

Good evening,

*Sandbower Harbinson*

My name is Scott Harbinson and I am here with my wife, Beth<sup>✓</sup> to speak to CB40-2019. We have lived in the Dunloggin area since 1993. In 2016 we purchased Lot 21-22 on MacAlpine Road using my real estate IRA. Our initial plan was to build on that lot. However due to a change in family circumstances- specifically, a grandchild and son and daughter-in-law living in Florida; our plans have changed and we decided to sell the lot and remain in our current home in Dunloggin.

Let me preface further remarks by saying that we are completely supportive of commonsense measures to protect Old Ellicott City and other vulnerable areas from flooding.

Prior to the moratorium, in the Fall of 2017 we put the lot on the market. Since that time, it has generated considerable interest. However, since the building moratorium interest remains- but unsurprisingly, no buyer is willing to commit to a purchase in this environment of uncertainty.

We have been paying the full assessment tax rate since the moratorium, despite the fact that the action of the Council has rendered this lot unsellable. I think it that is manifestly unfair that we have a lot that is now worth zero that I pay over \$2300 in taxes every year.

When I was performing my due diligence prior to purchase, I was advised by the County that this was a buildable lot. At no time was I advised that its buildability was subject to revocation by the Council. I also went to the expense of hiring an engineer who told me of the necessary steps to mitigate any issues related to drainage. That section of MacAlpine has no storm water infrastructure. I am advised that my lot drains a large area and further that waters from heavy rain drains across my property and impacts homes on Valley Road that abut the lot.

In its current configuration, that flooding will continue unabated and contribute to future flooding problems in the watershed. However, with proper construction and flood mitigation, there can be a resolution that decreases the impact of torrential rains that drain across my lot and continue downstream in the watershed and ultimately to the historic district.

I am scheduled to retire in December. I cannot afford to write off a \$260,000 loss to my retirement assets- nor should I have to.

I respectfully ask that the Council either vote down or amend CB40-2019 to allow for infill development on a case-by-case basis, subject to compliance with the current regulations related to mitigation of floodwaters.

Thank you for listening to our concerns.

September 16, 2019

County Council,

My name is Sherry Fackler-Berkowitz, up until February 2019. I owned a building and business at 8069 Main Street, the historic stucco building. Due to the 2016 and 2018 floods my building has been purchased by the county and is sited to be torn down.

I am in support of CB-38. Climate change is real. We need to start working with the environment and not against it.

In my 40 years that I have been a business owner in Historic Ellicott City I have watched the county along with developers destroy New Cut Road, which was designated as a scenic byway. Look at New Cut now, we can never put back what has been destroyed.

20+ years ago, New Cut road was a beautiful way to come into the Historic District, with wild life all around, and then the development began. Since the 2018 flood the road has been closed and the beautiful scenic byway has suffered from the decisions the Howard County Government, along with developers have made over the years.

Flooding in the county is everywhere and the county never seems to find a solution to preventing the flooding or to fix the flooding problems that already exist. Rt 29 has major flooding when there are heavy storms. It wasn't always that way in the time I have lived and worked in Howard County.

Maybe Mother Earth is trying to tell us there are areas that should not be developed to help prevent them from flooding other areas.

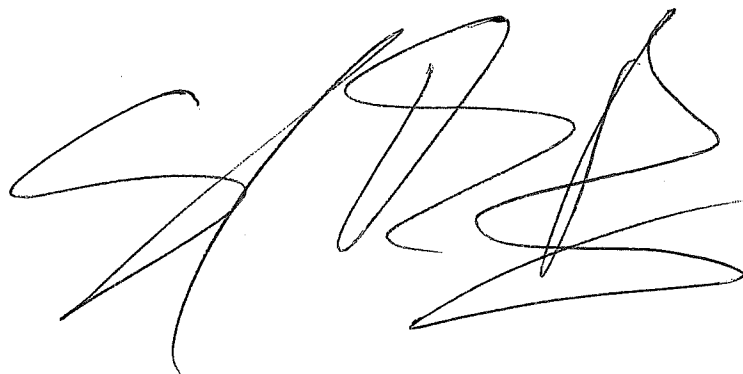
The idea of charging developers (CR-122) more to develop in an area that should not be used for development seems ridiculous. Where has the previous money for storm water management gone?

As we speak here tonight there is a development taking place right above the Historic District.

Many of my friends and business owners have spent a great deal of time and money to get up and running. If this bill CB-38 passes, I hope it will halt the develop that is being planned for the future, in the watershed and surrounding areas.

Let's pass CB-38, it's for all of our future.

*I also support Bill 40-2019*

A large, stylized handwritten signature in black ink, likely belonging to Sherry Fackler-Berkowitz, positioned at the bottom right of the page.

## **Testimony against CB40**

Bruce T. Taylor, M.D., Taylor Service Company, 4100 College Ave., Ellicott City, MD 21043

Taylor Properties Community Association, 5403 Dorsey Hall Drive, Ellicott City, MD 21042

Village Crest Neighborhood Association, 5403 Dorsey Hall Drive, Ellicott City, MD 21042

The extension of the moratorium created under CB 56, already in extension is not needed with CB 40. The facts of the County water or hydrology study published in June 2017 recognized development as only a minor contributor to flooding of Old Ellicott City (OEC), pointing out that even if all the 3.7 square miles of the OEC watershed were undeveloped forest, about 80% of the floodwaters would still have occurred in 2016. The study notes that even if all the remaining undeveloped property were fully developed it would not have made the flooding worse. It didn't, however, point out an important fact, which is that any new development, with existing or even more stringent standards, will help. Even if all the remaining undeveloped land and all the re-development currently planned were to retain all the rainfall hitting the property, it would not stop OEC from flooding as it is only a few percent of the entire 3.7 square miles of the watershed.

Stopping development raises the cost of new housing, when and if it can happen, eliminating projects that would provide Moderate Income Housing Units (MIHUs) and thereby reduce needed housing for workers in the County. It makes one wonder if the goal of the bill isn't to enforce xenophobic fears. Howard County and the OEC area should be inclusive, not exclusive to the well to do.

Each new development under current standards will provide quality and quantity controls which do not exist today; many of these SWM benefits will be on line at no cost to the County before all the features of the excellent flood mitigation plan of County Executive Ball can be completed. The more area that is developed or re-developed the more SWM that will be provided. CB40 if passed will stop or greatly reduce development which will, therefore, mean there will be no change from current conditions which have contributed to flooding. Development and re-development is exactly what OEC needs to help keep acre feet of water from reaching Main Street.

In general, the more development there is the more the tax base and revenues increase in addition to adding to housing stock and needed workforce housing. If we make development too costly, new projects will not proceed, revenues will decline and diversity will suffer. Projects on hold currently will add hundreds of millions of dollars to the County tax base, providing additional needed revenues.

In addition, life for existing homeowners is going to be worse. Property values will drop since properties will be less valuable since less can be done with them. The ability and cost to do simple patio additions or other home improvements is restricted. Revenues will drop as home values drop. The County might be faced with multiple lawsuits from owners who feel their property has effectively been taken by this bill and the County. With no grandfathering, property owners with projects in line for years will need to abandon or completely re-design their projects.

As the President of the Taylor Properties Community Association and of the Village Crest Neighborhood Association, we also oppose CB40. These associations represent the over 1000 residents who live in Taylor Village at the top of College Avenue. A newly planned clubhouse which has been in the works for over 6 years will be further delayed or possibly never built if the moratorium isn't lifted.

While CR 122 & CR123 are overly burdensome to developers, asking new projects to do more than their fair share, they do get us back on track to answer the questions posed by CB56 and provide a framework for solutions making CB40 totally unnecessary.

**In summary, we urge you to vote against CB40 which will have a negative impact on OEC, the County and its residents.**



HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Bruce T. Taylor, have been duly authorized by  
(name of individual)  
Taylor Properties Community Association, Inc. &  
Village Crest Neighborhood Association to deliver testimony to the  
(name of nonprofit organization or government board, commission, or task force)  
County Council regarding CB 38 / CB 40 to express the organization's  
(bill or resolution number)  
~~support for~~ / opposition to / ~~request to amend~~ this legislation.  
(Please circle one.)

Printed Name: Bruce T. Taylor

Signature: [Handwritten Signature]

Date: 9/16/19

Organization: Taylor Properties Community Association, Inc  
Village Crest Neighborhood Association

Organization Address: 5304 Dorsey Hall Dr.  
Ellicott City Md 21042

Number of Members: over 1000 homeowners in Taylor Village

Name of Chair/President: Bruce T. Taylor (for both)

*This form can be submitted electronically via email to [councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov) no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.*



September 16, 2019

Howard County Council Members:

RE: Testimony CB40

We are in support of CB40, which would extend the effective period of temporary prohibition the issuing permits and approvals of development plans and zoning changes for property in the Tiber and Plumtree Branch Watersheds that was imposed by emergency bill CB 56-2018.

We believe this extension is critical right now to allow time for the County Council to review current proposed legislation which aims to address the issues that were of concern when the emergency bill was passed.

Please pass this extension.



Carolyn Parsa  
Howard County Sierra Club Chair



Additional partner sign on:





HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Carolyn Parsa, have been duly authorized by  
*(name of individual)*

Sierra Club Howard County Group to deliver testimony to the  
*(name of nonprofit organization or government board, commission, or task force)*

County Council regarding CB-38 & CB-40 to express the organization's  
*(bill or resolution number)*

support for / opposition to / request to amend this legislation.  
*(Please circle one.)*

Printed Name: Carolyn Parsa

Signature: \_\_\_\_\_

Date: 9/16/2019

Organization: Howard County Sierra Club

Organization Address: College Park, MD 20740

College Park, MD 20740

Number of Members: 1000

Name of Chair/President: Carolyn Parsa

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# HCCA

## Howard County Citizens Association

*Since 1961...*

*The Voice Of The People of Howard County*

Date: 16 September 2019

Subject: Howard County Citizens Association (HCCA) Testimony in FAVOR of CB40-2019

My name is Stu Kohn and I am the President of the Howard County Citizens Association, HCCA.

We, the HCCA are by all means in FAVOR of the passage of CB40-2019 as we are for CB38-2019. Both Bills are unequivocally the right thing to do if one really cares and takes pride in our environment. We congratulate Council Member Walsh for her continued tireless efforts to ensure our invaluable land is fully protected from any further unnecessary disturbance caused by development.

A question for all of our Council. What has priority – lives, property, or the continuation of over-development? Common sense needs to prevail. A second question is why at this time do we not see any sponsors on this Bill? This Bill is by all means the right thing to do. We recommend that the proposed extension of three months be extended to such time when all parties have the full confidence that development along the designated Watershed is considered fully ready for prime time. There should be absolutely no harm to the land when contemplating construction until all measures have been fully analyzed and guaranteed that no unintended damage will occur before the first foundation is completed.

Please refer to the Bill for suggested amendments.

Page 2, Lines 7 thru 9 to read – that the County Council also have AMPLE time to consider, share with the public, BY HAVING A PUBLIC HEARING TO FULLY DISCUSS THE FINDINGS, and act on any recommendation(S) concerning zoning changes in the Tiber Branch Watershed or the Plumtree Branch Watershed; and

Page 2, Line 14, additional three months OR UNTIL SUCH TIME THIS ACT IS DECLARED TOTALLY FOOLPROOF BY ALL CONCERNED PARTIES.

Page 2, Line 20 change to match what was previously stated.

We ask you to simply do the right thing by ensuring that our county's major priority and focus is as stated on page 3, Line 10 that the public health, safety, or welfare is an emergency and needs to be adopted because of this most compelling need. Your unanimous adoption of this Bill can be attributed to a quote by Margaret Thatcher, when she stated, "Disciplining yourself to do what you know is right and important, although difficult, is the highroad to pride, self-esteem, and personal satisfaction."

Thank You for your consideration.

  
Stu Kohn  
HCCA President





HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION

✓ I, Stu Kohw, have been duly authorized by  
(name of individual)

Howard County Citizens Association to deliver testimony to the  
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB 40 to express the organization's  
(bill or resolution number)

support for /  opposition to /  request to amend this legislation.  
(Please circle one.)

Printed Name: Stu Koh

Signature: Stu Koh

Date: 16 Sept 19

Organization: HCCA

Organization Address: ELLCOT CITY MD.

Number of Members: 500

Name of Chair/President: Stu Kohw

*This form can be submitted electronically via email to [councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov) no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.*



HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Barbara Krupiarz, have been duly authorized by  
*(name of individual)*

The People's Voice, LLC to deliver testimony to the  
*(name of nonprofit organization or government board, commission, or task force)*

County Council regarding CB40-2019 to express the organization's  
*(bill or resolution number)*

support for / opposition to / request to amend this legislation.  
*(Please circle one.)*

Printed Name: Barbara Krupiarz

Signature: Barbara Krupiarz

Date: 9/16/19

Organization: the People's Voice

Organization Address: 3600 St. Johns Lane

Ellizott City, MD 21042

Number of Members: 3,251

Name of Chair/President: Lisa Markovitz

*This form can be submitted electronically via email to [councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov) no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.*