



February 11, 2026

Dear Senators and Delegates,

My name is Elizabeth Brenner-Leifer; I am the Mayor of the Village of Drummond, in Montgomery County.

The Village, like many of our neighbors, is very concerned about the Starter and Silver Homes Act. While all are in agreement that the housing crisis must be addressed, the Act will not accomplish its worthy goals, and will lead to unintended consequences.

Our concerns are stated in the letter we signed with 11 other municipalities in Montgomery County. A copy is attached hereto. In summary,

- We object to the preemption of authority granted to counties and municipalities to determine building regulations within their jurisdictions.
- A rigid one-size-fit-all regulatory framework is inappropriate. Most notably, it does not consider the provision of infrastructure required for this higher level of density. It does not take into consideration water drainage systems, of which ours is already inadequate and overburdened. It does not take into consideration local attempts to preserve and restore the urban forest.
- Elimination of lot coverage limits and reduction of setbacks are likely to have the unintended consequence of encouraging larger homes. Such will result in a complete build out of lots, and leave a lack of sufficient yard area for stormwater drainage devices and canopy trees.
- Encouraging market-rate housing will mean developers can avoid local zoning incentives that include affordability components, including Montgomery County's recently-adopted workforce housing legislation.

We were informed about this Bill only 2 weeks before this hearing. A better, more progressive alternative would have been for the drafters to reach out and begin a discussion between the State and local governments. A better approach would be to help localities identify housing targets and to work cooperatively to achieve them. We note that the BABMY Act for example, lays out more of a cooperative approach.

We urge the Committee to hit the brakes on this legislation, and allow more time for local study and more operation with local governments.

Sincerely,

R. Elizabeth Brenner-Leifer
Mayor
Village of Drummond

Chevy Chase Village; Town of Chevy Chase; Town of Chevy Chase View; Town of Garrett Park;
Town of Glen Echo; Town of Kensington; Town of Somerset; Section 3 of the Village of Chevy Chase;
Section 5 of the Village of Chevy Chase; Village of Drummond;
Village of Martin's Additions; Village of North Chevy Chase

VIA EMAIL

January 30, 2026

RE: The Starter and Silver Homes Act of 2026

Dear Senators Waldstreicher and Love, and Delegates Kaufman, Shetty, Solomon, Korman, Wolek, and Woorman:

The undersigned municipalities have carefully reviewed the bill proposed by Governor Moore, entitled "The Starter and Silver Homes Act of 2026." We have many significant concerns that we wish to share with you.

We understand the important issue that the Governor seeks to address: the need for Maryland to increase the availability of moderately priced housing to attract and retain families and businesses and generate economic growth. For reasons stated below, we do not believe that this bill is fit for its purpose – and in fact, could even cut against achieving the stated goals of incentivizing more housing at more moderate prices.

We also object to this bill because it virtually eliminates all authority granted to municipalities and counties to determine building regulations within their jurisdictions. We remain grateful to you for supporting HB 1167/SB 36 last year (adopted 136-1 in the House; 44-0 in the Senate) and signed by Governor Moore. That law clarified the authority of municipalities in Montgomery County to set specific building regulations for all buildings containing from one to four housing units. As part of a negotiated compromise, we accepted the position of the Montgomery County Planning Board that our authority would not extend to multi-family buildings containing more than four units. Working in good faith to address housing concerns, we subsequently supported the County's Workforce Housing ZTA that authorizes duplex, townhouse and multi-family housing in single-family detached zones along the major corridors that abut or traverse our communities.

We had reason to expect reciprocal good faith, and that the municipal authority so carefully considered and reaffirmed last year would remain law for years to come. However, if the proposed bill becomes law, the good faith balance struck last year will be upended.

Following are specific provisions of this bill that we find deeply concerning:

- **Substantial reduction of building setbacks:**
 - **Front and rear setbacks:** Jurisdictions will be unable to require front or rear yard setbacks of more than 10 feet. Our municipalities and the County generally require minimum front setbacks of 25 feet or the established building line, whichever is greater. Rear setbacks are 20 feet or greater. The proposed setback reductions would allow for significantly greater impervious coverage, jeopardizing our ability to control storm water run-off on lots, which has become a major local government concern, and effectively permitting the removal of

numerous canopy trees while not leaving enough space for new trees to grow. It would lead over time to neighborhoods appearing jagged, with new homes extending much closer to the streets than older homes. Such a result is not consistent with standard urban and suburban planning practice.

- **Side setbacks.** Jurisdictions would be unable to establish side setbacks of more than 5 feet, as compared to current County and municipal requirements of at least 7 or 8 feet. Our stricter standards provide the space needed for fire and rescue equipment and personnel and reduce the risk that fire will spread between homes, thereby enhancing the safety of our communities. Again, impervious coverage will increase and complicate storm water management.

Our concern regarding looser setbacks is compounded by the proposed elimination of standards that set lot area coverage limits.

- **Permitting a row of three or more townhouses to be built by right.** This sets a rigid one-size-fits-all model for “missing middle housing” that is inappropriate for most of the lots in our communities and does not consider the provision of infrastructure required for this level of density.
- **Prohibiting regulations that “indirectly” violate the provisions of the bill.** Such general language creates uncertainty as to what would be legitimate to regulate and invites contentious proceedings and possible litigation.

As a result of these provisions, the consequences of this bill are likely to counter the stated purpose of promoting more affordable housing, for the following reasons:

- **Looser setbacks and elimination of lot area coverage limits will encourage larger single-family homes.** Developers would be entitled to take advantage of the expanded building area to build much larger single-family detached houses or to greatly enlarge existing housing. This will defeat the stated purpose of the bill, which was to encourage homes of moderate size and price. Rather than discourage “mansionization,” which was expressly the basis for enactment of HB 1232 (2006), the Starter and Silver Homes Act would actually encourage this trend without any counterbalancing public benefit. Such large homes would also decrease the opportunities for providing accessory dwelling units, a popular form of “missing middle” housing.
- **Undercutting the Montgomery County Workforce Housing ZTA.** A core purpose of this ZTA is to promote multi-family housing projects that include “workforce housing” - moderately-priced units that could be afforded by families earning the median income in the County. This bill provides no such incentive. As a result, the bill would encourage developers to sidestep the zoning incentives in the Workforce Housing ZTA and instead build only market-priced (expensive) housing.

We are surprised that the Governor’s staff has prepared a bill that enables construction of large single-family homes, does not acknowledge standard planning practice, and overrides

Montgomery County’s program to encourage multi-family housing inclusive of moderate-priced units. Further, we hope that in considering this bill, you and your colleagues will appreciate the core matter of policy consistency. All of you worked hard to secure the law that clarified our municipal authority, and we do not support a bill that reverses the good results achieved last year. However, we want to work constructively to find means of addressing the demand for more housing in our State. To that end, we look forward to consulting with you as the legislature reviews this bill and any proposed amendments during this session.

Thank you for considering our views.

Sincerely,

Chevy Chase Village	Town of Somerset
Town of Chevy Chase	Section 3 of the Village of Chevy Chase
Town of Chevy Chase View	Section 5 of the Village of Chevy Chase
Town of Garrett Park	Village of Drummond
Town of Glen Echo	Village of Martin’s Additions
Town of Kensington	Village of North Chevy Chase

cc: Montgomery County Council
Marc Elrich, County Executive
Mayor Jud Ashman, Gaithersburg
Mayor Monique Ashton, Rockville
Artie Harris, Chair, Montgomery County Planning Board