

Bill: HB239

FWA

Phyllis R. Edelman

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Dear Economic Matters Committee Chair Valderrama, Vice Chair Charkoudian and Committee Members:

I am a resident of District 16 in Montgomery County, and I am writing to you because HB239, the Starter and Silver Bill should not be approved as it is currently written.

I take issue with this bill for several reasons.

1. **HB239 is vague and broad, assuming that “one size fits all” for the counties in the state.** With 23 counties and 1 independent city, with populations that range from nearly 1.1 million in Montgomery County to less than 20,000 in Kent County, it is illogical and irresponsible to pass “one size fits all” legislation to eliminate single-family home zoning.

Last year in Montgomery County, the Planning Department proposed similar “one size fits all” legislation with its attainable housing bill. The result was that even within our one county this type of legislation was seen as unworkable given the different conditions in our agricultural reserve compared to our urban centers of Silver Spring and Bethesda.

2. **HB239 wrests a considerable amount of land use control from our local entities – counties and incorporated communities -- to the state,** which is one step removed from local residents and our everyday concerns. If there are problems that arise with infrastructure as a result of letting developers build townhouses in every area zoned for single-family homes, do homeowners complain to state or local authorities? Do you really want the headaches that arise brought to the state level?
3. **HB239 does not address the need for low and moderate income housing, which is our state’s most pressing need.** This bill relies on the abundance theory – if you build enough of any kind of housing eventually there will be the “trickle-down” effect, so that some of the expensive housing will fall in price to be affordable for lower income levels. Decades ago, when Ronald Reagan was president, many of us learned that this “trickle down” theory does not work. It will not provide for those who need housing the most –

the unhoused, and lower and middle-income residents who struggle every day to keep a roof over their heads.

Relying on private developers to build an abundance of housing that will be available for those at lower income levels is unrealistic. This bill doesn't take into consideration costs that builders have – building supplies, labor, land and financing – all of which are very high. Speculative building is very risky for private developers, and it is unlikely this bill will result in thousands of new units at lower and middle-income levels being built.

4. **HB239 does not take into consideration the infrastructure needed to support infill townhouses in many of our communities.** In a brand-new community, a builder can provide the infrastructure needed for multiple-family homes, but in many of our older single-family home communities, our infrastructure is also old and was never built to support multiple-family homes. This bill does not consider the water, sewage, electricity, gas, roads, schools, and emergency service needs that are required for multiple-family buildings.

In the last month alone, WSSC reported there were more than 40 water main breaks and leaks across Montgomery and Prince George's counties according to a report on WTOP. Multiplied by the other 21 counties in the state, there were probably hundreds of breaks around the state. In addition, there are areas of the state that don't have public water, but rely on wells. Can these properties support multi-family homes?

5. **HB239 does not take into consideration environmental concerns.** Our extremely cold winter weather this year is evidence of climate change, despite our current federal administration denying it exists. Maryland's contribution to that climate change will be increased in HB239 if setbacks for multi-family structures are decreased to 10 feet for front and rear, and five feet for side setbacks. Many of the single-family home properties targeted in this bill have old growth trees and other greenery that will be destroyed. Destroying green space will add to air pollution, will create more impervious surfaces and ultimately add to water pollution, especially in sensitive areas like the Chesapeake Bay.

Recently, a sewage pipeline collapse between the Potomac River and the Clara Barton Parkway caused 420 million gallons of sewage containing *e. coli* and other harmful bacteria to flow into the Potomac River and ultimately when the weather thaws, make its way into the Chesapeake Bay. Is the state prepared for other sewage line collapses if HB239 is passed without consideration of infrastructure support?

Based on a quick read of the Internet, 70-80% of Americans prefer to live in single-family homes. Therefore, it doesn't make sense to replace single-family homes with townhouses. In addition to considering amendments to HB239 that speak to the issues above, common sense dictates that there are other means to achieve the State's goal of increasing housing stock without eliminating single-family home zoning, including:

1. **Encouraging the building of more housing, particularly low and moderate-income housing, should be the goal of the Governor's housing bill.** To achieve this, the housing production targets published by the Department of Housing and Community Development on January 1, 2026, should be more granular at the county level, delineating the amount of low- and moderate-income housing each county needs in the next four years.

Instead of having the state dictate the abolition of single-family home zoning, in favor of townhouses everywhere, the DHCD could oversee county fulfillment of housing target goals. In particular, if low and moderate-income housing goals are met two years in a row, the DHCD could step in with appropriate recognition and rewards.

2. **Incentives for builders and prospective low- and middle-income homeowners should be offered.** Builders are often given incentives for building multi-family dwellings – more density if a larger percentage of moderately-priced housing is included or tax abatements for extended periods of time if they increase density on county-owned land. Besides giving builders incentives for building denser dwellings, the state should consider tax credits for mortgage interest to be given directly to residents to help them buy homes. Help could extend for maybe 5 or 10 years – just until a homeowner increases their earnings and can afford the mortgage payments on their own.

I greatly understand the need for more housing in our state and the Governor's desire to increase the housing stock quickly and significantly. As my comments above indicate, HB239, the Starter and Silver Homes Act of 2026 will neither reach his intended goal nor provide builders with the incentives needed to provide housing for those most in need-- low and moderate income residents.

Sincerely,

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