



HOWARD COUNTY DEPARTMENT OF COUNTY ADMINISTRATION

3430 Courthouse Drive

■ Ellicott City, Maryland 21043

■ 410-313-2022

Mark Miller, Administrator, Office of Public Information
msmiller@howardcountymd.gov

FAX 410-313-3390

February 2, 2021

Joel Hurewitz
joelhurewitz@gmail.com

Dear Mr. Hurewitz:

The following is in response to your email to Howard County Government's Office of Public Information, requesting information in accordance with the Maryland Public Information Act, 4-101 *et seq.* of the General Provisions Article of the Annotated Code of Maryland (the "PIA"), which I received on January 21, 2021.

Specifically, you stated: "At the January 14, 2021 meeting of the Historic Preservation Commission, it was publicly announced that additional analysis was done in response to these PIA requests. Therefore, I resubmit these requests for any relevant documents for the Safe and Sound Plan which were created subsequent to the prior response of December 23, 2020."

As noted in my previous letter, dated January 21, 2021, by these requests, the County interprets you to mean:

- "... documents related to which specific Safe and Sound plans showed the effect of water depth and/or velocity on Main Street if ONLY the portion of the building at 8049 Main Street (Phoenix Emporium) which is solely over the Tiber channel culvert (the portion of the building located at the corner of Main Street and Maryland Avenue) were to remain in place or the deck as presented in Figure 150 of the Ellicott City Watershed Master Plan were to be constructed with the other portions of 8049 and the other three buildings at 8055, 8059, and 8069 Main Street removed.
- "... documents showing in detail the support structure for the portion of the building at 8049 Main Street, Ellicott City aka the Phoenix Emporium which is suspended over the Tiber channel and documents regarding the prospect of raising (not razing) and/or relocating this portion of the building."

The County has one record responsive to your request, which you will find attached. As noted by the County's Department of Public Works (DPW) and Office of the County Executive (OCE), the attached .pdf file responds to "... documents related to which specific Safe and Sound plans showed the effect of water depth and/or velocity on Main Street if ONLY the portion of the building at 8049 Main Street (Phoenix Emporium) which is solely over the Tiber channel culvert (the portion of the building located at the corner of Main Street and Maryland Avenue) were to remain in place[.]" The County has no documents relative to the later part of bullet #1, i.e. "... the deck as presented in Figure 150 of the Ellicott City Watershed Master Plan were to be constructed with the other portions of 8049 and the other three buildings at 8055, 8059, and 8069 Main Street removed."

Additionally, per DPW and OCE, the attached .pdf is the only document that was created after, relative to the aforementioned PIA response on December 23, 2020. There are no further documents created subsequent to December 23, 2020 that are responsive to the remainder of this request. Documentation that is responsive to the remainder of the request were generated prior to December 23, 2020 and were/are already in the public domain as part of the County's application to the Historic Preservation Commission, Case HPC-20-83.

While Howard County has the right to charge a copying fee of \$0.25 per page for a black and white paper copy, as mentioned on page 10 of [Howard County Council Resolution No. 71-2020](#), an electronic copy of the responsive record exists and is therefore free of charge. In addition, Howard County has the right under the Public Information Act to charge you for search time in excess of two hours; however, no more than two hours was expended on your request.

Pursuant to MPIA § 4-362, you are entitled to seek judicial review of this decision by filing a complaint in the Circuit Court for Howard County or the Circuit Court in Maryland in the County where you reside or maintain a principal place of business. You may also refer any concerns about this decision to the Public Access Ombudsman pursuant to MPIA § 4-1B-01 et seq.

Sincerely,

Alexandra Bresani
Office of Public Information