

Hi Diane,

These are comments on Jon Weinstein's INFILL Bill Council Bill 15-2006 for you, and Allan.

The bill addresses some of our needs in the older neighborhoods but there are some things that need to be changed, also. It is a small step in the right direction. We still need more protections for the "already built environment" where, for most tax payers, this is the biggest investment (as well as commitment), in their lives: their homes and neighborhoods. I believe that Angie Boyter has discussed this way more eloquently than I can, and I have included her letter below. These are the trouble spots that I see.

(1) Accommodate growth within THE CONTEXT OF EXISTING COMMUNITIES AND FOCUS DEVELOPMENT IN areas that already have infrastructure and public facilities [[in the context of existing communities]];

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.

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 many of the bigger lots were left open. The original developers would have built on these lots if they would have perced). This was brought up at the APFO committee meetings and the developers seemed to agree that this density trade is better than the infill.

(c) Design of Infill Development:

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

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

OLD WORDING: 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

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

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

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

(ii) ENHANCING perimeter landscaping adjacent to existing homes. USING EITHER Type B landscaping within a 20 foot setback or Type C landscaping within a ten-foot setback.

I don't see much difference in the wording, but (ii) should be removed totally. 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.

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 new development (ii) to achieve compatibility by screening landscaping.

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 nowhere 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". This is a bad deal for the existing homeowners. 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.

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

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,]] INTERCONNECTING PROPOSED ON-SITE STREETS, SIDEWALKS, PATHS, protected environmental lands, and other open space, WITH THOSE LOCATED OFF-SITE; AND

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

**Walls** in infill development (WHAT???) That is not consistent with the older neighborhoods. And sometimes, backyard fences end up being in other homes front yards, due to housing positioning. Where is this consistent?

(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), 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**, tax paying, homeowners. When the county has previously required drain fields for existing homes, these should never be allowed to be destroyed for new infill. There should, also, NEVER be "fees in lieu of" allowed for any drainage considerations.

(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 accommodate 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 this beautiful neighborhood. 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 into flat yards (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. This bill needs to be stronger. Because of the change in districts, some of the council members that were not at all concerned with infill, are now finding themselves having to deal with some of these issues. Hopefully, this will help get their attention, as the quality of life in these older neighborhoods is declining, not growing.

Thank you,

Diane Butler

## Sayers, Margery

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**From:** Sigaty, Mary Kay  
**Sent:** Monday, April 18, 2016 10:19 AM  
**To:** Sayers, Margery  
**Cc:** CouncilRecords  
**Subject:** FW: Support for Council Bill 15-2016

-----Original Message-----

**From:** Julia Hawrylo [<mailto:oychoolie@yahoo.com>]  
**Sent:** Tuesday, March 15, 2016 2:20 PM  
**To:** Weinstein, Jon; Ball, Calvin B; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg  
**Cc:** Smith, Gary; Pruum, Kimberly; McLeod, Kate; Clay, Mary; [knight@howardcountymd.gov](mailto:knight@howardcountymd.gov)  
**Subject:** Support for Council Bill 15-2016

Dear council members,

I wanted to let you know that I am in full support of Council Bill 15-2016, and I hope that you will enact it. Upon reading the bill, it seems to be a logical step in dealing with the necessary growth that impacts this beautiful county. Obviously growth has to occur, but currently it's too easy to look around and see unthoughtful development, particularly where infill is concerned. It detracts from everything that we in Howard County have to be proud of.

On another note, I do want to let you all know that I really appreciate the very hard work you all do. I've attended a few council meetings and am impressed with your devotion to your job.

Thank you,

Julia Hawrylo  
3615 Fels Lane  
Ellicott City, MD 21043

Sent from my iPad