

I'm Leila Mahlin of Columbia and support CB 61 and have some suggestions to ensure that as written the legislation will meet the goals of the compliance update announcement at Savage Park.

{Page 5 Line 7}

For certain waivers DPZ consultation with the Office of Community Sustainability and the DPW is required. Will these additional two departments have veto power over certain waivers? Consultations and responses should be documented in writing so there is an audit trail related to each waiver decision. Also, please consider requiring unanimous consent of all three departments for a waiver.

{Page 6 Line 13}

For some sections of wetlands, streams, and steep slopes in private development projects the DPZ Director, the Administrator Of The Office Of Community Sustainability **AND** the DPW Director grant waivers. As written, any of the three department heads could grant a waiver, instead of just the DPZ Director as currently allowed. The more stringent standard of all three department heads unanimously supporting each waiver is appropriate, {rather than all three discretely which is lower than the current standard}

In this bill the Director of the Department of Public Works is included as a third party in waiver decisions, but in CB62-2019 {on Page 22 Lines 29-32} the Department of Recreation and Parks is the third party. Is that what is intended and if so, why? How do these different components relate to each other?

{Page 2 Lines 1-2} The inclusion of {the fourth criteria} "THE MODIFICATION IS NOT DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY OR WELFARE OR INJURIOUS TO OTHER PROPERTIES" appears to strengthen the rights of communities. Unfortunately it often falls on the community to note detriments, but in implementation it remains very challenging for a community to organize and stand up for itself. How is a community, in a timely manner, to point out, fund, implement and convey studies to the government that note, for example, flooding issues in their communities? Consider lower wealth index communities. One estimate for a study of this type for a 5 acre property was over 50 thousand dollars. What is needed is a "Watch Way" which charts the Compact Environmental areas such as Urban Canopy, forests, streams, rivers, steep slopes and their interconnection to the Green Infrastructure Network. Citizens could report issues such as flooding which the County could then validate. Such local data would better equip citizens, developers, and government officials to evaluate and present the potential impact of any proposed development. Please take these issues into consideration.

The People's Voice, LLC

Ethics Ballot™

3600 Saint Johns Lane, Suite D, Ellicott City, MD 21042



Howard County Citizens Association
Since 1961... The Voice of the People of Howard County

County Council Public Hearing November 18, 2019

Testimony – CB61-2019 Support with amendment requests

Lisa Markovitz, President, The Peoples Voice, Vice-President, The Howard County Citizens Association , speaking for both entities.

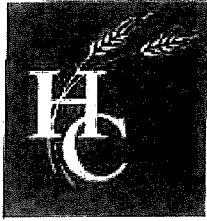
Our groups have followed the Forest Conservation and related legislation this past month and greatly appreciate the strengthening of these rules to improve reforestation and lessen deforestation. In CB62, the stricter enforcement of variances for Forest Con is commendable and we ask that the bar be set at the higher degree of “unwarranted hardship” be made with waivers in CB61 regarding protection of wetlands, streams and steep slopes also be chosen.

The language in CB61 where projects have to show “unreasonable hardship OR practical difficulty” could be strengthened to match the language required for variances in CB62, of unwarranted hardship ONLY and thus protect these vulnerable areas even more.

Also, please note on page 4, that the requirements regarding steep slopes, protecting too much grading and removal of cover, exempts slopes that are “man-made established by prior development”. We ask that an age limit be placed here so that very old man-made steep slopes also be protected, as when they have existed for some time, over 5 or 10 years, then the detriment to clearing them is similar to clearing natural ones.

Again, thank you to the Administration and County staff for putting forth legislation that will provide further protections, and oversight of DPW, DPZ and the Office of Community Sustainability jointly to allow waivers. There needs to be a safety net of defining what occurs if this mutual decision cannot be agreed upon by those three parties. Please make it clear, that in a case of discord, in a certain amount of time, that the default is denial of the waiver and not an automatic granting instead.

Thank you.



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

I, Lisa Markovitz, have been duly authorized by
(name of individual)

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

County Council regarding CR 61-2019 to express the organization's
(bill or resolution number)

request to amend this legislation.
(Please circle one.)

Printed Name: Lisa Markovitz

Signature: [Handwritten Signature]

Date: _____

Organization: Howard County Citizens Assn (HCCA)

Organization Address: P.O. Box 89

Elizottum MD 21041

Number of Members: 500

Name of Chair/President: Stu Kohn, President

This form can be submitted electronically via email to 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, Emily Ranson, have been duly authorized by
(name of individual)

Clean Water Action to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB61-2019 to express the organization's
(bill or resolution number)

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

Printed Name: Emily Ranson

Signature: 

Date: 11/18/19

Organization: Clean Water Action

Organization Address: 1120 N Charles Street, Suite 415 Baltimore, MD 21201

Number of Members: 7000

Name of Chair/President: Bob Wendelgass

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November 18, 2019

CB61-2019: Criteria for Granting Waivers

Position: Favorable

Dear Council Chair Mercer-Rigby and Members of the Council,

Clean Water Action is a water-oriented advocacy group with 7,000 members in Howard County, and 45,000 in the state of Maryland. Clean Water Action supports policies that protect and improve water quality in Maryland and throughout the country.

Clean Water Action supports CB61-2019 to adjust the criteria for granting waivers from the requirements of the Howard County Subdivision and Land Development Regulations.

It is common practice to include waivers and variances in environmental policies and regulations in order to allow for flexibility and unforeseen circumstances. However, when waivers are granted too readily or for convenience's sake, they completely undermine carefully crafted policy. The idea behind allowing flexibility is to not exempt developments from environmental protections, but to give some wiggle room while continuing to protect sensitive environmental features to the best extent possible.

Waivers should be granted in ways to *minimize adverse impacts*. Waivers should be as limited as possible in order to address what makes compliance impossible. Waivers should be unusual, not standard practice.

Accountability needs to be front and center on waivers, and making sure that these waivers are reviewed by departments that have missions to protect green spaces, the environment, or a connected network is important.

We especially appreciate the inclusion of sidewalk waivers in CB61-2019 and the mandate that the Office of Transportation approve these waivers. The cheapest time to install sidewalks is when a new development is built. Unfortunately, Howard County continues to grant sidewalk waivers when surrounding developments do not have sidewalks. This continues to build the county into car-dependence and neighborhoods where it is unsafe to walk for exercise and recreation. If infill developments included sidewalks, then the opportunity would not be lost and one day we could have a connected, walkable, safe Howard County.

Waivers are a tool, but they need to be used with great care in order to safeguard the environmental protections put into place by previous legislation.

Signed,

Emily Ranson
Maryland Program Coordinator
Clean Water Action
eranson@cleanwater.org
443-562-2832



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


I, Angelica Bailey, have been duly authorized by
(name of individual)

Maryland Building Industry Association to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB61-2019 to express the organization's
(bill or resolution number)

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

Printed Name: Angelica Bailey

Signature: 

Date: November 18, 2019

Organization: Maryland Building Industry Association

Organization Address: 11825 West Market Place

Fulton, MD 20759

Number of Members: 1,000+

Name of Chair/President: Lori Graf, CEO

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

I, LISA MARKOWITZ, have been duly authorized by
(name of individual)

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

County Council regarding CB 61-2019 to express the organization's
(bill or resolution number)

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

Printed Name: Lisa Markowitz

Signature: [Handwritten Signature]

Date: _____

Organization: The Peoples Voice LLC

Organization Address: The Peoples Voice, LLC

3600 Saint Johns Lane Ste D Elliott City MD 21024

Number of Members: 3486

Name of Chair/President: Lisa Markowitz President

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