

**Sayers, Margery**

---

**From:** Beth D <exaa2011@gmail.com>  
**Sent:** Monday, September 16, 2019 2:52 PM  
**To:** CouncilMail  
**Subject:** CB40-2019

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

September 16, 2019

Re: CB40-2019

Dear Honorable County Council members,

**Please vote YES on Council Bill 40.** I strongly support extending the Effective Period of the temporary prohibition on the issuance of certain permits and certain approvals of development plans and zoning changes for property that drains wholly or partly to the Tiber Branch Watershed or the Plumtree Branch Watershed.

Thank you for your consideration.

Sincerely,  
Beth Daniel  
3247 Old Fence Court  
Ellicott City, MD 21042  
(District 5)

## Sayers, Margery

---

**From:** Carolyn Weibel <carolinasandsunsurf2@gmail.com>  
**Sent:** Monday, September 16, 2019 2:56 PM  
**To:** CouncilMail  
**Subject:** Council Bill 40-2019, Tiber Branch & Plumtree Watershed legislation

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

Good afternoon, County Council Members,

I am not able to attend tonight's County Council Meeting, so I am sending this email to voice my approval for CB 40-2019.

I live in Valley Mede and believe the improvements DPW discussed in their May 21, 2019 meeting need to be implemented and proven effective prior to the issuance of any permits for development that drains into either the Tiber Branch Watershed or the Plumtree Branch Watershed.

There is another community meeting scheduled on September 26, 2019 to continue this discussion. As long as discussion is ongoing and proven stormwater remediation is not in place, than the temporary ban on issuing permits and certain approvals of development plans and zoning changes for impacted properties needs to be in place.

Thank you for your time. I am in favor of CB 40-2019.

Carolyn Weibel  
Valley Mede



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

September 12, 2019

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

Re: CB 40-2019, Temporary Prohibition of Permits in the Tiber and Plumtree Branches

Dear Chairperson Mercer Rigby and Members of the Council,

Following the tragic flooding event in Ellicott City last year, the previous County Council enacted what was to be a temporary halt to new development permits in the Tiber and Plumtree Branch Watersheds. This initial one-year ban was followed this summer by a three month extension, which is now proposed to be extended for an additional three months under CB 40.

The Howard County Association of REALTORS® (HCAR) did not object to the initial permit prohibition because it was reasonable to give the County time to study and develop a response plan to those events. As the Council now ponders extending this permit moratorium to a full eighteen months, we grow concerned about the impacts a continued halt has on Ellicott City residents. HCAR members have heard from homeowners within the watershed who are unable to undertake even minor improvements to their homes and are unsure how much longer they may have to wait before proceeding.

HCAR therefore asks the Council to consider whether continuing the prohibition for existing individual lots is necessary, particularly for projects which are unlikely to increase stormwater outflows or where the prohibition creates an unreasonable hardship for the property owner. We also encourage the Council to set an endpoint beyond which the permit moratoria will not be extended. We believe that these actions will provide needed flexibility for area homeowners and additional certainty to residents in the watershed.

HCAR thanks you for your consideration of our comments.

Sincerely,

Dan Iampieri  
President  
Howard County Association of REALTORS®

## Sayers, Margery

---

**From:** Lisa May <lisavm78@vt.edu>  
**Sent:** Monday, September 16, 2019 3:22 PM  
**To:** CouncilMail  
**Subject:** HCAR Comments on CB 40  
**Attachments:** CB40.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 (HCAR) regarding CB 40, which extends the current permitting prohibition in the Tiber and Plumtree Branch Watersheds.

We appreciate your consideration of our comments.

Best regards,

Lisa May  
HCAR

## Sayers, Margery

---

**From:** Kimberlee Drake <kimdrakeenv@gmail.com>  
**Sent:** Monday, September 16, 2019 4:10 PM  
**To:** CouncilMail  
**Subject:** Sept. legislation

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

Howard county council members,

This is not testimony.

I support CB38, CB40, and CB42  
(that is not to say I don't support the others, but that I am only writing to you about these)

As a degreed environmental scientist and a member of the HoCo Sierra club board, I would like you to know that I am in favor of CB38. Councilwoman Walsh did a presentation to explain the details of the bill and it is quite comprehensive. With her background in Engineering, I trust her approach to land use is sound. We should not allow developers to work around their responsibility to proper land use by being granted waivers. I have not been able to read all the legislation presented this session, but I support anything that prevents developers from essentially doing whatever they want regardless of environmental, infrastructure and social consequences. In this vein, I support raising developer fees like the school facilities surcharge and not allowing fee in lieu for such things such as storm water management or tree plantings.

I also support CR112-2019.

Thank you for your time.  
Kim Drake  
District 2



## Sayers, Margery

---

**From:** Julie Wheeler <julie@simplyreferable.com>  
**Sent:** Monday, September 16, 2019 5:08 PM  
**To:** CouncilMail  
**Subject:** CB40-2019 Request for Amendment

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

To: Howard County Council  
Re: Current Moratorium

Hello All,

I am writing today to put in a request with our council members for an amendment to proposed bill CB40-2019. We have had clients that have been waiting for over a year and a half to build on individual infill parcels of land that are adjacent to the Tiber and Plumtree watershed regions. They are beginning to lose patience with the councils inability to lift the moratorium in a timely manner. These infill lots are empty properties that currently are experiencing additional run off during storms and would be better suited to have homes built by professional builders who will utilize site development plans to control the current run off with use of water gardens and proper drainage.

This moratorium has caused two of our buyers to move elsewhere (not in Howard County) as they were unable to build there dream home due to this lengthy process. We understand the need for a redesign of the safety and precautionary measures the county should take to ensure that all builders (and homeowners) are implementing the best possible practices as a safeguard so we do not experience any additional flooding or loss of life as experienced by the 2017 and 2018 floods in EC. The result is now a loss of money from future tax payers to the county, loss of children being put in HC schools, and voters for this area.

Furthermore, the owners of these parcels of land are continuously paying taxes on properties that can neither be sold (as they are not able to be used for residential purposes), nor built upon. Mr. Harbinson is one such current tax payer in District 1 who is affected by this current bill. His retirement is tied into a piece of property on Macalpine Rd. that is currently rendered useless by CB40-2019 with no exceptions being granted.

We ask that the council respectfully consider an amendment to the bill in hand. We ask that the current legislation allow a case by case basis consideration for all singular residential builds in the affected areas. Should builders be allowed to show their SDP to the Department of Planning and Zoning with property safety measures for run off/storm water, permits should be allowed to be granted as a result. With this blanket moratorium the council is hindering progress for the county.

Please consider our request for the amendment and put this into action immediately so we can allow buyers to once again move forward with the plans for building their forever homes here in our wonderful district.

Thank you for your due consideration and time.

Respectfully,

Julie R Wheeler  
Director of Operations  
Coldwell Banker Residential Brokerage



## Sayers, Margery

---

**From:** Karen Knelly <hampandkaren@gmail.com>  
**Sent:** Monday, September 16, 2019 5:24 PM  
**To:** CouncilMail  
**Subject:** 38-2019, CB40-2019, and CB42-2019

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

Dear Council Members:

We are writing to you to let you know about our strong feelings in reference to CB38-2019. We want you to vote in favor of saving all of the Howard County watersheds and their tributaries-Patapsco, Little Patapsco, Middle Patapsco, and the Patuxent. Once they have been used up, we can never get them back. The chopping down of trees, putting more homes and buildings on the land as well as paving around these places-especially around Old Ellicott City-have been the major cause of the current flooding problems-not climate change.

We also want to urge you to vote in favor of CB40-2019, that will continue the temporary prohibition of permits, and, vote in favor of CB42-2019, increasing the school surcharge for new homes.

We are thanking you, in advance, for considering our opinions.

Hampton and Karen Knelly



## **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 of OEC, the County and its residents.**

September 16, 2019

**Re: OPPOSITION OF Extending the building moratorium in the Tiber Branch and Plumtree Branch Watersheds (CB40-2019)**

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

The Howard County Chapter of the Maryland Building Industry Association (MBIA) writes to oppose Council Bill 40, which once again extends the building moratorium in the Tiber Branch and Plumtree Branch Watersheds an additional 3 months.

The Watershed Safety Act was passed in July of 2018 to temporarily halt new development in the Tiber-Hudson Watershed (Ellicott City, generally) to give the Department of Planning and Zoning, the Department of Public Works, and the County Council an opportunity to study flooding in this area and identify potential public policy and private solutions to future flooding in the Ellicott City area. In May of 2019, this moratorium was extended an additional three months.

While we disagreed that new development is the reason for flooding, we supported the Council and County's goals of studying this issue and setting best practices moving forward. The three month extension seemed like an appropriate length of time for the County to wrap up what remained of its work in this area.

We were cautious, but hoped policy changes would be introduced at the end of the extension that would propose new stormwater standards and an end to the moratorium; or new stormwater standards that would allow our members to proceed past the moratorium if certain design requirements are met.

We are disappointed that the extension was not productive. An additional 3 month extension is unreasonable. We have no reason now to expect that another extension would make a positive difference.

We respectfully request the Council to vote no on CB40.

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 David Yungmann  
Councilman Opel Jones  
Councilmember Elizabeth Walsh  
Councilmember Deb Jung

County Executive Calvin Ball  
Sameer Sidh, Chief of Staff to the County Executive  
Valdis Lazdins, Director of Planning  
James Irvin, Director of Public Works

## Sayers, Margery

---

**From:** Melissa Metz <melissametz725@gmail.com>  
**Sent:** Monday, September 16, 2019 9:02 PM  
**To:** CouncilMail  
**Subject:** CB40 Testimony

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

Dear Members of the County Council,  
I fully support CB40, extending the period of the Watershed Safety Act by three months. In fact, the Watershed Safety Act must stay in place until adequate action has been taken, by the County Council and County government if appropriate, to ensure that new development and re-development will mitigate the volume of stormwater runoff seen in the 2016 Ellicott City flood. The “moratorium” imposed by the Watershed Safety Act is meaningless without action that changes the situation in the future. The community will not be made safer by purely postponing development; it will be made safer by addressing the increased risks of flooding that development creates.

Additionally, the County Council should consider taking a different approach to the effective period of the Watershed Safety Act. The Act should remain in place without a time limit *until* the County Council has shown that it has taken action to address the increased risks of flooding that development creates, and subsequently repeals the Act.

Best,

Melissa Metz

Woodstock, MD

District 5