) 4 5. Process; Information; Comprehensiveness of AAC Draft Plan a. High school redistricting is a new idea; original focus of redistricting was on elementary school. As such, why can't high school redistricting be taken off the table until the new high school is built and the downtown Columbia development plans unfold? The whole effort seems premature and likely to lead to future redistricting. b. High school redistricting for Dunloggin is a new idea, surfaced because others were not happy with the original Feasibility Study i. We received the new AAC Draft Plan without benefit of full analysis and data. ii. Dunloggin community has not been afforded the same amount of time as other communities to react and respond to AAC Draft Plan. iii. An extension to review and respond to the AAC Draft Plan is needed. c. The AAC Draft Plan as it affects Dunloggin is a narrow or "band-aid" AAC response to concerns raised by other communities about the original Feasibility Study. The AAC response has a negative effect on our particular community while the original Feasibility Plan, completed by HCPSS staff and experts, concluded that our neighborhood should not shift.

Rebecca Roberts
4217 Club Court
EC, MD 21042
410.465.2824

Sayers, Margery

From: KEITH ROBERTS <karoberts812@gmail.com>
Sent: Tuesday, August 15, 2017 7:48 PM
To: Weinstein, Jon; Ball, Calvin B; Sigaty, Mary Kay; Fox, Greg; CouncilMail; gterrasa@howardcountymd.gov
Subject: Fwd: APFO

Dear Council -

We have significant concerns about the continuous building in Howard County and the negative impacts it has on our existing infrastructure. The builders are not held accountable to support the new requirements for infrastructure. This is especially apparent with the new recommendations to redistrict our schools. The following are my concerns -

On a broader basis, County spends funds on studies, time and much effort, concluding that it's better for our sleepy high school students to start school later. Moving our students to a high school twice the distance away is directly contrary to the conclusions and goals of that effort. Any benefit of a starting time delay would be minimized because students have to leave earlier to get to a school twice the distance away. b. On a broader basis, County spends funds and advocates for bike and pedestrian plans / walkability / bikeability and ACC Draft Plan is contrary to that. c. Developers and the County have played a big role in creating this mess.

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Sayers, Margery

From: Rebecca Roberts <rebecca.shopland.roberts@gmail.com>
Sent: Tuesday, August 15, 2017 7:44 PM
To: Weinstein, Jon; Ball, Calvin B; jterr@howardcountymd.govasa; Sigaty, Mary Kay; Fox, Greg; CouncilMail
Subject: APFO

Dear Council Members-

We have significant concerns about the continuous building in Howard County and the negative impacts it has on our existing infrastructure. The builders are not held accountable to support the new requirements for infrastructure. This is especially apparent with the new recommendations to redistrict our schools. the following are my concerns -

On a broader basis, County spends funds on studies, time and much effort, concluding that it's better for our sleepy high school students to start school later. Moving our students to a high school twice the distance away is directly contrary to the conclusions and goals of that effort. Any benefit of a starting time delay would be minimized because students have to leave earlier to get to a school twice the distance away. b. On a broader basis, County spends funds and advocates for bike and pedestrian plans / walkability / bikeability and ACC Draft Plan is contrary to that. c. Developers and the County have played a big role in creating this mess.

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Sayers, Margery

From: KEITH ROBERTS <karoberts812@gmail.com>
Sent: Tuesday, August 15, 2017 7:31 PM
To: CouncilMail
Subject: APFO

Dear Council -

We have significant concerns about the continuous building in Howard County and the negative impacts it has on our existing infrastructure. The builders are not held accountable to support the new requirements for infrastructure. This is especially apparent with the new recommendations to redistrict our schools. The following are my concerns -

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Sayers, Margery

From: Kris Maciorowski <komaciorowski@yahoo.com>
Sent: Friday, August 11, 2017 8:11 AM
To: Weinstein, Jon; Kittleman, Allan
Cc: CouncilMail
Subject: APFO concern

As a resident of District 1, I am appalled at what I'm learning about APFO and developers and overcrowding. You should be working for the citizens, not the developers. My concerns:

Mitigation needs to start at 95% capacity. Schools need to be closed at 100%

APFO should be reviewed every 4 years

High schools should be part of testing

Both the school and allocation test should have a 7 year timeframe

Howard County residents are mobilizing and realizing what is happening in this County. Please fight for us, not against us.

Thank you,
Kris Maciorowski

Sent from my iPhone

Sayers, Margery

From: Lisa Markovitz <lmarkovitz@comcast.net>
Sent: Sunday, July 30, 2017 7:17 PM
To: CouncilMail
Subject: Forgot to mention

On that last link, to compare apples to apples, you have to know an average square footage of a residential unit in Howard County. You can then do the math, to compare to other county charges. Other counties charge per unit. We charge per square foot.

I asked the developers on the APFO task force what a good number was to use, and they agreed that 2000 square feet was appropriate to use.

:)
Lisa

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

Sayers, Margery

From: Lisa Markovitz <lmarkovitz@comcast.net>
Sent: Sunday, July 30, 2017 7:15 PM
To: CouncilMail
Subject: APFO charts

Dear Council Members,

As you are likely aware, there is a lot of discussion online regarding APFO, and comparing ours to those of other counties. I have provided these links to people who ask about that subject.

This is a report with a lot of reference links, that I have publicized as having a chart of other counties' APFO information, especially on pages 12-15.

<http://ceds.org/bcp/SchoolOvercrowding.pdf>

A more recent chart of fees and taxes on development in other counties is here, page 59, from 2016.

http://dls.state.md.us/data/polanasubare/polanasubare_intmatnpubadm/polanasubare_intmatnubadm_annrep/2016-Overview-of-Maryland-Local-Governments.pdf

FYI
Lisa



Virus-free. www.avast.com

Sayers, Margery

From: Chao Wu <superbwu@gmail.com>
Sent: Wednesday, July 26, 2017 10:57 PM
To: CouncilMail; Kittleman, Allan; BoE Email; superintendent@hcpss.org
Subject: Concerns over the APFO update

Dear County Council Members, County Executive, BOE board members and superintendent,

I wrote an article talking about the school redistricting, APFO update. The link is here:
<https://chaowu.org/2017/07/26/we-are-in-need-adequate-public-facilities/>

I wish all stakeholders work together to fix this issue both in short term and long term.

Thanks.

Chao

We Are in Need of Adequate Public Facilities

Dr. Chao Wu

This article will be published on River Hill “The Villager” August 2017 Issue.

We are facing probably one of the largest school redistricting efforts in the Howard County Public School System’s (HCPSS) history. The current HCPSS redistricting proposal aims to move 8,800 students, the equivalent of 16% of the total student population county-wide, where the River Hill community is greatly impacted as follows:

Elementary Schools: Clarksville sends 42 students to Triadelphia Ridge; Pointers Run sends 160 to Clarksville, 38 to Dayton Oaks and receives 196 from Clemens Crossing.

Middle School: Clarksville Middle sends 28 students to Folly Quarter; and receives 123 from Lime Kiln Middle and 33 from Wilde Lake Middle;

High Schools: Atholton sends 337 students to Hammond High and 614 to River Hill; Atholton receives 325 from Hammond High and 420 from Oakland Mills; River Hill receives 227 from Glenelg High.

This redistricting is urgent and needed because of over-capacity issue in some schools. However, such a large-scale redistricting creates unnecessary burdens and pressures on our students, who are the primary focus of our educational system. This over-capacity problem was created by the imbalance between housing development, public facility development, and insufficient funding of our school system. The urgency of school capacity issues could be greatly mitigated in the future if the to-be-revised HoCo Adequate Public Facility Ordinance (APFO) is modified accordingly.

The balance between school capacity and community development is not so difficult to fix. Just as when we see water leaking, the first thing we do is close the faucet. The overcapacity in our schools is caused by over-

development. We need to reduce the speed of development first, and reducing the existing over-capacity now . Otherwise, over-capacity in our schools is like a leaking facet.

With the Adequate Public Facility Ordinance (APFO) is currently being reviewed and planned to be updated by the Howard County Council, we need ask the county council to decrease the ratio for school capacity limits from 120% to 100% and remove the maximum wait times but freeze new project developments when projects fail APFO adequacy tests. Currently when a project fails APFO test first time, it will be automatically pass after three years without another test. When capacity is permitted to be higher than 100%, it means we cannot smooth out the current school over-capacity issue. The result is that we will probably see another large-scale school redistricting in five years.

Adequate means “enough school capacity” to handle the additional students generated by development. Portable classrooms once used become quasi-permanent. A new high school has not been built in the County for a while. Considering that each year HCPSS gains another 1000 students, we need plan ahead. The average elementary school has around 800 students. The annual increase of total students will fill a new elementary school each year. These students will eventually go to high school.

Adequate means “enough road capacity” to handle the additional vehicles generated by development. With many new houses and other facilities being constructed, I do not see much improvement to the local roads. One very example in our community is the intersection at Ten Oaks Road and Clarksville Pike, in front of commercial development under construction. The traffic is both congested and dangerous during peak traffic times. At least, there should be some work to widen both MD 108 and Ten Oaks Road in this location. Please also notice, there are two schools in the vicinity.

Furthermore, we need to be forward-thinking with our roads which means we need to build roads anticipating higher traffic volumes in the future. One example is Route 29. The State Highway Administration is replacing many intersections with overhead bridges which greatly improves the traffic situation. In fact, they should build those bridges when they first design/widen the roads. Planning ahead on the traffic patterns and traffic volumes while building a road may cost more money, but it is really worth the extra money. This upfront investment could be used to build a bridge, widen access to intersection, better signal control system, etc.

I am looking forward to your thoughts on how we ensure there are adequate public facilities.

Chao Wu, *Ph.D.*

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Chao Wu, *PhD*
Council Representative and Board of Director
Columbia Association
Tel: [240-481-9637](tel:240-481-9637), Website: <http://chaowu.org>

Note: The opinion in the email does not represent the opinion of the Board of Columbia Association unless it is clearly stated.

Sayers, Margery

From: lindaleslie@verizon.net
Sent: Monday, July 17, 2017 4:00 PM
To: CouncilMail
Subject: Delay CB61-2017

Dear Elected Representatives,

I am reaching out to join the PTA of Howard County and many of my fellow citizens in requesting that debate of CB61-2017 be delayed until the fall when our school groups and other citizens can fully participate in the legislative process. This is a very complex topic and it is unfair to expect that impacted citizens can effectively participate without education and prep time. Given the interdependencies between adequate public facilities and school redistricting, which will potentially impact 1 in 5 students in HoCo, it is critical that we address this topic thoughtfully. Rushing it through over the summer is not the right course of action.

Thank you for your support. - Linda Leslie

Sayers, Margery

From: Joshua Greenfeld <jgreenfeld@marylandbuilders.org>
Sent: Monday, July 17, 2017 3:24 PM
To: Feldmark, Jessica; Ball, Calvin B; Smith, Gary; Weinstein, Jon; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg; Knight, Karen; Pruim, Kimberly; Clay, Mary; CouncilMail; Delorenzo, Carl; Siddiqui, Jahantab; Wilson, B Diane; allan.kittleman@gmail.com; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy
Cc: Steve Breeden; Lori Graf; Angelica Bailey; James Fraser; Kelly Grudziecki
Subject: MBIA Letters of Support for APFO Bill and Green Neighborhoods Resolution
Attachments: MBIA Letter of Support for CR112 Green Neighborhoods Program.pdf; MBIA Letter of Support for CB61 Adequate Public Facilities.pdf

Dear Chairman Weinstein and Members of the Howard County Council:

In advance of this evening's hearings on CB61 and CR112 on APFO and Green Neighborhoods, respectively, please find attached letters of support from the Maryland Building Industry Association (MBIA) on both pieces of legislation.

The MBIA asks the Council to pass CB61 intact and without substantive amendment (please note one amendment request to correct a drafting error) and to support CR112 to make the Green Neighborhoods program more flexible and workable for the development community.

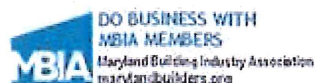
Specifically related to CB61, this bill represents many months of hard work and compromise by a representative group of 23 County residents including numerous community, environmental, good governance and education advocates. While the MBIA believes there are likely better growth management tools than adequate public facilities ordinances, the work this group should be respected and adopted as a reasonable compromise among many stakeholders.

Thank you for your support of these legislative initiatives and of the home building industry in Howard County.

If you have any questions about these comments and would like to discuss our position further, please do not hesitate to contact me at 443.515.0025.

Best regards,

Josh Greenfeld, Esq.
jgreenfeld@marylandbuilders.org
Vice President of Government Affairs
Maryland Building Industry Association
11825 W. Market Place
Fulton, MD 20759
Ph: 443-515-0025



Golf Outing & Reception at MACO - August 17
Come for one or join us for both. [Register here.](#)

Southern Maryland Crab Feast - August 23
At the Historic Olde Breton Inn. [Register here.](#)

The PROS Awards - September 7
Party with the PROs at Smokey Glen Farm. [Register here.](#)

Check out NAHB's Member Advantage Program at www.nahb.org/ma

July 17, 2017

Re: LETTER OF SUPPORT FOR CR112-2017 – Green Neighborhoods Program Amendments

Dear Chairman Weinstein and Members of the Howard County Council:

The MBIA writes in support of CR112-2017, which amends certain categories of points in the Green Neighborhoods development program originally passed by this Council as CB48-2007 designed to incentivize more sustainable development practices. The Green Neighborhoods program creates 150 housing allocations a year for projects that meet the standards of a “green neighborhood.” To date, only two (2) projects have qualified for Green Neighborhoods with hundreds of Green Neighborhoods housing allocations remaining unused with no plans in the development pipeline currently qualifying. After ten years of trial and error, the program is now in need of slight alterations to better align the Green Neighborhoods allocation incentives with the ability of developers and builders to create more sustainable development projects.

Specifically, this resolution alters the Site Design portion of the Green Neighborhoods Checklist to provide added flexibility to meet the rigorous demands of the program. The changes raise the total points available for Green Neighborhoods from 167 to 180 but retain the threshold at which a neighborhood is considered “green” at 90 out of 180 points. Among the 13 points added, 4 points have been added for implementing “innovative” green technologies not considered by the points system that may be implemented in the future as technologies and techniques advance. Points have also been added for creating 5% or more additional MIHU units, for improving flood controls over and above 100 year flood levels, specifically in flood prone areas such as Ellicott City, for the adaptive re-use of non-historic properties such as warehouse or industrial sites, and points for placing land within the Green Infrastructure Network into permanently protected open space.

These changes benefit the entire County by helping retain additional protected open space, encouraging the re-use rather than tear down of older structures, allowing new and innovative solutions to be implemented, increasing overall flood protections and by providing additional moderately priced housing. The MBIA believes these changes are a step in the right direction and asks for your support in passing this resolution.

Thank you for your support of this resolution and for the home building industry in Howard County. If you have any questions about these comments and would like to discuss our position further, please do not hesitate to contact me at 443.515.0025.

Best regards,

Josh Greenfeld, Vice President of Government Affairs

Cc: County Executive Allan Kittleman
Councilmember Greg Fox
Councilmember Mary Kay Sigaty
Councilmember Jen Terrassa
Councilmember Calvin Ball

Jessica Feldmark
Diane Wilson

July 17, 2017

Re: LETTER OF SUPPORT FOR CB61-2017 – Adequate Public Facilities Ordinance

Dear Chairman Weinstein and Members of the Howard County Council:

The MBIA writes in support of CB61-2017, which alters provisions of Howard County's Adequate Public Facilities Ordinance. This legislation represents a compromise bill after more than a year of work on the Adequate Public Facilities Task Force, a Technical Staff Report by DPZ, and presentations to the County Council and Howard County School Board. The task force included 23 county residents from a broad cross section of stakeholders including no less than six (6) community representatives with additional representation from education, affordable housing and progressive government advocates, representatives from emergency services and the school system, one commercial developer and four (4) residential developers or home builders.

While the home building industry believes there are better growth control mechanisms than APF ordinances and that this ordinance too strictly limits overall county economic development, this bill strikes a reasonable balance between controlling growth, encouraging economic development and respecting private property rights. The MBIA urges the County Council to adopt this legislation as **drafted and without substantive amendment** as the embodiment of the labors of a broad cross section of the community over a period of one year and countless hours of discussion, debate and consideration.

The only change the MBIA is requesting is a technical one to correct a drafting error. The text, on Page 3, line 27 Section 16.147e and Page 4, line 17 of Section 16.156k should say "on site road improvements" rather than "offsite road improvements." This change, recommended by the task force, is intended to better hold developers accountable for completing their onsite infrastructure work on schedule. The MBIA supports this additional change for onsite development work, which is within the developer's control as opposed to offsite development work, which is outside of the developer's control.

Thank you for your support of this legislation and of the home building industry in Howard County.

If you have any questions about these comments and would like to discuss our position further, please do not hesitate to contact me at 443.515.0025.

Best regards,

Josh Greenfeld, Vice President of Government Affairs

Cc: County Executive Allan Kittleman
Councilmember Greg Fox
Councilmember Mary Kay Sigaty
Councilmember Jen Terrassa
Councilmember Calvin Ball

Jessica Feldmark
Diane Wilson

Sayers, Margery

From: Kim Eck <kim.eck@verizon.net>
Sent: Monday, July 17, 2017 1:03 PM
To: CouncilMail
Cc: boe@hcpss.org; Les Chasen
Subject: Western Howard County citizen position request on CB-61 & CB-62

Dear Mr. Fox

I live in Western Howard County (district 5) and you represent my jurisdiction. I am requesting that you postpone voting on CB-61 and CB-62. I feel the summer vacation timing of the release of the school district's Feasibility Study requires more time for parents to educate themselves on the issues in order to voice an informed decision that impact our children's lives.

Also, I believe the APFO threshold capacity percentages school's use should (1) NOT exceed 100%!!!! The capacity threshold percentages (2) should also proactively reflect anticipated growth, like future residential development, for future years (ex. 3 and 5 years) and not just based on the current year's school population. The capacity ratios (3) high schools should also be included. I honestly can't understand why Howard County uses their current methodologies; I've lived here for 20 years and this is the fifth time my neighborhood has been redistricted! I have a child in elementary school, so it now affects me personally.

Please feel free to contact me if you have any questions.

Thank you in advance!
Les Chasen and Kimberly Eck

Sent from [BlueMail](#)

Sayers, Margery

From: Jim Reynolds <jb.reynolds32@gmail.com>
Sent: Monday, July 17, 2017 12:26 PM
To: CouncilMail
Subject: Against New Residential Development 61 & 62

Hello,

I would like to urge we halt all new residential construction until we can address the underlying issue of the lack of schools for existing residents and established communities. We need an immediate **moratorium on new construction**. We as residents did not move here to be shuffled like cards every three years because county is failing to plan accordingly. Shuffling families, destroying students relationships all to make the numbers fall between 90-110% is not what we signed up for when we all moved here.

Fix the right problem and serve the voters not the developers.

Sincerely,

Jim Reynolds

Sayers, Margery

From: Vicky Bernal <vickylbernal@gmail.com>
Sent: Saturday, July 15, 2017 10:07 PM
To: CouncilMail; Ball, Calvin B
Subject: Howard County APFO

My name is Vicky Bernal. I am a constituent of Councilman Calvin Ball and my address is 5801 Lois Lane Ellicott City, MD. I live in Shipley's Grant.

My family has been living in Howard County for four years now. And we love it here. Like many families, we were drawn to Howard County because of the quality of schools here. But we've grown increasingly concerned at the level of overcrowding at schools. My daughter is about to enter kindergarten. As of now, we are one of the neighborhoods slated to be redistricted. The level of overcrowding and concerns of redistricting has been a call of action.

I'm calling to ask Councilman Ball to make changes to current APFO legislation to reflect the community needs. Pertaining to CB61 and CB62:

- Change program capacity at which a school is deemed open to **100%**
- Include High Schools
- Hold developers financially responsible for mitigating their developments' effects on our county's infrastructure
- Review APFO yearly NOT every ten years

Sayers, Margery

From: Lisa Markovitz <lmarkovitz@comcast.net>
Sent: Saturday, July 15, 2017 2:26 PM
To: CouncilMail
Subject: APFO re: New Supreme Court "taking" ruling

Dear Council Members,

In June of this year, the US Supreme Court issued a ruling on a "takings" case that started as a disagreement on how to define the relevant amount of land in question in a parcel; however, the issues at hand go beyond that initial case subject matter.

In light of this ruling, the County may want to review this ruling to be informed about its rights. It was a Wisconsin case, party Murr.

I copied excerpts of the opinion below. The last paragraph herein is interesting indeed, and could have ramifications on just how long APFO can halt things, as it seems the "4 years is a taking" argument may no longer apply. One can certainly opine on what is fair or not, but County officials should know what legal rights exist regardless of goals.

I brought this to the attention of the Administration as well, and requested the Office of Law look into it.

FYI,

Lisa

Excerpts from US SC Murr Opinion:

"The Court has, however, identified two guidelines relevant for determining when a government regulation constitutes a taking. First, "with certain qualifications . . . a regulation which 'denies all economically beneficial or productive use of land' will require compensation under the Takings Clause." *Palazzolo v. Rhode Island*, 533 U. S. 606, 617 (quoting *Lucas v. South Carolina Coastal Council*, 505 U.

S. 1003, 1015). Second, a taking may be found based on "a complex of factors," including (1) the economic impact of the regulation on the claimant; (2) the extent to which the regulation has interfered with distinct investment-backed expectations; and (3) the character of the governmental action. *Palazzolo*, supra, at 617 (citing *Penn Central Transp. Co. v. New York City*, 438 U. S. 104, 124). Yet even the complete deprivation of use under *Lucas* will not require compensation if the challenged limitations "inhere . . . in the restrictions that background principles of the State's law of property and nuisance already placed upon land ownership." *Lucas*, 505 U. S., at 1029. A central dynamic of the Court's regulatory takings jurisprudence thus is its flexibility.

This is a means to reconcile two competing objectives central to regulatory takings doctrine: the individual's right to retain the interests and exercise the freedoms at the core of private property ownership, cf. *id.*, at 1027, and the government's power to "adju[s]t rights for the public good," *Andrus v. Allard*, 444 U. S. 51, 65. Pp. 6–9.

.....Considering petitioners' property as a whole, the state court was correct to conclude that petitioners cannot establish a compensable taking. They have not suffered a taking under *Lucas*, as they have not been deprived of all economically beneficial use of their property. See 505 U. S., at 1019. Nor have they suffered a taking under the more general test of *Penn Central*, supra, at 124. Pp. 17–20. 2015 WI App 13, 359 Wis. 2d 675, 859 N. W. 2d 628, affirmed."

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

Sayers, Margery

From: Forrest Family <forrest_121@verizon.net>
Sent: Thursday, July 13, 2017 6:26 PM
To: Fox, Greg
Cc: CouncilMail
Subject: CB61 and CB62

My name is Laura Forrest. I am a constituent of Councilman Greg Fox and my address is 10305 Greenbriar Court.

I am asking our Councilman, to vote to table CB61-2017 and CB62-2107 until September. These bills are very important to the future of Howard County. Voting on these bills during the summer does not give the community adequate time to review, understand and propose meaningful amendments to the bills.

Below please find my concerns with the current bills being presented:

CB61-2017

In regards to CB61, I believe that the open/closed school test needs to be below 115%. It should be 100%. The school system starts to degrade at any point after this 100%. My son attends Manor Woods Elementary school where we saw enrollment throughout the year jump from 759 to 784. Our school capacity is 681. Yes we started the school year 111% of capacity and ended the year OVER 115% of capacity. Our staff and children made the best of the situation, but I can tell you first hand it is not an ideal learning environment. The children where on top of each other and there is no way learning was not impacted with the new children enrolling every week. **Open/Close limits need to be lower than 115% and should be 100% to allow time for the schools to prepare population increases. Lastly, the open/close list does not account for a High School test and it should.** These are formative years for young adults that are being prepared to be sent off into the community to be productive citizens. By not having this test as part of the Open/Close limits, I think we are sending a very poor message to these young adults. They do matter and they should be accounted for in Open/Close test.

CB62-2017

In regard CB62, I believe the attempt to amend allocation rollovers is a good attempt to level some of the development within Howard County. My concern about shifting allocations to Established Communities is that our infrastructure and services will not be able to keep up. The current road test is not sufficient and we do not take into account emergency service needs and quality of life impact for these new allocations. Many of the schools in established areas are running at or above capacity. **Instead of moving allocations, allocation should be reduced.**

Please do the right thing for Howard County, and table CB61 and CB62 until September.

Thanks for your time and consideration.

Laura Forrest
10305 Greenbriar Ct
Ellicott City, MD 21042

Sayers, Margery

From: angela@thefreitags.net
Sent: Tuesday, July 11, 2017 10:50 AM
To: CouncilMail; Weinstein, Jon; Ball, Calvin B; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg
Subject: Howard County Adequate Public Facilities Ordinance

Dear Howard County Council Members,

As a resident and taxpayer of Howard County, I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population. This letter outlines my support for an Adequate Public Facilities Ordinance (APFO) that fairly and equitably balances well-planned growth and effective mitigation for our public infrastructure.

The current APFO includes a schools test. However, we believe that stronger measures are needed around the following components:

- School capacity should be set at 100% -- at the elementary, middle, AND high school levels. The school capacity calculation must not include portable or other temporary classroom space. A school should be closed to new development when its capacity reaches 100%.
- The schools component of Howard County's APFO should reflect capacity measurements that include existing and projected enrollment numbers, as well as proposed and approved development projections, AND a reasonable timeframe under which capacity can be added without unfair consequences on other HCPSS CIP priorities.
- Howard County should use impact fees, excise taxes, and/or other funding mechanisms to ensure that development pays its full fair share of creating the added school space needed to accommodate growth.

The current APFO does not consider the adequacy of public safety services, hospitals, water and sewer, or recreation facilities and services to support new residential and commercial development. These services are critical to maintaining a community that is family-friendly, business-friendly, and economically viable. The Howard County APFO should include a response time adequacy test for public safety and emergency services. It should also include measurements for emergency room wait times, water pressure, sewer services, and recreational facilities.

If we want to continue to keep Howard County a desirable place to live and work, we need an updated, county-wide comprehensive plan for responsible growth paired with adequate funding from developers, among others, for infrastructure support, development, and maintenance. We also need stronger relationships between the county government and the Howard County School Board to adequately plan for, and fund, necessary school construction projects.

I call on you, as elected officials, to support changes to the Howard County APFO that better address the impacts of growth. I also expect more effective partnerships with the Howard County School Board to make sure that capital projects are funded and completed to meet student needs.

Sincerely,

Angela R. Freitag
12312 Ericole Court
Ellicott City, MD 21042

Sayers, Margery

From: no-reply@howardcountymd.gov
Sent: Saturday, July 08, 2017 2:36 PM
To: lattimertp@gmail.com
Subject: CB-61 and CB-62

First Name: Deborah
Last Name: Lattimer
Email: lattimertp@gmail.com
Street Address: 8452 Each Leaf Court
City: Columbia
Subject: CB-61 and CB-62

Message: Please vote against CB-61 and CB-62 as they are now. We want roads that are not congested, and schools that are not over-capacity. If we wanted to be like Northern VA., we would move there! Currently, developers are not paying a fair share for the impact of new developments to our county. We are paying attention and will hold our elected officials accountable. Smart growth only, please.

Sayers, Margery

From: Carol Kressen <kressen5@verizon.net>
Sent: Friday, July 07, 2017 10:11 AM
To: CouncilMail
Subject: APFO

July 7, 2017

TO: Allan Kittleman, Howard County Executive
Jonathan Weinstein, Council Member, District 1
Dr. Calvin Ball, Council Member, District 2
Jennifer Terrasa, Council Member, District 3
Mary Kay Sigaty, Council Member, District 4
Gregory Fox, Council Member, District 5

FROM: Carol J. and N. Parker Kressen

SUBJECT: Howard County Adequate Public Facilities Ordinance

As a resident and taxpayer of Howard County, I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population. This letter outlines my support for an Adequate Public Facilities Ordinance (APFO) that fairly and equitably balances well-planned growth and effective mitigation for our public infrastructure.

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The current APFO does not consider the adequacy of public safety services, hospitals, water and sewer, or recreation facilities and services to support new residential and commercial development. These services are critical to maintaining a community that is family-friendly, business-friendly, and economically viable.

- The Howard County APFO should include a response time adequacy test for public safety and emergency services. It should also include measurements for emergency room wait times, water pressure, sewer services, and recreational facilities.

If we want to continue to keep Howard County a desirable place to live and work, we need an updated, county-wide comprehensive plan for responsible growth paired with adequate funding from developers, among others, for infrastructure support, development, and maintenance. We also need stronger relationships between the county government and the Howard County School Board to adequately plan for, and fund, necessary school construction projects.

I call on you, as elected officials, to support changes to the Howard County APFO that better address the impacts of growth. I also expect more effective partnerships with the Howard County School Board to make sure that capital projects are funded and completed to meet student needs.

Sincerely,

Carol J. and N. Parker Kressen
3218 Evergreen Way
Ellicott City, MD 21042

Sayers, Margery

From: Melissa Metz <melissametz725@gmail.com>
Sent: Monday, July 03, 2017 5:49 PM
To: CouncilMail
Subject: Comments on APFO

Dear County Council,

I see that tonight you will be voting on changes to the Adequate Public Facilities Ordinance. This ordinance is extremely important for the quality of life in our county. I would like to submit comments for your consideration. I see that you are not accepting testimony on this item, but do hope that these comments will be useful as you deliberate how to best represent the interests of your constituencies.

Motivation

Quality of life: The quality of life in our county is high – we were attracted here by the quality of schools, green space, public infrastructure, and community. The process of updating the development regulations can help ensure that this quality of life is maintained over time.

Concerns and costs: We are concerned about maintaining the quality of our school system, and dealing with traffic on our roads. Schools in the north and east of our county are already overcrowded. Traffic on Route 99 is an issue. The risk of flooding puts our properties and a treasures of our county (including Ellicott City's historic district) at risk. New development brings in revenue for our county, in terms of fees paid by developers and property taxes. However, we are concerned that such revenues may not offset the substantial costs of building new schools, building transportation infrastructure, and building infrastructure to mitigate flood risk.

Pressures on County budget: This is especially important in light of the Spending Affordability Advisory Committee report that found that moderate revenue growth will require fiscal discipline to keep up with the county's increasing financial demands. From the County's press release on the report: "The report expressed concerns on potentially higher service demands and slower tax revenues associated with the changing demographics and housing development patterns in the County. Moreover, uncertainties at the Federal level, including potential reductions in federal spending, will likely impact income, spending and job growth in the region, the report said." (See: <https://www.howardcountymd.gov/News/ArticleID/818/News030317b> and <https://www.howardcountymd.gov/Departments/County-Administration/Budget/Spending-Affordability-FY-2018>)

Specific Comments on APFO

1. The **Adequate Public Facilities Ordinance** should be revised to:
 - a. Include a test for stormwater quantity (flood mitigation). Developers should be required to mitigate to 120% the impact of a 500-year storm, as proven by a 2D model.
 - b. Remove the ability for developers to move forward with their projects if certain existing tests (schools, roads) are not met for 4-5 years from the date of submission. This undermines the entire spirit of APFO.
 - c. Revise the special APFO rules for 50-55+ communities. These communities are not currently subject to the APFO schools test. However, current residents who move into these communities and sell their homes contribute to increased students in the school system. Approximately 60% of new students in the school system come from sales of existing homes. Further, as demographics change, there is a possibility that the market could be oversaturated with 55+ communities which could therefore lead to revisions in the rules governing 55+ communities that may allow them to be sold to younger residents
2. The **development allocations** should be revised to:

- a. Incentivize stormwater quantity control (flood mitigation) and low density development by giving developments that go beyond what is required in the regulations, first priority for allocations.
- b. Remove the Tiber-Hudson watershed from the highest tier (Growth and Revitalization) of development allocations. Examine the allocations for the Plumtree watershed and remove the areas from the highest tier depending on flood risk.

Thank you for your attention.

Kind regards,

Melissa Metz

3101 Chatham Rd.