

**Sayers, Margery**

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**From:** Victor Ilenda <victor.ilenda@verizon.net>  
**Sent:** Friday, July 24, 2020 11:30 AM  
**To:** CouncilMail  
**Subject:** Some Comments re CR107-2020

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

Ladies and gentlemen of the Howard County Council,

I watched the work session on July 22, 2020 dealing with the Amendment for the DRRA and have these comments;

- (1) If the development was completed in the 10 year original timeline, this amendment would not be needed; did the developer "drag" his feet on purpose?;
- (2) All of the conditions mandated by APFO were met in 2010 and testimony given by agencies such HCPSS, police, fire department, etc.;
- (3) Why a number of lots slated for Phase IV were placed at the end of Burnside is somewhat suspicious; no clear explanation was given;
- (4) The parcel of land deeded to Mr. Baruch, blocking Burnside, is described as forest conservation; I think that prevents a roadway going through;
- (5) Mr. Oh implied other connection(s) possible via The Preserve, to the south of Burnside.

These are just some thoughts from listening to the work session.

VA Ilenda  
CRLCA, Inc.

## Sayers, Margery

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**From:** Rosemary Noble <roronoble@me.com>  
**Sent:** Thursday, July 23, 2020 10:25 PM  
**To:** CouncilMail  
**Subject:** CR107-2020

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

Council Members,

Please accept my appreciation for the targeted questions you posed during the work session yesterday. I just finished listening and am in full agreement with the hard questions which need answers.

The community presentation to extend this DRRRA was made in May 2019, over a year ago so why has it taken this long to be presented to the county for approval? Mr. Oh seems to think not much has changed in the past 10 years and this DRRRA needs a stamp of approval. We all know a lot has changed: increased development resulting in congestion on roads, schools and other community resources. Also, we have learned the Carroll's have failed to begin restoration of buildings on the estate, a part of the DRRRA.

I wrote last week to support the continued closure of Burnside Drive since we live just a few houses away on Chateau Ridge. Mr. Oh's comment he was not familiar with this area was stunning. Personally, I am vested in the Chateau Ridgelake Community where we have lived since 1989. However, the larger picture of this family dictating criteria for the preservation of their privately owned historic property which remains closed to the public focuses solely on their wishes, omitting any mutual historic sharing.

Again, I thank you for the work you do daily.

Rosemary Noble  
3719 Chateau Ridge Drive

**James M. (Jack) Guarneri**  
10224 Little Brick House Court  
Ellicott City, MD 21042  
Resident Council District 1

E-Mail: jackguarneri@gmail.com/Phone: (301)844-8930

Testimony for County Council for July 20, 2020 on Council Resolution 107-2020

First Amendment to existing Development Rights and Responsibilities Agreement (DRRA) by and between Camilla Carroll and Philip D. Carroll and Howard County, Maryland in accordance Title 16, Subtitle 17 of the Howard County Code

**Bottom Line Up Front:** Developers (Carroll family) are requesting a no fault extension of the period of performance of the DRRA and forgiveness for failure to meet their responsibilities. This offers a unique opportunity for Council to modify an existing DRRA in light of changes that have occurred in the 10 years since approval. CR107-20 needs to be tabled at this time until additional assessments can be conducted and potential additional Amendment(s) identified to mitigate the development impact on surrounding communities.

**My Background/Experience:** I am a 30 year resident of Howard County. I am also a retired Applied Mathematician and Operations Analyst with 40+ years experience in both the U.S. Navy and Johns Hopkins University Applied Physics Laboratory. My specialty was in Cost Benefit Analysis including developing requirements, assessing alternatives, and identifying unintended consequences for Government Decision Makers. I am also a founding member and president of Bicycling Advocates of Howard County and a member of Smarter Growth Alliance of Howard County, Howard County Community Association and Chateau Ridge Lake Community Association.

**Background:**

A DRRA (CR103-2010) was approved by County Council between the Carroll Family and Howard County in July 2010. The purpose of the DRRA was to preserve a portion of remaining Doughoregan Manor property totaling over 700 acres. The County agreed to an installment purchase of 500 acres as a permanent agricultural land preservation easement while granting Carroll family ability to develop approximately 221 acres and approving a Public Service Area that would allow approximately 325 homes to be built. Carroll Family also agreed to donate 36 acres to Kiwanis-Wallis Park. In addition, The Parties agreed that the use of certain funds (approximately \$2 Million to be received by the Carrolls pursuant to the anticipated development of the Site) would be used to ensure funding for the restoration and ongoing maintenance of the Manor House and historic outbuildings on the Property. A 10 year expiration date (completion of all construction) for the DRRA was approved.

- Article 7.1 of DRRA States: *If the Carrolls shall fail or refuse to perform its obligations as required, then after sixty (60) days from receipt of written notice provided to the Carrolls by Howard County indicating the nature of the default and if the Carrolls have not cured the default, the County may seek equitable relief to enforce the terms and conditions of this Agreement either through a decree for specific performance or an injunction, or declare this Agreement null and void and cease the issuance of building permits and review of development plans.*

### What has changed since 2010:

1. **Traffic:** In the past 10 years the density of traffic on surrounding roads and intersections has increased far beyond what the developer traffic study or Planning and Zoning estimates were in 2010. The APFO requirements for traffic assessments are limited to the nearest intersection (in this case Frederick Rd and Rt. 40 and Frederick Rd and Marriottsville Rd). Since peak traffic is primarily headed to/from work locations and most residents are/will be employed East (ex. Baltimore or Fort Meade) or South (ex. APL, DC and Montgomery County) the impact of additional traffic on Rt. 40, Rt. 29 and Centennial Lane is most significant. Traffic delays have greatly increased on all these roads due to the cumulative effects of development and are expected to worsen with new developments being proposed.
2. **Schools Zoning:** Because of greatly increased fill in closer schools, in 2019 the homes in the development (Enclave at Westmount) were redistricted. Children of residents now are being bussed to Triadelphia Ridge ES, Folly Quarter MS, and Glenelg HS which have significant impact on traffic patterns during rush hour in the morning and school dismissal hours in the afternoon
3. **Surrounding Development:** Development has increased since 2010 in the surrounding areas, in particular Turf Valley, and significant new development is in various stages of approval. All of this has contributed to traffic on aforementioned roads and fill in nearby schools.
4. **Historic Significance of Doughoregan:** In the DRRA the historic nature of the Manor House was identified. Doughoregan Manor is a National Historic Landmark and the only existing home of a signer of the Declaration of Independence (Charles Carroll III) still inhabited by their descendants. But Doughoregan was not a family farm it was one of the largest Slave Plantations in Maryland and Charles Carroll owned over 1000 slaves during his lifetime -300 to 400 at a time. The euphemistically referred to 'outbuildings' include former slave quarters. The Manor (Plantation) House was built partially by slave labor in 1727 and rebuilt in its current configuration in 1836. Doughoregan was used to store ammunition and supplies for Confederate forces, and Carroll slaves were not freed until after President Lincoln's 1864 Emancipation Proclamation.

### Recommendations:

- Enforce existing provisions of 2010 DRRA.
- Require developers to conduct an updated traffic study.
- Consider additional Amendments to DRRA that would minimize impact of surrounding existing residents while maintaining benefits of development.
  - Vice a Burnside Road exit (specifically excluded in DRRA), which would do little to alleviate traffic impact, add an amendment to connect two existing segments of Manor Lane by having Carrolls cede right-of-way to County. This connection would allow some of traffic projected for Westmount to access Columbia, Clarksville and South via Rt. 108 and reduce existing and projected loads on other roads identified.
  - A Manor Lane exit could also allow residents of the County to see the historic slave plantation house and quarters and permit the County to install a marker explaining the total historical significance of Doughoregan Manor.

## Sayers, Margery

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**From:** Victor Ilenda <victor.ilenda@verizon.net>  
**Sent:** Tuesday, July 21, 2020 10:14 AM  
**To:** CouncilMail  
**Subject:** CR107-2020 Testimony in Favor of Amendment to DRRA

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

I did not speak fast enough last night to get my 3 minute testimony in the allotted 2 minutes. Per the Council Chair's suggestion I am following up with the following testimony.

My name is Victor Ilenda and I live at 3722 Chateau Ridge Drive Ellicott City

Chateau Ridge Drive runs parallel to the eastern boundary of Westmount

I have participated in numerous public county meetings as the transition took place for a portion of Doughoregan Manor to include a 325 unit residential development and other components. This took place in the 2007 to 2010 time frame. Many of us felt that the Erickson CCRC would be the ideal solution, but that did not materialize due to financial difficulties with Erickson at the time. As plans for the residential development evolved, my primary concern was the potential increase in vehicular traffic through our neighborhood. There were many other issues and concerns voiced by residents in my community as well as those in close proximity to Doughoregan Manor.

During that time I, and many others in our community, had consistently petitioned the county to adhere to the existing CR 89-43 closing off Burnside Drive at its western terminus for connecting to what has become known as Westmount.

The DRRA which was signed on September 23, 2010 provided such assurance.

A subsequent grant by the Carroll family of a plot of land at the end of Burnside Drive (known as the Burnside Open Space Lot) to a member of our community further solidified our belief that Burnside Drive would remain closed.

At this time, and with assurances from the developer's legal representative that all aspects of the existing DRRA will remain in force, I am very much in favor of the petition to extend the duration of the DRRA for five more years.

My only concern is a small section of the overall plat for Westmount shown on the DPZ website. The arrangement suggests that with a little adjustment, such as removal of building lot #161, a connection between Westmount Blvd and Burnside Drive could be effected, assuming the previously noted measures are somehow overturned.

I am hopeful that this is just a bit of paranoia on my part and that Westmount will be completed under the provisions stated in the proposed Amendment to the DRRA. Therefore I fully support the proposed Amendment to extend the duration of the existing DRRA by five years.

Thank you for the opportunity to voice my views.

**James M. (Jack) Guarneri**  
10224 Little Brick House Court  
Ellicott City, MD 21042  
Resident Council District 1

E-Mail: jackguarneri@gmail.com/Phone: (301)844-8930

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## Sayers, Margery

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**From:** Sang Oh <soh@talkin-oh.com>  
**Sent:** Monday, July 20, 2020 3:07 PM  
**To:** Jung, Deb; CouncilMail  
**Cc:** Walsh, Elizabeth; Jones, Opel; Rigby, Christiana; Yungmann, David; Sidh, Sameer; Gowan, Amy; Kuc, Gary; Victor Ilenda; tsbaruch@yahoo.com  
**Subject:** CR 107-2020  
**Attachments:** SKMBT\_C36020072014550.pdf

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

Dear Ms. Jung:

Please find attached written testimony in support of Council Resolution 107-2020 on behalf of Camilla Carroll and Philip D. Carroll, the Petitioners for the DRRRA Amendment petition. As I am not able to attend tonight's public hearing, please let me know if I can provide any other information to the Council. Thank you.

Sang W. Oh  
Talkin & Oh, LLP  
5100 Dorsey Hall Drive  
Ellicott City, MD 21042  
410-964-0300  
410-964-2018 (f)



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July 20, 2020

VIA ELECTRONIC MAIL (original will not follow)

The Honorable Deb Jung  
Howard County Council  
3430 Courthouse Drive  
Ellicott City, MD 21043

RE: Council Resolution No. 107-2020

Dear Madame Chair:

Please accept this letter on behalf of Camilla Carroll and Philip D. Carroll, the Petitioners for the proposed Amendment to the Development Rights and Responsibilities dated September 23, 2010 between Petitioners and Howard County, Maryland (the "Current DRRA").

As stated in the Petition for Amendment, the purpose for the proposed Amendment is to extend the term of the Current DRRA by a period of five (5) years. No other changes are being proposed to be made to the Current DRRA.

As the Technical Staff Report to CR 107-2020 specifies on page 2, the Current DRRA is an essential part of a multi-faceted solution that was provided for the permanent preservation of Doughoregan Manor, the original home of Charles Carroll of Carrollton. The Doughoregan Manor estate is the last property in America that is still held by the original family since the Declaration of Independence in 1776.

The multi-faceted solution for the preservation of Doughregan Manor included the following:

- CB 9-2010: a Planned Service Area boundary amendment to annex 221 acres of the Doughoregan Manor estate into the public water and sewerage area.
- Execution of Comittment Letter for Land Preservation.
- The Current DRRA was then negotiated and drafted.
- The Planning Board issued its recommendation to the County Council supporting the Current DRRA as being consistent with General Plan 2000.
- CB 32-2010: an Installment Purchase Agreement for preserving 500 acres of Doughoregan Manor.
- CR 103-2010: Howard County Council authorized the County Executive to execute the Current DRRA
- ZB Case No. 1098M: rezoning 221.1 acres from RC to R-ED for 325 dwelling units

- Current DRRA execution: Sept. 23, 2010.

These actions were discussed, debated and ultimately adopted unanimously the Howard County Council and County Executive.

The ten year term of the Current DRRA has proven to be an insufficient amount of time in which to allow Petitioners to obtain all necessary permits, including federal environmental permits. Extending the Current DRRA by 5 years should allow for the completion of the remaining phases of the subdivision. Again, the extension of the term is the only change being set forth in this DRRA.

The notes of the presubmission meeting that was held prior to the submission of the proposed DRRA extension will reveal the amount of discussion about this development and what development in general has meant to the residents of this area of Ellicott City. Overcrowded schools, traffic; it was all discussed. What was not specifically discussed at that meeting was that in 2010, the Petitioners in this case and the owners of Doughoregan Manor stated their need to develop the Property. Under their then-existing zoning of RC-DEO, the nearly 600 acre area of land between Kiwanis-Wallis Park and Folly Quarter Road was subject to development on well and septic lots. To avoid that result, the Petitioners, the County and the community discussed, argued, fought and worked with each other to arrive at a better solution. That better solution is contained within the Current DRRA, which enables the permanent preservation of Doughoregan Manor and its surrounding property.

While the Current DRRA was not approved by the current Howard County Council, it should be evident that the solution that is the Current DRRA provides a delicate balance. The Petitioners have committed to honoring that balance. For the past ten years, we have honored our commitment. We will continue to honor our agreement and support CR 107-2020 as the proposed term extension will best protect the rights of all involved while ensuring for the permanent protection of Doughoregan Manor.

Please contact me if you have any questions or require additional information. Thank you.

Very truly yours,

Talkin & Oh, LLP



By: Sang W. Oh

cc: The Honorable Liz Walsh, Vice-Chair, Howard County Council  
The Honorable Opel Jones, Howard County Council.  
The Honorable Christiana Mercer-Rigby, Howard County Council  
The Honorable David Yungmann, Howard County Council  
Sameer Sidh, Chief of Staff, Office of the Howard County Executive  
Amy Gowan, Director, Howard County Department of Planning and Zoning  
Gary Kuc, County Solicitor, Howard County Office of Law  
Victor Ilenda, President, Chateau Ridge Lake Community Association  
Theodore Baruch, Chateau Ridge Lake Community Association

## Sayers, Margery

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**From:** carla baruch <carlabaruch@hotmail.com>  
**Sent:** Monday, July 20, 2020 11:20 AM  
**To:** Sayers, Margery  
**Subject:** Re: Registration approved for Web seminar: Legislative Public Hearing 7/20 7pm

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

I want to voice that I am in favor of the extension of the DRRRA for another 5 years.  
Thank you,

Sent from [Outlook](#)

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**From:** carla baruch  
**Sent:** Monday, July 20, 2020 11:03 AM  
**To:** Margery Sayers <msayers@howardcountymd.gov>  
**Subject:** Accepted: Registration approved for Web seminar: Legislative Public Hearing 7/20 7pm  
**When:** Monday, July 20, 2020 7:00 PM-11:00 PM.  
**Where:**  
<https://howardcountymd.webex.com/howardcountymd/onstage/g.php?MTID=efc7ce7de3472bd4fe6395a9f374cc79f>

## Sayers, Margery

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**From:** Victor Ilenda <victor.ilenda@verizon.net>  
**Sent:** Friday, July 10, 2020 2:20 PM  
**To:** CouncilMail  
**Cc:** soh@talkin-oh.com; tmm@carneykelehan.com  
**Subject:** CR107-2020 Input from CRLCA  
**Attachments:** Input to HC Council re CR107-2020 for 7-20-2020.docx

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

Ladies and Gentlemen of Howard County Council,

Attached are comments regarding County Resolution CR107-2020 from our community, Chateau Ridge Lake Community Association (CRLCA). These reflect the majority sentiment from comments I personally received. I and several others plan to testify as individuals at the upcoming Legislative Session scheduled for July 20, 2020.

Victor Ilenda, President  
CRLCA, Inc.

July 10, 2020

To: Howard County Council

Re: Input for Consideration at the Scheduled July 20, 2020 Legislative Session on CR107-2020

Subject: Position of Chateau Ridge Lake Community Association (CRLCA) Regarding the Petition to Amend the Development Rights and Responsibilities Agreement (DRRA) Between Howard County and Camilla Carroll and Philip D. Carroll

Ladies and Gentlemen of the Howard County Council:

By way of introduction, CRLCA is an incorporated entity within Maryland, situated within Councilmatic District 1, with Corporate ID number D00390666. Membership is voluntary and consists of 193 households of which 91% are dues paying members.

Our community (CRLCA), as many others, were notified last year (2019) that the developers of Westmount were considering to submit a petition to amend the existing DRRA. The essence of the petition was presented at a pre-submission public meeting in May 2019 at the Miller Branch library. The intent was to extend the term of the current DRRA by five (5) years from the current expiration date of September 23, 2020. Furthermore, the Amendment would not alter any other conditions of the existing DRRA, including the retention of provisions ensuring closure to Westmount via Burnside Drive (a street within CRLCA) as noted in Article III, Paragraph 3.1, and Subsection B.

CRLCA believes the objectives of the petition are reasonable and appropriate for completion of Westmount. When this petition was presented to the Howard County Planning Board by the Department of Planning and Zoning on July 2, 2020, the Board voted to recommend the measure 4-0. CRLCA provided written input and verbal testimony in support of the petition at that meeting.

A resolution authorizing the execution of the Amendment is scheduled at an upcoming Council legislative session (public hearing) on July 20, 2020 as CR107-2020. CRLCA fully supports the Amendment petition and urges the Council to approve CR107-2020. Hopefully your approval will enable the Howard County Executive and the petitioners to execute Amendment #1 to the Doughoregan DRRA prior to September 23, 2020. Thank you for your consideration.

Victor A. Ilenda, President  
CRLCA, Inc.  
3722 Chateau Ridge Drive  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** ALBERT TANEYHILL <ALTANEY@msn.com>  
**Sent:** Friday, July 10, 2020 10:31 AM  
**To:** CouncilMail  
**Cc:** Vic Ilenda  
**Subject:** CR107-2020

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

Good Morning -

I'm writing in support of CR107-2020. This will ensure the continued closure of Burnside Dr. We've lived at 10225 Burnside Dr since 1978. When we moved to Howard County 42 years ago, we found an ideal community to raise our family. Burnside Dr has always been closed to thru traffic. If it is allowed to be opened, it will cause a myriad of problems, the foremost of which is safety. Thanks for your support of this resolution.

Albert Taneyhill  
10225 Burnside Dr  
Ellicott City, Md 21042