

May 19, 2016

Via email

Mayor Brian Grim
Cumberland City Council
Shawn Hershberger, CEDC

RE: Maryland Avenue Redevelopment Project

Dear Mayor, City Council, and Cumberland Economic Development Corporation:

We write today to urge you to formally disavow the use of eminent domain for the Maryland Avenue Redevelopment Project and embrace an alternative vision for the Rolling Mill neighborhood that does not necessitate acquiring any additional properties beyond those already held by the City of Cumberland and the Cumberland Economic Development Corporation.

In the course of a recent Public Information Act inquiry, the city released a “letter of intent” between the City of Cumberland and PTV Capital Partners (PennTex Ventures), the designated developer for the Rolling Mill project, outlining their plans for the Rolling Mill. In the letter, the city states flatly that “[t]he City has the power of eminent domain . . . and intends to utilize these powers to acquire the Properties for economic development.” The chilling statement comes after months of city and CEDC officials denying any interest or willingness to use eminent domain for this project.

Although officials may now claim eminent domain will only be used as a “last resort,” if the city’s conception of this project includes a fully demolished and rebuilt Rolling Mill, the only way that vision can be realized is through the use of eminent domain. If the city is unable to get what it wants through negotiation, it will get it through condemnation.

This community is home to many longtime Cumberland residents. Their city shouldn’t forcibly take their homes for a private development. That’s eminent domain abuse, as eminent domain is for public uses like roads and schools, not private development projects.

The city’s pursuit of this redevelopment plan is all the more troubling and senseless in light of the project’s poor prospects for success.

The same PIA disclosures also show a pattern of confusion regarding the overall financing of the project, escalating costs and public officials referring to citizens’ homes as mere, “impediments to private investments.”

Additional documents highlight city leadership’s disregard for transparency, including Mayor Brian Grim’s telling City Council Members, “The public will likely get all of the information they wish at some point, but if it comes before the deal is done, it jeopardizes the project.”

Preservation Maryland Executive Director Nicholas Redding noted, “The documents prove what many had suspected all along—that this project is poorly planned, costing more and more each day and that the city intends to try and force citizens from their homes.” Redding continued, “Maryland’s history deserves better, certainly, but so do its citizens. These homes are not ‘impediments,’ as city officials have suggested, but they are places people call home.”

The collection of documents reveals that the city and its partners have not been able to secure the funding necessary to move forward. And revelations that the city intends to let the structures it and the CEDC already own stand vacant while the neighborhood deteriorates are especially concerning.

Institute for Justice Outreach Coordinator Garrett Atherton summarized the findings: “It seems the city’s current course has left it with no other option than to destroy the neighborhood through inattention and neglect—and then condemnation—with no light at the end of the tunnel. Hardly a recipe for economic success.”

Indeed, redevelopment projects that rely on the use of condemnation have a poor track record. New London, Connecticut, home to the infamous *Kelo v. City of New London* U.S. Supreme Court case, fought for years and spent millions in litigation to condemn the working-class Fort Trumbull neighborhood for private development, chasing increased tax revenue just as Cumberland officials are in the Rolling Mill. But the developer pulled out, and the project—and tax revenues—never materialized. Fort Trumbull remains a barren field years later.

Don’t let Cumberland become the next New London and please do not let the Rolling Mill become the next Fort Trumbull.

Rather than vainly attempting to attract investors for a lemon project, all the while allowing the properties you now own to continue to dilapidate and attract crime, the city should explore other options for the neighborhood.

Preservation Maryland has authored a report outlining five alternative proposals for the Rolling Mill, each of which increases Cumberland’s tax base without abusing eminent domain. All of these are more viable than the current plan. The report accompanies this letter.

With other options available, the city’s plans for the Rolling Mill should be revisited. We join the growing chorus of citizens and organizations calling on the mayor and council to publicly disavow eminent domain for the Maryland Avenue Redevelopment Project and openly and transparently return to the drawing board to embrace a new vision for the Rolling Mill.

We ask that you publicly respond to these requests by Monday, June 20th.

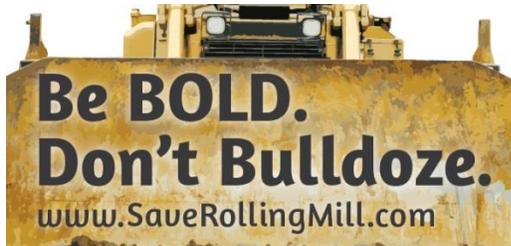
Sincerely,

Susan Bolyard

Lawrence & Debra Darby

Woodrow Gordon

The Save Our Homes Alliance of Rolling Mill



Garrett Atherton

Outreach Coordinator

Institute for Justice



Nicholas A. Redding

Executive Director

Preservation Maryland

