

Date: 17 Feb 2015

Subject: Testimony for CB6-2015

Good evening. My name is Stuart Kohn and I reside at 8709 Yellow Bird Court, Laurel, MD. 20723. I am President of the Howard County Citizens Association known as HCCA. We are very grateful and appreciative that the Council realizes the importance of CB6-2015. After this Bill is unanimously passed by you then there should no longer be any doubt that all parties will have a two-week period to evaluate so one can better prepare testimony whenever a Technical Staff Report, TSR is issued. This applies for any particular case regardless of what venue the applicable TSR is appropriate whether it be a meeting or hearing. It will apply to the County Council, Zoning Board, Planning Board, Hearing Examiner, and/or the Board of Appeals. For this HCCA wants the Council to know how much this is valued as it should from now on eliminate any possible interpretation on the part of the Office of Law.

I'd like to take this time to provide you a little background as to the origin and predecessor of this Bill. Almost 9 years ago Council Bill 58-2006 was passed because of Calvin Ball, Guy Guzzone, and Ken Ulman when they were members of the Council. This Bill came about because of a zoning case before the Planning Board whereby it was announced that the TSR had been revised without giving the audience an opportunity to review. The opposition needless to say was very irate including me. The Planning Board was not going to give the opposition anytime to review. After raising our voice they gave us an additional week. As a result of this experience Bill58-2006 was implemented. This was supposed to be for all cases where the TSR is relevant whether it is a meeting or hearing. A few months ago the Planning Board conducted a meeting regarding Symphony Woods. The TSR had only been issued within six days from the day of the meeting. HCCA raised the issue. Even though the Office of Law said that Bill58-2006 did not apply and I have no idea why -- the Planning Board Chairperson said otherwise and agreed to leave the case open for two weeks for additional testimony. We have also spoken to the Hearing Examiner about her view on the possibility of making a two-week TSR notification mandatory and she fully agrees that this would be a very positive outcome and would be helpful to her.

In conclusion HCCA wants to sincerely thank the Council and in particular my now Council person, Mary Kay Sigaty for recognizing a wrong and making it right for all concerned parties. This is a major step in the right direction.

Thank You,

Stu Kohn  
HCCA, President

## Sayers, Margery

---

**From:** Stu Kohn <stukohn@verizon.net>  
**Sent:** Saturday, February 28, 2015 10:19 AM  
**To:** CouncilMail  
**Subject:** THANK YOU for CB6-2015 and Possible Amendment

Dear Council Members,

I want to once again thank you for your support of Council Bill 6-2015 to require the Department of Planning and Zoning (DPZ) to provide their Technical Staff Reports to the entity receiving them (Hearing Examiner, Board of Appeals, Planning Board (PB), Zoning Board or Council) within two weeks of their public hearing to allow for ample review by all concerned parties. I unfortunately did not attend the Legislative Hearing held on 17 February; however, I did watch it intently on television. I want to tell you my appreciation for you mentioning my name regarding the proposed Bill. When you vote on the Bill this Monday evening, 2 March I would like for you to consider the following two suggestions:

1. During your discussion please consider stating this Bill not only applies to both the PB and Zoning Board, but ALL entities to include the Hearing Examiner and Board of Appeals. I ask for this consideration because at the hearing on 17 February I believe it was not highlighted. This is a very important piece of the legislation where the audience needs to be informed of the impact of this Bill.
2. Please consider the suggestion I heard from Lisa Markovitz when she suggested that the Bill contain an amendment. This was to have the PB be required to give their decisions for approval or non-approval within two weeks of the next public hearing on the topic. Currently, by law, the PB has 45 days from their hearing to provide their decision and could petition for a longer period of time regardless on when the next entity's hearing is to occur. The public should have the same reasonable time to review DPZ's reports and the process of each decision-making body's comments. It is in keeping with the spirit of this Bill to include the PB comments to allow all interested parties the time to review material whereby decisions are predicated on.

Sincerely,

Stu Kohn  
HCCA, President