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Montgomery County Coalition for the Control of Cell Towers

Testimony of W. E. “Rick” Meyer

Public Hearing
Bill 18-23, Structure of County Government –
Community Zoning and Land Use Resource Officer
April 18, 2023

I appear this afternoon in steadfast opposition to Bill 18-23.

This Council needs to end more than a decade of shameless efforts to lock residents out of zoning processes. The first step the Council can take towards rebuilding resident trust and repairing the engagement process¹ is to vote against 18-23 **and** to restore full funding to the statutorily mandated People’s Counsel (OPC).

If I might be allowed to present an example of the bewildering hyper complexity of zoning issues – an example that dramatically illustrates **why residents desperately need** the fully funded legal resources of a People’s Counsel. That example is the debacle of ZTA 19-07.

¹ Particularly after having to fire the entire Planning Board for “loss of confidence” in 2022.

That wireless zoning ZTA was the cumulative effort of a powerful and persistent PHED Chair. It took him five years (half of a decade) to gain passage - over strenuous and sustained resident opposition.

ZTA 19-07 was "*intended*" to open the flood gates and allow the wireless industry to place high powered antennas mere feet from bedroom windows in ALL residential zones. Then, after ZTA 19-07 was passed, you cannot imagine our utter disbelief when that same powerful PHED Chair (along with the wireless lobbyists who wrote ZTA 19-07) - suddenly and belatedly - realized they had **got it all wrong** with respect to various County and utility-owned poles in the public rights of way in residential zones.²

So, what did that powerful PHED Chair do? He promptly introduced (and rammed through) [ZTA 22-01](#) to "*correct matters of intent*" - a fabulous euphemism for a legislative overhaul to fix major goof ups in 19-07.³

Now, with the examples of ZTAs 19-07 and 22-01 in mind, I ask the Council: If the PHED Chair - over a duration of five years - could **NOT** understand the complexities of County Zoning law and the legislation that **he** sponsored, then how do residents stand any chance in figuring out what is going on?

The Office of the People's Counsel is very important to us because it is a valuable tool for ensuring transparency and fairness in zoning.

² The PHED Chair got it wrong despite prior written warnings from both Council Staff and the County Executive.

³ Listen to former PHED Chair's [brief explanation](#) for introducing ZTA 22-01 at minute 58:03.

In the coming weeks MC4T will do everything in our power to elevate issues regarding the People's Counsel in both the media and the eyes of residents.

And MC4T will be sure to show up at your upcoming community forums and Town Hall events to ask some very simple questions:

- Why does the Council oppose a "*balanced public record*" in zoning matters by eliminating valuable staff resources that are intended to serve residents?
- Why does the Council seek to deprive residents of qualified legal assistance in complex zoning matters by defunding the OPC?

We will anxiously await your responses.

A handwritten signature in black ink, appearing to read "Amy", with a long, sweeping horizontal line extending to the right.