

## Sayers, Margery

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**From:** Joan Lancos <joanlancos@gmail.com>  
**Sent:** Monday, July 09, 2018 9:19 AM  
**To:** CouncilMail  
**Subject:** CB 59-2018  
**Attachments:** Testimony regarding CB 59.docx

I am unable to attend your hearing on July 16, 2018. Attached please find my testimony on the above referenced bill.

Joan Lancos

Testimony regarding CB 59-2018  
July 9, 2018

Members of the Howard County Council:

As a former member of the Howard County Planning Board and as a member of the General Plan Task Force that worked to develop PlanHoward2030, I have significant interest in the line that defines the Planned Service Area. For the past 25 years, I have considered the PSA line as one that is "carved in stone" and necessary to protect the rural western part of the county. In my opinion, there needs to be a very strong reason as to why that line should be moved.

One of the things that came to light during consideration of issues related to PlanHoward2030 is the significant growth of the senior population in the county. The Plan recommends providing additional opportunities for housing for older adults. We currently have two Continuing Care Retirement Communities in the county and both have long waiting lists. Residents of the county with an interest in a CCRC often move out of the county and take their tax dollars with them. After spending 40 or more years in Howard County, seniors leave just when they need their local support group the most.

The Erickson proposal to construct a CCRC on 60 acres of land adjacent to MD 108 and "downtown Clarksville" could be a perfect way to meet the already identified need for more choices for senior living in Howard County. However, the Zoning Regulations require that any property considered for such a use must be within the Planned Service Area. Unless the boundaries of the PSA are revised, the conversation **can not even take place** regarding whether the Erickson plan is the right use for that property and Howard County.

I believe that this particular situation regarding this particular location is such that movement of the line to include the parcels that Erickson is considering in Clarksville should be approved. CB59-2018 includes a "reverter" provision that protects the community from this becoming just another housing development should the CCRC not come to fruition. Voting in favor of this bill will give the community and the new County Council acting as the Zoning Board the chance to fully consider all the opportunities and ramifications that the proposed use would bring to Howard County. I urge you to vote YES to CB59-2018.

Joan Lancos  
6110 Covington Road  
Columbia, MD 21044

## Sayers, Margery

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**From:** Barbara Lyons and John Sutherland <sutherlandlyons@gmail.com>  
**Sent:** Wednesday, July 11, 2018 11:39 AM  
**To:** CouncilMail  
**Subject:** CB59-2018 - Absence of posting of hearing date on subject property

This is to advise that there is presently no posting of the hearing date on the subject property and there has been no such posting.

Thank you

John Sutherland

## Sayers, Margery

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**From:** Sharonlee Vogel <sharonleevogel@gmail.com>  
**Sent:** Wednesday, July 11, 2018 7:08 PM  
**To:** CouncilMail  
**Subject:** Support CB 59-2018  
**Attachments:** Testimony CB 29-2018 Sharonlee Vogel.pdf

To: Howard County Council

Below and attached is my testimony in support of CB 29-2018 for a Continuing Care Retirement Community, CCRC, in Clarksville.

Please let me know if you have any questions,

Sharonlee Vogel  
8725 Warm Waves Way  
Columbia MD  
410/992-1997

I support of the proposed legislation, CB 59-2018, for the **a continuing care retirement community [CCRC]** in Clarksville.

Legislation was recommended to be approved by the Planning Board with a 4-1 vote on April 2018.

The bottom-line is more senior appropriate housing is needed and desired here in Howard County. There is a significant and growing demand for this housing here - we need to start listening to what seniors want and need which includes housing options. The County's own *Aging Study* found that the County is already not adequately supplied and needs to focus on housing and transportation for seniors, both of which an Erickson Living community provides.

There is a demand here for another CCRC. There are two CCRC's here already - both with waiting lists! I know because though I already live in an active 50+ community, we are officially on the Waiting List for a CCRC here - we're planning ahead. This is what the County needs to do - plan for the future of this growing market segment. And this senior segment contributes greatly to the County's tax base, providing countless volunteers hours to the county. Seniors are an asset and should be encouraged to remain in Howard by offering us options in housing, transportation, activities.

The Erickson plan for Limestone includes many enhancements to the County in senior living options, transportation, park and pedestrians facilities. Erickson has included plans in its proposal to not only ameliorate but improve the existing issues of traffic on Route 108.

A CCRC's approach and Erickson's philosophy is a continuum of care in its community which stresses improving and maintaining healthy, active successful aging in community. Its model of care reduces hospitalizations and stress on the Howard General Hospital's infrastructure. Their communities have a

variety of options for housing offering many levels of size, living styles, and budget considerations. CCRC living is not for everyone; it expands the options available.

Sharonlee Vogel

8725 Warm Waves Way, Columbia MD 21045

410/992-1997

Supporting CB59-2018  
General Plan Amendment (GPA) 2018-01

Sharonlee J. Vogel, 8725 Warm Waves Way, Columbia, MD 21045  
410/992-1997

To: County Council, Zoning Board

I support of the proposed legislation, CB 59-2018, for the a **continuing care retirement community [CCRC]** in Clarksville.

Legislation was recommended to be approved by the Planning Board with a 4-1 vote on April 2018.

The bottom-line is more senior appropriate housing is needed and desired here in Howard County. There is a significant and growing demand for this housing here - we need to start listening to what seniors want and need which includes housing options. The County's own *Aging Study* found that the County is already not adequately supplied and needs to focus on housing and transportation for seniors, both of which an Erickson Living community provides.

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Sharonlee Vogel  
8725 Warm Waves Way, Columbia MD 21045  
410/992-1997

## Sayers, Margery

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**From:** Barbara Lyons and John Sutherland <sutherlandlyons@gmail.com>  
**Sent:** Thursday, July 12, 2018 2:00 PM  
**To:** CouncilMail  
**Subject:** Fwd: FW: Submission regarding CB59-2018

Dear Council Members,

Please accept the following as our testimony and submission opposing CB 59-2108

Erickson Living's "Proposed Continuing Care Retirement Community" is not a GP Policy 6.1a "limited" expansion of the Planned Service Area, is not "consistent with" GP Policy 6.1a and, therefore, should not become law

Preliminarily, we refer you to page 70 of the General Plan ("GP") and its reference to a "minor expansion of the Planned Service Area" ... "adjoining Clarksville" for which the GP noted that it "is preferable to include these properties in the PSA" to achieve Bay restoration goals. Bill 59-2018's proposed Sites do not include the referenced minor expansion. *September 19, 2017 Montgomery letter to chairperson Weinstein.* Accordingly, unlike the proposed minor expansions referenced on page 70 of the GP, Bill 59-2018's requested expansion was not considered by the drafters of GP and was not considered or enacted into law as part of the GP.

Page 70 of the GP provides that "[i]n the future, it should be anticipated that there may be isolated situations where minor PSA adjustments may be appropriate." No reasonable person could consider Bill 59-2018's requested expansion "minor."

GP Policy 6.1a (GP p.171) allows for "Limited Planned Service Area Expansion[s]" if consistent with the General Plan. The word "limited" is not discussed or mentioned anywhere in Erickson's petition which is now being considered as Council Bill 59-2018. Although Erickson has chosen not to address the issue of whether it's requested expansion of the PSA is "limited" and thus consistent with GP Policy 6.1a, this Council has a duty to recognize and resolve this issue.

The word "limited" must include consideration of something else other than the existence of a physical boundary. Otherwise any expansion would be allowed as long as it has boundaries.

The GP provides specific guidance regarding the term "limited." Reference is again made to page 70 of the GP:

"Expansions to the Planned Service Area (PSA) for water and sewer service since 1990 have been very limited. In 1993, the County Council voted to extend water service to include the area around the Alpha Ridge Landfill. This extension was done solely out of concern for potential future groundwater contamination that might originate from the Alpha Ridge Landfill; therefore, only water service is provided in this area." (Emphasis added).

The GP, which is enacted Howard County law, provides an example and an explanation of what makes a PSA expansion "limited." Contamination from the Alpha Ridge Landfill is a limited risk. It was not a risk to locations outside the area of expansion. Accordingly, a "limited" expansion was approved.

The Alpha Ridge expansion was limited to the area of risk. Accordingly, developers and other parties cannot persuasively cite the Alpha Ridge expansion of the PSA as precedent for another expansion unless they can prove a similar groundwater risk. The Alpha Ridge expansion was, accordingly, limited. The GP expressly provided the Alpha Ridge expansion as an example of a limited expansion. Because the GP was enacted into law, it's reasoning and language are binding on this Council.

Unlike the expansion 25 years ago, Bill 59-2018's expansion is in no way limited. The next developer can cite 59-2018 as precedent to obtain an expansion of the PSA to build housing for additional economically advantaged elderly. Similarly, granting Bill 59-2018's requested expansion would be precedent for a expansion to accommodate, for example, a nursing home or housing for other population groups.

Granting of Bill 59-2018's expansion will eventually allow for expansion of the PSA for any reason relating to housing. If Bill 59-2018 becomes law, the nature of Howard County will be permanently changed. It may be that housing is more important than environmental and open space considerations. This issue, however, should be specifically addressed and addressed in the context of a new General Plan.

Erickson's proposal submitted as Bill 59-2018 makes no mention of GP Policy 6.1a's requirement that PSA expansions be "limited." That is understandable, Erickson has a fiduciary duty to its shareholders. Unlike Erickson, this Council has a duty to apply the requirements of the General Plan. Because Bill 59-2018's expansion is not "limited" as required by GP Policy 6.1a, Bill 59-2018 is not "consistent" with GP Policy 6.1a and should not become law.

Erickson has failed to meet its burden of proof to show that its proposed Community is "consistent with the General Plan and Smart Growth policies"

It is Erickson that is requesting an amendment of the GPI and Erickson bears the burden of proof. As to the degree of Erickson's burden, it has been over 25 years since the Alpha Ridge expansion of the PSA and 25 years of precedent should and must be considered. This Council should require Erickson to convince the Council, with certainty, that it's proposal is consistent with the GP policies.

As reviewed in the prior section, because Erickson's proposal is not "limited" under GP Policy 6.1a, it is, by definition, not "consistent" with GP Policy 6.1a and should not become law.

Putting aside GP Policy 6.1a's requirement that PSA expansions be "limited" and putting aside the GP's example and definition of the word "limited" on page 70 of the GP, Erickson has failed to meet its burden of proof.

In Bill 59-2018, Erickson quotes Policy 9.4 of GP to meet its burden of proof. Policy 9.4 provides as follows:

"Policy 9.4 – Expand housing to accommodate the County's senior population who prefer to age in place and people with special needs."

a. Universal Design. Expand partnerships with public, private, and nonprofit organizations to assist senior citizens and residents with special needs by universal design renovations.

b. Promoting Self-Sufficiency. Enhance the development of personal service and home maintenance businesses to promote self-sufficiency for those choosing to age in place.

c. Increasing Awareness. Expand outreach to senior citizens and residents with disabilities to increase awareness of existing County, nonprofit, and business services.

d. Transportation and Transit. Incorporate transportation options."

Erickson fails to cite or quote the 4 subsections under Policy 9.4. These subsections make it clear that Policy 9.4 is directed at seniors who want to continue to live in the home they are currently in or wish to move to a home in the community in which they live.

Erickson's proposed community is a new and separate community. Erickson's web page specifically provides:



“Our communities are largely self-sufficient with robust transportation services for residents and staff. Erickson Living campuses are uniquely self-sufficient, and provide their own security. They also manage their own road repair, snow removal, and other services typically funded by the local government.”

Erickson’s “Limestone Community” is not and will not be the same community as Clarksville, Columbia or any other Howard County community. If a resident of Clarksville or Columbia wishes to walk or drive on the sidewalks and roads of Erickson, he or she can be prohibited from doing so at the discretion of Erickson. In other Erickson “communities”, a non-resident must check in at the gate and, if not a visitor of a resident, cannot go in. Unlike any other Howard County community Erickson even provides its own “security.”

Contrary to Erickson's representation, separate communities of economically advantaged seniors are not consistent with Howard County Policy 9.4

Separate communities of economically advantaged seniors are not consistent with the GP Policy 9.2 which establishes that developing affordable housing for diverse income levels is a Howard County Policy. Bill 59-2018 does nothing for housing for low or moderate income individuals.

Separate communities of economically advantaged seniors with like the one proposed by Erickson sets a poor precedent. There are wealthy communities in Howard County. They do not, however, have their own police force and do not prevent people from entering the community.

Finally, \reference is made to Policy 5.1. GP page 167. It is the policy of Howard County to “establish a distinct and readily identifiable research and technology brand in the global marketplace as a top global tech center.” The jobs provided by Erickson’s proposed community will be relatively low wage with comparatively limited opportunity for advancement. They likely will not be held by Howard County residents but will be filled by individuals who commute into Howard County by automobile. The jobs that will be provided by Erickson are inconsistent with GP Policy 5.1.

Thank you for your consideration.

John Sutherland

Barbara Lyons

12022 Misty Rise Court, Clarksville Maryland

**Sayers, Margery**

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**From:** Jason Longwell <jaslongwell75@gmail.com>  
**Sent:** Thursday, July 12, 2018 12:58 PM  
**To:** CouncilMail  
**Subject:** I Support the Erickson Living at Limestone Valley Project

Dear Howard County Members,

Erickson Living is proposing a continuing care retirement community on Route 108 in Clarksville. I am a strong supporter of this project. I want to see Howard County leaders and Erickson work together to make this senior living community a reality, including extending public water and sewer. Please consider this email my letter of support.

Sincerely,

Jason Longwell  
8583 Autumn Harvest  
Ellicott City, MD 21043  
jaslongwell75@gmail.com