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INFILL Bill

(1) Accommodate growth within THE CONTEXT OF EXISTING COMMUNITIES AND FOCUS 33

DEVELOPMENT IN areas that already have infrastructure and public facilities [[in the context of 34

existing communities]]; 35

The first sentence of this encourages infill. The bill was more demure as originally written. I don't want to focus development in already built environments. I want to protect any already built environments. The words FOCUS DEVELOPMENT IN should be removed.

(3) Encourage investment in older established communities. 3

Why not put encourage developers to use the "density trade" instead of building in backyards that were left there for drainage purposes (which is why any of the bigger lots were left open. The original developers would have built on these lots if they would have perked).

(c) Design of Infill Development: 9

(1) The [[developer]] DESIGN of a residential infill [[project]] DEVELOPMENT shall BE 10 COMPATIBLE [[create compatibility]] with AN [[the]] existing ADJACENT RESIDENTIAL 11 neighborhood AS DETERMINED by DPZ BY [[designing the project to either]]: 12

(i) [[Be the]] CONSISTING OF THE same UNIT TYPES (E.G., DETACHED SINGLE FAMILY HOMES, 13 ATTACHED SINGLE FAMILY HOMES, APARTMENTS) as the surrounding residential 14 neighborhood [[in terms of unit type (SFD, SFA, APTS)]]; or 15

The developer of a residential infill project shall create compatibility with the existing neighborhood by designing the project to either:

(i) Be the same as the surrounding residential neighborhood in terms of unit type (SFD, SFA, APTS); or 15

(ii) use screening

The DESIGN of a residential infill DEVELOPMENT shall BE COMPATIBLE with AN existing ADJACENT RESIDENTIAL 11 neighborhood AS DETERMINED by DPZ BY:

(i) CONSISTING OF THE same UNIT TYPES (E.G., DETACHED SINGLE FAMILY HOMES, 13 ATTACHED SINGLE FAMILY HOMES, APARTMENTS) as the surrounding residential neighborhood

The Dunloggin community approached Jon Weinstien to address a certain situation whereas the owner of one of the houses in our neighborhood is trying to use a conditional use to change his property, in a single family R-20 zoned neighborhood, to a multi family dwelling. We asked for legislation to stop this type of incursion into our single family zoned neighborhood. This sentence does nothing to stop this unwanted, and unwarranted incursion. The way either one of these is written allows for (i) to achieve compatibility by screening landscaping.

new development

(ii) [[Achieve compatibility by using enhanced]] ENHANCING perimeter landscaping adjacent 16 to [[lots with]] existing homes[[. Either]] USING EITHER Type B landscaping within a 20-17 foot setback or Type C landscaping within a ten-foot setback [[may be used]]. 18

This encourages screening as a solution. My neighbors screening has now backed up even more water in to my yard because they put plantings right in the areas that used to drain water away from the yards, and now the water has no where to go. Water is the biggest infill problem. This sentence sounds like it makes sense BUT IT DOES NOT, ESPECIALLY IF YOU ARE SURROUNDED ON ALL SIDES BY NEW HOMES. IT ENCOURAGES DEVELOPERS TO USE PLANTINGS INSTEAD OF PROPER DRAINAGE, and plantings instead of compatible housing in an "already built environment". I don't see how this helps our existing neighborhoods. It asks for compatible units or plant screenings. It should ask for compatible units only, and extra consideration to drainage patterns as the new homes are changing an "already built environment's" current drainage. Water drainage plans, for the new impervious surfaces, should be added to this bill for every infill project.

(2) The DESIGN OF A RESIDENTIAL INFILL DEVELOPMENT SHALL, IF PRACTICAL, BE INTEGRATED 19 WITH THE [[following provisions are intended to improve the design of a residential infill project 20 and its relationship to]] surrounding residential development BY: 21

Why are we adding IF PRACTICAL? This just allows the developer another loop hole to get around the existing laws. What is the purpose of this inclusion? It is better the original way that it was written.

(i) [[Provide connectivity between on-site and off-site vehicular and pedestrian systems,]] 22 INTERCONNECTING PROPOSED ON-SITE STREETS, SIDEWALKS, PATHS, protected 23 environmental lands, and other open space, WITH THOSE LOCATED OFF-SITE; AND 24

This "interconnecting on-site streets" language concerns me. The streets in older neighborhoods were already designed to service the neighborhood. Adding new connecting streets have been very contentious in some projects, and this wording added to the legislation gives more credence to the new developer than to the "already built environment's" concerns.

(3) LOTS, BUILDINGS, AND SITE IMPROVEMENTS SHALL BE CONFIGURED TO MAXIMIZE 3 PRIVACY BY:

(i) POSITIONING STRUCTURES IN ACCORDANCE WITH SECTION 16.120(B)(6)(V) OF THESE 5 REGULATIONS; AND 6

(ii) INCREASING LANDSCAPING IN COMBINATION WITH BERMS, FENCES OR WALLS, TO 7

Walls in infill development (WHAT???)

Sometimes back yard fences end up being in other homes front yards due to housing position

SCREEN VIEWS OF REAR YARDS AND DECKS FROM PROPOSED AND EXISTING RESIDENCES AND FROM ROADS.

(4) THE FOLLOWING COMPATIBILITY STANDARDS SHALL APPLY TO RESIDENTIAL INFILL DEVELOPMENTS IN OR ADJOINING EXISTING R-20 AND R-12 ZONED SUBDIVISIONS:


(i) LIMIT ON ADJOINING DRIVEWAY ENTRANCES: A SHARED USE-IN-COMMON DRIVEWAY MUST BE PROVIDED IN ACCORDANCE WITH THE DESIGN MANUAL WITHIN A MINIMUM 24' WIDE ACCESS EASEMENT FOR ALL PROPOSED RESIDENTIAL INFILL DEVELOPMENT LOTS. ANY EXISTING DRIVEWAY ENTRANCES ONTO THE PUBLIC ROAD RIGHT-OF-WAY MUST BE CONNECTED TO A SINGLE USE-IN-COMMON DRIVEWAY OR ABANDONED;

This is an excellent addition. Site distance determinations were made when originally designing the older neighborhoods. The influx of additional driveways has made ingress and egress more difficult in our neighborhood and the extra driveways add considerably to the water problems. These water problems are already being exacerbated by the new housing's impervious surfaces, and lack of new drainage considerations, as cited above.

(iii) DRAINAGE: THE ENVIRONMENTAL CONCEPT PLAN SHALL ADDRESS POTENTIAL ADVERSE DRAINAGE IMPACTS ON ADJACENT PROPERTIES. IMPACTS SHALL BE EVALUATED BASED ON REQUIREMENTS IN DESIGN MANUAL VOLUME I, CHAPTER 4, DRAINAGE SWALES AND SURFACE DRAINAGE EASEMENTS. AFTER EXHAUSTING ALL ALTERNATIVES TO ADDRESS THE IMPACT WITH THE AFFECTED NEIGHBOR(S), -4- IMPACTS MAY BE MITIGATED BY QUANTITATIVE MANAGEMENT BASED ON THE APPROPRIATE DESIGN YEAR STORM FOR THE GEOGRAPHICAL AREA AND PROPOSED CONVEYANCE SYSTEM; AND

Again, most infill lots were left large to accommodate drainage patterns, and **underground springs**. So far, the current regulations are not enough. To date, most infill projects have caused downhill water issues for existing homeowners. When the county has previously required drain fields for existing homes, these should never be allowed to be destroyed for new infill.

(iv) STORMWATER MANAGEMENT: STORMWATER PRACTICES SHALL BE BASED ON THE MOST CURRENT GUIDELINES ACCEPTED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT (MDE). NONSTRUCTURAL PRACTICES SHALL BE IMPLEMENTED TO THE MAXIMUM EXTENT PRACTICABLE. STORMWATER COMPLIANCE FOR ENVIRONMENT SITE DESIGN SHALL ONLY BE RECEIVED FOR THE DESIGN AND CONSTRUCTION OF MICRO-SCALE PRACTICES, ALTERNATIVE SURFACES, OR OTHER PRACTICES ACCEPTED BY MDE THAT RETAIN OR INFILTRATE RUNOFF BASED ON A QUANTITATIVE MEASUREMENT.



All in all, the older neighborhoods were not designed to allow all of this extra infill. They were designed with the drainage in mind for the number of houses built, and specific lots were left large for this reason. The original 8 houses that are my direct neighbors, have now blossomed into 18 homes (already built or already planned)(built in the past one at a time to avoid APFO). This is more than double the density that was planned for these beautiful neighborhoods. My old neighbor visited last week and she did not even recognize the area, as the big trees had all been removed, the rolling landscape had all been reshaped (causing downstream water issues) and she got stuck in the mud, the mud that used to be my yard. We do not have adequate facilities for all of this density and this bill is not enough to maintain these grand old neighborhoods that are the backbone of Howard County life. Because of the change in districts, some of you council members are now having to deal with your own infill issues. Hopefully, this will help us to get your attention.

TESTIMONY

ST. JOHN'S COMMUNITY ASSOCIATION

CB 15-2016

March 21, 2016

Good evening, Chairman Ball, County Councilmembers and staff. My name is Jean Sedlacko. My address is 9114 Northfield Road, Ellicott City. I am testifying on behalf of the St. John's Community Association which represents the Dunloggin community of Ellicott City. I am President of the Association and the Association's Board voted that I speak tonight in FAVOR of Council Bill 15-2016.

The Dunloggin community is a well-established community of over 1,000 homes. Our main north-south corridor is the southern end of St. John's Lane. We are bounded by Route 40 on the north, Route 29 on the east, Dorsey Search on the south and Gray Rock to the west. Many of the homes in the neighborhood were built in the early 1960s, with further development through the 80s and 90s. At that point, we thought our neighborhood was "done" – and to use the County's term, "Established". However, over the last several years, we have had nearly 200 homes built as infill.

The community has 3 main concerns: primarily the character of neighborhoods which also leads to privacy and water runoff issues.

- 1) The character of the neighborhood....We speak as a group that "has gone through it". The houses in our neighborhood are mostly 25-50 years old. There is a certain style to the whole neighborhood, whether it's house by house or the general look and feel. But we have been hit with houses that are hardly set back from the road, wedged into lots at all sorts of angles and dwarf and tower over the houses that provide the charm of our neighborhood. We're not against development, we're not against developers making money, but we are against development that doesn't fit – either literally or figuratively. We feel that CB 15-2016 is a good start to help preserve our and other established neighborhoods, especially the requirements for setback. We need reasonable rules and regulations that help preserve the investments homeowners have made in their communities.**
- 2) This leads to my other two points...**
 - a. First, privacy - we chose our neighborhood because of the character and the feel of living within a tight-knit community that isn't tight-built. Some of the houses are so tall and open, that that expected feel of privacy vanishes.**

Additional protections as proposed in the bill will help with some of that but we also encourage more proactive, in person investigations of the sites to determine what is actually reasonable. In addition, and I realize not part of this bill, but presubmission hearings need to be presented by people who are knowledgeable about the details of the proposed house (square footage, height, etc.), rather than their main contribution being setting up the easels or hanging up the drawings on the walls.

- b. Second, water run off. We support the bill in that it addresses water run off as well as storm management issues. If there is anything I hear the most about infill is that people who never had water in their basements or water-logged property now are suffering from those issues, due to increased infill on their streets or in the near vicinity. Although no “cause and effect” studies have been undertaken, there is a very strong correlation. If this bill passes, which we hope it does, we hope to work with Councilmember Jon Weinstein and others to perhaps design a better, more complete process for providing restitution to folks affected by water runoff..., which we as a community, believe is foreseen but not adequately addressed.**

For these reasons, SJCA supports CB15-2016 as a great start to narrowing the parameters of infill development, especially within Established Communities. As noted, we’ve been through it...and are looking forward to the day when there is simply no more land available. But in the meantime, we want to protect ourselves, as well as use our experience to advocate for the protection of other similarly situated communities.

On behalf of the entire Association, thank you for your attention. And we particularly thank Councilmember Jon Weinstein for his efforts in this important area.