

Sayers, Margery

From: Susan Garber <buzysusan23@yahoo.com>
Sent: Sunday, July 21, 2019 6:30 PM
To: CouncilMail
Subject: CB36 Please read before work session

[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'm writing to express my *discomfort* with CB 36-2019. I'm hearing alarm bells which I can't quiet without additional information/explanation. As Council members YOU are the only ones who can seek that greater clarification at your Work Session on July 22.

I don't want my admitted basic distrust of legislation which amends the Howard County Subdivision and Land Development Regulations (outside of a comprehensive overhaul or Code Rewrite) to color my thought processes, but I do want to share the following concerns.

More rigorous storm water management in the Tiber Hudson Branch and the Plum Tree Branch watersheds IS an obvious need. However, CB 36's intent appears to be to accommodate that SWM on open space, to in effect nullify or sacrifice open space from its intended use (recreation or environmental protection) in order to provide more space for SWM. One can't, for example, play ball in a raingarden (microbioretention facility), though both are needed and required.

The reality is that open space, especially undisturbed and forested open space, is a critical tool for absorption and retention of storm water. To consider allowing the stripping and grading of such stable land to establish artificial SWM systems is surely counterproductive. **CB-36 appears to exclude consideration of decreasing density** below the maximum # of lots achievable were this flat acreage. As with other complexly computed calculations ultimately designed to assure maximum owner/developer profit, this skeptic can't help but voice what many in the non-development community are thinking: So WHO is *THIS* bill specifically designed to benefit this time? To that one must add: How many additional properties might this apply to? Who are we fooling by further manipulating the percentages under alternative lot size scenarios??? NOT Mother Nature!

Having served on the Steering Committee for Clarion's assessment of our regulations, I am quite familiar with the recurring issues in our land use and development regulations. Chief among them is the peculiar a level of both complexity and vagueness. Such a section is:

7** R-20 and infill subdivisions or re-subdivisions creating ten or fewer lots may not use the optional

8 lot size method unless there are wetland, stream or floodplain areas that the Department of

9 Recreation and Parks wants to be dedicated to the County as open space **OR IF SUFFICIENT OPEN**

10 **SPACE AREA IS NECESSARY TO PROVIDE STORM WATER MANAGEMENT AND FLOOD CONTROL**

11 PROTECTION WITHIN THE TIBER HUDSON BRANCH AND PLUMTREE BRANCH WATERSHEDS.

12 **[[The creation of homeowner association open space is not permitted.]]** If dedication to the County

13 is required, R-20 lot sizes may be reduced to 18,000 square feet, exclusive of the pipestem areas.

I can only hope that you, the Council members are far more clear on this section than I. What are the financial ramifications for the County and for HOAs given these new "enhanced (unproven?) protections that will substitute for Open Space? Is DRP taking on the cost of maintenance of SWMs or are HOAs? Clearly, the developer/builder will not be.

I'd like to remain optimistic and think that this bill is for the best for current and future residents but I remain wary. I look forward to watching your questions at tomorrow's work session on rebroadcast. My appointment with the retina specialist prevents me from attending.

Thank you for your assistance,

Susan Garber