



Date: 21 June 2021

Subject: HCCA Is VEHEMENTLY AGAINST CB50-2021

My name is Stu Kohn and I am testifying on behalf of the Howard County Citizens Association, HCCA and we are vehemently **AGAINST** CB50-2021.

What is wrong with this picture, why are we here and why is anyone testifying on this Bill? You as Zoning Board Members should not hear this proposed legislation as Council Members.

You have a conflict of interest as stated under your Zoning Board Rules of Procedure on page 7 under “Communications Outside of a Hearing – There shall be no ex parte communications between a member of the Board and a party to the case or any person having a direct or indirect interest in the outcome of the case regarding any matter relevant to the merits of the case.”

The fact that Erickson stated and unequivocally promised both the Planning and the Zoning Board in April and July 2018 to trust us as we will fold the tent in October 2021 if the Decision and Order is not approved is their problem.

The time period of 16 months which Erickson is complaining about has no credence. We can clearly account for 13 of the 16 months. Refer to the Page 2 of this testimony. One of the major lessons from this Bill is that the County Council should not be acting as the Zoning Board if you plan to rule on this Bill.

In hindsight, Erickson should have used a worst case scenario when determining their suggested time frame for the PSA extension which they promised and committed to both the Planning Board and County Council in 2018. They should have referred to previous CEF cases. For example, the Chapelgate CEF case took 23 months for the Zoning Board to hear and an additional 134 days for the Office of Law to complete the Decision and Order thus over two years. A commitment and someone’s word needs to be adhered to and honored. If you were to approve this Bill one can only assume this will be your vote in the Zoning Board case. How would you prove we are wrong?

It is one thing for the Petitioner to renege on his promise, but it’s another thing for this body to not be committed to the Zoning Board Rules of Procedure. You have an obligation to your constituents. Therefore, you as the County Council have no choice, but to zone in and say CB50-2021 is hereby withdrawn or recuse yourselves or vote — NO. We only hope you will take the necessary action to stop this nonsense. Thank You for listening.

Stu Kohn
HCCA President

Erickson's Rationale for Planned Service Area is Not Justified

Time Period: *Petitioner states time period of Nov 6, 2018 thru Mar 4, 2020 (**16 Months**) -- from the time Petition was filed till the first Zoning Board (ZB) Hearing.*

For Consideration: *There were no ZB hearings from May 17, 2018 to Apr 4, 2019 (**11 Months**) as the ZB did not meet because of a completely new Board due to the election.*

For Consideration: *From Mar 4, 2020 which was the initial Erickson ZB Hearing to the next hearing of June 17, 2020 (**2 Months**) Erickson **DID NOT FILE** Proper Campaign Finance Reports as cited by the ZB)*

Summation: **Therefore 13 of the 16 Months the Petitioner – Erickson is complaining about cannot be justified.**