



Statement of Kathleen Gramp  
Regarding Bill 23-16  
An Ordinance Concerning Subdivision and Development: A Peer Review Program  
April 18, 2016

We have grave concerns about this bill and urge you to vote against it. As written, Bill 23-16 jeopardizes the integrity of the county's land-use decisions and will further erode citizens' confidence in county government. In our view, parties affiliated with developers should not be allowed to filter the information that flows to decision-makers, especially when those decisions affect the quality of life for all citizens in the county. We see several serious shortcomings in this legislation:

First, contractors retained by a third party should be used only for routine matters where the facts of a case are indisputable and easy to verify. By contrast, this bill proposes to use staff hired by a developer to do the substantive review of complex and often controversial land-use and environmental matters.

Second, any fees should be paid directly to the county and be assessed at standardized rates according to the nature of the work. Allowing fees to be negotiated between the developer and the contractor creates the appearance—if not the reality—of bias or corruption.

Third, the county, not the developer, should assign a peer reviewer. As with compensation, allowing a developer to pick the reviewer will bias the outcome of the analysis, which is contrary to the public interest.

Fourth, the time allowed for staff to approve the work of any contractor must be measured in working days, not calendar days, and should accommodate the need for extensions when warranted by the substance, complexity, and controversy surrounding the facts. In addition, developer-sponsored reviews should not be accorded higher priority than projects being evaluated directly by county staff.

Fifth, there must be an independent channel for citizen input, separate from any report submitted by a contractor who is being paid by someone with a potential conflict of interest in the case.

Finally, the county should set high standards for the individuals doing substantive reviews, not "minimum" standards, as suggested in the bill.

In sum, this bill in its current form would jeopardize the integrity of land-use decisions and undermine the public's trust in the governance of Anne Arundel County. It must be defeated.