

Bill 65-2106

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To the Howard County Council,

In reference to Council Bill 65-2016 that would temporarily halt commercial and residential development in the Tiber-Hudson watershed for nine months.

The freeze, proposed by Councilman Jon Weinstein, will push the county to examine whether development "poses additional threats to the safety of people, businesses and property."

The county does not need to critically examine whether development "poses additional threats to the safety of people, businesses, and property". The county needs to examine our storm water policies (those of the past and how to correct them moving forward). The knee jerk reaction to suspend building for 9 months is fraught with lawsuit possibilities. Who is going to define the Tiber watershed? Are we going to take into account the doubling of density that was allowed on the planned townhouses on 103 (next to the YMCA) that drains directly to the watershed, but looks like it might be just out of the mapped area? This is one of the policies that need changing: Allowing the doubling of density for projects that the county had already deemed the appropriate density for. This particular property received the doubling of density in a trade for some land to build a third lane in the theoretical future on 103. Yet, the project was allowed double the density on an even smaller footprint. These are the types of changes that should never be allowed by DPZ. Old Ellicott City is NOT the only place where new development has caused water problems. So many small infill projects have drastically changed the water flow in our older neighborhoods where we are now being forced, by state policies, to cluster development in the East (even though the county plan was to move some of the development to the West, as evidenced by our initial school planning). Some developers

build responsibly, as where other's not so much. But we need to look at our policies and what is required of each and every developer, and what is required from our leadership to change the bad policies that in the past have led us to make some poor storm water management decisions. We have been given a huge, deadly wakeup call and now is the time to look at our policies for the entire county, not willy nilly stop the growth in only one area for a 9 month time period. We need to look at our policies now. We may need to make some changes to already approved projects as we develop better storm water policies for the county and that alone will be monumental.

I sat on the APFO committee and was voted down summarily by every builder every time I brought up storm water management. I was voted down on the infill committees by the development community under Masha Mc Laughlin for my same requests for storm water management years ago. So it might seem odd that I am "siding" with the development community on this issue. But that is not the case, I just believe that putting a 9 month moratorium on certain building in the county is not going to cure the ills that we suffer in this county with storm water management problems and policies that have been in place for years and years. It is time to take a good hard look at the policies, inform the developers that some of their upcoming projects may need to be revised and seriously look at what we have been doing incorrectly for so many years. Not only do we build on the tops of the hills but we have now found ways to justify building on the slopes. We continually add density to projects that do not reflect the storm water management needs. We put all of our density where we already have "infrastructure". Yet, unfortunately our infrastructure is outdated and never designed for the amount of development that it is now expected to perform for. In the past our policies allowed for stoppage of growth when the land would not pass the "percolate" test but that is now no longer a consideration with public sewer and water, no matter how wet the lot is. How many "French drains" have been installed as the foundations of new homes filled with water while being built? We tear up old "county ordered" drain fields to add new development without replacing the old required storm water management. The county uses the excuse of not wanting to connect private systems to county systems. What does that even mean? The county required the private system to start with. Drainage ponds are not the answer to new development, either. I live right next to a drainage pond that overflowed and swept cars from the roadway. Changing our policies is where our focus must be. We may not end up being as "green" as we would like, and we may have to move water in underground pipes, away from homes and businesses. Saving lives is paramount. Rethinking our policies is way past due, and not just hoping that our ever diminishing open space will be able to handle the water, especially in the already built environments.

The county needs to do the hard work of looking at our storm water management processes, for Ellicott City especially, but also for the entire county, regardless of what the state has forced us to do in the past. Shutting down commercial and residential building without a plan is not the answer. #1 the process will take longer than that. #2 The damage is already done. We have paved over so much of the land that we will need to look at piping the water away, much to the consternation of the Eco crowd, but sometimes you just cannot allow the water to be absorbed into the ground when you have

no more ground to soak up the water. Drainage will have to be put in. A better moratorium might be a notice to all builders that they will be held to stricter standards than they were already approved for, as we develop real storm water management processes. And "Fees in Lieu of" should Never, Ever be allowed.

I am very sorry that I will not be able to attend the hearing on this Bill, but I am away dealing with my daughter's health issues. If it was any other reason, I would be there.

Thank you,
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