



Testimony of Jim Muell on Behalf of the Advocates for Herring Bay

Regarding Bill 2-13, Stormwater Management – Watershed Protection and Restoration Special Revenue Fund and Program

February 19, 2013

Our waterways need to be restored and we stand ready to pay our share of the cost. We believe, however, that the costs to citizens in certain parts of the county would not be allotted fairly in this bill.

Our main concern is the \$170 tax on RA properties. Simply put, RA properties aren't a major source of the county's stormwater problem and shouldn't be taxed as if they are. Most of the watersheds with RA zoning south of Route 214 have been designated as "lowest priority" for restoration (see pages 2 and 3). The fact that no major restoration projects are planned for Herring Bay suggests that RA properties—especially those in forested greenways---save county taxpayers money (see pages 4 and 5). Tax policy should encourage these owners to preserve their land. Taxing them at the highest rate would do the opposite.

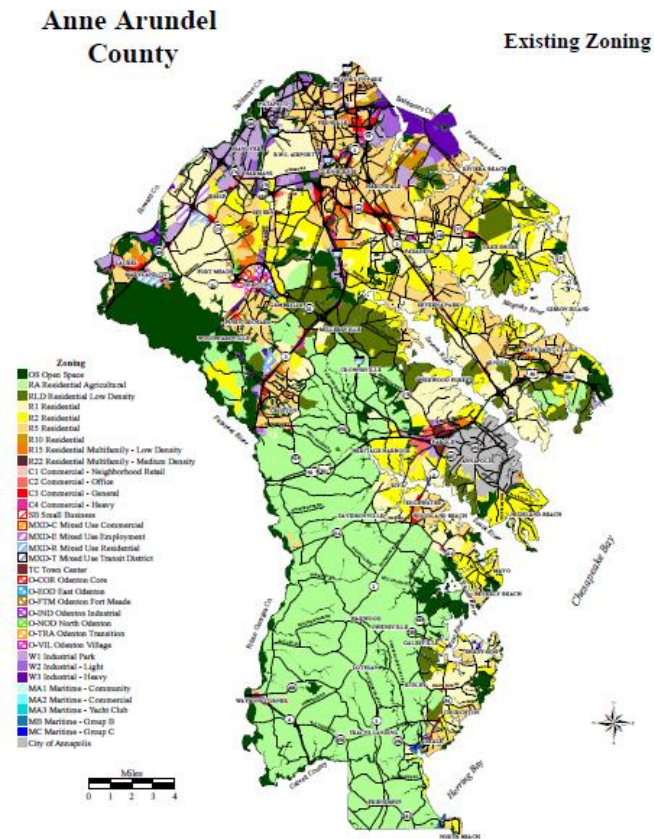
In addition, some RA zones include parcels similar in size to those being taxed as Tier Two. That RA zoning makes sense for land use planning but not for taxation. This zoning anomaly would affect at least three communities in our area and should be fixed (see pages 6-8).

Steps to correct these inequities should be kept simple and minimize hassles for taxpayers. One option would be to move RA properties into a lower tier if their watershed is mapped as low priority for restoration. The same could be done for small parcels, perhaps those of one acre or less. Other options, like a flat tax, also could be considered.

We are confident the Council can resolve these issues fairly and encourage you to do so in time for the fees to take effect by the state's July 1 deadline.

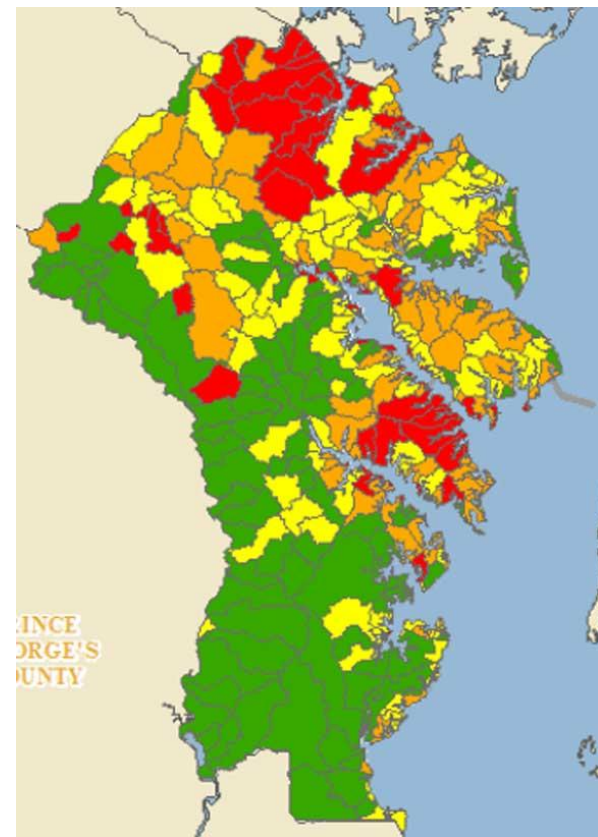
# Most of the Land Zoned RA is Ranked as Lowest Priority for Restoration Projects

RA/OS zoning in green



Lowest priority for restoration = green/yellow

Source: WERS data base, February 16, 2013



# Larger Quantities of Impervious Surfaces on RA Properties May Have Less Impact Because of Lower Density

Example: RA properties along Fairhaven Road:

- Number of parcels with improvements: 56
- Total Land Area: ~ 885 acres (average 16 acres/parcel)
- Total Enclosed Areas: ~ 3 acres (average 2,140 square feet/parcel)
- Enclosed Area as Percent of Total Acreage: 0.3% (less than one-half of one percent)

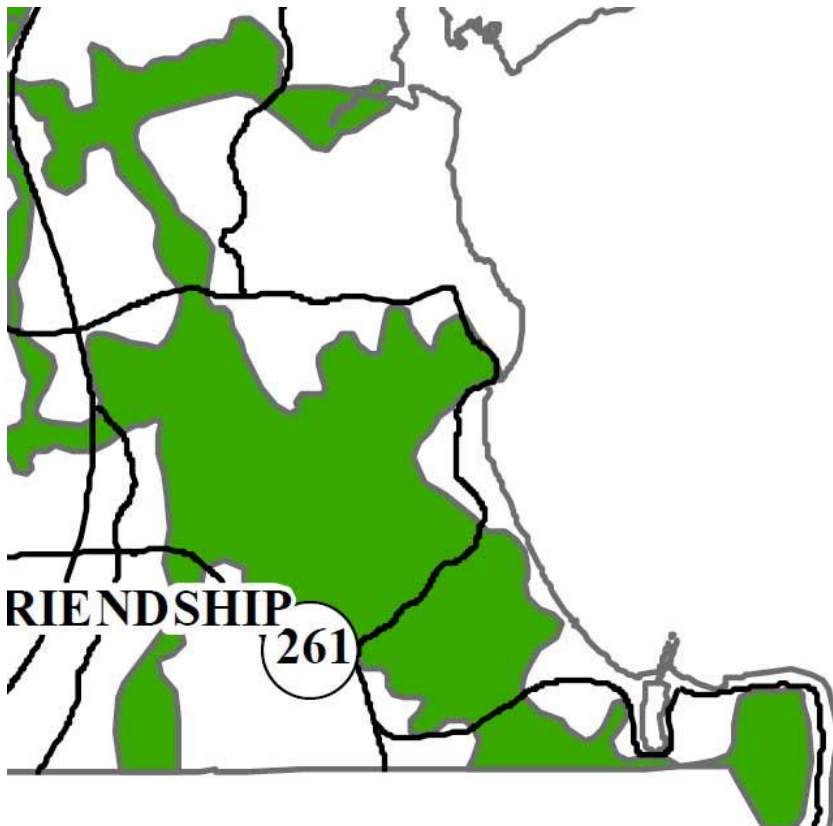


**If the impervious surfaces on each parcel matched the RA average of 8, 326 square feet, the total impervious surfaces would be equivalent to 1.2 percent of the acreage zoned RA on Fairhaven Road.**

# Some RA Parcels in Herring Bay Are Forested Greenways

## Trotts Branch-Herring Bay Greenway

Source: GDP Background Report on Natural Resources, 2008

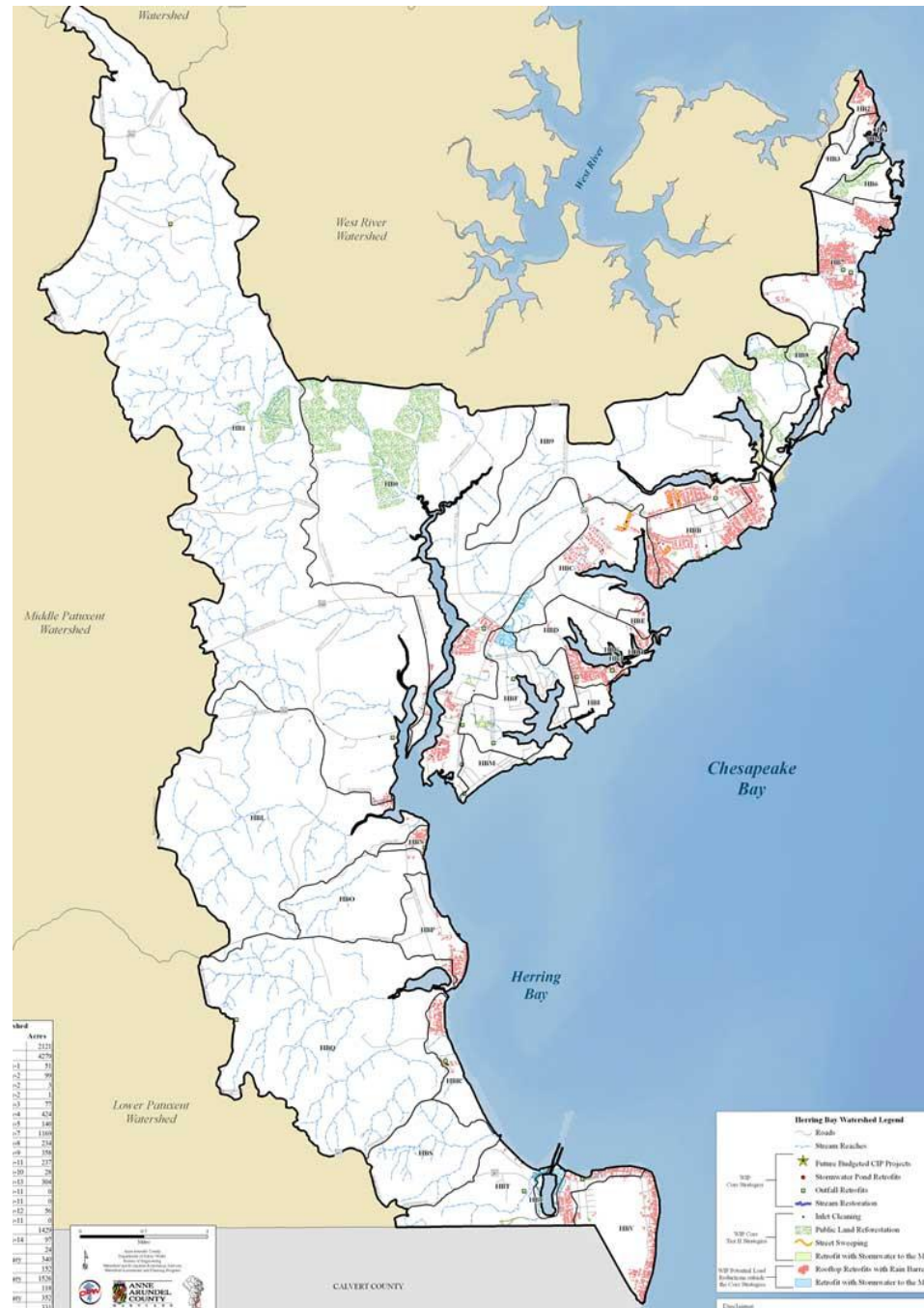


## Aerial View of Herring Bay Greenway



# Watershed Implementation Plan for Herring Bay

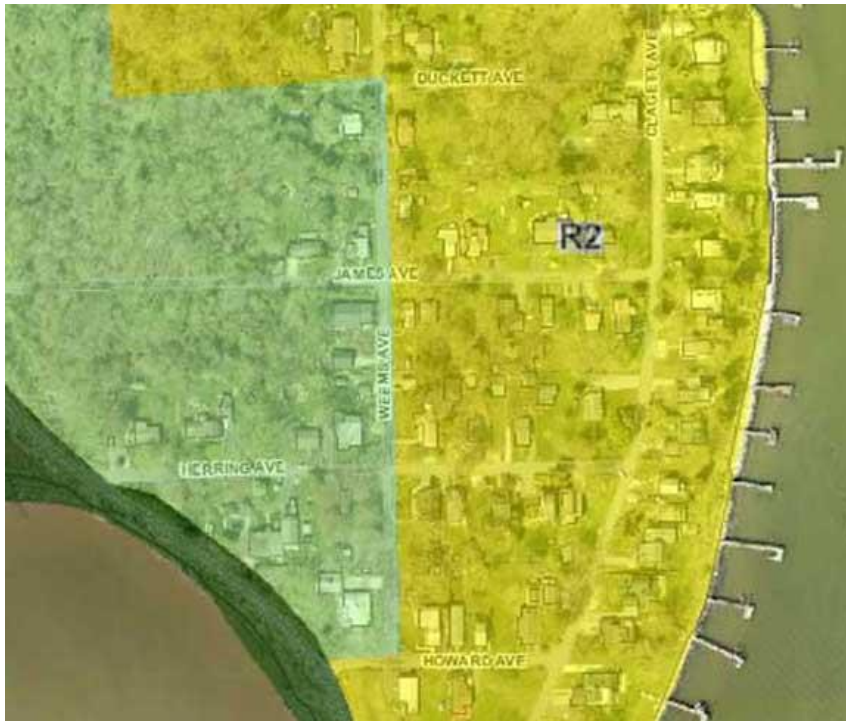
The County's WIP for Herring Bay primarily involves rooftop rain barrels and rain gardens as well as some public land reforestation. No stream restoration or capital improvement projects are currently planned for this watershed.



# Small RA Parcels Would be Taxed At Higher Rate Than Neighbors

Example # 1: Homes Within the Subdivision of Fairhaven By the Bay

## Zoning



## Aerial View



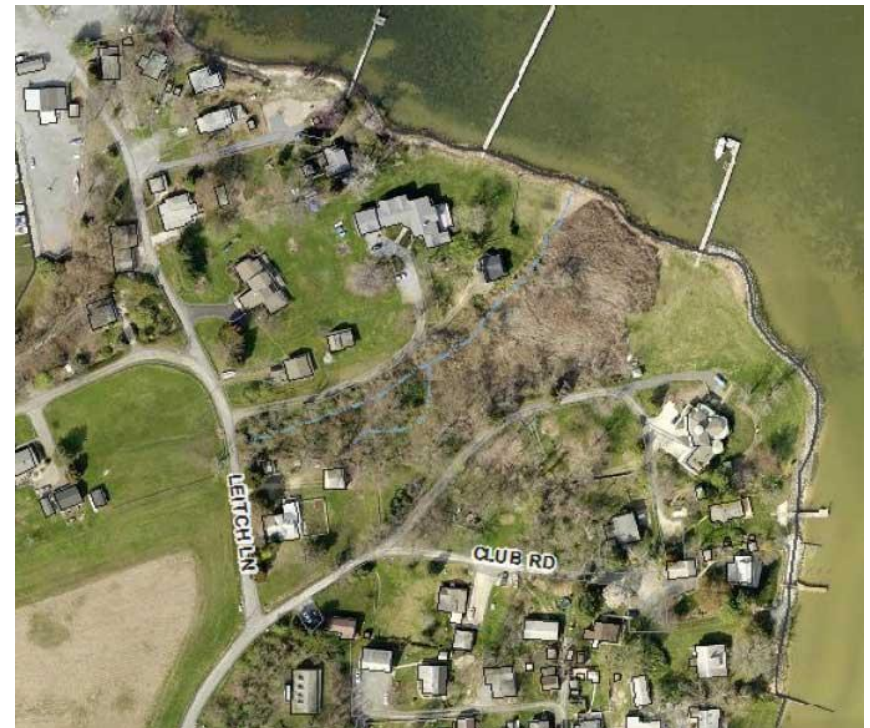
# Small RA Parcels Would be Taxed At Higher Rate Than Neighbors

## Example #2: Communities in Town Point

**Zoning**



**Aerial View**



# Small RA Parcels Would be Taxed At Higher Rate Than Neighbors

Example # 3: Queen Anne Hill (RA) vs. Fair Haven Cliffs (R-2)

## Zoning



## Aerial View

