

Sayers, Margery

From: stukohn@verizon.net
Sent: Thursday, July 26, 2018 11:28 AM
To: CouncilMail; howard-citizen@yahoogroups.com
Subject: Major Decision Day for Council Members
Attachments: HCCA Testimony CB54 - Courthouse.docx; HCCA Testimony CB59-2018 Erickson - PSA Expansion.docx; HCCA Testimony CB56-2018 Ellicott City.docx; HCCA Testimony CB58-2018 Scenic Roads.docx; HCCA Testimony CR119-2018 Amending Water and Sewer.docx

Dear Council and Listserve Members,

Tomorrow, Friday, 27 July will play a major part in each of the Councilmembers legacy. They will be voting on several all-important Bills and a Resolution that will forever have a major impact on our County for years. These Bills are CB54 – the Courthouse, CB59 – the expansion of the Planned Service Area (PSA), CB56 – Moratorium for Mitigation for Ellicott City, CB58 – Scenic Roads legislation, and CR119 – Amending the Water and Sewer line.

Please refer to the attachments which is our Howard County Citizens Association, HCCA testimony presented to the County Council during two nights. The Council we only hope will consider the very compelling testimony which was heard on these Bills and Resolution. We believe the Council should vote as follows:

CB54 – *Table* until such time all the facts have completely been answered especially the financing and the contract arrangements. If true -- we do not understand why two losing bidders will each receive \$500,000?

CB59 – Vote *No or let the Bill Expire*. The New Council should be completely in charge of this decision. We don't for the life of us understand the explanation of the Office of Law that this is a "Planning" issue not a "Zoning" issue. The content of the Bill states otherwise. Under the HC Code of Ordinances, Title 16, Section 16.211 the Council is not permitted to act on Zoning matters after the Primary.

CB56 – Vote *Yes with recommended amendments*. This Bill should have occurred two years ago when Councilman Weinstein introduced it, but unfortunately none of his colleagues supported him. Now they are which is appreciated.

CB58 – Vote *Yes with amendments*. Something needs to be done to save some land and potentially make things safer.

CR119 – Despite the fact Administrative rules were completely ignored the Council should vote *Yes* because of declared Health hazards.

You can go to our website at <http://howardcountyhcca.org/member-info/reports-documents-and-testimonies/> to see our testimonies. Not all of the aforementioned Bills and Resolution have been posted on our site but will be soon.

Hopefully the Council will make the right decisions at their Legislative Hearing starting at 10AM at the George Howard Building.

Sincerely,

Stu Kohn
HCCA, President

Sayers, Margery

From: Russ Swatek <swatek1@yahoo.com>
Sent: Thursday, July 26, 2018 1:00 PM
To: CouncilMail
Cc: Yahoo Groups
Subject: Fw: [HOWARD-CITIZEN] Major Decision Day for Council Members [5 Attachments]

Dear Council Members,

I support HCCA's stated position on each of the bills addressed below.

Russ Swatek
8141 Tamar Drive
Columbia, MD 21045

----- Forwarded Message -----

From: stukohn@verizon.net [HOWARD-CITIZEN] <HOWARD-CITIZEN@yahoogroups.com>
To: "councilmail@howardcountymd.gov" <councilmail@howardcountymd.gov>; "howard-citizen@yahoogroups.com" <howard-citizen@yahoogroups.com>
Sent: Thursday, July 26, 2018, 11:32:27 AM EDT
Subject: [HOWARD-CITIZEN] Major Decision Day for Council Members [5 Attachments]

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Hopefully the Council will make the right decisions at their Legislative Hearing starting at 10AM at the George Howard Building.

Sincerely,

Stu Kohn
HCCA, President

[View attachments on the web](#)

Posted by: stukohn@verizon.net

NOTE 1: When you choose REPLY, it will go to the entire group.
To send to one member, enter that address in the TO window.

NOTE 2: HCCA does not take responsibility for the content of messages posted on the listserve; assertions should be verified before placing reliance on them.

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Sayers, Margery

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To: CouncilMail; howard-citizen@yahooogroups.com
Subject: Major Decision Day for Council Members
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Hopefully the Council will make the right decisions at their Legislative Hearing starting at 10AM at the George Howard Building.

Sincerely,

Stu Kohn
HCCA, President

Date: 23 July 2018

Subject: HCCA Testimony CB58-2018 Scenic Roads

Good evening. My name is Stu Kohn and I am the President of the Howard County Citizens Association, HCCA testifying on their behalf. We are in favor of CB58-2018 and want to thank Councilpersons Terrasa and Ball for having the foresight to introduce this Bill. Hopefully this Bill will lead to a better understanding as to what the residents of Howard County can expect whenever development is placed on a designated scenic road. The specific question we have is will this Bill in anyway affect the proposed 397 units planned by the Milk Producers at Leishear, Gorman and Murray Hill Roads. We would like to believe that this development was a contributing factor as to why this Bill is before us. We would like for you to consider the following suggestions to include in the Bill for clarity:

Refer to Page 2, Line 2 – add the word “fully” before the word “screened.”

Refer to Page 2, Lines 3 thru 6 – it is referring to the protection of forests. It is about time especially considering that Howard County as reported by the Sierra Club is the worst of all counties in Maryland clearing trees and only 12th in replacing them. This needs to change.

Refer to Page 3, Line 8 thru 9 – states, “To orient houses so they do not back up to scenic roads and should be sited as far as possible from the road and be well screened.” We seek specificity by asking you to provide an exact number regarding the distance.

Refer to Page 2, Line 12 – what is the definition of “Surroundings?”

Refer to Page 5, Lines 23 thru 28 – It states, “That developments adjoining scenic roads which proposes a new vehicular ingress and egress on a scenic road within one mile shall be required to obtain approval from DPZ and the Planning Board after a Public Meeting.” We ask you for the public to have the opportunity to question DPZ at such a Planning Board Meeting or Hearing. This is the case now evoked in Zoning Board Hearings as the recent passed CB16-2018 permits. The same opportunity should apply in front of the Planning Board. We ask you to please revisit CB16 as an amendment because we believe this was simply an oversight.

Refer to Page 6, Lines 24 thru 29 and Page 7, Lines 1 thru 2 – It addresses the Effect of the Adequate Public Facilities Act regarding an intersection designated a “Constrained Road Facility.” On Line 28 it states, “Restrictions on improvements to a “Constrained Road Facility” shall not be grounds for denial of subdivision plans or site development plans that would otherwise be subject to required road improvements under the adequate public facilities ordinance.” We ask why not? Please consider rewording this clause to state, “A Constrained Road Facility shall be grounds for denial of any subdivision plans or site development plans unless such time when road improvements are feasible and pass road tests with the implementation of the Adequate Public Facilities Ordinance.”

With the aforementioned suggested amendments, we look forward to hopefully see major improvements in the protection of our scenic roads. It would certainly be beneficial to all.

Thank You,

Stu Kohn
HCCA, President

Sayers, Margery

From: JOHN SMITH <jdsmith51@verizon.net>
Sent: Thursday, July 26, 2018 12:31 PM
To: CouncilMail
Cc: JD SMITH
Subject: Council bills 54, 59, 56,58, CR119

To: Howard County Council
From: JD Smith
Date: July 26, 2018
Re: Council Bills 54, 59, 56, 58 and CR119

Dear Council Members:

I would like you to take the following actions regarding the subject bills:

CB54 – *Table* until such time all the facts have completely been answered especially the financing and the contract arrangements. If true -- I do not understand why two losing bidders will each receive \$500,000? Too many unanswered questions, the main one being is this the best way of spending taxpayers' money when there are so many other needs that need addressing.

CB59 – Vote *No or let the Bill Expire*. The New Council should be completely in charge of this decision. I don't understand the explanation of the Office of Law that this is a "Planning" issue not a "Zoning" issue. The content of the Bill states otherwise. Under the HC Code of Ordinances, Title 16, Section 16.211 the Council is not permitted to act on Zoning matters after the Primary.

CB56 – Vote *Yes with recommended amendments*. This Bill should have occurred two years ago when Councilman Weinstein introduced it, but unfortunately none of his colleagues supported him.

CB58 – Vote *Yes with amendments*. Something needs to be done to save some land and potentially make things safer.

CR119 – Despite the fact Administrative rules were completely ignored the Council should vote **Yes** because of declared Health hazards.

Thank you for considering my request.

John David (JD) Smith
7425 Swan Point Way
Columbia, MD 21045
410-807-2010

Sayers, Margery

From: Bhargavi Gandhi <bgv2k1@yahoo.com>
Sent: Thursday, July 26, 2018 1:00 PM
To: CouncilMail; Kittleman, Allan
Cc: Fox, Greg; Ball, Calvin B; Terrasa, Jen; Weinstein, Jon; Sigaty, Mary Kay
Subject: Please support CB 56 and CB 58

Dear Mr. Kittleman and council members,

As a long time resident of Howard county , I have been extremely concerned about the frequent flooding of homes and businesses in the Tiber- Hudson Watershed . It pains us to see the frequent loss of property and the devastation caused by the floods, not to mention the enormous amounts needed to rebuild.

Old Ellicott City is an important part of our country's history and everyone would like to preserve and protect it. The Council has taken an important step in that direction by introducing Council Bill 56 and 58 to protect the Tiber-Hudson Watershed.

by placing a moratorium on construction for one year.

We urge you to support and pass both bills.

While that is good , we feel that the moratorium should be for a longer period , maybe 5-7 years to alleviate the pressure on schools, hospital and traffic .

We learnt that at the hearing held on Monday, July 23, Members of the Maryland Building Association were canvassing to kill this bill.

We can understand their concerns, because it affects their bottom line. However, they are not concerned about the impact of construction on the citizens and small businesses..

I know as our representatives you have the best interests of the Citizens of the County at heart. Please support both CB 56 and CB 58 when they come up for vote on Friday , July 27.

Thanks for your consideration,

Bhargavi Gandhi
410-480-1740

Sayers, Margery

From: Vicki Scobell <vscobell@gmail.com>
Sent: Thursday, July 26, 2018 1:31 PM
To: CouncilMail
Subject: I support CB58-2018

Dear Howard County Council:

I am writing in support of CB58-2018 regarding additional oversight and community input for developments along scenic roads.

I would like smart development that incorporates the additional oversight and the community's input regarding safety/traffic mitigation that will promote a higher quality of life for the new developments and their surrounding communities and how CB58-2018 will provide this for developments on/near scenic roads.

I urge you to vote yes to CB58 as written to further protect and thoughtfully plan development access points along and near scenic roads.

I am directly impacted as opposed to the developers who do not reside in Howard County. I vote and will be watching to see that my interest is being protected

Sincerely,
Vicki Scobell
A Resident Of The Emerson
Community on Gorman Road

Sent from Vicki's iPhone

Sayers, Margery

From: Susan Potenzzone <spotenzone@verizon.net>
Sent: Thursday, July 26, 2018 3:35 PM
To: CouncilMail
Subject: Scenic Roads Bill (CB-58)

As a Howard County resident, I am asking you to PLEASE pass the Scenic Roads Bill without any amendments to allow grandfathering to current potential projects. We have been residents here for almost 30 years, and one of the big reasons we selected this area was the beautiful open spaces throughout the county. The over development of this county is ruining that landscape and changing the entire feel of this area. Please allow existing and established communities in Howard County to maintain that lifestyle and do not allow every piece of beautiful, open space to be developed and change the attributes of this great county.

Thank you,

Susan Potenzzone
Howard County Resident

spotenzone@verizon.net

Sayers, Margery

From: Linda Corso <justllc@verizon.net>
Sent: Thursday, July 26, 2018 2:31 PM
To: Terrasa, Jen
Cc: CouncilMail; planning
Subject: Re: Scenic Road bill - CB58

Ms. Terrasa,

I've just been listening to your Legislative Work Session and I am appalled by your statements. Horrified in fact. You are not hearing us, as Ms. Sigaty even implied.

We are looking to PROTECT our two remaining scenic roads (Gorman and Murray Hill) from intrusive over development. We are NOT asking you to remove the scenic road designation of these roads. We are not asking you to make lots of safety improvements to them. We are asking you to prevent developers from dumping their traffic onto them when their traffic should be directed and could be directed onto major collector roads (Rt 216) which are built to handle it. But the county is so behind the curve on infrastructure (as Calvin mentioned) that everything is done backwards.

So, to be absolutely clear about what we in Hunters Creek and others along Gorman are actually saying — protect our scenic roads by forcing developers to divert their new traffic to major collectors! We even have a petition so stating. Our scenic roads are a treasure worth preserving and we don't expect you to permit over burdening them and then tell us, oh well, they don't qualify as a scenic road anymore! Our response — oh, well, you just lost our vote.

The whole Emerson nightmare dumping right onto scenic Gorman was a boondoggle. And the accidents at Gorman/Stephens Roads and the backups at Gorman/Skylark would not be a safety or traffic issue or a strain on scenic Gorman if Skylark Blvd egressed onto Rt. 216 along with Road A of the Milk Plant as it was supposed to and as it is STILL written in HoCo2030 as R103 (unfunded).

You've been hearing from a lot of us in Hunters Creek supporting your CB-58 because we thought your intent was to divert traffic of new developments away from scenic Gorman, not destroy the entire character of Gorman by making tons of road improvements to it!! That's just pandering to developers! Protect Gorman and make safety and road improvements to surrounding roads to carry the new traffic.

As it stands now, the Milk Plant developer has removed egress onto Gorman in deference to its scenic designation. We want it kept that way, but we'd also like to finally see R103 funded (and this developer should help fund it). That is what will save our scenic roads while allowing new development.

Hear us because there are a lot of us and you've got this totally wrong!

Thank you.
Linda Corso
Hunters Creek

Sent from my iPad

On Jul 26, 2018, at 1:35 PM, Terrasa, Jen <jterrasa@howardcountymd.gov> wrote:

Ms. Corso,

Thank you for writing to the Council in support of CB58, which I co-sponsored with Councilman Ball. Hopefully, with the help of your testimony, we can help increase transparency and allow residents to voice their concerns about developments that may negatively impact our community.

As always, please feel free to contact me or my special assistant, Melissa Affolter, at (410) 313-3108 or jterrasa@howardcountymd.gov, if you have any further questions, or if there is anything else we can ever do for you.

All the best,
Jen

Jennifer Terrasa
Councilwoman
District 3, Howard County Council
3430 Court House Drive, Ellicott City, MD 21043
jterrasa@howardcountymd.gov
Phone: (410) 313-3108 Fax: (410) 313-3297

Like my page on [Facebook](#) and follow her on [Twitter](#)!

Sign up for [my newsletter](#)!

From: Linda Corso <justllc@verizon.net>
Date: Wednesday, July 25, 2018 at 3:16 PM
To: CouncilMail <CouncilMail@howardcountymd.gov>
Subject: Scenic Road bill - CB58

Dear Council Members,

I am most pleased to see two of your members propose positive legislation in the form of CB-58 and I ask you all to approve this bill as written and not to permit any grandfathering. Projects that do not even have any shovels in the ground should not be exempt from this important bill.

The eastern part of Howard County is rapidly losing much of its character due to ill-conceived development on what remains of its few scenic roads. Just look at the Scenic Roads Map in HoCo 2030. The current scenic roads regulations may sound reasonable on the surface but there is the waiver provision that seems to be a pipeline to rubber-stamp exceptions every time, leading to the regulations having essentially no teeth to them. Thus scenic roads lack required setbacks and vistas, suffer traffic overloads that could have been avoided, and place undue stress on community livability. A prime example is what has happened with the enormous Emerson development dumping directly and solely onto scenic Gorman Road when it was supposed to also have direct egress to Route 216! And apartments were added with even greater density when they changed course and eliminated the office space they had originally planned. Scenic requirements on Gorman Road were further waived with Wincopia Farms and Walden Woods developments which are still building out and impacting the area. And now the Milk Plant which nestles up to Emerson wants to develop almost to capacity along this same road, again with no egress to Route 216, despite a Route 216 road connection in the HoCo 2030 plan (R103). Proper road infrastructure should work in concert with development. That is the reasoned approach. Then development can proceed with appropriate setbacks, scenic roads can be preserved and protected for all to enjoy, and people and cars can move about in a livable fashion.

CB-58 provides a much needed avenue for public discourse and reasoned development. No one is saying no to development. We are saying, let's support the intent of these regulations and protect the livability, beauty and history of our communities. Developers' jobs are to maximize development opportunities and do it profitably. They do not have to live in or around what they develop. We should not be pandering to them. And our county should be better long term planners in providing appropriate connector infrastructure along our major collector roads. And the landowners seeking to develop their lands on scenic roads can do so thoughtfully with input from their neighbors so as to leave behind a legacy that befits the land as they sell and move on. [And no one is out to stop a farmer from parceling land to a child to build a home; that is not the intent of this bill at all!] But I have seen too many waivers. We need stronger protections before what's left of our scenic roads is decimated to the point of 'are they even scenic roads anymore?' That would be a sad legacy for this county to leave, but that's the direction we now head unless we take action.

Yes to CB-58. And no to grandfathering.

We are the residents and voters of this county; not the developers.

Thank you.

Linda Corso
Hunters Creek community in North Laurel

Sayers, Margery

From: David S. Ross <dsross@umd.edu>
Sent: Thursday, July 26, 2018 6:12 PM
To: CouncilMail
Subject: Comments in support of CB58-2018

Dear Howard County Council,

I am writing in support of CB58-2018 regarding additional oversight and community input for developments along scenic roads.

It is importance to have smart development that incorporates the additional oversight and the community's input regarding safety/traffic mitigation that will promote a higher quality of life for new developments and their surrounding communities. I believe that CB58-2018 will provide this for developments on/near scenic roads.

Scenic roads are currently being made into crowded, over-loaded roads with less scenic value as new developments come on line. There is little separation of new developments from the roadway so it takes on the appearance of an urban area. Smart development should incorporate additional oversight to preserve the scenic value of the road. Screening and setbacks can be used to provide a visual buffer of development from the roadway.

Traffic safety has become an issue as traffic has increased on narrow and curving roads, forcing more traffic controls. In my area new development roads exit onto the scenic Gorman Road with multi-lane intersections which distract from it being scenic. Existing residents have trouble getting out of their homes onto the roads safely. Scenic roads in Howard County should be given more oversight to preserve them for our quality of life and enjoyment. CB58-2018 brings more oversight to help correct the issues caused by recent development in an effort to save the scenic roads.

The bill should not be amended to "grandfather" developments that are in the planning stage. There is time during the plan development and approval process to look at additional oversight and community input. This bill is necessary because the current rules are not doing the job of protecting scenic roads.

There are nice scenic roads in more rural counties but here in Howard County they are being destroyed because oversight is lacking and developments can convert the roads into less desirable urban roads facing development after development. For the sake of our communities and future residents we must use smart development now while there are scenic roads left to save. This is a county wide issue and not just related to one development project. It will be built but let's do it in a positive manner so we protect the scenic road and area. Do it now while there is an opportunity for smart development!

I urge you to vote yes to CB58-2018 as written to further protect and thoughtfully plan development access points along and near scenic roads.

Sincerely,

David

David S. Ross
Resident in Hunter's Creek in Howard County
dsross@umd.edu
H 301-498-2234

Sayers, Margery

From: David S. Ross <dsross@umd.edu>
Sent: Thursday, July 26, 2018 6:08 PM
To: CouncilMail
Subject: Comments in support of CB58-2018

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Traffic safety has become an issue as traffic has increased on narrow and curving roads, forcing more traffic controls. In my area new development roads exit onto the scenic Gorman Road with multi-lane intersections which distract from it being scenic. Existing residents have trouble getting out of their homes onto the roads safely. Scenic roads in Howard County should be given more oversight to preserve them for our quality of life and enjoyment. CB58-2018 brings more oversight to help correct the issues caused by recent development in an effort to save the scenic roads.

The bill should not be amended to "grandfather" developments that are in the planning stage. There is time during the plan development and approval process to look at additional oversight and community input. This bill is necessary because the current rules are not doing the job of protecting scenic roads.

There are nice scenic roads in more rural counties but here in Howard County they are being destroyed because oversight is lacking and developments can convert the roads into less desirable urban roads facing development after development. For the sake of our communities and future residents we must use smart development now while there are scenic roads left to save. This is a county wide issue and not just related to one development project. It will be built but let's do it in a positive manner so we protect the scenic road and area. Do it now while there is an opportunity for smart development!

I urge you to vote yes to CB58-2018 as written to further protect and thoughtfully plan development access points along and near scenic roads.

Sincerely,

David

David S. Ross
Resident in Hunter's Creek in Howard County
dsross@umd.edu
H 301-498-2234

Sayers, Margery

From: Medessa Burian <msburian@verizon.net>
Sent: Thursday, July 26, 2018 8:34 PM
To: CouncilMail
Subject: CB58-2018

Dear Howard County Council,

I am writing in support of CB58-2018 regarding additional oversight and community input for developments along scenic roads.

Incorporating smart development and including the community's input with respect to public safety and traffic mitigation is crucial in promoting a higher quality of life for new developments and their surrounding communities. CB58-2018 will help provide this for developments on and near scenic roads such as Gorman Road in Laurel where I live.

CB58-2018 should NOT be amended to "grandfather" in developments in the planning stages. Ample time is available during the plan development and approval process to address the additional oversight and community input.

I urge you to vote yes to CB58-2018 as written to further protect and thoughtfully plan development access points along and near scenic roads.

Sincerely,

Medessa Burian
Howard County resident and registered voter

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

Sayers, Margery

From: Medessa Burian <msburian@verizon.net>
Sent: Thursday, July 26, 2018 8:30 PM
To: CouncilMail

Dear Howard County Council,

I am writing in support of CB58-2018 regarding additional oversight and community input for developments along scenic roads.

Incorporating smart development and including the community's input with respect to public safety and traffic mitigation is crucial in promoting a higher quality of life for new developments and their surrounding communities. CB58-2018 will help provide this for developments on and near scenic roads such as Gorman Road in Laurel where I live.

CB58-2018 should NOT be amended to "grandfather" in developments in the planning stages. Ample time is available during the plan development and approval process to address the additional oversight and community input.

I urge you to vote yes to CB58-2018 as written to further protect and thoughtfully plan development access points along and near scenic roads.

Sincerely,

Medessa Burian
Howard County resident and registered voter

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

Sayers, Margery

From: Debbie Ross <dmr10335@gmail.com>
Sent: Thursday, July 26, 2018 7:58 PM
To: CouncilMail
Subject: Comments in Support of DB58-2018

Dear Howard County Council,

I am writing in support of CB58-2018 regarding additional oversight and community input for developments along scenic roads.

It is very importance to consider scenic roads across the country, including Howard County. If development needs to happen, then let smart development incorporate the additional oversight and the community's input regarding safety/traffic mitigation that will promote a higher quality of life for new developments and their surrounding communities. I believe that CB58-2018 will provide this for developments on/near scenic roads.

Scenic roads are currently being made into crowded, over-loaded roads with less scenic value as new developments come on line. There is little separation of new developments from the roadway so it takes on the appearance of an urban area. Smart development should incorporate additional oversight to preserve the scenic value of the road. Screening and setbacks can be used to provide a visual buffer of development from the roadway.

Traffic safety has become an issue as traffic has increased on narrow and curving roads, forcing more traffic controls. In my area new development roads exit onto the scenic Gorman Road with multi-lane intersections which distract from it being scenic. Existing residents have trouble getting out of their homes onto the roads safely. Scenic roads in Howard County should be given more oversight to preserve them for our quality of life and enjoyment. CB58-2018 brings more oversight to help correct the issues caused by recent development in an effort to save the scenic roads.

The bill should not be amended to "grandfather" developments that are in the planning stage. The scenic road exists and protecting them should not only be considered, but enforced to keep them scenic.

There are nice scenic roads in more rural counties but here in Howard County they are being destroyed because oversight is lacking and developments can convert the roads into less desirable urban roads facing development after development. For the sake of our communities and future residents we must use smart development now while there are scenic roads left to save. This is a county wide issue and not just related to one development project. It will be built but let's do it in a positive manner so we protect the scenic road and area. Do it now while there is an opportunity for smart development!

I urge you to vote yes to CB58-2018 as written to further protect and thoughtfully plan development access points along and near scenic roads.

Sincerely,

Debbie Ross
Howard County Homeowner

Sayers, Margery

From: Khaleda Hasan <shahidkhaleda@gmail.com>
Sent: Thursday, July 26, 2018 11:22 PM
To: CouncilMail
Subject: CB58-2018, Vote YES

Dear Howard County Council,

I am writing in support of CB58-2018 regarding additional oversight and community input for developments along scenic roads.

This is a bill that will have lasting effects throughout the county, particularly as the county develops more of its rural and scenic areas. The main point of the bill, as I see it, is not to obstruct development, but to mitigate potential problems with traffic, safety, and the environment that the surrounding communities can best provide comprehensive insight on. Rather than pitting communities against developers, this legislation should work to enhance any developments along scenic routes for the benefit of the current communities and developers, and eventually the future inhabitants of the homes. This, in turn, can bring a level of trust and partnership for all parties involved. The ultimate goal is to improve quality of life in Howard County and I support this bill.

I attended the public hearing this past Monday and I would urge you to consider adding an amendment extending the duration beyond the one year to up to three years to ensure the best outcome with careful planning and community input. After all, the surrounding communities are the ones affected, not the developers, many of whom reside outside the county.

I urge you not to include any “grandfathering” clauses for developments that are in the planning stages since this is about enhancing public input rather than halting all development across the county.

I urge you to vote yes to CB58 to further protect and thoughtfully plan development access points along and near scenic roads.

Living in the Emerson community off of Gorman Road, we are directly affected by this. We have watched as Wincopia Farms has gobbled up a large swatch of the scenic route along Gorman Road. It would be a shame if the Milk Producers Co-op property was also developed with as little regard to preserving the scenic nature of the road, much like it would in developing areas across Howard County.

Finally, I've been following local politics much more closely and how you vote matters because it will affect how I vote. Please remember that you are serving Howard County residents and make the responsible decision on this bill.

Sincerely,

Khaleda Hasan, PhD
Emerson resident

Sayers, Margery

From: JOHN SMITH <jdsmith51@verizon.net>
Sent: Thursday, July 26, 2018 12:31 PM
To: CouncilMail
Cc: JD SMITH
Subject: Council bills 54, 59, 56,58, CR119

To: Howard County Council
From: JD Smith
Date: July 26, 2018
Re: Council Bills 54, 59, 56, 58 and CR119

Dear Council Members:

I would like you to take the following actions regarding the subject bills:

CB54 – *Table* until such time all the facts have completely been answered especially the financing and the contract arrangements. If true -- I do not understand why two losing bidders will each receive \$500,000? Too many unanswered questions, the main one being is this the best way of spending taxpayers' money when there are so many other needs that need addressing.

CB59 – Vote *No or let the Bill Expire*. The New Council should be completely in charge of this decision. I don't understand the explanation of the Office of Law that this is a "Planning" issue not a "Zoning" issue. The content of the Bill states otherwise. Under the HC Code of Ordinances, Title 16, Section 16.211 the Council is not permitted to act on Zoning matters after the Primary.

CB56 – Vote *Yes with recommended amendments*. This Bill should have occurred two years ago when Councilman Weinstein introduced it, but unfortunately none of his colleagues supported him.

CB58 – Vote *Yes with amendments*. Something needs to be done to save some land and potentially make things safer.

CR119 – Despite the fact Administrative rules were completely ignored the Council should vote **Yes** because of declared Health hazards.

Thank you for considering my request.

John David (JD) Smith
7425 Swan Point Way
Columbia, MD 21045
410-807-2010

Sayers, Margery

From: Stuart Kohn <stukohn@verizon.net>
Sent: Friday, July 27, 2018 12:24 AM
To: Fox, Greg
Cc: Terrasa, Jen; Kittleman, Allan; Wilson, B Diane; CouncilMail; HOWARD-CITIZEN@yahoo.com
Subject: Re: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

Greg,

I really appreciate you having the courtesy to respond to the question.

The simple matter for me and others is that I don't get it! Up until now for all these years I thought the "Whereas Clauses" had meaning now we find out it does not - something is wrong. If in fact it is "rational behind a Bill" then CB59 on page 1, lines 27 to 30 states that the Erickson case is about "a specific Zoning proposal" not anything about what the Office of Law says that it is about "Planning." I believe now that this has been brought to the surface after all these years we all need to apparently get more educated in this area for future testimony, Work Session discussions, and for any authority to better enable their decisions because it looks like the "Whereas" is ambiguous.

Sincerely,

Stu Kohn
HCCA, President

Sent from my iPhone

On Jul 26, 2018, at 11:20 PM, Fox, Greg <gfox@howardcountymd.gov> wrote:

Stu:

This is much better answered by our office of law and they have done so in a number of public meetings in the past. I will give you my understanding, but I will reiterate that I am NOT a lawyer nor does this serve as legal advise...just my understanding.

Basically, the whereas clauses are used occasionally to provide the rationale behind a bill -- to give it context. It might also provide some historical perspective, references to enabling legislation... At times, it also becomes a place for political posturing or grandstanding regardless of how inappropriate it might be.

It has been explained to us (at least my take on what has been explained) that as the whereas clauses are not part of the bill or resolution once they are passed (i.e., that language doesn't go into code...) that they themselves are not typically considered from a legal standpoint. However, in some cases, where the bill or resolution might be ambiguous on a particular issue, the whereas clauses along with other information "could" be used to make an interpretation of intent.

I hope this helps.

Regards,

Greg

From: Stuart Kohn <stukohn@verizon.net>

Sent: Thursday, July 26, 2018 6:32 PM

To: Terrasa, Jen; Kittleman, Allan; Wilson, B Diane; CouncilMail; HOWARD-CITIZEN@yahoogroups.com

Subject: Fwd: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

FYI,

Councilwoman Jen Terrasa office was kind enough to respond to our question below regarding the Courthouse bidding process relating to distributing \$500,000 to non-winning bidders - see below.

I see the rationale is contained in the "Whereas clause" of the contents of the referred Resolution as stated below. Does this clause have legality? We ask because the Office of Law at Monday's Work Session stated regarding CB59 - the PSA Expansion that the "Whereas" does not have the weight one would think. Specifically, we stated that the case and contents of the Bill was all about "Zoning" rather than the Office of Law claiming "Planning" to justify the Council can proceed despite what the Code of Ordinance of Title 16, Section 16.211 after a Primary election.

So we are confused as to the law regarding the "Whereas clause" now and in the future? How much weight does one give when reviewing any Bill or Resolution in order to comment when testifying before any body such as the Council, Zoning Board, Planning Board, Hearing Examiner, or Board of Appeals, etc.? This is very important so we can obtain a solid reading to have the opportunity to get educated for future testimonies.

Sincerely,

Stu Kohn
HCCA, President

Sent from my iPhone

Begin forwarded message:

From: "Terrasa, Jen" <jterrasa@howardcountymd.gov>

Date: July 26, 2018 at 5:16:16 PM EDT

To: "'stukohn@verizon.net'" <stukohn@verizon.net>

Subject: RE: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

Hi Stu,

The fee was approved as a part of the resolution last year that indicated support for the courthouse.

County Resolution 27-2017, A RESOLUTION indicating support by both the County Council and County Executive for a project to finance and construct a new courthouse

Included the following:

WHEREAS, given the substantial costs likely to be borne by potential responders to the County's Request for Proposals for the Project, while understanding the preliminary nature of the projections and analysis conducted by County staff and consulting services, it is necessary that the County's governing body demonstrate support for the Project in order to obtain proposals from qualified contractors and commit necessary resources before officially starting the procurement for the Project

As it was explained to me by the county auditor, the companies that submitted proposals likely spent significantly more than the amount of that fee to put their proposals together, and paying such a fee is an international standard to secure the most qualified proposals. Please let me know if you have any further questions. Thanks very much!

Kindest regards,

Melissa

~~~~~

Melissa Affolter

Special Assistant to Councilwoman Jen Terrasa

Howard County Council, District 3

3430 Court House Drive || Ellicott City, MD 21043

Office: 410.313.3108 || Fax: 410.313.3297

Sign up for [Jen's newsletter!](#)

**From:** [stukohn@verizon.net](mailto:stukohn@verizon.net) <[stukohn@verizon.net](mailto:stukohn@verizon.net)>

**Sent:** Thursday, July 26, 2018 4:50 PM

**To:** Kittleman, Allan <[AKittleman@howardcountymd.gov](mailto:AKittleman@howardcountymd.gov)>; Wilson, B Diane <[BDWilson@howardcountymd.gov](mailto:BDWilson@howardcountymd.gov)>; CouncilMail <[CouncilMail@howardcountymd.gov](mailto:CouncilMail@howardcountymd.gov)>; [howard-citizen@yahoogroups.com](mailto:howard-citizen@yahoogroups.com)

**Subject:** Fwd: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

Marlena,

Thanks for the information. I see the concern we have is in your attachment -- "image1." It states, "Stipend Amount -- a Stipend in the amount of \$500,000 to be provided to each unsuccessful Proposer that submits a qualifying proposal."

**This NEEDS TO BE EXPLAINED TO ALL CONCERNED PARTIES -- In particular, THE CITIZENS AND VOTERS OF HOWARD COUNTY. All we are asking is for someone to PLEASE Explain the Rational for this particular clause. What will be the maximum of "unsuccessful Proposers?" What is the maximum amount of money are we prepared to distribute to those who are not the winning bidders?**

Sincerely,

Stu Kohn

HCCA, President

-----Original Message-----

From: Marlena Jareaux [m.jareaux@icloud.com](mailto:m.jareaux@icloud.com) [HOWARD-CITIZEN] <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)>

To: HOWARD-CITIZEN <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)>

Sent: Thu, Jul 26, 2018 1:35 pm

Subject: Re: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

Bob

I hope you added the council email address to your reply so THEY can see/get it?

Stu,

I'm attaching for you and everyone two documents to this email. One is the section in the county's purchasing documents about the 500k, and the other is the entire document. That's where I got that info, after fighting to get them to give it to me.

Marlena Jareaux

Sent from my iPad

On Jul 26, 2018, at 1:29 PM, Bob Doyle [gobikebob@verizon.net](mailto:gobikebob@verizon.net) [HOWARD-CITIZEN] <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)> wrote:

Must say I concur with all the HCCA positions 100% - just hope the Council will agree.

Bob Doyle

Sent from my iPhone

On Jul 26, 2018, at 12:59 PM, Russ Swatek [swatek1@yahoo.com](mailto:swatek1@yahoo.com) [HOWARD-CITIZEN] <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)> wrote:



Dear Council Members,

I support HCCA's stated position on each of the bills addressed below.

Russ Swatek

8141 Tamar Drive

Columbia, MD 21045

----- Forwarded Message -----

**From:** [stukohn@verizon.net](mailto:stukohn@verizon.net) [HOWARD-CITIZEN]  
<[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)>

**To:** "[councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov)"  
<[councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov)>; "[howard-citizen@yahoogroups.com](mailto:howard-citizen@yahoogroups.com)" <[howard-citizen@yahoogroups.com](mailto:howard-citizen@yahoogroups.com)>

**Sent:** Thursday, July 26, 2018, 11:32:27 AM EDT

**Subject:** [HOWARD-CITIZEN] Major Decision Day for Council Members [5 Attachments]

Dear Council and Listserve Members,

Tomorrow, Friday, 27 July will play a major part in each of the Councilmembers legacy. They will be voting on several all-important Bills and a Resolution that will forever have a major impact on our County for years. These Bills are CB54 – the Courthouse, CB59 – the expansion of the Planned Service Area (PSA), CB56 – Moratorium for Mitigation for Ellicott City, CB58 – Scenic Roads legislation, and CR119 – Amending the Water and Sewer line.

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**CR119 –** Despite the fact Administrative rules were completely ignored the Council should vote ***Yes*** because of declared Health hazards.

You can go to our website at <http://howardcountyhcca.org/member-info/reports-documents-and-testimonies/> to see our testimonies. Not all of the aforementioned Bills and Resolution have been posted on our site but will be soon.

Hopefully the Council will make the right decisions at their Legislative Hearing starting at 10AM at the George Howard Building.

Sincerely,

Stu Kohn

HCCA, President

## Sayers, Margery

---

**From:** Marlena Jareaux <m.jareaux@icloud.com>  
**Sent:** Friday, July 27, 2018 12:42 AM  
**To:** HOWARD-CITIZEN@yahoogroups.com  
**Cc:** Fox, Greg; Terrasa, Jen; Kittleman, Allan; Wilson, B Diane; CouncilMail  
**Subject:** Re: [HOWARD-CITIZEN] Major Decision Day for Council Members

Nothing should be this mysterious, elusive, or ambiguous as it relates to Council matters. The moment when one party has info and insight that the other doesn't, and no shared handbook exists, is the moment that disengagement sets in as well as distrust. If whereas clauses are able to mean different things in different contexts, that info should also be spelled out and travel along with the bill/resolution so that parties are all clear on that. That responsibility should fall upon the party trying to have done what they wish or are requesting/seeking.

Marlena

Sent from my iPad

On Jul 27, 2018, at 12:23 AM, Stuart Kohn [stukohn@verizon.net](mailto:stukohn@verizon.net) [HOWARD-CITIZEN] <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)> wrote:

Greg,

I really appreciate you having the courtesy to respond to the question.

The simple matter for me and others is that I don't get it! Up until now for all these years I thought the "Whereas Clauses" had meaning now we find out it does not - something is wrong. If in fact it is "rational behind a Bill" then CB59 on page 1, lines 27 to 30 states that the Erickson case is about "a specific Zoning proposal" not anything about what the Office of Law says that it is about "Planning." I believe now that this has been brought to the surface after all these years we all need to apparently get more educated in this area for future testimony, Work Session discussions, and for any authority to better enable their decisions because it looks like the "Whereas" is ambiguous.

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will reiterate that I am NOT a lawyer nor does this serve as legal advise...just my understanding.

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I hope this helps.

Regards,

Greg

---

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**Sent:** Thursday, July 26, 2018 6:32 PM  
**To:** Terrasa, Jen; Kittleman, Allan; Wilson, B Diane; CouncilMail; [HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)  
**Subject:** Fwd: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

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I see the rationale is contained in the "Whereas clause" of the contents of the referred Resolution as stated below. Does this clause have legality? We ask because the Office of Law at Monday's Work Session stated regarding CB59 - the PSA Expansion that the "Whereas" does not have the weight one would think. Specifically, we stated that the case and contents of the Bill was all about "Zoning" rather than the Office of Law claiming "Planning" to justify the Council can proceed despite what the Code of Ordinance of Title 16, Section 16.211 after a Primary election.

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HCCA, President

Sent from my iPhone

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**From:** "Terrasa, Jen" <[jterrasa@howardcountymd.gov](mailto:jterrasa@howardcountymd.gov)>  
**Date:** July 26, 2018 at 5:16:16 PM EDT  
**To:** "'[stukohn@verizon.net](mailto:stukohn@verizon.net)'" <[stukohn@verizon.net](mailto:stukohn@verizon.net)>  
**Subject:** RE: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

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Kindest regards,

Melissa

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Melissa Affolter

Special Assistant to Councilwoman Jen Terrasa

Howard County Council, District 3

3430 Court House Drive || Ellicott City, MD 21043

Office: 410.313.3108 || Fax: 410.313.3297

Sign up for [Jen's newsletter!](#)

**From:** [stukohn@verizon.net](mailto:stukohn@verizon.net) <[stukohn@verizon.net](mailto:stukohn@verizon.net)>

**Sent:** Thursday, July 26, 2018 4:50 PM

**To:** Kittleman, Allan <[AKittleman@howardcountymd.gov](mailto:AKittleman@howardcountymd.gov)>;

Wilson, B Diane <[BDWilson@howardcountymd.gov](mailto:BDWilson@howardcountymd.gov)>; CouncilMail

<[CouncilMail@howardcountymd.gov](mailto:CouncilMail@howardcountymd.gov)>; [howard-](mailto:howard-citizen@yahoogroups.com)

[citizen@yahoogroups.com](mailto:howard-citizen@yahoogroups.com)

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Sincerely,

Stu Kohn

HCCA, President

-----Original Message-----

From: Marlina Jareaux [m.jareaux@icloud.com](mailto:m.jareaux@icloud.com) [HOWARD-CITIZEN] <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)>

To: HOWARD-CITIZEN <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)>

Sent: Thu, Jul 26, 2018 1:35 pm

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8141 Tamar Drive

Columbia, MD 21045

----- Forwarded Message -----

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**To:**  
"[councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov)"  
<[councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov)>;  
"[howard-citizen@yahogroups.com](mailto:howard-citizen@yahogroups.com)"  
<[howard-citizen@yahogroups.com](mailto:howard-citizen@yahogroups.com)>

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**Subject:** [HOWARD-CITIZEN] Major Decision Day for Council Members [5 Attachments]

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Sincerely,

Stu Kohn

HCCA, President

---

Posted by: Stuart Kohn <[stukohn@verizon.net](mailto:stukohn@verizon.net)>

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NOTE 1: When you choose REPLY, it will go to the entire group.  
To send to one member, enter that address in the TO window.

NOTE 2: HCCA does not take responsibility for the content of messages posted on the listserv;  
assertions should be verified before placing reliance on them.

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## Sayers, Margery

---

**From:** Brenda Katz <laxkatz@comcast.net>  
**Sent:** Saturday, July 28, 2018 2:52 PM  
**To:** CouncilMail; Brenda Katz  
**Subject:** Scenic Road Bill ( CB- 58)

Dear County Council Members,

Decades ago I was part of a group who came before the County Council of that time to advocate on behalf of the preservation of the scenic road at Johns Hopkins / Gorman Rd. and Murray Hill. We were most grateful for your support then.

Here we are 25- 30 years later and much in this region is changing.

Once again, we are imploring the Council to assist us in preserving our scenic routes and the way of life in this portion of the County via a YES vote for Bill CB- 58, as we strive to encourage responsible development in this region.

My recommendation for development has been to reduce the number of homes in the proposed community at the Milk Producers Site and to include a beautiful hospice home, like the magnificent KLINE HOUSE in Frederick, Md. This will help reduce the onslaught of traffic congestion in an area of the conservative but where roads cannot be expanded.

As my son works for a huge international development firm... I am not one who feels it is reasonable to say NIMBY.. However, we need to look at environmental impact, impact on infrastructure and the county budget, & the concerning developmental, socio-educational impact on students by extreme overcrowding.

As we are working our way toward healthy development, we would be ever so grateful for your support as we navigate this inevitable change.. By supporting CB- 58 with a YES VOTE — and a NO VOTE to any AMENDMENTS.

Sincerely,

K. Brenda Katz  
703-980-1302,cell

## Sayers, Margery

---

**From:** Stuart Kohn <stukohn@verizon.net>  
**Sent:** Friday, July 27, 2018 6:49 PM  
**To:** Michael Davis  
**Cc:** HOWARD-CITIZEN@yahoogroups.com; Terrasa, Jen; Kittleman, Allan; Wilson, B Diane; CouncilMail  
**Subject:** Re: [HOWARD-CITIZEN] Major Decision Day for Council Members

Mike,

Thanks for the response. The major problem regarding CB59 was as stated the “Whereas Clause” NEVER contained anywhere in the contents of the entire Bill any reference to “Planning” as stated by the Office of Law. We completely disagree with their assessment based on the “Whereas Clause” which stated this was a “Zoning Process.”

We do in fact spend an inordinate amount of time preparing our testimony based on these “Whereas Clauses.” We recommend during the Legislative process amendments based on such Clauses.

The bottom line is unfortunately it doesn’t make much of a difference as voted on by the Council.

Stu Kohn  
HCCA, President

Sent from my iPhone

On Jul 27, 2018, at 3:48 PM, Michael Davis <[MDavis@darslaw.com](mailto:MDavis@darslaw.com)> wrote:

Stu,

The answer is that the “whereas” provisions should be studied every bit as much as the bill itself when it is filed. If there are questions or concerns raised by anything contained in a “whereas clause,” they should be raised during the legislative process.

As for the why they are used, there are lots of reasons, some of which were set forth in my earlier email. The overarching reason is that sometimes a bill’s sponsor believes that what is included in the “whereas clause” may be needed to make sure the reasoning for the bill is told as clearly as possible. In taking a quick look at CB59, it is obvious that the sponsor wanted to layout the rationale that would support the passage of the bill.

I know I use “whereas clauses” when creating trust documents to ensure that my client’s wishes are understood and those clauses are invaluable for that purpose. Removing or limiting that ability to include these clauses in bills is unlikely and probably not even a good idea. Instead, as stated above, when HCCA reviews bills in the future that include “whereas clauses,” I would suggest spending an appropriate amount of time on these clauses too. They can be amended or removed during the legislative process.

Best,

Mike

<image001.jpg>

**Michael W. Davis** | Attorney  
[mdavis@darslaw.com](mailto:mdavis@darslaw.com)  
10211 Wincopin Circle | Suite 600  
Columbia, Maryland 21044  
443.283.0680 direct | 410.995.5800 main  
[www.darslaw.com](http://www.darslaw.com)

<image003.png> <image005.png>

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**From:** Stuart Kohn [<mailto:stukohn@verizon.net>]  
**Sent:** Friday, July 27, 2018 2:48 PM  
**To:** Michael Davis <[MDavis@darslaw.com](mailto:MDavis@darslaw.com)>  
**Cc:** [HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com); Terrasa, Jen <[jterrasa@howardcountymd.gov](mailto:jterrasa@howardcountymd.gov)>; Kittleman, Allan <[AKittleman@howardcountymd.gov](mailto:AKittleman@howardcountymd.gov)>; Wilson, B Diane <[BDWilson@howardcountymd.gov](mailto:BDWilson@howardcountymd.gov)>; CouncilMail <[CouncilMail@howardcountymd.gov](mailto:CouncilMail@howardcountymd.gov)>  
**Subject:** Re: [HOWARD-CITIZEN] Major Decision Day for Council Members

Mike,

Thanks for weighing in the conversation.

When referring to your last paragraph below then the “Whereas Clause” needs to be looked into for all so we can have a lot less ambiguity. Unfortunately the Office of Law stated this Bill was about “Planning” but it was never described as such in CB59. As stated previously on page 1, lines 27 to 30 says it is a “Zoning Proposal.” No where did it state the intent is a “Planning Process.” Perhaps the Office of Law could work with concerned parties to better the process. Would this be possible?

The question is why then do we always see “Whereas Clauses” throughout Bills and Resolutions? Do you have any recommendations that would perhaps have more meaning for all. It obviously is to late for CB59 - the expansion of the Planned Service Area since it was unanimously approved this morning by the Council. It is the future we are concerned about to obtain a better means of understanding for all.

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HCCA, President

Sent from my iPhone

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Hi all,



To elaborate a bit on Greg's comments, the question about the purpose of "whereas clauses" is that they can be used to explain laws that can be interpreted in more than one way, that is, in an ambiguous manner.

Backing up, legislative interpretation is an exercise often employed by attorneys in determining how laws should be applied. The first step used to interpret a law is to look within "the four corners" of the law. Is the language ambiguous? Can the language be reasonably interpreted in more than one way? It is surprising how often the answer to this question is "yes." In any case, if the answer is "no," then the "plain meaning" of the law is applied to the particular situation.

However, when the answer is "yes," there are several tools that can be used to interpret a law. In the federal system, there are entire legislative histories associated with most laws that can be used to help determine what the intent of Congress was when a law was passed. These histories can include comments from the floor of Congress, hearing transcripts, whatever. In Maryland, we usually do not have such legislative histories to help us.

In Maryland, we resort to legal definitions of words or phrases that were used (which is why so-called "legalese" is important), case law that was based on prior attempts by a court to interpret similar kinds of laws (e.g. precedent), and plain old-fashioned arguments to help discern the intent of the legislature when a particular bill was passed into law.

And, in rare cases, we have the "whereas clauses." These clauses, as Greg noted, provide context for a particular bill. What issue was trying to be addressed? Was there some national or state interest that was being addressed? Was there a particular factual situation that required legislative action? All of these, and more, can be incorporated into the "whereas clauses." If these clauses were included in the passage of a bill, they are fair game to be used in the future to help guide how the law should be interpreted.

Most bills do not employ whereas clauses – probably for good reason. But when they are used, they can be very helpful in explaining the intent behind the bill should it be necessary to do so.

Best,

Mike

P.S. I have not reviewed the entirety of Council Resolution 27-2017. My comments above are strictly based on general principles involved in legislative interpretation.

<image001.jpg>

**Michael W. Davis** | Attorney  
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[www.darslaw.com](http://www.darslaw.com)

<image003.png> <image005.png>

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**From:** [HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com) [<mailto:HOWARD-CITIZEN@yahoogroups.com>]

**Sent:** Thursday, July 26, 2018 11:21 PM

**To:** Stuart Kohn <[stukohn@verizon.net](mailto:stukohn@verizon.net)>; Terrasa, Jen <[jterrasa@howardcountymd.gov](mailto:jterrasa@howardcountymd.gov)>; Kittleman, Allan <[AKittleman@howardcountymd.gov](mailto:AKittleman@howardcountymd.gov)>; Wilson, B Diane <[BDWilson@howardcountymd.gov](mailto:BDWilson@howardcountymd.gov)>; CouncilMail <[CouncilMail@howardcountymd.gov](mailto:CouncilMail@howardcountymd.gov)>; [HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)

**Subject:** Re: [HOWARD-CITIZEN] Major Decision Day for Council Members

Stu:

This is much better answered by our office of law and they have done so in a number of public meetings in the past. I will give you my understanding, but I will reiterate that I am NOT a lawyer nor does this serve as legal advise...just my understanding.

Basically, the whereas clauses are used occasionally to provide the rationale behind a bill -- to give it context. It might also provide some historical perspective, references to enabling legislation... At times, it also becomes a place for political posturing or grandstanding regardless of how inappropriate it might be.

It has been explained to us (at least my take on what has been explained) that as the whereas clauses are not part of the bill or resolution once they are passed (i.e., that language doesn't go into code...) that they themselves are not typically considered from a legal standpoint. However, in some cases, where the bill or resolution might be ambiguous on a particular issue, the whereas clauses along with other information "could" be used to make an interpretation of intent.

I hope this helps.

Regards,

Greg

---

**From:** Stuart Kohn <[stukohn@verizon.net](mailto:stukohn@verizon.net)>

**Sent:** Thursday, July 26, 2018 6:32 PM

**To:** Terrasa, Jen; Kittleman, Allan; Wilson, B Diane; CouncilMail; [HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)

[CITIZEN@yahoogroups.com](mailto:CITIZEN@yahoogroups.com)

**Subject:** Fwd: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

FYI,

Councilwoman Jen Terrasa office was kind enough to respond to our question below regarding the Courthouse bidding process relating to distributing \$500,000 to non-winning bidders - see below.

I see the rationale is contained in the "Whereas clause" of the contents of the referred Resolution as stated below. Does this clause have legality? We ask because the Office of Law at Monday's Work Session stated regarding CB59 - the PSA Expansion that the "Whereas" does not have the weight one would think. Specifically, we stated that the case and contents of the Bill was all about "Zoning" rather than the Office of Law claiming "Planning" to justify the Council can proceed despite what the Code of Ordinance of Title 16, Section 16.211 after a Primary election.

So we are confused as to the law regarding the "Whereas clause" now and in the future? How much weight does one give when reviewing any Bill or Resolution in order to comment when testifying before any body such as the Council, Zoning Board, Planning Board, Hearing Examiner, or Board of Appeals, etc.? This is very important so we can obtain a solid reading to have the opportunity to get educated for future testimonies.

Sincerely,

Stu Kohn  
HCCA, President

Sent from my iPhone

Begin forwarded message:

**From:** "Terrasa, Jen" <[jterrasa@howardcountymd.gov](mailto:jterrasa@howardcountymd.gov)>  
**Date:** July 26, 2018 at 5:16:16 PM EDT  
**To:** "'[stukohn@verizon.net](mailto:stukohn@verizon.net)'" <[stukohn@verizon.net](mailto:stukohn@verizon.net)>  
**Subject:** RE: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

Hi Stu,

The fee was approved as a part of the resolution last year that indicated support for the courthouse.

County Resolution 27-2017, A RESOLUTION indicating support by both the County Council and County Executive for a project to finance and construct a new courthouse

Included the following:

WHEREAS, given the substantial costs likely to be borne by potential responders to the County's Request for Proposals for the Project, while understanding the preliminary nature of the projections and analysis conducted by County staff and consulting services, it is necessary that the County's governing body demonstrate support for the Project in order to obtain proposals from qualified contractors and commit necessary resources before officially starting the procurement for the Project

As it was explained to me by the county auditor, the companies that submitted proposals likely spent significantly more than the amount of that fee to put their proposals together, and paying such a fee is an international standard to secure the most qualified proposals. Please let me know if you have any further questions. Thanks very much!

Kindest regards,

Melissa

~~~~~  
~~~~

Melissa Affolter

Special Assistant to Councilwoman Jen Terrasa

Howard County Council, District 3

3430 Court House Drive || Ellicott City, MD 21043

Office: 410.313.3108 || Fax: 410.313.3297

Sign up for [Jen's newsletter!](#)

**From:** [stukohn@verizon.net](mailto:stukohn@verizon.net) <[stukohn@verizon.net](mailto:stukohn@verizon.net)>

**Sent:** Thursday, July 26, 2018 4:50 PM

**To:** Kittleman, Allan <[AKittleman@howardcountymd.gov](mailto:AKittleman@howardcountymd.gov)>;

Wilson, B Diane <[BDWilson@howardcountymd.gov](mailto:BDWilson@howardcountymd.gov)>; CouncilMail

<[CouncilMail@howardcountymd.gov](mailto:CouncilMail@howardcountymd.gov)>; [howard-](mailto:howard-citizen@yahoogroups.com)

[citizen@yahoogroups.com](mailto:howard-citizen@yahoogroups.com)

**Subject:** Fwd: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

Marlena,

Thanks for the information. I see the concern we have is in your attachment -- "image1." It states, "Stipend Amount -- a Stipend in the amount of \$500,000 to be provided to each unsuccessful Proposer that submits a qualifying proposal."

**This NEEDS TO BE EXPLAINED TO ALL CONCERNED PARTIES -- In particular, THE CITIZENS AND VOTERS OF HOWARD COUNTY. All we are asking is for someone to PLEASE Explain the Rational for this particular clause. What will be the maximum of "unsuccessful Proposers?" What is the maximum amount of money are we prepared to distribute to those who are not the winning bidders?**

Sincerely,

Stu Kohn

HCCA, President

-----Original Message-----

From: Marlana Jareaux [m.jareaux@icloud.com](mailto:m.jareaux@icloud.com) [HOWARD-CITIZEN]  
<[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)>  
To: HOWARD-CITIZEN <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)>  
Sent: Thu, Jul 26, 2018 1:35 pm  
Subject: Re: [HOWARD-CITIZEN] Major Decision Day for Council  
Members [2 Attachments]

Bob

I hope you added the council email address to your reply so THEY can see/get it?

Stu,

I'm attaching for you and everyone two documents to this email. One is the section in the county's purchasing documents about the 500k, and the other is the entire document. That's where I got that info, after fighting to get them to give it to me.

Marlena Jareaux

Sent from my iPad

On Jul 26, 2018, at 1:29 PM, Bob Doyle [gobikebob@verizon.net](mailto:gobikebob@verizon.net) [HOWARD-CITIZEN] <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)> wrote:

Must say I concur with all the HCCA positions 100% -  
just hope the Council will agree.

Bob Doyle

Sent from my iPhone

On Jul 26, 2018, at 12:59 PM, Russ Swatek  
[swatek1@yahoo.com](mailto:swatek1@yahoo.com) [HOWARD-CITIZEN] <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)> wrote:

Dear Council Members,

I support HCCA's stated position on each of the bills addressed below.

Russ Swatek

8141 Tamar Drive

Columbia, MD 21045

----- Forwarded Message -----

**From:** [stukohn@verizon.net](mailto:stukohn@verizon.net) [HOWARD-CITIZEN] <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)>

**To:**  
"[councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov)"  
<[councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov)>;  
"[howard-citizen@yahoogroups.com](mailto:howard-citizen@yahoogroups.com)"  
<[howard-citizen@yahoogroups.com](mailto:howard-citizen@yahoogroups.com)>

**Sent:** Thursday, July 26, 2018, 11:32:27 AM EDT

**Subject:** [HOWARD-CITIZEN] Major Decision Day for Council Members [5 Attachments]

Dear Council and Listserve Members,

Tomorrow, Friday, 27 July will play a major part in each of the Councilmembers legacy. They will be voting on several all-important Bills and a Resolution that will forever have a major impact on our

County for years. These Bills are CB54 – the Courthouse, CB59 – the expansion of the Planned Service Area (PSA), CB56 – Moratorium for Mitigation for Ellicott City, CB58 – Scenic Roads legislation, and CR119 – Amending the Water and Sewer line.

Please refer to the attachments which is our Howard County Citizens Association, HCCA testimony presented to the County Council during two nights. The Council we only hope will consider the very compelling testimony which was heard on these Bills and Resolution. We believe the Council should vote as follows:

**CB54 – *Table*** until such time all the facts have completely been answered especially the financing and the contract arrangements. If true -- we do not understand why two losing bidders will each receive \$500,000?

**CB59 – Vote *No or let the Bill Expire*.** The New Council should be completely in charge of this decision. We don't for the life of us understand the explanation of the Office of Law that this is a "Planning" issue not a "Zoning" issue. The content of the Bill states otherwise. Under the HC Code of Ordinances, Title 16, Section 16.211 the Council is not permitted to act on Zoning matters after the Primary.

**CB56 – Vote *Yes with recommended amendments*.** This Bill should have occurred two years



ago when Councilman Weinstein introduced it, but unfortunately none of his colleagues supported him. Now they are which is appreciated.

**CB58** – Vote *Yes with amendments*. Something needs to be done to save some land and potentially make things safer.

**CR119** – Despite the fact Administrative rules were completely ignored the Council should vote *Yes* because of declared Health hazards.

You can go to our website at <http://howardcountyhcca.org/member-info/reports-documents-and-testimonies/> to see our testimonies. Not all of the aforementioned Bills and Resolution have been posted on our site but will be soon.

Hopefully the Council will make the right decisions at their Legislative Hearing starting at 10AM at the George Howard Building.

Sincerely,

Stu Kohn

HCCA, President

---

Posted by: "Fox, Greg" <[gfox@howardcountymd.gov](mailto:gfox@howardcountymd.gov)>

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## Sayers, Margery

---

**From:** Michael Davis <MDavis@darslaw.com>  
**Sent:** Friday, July 27, 2018 3:49 PM  
**To:** Stuart Kohn  
**Cc:** HOWARD-CITIZEN@yahoogroups.com; Terrasa, Jen; Kittleman, Allan; Wilson, B Diane; CouncilMail  
**Subject:** RE: [HOWARD-CITIZEN] Major Decision Day for Council Members

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**Michael W. Davis** | Attorney

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Columbia, Maryland 21044

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[www.darslaw.com](http://www.darslaw.com)



---

**From:** Stuart Kohn [mailto:stukohn@verizon.net]

**Sent:** Friday, July 27, 2018 2:48 PM

**To:** Michael Davis <MDavis@darslaw.com>

Cc: HOWARD-CITIZEN@yahoogroups.com; Terrasa, Jen <jterrasa@howardcountymd.gov>; Kittleman, Allan <AKittleman@howardcountymd.gov>; Wilson, B Diane <BDWilson@howardcountymd.gov>; CouncilMail <CouncilMail@howardcountymd.gov>

Subject: Re: [HOWARD-CITIZEN] Major Decision Day for Council Members

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<image001.jpg>

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<image003.png> <image005.png>

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**Subject:** Re: [HOWARD-CITIZEN] Major Decision Day for Council Members

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I hope this helps.

Regards,

Greg

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**Sent:** Thursday, July 26, 2018 6:32 PM

**To:** Terrasa, Jen; Kittleman, Allan; Wilson, B Diane; CouncilMail; [HOWARD-CITIZEN@yahogroups.com](mailto:HOWARD-CITIZEN@yahogroups.com)

**Subject:** Fwd: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

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Sincerely,

Stu Kohn  
HCCA, President

Sent from my iPhone

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**From:** "Terrasa, Jen" <[jterrasa@howardcountymd.gov](mailto:jterrasa@howardcountymd.gov)>  
**Date:** July 26, 2018 at 5:16:16 PM EDT  
**To:** "'[stukohn@verizon.net](mailto:stukohn@verizon.net)'" <[stukohn@verizon.net](mailto:stukohn@verizon.net)>  
**Subject:** RE: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

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County Resolution 27-2017, A RESOLUTION indicating support by both the County Council and County Executive for a project to finance and construct a new courthouse

Included the following:

WHEREAS, given the substantial costs likely to be borne by potential responders to the County's Request for Proposals for the Project, while understanding the preliminary nature of the projections and analysis conducted by County staff and consulting services, it is necessary that the County's governing body demonstrate support for the Project in order to obtain proposals from qualified contractors and commit necessary resources before officially starting the procurement for the Project

As it was explained to me by the county auditor, the companies that submitted proposals likely spent significantly more than the amount of that fee to put their proposals together, and paying such a fee is an international standard to secure the most qualified proposals. Please let me know if you have any further questions. Thanks very much!

Kindest regards,



Melissa

~~~~~  
Melissa Affolter

Special Assistant to Councilwoman Jen Terrasa

Howard County Council, District 3

3430 Court House Drive || Ellicott City, MD 21043

Office: 410.313.3108 || Fax: 410.313.3297

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From: stukohn@verizon.net <stukohn@verizon.net>
Sent: Thursday, July 26, 2018 4:50 PM
To: Kittleman, Allan <AKittleman@howardcountymd.gov>; Wilson, B Diane <BDWilson@howardcountymd.gov>; CouncilMail <CouncilMail@howardcountymd.gov>; howard-citizen@yahoogroups.com
Subject: Fwd: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

Marlena,

Thanks for the information. I see the concern we have is in your attachment -- "image1." It states, "Stipend Amount -- a Stipend in the amount of \$500,000 to be provided to each unsuccessful Proposer that submits a qualifying proposal."

This NEEDS TO BE EXPLAINED TO ALL CONCERNED PARTIES -- In particular, THE CITIZENS AND VOTERS OF HOWARD COUNTY. All we are asking is for someone to PLEASE Explain the Rational for this particular clause. What will be the maximum of "unsuccessful Proposers?" What is the maximum amount of money are we prepared to distribute to those who are not the winning bidders?

Sincerely,

Stu Kohn

HCCA, President

-----Original Message-----

From: Marlena Jareaux m.jareaux@icloud.com [HOWARD-CITIZEN] <HOWARD-CITIZEN@yahoogroups.com>

To: HOWARD-CITIZEN <HOWARD-CITIZEN@yahoogroups.com>

Sent: Thu, Jul 26, 2018 1:35 pm

Subject: Re: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

Bob

I hope you added the council email address to your reply so THEY can see/get it?

Stu,

I'm attaching for you and everyone two documents to this email. One is the section in the county's purchasing documents about the 500k, and the other is the entire document. That's where I got that info, after fighting to get them to give it to me.

Marlena Jareaux

Sent from my iPad

On Jul 26, 2018, at 1:29 PM, Bob Doyle gobikebob@verizon.net [HOWARD-CITIZEN] <HOWARD-CITIZEN@yahoogroups.com> wrote:

Must say I concur with all the HCCA positions 100% - just hope the Council will agree.

Bob Doyle

Sent from my iPhone

On Jul 26, 2018, at 12:59 PM, Russ Swatek swatek1@yahoo.com [HOWARD-CITIZEN] <HOWARD-CITIZEN@yahoogroups.com> wrote:

Dear Council Members,

I support HCCA's stated position on each of the bills addressed below.

Russ Swatek

8141 Tamar Drive

Columbia, MD 21045

----- Forwarded Message -----

From: stukohn@verizon.net [HOWARD-CITIZEN] <HOWARD-CITIZEN@yahoogroups.com>

To: "councilmail@howardcountymd.gov" <councilmail@howardcountymd.gov>; "howard-citizen@yahoogroups.com" <howard-citizen@yahoogroups.com>

Sent: Thursday, July 26, 2018, 11:32:27 AM EDT

Subject: [HOWARD-CITIZEN] Major Decision Day for Council Members [5 Attachments]

Dear Council and Listserv Members,

Tomorrow, Friday, 27 July will play a major part in each of the Councilmembers legacy. They will be voting on several all-important Bills and a Resolution that will forever have a major impact on our County for years. These Bills are CB54 – the Courthouse, CB59 – the expansion of the Planned Service Area (PSA), CB56 – Moratorium for Mitigation for Ellicott City, CB58 – Scenic Roads legislation, and CR119 – Amending the Water and Sewer line.

Please refer to the attachments which is our Howard County Citizens Association, HCCA testimony presented to the County Council during two nights. The Council we only hope will consider the very compelling testimony which was heard on these Bills and Resolution. We believe the Council should vote as follows:

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CB59 – Vote *No or let the Bill Expire*. The New Council should be completely in charge of this decision. We don't for the life of us understand the explanation of the Office of Law that this is a "Planning" issue not a "Zoning" issue. The content of the Bill states otherwise. Under the HC Code of Ordinances, Title 16, Section 16.211 the Council is not permitted to act on Zoning matters after the Primary.

CB56 – Vote *Yes with recommended amendments*. This Bill should have occurred two years ago when Councilman Weinstein introduced it, but unfortunately none of his colleagues supported him. Now they are which is appreciated.

CB58 – Vote *Yes with amendments*. Something needs to be done to save some land and potentially make things safer.

CR119 – Despite the fact Administrative rules were completely ignored the Council should vote *Yes* because of declared Health hazards.

You can go to our website at <http://howardcountyhcca.org/member-info/reports-documents-and-testimonies/> to see our testimonies. Not all of the aforementioned Bills and Resolution have been posted on our site but will be soon.

Hopefully the Council will make the right decisions at their Legislative Hearing starting at 10AM at the George Howard Building.

Sincerely,

Stu Kohn

HCCA, President

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Sayers, Margery

From: Stuart Kohn <stukohn@verizon.net>
Sent: Friday, July 27, 2018 2:48 PM
To: Michael Davis
Cc: HOWARD-CITIZEN@yahoogroups.com; Terrasa, Jen; Kittleman, Allan; Wilson, B Diane; CouncilMail
Subject: Re: [HOWARD-CITIZEN] Major Decision Day for Council Members

Mike,

Thanks for weighing in the conversation.

When referring to your last paragraph below then the “Whereas Clause” needs to be looked into for all so we can have a lot less ambiguity. Unfortunately the Office of Law stated this Bill was about “Planning” but it was never described as such in CB59. As stated previously on page 1, lines 27 to 30 says it is a “Zoning Proposal.” No where did it state the intent is a “Planning Process.” Perhaps the Office of Law could work with concerned parties to better the process. Would this be possible?

The question is why then do we always see “Whereas Clauses” throughout Bills and Resolutions? Do you have any recommendations that would perhaps have more meaning for all. It obviously is to late for CB59 - the expansion of the Planned Service Area since it was unanimously approved this morning by the Council. It is the future we are concerned about to obtain a better means of understanding for all.

Stu Kohn
HCCA, President

Sent from my iPhone

On Jul 27, 2018, at 8:46 AM, Michael Davis <MDavis@darslaw.com> wrote:

Hi all,

To elaborate a bit on Greg’s comments, the question about the purpose of “whereas clauses” is that they can be used to explain laws that can be interpreted in more than one way, that is, in an ambiguous manner.

Backing up, legislative interpretation is an exercise often employed by attorneys in determining how laws should be applied. The first step used to interpret a law is to look within “the four corners” of the law. Is the language ambiguous? Can the language be reasonably interpreted in more than one way? It is surprising how often the answer to this question is “yes.” In any case, if the answer is “no,” then the “plain meaning” of the law is applied to the particular situation.

However, when the answer is “yes,” there are several tools that can be used to interpret a law. In the federal system, there are entire legislative histories associated with most laws that can be used to help determine what the intent of Congress was when a law was passed. These histories can include comments from the floor of Congress, hearing

transcripts, whatever. In Maryland, we usually do not have such legislative histories to help us.

In Maryland, we resort to legal definitions of words or phrases that were used (which is why so-called “legalese” is important), case law that was based on prior attempts by a court to interpret similar kinds of laws (e.g. precedent), and plain old-fashioned arguments to help discern the intent of the legislature when a particular bill was passed into law.

And, in rare cases, we have the “whereas clauses.” These clauses, as Greg noted, provide context for a particular bill. What issue was trying to be addressed? Was there some national or state interest that was being addressed? Was there a particular factual situation that required legislative action? All of these, and more, can be incorporated into the “whereas clauses.” If these clauses were included in the passage of a bill, they are fair game to be used in the future to help guide how the law should be interpreted.

Most bills do not employ whereas clauses – probably for good reason. But when they are used, they can be very helpful in explaining the intent behind the bill should it be necessary to do so.

Best,

Mike

P.S. I have not reviewed the entirety of Council Resolution 27-2017. My comments above are strictly based on general principles involved in legislative interpretation.

<image001.jpg>

Michael W. Davis | Attorney
mdavis@darslaw.com
10211 Wincopin Circle | Suite 600
Columbia, Maryland 21044
443.283.0680 direct | 410.995.5800 main
www.darslaw.com

<image003.png> <image005.png>

From: HOWARD-CITIZEN@yahoogroups.com [<mailto:HOWARD-CITIZEN@yahoogroups.com>]
Sent: Thursday, July 26, 2018 11:21 PM
To: Stuart Kohn <stukohn@verizon.net>; Terrasa, Jen <jterrasa@howardcountymd.gov>; Kittleman, Allan <AKittleman@howardcountymd.gov>; Wilson, B Diane <BDWilson@howardcountymd.gov>; CouncilMail <CouncilMail@howardcountymd.gov>; HOWARD-CITIZEN@yahoogroups.com
Subject: Re: [HOWARD-CITIZEN] Major Decision Day for Council Members

Stu:

This is much better answered by our office of law and they have done so in a number of public meetings in the past. I will give you my understanding, but I will reiterate that I am NOT a lawyer nor does this serve as legal advise...just my understanding.

Basically, the whereas clauses are used occasionally to provide the rationale behind a bill -- to give it context. It might also provide some historical perspective, references to enabling legislation... At times, it also becomes a place for political posturing or grandstanding regardless of how inappropriate it might be.

It has been explained to us (at least my take on what has been explained) that as the whereas clauses are not part of the bill or resolution once they are passed (i.e., that language doesn't go into code...) that they themselves are not typically considered from a legal standpoint. However, in some cases, where the bill or resolution might be ambiguous on a particular issue, the whereas clauses along with other information "could" be used to make an interpretation of intent.

I hope this helps.

Regards,

Greg

From: Stuart Kohn <stukohn@verizon.net>

Sent: Thursday, July 26, 2018 6:32 PM

To: Terrasa, Jen; Kittleman, Allan; Wilson, B Diane; CouncilMail; HOWARD-CITIZEN@yahoogroups.com

Subject: Fwd: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

FYI,

Councilwoman Jen Terrasa office was kind enough to respond to our question below regarding the Courthouse bidding process relating to distributing \$500,000 to non-winning bidders - see below.

I see the rationale is contained in the "Whereas clause" of the contents of the referred Resolution as stated below. Does this clause have legality? We ask because the Office of Law at Monday's Work Session stated regarding CB59 - the PSA Expansion that the "Whereas" does not have the weight one would think. Specifically, we stated that the case and contents of the Bill was all about "Zoning" rather than the Office of Law claiming "Planning" to justify the Council can proceed despite what the Code of Ordinance of Title 16, Section 16.211 after a Primary election.

So we are confused as to the law regarding the "Whereas clause" now and in the future? How much weight does one give when reviewing any Bill or Resolution in order to comment when testifying before any body such as the Council, Zoning Board, Planning Board, Hearing Examiner, or Board of Appeals, etc.? This is very important so we can obtain a solid reading to have the opportunity to get educated for future testimonies.

Sincerely,

Stu Kohn
HCCA, President

Sent from my iPhone

Begin forwarded message:

From: "Terrasa, Jen" <jterrasa@howardcountymd.gov>
Date: July 26, 2018 at 5:16:16 PM EDT
To: "'stukohn@verizon.net'" <stukohn@verizon.net>
Subject: RE: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

Hi Stu,

The fee was approved as a part of the resolution last year that indicated support for the courthouse.

County Resolution 27-2017, A RESOLUTION indicating support by both the County Council and County Executive for a project to finance and construct a new courthouse

Included the following:

WHEREAS, given the substantial costs likely to be borne by potential responders to the County's Request for Proposals for the Project, while understanding the preliminary nature of the projections and analysis conducted by County staff and consulting services, it is necessary that the County's governing body demonstrate support for the Project in order to obtain proposals from qualified contractors and commit necessary resources before officially starting the procurement for the Project

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Office: 410.313.3108 || Fax: 410.313.3297

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**Sent:** Thursday, July 26, 2018 4:50 PM  
**To:** Kittleman, Allan <[AKittleman@howardcountymd.gov](mailto:AKittleman@howardcountymd.gov)>; Wilson, B Diane <[BDWilson@howardcountymd.gov](mailto:BDWilson@howardcountymd.gov)>; CouncilMail <[CouncilMail@howardcountymd.gov](mailto:CouncilMail@howardcountymd.gov)>; [howard-citizen@yahoogroups.com](mailto:howard-citizen@yahoogroups.com)  
**Subject:** Fwd: [HOWARD-CITIZEN] Major Decision Day for Council Members [2 Attachments]

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Stu Kohn

HCCA, President

-----Original Message-----

From: Marlena Jareaux [m.jareaux@icloud.com](mailto:m.jareaux@icloud.com) [HOWARD-CITIZEN] <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)>

To: HOWARD-CITIZEN <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)>

Sent: Thu, Jul 26, 2018 1:35 pm

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Russ Swatek

8141 Tamar Drive

Columbia, MD 21045

----- Forwarded Message -----

**From:** [stukohn@verizon.net](mailto:stukohn@verizon.net) [HOWARD-CITIZEN] <[HOWARD-CITIZEN@yahoogroups.com](mailto:HOWARD-CITIZEN@yahoogroups.com)>

**To:** "[councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov)" <[councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov)>; "[howard-citizen@yahoogroups.com](mailto:howard-citizen@yahoogroups.com)" <[howard-citizen@yahoogroups.com](mailto:howard-citizen@yahoogroups.com)>

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Sincerely,

Stu Kohn

HCCA, President

---

Posted by: "Fox, Greg" <[gfox@howardcountymd.gov](mailto:gfox@howardcountymd.gov)>

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## Sayers, Margery

---

**From:** Greg Giering <ggiering@yahoo.com>  
**Sent:** Friday, July 27, 2018 8:33 AM  
**To:** CouncilMail  
**Subject:** Scenic Roads bill (CB-58)

County Council,

I am writing as a concerned citizen of Hunters Creek neighborhood, to request that the Board vote FOR the updates proposed to the Scenic Road bill, and AGAINST any amendments that permit grandfathering in of any developments at any stage of the process. Roads throughout Howard County designated as Scenic, are disappearing, and once they are gone, they cannot be brought back.

I'm not against sensible development, but one that preserves the visual and aural characteristics of our Scenic roads. The citizens that live along these roads have to live with the results of rampant development, not the special interest developers who come in, make their money, and leave for the next project.

A VERY good example of this was the Emerson development. The ultimate plan for that development was to have the developer-built Skylark Boulevard (which services the majority of Emerson) continue out to MD 216. Gorman Road (a designated Scenic road) was never intended to be a permanent access/egress to Emerson. However, with the economic downturn of 2008, the developer was allowed to get out of completing the ultimate extension of this road. As such, the traffic volumes on Gorman have remained higher than anticipated. I'm sure the State Highway Administration would not have spent the \$100's of thousands to move back the exit ramp from I-95 to accommodate the planned intersection of Skylark and MD 216, if they knew it wasn't to ever be built.

Now we face a similar situation with the Milk Co-Op plant planned development. Allowing access to the planned development of **400 units** on Gorman Road would further erode the Scenic quality that has already been reduced because of the Emerson mis-development.

Thank you for your consideration.

Greg L. Giering

## Sayers, Margery

---

**From:** Norman B. Price II <normanprice@verizon.net>  
**Sent:** Thursday, July 26, 2018 8:07 AM  
**To:** CouncilMail  
**Subject:** Purposed Development on Leisher & Gorman Roads Laurel, MD

Dear Howard County Council,

I am writing in support of CB58-2018 regarding additional oversight and community input for developments along scenic roads.

In an area already overcrowded with development, it is critical to implement smart development that incorporates the additional oversight and the community's input regarding safety/traffic mitigation to promote a higher quality of life for the new developments and their surrounding communities. CB58-2018 will provide this for developments on/near scenic roads. For example, increased development along Gorman Road has made the scenic road congested and has negatively impacted existing communities. Additional proposed development along this scenic two-lane road threatens its character, safety, and worsens traffic.

It is critical to protect scenic roads. Developments in the planning stages should be subject to the bill's requirements. It should not be amended to "grandfather" developments that in the planning stages. Ample time is available during the plan development and approval process to address the additional oversight and community input.

I urge you to protect scenic roads and vote "yes" to CB58-2018 as written.

Sincerely,

Norman B. Price II

Leisher Village Resident

Sent from NBPII  
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**Sayers, Margery**

---

**From:** Jeffrey Bernstein <doctorjeff1@gmail.com>  
**Sent:** Wednesday, July 25, 2018 10:08 PM  
**To:** CouncilMail  
**Subject:** Scenic Roads bill (CB58)

To whom it may concern:

Please vote YES to the Scenic Roads bill (CB-58), and NO to any amendments to permit grandfathering of current projects. This is common sense legislation and important to our community.

Thank you,

Jeffrey Bernstein, M.D.

## Sayers, Margery

---

**From:** Jacinta L. Felice <jfelice@umd.edu>  
**Sent:** Wednesday, July 25, 2018 5:45 PM  
**To:** CouncilMail  
**Cc:** Jacinta L. Felice  
**Subject:** Bill #58-2018

Good Morning,

I'm writing to provide testimony for BILL NO. 58– 2018, introduced by Calvin Ball and Jennifer Terrasa. I support the move to amend the Howard County Code for new developments on Scenic Roads in order to preserve the scenic character of the landscape.

To do this, I support the notion that the development of land abutting a scenic road be treated with special care and concern - both for the purposes of maintaining the ecological and historic integrity of the land surrounding, and to maintain the road's visual character to the greatest extent possible. The current plan is unworkable- too congested, inadequate roadways and will harm the present ecological condition. Our county has only to look to Ellicott City to see the negative impact of overgrowth.

We live in an area rich in natural and historic beauty; we can and should be an example to the rest of the state of Maryland, and to the nation, for how planning and development can proceed - with appropriate consideration and care - to safeguard the cultural, historic, scenic, and natural integrity of the region -- an asset that makes Howard County both significant and sought-after.

It is possible, plausible, and in the best long-term interest of our people, communities, and the economic and environmental sustainability of our county and state.

Thank you for hearing and counting my written testimony for the purposes of BILL NO. 58– 2018.

Thank you

Jacinta Felice  
Sombersby Ct  
Laurel MD

--

*Cindy Felice*  
*Associate Director, Services*  
*Department of Residential Facilities*  
*Leonardtwn Service Building (#201)*  
*University of Maryland*  
*College Park, MD 20742*  
*301.314.7512*  
*301.314.9096 Fax*



**RESIDENTIAL  
FACILITIES**

## Sayers, Margery

---

**From:** Novak, Dave (Buch Construction) <NovakD@MedImmune.com>  
**Sent:** Wednesday, July 25, 2018 4:02 PM  
**To:** CouncilMail  
**Subject:** CB58-2018

Ladies, Gentleman,

I'm writing to you in reference of Bill CB58-2018.

It's sad that we have to have a Bill like CB58-2018 to "Baby Sit" Builders and Attorneys of Howard County.

I've been a resident of Howard County since the early eighties. My attraction to the Howard County was the openness and the country atmosphere. The attraction to Howard County is slowly fading with the over development and density.

I was asked to attend a pre-submission hearing on the proposed Milk Producer development off Leishear Road. I was expecting to see a plan of 70 to 80 single family homes. To my surprise the first phase plan for this development is for over 300 residents.

The major feeder roads to this development are I95, Route 29 and Route 216. These roads are already parking lots during peak periods of the day. Please keep in mind the traffic studies are being paid by the developers. Do you think for one minute a developer is going to present the county with a traffic study what will not work for their project? Why is the county even considering this density for this project when the current road infrastructure cannot deal with the existing traffic?

The schools in this area are already at capacity. I've noticed in recent weeks temporary class room trailers being installed at a school adjacent to the Maple Lawn Project. This will be the school that the Milk Producers Development children are slated to attend. With the taxes we pay in Howard County temporary class rooms are not acceptable. Temporary class room trailers cannot be properly secured. Again, the current infrastructure cannot deal with the existing student enrollment?

Bill CB58-2018 will give the residents some input on new developments. Grandfathering of projects that are not already approved should not be allowed.

Please keep in mind we are a Democracy, not a Dictatorship.

David Novak  
Resident of Howard County

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## Sayers, Margery

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**From:** Linda Corso <justllc@verizon.net>  
**Sent:** Wednesday, July 25, 2018 3:16 PM  
**To:** CouncilMail  
**Subject:** Scenic Road bill - CB58

Dear Council Members,

I am most pleased to see two of your members propose positive legislation in the form of CB-58 and I ask you all to approve this bill as written and not to permit any grandfathering. Projects that do not even have any shovels in the ground should not be exempt from this important bill.

The eastern part of Howard County is rapidly losing much of its character due to ill-conceived development on what remains of its few scenic roads. Just look at the Scenic Roads Map in HoCo 2030. The current scenic roads regulations may sound reasonable on the surface but there is the waiver provision that seems to be a pipeline to rubber-stamp exceptions every time, leading to the regulations having essentially no teeth to them. Thus scenic roads lack required setbacks and vistas, suffer traffic overloads that could have been avoided, and place undue stress on community livability. A prime example is what has happened with the enormous Emerson development dumping directly and solely onto scenic Gorman Road when it was supposed to also have direct egress to Route 216! And apartments were added with even greater density when they changed course and eliminated the office space they had originally planned. Scenic requirements on Gorman Road were further waived with Wincopia Farms and Walden Woods developments which are still building out and impacting the area. And now the Milk Plant which nestles up to Emerson wants to develop almost to capacity along this same road, again with no egress to Route 216, despite a Route 216 road connection in the HoCo 2030 plan (R103). Proper road infrastructure should work in concert with development. That is the reasoned approach. Then development can proceed with appropriate setbacks, scenic roads can be preserved and protected for all to enjoy, and people and cars can move about in a livable fashion.

CB-58 provides a much needed avenue for public discourse and reasoned development. No one is saying no to development. We are saying, let's support the intent of these regulations and protect the livability, beauty and history of our communities. Developers' jobs are to maximize development opportunities and do it profitably. They do not have to live in or around what they develop. We should not be pandering to them. And our county should be better long term planners in providing appropriate connector infrastructure along our major collector roads. And the landowners seeking to develop their lands on scenic roads can do so thoughtfully with input from their neighbors so as to leave behind a legacy that befits the land as they sell and move on. [And no one is out to stop a farmer from parceling land to a child to build a home; that is not the intent of this bill at all!] But I have seen too many waivers. We need stronger protections before what's left of our scenic roads is decimated to the point of 'are they even scenic roads anymore?' That would be a sad legacy for this county to leave, but that's the direction we now head unless we take action.

Yes to CB-58. And no to grandfathering.

We are the residents and voters of this county; not the developers.

Thank you.

Linda Corso  
Hunters Creek community in North Laurel

## Sayers, Margery

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**From:** Nancy Guzzo <ngginmd@aol.com>  
**Sent:** Wednesday, July 25, 2018 2:05 PM  
**To:** CouncilMail  
**Subject:** scenic roads

I am asking you to vote YES to the Scenic Roads bill (CB-58), and NO to any amendments to permit grandfathering of current projects (such as the Milk Plant Development). I support this bill because our communities should have greater input on developments that directly impact our quality of life.

Thank you, Nancy Guzzo



## Sayers, Margery

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**From:** Jeff Schneider <roadrunner75.jeff@gmail.com>  
**Sent:** Wednesday, July 25, 2018 11:20 AM  
**To:** CouncilMail  
**Subject:** CB58-2018

Dear Howard County Council,

I am writing in support of CB58-2018 regarding additional oversight and community input for developments along scenic roads.

I feel that it is important that smart development incorporates the additional oversight and the community's input regarding safety/traffic mitigation that will promote a higher quality of life for the new developments and their surrounding communities and how CB58-2018 will provide this for developments on/near scenic roads. I live along Gorman Rd and the development that was built in the last couple of years has already created traffic congestion well beyond what Gorman Rd was designed to handle.

I also don't feel as if developments currently in the planning phases should be allowed to be "grandfathered" in to the current procedures. This should be a change all proposed development should follow unless the construction has already begun.

I also want to stress that this is not just a "Gorman Rd" area issue. This is a change that would allow all of Howard County's communities to have more input into the development changes that affect their daily lives.

I urge you to vote yes to CB58-2018 as written to further protect and thoughtfully plan development access points along and near scenic roads.

Sincerely,  
Jeff Schneider

## Sayers, Margery

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**From:** Kimberlee Robertella Glinka <krobertella@rhsmith.umd.edu>  
**Sent:** Wednesday, July 25, 2018 10:32 AM  
**To:** CouncilMail  
**Cc:** Kimberlee Robertella  
**Subject:** BILL NO. 58– 2018

Good Morning,

I'm writing to provide testimony for BILL NO. 58– 2018, introduced by Calvin Ball and Jennifer Terrasa. I support the move to amend the Howard County Code for new developments on Scenic Roads in order to preserve the scenic character of the landscape.

To do this, I support the notion that the development of land abutting a scenic road be treated with special care and concern - both for the purposes of maintaining the ecological and historic integrity of the land surrounding, and to maintain the road's visual character to the greatest extent possible.

We live in an area rich in natural and historic beauty; we can and should be an example to the rest of the state of Maryland, and to the nation, for how planning and development can proceed - with appropriate consideration and care - to safeguard the cultural, historic, scenic, and natural integrity of the region -- an asset that makes Howard County both significant and sought-after.

It is possible, plausible, and in the best long-term interest of our people, communities, and the economic and environmental sustainability of our county and state.

Thank you for hearing and counting my written testimony for the purposes of BILL NO. 58– 2018.

Thank you,  
Kim

**Kim Robertella Glinka**  
Director, Center for Social Value Creation  
Robert H. Smith School of Business | 4551 Van Munching Hall  
University of Maryland, College Park  
[krobertella@rhsmith.umd.edu](mailto:krobertella@rhsmith.umd.edu)  
Office: 301.405.9454

"Be humble for you are made of earth. Be noble for you are made of stars"

**Sayers, Margery**

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**From:** Wu, Hao-Chiu <hao-chiu.c.wu@verizon.com>  
**Sent:** Wednesday, July 25, 2018 10:09 AM  
**To:** CouncilMail  
**Subject:** Scenic Roads Bill (CB58)

It is critical to keep the Scenic Roads the way they are now to make Howard county different than other counties that don't care about environment protection. Please vote YES. Thanks.

hao-chiu Wu, resident of Howard County

## Sayers, Margery

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**From:** Denise Lindsay <lindsayde78@gmail.com>  
**Sent:** Wednesday, July 25, 2018 9:54 AM  
**To:** CouncilMail  
**Subject:** CB58-2018 (aka the Scenic Roads bill)

To Whom it May Concern,

Eighteen years ago I moved to Howard County after graduating from college. I have lived in three different residences in the North Laurel area because of the beauty that this part of Howard County is fortunate enough to have. I chose Howard County because of its open spaces, farms, and natural landscape which is apparent along our scenic roads. I could have chosen to live in congested Montgomery County, but did not because of Howard County seemed so much more relaxed.

Time has passed and development has happened again and again. I am writing to you today to voice my support for CB58-2018, the Scenic Roads bill. I support this bill because I think the community should have greater input into the changes being imposed on their quality of life. I am not against development, but the county needs to be more smart about how these new housing communities affect the surrounding residences and the impact they will have on traffic and safety.

I do not believe that grandfathering developments that are in the planning stages should be allowed. If this bill is passed by the council, any new community that is in the works needs to follow these new rules. Community input is important and should be part of the planning process, as it affects the surrounding communities the most! Our safety and quality of life are to be valued!

As more and more development takes over Howard County, it is becoming less and less attractive to long time residences. Our scenic beauty is important in keeping residences here long term. I urge the council to vote YES to CB58-2018 Scenic Roads bill.

Thank you,  
Denise Lindsay  
North Laurel Resident

## Sayers, Margery

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**From:** Chris McKenna <mckennachrisj@aol.com>  
**Sent:** Wednesday, July 25, 2018 8:12 AM  
**To:** CouncilMail  
**Subject:** Vote YES on Scenic Roads Bill (CB-58)

Dear County Council,

I'm writing to express my support for Scenic Roads bill CB-58. Please vote YES for this bill, and NO for any amendments that may allow grandfathering of current projects. Our area in southeastern Howard County along Gorman Road has been, and continues to be, rapidly and heavily developed, and our community should be allowed to have more input on these developments, which have a direct and significant impact on our quality of life.

Thank you very much for your consideration of my email, I appreciate it.

Respectfully,  
Chris McKenna

## Sayers, Margery

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**From:** Kerri Ukstins <kukstins@ymail.com>  
**Sent:** Wednesday, July 25, 2018 7:35 AM  
**To:** CouncilMail  
**Subject:** Support for CB58-2018

Dear Howard County Council -

I am writing in support of CB58-2018 regarding additional oversight and community input for developments along scenic roads.

While I understand that this development is going to happen regardless, I believe that that there needs to be smart and measured development. Safety is first and foremost, for those in the new community and those neighborhoods around it. Additional oversight is needed and existing neighborhoods need to provide input regarding traffic and safety in transportation to and from Hammond Elementary and Hammond Middle Schools as well as thru traffic and the ability to get in and out of all of our neighborhoods, the Milk Co-Op community included. CB58-2018 will provide this for the developments on/near scenic roads.

Grandfathering in a development in the planning stages is premature when it is only in the planning stages. This applies to not only the Milk Co-Op but all county wide development plans.

I urge you to vote yes to CB58-2018 as written to further protect and thoughtfully plan development access points along and near scenic roads.

Sincerely,

Peter and Kerri Ukstins  
7916 Helmart Drive

## Sayers, Margery

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**From:** erobertsqc@gmail.com  
**Sent:** Wednesday, July 25, 2018 7:01 AM  
**To:** CouncilMail  
**Subject:** CB 58 - 2018

Dear All Howard County Council representatives:

I am writing today to urge you to vote yes to CB58-2018 AS WRITTEN to further protect and thoughtfully plan development access points along and near scenic roads. This bill will be one small step that the community deserves to begin to more carefully plan for developments all across Howard County.

Smart development should incorporate oversight and the community's input regarding safety/traffic mitigation that will promote a higher quality of life for the new developments and the surrounding communities they need to integrate with and CB58-2018 AS WRITTEN will provide this for developments on/near scenic roads.

As you all are well aware, current planning regulations have allowed for areas all over the county that are dealing with unsafe traffic issues and overcrowded schools and public infrastructure and passing this bill AS WRITTEN will be a small step forward in providing the ethical leadership you were elected to provide.

Please vote YES on CB 58 as written.

Sincerely,  
Erin Roberts  
HoCo Voting resident

Sent from my iPhone

## Sayers, Margery

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**From:** Diane Harder <dharder@jbsinternational.com>  
**Sent:** Wednesday, July 25, 2018 6:50 AM  
**To:** CouncilMail  
**Subject:** Council hearing on CB58 7/23/18

Dear Howard County Council,

I am writing in support of CB58-2018 regarding additional oversight and community input for developments along scenic roads.

In an area already overcrowded with development, it is critical to implement smart development that incorporates the additional oversight and the community's input regarding safety/traffic mitigation to promote a higher quality of life for the new developments and their surrounding communities. CB58-2018 will provide this for developments on/near scenic roads. For example, increased development along Gorman Road has made the scenic road congested and has negatively impacted existing communities. Additional proposed development along this scenic two-lane road threatens its character, safety, and worsens traffic.

It is critical to protect scenic roads. Developments in the planning stages should be subject to the bill's requirements. It should not be amended to "grandfather" developments that in the planning stages. Ample time is available during the plan development and approval process to address the additional oversight and community input.

I urge you to protect scenic roads and vote "yes" to CB58-2018 as written.

Sincerely,

Diane Harder  
Leisure Village Resident



## Sayers, Margery

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**From:** Lori Levine <lorishelle@gmail.com>  
**Sent:** Wednesday, July 25, 2018 6:24 AM  
**To:** CouncilMail  
**Subject:** CB58-2018

Dear Howard County Council,

I am writing in support of CB58-2018 regarding additional oversight and community input for developments along scenic roads.

In an area already overcrowded with development, it is critical to implement smart development that incorporates the additional oversight and the community's input regarding safety/traffic mitigation to promote a higher quality of life for the new developments and their surrounding communities. CB58-2018 will provide this for developments on/near scenic roads. For example, increased development along Gorman Road has made the scenic road congested and has negatively impacted existing communities. Additional proposed development along this scenic two-lane road threatens its character, safety, and worsens traffic.

It is critical to protect scenic roads. Developments in the planning stages should be subject to the bill's requirements. It should not be amended to "grandfather" developments that in the planning stages. Ample time is available during the plan development and approval process to address the additional oversight and community input.

I urge you to protect scenic roads and vote "yes" to CB58-2018 as written.

Sincerely,  
Lori Levine

**Sayers, Margery**

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**From:** Evan Fuller <fuller.evan@gmail.com>  
**Sent:** Tuesday, July 24, 2018 10:09 PM  
**To:** CouncilMail  
**Subject:** Support Scenic Roads bill

Dear Council Members,

I would like to urge you to vote Yes to the upcoming Scenic Roads bill (CB-58), and vote No to any amendments grandfathering in upcoming developments (or at least to exclude any where construction has not yet begun).

As a resident of Hammond Village, I have concerns about the increases in traffic and worsening of views on Gorman and Murray Hill roads. I like the fact that Howard County makes an effort to preserve green space, and I support further restrictions on destruction of this green space for rapid development.

Sincerely,  
Evan Fuller  
10786 W. Crestview Ln  
Laurel, MD 20723

## Sayers, Margery

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**From:** John Ailor <ednred@verizon.net>  
**Sent:** Tuesday, July 24, 2018 10:06 PM  
**To:** CouncilMail  
**Subject:** scenic Rd bill CB58

To the Council

Please vote Yes for bill CB58 The scenic Rd. bill. In addition please do not allow any Grandfathering to this bill. Howard co is a beautiful place to live and it is important we all preserve as much scenic area as possible. Developing the Milk plant land with no restrictions is the wrong this to do. Those of us who are residents in this area are tax payers too and we do not want our area to become a bottle neck for traffic and congestion.

This is the Council's opportunity to stand up for what is the right thing to do.

Thank you

John E Ailor

10346 Derby Dr.

Laurel

20723

ednred@verizon.net

## Sayers, Margery

---

**From:** Lori Levine <lorishelle@gmail.com>  
**Sent:** Wednesday, July 25, 2018 6:24 AM  
**To:** CouncilMail  
**Subject:** CB58-2018

Dear Howard County Council,

I am writing in support of CB58-2018 regarding additional oversight and community input for developments along scenic roads.

In an area already overcrowded with development, it is critical to implement smart development that incorporates the additional oversight and the community's input regarding safety/traffic mitigation to promote a higher quality of life for the new developments and their surrounding communities. CB58-2018 will provide this for developments on/near scenic roads. For example, increased development along Gorman Road has made the scenic road congested and has negatively impacted existing communities. Additional proposed development along this scenic two-lane road threatens its character, safety, and worsens traffic.

It is critical to protect scenic roads. Developments in the planning stages should be subject to the bill's requirements. It should not be amended to "grandfather" developments that in the planning stages. Ample time is available during the plan development and approval process to address the additional oversight and community input.

I urge you to protect scenic roads and vote "yes" to CB58-2018 as written.

Sincerely,  
Lori Levine

## Sayers, Margery

---

**From:** Evan Fuller <fuller.evan@gmail.com>  
**Sent:** Tuesday, July 24, 2018 10:09 PM  
**To:** CouncilMail  
**Subject:** Support Scenic Roads bill

Dear Council Members,

I would like to urge you to vote Yes to the upcoming Scenic Roads bill (CB-58), and vote No to any amendments grandfathering in upcoming developments (or at least to exclude any where construction has not yet begun).

As a resident of Hammond Village, I have concerns about the increases in traffic and worsening of views on Gorman and Murray Hill roads. I like the fact that Howard County makes an effort to preserve green space, and I support further restrictions on destruction of this green space for rapid development.

Sincerely,  
Evan Fuller  
10786 W. Crestview Ln  
Laurel, MD 20723

## Sayers, Margery

---

**From:** John Ailor <ednred@verizon.net>  
**Sent:** Tuesday, July 24, 2018 10:06 PM  
**To:** CouncilMail  
**Subject:** scenic Rd bill CB58

To the Council

Please vote Yes for bill CB58 The scenic Rd. bill. In addition please do not allow any Grandfathering to this bill. Howard co is a beautiful place to live and it is important we all preserve as much scenic area as possible. Developing the Milk plant land with no restrictions is the wrong this to do. Those of us who are residents in this area are tax payers too and we do not want our area to become a bottle neck for traffic and congestion.

This is the Council's opportunity to stand up for what is the right thing to do.

Thank you

John E Ailor

10346 Derby Dr.

Laurel

20723

ednred@verizon.net

**Sayers, Margery**

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**From:** Mj Humphries <mjhumphries54@verizon.net>  
**Sent:** Tuesday, July 24, 2018 9:57 PM  
**To:** CouncilMail  
**Subject:** BILL NO. 58- 2018

Dear Sir or Madam

I am writing to ask you to please pass Bill No 58-2018. As a member of Hunters Creek community on Derby Drive since 1993, I never drive on Gorman, Murry Hill or 216 for that matter, without thinking about how beautiful our area is and how lucky our community is to live here! I understand this may seem like prime land for developers, but the impact the proposal will have on the traffic alone, is so disturbing, it already is causing anxiety for us! Getting to work in the morning for me is a challenge since I work in Bethesda. Adding the amount of homes and essentially destroying beautiful country like roads in the name of developmental growth, just seems wrong.

Please consider our families, our children and how this will impact them in their school districts and mostly our community as a whole.

thank you,

Sincerely

Mary Humphries  
10392 Derby Dr  
Laurel MD 20723

## Sayers, Margery

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**From:** Kerry Greer <kerry.b.greer@gmail.com>  
**Sent:** Tuesday, July 24, 2018 9:34 PM  
**To:** CouncilMail  
**Subject:** CB-58 Scenic Roads Bill

County Council Members:

I'm writing to respectfully request that you vote YES on the Scenic Roads Bill (CB-58). Scenic roads are a county treasure and should be respected and cared for. Gorman Road's link to our county's rich history is undeniable and you, the representatives chosen by the citizenry must be the voice of reason as development plans are considered.

The preservation of scenic roads should be an integral part of any and all building/planning processes from their very conception. It is clear that this was never considered in the proposal of the Milk Plant development. Please do not let the developer's voices be louder than those of the citizens of Howard County. Do NOT let the development be excluded from CB-58 through a grandfathering move.

I appreciate your thoughtful consideration and again, urge you to vote in favor of the Scenic Roads Bill.

Sincerely,  
Kerry Greer  
Hunter's Creek homeowner



## Sayers, Margery

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**From:** Gail Brown <pynebrown@verizon.net>  
**Sent:** Tuesday, July 24, 2018 8:47 PM  
**To:** CouncilMail  
**Cc:** Linda Corso  
**Subject:** Scenic Road Bill CB-58

Dear County Council Members,

We respectfully request you vote YES for Scenic Road Bill CB-58.  
Further, we respectfully request you vote NO to any amendments to permit grandfathering of current projects such as the Milk Plant Development.

Beautiful scenic roads are a reminder of Maryland's history. Many are already suffering from too much traffic. Please do not allow building and development to compromise the beauty and history of our county.

Sincerely,

Gail P. Brown  
Kenneth R. Brown  
10301 Derby Drive  
Laurel, MD 20723

*Gail P. Brown*

[pynebrown@verizon.net](mailto:pynebrown@verizon.net)

## Sayers, Margery

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**From:** Boccio Family <jsboccio@aol.com>  
**Sent:** Tuesday, July 24, 2018 8:17 PM  
**To:** CouncilMail  
**Subject:** Scenic Roads bill - please vote YES without grandfather provisions

Dear County Council,

As Howard County residents and voters, we ask that you **vote YES** to the Scenic Roads bill (CB-58), and **NO to any amendments to permit grandfathering of current projects (such as the Milk Plant Development)**. We support the bill because our communities should have greater input on developments that directly impact our quality of life.

Thank you,

John and Stephanie Boccio

## Sayers, Margery

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**From:** Brian Sadler <brian.sadler@comcast.net>  
**Sent:** Tuesday, July 24, 2018 7:58 PM  
**To:** CouncilMail  
**Subject:** CB-58

YES for CB 58, and NO grandfathering!

The impact on our neighborhood is too extreme and too negative.

Thanks for listening.

Brian

Dr. Brian M. Sadler

Senior Scientist (ST), Intelligent Systems Army Research Laboratory

## Sayers, Margery

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**From:** Lynn Lawton <skilawton@gmail.com>  
**Sent:** Tuesday, July 24, 2018 7:27 PM  
**To:** CouncilMail  
**Subject:** Vote yes on the Scenic roads bill CB-58

To whom it may concern :

I am asking you to vote YES on the Scenic Roads bill (CB-58), and NO to any amendments to permit grandfathering of current projects (such as the Milk Plant Development). I support the bill because our communities should have greater input on developments that directly impact our quality of life. Just recently we have added 2 more stop sign locally because of increased traffic. Already traffic at certain times in the morning and afternoon are 25-30 cars long on Gorman rd at 29 at the circle and in the evening at the stop sign at Gorman and Leishear. These are small , 2 lane roads . These roads cannot carry traffic for 300-400 more houses each day. It will become a safety issue and add lots of time to commutes and waste more gasoline, not to mention additional pollution.

Thank you for your consideration

Lynn Lawton  
Hunters Creek

Sent from my iPad

## Sayers, Margery

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**From:** Beck Family <beckfamilyis1@verizon.net>  
**Sent:** Tuesday, July 24, 2018 6:46 PM  
**To:** CouncilMail  
**Subject:** In support of the scenic roads bill

Please vote YES to the Scenic Roads bill (CB-58), and NO to any amendments to permit grandfathering of current projects (such as the Milk Plant Development). I support the Scenic Roads bill because any development there will directly impact our quality of life. My property backs up to Gorman—this is a very big deal to us!

Karen Beck  
10300 Winners Circle Way  
Laurel, MD 20723  
301-490-1013

## Sayers, Margery

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**From:** Andrea Harwick <aharwick@verizon.net>  
**Sent:** Tuesday, July 24, 2018 6:30 PM  
**To:** CouncilMail  
**Subject:** Scenic roads bill

Vote YES to the Scenic Roads bill (CB-58), and NO to any amendments to permit grandfathering of current projects (such as the Milk Plant Development). I support the bill because our communities should have greater input on developments that directly impact our quality of life.

Sincerely,  
Andrea Harwick  
10300 Preakness Pl  
Laurel MD 20723