

TESTIMONY OF LYNN ALBIZO ON CB9- 2023

Shiple's Grant Community
5797 Richard's Valley Rd.
Ellicott City, MD 21043

Howard County Council
3430 Courthouse Dr
Ellicott City, MD 21043

Hearing Date: March 20, 2023

Position: **OPPOSE CB9-2023**

I am a resident of Shiple's Grant Community and the Vice President of Shiple's Grant Homeowner's Association, and I oppose the passage of CB9-2023.

The purpose of the legislation is to change the law to allow the Curits-Shiple Farm owner to achieve his goal of holding outdoor events, such as weddings and graduation parties, in tents, set up in the field with amplified music and alcohol for up to 200 people. Our close and diverse community is united in our strong opposition to this legislation because of the disruption it will cause our community, including loud sound day and night, traffic, and parking problems. We also have safety concerns for community members as well as guests at these events. Below are some specific concerns that I would like to highlight.

Parking

Our community is high-density, and, even without an event venue, struggles with parking issues. As a board member, I am the liaison to the parking committee and can share that we have ongoing concerns. A particular challenge is parking near the clubhouse on Richard's Valley Rd. People like me, who have one-car garages and need to park on the street, are often challenged to find parking near our homes. This is especially true on the weekends when the clubhouse is being used for events. If the farm is simultaneously holding events, with up to 200 people, this will be untenable.

It has been represented to us, that the farm owner will have parking in the field, and it will not impact our community. However, there is no way to control where people park given that the streets surrounding the Farm, Richards Valley Rd., Talbot Dr, and Logan's way are public streets. We were informed by the Howard County Bureau of Highways that we cannot implement residential-only parking institute other restrictions on these streets. Given the choice between parking on the street or in a muddy unpaved field, people going to a dressy event will likely choose street parking.

Traffic

When the farm owner held a fundraising event, in September 2022, our community experienced people driving throughout the community, looking for how to get into the farm. Traffic on 108 was also backed up to the exit on Rt. 100. The entrance to the farm is small and is just feet from the Shiple's Grant entrance. This setup is an accident waiting to happen and an invitation for guests to drive into our community.

Safety Concerns from Open-bar Events & Proximity to Pool

The farm field where the events will be held is just feet from the community pool. We are very concerned that event attendees will see the pool and patio area and the open-access fireplace area as inviting for after-party gatherings. Open bar events such as weddings that are being proposed have a high likelihood of party shenanigans. In the past, we had issues with people gathering late at night in the fireplace area, and we have had to be vigilant to address this. We don't want people from outside the neighborhood to continue the party near our properties. This could be a safety risk for all involved and create liability for our community.

Noise

As others have highlighted, we are concerned about the noise in the community, whether it is day or night. We love the serenity of the community and having outdoor party events will be very disruptive to our quiet enjoyment of the premises. Planting trees or building a wall, will not keep sound from traveling. Even if there is a limit on the sound decibels, this will be impossible for police. Live dance bands and DJs with amplified music will undoubtedly be louder than any limitations, and then it will be up to the community to constantly be calling the police. It is unfair to shift the burden to the community to issue complaints when it is predictable that this type of venue so close to homes will disturb the neighborhood.

I urge you to vote against CB9 to help ensure our diverse community of 464 townhomes can continue to enjoy the quiet serenity of this beautiful community.

Sincerely,

Lynn Albizo

VP of Shipley's Grant HOA

Elliott Cowan
6050 Logans Way
Ellicott City, MD 21043

March 18, 2022

By email to: councilmail@howardcountymd.gov and ojones@howardcountymd.gov

Howard County Council
3430 Courthouse Drive
Ellicott City, MD 21043

Position: **OPPOSE ZRA 202/CB9-2023**

My wife and I live at 6050 Logans Way, in the Shipley's Grant community, directly across the street from the Curtis Shipley Farm. Our front door is less than 100 feet from the back field portion of the Farm property. We moved to this house in 2012. I was actively involved at that time in objecting to the rezoning of the Farm property to B-1 as was proposed by the Farm's then owners.

Last summer I participated in a community walk-through of the Farm property at the invitation of the Farm owners. During the walk-through, we were told that the events that would take place on the field would include weddings during three seasons of the year, with up to 200 guests, up to 100 vehicles, amplified music, and alcohol service. Large tents would be erected on the field and lighting would be added. Vehicle parking would be on the field. We were told that this would not turn the Farm into another Howard County Fairgrounds, but the vision as described to the community sounded like that. Of course some events may be smaller, but the larger events like weddings would be the more lucrative ones so it is likely that those events would predominate. Those events also would be the most disruptive to the community.

Our concern is not just theoretical. My wife and I attended the political fundraiser held on the Farm on September 10, 2022. We were quite bothered by the volume of the DJ's music both while at the event and after we left the event and walked the neighboring streets on three sides of the field. While the event was still ongoing, I visited the community swimming pool on Talbot Drive, across the street from the field. The bass of the music could be felt there as well as heard. The sound and vibrations were completely disruptive to a quiet afternoon – it was more like being at a school dance.

Shipley's Grant is a very dense neighborhood (over 400 homes) that was planned with the Farm property as its historic and serene focal point. In fact the current Farm owner, then acting as land broker, was involved in the planning. It was a great plan, and it should be respected now that the community is fully built-out around the Farm. Even if decibel levels are kept to legal limits, the presence of frequent large and loud outdoor commercial events is going to be disruptive to the neighborhood. The Farm property is just too close to so many residences to allow the type of commercial activity that the owner wants to host.

I believe that the bill abuses the County zoning process in that the bill is really a private re-zoning request masquerading as a County-wide zoning amendment. The proposed legislation does not indicate that it applies to the Curtis Shipley Farm, but it obviously is targeted to that individual property, with its R-20 and 7 acre requirements (the Farm is just over 7 acres including a historic cemetery that the previous Farm owners claimed to not own but now apparently is part of the claimed acreage). The fact that the bill also would benefit a handful of other properties in the county of 7+acres that are zoned R-20 is being used to hide the real purpose of the bill.

The bill includes a requirement that all historic venue use be within 500 feet of the principal historic structure on the Farm. That requirement was added by the Farm owner as an amendment to the original petition after hearing the neighborhood’s objections at the community walk-through. I believe that amendment was an attempt to make it look like there would be an adequate buffer. However, **the distance between the historic venue use and the principal historic structure on the property is irrelevant to neighbors. What is relevant to the neighbors is the distance between the historic venue use and the neighboring residences.**

The 500 foot distance from the principal structure on the Farm property includes most of the property and gets very close to neighboring residences even if the farmhouse is considered to be the principal structure. (See attached photo with distance measured using Google Maps). Moreover, on the Farm property, if the historic barn, which is larger than the farmhouse, is considered to be the principal historic structure, the entire field would be encompassed in the 500 foot distance. The bill is ambiguous as to which would be the principal historic structure.

The Planning Board included in its recommendation a requirement for “adequate setback and buffering from residential properties.” However, the Planning Board did not express a view on what would constitute adequate setback or buffering or any criteria for evaluating such adequacy. Nor does the proposed bill. With so many residential properties within just a few hundred feet (or less, like mine) of the field portion of the Farm property where the tents would be erected and the parking would occur, there is no amount of setback or buffering that will be adequate to prevent loud amplified music, vibrations, headlights, crowd noise, and open-bar and outside drunkenness from disturbing the neighbors.

If the bill is enacted, there will be intense community conflict at the hearing authority stage over what level of screening and sound management will “minimize adverse impacts on surrounding residential properties,” which is how the bill currently reads. The bill should be amended to add a requirement that, at a minimum, there must be a 500 foot buffer between any outdoor historic venue use and any neighboring residences. See red text to be added, below:

(7) ALL OUTDOOR USES SHALL BE LOCATED WITHIN 500 FEET OF THE PRINCIPAL HISTORIC STRUCTURE ON THE PROPERTY **AND AT LEAST 500 FEET FROM ANY RESIDENCE THAT IS NOT PART OF THE PROPERTY.**

Examples of similar setback requirements in the County include the following:

- Go-cart tracks must be at least 500 feet from existing residences in nonresidential districts: https://library.municode.com/md/howard_county/codes/zoning?nodeId=HOCOZORE_S123.0MAHEDI
- Sawmills, bulk firewood process, mulch manufacture, or soil processing must be at least 500 feet from existing residences on different lots and at least 300 feet from property lines: https://library.municode.com/md/howard_county/codes/zoning?nodeId=HOCOZORE_S127.0MXMIUSDI
- Nighttime collection of commercial dumpsters between 10 pm and 7 am is prohibited for dumpsters located within 500 feet from the property line of a property containing a residential dwelling: https://library.municode.com/md/howard_county/codes/code_of_ordinances?nodeId=HOCOCO_TIT12HESOSE_SUBTITLE_16COCOGADU_S12.1601NICOPR

Please vote against the bill, or if you support the bill, please require a 500 foot setback from neighboring residences for outdoor historic venue uses. Thank you.

Sincerely,



Elliott Cowan

500 feet from the principal historic structure extends almost to the rear of the property



Sayers, Margery

From: George Trainor <gtrainor_2000@yahoo.com>
Sent: Monday, March 20, 2023 4:39 AM
To: CouncilMail; Jones, Opel
Subject: Opposition to Shipley's Grant Farm Bill CB-9

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

Hello,

I am a resident of Shipley's Grant in Ellicott City and would like to register my strong opposition to the proposed CB-9 bill. I purchased my townhome at 5852 Richards Valley Road in 2021, and one of the key selling points was the beauty and serenity of the adjacent farm. The proposed CB-9 bill would significantly reduce the quality of life of my family and the community as a whole. Not only will the noise from events be a huge annoyance, the crowds drawn will park in our community or at least use it as a turn-around point upon leaving. Combine that with alcohol being served and you are looking at an accident waiting to happen.

Please vote no to CB-9.

Thank you,

George Trainor
5852 Richards Valley Rd.
Ellicott City, MD 21043
(410) 913-0798

Sayers, Margery

From: Claude de Vastey Jones <cdv73@hotmail.com>
Sent: Monday, March 20, 2023 12:20 AM
To: CouncilMail
Cc: Jones, Opel
Subject: OPPOSE ZRA 202/CB9-2023

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

Attachments available until Apr 19, 2023

Please see the attached testimony and exhibit.

Claude de Vastey Jones

Claude de Vastey Jones
cdv73@hotmail.com

[Click to Download](#)

Testimony Oppose CB9-2023.pdf
200 KB

[Click to Download](#)

TSR Affected Properties with aerials.pdf
26.8 MB

CLAUDE DE VASTEY JONES AND JERRY JONES
6046 LOGANS WAY
ELLCOTT CITY, MD 21043

March 20, 2023

By email to: councilmail@howardcountymd.gov and ojones@howardcountymd.gov

Howard County Council
3430 Courthouse Drive
Ellicott City, MD 21043

Position: **OPPOSE ZRA 202/CB9-2023**

Good evening. My name is Claude de Vastey Jones and I am speaking on behalf of myself and my husband, Jerry Jones. My husband and I are both attorneys here in Howard County. This evening I am in a unique position, in that rather than representing homeowners in opposition of zoning matters that adversely affect their properties, I am here with my fellow Shipley's Grant community neighbors asking that the Council vote against CB9-2023.

My family and I moved to the Shipley's Grant Community in 2019 and live directly across from the Curtis-Shipley Farmstead. We are strongly opposed to CB9-2023, which would allow a historic venue, such as the Curtis-Shipley Farm, to host outdoor events in an area that adversely affects our property and the surrounding properties. The passage of this legislation and the expansion of this proposed use of the Curtis-Shipley Farm would fundamentally alter the character of the neighborhood and disrupt our quality of life.

When my family decided to move into Shipley's Grant, we had numerous choices of homes to select from. However, when we found our home, directly across from the farmstead, we knew we found the perfect spot. We were assured that the Curtis-Shipley Farm was designed to be the focal point of our community and that it was preserved so that we did not have to be concerned about losing the historic and tranquil focal point of the community. We had no idea that three years later that the farm owner would request an amendment that would turn what was an otherwise inherently peaceful farm into a venue for outdoor events, right in our front yard.

Most of the homes that directly surround the Curtis-Shipley Farm have a distinctive set up from traditional townhomes, in that they each have a backyard space with a detached garage. We are able to enjoy the outdoors on seasonable days. It was one of the many things that attracted us to this community. If the Council passes CB9-2023 and opens the door for the Curtis-Shipley Farm to host outdoor events, we would be subjected to noise, both amplified and not amplified, cars parked directly across from our home and other disturbances associated with the type of events to be hosted at the location, on nearly every seasonable weekend.

We have already experienced the adverse impact of an outdoor event on the farm, when the owners of the Curtis-Shipley Farm hosted a political fundraiser on September 11, 2022. This event was held during the day. Our family came home from my son's baseball game, traffic

was backed up on Route 108 from Snowden River Parkway as attendees attempted to navigate turning into the Farm property. Once we were able to get into our neighborhood, we heard amplified music playing from the Farm while we were in our backyard. That same amplified music was followed by amplified announcements, which could be heard inside our home, with the doors and windows shut. When we came to the front of our home, we observed numerous cars parked along the fence line of the Farm in direct view of our front door. There is nothing shielding our home from the Farm in that area. As we walked our dog in the neighborhood that afternoon, the amplified sounds could be heard across the Charles Crossing bridge.

We cannot stress enough the magnitude that this legislation would have on our community and my family, and the disruption it would cause to the quiet and peaceful environment of the neighborhood. If the Council is to pass CB9-2023, it would result in our family having to circumnavigate the additional traffic, be subjected to the sight of parked cars and the shine of their lights directly in front of our home and be subjected to the amplified sounds of any particular event held at Curtis-Shipley Farm.

This proposed legislation impacts more than just the homes surrounding Curtis-Shipley Farm. It would impact the 464 homes that make up Shipley's Grant. The unique set up of our community makes it impossible to avoid the impact this change would cause. All 464 homes would be burdened with the additional traffic and amplified music and sounds. All of our neighbors who enjoy walking in the neighborhood would have to tolerate the added traffic and more. The main community pool, located just 100 feet from the border of the Farm, would be subjected to the music and cars.

Our community densely surrounds the Curtis-Shipley Farm and there is little to no barrier or setbacks that would allow this proposed change to lessen the adverse impact. There is no amount of shielding that will contain the noise to the farm, as evidenced by the September 11th event. These events - likely on every weekend during the spring, summer and fall - would severely disrupt the tranquility of this neighborhood and negatively impact the quality of life of my family and neighbors.

When reviewing the documents regarding CB9-2023, the language is specially designed for the Curtis-Shipley Farm. We urge the Council to look at this legislation for what it is, a special law created for the sole benefit of the Curtis-Shipley Farm. When you look at certain factors regarding this proposal, it becomes clear that the intended practical effect is to allow the Curtis-Shipley Farm to receive a benefit that no other location will be conferred. The legislation is narrowly tailored with arbitrary requirements, such as a 7-acre minimum so the Curtis-Shipley Farm may meet the requirements. The practical effect in passing CB9-2023 would be to customize a law for the sole benefit of the Curtis-Shipley Farm.

It is disingenuous to say that this legislation could benefit other locations. In reviewing the potentially affected properties, the reality is that many, if not all, of the other properties do not fit this unique circumstance. If you review the attachment to my testimony, I have added aerial pictures of the potentially affected properties, none of which are as densely populated by 464 homes as the Curtis Shipley Farm; most have significant acreage above and beyond the 7 acres of the Curtis-Shipley Farm, are set back significantly from residential neighbors, are

protected by woods, or are actually located on school or cemetery property, and all are unlikely, as provided in the supporting documents, to apply for such a conditional use.

This vote is very important to not only my family, but to the 464 families that make the Shipley's Grant Community. Please consider why this legislation has been brought before you. Consider its impact, not only on me and my family, but on the residents of Shipley's Grant. Consider that this legislation benefits only one entity and adversely affects 464 families. This proposed legislation will not protect the Shipley's Grant community and its benefits is solely to aid Curtis-Shipley Farm, which does not outweigh the adverse impact to the Shipley's Grant Community.

We urge that you to vote against CB9-2023.

Thank you.

/s/Claude de Vastey Jones
Claude de Vastey Jones

/s/ Jerry Jones
Jerry Jones

CC: Lynn Albizo (via email vicepresident@shipleysgranthoa.com)

Sayers, Margery

From: Ronica <rosasderonica@gmail.com>
Sent: Sunday, March 19, 2023 9:44 PM
To: CouncilMail
Subject: Oppose CB-9

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

Good Evening,

I am writing to request that you oppose CB-9. I am a resident of Shipley's Grant and I do not want to have any disturbances, increased unwanted traffic and noise entering our currently peaceful and serene neighborhood due to the farm owner wanting to have big social events on his property. Please oppose this. Thank you

--

Ronica Johnson

Sayers, Margery

From: Kevin Zichos <kzichos@gmail.com>
Sent: Sunday, March 19, 2023 9:25 PM
To: Jones, Opel; CouncilMail
Subject: CB9 Community Testimony - Shipley's Grant Farm

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

To Whom it may concern,

My wife and I have been residents of Shipley's Grant for four years. We have a toddler and a baby on the way. We are deeply concerned about the possibility of Shipley's Grant Farm being rezoned. This is a family friendly community with many young children. Allowing the Farm to be commercialized into an event venue will not only result in unwanted noise disturbances, but will introduce additional vehicles and individuals into our community that will undoubtedly pose risk to our residents, most importantly our children.

We are opposed to the rezoning. Thank you for your consideration.

Kevin Zichos

Sayers, Margery

From: Tim Nary <president@shipleysgranthoa.com>
Sent: Monday, March 20, 2023 7:30 AM
To: CouncilMail; Jones, Opel
Subject: Opposition to CB9-2023 - Shipley's Grant Community Association
Attachments: CB9-2023 - Testimony on behalf of Shipleys Grant HOA.pdf

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

Council Members,

I am writing on behalf of the Shipley's Grant HOA, the 464 townhome community that surrounds the Curtis-Shipley Farm on three sides. As you are aware, CB9 will be heard by the Council this evening.

Our community is **opposed** to CB9. Our position encompasses three main points:

- 1) The bill purports to benefit many struggling, historic properties and help them remain economically viable by providing additional conditional uses. The [Technical Staff Report \(TSR\)](#) identified only 6 properties that would meet the criteria, and when you take a closer look, it only appears that the Curtis-Shipley Farm would actually use the new conditional uses. While not singling out the property directly, **this is spot zoning**.
- 2) There is a tangible, adverse impact that frequent outdoor events will have on the neighboring homes. Through political fundraisers and other events held on the property, we are keenly aware of the disturbances caused by electronically amplified sound and additional traffic. We do not believe that the bill provides adequate mitigations, and instead of requiring that "**all outdoor uses shall be located within 500 feet of the principal historic structure**", we also believe that it should be amended to include, "**and at least 500 feet from any residence located on a different property unless both properties are commonly owned**." Similar setbacks are common throughout other sections of the county law.
- 3) We understand that maintaining the farm costs money, and **there are already approved uses that the petitioner is not taking advantage of**. One use he even proposed himself -- a greenhouse. Our community embraces the concept of seeing fresh farm to table produce at one of the restaurants in front of Shipley's Grant, or at another local restaurant in Howard County. **If the Council is looking to provide other economic support to struggling farms, then it would be more appropriate to do under broader Agribusiness legislation than the limited impact conditional use zoning amendment that might assist only 1-2 of the county's over 300 farms.**

Thank you for your time and consideration.

Tim Nary
President, Shipley's Grant HOA

Shipley's Grant Community Association, Inc.
5780 Richards Valley Road
Ellicott City, MD 21043

March 20, 2023

By email to: councilmail@howardcountymd.gov and ojones@howardcountymd.gov

Howard County Council
3430 Courthouse Drive
Ellicott City, MD 21043

Re: Official Position of Shipley's Grant Community Association, Inc. in **OPPOSITION** to **CB9-2023**

Dear Members of the County Council,

This testimony is being provided by the Shipley's Grant Community Association, Inc. (the "HOA"), as the homeowners association of the Shipley's Grant community, on behalf of the residents of Shipley's Grant.

Zoning Background

The Shipley's Grant community consists of 464 townhome and condominium units. We are a dense development that surrounds on three sides the now 7+ acre historic Curtis-Shipley Farm located at 5771 Waterloo Road in Ellicott City (the "Farm"). See aerial view attached to this letter as **Attachment 1**.

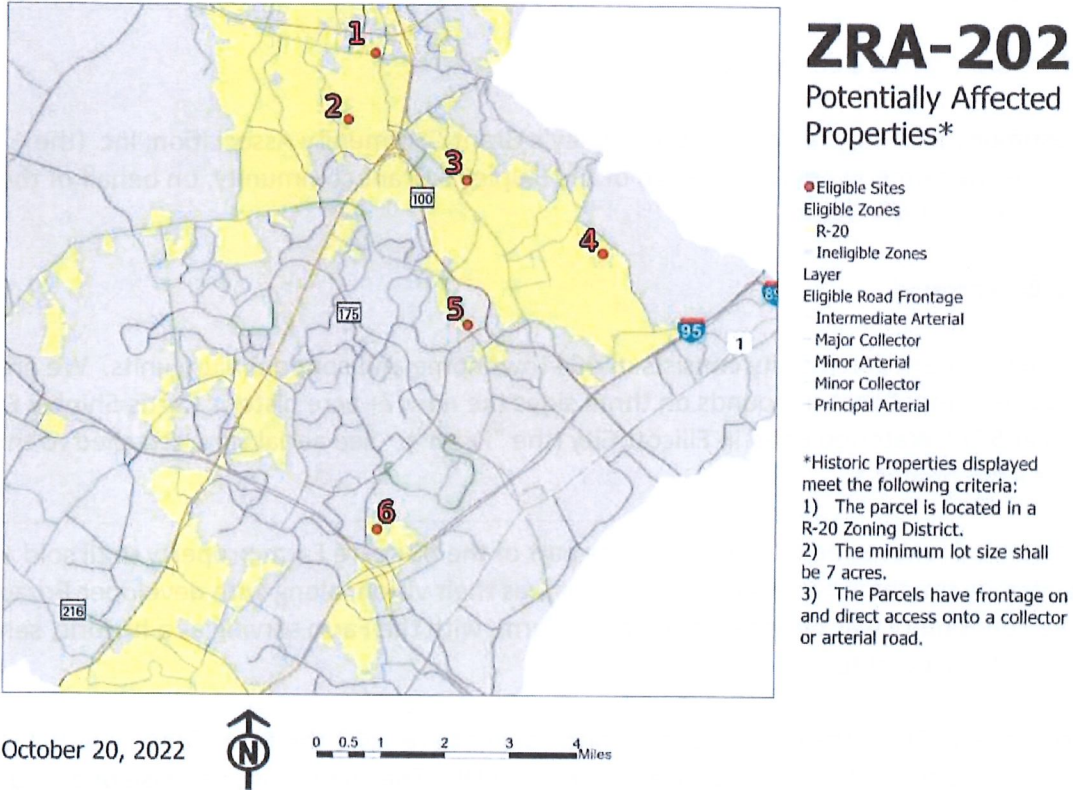
The Shipley's Grant residential property was part of the 80+ acre Farm property until sold and subdivided by the then-owners of the Farm. It was their vision, along with developer Bozzuto, that the community was designed around the Farm, with the Farm serving as a historic, serene, and scenic focal point for the community.

Nevertheless, in 2013, the owners of the Farm sought to re-zone the Farm, initially to B-1, and when strong community opposition was voiced, to POR. The community likewise opposed POR, and the issue was resolved by rezoning the property to R-20 combined with a transfer of the development rights off the property. In addition, as a result of a preservation easement in favor of the Maryland Historic Trust and other easements and agreements binding the Farm, at the present time, interior and exterior alterations and development are restricted.

Thus, there is a history of the Farm’s owners attempting to modify the zoning of the Farm in a way that will allow commercial use inconsistent with the continuation of the Farm as a historic, serene, and scenic focal point of the community.

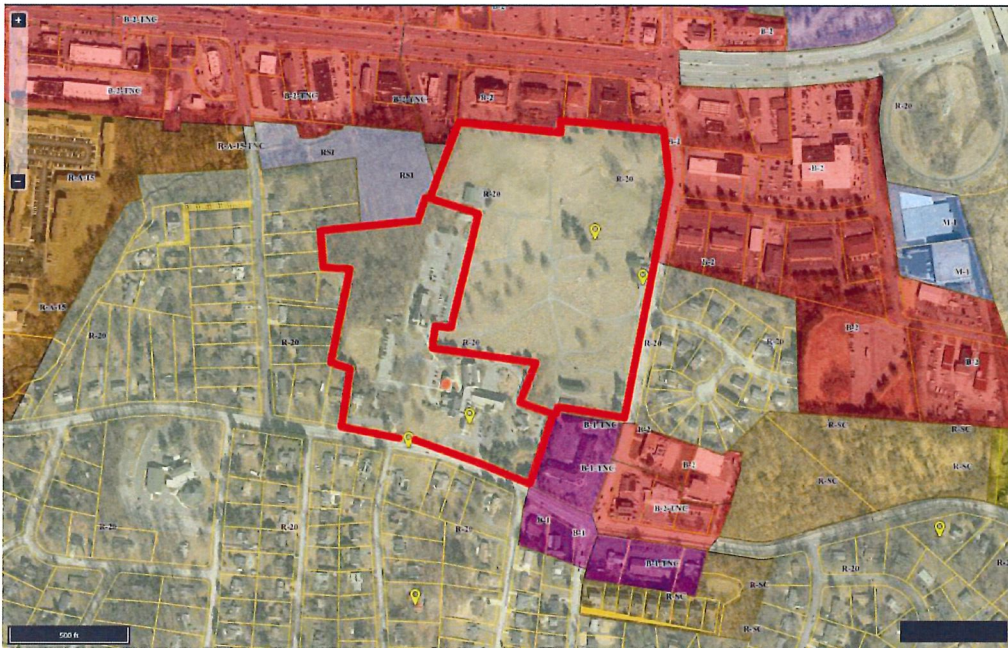
Relationship of Proposed CB9-2023 to the Farm

The HOA views CB9-2023 as a disingenuous way of obtaining an off-cycle re-zoning of the Farm. The proposed text of CB9-2023 does not mention the Farm, either by name, address, owner, or description. CB9-2023 purports to be a County-wide amendment, although it is drafted in a manner that will apply at least to the Farm, and may not provide significant benefit for other properties. The technical staff report for ZRA-202 only identified 6 potential properties that would meet the requirements.

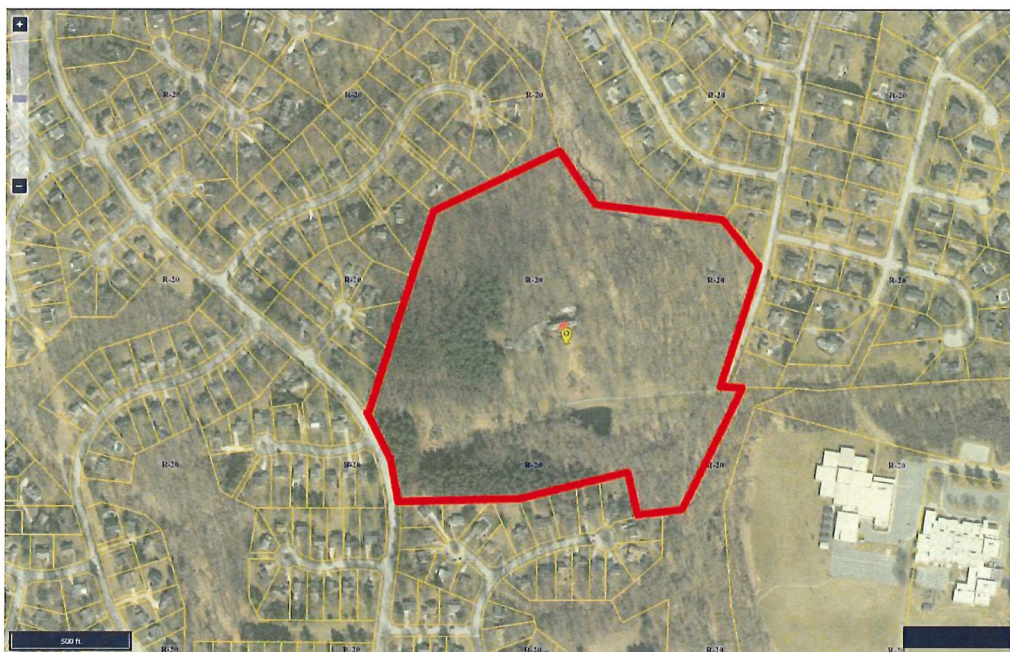


The first property identified is [St John’s Episcopal Church](#), a 14.65 acre property located at 9140 Frederick Road along with [St John's Cemetery Lodge](#) and [St John’s Rectory](#), another 22.6 acres on another lot at 3480 St. Johns Lane. While undoubtedly there are weddings, Christenings, and other joyous events celebrated at this location, it is unlikely that this property will benefit

from the use of the exterior for such events. The larger lot includes a cemetery – not a place where such events proposed in CB9-2023 would be held.



The second property identified is [White Hall](#), a 22.6 acre property located at 4130 Chatham Rd. This is currently a private residence with no active commercial interests.



The third property identified is the [Spring Hill Quarters Add-On](#), a 7.230 acre property located on 4614 New Cut Road. Ironically, [Spring Hill](#) itself (the dashed outline on the map), at 4659 Montgomery Road, is ineligible at 6.6 acres. This is currently a private residence with no active commercial interests.



The fourth property identified is [Trinity School Inc / Donaldson School](#), a 45.91 acre property located at 4985 Ilchester Rd. This is an active Catholic school affiliated with the Sisters of Notre Dame de Namur, which already has a self-sustaining business on the property.



The fifth property identified is the [Brown-Collins-Earp House](#), a 209 acre property at 9200 Farm House Ln. This property is owned by the Federal Communications Commission and serves as an FCC monitoring station. There are no commercial interests or benefit from CB9-2023 for this property.



The sixth and final property identified is the [Curtis-Shipley House](#), a 7.46 acre property located at 5771 Waterloo Road. This is the petitioner's property and the one that neighbors our community.



CB9-2023 may lead you to believe that it will improve the economic outlook for struggling historic properties. However, given the stringent zoning requirements (specifically, R-20 residential zoning and 7 acre lot size), very few properties are eligible, and none except the petitioner's property appear to need or directly benefit from the additional outdoor activities permitted by the proposed conditional use. Furthermore, the other properties impacted by CB9-2023 have lots that are between 5 and 28 times the size of the Farm, and the additional distance on those properties could theoretically shield the noise from such an event.

Given all of the above, this appears to be a case of spot zoning, where the Curtis-Shipley Farm is being given special zoning considerations, even though it technically applies to other properties. Spot zoning is prohibited in Maryland when a change is made to benefit private interests that's inconsistent with a comprehensive plan.

Proposed Use of the Farm if CB9-2023 is Adopted

After filing the Petition for ZRA 202, the current owner of the Farm invited members of the community to walk the Farm and hear first-hand about the proposed use under ZRA 202 / CB9-2023. As the signatory for the Petitioner, Mr. Stephen Ferrandi, described to members of the community, the Farm would be used for weddings and other celebrations, to be held in the day and evening during three seasons, with up to 200 guests and 100 vehicles, with alcohol being served, with electric amplification of music, with the erection of large tents, with the addition of outdoor lighting, and with parking on the fields (see **Attachment 2**). Mr. Ferrandi told the community that the proposed use would not turn the Farm into another Howard County Fairgrounds, but that is, essentially, what is proposed.

Although CB9-2023 includes references to adequate visual screening and a sound management plan, such mitigation efforts realistically cannot adequately address the negative effects of such events being conducted at the Farm.

The community's concerns are not theoretical. On Saturday, September 10, 2022, a political fundraiser was held at the Farm, which included a DJ and electric amplification. The sound could be heard and felt not only on the entirety of the Farm property but at the swimming pool on Talbot Drive, on the surrounding neighboring streets, and even inside the residences on those streets. The bassline of the music could literally be felt, not just heard. Were this one isolated Saturday afternoon, the intrusion would have been tolerable, but were this to occur with frequency, the tranquility of the neighborhood will be ruined.

Moreover, with alcohol being served and up to 100 vehicles being parked on the property, the spillover of people and vehicles into the neighboring streets will be inevitable. (Although vehicular entrance and egress is on Route 108, on September 10 many drivers missed the

driveway and turned into and drove around the neighborhood looking for the entrance to the Farm.)

Existing Economic Viability to the Farm

We are sympathetic to the petitioner's plight – maintaining the farm costs money, and our community does not want to see it fall into disrepair. There are currently approved uses that are permitted by both the current zoning and historic preservation easement that the petitioner could be using today. The R-20 zoning has several uses permitted as a matter of right, most notably including farming. When the petitioner invited the community to the Farm to learn about the proposal for ZRA 202 / CB9-2023, he mentioned an option to use the space for a greenhouse. Not only would this be less disruptive to the community, it would keep consistent with the intended use of the property as a farm. Imagine going to one of the restaurants at the front of Shipley's Grant, such as Coal Fire, and eating farm to table produce that was grown directly across the street.

Agriculture has played a vital role in Howard County's growth and development. With over 335 farms in the county, ensuring their continued economic viability and success should be done in the broader context of agribusiness legislation – not a one-off conditional use zoning amendment that does not impact the majority of farm properties.

Amendment to the Petition

After hearing residents' concerns at the walk-through, the Petitioner amended the Petition to require that "ALL OUTDOOR USES SHALL BE LOCATED WITHIN 500 FEET OF THE PRINCIPAL HISTORIC STRUCTURE ON THE PROPERTY." This amendment does not address any of the concerns the HOA raised to the petitioner. Rather, the introduction of this amendment appears to be a cynical attempt to mislead the community, the Planning Board, and County Council for the following reasons:

1. 500-foot restriction still allows the proposed uses on most of the Farm property (see aerial view attached to this letter as **Attachment 3**); and
2. The proximity to the principal historic structure on the property is irrelevant to neighboring property owners. What is relevant to the nearby property owners is the distance from any residence on the neighboring properties.

In the case of the Curtis-Shipley Farm in relation to the Shipley's Grant Community Association homes, the following details should be noted:

- Approximately 35 Shipley's Grant residences are immediately across the street from the farm property;
- Approximately 2/3 of those 35 residences are less than 100 feet from the farm property, and the rest are less than 200 feet from the farm property; and
- The attached aerial view document illustrates how the 500-foot restriction included in the petitioner's amendment does nothing to mitigate the concerns of HOA community members since the areas to be approved for use would remain very close to the neighbors who will be disrupted.

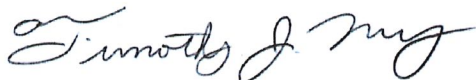
Thus, if the Planning Board and the Zoning Board decide, respectively, to recommend or approve CB9-2023, a further amendment should be made that would limit the expanded commercial use of the property to a defined distance from residences located on a separately owned neighboring property. A discussion of this option and proposed language is included in **Attachment 4** to this letter.

Conclusion

Considering the substantial disruptions that will inevitably result from use of the Farm in the manner proposed by the Petitioner, and the impossibility of adopting visual screening and sound management plans that will both (a) avoid such disruptions, and (b) maintain the planned role of the Farm as a historic, serene, and scenic focal point for the community, the HOA strongly **opposes** adoption of CB9-2023.

Thank you for your consideration of our views.

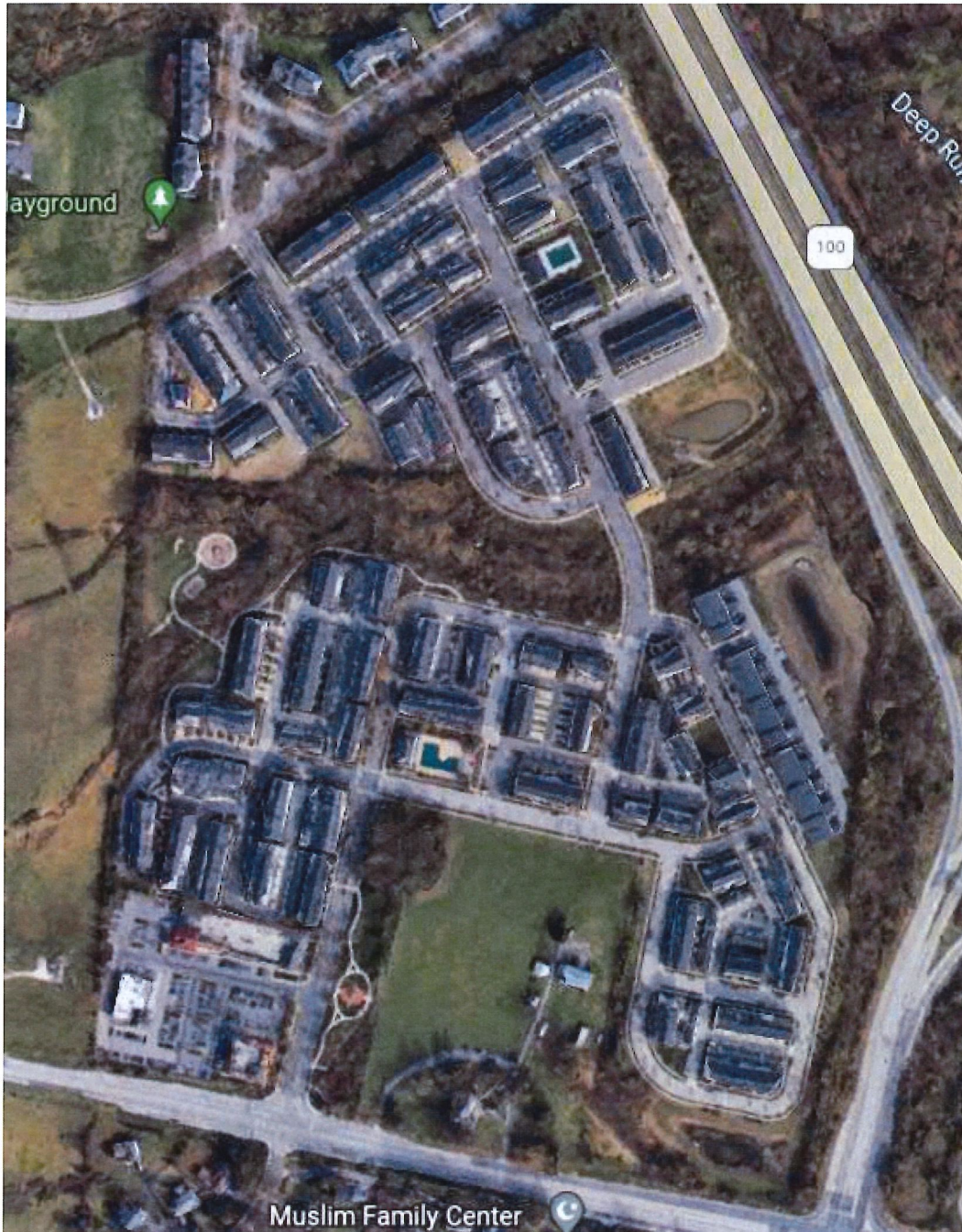
Sincerely,



Timothy Nary
President, Shipley's Grant Community Association, Inc.
president@shipleysgranthoa.com

Attachment 1

5771 Waterloo Road, Ellicott City, Maryland and surrounding Shipley's Grant Community



Attachment 2

Proposed space usage presented by the Petitioner



Attachment 3

500 feet from the principal historic structure extends almost to the rear of the property



Attachment 4

Proposed Amendment to the Legislation if CB9-2023 is to be Approved

As noted in the HOA's letter of opposition, the Petitioner amended CB9-2023 to require that **"ALL OUTDOOR USES SHALL BE LOCATED WITHIN 500 FEET OF THE PRINCIPAL HISTORIC STRUCTURE ON THE PROPERTY."** This amendment is misleading because what is relevant to the neighboring property owners is the distance from any residence on the neighboring properties, not the distance from the principal historic property.

Thus, if the County Council decide to approve CB9-2023, a further amendment should be made as follows (the red text below should be added to, or substituted for, the existing text):

ALL OUTDOOR USES SHALL BE LOCATED WITHIN 500 FEET OF THE PRINCIPAL HISTORIC STRUCTURE ON THE PROPERTY **AND AT LEAST 500 FEET FROM ANY RESIDENCE LOCATED ON A DIFFERENT PROPERTY UNLESS BOTH PROPERTIES ARE COMMONLY OWNED.**

With regard to the above-proposed amendment, examples of a 500-foot buffer in existing Howard County law include:

- Go-cart tracks must be at least 500 feet from existing residences in nonresidential districts: https://library.municode.com/md/howard_county/codes/zoning?nodemd=HOCOZORE_S123.OMAHEDI
- Sawmills, bulk firewood process, mulch manufacture, or soil processing must be at least 500 feet from existing residences on different lots and at least 300 feet from property lines: https://library.municode.com/md/howard_county/codes/zoning?nodemd=HOCOZORE_S127.OMXMIUSDJ
- Nighttime collection of commercial dumpsters between 10 pm and 7 am is prohibited for dumpsters located within 500 feet from the property line of a property containing a residential dwelling: https://library.municode.com/md/howard_county/codes/code_of_ordinances?nodemd=HOCOCO_TIT12HESOSE_SUBTITLE_16COCOGADU_S12.1601NICOPR

While the position of the Shipley's Grant Community Association, Inc. is to oppose CB9-2023, if the County Council determine that CB9-2023 should pass, we urge that they adopt the above amendment. A 500 foot required distance between any historic venue use and neighboring residences will not completely eliminate sound and visual spillover, but will help preserve a modicum of tranquility in residential neighborhoods adjacent to a historic venue use. Such an amendment would allow a historic venue use only on properties that have enough distance from neighboring residences to somewhat moderate the level of disruption anticipated by plans similar to those presented by the petitioner for the Curtis Shipley Farm.

TESTIMONY OF Rebecca Skrynecki ON CB9- 2023
Shipley's Grant Community
5836 Richards Valley Rd.
Ellicott City, MD 21043

Howard County Council
3430 Courthouse Dr
Ellicott City, MD 21043

Hearing Date: March 20, 2023

Position: **OPPOSE CB9-2023**

Thank you for taking the time to read my reasons for opposing CB9-2023. If this legislation is passed it would allow the Curtis Shipley farm, currently zoned as residential, to hold large outdoor events such as weddings, risking the safety and well-being of our neighborhood.

I have two major concerns, number one being safety. The location of the farm does not lend itself to a safe flow of traffic when entering or exiting the farm. With the only entrance to the farm on Waterloo Road, a five-lane road, leading up to a busy and often dangerous intersection at Snowden River Parkway, traffic will quickly accumulate. Shipley's Grant residents witnessed this first-hand when a fundraiser for Calvin Ball was recently held at the farm. Attendees of the event, not able to turn left out of the farm on to a busy, five-lane road, quickly turned into the Shipley's Grant neighborhood and proceeded with illegal U-turns at the first four-way intersection at the entrance of our neighborhood.

My second concern is noise. I am within a few hundred feet of the farm and could not imagine there being enough of a buffer for music and expected noise from a celebration in a residential neighborhood. Belmont Manor's closest residential structure is over 2000 ft. The closest residential structure to a Shipley's Grant home from the farm is just over 100 ft. To reference the recent fundraiser for Calvin Ball again, I crossed my fingers as I stood in my kitchen and hoped the bass I could feel from the sound equipment would not wake up my two-year old napping upstairs.

I strongly urge you to reject to vote against the CB9-2023, which will negatively impact me, my family, and my community.

Sincerely,
Rebecca Skrynecki

Sayers, Margery

From: Jen Lowry <lowrypjr@verizon.net>
Sent: Monday, March 20, 2023 6:15 PM
To: CouncilMail
Subject: Oppose CB9

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

As a resident of the Shipley's Grant community, I respectfully urge you to please vote against the re-zoning bill that will allow the adjacent farm to be used as an event venue. The noise from large gatherings, with music, will be detrimental to our quality of life. This was made obvious last summer, when a political fundraiser held on the property could be heard throughout the neighborhood. This chance would impact hundreds of families, not only impacting our quality of life but potentially the value of our homes, as well.

Thank you for your consideration of the negative impact this change would have on so many.

Sincerely,

Jennifer Lowry
Shipley's Grant resident

Sent from my iPhone

Sayers, Margery

From: Regan Mercer <reganmercerc@gmail.com>
Sent: Monday, March 20, 2023 8:23 PM
To: CouncilMail
Subject: CB 9-2023

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

My sophomore year I lived in a dorm next to the campus historic building used for weddings. It was in the back gardens which seemed far away until the first wedding. It was overwhelmingly loud.

It was *awful*. Test on Monday? Good luck getting any sleep. The whole weekend you had no choice to be awake as late as the wedding went on, and it was much too loud to study- it was like trying to study in a bar.

This will be hard on any students living in those townhouses. I whole heartedly believe you should not approve this.

Sayers, Margery

From: Kelli Davies <kellidavies@icloud.com>
Sent: Monday, March 20, 2023 11:55 PM
To: CouncilMail
Subject: Fwd: CB-9 Curtis Farm Bill

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

>

>

> Dear Council Members-

>

> I have been a resident of the Shipley's Grant neighborhood for 3 years. We can agree that the last three years have been CHALLENGING for all of us. What I witnessed from our community member Mr Stephen Ferrandi was the definition of hospitality and generosity. While I was working on behalf of the neighborhood Social Committee he reached out to offer The Curtis Farm for events and has hosted them in the past. Due to the Pandemic, we were not able to put an event together but he OFFERED. Mr Ferrandi arranged for outdoor movies on his property during a time when families weren't able to socialize any other way. Neighborhood families were able to spread blankets and see friends outside safely, at no cost.

>

> The reason I am mentioning all these acts of service that Mr Ferrandi has done is because when he says something, I believe him. He lives in this community and has for many more years than I have. He has stated that the only kinds of events he wants to host are going to be over by 9:00pm. The attendees will be parking on HIS property, entering from RT108, not our neighborhood streets. The attendees will also be exiting from the same area, why would anyone want to park in our neighborhood and then either walk 1/2 a mile or climb a 5 foot fence ? That just doesn't seem like something a person dressed up for an event would want to do. I'm not even going to address the alcohol concern, we have 3 restaurants that have liquor licenses as well as a liquor store at the top of the community; why don't they have a problem with those businesses? Mr Ferrandi is not going to host out of control bashes for Heavens Sake.

>

> I think these farm owners should be allowed to do what they want on their own property. Does this proposed bill mean that someone can't host a family wedding at their own family farm? Or Family reunion? How far reaching/ restrictive is this proposal?

>

> In conclusion, please know that the HOA of Shipley's Grant does not speak for everyone. I support Mr Ferrandi.

Kelli Davies

> Sent with care from Kelli's Kitchen

Sayers, Margery

From: Jim Davies <jimdavies25@icloud.com>
Sent: Monday, March 20, 2023 11:55 PM
To: CouncilMail
Subject: CB-9 Curtis Farm Bill

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

Dear Council Members,

I am writing in support of Mr. Ferrandi.

I moved to Shipley's Grant in 2019. During that time, while not having direct contact with Mr. Ferrandi, I am aware of his generosity toward our neighborhood. He, at no cost to the neighborhood, hosted movie nights for our neighborhood at his farm. He has been the model of a good neighbor.

Several members of our community have been misrepresenting the facts and are acting as if they have the full backing of the neighborhood. That is simply not true. Not once we're all of the members of the community polled about their views. It was simply put forth that "we need to stop this before...". Most of our neighbors have no idea what is in the bill that they are opposing.

To put the record straight, Mr. Ferrandi approached our HOA to appoint a couple of representatives to work with him to raise concerns so they could be addressed. Our HOA rejected this generous offer and have been quite negative in all of their feedback with Mr. Ferrandi. Mr. Ferrandi has been trying to be a good neighbor and working in good faith. Our HOA has NOT been a good neighbor. Our community has hosted food trucks by the farm without any consideration for the impact to Mr. Ferrandi. The food trucks were noisy. Why is it okay for our community to ignore any impact of noise from our events, yet reject Mr. Ferrandi's ability to host a few events because a few people in our community are inflaming others about the perceived possibility of noise from the farm events? This does seem to be an equitable relationship between neighbors.

In conclusion, I believe that there are simple constraints that may be placed on these events that will allow both parties to peacefully coexist.

Thank you,
Jim Davies

Sent from my iPad

Sayers, Margery

From: Michael Peeler <mpeeler@gmail.com>
Sent: Monday, March 20, 2023 10:20 PM
To: CouncilMail
Subject: CB9-2023 Testimony

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

Hi,

My name is Michael Peeler, I live in Shipley's Grant Community in Ellicott City, MD 21043. My apologies for not being able to speak in the meeting, but due to the late hour and my work schedule I was unable to stay and speak in person. Thank you though for allowing me to submit written testimony for CB9-2023's approval.

As you heard from many of the community members and even our Board President, there is strong opposition to this bill by our community, but that number of 464 which he was asked about, doesn't represent the community as a whole. The 464 may be the number of houses in our community, but mine and Mr. Ferrandi's house along with many others support this bill, but were not given a chance by our HOA to express differently. As you heard the Shipley's community was offered a chance to meet with and review Mr. Ferrandi's plans. Sadly, the meeting was not cordial from the Shipley's side I'm embarrassed to say. No instead this quickly turned into an HOA lead lynch mob against him. The board never took a vote or asked community of their opinion, rather they just started a campaign against this bill and attended Mr. Ferrandi's meeting with a closed mind and opposition already at go.

I love the Shipley's community and the people in it are overall friendly, kind, and caring. This is more an example of misinformation and coercion by an unfortunate few, who have been able to insight the masses. Also, please don't take to the threats of voting time, many of these people voted for Calvin Ball, our community was littered with signs supporting him into his return to office. Many of us met him on his multiple engagements with our community. Yet they clapped fervently when the young activist spoke of his "illegal" and "shady dealings".

Mr. Ferrandi has been gracious enough to review his plans in detail with the community. My wife and I personally were able to sit down with him at Eastmoon a Shipley's community restaurant, to further review his plans and get to know him on a more personal level. As I listened to those plans and his concerns; it was apparent that working with the community was an important goal to him. He noted various other properties that could benefit from this effort, and while many tonight would have you believe this is solely his plan for his gain, that's where it started, but it's not where it has to end. You have the power to work with people like Mr. Ferrandi and improve these efforts for the good of our community through increased: jobs, memory making engagements, community gatherings and increased business opportunities for small entities. He has offered to work closely with the Shipley's community to come to a join plan and resolution, but the HOA and many others refuse to hear him out, let-alone work with him towards an agreeable solution.

He has addressed the sound impacts by planning sound abatement implementation and I believe these in addition to the Howard County Sound Ordances should minimize impact to neighborhood. I was there when the noise tests of 80+ decibels were recorded, but that was on the sidewalk 5 feet from his property line, not in someones home. Additionally as this property ingress and egress are off 108. There is a break in the gate that goes into our community, but this is not a drive out, there is a curb and trees blocking drive access to that gate. Further he has noted that this option will not be useable by the guests using his farm for events, meaning he's planned to ensure traffic isn't an impact our community internally. The traffic on 108, would be an issue for anytime you are going to have 200+ people at an event anywhere. We have two community centers which can easily draw that many cars between them - plus the pool and household parties, and the Starbucks alone causes traffic issues in the morning. There are many places in Ellicott City and Columbia that traffic is absurd, but this is also the opportunity for a

young officer to take a side job and further. Our church and my office does this, and as I know and work with many law enforcement workers, they would appreciate a simpler safer task for once.

There is another side that hasn't been really explored here on how this helps our community. The shops up front of our community house 4 restaurants, a nail/hair salon, a flower/candy shop, and a liquor store. These small businesses, which employ residents of our community and some are even owners, would be able to benefit from a venue this close maybe to their work location.

This effort for him to use this farm this way far less impacts the community than some of his alternatives. Who wants roosters waking them up at sunrise or before, and Howard County Police can't arrest a bunch of chickens. This is a farm and there are many types of livestock he could place on this land. We already enjoy watching deer and rabbits walk our neighborhood and his farmland and sure lamb and other animal would be cute to see, but we also have fox, hawk, and snakes. Being a country boy, I can tell you there will be more villainous animals walking our neighborhood if he puts animals on their farm. Many of the neighbors have small dogs, we walk our Great Dane daily through around the community and we see it all: birds, small dogs, rabbits, deer, snakes, ducks, geese, fox, and many more. Keeping this as a venue would keep away the more dangerous animals.

On a personal note for Mr. Ferrandi, while I don't know him that well the few times I've interacted with him and things I've seen him do for the Shipley's community does not show him to be one for personal gain. He is currently and has been for several years losing money by owning the farm and not using it to its full potential. He has hosted community events from Summer parties to Movie nights at 100% his cost for the Shipley's community. This is not a heartless corporation, this is a small business owner looking to ensure he is able to maintain his property in working order and provide the community with a benefit.

If other farms or historic places wishing to use their property in the same fashion put this kind of focus on their neighbors then I would whole heartedly support this change and believe this will grow and improve the community, the county, and help bring hope, love and community to a very busy world.

Thank you,

Michael Peeler

Sent from my iPhone

Sayers, Margery

From: Lisa Peeler <lpeeler2001@gmail.com>
Sent: Monday, March 20, 2023 9:50 PM
To: CouncilMail
Subject: Testimony for CB9

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

Hi,

My name is Lisa Peeler and my husband, Michael, and I signed up to testify in person tonight but unfortunately had to leave before we were called. We currently live in Shipley's Grant and purchased our home from Bozzuto in March 2016.

I am writing regarding my support for CB9. I want to say that while the HOA Board was there tonight and stated they were representing the community for this issue - there was never a poll taken from the HOA regarding the homeowner's positions. Immediately upon learning of this zoning proposal, the HOA Board informed the community that they would be opposing the zoning change. They launched a petition against the zoning change and told the community that every person over the age of 18 needed to sign - not one signature per household - so it is my opinion that the signatures on the petition could be misrepresented and/or inflated.

Michael and I personally met with Mr. Ferrandi in October 2022, where he graciously explained all of the proposed changes in regards to this zoning bill and he also shared the history regarding his acquisition of the farm. Upon hearing many testimonies tonight, it seems as though that many of our neighbors were not aware of all of the facts surrounding his noise mitigation proposals, where the tent would be erected, the facts regarding the proposed greenhouse and also the facts surrounding the purchase price of the farm when Mr. Ferrandi acquired it.

The Curtis-Shipley farm is just that: a farm - which is a business that needs to generate revenue. I personally find several events each weekend to be less disruptive than some pigs, cattle or roosters. Mr. Ferrandi shared with us his extensive plans for noise mitigation and sound abatement at our meeting in October 2022. Additionally, any event would still need to comply with Howard County laws and noise regulations.

While I can certainly understand the traffic and safety concerns that could potentially occur as a result of ~100 cars entering the farm property off of Route 108: I suggest that perhaps that if an event held at the farm would surpass a certain number of cars based on the attendance, then a traffic director for that event would need to be hired under those circumstances.

On a personal note: My experience with Mr. Ferrandi is that he is a wonderful neighbor. He has hosted summer cookouts on his farm and generously paid for most of the food. During the beginning of Covid, he also thoughtfully reached out to the neighborhood to offer his farm for a movie night for children since people would be able to social distance on his farm.

Thank you for your time and consideration.

Sincerely,
Lisa Peeler



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

I, Timothy Nary, have been duly authorized by
(name of individual)

Shipley's Grant Community Association, Inc. to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB9-2023 to express the organization's
(bill or resolution number)

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

Printed Name: Timothy Nary

Signature: 

Date: 3/19/2023

Organization: Shipley's Grant Community Association, Inc.

Organization Address: Ellicott City, MD 21043

Ellicott City, MD 21043

Number of Members: 7 board members / 464 homes

Name of Chair/President: Timothy Nary

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.

Good evening ladies and gentlemen

My name is Dan Gainor. I live at 5725 Brothers Partnership Ct., directly across 108 from the Curtis-Shipley farm. My house is the old foreman's house and dates back to 1874.

All the development on both sides of the road is nothing in comparison to what is being proposed in CB9. Homes and a few businesses are signs of how a healthy community grows, but keeps its character. A wedding and event facility that will flood our community with noise and traffic is in no way keeping with our diverse, family friendly neighborhood.

You are faced with the question of who you work for – citizens or greedy developers. We all witnessed how developers devastated historic Ellicott City. Don't let them do the same to our community.

There are five key reasons to oppose this plan:

- 1) The first is home values. Who do we see when homebuyers won't buy our houses because of a noisy event nearby? Who do we sue when our home values plummet because of this monstrosity?
- 2) The next is noise. I imagine most people here have attended our fair share of weddings. They bring excitement, music, dancing and loudspeakers. And, if we are to follow the ridiculous plan, those are inflicted on our neighborhood up to 10 times a month for most of the year.
- 3) Traffic is the next problem. Up to 200 people per event means what, 100 or more cars, all set to arrive at the same time on a road that is dangerously busy, where drivers go easily beyond the speed limit.
- 4) With traffic comes parking problems. I guarantee you some of the guests will park on my small cul de sac. We are the last street on the opposite side of the road before you get to Snowden Parkway. So any eastbound visitors looking for parking will crowd up our street. And no, please don't suggest new parking rules for us. We don't want to police parking at someone else's over-crowded event.
- 5) The last point is safety. One person was killed crossing 108 since I've lived in my home. There have been several other accidents at this six-lane intersection – counting turn lanes. This proposes lining up cars on 108 to enter and exit this facility. The driveway entrance is less than 700 feet from Snowden Parkway. Cars whip around that corner and are going to be met by regular traffic back-ups, almost guaranteeing collisions. And people who park on our street will have to

Elliott Cowan
6050 Logans Way
Ellicott City, MD 21043

March 18, 2022

By email to: councilmail@howardcountymd.gov and ojones@howardcountymd.gov

Howard County Council
3430 Courthouse Drive
Ellicott City, MD 21043

Position: **OPPOSE ZRA 202/CB9-2023**

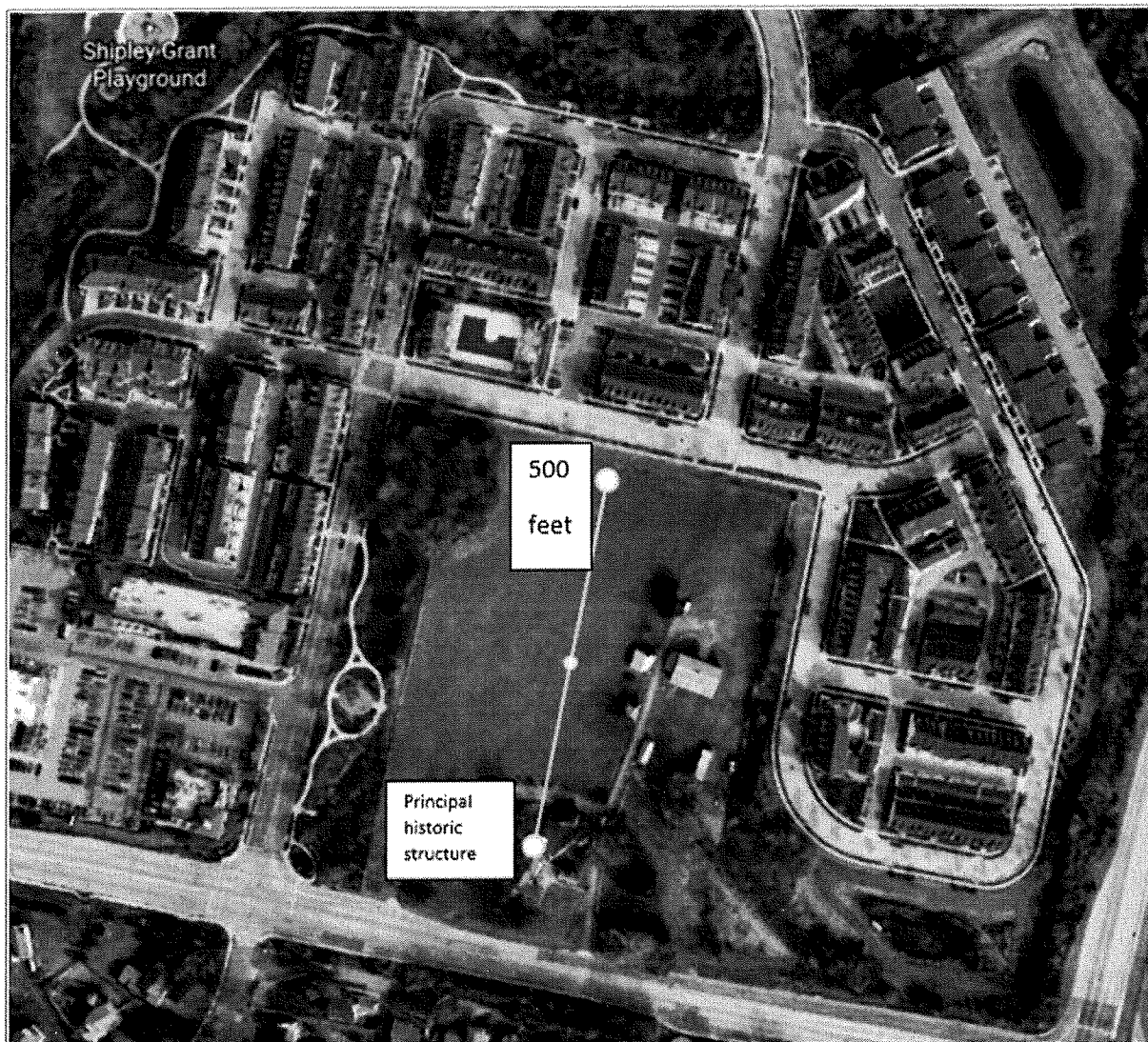
My wife and I live at 6050 Logans Way, in the Shipley's Grant community, directly across the street from the Curtis Shipley Farm. Our front door is less than 100 feet from the back field portion of the Farm property. We moved to this house in 2012. I was actively involved at that time in objecting to the rezoning of the Farm property to B-1 as was proposed by the Farm's then owners.

Last summer I participated in a community walk-through of the Farm property at the invitation of the Farm owners. During the walk-through, we were told that the events that would take place on the field would include weddings during three seasons of the year, with up to 200 guests, up to 100 vehicles, amplified music, and alcohol service. Large tents would be erected on the field and lighting would be added. Vehicle parking would be on the field. We were told that this would not turn the Farm into another Howard County Fairgrounds, but the vision as described to the community sounded like that. Of course some events may be smaller, but the larger events like weddings would be the more lucrative ones so it is likely that those events would predominate. Those events also would be the most disruptive to the community.

Our concern is not just theoretical. My wife and I attended the political fundraiser held on the Farm on September 10, 2022. We were quite bothered by the volume of the DJ's music both while at the event and after we left the event and walked the neighboring streets on three sides of the field. While the event was still ongoing, I visited the community swimming pool on Talbot Drive, across the street from the field. The bass of the music could be felt there as well as heard. The sound and vibrations were completely disruptive to a quiet afternoon – it was more like being at a school dance.

Shipley's Grant is a very dense neighborhood (over 400 homes) that was planned with the Farm property as its historic and serene focal point. In fact the current Farm owner, then acting as land broker, was involved in the planning. It was a great plan, and it should be respected now that the community is fully built-out around the Farm. Even if decibel levels are kept to legal limits, the presence of frequent large and loud outdoor commercial events is going to be disruptive to the neighborhood. The Farm property is just too close to so many residences to allow the type of commercial activity that the owner wants to host.

500 feet from the principal historic structure extends almost to the rear of the property



CLAUDE DE VASTEY JONES AND JERRY JONES
6046 LOGANS WAY
ELLCOTT CITY, MD 21043

March 20, 2023

By email to: councilmail@howardcountymd.gov and ojones@howardcountymd.gov

Howard County Council
3430 Courthouse Drive
Ellicott City, MD 21043

Position: **OPPOSE ZRA 202/CB9-2023**

Good evening. My name is Claude de Vastey Jones and I am speaking on behalf of myself and my husband, Jerry Jones. My husband and I are both attorneys here in Howard County. This evening I am in a unique position, in that rather than representing homeowners in opposition of zoning matters that adversely affect their properties, I am here with my fellow Shipley's Grant community neighbors asking that the Council vote against CB9-2023.

My family and I moved to the Shipley's Grant Community in 2019 and live directly across from the Curtis-Shipley Farmstead. We are strongly opposed to CB9-2023, which would allow a historic venue, such as the Curtis-Shipley Farm, to host outdoor events in an area that adversely affects our property and the surrounding properties. The passage of this legislation and the expansion of this proposed use of the Curtis-Shipley Farm would fundamentally alter the character of the neighborhood and disrupt our quality of life.

When my family decided to move into Shipley's Grant, we had numerous choices of homes to select from. However, when we found our home, directly across from the farmstead, we knew we found the perfect spot. We were assured that the Curtis-Shipley Farm was designed to be the focal point of our community and that it was preserved so that we did not have to be concerned about losing the historic and tranquil focal point of the community. We had no idea that three years later that the farm owner would request an amendment that would turn what was an otherwise inherently peaceful farm into a venue for outdoor events, right in our front yard.

Most of the homes that directly surround the Curtis-Shipley Farm have a distinctive set up from traditional townhomes, in that they each have a backyard space with a detached garage. We are able to enjoy the outdoors on seasonable days. It was one of the many things that attracted us to this community. If the Council passes CB9-2023 and opens the door for the Curtis-Shipley Farm to host outdoor events, we would be subjected to noise, both amplified and not amplified, cars parked directly across from our home and other disturbances associated with the type of events to be hosted at the location, on nearly every seasonable weekend.

We have already experienced the adverse impact of an outdoor event on the farm, when the owners of the Curtis-Shipley Farm hosted a political fundraiser on September 11, 2022. This event was held during the day. Our family came home from my son's baseball game, traffic

protected by woods, or are actually located on school or cemetery property, and all are unlikely, as provided in the supporting documents, to apply for such a conditional use.

This vote is very important to not only my family, but to the 464 families that make the Shipley's Grant Community. Please consider why this legislation has been brought before you. Consider its impact, not only on me and my family, but on the residents of Shipley's Grant. Consider that this legislation benefits only one entity and adversely affects 464 families. This proposed legislation will not protect the Shipley's Grant community and its benefits are solely to aid Curtis-Shipley Farm, which does not outweigh the adverse impact to the Shipley's Grant Community.

We urge that you to vote against CB9-2023.

Thank you.

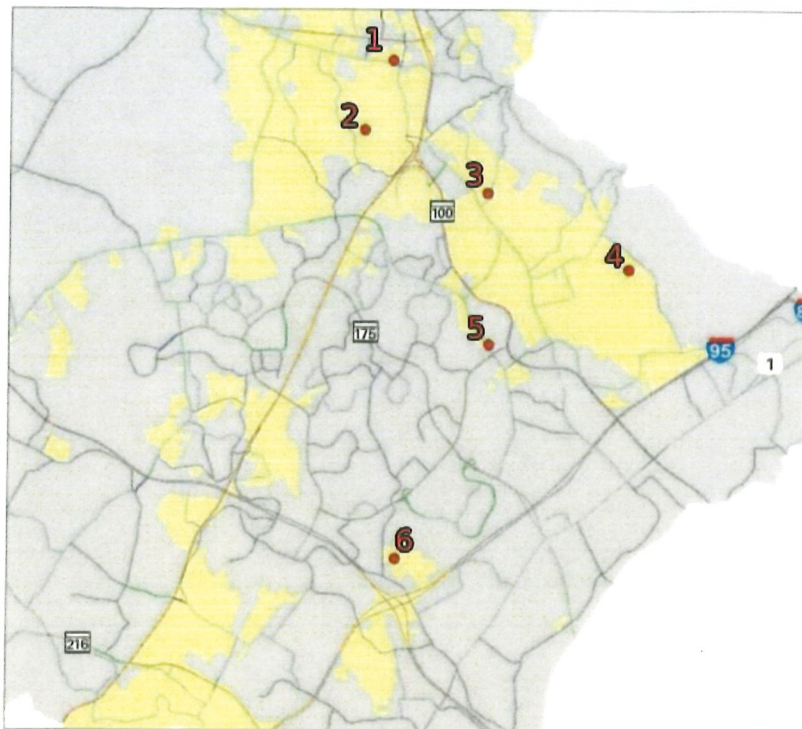
/s/Claude de Vastey Jones
Claude de Vastey Jones

/s/ Jerry Jones
Jerry Jones

CC: Lynn Albizo (via email vicepresident@shipleysgranthoa.com)



Curtis-ShIPLEY Farmstead | 5771 Waterloo Rd



ZRA-202

Potentially Affected Properties*

- Eligible Sites
- Eligible Zones
 - R-20
- Ineligible Zones
- Layer
- Eligible Road Frontage
 - Intermediate Arterial
 - Major Collector
 - Minor Arterial
 - Minor Collector
 - Principal Arterial

*Historic Properties displayed meet the following criteria:

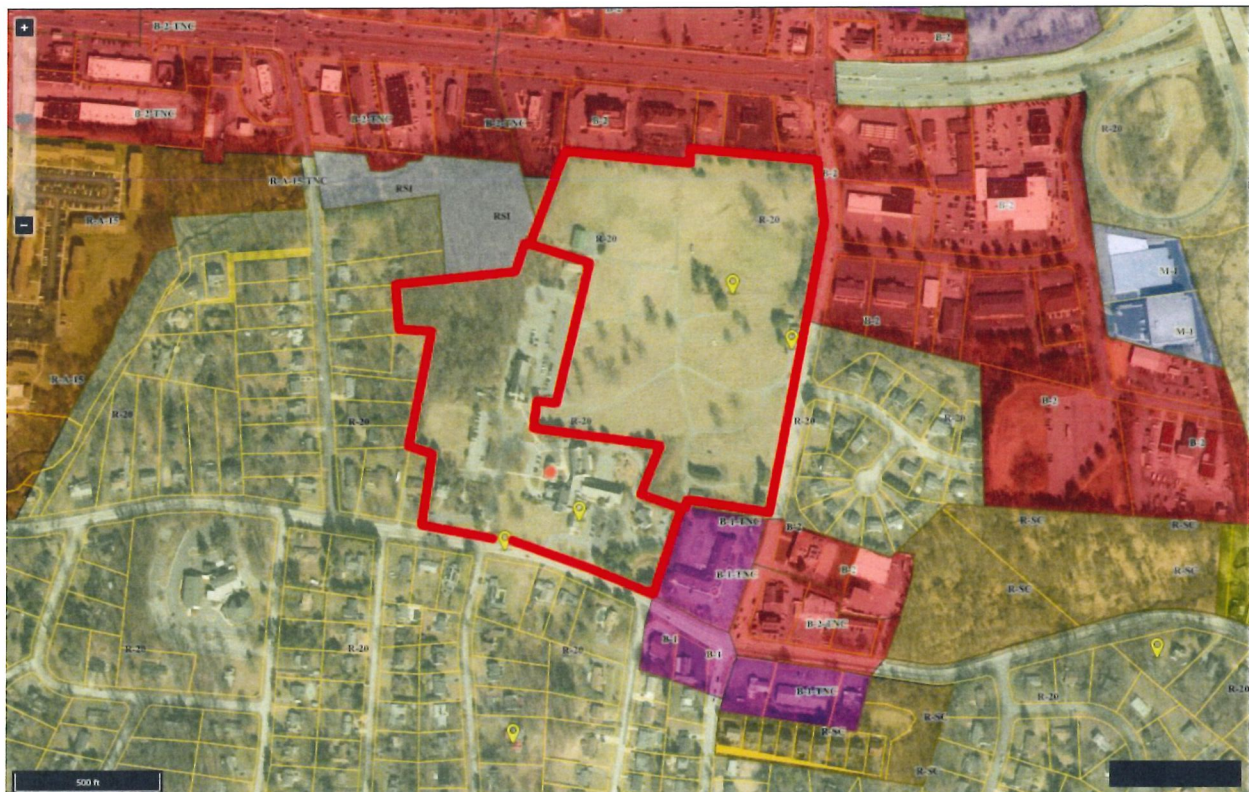
- 1) The parcel is located in a R-20 Zoning District.
- 2) The minimum lot size shall be 7 acres.
- 3) The Parcels have frontage on and direct access onto a collector or arterial road.

October 20, 2022



0 0.5 1 2 3 4 Miles

- 1) [St John's Episcopal Church](#) – 9140 Frederick Road – 14.65 acres
- [St John's Cemetery Lodge](#); [St John's Rectory](#) – 3480 St. Johns Lane – 22.6 acres

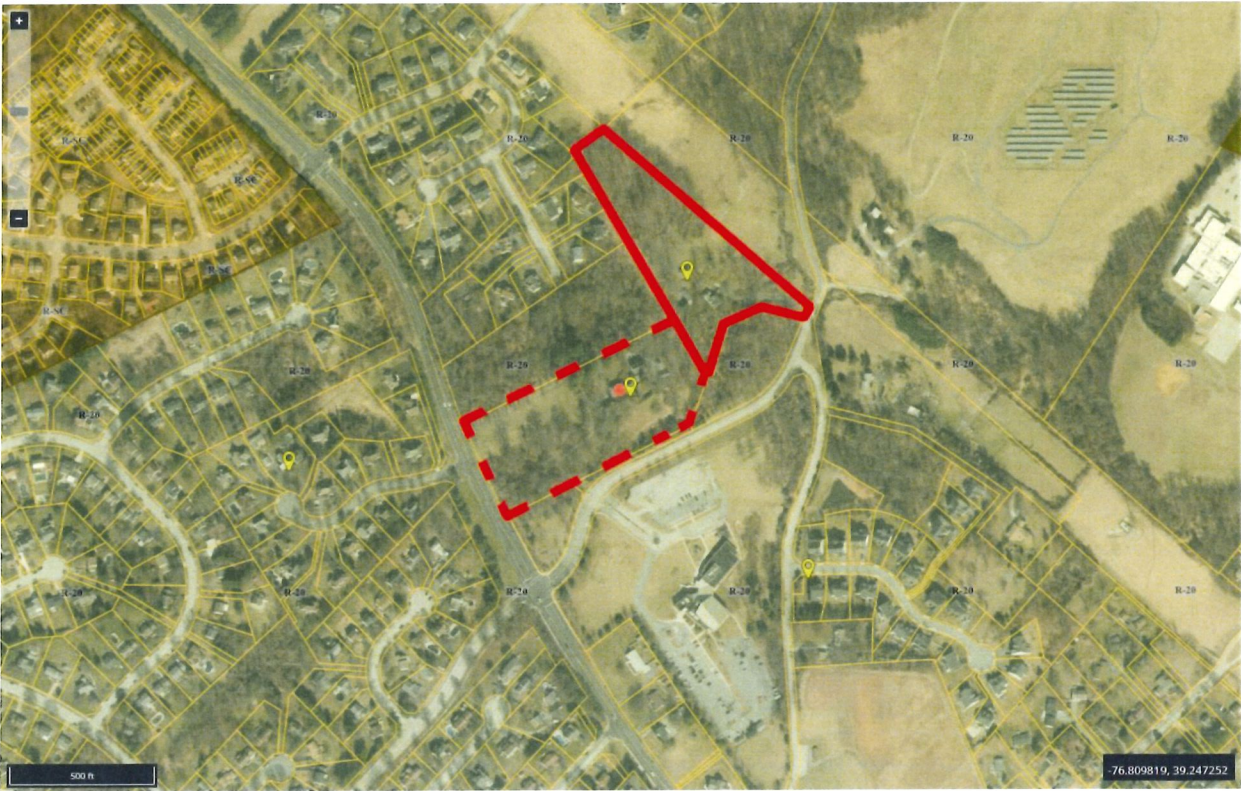


2) [White Hall](#) – 4130 Chatham Rd – 22.6 Acres



3) [Spring Hill Quarters Add-On](#) – 4614 New Cut Road – 7.230 Acres

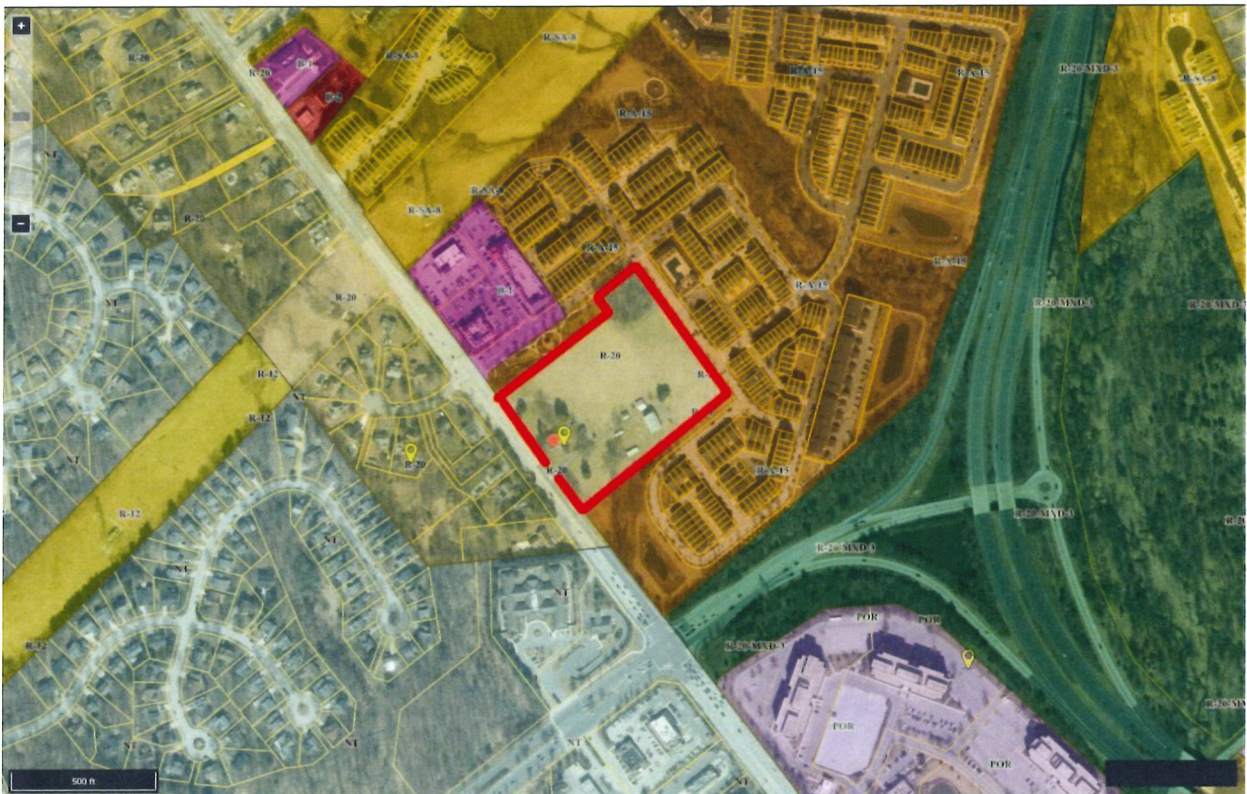
NOTE: [Spring Hill](#) (dashed outline) – 4659 Montgomery Road – is ineligible at 6.6 Acres



4) [Trinity School Inc / Donaldson School](#) – 4985 Ilchester Rd – 45.91 Acres



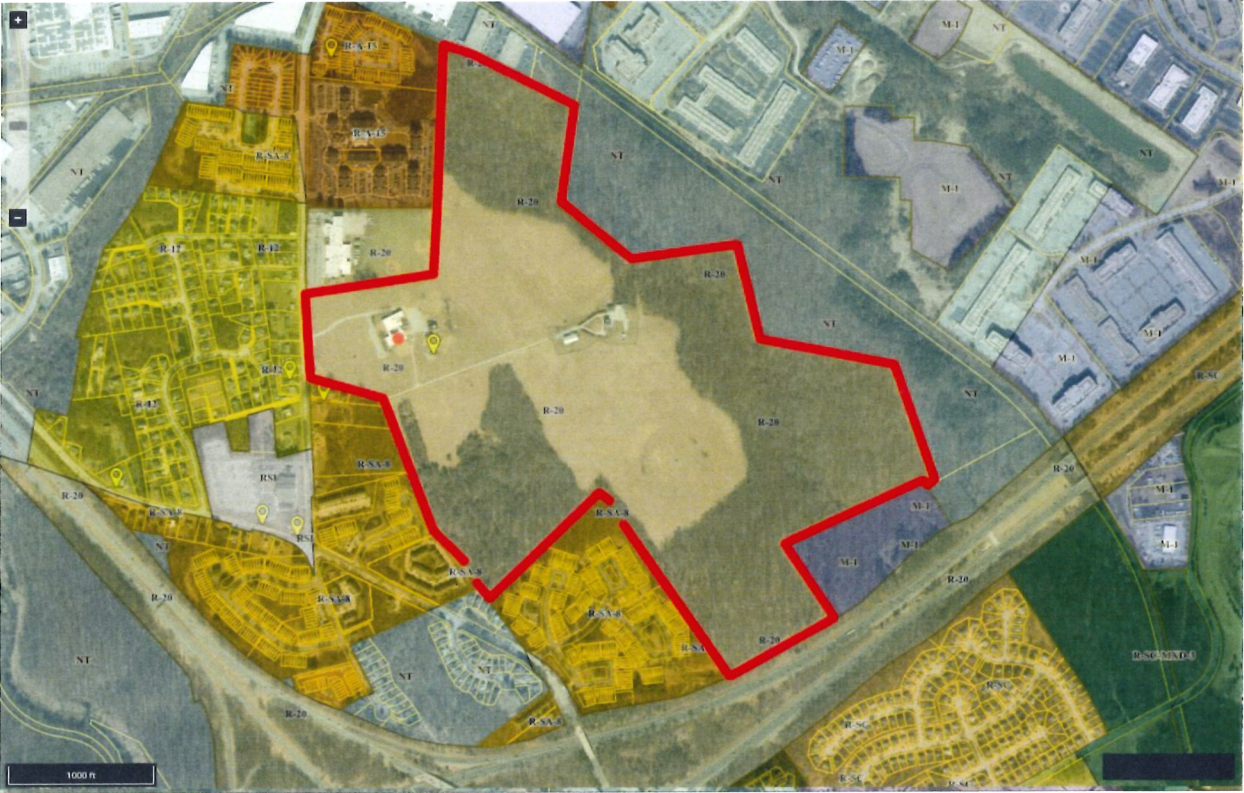
5) [Curtis-Shipley House](#) – 5771 Waterloo Rd – 7.46 Acres



6) [Brown-Collins-Earp House](#) – 9200 Farm House Ln – 209 Acres



Note: this is further zoomed out given the massive size of this property. This is owned by the FCC and is an FCC monitoring station.



Oral Testimony Against CB-9 – Daon Juang

Good evening and thank you for this opportunity to share.

My wife and I recently moved to Shipley's Grant. We were attracted to Howard County's blend of amenities, world class schools, and remarkable diversity.

We chose Shipley's Grant because it embodies everything the county represents. As it exists today, it is a wonderful community. Though had we known of this proposal prior to purchasing our home, we'd regretfully have looked elsewhere due to the proposed risk of disruption and quality of living.

I am concerned that with the outlined changes, life will be significantly different and harm our tranquil neighborhood. I worry that loud and drunk guests will be less than 100 feet from my doorstep, threatening the safety of our children and disrespecting community spaces. I worry about resident safety with cars driving quickly and recklessly. I worry about loud, pervasive music permeating both indoors - as we heard during a fall event - and **even more loudly OUTDOORS**, where residents enjoy walking, biking, reading, gardening, grilling, playing, spending time with pets, hosting friends on patios, or relaxing by the pool. We look forward to these leisurely recreations. We crave relaxation, fun and respite from long work weeks to enjoy time off with our families. We are also reminded that mental and emotional health are **paramount to well-being**. Yet maddeningly, these large-scale, intrusive events would likely take place right beside our homes during prime off times. Being forced to **routinely** endure large, loud events at my doorstep ... to navigate unwanted traffic ... to bear the mental frustration of these interruptions day after day... Clearly, these scenarios and more would be extremely stressful to me, my family and my neighbors.

I hope you'll consider the *vast* impact such changes would have on the nearly **1,500 Howard County** residents peacefully residing within these 464 homes - and vote **NO** to the amendment. Thank you.