

Legislative testimony May 3 2021

Full Name	Address	City	Zip Code	Representing yourself?	What organization or whom do you represent?	Legislation	Position	Remarks
Claire Soliman	866 Bayview Drive			Yes		Bill 11-21(a3): GDP – Plan2040 (as amended)	No Position	Please keep this definition of the Peninsula Development Policy to protect our communities from unsustainable development. "Existing, primarily residential communities that are nearly surrounded by water; and served by a single primary road corridor for access and egress. These areas are located both within and outside of the PFA and the public sewer service area. Development is primarily limited to infill and redevelopment that must be compatible with the existing character of the neighborhood and where consideration of salt-water intrusion and vulnerability to sea level rise are given. (p.39, Vol I)"
Patrick DeArmey	501 Sixth Street	Annapolis	21403	No	Patuxent Riverkeeper, Dr. Tracy Garrett, Celestine Brown	Bill 29-21: 2021 Amendments to the County Solid Waste Management Plan	No Position	We have repeatedly made members of the AA County Govt and Executive Pittman and his staff aware of the cluster of industrial and municipal pollution sources in Lothian and Harwood MD, this is all focused and clustered around Sands Rd. These pollution sources are permitted and licensed by both MDE and AA County government and we have highlighted and brought to the attention of the county the continued and repeated noncompliance of many of these operations on Sands road. We have repeatedly asked that AA County government enhance their enforcement, accountability, and transparency of the permitting/zoning/licensing of operations on sands road. We ask that AA County assess the cumulative impacts of permitting yet another potential pollution source on the already inundated community of Sands road. AA County must ensure that public health and safety is protected.
Jonathan Scull	7824 Truitt Lane	Severn	21144	Yes		Bill 30-21: Zoning – Definitions – Adult Independent Dwelling Unit	Oppose	Bill No. 30-21 was introduced to the County Council on April 5, 2021. This bill, if approved, effectively changes the zoning, and will allow townhouses to be built in R1 and R2 districts. As a resident of Severn Crest located at Minnetonka Road and Buckingham Nursery Road and a member of the Severn Crest Homeowners Association (HOA), my Board members and I have been following the application for the building of an assisted living facility and up to 46 homes at the Villa of Severn Crest. The development is proposed to be built at the end of the current Buckingham Nursery Drive. This application has been in process since 2016 and is sponsored by Hogan properties via Dewberry Engineers. Originally the site in question was 13 acres that were sold to Hogan Properties by the state of Maryland. We were told that since it was zoned R1 there would only be 13 single family homes that would be accessed through Severn Crest via the extended Buckingham Nursery Road and we saw no major objection. Severn Crest is 55+plus community of 55 single family homes with many older and retired residents. Then we found out that Hogan Properties bought an adjacent 5 acres of open space and 2 acres of R1 and R2. Next we learned that a special exception was applied for by the applicant that included a 20 bed assisted living facility and the 49 Villas (which included 25 single family homes and 24 townhouses). The special exception allows the density to be increased from one to three and permitted 49 dwellings as well as the assisted living facility. We generated and collected over 200 signed petitions from the residents in the adjacent neighborhoods and presented them at the county hearing that followed in September 2016. But the special exception was approved despite our protest. Then in 2017, the applicant changed his site plan from the 25 single family homes and 24 townhouses to 46 townhouses. A lot of activity occurred between Dewberry and Planning and Zoning over the next few years regarding comments from the different county agencies reviewing the application that had to be answered by Dewberry to obtain approval. Dew berry asked for two extensions and finally this year, Planning and Zoning determined that townhouses were not allowed in R1 and R2. Bill No. 30-21 would allow additional dwellings (townhouses rather than single family homes) that can be built. Passage of Bill No. 30-21 would contribute to the traffic congestion of this area where 300 new town homes were recently built, with a second phase of equal units being constructed. Passage also opens the door for other developers to increase the density allowance for their properties.
James J. Malone	7715 Buckingham Nursery Dr	Severn	21144	No	Severn Crest HOA	Bill 30-21: Zoning – Definitions – Adult Independent Dwelling Unit	Oppose	Bill No. 30-21 effectively changes the zoning and will allow townhouses to be built in R1 and R2 districts. The Office of Administrative Hearings, on 20 September 2016, heard Case Numbers 2016-0157-R, which sought a zoning reclassification, and 2016-0158-S, which sought a special exception to allow an assisted living facility in R1, R2, and OS districts. In his decision, filed on October 20, 2016, Hearing Officer Douglas Clark Hollman granted the special exception for the assisted living facility at the Villas at Severn Crest but DENIED the request to rezone. The attorneys for the Villas at Severn Crest have submitted several requests the Office of Planning and Zoning (OPZ) for final approval – withheld in every case. OPZ in a memorandum dated December 14, 2020, "withheld approval of the Final Plan until the issues set forth in Sections I and II, when applicable, have been resolved." OPZ/Planner III responded in its memorandum in Section A. Planning Requirements: "It has been determined that the Assisted Living Dwelling Units are subject to the underlying zoning. The townhouse dwelling types are not permitted in R1 or R2 zoning districts. The townhouse units must be removed from the development plan." The attorneys representing the Villas indicated to OPZ that they would reach out to their County Council Representatives to explore the possibility of having the law changed. Bill No. 30-21 appears to ignore a DENIAL judgement rendered and a zoning requirement to accommodate townhouses in R1 and R2 districts. Thank you.
Robert Burash	7704 Buckingham Nursery Ct	Severn	21144	No	Severn Crest HOA	Bill 30-21: Zoning – Definitions – Adult Independent Dwelling Unit	Oppose	Bill No. 30-21 was introduced to the County Council on April 5, 2021. This bill, if approved, effectively changes the zoning, and will allow townhouses to be built in R1 and R2 districts. The Office of Administrative Hearings, on 20 September 2016, heard Case Numbers 2016-0157-R, which sought a zoning reclassification, and 2016-0158-S, which sought a special exception to allow an assisted living facility in R1, R2, and OS districts. In his decision, filed on October 20, 2016, Hearing Officer Douglas Clark Hollman granted the special exception for the assisted living facility at the Villas at Severn Crest but DENIED the request to rezone. The special exception alone allows higher density than stipulated for R1 and R2. Bill No. 30-21 would allow additional dwellings (townhouses rather than single family homes) that can be built. Passage of Bill No. 30-21 would contribute to the traffic congestion of this area where 300 new town homes were recently built, with a second phase of equal units being constructed. Passage also opens the door for other developers to increase the density allowance for their properties. The County is developing Plan2040, which "sets the policy framework to protect the natural environment, shape development of the built environment, provide public services to promote healthy communities, and support a diverse resilient economy." Bill No. 30-21 would appear to be counter to this effort. We ask that you cast your vote in opposition to this Bill. Thank you for your consideration.