

Sayers, Margery

From: Jeff Stanford <jeff@jpstanford.com>
Sent: Wednesday, July 18, 2018 11:10 AM
To: CouncilMail
Subject: CB 56-2018 Amendment

Hello,

I request that this bill be amended to include the entirety of the Tiber-Hudson Watershed (as in the 2016 bill). Currently it indicates that only the smaller Tiber Branch watershed is included.

Thanks and appreciate your efforts to rebuild and protect Historic Ellicott City

Jeff Stanford

Resident of Ellicott City for 28 yrs, Mount Hebron class of 2007.

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Visualize Your Story || Jeff Stanford Photography www.jpstanford.com
Facebook: <https://www.facebook.com/jstanfordphoto/>
Instagram: @jstanfordphoto

Typewriter Poetry: www.typewriterpoets.com

Sayers, Margery

From: Weinstein, Jon
Sent: Wednesday, July 18, 2018 10:15 AM
To: Sayers, Margery
Subject: FW: Testimony from last night

Margery,

Please add this to the official record on CB56.

Thanks,

Jon

Jon Weinstein, Councilman
Howard County Council
Representing District 1
+ Ellicott City, Elkridge, Hanover, & Columbia
+ Office: 410.313.2001

<https://cc.howardcountymd.gov/Districts/District-1>

From: Amy Lynne <amylynne3000@gmail.com>
Sent: Tuesday, July 17, 2018 7:05 PM
To: Weinstein, Jon <jweinstein@howardcountymd.gov>
Subject: Testimony from last night

Hi Jon,

Please find below the written copy of my testimony last night. Please confirm your receipt of it and please share it with the other council emembers. I plan to be there next Monday as well to hear the rest. I hope the council can demonstrate that they are willing to take the bold steps we desperately need to protect Old Ellicott City.

Thank you Jon for reintroducing this bill. I wish it had passed in 2016, I wish Main Street would have suffered a little less, I wish Eddison hadn't lost his life. But here we are.

My name is Amy Lynne. I live just across the bridge from the historic area in Baltimore County but I consider myself to be part of the community and I hope you do too. I have been in this area over 20 years, and I spent 7 years in an apartment on the lower end of Main in the 1990's. We never had a significant flood during that time, certainly no flash floods coming

down the hill. Yet in the last 7 years we have had 3 flash floods, each worse than the other, causing major destruction and the loss of human life. Why?

When I started working on my speech I realized that all I have is questions. So I'm gonna ask them. They're rhetorical, so I'm not looking for the council to answer them now, just to consider them and consider how they may all fit together.

There must be a ton of data, studies, reports available on the subject of storm water management in Ellicott City. Years worth, decades worth, right? Did any of these studies predict the flash flooding? Did we just ignore them in the face of tax dollars? Yes, these are freakishly strong storms but why is all the water running downhill? Why is this happening now and what has changed?

I don't have all the answers, I wish I did. But I'm trying to use my common sense. If your reports and studies tell you one thing but your eyes tell you another, on which one do you take action?

Obviously what has been done so far is not working for old Ellicott City. Developers insisted that they have actually had a positive impact on storm water management. Does this make sense with what we have seen? Common sense would dictate that removing grass, trees and soil in favor of more houses, more pavement, more roads is just a really bad idea.

Now we have reached the final turning point. I don't think we will have another shot to get this right.

We need to change our way of thinking, our way of doing business. Because of all the damage that has already been done, Old Ellicott City now needs the highest order of protection. I don't think we can withstand more bartering with other interests, even for the smallest of perceived additional risks. If you want old EC to survive we need your 100% protection.

As you review more data, studies and reports for this next 12 months, please consider a permanent moratorium on development. If after 12 months we just....pardon the pun....reopen the floodgates to development than what's the point? Are we going to spend millions of dollars on flood mitigation only to throw it all down the hole for more development that adds more risk back into the equation?

Please pass this bill, with no amendments that favor continued development or removal of more green space, then work on making it permanent and removing all the loopholes. You are the gatekeepers and we need your protection. Please help to save our unique and beautiful town.

Sayers, Margery

From: Yanky Schorr <yschorr@residentialtitle.com>
Sent: Friday, July 20, 2018 12:18 PM
To: Kittleman, Allan; Weinstein, Jon; Ball, Calvin B; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg; CouncilMail
Cc: Howard Perlow
Subject: Ellicott City Flooding and Amendments for Council Bill 56 on behalf of Howard Perlow

Sent on behalf of Howard Perlow;

Dear County Council Members and County Executive Kittleman,

Please accept this email as written testimony in favor of amending CB56 to help prevent flooding in Ellicott City. Please amend CB56 to allow development in the watershed with building and grading permits where the plans provide at least 100 year flood storm water management as this will reduce the water which reaches Ellicott City now to help prevent flooding as soon as possible. This first amendment would read as follows item 4 under paragraph D. Exemptions:
D.4. Any proposed construction, demolition, or re-construction on real property that drains in whole or in part to the Tiber Branch Watershed that reduces the flow of storm water to the Tiber River in Ellicott City through the incorporation of new storm water management which meets or exceeds the 100-year flood management requirement.

Please also amend CB56 to include \$25 million per year in funding to complete the necessary infrastructure improvements and to further study and implementation of additional plans and measures such as the Alexander Concept Plan so that Ellicott City can be revitalized at the same time as our heritage is protected from flooding. This amendment would read as follows:

Howard County will devote no less than \$25 million of bond funding per year, starting in FY 2019, to complete the infrastructure improvements recommended in the McCormick Taylor 2016 Ellicott City Hydrology / Hydraulic Study and Concept Mitigation Analysis dated June 16, 2017. This funding shall continue annually until all the improvements have been completed to preserve the heritage of our county seat and prevent further loss of life and property. The funding shall also be used to re-vitalize and flood proof historic Ellicott City with further study and possible implementation of the Alexander Concept Plan attached. The County also will pursue State and Federal funding to assist in these efforts.

I hope you will Support these amendments and the improvements to Ellicott City to help prevent future flooding of this historic town.

Sincerely,
Howard L. Perlow

Yanky Schorr
Vice President



100 Painters Mill Road Suite 200
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Sayers, Margery

From: Patricia Williams <pwilliamsmd@verizon.net>
Sent: Sunday, July 22, 2018 4:27 AM
To: CouncilMail
Subject: Amend CB 56-2018
Attachments: Video.MOV

Begin forwarded message:

From: Patricia Williams <pwilliamsmd@verizon.net>
Date: July 22, 2018 at 4:09:13 AM EDT
To: County Council Howard County <councilmail@howardcountymd.gov>
Subject: Amend CB 56-2018

From: Patricia Williams <pwilliamsmd@verizon.net>
Date: July 22, 2018 at 3:35:22 AM EDT

Dear County Council Members,

Having lived in the Plumtree, Little Plum Tree watershed since the early 1980s and having purchased a home in Valleymede in 1994, I am strongly in favor of amending the CB 56-2018 to include the Plumtree and Little Plumtree Branches. The Plumtree flows past my home on the side, merging with the protected wetlands that abuts my property in the backyard. Although the house has never had a drop of water inside, my property and garden shed is flooded regularly during heavy storms, and not just during floods. Mud and water has ruined garden tools, and the level of water inside is beginning to rot the flooring.

The attached photos show the property in more normal conditions as well as after rainwater has receded to some extent. Note also erosion of the Plum Tree Branch where tree roots are almost completely exposed.

I believe the development of what had been open fields until the last 10 years has contributed to the flooding of my property and also the many more unfortunate residents in Valleymede, Chatham and some properties west of Bethany Lane. Not only home damage and total ruin, but land erosion, sink holes and road upheaval have created devastating situations. One house condemned a few years ago and recently another family has finally moved permanently from their dream home. Others have also suffered several floods. One family in particular is elderly and has been effected at least :3 times. The latter lives on Longview Drive where the culvert under Rt. 40 is too narrow for the ever increasing flow

of water. The headwater of these creeks begin just north, in open fields where new development is planned. Any disturbance of that area will surely be devastating moreso with the high density plans proposed. Until the residents can be assured that all stormwater management is under control with no additional impervious surfaces allowed to negatively impact the watershed area, I ask you to seriously consider my request along with many others to amend CB 56 -2018 to include Plum Tree Branch and Little Plum Tree in the Patuxent Watershed.

Thank you for reading my testimony and For viewing the photos and video (taken after the rain lessened and the flood waters had receded.)

During the most recent flood, I was not at home. On returning from a nearby restaurant, I tried at least 3 or 4 ways to reach my house only to be stopped by flooded roadways. I turned back many times and discovered my only option was returning Rt. 40 and using Bethany Lane or Rt. 99 to Bethany Lane. With more and more development planned for just north at the headwaters mentioned previously, the hundreds of extra households too will add to the difficulties of leaving and returning home. (Most of that traffic will use the Valleymede and Chatham roads.) We are already putting enough people in jeopardy, those already in the established neighborhoods, of which, by the way, never had flooding problems to this extent until the extensive added development in the watershed continued to grow.

Thank you again

Patricia Williams
9834 Longview Drive
Valleymede















Sayers, Margery

From: Rrhbyu68 <rrhbyu68@aol.com>
Sent: Monday, July 23, 2018 2:12 AM
To: CouncilMail; Kittleman, Allan
Cc: theano.nikitas@gmail.com; sharmapsyd@gmail.com; jimshim@comcast.net; billparham3@gmail.com; bradsheard@comcast.net; piggycrackers@yahoo.com; patonsunset@gmail.com; davidshewanah@gmail.com; DianeStaub1@gmail.com; ebgroll@gmail.com; t_kuplan@hotmail.com; jfbermingham823@gmail.com; bjarham03@gmail.com; JCKNG10@gmail.com; lleahstaub4@gmail.com; maryemckay@gmail.com; drsjk79@gmail.com; webfoot7@verizon.net; sfmckay@alum.mit.edu; tianzhuLi@msn.com; chimingwei@gmail.com; wkkwei@hotmail.com; yayazhang@hotmail.com; eey05@gmail.com; barbb13@aol.com; PolyLC@aol.com; thesamoth@aol.com; rrhbyu68@aol.com
Subject: Oak Hill Estates Additional testimony to Amend CB56 to include all watersheds in Howard County, Maryland
Attachments: Synopsis of B56 testimony.doc

Dear Howard County Council members and County Executive Kittleman,

Please, add this document and attachment to the one sent July 1, 2018 requesting an amendment to Councilman Jon Weinstein's bill, CB 56 2018.

We intend to have parts of this testimony read at the Howard County Council's 6:00 P.M. work session on Monday, July 23, 2018.

Kind Regards,

Richard Ray and Barbara Lee Heiser

9684 Oak Hill Drive
Ellicott City, MD 21042-6321

443-858-5242

From: Residents of Oak Hill Drive, Ellicott City, Maryland 21042

theano.nikitas@gmail.com, sharmapsyd@gmail.com, jimshim@comcast.net, billparham3@gmail.com, bradsheard@comcast.net, piggycrackers@yahoo.com, patonsunset@gmail.com, davidshewaneh@gmail.com, DianeStaub1@gmail.com, ebgrill@gmail.com, t_kuplan@hotmail.com, jfbermingham823@gmail.com, bjparham03@gmail.com, JCKNG10@gmail.com, lleahstaub4@gmail.com, maryemckay@gmail.com, drsjk79@gmail.com, webfoot7@verizon.net, sfmckay@alum.mit.edu, tianzhuLi@msn.com, chimingwei@gmail.com, wkkwei@hotmail.com, yayazhang@hotmail.com, eey05@gmail.com, barbb13@aol.com, PolyLC@aol.com, thesamoth@aol.com, rrhbyu68@aol.com,

To: Howard County Council and Executive Kittleman

Thank you for the opportunity to share important and pertinent information with you this evening. I am Richard Ray Heiser. Shortly after we moved to our home at 9684 Oak Hill Drive, in Ellicott City, 21042, on July 2, 1985, an extensive almost two-year long road project was undertaken on Old Annapolis Road, to raise and widen the very narrow frequently flooded, low road and bridge, by constructing a new bridge over one of the forks of the Little Patuxent River, near Woodland Road and Oak Hill Drive. We say, "Thank you, again" for that project.

I applaud the many good and well thought out testimonies that were shared last Monday night (July 16, 2018) about the need to stop continuing to endanger life and property here in all of Howard county. I continue to be sickened by the suffering endured by innocent citizens because of the power of the almighty dollar that has enveloped/accompanied the massive population growth of Howard County.

That is why I am also here to speaking basically in support of the concept of bill B56-2018, and to further petition the Howard County Council to accept an amendment to the bill to include the **water sheds of all rivers in Howard County**, including the Little Patuxent River watershed. This is to allow time so that the current deficient storm water management ("**QUANTITY CONTROL**") conditions can be adequately evaluated, addressed, and corrected before our past "business as usual" storm water management practices result in further **loss of life and property devastation** throughout Howard County. We have a moral obligation to do a better job than that which has been done in the past.

The primary reason I am speaking about an amendment to B56-2018 is because my street is located between two forks of the Little Patuxent River where we have experienced uncontrolled storm water runoff never before present in our neighborhood. We are not from the Old Ellicott City area, but we do not want to

become known as an area similarly affected by uncontrolled storm water runoff, resulting in tragic, but unnecessary, loss of life and destruction of property.

Last week, July 16, 2018, the discussion included Agricultural Land Preservation and the incessant pressures by developers to obtain access to such land. Such pressure resulted in the sale and development of the **Mason Family Farm** on Old Annapolis Road, located next to the North section of Centennial Park. Hence, over 79 houses were squeezed in the property, becoming known as **Centennial Overlook**. This eliminated a "**CERTAIN**" flood barrier for our homes that had been in existence for **decades**. Now, due to the grossly inadequate capacity of the water retention system that was approved by the Storm Water Management department of the Howard County Government, we have an uncontrolled storm water runoff problem. Water quality control (dirty water) regulations might have possibly been met for Centennial Overlook, but storm water quantity control is absent from the equation, as evidenced during the May storms.

Case in point: To bring the subject closer "to home", uncontrolled rushing water from the property known as 9692 Oak Hill Drive, which borders our back yard (9684 Oak Hill Drive), came down the driveway of 9692 Oak Hill Drive and then across our back yard and our neighbors' yards. Silt and wood debris were left on our backyard lawn, including the ground immediate to the foundation on the backside of our house. Two years ago, during the previous flooding, we did not experience this problem. What has changed so as to allow such uncontrolled storm water to rush across the property directly behind our yard, onto our yard, and our neighbors' yards, and into the basements of homes immediately down hill from our home? **Simply stated, THE MASON FAMILY FARM IS GONE**, and replaced with the densely/overcrowded design of Centennial overlook as previously described, with all the asphalt, sidewalks, and other ground disturbances (asphalt jungle).

The water from the heavy rain not only affected the top and middle of Oak Hill Drive, but also resulted in flooding, for more than three hours, of more than knee high water at the juncture of our street and Old Annapolis Road, impart due to the river of water that came down Oak Hill Drive itself. The high water prevented residents of our street from getting home during that time period. All along the fork of the Little Patuxent River, which is located at the bottom of 9692 Oak Hill Drive, silt, tree trunks, branches, and other erosions are present to this day.

The old Bennett family homestead, known as 9692 Oak Hill Drive, is six acres and sits between our street (at a higher elevation and contiguous to our family's property) and Centennial Overlook. This development is to include six more houses, natural gas lines, streetlights, and plenty more asphalt or concrete roads

and driveways. Until the current flood potential is eliminated, there is no sane reason to allow this only remaining basically virgin section of land to be disturbed and made into some more "asphalt jungle". There is no other land available to help protect our neighborhood/street.

I recognize that this is a seemingly complicated situation we face, especially from the development and construction companies' points of view, and the economic pressures of the almighty dollar. Actually, I submit that it is not complicated at all. We can stop kidding ourselves, bite the bullet now, and just stop adding to the storm water management "**water quantity load**" until the current problems are actually rectified. Whatever storm water management guidelines were developed as reportedly meeting federally mandated regulations have failed, as far as water runoff **quantity control** is concerned. An employee of the storm water management department of Howard County told my neighbor here on Oak Hill Drive that "the regulations were met" and nothing can be done about it. Such hiding behind the current regulations (**probably quality control, not quantity control**), is ludicrous and unacceptable to me as a resident of Howard County and offensive to me as a retired safety consultant for Maryland OSHA, where many regulations are in play. Again, I say, we all need to stop kidding ourselves and have the courage to do the right things now, and not allow the existing **quantity control** problems to continue unchecked and flow further down stream, only compounding the "current" problems. **"All puns intended."** Please, give prudent consideration to expanding the scope of Mr. Weinstein's bill by addressing all of Howard County's "water quantity control" deficiencies. Such actions will also help address the water quality needs of Howard County and other areas in the state of Maryland by keeping the silt at its current location, not further down stream. In addition, it would further decrease the amount of wildlife habitat that has been available for decades, but would be gone. FYI, the 9692 property is one of the few places left for the animal population to go in our neighborhood.

This public record is putting those in authority on notice that **business as usual must stop immediately**. In doing so, we can stop being **reactionary** and start being **proactive** with respect to our storm water controls. Otherwise, I am certain that that law suits could be forthcoming, when our self-imposed suffering continues unchecked, in the name of the almighty dollar.

We, the residents of Oak Hill Estates (Oak Hill Drive, Ellicott City 21042), thank you for your time and consideration of our amendment request.

WINEGRAD, HESS, FRIEDMAN & LEVITT, LLC

ATTORNEYS AT LAW

SUITE 212

400 REDLAND COURT

OWINGS MILLS, MARYLAND 21117-3270

STEPHEN S. WINEGRAD
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July 23, 2018

Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, Maryland 21043-4392

Re: Submittal of Testimony re: Council Bill 56-2018

Honorable Members of the County Council:

My name is Lisa C. Heimlicher. I have been a resident of Howard County for 20 years, and I have been a real estate attorney for 24 years. I represent builders and developers all over the State of Maryland, and much of my practice is concentrated in Howard County.

Many builders and developers not only work on projects in Howard County, but also live and raise their families here. We invest in Howard County, volunteer in Howard County, and help to bring tremendous benefits to Howard County by expanding its tax base, providing jobs, enhancing the standard of living, and helping to provide better services. Despite that, I believe these builders and developers have been unfairly and inequitably targeted by recent legislation.

Like all residents in Howard County, I am sorrowed by the most recent flooding in Old Town Ellicott City, but this emergency bill as currently written is simply not the solution. I see this bill as a hasty reaction to a very troubling event rather than a considered response that will have real impact on the condition of Old Town Ellicott City.

With respect to the Ellicott City flooding, none of the studies that I have reviewed concluded that new development is responsible. In fact, some of the studies conclude that pre-1980 development is a primary contributor to the flooding. The reason the studies did not target current development is because current development is subject to the Stormwater Management Act of 2007 and its subsequent iterations that basically require net zero stormwater management runoff. Notwithstanding that fact, the Council is now considering a total moratorium on any development permitting and approvals in the Tiber Branch Watershed.

I view this as the Council's continued incremental attack against development in Howard County without regard to fairness or equity. In February 2018, this Council passed an Adequate Public Facilities Ordinance (APFO) bill that lowered the threshold for the school capacity test, added an additional test at the high school level, and ignored the recommendations of a citizen task force that had studied the issue for almost a year. The Council also chose to pass the APFO

bill instead of strongly urging the Board of Education to act by redistricting. The result of the APFO passage is devastating to development activities in the County and will ultimately have significant negative economic impacts on the County.

Tonight, the Council is considering a bill to require additional approvals and requirements not only for developments on scenic roads, but also for large developments with ingress/egress within one mile of a scenic road. The passage would result in over half of the County's development being subject to this additional requirement.

My objection to all of these bills is grounded in the principles of certainty, predictability, and fundamental fairness. There is a reason that Howard County has a General Plan. It is at the time that the General Plan is adopted, on a decennial basis, that general rules and expectations are set so that money can be invested with some degree of certainty and so that owners, developers, and builders can make their plans accordingly. Owners, developers, and builders invest hundreds of thousands of dollars and invest many years of work to bring a new development project to fruition, but in one fell swoop of a pen the County disregards that investment with the passage of various bills whose cumulative effect create a near moratorium on development across the County.

Certainly, if it is the Council's goal of severely reducing development or creating a development moratorium in Howard County, that is the Council's prerogative. I am just asking the Council to do it in a more measured and rational manner so that owners, developers, and builders can plan accordingly. These owners, developers, and builders have waited in line and played by the County's rules, making sure that their plans have Stormwater Management devices that meet the stringent requirements in place. Nonetheless, the Council is considering adopting a bill that will most likely have little to no impact whatsoever on the conditions that contributed to the flooding. Rather, this bill appears to be a knee-jerk reaction to an admittedly tragic occurrence.

For that reason, I am asking for the Council to vote "no" on Bill 56-2018, or at the very least, to amend the bill and insert a grandfather provision that allows any plan that has achieved preliminary plan approval to move forward with their permitting needs. I am simply asking for the Council to act equitably and in a manner that is reasonable and considered, rather than in a manner that is profoundly unfair and that appears to target an industry that contributes to Howard County's economy by increasing its employment rate, enhancing its standards of living, and broadening its tax revenues. All citizens, irrespective of whether they are individuals or builders and developers, deserve a considered vote.

Very truly yours,



Lisa C. Heimlicher
lheimlicher@whfl-law.com

Sayers, Margery

From: Dorsey Centennial Residents <dorsey.centennial.residents@gmail.com>
Sent: Monday, July 23, 2018 3:28 PM
To: CouncilMail
Cc: Weinstein, Jon; Ball, Calvin B; Terrasa, Jen
Subject: Testimony for Tiber Watershed Safety Act 7/23/18
Attachments: Dorsey%2FOld Annapolis Opposition to Dorsey Overlook Project.pdf

Dear County Executive Kittleman, Councilpersons Weinstein, Ball and Terassa,

We are a group of concerned citizens from District 1 writing to request that Dorsey Search and the Centennial developments off of Old Annapolis Rd be included in the Tiber Watershed Safety Act. We are aware that we are in the Little Patuxent Watershed but ask that the Act be expanded to include our subwatershed in the Little Patuxent owing to:

- the 6 figure damage at Fairway Hills golf course
- 29 South being partially submerged under recent heavy rains
- Columbia Rd and Old Annapolis being submerged under high levels of water during heavy rains stopping residents from coming in and out
- standing water on several side streets and streams forming that cross Gray Rock and other side streets.

The flooding of this past Memorial Day weekend made it clear that a "wait and see" attitude is downright dangerous. We request to be included in the moratorium.

We are growing in numbers and collecting storm stories and pictures that will be posted on a website that is under construction to document our storm water challenges.

Until then, please see the attached letter about our concerns with several signatures.

Thank you for your time and attention!
Dorsey Centennial Concerned Citizens

July 19th, 2018

Re.: Dorsey Search/Old Annapolis Opposition to Dorsey Overlook Project, Request for Building Moratorium and Stormwater Assessment followed by Smart Redevelopment

Dear Executive Kittleman, Councilman Weinstein, Councilman Ball, Columbia Association Director of Planning and Community Affairs Jane Dembner, Howard County Department of Planning and Zoning Chief Chad Edmondson, Howard County Division of Land Development Chief Kent Sheubrooks,

We are residents of Dorsey Search and Centennial/Old Annapolis Rd. Some of us have lived here for 25 years, some just a few. We are all writing to express our dissatisfaction with the Dorsey Overlook project as planned. As we have recently learned a 5-story, 134-unit age-restricted apartment home is planned for the corner of Route 108 and Columbia Road....the gateway to our beloved community.

Many of us attended the July 5th Pre-submission Community Meeting with the J Kirby Development, Vogel Engineering + Timmons and J. Kirby's legal representative Thomas Coale. **We oppose the development and the submission process with the county for the following reasons:**

1. We have urgent stormwater management concerns in our neighborhood. The property currently has a few small buildings, open land, a community garden and many mature trees. The land naturally abates water. The developer did not satisfy our questions regarding water runoff and stormwater management. The engineer spoke of intent to meet current regulations for stormwater management. But, as we all know, the "new normal" causes us all to realize that current regulations are not adequate. Not just in Old Ellicott City (OEC), but right here in Dorsey. As evidenced:

- a) The culvert and stream on Old Annapolis Road that lead to Centennial Park are already overflowing.
- b) Many of us now have water pooling at the foundations of our home after large storms. We have silt-filled, cloudy brown rivers flowing down our sidewalks and driveways. This is part of the massive runoff cause by new development and the "new normal" of storms. This did not happen when we first moved or until the mid 2010s. It happens now regularly.
- c) A Smokey Wreath Way family lost their new car to the July 2016 flood. Not on Main Street, right off Grey Rock Drive....as that storm sent massive rivers of water across seemingly-flat and safe Boulder Court. Their six month old car stalled that night, filled with water, and they climbed out of the car windows to safety. The car never started again and was totaled. The family has three sons, lucky their sons were not in the car with them that night.
- d) Many neighbors talk about once small trickle streams/rills in their backyards that are now rivers in these new storms. The water is overflowing, silt-filled, and creating gullies both in Dorsey and up Old Annapolis.
- e) Another neighbor, right on Smokey Wreath Way had his car severely damaged when water pooled on the street right in front of his house in May 2018. The car was not totaled, but is still

not repaired due to the back-up at the repair shop. The mold in the car is causing the family severe issues requiring medical attention.

f) Bridges were severely damaged at Fairway Hills Golf Course causing \$150,000 or more in damages and the loss of use of all 18 holes for over month.

g) Two people about half a mile north of the lots where the new development is to occur were terrified when their car landed in a swollen creek off of route 108.

h) Water has come closer than ever to the condos/townhouses in Dorsey. The wetlands are insufficient with the increased burden and heavier rainfalls.

i.) Route 29 South was underwater in May, 2018!

j.) Woodland and Oak Hills (just up the street on Old Annapolis from this proposed site) were flooded during the Memorial Day Weekend flood. Residents there reported they could not get in and out of their streets during the storm.

Current storm water regulations are inadequate to protect safety and property. Developing again now, as with this Dorsey Overlook project, before the County manages problems it already has, is irresponsible. The County needs to ensure the current burden can be handled before permitting the increased burden on stormwater management. This could be an issue of life and death.

2. The development will add to the already awful traffic situation at 108/Columbia Road and Columbia Road/Old Annapolis. Those intersections back up terribly now, sometimes back to US-29. There was no infrastructure added with the Centennial Overlook development and the result is evident. These intersections are very unsafe, especially during the evening rush hour. The fumes for the car exhaust are also stronger than ever in the neighboring townhouses. Biking will be even more dangerous there. Councilman Kittleman's BikeHoward accelerated 3-year Plan could look like an empty political tactic in this neighborhood. Columbia Road is included in the accelerated plans. We have the impression the County is failing to do comprehensive planning because adding traffic at this important, already stressed connection point in the BikeHoward plan seems counterproductive.

3. The plans to develop the property due to the size and aesthetics of the structure do not fit in with our neighborhood. The massive building will be out of place at the gateway to our community. We understand that we cannot oppose plans based on "ugly" but aesthetics have traditionally mattered in this community, the CA and Howard County. The County's Design Advisory Panel (which has seemed to rubberstamp this project time and again), "encourages excellence in project architecture and site design to improve design compatibility with surrounding development, to promote revitalization, and to enhance property values."
<https://www.howardcountymd.gov/Departments/Planning-and-Zoning/Boards-and-Commissions/Design-Advisory-Panel> There is a serious disconnect here. This development is completely out of character with surrounding development and will not enhance property values! Some would say that there are two or three story apartments right across the five lanes of 108 from this development in Fairway Hills. Those apartments are not visible from route 108 and have many mature trees. They are also rather aesthetically pleasing with natural tones and balconies and are often used in CA/County marketing of Columbia as a Best Place to Live. Let's maintain that standard.

4. Other recent, area development has been much more attractive with several green features like solar panels, rain gardens, electric car chargers, or a living wall or roof (for example, the Long Reach and Wilde Lake redevelopments and the You Pizza, Craig Northrop, etc. complex

further down 108). This building is not being built with future trends in mind or with current area trends reflected. Ho Co residents are adding green features to their homes - businesses should be too. Howard County has responsibilities to limit pollution to the Chesapeake Bay and the Columbia Association takes sustainability very seriously. We want to see that in any redevelopment that happens on this land.

5. The development does not adequately plan for parking for its residents. The developer is planning for 1 parking spot per unit plus 20 guest spots. Despite what the developer says, this will not be adequate. It will cause overflow issues into our neighboring developments. This will directly impact the established businesses with parking lots close to this development. Additionally, this does not appear to meet the County's regulations related to this type of age-restricted housing, which seems to be 1.3 spaces per unit. This means 174.2 parking spaces (134 x 1.3). Residents will also have visitors and home health aids, etc. Parking is inadequate: 134 units is way too many for this approximately 5 acre parcel of land.

6. The development is not LEED or certified as environmentally responsible in any other way. Despite state and/or federal tax breaks no use of solar or geothermal are planned. This is unacceptable to us the tax payers.

7. There is hardly any shade! How are older people going to go outside or walk their dogs in the direct sun on hot, sunny days? Older people are most impacted by "code red air quality" days. Month after month, we hear it's been the hottest month on record. Thinking this trend will reverse and there will be fewer "code red air quality days," especially when the county is permitting the cutting down of mature trees (which cool!) at an alarming rate is a disservice to the population the county is seeking to serve by providing the TIF tax breaks to J Kirby.

8. There is no covered parking. Where will plowed snow be put?

9. Lastly, we have concerns about J Kirby Development's current plan creating an eye-sore and introducing transience into our tight-knit community. In Elkridge, J Kirby Development's Riverwatch project has earned the company a reputation for making false promises. J Kirby promised the Elkridge community the Riverwatch units would be in architectural harmony with the existing historical neighborhood and this did not happen. Moreover Riverwatch introduced an element of transience to the neighborhood because although the medium in units (MIUs) are rented, we have heard the market rate units are so expensive that only corporate clients are able to rent them. We do not want transience in Dorsey. Our neighborhood is sought after because we actually know our neighbors here thanks in part to the Columbia Association's thoughtful planning. We want a quality project. When a TIF is involved, we as taxpayers want to send a clear message: this is no way to provide affordable housing.

These concerns, and more, require action. We therefore request:

1. A moratorium on building be issued for our subsection of the Little Patuxent Watershed or that our section be included in an expanded version of the Tiber Watershed Act as Valley Meade and other areas in Ellicott City that are experiencing serious and growing stormwater management challenges are requesting.

2. That the community be granted meaningful involvement in the development plans for our community. We request stakeholder status and object to the pro-forma pre-submission meeting format and process.

3. That any redevelopment plans for the land be integrated into a comprehensive strategy for the entire neighborhood and county e.g. the already existing BikeHoward plans, Columbia Association Village structure and more. For example, the Village of Dorsey Search would be better served if a pedestrian and bike bridge was constructed over 108 at this intersection. This could allow residents in Fairway Hills to more safely reach the Dorsey Village center and pool. That would give more business to the village center and provide a more dignified route for Fairway Hill residents to reach Giant Foods. This would also allow residents to safely access Centennial Park reducing some car use and increasing health and wellness. A sound wall along route 108 would also be a boost for residents and businesses.

4. A replacement for the community garden that will be closed down in the current proposed plan.

We take pride in our neighborhoods. We live here and are deeply invested. We want to see leaders both in the County and the Columbia Association that engage with us. We want smart, comprehensive planning and leaders who value community involvement. We look forward to hearing from you about how we can come up with a better use of this land.

Sincerely,

Alice Gray

Anand Raghu

Lauren Barrett

Lindsey Begley

Heeyoung Weddington

Susan Spillane

Sunny Brown

Kristen Bower

Buffy Illum

Jacob Illum

Christine Simpson

Kevin Durant

Kittie Murray

Janet Medina

Melissa Heilicke

Gabriel Heilicke

Helene Sullivan

Irene Giarratano

Alena Tiger

Melissa Kistler

Padmini Ramachandran

Deborah Cohen

Ben Sussman

Karsten Brown

Wendy Allen

And many more to come via an online petition

Sayers, Margery

From: jyoutzgrams@gmail.com on behalf of Jennifer Y. Grams <jygrams@gmail.com>
Sent: Monday, July 23, 2018 3:45 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: CB 56

Dear Chairperson Sigaty and Members of the Howard County Council:

I am writing in support of Council Bill 56. A one year moratorium will benefit our children and schools, our green space and flooding in Old Ellicott City. It will help temporarily alleviate the infrastructure challenges that our community is facing.

Please do not be swayed by the Maryland Building Industry Association (MBIA) and their doom and gloom claims of what they are calling "anti-business" legislation. Do not add any grandfather provisions to CB 56. The MBIA is solely focused on profit and does not care at all about the health and well being of our county residents. As our elected officials, we are expecting you to put our needs first. Thank you for your consideration.

Sincerely,

Jennifer Grams

District 1

Sayers, Margery

From: Denise Abosch <denise@abosch.com>
Sent: Monday, July 23, 2018 5:31 PM
To: CouncilMail; Kittleman, Allan
Subject: Council Bill 56
Attachments: Taylor meeting informaiton.pdf

Hello

Last week I attended at meeting which was held at the Senior Center in Taylor Village. The meeting was set up as a discussion regarding the rebuilding and revitalizing of Old Ellicott City. The invitation stated the following:

A concept to revitalize Old Ellicott City and significantly reduce flooding more lower Main Street has been put forward privately by an architectural and planning team .. Details of this concept will be shared by Ross Taylor. If you are interested in learning more about this concept , please sign up at the Center.

As noted, Ross Taylor, son of Dr. Bruce Taylor was the presenter. The intent of the meeting was to convince the Village Crest Senior Group to send a letter in support of Council Bill 56. To start off, many of us felt we were brought together under false pretenses. Eventually Ross Taylor spoke about what I assume to be, A Taylor Plan, to revitalize OEC but that was not the first order of business.

Ross provided a letter for us to send – I'm sending it to you but not in support of amending or not passing the bill. The request made of us is attached in the PDF. My letter is as follows below:

To Council Members and County Executive:

Thank you for the opportunity to submit written testimony on CB56. We appreciate the major difficulty and efforts that have gone in to getting OEC back in business each time it floods. My home is just above OEC. While we feel deeply saddened by the loss of life, property and businesses, we also suffer a loss for many months after each flood as we are unable to drive through town, shop or dine at some of our favorite places.

The town and its infrastructure need to be even more flood resilient than it is now so that everyone can recover more quickly when the next unwanted flood comes. Changing weather patterns seem to mean we will unfortunately have more of these damaging storms.

Please pass CB56 as it is! Please do not allow new development to proceed – delay it as much as possible. I support CB56 because of concern that new developments and new projects will hurt Old Ellicott City.

Please do all you can to improve the infrastructure to help Ellicott City but without allowing additional development and building.

Thanks

Denise Abosch

4233 Rose Petal Court

Ellicott City, MD 21043

An insider's view of rebuilding Old Ellicott City

By: Commentary: Bruce T. Taylor July 12, 2018

The two recent floods of Old Ellicott City (OEC) have caused significant damage, business and financial losses, disruptions and tragic deaths. Careful analysis indicates that to prevent or reduce future problems we cannot simply keep putting the town back together the way it was and expect a different result the next time; after all, it is in a flood zone, collecting water from over 2,000 acres. Flooding will happen again, most likely sooner than later due to more dramatic weather events brought on by climate change.

Is development the problem? Surprisingly, not much: engineers hired by Howard County found that, had the same rains occurred before the development in the OEC watershed, the resulting floods would have been only about 20 percent less and that completing the development of the watershed will also make little difference. So stopping development is not the answer based on scientific data.



Bruce T. Taylor

In fact, stopping development projects will make things worse for OEC. New communities and redevelopment of old sites under our current regulations will improve the situation by providing quality, quantity and 100-year flood controls to reduce runoff to OEC from places where there is little-to-no stormwater control now. To help reduce flooding in OEC, these new projects need to be fast-tracked, not slowed down. These projects alone will help, but not stop the flooding. To mitigate the flooding, we need to make infrastructure changes above and in OEC, as recommended by the county-hired engineers, and changes to Main Street itself.

A concept to revitalize OEC and significantly reduce flooding for lower Main Street has been put forward privately by an architectural and planning team from OEC experienced in flood measures for historic structures in the similarly flood prone Jones Falls Valley. The concept plan should provide significant flood relief for lower Main Street while also improving vehicular and pedestrian flow. Further study and development of this plan along with the implementation of the flood warning system and suggestions from the McCormick Taylor study should make a significant difference.

In summary, this plan would divert most or all of the water from the New Cut streams that normally flow into the Tiber River midway down Main Street. A diversion structure with a new road on top would send the water under Saint Paul Street to carry it safely to the Patapsco without impacting Main Street. This would prevent perhaps as much as 41 percent of the water during a flood event from reaching Main Street.

Embracing heritage

As proposed in previous concepts, this plan would remove the buildings which bridge and constrict the Tiber at the bottom of Main Street, allowing the Tiber to be daylighted and appropriately dredged, giving its channel greater carrying capacity. A park setting will be created that makes the river an attractive asset to OEC instead of being its enemy. After all, it is because of the confluence of rivers here that the town was built in the first place. To preserve most of the town, we need to sacrifice a few of its buildings, or at least the parts that restrict flow and access to the river.

In addition, the plan would connect Saint Paul Street to Old Columbia Pike by creating a new link, connecting across the diversion structure to Saint Paul Street. Some of the buildings proposed to be removed are owned by my family and associates. With fair compensation to owners, this plan can be a key part of the solution. This concept has the added benefit of allowing Main Street to be one way going west to Old Columbia with the St. Paul extension going

If you would like the County Council to amend or not pass Council Bill 56 which would delay projects like the new Taylor Highlands Community Clubhouse and Pool as well as additional projects that will reduce the flow of storm water to Ellicott City, please email or call County Council and County Executive Kittleman at the addresses below:

councilmail@howardcountymd.gov 410/313-2001

AKittleman@howardcountymd.gov 410/313-2011

Council Members and County Executive

Re: CB 56 – written testimony

Thank you for the opportunity to submit written testimony on CB56. We appreciate the major difficulty and efforts that have gone into getting Old Ellicott City back in business each time it floods. My home is just above Old Ellicott City. While we feel deeply saddened by the loss of life, property and businesses, we also suffer a loss for many months after each flood as we are unable to drive through town, shop or dine at some of our favorite places.

The town and its infrastructure need to be even more flood resilient than it is now so that everyone can recover more quickly when the next unwanted flood comes. Changing weather patterns seem to mean we will unfortunately have more of these damaging storms.

Please do not pass CB56 as it is. Please withdraw it or at least amend it to allow new development to proceed without delay. It makes sense that new development with current storm water and flood controls will help rather than hurt Ellicott City. New projects need to be sped up not delayed.

Please do all you can as soon as possible to improve the infrastructure to help Ellicott City to resist and bounce back even more quickly after future floods, even if it means major changes to the city, so that we all do not continue to suffer.

Sincerely,

Name

Home address

Sayers, Margery

From: Frances O'Connor <chettyoak@yahoo.com>
Sent: Monday, July 23, 2018 8:00 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: Support for Council Bills 56 & 58

Dear elected official,

I am writing to express my support for Council Bills 56 & 58. I would like to see both passed as written, with no grandfathering clauses or development loopholes. We are at a critical juncture for our county with regards to infrastructure and the future of Main Street Ellicott City. It is imperative that we slow down and get it right! Lives literally depend on it.

Regards,
Frances Keenan
5463 Autumn Field Court
Ellicott City, MD

Sayers, Margery

From: A Fixed Point in Time <afixedpointinhorology@gmail.com>
Sent: Monday, July 23, 2018 7:20 PM
To: CouncilMail
Subject: CB56-2018 testimony

Council Bill 56-2018

A one year pause is a joke. No meaning or significant mitigation projects can be completed within one year. Let's take this concept and make it meaningful rather than just "feel good" BS that will revert to business as usual before anything actually changes. This bill needs significant changes to be effective.

We've already done studies. What we need now is action.

There should be a 5 year full stop with automatic renewal. At each 5 year mark, a public hearing needs to take place to consider lifting the development ban. IF, and only if, actual progress has been made to remedy the problems should lifting the ban be reconsidered.

The idea of buying up buildings on lower Main Street and tearing them down is not a solution and will do nothing about runoff that floods upper Main Street or the West End. Instead, we should be claiming Eminent Domain of the developments on the north hill, and tearing those down. These are what has changed that created the worsening runoff problems and the obvious solution is to undue the mistakes.

Derek Smith

--

-Derek

Sayers, Margery

From: Sally Flash <sallyflash@gmail.com>
Sent: Monday, July 23, 2018 6:28 PM
To: CouncilMail; Kittleman, Allan
Subject: CB56

I write to urge you to pass CB56 to suspend new development while thoroughly investigating ways to alleviate flooding of Ellicott City.

I went to a meeting chaired by Ross Taylor in which he claimed that developments above Ellicott City had nothing to do with its flooding in May. My husband and I looked out the windows of our 4th floor condo in Taylor Village watching the retention pond in our back yard promptly fill with water as it is only about a foot deep having not been dredged in 10 years. This water became a raging torrent heading straight down the hill toward Ellicott City. Other drains around our community also flooded over and headed down New Cut, or down College to take out Bonnie Branch. The Storm Water plan funneled all water from our parking lots and buildings into a raging torrent totally out of control. That is Taylor's idea of Storm Water Control. Ross Taylor agreed that this infrastructure was put in long ago (10 years), and wasn't able to cope with flooding. But his new infrastructure at the new development would be much better - which I doubt as all promises made to this community have not been honored. Building 800 new residences below Taylor Village off of College will certainly undermine the earth's capacity to absorb water, just like up here at Taylor Village. And flooding will continue until Mr. Taylor is made to correct the Storm Water plan for Taylor Village with at least retention ponds dredged and allowed to hold much more water among other solutions.

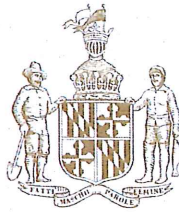
We are also surprised that Council would okay the development off of College Ave. because College is totally inadequate to take any more cars down to Ellicott City - it winds and twists for almost a mile and hairpin curves ensure cars are pushed against the rocks as they traverse this road. The only other way out for 800 residences is through Taylor Village and down an equally twisting road to Montgomery. The Road through Taylor Village is a 25 mph speed limit with cars parked on the sides and traffic jams already with the existing homes. Our area is so densely built out that it is unthinkable to add to the traffic and water woes by adding more homes.

Please stand up to the Taylors as developers. They have already demonstrated very poor Storm Water Control here at Taylor Village, have developed irresponsibly pushing for maximum housing density and little open/green space with their primary idea to make the most money possible, not to design a livable Village.

Thank you for your time. Sally and Pat Flash 8145 Cyprus Cedar Rd. Ellicott City 440-862-5690

ROBERT L. FLANAGAN
Legislative District 9B
Howard County

Environment and Transportation
Committee



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Annapolis Office
The Maryland House of Delegates
6 Bladen Street, Room 430
Annapolis, Maryland 21401
410-841-3077 · 301-858-3077
800-492-7122 Ext. 3077
Bob.Flanagan@house.state.md.us

District Office
4725 Dorsey Hall Road
Suite A, #204
Ellicott City, Maryland 21042
443-420-8161

July 16, 2018

Chairperson Sigaty and Members of the Howard County Council
3430 Court House Drive
Ellicott City MD, 21043

Re: CB 56-2018 - Support

Dear Madame Chair and Members of the Council,

Please accept this letter to express my strong support for Council Bill 56-2018 as an appropriate next step in addressing dangerous flooding conditions in Ellicott City. I thank Councilman Weinstein for introducing this bill, and appreciate the support of the County Executive and the County Council as introduced.

Based upon the comments of bill sponsor, amendments will be considered by the Council that would expand the embargoed flood prone areas beyond the Tiber-Hudson Watershed. It is respectfully requested that all flood prone areas in greater Ellicott City be included. Including, but not limited to: the Sucker Branch watershed and the North Little Patuxent Watershed. I would be happy to provide more detailed information from constituents affected by flooding in these watersheds for your consideration.

As always, thank you for your dedicated service to Howard County.

Sincerely,

A handwritten signature in black ink that reads "Robert L. Flanagan".

Robert L. Flanagan

State Delegate – District 9B

Sayers, Margery

From: Mell Picco <mellpiccodesign@gmail.com>
Sent: Monday, July 23, 2018 8:33 PM
To: CouncilMail
Subject: Testimony - Tiber Branch Watershed Safety Act (CB56)

Dear Howard County Council members,

My name is Mell Picco. I currently live on Triadelphia Road in Ellicott City. I am in support of the Tiber Branch Watershed Safety Act. When my best friend lived on lower Main Street in 2009, I started to get to know many shop owners and neighbors who lived and worked next door. I fell so much in love with the town and community that I moved a few doors down above Maxine's Antiques in 2010. Though my physical address is no longer on Main Street, I still consider it home.

Historically, The Patapsco River has flooded from the bottom during hurricanes. However in 2011, the street flooded from the top of town from the Tiber River. In 2016, the Tiber flooded again and washed downhill as a torrent. Three people lost their lives and residents and businesses were devastated. I helped organize a group of Chive Maryland flood relief volunteers on West Main Street and I got to know even more neighbors and the challenges they face. Everyone I talked with in the community, some whose families had lived there for generations, shared concern about the overdevelopment and increasing runoff created by it over the years. On May 27th 2018, the Tiber River flooded downhill with even more destruction. My heart broke all over again for my friends and neighbors who lost Eddison, as well as those who lost their homes and businesses for the second time. We worked so hard to get everything almost back to normal in the past two years. And in a matter of minutes it was all gone.

This time, it's different. We thought the 2016 flood was a one in one thousand chance. Now that there have been two floods of the same magnitude in two years we need to think differently about this problem. Just rebuilding after the second devastating flood is not a safe option. We need to protect and preserve our town, first and foremost. We need to enforce 1,000 year flood regulations instead of 100 year flood regulations. The Tiber Branch Water Safety Act is the first step to accomplish this.

Designating the Tiber Watershed as a "sensitive watershed" would also help accomplish this goal by reducing the amount of development that can take place. Another solution is to create even more incentives for property owners in the watershed to plant rain gardens, incorporate living green roofs, rain barrels and Flo-wells. Flo-wells are an inexpensive way to catch runoff at the source and could be installed in older developments which have outdated runoff systems. There are many other avenues to explore to help expedite funding to fix our infrastructure to prevent further loss of life and property.

In 2016 I saw all of Ellicott City and our surrounding neighbors come together to rebuild in an overwhelming effort. I believe that TOGETHER we can create a solution to protect Ellicott City's commUNITY from dangerous rainwater run-off and I urge the County Council to pass the Tiber Branch Water Safety Act as the first step.

Thank you,

Mell Picco
Graphic Designer
Ellicott City, Md

Mell Picco Design
www.mellpiccodeesign.com

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Mell Picco
Graphic Designer
Ph. (410) 952-5765

Mell Picco Design
www.mellpiccodeesign.com

Sayers, Margery

From: DaleNSchumacher <dalenschumacher@aol.com>
Sent: Monday, July 23, 2018 11:16 PM
To: CouncilMail
Cc: Feldmark, Jessica
Subject: Testimony CB 56

Council Members,

Was out of town - Below is my Testimony. Thank you for incorporating it into record.
Dale Schumacher
6581 Belmont Woods Road
Elkridge Md 21075

Testimony CB 56 2018

Dale N. Schumacher

I reside at 6581 Belmont Woods Road

1. Tiber Watershed - Immediate

The legislation proposes the Tiber watershed. Limiting development in the Tiber watershed will increase development pressures (spillover effect) in adjacent areas. Limits on development should also be placed on adjacent watersheds where schools are at greater than 115% capacity.

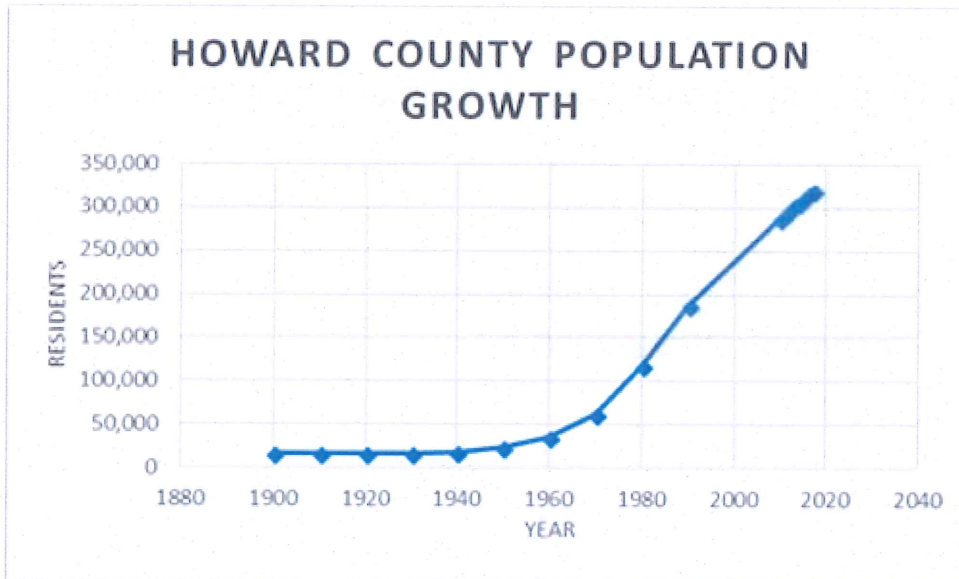
2. Best and Highest Use – Tactical - Zoning Regulation

“The traditional definition is: The reasonable, probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value.”

Suggested revised definition with insertion: “The reasonable, probable and legal use of vacant land or an improved property, which is physically possible, appropriately

supported, financially feasible, **mitigates storm water runoff** and that results in the highest value.”

3. Regional Planning - Strategic



In 1970, Indianapolis and surrounding Marion County initiated Unigov as a mechanism to coordinate planning within that region. <https://en.wikipedia.org/wiki/Unigov>

The time to coordinate growth with Baltimore County and Baltimore City is fast upon us. Growth and related development in Howard County should be indexed to growth and development in Baltimore County and Baltimore City. We need to think regional.

Thank you,

Dale N. Schumacher

Dalenschumacher@aol.com

Sayers, Margery

From: Dianne Zeitler <diannezeitler@verizon.net>
Sent: Tuesday, July 24, 2018 9:51 AM
To: CouncilMail; Kittleman, Allan
Subject: CB 56 written testimony

At a recent presentation to the Taylor Property community, Ross Taylor presented his and his father's vision for Ellicott City. Taylor and his associates are the current owners of property contiguous to the community in which we live. The said property, currently the location of Sheppard Pratt mental health facility is expected to be developed and annexed to our community home owners association in the near future. While I was not present at the presentation, a sample letter was handed out by Taylor, with the thought that community members might want to object to the bill as it could delay development of the Sheppard Pratt property. The incentives would be the new pool and club house planned for the property.

I submit the following modified version of the sample letter as a concerned citizen.

Thank you for the opportunity to submit written testimony on CB56. We appreciate the major difficulty and efforts that have gone into getting Old Ellicott City back in business each time it floods. Our home is just above Old Ellicott City. We feel deeply saddened by the loss of life, property, and businesses. We also suffer a loss for many months after each flood as we are unable to drive through town, shop or dine at some of our favorite places.

Please pass CB56 as it is. Please do all you can as soon as possible to improve the infrastructure to help Ellicott City to resist and bounce back even more quickly. We strongly believe that additional development in the areas above Old Ellicott City will contribute to the flooding that is likely to occur in the future. Major changes may be needed to secure the city in the future, but developers in the area may be more motivated by avarice rather than compassion.

Sincerely,

Dianne and Maury Zeitler
4235 Rose Petal Court
Ellicott City

Sayers, Margery

From: DIANE BUTLER <politicodiane@msn.com>
Sent: Tuesday, July 24, 2018 2:39 PM
To: CouncilMail
Subject: Council Bill 56 - Protecting the Tiber-Hudson Watershed

I was not able to attend the hearing, Monday evening. I believe that the development community was there in force. I think the only thing that we need to look at, for this emergency measure is that people are dying. Simple. Until we can guarantee that we will not be taking any more lives, we need to wait on building anything else in the watershed. Obviously, our planning is not working. Take a step back, and replan. Doesn't it actually become premeditated murder when you know that what you are doing will cost lives. Pretty much the end of the discussion in my book.

Diane Butler

Sayers, Margery

From: joel hurewitz <joelhurewitz@gmail.com>
Sent: Tuesday, July 24, 2018 12:05 PM
To: Sayers, Margery
Subject: CB 56 Written Testimony

Pages 2-4 of the [written testimony 7.14-7.17](#) for CB55 are actually for CB56.

CB55-2018 written testimony 7.14-7.17.pdf

2 / 23

Sayers, Margery

From: Linda Rager <lindar8@verizon.net>
Sent: Monday, July 16, 2018 10:06 PM
To: CouncilMail; Kittleman, Allan
Subject: Historic Ellicott City and CB56 2018

Thank you for the opportunity to write this email on CB56 and for working hard on putting the town back together again. No one wants to look at boarded up buildings for too long. I do respect the shop keepers and property owners who don't want to relive this again and again as well. With the unpredictable changes in our climate, I believe we need to move forward with new projects that would bring quality and quantity water controls and stronger infrastructure and better flood controls that most existing developments do not have. Please allow these projects to move forward without delay to help reduce anymore flooding in Ellicott City.

Even if we wanted to saddle development with the burdens of fixing all the existing problems, there isn't enough undeveloped land left to make that much of a difference. Please allow these projects to move forward without delay to help reduce flooding in Ellicott City. Please find a way to make the public improvements that will make things better.

Thank you,
Linda Rager
5554 Gayland Road
Halethorpe, MD 21227

lindar8@verizon.net

Sayers, Margery

From: Susan Garber <buzysusan23@yahoo.com>
Sent: Tuesday, July 24, 2018 3:22 PM
To: CouncilMail
Subject: CB56
Attachments: fish on Cs driveway after flooding.jpg; fish in C's driveway rut.jpg; flowACROSSStrail2RIVER.jpg; trailERODESafterRepair.jpg; CulvertUnder Silt.jpg

Susan Garber testifying in favor of CB 56 on behalf of the Savage Community Association 7/23/18

We strongly support the one-year halt to permitting in the Tiber Branch Watershed and appreciate that all council members are sponsors. We do however have a few concerns and comments.

- CB56 focuses on the Tiber Watershed rather than the Tiber Hudson. The mention of the Tiber Hudson watershed in only one location, (Section 5. D.1. exemptions) causes us to wonder if the bill has been pared back from the Tiber Hudson Watershed to exclude its application to certain properties.
- Savage, the County's other historic mill town on a river, wants any studies resulting in changes to County laws and procedures from this EC subject area quickly extended to other areas of the county.
- We'd also support including at a minimum the Plumtree watershed and the parallel Little Patuxent just to its west. Or better yet, consider HCCA's recommendation to pause permitting throughout the whole county.
- Would it not be unwise to allow unchecked development, at a breakneck pace, in other areas of the county until they too are in a crisis situation? One can't deny that other areas of the county also have a history of flooding-- or are developing one. Don't people's homes deserve protection as much as commercial establishments?
- A week **after** the flood, the main topic brought to the SCA tent at our annual Savage Fest was fear of flooding in Savage. Many residents recall when The Foundry Street bridge was swept away by Agnes. Rising water and swift currents from development along the Middle and Little Patuxent carry trees, historically destroying parts of the sewer lines along the banks in Savage—with the most unpleasant result!

- The proposed construction of the 35 unit Settlement at Savage Mill, with total clearing and grading above the steep slopes to the Little Patuxent is of **great** concern to our community. We would hope, no insist, that what is learned from the study of Ellicott City would quickly be applied **countywide** and be integrated into the revision of all our development regulations. This should be included as an amendment.
- We must stop assuming DPZ engineering staff is working in the best interest of citizens and that they truly know how to assure storm water won't cause additional damage with water that has been cleaned, but not controlled. Given that the same storm water management procedures recommended for the proposed Savage development **failed** on the other side of the Little Patuxent in a development further from the river, at less slope, and with less density, how can we possibly have **faith** in the County's approvals? Especially knowing that the resulting damage to the trail was repaired at taxpayer expense. And that nothing is being done to stop the flow of sediment into the river, or to replace trees killed by the flow. A walk this weekend revealed that the culvert under the trail has already completely filled with sediment demanding more repair at citizen expense. See photos.
- No we **don't have faith** anymore that Storm water management measures will protect us. Especially not one Savage resident residing along the river. She doesn't have faith, but she **did have FISH in her driveway** following the May storm. Please try to keep this photo in mind as you consider examining over development's role in flooding—past and future. See photos.
- The Builders Association and individual builders are already asking for grandfathering and to be made exceptions, calling the bill anti-business. On the contrary, we call it pro-environment and pro-life. First their actions took all environmental features away. Then they took lives. **Results** are not just devastating, they are deadly.

Thank you.











Sayers, Margery

From: Matt Hoff <Coldspringsfarms@verizon.net>
Sent: Tuesday, July 24, 2018 3:49 PM
To: CouncilMail
Subject: Comments for Matthew Hoff on CB 56-2018
Attachments: Final Comments for Matt Hoff Laurel Hearing 07.24.18.pdf

Good Afternoon,

Sorry I did not have time to go thru all of my comments last night. Please make sure you read page 4 as I did not have time to finish.

While we used our land as collateral we were expecting company profits to service the loan with a fall back plan of selling the land. But record milk prices in 2014 have been followed with a 3 ½ year low ever since. Our 3 year average member mailbox price (the price they receive after all deductions for hauling and marketing are taken out) has not been this low since 2006 while cost have risen by 20% or more.

As a coop 20% of the income from the sale of the land has to go back to our members and the rest will go towards member equity and paying off our debt.

Also I would like to add that the interest alone on the \$40 million that we invested into our 2 Maryland milk plants cost around \$200,000 per month currently and that money would be much better back in the hands of our producers than paying interest.

Thanks Again,
Matthew Hoff
President MDVA Milk Producers Association

Please feel free to call me
Cell 410-984-0472

Written Testimony by Matt Hoff – July 24, 2018

Hello, my name is Matt Hoff.

I am a dairy farmer in Carroll County, and I am the President of Maryland & Virginia Milk Producers Cooperative. I am here today to speak on behalf of the co-op and my fellow 1,200 farmer members from Pennsylvania to Georgia.

Together we own and operate four processing facilities, two of which are in Maryland. They include a fluid plant in Landover that bottles fresh milk, and an ingredients facility in Laurel that processes cream, condensed milks, butter and milk powder.

Maryland & Virginia has owned the Laurel plant since 1955. It is our oldest plant facility, and it is the cornerstone of our co-op business. The plant operates as a balancing mechanism not only for the co-op but the entire mid-Atlantic region, helping manage fluctuations in the milk supply.

Over the decades the co-op has made improvements and has worked hard to be a “good neighbor” in the community.

Five years ago, the co-op board and management recognized changing dynamics – particularly in the fluid milk marketplace. Milk consumption is on the decline, and we knew that we had to adapt and find our new foothold in the marketplace.

That prompted the largest capital project in our 88 years of existence. Our dairy farmers poured \$40 million into Laurel and Landover, modernizing the plants, expanding their capacity and product offerings, creating new jobs and more skilled jobs. Specifically at Laurel we have increased our headcount from 55 to 70 employees.

Those investments have been critical to our success and are key to the financial sustainability of our Cooperative.

Looking at the future of our co-op, the option to sell and develop a portion of our Laurel property is a consideration our board and leadership are pursuing and have made significant business decisions based on the “rules” that were in effect at the time, which are now being changed on a whim. The co-op owns about 220 acres at Laurel, and we’re seeking to sell/develop 121 acres of land that is not needed for plant operations.

Right now the dairy industry – at the farm level – is going through very challenging times. Farmers are hanging up their hats and at a rapid pace. We have lost more than 100 farms since January and 40 percent of those have been Maryland farms.

Selling a portion of our land for development - land that is not needed for plant operations while maintaining a suitable buffer from residential areas – is our path to recouping the significant investment our farmer owners have made in their co-op.

Following two public community meetings where our representatives gathered input from neighbors, we have submitted an environmental concept plan and sketch plan for a by right subdivision without any necessary variances or alternative compliance. Our property is located in a designated growth and revitalization area in Plan Howard 2030, with public utilities and infrastructure to serve the development.

The proposed plan is actually less dense than permitted by the current zoning, which can also be developed under the MXD-3 overlay zone on the property, which allows for commercial, retail, apartment, and hotel development in addition to residential, similar to Maple Lawn just up the street.

Maryland & Virginia Milk Producers Cooperative feels that this proposed legislation is a direct attempt to delay approvals on our property and could put our farming business in jeopardy. Please help us by rejecting this flawed legislation.

Sayers, Margery

From: Rebecca Stratis <rebecca.stratis@gmail.com>
Sent: Tuesday, July 24, 2018 4:17 PM
To: Kittleman, Allan; CouncilMail
Subject: Fix the watershed

Good afternoon,

Thank you for your professionalism, patience and courtesy last night as so many people expressed their opinion on the issue. A complete moratorium is the only logical step. We don't know the scope of the flooding problem (except that it extends beyond Main Street) and we certainly do not know what the next best step is to fix it.

All I know is that Village Crest has a serious flooding problem, and no one has even mentioned it.

Thank you in advance for doing what is best for the county and our environment.

--

Rebecca Stratis

Sayers, Margery

From: Pat Fenton <patkf1950@verizon.net>
Sent: Tuesday, July 24, 2018 4:54 PM
To: CouncilMail
Cc: Kittleman, Allan
Subject: Council Bill 56 - Protecting the Tiber-Hudson Watershed / EC Flooding

I believe that it is our responsibility as citizens to halt unnecessary development until comprehensive surveys can be performed and evaluated. It is very difficult to believe that the building taken place in the last years has not greatly contributed to the 2 Ellicott City flood disasters. Thank you, in advance, for your support of this bill.

Pat Fenton
Village Crest Villas II
Ellicott City

Sayers, Margery

From: David Leonard <daveleonard747@gmail.com>
Sent: Tuesday, July 24, 2018 4:55 PM
To: CouncilMail
Subject: Moratorium

I am in favor of the one year, even longer, Ellicott City watershed building moritirium.

Sent from my iPhone