

Date: 29 August 2017

Subject: Howard County Citizens Association Against the Settlement of Savage Development

My name is Stu Kohn, 8709 Yellow Bird Court Laurel, MD. 20723. As the President of the Howard County Citizens Association, HCCA is strongly against this proposal. We simply ask you as a Board that after hearing the overwhelming compelling testimony especially regarding the criteria from the Protestant's expert witnesses it is incumbent of you to just say "NO" to the developer. As a member of the Savage Community Association we are not opposing the development in principle. We are concerned with the way it is currently proposed with total disregard to the intent of the newly assigned zoning and with a taking of public parkland. The R-H-ED District as stated as its purpose, "Is established to provide requirements for single-family attached dwelling units on certain properties determined to contribute to the historic character of areas designated on the National Register of Historic Places. It is the intent of this district that the attached dwellings be compatible with the historic character of the area, and be developed with sensitivity to the natural environment." The question is how does this proposal really contribute and enhance the historic character and how is it compatible with the historic character of the area as well as sensitivity to the natural environment?

Please keep in-mind the Petitioner has never had a plan where they are utilizing strictly their own property. The plan before you is completely predicated on the parkland swap which to my knowledge has never been done before in the County. If the development is approved with the Parkland as the catalyst what will prevent any other developer from trying the same tactic? How many lawsuits will the County potentially incur like the Downtown Columbia Tax Increment Funding? When do we stop providing gifts? Your decision will hopefully be based on the criteria and nothing more. Yes – It about sense not cents because otherwise it will be nonsense.

Why are we even sitting here when no one knows if the land swap will be approved by our County Council? The cart should not be placed before the horse. How can the Planning Board begin to make a decision when you have a major unknown factor? As a Board you need to have all the facts before you make such a monumental decision which affects all of us. The Petitioner has not met the R-H-ED criteria for the following reasons: Refer to the R-H-ED criteria.

a. The proposed lay-out of lots and open space effectively protects environmental and historic resources.

DPZ in the Technical Staff Report states, "The proposed layout of the subdivision has taken into account the environmental features on this parcel." We simply ask how? DPZ goes on to say that "To help facilitate protecting forest and to fulfill the objectives of the R-ED zoning district, lots sizes have been minimized and open space has been provided in excess of the required 50% (1.36 acres required, 1.47 acres credited open space provided)." What DPZ failed to articulate is that the Petitioner is receiving additional acreage compliments of the Land Swap and is destroying the forest by clearing and grading that belongs to the

taxpayers of the County. DPZ states, “The layout of the development provides for a unified streetscape along Washington Street and the design considers and includes the architecture and orientation of the houses, the location of sidewalks, and landscaping.” We find this statement interesting. There is nothing wrong with townhouses as a housing type but they simply are grossly out of place as part of this development because that type of urban housing does not exist in the adjoining historic district. The real question regarding this particular criterion is how is it that none of the plans submitted by the developer EVER completely contained their development plans entirely on their own land? Do you really think it is right for a developer who purchased less than 5 acres of landlocked property to now have 7.68 acres available for development? What kind of deal is it for taxpayers?

b. Buildings, parking areas, roads, storm water management facilities and other site features are located to take advantage of existing topography and to limit the extent of clearing and grading.

The developer's parcel was landlocked and by all rights any roadway should come through the Mill's parking lot--but this alternative was never offered because elimination of parking spaces would negatively affect the parking lot for Savage Mill visitors. Which negative is greater? Removing parking spaces or removing 99% of the trees on the expanded limit of disturbance? If the developer cannot comply with the DNR's protection measures for a Targeted Ecological Area then by their own admission, the density of buildings, streets, utilities, and stormwater management are unable to comply in their design. Therefore the density must be reduced to limit the extent of clearing and grading. How is the developer limiting the extent of clearing and grading when their plans call for 4.8 acres of forest to be cleared?

c. Setbacks, landscaped buffers, or other methods are proposed to buffer the development from existing neighborhoods or roads, especially from designated scenic roads or historic districts.

The proposed development residential heights and its placement are not compatible to the current configuration of the neighborhood. Given the change in elevation between the parking lot and the proposed townhouses how can one think for a moment that it will be possible to buffer the view to and from the historic district? One would have to construct a giant berm next to the townhouses to get a leg up on planting to hide the units. But this would take more land, necessitating a drop in the number of units. The major question regarding buffering to you and anyone else in this case or any other case before you is what really constitutes buffering? Buffering should be to completely eliminate the sight of the proposed development. Will this really be the case or does one have to wait for many years for maturity of any shrubs or trees to be used for the buffer?

In conclusion, please refer to DPZ's Technical Staff Report Recommendation. It states, "Approval of the Preliminary Equivalent Sketch Plan in accordance with remaining Subdivision Review Committee, Alternative Compliance approval, etc." Why is DPZ expecting Alternative Compliance or waivers? DPZ should explain to the Planning Board what waivers are anticipated before even thinking about approving this petition. With the aforementioned stated and the evidence presented by the Protestants the Planning Board is obligated to deny this proposed development.

Stu Kohn
HCCA, President