

Sayers, Margery

From: Kelli Davies <gourmetkelli@gmail.com>
Sent: Wednesday, March 22, 2023 10:00 AM
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 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.
Sent with care from Kelli's Kitchen

Sent with care from Kelli's Kitchen

Sayers, Margery

From: no-reply@howardcountymd.gov
Sent: Wednesday, March 22, 2023 10:39 AM
To: aharold3@msn.com
Subject: Council - Opposition To CB-9

First Name: Anthony
Last Name: Harold
Email: aharold3@msn.com
Street Address: 5952 Charles Crossing
City: Ellicott City
Subject: Opposition To CB-9
Message: Please note my follow-up to my thoughts on CB-9, emailed to each of you.



SCHOOL OF
**ARCHITECTURE,
PLANNING & PRESERVATION**

3835 Campus Drive,
College Park, Maryland 20742
Tel: 301-405-8000
www.arch.umd.edu

March 6, 2023

Mr. Stephen J. Ferrandi
President | Broker
EA Realty Family of Companies
5771 Waterloo Road
Ellicott City, MD 21043

Dear Mr. Ferrandi,

Thanks so very much for reaching out about your proposed plans for the 7.5-acre Curtis-Shipley Farmstead, your historic property in Howard County. As you explained, you restored the property following the Secretary of the Interior Standards and placed protective easements (interior and exterior) on the property with the Maryland Historical Trust and Howard County. Let me start by commending you on your work thus far to preserve and protect this important historic resource.

As I understand it, your intention is to use the now largely unused or underutilized property as an event venue. As you note, this use will not result in any new construction and will utilize temporary tents as necessary and appropriate with minimal impact to the land.

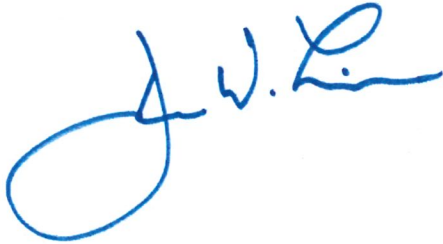
I strongly believe, and most preservation experts would concur, that the best preservation strategy is one that keeps a property used and activated. As you note, the difficulty is finding an appropriate and sustainable use that respects and protects the property. Another house museum is clearly not the answer, as we have far too many small house museums that are holding on by a thread due to high maintenance costs and low visitor numbers (see National Trust Leadership Forum 2018).

Of course, continued use as a private home is a clear possibility but would be financially challenging in terms of the large tax bill and cost to properly maintain the property over the long term. This use also restricts the access of the general public and does little to share the site's history with others.

Your proposed use provides an active, regular use that contributes to financial sustainability and provides broader use by and access to the public (albeit by invitation). I am familiar with similar venues in Maryland and southern Pennsylvania that have very successfully preserved and protected farmsteads that were no longer viable as agricultural operations (with barns built largely for animal husbandry) nor as single family homes.

I hope that local and county officials as well as neighbors will support your plans in order to preserve and protect this important historic resource and encourage you to work closely with them to develop a successful plan.

Cheers,

A handwritten signature in blue ink, appearing to read "D.W. Linebaugh". The signature is stylized with a large, looping initial "D" and a cursive "W. Linebaugh".

Donald W. Linebaugh, Ph.D., RPA
Professor, Director, Historic Preservation Program, and Former Dean
School of Architecture, Planning, and Preservation
University of Maryland
College Park, MD 20742
301-405-6309; dwline@umd.edu

Sayers, Margery

From: Miller <marybethpaul225@msn.com>
Sent: Wednesday, March 22, 2023 12:46 PM
To: CouncilMail
Subject: OPPOSE CB9-2023

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

Testimony of Marybeth Miller ON CB9-2023 Shipley's Grant Community
5711 ROSANNA PL
ELLCOTT CITY MD 21043

Howard County Council
3430 Courthouse Dr
Ellicott City, MD 21043

I am a resident of Shipley's Grant and I strongly oppose the CB9-2023.

This legislation, if passed, would allow Curtis Shipley farm, currently zoned residential, R-20, to hold large outdoor events such as weddings and fundraisers-already had a Calvin Ball event summer 2022, that directly and negatively impact our community. I live about 1 block from the farms fence and during the previously mentioned fundraiser for Calvin Ball last summer the music and all speakers on microphone could be heard inside my home with the windows closed and air conditioning on. The Curtis farm sits essentially inside our community surrounded by it on 2 sides. One of our pools is directly across from the farm and again the noise from just 1 daytime event was beyond disturbing. This community has a diverse community of healthcare workers-we do not work 9-5 M-F, first responders again do not work M-F 9-5, as well as many who work from home. This legislation's passage will definitely have many of us evaluating who we vote for next election. We are taxpaying voters who deserve to have peace and quiet in our homes.

Sincerely,
Marybeth Miller

Sayers, Margery

From: Miller <marybethpaul225@msn.com>
Sent: Wednesday, March 22, 2023 12:47 PM
To: CouncilMail
Subject: OPPOSE CB9-2023

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

Testimony of Riley Miller ON CB9-2023
Shipley's Grant Community
5711 ROSANNA PL
ELLCOTT CITY MD 21043

Howard County Council
3430 Courthouse Dr
Ellicott City, MD 21043

I am a resident of Shipley's Grant and I strongly oppose the CB9-2023.

This legislation, if passed, would allow Curtis Shipley farm, currently zoned residential, R-20, to hold large outdoor events such as weddings and fundraisers-already had a Calvin Ball event summer 2022, that directly and negatively impact our community. I live about 1 block from the farms fence and during the previously mentioned fundraiser for Calvin Ball last summer the music and all speakers on microphone could be heard inside my home with the windows closed and air conditioning on. The Curtis farm sits essentially inside our community surrounded by it on 2 sides. One of our pools is directly across from the farm and again the noise from just 1 daytime event was beyond disturbing. This community has a diverse community of healthcare workers-we do not work 9-5 M-F, first responders again do not work M-F 9-5, as well as many who work from home. This legislation's passage will definitely have many of us evaluating who we vote for next election. We are taxpaying voters who deserve to have peace and quiet in our homes.

Sincerely,
Riley Miller

Sayers, Margery

From: Miller <marybethpaul225@msn.com>
Sent: Wednesday, March 22, 2023 12:47 PM
To: CouncilMail
Subject: OPPOSE CB9-2023

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

Testimony of Paul Miller ON CB9-2023
Shipley's Grant Community
5711 ROSANNA PL
ELLCOTT CITY MD 21043

Howard County Council
3430 Courthouse Dr
Ellicott City, MD 21043

I am a resident of Shipley's Grant and I strongly oppose the CB9-2023.

This legislation, if passed, would allow Curtis Shipley farm, currently zoned residential, R-20, to hold large outdoor events such as weddings and fundraisers-already had a Calvin Ball event summer 2022, that directly and negatively impact our community. I live about 1 block from the farms fence and during the previously mentioned fundraiser for Calvin Ball last summer the music and all speakers on microphone could be heard inside my home with the windows closed and air conditioning on. The Curtis farm sits essentially inside our community surrounded by it on 2 sides. One of our pools is directly across from the farm and again the noise from just 1 daytime event was beyond disturbing. This community has a diverse community of healthcare workers-we do not work 9-5 M-F, first responders again do not work M-F 9-5, as well as many who work from home. This legislation's passage will definitely have many of us evaluating who we vote for next election. We are taxpaying voters who deserve to have peace and quiet in our homes.

Sincerely,
Paul Miller

Sayers, Margery

From: Eric Hochberg <ehochberg1@gmail.com>
Sent: Sunday, March 26, 2023 8:59 PM
To: CouncilMail
Subject: Eric Hochberg / testimony of opposition to CB9-2023 to be entered into record

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

March 26, 2023

Dear Council Members,

My name is Eric Hochberg and I have lived at 5856 Duncan Drive in the Shipley's Grant neighborhood since 2014 with my wife and family. Having lived in Baltimore City for many years, we left Maryland for a period of time returning and choosing to live in Howard County for the excellent school system and quieter suburban way of life. I have worked as a physician assistant for nearly 23 years serving the sickest of the sick citizens of Maryland. I even served on the Home Owner's Association board just prior to the pandemic of 2020.

I am writing to you to express my strongest opposition to CB9-2023 which would allow the owner of the Shipley-Curtis farm to expand his business to outdoor events encroaching on the peace and quiet of the neighborhood which we have come to enjoy and deserve.

As you heard in testimony from many residents at the council hearing on Monday, March 20th there are many, many reasons as to why this should not be allowed. Namely, the noise generated by an amplified sound system, the placement of a giant, unsightly tent on the grounds, outdoor bathrooms on the grounds and the decline in safety of our and the surrounding neighborhoods.

Having lived in Shipley's Grant for quite some time I have had to endure the disruption of several fund-raising events at the farm. The already congested traffic area at the front of the neighborhood near the retail shops and turning onto route 108 was terrible. Now imagine hundreds of cars attempting to pull onto the property from either direction of route 108 blocking ingress and egress of residents and patrons of the shops. This area is difficult enough on any given Friday night but would surely become worse as drivers undoubtedly pull into our neighborhood, making U-turns, stopping in the middle of the street and parking along our main road all the while children, families, walkers, cyclists and others try to enjoy the neighborhood in the approaching warmer weather.

The noise from loudspeakers was terrible. The farm is surrounded on three sides by residential streets. The homes on these streets are a mere 50 to 100 feet from the farm property. I cannot imagine what living next to that would be like 10 days per month if the council passes CB9-2023. There is simply not enough land between the homes and the farm to make any difference in protecting us from the noise pollution that is being proposed.

Could you imagine coming home from work to a circus-like atmosphere with a giant tent and porta-potties in view wafting their smell into your dining room 10 days per month?

If passed, only time will tell how much litter, mud, calls to police for noise, traffic violations and vehicle-pedestrian accidents will increase.

I have been to council hearings in the past where the owner of the farm has complained about the money he invested into the business and sought changes to county codes allowing changes to the farm. Once again, on Monday, March 20th Mr. Ferrandi complained about his business losing income. His failing business endeavor should not be of our concern. Every time he cries, "economic hardship" we should not be in a position to have to allow him to take more and more of our way of life from us. He is NOT a resident of Shipley's Grant; he owns a home in the neighborhood which he rents out as an extension of his business model. If he is such a poor business-person then perhaps he should get out of the business rather than each time going back to the council asking them to make living in Shipley's Grant less enjoyable so that he can increase his profits.

As so perfectly detailed in testimony on March 20th, this petition has been crafted in such a way that, a majority, if not in its entirety will benefit only the owner of the Shipley-Curtis farm.

Council members, I live in the back of the neighborhood and some of these issues may impact me very little but I want to support my neighbors. I want to protect what we have and not allow anyone to chip away at that. I could easily look the other way and let others deal with this but like just about everyone else in the world I work hard for my living and when I come home I want to feel proud of what I've accomplished, of the home I'm providing for my family, for the decision that my wife and I made to purchase a home and live in Howard County. We have earned this and deserve this. We deserve to not have the petition of one person trample the thoughts and feelings of 1500+ residents of this county and Shipley's Grant. We deserve to be able to come home to a safe, clean and peaceful neighborhood just like each and everyone of you do. If the council passes CB9-2023 it will be viewed as nothing less than a collective shrug of the shoulders and a granting of one business-person's wishes.

Sincerely,

Eric Hochberg

Sayers, Margery

From: Lynn Albizo <vicepresident@shipleysgranthoa.com>
Sent: Tuesday, March 28, 2023 9:21 PM
To: Rigby, Christiana; CouncilMail
Cc: Tim Nary
Subject: Cb-9 working session follow-up
Attachments: Shipley Farmstead Timeline.pdf; Current Permitted Uses.pdf

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

Dear Chairwoman Rigby and Council members,

Thank you very much for giving me the opportunity to answer questions at the work session on Monday. I appreciate you listening to our community's concerns. I did my best to share the farm history as I understood it. I have attached a detailed timeline and listed a summary below:

- The Curtis Family has owned the 74 acre property since the 1880s. R Lee Curtis and Lois Curtis were the owners since 1949.
- **1970s** --The farm was zoned **R-20 (Residential)**
- **2003** – 5 years after R. Lee Curtis died, the property was rezoned **Rural Conservation (RC)**
- **2013** – 2 years after Lois Curis died in 2011 an attempt was made to rezone the property as Business (B-1) or Planned Office Research (POR) but after community push back, an agreement was **brokered by Calvin Ball to designate it as R-20 with the development rights to be sold off the farm.** Mr. Ferrandi represented the Curtis brothers as their land broker.
- **2014** – Maryland Historical Trust deed of easement granted, limiting construction, excavation, and requiring property to be open to the public 5 days per year.
- **2015** – Stephen Ferrandi purchased the farm for **\$360,000**; in 2016 CB-32 passed allowing for conditional use of the property; in 2017 Maryland Land Advisors began operating
- **2020** – Mr. Ferrandi received conditional use approval to expand his parking lot. The community did not oppose this.

Please consider the detrimental impact that passing C- 9 will have on our community. There is no way to mitigate the anticipated disruptions in sound, traffic, parking, and safety with a property so small and so close to residences on all sides. We support the maintenance of this historic property and point out that Mr. Ferrandi currently has commercial options (see attached list). He also has the option of getting loans and grants from the Maryland Historic Trust or selling the property to a person or entity, such as Howard County, willing to take on the costs of preserving the property without disturbing the community.

We hope that all members of the Council will vote against CB-9.

Sincerely,

Lynn H. Albizo

Curtis-Shipley Farmstead -Timeline

1880s - The land comprising the Farm originally was part of a 500 acre land grant dating to 1687. In the late 1880s, the Curtis family acquired 74 acres of the original land grant property.

1949 – R. Lee Curtis and his wife Lois Lucille became owners of the farm, which they began operating, in 1939 raising chickens, eggs, and tomatoes. They had 2 sons Robert Lee Curtis Jr. (1946) and Glenn Allan Curtis (1949)

1970s - 74 acres were zoned R-20, which permits the construction of two single family homes per acre, among many other uses

1998 –R. Lee Curtis passed away. After Lee’s death, Lois spent less time in Maryland and eventually became a resident at Sharon Towers assisted living in Charlotte near her sister and son.

2003 – Countywide rezoning process – Rural Conservation (RC)

- 74 acre property was subdivided for the development of what is now the Shipley’s Grant community
- The 7.4 acre portion that makes up the current Farm property, excluding a half-acre that contains a historic cemetery was rezoned **RC (Rural Conservation)**
- Surrounding parcels were rezoned for townhome, office and commercial development.

2011- Lois Lucille Curtis, family matriarch, passed away at age 101.

2013- Countywide rezoning process- R-20

- Brothers, Robert Lee Jr. and Glenn Curtis, represented by Mr. Ferrandi as their land broker, initially sought to change the zoning to B-1, and then switched to POR zoning which both met with significant community resistance
- Before the scheduled vote on the comprehensive rezoning legislation, County Council Representative Calvin Ball worked with the parties on a compromise in which the property would be upzoned from RC to R-20 but then have the development rights thereby created sold off the farm
- Ball introduced a bill that passed returning the zoning on the 7.4 acre Farm **to R-20.**

2014-Deed of Easement in favor of the Maryland Historic Trust covering 7.4 acres

The Curtis family signed a perpetual Deed of Easement in favor of the Maryland Historic Trust, providing that, without the express written consent of the Director of the Maryland Historic Trust:

- No construction may occur that would alter the exterior or interior of the existing structures,
- No grading or excavation more than 12 inches deep may occur (this is to preserve any archeological resources that may be present), and
- No new building, structure or improvement may be constructed.
- The Farm must be opened to the public at least five days per year.

The Deed of Easement does not create a funding mechanism for preservation costs. That obligation will rest on whoever owns the Farm from time to time.

2015 - Stephen Ferrandi purchased the 7.4 acres for \$360,000. It is still being determined why this 7 acre property with a historic home, barn, 4 secondary structures, and a historic cemetery sold for such a low price. **However, the savings on the purchase price should be accounted for when evaluating the argument that the farm owner needs the funds to maintain the property.**

2016 – ZRA-172 was filed by Ferrandi, which would allow the property to be eligible for conditional use for historic building uses.

2017 – CB32-2017 (ZRA 172) Passed the Council

2017- Stephen Ferrandi, *Maryland Land Advisors*, began operating in the principal structure

Jan. 2020- Petition BA-17-032 Stephen Ferrandi applied for and received conditional use approval to expand parking lot on his property. (This work is still not completed.)

2022 – ZRA 202 Submitted and approved by the planning board

2023 – CB8 (ZRA 202)

Shipley's Grant Farmstead – Current Permitted Uses

Uses Permitted subject to the requirement of Section 128 – Conditional Use

- Farming to include greenhouses, planting of vegetables and flowers
- Seasonal sales of Christmas trees or other decorative plant materials
- Commercial communication antennas attached to structures

Accessory Uses – subject to requirements of Section 128

- Accessory apartments
- Farm tenant houses, caretakers' cottages
- Home care
- Farm stand
- Snowball stands
- Home based contractors
- Small Wind Energy System, building mounted
- Residential Chicken Keeping
- Accessory Solar Collectors
- Livestock on residential lots or parcels

Use of the Historic Structure – subject to the conditional use approval and construction approval of Historic preservation commission

- Business and professional offices
- specialty stores
- standard restaurants
- arts and crafts classes
- art galleries
- craft shops
- bakeries
- furniture upholstery, and similar services;
- personal service establishments
- Seasonal sale of Christmas trees or other decorative plant materials
- service agencies
- community meeting halls

Sayers, Margery

From: joel hurewitz <joelhurewitz@gmail.com>
Sent: Wednesday, March 29, 2023 8:04 AM
To: CouncilMail
Subject: CB9-2023 Amendments Needed for ZRA-202-BFEA-CurtisFarm, LLC

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

Dear Councilmembers,

While I do not have first-hand information on the practical concerns of the effect of ZRA-202-BFEA-CurtisFarm, LLC on the neighbors or its potential applicability to parcels other than Curtis Farm, I do wish to point out several legal and technical issues.

I appreciate that the Council at the Work Session discussed how the 500 foot measurement covered the whole property and questioned why the ZRA was not amending "limited social assemblies" which the Planning Board also suggested. I do not understand Tom Coale's response that doing so would affect the other limited social assemblies parcels in the county. Currently, limited social assemblies only apply to RC zoning; so it would need to be amended to include R-20. Thus, it could be drafted so that it would not affect any more parcels than it will under the proposed "historic venue uses."

Historic Venue Uses vs. Limited Social Assemblies

Nevertheless, if the Council sticks with the language as proposed in the ZRA, the Council is "presumed to have meant what [they] said and said what [they] meant." *Harford Co, v. Saks Fifth Ave. Dist. Co.*, 399 Md. 73, 923 A.2d 1, 8 (2007) ((quoting *Walzer v. Osborne*, 395 Md. 563, 572, 911 A.2d 427, 432 (2006) (quoting *Witte v. Azarian*, 369 Md. 518, 525, 801 A.2d 160, 165 (2002))). While the list of "historic venue uses" is similar to the existing "private functions" for limited social assemblies in Section 131.0.N.33.e. they are not the same: "Limited social assemblies are the following private functions: Picnics, weddings, anniversary/retirement parties, bridal or baby showers, **not for profit organization** fund raisers, **banquets**, rehearsal dinners, philanthropic events, or other **similar events**." Conversely, the ZRA enumerates the historic venue uses: "including weddings, anniversary/retirement parties, bridal or baby showers, picnics, rehearsal dinners, **philanthropic events**, **company retreats** or other **similar uses**." While some items appear in both lists, they are not in the same order; though that is not really material. More important, are the highlighted differences which appear in one list but not the other. For example, people might argue that somehow a "not for profit organization fund raiser" is distinct from a "philanthropic event."

Additionally, "limited social assemblies" are written as a list with "other similar events" while "historic venue uses" is seemingly written more broadly beginning with "including" implying that the list is nonexclusive and ending with "other similar uses." This last point illustrates the largest distinction. "Limited social assemblies" are defined in terms of "private functions" and "events." On the other hand, "historic venue uses" begins and ends with the word of art "uses." "Use" is defined in Section 103.0 of the HCZR as:

Use :

a.

Any purpose for which a structure or a tract of land may be designed, arranged, intended, maintained or occupied;
or

b.

Any activity, occupation, business or operation carried on, or intended to be carried on, in a structure, or on a tract of land; except that, wells, septic systems and storm water management systems are not considered uses for purposes of these Zoning Regulations.

c.

The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

Therefore, it is possible that disputes might arise over the different intent from "functions and events" vs. "uses." To avoid any such problems Lines 23-25 on Page 1 should be identical to the enumerated functions for "limited social assemblies." Consideration should also be given to amending Page 3, Line 7 "uses" to "events."

Additionally, placing definitions buried within the subsections of the HCZR exacerbates the structural definition problems extant in CB10-2023.

Amendment Needed to Correct Outdated Reference to Historic District Commission

Line 5 on Page 2 should be amended to "Preservation Commission." This is one of several outdated references in the HCZR from the 2014 name change to the "Historic District Commission." "District" also appears in Sections 111.1:A.; 131.0: N.8.d.; and 131.0: N.17.e. Apparently, other opportunities to update the provisions were missed with other "historic" section ZRAs including CB59-2017, ZRA-181 for Country Inns which amended Section 131.0: N.17. "District Commission" also appears in County Code Section 3.515. - Historic districts.

Amendment Needed to Correct Christmas Tree Citation

The citation in Line 22, Page 1 should be to "Section 128.0.D.6" "Sale of Christmas Trees" instead of "Section 128.0.D.4"."Temporary Mobile Homes." This is one of several erroneous "Christmas Tree" references to "Temporary Mobile Homes" in the HCZR which also appear in Sections 116.0 (PEC), 120.0 (SC), and 127.5 (CAC).

I hope that the Council will take the opportunity to make the technical corrections to the provisions as part of the ZRA. When these issues were raised to Director Amy Gowan she wrote:

[Yes I am aware and yes we would support adding them. We no longer recommend alternative text in our TSR, per the new regulations but perhaps the sponsor of the Council Bill could consider adding them when he/she files it.](#)

[Best,](#)

[Amy](#)

Thus, this illustrates an unintended consequence of prohibiting DPZ from recommending alternative texts: known errors are not being amended.

Sincerely,

Joel Hurewitz
Columbia, MD

Sayers, Margery

From: Mike & Candice Lawson <mikeandcandice16@gmail.com>
Sent: Thursday, March 30, 2023 9:34 PM
To: Jones, Opel; CouncilMail
Subject: Re: CB9 amendments

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

Dear Councilman Jones and Council members,

We are your district constituents in Shipley's Grant and wanted to express our disappointment after hearing about the amendments proposed for CB9. Our concerns are below:

Amendment 1: The 350 ft vs 500 ft buffer from the historic building still places many homes very close to the party venue, 500 ft from any residence would be more meaningful and should be a minimum, though this is a moot point due to other concerns about neighborhood noise, safety and traffic issues that CB9 would present.

Amendment 2: The sound management getting punted to the hearing authority does not guarantee reasonable noise levels in our neighborhood. There is just an occasion for the rules to be broken, again not ameliorating the issues with safety and traffic that approval of CB9 would present.

Amendment 3: The requirements are vague and every 6 years is a very long time. We have been in our home for 10 years and have young children who would have to grow up next door to an party venue. If one of our neighbors had loud parties multiple days per week, we could address them and all would agree that is not being a good neighbor, but if CB9 is approved, multiple blocks of our neighborhood will literally have a bad neighbor who would only be reviewed/addressed every 6 years.

Please reconsider support of CB9, we ask that you would oppose this bill for the sake of our entire neighborhood and our children.

Mike & Candice Lawson

Sayers, Margery

From: Noel Albizo <nalbizo@verizon.net>
Sent: Thursday, March 30, 2023 8:36 PM
To: CouncilMail
Subject: CB-9 amendments

[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've reviewed the 3 amendments to CB-9. Unfortunately, they do not adequately address our community's concerns about excessive noise. Therefore, **I urge you to vote against CB-9.**

Respectfully,
Noel Albizo

[Sent from the all new AOL app for iOS](#)

Sayers, Margery

From: David Scott <david_scott3@hotmail.com>
Sent: Friday, March 31, 2023 12:00 PM
To: CouncilMail
Cc: Tim Nary; Lynn Albizo
Subject: CB9 Amendmements
Attachments: Scott_Testimony_ZRA202.pdf

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

Sir / Ma'am,

Please include this email and the attached testimony in the public record for CB9. Thank you.

And thank you all for your selfless service, your time, your representation and for your support to our CB9 concerns. And special thanks to Councilman Opel Jones for his recommended amendments; however, I do not believe that they adequately address our concerns.

Amendment #1: The recommended change to the required distance still does not guarantee an adequate buffer from the homes that may be less than 100 feet away, across the open field.

Amendment #2: The terms "mitigation plan" and "amplified sound" appear to be contradictions, and they do not adequately address our concerns. Furthermore, the enforcement of the mitigation plans presents other unique challenges which realistically will not be manageable by the multiple event managers or the farm's property owner.

Amendment #3: Six years is a very long time for the 1,500 residents of Shipleys Grant to endure the daily challenges outlined in my attached testimony.

There are multiple entrepreneurial alternative compromise options, with better outcomes, which are all available to the farm's property owner including but not limited to:

- Hosting Vacation Bible School opportunities for the kids or families of surrounding churches.
- Hosting sporting events (i.e. Soccer Shots fields) for kids (ages 3-8 years old) to play sports a couple of times a week.
- Hosting professional photographers for engagement photos, family photo etc. to capitalize on the Farm's beauty.
- Hosting an animal (i.e. ponies, sheep, rabbits, etc.) petting farm opportunities for kids.
- Sell the property to the Howard County Historical Society, Howard County Museum or initiate a County Acquisition.

Thanks again, and I look forward to seeing you all during your council meeting on 3 April 2023.

V/r

Dave Scott
5962 Logans Way
Ellicott City, MD 21043

TESTIMONY OF DAVID SCOTT ON ZRA 202

Shipleys Grant Community

5962 Logans Way

Ellicott City, MD 21043

Howard County Planning Board

Department of Planning and Zoning

3430 Courthouse Dr.

Date: 20 March 2023

Position: OPPOSE ZRA 202

Good evening. I'm Dave Scott, and for the last 8 years I've been the proud owner and resident of one of the 464 homes in our tranquil and beautifully maintained Shipley's Grant Community.

Yes, there are 464 homes in the Shipleys Grant community, but there are also 1,500 residents in our community, including my own family, ALL of whom oppose the petition to convert the farm into a problematic and incompatible wedding venue.

1st Corinthians 10:24 says "let no one seek his own good, but the good of his neighbor".

So tonight, I am representing the concerns and doing what's right for the Shipleys Grant community and their families.

Converting the farm into a wedding venue will severely damage the fabric of our community and will unnecessarily expose our 1,500 residents to:

- 1) **NOISE**: Over 80 decibels of intense noise blasting from DJs and party goers for 4 hours 3 days a week, keeping our children up at night.
- 2) **ENVIRONMENT**: Turn our community pools and areas into after party destinations for drunken and rowdy party goers, adding lots of litter to our neighborhood.
- 3) **INFRASTRUCTURE**: These party events will routinely increase what is already unbearable traffic and create challenging ingress/egress accessibility issues and parking issues when returning home from work.
- 4) **MARKETABILITY OF OUR PROPERTIES**: Converting the farm into a wedding venue will destroy historic views which was a deciding factor for many of us when we purchased our properties. And finally;

- 5) **SAFETY AND SECURITY OF OUR YOUNG FAMILIES:** This party destination site will significantly increase the exposure of our homes and families to an unlimited number of un-vetted individuals, many of whom are not likely from Howard County.

We would be SO disappointed if you vote for this. And we will be unable to forget your vote because we will ALL be reminded of your vote every week as we are forced to deal with the menace that comes with multiple organized party events in our Shipleys Grant community.

So again, I urge you to put the interests of 1,500 residents over the interests of one man. And so I strongly urge you to reject this petition and recommend against the passage of this amendment which would negatively impact my neighbors and my family.

Thanks for your time and support tonight. And may God have mercy and forgive us all.

Very Respectfully,

A handwritten signature in black ink, appearing to read 'David E. Scott', with a long horizontal line extending to the right.

David E. Scott

Elliott Cowan
6050 Logans Way
Ellicott City, MD 21043

March 31, 2022

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

Howard County Council
3430 Courthouse Drive
Ellicott City, MD 21043

Re: **PROPOSED AMENDMENTS 1, 2 and 3 TO ZRA 202/CB9-2023**

I wrote previously to oppose ZRA 202/CB9-2023.

Amendment No. 1 to this legislation would require that any historic venue use be within 350 feet of the principal historic structure, rather than 500 feet as currently provided in the bill.

While this change is theoretically beneficial to some neighboring residents, it continues the masquerade of what is essentially a private rezoning bill tailor-made for the Curtis Shipley Farm. This is profoundly disappointing in our County known for its good government and transparency. Clearly what is important from the perspective of the neighboring property owners is the distance from their residences – not the proximity of the proposed use to the principal historic structure (whatever that means).

Further, Amendment No. 1 misleadingly refers to the distance as a “*setback for outdoor uses*” when it is not a “setback” at all. A “setback” would require a minimum distance between the proposed use and the property line of the historic property or some other feature like a neighboring residence.

See the attached drawing showing 350 foot radii from the front and back of the Curtis Shipley farm house. The houses across Waterloo Road on Brothers Partnership Court are within both 350 foot radii. And depending on where within the 350 foot radii the actual use occurs, houses on Richards Valley Road, Logans Way, and Lois Lane would be within the 350 feet. Certainly they would be within 500 feet, a setback that appears in the County Code for certain activities as referenced in my prior written testimony.

Again, limiting the distance between the proposed use and the principal historic structure is not addressing the concerns of the neighbors. Amendment No. 1 further demonstrates that this legislation is an attempt to use a County-wide zoning amendment process for the benefit of a

single property owner. The fact that there may be a handful of other properties within the County that serendipitously may benefit, regardless of interest, does not change that fact.

Amplified sound travels. The Curtis Shipley Farm is just too close to neighboring residences to allow frequent outdoor commercial venue use with amplified music. No amount of "buffering," "sound management plans" (Amendment No. 2), sworn affidavits (Amendment No. 3), or other amendments to the legislation can overcome that.

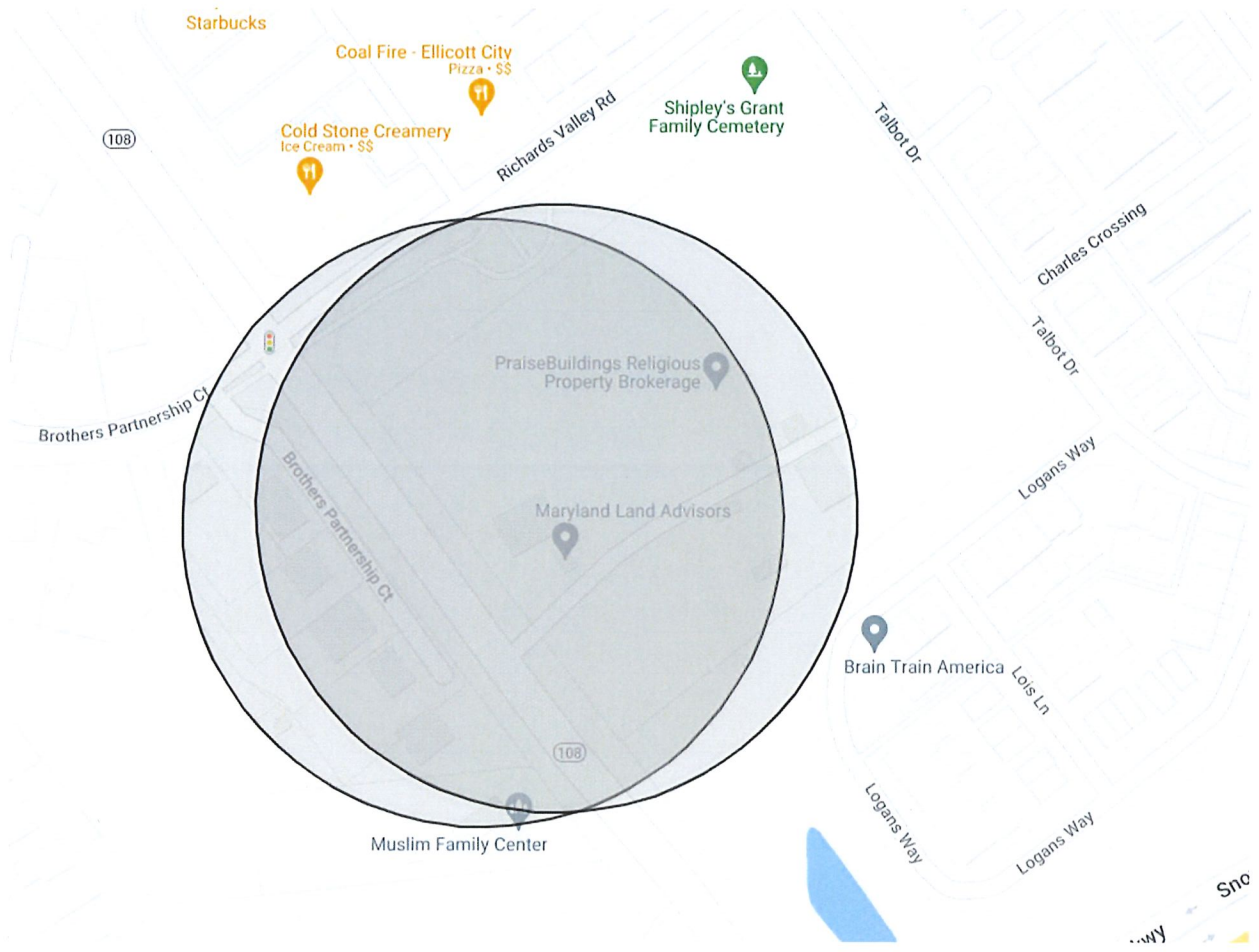
For the reasons above, I continue to oppose this legislation, even as amended.

Thank you for considering my views.

Sincerely,

A handwritten signature in blue ink that reads "Elliott Cowan". The signature is written in a cursive style with a large initial 'E'.

Elliott Cowan



Sayers, Margery

From: Vicky Bernal <vickylbernal@gmail.com>
Sent: Friday, March 31, 2023 2:49 PM
To: Jones, Opel; CouncilMail
Subject: Opposition to CB9 - 2023

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

Vicky Bernal
5801 Lois Lane
Ellicott City, MD
(Shipley's Grant)

Position: OPPOSE CB9-2023

I am a resident of Shipley's Grant Community and am writing to oppose the passage of CB9-2023 and the amendments that were made on April 3rd.

The amendments do not address our concerns as homeowners in Shipley's Grant. Our biggest concern is the noise level. Changing the setback for outdoor use from 500ft to 350ft does not guarantee a buffer from homes that are directly across from the farm.

I strongly urge you to vote against CB9-2023, which will negatively impact our family and community feel.

Vicky Bernal

Sayers, Margery

From: Jennifer E. Lowry <Jennifer_Lowry@hcpss.org>
Sent: Sunday, April 2, 2023 7:36 PM
To: CouncilMail
Subject: No to Amemded CB9

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

Good evening,

As a resident of Shipley's Grant, I am writing to express that I do NOT support the amended or original CB9.

Moving the location a mere 150 feet closer to the primary residence while still allowing amplified music does NOT address our community's concerns. There are homes 100 feet from the farm. We will be subjected to loud music in our own homes - that no sound plan will fully mitigate - 1/3 of every month, 3/4 of the year.

How can one possibly support this type of impact to 1,500 Howard County residents, for the financial benefit of 1 business owner?

Respectfully yours,

Jennifer Lowry
Shipley's Grant resident

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Sayers, Margery

From: Tim Nary <president@shipleysgranthoa.com>
Sent: Monday, April 3, 2023 9:18 AM
To: Jones, Opel
Cc: CouncilMail
Subject: Shipley's Grant HOA - Position on Amendments to CB9-2023

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

Councilman Jones and fellow Council members,

After sharing the proposed amendments with concerned residents and neighbors of the farm, I wanted to state for the record that the official position of the Shipley's Grant HOA is still **opposed to CB9**.

The amendments do not go far enough to mitigate our concerns. In particular, the first amendment changing the setback from 500 to 350 feet still does not provide an adequate buffer for homes less than 100 feet from the farm property and the area included in that 350 feet radius. The second amendment, which specifies that the sound management plan include provisions to mitigate the impact of any amplified sound equipment, sets an expectation that electronic amplification should be permitted rather than something that could be left up to the hearing authority to decide on a case-by-case basis. Addressing all sounds, amplified or not, should have been addressed by default in the sound management plan.

Given the impact to the 464 homes and over 1,500 residents in our community, **we ask that you vote against CB9**.

Thank you,

Tim Nary
President, Shipley's Grant HOA

Sayers, Margery

From: Jaina Baumgartner <sangtanij@gmail.com>
Sent: Monday, April 3, 2023 10:00 AM
To: CouncilMail
Subject: CB9 amendments

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

Hi Howard County Council,

After reviewing the amendments propose, I just wanted to let you know, I feel that they are very superficial. It seems that our neighborhood's concerns are not being heard. How is alcohol and safety being addressed by these amendments? Please oppose CB9 tonight! Our kids' futures depend on it!

Your constituent, Shipley's Grant Resident, and mom of a 6 year old,
Jaina

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Jaina Sangtani