
From: Jill Herman <jill.d.herman@gmail.com>
Sent: Friday, April 11, 2025 10:13 AM
To: CouncilMail
Subject: Development Exemption Plea - Concerned Parent

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

Hello,

It has come to my attention that the county council will be voting on potential development exemptions, to allow developments to be built even though our schools don't have the room. PLEASE do not allow these developments to be built. My son goes to Hammond Elementary, which isn't even one of the worst overcrowded schools, and already we have students learning in portable classrooms that have been dumped in the middle of the noisy playground. I moved to Howard County for the "good" schools, but I will absolutely consider leaving if the overcrowding worsens.

I understand that the council already allowed exemptions for developments previously built, and our children are suffering. Please don't make the same mistake again. Build more schools, then allow development. With the attack going on in our nation against education, please allow Howard County to have the best chance it can to serve our kids.

Jill

From: Alex Andelsman <AAndelsman@marylandbuilders.org>
Sent: Monday, April 21, 2025 4:35 PM
To: CouncilMail
Subject: MBIA Written Testimony CB29-2025
Attachments: MBIA Letter of Opposition CB29-25.docx

Follow Up Flag: Follow up
Flag Status: Flagged

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Please accept the attached as MBIA's written testimony on CB29-2025. Thank you for your time and consideration.

Alex Andelsman
Government Affairs Manager
aandelsman@marylandbuilders.org
[Maryland Building Industry Association](#)
11825 W. Market Place
Fulton, MD 20759
Office: 301-476-4136
Mobile: 301-461-2384

April 21st, 2025

The Honorable Liz Walsh
Howard County Council Chair
3430 Court House Drive
Ellicott City, MD 21043

RE: CB 29-2025 Subdivision and Land Development Regulations-Waivers- Repeal

Dear Council Chair Walsh,

The Maryland Building Industry Association, representing 100,000 employees statewide with a strong presence in Howard County, appreciates the opportunity to participate in the discussion surrounding **CB 29-2025 Subdivision and Land Development Regulations-Waivers- Repeal**.

This bill repeals a waiver for development in the Tiber Branch Watershed if the Director of Public Works determines that the project would improve flood control by at least 10% of what is legally required. MBIA opposes this measure, as it replaces thoughtful, project-specific analysis with a one-size-fits-all approach that is not suitable for effective Stormwater Management Design. Some areas within the Tiber River watershed do not need the additional 10% improvement of the floodplain, and some areas outside the Tiber River Watershed do need the additional floodplain improvements. Each property is analyzed to determine the correct Stormwater Management design needed relative to location, impervious space, adjacent tributaries, etc., and the design should reflect factors pertaining to the project. Qualified civil engineers and planning staff, not legislation, should be setting and applying SWM standards.

Maryland currently faces a housing shortage of approximately 96,000 housing units and if nothing changes, that number will increase by 5,600 units per year. The National Association of Homebuilders reports that the estimated rent cost of Maryland Housing Units is more than 30% of household incomes state wide with 25% of people spending more than 50% of their income on housing. In order to address this problem, we need a concerted effort to make housing available, and affordable to the residents of this state. CB29 is a step in the wrong direction, and we urge the Council to preserve the existing waiver process.

For these reasons, MBIA respectfully requests the Council to vote against CB29-2025. For more information about our position, please contact Alex Andelsman at 301-461-2384 or aandelsman@marylandbuilders.org.

Cc: Members of the Howard County Council

From: stukohn@verizon.net
Sent: Friday, April 25, 2025 11:26 PM
To: CouncilMail
Cc: STUART KOHN
Subject: CB29-2025 - HCCA Testimony
Attachments: HCCA - Testimony - CB29-2025 Waiver Elimination.docx

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Dear Councilmembers,

Please reference the attachment regarding the Howard County Citizens Association, HCCA testimony for CB29-2025.

We would appreciate your support.

Thank You,

Stu Kohn
HCCA President



Howard County Citizens Association

Since 1961...

The Voice Of The People of Howard County

Date: 25 April 2025

Subject: HCCA in Favor of CB29-2025

The Howard County Citizens Association, HCCA supports CB29-2025 and appreciates Councilmember Liz Walsh's introduction and hopes all councilmembers will vote in Favor.

This Bill seeks to remove an exemption from the disallowance of waivers of floodplain, wetland, stream, forest conservation, or steep slope regulations in the Tiber Branch Watershed. Specifically, no longer allowing waivers that are noted as creating 10% net higher flood control in the area, including off-site projects. Too frequently, off-site project effects on regulations can lead to localized problems when measuring flood management efforts. We should stick to some basic minimal regulations and not allow waivers, especially in a problematic area. The implementation of the current waivers involves decisions that should have stricter oversight and expert review to reach a decision of actual net improvements.

Thank You for your consideration.

Stu Kohn

HCCA President

From: Wayne Davis <wayne.davis103@gmail.com>
Sent: Sunday, April 27, 2025 11:57 AM
To: CouncilMail
Subject: Support of CB29 - Subdivision and Land Development Regulations-Waivers- Repeal

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

27 April 2025

To: Howard County Council Members

From: Wayne S. Davis, Kings Contrivance, Howard County

Re: Support of CB29 - Subdivision and Land Development Regulations-Waivers- Repeal

Dear County Council and others,

I write in support of this bill to disallow watershed waivers in the whole watershed of Tiber Creek. We don't need more waivers in the whole watershed of Tiber Creek that has been faced with continued development despite massive flooding in the watershed that requires extensive and extremely expensive flood mitigation. Please do not believe that since you are building these tunnels the Tiber Watershed can be maxed out on impervious surface area and lands fully developed. We only have modeled estimates for the effectiveness of the tunnel system and unknown consequences obviously cannot be predicted. For these reasons, and more, I am in support of the bill CB29 - Subdivision and Land Development Regulations-Waivers- Repeal to disallow waivers in the Tiber Watershed.

Wayne S. Davis, Kings Contrivance, Howard County, 301-335-8926

From: Alan Schwartz <amsesq48@aol.com>
Sent: Tuesday, April 29, 2025 4:11 PM
To: CouncilMail
Subject: CB 27 and 29

Follow Up Flag: Follow up
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Dear Councilmembers,

I wish to offer my support for CB27 & CB29. They both serve a goal which we very much need to protect our environment. CB27 does this by ensuring that there is public transparency when our local government is reviewing proposals that could have a dramatic impact on the environment like waivers of the Forest Conservation Act. Indeed, I have witnessed a case where the administration waived the Act based on specious and inappropriate statements. And that waiver became an “official” action that carried more weight than it should have with other departments. Had the public had a chance to fully participate with public hearings a different, and better, result could’ve occurred.

With respect to CB29, the bill would prevent actions in the Tiber Branch Watershed that should never even be considered. The bill is important so developers and so-called restoration companies do not have a chance to damage the areas described.

For these reasons, I support both bills. Thank you for your consideration.

Sincerely,
Alan M. Schwartz
Columbia, Md.

From: Sharon Boies <sbmuzicmts@gmail.com>
Sent: Friday, May 2, 2025 10:41 AM
To: CouncilMail; Walsh, Elizabeth; Jones, Opel; Jung, Debra; Rigby, Christiana; Yungmann, David
Cc: Williams, China; Goldscher, Paige; Royalty, Wendy
Subject: CB29-2025 Subdivision and Land Development Regulations -Waivers -Repeal, Public Testimony S. Boies, Favorable
Attachments: CB29_2025 Subdivision and Land Use Waivers Repeal Public Testimony S.Boies Favorable.docx

Follow Up Flag: Follow up
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Good morning Council Members,

Attached please see my public testimony for CB29-2025.

I am in support of this Act and I am asking you to please vote in favor of CB29-2025 on Monday May 5th, 2025.

Thank you for your consideration.

Truly Yours,
Sharon Boies

Not for print-
5226 Paul Revere Ride
Columbia,
MD 21044

410-730-5898

May 2, 2025

Howard County

CB29-2025

**Subdivision and Land Development Regulations-
Waivers-Repeal**

Position – Favorable

Dear Members of the Howard County Council,

Thank you for the opportunity to comment on CB29 -2025.

CB29 is an Act repealing a certain waiver exception granted by the Department of Public Works for development proposals in the Tiber Branch Watershed; and generally relating to subdivision and land development regulations waivers.

Introduced by: Liz Walsh

In 2016, two people died in Ellicott City due to flash flooding. Additionally, in 2018, one person died while trying to rescue someone during the 2018 flood.

Businesses were flooded and infrastructure in the historic district suffered tremendous harm and although several of the historic buildings at the bottom of the Tiber Branch watershed canyon still stood strong after experiencing major repeated flooding, they were sadly demolished to make way for a 130 million dollar and counting, stormwater management experiment that will attempt to mitigate the increased, unnatural amount of stormwater runoff caused by excessive tree removal, paving and hardening of pervious surfaces, and development in the watershed.

<https://retriever.umbc.edu/2024/03/the-deconstruction-of-buildings-in-old-ellicott-city-stir-up-bittersweet-feelings-for-residents/>

<https://marylandmatters.org/2023/01/31/price-of-ellicott-city-flood-prevention-project-balloons-to-130-million/>

The Ellicott City Tunnel is based on models, there is no way to accurately predict what an average storm event precipitation total could amount to in 5, 10, or 50 years from now but models suggest Maryland will continue to see larger totals for shorter events. And now with federal funding cuts to science programs, modeling and future forecasts may not be accurate or reliable.

The 130-million-dollar tunnel seeks to rectify decades of poor land use and independent development decisions that failed to take in the bigger picture and the topography of the land. The historic district sits at the bottom of a canyon.

The tunnel is an untested tool that will hopefully prevent more deaths, but it should never be seen or used as an excuse to allow or to grant permission for even more of the practices that brought Ellicott City to this vulnerable point to begin with.

The tunnel is a hopeful safety valve to prevent more death and destruction – not to allow even more development potentially putting more lives at risk. The affordable and starter home housing shortage in Howard County will not be cured by more development in this watershed and should not be cured by developing our remaining fragile and sensitive habitats. This narrative should never be used to justify putting others' lives at risk. Howard County has a finite amount of land and limits to how much our infrastructure can support. Howard County's housing desires, and the capacity of our infrastructure are 2 entirely

different things. Our taxes are already being raised to accommodate all the development and growth that has already happened. Last I knew the developers were not offering to pay for the tunnel, or pay to build new schools at no additional expense to the tax paying citizens, or pay for teachers or school buses, but maybe they should?

Are the developers willing to take all financial responsibility for any harm caused by flooding due to waivers in the future? Will they guarantee their projects will not increase the risks? Will they put that in writing for the county and the residents in the Tiber Watershed?

It's common knowledge that there are limits to what something can handle, and it's been made very clear that the Tiber Branch Watershed has reached its maximum amount of how much stormwater runoff the hillsides and remaining trees can absorb. The solution is not more development, paving, tree loss, and creating engineered floodplains in a canyon or off-site mitigation – which would still allow a problematic situation to occur, but in 2 separate locations. The solution is to stop granting waivers that allow unnecessary tree removal, stream restorations, and more development of unbroken ground which all create additional runoff. Howard County needs to hope and pray that the measures that Ellicott City Safe and Strong have taken will be enough to mitigate what they've already waived and allowed to take place.

Are any of the current decision makers people who granted previous waivers that permitted projects that contributed to fatal flood events in the past? What models did they use and how did they come to their decisions? Has there been any true expert review on each waiver requested including how the waiver for a project would impact the entire watershed, before it was granted?

13 Sec.16.104.-Waivers.

14 (a) Authority to Grant.

15 (1) So that substantial justice may be done and the public interest secured, the Department of Planning and Zoning may grant waivers of the requirements of this subtitle, except as prohibited in subsection (d), in situations where the Department finds that unreasonable hardship or practical difficulties may result from strict compliance with this subtitle and for requests to waive or alter the requirements in article II and article III of this subtitle all of the following criteria are met:

One item from line 28 states -

28 (iv) The modification is not detrimental to the public health, safety or welfare or injurious to other properties. **However, Flooding and polluted stormwater runoff can be detrimental to public health and safety, it can even cause death.**

I have concerns about waivers being granted without meeting criteria for any projects that are related to stormwater runoff. Especially projects that include tree removal and stream restoration or stream bank stabilization. Howard County focuses too heavily on mitigating stormwater runoff after the fact, instead of prevention and mitigation in the upland before it reaches the waterways.

ALSO – I have concerns about waivers that are currently being granted under this section-

(2) Waivers may be granted without meeting the criteria of subsection (a) if the waiver:

4 (ii) Is necessary for the construction of a stormwater management or flood control facility as part of a capital project; or (iii) Is necessary for the retrofit of existing facilities or installation of new facilities intended

solely to improve stormwater management or flood control for existing development. **Howard County must stop granting environmental waivers for stormwater projects without expert review and community engagement first, before waivers and variances are granted. Every project and location are unique and should be treated as such.**

4 (d) No Waivers of Floodplain, Wetland, Stream, Forest Conservation, or Steep Slope Regulations in the Tiber Branch Watershed.

The Department may not grant waivers of any requirement of section 16.115 or section 16.116, or variances under section 16.1216 of this title, for any property located in the Tiber Branch Watershed unless the waiver:

8 (1) Is necessary for the reconstruction of existing structures or infrastructure damaged by flood, fire, or other disaster;

10 (2) Is necessary for the construction of a stormwater management or flood control facility as part of a redevelopment project;

12 (3) Is necessary for the retrofit of existing facilities or installation of new facilities intended solely to improve stormwater management or flood control for existing development;

However, in terms of Lines 10 & 12, these projects should be subject to expert review and community engagement first, before waivers and variances are granted. Every project and location are unique and must be reviewed and examined on an individual basis.

In summary, it would be reckless and irresponsible to continue to allow the same processes and practices that have resulted in 3 deaths and the

need for multiple stormwater runoff catch ponds and a 130-million-dollar stormwater runoff tunnel.

Therefore, I am asking you to please take this incremental and necessary step in the right direction.

Please vote in favor of CB29.

Thank you for your consideration.

Very Sincerely,

Sharon Boies

Columbia, MD