



Howard County Citizens Association

Since 1961...

The Voice Of The People of Howard County

Date: 18 March 2019

Subject: **HCCA Testimony in FAVOR of CB11-2019**

Good evening. My name is Stu Kohn. I am the President of the Howard County Citizens Association, HCCA. Nothing has changed since we last testified before the Council on 23 July 2018. We are unequivocally in FAVOR of this Bill. We are very pleased Councilwomen Jung, Rigby, and Walsh have their names on this Bill. This says a lot! Yes – you care about the potential disappearance of scenic views. Thanks for being extremely proactive. Hopefully the men on the Council will also attempt to protect any designated scenic road by voting in Favor of this most important Bill. Simply stated any proposed development should at the very least not obstruct any designated Scenic Road!

We only hope history will not repeat itself. We say this because on September 4, 2018 both Councilpersons Ball and Terrasa who were the sponsors of CB58-2018 to amend the requirements for new developments on Scenic Roads were unfortunately voted down when they made a motion to remove the Bill from the Table. Credit goes out to County Executive Ball and Delegate Terrasa for attempting to do something extremely positive about the layout of the land. They obviously appreciate the meaning of a designated Scenic Road. It is with sincere appreciation this Bill is before us as the original Bill had a lot of merit.

We only hope this Bill will include the Milk Producers property on Rt 216, Leishear and Gorman where there is an unbelievable 397 units being proposed for this property whereby Gorman is a Scenic Road. This Bill should apply to the proposed development as it has not been approved.

We have the following suggestions for potential amendments to the Bill:

Please consider defining the following words in the Bill and for that matter in the Zoning Code, because they often become too ambiguous and up for interpretation during zoning cases. The words are Abut, Buffered, Minimize, Panoramic, Screening and Surroundings.

Refer to Page 2, Lines 12 thru 16 – Please add a sentence to state – There shall be no destruction of existing mature trees or digging of any kind on Scenic Roads due to the need of utilities for any proposed developments within the immediate area. We say this because this is the case on Gorman Road.

Refer to Page 5, Lines 24 thru 30 – It states, “That Larger Developments for more than 99 Residential units, which proposes a new vehicular ingress and egress on a scenic road or proposes such ingress and egress within one roadway mile of a scenic road, the character of which will be directly impacted by the development’s traffic shall be required to obtain approval from the Department of Planning (DPZ) and Zoning, and from the Planning Board after a Public Meeting in accordance with subsection 5.” We ask you to permit your constituents to have the opportunity to question DPZ at such a Planning Board Meeting or Hearing after DPZ provides their presentation. This is the case now evoked in Zoning Board Hearings as was passed by CB16-2018. We ask you to please revisit CB16 as an amendment

because we believe this was an oversight. Since we will now be able to question DPZ in front of you as the Zoning Board why are we shut out from Planning Board meetings or hearings?

Refer to Page 6, Lines 26 thru 31 and Page 7, Lines 1 and 2 – It addresses the Effect of the Adequate Public Facilities Act regarding an intersection designated as a “Constrained Road Facility.” On Line 30 it states, “Restrictions on improvements to a “Constrained Road Facility” shall not be grounds for denial of subdivision plans or site development plans that would otherwise be subject to required road improvements under the adequate public facilities ordinance.” We ask why not? Please consider rewording this clause to state, “A Constrained Road Facility shall be grounds for denial of any subdivision plans or site development plans unless such time when road improvements are feasible and pass road tests with the implementation of the Adequate Public Facilities Ordinance.”

With the aforementioned suggested amendments, we look forward to hopefully see major improvements in the protection of our scenic roads. Just look behind you at the Howard County seal. If you enjoy this most scenic view then you shouldn't hesitate to vote in the affirmative as it is the right thing to do in an attempt for the public to enjoy unobstructed scenery.

Thank You,

Stu Kohn
HCCA, President