



Progressive Democrats of Howard County Testimony in Opposition to CB50-2021

The Progressive Democrats of Howard County (PDHC) oppose the proposed CB50-2021, which would extend the deadline by 2 years for the Public Service Area Expansion in Western Howard County to be approved by the Zoning Board to accommodate the proposed Erickson Living Project. There are many reasons why CB-50 should not be passed, based on both the merits of the Erickson Living Project alone, and also the flawed Zoning Board approval process.

The PSA Expansion request comes at a very crucial time: during the development of the 2040 General Plan in Howard County. We fear that making such a significant change to the General Plan (e.g. extending public water and sewer infrastructure to the West) this late in the game could potentially have detrimental effects on other aspects of the General Plan, as it was not created with this PSA Expansion to the West and its impacts accounted for. Additionally, creating this infrastructure in the Western region of the County may set a precedent for further development in that area, which would further throw off the projections of the General Plan. Even if the PSA expansion was used solely for the Erickson Living community, it is the County paying the millions of dollars for the infrastructure expansion, while the return on that investment would be seen only by the private developer in terms of large profits for the relatively-expensive (requiring \$200-300k+ in down payments from seniors who want to move in) community, but not by the taxpayers paying for this expansion. Similarly, it is the County, not Erickson Living, who will have to foot the bill for any other unforeseen costs associated with expanding the infrastructure to that part of the County for the proposed 1,400+ unit community. Taxpayer dollars should be used for the public good, not solely to fund private developer pet projects for private profit.

CB59-2018, which CB50-2021 would amend, set the original deadline of 3 years for Erickson Living to gain the necessary approval by the Howard County Zoning Board to have the land for their project re-zoned as a CEF, and have still not received that approval yet, with the

deadline just around the corner. We believe that 3 years was more than enough time for Erickson Living to try to have their project approved, and that if they fail to meet that originally-imposed deadline, the deadline should not be amended or extended. We understand the stated concerns of the unforeseen events of COVID-19 having added unfairly to the approval process timeline, but as CB50-2021 also notes, even despite in-person meeting restrictions due to COVID-19, several virtual and “well-attended” public hearings have still taken place regarding the Rezoning Petition in question, so we don’t view COVID-19 as an acceptable excuse to give Erickson Living special treatment and to extend the deadline.

Even if the CEF rezoning had been applied for in the proper timeline, we do not believe that this Erickson Living Project should qualify for CEF rezoning. The primary justification for the CEF rezoning classification is a proposed road expansion project that would accompany the creation of the retirement community, which would supposedly reduce traffic congestion in the area, which would serve as the theoretical enhancement to the community. However, this assumption that the expansion would reduce traffic congestion is based on a flawed study that fails to account for the increased traffic that would result from the creation of a new retirement community with 1,400+ units. Additionally, the County Executive did not allow the county officials who reviewed this traffic study on the county’s behalf to be questioned about the methodology at public hearings.

Aside from the flawed logic justifying the CEF rezoning classification, the land which the PSA expansion is proposed for is also not safe to build on, and is also backed up against an agricultural preserve. The proposed Erickson Living project would also not be affordable to many seniors in Howard County, and does not meet the stated needs of what seniors surveyed in Howard County said they wanted to see in terms of retiring. According to a report carried out by the Howard County Department of Citizen Services called "**Planning for the Growth of the Older Adult Population in Howard County**", senior citizens in Howard County are more likely to have a household income below the median income level for the County of \$107,821 (figure from 2012), which would make it tough for many of them to afford the pricey down payments (to the tune of several hundred thousands of dollars) and high monthly fees it would cost to live in the Erickson Community. The median income as of 2020 is \$121,329. In that same report, seniors also said their highest priorities for retiring were to retire at home, and to have access to quality transportation - building a separate retirement community in rural Western Howard County provides neither of these things. With a rapidly increasing retirement-age community, clearly Howard County does need more senior housing options, but this specific project does not seem to be the best way to provide that based on the high cost and inconvenient location.

Besides the merits of the Erickson Living Project, having this map amendment approved by the Zoning Board, rather than the County Council, does not seem to be the proper procedure

in the first place. According to Section 202(g) of the Howard County Charter, which defines the powers of the County Council regarding Planning and Zoning, “Any amendment, restatement or revision to the Howard County General Plan, the Howard County Zoning Regulations or Howard County Zoning Maps, other than a reclassification map amendment established under the "change and mistake" principle set out by the Maryland Court of Appeals, is declared to be a legislative act and may be passed only by the Howard County Council by original bill in accordance with the legislative procedure set forth in Section 209 of the Howard County Charter. Such an act shall be subject to executive veto and may be petitioned to referendum by the people of the county pursuant to Section 211 of the Charter.” Considering the underlying zoning case that CB50-2021 describes is an attempt to “amend the zoning maps of Howard County”, shouldn’t it then be considered a legislative act that needs approval from the Howard County Council, rather than the Zoning Board? We would also be remiss to not mention the obvious conflict of interest there is in the fact that Erickson Living has donated thousands of dollars to the County Executive, who essentially controls the development process as the most powerful branch of government in the county and has served as a roadblock to simple oversight by the zoning board when he prevented witnesses from appearing to answer questions related to the project.

For all of the reasons above, we urge a vote against CB50-2021.



Howard County Indivisible Economic Equity Action Team Testimony in Opposition to CB50-2021

The IndivisibleHoCoMD opposes the proposed CB50-2021, which would extend the deadline by 2 years for the Public Service Area Expansion in Western Howard County to be approved by the Zoning Board to accommodate the proposed Erickson Living Project. There are many reasons why CB-50 should not be passed, based on both the merits of the Erickson Living Project alone, and also the flawed Zoning Board approval process.

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Sayers, Margery

From: Sharon Boies <sbmuzicmts@gmail.com>
Sent: Monday, July 5, 2021 11:47 PM
To: CouncilMail
Subject: Erickson CCRC project/vote on relocating Freestate Gas station

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

To the Members of the Howard County Council ,

Thank you for the opportunity to express my thoughts and concerns regarding the Erickson project .

When I was a very young girl, I attended 4 H in Clarksville. It felt like it was way out in the country. Some nights I fell asleep in the car on the ride home to Columbia .

As we continue to develop the last large remaining tracks of land in Howard County and development is melding Clarksville and River Hill into one new city , one of my concerns is the ever expanding footprint of the urban heat island that has been created during this time of climate change and species die off .

To mitigate this, has there been enough or is there anything being done to protect and preserve the invaluable and irreplaceable wetlands, trees and streams and their accompanying fauna and flora ?

This area has many interconnecting springs and streams that are full of aquatic species. They are clean water sources and are the headwaters for the Middle Patuxent River. I've seen raccoons , fox and Great Blue Herons hunting not far upstream from the area where the project would be happening.

Our neighborhood in Longfellow , Columbia recently experienced a stream restoration .They logged over 9 acres of mature forest in three stream corridors, destroyed entire ecosystems and connected the streams to the groundwater which was rich in iron.

This caused an orange fluffy bloom called iron flocculate . It smells like sulphur. This initially killed the aquatic life in all three streams . It's a process that can repeat itself.

What was once a source of clean spring water that was full of aquatic life , is and will remain biologically impaired for an undetermined amount of time .

If they had tested the groundwater first for depth and mineral content , this may have been avoided.

My concern is, has anyone performed these tests in and around the streams in the project area ?

Has there been enough consideration given to the digging that will be required for the new buildings and particularly the relocation of the gas station and it's gas tanks in proximity to the streams and wetlands? What, if any, biological impacts could there be to the streams, wetlands or groundwater ?

Another concern is although I see there are plans to mitigate storm water run off, will this collect all of it at it's source , the impervious surfaces. Otherwise, there could be a need for TMDL credits or stream restorations in this area and River Hill. This is not how a lot of taxpayers in Howard County want their money spent anymore.

Any plans should include various methods to collect all storm water runoff including installation of rain barrels, rain gardens and pervious pavement where possible, to prevent the necessity for any stream restorations due to this project now or in the future.

My hope is that the future generations of children in Clarksville and River Hill will always be able to enjoy a little bit of that feeling of being out in the country and have the opportunity to play in full of life streams and in the shade and shadows of stands of mature trees.

Thank you for your consideration on my thoughts and concerns regarding the approval of the project and the relocation of the Freestate gas station.

Sharon Boies
Longfellow , Columbia , Md .

Sayers, Margery

From: Christopher J. Alleva <jens151@yahoo.com>
Sent: Monday, July 5, 2021 11:59 AM
To: CouncilMail
Cc: Knight, Karen; Williams, China; dcampbell@howardcountymd.gov; Shapiro, Arthur; Gelwicks, Colette; tmeunier@howardcountmd.gov; Joel Hurewitz; Bronow, Jeff; Jervis Dorton
Subject: CB 50 2021 PSA Expansion Erickson/Material Discrepancy in DPW Utilities Chief Donald Campbell Memorandum March 18 2018
Attachments: Sewer Memo.pdf

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

Ladies and Gentlemen:

I want to call your attention to a material discrepancy in the wastewater treatment plant capacity utilization projections in DPW Utilities Chief Donald Campbell's Memorandum of March 18 2018 submitted with original PSA expansion bill.

Memorandum states average flow in 2018 was 20 MGD.

Projects Average flow in 2020 of 23.5 MGD, a 3.5 MGD increase in 2 years.

Projects Average Flow of 25.9 MGD in 2040, a 2.5 MGD increase in 20 years.

Annual Increases 2018-2020, 1.75 MGD

Annual Increase 2020-2040, .125 MGD

These numbers do not add up. Assuming no large commercial users came on line in 2018-2020, the increase equates to more than 18,000 residential permits, or 6,347 permits annually. This does not comport with the 1,188 average permits per the Dev. Monitoring Report 2020. Nor does the 20 year projection comport with the projected population growth.

Perhaps Utilities can explain these apparent discrepancies.

Sincerely, Chris Alleva




Howard County

Internal Memorandum

Subject: Proposed Erickson Living General Plan & PSA Amendment

To: Valdis Lazdins, Director, Department of Planning & Zoning

Thru: James Irvin, Director, Department of Public Works 

From: Donald Campbell, Chief
Water & Sewer Planning Division
DPW/Bureau of Utilities

Date: March 15, 2018

We have reviewed your request dated November 16, 2017 for an analysis of the proposal by Erickson Living Properties II, LLC (“Erickson”) to add approximately 61 acres of property in the Clarksville area to the Planned Service Area (PSA) for public water and sewerage service. We have also received and reviewed the updated concept plan and supplemental materials submitted by Erickson on February 26, 2018. As requested, the proposal was analyzed for scheduled water and sewer capacity including (1) water supply, conveyance and storage capacity to provide potable water to the proposed project site, and (2) wastewater conveyance and treatment capacity to process the wastewater received from the site.

The development concept plans for the “Erickson Living at Limestone Valley” project propose 1,200 residential living units, 240 health care bed spaces, and 108,000 square feet of mixed accessory services. Using design criteria published in the Howard County Design Manual, it is estimated that the proposed facility will generate an average daily water demand of approximately 260,000 gallons per day (gpd), and an average daily wastewater volume of approximately 280,000 gpd. The Erickson Living project proposes expansion of the PSA. The water and wastewater flow projections for the project are not included with the residential and commercial water and wastewater flow projections for the PSA published in the 2015 Amendment of the “Master Plan for Water & Sewerage”. A summary of our analysis is provided below.

Water System Analysis

The property adjoins the western portion of the County’s 630 West (630W) water pressure zone, which includes Columbia and Clarksville. Water is supplied to this portion of the 630W zone by the Columbia Water Pumping Station. Water storage is provided within the Harpers Choice water tank located on Cedar Lane.

Water Supply Capacity (Pumping)

The Columbia Pumping Station currently has sufficient capacity to satisfy the average and maximum day demand of the western portion of the 630W zone through the Year 2040 with the

additional demand from the proposed Erickson Living project. The additional demand generated by the project can be satisfied by operating the existing pumps for longer periods. No increase in pump capacity or the number of pumps would be required.

To improve the reliability of the water supplied to the Columbia and Clarksville portion of the 630W water zone and provide redundancy, Howard County is in the process of designing and constructing a second water pumping station under Capital Project W-8328. The new pumping station is being designed to match the capacity of the existing station and will operate in a similar manner to provide 100% backup capability.

Water Conveyance Capacity (Pipelines)

Water is conveyed to Clarksville by two 16-inch diameter water transmission mains, one along Clarksville Pike and one along Little Patuxent Parkway. The Erickson Living project site will have frontage to an existing 12-inch diameter water main along Clarksville Pike that is hydraulically connected to both 16-inch transmission mains.

The County's water model was used to determine the adequacy of the water distribution network for current and future demand with the addition of the Erickson Living demand. The distribution system was evaluated for current and future maximum day demand conditions with fire flow in accordance with the Design Manual requirements. The water distribution system is adequate to support the additional projected water demand from the Erickson site.

Water Storage Capacity (Water Tanks)

A 2014 study of water storage capacity within the County's water distribution system determined that a minor water storage deficit (100,000 gallons) would arise in the 630W zone beginning in Year 2020 but, due to stable water demands, the deficit would not increase and could be managed until the Year 2035 without the need to construct additional storage capacity.

The additional demand of the Erickson Living site will increase the need for water storage in the 630W zone, and specifically for the Columbia-Clarksville area. Storage volume is calculated based on maximum day demand; therefore, it is estimated that the storage deficit will increase by 150,000 gallons. The Developer will need to work closely with the County to ensure that the needed utility system components can be accommodated within the 630W water zone to address the storage deficit.

Sewerage System Analysis

The project site is located at the upper reaches of the Middle Patuxent sewer drainage area, which is part of the sewer service area of Howard County's Little Patuxent Water Reclamation Plant (LPWRP) in Savage, Maryland. Wastewater generated by the Erickson Living project site would be conveyed by the Middle Patuxent interceptor sewer to the Little Patuxent interceptor sewer, and by the Little Patuxent Interceptor to the LPWRP for treatment and discharge.

Wastewater Conveyance Capacity (Pipelines)

DPW maintains a comprehensive hydraulic model for the County sewerage system for all major sewer pipelines 12-inch diameter and larger. The model, updated in 2015 for the Master Plan amendment, shows that the main branch "MP1CA" of the Middle Patuxent Interceptor and downstream sewer pipelines have sufficient unused capacity available through the Year 2040 to convey the projected wastewater volume received from the Erickson site to the Little Patuxent Interceptor, and then to the LPWRP facility.

The Erickson Living project will be required to provide the sewers necessary to convey sewerage from the project site to an acceptable connection point along the Middle Patuxent Interceptor sewer. The sewers must have the capacity to convey the peak hourly flow, which DPW estimates will be 607 gallons per minute for the Erickson Living project.

There are three, existing 8-inch diameter gravity collector sewers with potential to convey wastewater from the Erickson Living site to the Middle Patuxent Interceptor. Gravity collector sewers smaller than 12-inch diameter are not included in the County's model so it is unknown if unused capacity is available in the three collector sewers. Each of the collector sewers must be separately evaluated to determine if unused capacity exists to accommodate the sewage flow from the Erickson project.

On October 25, 2017, engineering representatives for Erickson Living met with DPW staff to identify and assess the need for sewerage capacity in the County system. **The Erickson Living representatives were advised that a flow monitoring program along with an engineering report is necessary to demonstrate that all downstream facilities are sized to support the flows from the development as specified in the Design Manual.** If sufficient unused capacity does not exist, the Erickson Living project will have the difficult task of designing, acquiring and constructing an alternative sewer route to convey sewage to the Middle Patuxent interceptor.

DPW staff recommended that a flow monitoring program take place during February-March 2018 to capture sewer flows during wet weather events and determine if unused capacity is available within the County collector sewers. Acceptance into the Planned Service Area should be conditioned upon the developer working with the County to address the sewer capacity issue.

Wastewater Treatment Capacity

The current treatment capacity of LPWRP is 29 million gallons per day (MGD). The current average annual sewer flow is approximately 20.0 MGD and is projected to increase to 23.5 MGD by the Year 2020, and to 25.9 MGD by the Year 2040. The Erickson Living project will increase the projected flows to LPWRP by 0.28 MGD; therefore, the LPWRP currently has capacity available for the Erickson Living project.

The Maryland Department of the Environment (MDE) requires that municipalities begin reporting and managing their facility capacity when actual flows reach 80% of capacity (i.e., 23 MGD for the LPWRP facility) to ensure that capacity is effectively managed. The addition of the Erickson Living project to the LPWRP service area may require that the County begin reporting and

managing the wastewater treatment capacity in the LPWRP service area soon after completion of the Erickson Living project.

Should there be questions regarding this matter, please contact me at extension 1438.

dfc/

cc: Art Shapiro