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## **Subject: County Commissioners Public Session Testimony Concerning Swan Point Docket 250 Amendment #3**

I want to thank the Commissioners for providing me (as a representative of the Woodland Point and Potomac View Communities) the opportunity to submit a Unanimous Community Petition, and potential line-in/line-out changes concerning the Swan Point Docket 250 Amendment #3. The Community concerns and **are NOT about stopping growth BUT about achieving growth without harm.** Docket 250 and Charles County need to build smartly and **“Make Whole” any losses incurred.** Proper planning, budgeting, and engineering can help achieve that goal.

**“Building a City needs good planning for Success”**

**“Smart Active Partners help implement sound growth”**

Today I would like to request that the Commissioners, **Consider Adding an Appendix or Supporting Document** that clearly and succinctly describes the policies, procedures, authorities, and notifications of interested parties when implementing future phases. A summary of major elements of Docket 250, Amendment #1, #2, and #3 should be added as a reference for added clarity.

### **Potential Amendment #3 Appendix Overview**

1. During the various hearings and meetings to date, there has been an underlying theme of confusion as to the policies, procedures, authorities, and notifications governing the phasing efforts of this development.
  - Villages at Swan Point is a large development effort **Equivalent to a Small City.**
  - Docket 250 with Amendments 1 & 2 provide for some basic agreements that are locked in like the maximum number of homes.

- Access to a **repository of previous studies** needs to be clearly documented and provided to all “interested parties”.
  - Amendment 3 essentially adds a **“tourism element”** and increases the requirements on common resources and with peak periods but it relies on aquifer studies before 2007 and floodplain information from 2015. **The world has changed in 40 years.**
  - Access to a **repository of Amendment #3 studies** needs to be clearly documented and provided to all “interested parties”.
  - Planning needs to address the common resources and peak periods like;
    - a. Evacuations with safe ingress/egress impacts
    - b. Flood and stormwater management impacts
    - c. Water and Sewer resources short term and long term
    - d. Critical area, Environmental, and Habitat impacts
    - e. Schooling impacts for teachers and students
    - f. EMS/EMT/VFD impacts for timeliness and availability
    - g. Daily traffic impacts
    - h. Police Services availability
2. **Interested Parties** are any Communities or residents that share common road ways for ingress/egress, common floodplains, common aquifer resources, common sewer resources, and all common essential services.
- This is the same foundation for environmental impacts on common resources like the Potomac River water shed and surrounding creeks.
  - This change is proposed to be **added in Docket 250 Paragraph 3F as a Definition** since the current definition is properties within 200 feet of the proposed development.
3. Phasing requests have approval cycles and are generally delineated in Paragraphs 20-26 of Docket 250 and guided by Charles County ordinances:
- Adequate Public Facilities (APF) Ordinance
  - Critical Area Law
  - Forest Conservation Ordinance
  - Water and Sewer Ordinance
  - Zoning Ordinance
  - Subdivision Regulations

Residents **don't know the County Codes & Ordinances well enough** to understand the elements in Phasing Requests or Earlier Studies

Educate the Residents **with full transparency and clarity** for ALL PHASES

4. Clarity is desired in an Appendix or Supporting Document that states;
  - How ALL Interested Parties (per the proposed Docket 250 Paragraph 3 F) are properly notified of a new phase, and notified of the study results
  - How ALL Interested Parties can engage the County with transparency as to technical rationale, critical evidence used, and the resulting analyses
  - How ALL issues noted in Paragraph 1 above are properly assessed with the conditions at the time of a phasing plan definition
  - Who are ALL the pertinent decision authorities (Federal, State, County)
  - Where and when will there be any budget shortfalls addressed

It is hard to have a technical discussion or attain understanding via **3 minute testimonies and NO Questions**

Notes:

- Approval cycles and ordinances can be links/citations. If a particular ordinance does not address any of the issues listed above it **should be noted clearly why it is not being addressed** during the phasing request.
  - Many issues have been attributed to the APF Ordinance but it is **unclear what exact studies are conducted** for flood plains, evacuations, aquifer depletion and what data was used to make the assessment.
  - Like for most permits the development of a city **needs to use pertinent recent data and timely studies**, especially where there are significant changes in the surrounding conditions.
5. **“Do No Harm”** is the foundational guideline for moving forward with development. Smart growth is about “balanced” development that supports the Critical Environment, Habitats, as well as the “interested parties” that share resources. **“A Holistic Plan.”**
    - Studies and assessments inform a smart growth plan
    - Appropriate timing and adequacy of budgets makes a plan real
    - In the face of uncertainty a fallback plan needs development for **“Do No Harm”**

Docket 250 and Charles County need to **“Make Whole”** for any losses by residents

6. We respectfully request that the CHCO Commissioners request the development of an Appendix or Supporting document that enables a **“unified understanding”** of all the elements being assessed and approved for each phasing plan request. As longtime residents, we are asking for a **“Due No Harm”** approach without restricting Smart Growth.
7. Thank you for your time. We look forward to future detailed planning efforts.

Signed *Janis Belmanis*

Dated 06/24/24