

**Sayers, Margery**

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**From:** Bruce Taylor <btaylor@taylorservice.com>  
**Sent:** Wednesday, April 17, 2019 9:56 PM  
**To:** CouncilMail  
**Subject:** Testimony against CB17  
**Attachments:** TPCA Testimony against CB 17 2019 0417.pdf

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

Please see the attached letter of testimony against CB17 from the Taylor Properties Community Association, a group of over 1000 residents living in Ellicott City between College Avenue, New Cut Road and Route 103.

Thanks,

Bruce T. Taylor, M.D.  
President, Taylor Properties Community Association, Inc.  
Office: 410-465-3674  
Cell: 410-868-9871

TAYLOR PROPERTIES COMMUNITY ASSOCIATION, INC.  
c/o First Real Estate Management  
5304 Dorsey Hall Drive  
Ellicott City, MD 21042

By Email: [councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov)

April 17, 2019

**Testimony against CB 17**

Dear County Council and County Executive,

By extending the waiting period for school availability for development to proceed the County will be giving the school board yet another green light to avoid the necessary process of using the available seats in our public schools. Projects which contribute to the strength of the county, our diversity, our affordable housing, our stormwater management and our budgets will be delayed or possibly canceled as no longer feasible.

The Howard County Department of Planning and Zoning Research Report, Issue 25 of December 2016 indicated that despite being one of the two wealthiest counties in the State, housing affordability is not keeping pace with incomes in the County, making it especially difficult for first time buyers and low and moderate income buyers to find houses in Howard County. The current draft FY2019 Annual Action Plan of the Howard County Housing and Community Development highlights the same issues. Further delaying projects will only add to the cost of carry and the subsequent cost of the homes while also keeping additional affordable homes out of the inventory. These delays from extending the school wait will further limit the available stock of affordable housing and could also hurt the County bond rating and its Federal funding from the Department of Housing and Urban Development (HUD). Is Howard County to become an exclusive conclave for the rich? Are we going to be able to house needed workers here? These problems also affect our elderly, disabled citizens, victims of violence and all on fixed budgets. Passing this bill will have considerable negative unintended social and economic impacts far beyond the school system.

The passage of this bill as written will cause further delays for a new planned community center for our over 1000 households, with increased crowding of our existing facilities. Moving the goal posts is not fair play to our residents.

Ellicott City has survived two major floods in just two years. While well intentioned, the impact of slowing or halting development in the Ellicott City watershed is harmful to the stormwater management needed to help mitigate flooding. Each new project in the watershed, when developed under the current standards, will retain 8.5 inches of water on site over 24 hours. These sites either have no stormwater retention or at best minimal retention, so each new private project helps the public good at no expense to the County for the stormwater management provided. Ellicott City desperately needs every project in the pipeline to lend a hand as quickly as possible, without further delays. The delays for schools or for any other reason only hurt historic Ellicott City. The next flood could be this spring or next, and we will not be prepared. Lives and livelihoods are at stake, not just school seats.

Projects which have been planned five and six years ago, and have been waiting their turn may be sidelined for additional years with no sense of fairness, turning the rules around and adding additional costs for those who entered the process with an understanding of the process; at the very least, existing projects must be grandfathered in the legislation if it is to be approved at all.

The over 1000 residents of Taylor Properties Community Association are vibrant members of the community; let's not punish them for choosing Howard County as a place to live; please do not vote for CB17.

Sincerely,



Bruce T. Taylor, M.D.  
President

## Sayers, Margery

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**From:** Bruce Taylor <btaylor@taylorservice.com>  
**Sent:** Friday, April 19, 2019 2:57 PM  
**To:** Tiffany Skirka  
**Cc:** CouncilMail  
**Subject:** RE: Testimony against CB17

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

No need to copy me  
Howard County Council (councilmail@howardcountymd.gov)

Thanks,

Bruce T. Taylor, M.D.  
Office: 410-465-3674

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**From:** Tiffany Skirka [mailto:[tskirka@5304dorsey.com](mailto:tskirka@5304dorsey.com)]  
**Sent:** Friday, April 19, 2019 2:52 PM  
**To:** Bruce Taylor <btaylor@taylorservice.com>  
**Subject:** RE: Testimony against CB17

No, I wasn't sure. I will now, if Jared hasn't. Should I copy you?

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**From:** Bruce Taylor [mailto:[btaylor@taylorservice.com](mailto:btaylor@taylorservice.com)]  
**Sent:** Friday, April 19, 2019 2:50 PM  
**To:** Tiffany Skirka <[tskirka@5304dorsey.com](mailto:tskirka@5304dorsey.com)>  
**Subject:** RE: Testimony against CB17

Did you email to councilmail?  
Have a great holiday weekend.

Thanks,

Bruce T. Taylor, M.D.  
Office: 410-465-3674

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**From:** Tiffany Skirka [mailto:[tskirka@5304dorsey.com](mailto:tskirka@5304dorsey.com)]  
**Sent:** Friday, April 19, 2019 2:08 PM  
**To:** Jared Spahn <[jspahn@5304dorsey.com](mailto:jspahn@5304dorsey.com)>; Bruce Taylor <[btaylor@taylorservice.com](mailto:btaylor@taylorservice.com)>  
**Subject:** RE: Testimony against CB17

Old Town letter attached.

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**From:** Jared Spahn  
**Sent:** Friday, April 19, 2019 1:15 PM

**To:** Tiffany Skirka <[tskirka@5304dorsey.com](mailto:tskirka@5304dorsey.com)>

**Subject:** Fwd: Testimony against CB17

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**From:** Bruce Taylor <[btaylor@taylorservice.com](mailto:btaylor@taylorservice.com)>

**Sent:** Wednesday, April 17, 2019 9:56:28 PM

**To:** Howard County Council ([councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov))

**Subject:** Testimony against CB17

Please see the attached letter of testimony against CB17 from the Taylor Properties Community Association, a group of over 1000 residents living in Ellicott City between College Avenue, New Cut Road and Route 103.

Thanks,

Bruce T. Taylor, M.D.

President, Taylor Properties Community Association, Inc.

Office: 410-465-3674

Cell: 410-868-9871

## Sayers, Margery

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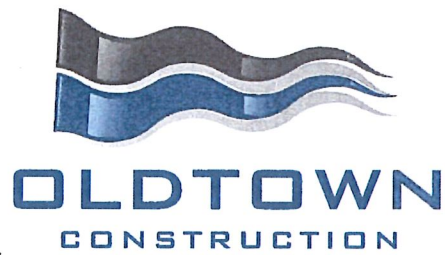
**From:** Tiffany Skirka <tskirka@5304dorsey.com>  
**Sent:** Friday, April 19, 2019 2:59 PM  
**To:** CouncilMail  
**Subject:** CB17  
**Attachments:** Testimony Against CB 17 - OTC.PDF

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

Please see attached letter against CB17.

Thank you,

*Tiffany Skirka*  
Old Town Construction, LLC  
5304 Dorsey Hall Drive  
Ellicott City, MD 21042  
410.730.3725  
410.730.7903 fax  
<http://www.oldtownconstruction.com>



By Email: [councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov)

April 17, 2019

**Testimony against CB 17**

Dear County Council and County Executive,

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The over 1000 residents of Taylor Properties Community Association are vibrant members of the community; let's not punish them for choosing Howard County as a place to live; please do not vote for CB17.

Sincerely,

Jared Spahn  
Managing Member

## Sayers, Margery

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**From:** Dvorak, Nicole  
**Sent:** Monday, April 22, 2019 9:14 AM  
**To:** CouncilMail  
**Subject:** FW: CB 17-2019

**From:** Paul Reville <paul.reville@gmail.com>  
**Sent:** Sunday, April 21, 2019 5:08 PM  
**To:** Walsh, Elizabeth <ewalsh@howardcountymd.gov>; Jones, Opel <ojones@howardcountymd.gov>; Rigby, Christiana <crigby@howardcountymd.gov>; Jung, Deb <djung@howardcountymd.gov>; Yungmann, David <dyungmann@howardcountymd.gov>  
**Cc:** Lori Graf <lgraf@marylandbuilders.org>; Angelica Bailey <abailey@marylandbuilders.org>; Jason Van Kirk <jvankirk@elmstreetdev.com>  
**Subject:** CB 17-2019

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

Dear Council Members,

I am writing to you as both a local land developer and an affordable housing advocate concerning changes being proposed to the APFO bin waiting period. I have listed my specific concerns below but I want to also add to them a general concern that the apparent pattern of new focussed legislation like this is at odds with long term public policy.

The General Plan sets development goals for jobs and residential growth that support a planned and balanced level of commercial and residential growth. Deliberately limiting one growth element will adversely affect the other and allow adjoining counties to attract the commercial growth we need. Why move your business here when new homes are already 6 times the median household income- and certain to increase dramatically as the supply of new homes declines because of this bill?

And the County's most successful affordable housing program- MIHU- can only produce new affordable homes by meeting those General Plan goals.

- 1) 4 years is more than sufficient time to plan and finance new school seats and/or rebalance school populations to use existing and vacant school seats,
- 2) the APFO task force discussed a combined maximum wait of 7 years not an unlimited wait for allocations followed by up to 7 more years of waiting for a closed school or region.
- 3) market supply restrictions like these will be reflected in demand fueled pricing- for both new and resale homes, changing Howard County into Potomac.
- 4) the legislation invites a taking lawsuit recklessly exposing the County to liabilities that could be greater than the perceived harm of school crowding.

5) the legislation ignores the current fiscal state of our local government budget.

6) Only 1 in 3 households have a child enrolled in a public school and, until now, the other 2/3 of the County accepted the cost of an excellent school system with justifiable pride. Now the loyal 2/3 are being told that the schools need hundreds of millions of more tax monies at the same time that an important revenue source is to be closed off. Why would the 2/3 agree to support a measure that likely will produce a tax increase?

Paul Revelle



## Sayers, Margery

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**From:** Lisa May <lisavm78@vt.edu>  
**Sent:** Monday, April 22, 2019 3:35 PM  
**To:** CouncilMail  
**Subject:** Comments on CB-17 from Howard County Association of REALTORS  
**Attachments:** HCAR comments on CB 17 4-19.pdf

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

Good afternoon,

Attached you will find comments from the Howard County Association of REALTORS on CB-17, which will be heard during this evening's public hearing. If you have any questions or concerns, please do not hesitate to contact us.

HCAR looks forward to working with you on this issue. We thank you in advance for your consideration of our comments.

Sincerely,  
Lisa V. May  
HCAR Government Affairs Director



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

April 22, 2019

The Honorable Christiana Mercer Rigby, Chairperson  
Howard County Council  
George Howard Building, 1st Floor  
3430 Courthouse Drive  
Ellicott City, MD 21043

Re: CB 17-2019, Adequate Public Facilities Ordinance (APFO)

Dear Chairperson Rigby and members of the Council,

On behalf of the Howard County Association of REALTORS® (HCAR), an organization representing nearly 2,000 real estate professionals who live and work in the County, we write to you in opposition to CB 17.

When HCAR submitted comments on the County's previous APFO bills (CB 61-2017 and CB 1-2018), we cautioned that changes to this ordinance could have a detrimental impact on County revenues, existing homeowners and the local economy. We now have confirmation that those fears were justified. Both the County's Spending Affordability Advisory Committee (SACC) FY 2020 Report and the preliminary results of the consultant report on APFO outline the reductions in revenue, housing production and job creation which will result from current APFO regulations. In addition, during the January 2019 Council Briefing Session on Housing Issues, the County's Housing Commission and other affordable housing providers noted the negative impacts the existing APFO ordinance has on providing housing for our most vulnerable populations. In light of the above, we believe it would be irresponsible to move forward with an even more restrictive APFO ordinance which would further exacerbate these conditions in Howard County.

HCAR understands the desire to protect the quality of our County Public Schools and to find meaningful solutions to our school capacity challenges. It is a goal that REALTORS® share. However, we firmly believe measures like CB 17 are not the means to do so. We ask for your opposition to this bill.

Sincerely,  
Dan Lampieri, President  
Howard County Association of REALTORS®

## Sayers, Margery

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**From:** Angelica Bailey <[abailey@marylandbuilders.org](mailto:abailey@marylandbuilders.org)>  
**Sent:** Monday, April 22, 2019 7:45 PM  
**To:** CouncilMail; Rigby, Christiana; Facchine, Felix; Walsh, Elizabeth; Dvorak, Nicole; Jung, Deb; Williams, China; Jones, Opel; Harris, Michael; Yungmann, David; Knight, Karen; Ball, Calvin; Sidh, Sameer; Feldmark, Jessica  
**Subject:** Written Testimony re. CB11-2019  
**Attachments:** MBIA Opposition Letter to CB17 – APFO Retesting.pdf

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

Good Evening,

Please find MBIA written testimony attached for this evening's hearing on CB17-2019.

Thank you,  
Angelica Bailey

Angelica Bailey, Esq.  
Vice President of Government Affairs  
[abailey@marylandbuilders.org](mailto:abailey@marylandbuilders.org)  
Maryland Building Industry Association  
11825 W. Market Place  
Fulton, MD 20759  
Cell: 202-815-4445  
Dir: 301-776-6205  
Ph: 301-776-MBIA



Advocate | Educate | Network | Build

April 22, 2019

**Re: OPPOSITION TO CB17 – APFO Retesting**

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

The Howard County Chapter of the Maryland Building Industry Association (MBIA) writes in opposition to Council Bill 17, which would increase the maximum length of time for which a project must be retested under the school capacity test of the Adequate Public Facilities Act of Howard County.

Last year, the Howard County Council passed a bill attempting to address school capacity which essentially shut down building in Howard County for five years. Our industry worked hard to show the Council that such legislation was not only unnecessary, it was damaging; existing APFO was effective, and halting development would not actually address the underlying challenges relating to school capacity. We further predicted that stopping development would cost the County millions of dollars each year in lost building-related fees and taxes. Meanwhile, funding for new school construction, paid in part by developer impact fees, would diminish and school crowding will increase.

These arguments became even more compelling with the publishing of the Spending Affordability Advisory Committee Report, which found that revenues have not kept pace with the demands for County services and capital investment. These issues will only get worse without intervention. The Report credits the APFO guidelines adopted in 2018 as the primary factor; the APFO amendment passed in 2018 is projected to result in foregone revenues of \$138 million in the next six years. As a result, Howard County will soon be unable to continue its current level of service.

CB17 proposes to extend the length of time during which projects must wait for school capacity in Howard County, which flies in the face of the Report and is a direct contradiction to the County's best interests. Extending the schools test would further lower the County's budget and its ability to provide public services, strain the existing tax structure, require cuts to public and private work forces, lower the County's bond rating, decrease availability of affordable housing, and destroy the County's previous reputation for business friendliness.

With the County facing serious financial challenges as a result of existing APFO restrictions, now is not the time to extend the schools test. For these reasons, the MBIA is opposed to this legislation, and asks you please vote against Council Bill 17.

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

Best regards,



Angelica Bailey, Esq., Vice President of Government Affairs

Cc: Councilman Opel Jones  
Councilmember Deb Jung  
Councilman David Yungmann

County Executive Calvin Ball  
Sameer Sidh, Chief of Staff to the County Executive  
Councilmember Elizabeth Walsh