



**MARYLAND ASSOCIATION
OF COUNTIES, INC.**

March 29, 2012

The Honorable Maggie McIntosh
Chairman
House Ways and Means Committee
Lowe House Office Building
Annapolis, MD 21401

RE: SB 236 Sustainable Growth and Agricultural Preservation Act of 2012

Dear Chairman McIntosh:

The Maryland Association of Counties (MACo) has dropped its opposition to SB 236, contingent on the retention of amendments that were adopted by the Senate. Among the many variations of this legislation contemplated through a lengthy process, the Senate-amended bill best addresses MACo's primary concerns, and makes the bill more practical and workable.

After the Senate bill hearing for SB 236, MACo submitted amendments designed to address five key concerns that MACo highlighted in its testimony relating to the retention of local control over land use decisions, closer linkage of the tier definitions to local planning and zoning designations, and allowing counties to set a definition of major and minor subdivision for the purposes of the bill.

Subsequently, MACo and other stakeholders worked with members of the Administration and agreed upon amendments that address MACo's stated concerns. Critically, the amended bill retains land use decision-making with local governments. The amendments also better address grandfathering, recognizing differences in local soil percolation test schedules.

The amended bill still limits new residential subdivisions to those on public sewage or minor subdivisions on septic systems unless a county chooses to adopt the tiers. The restrictions on the type of subdivisions allowed under each tier were also retained.

MACo reserves the right to renew its opposition if additional amendments not agreed upon by MACo are added to the bill. Please do not hesitate to contact me if you have any questions.

Respectfully yours,

Leslie Knapp Jr.

Leslie Knapp Jr.

cc: Members, House Environmental Matters Committee