



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott CITY HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350

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January Minutes

Thursday, January 14, 2021; 7:00 p.m.

A public meeting of the Historic Preservation Commission was held on Thursday, January 14, 2021. Due to the State of Emergency and to adhere to social distancing measures, the meeting was not held at 3430 Court House Drive, Ellicott City, but was conducted as a virtual web meeting/conference call.

Senator Katie Fry Hester, State Delegate Courtney Watson, Ms. Grace Kubofcik, Mr. Nicholas Johnson, Ms. Angela Tersiguel, Mr. Ron Peters, Mr. Joel Hurewitz, Mr. Randy Marriner, Ms. Lisa DeVries, Mr. Donald Reuwer, Mr. Victor Thomas, Ms. Julia Sanger, Ms. Tara Simpson, Mr. Doug Thomas, Ms. Kelly Secret, Mr. Bert Wilson, Ms. Lori Lilly, Mr. Barry Gibson, Ms. Pam Long, Mr. David Carney, Mr. Stephen McKenna, Ms. Gayle Killen and Ms. Liz Walsh were registered to testify on HPC-20-83 per the noon registration deadline on December 3, 2020.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Staff present: Beth Burgess, Samantha Holmes, Lewis Taylor, Kaitlyn Harvey

PLANS FOR APPROVAL

Regular Agenda

1. HPC-20-83 – 8049, 8055, 8059, 8061 (Tiber Park) and 8069 Main Street; Vicinity of Maryland Avenue and Main Street; Vicinity of 3711 Maryland Avenue along Patapsco River, Ellicott City – continued from December 3, 2020.

HPC-20-83 – 8049, 8055, 8059, 8061 (Tiber Park) and 8069 Main Street; Vicinity of Maryland Avenue and Main Street; Vicinity of 3711 Maryland Avenue along Patapsco River, Ellicott City – continued from December 3, 2020

Applicant: Robert Z. Hollenbeck, Howard County Department of Public Works

Request: The Applicant, Robert Z. Hollenbeck on behalf of the Howard County Department of Public Works, requests a Certificate of Approval for the demolition of buildings at 8049, 8055, 8059, and 8069 Main Street, the demolition of a bridge at 8061 Main Street (Tiber Park); and alterations in the Vicinity of Maryland Avenue and Main Street, Vicinity of 3711 Maryland Avenue along Patapsco River, Ellicott City for construction of an enhanced floodplain and culvert.

This report is divided into in six sections:

- 1) HPC-20-83a – 8049 Main Street, Ellicott City (Phoenix building)
- 2) HPC-20-83b – 8055 Main Street, Ellicott City (Discoveries building)
- 3) HPC-20-83c – 8059 Main Street, Ellicott City (Easton and Sons/Bean Hollow Building)
- 4) HPC-20-83d – 8061 Main Street, Ellicott City (Tiber Park bridge)
- 5) HPC-20-83e – 8069 Main Street, Ellicott City (Great Panes building)
- 6) HPC-20-83f – Vicinity of Maryland Avenue and Main Street, Vicinity of 3711 Maryland Avenue along Patapsco River, Ellicott City for the construction of expanded terraced floodplain/culvert and associated components.

Background and Site Description: The December 3, 2020 agenda and staff report addendum for case HPC-20-83 are incorporated by reference.

This report will reference various Addendums to the Staff Report. A full list of the Addendums will include:

- Addendum 1 – 8049 Main Street 2020 Updated Historical Information
- Addendum 2 – 8049 Main Street Inventory
- Addendum 3 – 8049 Main Street Photos
- Addendum 4 – 8055 Main Street Historical Information
- Addendum 5 – 8055 Main Street Photos
- Addendum 6 – 8059 Main Street Historical Information
- Addendum 7– 8059 Main Street Photos
- Addendum 8 – 8061 Main Street (Tiber Park bridge) Photos
- Addendum 9 – 8069 Main Street Historical Information
- Addendum 10 – 8069 Main Street Photos
- Addendum 11 – 3711 Maryland Avenue Inventory
- Addendum 12 – Minutes HPC-18-46, September 2018 Meeting
- Addendum 13 – Minutes HPC-19-48, October 2019 Meeting
- Addendum 14 – Minutes HPC-20-74, October 2020 Meeting

These properties are all located in the Ellicott City Historic District. The buildings have the following dates of construction:

- 1) 8049 Main Street (Phoenix) – Brick building circa 1851, frame building circa 1870s.
 - a. Listed as HO-330 in the Howard County Inventory and the Maryland Inventory of Historic Properties.
 - b. Updated 2020 Historical Information in Addendum 1 and Inventory in Addendum 2.
 - c. Photos in Addendum 3.
- 2) 8055 Main Street (Discoveries) – Block building circa 1920s-30s.
 - a. Listed as HO-78-4, Valmas Restaurant, in the Maryland Inventory of Historic Properties

- b. Additional historical information in Addendum 4.
 - c. Photos in Addendum 5.
- 3) 8059 Main Street (Easton and Sons/Bean Hollow) – Stone and frame building circa 1930s.
 - a. Additional historical information in Addendum 6.
 - b. Photos in Addendum 7.
- 4) 8061 Main Street (Tiber Park bridge) – Previously existing historic building burned down in 1941, was demolished and converted to Tiber Park.
 - a. Photos in Addendum 8.
- 5) 8069 Main Street (Great Panes) – Stone building circa 1841, brick rebuilding potentially circa 1885-1910.
 - a. Listed as HO-78-2, Young-Buzby-Jones Store and Dwelling, in the Maryland Inventory of Historic Properties.
 - b. Additional historical information in Addendum 9
 - c. Photos in Addendum 10.
- 6) 3711 Maryland Avenue (B&O Railroad Station) – Stone building circa 1830.
 - a. Listed on the Howard County Historic Sites Inventory and the Maryland Inventory of Historic Properties as HO-71, Ellicott City B&O Railroad Station, Freight Building and Turntable.
 - b. Individually listed as National Historic Landmark, November 1968.
 - c. Contains a Maryland Historical Trust Easement.
 - d. Inventory form in Addendum 11.

The application provides a brief history of Ellicott City flooding and explains:

“Throughout its history, Main Street and the Ellicott City Historic District have seen at least 15 significant flood events dating back to the 1700’s. Most recently, the community has seen two major flash floods within the last four years. The most recent flash flood events have been referred to as “top-down” flood events, whereas storm water runs from adjacent topography through the Main Street area. “Top-down” flooding has occurred in Ellicott City throughout history. These flood events cause significant damage, as the flood waters travel at a high velocity, collecting anything in its path.”

Scope of Work: The Department of Public Works is requesting a Certificate of Approval for demolition and other work related to the planned construction of the Maryland Avenue Culvert Project, to expand the Tiber River channel and install an underground culvert in the vicinity of Main Street and Maryland Avenue to increase capacity for stormwater flow to the Patapsco River.

The application is for demolition and subsequent construction. The Applicant requests approval to demolish four buildings and a bridge located at:

- 1) 8049 Main Street, Ellicott City (HPC-20-83a) – Phoenix building
- 2) 8055 Main Street, Ellicott City (HPC-20-83b) – Discoveries building
- 3) 8059 Main Street, Ellicott City (HPC-20-83c) – Easton and Son/Bean Hollow building
- 4) 8061 Main Street, Ellicott City (HPC-20-83d) – Tiber Park bridge
- 5) 8069 Main Street, Ellicott City (HPC-20-83e) – Great Panes building

The Applicant also requests approval for the construction of the expanded terraced floodplain/culvert and associated components after the buildings are removed (HPC-20-83f), to include:

- 6) Construct the expanded terraced floodplain/culvert. The expanded terraced floodplain/culvert will utilize the stone from the existing stream walls and stone salvaged from the building

demolition. The weir wall will be constructed using salvaged stone from Ellicott City. The imbricated stone spillway will also be constructed with stone.

- 7) Install black metal fencing and black metal bollards along the expanded terraced floodplain/culvert.

The application contains the following information:

“In order to facilitate the conveyance of water from the existing stream channel into the new culvert, modifications to the stream channel walls and conveyance network are required, referred to as the Terraced Floodplain. These modifications, along with the construction of the culvert, necessitate the removal of four buildings. The removal of these four buildings will have a significant positive impact on Lower Main Street. The remaining buildings along Main Street will realize a significant impact in reduction of the risk of damage from flash floods. However, the viewshed and streetscape at Lower Main Street will be altered from the way that most living currently have experienced it. The decision to pursue demolition of these buildings was not reached lightly. It is only through analysis of many projects and multiple plan iterations that the request to remove these buildings is made.”

A Certificate of Approval for any future streetscape work that is not part of Items 6 and 7 above will be required separate from this application.

The application provides background information on the lower Main Street plan from the previous administration, which proposed the demolition of ten buildings along lower Main Street. The HPC provided Advisory Comments on this proposal in September 2018 in case HPC-18-46, found in Addendum 12.

The application also explains that when County Executive Ball took office in late 2018, he announced the “EC Safe and Sound Plan” and by May 2019 selected the Option 3G7.0 to proceed with. This plan includes the preservation of six buildings previously proposed for demolition, the creation of the North Tunnel (not part of this application), the demolition of four buildings and the Maryland Avenue Culvert project. The application also contains information explaining how the flood mitigation projects work together to mitigate flash flooding. The application states that the Maryland Avenue Culvert project will provide significant additional storm water conveyance from the Tiber/Hudson Branch to the Patapsco River, while mitigating a significant constriction to flow. On October 3, 2019 the Applicant received Advisory Comments on the EC Safe and Sound Plan in case HPC-19-48. The minutes from this case are incorporated by reference and found in Addendum 13.

On October 1, 2020, the Applicant received Advisory Comments on the Maryland Avenue Culvert Project and the demolition of the four lower Main Buildings at 8049, 8055, 8059 and 8069 Main Street in case HPC-20-74. The minutes from this case are incorporated by reference and found in Addendum 14.

The application states that the Maryland Avenue Culvert project will provide significant additional storm water conveyance from the Tiber/Hudson Branch to the Patapsco River, while mitigating a significant constriction to flow. The application contains the following explanation:

“The Maryland Avenue Culvert project works by increasing the conveyance capacity for storm water from the existing stream channel network out to the Patapsco River. Currently, the capacity for storm water to drain from Main Street is limited by the capacity of the *Oliver Culvert*, which parallels Main Street adjacent to its crossing underneath the railroad bridge. The new culvert will consist of a reinforced concrete box culvert that will extend from the approximate location of 8049 Main Street, below grade under Maryland Avenue, below the turn table adjacent to the B&O Railroad Station and CSX Rail line, and out to the Patapsco River.”

The application also addresses how impacts to the B&O Station and Turntable will be monitored:
 “To avoid impact to the B&O, turn table, or rail line, the section of culvert under this area will be constructed using a ‘jack and bore’ construction technique. This is a process in which a jacking pit will be excavated in Maryland Avenue, and the concrete structure will be hydraulically jacked from the pit, below grade, out towards the river. To ensure the B&O, turn table, and rail line are not impacted by this construction process, the design team has gathered subterranean data and prescribed a series of engineering controls, including sensors, which will be monitored in real time throughout the project.”

Slide 16 from Attachment A in the Applicant’s submission shows the existing stream channel with the location of the proposed culvert:

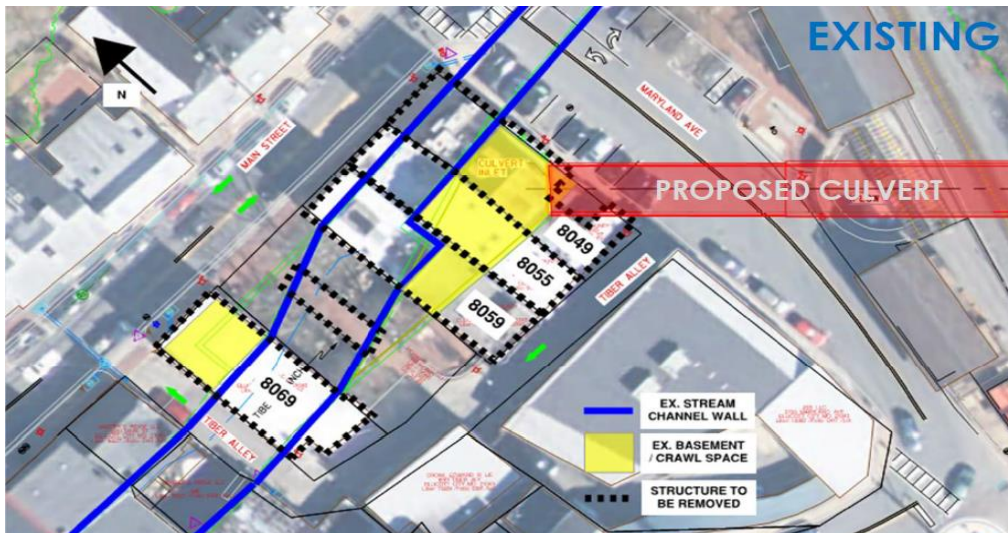


Figure 12 - Existing conditions and proposed culvert.

Slide 17 below from Attachment A in the Applicant’s submission shows the proposed stream channel with the proposed culvert and new terraced floodplain/new stream channel. The Applicant seeks approval for the construction of the expanded terraced floodplain/culvert/new stream channel as outlined in Items 6 and 7.

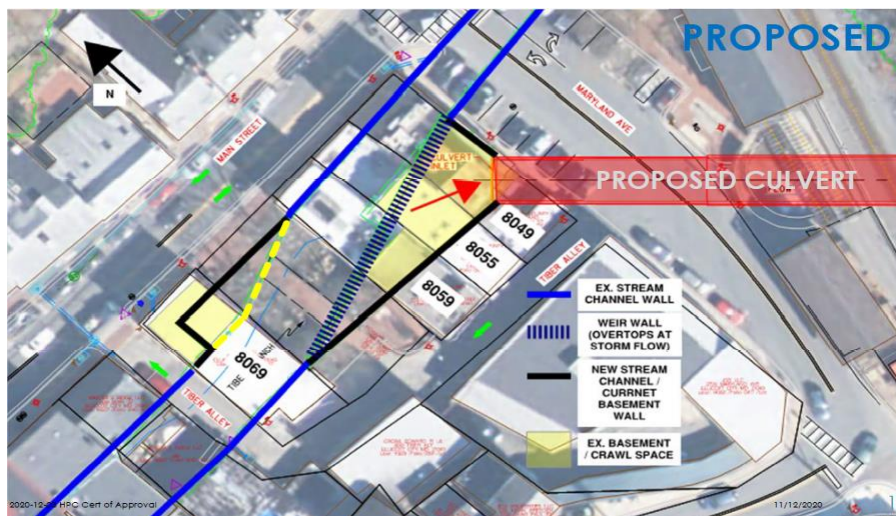


Figure 13 - Proposed terraced floodplain/culvert/expanded stream channel.

HPC Review Criteria and Recommendations:

The following Guidelines, Code provisions, and Rules of Procedure references below are excerpts, and are included for the Commission's consideration in reviewing the application. Please refer to the actual documents for the full text.

Ellicott City Historic District Design Guidelines; Chapter 12: Demolition and Relocation

- 1) *Chapter 12 states, "Demolition and relocation of any structure requires a Certificate of Approval from the Historic Preservation Commission. This requirement applies to structures such as retaining walls, sheds and garages as well as houses. Historic buildings are irreplaceable resources. Because their demolition will have a permanent detrimental effect on the historic district, the Commission will consider approving demolition only after all possible alternatives to preserve the structure are exhausted."*
- 2) *Chapter 12 states, "For any demolition or relocation, the treatment of the site after the removal of the structure and the new location and site design for a relocated building (if the location is within the historic district must also be approved by the Commission)."*

Rules of Procedure, Section 300, Demolition and Relocation of Structures in Historic Districts; General
Section 300 states, "Demolition or relocation of any structure in an historic district requires a Certificate of Approval. The Certificate of Approval must include a plan for treatment of the site after the structure is removed. The Certificate of Approval must also include the new location for a relocated building if the location is within an historic district in Howard County."

Section 300 of the Commission's Rules of Procedure provide information on the process for reviewing applications for demolitions in the historic district. The entire section is relevant to this Advisory application, and is incorporated by reference, rather than copying and pasting three pages of procedures. Please refer to the Rules of Procedure for full text.

Rules of Procedure, Section 301, Demolition and Relocation of Structures in Historic Districts; Contents of Application

Section 301 of the Rules of Procedure outlines the process and information needed in an application for demolition. Section 301 explains that documentary evidence must be submitted to support the demolition request and outlines the information that should be provided in an application. The Rules of Procedure also state that before the Commission acts on an application for demolition, they shall determine whether the building is a Structure of Unusual Importance, which is defined by Section 302.

Rules of Procedure, Section 302, Demolition and Relocation of Structures in Historic Districts; Classification of Structure

Section 302 states, "Before acting on an application for demolition or relocation, the Commission shall determine whether the structure is a Structure of Unusual Importance."

- A. *Structures of Unusual Importance are structures deemed by the Commission to be of unusual importance to the Nation, State or County, whose loss would cause great damage to the character and integrity of the historic district.*
- B. *Determination that a structure is a Structure of Unusual Importance shall be based on criteria in its adopted guidelines, the testimony of expert witnesses or other documentary evidence presented to the Commission.*

If the Commission determines the structure is a Structure of Unusual Importance, the process to be followed is described in Section 303 of the Rules, *Demolition of Structures of Unusual Importance*.

**Rules of Procedure, Section 303, Demolition and Relocation of Structures in Historic Districts;
Demolition of Structures of Unusual Importance [EXCERPT]**

...

B. If the Commission determines the structure is a Structure of Unusual Importance, the following applies:

1. *The Commission may deny the application unless:
 - a. *The structure is a deterrent to a major improvement program which will be of substantial benefit to the County; or*
 - b. *Retention of the structure would cause undue financial hardship to the owner; or*
 - c. *Retention of the structure would not be in the interest of a majority of the persons in the community.**

2. *The burden of proof is on the applicant to establish that one of the conditions cited in Rule 303.B.1 applies.*

3. *If the applicant relies on Rule 303.B.1.b in order to meet the burden of establishing the need for demolition, the applicant must present documentary evidence of the cost of maintaining or relocating the structure, the estimated cost of the demolition, the estimated cost of restoring or stabilizing the building, all other financial information on which the applicant relies to establish financial hardship, and, if the applicant relies on evidence of the lack of structural integrity of the structure, a report on the structural integrity prepared by an engineer licensed in the State of Maryland, based on the engineer's in person observations of the interior and exterior of the structure.
 - a. *Costs that are estimated must be supported by written estimates by persons qualified to provide such estimates and in sufficient detail to permit the Commission to verify the reasonableness of the estimate.*
 - b. *The Commission may find that retention of the structure would cause the applicant financial hardship if it determines that the building has been demolished by neglect or natural disaster and there is no feasible way to restore the building short of rebuilding.**

If the Commission determines the structure is not of Unusual Importance, the process to be followed is described in Section 304 of the Rules of Procedure, under *Demolition of Other Structures*. Section 304.A states that if the Commission determines the structure is not a Structure of Unusual Importance, they shall vote to approve or deny the application based on the standards in Section 16.607 of the Howard County Code and its adopted Guidelines. An excerpt from Section 16.607 is provided below.

Section 16.607 – Standards for Review.

(a) Elements for Consideration. In reviewing an application for a certificate of approval, the Commission shall give consideration to:

- (1) The historic, architectural, or archeological value or significance of the structure and its relationship to historic value of the surrounding area.*
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area.*

- (3) *The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used.*
- (4) *Whether the requested action is necessary to protect against threats to public safety.*
- (5) *Any other factors, including aesthetic factors, which the Commission deems to be pertinent.*

Section 16.608 of the County Code contains information on Structures of Unusual Importance. An excerpt is provided below.

Section 16.608(d), Structures of Unusual Importance

- (a) *Structure of Unusual Importance. In the case of an application for alteration affecting the exterior appearance of a structure or for the moving or demolition of a structure the preservation of which the Commission deems of unusual importance to the County, State or nation, the Commission shall endeavor to work out with the owner an economically feasible plan for the preservation of such structure.*
- (b) *Deny Application. Unless the Commission is satisfied that proposed construction, alteration, or reconstruction will not materially impair the historic value of the structure, the Commission shall deny the application.*
- (c) *Negotiation. If an application is submitted for alteration, moving or demolition of a structure that the Commission deems of unusual importance and no economically feasible plan can be formulated, the Commission shall have 90 days from the time it concludes that no economically feasible plan can be formulated to negotiate with the owner and other parties in an effort to find a means of preserving the building.*
- (d) *Special Circumstances. The Commission may approve the proposed alteration, moving or demolition of a structure of unusual importance despite the fact that the changes come within the provisions of subsections (a) through (c) of this section, if:*
 - (1) *The structure is a deterrent to a major improvement program which will be of substantial benefit to the County;*
 - (2) *Retention of the structure would be a threat to public safety;*
 - (3) *Retention of the structure would cause undue financial hardship to the owner; or*
 - (4) *Retention of the structure would not be in the interest of a majority of the persons in the community.*

The following Chapter 9 Guidelines are relevant to the proposal to construct the expanded stream channel/culvert.

Chapter 9.A: Landscape and Site Elements; Topography and Water Courses

- 1) *Chapter 9.A recommends:*
 - a. *“Preserve the relationship of historic buildings to their sites.”*
 - b. *“Minimize grading by siting new structure and other improvements to make use of the land’s natural contours. When necessary, use appropriately designed retaining walls or building walls to create the minimum level area needed for a new use in accordance with historic development patterns.”*
 - c. *“Maintain and reinforce natural landscape elements, such as rock outcroppings, water courses and tree lines. Make views of natural elements, especially the Patapsco River and its tributaries, available to the public where possible. Provide walkways, sitting areas and casual spots in parks, plazas, and other areas open to the public.*

Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways

- 1) Chapter 9.D recommends:
 - a. *"Identify and retain site features that are important to the historic character of a site."*
 - b. *"Preserve historic features, such as retaining walls, freestanding walls, fences, terraces, walkways, driveways and steps. When possible, reuse the historic building materials to repair or restore these structures."*
 - c. *"Construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way."*
 - d. *"Install open fencing, generally not more than five feet high, of wood or dark metal."*
 - e. *"Construct new terraces or patios visible from a public way from brick, stone or concrete pavers designed to look like indigenous stone."*
- 2) Chapter 9.D recommends against:
 - a. *"New driveways, parking areas, walkways, terraces or other features that substantially alter the setting of a historic building."*
 - b. *"Poured concrete or concrete block walls in locations visible from a public way or neighboring property."*

Staff Recommendation to the HPC:

Staff recommends the HPC determine the following:

- 1) For HPC-20-83a, Staff recommends the HPC determine if the structure located at 8049 Main Street is of Unusual Importance.
 - a. If the Commission determines that the structure is not a Structure of Unusual Importance, it shall vote to approve or deny the application based on the standards set forth in §16.607 of the Howard County Code and its adopted Guidelines.
 - b. If the Commission determines that the structure is a Structure of Unusual Importance, it should follow the procedure laid out in Rule 303.B in the Commission's Rules of Procedures and determine whether proposed demolition and new construction comply with the Guidelines and s §16.607 and §16.608 of the County Code.
 - c. If the Commission approves the application for demolition, Staff recommends the HPC confirm if the list of materials proposed to be salvaged is acceptable.
- 2) For HPC-20-83b, Staff recommends the HPC determine if the structure located at 8055 Main Street is of Unusual Importance.
 - a. If the Commission determines that the structure is not a Structure of Unusual Importance, it shall vote to approve or deny the application based on the standards set forth in §16.607 of the Howard County Code and its adopted Guidelines.
 - b. If the Commission determines that the structure is a Structure of Unusual Importance, it should follow the procedure laid out in Rule 303.B in the Commission's Rules of Procedures and determine whether proposed demolition and new construction comply with the Guidelines and §16.607 and §16.608 of the County Code.
 - c. If the Commission approves the application for demolition, Staff recommends the HPC confirm if the list of materials proposed to be salvaged is acceptable.
- 3) For HPC-20-83c, Staff recommends the HPC determine if the structure located at 8059 Main Street is of Unusual Importance.
 - a. If the Commission determines that the structure is not a Structure of Unusual Importance, it shall vote to approve or deny the application based on the standards set forth in §16.607 of the Howard County Code and its adopted Guidelines.

- b. If the Commission determines that the structure is a Structure of Unusual Importance, it should follow the procedure laid out in Rule 303.B in the Commission's Rules of Procedures and determine whether proposed demolition and new construction comply with the Guidelines and §16.607 and §16.608 of the County Code.
 - c. If the Commission approves the application for demolition, Staff recommends the HPC confirm if the list of materials proposed to be salvaged is acceptable.
- 4) HPC-20-83d, Staff recommends the HPC determine if the Tiber Park bridge structure located at 8061 Main Street is of Unusual Importance.
 - a. If the Commission determines that the structure is not a Structure of Unusual Importance, it shall vote to approve or deny the application based on the standards set forth in §16.607 of the Howard County Code and its adopted Guidelines.
 - b. If the Commission determines that the structure is a Structure of Unusual Importance, it should follow the procedure laid out in Rule 303.B in the Commission's Rules of Procedures and determine whether proposed demolition and new construction comply with the Guidelines and §16.607 and §16.608 of the County Code.
 - c. If the Commission approves the application for demolition, Staff recommends the HPC indicate if there are any elements within the bridge and park that should be salvaged.
- 5) HPC-20-83e, Staff recommends the HPC determine if the structure located at 8069 Main Street is of Unusual Importance.
 - a. If the Commission determines that the structure is not a Structure of Unusual Importance, it shall vote to approve or deny the application based on the standards set forth in §16.607 of the Howard County Code and its adopted Guidelines.
 - b. If the Commission determines that the structure is a Structure of Unusual Importance, it should follow the procedure laid out in Rule 303.B in the Commission's Rules of Procedures and determine whether proposed demolition and new construction comply with the Guidelines and §16.607 and §16.608 of the County Code.
 - c. If the Commission approves the application for demolition, Staff recommends the HPC confirm if the list of materials proposed to be salvaged is acceptable.
- 6) For HPC-20-83f, the construction of expanded terraced floodplain/culvert and associated components:
 - a. Staff recommends the Commission determine if there is sufficient detail to approve at this time, and whether or not the application complies with the Guidelines and §16.607 approve, deny or continue accordingly. Staff recommends that the Commission determine whether the proposed demolition and new construction comply with the Guidelines and §16.607 and §16.608 of the County Code.

Testimony: Mr. Shad swore in Joel Hurewitz, a protestant to the case, and the Applicants, Robert Hollenbeck from the Department of Public Works and Shaina Hernandez from the County Executive's Office.

Cross Examination

Mr. Hurewitz resumed his cross examination from the December 3, 2020 meeting. Mr. Hurewitz referenced various pages, such as 6, 17, 20 and 29 of the Applicant's December presentation, Attachment A revised, and Attachments L & M in his cross examination. Mr. Hurewitz asked to enter his Exhibit 3, a contour map from County GIS showing changes in elevation to ask questions about water levels. There was an objection and it was not moved into evidence.

Mr. Hurewitz asked the Applicants a variety of questions regarding water depth changes on Main Street; the road elevation of Main Street; the Oliver Culvert; the possibility of relocation, rebuilding at a higher elevation and preserving all or portions of the former Phoenix Building. Mr. Hollenbeck answered the questions citing the presentation or modeling information that analyzed removing one, two, three or all four of the buildings on lower Main Street and the effect the buildings and debris had on water velocity and depth from 100-year flood events or the 2016 flood.

Mr. Hurewitz asked a series of questions related to the Phoenix building and if any consideration was given to keeping parts of the building, such as the façade or corner part. Mr. Hollenbeck said they did not individually analyze keeping part of the Phoenix façade in situ, but did some analysis to see what the effect would be if part of the building remained in place. The analysis showed water levels and velocities would increase. There was discussion regarding a PIA (Public Information Act) request submitted by Mr. Hurewitz. Mr. Hurewitz had several other questions for the Applicant regarding modeling scenarios for the Phoenix building. Mr. Hollenbeck explained various modeling scenarios that were done and those that were not done. Mr. Hurewitz asked additional questions regarding the modeling scenarios, the structural makeup of the building, floodgates, bollards and fences.

Mr. Shad swore in Liz Walsh, County Council representative of District 1. Ms. Walsh had no questions for the Applicants. This concluded initial cross examination.

Mr. Hollenbeck testified about a document requested through the PIA process, and various items associated with the document, such as modeling scenarios and bollards. Mr. Hollenbeck explained that after the County received the PIA request from Mr. Hurewitz, they created a document that specifically analyzed two portions of 8049 Main Street. Mr. Hollenbeck explained the findings of the new model, that showed leaving part or all of the Phoenix building increases water levels and velocities over the targeted levels.

Re-Cross Examination

Mr. Hurewitz was allowed re-cross to address the different scenarios and portions of the Phoenix that were studied, to understand if the modeling for the Phoenix met his original PIA request or included more of the building than he wanted. Mr. Hollenbeck explained that there were two scenarios reviewed: the corner portion of the building and the remainder of the entire building. Mr. Hurewitz asked additional questions related to subterranean portions of the building.

Public Testimony

Mr. Shad swore in Senator Katie Fry Hester. Senator Hester testified in support of the application. She explained that she is proponent of historic preservation and provided her professional background as applicable to historic preservation issues. Senator Hester emphasized the importance of public safety and resilience of the businesses associated with approving the application.

Ms. Killen questioned Senator Hester on risks and impacts associated with Maryland Avenue culvert and with removing the four lower Main Street buildings.

Mr. Simpson and Mr. McKenna had no questions for Senator Hester.

Mr. Hurewitz questioned Senator Hester on the corner of the Phoenix building, safety issues and building relocation. Senator Hester said if the funding was available to move the building, she would not have an issue with moving the building.

Ms. Walsh and Ms. Goldmeier did not have questions for Senator Hester.

Ms. Tennor asked Senator Hester to add to her comments about Preservation Maryland, in regard to the application before the Commission. Senator Hester explained she worked closely with Preservation Maryland on raising State Historic Tax Credits, lifting the per project cap on the funds and the possible transferability of the fund. She said Preservation Maryland has not weighed in on the project before the Commission.

Mr. Shad swore in Maryland State Delegate Courtney Watson. Delegate Watson represents Ellicott City in the Maryland General Assembly House of Delegates and was in support of the application. Delegate Watson provided background on her history of working as a former County Council member and in supporting and assist the town following the previous floods. She provided background regarding the previous administration's plans for lower Main Street. She said the current plan was imperfect from a preservation standpoint, but reduces the likelihood of future severe flooding and increases the safety of everyone visiting Ellicott City. She said the historic nature is important to protect, but that the people in town deserve to feel safe. She also provided information on an EPA loan.

Ms. Killen had no questions for Delegate Watson.

Ms. Simpson asked Delegate Watson about other parts of the Safe and Sound Project that still require approval by other agencies such as the United States Army Corps of Engineers or CSX. Delegate Watson said the best person to ask would be the Applicant.

Mr. McKenna had no questions for Delegate Watson.

Mr. Hurewitz questioned Delegate Watson on the Phoenix building, relocation of a portion of the building and safety concerns.

Ms. Walsh and Ms. Goldmeier did not have questions for Delegate Watson.

Ms. Tennor questioned Delegate Watson on the EPA loan available to the County and the timeframes for applying. Delegate Watson explained that her understanding that this project would count toward the required fiscal match and that she did not know the deadline.

Mr. Roth, Mr. Reich, Ms. Zoren and Mr. Shad did not have questions for Delegate Watson.

Mr. Shad swore in Randy Marriner. Mr. Marriner was in support of the application and gave background on his business interest within Howard County and Ellicott City, which includes Manor Hill Tavern in historic Ellicott City. He explained challenges he faced opening with his restaurant in Ellicott City during the 2016 floods, which experienced flooding from the hill behind the building. Mr. Marriner described the repairs needed to the building and explained the stormwater management system put in place to reduce future flooding. He explained that one of his employees lost his life in the 2018 flood and Mr. Marriner was concerned that when there is rain in Ellicott City, jobs and lives are threatened.

Mr. Shad swore in Grace Kubofcik. Ms. Kubofcik was in support of the application, and said the buildings proposed to be demolished were of Unusual Importance. Ms. Kubofcik understood the importance of the historic streetscape on lower Main Street and has seen first hand the destructiveness of the flooding and climate change impact to the town. She said in order for Ellicott City to survive and flourish the Maryland Avenue culvert needs to be approved. Ms. Kubofcik appreciated the efforts of the contractors and the County to document and preserve building facades and said the Section 106 project needs to proceed so flood mitigation process can be utilized and reduce impacts to the Patapsco River.

Ms. Killen, Ms. Simpson and Mr. McKenna had no questions for Ms. Kubofcik.

Mr. Hurewitz questioned Ms. Kubofcik on other areas of damage on the upper part of Main Street. Ms. Kubofcik said there was damage to the upper portion of the road and also pointed out the damage by the Oliver Culvert that leads into the Patapsco River. Mr. Hurewitz asked if she would support relocating the corner of the Phoenix due to its unusual importance. Ms. Kubofcik said there were other alternatives to explore to preserve the building, moving was one possibility, another was to replace the building with historical information about the structure using pictures.

Ms. Walsh, the Commissioners and the Applicant's Counsel did not have questions for Ms. Kubofcik.

Commission's Questions

Ms. Tennor asked how the culvert will be affected by bottom up flooding. Mr. Hollenbeck explained the purpose of the project is to address flash flooding and not bottom up/riverine floods. He said if there is riverine flooding, the culvert would allow the water an additional place to drain. Ms. Tennor asked if there were mechanisms in the flood mitigation that would help with bottom up floods or if there was a way to close off the tunnel. Mr. Hollenbeck said there was no back-check valve or any other device to prevent back watering and provided an explanation of why based on how riverine floods function.

Ms. Tennor explained it was important to get a good understanding of the physical impact of the channel area, in place of the park and four buildings scheduled for demolition. She asked about the size and depth of the culvert/channel area in order to visualize what it will look like. Mr. Hollenbeck said the County's application is to take the first step, but is not intended to develop the streetscape. He said DPW is asking for approval to remove the four buildings, salvage components of this buildings and construct the culvert. He explained that DPW is setting aside funds to develop the streetscape in the future, in accordance with the Ellicott City Watershed Master Plan and the Commission Guidelines. Ms. Tennor summarized the Commission's responsibility to approve the treatment of the site after the buildings are demolished, in addition to the approving the demolition.

Ms. Tennor asked questions about the tunnel boring and jacking pit process and the timeframe of having the excavation area open. Mr. Hollenbeck provided answers, referring to Attachment B, sheet 14, for the technical process, and said the area would be open for about one year. He explained where the jacking pit would be located.

Ms. Tennor asked questions about the monitoring process. She expressed concern for vibrations and adverse effects on the old stone buildings due to the jack and bore process. Mr. Hollenbeck explained the plan was created with a firm named McMillen Jacobs that worked with McCormick Taylor and that they are experts in the process.

Ms. Tennor asked questions about the bollards around the channel and Mr. Hollenbeck explained the bollards are proposed to keep vehicles out of the culvert as the plan does not keep all water off the street.

Mr. Hollenbeck clarified the term "retention area" that was being used and stated that the area is a culvert and would not functioning to retain water, but to allow the stream to flow through.

Ms. Tennor asked about the possibility of future development at site of the four demolished buildings and Tiber Park after the channel and tunnel are completed. She asked if the County will retain development rights for that area. Mr. Hollenbeck said they would have difficulty obtaining a building

permit for a structure within the 100-year floodplain. Ms. Hernandez echoed Mr. Hollenbeck's comments, that it would not be possible to obtain a building permit within the floodplain. She said the County would always own the channel.

Mr. Roth explained that his questions were based on looking at the structures as ones of significance and that it needed to be shown that there were no alternatives to removing them. He referenced Attachment A, slide 9 from the December 1st revised version of the County's presentation, and noted Safe and Sound considered plans 3A, 3B and 3C but the plans did not result in sufficient reduction of floodwater. Mr. Roth asked what the content of plans 3A, 3B and 3C was. Ms. Hernandez said the Maryland Avenue Culvert (which requires the removal of the buildings) was not in the plans for 3A, 3B and 3C. She summarized the conveyance projects and underground storage facilities in each of those plans.

Mr. Roth wanted to determine whether flooding can be mitigated by increasing the amount of "woods in good condition"/removing impervious surfaces in the floodplain. He said this topic was discussed in McCormick Taylor study, but he can't correlate it with any information to this proposal for the Maryland Avenue Culvert. He said that if land could be restored to "woods in good condition," perhaps there would be enough reduction in floodwater that the buildings wouldn't need to be torn down. Assuming a 100-year flood scenario, he asked what the flow would be through the culvert, in cubic feet per second. Mr. Roth said the flow through the Maryland Avenue Culvert is approximately 8 feet per second, as shown in Attachment M, Flow Velocity comparison document. Mr. Hollenbeck referred to the velocity mapping included in the County's exhibits and said it indicates between 6 and 10 feet per second. Mr. Roth said in a 100-year flood the entrance to the culvert would be completely underwater. In the cross-sectional area of the culvert, is 8.5 ft by 18.5 ft, equaling 157.25 square feet. Mr. Hollenbeck said that was correct. Mr. Roth said that would result in about 1200 cubic feet per second through the culvert, assuming 8 feet times 150 feet per second. Mr. Hollenbeck said in the hundred year storm the anticipated flow through the culvert is approximately 2,000 cubic feet per second. Mr. Roth said that was a good number and explained that the McCormick Taylor study showed there is a 22% reduction in the max amount of flooding in a "woods in good condition" scenario. Mr. Roth summarized his findings based on the McCormick Taylor study: assuming the north tunnel is built then the Hudson Branch flooding would go through that tunnel. If there is more flow through the MD Avenue Culvert, then the reduction from "woods in good condition" from the Tiber and New Cut branch for the 100-year flood, then the culvert does more than woods in good condition. He calculated 850 cubic feet per second on the Tiber and New Cut, which means that the Maryland Avenue Culvert does more to reduce flooding than fully restoring woods in good condition in the watershed. This removes the restoration of woods in good condition as a viable alternative to building the Maryland Avenue Culvert.

Mr. Roth had a few additional questions about the jack and bore method and the risk to the B&O Train Station and Complex. He asked about the process of installing the culvert through the jack and bore method and getting the box culvert into the hole. Mr. Hollenbeck gave a brief overview of the installation process and making space for the culvert's components. Mr. Roth and Mr. Hollenbeck discussed what would take place if vibrations are detected during the culvert installation. Mr. Hollenbeck said if there are vibrations beyond prescribed limits, that the work would stop and engineers will be contacted, but further solutions cannot be figured out until the problem happens.

Mr. Roth asked if there were any impediments in the soil or bedrock where the culvert has to go. Mr. Hollenbeck explained that soil borings were done in various locations and no impediments were found.

Mr. Reich referenced Attachment B, Sheet 4, and walked through the plan with Mr. Hollenbeck. Mr. Reich said that there is a 0.47% slope noted and asked if there would be enough positive flow in a storm

event for it to be effective. Mr. Hollenbeck explained the velocity of the water moving through the culvert during a storm event assisted flow. He explained various challenges in designing and building the culvert.

Mr. Reich and Mr. Hollenbeck looked at the elevation of the culvert at the weir and wing walls. Mr. Reich summarized how the culvert and weir wall would function. Mr. Reich reviewed page 12 of Attachment B and said the water has to get about 5 feet high to get over the top of the weir wall before it goes down the imbricated cascade/spillway before it goes into the approximately 8 feet 6 inch tunnel by 18 feet. Mr. Reich asked about the safety aspect of the tunnel, such as the fencing and bollards around the channel. Mr. Reich asked if there would be a fence on top of, or around the wing walls and suggested the County look into it.

Mr. Reich and Mr. Hollenbeck discussed what “65% design” meant. Mr. Hollenbeck explained that Attachment B, shows a 65% design submission, which is the level of development of the detailed engineering. Mr. Hollenbeck explained they have progressed to a point where items such as the geometry of the conveyance and other components for approval would not need to be altered.

Mr. Reich expressed concern about the finishes, which will be the major impact on the building. He said they are big walls and it is a big open space. He said the drawings only reference wall finishes and Saratoga and Ashland granite. Mr. Hollenbeck explained that the end state envisioned would maintain the uniqueness and aesthetics of the existing stream channel walls. He explained that while they need to modify some of the stream channel walls to make the conveyance work, they will salvage all of those granite components, perform mortar testing of the existing to make sure the new mortar is compatible. Mr. Hollenbeck said the stream channel walls change in their pattern, some are ashlar, some are rubble under the various buildings depending on when they were installed. He said the County will match the same rhythm with the installation of salvaged stone in the stream channel. DPW will use Saratoga and Ashland granite as cladding on the river portion, the river outfall, if there is not enough Ellicott City granite left over. DPW thought that between removal of the basements and modifications of the stream channel walls there would be enough Ellicott City granite to do the whole project and make the stream channel walls consistent with other granite walls in Ellicott City. He said if they did not have enough, they would only address the river outfall wing walls separately with the Saratoga granite so that they looked cohesive. Mr. Reich said that information should be detailed in the application. Mr. Reich said it looked like all of the walls around the perimeter were going to be new concrete covered in natural stone veneer of about 6 inches. Mr. Hollenbeck said the hope for the end state is that it won't be distinguishable between what was built in 1850 and what was modified. They are trying to maintain as much of the existing walls as possible. Mr. Hollenbeck referenced Attachment A, slide 16, which shows the walls proposed to be modified and clad in salvaged granite in black so those elements would be concrete with new granite cladding. The walls shown in blue are existing granite walls. The weir wall would be clad in salvaged granite. Mr. Hollenbeck said the narrative written in the main application, page 4 explains this cladding as well and read that section out loud for the Commission. Mr. Hollenbeck offered to submit photographic evidence of the existing stream channel walls on both sides as part of the approval.

Mr. Reich asked Mr. Hollenbeck what stage of completion the County was with CSX engineering and Section 106 and how it affects the progress. Mr. Hollenbeck said the County will need an easement under the CSX rail line, and the County has been working with CSX from the inception of the plan. For Section 106, they have received comments from the various consulting parties and incorporated the comments into the proposal. The comments will help the County with the streetscape engagement.

Mr. Reich and Mr. Hollenbeck discussed the vibration monitoring process. Mr. Hollenbeck explained a baseline would be established, the monitors would remain in place throughout construction and then a period after construction was complete.

Mr. Reich and Mr. Hollenbeck discussed the various modeling created for scenarios, such as those for taking the buildings out and replacing them at a higher elevation for the 100-year flooding event and 2016 flooding event. Mr. Reich asked if the flow into the street still takes place if you put the buildings back a little higher. Mr. Hollenbeck said that was correct and provided an explanation about why that would occur.

Ms. Zoren referenced Attachment B page 4 and asked if it was possible to have the culvert start at a higher elevation and run down at an angle along the backs of one or two buildings to Tiber Alley to get water off of Main Street faster. Mr. Hollenbeck explained that if the culvert was placed at a higher elevation it would not intercept enough water to reduce water depth and velocity. Mr. Hollenbeck and Ms. Zoren discussed a few different scenarios regarding the culvert location.

Ms. Zoren referenced Attachment A, page 29 of the 3D view of the fence and bollards, and asked if Mr. Hollenbeck had considered eliminating the vertical picket fencing and extending up a stone wall, which would be more aesthetically pleasing. Ms. Zoren said the use of vertical picket and bollards is messy and jarring. Mr. Hollenbeck said the plan is to make sure water can sheet flow and drain out. He said the County is still developing engagement on the streetscape in conjunction with the Master Plan policies. Mr. Hollenbeck and Ms. Zoren discussed various bollard options.

Mr. Hollenbeck offered an illustrative version of the area to be presented with the Master Plan. Mr. Hollenbeck explained that it was an artistic rendering added to the geometric conveyance shown in Attachment A, page 29 of the 3D view. Mr. Hollenbeck emailed the illustrations to Staff, the first seven pages of Attachment P.

Ms. Burgess shared the renderings submitted by Mr. Hollenbeck. Mr. Hollenbeck explained the purpose of the renderings, to show an illustrative perspective of the proposal and potential activation of the space. As Ms. Burgess scrolled through the attachment, Mr. Hollenbeck said the remainder of the attachment is an excerpt from the Watershed Master Plan. The illustrative renderings were identified as Attachment P.

Mr. Shad asked if a 95% or 100% submission would be presented to the HPC. Mr. Hollenbeck said their hope to was get approval with the documents submitted tonight as they did not envision any changes that would require resubmission to the Commission. Mr. Shad asked if the final design could be made available to the public even if it is not presented to the Commission for review. Mr. Hollenbeck said the plans could be presented to the public.

Mr. Shad referenced Attachment A page 4, he said there is a note that the brown areas are temporary, and the final treatment will be determined by the Master Plan. Mr. Shad asked Mr. Hollenbeck to amend that note to say the final treatment is going to be determined partially by the Master Plan and Historic Preservation Commission Design Guidelines. Mr. Hollenbeck said he would update the note.

The hearing was continued to February 11, 2021 at 6:00 pm.

Mr. Shad moved to adjourn the meeting at 11:25pm. Mr. Reich seconded. The motion was unanimously approved.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Allan Shad, Chair

Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner

Kaitlyn Harvey, Recording Secretary