

Staff Report Addendums for HPC-21-38 – 8085 Main Street, 8095 Main Street, 8109-8111 Main Street, 8113 Main Street, Ellicott City

Addendum 1 - Minutes HPC-18-46, September 2018

Addendum 2 – Minutes HDC-00-04; 8085 Main Street, Ellicott City; February 2000

Addendum 3 – Minutes HPC-16-101; 8085 Main Street, Ellicott City; November 2016

Addendum 4 – Minutes HPC-19-28; 8085 Main Street, Ellicott City; June 2019

Addendum 5 – Minutes HDC-00-11 – 8095 Main Street, Ellicott City; March 2000

Addendum 6 – Minutes, HPC-17-23, 8109-8113 Main Street, April 2017 (repairs from 2016 flood)

Addendum 7 – Minutes HPC-19-18; 8125 Main Street, Ellicott City; May 2, 2019

Addendum 8 – Minutes HPC-19-48; Ellicott City Safe and Sound Plan; October 3, 2019

Addendum 9 – Minutes HPC-20-15; 8125 Main Street, Ellicott City, May 7, 2020

Addendum 10 – Minutes HPC-20-74; 8049 Main Street, 8055 Main Street, 8059 Main Street, 8061 Main Street, 8069 Main Street, vicinity of 3711 Maryland Avenue, Ellicott City, October 1, 2020

Addendum 11 – Decision and Order, HPC-20-83

Addendum 12 – 8085 Main Street Photos

Addendum 13 – 8095 Main Street Photos

Addendum 14 – 8109-8111, 8113 Main Street Photos

Addendum 15 – 8109-8111, 8113 Main Street Draft Inventory Updates

Addendum 16 – 8109-8111 Main Street, HO-586 Inventory Form

Addendum 17 – 8113 Main Street, HO-359 Inventory Form



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

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September Minutes

Thursday, September 6, 2018; 7:00 p.m.

The September meeting of the Historic Preservation Commission was held on Thursday, September 6, 2018 in the Banneker room located at 3430 Court House Drive, Ellicott City, MD 21043. Ms. Tennor moved to approve the June minutes. Mr. Roth seconded. The motion was unanimously approved.

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

Staff present: Beth Burgess, Samantha Holmes, Renee Novak, Lewis Taylor, Lisa Kenney

OTHER BUSINESS

1. Ellicott City Design Guidelines Update

PLANS FOR APPROVAL & ADVISORY COMMENTS

Consent Agenda

1. HPC-17-29c – 4730 Sheppard Lane, Ellicott City, HO-907

Regular Agenda

2. HPC-18-41 – 6195 Lawyers Hill Road, Elkridge, HO-749
3. HPC-18-42 – 8086 Main Street, Ellicott City
4. HPC-18-43 – 15081 Roxbury Road, Glenelg, HO-123
5. HPC-18-44 – Parking Lot D, Ellicott City
6. HPC-18-45 – Multiple Properties in the Ellicott City Historic District, Ellicott City
7. HPC-18-46 – Multiple Properties in the Ellicott City Historic District, Ellicott City
8. HPC-18-47 – 8390 Main Street and Ellicott Mills Drive right of way, Ellicott City

away from the buildings under it, which have a nice streetscape. Mr. Roth said there is more of a benefit for a mural on the Group B buildings.

Mr. Shad swore in Joel Hurewitz. Mr. Hurewitz said that he generally came to make comments on the rock, but a few things came up during the presentation. He likes the concept of faux art, showing what was there on the interior of the building. He said if the buildings on lower Main Street are lost, there is an opportunity to depict some of the things that will be lost, such as painting the Caplan's building on the wall of 8129 Main Street. Mr. Hurewitz provided some history of other monuments considered for placement on the rock.

Mr. Shad swore in Karen Gordes. Ms. Gordes said she is in opposition of the proposal as written. She said there is no plan for long term maintenance and explained how the existing mural at Old Columbia Pike has worn poorly. Ms. Gordes would like to see funds set aside for maintenance. Ms. Gordes commented on the historic nature of the building proposed for murals.

Mr. Shad clarified that the Applicant will be returning for approval for specific art in specific locations. Mr. Shad asked if anyone else in the audience wanted to give testimony and no one spoke up.

Motion: The Commission had no motion, as the application was for Advisory Comments, which was reflected through the testimony.

HPC-18-46 – Multiple Properties in the Ellicott City Historic District, Ellicott City

Advisory Comments for Alterations in the Ellicott City Historic District.

Applicant: Phil Nichols, Howard County Government

Background & Scope of Work: This application is for Advisory Comments/Pre-Application Advice for alterations in the Ellicott City Historic District. The application explains, "the purpose of this application is to update the Commission on the proposed alterations to the Ellicott City Historic District due to the recent flooding on May 27, 2018. This flood event has shifted the conversation and we must focus on life-safety issues, while preserving the town. Changes will have to be made to adapt to a new future with a threat of continued, high-intensity, short-duration storms."

Please note this application is NOT for a Certificate of Approval for any alterations at this time and is strictly for Advisory Comments/Pre-Application Advice to update the Commission on the Plan and obtain advice.

The buildings subject to primary discussion include the row of buildings constructed over the stream on the south side of the street, from 8125 Main (Caplans) east down to 8049 Main Street (the Phoenix). Photos of each building after the 2018 flood are shown below:

8125 Main Street/Caplans/former Miss FIT



8109-8113 Main Street



8095 Main Street/Shoemaker Country



8085 Main Street/Portalli's



8081 Main Street/Tea on the Tiber



8069 Main Street/Great Panes and Joan Eve





8059 Main Street/Bean Hollow



8055 Main Street/Discoveries



8049 Main Street/The Phoenix



On August 23, 2018, the County released *The Ellicott City Flood Mitigation Plan*. The Plan provides background information on the 2016 and 2018 flooding in Ellicott City and the engineering analysis that has been done to date, including a study known as the Hydrologic and Hydraulic Analysis (H&H). The Plan explains the various models that were examined in the H&H Analysis. The Plan states that modeling shows the plan will result in “a significant reduction in the floodwaters compared to existing conditions, and demonstrates the most improvements in water depth, water velocity and the risk to life safety.” The Plan states, “as the models demonstrate, the acquisition and relocation/demolition of 10 buildings that currently constrict the stream channel will provide the most immediate and impactful benefit in reducing the life safety risk on Lower Main Street...The County will make every effort to preserve the key

historical elements of these structures so that they may be re-used in the Historic District to safeguard their legacy for the years to come.”

Page 12 of the Plan outlines some of the next steps that will need occur as related to historic preservation. The Plan states:

“In addition to community input, the Master Plan itself and specifically any proposed removal of structures within the Historic District require the Historic Preservation Commission (HPC) to review. A Certificate of Approval will need to be obtained by the HPC before the County can proceed with these plans. Projects that have any federal/state permitting or funding must include a Section 106 Review where the County will identify and determine the impact and any adverse effects of the historic resources within the identified area. The County will work with state agencies, such as Maryland Historical Trust in this review process.”

Staff Comments: The ten buildings on lower Main Street include structures that extend over the Tiber Branch stream. This is the only stream channel exiting from the drainage area of the Historic District to the Patapsco River, after collecting three stream branches into one. The past two storms, in 2016 and 2018, had water depths in the Tiber Branch that exceeded the capacity of the stream channels. As a result, stormwater broke through the first floor walls and flooring of these structures, causing structural instability. Entire floors of buildings have washed out, as shown with the photo above of 8055 Main Street (Discoveries) and 8125 Main Street (Caplans).

The oldest of these buildings is 8081 Main (Tea on the Tiber), which is a granite building that dates to 1834 and is a contributing structure to the Historic District. The newest structure, which is not a contributing building, is 8095 Main (Shoemaker Country). It was constructed in 2000, when the previously existing historic building was destroyed by fire. The neighboring building at 8085 Main (Portalli’s) was damaged in the same fire and required substantial interior reconstruction.

The buildings in this row vary in age as they do not date to one particular time frame. They also vary in historic significance as some buildings have had their interiors extensively modified (either due to modernization, flood repairs or fire repair) and no longer contain any historically significant interior features. Storefronts on some of the buildings have been altered through the years, and no longer retain their original appearance. However, some buildings have significant historic features that should be retained, such features could be used on other buildings or in appropriate locations as determined by the Master Plan.

These structures have experienced repetitive loss and they are the most vulnerable to collapse in a future catastrophic flood, which could endanger lives and nearby buildings. Prior to an application for Certificate of Approval to remove or deconstruct any buildings, Staff recommends a comprehensive review of each building to evaluate the remaining historic architectural features and create a plan to deconstruct, salvage or relocate historic material as feasible. While the buildings were documented by the County Architectural Historian and the Maryland Historical Trust following the 2016 and 2018 flood, Staff recommends additional documentation for any historic buildings being removed or deconstructed.

The Plan correctly explains the next steps that will need to take place as related to historic preservation. A Certificate of Approval is required for the demolition or relocation of structures in a historic district. Section 300 of the Commission’s Rules of Procedure guide the Commission in review of proposals to demolish or relocate a structure within a historic district. As explained in Section 300, the Certificate of Approval for the demolition or relocation of any structure 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 a historic district in Howard County.” The Rules of Procedure

also indicate that before the Commission acts on an application for demolition or relocation, they shall determine whether the building is a Structure of Unusual Importance. Structures of Unusual Important follow different procedures.

The Plan also correctly explains the next steps that will need to take place pursuant to Section 106 Review. The HPC process is separate from Section 106 review, and the Section 106 reviewing agencies will make their own separate determinations according to their process. The County has met with the Maryland Historical Trust to initiate discussions about the Section 106 Review process.

Testimony: Mr. Taylor entered the Ellicott City Flood Mitigation Plan and the 2016 Ellicott City Hydrology and Hydraulic study prepared by McCormick Taylor into the record by reference.

Mr. Shad swore in Phil Nichols and Mark DeLuca from Howard County Government, who presented an adaption of the PowerPoint presented at the September 4, 2018 Council work session. The presentation gave an overview of the history of flooding in Ellicott City, and explained the two different types of floods– bottom up and top down. Mr. Nichols explained that the last few years have been top down floods. Mr. DeLuca described the conditions that make Ellicott City vulnerable to flooding -its history as a mill town, manipulation of waterways and building construction over the waterways. DeLuca also showed a slide from the National Weather Service highlighted the significant flash floods in the region in 2018 and noted that certain storms, such as one in Catonsville, could have caused significant damage to Ellicott City if they were centered there. Mr. Nichols testified that the head of the National Weather Service in the Sterling location expects such a lingering rain pattern to continue and increase in the coming years.

Mr. Nichols detailed the damage to buildings on lower Main Street. Mr. DeLuca explained the hydraulic and hydrology analysis that was performed. He explained that the Tiber Hudson is a very small 3.7 square mile watershed, that is really a sub watershed comprised of smaller drainage areas - the Tiber, the Hudson and the New Cut/Autumn Hill Branch.

Mr. DeLuca explained that the County asked McCormick Taylor to model the 2016 flood, a 100-year event and a 10-year event and see how the watershed responds to those events. The County requested that McCormick Taylor determine if it was possible to bring a 100-year event down to a 10-year event, since they conveyance system (channels and culverts) could hold more than a 10-year storm. Mr. DeLuca discussed the projects identified to be Phase 1 of implementation and the constraints associated with building facilities on public land. In 2016 the County said there were no constraints, and looked to see where projects could be done and how much could be done in terms of building storm water facilities. The H&H study recommended 18 structural projects for about 80 million dollars.

Mr. DeLuca reviewed the various model scenarios and explained that McCormick Taylor looked at other studies as well. These studies showed that some areas could be dried out, some would stay wet, but regardless lower Main Street was not improved at all. The County considered various options for lower Main Street, such as opening up the first floor of the buildings to allow water to pass through, removing the additions of the buildings, keeping just the facades, removing the buildings entirely, adding culverts under Maryland Avenue, and expanding the stream channel. They also looked at creating a floodplain, since there is no floodplain for the water to go.

Mr. DeLuca said that the July 30 model was peer reviewed by the Army Corps of Engineers and the Corps agreed with the construction of the model and the methodology used. Their conclusions gave the County confidence in the model.

Mr. DeLuca explained the issue of water velocity and that the water on lower Main Street moves over 20 feet per second. The velocity of the water causes the damage by carrying projectiles through the water. The goal is to slow the water down to mitigate the effects of the high velocity. Mr. DeLuca explained the model also looked at shear stress, and concluded it is highest at Caplans (due to the New Cut Stream), which corresponds to the devastation of the building. Mr. Reich asked if Caplans location is where the building start to be constructed over the stream. Mr. DeLuca confirmed that was correct.

Mr. DeLuca showed a depiction of the existing conditions during the July 30 storm and explained the graphics and colors shown on map. He explained that the lower main stream areas is very deep and showed how the water shoots out on to Main Street from the channels and contributes to the flooding. Mr. DeLuca discussed the open first floor model and explained that mitigation is minor and this scenario results in 6-8 feet of water traveling down Main Street. Further, the piers holding up the second floors of the buildings could become debris collectors, so in a real scenario water levels may not actually diminish. Mr. DeLuca testified that the buildings would cause life safety issues concern from a Fire and Rescue perspective. Mr. Nichols explained that the velocity was 11.1 feet per second and in this open floor scenario the velocity is minimally reduced to 8.2 feet per second, which is still a destructive force that comes with that water. Mr. DeLuca and Mr. Nichols reviewed other scenarios, such as a culvert in lower Main and only facades along the street. In both scenarios, the water depths and velocities were still high and Fire and Rescue expressed safety concerns with the structural integrity of the facades during flood and fire situations.

Mr. DeLuca explained the other modeling scenarios. The expanded stream channel scenario, which removes all the buildings from Caplans east to Maryland Avenue and expands the stream channel, resulted in significant reductions in depth, now 4 to 6 feet, and the velocity dropped to 6.7 feet per second. The full model plan considers other stormwater management elements of the McCormick Taylor and master planning study, such as the Route 40/29 pond, Quaker Mill pond, West End conveyance improvements, Ellicott Mills culvert, the Hudson Bend plan and Big Pipes. Mr. DeLuca explained how several of these conveyance and other improvements would function and that they provide an area wide solution.

Mr. DeLuca described other components of the plan, such as the proposed Hudson Bend improvements. Mr. Nichols explained that constructing all 18 projects would take a significant amount of time, whereas the current proposal can be accomplished in a much shorter timeframe. Mr. DeLuca discussed the design goals and improvements of the 5-year flood mitigation capital improvements plan with the most important goal being protecting lives and the second being a sense of urgency. He testified that the County has been studying this flooding issue for years and there is now a sense of urgency that is now a key component that everything is measured through. Mr. DeLuca explained that the County could look at a series of projects that will take decades, due to permitting, funding, acquisition, design engineering, and constructability issues. He stated this plan meets the criteria of four points: that protecting lives, urgency, feasibility constructability and cost effective. This plan meets the criteria and that any other plan needs to be looked at against those criteria.

Mr. Nichols provided background information on the ten structures proposed to be removed. He explained that many of the structures have been rebuilt over time due to flood, fire, and modernization. Mr. Nichols said the County Executive established a Historical Structures Review Committee that will be working with the County to identify which pieces of the buildings can be reused. Mr. Nichols also stated that the property owner of 8081 Main Street is looking at relocating the structure.

Concurrent with the Historical Structural review Committee, the Master Plan will continue and the flood mitigation plan will be rolled into that process. The expansion of the stream channel will involve MDE,

Army Corp, and Section 106 review process. A bill to fund the first portion of the plan is before County Council and the public hearing will be September 17. The County will finalize negotiations with property owners and then return to HPC for a Certificate of Approval.

Mr. Shad asked if the Commissioners had any questions. Mr. Roth stated he read both documents and had no questions yet. Mr. Reich asked regarding feasibility, how much has been done to study the actual costs of this project and timelines. Mr. DeLuca said if the first step would be to start at bottom and work up. Some projects can happen in tandem and some should have designs complete this year. He said funding is set aside and encumbered and projects are moving forward at different rates.

Mr. Reich and Mr. DeLuca discussed various components of the plan. Mr. Reich and Mr. DeLuca discussed the size of the pipes that are shown going under Maryland Avenue. Mr. Reich asked why the pipes don't go from the Patapsco all the way to Caplans so that they don't have to demolish the buildings to relieve the water. Mr. DeLuca asked what elevation the pipes would be placed at. Mr. Reich said they would go through the mountain and be 30 -40 feet below the structures and the granite would serve as the pipe. Mr. Reich suggested that would be a lot less expensive than tearing everything down and creating terraces. Mr. DeLuca explained that the elevation is an issue. Ms. Tennor requested Mr. DeLuca show the Board sections that depict what he and Mr. Reich discussed. Mr. Reich asked what level of detail is available. Mr. DeLuca indicated cross sections of the channel and 30% concept drawings could be shown, Mr. Reich reiterated a desire for the Commission to see them.

Mr. Shad asked if the stream widening is part of this model Mr. DeLuca confirmed it was. Mr. Shad asked if an increased depth is part of the model as well. Mr. DeLuca said there may be a one-time increase in depth. Mr. DeLuca explained that the stream depth couldn't be lowered too much, based on outfall into the Patapsco. He explained that the stream enters through the bridge, and they have to maintain an elevation there, so that there is a fall along the entire stream section and they don't create a pool in the stream. Mr. DeLuca explained that storms move silt and rocks around all the time, which requires continual maintenance of a natural process. MDE does not like the stream manipulated too much, however, they have allowed the County to clean the streams during this process because they were so blown out. Mr. Shad suggested increasing the depth in addition to the width, to lower the velocity, could be another option and save a few of the buildings. Mr. Nichols said the County could take a look at that recommendation but wasn't sure if it would be enough capacity to keep some structures over the stream.

Public Testimony

Mr. Shad swore in Ms. Lori Lilly. Ms. Lilly testified in support of the County's flood mitigation plan and submitted testimony with an additional 125 stakeholder names supporting the plan. Ms. Lilly noted that that she has been working on behalf of the Tiber Hudson watershed for 7 years. She said that she is the Founder and Director of Ecoworks and briefly explained their work in Ellicott City and the watershed. Ms. Lilly recognized this watershed is broken, citing the New Cut Branch as the biggest issue in lower Main, and explained some of the issues with the watershed. She cited Mr. Peter's videos which show that 20 feet of water will not fit under the buildings with 10 feet of clearance. She spoke about the benefits of the proposals and said that the lower Main buildings are supported by questionable and vulnerable river channel walls. She said that if any of those building walls fail, there could be a disaster.

Mr. Shad swore in Ms. Lexi Milani, representing the Ellicott City Partnership (ECP). Ms. Milani stated the ECP's mission supporting the historic district. She said the Board voted unanimously to support the 5-year mitigation plan and funding legislation. She stated the County's extensive analysis suggests this is the right option and will reduce life safety risk and allow the town and its constituents to recover. Ms. Milani explained the 2018 flood impact on businesses and that many merchants plan to relocate out of

Ellicott City. She stated she has spoken with shop and restaurant owners who report decreased sales and that delayed actions will result in further decline or even closures of businesses. She explained that many of the businesses have already experience the cost of lost business and incurred significant remediation and renovation costs twice in the past two years. She said that removing buildings will reduce risk, allowing the town to recover. She said that leaving the buildings to stand in their current state is a visual reminder and safety concern. Implementing Phase 1 between the holiday season and next years rainy season, would be ideal as this is a matter of great urgency. Ms. Milani stated it is the people and businesses that make Ellicott City what it is and not just the streetscape.

Mr. Shad swore in Ms. Elly Cowan, representing Preservation Maryland who did not support demolition. Ms. Cowan expressed concern about the current proposal to demolish a large portion of historic structures and her belief that there are other feasible options. She stated Ellicott City is one the most historic and unique places in Maryland, a character maintained thanks to historic preservationists. Preservation Maryland fully supports the efforts to protect lives but believes there are feasible alternatives to provide remediation, rather than the demolition of historic buildings. She said that demolition is not a proven strategy of flood remediation, and Preservation Maryland does not believe flood remediation has been adequately studied in Howard County to understand its hydrological impact. Ms. Cowan stated the removal of the buildings could result in new flood patterns and affect the B&O Railroad Station, which would sit in a more vulnerable location. Preservation Maryland is willing to pledge funds to study alternatives.

Mr. Shad swore in Mr. Michael Smith, a resident of the Historic District. Mr. Smith stated the challenge is the need to bring vibrancy back to Ellicott City as soon and as safely as possible without compromising the historic uniqueness of town. He said that removing a prominent row of storefronts would diminish the commercial ambience and healthy retail is needed on both sides of the street. Mr. Smith stated that replacing the buildings with a stormwater drainage swale of uncertain design, that will run dry for many months, will challenge the economic viability of the remaining buildings. He inquired about the effects to B&O Railroad Museum if it becomes an island and requested that every alternative to demolition is analyzed. Mr. Smith discussed the benefits of constructing a large tunnel that would not require demolition. He said the Commission and County should work with Preservation Maryland who offered funding.

Mr. Shad swore in Ms. Shelley Wygant, an Ellicott City resident. Ms. Wygant testified in opposition to demolition of buildings. She stated that demolition is the option of last resort and does not believe every option has been exhausted to this point. Ms. Wygant said the demolition plan was presented very quickly and she created a group called "Working to Save Ellicott City" that contains members from all over the world. She does not believe this is an emergency because the 5-year plan does not address real mitigation until 2021. She said that if the lower Main Street is so dangerous, the County should not have allowed the opening of lower Main buildings where people are currently gathering.

Mr. Shad swore in Mr. Len Berkowitz, a business owner in the Historic District, who testified in support of the plan. Mr. Berkowitz said he is the owner of the only historic stucco building in Ellicott City, which is proposed to be removed. Mr. Berkowitz discussed some of the history of the district, regarding the 1984 fire when seven buildings burned down and were demolished and in 1999, when a six-alarm fire destroyed six buildings and seven businesses. He discussed the Rosenstock building, which was torn down due to fire and rebuilt to modern building standards and FEMA Code, but did not survive the three floods of 2011, 2016 and 2018. In 2011, 8069 Main Street experienced 4-feet of water in the basement. He said FEMA covered the damage to the granite support walls to his basement and river at the approximate cost of \$25,000. He explained that after the 2016 flood he wanted to remove his stucco and restore the façade, but found there was nothing left to the original building.

Mr. Shad swore in Mr. James Massey Sr. of Woodbine. Mr. Massey stated he understood the intense desire to save the buildings, but supported the County's plan. He called for something to be done in the essence of public safety and asserted the time for studies is over. He said that many buildings have been condemned and in order to restore them, they won't retain the historical significance that they once had. Mr. Massey believes the County study did not go far enough, using the example of Hurricane Agnes in 1972 when the Patapsco flooded 30 feet deep along River Road. He stated the County needs to study a scenario with the Patapsco flooding, in addition to the storms where water is coming from the top down. Mr. Massey stated that in the late 1970s, Race Road in Elkridge flooded and the County condemned properties and torn the homes down, but years later development was allowed in that same floodplain and that needs to be taken into account.

Mr. Shad swore in Ms. Sherry Berkowitz, a business owner in the Historic District. Ms. Berkowitz explained that she was part of an arts coalition in 2014 to do a mural at Old Columbia Pike of the former gas station at that location. She said the history of that building still lives on even without the physical building. She expressed hope that her building and business will be part of that same legacy. The buildings don't deny or change the history of the town. Ms. Berkowitz expressed a desire to see history continue rather than remembering a town where people lost their lives because the community felt the buildings were more important than the business owners and residents. She said the town is changing, but it has always been changing. She noted that there are no longer mills along the river even though it is known as a mill town and the steam engines are no longer running on the tracks, but the events are remembered. She asserted that Mr. Weinstein and Mr. Kittleman's plan has not been rushed because the storms are on the owners' minds every day. She referenced her tenant's photos of a 2-story wave coming at her building in 2016; how Joan Eve escaped the building in 2018; and how it only took 30 minutes for Main Street to become a raging river.

Mr. Shad swore in Ms. Marjorie Valin of Columbia, who testified in opposition to the flood mitigation plan. In 1995, she started a marketing agency in Oella and had a second office in Ellicott City. She worked with National Trust for Historic Preservation where she saw firsthand how towns lost their identity. She doesn't believe saving lives and saving buildings should be diametrically opposed. She said bulldozing should be a last resort since it can't be reversed. She referenced a radio interview that suggested the tearing down of the buildings was a done deal. She questioned why the buildings are being torn down at the bottom of the hill when the river flows down from upstream sources. She called for urgent steps to be taken now to reduce the velocity and volume of water upstream to save history downstream.

Mr. Shad swore in Joel Hurewitz of Columbia, who testified in support of removing the buildings over the channel. Mr. Hurewitz said he has been researching the 1868 flood and made some corrections regarding the history of flood. He stated the buildings are not really useable at this point. He said focus of the HPC is not the comprehensive plan, but rather the HPC is to deal with each individual building and whether it is a structure of unusual importance, which he believes there are only four: The Phoenix, the Easton Sons façade, the Tea on the Tiber, and Caplans. He said moving Tea on the Tiber is a good idea. He said the County did not anticipate the 2018 storm and should provide a warning system in town to deal with life safety risk.

Mr. Shad swore in Mr. Edward Cochran of Columbia. He shared his family ties to Howard County and stated his opposition to this plan. He said all but one of the buildings proposed to be demolitions is older than him and his father. He quoted a section of the Guidelines on demolition where it states that "buildings are irreplaceable resources..." Mr. Cochran provided three points. First, demolition will not enhance life safety as the proposed demolition is by July 2019, but the proposed plan has no action on

vacant lots until FY21 and FY22. He expressed concern that the County's models show no mitigation and that the removal of buildings is not justifiable to make lower Main Street safe when the water depth and speed are unchanged. Second, he questioned if all possible alternatives have been examined, such as the tunnel proposed by McCormick Taylor that starts at the Tiber Hudson confluence. He said the County should only be considering demolishing buildings after all the studies have been done and when the flood mitigation plan is ready to be implemented. Third, there is no real plan proposed for how the building will be replaced.

Mr. Shad swore in Ms. Liz Walsh, a resident of the Historic District, testified in opposition to demolishing the 10 buildings on lower Main. She stated that she appreciates the Applicants seeking advice and noted that the request is for an advisory opinion, not for a Certificate of Approval and per the Rules of Procedure 104.A.4, the request for Advice should have been submitted 22 days prior to this meeting. She questioned if this request was timely and said that the procedural rules should be followed. She noted it was not presented as an emergency measure nor did she think it could be. Ms. Walsh requested that all possible alternatives to preserve, rather than to demolish, the building should be considered and exhausted. Mr. Shad confirmed that the application was submitted in a timely manner. Ms. Burgess stated the application was submitted on Wednesday, August 15th which was the application deadline for this meeting.

Mr. Shad swore in Mr. Craig Stewart, a resident of the Historic District and business owner in the historic district for 36 years. He said the County's study falls short in fulfilling the statement that "the County must focus on life safety issues while preserving the town." He said the concept of preserving the town, which is an irreplaceable historic asset, seemed to be absent from the plan. He said the plan needs to demonstrate what can be done to preserve whatever portion of structures is possible. He agreed with Mr. Reich that the two 10-foot in diameter culverts seemed inadequate and questioned if they can extend further upstream and preserve the facades to maintain the character of town. He said the study should include efforts to preserve the architecture.

Mr. Shad swore in Ms. Leanna Massey of Frederick, who testified in opposition to demolishing the buildings. She shared that her parents still live on Hill street and that they had a tree fall on their home from the rain. She said this plan is irreversible once buildings are torn down and she doesn't believe the County has exhausted all options. She agreed that it is of utmost importance to save lives, but found it insulting that to say people are more interested in saving buildings than lives.

Mr. Shad swore in Mr. Thomas Harman, a resident of the Historic District. Mr. Harman is the Director for the Center of Accelerating Innovation for the Federal Highway Administration and suggested the County take advantage of their CHANGE program (Collaborative Hydraulics Advancing to the Next Generation of Engineering), which is free and available to the County. This program could provide a free second opinion. He said other models are available besides the Army Corps models and the County could take advantage of international experts to slow the conveyance. He encouraged the County to reach out at a Federal level and mentioned a \$1 million dollar grant available to help with innovation and offering resources.

Mr. Shad swore in Mr. Steven McKenna, a resident of the Historic District, who testified in opposition to the demolition plan. He expressed a belief that there has been a lack of transparency and that no plan is going to mitigate the safety. He said there are a lot of alternatives that have not been pursued. He said the County's plan is too focused on hydraulics and not enough on hydrology with further upstream forms of mitigation. Mr. McKenna asserted that the problem is manmade, with natural aspects to it. He said the overall structure of the town will be changed and could result in unintended consequences.

Mr. Shad swore in Mr. Charles Kyler, a resident of the Historic District. Mr. Kyler detailed his involvement assisting with rebuilding after the 2016 flood. Mr. Kyler acknowledged safety concerns and that no one should have the fear of being trapped in a building or have anxiety attacks from the floods, but found that the 5-year plan did not resolve a single portion of Main Street. He said there will still be 1-4 feet of water until the plan is pushed out decades to show the results of non-flood water levels. He said the County needs a plan that takes care of flooding and ensures all lives. If that plan requires demolition then it should be considered, but the plan needs to be seen first, rather than demolishing first.

Mr. Shad swore in Ms. Mary Catherine Cochran, who shared her preservation experience in the County and her family history. She stated that the demolition of the buildings will irrevocably change the face of the National Historic District. She said the Commission needs to understand the impact on the surviving buildings. The funds will demolish the buildings now, but the plan does nothing to mitigate the site until FY 21/FY22 and if this occurs again before that time all of the water will go to the B&O Railroad Museum. She questioned why, if this is an emergency/plan of last resort, a decision should be made today for something that has no impact for three years. She said that even with mitigation of the channel, modeling shows water 2 to 8 feet deep in front of the B&O Railroad Museum. She expressed concern that the modeling still shows swift water velocity of 6.7 feet per second, which is four times faster than the National Fire and Protection Association's definition of swift water. She requested better models, including velocity models, to evaluate the risk of the B&O Museum and for human life. Ms. Cochran expressed concern for the economic impacts if the lower quarter of Main Street is removed. Ms. Cochran asked if the facades can be saved or if the original buildings be saved (not the additions over the river).

Mr. Shad swore in Ms. Grace Kubofcik, representing Patapsco Heritage Greenway (PHG). Ms. Kubofcik stated the PHG mission and their role managing entity of the Patapsco Valley Heritage Area. Ms. Kubofcik supported the urgent and compelling need to provide safety of those in Ellicott City. The ongoing challenge of water retention and conveyance lies within the history of the town. She said the major projects for water retention are needed immediately and should have been started many years ago. She noted an effective streetscape along the National Road, and stated that Main street is rare and invokes much of the towns charm and attracts visitors. She empathized with those making difficult decisions due to the flash flood threat, and said PHG supports the County to obtain the ten buildings on Main Street. She also recognized the importance of the ten buildings and found that nine contribute to the historic character of the district. She expressed hope and desire that the acquisition process will provide critical time for questions to be answered for possible alternative solutions. Ms. Kubofcik stated that PHG is concerned about the future of B&O Railroad Museum and that they welcomed the opportunity to explore options with the Administration, consultants and other partners.

Mr. Shad swore in Ms. Nancy Pickard of Rockville. Ms. Pickard stated that she had been a 22-year resident of the county. She stated her concern about the demolition of ten structures that make up a significant portion of lower Ellicott City. She explained that these structures have long and varied history, some as early as the 1830s, and that individually they have varying degrees of architectural and historical significance to local historic district. Ms. Pickard requested detailed historical and architectural documentation of the buildings, and the timeline for reuse of the site to avoid a vacant cavity in heart of the historic district.

Mr. Shad swore in Ms. Tara Simpson, an Ellicott City resident, who testified in opposition to demolishing the buildings. She said that her home has flooded twice, and she has seen Main Street friends and neighbors in danger and understands the need for safety. Ms. Simpson said that if this was truly the only option she would be supportive. She said that altering or removing may be the option, but the

mitigation plan need to start now with more thought and time put toward solutions. She requested the County demolish with care and removal of buildings need to be thought through.

Mr. Shad swore in Ms. Kathy Howell, an Ellicott City resident, who testified in opposition to the County's plan. She asked if the plan could have two-phases; one to buy out the owners now as a first step without plans for demolition. She stated the plan is rushed and questioned whether other towns, that have been through this, have done this as a solution.

Testimony concluded and the Commission provided the following comments:

Mr. Reich stated the County needs to come up with a plan that does not demolish the buildings. The buildings are an iconic part of Main Street and it would be devastating to lose them. He requested the historic background of each building. He stated that he was on flood workgroup and was surprised to see this proposal because it is not in the McCormick Taylor studies he previously saw. He said this plan is too rapid and does not solve all the problems. Mr. Reich suggested moving and lengthening the pipe as a viable option and noted that the McCormick Taylor study showed that tunnel removes all of the water on Main Street. Mr. Reich suggested hardening the buildings to keep the historic character of town. He said that since many of them are wood frame, they could be fitted to have concrete floors. He suggested adding additional egress. He stated that he is in favor of the County purchasing the buildings to help these owners, but suggested the County could harden the buildings and rent them out to save the historic fabric of the town. Mr. Reich mentioned bypass options that other cities have done. He said that this has taken place too without a lot of data supporting it. He asserted that further study is needed.

Ms. Zoren concurred with Mr. Reich's comments. Ms. Zoren said that she has read every report done to date. She is concerned that it is actually 20% of Main Street vs. 5% of the District that is proposed to be demolished. She requested more information regarding how the County has exhausted every option before looking at demolition as the sole solution. Ms. Zoren asked if there have been any secondary opinions. She said the plan lacks creative solutions, and that once the buildings are lost, they are lost forever. She said the problem is coming from up the hill and she is concerned that not enough measures are being taken uphill. She requested studies look at ecology, the B&O, and said that maybe this has been done, but it hasn't been presented as factual information. She would like other options considered, such as more culverts or the removal of three or four buildings, instead of ten.

Mr. Roth stated that he agreed with Mr. Reich and Ms. Zoren's comments. He stated that based on information presented in McCormick Taylor report, he would not be in favor of a Certificate of Approval to take down any buildings at this time due to the need for more information. He said that tearing down the ten buildings would not have prevented the death in 2018. He said that other towns deal with risk using sirens and signs, rather than tearing buildings down. He said the flood mitigation plan starts with assumption of water levels and volumes of the 2016 flood, but doesn't give consideration to the reduction in hydrology that would result in the proposed mitigations plans for stormwater management. He suggested reducing development that creates more impervious surfaces and that the County buy parking lots to see if that will help. He said that he hasn't seen any consideration in reducing impervious surface in the watershed to keep flood waters from coming down in the first place. Mr. Roth suggested it would be reasonable for County to buy the buildings and stabilize them until such as time as other mitigations have been put in place but they should not be torn first. He further emphasized the need to add in pervious surfaces in watershed.

Ms. Tennor said her comments are based on the character of downtown and the disastrous effect that removal of that block of buildings would have driving down Main Street. She said that the ten buildings are the most visible. She appreciates the suggestions of salvaging or moving the most significant

buildings, but said the importance of these buildings are in the location they reside. She concurred with unintended consequences and the need to study more before destroying. Demolition should only take place when all other mitigation efforts have been eliminated through study.

Mr. Shad concurred with the other Commissioners. He disagreed that all options have been thoroughly vetted or reviewed, however, he agreed that it would be a good idea for County to buy the properties in question. He said the County shouldn't rush to start tearing things down, rather look at how these buildings can be stabilized. Mr. Shad suggested taking a serious look at the root cause of the problem, not only weather changes, but the overdevelopment in Tiber watershed area. He said that all of these factors have some impact on the water in the Tiber Hudson watershed area and that it has a cumulative effect.

Mr. Nichols said the County researched several other examples of towns and had communications with locations such as Waterbury, CT; Boone, NC; Big Thompson Creek, CO; Charleston, West Virginia; Indonesia and even Germany. Mr. Nichols shared during the CAG process there were ideas about the acquisition of buildings and that was included as part of the CAG report.

Mr. Nichols updated the Commission on the warning system - the FHWA program was mentioned earlier and the County did communicate back in September 2017 about that program, but was also working with Department of Homeland Security with their Flood Apex Program that has specific knowledge with these significant challenges. Prior to the May 2018 storm, the County was working with Homeland Security to understand the main issue of the impacts of these new storms on the watershed. The plan has been to install 48 stream gages throughout the watershed. He said the County has been working with the National Weather Service, and explained that County has been working with and coordinating with other National agencies to try and figure out the significant problem we have.

Mr. Nichols will provide information and more ideas as they are developed.

Mr. Nichols addressed the B&O Museum concerns points out the presentation provided to compare the modeling difference between no mitigation further up in the watershed compared to an expanded stream channel in the surrounding area around the B&O, there is very limited difference between the two so as far this increased threat, that is not something the models show. But Mr. Nichols says they will continue to work on the site of the B&O and what can be done.

Mr. Roth points out that the proposal to add a tunnel upstream would reduce the risk of the B&O and any approaches that reduce the amount of water from coming downstream would have a huge impact.

HPC-18-47 – 8390 Main Street and Ellicott Mills Drive right of way, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: John Seefried, Howard County Department of Public Works

Background & Scope of Work: This property is located in the Ellicott City Historic District. The Applicant seeks retroactive approval for the removal of six trees greater than 12 inches diameter in breast height between 8444 Main Street and 8390 Main Street. The trees included three spruce and three hardwood trees. The application explains that the pipe under Ellicott Mills Drive failed during the May 27, 2018 flood. The three spruce and two hardwood trees were removed from the Wine Bin property because they contributed to the failure via piping and excess and dynamic load. One hardwood tree near the former Court House was removed because of its contribution to failure via piping and hydraulic overtopping. The application further explains,



HISTORIC DISTRICT COMMISSION
Ellicott City Historic District Lawyers Hill Historic District
Administered by the Department of Planning and Zoning

The second regular meeting of the Historic District Commission in the year 2000 was held on February 3, 2000 at 7:30 p.m. in the Tyson Room of the George Howard Building, 3430 Courthouse Drive, Ellicott City, Maryland. The agenda was properly advertised in accordance with Section 16.605(b)(3) of the Howard County Code.

Members Present: Neil Lang, Vice Chairperson; Charles E. Hogg, Jr.; Richard Taylor; Van Wensil; Robert Williams; Joseph Tieperman

Members Absent: Doris Thompson, Chairperson

Staff Present: Stephen R. Bockmiller; Dan Bennett; Hannah Gardiner.

For the purpose of this hearing the following documents were incorporated into the record by reference: the appropriate provisions of the Howard County Charter; the Howard County Code; the Howard County Zoning Regulations; the General Plan for Howard County; the petitions as submitted; the Secretary of the Interior's Standards for the Treatment of Historic Properties, 1992; the Secretary of the Interior's Standards and Illustrated Guidelines for Rehabilitating Historic Buildings, 1992; "Preservation Briefs" published by the Preservation Assistance Division of the National Park Service, U.S. Department of the Interior; Ellicott City: New Life For An Old Town..., Murphy/Williams, August, 1976; Ellicott City: New Life For An Old Town..., Final Recommendations of the Ellicott City Citizens' Advisory Committee, December, 1977; Ellicott City Streetscape Report, Kamstra, Dickerson and Associates, Inc., 1981; the Ellicott City Design Manual, Kamstra, Dickerson and Associates, Inc., November 1980, the Lawyers Hill Design Guidelines, April 1995, and the Ellicott City Design Guidelines, May, 1998.

In the absence of the Chairperson, Ms. Doris Thompson, Mr. Neil Lang conducted the meeting. The minutes of the January meeting were accepted.

Plans for Approval:

#99-41 - 8385 Main Street (The Judge's Bench), Ellicott City
Verification of expenditures for a property tax credit.

Applicant: George Suter

Mr. Bockmiller stated that on August 5, 1999, the Commission preapproved a property tax credit for painting the exterior of the building Duron 8772W "Siberian Ice" and the building's trim "AC127N "Cherry Rose". He said the applicant has submitted a bill marked paid in full from Nelson Cramblitt (MHIC #35037) in the amount of \$3,600.

Mr. Bockmiller said Staff has visited the site and the work appears to be completed in accordance with the preapproved Certificate of Eligibility. He said should the Commission concur, the applicant would be eligible for a property tax credit in the amount of \$360.00.

Mr. Williams made a motion to approve the applicant's request. The motion was second by Mr. Hogg. The Commission voted 6 - 0 in favor of the request.

#00-04 - 8085-89 Main Street (Main Street Blues), Ellicott City

Comprehensive restoration plan for building damaged in the November 1999 Main Street fire, and tax credit for the work.

Applicant: Dennis Martin

Mr. Bockmiller stated that the November fire essentially gutted this building. He said the roof is missing and the second floor of the rear addition was condemned and had to be removed. He stated that the building itself is essentially sound but in need of restoration from the fire damage. The roof would be reconstructed and the second floor rear addition would be replaced, constructed in-kind, with siding to match existing. Mr. Bockmiller said that window and door arrangements on the reconstructed addition would be somewhat altered from the previous arrangement. A new wooden stairway would be constructed on the rear and two existing stoops in the rear yard area would be repaired. A white picket fence would be installed along the top of the retaining wall to the rear. The front of the building would be cleaned and repaired in-kind, including in-kind replacement of the four banks of double-hung windows with 6/1 wood, true divided light wood windows. One change to the front facade would include removal of the awning and lettering "Main Street Blues" above front door. Mr. Bockmiller noted that the applicant seeks a property tax credit for the work.

Mr. Bockmiller said the subject building is not individually listed on the Historic Sites Inventory, but was constructed within the District's period of significance. He said Staff recommended approval of the work and preapproval of a property tax credit for the following: roof and (if necessary) roof truss replacement, exterior features of the reconstructed second floor addition, restoration of storefront and cornices on front of building, including window replacement in kind and cleaning of soot damage on front facade.

Mr. Dennis Martin testified in favor of the petition. He said basically, he intends to put things as they were. He said that the outside of the building will retain its look, and the second floor wall of the addition that was not damaged by the fire will remain. He said the awning will remain as it was.

Mr. David Robbins, the architect, also testified. He said that the three panel front door will be put back the way it was.

Mr. Taylor made a motion to determine the property to be an "eligible property" and approve the application as recommended by Staff. The motion was seconded by Ms. Wensil. The Commission voted 6 - 0 in favor of the application.



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
FAX 410-313-3042

November Minutes

Thursday, November 3, 2016; 7:00 p.m.

The tenth regular meeting for the year 2016 of the Historic Preservation Commission was held on Thursday, November 3, 2016 in the C. Vernon Gray Room located at 3430 Court House Drive, Ellicott City, Maryland. Ms. Tennor moved to approve the October 6 minutes. Mr. Roth seconded. The motion was unanimously approved.

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

Staff present: Samantha Holmes, Beth Burgess, Dan Bennett, Yvette Zhou, and Lewis Taylor

PLANS FOR APPROVAL

1. 14-78c – 8020-8022 Main Street, Ellicott City
2. 16-66c – 8098 Main Street, Ellicott City
3. 16-88 – 8137 Main Street, Ellicott City
4. 16-94 – 8289 Main Street, Ellicott City
5. 16-97 – 8210-8212 Main Street, Ellicott City
6. 16-89 – 3585 Church Road, Ellicott City
7. 16-90 – 8497 Frederick Road, Ellicott City
8. 16-91 – 8307 Main Street, Ellicott City
9. 16-92 – 8321 Main Street, Ellicott City
10. 16-93 – 3733 Old Columbia Pike, Ellicott City
11. 16-95 – 8307 Main Street, Ellicott City
12. 16-96 – 8307 Main Street, Ellicott City
13. 16-98 – 8004, 8008, 8012 Main Street, Ellicott City
14. 16-99 – 8316 Main Street/Stream channel wall under Ellicott Mills Brewing Company, Ellicott City
15. 16-100 – 8055 Main Street, Ellicott City
16. 16-101 – 8085 Main Street, Ellicott City

CONSENT AGENDA

14-78c – 8020-8022 Main Street, Ellicott City

Final tax credit approval.

Applicant: Mark Bean

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890, although it most likely dates to the mid to late 1920s as the original Patapsco Hotel collapsed and was demolished, then rebuilt. The Applicant seeks final tax credit approval for exterior

- 4) Repair existing 4 lite over 3 horizontal panels wood door and framing on left side of building leading to apartments above. If repair is not possible, replace with new wood framing and 4 lite over 3 horizontal panel wood door to match existing. See Figure 29.
- 5) Replace sign that was removed several years ago to match the previously existing as shown in Figure 30.
- 6) The gutters need to be replaced and the building repaired where the gutters attach to the building.
- 7) The cornice needs to be sealed and repaired.
- 8) The exterior lights need to be rewired or replaced.

Staff Comments: The application is generally considered Routine Maintenance, per Chapter 5 which states that Routine Maintenance is the “repair or replacement of roofs, gutters, siding, external doors and windows, trim, lights and other appurtenant fixtures using the same materials and design.” The doors will be repaired if possible or otherwise replaced to match the existing in design and material. The storefront window will be repaired to match the existing, although it will be framed in wood instead of metal. The replacement of the gutters, repair of the building where the gutters are connected and repair of the cornice and replacement of exterior lights all are considered Routine Maintenance.

Staff Recommendation: Staff recommends approval of the application as submitted. Staff recommends tax credit pre-approval for Items 1-7. The replacement of the exterior lights in Item 8 are also eligible for the tax credit, but aside from the installation of the fixtures, any other electrical work such as rewiring, is not eligible for the tax credit.

Testimony: Mr. Shad swore in Sally Fox Tennant. Mr. Shad asked if there were any additions or corrections to the Staff comments. Ms. Tennant asked if interior repairs are eligible for tax credit. Ms. Burgess said only interior structural repairs are applicable for tax credit. Ms. Holmes said the previous sign approval did not have dimensions since it was submitted a while ago before the current application requirements. Ms. Tennant said the sign will fill the same area which is approximately 90 inches by 60 inches. Ms. Tennant said the color of the sign will match the current building façade which is sage and lavender and not the previous pink color. Staff will provide Ms. Tennant with the Benjamin Moore lavender and sage color palette that she was approved for.

Motion: Mr. Reich moved to approve the application as submitted. Mr. Roth seconded. The motion was unanimously approved.

16-101 – 8085 Main Street, Ellicott City

Certificate of Approval to make exterior alterations and repairs. Tax credit pre-approval. Façade Improvement Program.

Applicant: Michael Baldwin

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1920, but was severely damaged in a November 1999 six alarm fire. This application is considered an emergency as the building sustained flooding and damage during the July 30th flood. The repairs will allow the Applicant to have a secured building in order to start repairs, control mold remediation and protect against future water infiltration. The property was posted with a sign more than 24 hours before the meeting.

The Applicant proposes the following work:

Building Foundation/Decking/Interior Structural Work

- 1) Remove the existing steel beam supported wood joist floor framing system that spans the Tiber River and replace it with a structural poured in place concrete beam/floor decking system. The original floor joist system has been compromised by two fires and the flood and is no longer safe. Replace existing structural floor sheathing in the front of the building, in an area that does not span the Tiber River. This structural work is estimated to cost \$60,000 to \$70,000.
- 2) Replace the existing compromised structural framing around the stairwell. The stairs will be widened from less than 3 feet wide to 4 feet wide for better egress and safety. (Some of the framing may be considered structural but consultation with Department of Inspections, Licenses and Permits is needed for clarification.)

Sides of Building

- 3) Replace wood framed walls on the sides of the building, which are located over the river, with structural concrete block walls to support the second floor and to assist with flood control.
 - a. The west/downstream side will remain block as it is not visible due to its proximity to the neighboring building.
 - b. The east/upstream side of the building is currently sided in wood siding. New wood siding will be installed over the concrete block walls and painted a beige color, McCormick Paints 'Courtyard' 0344.
- 4) Add a pair of 6:1 wood windows between the existing 8:1 and 6:1 wood windows on the east (downstream) side of the building as shown in Figure 30.

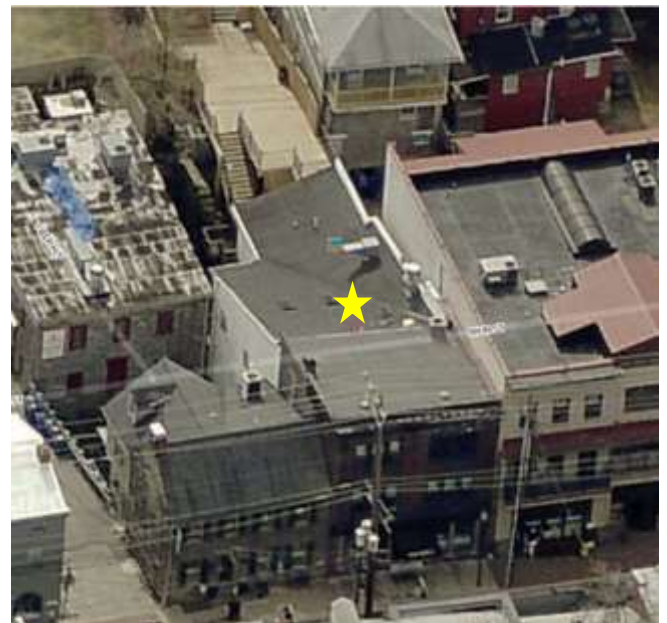


Figure 31 - Aerial of 8085 Main Street

- 5) Install 3 commercial glass windows on the east (downstream) side of the building to highlight the historical bridge truss on the right side of the building as shown in Figure 30.



Figure 32 - Proposed alterations to east side of building



Figure 33 - Existing east side of building

Front of Building

- 6) Replace the framed walls below the storefront windows with concrete block. Replace framing and panels around concrete block to match the previously existing design. The walls may be raised 6 to 8 inches higher than the existing walls, depending on the coursing of the block. If the wall is raised, the size of the windows would decrease as well.
- 7) Replace the storefront windows on the front of the building with impact resistant glass set into an inswing operable frame and sash. The current windows are not operable.
- 8) Rebuild the front entrance in a slightly different configuration. The two side doors would be removed and the main door brought forward to enlarge the width of the door to 3 feet for better egress. The previously existing side panels would be resized to 3 feet wide as well. Impact resistant glass will be used. This reconfiguration will allow a larger door and create a larger foyer space upon entering the building, which was previously very small.
- 9) Restore damaged dentil molding on first floor cornice.
- 10) Repair front façade to match the previously existing colors. The cornice and wood storefront will be Benjamin Moore Mopboard Black, the trim will be Franklin White and the panel inserts will be red.



Figure 34 - Front facade after flood

Rear of Building

- 11) Replace a window on the first floor rear of the building with a door for safety egress.
- 12) Paint the rear of the building a beige color, McCormick Paints 'Courtyard' 0344, to match the east side of building.

The Applicant seeks tax credit pre-approval and Façade Improvement Program funds for the work, but was unsure which programs the specific work qualifies for. Staff will clarify these items in the recommendation below.

Staff Comments: Although this application contains many repairs and alterations, the building will essentially look the same, but will be strengthened against possible future weather events.

Building Foundation/Decking/Interior Structural Work

Staff finds the concrete floor/decking system is a structural issue that will qualify for the County Historic Property Tax Credit. Section 20.112 of the County Code states that eligible work includes, “work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing.” This alteration will serve as the main structural support for the building since the existing beams are no longer stable and will aid in protecting the building against any future flooding. Staff requires additional information on the structural framing around the staircase, but will discuss the matter the Department of Inspections, Licenses and Permits to determine if it is a structural issue. If it is, Staff would find it meets the qualifications of the Code to qualify for the tax credit as well.

Sides of Building

The existing windows on the side of the building are not the same windows that are in the 1983 photograph. The 1983 photograph has matching 1:1 windows, whereas the existing windows are 8:1 and 6:1 and are slightly different sizes now. The existing rear addition appears to be larger than the original addition as well, so there have been alterations over time.



Figure 35 - Side of building in 1983



Figure 36 - Current side view

Chapter 6.H (page 41) recommends against, “removing, adding or altering a window opening on a building’s primary façade or in any location where it affects historic features key to a building’s character.” The new proposed window openings are on the side of the building, not the primary façade and will not affect any historic features or features key to the character of the building. Furthermore, the side façade has already been altered due to the 1999 fire. The new windows will be made of wood, which comply with Chapter 6.H recommendations. The proposed windows will enhance this view of the building and make the side more of a focal point.

Front of Building

The front of the building has already been altered, as shown in Figure 36, a photo from 1983. The wood panels did not exist as this time and were added in 1993. The storefront windows and design has already changed over time and the proposed alterations will not detract from the architectural integrity of the building, but may prevent damage in the event of a future weather event. The proposed repair and alteration complies with Chapter 6.K recommendations, “when planning storefront repairs or alterations, unify the upper and lower floors in the new design. Use appropriate and matching materials and colors throughout the façade; use materials appropriate to the style and period of the



Figure 37 - Side of building in 1983

building; and use details of one time and type...” Although the proportion of the windows and panel area could change slightly with the addition of concrete block in place of wood framing, panels and trim of the same design and colors will be put back in place and the building will generally look the same.



Figure 38 - Front facade in 1983



Figure 39 - Front facade in 1983

Rear of Building

Chapter 6.H (page 41) of Guidelines recommends against, “removing, adding or altering a window opening on a building’s primary façade or in any location where it affects historic features key to the building’s character.” The proposed window to door conversion will be located on rear of the building, and this location on the building is not visible from the public right of way. The window will be converted to a door in order to assist with emergency egress from the building. Staff requires additional information on the specs to be used for the door, but finds there is leniency in the type of door to be used due to the location as explained above.



Figure 40- Front facade after flood 2016

Staff Recommendation: Staff recommends:

- 1) Approval as submitted, contingent upon Staff approval of the specs for the conversion of the rear window to a door;
- 2) Tax credit pre-approval for Items 1-3 and 6-10, 12 which comply with Section 20.112 of the County Code.
 - a. Items 4 and 5 are considered new construction and do not qualify.
 - b. Item 8 would normally be considered new construction, but in this instance the entrance needs to be rebuilt regardless.
 - c. Staff would like the Commission to determine whether Item 11 qualifies for tax credits as it is an alteration that normally would be considered new construction, but is being done for safety egress.

Façade Improvement Program: Staff will approve the application for the Façade Improvement Program based on the approval from the Historic Preservation Commission and the Maryland Historical Trust, availability of funds and receipt of quotes for the work. If approved, Staff will issue a pre-approval letter explaining the amount approved once the final bid is received. The pre-approval is contingent upon a final approval when the work is complete and availability of funds. Work cannot begin until a Certificate of Approval and Façade Improvement Program Approval have been received. The items eligible for the Façade Improvement Program are limited to work done to the front of the building along Main Street.

Testimony: Mr. Shad swore in Evan Brown, the owner of Portalli's. Mr. Shad asked if there were any additions or corrections to the Staff comments. Ms. Tennor asked if there was a traditional alcove setback for the door and if the Applicant proposed to bring it forward and enclose the doorway. Mr. Evan said yes, there are three doorways currently, two on the sides and one in the center. Ms. Zoren asked about the size of the doors and their purpose. Ms. Holmes said there are side doors and then a 3 foot sidelight. Ms. Holmes said the building was two stores and the center door was used to access the 2nd floor. The buildings storefronts are not original and has been converted into one storefront. Mr. Reich asked if the storefront will be built exactly the same with the wood panels that existed prior to the flood damage. Mr. Brown said yes, the window size may change slightly depending on where the height of the block wall ends. He said instead of cutting the block, the construction will use full blocks so the windows may be a few inches higher off the ground. Mr. Brown said the same wood panels with the detail and dimensions will be used so that the storefront will look the same as it was before the flood but will have block behind the wall for added strength. Mr. Brown said the windows will be impact resistant operable glass. The windows will look like the original windows when closed.

Ms. Holmes asked if the awning will be removed. Mr. Brown said it will remain. Ms. Tennor asked if there were any options permitting the awning to stay but removing the supports that extend to the sidewalk. Mr. Brown is unsure of awning options.

Mr. Reich asked Mr. Brown to clarify the structural plan. Mr. Brown said a 14 to 20 inch thick concrete slab will be installed on top of a steel beam between the two channel walls of the river. Ms. Zoren said the floor could potentially be raised higher. Mr. Brown said the floor foundation may raise 4 inches if they are concrete floors.

Ms. Zoren asked if the Applicant would consider making the side windows double hung windows to match the windows above. Mr. Brown said the proposed windows were chosen to highlight the large wooden bridge truss that survived past natural disasters. Ms. Tennor asked if the lower display window frames would be metal or wood. Mr. Brown said they will be wood to match the wood siding. Mr. Bennett asked what will happen to the second floor use. Mr. Brown said it will remain the same use for restaurant seating since it was not damaged by the flood. Mr. Brown said the 3 foot wide stairs will be widened to 4 feet for safety.

Mr. Taylor asked Mr. Brown for clarification of the existence of the window that is proposed to turn into a door. Mr. Brown said the flood blew out the window so there is just an opening and a door would allow improved egress. Mr. Taylor said tax credits can be applied towards replacement of the window but the Applicant would install a door instead. Mr. Reich said the Applicant can provide documentation showing the cost of window replacement for tax credit to be issued even though a door will be replaced Mr. Lewis stated tax credits are for the preservation of the historic structure. When a window is changed to a door, the historic structure is not preserved but since the size of the opening remains the same, the replacement of the door will not be tax credit eligible only for the cost difference to replace a window. Mr. Taylor advised the Commission that it was their discretion to allow tax credits for the preservation of the building. Mr. Reich said it does not matter if the opening is a door or window as long as the Applicant provides documentation for the cost of the window as long as it is not more than the cost of the door for tax credit approval.

Motion: Mr. Reich moved to approve the application as submitted with tax credits for the exterior window with documentation that it will be converted to a door. Ms. Tennor seconded. The motion was unanimously approved.

Other Business:

The Commission typically has not met in January in the past years. The Board agreed there will not be a January meeting in 2017. However, if an emergency meeting is needed, the Chair can call one.

Mr. Shad moved to adjourn. Mr. Roth seconded. The motion was unanimously approved and the meeting was adjourned at 9:52pm

*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

Yvette Zhou, Recording Secretary



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
FAX 410-313-3042

June Minutes

Thursday, June 6, 2019; 7:00 p.m.

The June meeting of the Historic Preservation Commission was held on Thursday, June 6, 2019 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Ms. Holmes informed the Commission that she made a few technical corrections to case HPC-19-21 8472 Hill Street, adding in a few areas of missing testimony regarding damage to the wall that was removed and to the knee walls and stoop sinking and being removed. Ms. Holmes reviewed each of the changes with the Commission at the end of the meeting, prior to approval of the minutes. Mr. Roth moved to approve the May minutes. Ms. Tennor seconded. The motion was unanimously approved.

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

Staff present: Beth Burgess, Samantha Holmes, Dan Bennett, Lewis Taylor, Kaitlyn Clifford

PLANS FOR APPROVAL

Consent Agenda

1. MA-18-40c – 12050 Old Frederick Road, Marriottsville

Regular Agenda

2. HPC-19-26 – 6042 Old Washington Road, Elkridge, HO-803
3. HPC-19-27 – 8081 Main Street, Ellicott City, HO-360
4. HPC-19-28 – 8085-8089 Main Street, Ellicott City
5. HPC-19-29 – 8293 Main Street, Ellicott City
6. HPC-19-30 – 8141 Main Street, Ellicott City
7. HPC-19-31 – 3877 College Avenue, Ellicott City
8. HPC-19-32 – 8289 Main Street, Ellicott City
9. HPC-19-33 – 8249 Main Street, Ellicott City
10. HPC-19-34 – Sidewalks, curbs and gutter in the vicinity of 8267 Main Street to 8411 Main Street to 3880 Ellicott Mills Drive

OTHER BUSINESS

1. Design Guideline Work Session
2. Administrative Session

the other two doors, where there were previously French doors, DPW is proposing to fill that space in with German lap wood siding to match what is on the building now and paint the siding to match.

Mr. Shad asked if the proposed work is mostly cosmetic to make the building's doors look like they are operable. Mr. Hollenbeck stated the building will be inoperable until the completion of the storm water management mitigation projects.

Ms. Holmes clarified and amended the staff report to reflect that the rear addition of the building, in which the doors are being replaced with siding, is a non-historic addition.

Motion: Mr. Reich moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

HPC-19-28 – 8085-8089 Main Street, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Howard County Department of Public Works

Request: The applicant, Howard County Department of Public Works, requests a Certificate of Approval to make exterior alterations at 8085-8089 Main Street, Ellicott City.

Background and Site Description: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1920, but was severely damaged in a November 1999 six alarm fire.

Scope of Work: The applicant proposes to make the following repairs and alterations:

- 1) Remove plywood over the existing entrance doors and windows.
- 2) Replace the windows to with new wood windows to match the previously existing casement and picture windows (prior to 2018 flood).
- 3) Replace door with a full light wood door, painted black, to match the previously existing.
- 4) Paint façade elements at first floor level (below cornice/trim) as needed. Paint colors to match existing.
- 5) Replace any damaged siding, masonry or trim to match the existing using in-kind materials and colors.
- 6) Remove awning and support posts.
- 7) Remove existing mosaic tile floor at entryway. A concrete floor will be installed in this location and the basement is being infilled with flowable fill and a concrete slab. A future application will include a new floor for the entryway.

HPC Review Criteria and Recommendations:

Storefront Windows

Chapter 6.H: Rehabilitation and Maintenance of Existing Buildings, Windows

- 1) *Chapter 6.H recommends, "when repair is not possible, replace original windows, frames and related details with features that fit the original openings and are of the same style, material, finish and window pane configuration. If possible, reproduce frame size and profile and muntin detailing."*

Chapter 6.K: Rehabilitation and Maintenance of Existing Buildings, Storefronts

- 2) *Chapter 6.K recommends, "preserve the form and details of existing historic storefronts. Uncover or replace architectural detailing that has been obscured by later additions."*

Chapter 5: Routine Maintenance

- 3) *Chapter 5 states the following is Routine Maintenance, “painting previously painted surfaces using the same color.”*

After the 2016 flood the previous owner was approved in November 2016 in case HPC-16-101 to make alterations to the storefront consisting of:

- Replace the framed walls below the storefront windows with concrete block. Replace framing and panels around concrete block to match the previously existing design. The walls may be raised 6 to 8 inches higher than the existing walls, depending on the coursing of the block. If the wall is raised, the size of the windows would decrease as well.
- Replace the storefront windows on the front of the building with impact resistant glass set into an inswing operable frame and sash. The current windows are not operable.
- Rebuild the front entrance in a slightly different configuration. The two side doors would be removed and the main door brought forward to enlarge the width of the door to 3 feet for better egress. The previously existing side panels would be resized to 3 feet wide as well. Impact resistant glass will be used. This reconfiguration will allow a larger door and create a larger foyer space upon entering the building, which was previously very small.

The alterations were allowed with the intent of providing better protection for future flooding. However, the knee walls were not reinforced with concrete block, which was discovered after the 2018 flood, which was the impetus for the entire storefront renovation after the 2016 flood. The difference in the profile detailing from the previously existing storefront windows (prior to 2016) and the casement windows was not evident at time the alteration was approved in HPC-16-101. The casement windows have a very bulky profile and trim, whereas the previous windows were more historically appropriate with a narrow profile and trim. The storefront window arrangement prior to the 2016 flood was not historic, as the storefront has been altered over the years, but it was more compatible with the building than the current arrangement. The windows should be restored to the condition prior to the 2016 flood. The current windows are white, but if restored correctly, should be painted black to match the previously existing narrow frames and existing windows on the upper floors of the building. The casement windows do not comply with the Guidelines as the profile detailing was significantly different and detracts from the architectural integrity of the storefront, as shown in Figure 6 and 7 below. Restoration to pre-2016 flood conditions would better comply with Chapter 6.K of the Guidelines above, which recommends replacing detailing on storefronts that have been obscured by later additions.

Front Door**Chapter 6.G: Rehabilitation and Maintenance of Existing Buildings, Entrances**

- 4) *Chapter 6.G recommends, “when repair is not possible, replace historic doors and entrance features with features of the same size, style and finish.”*

Chapter 5: Routine Maintenance

- 5) *Chapter 5 states the following is Routine Maintenance, “painting previously painted surfaces using the same color.”*

The proposed full light wood door will match the previously existing door that was destroyed in the 2018 flood and complies with the Guideline recommendations. The new door will be painted to match the previously existing color and is considered Routine Maintenance.

Exterior Brick Walls**Chapter 6.C: Rehabilitation and Maintenance of Existing Buildings, Masonry**

- 6) Chapter 6.C recommends, "if a masonry wall or feature must be replaced, use material as similar to the original as possible, particularly if the materials are visible from a public road or are key elements of the building's style or character.
- 7) Chapter 6.C recommends, "use mortar mixes that are compatible with early stone and brick."

A spec of the proposed infill brick and mortar was not provided, but any infill should match the existing brick and mortar in type and color.

Awning

Chapter 4: The Secretary of the Interior's Standards for Rehabilitation

- 8) Standard 10 states, "New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."

The awning is not historic and dates to approximately 2000. The awning extends into the public-right-of-way and partially hides the storefront cornice on the building façade. The removal of the awning complies with the Secretary of the Interior Standards and will not negatively affect the integrity of the historic building.

Entryway Tile Floor

Chapter 6.G: Rehabilitation and Maintenance of Existing Buildings, Entrances

- 9) Chapter 6.G recommends, "when repair is not possible, replace historic doors and entrance features with features of the same size, style and finish."
- 10) Chapter 6.GH recommends against "unnecessarily replacing original doors and entrance features on historic buildings."

The tile floor is not historic; it was rebuilt in 2017 and was approved in case HPC-17-52. The floor is only being proposed to be temporarily removed and the tile work will be reconstructed in the future.

Staff Recommendation to the HPC: Staff recommends the HPC approve the application as submitted, contingent upon:

- 1) The storefront windows being restored to a pre-2016 condition.
- 2) The tile floor entryway be rebuilt in the future.

Testimony: Mr. Shad asked if there was anyone in the audience that was in opposition to the application that would like to testify. There was no one in the audience who wanted to testify. Mr. Hollenbeck was previously sworn in. Mr. Shad asked if Mr. Hollenbeck had any corrections or additions to the staff report. Mr. Hollenbeck stated he had two handouts in response to staff comments, the first was product data for alternate windows that DPW proposes to use and the second, is product data for the terra cotta repair mortar for the terra cotta façade.

Mr. Hollenbeck stated that in response to the staff comments, DPW looked into using an alternate window section. He explained that the existing windows are casement windows with a tilt function and the frame is 10 inches wide and quite bulky. He said DPW would install a fixed casement which would be direct set, without a brickmould, into the openings. Mr. Hollenbeck noted the basis for installing that type of window would allow DPW to use a laminated glazing, which is a manufactured product. This way DPW can also remove the window pane easily for future work on the building without having to take apart the storefront. Mr. Hollenbeck said that to make the window look correct, the trim work below the windows would need to be redone.

Mr. Hollenbeck explained the photos in his handout and said that he superimposed, in red, the visible light sizes for the windows that DPW is proposing. These measurements are the same width as the windows installed after the 1999 fire, however the height would be 4 inches less because the knee wall was rebuilt after the 2016 flood. Mr. Hollenbeck stated he is proposing to redo the trim on the lower inset panels with applied 1x2 and painted the trim the cream color similar to pre-2016 flood, to more closely resemble the proportions in the photo.

Mr. Hollenbeck stated the second handout provided included information on product data for terra cotta repair mortar, the façade is terra cotta as is some of the interior demising walls. Mr. Hollenbeck explained DPW would try to use a product compatible to mortar and the color would be selected from the manufacturers range to more closely match some previously repairs that were done with regular mortar. Mr. Hollenbeck stated he had tried to chip out the mortar and match more closely with the upcoming repairs to the building.

Mr. Reich stated that the building looks more like brick than terra cotta. Mr. Hollenbeck agreed. Ms. Tennor asked if the windows that are being proposed to be installed instead would resemble the windows prior to the first flood. Mr. Hollenbeck said the windows would more closely resemble the pre-flood windows.

Ms. Tennor asked for clarification on removing the tile flooring at the entrance of the building to put in a concrete slab. Mr. Hollenbeck explained that the front portion of the building that is parallel with Main Street has a floor that is wood framed with a one-inch concrete slab on top. Mr. Hollenbeck stated DPW is working to infill the basement with flowable fill so that there is not any sort of void space that would have the potential to rot out the underside of the floor. Mr. Hollenbeck explained that DPW needs to take out the whole wood structure, which is why the tile needs to be removed. Mr. Hollenbeck stated the current tile floor was installed after the 2016 flood and is adhered to the wood. He stated another large-scale construction project would be happening in the future at this location and the tile could be destroyed with that project, so he would prefer waiting until the renovation project was completed to handle the replacement of the tile floor. Ms. Tennor asked if the tile floor would go into storage. Mr. Hollenbeck said the tile was installed in 2016 after the first flood and is not historic tile.

Motion: Mr. Roth moved to approve as submitted with the addition of two contingencies offered by the staff. Mr. Reich seconded. The motion was unanimously approved.

HPC-19-29 – 8293 Main Street, Ellicott City

Certificate of Approval to install sign.

Applicant: Temrah Okonksi

Request: The applicant, Temrah Okonksi, President of the Ellicott City Rotary Club, requests a Certificate of Approval to install a sign.

Background and Site Description: This building is located in the Ellicott City Historic District. According to SDAT the building dates to 1890.

The existing Sunrise Rotary Club sign was approved in June 1994 to be 18x24 inches.

Scope of Work: The applicant proposes to install a double-sided projecting sign on the corner of the front façade of 8293 Main Street, attached to and under the existing Rotary Club sign or installed on a



HISTORIC DISTRICT COMMISSION
Ellicott City Historic District Lawyers Hill Historic District
Administered by the Department of Planning and Zoning

The third regular meeting of the Historic District Commission in the year 2000 was held on March 2, 2000 at 7:35 p.m. in the Tyson Room of the George Howard Building, 3430 Courthouse Drive, Ellicott City, Maryland. The agenda was properly advertised in accordance with Section 16.605(b)(3) of the Howard County Code.

Members Present: Doris Thompson, Chairperson; Charles E. Hogg, Jr.
 Robert Williams; Joseph Tieperman

Members Absent: Neil Lang, Vice Chairperson; Van Wensil; Richard Taylor

Staff Present: Stephen R. Bockmiller; Dan Bennett; Hannah Gardiner.

For the purpose of this hearing the following documents were incorporated into the record by reference: the appropriate provisions of the Howard County Charter; the Howard County Code; the Howard County Zoning Regulations; the General Plan for Howard County; the petitions as submitted; the Secretary of the Interior's Standards for the Treatment of Historic Properties, 1992; the Secretary of the Interior's Standards and Illustrated Guidelines for Rehabilitating Historic Buildings, 1992; "Preservation Briefs" published by the Preservation Assistance Division of the National Park Service, U.S. Department of the Interior; Ellicott City: New Life For An Old Town..., Murphy/Williams, August, 1976; Ellicott City: New Life For An Old Town..., Final Recommendations of the Ellicott City Citizens' Advisory Committee, December, 1977; Ellicott City Streetscape Report, Kamstra, Dickerson and Associates, Inc., 1981; the Ellicott City Design Manual, Kamstra, Dickerson and Associates, Inc., November 1980, the Lawyers Hill Design Guidelines, April 1995, and the Ellicott City Design Guidelines, May, 1998.

The minutes of the February meeting was accepted by the Commission.

Introduction of New Executive Secretary

Mr. George Beisser, the new executive secretary, who succeeds Mr. William O'Brien, was introduced to the Commission by Mr. Stephen Bockmiller.

Plans for Approval:

#00-07 - 8307 Main Street, Ellicott City

Remove existing sign and install a new sign.

Applicant: Leslie Meilman

Mr. Bockmiller stated that the applicant proposed to remove the existing lavender channelized neon sign that reads "The Shops at Ellicotts Mills" from the front cornice of the building and install

Mr. Hogg made a motion to approve the application and Mr. Williams seconded that motion. The Commission voted 4-0 in favor of the application.

#00-11 - 8095 Main Street, Ellicott City

Construction of a commercial building to replace the recently demolished "Rosenstock's Department Store Building".

Applicant: Donald Reuwer

Mr. Bockmiller stated that the applicant proposed to construct a new retail building in the footprint of the structure that was destroyed in the November 1999 fire. He said the building would be 3 stories tall, and eight bays wide. The first floor would contain a central double entry door and a continuous bank of display windows with square pattern grilles in the top 40 percent of the windows. The second floor would have three evenly spaced 6/6 double-hung wood windows on each end of the front facade. The center of this level would have a centrally located double door with a large plate window on each side. Mr. Bockmiller said a narrow balcony constructed over the first floor display windows that would have a metal roof, wood columns and metal railings. The third floor would contain a central bank of three 6/6 double-hung wood windows, flanked on each side by three individual 6/6 double-hung wood windows. He also said an ornamental cornice, constructed of wood, would be located along the roofline. An aluminum clarestory window would be located along the roofline in the center of the building. The base below the display windows would be stone, with the second and third floors being faced with ground face concrete block.

Staff recommended approval. Mr. Bockmiller said the building is designed to be able to adapt to a number of tenants. Therefore, the applicant should be required to provide a signage plan or scheme to be able to address the signage that may be required by the maximum number of potential tenants. Mr. Bockmiller noted that the proposed elevations have been well designed, but the effectiveness of the design could be lost in the future if signage is randomly addressed for this building.

Mr. Gregory Mitchell said presently they are concern with the general concept of the porches, the overhangs, the display bay windows and the general character of the building. He said he did not have all the exterior materials with him.

Mr. Williams stated that he didn't think the submission of the application was complete, hence cannot determine what the building would look like.

Mr. Bennett explained that the base on the building is stone. He said the ground face concrete block is the upper portion of the building. It is basically a masonry front. Mr. Bockmiller said the windows are described as of true divided light wood windows. Mr. Mitchell said they have not yet chosen final colors of manufactures of the pieces, but they plan on staying with the basic materials as presented.

Mr. Gregory Mitchell presented some large scale drawings to the Commission. He said these drawings described some of the changes that were made to the elevation that was included in the package. These changes included using a central section consisting mostly of glass on the second and third floors. Mr. Hogg asked how deep the building is and Mr. Mitchell said it is 55 feet deep.

Ms. Thompson asked if the original building crossed the river, and Mr. Mitchell responded in the affirmative and said the only difference between this building and the original in terms of size is that they are completing the third floor.

Mr. Hogg made a motion to approve the elevations, with the applicant to return with elevations of the rear of the building, and for materials. Mr. Tieperman seconded that motion. The Commission voted 4-0 in favor of the application.

#00-12 - 3755 St. Paul Street, Ellicott City

Construction of entryway porch roofs on previously approved addition to an existing church building.

Applicant: Fr. Thomas Donaghy

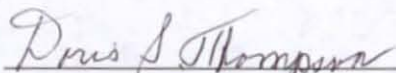
Mr. Bockmiller said that the applicant seeks approval of two canopies to be installed over the two end doors on the addition that was recently approved for the existing church. He said the canopies would be simple wood gables with scroll brackets and standing seam copper roofing. Also, gutters and down spouts would be finished to match the wood trim.

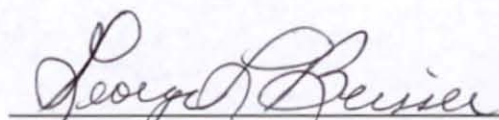
Staff recommended approval. Mr. Williams made a motion to approve the application and Mr. Hogg seconded that motion. The Commission voted 4-0 in favor of the application.

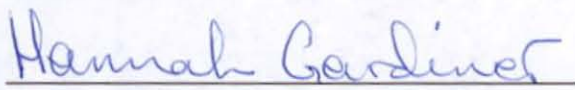
Other Business

The Decision and Order denying preapproval of the tax credit in case 00-06 was signed.

The meeting adjourned at 8:30 p.m.


Doris S. Thompson, Chairperson


George L. Beisser, Executive Secretary


Hannah L. Gardiner, Recording Secretary



April Minutes

Thursday, April 6, 2017; 7:00 p.m.

The third meeting of the Historic Preservation Commission was held on Thursday, April 6, 2017 in the C. Vernon Gray Room located at 3430 Court House Drive, Ellicott City, MD 21043. Mr. Roth moved to approve the March minutes. Mr. Reich seconded. The motion was unanimously approved.

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

Members absent: Erica Zoren

Staff present: Samantha Holmes, Beth Burgess, Dan Bennett, Lewis Taylor, and Yvette Zhou

PLANS FOR APPROVAL

Consent Agenda

1. HPC-16-104c– 8069 Main Street, Ellicott City
2. HPC-16-77c – 3794 Church Road, Ellicott City
3. HPC-16-69c – 8293 Main Street, Ellicott City
4. HPC-16-106c/MA-16-02 – 8637-8639 Frederick Road, Ellicott City

Regular Agenda

5. HPC-17-27 – 3713 Fels Lane, Ellicott City, HO-581
6. HPC-16-53c – 8526 Frederick Road, Ellicott City
7. HPC-17-20 – 8143 Main Street, Ellicott City
8. HPC-17-21 – 3585 Church Road, Ellicott City
9. HPC-17-22 – 3821 Old Columbia Pike, Ellicott City
10. HPC-17-24 – 3062 Bethany Lane, Ellicott City
11. HPC-17-25 – 8382 Court Avenue, Ellicott City
12. HPC-17-26 – 8137 Main Street, Ellicott City
13. HPC-17-23 – 8109-8113 Main Street, Ellicott City

Mr. Reich said since there is an alcove where the new green sign will be installed, the color will not cause too much distraction on Main Street.

Ms. Melvin would like to paint the black bars over the windows, using the existing color. Ms. Holmes said it can be painted without approval. Ms. Burgess said if the Applicant seeks tax credits, an application should be submitted and the cost of the work would need to be \$500.00 or more. Ms. Melvin will paint the black bars herself.

Motion: Ms. Tennor moved to approve the application as submitted. Mr. Roth seconded. The motion was unanimously approved.

HPC-17-23 – 8109-8113 Main Street, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Anath Ranon, Cho Benn Holback + Associates

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1900. This building was severely damaged in the July 30, 2016 flood and the Applicant now seeks approval, tax credit pre-approval and Façade Improvement Program funds to make repairs. The application refers to the buildings as the ‘west building’ and the ‘east building’ – for clarification the west building is 8113 Main Street, where Joan Eve was located (on right below) and the east building is 8109-8111 Main Street where Out of Our Past Antiques was located (on left below).



Figure 52 - Before and After flood

Exterior – Front Façade Conditions Prior to Flood

The application states:

“Immediately before the flood, the east building (8109 Main Street) was clad in German drop wood siding that appears to be original, above a brick veneer base punctuated by a paneled steel door on the far east side (leading to the upper residential units), a single lite wood door to the 1st floor retail space and a wood frame storefront windows. The door to the retail space appeared to

have a filled in transom above. Granite block steps sat in front of each door. There were also two light sconces, one adjacent to each door. An ornamental bracketed wood belt course (still intact) separates the 1st and 2nd floors.

The 1st floor level of the west building (8113 Main Street), prior to the flood, was clad in the same German drop siding that is used on the east building (8109 Main Street), above a brick veneer base punctuated by a single-light wood door to the 1st floor retail space, and two wood frame storefront windows flanking the door. A historic photo from the 1920s indicates that the German siding is likely not original to the building. Granite block steps sat in front of the door. A deep fabric canopy sat above the door and covered some of the façade, as well as what appears to have been an infilled transom above the door. There were also two light sconces, one on each side of the door. An ornamental bracketed wood belt course (still intact) separates the 1st and 2nd floors.”

Exterior – Front Façade Proposed Work

The application states that “the first floor level will be restored to its pre-flood condition”, as detailed below:

- 1) Siding - The west building (8113 Main Street) will be clad in wood lap siding to match its original condition. New siding will only be added to the first floor, the second floor siding was not damaged and does not require replacement.
- 2) Brick veneer - A brick veneer base will be added back to the buildings.
- 3) Windows - Install new wood single lite storefront windows to match the previously existing. Install transoms over both retail doors, similar to condition found in historic photographs.
- 4) Awnings - Install new fabric awnings over all three doors. The awnings will be a small size.
- 5) Exterior lights - Four light sconces were salvaged and will be reinstalled next each door as shown on front elevation.
- 6) Gate and stairs - Install a new painted black metal gate to secure the exterior stair case next to 8113 Main Street. Install new exterior black metal staircase for second floor apartment.
- 7) Doors - Install three new metal doors. The two commercial doors will be a full lite metal door to match the style of previously existing wood full lite retail doors; the door to apartments will be metal 2-panel doors, replacing the previously existing 6-panel metal door.
- 8) Snow guards - Add additional rows of snow guards to the roofs on both buildings.
- 9) Painting – All colors will match the existing colors, approved during the Benjamin Moore Paint What Matters project.
- 10) Granite steps – Reinstall salvaged granite front steps.



Figure 53 - Proposed repairs and alterations



Figure 54 - Proposed repairs and alterations

Exterior Repairs – Side and Rear of Buildings

- 11) Roof – Remove existing black membrane roof at 8113 Main Street (west structure) in its entirety and replace with a white membrane roof. The metal roof will remain as-is.
- 12) Tree removal – Remove 3 or 4 trees from the exterior of property that are growing in close proximity to the retaining wall and building. The trees were not purposely planted and are covered in ivy.
- 13) Retaining wall – Repoint/repair historic granite wall as needed.
- 14) Skylight – replace skylight
- 15) Mechanical units on 8113 Main Street roof will be removed for the roof replacement and then re-installed on the building.
- 16) Decks/balconies – Expand the size of the rear balconies of the upper floor apartments. The application states the balconies will be made of wood with wood railings, but the owner would also like the option to construct black metal balconies and railings to match the one existing.
- 17) Ladder system – Install galvanized metal ladders and roof walking pads to allow emergency egress to the back of the property in the event Main Street access is not possible.
- 18) Install fiber cement siding on west side of building for the first floor to end at the landing of the staircase. Wood siding to remain in place for the second floor. There is currently wood siding that is damaged in this location.
- 19) Install fiber cement siding on rear addition, which is not historic, and currently brick. The elevation is cut through a new concrete stair and CMU retaining wall that connects the back door up to the patio. This stair and retaining wall construction replaces the previous retaining wall and stair that was damaged in the flood – refer to photo #10 in the application packet.

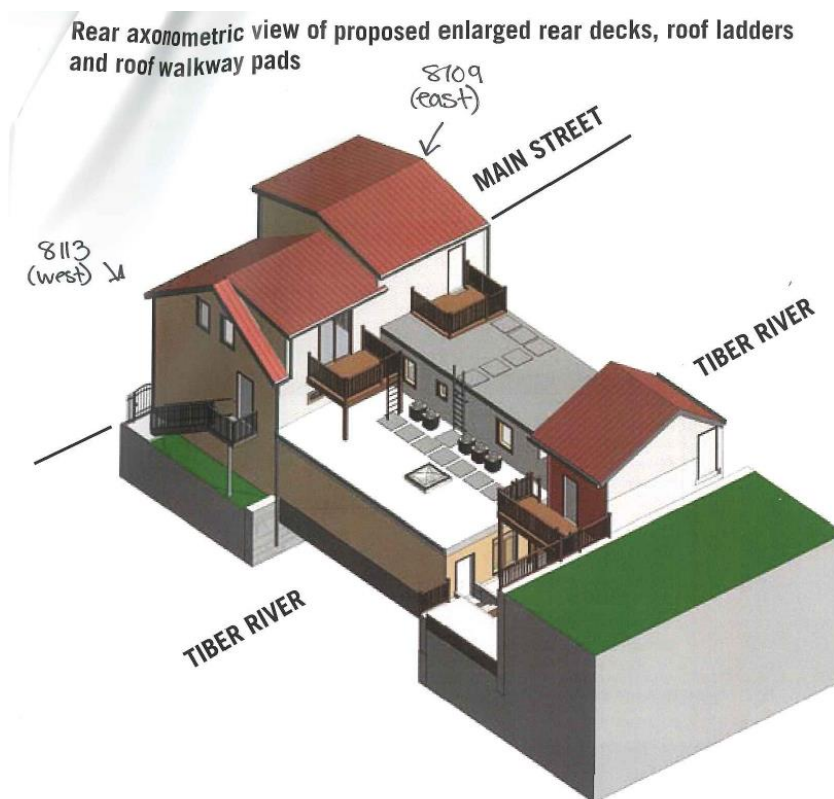


Figure 55 - Axonometric view of building



Figure 56 - Roof to be replaced



Figure 57 - Historic wall to be repaired



Figure 58 - Trees to be removed

Structural Conditions before the Flood

The application states, “Three steel girders spanning the river and attached to the stone stream walls were added early in the 20th century and the wood frame floors rested on those girders, although with a few physical connections to the girders. The rear portions of the buildings were destroyed in the flood, along with the walls at the 1st floor level of both buildings, and the entire 2-story east wall of the east building. Within days after the flood, temporary shoring was installed inside the buildings to support the upper floors. Nonetheless, the upper floor structures exhibit significant sagging and are out of level.”

Structural Repairs

- 20) Historic Timber Trusses – Existing and salvaged heavy timber truss members will be used/reinstalled as structural supports at the 1st floor retail spaces at the far east wall and center wall separating the two retail spaces. The truss members will be reinstalled as decorative members in front of the new west wall of the 1st floor retail space.
- 21) Shore 2nd and 3rd floors back to level.
- 22) Floor structure – The middle and east girder spanning the river will remain; the west girder, which is not strong enough to support the proposed floor and wall structure, will be replaced and a 4th girder will be added. A new long-span metal deck will be attached to the four girders and a new 5” reinforced concrete slab will be poured for the entire length of the buildings. At the front of the building, the floor slab assembly will be on a combination of existing stone foundation walls supplemented by grouted CMU where needed to create a level foundation. The floor slab assembly will be stepped down at the point where the structure is over grade so the new floor elevations will be about the same as the old floor elevations. The metal deck will be coated with epoxy paint and insulation, protection board and waterproof membrane will be added below.
- 23) Crawl Space/Flood Vents – The existing crawl space will be retained to provide space for pipes below the floor. Flood vents will be added in the stone/CMU foundation walls to allow future flood water to enter the crawl space, relieving pressure on the floor and wall structure with the intent of mitigating future structural damage in the event of flooding. A water-tight hatch will be installed in the new floor to allow crawl space access.
- 24) Exterior Walls – The west wall and north (front) walls will be rebuilt of full height, grouted, reinforced CMU (1st floor only). The south (rear) and east walls will be rebuilt with a grouted, reinforced CMU knee wall about four feet high (to base flood elevation plus two feet) with a 2x6 wood stud wall above. The new west walls will be located about 30 inches east of its original location to provide more interior space. This relocation will not be visible from the street and will enclose a gap between the buildings that allowed water in. All new walls will be insulated to meet energy codes and provided with a weatherproof barrier.

Interior Repairs – 1st Floor Retail

- 25) Fire code – The ceiling/floor assembly between the 1st and 2nd floors will be built as one hour construction to meet fire code.
- 26) Bathroom – A new ADA compliant bathroom will be constructed and shared between the two 1st floor retail spaces. The bathroom will be outfitted with a porcelain tile floor, ceramic tile wet wall and standard plumbing fixtures.
- 27) Plumbing - New plumbing connections for the 1st floor retail spaces will be provided.
- 28) HVAC – Install a new HVAC system for the 1st floor retail spaces. The previously existing was destroyed in the flood.

- 29) Electrical – Install new electrical and lighting systems and fixtures for the 1st floor retail spaces. Electrical panels serving all apartment units and retail spaces were located on the 1st floor and were destroyed and will be replaced.
- 30) Walls and Floors – Install new drywall walls and ceiling.
- 31) Floors and Steps – Install new wood floors and steps.
- 32) Ductwork – Will be reconnected to HVAC units and repaired or replaced as needed.



Figure 59 - Interior retail



Figure 60 - Interior retail



Figure 61 - Interior retail



Figure 62 - Interior retail

Interior Repairs – Apartment Units

The upper floors were open to the elements for several weeks and the floors were sagging due to the first floor damage. There was no evidence of historic elements in the apartment units. The carpet was damaged and removed and will need to be replaced. There is damage to drywall and trim in some areas that will need to be repaired or replaced. Similar to the first floor, the ductwork will be reconnected to the HVAC systems and the ductwork will be repaired or replaced as needed. The owners have indicated that the refrigerators are leaking and need to be replaced, but that the rest of the kitchen appliances are also being replaced at this time, although they are functional. The windows on the Main Street in the east building do not appear historic, but they are wood two over two windows. The windows appear to be slightly off kilter due to the sagging building and may require repair.



Figure 63 - Interior apartment



Figure 64 - Interior apartment

Staff Comments: The application complies with Chapter 6 recommendations for rehabilitation. This proposal generally consists of restoring the property to its pre-flood condition for the front façade and restoring/rebuilding the remainder of the building as needed. Alterations to the rear of the property will bring consistency to a mix of additions over the years and provide emergency egress for all tenants. This is a very complex project due to the extent of damage. While Staff has tried to encompass all repairs and alterations in the Staff report, the architectural drawings and other submission materials generally provide the entire scope of work, with the exception of small adjustments on details such as the rear decking materials.

The west building (8113 Main Street) will have shiplap siding on the first floor and the previous siding material was German lap siding (referred to by the Applicant as German drop). However, the second floor has shiplap siding and historic photographs show shiplap siding. Therefore, the replacement of the German lap siding on the first floor is more historically appropriate and complies with Chapter 6.D of the Guidelines, “when necessary, replace deteriorated wood siding or shingles with wood siding or shingles that match the original as closely as possible in width, shape and profile. Maintain the original shape and width of details such as corner boards, cornices and door and window trim.”

The proposed black metal gate on the front facade complies with Chapter 9.D recommendations, “install open fencing, generally not more than five feet high, of wood or dark metal.” There are other buildings along Main Street that have sallyports with black metal gates, so there is a historic precedent for this type of gate.

The three proposed awnings over each individual door do not fit the scale of the front façade. Chapter 6.L of the Guidelines recommends, “when installing awnings or canopies, use shed-style awnings that are scaled appropriately for the building size and window spacing.” Additionally awnings have been an item of concern for the Commission as they are not replaced when they start to deteriorate. This building has a cornice line across the front and the proposed awnings do not complement that architecture.

The Applicant proposes to replace the damaged wood siding on the side of the building with fiber cement siding. This location will be difficult to reach for maintenance once the staircase is reinstalled and the gate is installed. Chapter 6.D states, “if wood siding must be replaced on a historic building, a composite siding material may be considered, if wood is not a viable option, the composite siding conveys the appearance of the historic material, and application of the substitute material does not damage or obscure historic features. The texture, width, shape, profile and finish of the substitute siding material should be similar to the wood siding it replaces.” The proposed fiber cement siding will only be used for the first floor on the side of the building and then the second floor is back to the existing wood siding. This entire side of the building needs to be structurally rebuilt and in this case the use of fiber cement complies with the Guidelines. The Applicant proposes to use the ‘traditional cedar’ grain fiber cement siding. Staff would like to see a side by side comparison of the existing wood siding to the proposed wood grain fiber cement to confirm this is the appropriate choice and that the texture of the new fiber cement will match the existing wood.

The use of the proposed full lite metal doors does not comply with the Guidelines. Staff recommends the doors be wood, to comply with the Guidelines. The use of wood would also be eligible for tax credits. Chapter 6.G recommends, “when repair is not possible, replace historic doors and entrance features with features of the same size, style and finish” and “replace inappropriate modern doors with doors of an appropriate style. If documentary evidence of the original door is available, choose a new door similar to the original. Otherwise, use a door appropriate to the period and style of the building.” The application indicates that the paneled door leading to the apartments was metal, which is not typically found on Main Street. Staff recommends this door be changed to wood to comply with the above Guidelines, as it is not an in-kind replacement.

The removal of trees complies with Chapter 9.B recommendations, which recommend against the removal of live mature trees unless, “it is necessary due to disease or to prevent damage to historic structures.” The trees are growing adjacent to the historic retaining wall, which indicates the trees were not purposefully planted and are a threat to the building. Chapter 9.B recommends “plant new trees and shrubs far enough from buildings to avoid moisture problems and damage to the buildings from falling

limbs and roots as the plants grow.” The existing trees do not follow this Guideline as the trees are not far enough from the historic wall.

This application, including the structural repairs noted above, will qualify for Section 20.112 and 20.113 tax credits. Section 20.112 of the County Code states that eligible work includes, “The repair or replacement of exterior features of the structure; work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing; and maintenance of the exterior of the structure, including routine maintenance as defined in section 16.601 of the County Code, and a landscape feature located within a local historic district, which is determined by the Commission to be of historic or architectural importance.”

The tax credit for Section 20.113 will include expenses for the interior of the building. Staff walked through the building with the owner and noted that there were no remaining historic features in the apartment units. In the first floor retail space, the only interior items of historic value are the timber trusses, which are being reused. Staff finds the proposed rehabilitation of the building complies with the Secretary of the Interior Standards for Rehabilitation, specifically, “The historic character of a property shall be retained and preserved. The removal of distinctive materials or alterations of features, spaces and spatial relationships that characterize a property shall be avoided” and “Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic property, shall not be undertaken.” The building will generally look as it did prior to the flood on the interior and exterior. The Secretary of the Interior Standards state that “Deteriorated features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.” On the front façade most features were destroyed and will be rebuilt, so repair is not possible. Staff finds using wood doors would better comply with this standard and the Guidelines.

Staff Recommendation: Staff recommends:

- 1) Approval of the siding change to wood shiplap for the west building.
- 2) Approval of the new street level gate for the west building upper apartment unit.
- 3) Denial of the proposed awnings.
- 4) Approval of the use of fiber cement siding on the first floor of the side of the west building, with the grain pattern (with or without wood grain) to be determined.
- 5) Denial of metal doors and denial of tax credits for metal doors. Staff recommends solid wood and full lite wood doors be used on the façade and tax credit pre-approval for wood doors.
- 6) Approval of all alterations to the rear of the building, including painting, expanded rear decks in either wood or black metal, walking pads, replacement of the roof, removal of trees, and fiber cement siding on the brick addition.
- 7) Staff recommends tax credit pre-approval (Section 20.112) for all eligible items, except for those specifically recommended against above.
- 8) Staff finds the proposed alterations and repairs, except for those mentioned above, comply with the Secretary of the Interior Standards for Rehabilitation and recommends approval of the tax credit for Section 20.113.

Testimony: Mr. Shad swore in Anath Ranon and Walter Johnson. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Ranon said the project’s goal is to restore the building to its original façade before last July’s flood, which destroyed most of the building. The other goal is to rebuild the building to be more resilient against future floods. She referenced the

drawings on page 28 and item # 3 on the proposed work list on page 27 for transoms above the doors. It is believed there were transoms, but when Maryland Historical Trust (MHT) reviewed the proposal for tax credits, they did not believe transoms existed over the doors, so MHT did not agree with the proposed transoms. Ms. Ranon said the current proposal is for no transoms over the doors.

Mr. Reich wanted to know if there are differences in the form and materials that are proposed for the rear of the building, compared to the previous building. Ms. Ranon said the inside walls will be built differently, but the façade will be the same. The difference will be in the east building. She explained that currently, there is about a three foot gap between the east wall and the adjoining property. The first floor will be extended to line up next to the adjoining property. The other difference is on the west side there was wood siding, but they are proposing to use fiber cement siding from the ground up to about the second floor (so there will be wood above and fiber cement below). Mr. Reich asked if the part of the rear structure that extends over the river will remain the same. Ms. Ranon said it will remain the same except for the three foot extension. Also, the siding and brick will be the same as the building before it was destroyed by the July flood.

Ms. Ranon said the rear of the building was fiber cement siding, probably due to a prior fire in the area, because it is water and fire resistant. Ms. Holmes said on the west building going across the river to the back yard the small addition is brick, but that will change to fiber cement, which will be consistent with the rest of the building.

Mr. Johnson, owner of the building, said Mr. Ken Short determined the wood beams were from the 1830-1850 period. He said that Mr. Short estimated the front right portion of the structure was built around 1830. Mr. Short is compiling a detailed building report for Mr. Johnson. Mr. Johnson said the wood beams washed into the building during last July's flood, but were kept in storage to be reinstalled. The center beams will be exposed and weight bearing. The beams on the west side will be constructed to the way they were, but will not be weight bearing.

Ms. Holmes referenced the graphic on page 29, and noted that the left roof membrane is currently black. The replacement membrane roof will be white, the deck will be slightly enlarged, with walking paths and ladders added for access in the future. She explained that in the back where the green block is shown, a few trees will be removed since they are growing in the retaining wall and were not purposefully planted. The retaining wall in Figure 56 is an historic granite wall that qualifies for tax credits for repairs. The Commission had no comments on that scope of work.

Ms. Tennor asked if they could discuss the historic photo. Ms. Ranon said the first proposal for restoring the front façade was to put siding all the way down to the sidewalk, as that was the historic condition, but MHT was reluctant to approve that because the Applicant proposed to put in larger store windows than the original size windows. Ms. Tennor asked if that is where the idea for the transoms above the door came from. Ms. Ranon said yes, but after seeing photos from the 1970s, 80s and 90s, she saw that the front walls on both buildings were redone many times, moving around the window and door placements. Ms. Ranon believed there were transoms over the doors at one point. Ms. Ranon said that without either transoms or awnings, the front façade will appear uneven. She that if they will not be allowed to have the transoms, they would at least like the awnings. Ms. Holmes clarified that the Staff report recommended approval of the transoms, which is separate issue from MHT not approving them.

Ms. Tennor asked if the awning size shown in Figure 54 is representative of the proposed size. Ms. Ranon said the figure showed a small awning on each door, but she is open to the option of a large canvas single awning covering the entire façade. She referenced the previous large awning on the Joan

& Eve store facade. Mr. Johnson had a photo that showed a transom over the east building's door and said there were likely transoms on both doors at one point. Ms. Burgess said such evidence of previous transoms can be submitted to MHT for their reconsideration of the application.

Mr. Reich asked about the preference for metal versus wood doors. Ms. Ranon said metal doors would make the building more resilient against future floods and they are more durable against water than wood doors. Ms. Ranon also expressed concerns about past break-ins at the residential door and said a metal door would be stronger. Ms. Ranon said the proposal is for three steel doors with single glass lights in the two retail spaces and a solid panel in the residential space. Mr. Reich asked if the designs on the door matched what was there before. Ms. Ranon said yes, the retail glass doors would have one full light. The residential door had 6 panels, but it was not original. Mr. Reich asked between the awnings and transoms, which is preferred. Ms. Ranon said if she had to choose, awnings are preferred since MHT has issues with transoms. Mr. Reich asked the Applicant for the awning's design. Ms. Ranon said the diagram only shows the function but not specific dimensions. Ms. Holmes asked if any signage will be on the awnings. Ms. Ranon said there are no plans for signage. Ms. Holmes said in the past, there had been issues with maintenance of the awnings. There were many awnings on Main Street that should have been removed, repaired or replaced, but have not been. Mr. Johnson said the awning would primarily help protect people walking in and out of the buildings from ice falling from the roof. Ms. Holmes asked about the awning's color. Ms. Ranon said no specific color has been decided on yet, but she is open to the Commission's recommendations. Mr. Reich asked if the awnings will be fabric. Ms. Ranon said it would be fabric. Mr. Reich recommended a separate application for the awning. Ms. Ranon agreed and withdrew awnings from the current application and will provide awning design, and size on a later application.

Ms. Tennor reviewed the façade colors and Ms. Holmes said the colors would be the same as before the flood. Mr. Johnson said the façade colors are fairly new, as they were done with Benjamin Moore's "Paint What Matters" project in 2013.

The Commission reviewed the items before them for approval. Mr. Roth was inclined to approve the metal doors, but deny tax credits for them. Mr. Shad had an issue with setting a precedent by approving the metal front doors, since previous applicants seeking metal doors were rejected, both before and after the flood. Mr. Shad found that the front doors should be wood to be consistent with past approvals, but that metal side or rear doors would not be an issue.

Ms. Holmes asked the Commission to discuss the new interior work tax credits. Mr. Taylor suggested that the Applicant could amend the application to include interior work tax credits. Ms. Burgess said pre-approval for eligible interior work tax credit was needed before the Applicants start the repair work..

Mr. Taylor clarified that there are two types of Howard County tax credits for historic restoration. He said the first type of tax credit is for exterior work and work that is essential to the structural integrity of the building, and is 25% of the cost spent on eligible work. The second type of tax credit is related to the increased assessment for state property taxes that may occur due to work done on the structure. For example, the tax assessment for the Applicant's building may be \$1,000, but once work has been completed the assessment will increase significantly. The difference on the tax between the two assessments may be eligible for tax credits. Mr. Taylor explained that pre-approval of the work is required for the tax credit, and it must be done in accordance with the Secretary of Interior's Guidelines on the Rehabilitation of Historic Structures. Mr. Taylor said the Staff is requesting pre-approval for the Applicant's proposed repair items outlined in the Staff Report in order to receive the new increased

assessment tax credit. Ms. Holmes agreed with Mr. Taylor, however, she questioned if new kitchen appliances, such as the stove and refrigerator qualify. Mr. Taylor did not think that appliances would qualify for the new increased assessment tax credit, because they are not permanently attached to the structure, but a furnace, counter tops and lighting fixtures may qualify. Mr. Taylor said the interior of the building was completely destroyed by last July's flood, which makes it easy to determine work eligibility for the increased assessment tax credits, but if an item is movable and not attached to the building, then replacing it would not be eligible.

Mr. Johnson said he was eager to get the rehabilitation work started and would like to remove the awnings from the application to submit at a later date, and amend the application from using metal front doors to wood front doors.

Mr. Taylor clarified that the new increased assessment tax credit is capped. For example, if a building assessment increased from \$100,000 to \$200,000, the tax credit on the \$100,000 difference is capped on the tax credit amount one can receive by how much was spent and the difference in assessments.

Ms. Holmes asked if the current siding is wood grain or smooth. Ms. Ranon said due to the many layers of paint on the existing wood siding, it's difficult to see the texture. Ms. Ranon proposed to bring paint chips to compare onsite with the Staff at a later date to determine if the siding has wood grain or smooth.

Motion: Mr. Roth moved to approve the following Staff recommendations.

- 1) Approval of Item #1, the siding change to wood shiplap for the west building.
- 2) Approval of Item #2, the new street level gate for the west building upper apartment unit.
- 3) Approval of Item #4, the use of fiber cement siding on the first floor of the side of the west building.
- 4) Amended Item #5, the front doors to be wood with tax credit pre-approval, as per Staff recommendation. The request for metal doors on the front of the building was withdrawn. Metal doors are fine for elsewhere on the building.
- 5) Approval of Item #6, all alterations to the rear of the building, including painting, expanded rear decks in either wood or black metal, walking pads, replacement of the roof, removal of trees, and fiber cement siding on the brick addition.
- 6) Items #7, tax credit pre-approval (Section 20.112) for all eligible items, except for those specifically recommended against.
- 7) Approval of Item #8, approval for tax credits under Section 20.113.
- 8) Applicant has withdrawn the proposed awnings for a later application.

Ms. Tennor seconded. The motion was unanimously approved. Mr. Roth moved that for Item #4, the color and siding texture is subject to Staff approval. Ms. Tennor seconded. The motion was unanimously approved.



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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May Minutes

Wednesday, May 1, 2019; 7:00 p.m.

The May meeting of the Historic Preservation Commission was held on Wednesday, May 1, 2019 in the Columbia/Ellicott room located at 3430 Court House Drive, Ellicott City, MD 21043. Mr. Roth moved to approve the April minutes. Mr. Reich seconded. The motion was unanimously approved.

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

Staff present: Beth Burgess, Samantha Holmes, Dan Bennett, Lewis Taylor, Kaitlyn Clifford

PLANS FOR APPROVAL

Consent Agenda

1. MA-18-23c – 8293 Main Street, Ellicott City
2. MA-18-24c – 8293 Main Street, Ellicott City
3. MA-18-43c – 1805 Marriottsville Road, Marriottsville, HO-191
4. HPC-17-67c – 3508 West Gate Drive, Ellicott City, HO-142
5. HPC-19-16 – 8060 Main Street, Ellicott City, HO-98

Regular Agenda

6. HPC-13-38c – 3896 Old Columbia Pike, Ellicott City
7. HPC-19-17 – Vicinity of 3850 New Cut Road to 3776 St. Paul Street
8. HPC-19-18 – 8125 Main Street, Ellicott City
9. HPC-19-19 – Vicinity of Parking Lots B, C, D, E, F, G in Ellicott City. Vicinity of: 3700 Mulligans Hill Road, 8049 Main Street, 8081 Main Street, 3829 Church Road, 8197 Main Street, 8210 Main Street, 8340 Main Street, 3721 Hamilton Street, Ellicott City
10. HPC-19-20 – Vicinity of 8333 Main Street to 8267 Main Street, Ellicott City
11. HPC-19-21 – 8472 Hill Street, Ellicott City
12. HPC-19-22 – 3626 Church Road, Ellicott City
13. HPC-19-23 – 6132/6150 Hanover Road, Hanover, HO-791
14. HPC-19-24 – 8180 and 8156 Main Street, Ellicott City, HO-69
15. HPC-19-25 – 3956 and 3958 Old Columbia Pike, Ellicott City

OTHER BUSINESS

1. Design Guideline Work Session
2. Administrative Session

Testimony: Mr. Shad swore in Mark Richmond from the Department of Public Works, Bureau of Environmental Services. Mr. Shad asked if anyone in the audience was in opposition to the case. There was no one in the audience who wanted to testify. Mr. Shad asked if he had any corrections or additions to the staff report. Mr. Richmond stated he had no comments on the staff report but could speak to any questions the Commission had.

Mr. Richmond explained that DPW will be filling in and tying into the existing grade and explained there will be two sections of wall. Mr. Reich stated that some of the wall elevations are very high and asked if both walls will be imbricated. Mr. Richmond stated both concrete walls will have an imbricated face in front of it.

Mr. Reich said he was trying to get a sense of how these plans change the stream channel and said that the 160 foot wall is being built out in front of the embankment and will make the stream look different. Mr. Richmond explained that due to the 2018 flood damage, it is now a raw earthen wall, so it will look different. He said the overall height of the slope will be the same because there is a set road height.

Ms. Tennor asked how much of the length of the wall will be topped by the chain link fence and what is the extent on the plan. Mr. Richmond referenced sheet 23 of the plan, and said the chain link fence will run the entire length of the wall.

Mr. Reich asked if the tall wall will be visible from the roadway side. Mr. Richmond responded that both walls are along the roadway side, so they would be most visible from across the stream. He said the main point of the project is to keep the road from collapsing and ending up in the channel. Mr. Reich and Mr. Richmond discussed the visibility of the wall from the roadway.

Ms. Tennor referenced sheet 27, stating that the masonry wall has a curve in the top left of the sheet. Mr. Richmond stated that no one would be able to see the curve as the concrete wall will be behind the imbricated wall and explained to the Commission how the sheet piling and concrete lapping strips for the panels would work in the grooves.

Ms. Tennor asked if DPW would be replacing the trees that they will be removing. Mr. Richmond stated not at this time. Mr. Roth asked about Tree #88 being removed from the site. Mr. Richmond explained that the concrete wall will be behind the tree but excavation for the wall will impact the trees roots. He stated the tree will be in the way of the imbricated wall and once the wall is built it will be harder to get to the tree if it falls down or if access for tree maintenance is required.

Motion: Mr. Reich moved to approve the application as submitted. Mr. Roth seconded. The motion was unanimously approved.

HPC-19-18 – 8125 Main Street, Ellicott City

Certificate of Approval for partial demolition

Applicant: Howard County Department of Public Works

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to articles from the Ellicott City Times, the building was constructed in 1926 and was designed by architect Stanislaus Russell of Baltimore. The applicant, Howard County Department of Public Works, requests a Certificate of Approval for a partial demolition of damaged portions of the rear of the building and the temporary stabilization of the remaining portion.

The application contains the following explanation:

This structure suffered severe damage due to the flood of 2018. Much of the rear portion of the building is in structural failure. In order to preserve the “character defining elements” most closely associated with the building, partial removal of the rear of the building is proposed. This application does not seek to remove the entire structure, but seeks to remove portions which are unstable and could further undermine or harm the remainder. The goal of this application is to propose an economically feasible plan to preserve the remainder of the structure per Chapter 12 of the Ellicott City Historic District Design Guidelines, “Demolition and Relocation.”

The rear portion of this building was severely damaged by the 2018 flood and requires immediate attention. The front portion of the building, while currently standing, was also damaged by the flood and stands risk of further potential damage in its current state.

The proposed work includes a base scope of work and four alternate scenarios.

Base Scope

The base scope of work includes the work that must take place:

- 1) Removal of the building between the southern brick wall parallel to the stream channel, to the northern brick wall of the original second floor. Roofing, roof framing, remaining exterior walls on the east and west side of the building over the stream channel, will be removed.
- 2) Removal of the concrete floor deck spanning the stream channel, along with its supporting beams (this floor is currently in structural failure).

The application explains that “a substantial portion of the roof is also in structural failure and at risk of collapse” and that “much of the west wall collapses during the flood and the remaining portion is unsound and at risk of further collapse.”

Alternate 1

Alternate 1 includes removal of the southern brick wall (the rear of the building). The application states that this scenario would be exercised “if it is determined that it is not structurally feasible to preserve the wall as it currently stands. If it is determined that it is not possible to preserve the wall as is in its current state, the wall will be removed, and the existing tiered concrete retaining wall structure to the south will remain.” In this scenario, if the wall must be removed, the windows would be removed from the wall and stored offsite for future re-use.

Alternate 2

Alternate 2 includes removal of the southern (second floor) rear brick wall, including associated support girder and columns. The application explains that the second floor currently appears to be supported by a large steel girder, setting directly below or engaged to the brick wall above and that “of concern at this time is that it appears this major supporting beam and columns above extend slightly over the northern wall of the stream channel.” The application explains that if this structural element extends out into the stream channel, the goal “would be to remove any portion of the building that extends over the stream channel, to reduce the risk of the structure being contacted by water or other debris that could potentially flow downstream in a rain event.”

Alternate 3

Alternate 3 includes constructing a temporary rear building enclosure parallel to the southern stream channel wall. The application explains, “after demolition of the base scope and subsequent approved add-alternates are complete, a temporary building enclosure wall will be constructed at the back of the remaining building parallel to the stream channel. This enclosure will be constructed of dimensional

lumber framing, with plywood facing and intended to solely enclose the remaining building envelope from exposure to adverse weather conditions, namely rain. This enclosure is intended to be solely temporary, to assist with preservation of the remainder of the building, until full engineering and architectural design can be undertaken. The exposed face of the wall will be treated with a fluid-applied weather-resistive barrier, finished in a cream or gray color.”

Alternate 4

Alternate 4 includes constructing a temporary front building enclosure parallel to Main Street at the first floor level. The application explains, “this enclosure will be constructed of dimensional lumber framing, with plywood facing, and intended to solely enclose the remaining building envelope from exposure to adverse weather conditions namely rain...The plan for this enclosure would be to follow the footprint or plan of the original façade as closely as possible. The enclosure would extend from sidewalk level to the underside of the remaining second floor, and permit the removal of the current plywood wall, as well as reconstruction of the full width of the sidewalk...To support the temporary enclosure, a new concrete grade beam or slab will be constructed. This will be held below sidewalk level/below finish floor level, to allow future permanent construction above.” The damaged transom on the east side of the building will be repaired. Unsupported copper roofing/trim and decorative elements will be removed and salvaged for reinstallation later.

Staff Comments: Section 300-306 of the Commission’s Rules of Procedures outlines rules to guide the HPC in review of proposals for the demolition or relocation of structures in historic districts. Section 302 states that before the Commission acts on an application for demolition or relocation, they shall determine whether the structure is a Structure of Unusual Importance, which is defined as:

- 1) 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.
- 2) 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.

Section 303 of the Rules provides applicable guidance, if the Commission determines the structure is of Unusual Importance. Staff recommends the HPC consider the structure to be of Unusual Importance, but acknowledges that request for demolition is the portion of the building over the stream channel. The portion of the building over the stream channel was already rebuilt after the 2016 flood and as shown in the submitted photographs, was severely damaged in the 2018 flood as well. The character defining portion of the building is the front façade, and removal of the proposed portion will aid in the preservation of the façade. The rear wall of the building, which the applicant intends to save if possible, is the only other remaining historic piece of the building aside from the front façade. The removal of the proposed portion over the stream complies with Rule 303.B.1.a, which would benefit the County by removing an impediment in a future flood scenario. The applicant has provided documentation sent from Howard County Department of Inspections, Licenses and Permits that show concerns for the structural stability of the building.

Additional photos of the building conditions after the 2016 and 2018 flood can be found in Addendum A.

Staff Recommendation: Staff recommends the HPC approve the application as submitted for approval of the base scenario and all alternates.

Testimony: Mr. Shad swore in Robert Hollenbeck from the Department of Public Works. Mr. Shad asked if there was anyone in the audience who was in opposition to the application. There was no one in the

audience who was in opposition. Mr. Hollenbeck stated his role with the project as the project manager and explained that the County acquired the building on April 10, 2019, but had gained right of entry before that date and DPW had a team of structural engineers and architects examine the building. Mr. Hollenbeck said there are immediate concerns of the structural integrity and the work currently proposed is to maintain character defining elements that remain intact on the structure and to mitigate the potential for collapse. Mr. Hollenbeck explained the damage that occurred to the building from the 2018 flood and the current condition of the building.

Mr. Hollenbeck explained the base scope of the plan is to remove the portion of the building directly over the stream channel, and depending on the stability of the building there were four alternate scenarios. He explained that some of the alternates may not be structurally necessary, but based on the state of the building they are not able to fully assess whether it is structurally necessary because it is unsafe or it is unknown unless they do destructive demolition that would cause further impact to determine.

Mr. Hollenbeck gave overviews of the alternates. He said that Alternate 1 is the removal of the southern brick wall on the rear of the building, on the far side of the stream channel opposite Main Street. They would like to leave it in place if structurally feasible, but want to seek approval if it is not possible. He said that Alternates 2 and 3 are associated with one another. Alternate 2 includes removing a portion of the brick wall on the second floor of the building at the rear. He said that Alternate 3 includes temporary weathertight enclosure at the rear of the building and would take place after the demolition work. He explained that Alternate 4, is temporary enclosure parallel to Main Street, to replicate the perimeter of the former façade that washed away, which could be in place for a year or two.

Mr. Roth asked if Alternate 4 would be done regardless of the need to do Alternates 1, 2 or 3. Mr. Hollenbeck confirmed that was correct. Mr. Shad asked with Alternate 1, the removal of the southern brick wall, if the intention was to retain the wall if possible. Mr. Hollenbeck stated if it was possible to retain the wall, DPW would do that. Mr. Shad asked what the intended use of the wall would be if it remains. Mr. Hollenbeck stated the Master Plan process could be involved with the treatment of the space in the future and determine if they want the wall to stay, if it does not need to be removed for structural reasons.

Mr. Shad asked if there would be anything built over the stream channel where the building is currently standing. Mr. Hollenbeck stated that nothing would be constructed over the channel.

Mr. Roth stated he felt the plan was a great attempt to save as much of the building as possible. Mr. Reich stated that anything historic that is removed from the building should be saved. Mr. Reich asked what would happen if a flood took place during this process. Mr. Hollenbeck stated that DPW intends to work as quickly as possible to remove the portion of the building that is in danger of collapse. He said he has the contractors lined up and they are ready to start once the Decision and Order is signed and they get approval from DILP.

Mr. Taylor explained to the HPC that there are a few steps the HPC needs to go through before they can make a motion. Mr. Taylor asked if the applicant believed retention of the structure is a threat to public safety. Mr. Hollenbeck said the structure is in danger of collapse, so it is a threat.

Mr. Taylor explained the various findings the Commission needed to make, per the Rules of Procedure.

Mr. Roth stated that the structure is of Unusual Importance, but the work will enhance the value of the building.

Motion: Mr. Roth moved to approve the proposal as submitted on the basis that this is a Structure of Unusual Importance due to its contribution to the Main Street façade and the work proposed preserves the value of the structure by removing damaged elements in danger of collapse and by removing damaged parts of the structure that threaten the structure as a whole. Ms. Tennor seconded. The motion was unanimously approved.

HPC-19-19 – Vicinity of Parking Lots B, C, D, E, F, G in Ellicott City. Vicinity of: 3700 Mulligans Hill Road, 8049 Main Street, 8081 Main Street, 3829 Church Road, 8197 Main Street, 8210 Main Street, 8340 Main Street, 3721 Hamilton Street, Ellicott City

Certificate of Approval to install signs.

Applicant: Kris Jagarapu, Howard County Department of Public Works

Background & Scope of Work: The proposed locations are in the Ellicott City Historic District. The applicant, Kris Jagarapu from Howard County Department of Public Works, requests a Certificate of Approval to install signs in the vicinity of Parking Lots B, C, D, E, F, G and in the vicinity of: 3700 Mulligans Hill Road, 8049 Main Street, 8081 Main Street, 3829 Church Road, 8197 Main Street, 8210 Main Street, 8340 Main Street and 3721 Hamilton Street.

The signs will consist of two types: an informational sign and a high ground sign. The informational sign will be 18 inches wide by 24 inches high, totaling three square feet. The high ground sign will be 12 inches high by 12 inches wide, totaling one square foot. Both signs will be metal signs and will have a yellow/gold background with black text. The informational sign contains instructions regarding the public outdoor emergency alert system and what to do during a flood event. The high ground sign reads on two lines, “high ground” and has an arrow pointing up with the graphic of waves and a person.

The submitted map shows that 14 information signs will be installed, but only 13 are located in the Ellicott City Historic District, as one will be located in Parking Lot A in Oella (Baltimore County). The map shows there will be 15 high ground signs installed.

The map details the installation method of each sign. The signs will not be installed on any buildings; they will either be located on new poles, existing poles, street light poles or on a fence (in one situation).

Staff Comments: Chapter 11.D explains that “the location and design of traffic control signs (e.g. stop signs and speed limit signs) are strictly standardized and do not require Commission review” but that informational signs must be approved. The proposed signs were created specifically to address flooding in Ellicott City and do require HPC approval. The signs comply with Chapter 11.A recommendations, “use simple legible words and graphics” and “keep the letters to a minimum and the message brief and to the point. In many cases, symbols or illustrations that communicate the nature of the business can be used.” The signs will only consist of two colors, which complies with Chapter 11.A recommendations to “use a minimum number of colors, generally no more than three.”

The application also complies with Chapter 11.D recommendations, “use directional and information signs conservatively, in locations that will maximize their effectiveness. Limit the number of freestanding poles to minimize streetscape clutter.” The applicant is using existing poles as much as possible and limiting the installation of new poles when possible.



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
FAX 410-313-3042

October Minutes

Thursday, October 3, 2019; 7:00 p.m.

The August meeting of the Historic Preservation Commission was held on Thursday, October 3, 2019 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Mr. Roth moved to approve the September minutes. Mr. Reich seconded. The motion was unanimously approved.

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 Clifford

PLANS FOR APPROVAL

Regular Agenda

1. HPC-19-48 – Ellicott City Safe and Sound Plan
2. HPC-19-49 – 3799 Church Road, Ellicott City
3. HPC-19-50 – 8429-8433 Main Street, Ellicott City
4. HPC-19-51 – 3820 Old Columbia Pike, Ellicott City

OTHER BUSINESS

1. Administrative Updates

REGULAR AGENDA

HPC-19-48 – Ellicott City Safe and Sound Plan

Advisory Comments/Pre-Application Advice.

Applicant: Howard County Department of Public Works

Request: The applicant, Howard County Department of Public Works, requests Advisory Comments/Pre-Application Advice on the flood mitigation projects from the Ellicott City Safe and Sound Plan for properties within the Ellicott City Historic District.

Background and Site Description: This area covered within the Safe and Sound Plan is located in the Ellicott City Historic District. The Ellicott City Historic District, HO-78, is both a local historic district and a National Register Historic District. The B&O Railroad Ellicott City Station, HO-71, is listed as a National Historic Landmark.

Scope of Work: The applicant requests Advisory Comments/Pre-Application Advice on the flood mitigation projects from the Ellicott City Safe and Sound Plan for properties within the Ellicott City Historic District. The application states that the flood mitigation projects are currently in various stages of development, from concept through schematics. For the purpose of the current Advisory application, the applicant will:

- Provide an introduction of the *EC Safe and Sound Plan*
- Provide an overview of the flood mitigation projects associated with the selected option, 3G7.0, which involves the removal of four buildings, the stabilization of six other buildings along Lower Main Street, and infrastructure improvements to include a tunnel, ponds, culverts and road improvements.
- Provide an overview of the Section 106 process.
- Provide an update on the Master Plan process and how the Master Plan ties in with these efforts.
- Provide a rough time frame/sequence for implementation.
- Request guidance on future presentations for Advisory Comments or Certificate of Approval.

HPC Review Criteria and Recommendations: The goal of this application is to provide the Commission with an update and overview of future projects and processes and seek advice on what type of information the Commission would like to see in future applications. As a result, there is no specific proposal for Staff to comment on. The demolition and partial demolition of buildings was mentioned in the scope of work. The following County Code statute and rules from the HPC's Rules of Procedure apply to this discussion.

Demolition

Section 300 of the Historic Preservation Commission Rules of Procedure

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 (page 15) of the Rules of Procedure as:

- 1) 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.

- 2) 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*.

Section 16.608(d) of the County Code, Structures of Unusual Importance, states, "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.

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. The standards for review in Section 16.607 are:

- 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 material 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.

There is also an alternative process as established in Section 304.B where the Commission can ask the applicant if they are willing to have the Commission assist in trying to develop an economically feasible plan to retain the structure or explore alternatives to demolition.

Staff Recommendation to the HPC: Staff recommends the HPC provide guidance on the type of application submission materials they would like to see in a future application, based on the various topics discussed.

Testimony: Mr. Shad swore in the applicant Robert Z. Hollenbeck from the Department of Public Works. Mr. Hollenbeck showed a PowerPoint to the Commission to illustrate the Ellicott City Safe and Sound plan and process, focusing specifically on conveyance projects within the Historic District. Mr. Hollenbeck explained that Option 3G.7.0 had been selected by the County Executive as the plan to move forward with after having public meetings and receiving feedback. This option includes the removal of four buildings: 8049, 8055, 8059, and 8069 Main Street and the stabilization of six buildings: 8081, 8085, 8059, 8111, 8113, and 8125 Main Street (shown on pages 5 & 6 of the PowerPoint). The stabilization would include removing a portion of the back of the six buildings that extend over the stream channel, but leave the streetscape facades. The removal and alteration of these buildings is required to have an adequate means to convey stormwater into the proposed 10-foot culverts.

Mr. Reich asked if there would be two ten-foot diameter pipes placed. Mr. Hollenbeck confirmed there would be two culverts. Mr. Hollenbeck explained that the culverts would need to be conveyed as depicted because the bridge just past Maryland Avenue creates restrictions and majorly impacts the flow of water to the Patapsco.

Mr. Hollenbeck showed the routing alignment of the proposed North Tunnel for diagrammatic purposes on page 8 of the PowerPoint. DPW is working with the tunnel design to define the alignments and how the alignment will take place to accomplish the drainage goal for the site. DPW will be coming back for advisory comments and a Certificate of Approval for the entrance and discharge points of the tunnel as well as for the Maryland Avenue culverts, removal of the four buildings and alterations to the six buildings.

Mr. Hollenbeck discussed the improvements to be made on the West End of Main Street. The culvert at 8600 Main Street will be expanded and grading and culvert work between 8534-8552 Main Street will occur to increase conveyance capacity to keep the water within the stream channel. Mr. Hollenbeck said that the design features of grading and culvert work would need to come before the Commission at a later date for some alterations to the structures in this location. DPW does not know at this point what structures would be moved or removed as they are not far enough in the process to determine that.

Mr. Reich said the issue with the tunnel in that area is that the tunnel is about 200 feet long and has gotten smaller with relining efforts. Mr. Reich asked if there was a plan to replace the culvert. Mr. Hollenbeck said there is a plan to replace the culvert. Mr. Reich said in order to replace the culvert with a tunnel, the whole area where the work would occur would need to be exposed. Mr. Hollenbeck explained that the street between the orange and teal points on page 10 of the PowerPoint would need to be torn up. Mr. Hollenbeck said he was not sure if the structures would need to be demolished.

Mr. Hollenbeck said the bulk of the projects overviewed in the PowerPoint would need to come back for individual Advisory Comments and a Certificate of Approval. Mr. Hollenbeck gave an overview on the Section 106 requirements, NHPA 1966, and explained the United States Army Corps of Engineers (USACE) would be the lead agency for the Federal Review Process. The Section 106 process has been officially initiated and the USACE is determining the undertaking of the projects. DPW has identified interested parties related to the Ellicott City Safe and Sound project. Mr. Hollenbeck said there will be public meetings as part of the Section 106 process.

Mr. Roth asked what caused the EC Safe and Sound plan to be under the Section 106 process. Mr. Taylor explained that the Section 106 process is a major federal action that may impact historic resources under the National Historic Preservation Act, the USACE will have to issue Federal permits to allow work in the waterway. Mr. Roth asked for clarification on the process, asking if part of the Section 106 process is determining what the historic resources are and if the process is independent of the HPC's work. Mr. Hollenbeck said yes, the USACE will determine historic resources and DPW wants to get both USACE and the Commission on the same page to address any issues DPW may run into with historic resources, as the Commission's role is separate.

Mr. Hollenbeck said that DPZ is working to schedule a briefing for the Commission specifically for the Master Plan as it effects the Historic District. Mr. Hollenbeck noted there is a Master Plan Public Workshop on October 15, 2019 that the Commission can attend. The DPZ briefing for the Commission will provide an update on the process for the Master Plan going through the Commission, County Council and possibly as an amendment to the General Plan Update. Mr. Hollenbeck said the time frame for the EC Safe and Sound project would take about five years. DPW is going with a bottom up approach

starting the work at Maryland Avenue and then working west. Mr. Hollenbeck said it will take about a year to get the federal regulatory approval. DPW will then have to work with CSX and their regulations/restrictions and there may be some funding limitations DPW runs into as the work progresses, which account for the five-year estimation to complete work.

Mr. Hollenbeck asked the Commission for feedback and comments for future Advisory Comment submissions and stressed DPW will be back for the Master Planning Process, and preliminary design work for Maryland Avenue culverts, the four building removals and stabilization of the six buildings. Mr. Reich said the biggest thing the Commission is looking for is the amount of information/detail. Mr. Reich explained the previous Caplan's application, prepared by Mr. Hollenbeck, had all of the needed details and was a great standard. Mr. Reich said the more detail submitted the better. Mr. Reich did not like the diagrammatic stormwater information that was presented to the Commission last year. Mr. Reich said when presenting the culverts and the removal or alterations of the Main Street streetscape, he would like to see complete civil engineering drawings, grading, landscape paving, colors, materials used and perspective drawings so the Commission can get the entire picture.

Mr. Reich asked how DPW will be able to give the Commission details if the plans will be curtailed by the Section 106 process. Mr. Hollenbeck said DPW will proceed in consultation with the Section 106 team and wants to have a collaborative process with the Section 106 team and the Commission.

Mr. Shad swore in Mark Richmond from the Department of Public Works, Bureau of Environmental Services, Stormwater Management Division. Mr. Richmond provided further clarification of the Section 106 process. Mr. Richmond said that the engineering regarding the size of the culvert and location of utilities is not going to change. Mr. Richmond explained that DPW would like to get the HPC comments on the design treatments, such as what the headwalls look like and what the public will see, before the plans are complete. Mr. Richmond said there will be final construction drawings around the one-year timeframe, but he would like to get the Commission's Advisory Comments before DPW completes the plan. Mr. Richmond said that they could come to the Commission with 75 to 80% of the plan completed. Mr. Reich discussed what the Master Plan will be covering which is more extensive than the EC Safe and Sound stormwater management projects. Ms. Tennor asked if there will be any time constraints that are legally binding as far as bringing the process full cycle. Mr. Richmond said DPW met with Maryland Historic Trust and USACE to ask them how long the Section 106 process normally takes. The leads said the normal process takes about a year. Mr. Richmond said that it is not a hard and fast one year where everything has to be approved after the permits are applied for, just guidance that the process itself could take about a year.

Ms. Tennor expressed she was pleased with Mr. Hollenbeck's previous submissions before the Commission and said if future submissions were just as clear, that the Commission would appreciate that amount of detail.

Mr. Roth referenced Chapter 12 of the Demolition and Relocation section of the Ellicott City Design Guidelines and noted that any kind of demolition or relocation requires a Certificate of Approval from the Commission. Mr. Roth noted the potential impact on the B&O site with the turntable specifically being an integral part of the site and hopes that the turntable will not be impacted more than the station house or warehouse. Mr. Roth said the site has had remarkable integrity for when it was built and there is nothing comparable to that site anymore. Any impact to that site would be extremely significant and of great concern. Mr. Roth said that the turntable is integral to the B&O historic site.

Mr. Roth said that DPW would need a Certificate of Approval from the Commission to demolish the bridge that spans over the Tea on the Tiber to Great Panes. The Commission needs to discuss whether

the bridge is historic. Mr. Roth referenced Chapter 12 of the Design Guidelines, noting specifically that the Commission will only review demolition of buildings after all possible alternatives to preserve the structures are exhausted. Mr. Roth said that any justification for demolition should be based on the conditions post mitigation, after mitigation has been implemented. He said that it would not be convincing to argue that buildings need to be taken down because of the amount of flooding that occurred in 2016, without consideration to the extent that flooding might be reduced by implementation of the mitigation. Any justification for demolition has to use the baseline conditions once mitigation has been implemented. Second, justifications also need to include alternatives to keep the water from coming down to the bottom of Main Street to begin with. Mr. Roth said that would include restoration of pervious surfaces and removal of impervious surface; and include information as to what extent that would keep water from coming down in the first place. Mr. Roth advised the applicants that any applications to tear down buildings need to include arguments of alternatives and why the alternatives would not work

Mr. Reich said it would help the Commission if DPW could provide the engineering that got the County to where they are with their choice in Option 3G.7.0; such as providing information pertaining to what route got the County to their decision, the engineering, the sequence of decisions, why the County arrived with the need to take down four buildings and other provisions that were considered if it is in the best interest of the public.

Mr. Reich suggested DPW consider adding another tunnel on the south side of the road and that could take care of tearing down the buildings. Mr. Reich reiterated the Commission needs to understand how the County arrived with this plan.

Mr. Roth said he did not want to give the applicants the impression that they could not tear down a structure, but explained the Commission needs to have the alternatives on the table to have the discussion of demolition. Mr. Reich said he has not seen any detailed history of the buildings that are proposed for demolition. Mr. Reich asked why the buildings are not significant historically. Mr. Reich said the buildings proposed for demolition are significant to the appearance and character of Main Street. He said the Commission needs to understand the historic background the County has on these buildings. The Phoenix has had important history. Bean Hollow has quality architecture with a limestone façade. Mr. Reich said the buildings proposed for demolition have been called “the more modern” buildings, but he was not in agreement.

Ms. Tennor said that the structures proposed for demolition, even if they are not deemed of unusual importance, still have a great impact on the streetscape itself. She said that part of the Old National Road is extremely valuable, and the County needs to keep as much of it as possible.

Mr. Hollenbeck said the County wants to salvage Bean Hollow. Mr. Reich asked what the County intends to salvage. Mr. Hollenbeck clarified that portions of the building will be salvaged, relocated or repurposed to some other area throughout the town. Mr. Reich said that the Commission does not know what salvage means at this point and that Mr. Hollenbeck is saying the County may want to pursue the salvage of the building at some point. Mr. Roth said relocation will detract from the integrity of a historic structure and its site and will require strong justification.

Mr. Shad echoed the same comments on demolition and said that had not yet heard a convincing argument for the demolition of the buildings on lower Main Street. Mr. Shad does not believe the buildings need to be demolished to build the tunnel. Mr. Shad reminded the applicants that the Section 106 process is not going to eliminate the need for the Commission’s approval and the other

stakeholders need to understand that as well. Mr. Hollenbeck agreed the Commission will have to give approval on demolition and building permits.

Mr. Reich said there were some positives to the EC Safe and Sound proposal as the river itself is a huge part of Ellicott City but has never been made an attraction. Mr. Reich said the best thing would be to tear off the back of the buildings proposed for demolition rather than removing the entire four buildings.

Mr. Reich and Mr. Richmond discussed the West End culvert repairs. Mr. Richmond explained that that the additional conveyance would be through a second series of pipes that run perpendicular through the road and run parallel to the outside of the road. Mr. Reich asked if this approach could avoid demolition of the structures. Mr. Richmond said that it could avoid the demolition, but DPW is finding more utilities in the roadway, affecting the design.

Mr. Richmond asked for clarification regarding DPW's future submissions to the Commission, for what stage the plan should be in before submittal. Mr. Richmond said DPW makes plans at 30, 60, and 90% complete before the final plan. Sixty percent finished means not having the engineering completed but knowing where the pipes will be located, the grading, and the disturbance. The design will not be finalized. Mr. Reich said that 60% complete plan would be a good time for DPW to come in for Advisory Comments. Mr. Reich said DPW will need to make the case for the buildings coming down at that point. Mr. Shad agreed with 60% complete, but noted that Ellicott Mills plans came in at 60% design and then the plan did not come back in until it was constructed, and the Commission had to grant retroactive approval. Mr. Shad said he does not want that process to repeat itself.

Mr. Shad allowed for public testimony.

Public Testimony

Mr. Shad swore in Craig Stewart. Mr. Stewart said the tunnel culverts under Maryland Avenue are 10 feet in diameter. Mr. Stewart asked how deep the tunnels are placed below the roadway and said he is concerned about the depths under Maryland Avenue or the possibility of demolishing the turnaround at the B&O Station. He said he did not understand the methodology of constructing the tunnel and the CSX requirements. Mr. Stewart asked what the fate of the turnaround was. Mr. Reich said Mr. Roth spoke about the turnarounds at the beginning of the testimony. Mr. Shad said the tunnels, per his understanding would be drilled and nothing above the ground would be disturbed. Ms. Burgess said the turntables are falling apart and were taken down to be repaired and replaced. The Department of Recreation and Parks are determining what repairs were needed.

Commission Discussion

Mr. Reich discussed his concept of extending the tunnel up to Tea on the Tiber, 8081 Main Street, and saving the buildings proposed for demolition. The Commission members asked DPW if the demolition of less significant buildings was looked at or if DPW had considered saving the front half of the four lower Main buildings. Mr. Richmond said he did not have an exact answer, but that it may have had something to do with the hydraulics and size of the pipes. Mr. Reich suggested providing the McCormick Taylor data to the Commission members, so the HPC can understand why certain engineering decisions were made. Mr. Reich suggested extending the tunnels an extra 100 feet and preserving the face of the front of the buildings proposed for demolition. Mr. Richmond said that he will have an answer for the Commission when they return with another application.

Ms. Tennor suggested DPW present some sections and elevation drawings in the future.

Public Testimony

Mr. Shad swore in Joel Hurewitz. Mr. Hurewitz said he generally agreed with removing some of the backs of the buildings. Mr. Hurewitz suggested taking off part of Tea on the Tiber and sealing the back with stone and then building a flood wall behind the building. Mr. Hurewitz provided a summary of his findings regarding the historic significance of the lower Main buildings: the historic significance of Great Panes is uncertain for him due to the parging on the back of the building; he said there is nothing architecturally significant except for the façade of Easton and Sons funeral home, but that it is not in great condition; Discoveries has been gutted and the Phoenix has historic significance as it frames the streetscape. Mr. Hurewitz suggested removing the Easton and Sons building (Bean Hollow) and Discoveries, and preserve the Phoenix building.

Motion: There was no motion as this case was for Advisory comments.

HPC-19-49 – 3799 Church Road, Ellicott City

Certificate of Approval for sign installation.

Applicant: Richard Blood

Request: The applicant, Richard Blood, requests a Certificate of Approval to install a sign at 3799 Church Road, Ellicott City.

Background and Site Description: This property is located in the Ellicott City Historic District. According to SDAT the church building at 3799 Church Road dates to 1900.

Scope of Work: The applicant proposes to install a new double-sided wood sign. The sign will be located in the front yard of the church, next to the small wood retaining wall, as depicted in the provided plot plan. The application provides the follow description of the sign:

The sign will be rectangular in shape, supported by two cedar posts (painted white) with a closed pediment top to match the church doorways. The red Methodist flame and black cross will be centered in the pediment area. The sign structure will be white in color. The top sign board will be a white background with the church name, worship time and minister's name in 3" tall black (changeable) letters. The lower informational signboard will be a black background with 2" tall white (changeable letters).

The dimensions will be 6' tall by 4'-8" wide with a 2'x 4' open area below the sign. The sign letter area will be approximately 3' tall by 4' wide, containing 4" black letters for the name, 3" black letters for the worship time and 2" white letters for community information and 3" white letters for the theme.

The lower informational sign board will be an enclosed bulletin board, which is for outdoor use and is built with a seal tight rubber gasket.

HPC Review Criteria and Recommendations:***Chapter 11: Signs***

- 1) *Chapter 11 recommends:*
 - a. *"Use simple, legible words and graphics."*
 - b. *"Keep letters to a minimum and the message brief and to the point."*



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
FAX 410-313-3042

May Minutes

Thursday, May 7, 2020; 7:00 p.m.

The May meeting of the Historic Preservation Commission was held on Thursday, May 7, 2020. 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 be conducted as a virtual web meeting/conference call. Due to the cancellation of the April meeting, previously advertised April cases were heard at the May meeting.

No on registered or otherwise contacted the Commission about testifying for any of the following applications.

Mr. Roth moved to approve the March minutes. Ms. Zoren seconded. The motion was unanimously approved.

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 Clifford

OTHER BUSINESS

Discussion of Howard County Code § 16.605(f)(3) – HPC 90-Day Deadline and Review Suspensions

PLANS FOR APPROVAL

Consent Agenda

1. HPC-20-24 – 3585 Church Road, Ellicott City
2. HPC-19-38c – 1485 Underwood Road, Sykesville, HO-1173
3. MA-18-45c – 10375 Cavey Lane, Woodstock, HO-770
4. MA-19-41c – 3748 Church Road (3691 Sarah’s Lane), Ellicott City, HO-59
5. MA-19-50c – 6117 Lawyers Hill Road, Elkridge, HO-445
6. HPC-20-17 – 6060 Old Lawyers Hill Road, Elkridge
7. HPC-20-18c – 8173 Main Street, Ellicott City
8. HPC-20-19c – 8235 Main Street, Ellicott City
9. HPC-20-20c – 8185-8187 Main Street, Ellicott City
10. HPC-20-21c – 8181 Main Street, Ellicott City

Regular Agenda

11. HPC-20-15 – 8125 Main Street, Ellicott City
12. HPC-20-16 – 14830 Old Frederick Road, Woodbine, HO-170
13. HPC-20-22 – 3731 Hamilton Street/3744 Old Columbia Pike, Ellicott City
14. HPC-20-23 – 3731 Hamilton Street/3744 Old Columbia Pike, Ellicott City

- 1) *Section 20.113 defines qualified expenses as “the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.”*

The applicant provided detailed invoices from the subcontractors who performed the work and corresponding payments.

- 2) *Section 20.113(c)(1)(ii)(b) provides the following procedure: “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the Certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.”*

Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. As a result, Staff reviewed expenses submitted and finds that \$30,649.29 was spent repairing the building.

This was an emergency application due to flooding and therefore the Commission may issue a pre-approval determination after the expenditure of funds, per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.”

- 3) *Section 20.113(c)(1)(iv)(a) provides the following procedure “the owner files an application with the Commission within 12 months of the increased assessment.”*

The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

Staff Recommendation: Staff recommends Approval as submitted for the final 20.113 tax credit, for the amount of \$30,649.29 in qualified expenses.

Testimony: There was no testimony or discussion.

Motion: Mr. Roth moved to approve. Ms. Tennor seconded. The motion was unanimously approved.

REGULAR AGENDA

HPC-20-15 – 8125 Main Street, Ellicott City

Advisory Comments/Pre-Application Advice for restoration.

Applicant: R. Zachary Hollenbeck, AIA, Howard County Department of Public Works

Request: The applicant, Howard County Department of Public Works, requests Advisory Comments/Pre-Application Advice on 8125 Main Street, Ellicott City.

Background and Site Description: This property is located in the Ellicott City Historic District. This building dates to the 1920s. The building was seriously damaged in the 2016 Ellicott City flood and was subsequently restored, only to be further damaged in the 2018 flood.

Scope of Work: The applicant seeks Advisory Comments/Pre-Application Advice on the restoration of the front façade of the building. The application shows six possible options:

- 1) Option 1A – Reconstruct to pre-flood condition. In this scenario the storefront stone base (also referred to herein as a plinth), ranges in height from 7 ½ inches to 2-feet 4-inches in height. The front door would be an all-glass door to match the original, and the only metal framing elements would exist at the top and exterior sides of the door.
- 2) Option 1B – Reconstruct to pre-flood condition with the addition of a flood door and flood proofing. The plinth remains the same height in this scenario. The flood doors would be an aluminum impact and flood rated frame. The storefront glass would consist of 3-inch heat strengthened IGU (insulated glass units) with safety glass interlayer.
- 3) Option 1C – Reconstruct to pre-flood condition with the addition of a floodgate and flood proofing. The plinth remains the same in this scenario and the door and frame will match the original.
- 4) Option 2A – Construct a raised plinth; no other flood proofing. The plinth will increase in height from 7 ½ inches to 2-feet 7 ½ inches at the west end of the building and from 2-feet 4-inches in height to 4-feet 4-inches in height at the east end.
- 5) Option 2B – Construct a raised plinth with a flood door and flood proofing. The plinth will increase in height from 7 ½ inches to 2-feet 7 ½ inches at the west end of the building and from 2-feet 4-inches in height to 4-feet 4-inches in height at the east end. The flood door and insulated storefront windows from Option 1B would be used here.
- 6) Option 2C – Construct a raised plinth with a flood gate. The plinth will increase in height from 7 ½ inches to 2-feet 7 ½ inches at the west end of the building and from 2-feet 4-inches in height to 4-feet 4-inches in height at the east end. The original door would be used in this scenario, with the insulated storefront windows. A flood gate would be added.

HPC Review Criteria and Recommendations: Chapter 6 of the Guidelines provides recommendations for Entrances and Storefronts in Section 6.G and 6.K, but does not currently provide flood proofing recommendations. Floodproofing methods are encouraged when they mitigate to protect the structure and the cumulative effects on historic resources. Both 2016 and 2018 floods destroyed entire storefronts because of both the depth and velocity of the water in this lower Main area.



Figure 9 – Flood event



Figure 10 - Flood event

Staff Recommendation to the HPC: Staff recommends the HPC review the relevant sections of the Guidelines and consider how the different floodproofing scenarios would protect or alter the character-defining elements of the building; and provide advice for the applicant to consider.

Testimony: Mr. Shad swore in Robert Z. Hollenbeck from the Department of Public Works and Anath Ranon, the consultant from Quinn Evans Architects. Mr. Shad asked if the applicants had anything to add to the staff report. Mr. Hollenbeck explained that DPW was looking to get Advisory Comments from the Commission on restoring the front façade of Caplan’s store front. With consultation from Anath Ranon, Ms. Ranon said there has been two main options for restoring the façade and two variations for the two options, leading to a total of six items for review. Ms. Ranon reviewed the six options as previously described in the staff report. Ms. Ranon explained that options 2a-c are as a result of the materials suggested to be in compliance with Base Flood Elevations (BFE) of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Ellicott City, though the FIRMs for Ellicott City are two years old at this point.

Ms. Tennor asked Ms. Ranon to reiterate her point of the flood height requirements in reference to flood resistance. Ms. Ranon explained that the County requires the flood resistance construction height to be of the BFE plus 2 feet, which is what option 2a-c is depicting to create a stronger stone base. The robust flood resistance storefront system would also meet this requirement.

Ms. Tennor said that option 2c would raise the height at the lower end of the building so much so that it would change how people interact with the building facade significantly and would be very unappealing. Ms. Tennor asked how long it would take to deploy the proposed flood gates and if one would need to be in the building to have the gate deployed. Ms. Ranon said the flood gate would deploy relatively fast and there could be a remote option, but the operator of the remote would need to know ahead of time that there is a flood, the gate would not detect the water by itself. Ms. Tennor asked about the glazing on the rest of the building.

Mr. Roth asked if the Commission were to advise against a higher plinth and the County required a higher plinth for the building, how would those recommendations get reconciled. Mr. Hollenbeck said he did not have an answer, but he would take the Advisory Comments from the Commission and review the comments with DILP to come up with a plan before the next stage of design.

Mr. Roth said he concurs with Ms. Tennor regarding the higher plinth changing the character of the façade significantly, Mr. Roth found that replacing the glass transom to be unappealing but less unappealing than raising the plinth.

Mr. Reich asked if the flood glass would be heat strengthened referencing 3-inch version of glass in options 1b and 1c. Ms. Ranon said the flood glass would be non-insulated. Mr. Reich said the glass would be half inch with three quarter inch heat space... Mr. Reich felt this effect would make very little difference in appearance to the façade and have maximum effect. Mr. Reich said he did not think the floodgate would be effective. Mr. Reich recommended to keep the stone plinth the way it was and go with three-inch glass to save the appearance of the façade. Mr. Reich said the whole open appearance at the bottom of Caplan's is important and heavier beefed up doors disrupt the appearance. Mr. Reich asked if there is an option for a solid glass door that is as durable as the storefront glass. Ms. Ranon said they have not found solid glass doors that are as durable as the storefront glass but can keep looking.

Ms. Zoren said she agreed with the other Commissioners regarding the current lower plinth level, if the plinth is raised, it would really change the character of the building. Ms. Zoren said she felt the same way about the arched transom, by removing it, the façade would also change in character. Ms. Zoren said she preferred Option 1b, with the lower plinth hand flood doors and flood glass.

Mr. Shad said he agreed with the other Commissioner's comments, with maintaining the original elevation of the plinth and not raising it higher. As far as flood mitigation, Mr. Shad said he has a lot of faith in all of the proposed mitigation efforts that are being taken and would like to see this building back to its original design as much as possible. Mr. Shad said the heavier doors will mimic the original would be preferable. Mr. Shad said he would also select option 1b, the stronger glass would add an extra layer of protection if flooding occurs. Mr. Shad said he thinks the flood gate would detract from the building and if the flooding is bad enough it could break through walls.

There were no further comments from the Commission or the applicants.

Motion: There was no motion as this case was for advisory comments.

HPC-20-16 – 14830 Old Frederick Road, Woodbine, HO-170

Advisory Comments for Subdivision.

Applicant: Nicholas Lally

Request: The applicant, Nicholas Lally, requests Advisory Comments for a subdivision plan at 14830 Old Frederick Road, Woodbine.

Background and Site Description: This property is not located in a historic district, but is listed on the Historic Sites Inventory as HO-170, Shipley's Adventure (Dr. Perilla House). The historic house appears to have been heavily altered, possibly in the 1970s.

The property consists of about 10.03 acres and is zoned RC-DEO.

Scope of Work: There will be 3 buildable lots created and no structures are proposed to be demolished. The historic house and all existing historic outbuildings (barn and springhouse) will remain on Lot 2, which will consist of 3.92 acres. New houses will be constructed on Lots 1 and 3; Lot 2 is located



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
FAX 410-313-3042

October Minutes

Thursday, October 1, 2020; 7:00 p.m.

The October meeting of the Historic Preservation Commission was held on Thursday, October 1, 2020. 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.

Ms. Grace Kubofcik and Ms. Lisa Wingate registered to testify on HPC-20-74, Maryland Avenue Culvert advisory comments case. No one else registered or otherwise contacted the Commission about testifying for any of the following applications.

Mr. Reich moved to approve the September minutes. Ms. Tennor seconded. The motion was unanimously approved.

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-20-69 – 3585 Church Road, Ellicott City
2. HPC-20-70 – 3748 Church Road (aka 3691 Sarah’s Lane), Ellicott City, HO-59
3. HPC-20-71 – 3896 Old Columbia Pike, Ellicott City, HO-328
4. HPC-20-72 – 8396 Park Drive, Ellicott City
5. HPC-20-73 – 4824 Montgomery Road, Ellicott City, HO-422
6. HPC-20-74 – 8049, 8055, 8059, 8061 and 8069 Main Street, Vicinity/East of 3711 Maryland Avenue, Ellicott City

OTHER BUSINESS

1. Rules of Procedure Update – Vote on proposals to update Rules to specifically address virtual hearings.
2. Section 106 Review: 8360 Court Avenue, Ellicott City

HPC-20-74 – 8049, 8055, 8059, 8061 and 8069 Main Street, Vicinity/East of 3711 Maryland Avenue, Ellicott City

Applicant: Robert Z. Hollenbeck, Department of Public Works

Request: The Applicant, Howard County Department of Public Works, requests Advisory Comments/Pre-Application Advice on the Maryland Avenue Culvert Project (including the removal of four buildings), at 8049, 8055, 8059, 8061 and 8069 Main Street, Vicinity/East of 3711 Maryland Avenue, Ellicott City, associated with the Ellicott City Safe and Sound plan.

Background and Site Description: 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
- 2) 8055 Main Street (Discoveries) – block building circa 1920s-30s
- 3) 8059 Main Street (Easton and Sons/Bean Hollow) – stone and frame building circa 1930s
- 4) 8069 Main Street (Great Panes) – stone building circa 1841, brick rebuilding potentially circa 1885-1910
- 5) 3711 Maryland Avenue (B&O Railroad Station) – stone building circa 1830. Listed on the Historic Sites Inventory as HO-71, also individually listed as National Historic Landmark, and contains a Maryland Historical Trust Easement.

Scope of Work: As stated in the application, the Department of Public Works is “requesting Advisory Comments related to the planned construction of a project to improve the stream channel and install an underground culvert in the vicinity of Main Street and Maryland Avenue” and requests “the Commission provide advisory comments on the built and visible exterior changes of the proposed project” and a list of topics outlined on pages 2-3 in the narrative portion of the application. The application also explains the project will be referenced as the “Maryland Avenue Culvert.” The application contains some background on the plan, recent flash floods, and Option 3G7.0, which was selected as the option to proceed with in terms of flood mitigation. The application states that notable differences from the previous plan in the last administration to this one include “the preservation of six buildings originally slated to be demolished as well as inclusion of the North Tunnel, intended to divert flood waters from the western end of Main Street, directly to the Patapsco River.”

The application also explains that the flood mitigation projects work together as a system to collectively mitigate flash flooding, and that “in order to be most effectively implemented, significant constrictions in the conveyance system need to be alleviated. The Maryland Avenue Culvert project will provide significant additional stormwater conveyance from the Tiber/Hudson Branch to the Patapsco River, while mitigating a significant constriction to water flow.” The application states that “along with two other upstream water retention projects, the Maryland Avenue Culvert project is fully funded and slated to start construction upon receipt of all local, state and federal approvals.”

Regarding the proposed demolition of the four lower Main Street buildings, the application explains that DPW reviewed and evaluated many individual and collective project to mitigate flooding, and said that the US Army Corps of Engineers has peer reviewed the plans. The application provides the following statement on the proposed demolition of the four buildings:

This project includes the demolition of four buildings, located at 8049, 8055, 8059 and 8069 Main Street. The decision to remove these buildings is necessary to implement the water conveyance improvements. The construction of these structures likely contributed to the conveyance constrictions inhibiting the flow of stormwater to the Patapsco. The Maryland Avenue Culvert project will make an appreciable improvement by facilitating conveyance of flood water to the Patapsco.

HPC Review Criteria and Recommendations:

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

- 1) *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. 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. 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.*

Sec. 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 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. This section also references 16.607, the Standards for Review, which is shown above.

The Commission will need additional information to be supplied for any requests for a Certificate of Approval for demolition. In addition to the information requested within the Rules of Procedure, examples of other pertinent information that would be beneficial for the Commission to review includes:

- 1) Interior photographs of each structure, showing the current condition and remaining building material.
- 2) An itemized list of any historic elements remaining in each building.
- 3) A detailed history on each building.
- 4) Information on relocating the historic structures or salvaging important architectural features.
- 5) Information showing that DPW explored all other options for mitigation before deciding on demolition.

Additionally, information on the Section 106 process, and its findings would be beneficial for the Commission. For example, if the National Register nomination form for the Ellicott City Historic District is updated as a mitigation effort, the Commission should have that updated information. Any other relevant documentation related to the history of Ellicott City, the buildings, architectural drawings, current conditions and structural reports, should be provided to the Commission.

Staff Recommendation to the HPC: Staff recommends the HPC provide advisory comments as requested, on the proposed Maryland Avenue Culvert project, the proposed demolition of four historic structures, and the proposed treatment of the site if demolition was to be approved.

Testimony: Mr. Shad swore in Robert Hollenbeck from the Department of Public Works. Mr. Shad advised Mr. Hollenbeck to give his complete presentation and then the Commission would provide their Advisory Comments followed by the two members of the public who signed up for public testimony.

Mr. Hollenbeck gave a presentation to the Commission, providing a brief history on the previous Ellicott City floods, as well as the background and history of the EC Safe and Sound Plan separate from the Ellicott City Master Plan, and the chosen plan Option 3G7.0, the EC Safe and Sound flood mitigation plan. The modeling shows the flood mitigation projects, when installed, would result in a flood depth of 3 feet. In order to develop this plan option, DPW and project engineers analyzed potential options to reduce flood depth and velocity, with preservation in mind. The United States Army Corps performed a peer review of the flood mitigation options and the plan that was selected and concurred with the plan to be effective in meeting the County's goals. Mr. Hollenbeck explained that by reducing flood depth and velocities, other buildings can be flood proofed with non-structural floodproofing. Option 3G7.0 reduces the velocity below 5 feet per second. Mr. Hollenbeck provided background information on the US Army Corps peer review team and explained that 60 hydraulically modeled alternatives were reviewed and only 8 models reduced flooding to acceptable levels.

Mr. Hollenbeck reviewed the Option 3G7.0 plans and site layout with the Commission, identifying various elements such as existing structures, the proposed channel and culvert and the location of buildings proposed for removal. Mr. Hollenbeck reviewed a graphic of the 2016 storm modeling along with the impact of the culvert, which does not involve the other flood mitigation projects in the plan in other part of the watershed. Mr. Hollenbeck said the plans for the culvert have established a good handle on the geometry to convey the water to the culvert, how the culvert would be constructed, the geometry that would be needed to effectively convey the water to the Patapsco river and how the outfall would look.

Mr. Hollenbeck explained the steps taken with CSX to study vibrations of trains on the train station and the turntable with monitoring equipment. The culvert had no planned impact to the turntable as the components of the turntable were removed by Department of Recreation and Parks as the components were deteriorating. Mr. Hollenbeck said he had asked DRP to follow up with the Commission to explain plans for the turntable.

Mr. Hollenbeck gave a brief Section 106 overview and the next steps of meeting with consulting parties, accessing impact to the historic and cultural resources and creating a programmatic agreement.

Mr. Hollenbeck showed a graphic with buildings that contain basements that are located next to the stream channel. The graphic showed that the stream channel gets very constricted at 8055 Main Street and there has been tremendous damage in this area as the water has nowhere to go but up when water gets to this part of the stream. Another graphic showed the proposed channel alignment in conjunction with the buildings to be removed. This project proposes to incorporate a weir wall, which will sit several feet above the elevation of the stream channel and allow stormwater to be directed through the culvert and out to the Patapsco River and augment the existing channel under Maryland Avenue. DPW also proposed to construct new channel walls, as the walls parallel some of the existing interior basement walls.

Mr. Hollenbeck showed a transverse section through the Phoenix building with LiDAR scans. The scan was the structure with added redlines showing major geometry of the building and location of the Phoenix's basement. The current basement space will be opened up to daylight once the buildings are removed and excavated a little bit more, the updated basement will be the entrance to the culvert. A weir wall will be built; when water overtops the weir wall it will be channeled to the culvert during extreme weather events. Mr. Hollenbeck wanted to show that the current basements are congruent with the stream channel.

Mr. Hollenbeck also discussed other constraints, such as sewer lines and other project considerations. Mr. Hollenbeck summarized the recordation that is being done with LiDAR laser scans development of architectural drawings (elevations/sections), surveying by the County Architectural Historian, photography in accordance with the MHT standard and there will be a digital or interactive exhibit of the buildings proposed for demolition. DPW wants to work with the Commission for salvaging components identified as character defining elements.

Mr. Hollenbeck provided an overview/summary of each building and architectural components current conditions on each. He explained that the building at 8069 Main Street had stone removed on the façade and is virtually a stud wall, it is considered a bullseye for flooding if a portion of the building is saved. The building at 8059 Main Street has been damaged by fires and part of the third floor was removed in the front; serious damage to the building has been uncovered. The basement walls of the building reduce the stream channel 33 feet wide to 24 feet at 8055 Main Street. The building at 8055 Main Street has an entire floor missing which makes the building open to the channel. The building at 8049 Main Street is a heavily modified building with the basement adjacent to the stream.

Mr. Hollenbeck ended his presentation with an overview of next steps including future Advisory Comments with the Commission to get feedback on the character defining components of the buildings proposed for demolition and an eventual Certificate of Approval.

Ms. Tennon said she would need to have a 3D model to see how all the flood mitigation components fit together.

Mr. Roth referenced slide 16 from the presentation regarding the B&O turntable. Mr. Roth pointed out the turntable is an important component of the B&O complex. While the table is gone, the table on which it sits is still there. He said the culvert will go directly under the turntable and masonry structure of how the turntable turns and asked how DPW intends to build the culvert, whether the culvert be tunneled under Maryland Avenue or a trench constructed to place the culvert and build a fake new turntable on top of it. Mr. Hollenbeck said the portion of the culvert that falls under Maryland Avenue and the turntable will be constructed via jack and bore construction method. Mr. Hollenbeck provided an overview of the construction technique and explained that a large launching pit will be excavated in Maryland Avenue and the portion of the culvert that goes under the turntable will be jacked into the launching pit and then be cast into place under the turntable. He said that construction technique will help to avoid impact to the structure, and said there will be vibration monitoring and other controls in place to monitor impacts.

Mr. Roth clarified that when Mr. Hollenbeck said there will be monitoring of the turntable, he is including the masonry portion of the turntable and the masonry portion will also be protected and not damaged. Mr. Hollenbeck confirmed Mr. Roth's statement to be true.

Mr. Roth said DPW has not provided a justification for building the culvert in the first place. He referenced slide 8 of the presentation, and said that the culvert is included in every option. Mr. Roth

said there needed to be explanations between the selected option with and without the culvert. Mr. Roth referenced slide 14, and said it does not show the flood depth if the other flood mitigation efforts are constructed and the culvert is not. The current presentation does not justify the culvert as being necessary and this leads Mr. Roth to be unable to contemplate tearing down four buildings.

Mr. Shad agreed with Mr. Roth and asked if there is a way to get a model showing the flooding depths if the rest of the flood mitigation is put in place without the culvert. Mr. Hollenbeck said he is aware the plan can remove individual components from the model and show flood depths, however it is important to look at the Maryland Avenue drainage point and the impact this project makes as there are a number of waterways all conveying at this point and the area where the proposed culvert is to go is the bottom of a funnel. Mr. Hollenbeck said he understands the comments and would need to meet with his team.

Mr. Roth said the Army Corps analysis recognizes the issue he brought up, and states that at the end of the peer review, the study notes that an incremental study of each flood mitigation measure should be completed so each mitigation measure can be incrementally qualified. The Army Corps report said it was good practice to do a sensitivity analysis to determine that the Maryland Avenue culvert actually adds value.

Mr. Roth said the Great Panes building has a solid granite wall which is part of the streetscape and asked the basis of dating the Phoenix building to the 1850s. Mr. Roth said based on Joetta Cramm's book and the County Architectural Historian, the building could have been constructed between 1840-1850.

Mr. Reich said his comments were similar to Mr. Roth's. Mr. Reich asked if the Quaker Mill and H7 retention pond constructions were underway yet. Mr. Hollenbeck said the ponds were not under construction yet, but will be in the near future as the design is completed and the H7 project is put out to bid.

Mr. Reich said that besides the two retention ponds that are to be constructed, it appears the first consideration for flood mitigation is to tear down the historic buildings. Mr. Reich did find that demolishing the buildings downstream would solve flooding problems upstream but was concerned about the rush to tear down historic buildings. Mr. Reich said the proposed tunnel will do more for flood mitigation but will probably be the last mitigation effort constructed. Mr. Hollenbeck said the hope is to construct the tunnel, as all the flood mitigation projects work together and are needed to address the flooding problem.

The Commission and the Applicant discussed the modeling and various processes as related to the conveyance and removal of the buildings.

The Commission and the Applicant discussed the basement area of the buildings in relation to the stream channel and storage capacity. Mr. Hollenbeck said the buildings represent a restriction and referenced slide 29. He explained that the stream channel moves through the lower Main buildings differently than those on upper Main. The County could remove the buildings but would need to re-engineer the support of the buildings that would just remove the basement space. Even with the re-engineered basements there would still be a constriction of 2 feet to the channel. The modeling and analysis look at removing the entire construction to get the water depths where Ellicott City Safe and Sound mitigations would want the water to be.

Mr. Reich and the Applicant discussed the elevation of the culvert at the B&O Station and Mr. Reich asked if the stream could be dug out an additional two feet. Mr. Hollenbeck said the Patapsco River slopes under the Baltimore County Line and the river and grade goes down. He explained that the

culvert is intended to go from the higher elevation from the existing culvert down to the flow of the river and there is no good way to remove sediment to lower the water depth and have the water flow naturally.

Mr. Reich said the other six buildings that were previously slated for demolition have been saved and will have a concrete wall on the back to buffer the stream channel. Mr. Reich asked why this was option was not being proposed for 8069 Main Street. Mr. Hollenbeck referenced the modeling and said the building left in its current state represented a bullseye. The building creates a restriction and will allow for to water flow on Main Street. Mr. Reich asked where salvaging and reconstruction of the buildings would take place. Mr. Hollenbeck did not have that information at the meeting, but said but the County was committed to salvaging the buildings. The reconstruction could be part of the Master Plan process.

Mr. Reich said it would be really important to build up the character of the channel and allow for experiencing the stream and channel, if the buildings are removed. He said that the stream is only experienced when walking through the woods and the access is limited in Ellicott City. Mr. Reich liked where Master Plan was aims to make an experience of the stream in Parking Lot D. Regarding lower Main Street, he said the character of the open area is going to be important. Mr. Reich said the stamped concrete floor was completely out of character with Ellicott City. Mr. Reich and Mr. Hollenbeck discussed accessibility of the stream and public safety. Mr. Hollenbeck said that due to public safety, the County does not want to make the stream accessible where someone can walk down and get injured, especially when water levels start to rise. Mr. Hollenbeck said DPW will salvage stone that could be used somewhere else or to patch and blend the area to have the same aesthetic quality of the existing walls.

Ms. Zoren agreed with the other Commissioners comments. Ms. Zoren she has not heard that the culvert would have a tremendous flood reduction impact. Ms. Zoren agreed that the case has not been made for the culvert. Ms. Zoren suggested the following information be provided: in front of each building shown on slide 14, include data showing what the numbers are regarding the reduction of inches, feet or velocity for each location, or have it broken down into a percentage of reduction for the entire process. Ms. Zoren said that information would allow her to gauge the impact of the culvert as it is tremendous to remove the historic buildings.

Ms. Zoren asked what the difference in water depth would be in a flooding situation on Main Street if less buildings were removed. Ms. Zoren said the historic significance needs to be looked at as Main Street as a whole. Ms. Zoren said that buildings built in 1980 make a contribution to the streetscape and are a continuity of Main Street, so the buildings proposed to be removed cannot be disregarded because they are altered. Ms. Zoren said massing and siting need to be considered and asked what is proposed to be constructed in place of the four buildings proposed for removal. The artistic renderings of terraces and trees do not give a realistic idea of what the street will really look like after demolition.

Mr. Shad would like to see more information in the future from slide 17, which references the timeline. Mr. Shad suggested including duration of the building process in future information because once the buildings are removed, they need to know how many years it will take to implement flood mitigation, whether it will take 1.5 years or 5 years to implement flood mitigation.

Mr. Shad said that in the last two to 2.5 years he has failed to hear why the buildings cannot be removed and replaced without basements on top of the constructed culvert. Mr. Shad suggested eliminating the terracing and build the historic buildings 1 or 2 stories high without basements.

Public Testimony

Mr. Shad swore in Lisa Wingate. Ms. Wingate was primarily speaking on behalf of Patapsco Heritage Greenway (PHG), on which she is a board member. Ms. Wingate said the Commission had an opportunity to present a different position than what comes with the Section 106 review. PHG understands public safety and believes and agrees with additional mitigation for lower Main Street structures is warranted if there is no way to save them. The 1998 Guidelines do not talk about the period of significance in the National Register nomination written in the 1970s. If the National Register nomination was written today, the significance would span more than 200 years. While Main Street is changing, there is still significance from 200 years and Ms. Wingate would not like to leave pieces of the street missing.

Ms. Wingate said PHG would like to see the streetscape as it is now on the south side of Main Street and west side of Maryland Avenue, and retain as much as possible of the original Tiber channel walls, and to see full documentation of any changes made to the original walls and changes made be minimized and limited to flanking structures of the bridge and walls. PHG would like to see the Belton block from Tiber Alley returned to its original location. She said the beautiful gothic arch, arch frames, and art deco limestone front of Bean Hollow should be preserved. She said if the feature is removed it will detract from the streetscape. She recommended Easton and Sons be retained in situ to define the edge of Main Street corridor with wooden gothic window frames. PHG agrees with retention of part of Great Panes and understood about the front façade being altered, but said the side walls are clearly early Ellicott City construction. Ms. Wingate suggested retaining some of 8049 Main Street, such as a steel frame like Ben Franklin's house in Philadelphia where the 1851 section could be outlined and the cast iron railings along the side could be retained and incorporated into the culvert overlook right at their original location. Ms. Wingate said PHG is prepared to work with other consulting parties to form a memorandum.

Mr. Shad swore in Grace Kubofcik. Ms. Kubofcik appreciated Mr. Hollenbeck's presentation and noted slide 6 as being critical. Ms. Kubofcik wanted all documents on a website the public can read. Ms. Kubofcik said the most critical holding area for Ellicott City comes down through New Cut Road and it is not shown. She said it will be difficult for the public to say what the impact will be if there is not water being held upstream. Ms. Kubofcik agreed with Ms. Wingate's comments and she thinks that Great Panes façade can be saved. Ms. Kubofcik agreed with other attempts to create some type of vibrancy to the street, but understands now the safety concerns which the Commission should be worried about as people are only going to be able to look over to view the stream. Ms. Kubofcik suggested that DPW keep the stream looking natural. She cautioned that if viewing the stream is all visitors can do that they will not linger long and there needs to be some kind of streetscape created, as that is the reason people come to visit Ellicott City. Ms. Kubofcik said that if big segments of the street are removed it will destroy the atmosphere.

Ms. Kubofcik said the outfall is something no one has talked about in regard to the quantity of water that will go across the Patapsco River and hit the bank on the Baltimore County side where there is another important structure that already receives water from flooding on the bank. It is also extremely important to protect the bank on the other side of the river.

Motion: There was no motion as this case was for advisory comments only.

OTHER BUSINESS

1. Rules of Procedure Update – Vote on proposals to update Rules to specifically address virtual hearings. The Commissioners had no comments to the proposal.

Ms. Tennor moved to adopt the updated rules to accommodate meetings via remote locations. Mr. Roth seconded. The motion was unanimously approved.

2. Section 106 Review: 8360 Court Avenue, Ellicott City

Ms. Holmes told the Commission they had been invited to be a consulting party regarding the request to relocate antennas inside the cupola. Mr. Taylor provided background on the FCC license trigger for the Section 106 review. The consultant determined the installation would have no adverse effect on the historic building.

The Commission agreed and had no comments as there were no adverse effect and said they did not need to be involved.

Other Discussion - The Commission asked for their status on the Section 106 process for Main Street Ellicott City. Ms. Burgess said the Commission is on the list to be a consulting party. There was a public virtual meeting in September and there is an upcoming meeting for the consulting parties. Ms. Tennor asked if she could submit her comments she added to August meeting Minutes to DPW as part of the October Advisory Comments. Ms. Burgess said she would provide Ms. Tennor’s comments to Mr. Hollenbeck.

Mr. Shad moved to adjourn the meeting at 11:37 pm. Mr. Roth 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

October 2, 2020

Dear Mr. Robert Z. Hollenbeck, Fellow Commissioners, County Staff, and Attendees from the Community

Given the complexity of last night's cases, the complexity of the final presentation, and the lateness of the hour, I thought that I could again submit Advisory Comments in writing, as the Commission had previously been advised for the Master Plan in August. Per my request for clarification and staff's response in the affirmative, I am submitting these advisory comments in response to DPW's report on their flood mitigation studies, the proposed demolition at the foot of Main Street, and the Maryland Avenue Tunnel. Many of my comments in response to this presentation are similar to the written comments I submitted in reference to the Master Plan presentation in August, 2020.

This is the dilemma from Hell. If the Ellicott Brothers made a deal with the devil 250 years ago, the choice presented to the citizens of Ellicott City today, between preservation of human life and preservation of their cultural heritage, is the tortuous consequence of that deal.

This stretch of Main Street is historically significant not just for the City, or County, or State, but for the Nation, as a rare intact portion of the great National Road. Replacing the buildings now standing there with a vast concrete dead space in the heart of Ellicott City is a horrifying prospect. As I asserted in the meeting, before any decision can be rendered and certainly before any demolition takes place, the DPW needs to present the Commission and the public with a three dimensional architectural model of the proposed holding area at the foot of Main Street and Maryland Avenue where there is now a streetscape of extant buildings. This model can be the focal point for a dialogue about the future of Downtown Historic Ellicott City.

I am not a hydrologist, or civil engineer, or flood control expert. But I have eyes and senses and the power of recall. All of these tell me we must acknowledge the changes in our environment that now bombard us every day. Photos and videos provide ample evidence that we need different responses to the flooding that has plagued Ellicott City for centuries. This threat is new and we must respond responsibly to that evidence. Lives depend on it.

Computer models of variables contributing to flood conditions have been studied in great detail though not yet presented in a way that demonstrates best solutions to the layperson. The illustrated description of the channels beneath these buildings presented last night was very helpful for understanding the path of floodwaters at the foot of Main Street. But as other commissioners have stated, the necessity for, and the benefits of, the demolition of the four targeted structures as a way to allay or prevent flooding in this area, have not yet been demonstrated.

Some concerns have been expressed about possible adverse effects of the Maryland Avenue Tunnel and the North Tunnel on the Patapsco River. My response is that the top-down floodwaters have and will continue to reach the river; the difference will be whether they flow through the town or through the tunnels. As my fellow commissioner Bruno Reich pointed out, the most effective remedy for Main Street flooding, the North Tunnel, has been scheduled last in the timeline of projects. By all means, the county should proceed with the efforts that have been approved and funded, but members of the commission do not want to look back at drastic alteration and destruction to the downtown wishing we had had a sensible horse before the cart of funds, not the other way around.

Please return with clearer evidence of the need to demolish these buildings and a better alternate vision for the heart of Ellicott City.

Eileen Tennor
Commissioner for Historic Preservation

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF	*	HOWARD COUNTY
ROBERT Z. HOLLENBECK,	*	HISTORIC PRESERVATION
HOWARD COUNTY DEPARTMENT	*	COMMISSION
OF PUBLIC WORKS	*	Case No. 20-83
FOR A CERTIFICATE OF APPROVAL	*	
TO MAKE EXTERIOR ALTERATIONS	*	
AT 8049, 8055, 8059, 8061 (TIBER PARK)	*	
AND 8069 MAIN STREET; VICINITY OF	*	
MARYLAND AVENUE & MAIN	*	
STREET; VICINITY OF 3711 MARYLAND	*	
AVENUE ALONG PATAPSCO RIVER,	*	
ELLCOTT CITY, MARYLAND	*	

* * * * *

DECISION AND ORDER

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened public hearings on December 3, 2020, January 14, 2021, February 11, 2021 and March 11, 2021 to hear and consider the application of Robert Z. Hollenbeck on behalf of the Howard County Department of Public Works (“Applicants” or the “County”), for a Certificate of Approval for the demolition of buildings at 8049, 8055 8059, and 8069 Main Street, the demolition of the bridge at 8061 Main Street (Tiber Park), and alterations in the vicinity of Maryland Avenue and Main Street, and the vicinity of 3711 Maryland Avenue along the Patapsco River, Ellicott City, Maryland (the “Subject Properties”) for the construction of an enhanced floodplain and culvert. The Commission members present were Allan Shad, Eileen Tenor, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the

application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the December 3, 2020, January 14, February 11, and March 11, 2021 Commission meetings; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

Summary of Testimony

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff’s Report. Copies of the Staff’s Report and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. Mr. Hollenbeck and others testified in support of the application. Five Protestants testified in opposition to the application.

Findings of Fact

Based upon the evidence, the Commission makes the following findings of fact:

A. The Subject Properties

The Staff Report includes various Addendums.

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

The 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.”

B. Proposed Improvements

The Applicants propose 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 Applicants request 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 Applicants also request 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 above will be required separate from this application. Item 7 was withdrawn by the Applicants during the hearing.

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 Applicants 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 Applicants 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:

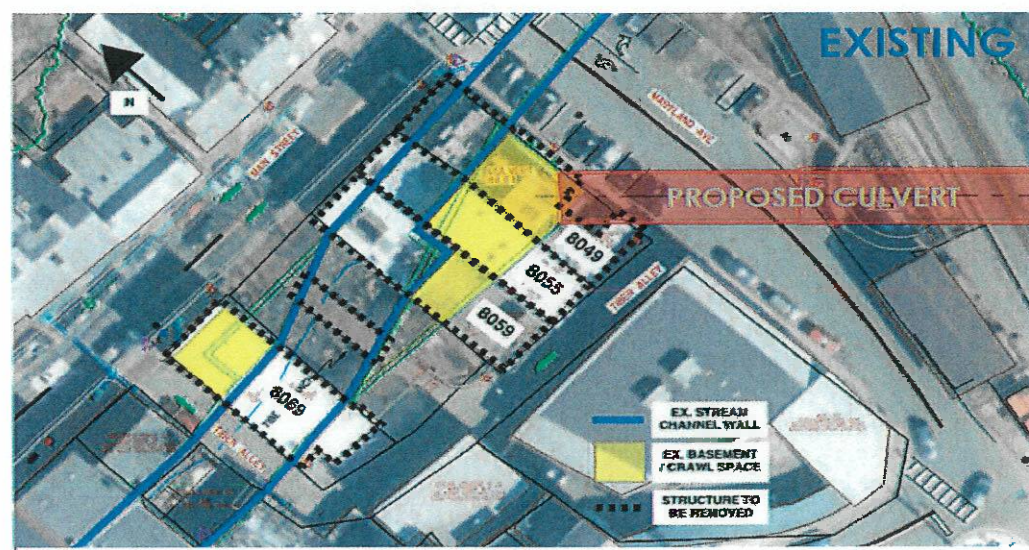


Figure 12 - Existing conditions and proposed culvert.

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.

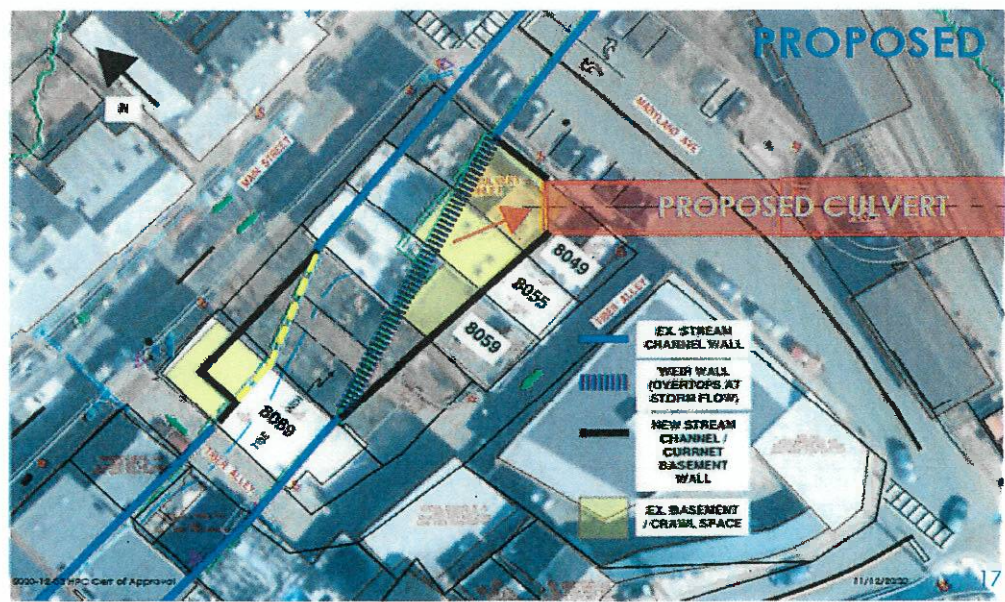


Figure 13 - Proposed terraced floodplain/culvert/expanded stream channel.

C. Staff Report

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, 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.”*

D. Staff Recommendation

The Staff 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.

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.

E. Testimony

December 3, 2020 Hearing

Mr. Shad swore in Robert Z. Hollenbeck from the Department of Public Works, Shaina Hernandez for the County Executive's Office, and Melissa Goldmeier from the Office of Law. Mr. Shad explained how the contested case proceeding would be handled, as it is different than how meetings are typically run.

Ms. Goldmeier said that the Applicants received written testimony in opposition to the application, noted as Exhibit 9 from Preservation Howard County, of which Commissioner Shad is a member. Ms. Goldmeier asked about the testimony and Mr. Shad's involvement. Mr. Shad said he did not participate in the creation or submission of the testimony.

Ms. Hernandez gave the Commission background on the Ellicott City Safe and Sound program and flooding events that have occurred since the 1700s. Ms. Hernandez provided a detailed overview of the previous administration's efforts to mitigate flooding events in Ellicott City and background on the McCormick Taylor study. Ms. Hernandez explained it was the County's goal to reduce flooding depths to 3 feet or less wherever possible and water velocities to 5 feet per second and these goals have been reviewed by

the Army Corps who agreed these goals were most ideal when trying to reduce flooding in Ellicott City.

Ms. Hernandez noted the County considered not removing the four proposed buildings for demolition, but said the Maryland Avenue culvert could not be constructed if the four buildings were kept.

Mr. Hollenbeck gave a presentation that showed the advantages of the Maryland Avenue Culvert with reducing the flood depth and velocities as part of the goals sought by the County, how the weir wall would help with flood mitigation, simulations of flooding events of option 3G7.0 without the culvert, plans and renderings of the area once the four buildings are removed, flooding conditions if 8069 Main Street had portions of the building remain, and the timeline of getting the flood mitigation of the culvert in place. The presentation was geared towards addressing the Commission's concerns voiced during Advisory Case HPC-20-74 from the October 1, 2020 Commission meeting.

Cross Examination

Tara Simpson, Steven McKenna, Gayle Killen, Joel Hurewitz, and Liz Walsh were in opposition to the application.

Mr. Shad swore in Tara Simpson. Ms. Simpson asked the Applicants how it would be possible for the Commission to give approval for the plan now, that front loads demolition and biases future streetscape plans as it seems the two would go hand in hand. Mr. Hollenbeck explained that DPW is trying to progress as many flood mitigation processes as quickly as possible. The geometry has been measured to get as much water out of channel as possible. DPW has the funding now to work on the flood mitigation and

is working to have the funding for the streetscape. Mr. Hollenbeck said the streetscape design will be harmonious with the Master Plan and the Commission's Design Guidelines.

Ms. Simpson asked if the County had a timeline on the Section 106 process as well as CSX signing off on the project. Mr. Hollenbeck explained that the County has an agreement with CSX to work through engineering designs and CSX has been reviewing the designs. The County's consulting parties have experience working with CSX and has engaged them from the earliest idea of the flood mitigation plans up until now. As for the Section 106 process, the project is ongoing. The Consulting parties had time to comment until November 23, 2020 and afterward a programmatic agreement will be drafted. There is the possibility of another Consulting parties meeting. While there is no end date to the Section 106 process, DPW is working to progress the project as expeditiously as possible.

Mr. Shad swore in Steve McKenna, representing Preservation Howard County. Mr. McKenna asked if the presentation Mr. Hollenbeck gave was available publicly. Ms. Holmes explained the presentation had been posted on both the Commission's website as well as the Historic Preservation website when the agenda for this meeting was posted before Thanksgiving. The presentation had since been updated, with the most recent version posted to the websites on Tuesday, December 1.

Mr. McKenna asked about views of the culvert and one view that had an uphill appearance and how the viewshed of Lower Main Street will be impacted. Mr. Hollenbeck said that the presentation showed the geometry that is required to construct the culvert.

Ms. Gayle Killen had no questions.

Mr. Shad swore in Mr. Joel Hurewitz. Mr. Hurewitz asked questions clarifying the Rules and Procedures, when the presentation was uploaded to the website, views of the

culvert, public safety aspects to the plan, possible uses in and around the culvert, techniques for how debris would be caught, and how the culvert would function if big pieces of debris would get into it. Mr. Hollenbeck and Ms. Hernandez answered Mr. Hurewitz's questions citing the presentation, and noted that the culvert would be closed off with 42 inches of estate fencing and there would be no access into the culvert or pedestrian access and bollards would be used for debris catchment at this particular location of flood mitigation.

Mr. Hurewitz asked about the possibility of removing only a portion of 8049 Main Street and why the portion of the building not over the Tiber was to be removed. Mr. Hollenbeck said the front portion of 8049 Main Street is a constriction to the channel.

Mr. Hurewitz asked for an image from the second page of his written testimony (Hurewitz Exhibit 6). Mr. Hurewitz asked about possible structures being built where the Phoenix is currently in place and asked why these future structures could be in place but the Phoenix in some fashion could not stay in place. Mr. Hollenbeck said that the picture is not part of their application and no streetscape plans have been designed at this time, all images were purely conceptual.

Mr. Hurewitz asked what modeling was done to make sure water would not flow into the B&O after the proposed buildings are removed. Mr. Hollenbeck explained the water depth and velocity will be reduced when all flood mitigation is in effect.

Mr. Hurewitz was asked by the Applicants if he could hold further questions to a future meeting to allow other people in attendance to provide testimony since they had been waiting for several hours. Mr. Hurewitz agreed to defer the rest of his questions to the continued meeting date in January.

Testimony

Mr. Shad swore in Angela Tersiguel, who was in support of the application. Ms. Tersiguel spoke about the difficulty change produces but said the lack of change has caused the flooding issues twice. Ms. Tersiguel urged the Commission to protect those that have a direct financial impact in the flooding area.

Mr. Shad swore in Nicholas Johnson who was in support of the application. Mr. Johnson described the difficulty of conducting business on Main Street, especially when there is the threat of rain. Retailers cannot attract customers to an unsafe area. Mr. Johnson said that it is regrettable some buildings have to come down, but loss of life is unacceptable.

Mr. Shad swore in Ron Peters, who was in support of the application. Mr. Peters referenced a Baltimore Sun article titled “Rebuilding Ellicott City would be a costly mistake” by Dean Randall, that came out after the 2016 flood. Mr. Peters said moving homes and businesses will be expensive but reoccurring flooding is more expensive. Mr. Peters discussed the processes of setting up stormwater retention ponds. Retention ponds can help with curbing flooding but in the acreage of storage needed in the retention ponds proposed is not enough based on the McCormick Taylor study. The 2018 flood hit and the Army Corps explained how retention ponds will help with short term flooding but not long-term flooding. Mr. Peters said there have been two close calls in the last two years with rain events and when he reread the article after the 2018 flood, it rang true to him. Mr. Peters said the channel needs to be bigger and a culvert needs to be installed.

Mr. Hurewitz asked Mr. Peters if the flooding of New Cut and Upper Main at the bend would have been prevented if the proposed application before the Commission was approved for Lower Main Street. Mr. Peters explained that when water comes down the

culvert the water depth and velocity will be reduced. The North Tunnel and retention ponds will help but flood mitigation needs to start from the bottom up.

Mr. Shad swore in Pam Long, who was in support of the application. Ms. Long has had a business located on Main Street since 2012. While she is not excited to have the buildings removed, the need for public safety is more important. If there is a forecast of rain, shopping halts on Main Street since the two flooding events. Ms. Long said the Commission must embrace change and look to the future where Historic Ellicott City can thrive even during the rain.

Mr. Shad swore in Julia Sanger who was in support of the application. Ms. Sanger has been a property and business owner in the district since May 2016. While no one wants the buildings to come down, it is the only way for the future of Main Street. Ms. Sanger asked the Commission to consider the financial strain from the floods and public safety concerns.

Mr. Shad swore in Victor Thomas who was in support of the application. Mr. Thomas strongly supported the demolition of buildings and Tiber Park and new construction of the culvert for the reduction of water velocity and depth.

Mr. Shad swore in Donald Reuwer, who was in support of the application. Mr. Reuwer said that a few buildings need to be taken down in order to save many of the historic buildings.

Mr. Shad swore in Lori Lilly, who was in support of the application. Ms. Lori worked on a number of committees for the County including the Ellicott City Flood Work Group and the Master Plan Committee. Ms. Lilly is a watershed planner and said the plan is sound and encouraged the Commission to approve the application. She said it was an

extreme action to remove the buildings, but it is crucial as storm events are getting more extreme with climate change.

Mr. Shad swore in Bert Wilson, who was in support of the application. Mr. Wilson has been an owner of a building on Main Street since 2008, has participated in countless workshops since 2011 and he approves of the County's plan.

Mr. Shad swore in Barry Gibson, who was in support of the application. Mr. Gibson had to move out of Ellicott City because of the floods. Mr. Gibson was an eyewitness to both floods. Mr. Gibson said water could not get under buildings so it tore the walls off of buildings and he expressed concern for the potential of flood waters to create electrical fires. Mr. Gibson asked if the Commission wants to save a few buildings or if they want to save lives. Mr. Gibson relayed the history of the old auto dealership in Tiber Alley that collapsed in 1952 due to a flood and then backed up Main Street. He said this could happen again if a building falls and creates a dam on Main Street; it could destroy properties on both sides of Main Street.

January 14, 2021 Hearing

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 Applicants 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 assisting 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 Applicants.

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 Applicants' 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 these 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 function 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 was to 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.

February 11, 2021 Hearing

Protestants Testimony

Mr. Shad swore in Tara Simpson, a protestant to the case. Ms. Simpson explained that she objected to the case because she thought more information was needed for the Commission to make their decisions. Her concern is what will remain when the buildings are gone and she said that without a final plan, the town will not recover and will not be revitalized. Ms. Simpson explained she was in opposition to the timeline, due to the lack of final streetscape design plan, lack of impact studies on surrounding structures, and no approvals from CSX or the United States Army Corps of Engineers. Ms. Simpson asked that the Commission wait to make their decision until they can make a fully informed one once all the data is in.

Ms. Goldmeier asked Ms. Simpson several questions about the demolitions and timelines, and whether Ms. Simpson was aware of the various approvals needed for the demolition, such as from the Army Corps and other County permits. Ms. Simpson said she was aware, but said this meeting was the only meeting about certificates for demolitions.

Mr. Shad swore in Stephen McKenna, a protestant to the case. Mr. McKenna clarified that he was testifying on behalf of Preservation Howard County. Mr. McKenna explained that Preservation Howard County supports the Safe and Sound Plan, but did not want the Commission to grant the demolition approval. He stated that the buildings proposed for demolition were of unusual importance and that there were not enough alternatives reviewed for the Commission to make an informed decision on mitigation in place of the buildings. Mr. McKenna said the request for the demolition put the cart before the horse.

Mr. McKenna moved to have the Preservation Howard County letter, Exhibit 9 – verbally amended to reflect that Mr. Shad was not involved – entered into evidence. Ms. Goldmeier did not object. Mr. Shad accepted it into evidence.

Ms. Goldmeier asked Mr. McKenna a series of follow up questions, such as if there were other Structures of Unusual Importance on Main Street and if another flood could devastate those structures. Mr. McKenna said there were other Structures of Unusual Importance on Main Street and he did not know if another flood would devastate structures with all the mitigation projects going on.

Ms. Goldmeier asked Mr. McKenna if there was anything in the Code provision about Structures of Unusual Importance that would require the Applicants to provide a final culvert rendering. Mr. McKenna said he has an issue with what was not being provided.

Mr. Shad swore in Gayle Killen, a protestant to the case. Ms. Killen is a resident of Historic Main Street and spoke about the lack of evidence presented by the Applicants for the demolition of the buildings on Lower Main Street. Ms. Killen explained there are other

ways to complete the Federal Section 106 process, such as a programmatic agreement which is an alternative agreement that can fast track the process. Ms. Killen was fearful that this is the process the County is taking. Ms. Killen said there is enough information to model an array of storm events, but the County has only done modeling for the 100-year and 2016 storms. Ms. Killen cautioned there is a greater consequence of the modeling being wrong and a greater importance to look at all alternative flood mitigation options. Ms. Killen asked the Commission to require an independent third-party peer review of the County's modeling and flood mitigation plan and said that each measure should be modeled separately. Ms. Killen's Exhibit 1 was entered into evidence. Ms. Goldmeier did not object. Mr. Shad accepted it into evidence.

Ms. Goldmeier asked Ms. Killen a series of questions relating to the testimony about the Section 106 process.

Ms. Goldmeier offered the first seven pages of Attachment P and all of Attachment Q into evidence. Attachment P shows illustrations of the site, discussed at the last meeting and Attachment Q shows photos of the existing stream walls, as requested by Mr. Reich. Mr. Hurewitz did not object with the understanding that he wanted to address them in cross. Mr. Shad accepted the documents into evidence.

Mr. Shad swore in Joel Hurewitz, a protestant to the case. Mr. Hurewitz referenced a previous advisory case from the staff report addendum, when the Commission provided advice on the proposed demolition of the buildings and summarized the Commission's comments. Mr. Hurewitz summarized his previous comments on each of the four buildings, from those meeting minutes. Mr. Hurewitz presented Hurewitz Exhibit 6, which was his written testimony written back in November/December, and said he would point out some

modifications based on what the Applicants have presented. He summarized his written testimony for the Commission. Mr. Hurewitz discussed his concern for the B&O Station with debris. Mr. Hurewitz referenced Exhibit 6, Figure 150 from the Master Plan, and discussed a deck structure shown in the location of 8049 Main Street. Mr. Hurewitz moved Exhibit 6 into evidence. There were no objections and Mr. Shad accepted it into evidence.

Mr. Hurewitz discussed sections 16.607 and 16.608 of the County Code, pertaining to the Commission, as well as the Commission's Rules of Procedures. Mr. Hurewitz referenced the pictures of 8049 Main Street from the Applicant's Attachment Q and discussed structural components of the building and relocation of the building.

Mr. Hurewitz stated that in preparation for this hearing, he submitted a number of public information requests to the County. Mr. Hurewitz presented his Exhibit 11, a PIA response from Howard County. He explained the contents of the letter regarding his PIA request and stated the County had no documents responsive to his one request because the County had not looked into salvaging 8049 Main Street. Mr. Hurewitz asked to submit Exhibit 11 into evidence. There were no objections and Exhibit 11 was admitted.

Mr. Hurewitz presented his Exhibit 10, which was another PIA response from Howard County, regarding the area of Main Street by the Tiber Wall as the CSX viaduct and the jersey barrier on the Patapsco Bridge. Mr. Hurewitz asked to move Exhibit 10 into evidence. There were no objections and Exhibit 10 was admitted.

Mr. Hurewitz presented his Exhibit 8, which contained Figures 8, 9 and 11 from the November 2020 HPC Agenda for case HPC-20-79. Mr. Hurewitz discussed Figure 8, a 2011 Google Streetview image of the Tiber wall near the CSX viaduct. Mr. Hurewitz asked to move Exhibit 8 into evidence. There were no objections and Exhibit 8 was admitted.

Mr. Hurewitz presented his Exhibit 4, two photos from the internet showing flooding from the 2018 event taken from the Patapsco Bridge. Mr. Hurewitz discussed the Tiber wall near the CSX viaduct, the Jersey wall along the Patapsco River bridge, the contour of the bridge and the water levels. Mr. Hurewitz asked to admit Exhibit 4. There were no objections and it was admitted into evidence. Mr. Hurewitz discussed the Patapsco bridge, jersey wall barriers and the Tiber wall, and his concerns with them pertaining to flooding.

Mr. Hurewitz presented his Exhibit 5, two photos from Google Streetview of the Patapsco Bridge. He said he was trying to illustrate how the bridge has a curve/arch to it and retains water. There were no objections and Exhibit 5 was admitted into evidence.

Mr. Hurewitz presented his Exhibit 3, an image showing contours of the Patapsco River Bridge and B&O area from County GIS mapping. There were no objections and Exhibit 3 was admitted into evidence.

Mr. Hurewitz presented his Exhibit 2, the Water Street Bridge grate in Upper Marlboro, Maryland from Google Streetview. This illustrates what a bridge grate could look like as used elsewhere in Maryland. There were no objections and Exhibit 2 was admitted into evidence.

Mr. Hurewitz presented his Exhibit 12, which was a PIA response from Howard County related to the testimony at the previous meeting where the County announced that analysis was done based on his PIA request. There were no objections and Exhibit 12 was admitted into evidence.

Mr. Hurewitz presented his Exhibit 13, which shows new modeling done based on Mr. Hurewitz's inquiry about maintaining the corner portion of 8049 Main Street (3.G.7.0

with portion of 8049 Main Street remaining). This was received from his PIA request and was attached to Exhibit 12. There were no objections and Exhibit 13 was admitted into evidence.

Mr. Hurewitz presented his Exhibit 7, a photo found online from Cairo, IL near the Mississippi River that appears to be a similar bridge to Ellicott City with a railroad bridge, but also containing a flood wall. Mr. Hurewitz discussed the 1868 Ellicott City flood and Patapsco flood events. There were no objections and Exhibit 7 was admitted into evidence.

Ms. Goldmeier asked Mr. Hurewitz a series of questions, regarding the building demolitions and the Phoenix (8049 Main Street). Mr. Hurewitz discussed the various components on the lower Main Street buildings that he found significant. He said he would like to preserve the gable portion of the Phoenix as well. Ms. Goldmeier asked questions regarding the retention of the corner portion of 8049 Main Street and flooding. Ms. Goldmeier asked why Mr. Hurewitz said the County's did not take into account topography and whether he had a degree in engineering and hydrology.

Mr. Roth referenced Hurewitz Exhibit 4, the photo of the 2018 flood by the Tiber wall and Patapsco Bridge. Mr. Roth asked how high the water level was relative to the peak water level. Mr. Hurewitz said the water topped over the Jersey barrier and his point was not to show the peak but the fact that the water in the Tiber and Patapsco is lower than Main Street because water is overtopping the viaduct. Mr. Roth discussed the water levels and that it was unknown how high the water was at peak. The Commission had no other questions or comments for Mr. Hurewitz.

Mr. Shad swore in Ms. Liz Walsh, a protestant to the case. Ms. Walsh is the Councilperson for District 1, which includes Historic Ellicott City and is also a resident of

the Historic District. Ms. Walsh said that, while the proposal is a better version than the former plan, it does not mean it is a good request. Ms. Walsh reminded the Commission they can only grant demolition when all other alternatives to preserve the structures have been exhausted, as part of County law. Ms. Walsh suggested the Commission request additional analysis such as widening and deepening the channel and a sediment plan DPW was supposed to finalize at the beginning of the year. Ms. Walsh spoke of façade preservation, which has not been fully analyzed, and providing more storage upstream on the New Cut. Ms. Walsh noted the United States Army Corps also recommended alternatives that have not been done by DPW. Ms. Walsh wanted more information about other alternatives and suggested that the Commission wait until there have been concrete commitments from CSX before demolition approvals occur. Ms. Goldmeier had no questions for Ms. Walsh.

Mr. Roth asked Ms. Walsh if she had any material or data on deepening the channel and asked how much additional flow could be realized by deepening. Ms. Walsh said she did not have the information but it was in the report produced by United States Army Corps of Engineers and part of the presentation to the public on the County's Safe and Sound website. Ms. Walsh said she heard the sediment study referenced in DPW's analysis during the Section 106 consulting parties meeting, but requested it and it was not yet available.

Mr. Reich referenced discussion of alternatives in the application and said the County has presented the Commission with a list of other plans the County has gone through and analyzed and their determination that the chosen plan is the only viable one. Mr. Reich asked if it was her contention that the County hasn't studied the situation enough. Ms. Walsh agreed.

Mr. Reich asked what her recommendation was on how much information is necessary; at what point would she find the Commission had enough information to make a decision. Ms. Walsh discussed the Army Corps report that identified two concrete alternatives and suggested the Commission watch what happens in the Section 106 process. The Commission had no other questions for Ms. Walsh.

Cross Examination on Attachment P & Q

Mr. Shad swore in Robert Hollenbeck from Howard County's Department of Public Works. Mr. Hurewitz asked Mr. Hollenbeck when the photographs for Attachment Q were taken. Mr. Hollenbeck said the photos were generated from scans that were done of the stream channel at the end of 2019 and the beginning of 2020. Mr. Hurewitz asked questions related to his PIA request.

Mr. Hurewitz said he asked about the beams at 8049 Main Street previously. Mr. Hollenbeck summarized their previous discussion. Mr. Hurewitz asked about the illustration of the dining tables on the sidewalk next to the park area and asked if this was anticipated. Mr. Taylor asked Mr. Hollenbeck if there are any elements of the illustrations other than the fencing and bollards being proposed by the County for approval by the Commission in this case. Mr. Hollenbeck said the stone wall treatment depicted in the stream channel was proposed in the application, but said the tables, chairs and umbrellas depicted are not part of the application and they are not requesting approval for it. Mr. Hurewitz thinks the location of the bollards should be reconsidered in the event of any future outdoor dining because prior County guidance indicated bollards should be placed near the curb.

Mr. Hurewitz asked Mr. Hollenbeck about Attachment Q, which Mr. Hurewitz said depicts all the different stone on the channel walls. Mr. Hollenbeck said they were going to replicate the stone patterns that are currently within the stream channel on reconstructed portions of the wall where they are coplanar with their current location and Attachment Q contains imagery of those stone patterns. Mr. Hurewitz asked questions about the stone basement walls. Mr. Hollenbeck said they will use stone from the stream channel walls to recreate stream channel walls. Mr. Hollenbeck referenced Image 2, from Attachment Q, which depicts the south wall of 8049 Main Street. He explained the image is from the stream channel side of the south wall and said the opposite side of the south wall is the basement of 8049 Main Street. Mr. Hurewitz asked if there would be interpretation to explain why the wall differs in the various location. Mr. Hollenbeck said they have noted the final streetscape plan will include interpretation or kiosks that will explain the relationship that these buildings previously had to the site.

Commission Questions

Ms. Tennor said she was trying to visualize what the area would look like with the buildings gone and the large channel area opened up. She said she had overestimated the size of the large area, and that it would be about 1/3 of a football field. She said this includes proposed asphalt paving which is temporary paving to stabilize the area and asked Mr. Hollenbeck if she was correct. Mr. Hollenbeck said she was correct.

Ms. Tennor asked about the timeframe for the channel widening and building removal. Mr. Hollenbeck said Attachment A included milestones and how DPW envisioned the process playing out with Section 106 and construction of the culvert. Ms. Tennor said Ms. Walsh estimated the construction of the Maryland Avenue culvert would

take about a year and asked if Mr. Hollenbeck agreed. Mr. Hollenbeck said DPW is working to minimize the effect the construction of the culvert would have on traffic and business, he cannot say how long traffic would be affected, but the project overall could take about a year.

Ms. Tennor said the Guidelines state that unless the Commission is satisfied that the proposed construction, alteration or reconstruction will not materially impair the historic value of the structure, the Commission shall deny the application. She expressed her concern for the lack of detail for what will occur at street level. She asked about the necessity of this part of the project as affected by the timing of the North Tunnel coming after the destruction of the bottom of Main Street. She asked if the timing were different, whether the construction of the North Tunnel would allow reconsideration of the project at the bottom of Main Street. Mr. Hollenbeck provided background information of the North Tunnel, explaining that it will collect storm water from the Ellicott Mills Culvert and discharge to the Patapsco River. He explained that the two mitigation projects have different goals and explained the North Tunnel will not preclude the need for the culvert as it only can capture all of the water that is west of Ellicott Mills Drive.

Mr. Reich asked about the current status of the Section 106 and CSX reviews and approvals. Mr. Hollenbeck explained they have received preliminary comments from CSX. He said that process is on-going. Mr. Hollenbeck stated the County would not move forward with the demolition and culvert construction process without having an agreement with CSX. Mr. Hollenbeck provided updates on the Section 106 process and said they had the consulting parties meeting and that the next step was for the County to respond to

consulting party comments and provide a draft programmatic agreement to Army Corps for review.

Mr. Reich asked about the alternatives Ms. Walsh spoke about from the Army Corps. Mr. Hollenbeck said the Corps peer review said they evaluated a number of alternatives and the plan proposed before the Commission is sound. There were 60 alternatives and the Army Corps may have proposed one or two additional alternatives. Mr. Reich asked if the process had been documented that was used to make decisions about filtering down to the option before the Commission. Mr. Hollenbeck explained the goal and process that was followed. He said the goal was to reduce street level flooding to less than 3 feet on average on Main Street and reduce flood velocities to 5 feet or less. He explained that was beneficial to public safety that is the threshold needed to implement nonstructural flood proofing techniques for the remaining buildings on Main Street. Mr. Reich said there were 55 combinations that were rejected and asked if the County had a flow chart to show how they got to their decision. Mr. Hollenbeck said there was a spreadsheet that identifies the various scenarios and modeling of how 3G7.0 was determined.

Mr. Roth explained he is working from the framework that Mr. Hollenbeck laid out, to establish no other alternatives exist as the Maryland Avenue culvert provides for 2000 cubic feet per second based on the conditions of the 2016 flood. He summarized that the Maryland Avenue Culvert is critical to getting Main Street safe and if the culvert is not put in, or an alternative conveyance method or reduction of 2000 cubic feet per second provided, then the public safety issue has not been resolved. Mr. Roth said the alternatives can be quantified to be valid alternatives if they meet the 2000 cubic feet per second to

match the culvert mitigation. Mr. Roth said Ms. Walsh's testimony offered alternatives could be deepening or expanding the channel or providing storage ponds on New Cut. Mr. Roth asked if DPW had any data on how much conveyance could be increased by deepening, expanding or widening the channel.

Mr. Hollenbeck addressed the sediment study referenced and explained the amount of sediment varies from almost nothing to 3 feet deep, but the section that is 3 feet deep is only under the Maryland Avenue bridge. He said the sediment is only between 1 and 2 feet in the remainder of the channel. Mr. Roth asked if the channel could be widened or deepened to get 2000 cubic feet per second without building another culvert. Mr. Hollenbeck said the elevation is very flat by the Tiber channel and the Patapsco in the existing location. Mr. Roth said it does not seem that 2000 cubic feet per second is possible through channel deepening, expansion or sediment clearing.

Mr. Roth asked if there were other retention projects on New Cut that did not make it into the Safe and Sound Plan. Mr. Hollenbeck referenced the storage project on New Cut that was conceptually discussed by the Army Corps. He said it would include a large dam at the intersection of New Cut and College Avenue and close New Cut to traffic and dam the New Cut upstream of that. He said the County did not think that was viable and would have precluded New Cut Road from ever being reopened. Mr. Roth asked how much that would have assisted conveyance. Mr. Hollenbeck did not know the exact answer as the Army Corps did not run numbers. Mr. Hollenbeck explained it would have been a 60-foot-high dam that they didn't think would be approved by the Maryland Department of the Environment and did not run numbers. Mr. Roth said the natural stream banks are a historic element, so there is a downside to building a 60-foot-high dam. Mr. Reich asked Mr.

Hollenbeck additional questions about the 60-foot dam and the North Tunnel. Mr. Hollenbeck explained the concerns if the dam structure failed and the water came rushing down to Main Street.

Ms. Zoren asked what happened to the Lot D expansion that was originally proposed. Mr. Hollenbeck said the Lot D project was originally intended to slow the conveyance of water, but once the North Tunnel project was included, the water that would have been captured by Lot D would instead be directed into the tunnel, so the project was not needed anymore. Ms. Zoren asked if the County has explored any structural underground stormwater vaults, such as under the Lot D parking lot or elsewhere in the area. Mr. Hollenbeck said there were a number looked at in the West End, but the amount of storage needed is equivalent to an 80-story building placed on Lot F. He explained the amount of underground storage needed to reduce water levels and velocity is so large there is nowhere to put it.

Mr. Shad asked if there was any better sense of timelines for completion of the Section 106 and CSX processes. Mr. Hollenbeck explained the remaining steps in Section 106 process and said it could be completed in the range of 3 months. Mr. Hollenbeck said that for CSX, that agreement is a work in progress and the County has received comments from them and DPW is working on responses to send back. The CSX agreement is out of the County's control and DPW will have to provide final engineering designs to resolve CSX comments.

Mr. Shad asked about the status of the streetscape design. Mr. Hollenbeck said that DPW has allocated funding to the final streetscape designs and there will be an internal meeting next week to brainstorm public engagement. The design process will start with the

selection of a consultant over the summer and fall. Mr. Shad said it would be about 6 months at the earliest and Mr. Hollenbeck agreed.

Closing Arguments

Mr. Hollenbeck provided a background on the 2016 and 2018 floods. He said this past year has included 14 flash flood watches and 2 flash flood warnings. He explained that Ellicott Mills was founded in this area to utilize the water for power. He said the County cannot ignore the increased weather or uniqueness of Ellicott City, which makes it susceptible to flash flooding. Mr. Hollenbeck said the development of the open space will be driven by the Ellicott City Watershed Master Plan and the Ellicott City Design Guidelines. He asked the Commission to allow the buildings of unusual importance to be removed as it will be a substantial benefit to the County as there has been an economic impact in the past due to the flash flooding. He said the retention of the four structures is a threat to public safety in the event of a comparable or worse storm event. This application is a preservation project to preserve the long-term viability of Ellicott City.

Mr. McKenna said the application before the Commission was premature and was putting the cart in front of the horse. He said the Section 106 and CSX status are non-answer answers, and that the County can only tell the Commission it is a work in progress. He explained the national historic preservation community is watching and the community that elected Ms. Walsh is watching. Mr. McKenna said they would like to rebut the line of argument that nothing in the code requires the Commission to wait until the Section 106 process is over. He explained that just as the Code does not require the Commission to wait, it does not prohibit the Commission from waiting until these processes are concluded

and a better inventory of information is before the Commission. He said the loss of the buildings would cause great damage to the character and integrity of the historic district.

Mr. Hurewitz discussed the amount of possible sediment in the Patapsco, the removal of which he found would lower the level of the Tiber. He echoed Mr. McKenna's sentiment about the application being premature as there are things that have not been considered. Mr. Hurewitz referenced sections of the Guidelines regarding demolitions. He said he is trying to preserve a portion of the Phoenix building. He referenced the Commission's Rules of Procedures and relocating the structure and alternatives to demolition. Mr. Hurewitz stated the County has not given any thought to keeping a portion of 8049 Main Street or relocating it. Mr. Hurewitz reviewed parts of the Code with the Commission.

March 11, 2021 Hearing

Deliberation

The Commission deliberated on the application. The Commission briefly went into closed session to obtain legal advice about whether the end of the culvert/discharge point of the tunnel was proposed to be constructed within the Ellicott City Historic District. The Commission was concerned about approving the demolition without certainty that the culvert project would be constructed and discussed the funding for the culvert project. The Commission requested that Mr. Hollenbeck confirm the project was fully funded. Mr. Hollenbeck said all funding has been appropriated.

Mr. Roth suggested a motion conditioning approval of the demolition until after the culvert has no obstacles to proceeding, meaning approvals have been granted, governmental and CSX approvals and funds have been appropriated.

Mr. Roth suggested the Applicant withdraw the black fencing, black bollards and asphalt paving that was proposed and return with a fuller streetscape proposal at a future date. The Applicant was asked whether he would like to withdraw the request for approval of the streetscape elements. Mr. Hollenbeck said he would withdraw the request. The application was amended to withdraw the request for approval of the streetscape elements, fencing, bollards and asphalt paving.

F. Motions

The Commission made the following motions:

1) All Four Buildings – 8049 Main Street, 8055 Main Street, 8059 Main Street and 8069 Main Street

Unusual Importance

Motion: Mr. Roth moved to find the four buildings under consideration for demolition (8049 Main Street, 8055 Main Street, 8059 Main Street and 8069 Main Street), when considered as a group in their original context, constituting the historic streetscape of Lower Main Street, are Structures of Unusual Importance. Ms. Tennor seconded. The motion was unanimously approved.

2) HPC-20-83a – 8049 Main Street, Ellicott City (Phoenix building)

Unusual Importance

Motion: Mr. Reich moved to find that 8049 Main Street is a Structure of Unusual Importance. Ms. Tennor seconded. Ms. Zoren, Ms. Tennor, Mr. Reich and Mr. Shad voted yes. Mr. Roth voted no. The motion passed 4 to 1.

3) HPC-20-83b – 8055 Main Street, Ellicott City (Discoveries building)

Unusual Importance

Motion: Mr. Reich moved to find that the building at 8055 Main Street, Discoveries, is not a Structure of Unusual Importance. Mr. Roth seconded. The motion was unanimously approved.

4) HPC-20-83c – 8059 Main Street, Ellicott City (Easton & Sons/Bean Hollow Building)

Unusual Importance

Motion: Mr. Reich moved to find that 8059 Main Street is a Structure of Unusual. Ms. Tennor seconded. Ms. Zoren, Mr. Shad, Ms. Tennor and Mr. Reich voted yes. Mr. Roth voted no. The motion passed 4 to 1.

5) HPC-20-83d – 8061 Main Street, Ellicott City (Tiber Park bridge)

Unusual Importance

Motion: Mr. Reich move to find that the Tiber Park Bridge is not a Structure of Unusual Importance. Ms. Tennor seconded. The motion was unanimously approved.

6) HPC-20-83e – 8069 Main Street, Ellicott City (Great Panes building)

Unusual Importance

Motion: Mr. Roth moved to find the Great Panes building at 8069 Main Street was not of Unusual Importance. Mr. Reich seconded. The motion was unanimously approved.

7) Demolition of Buildings

Motion: Mr. Roth moved to approve the demolition of the four buildings (8049 Main Street, 8055 Main Street, 8059 Main Street and 8069 Main Street) and the bridge (8061 Main Street) based on 16.608(a) and (b): necessity for a public works project and for public safety, with conditions on the approval to be added later. Ms. Tennor seconded. The motion was unanimously approved.

Motion: Mr. Roth moved to find the demolition is in the interest of the majority of the public, based on 16.608 (d)(4). Ms. Tennor seconded. Mr. Reich, Ms. Tennor and Mr. Shad approved the motion. Mr. Roth and Ms. Zoren did not approve the motion. The motion passed 3 to 2.

8) Conditions for demolition approval:

- **Condition 1:** Mr. Roth moved that no demolition of the buildings approved shall occur until all necessary approvals from the government, CSX and any other party with a required approval have been received and until necessary funding has been appropriated to build the culvert. Ms. Tennor seconded. The motion was unanimously approved.

- **Condition 2:** Mr. Roth moved that the County take all reasonable actions and precautions to ensure that no part of the historic B&O Railroad Station Complex be damaged in the course of construction of the culvert. Ms. Zoren seconded. The motion was unanimously approved.
- **Condition 3:** Mr. Roth moved that demolition be contingent upon preservation of all items in the Applicant's Attachment C and Mr. Short's letter dated March 2, 2021. Ms. Zoren seconded. The motion was unanimously approved.

9) HPC-20-83f, the construction of expanded terraced floodplain/culvert and associated components:

Motion: Mr. Reich moved to approve the County's application for the Maryland Avenue bypass culvert project as amended and per the conditions spelled out. Mr. Roth seconded. The motion was unanimously approved.

- **Condition 1** – Mr. Reich moved that approval was contingent on the County making a further submission on the final appearance of the channel walls, weir wall, river base and culvert headwall. Mr. Roth seconded. The motion was unanimously approved.
- **Condition 2** – Mr. Reich moved that condition of the approval that the Applicant provide architectural surface treatment of natural stone matching the existing stone walls as shown on slide 32 (Attachment A revised) showing the stone covering the face and top of the concrete walls. Mr. Roth seconded. The motion was unanimously approved.
- **Condition 3** – Mr. Reich moved to make condition of the approval that the County provide ongoing development of drawings and 100% completion of the drawings, so the Commission had opportunity to review them. Ms. Tennor seconded. The motion was unanimously approved.

10) Advisory Comments

The Commission made the following suggestions/advisory comments:

- 1) Use a 4 to 6-inch stone veneer on the walls, with a stone veneer cap. No concrete should be visible.

- 2) Regarding the streetscape items, the Commission is looking for creative, permanent looking solution. They do not want to see hundreds of linear feet of black metal fencing, but rather something that will integrate better, such as bollards or stone piers.
- 3) Utilize brick sidewalks as per the Guidelines, instead of temporary measures. If the Applicant proposes to use something other than brick as the guidelines recommend, justify why the flood risk has not been mitigated yet.
- 4) Create a sense of place. A big part of Ellicott City is being lost and the Applicant should create a nice sense of place, not something generic.
- 5) Utilize granite curbs and incorporate Belgian blocks. Belgian blocks are used in front of the B&O and would coordinate the spaces.

Conclusions of Law

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

A. Standards of Review

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607(a) of the Howard County Code and require consideration of:

- (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 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.608 of the Howard County Code sets forth criteria for demolition of Structures of Unusual Importance, as detailed in the Findings of Fact, part C. The Commission's Rules of Procedure 300, 301, 302 and 303 set forth the process for Demolition and Relocation of Structures in the Historic District, as detailed in the Findings of Fact, part C. The Commission has adopted the Ellicott City Historic District Design Guidelines for its review of applications based on the standards set forth in the Code. Chapter 9 sets forth the relevant recommendations for Landscape and Site Elements in the Historic District, as detailed in the Findings of Fact, part C. Chapter 12 sets forth the relevant recommendations for Demolition and Relocation in the Historic District, as detailed in the Findings of Fact, part C.

B. Application of Standards

Applying these standards and guidelines to the Subject Properties, the Commission finds that they all contribute to Ellicott City's historic significance, except for the Tiber Park bridge. Consequently, in reviewing the application, the Commission will be strict in its judgment, except as to the Tiber Park bridge for which it will be lenient. For the reasons that follow, the Commission finds that the Applicants' proposed work is supported by substantial evidence demonstrating that: demolition of the four historic structures is necessary because they are a deterrent to a major improvement program that will be of substantial benefit to the County, retention of the structures would be a threat to public safety, and retention of the structures is not in the interest of a majority of the persons in the community. All of the proposed work, as amended and conditioned herein, is necessary to protect against threats to public safety pursuant to § 16.607(a)(4) and is otherwise in accord with the Guidelines and the Howard County Code.

The Application

The Applicant proposes to demolish four buildings and a bridge located on the south side of lower Main Street, from the intersection of Maryland Ave. towards the west, up the Tiber River until just before 8081 Main Street, known as “Tea on the Tiber.” The buildings proposed to be demolished are located at:

1. 8049 Main Street, known as the “Phoenix” building.
2. 8055 Main Street, known as the “Discoveries” building.
3. 8059 Main Street, known as the “Easton and Sons” or “Bean Hollow” building.
4. 8069 Main Street, known as the “Great Panes” building.

Each of the buildings are referred to by the names of businesses that called them home for many years. All are examples of the mercantile tradition that is characteristic of the commercial area of the Ellicott City Historic District.

In addition to removing the buildings, the Applicant seeks approval for the removal a modern bridge and four trees that constitute a pocket park at 8061 Main Street, known as “Tiber Park,” as well as approval for the initial proposed appearance of the area after the buildings, bridge, and trees are gone. The initial appearance of the area under review here involves opening up, or “daylighting,” the existing natural river channel and constructing a concrete weir and culvert on the south side of the channel, which will carry water east to the Patapsco River via the new culvert under Maryland Avenue.

Factual Background

As many prior decisions of the Commission record, Historic Ellicott City has endured two floods of historic proportions within just three years. The increasing severity of storm events due to climate change is demonstrated by the historic rain-fall events that

caused flash flooding from higher elevations down through historic Main Street on July 30, 2016 and May 27, 2018. The 2016 and 2018 “top-down” flash floods¹ caused significant property damage in the District and, more tragically, loss of life. The National Weather Service has forecast that these extreme weather events are likely to continue in our region. *See* Staff Report Addendum at 151; Applicant’s Attachment A (revised) at 10. Lori Lilly, an experienced watershed planner familiar with the Tiber, testified that storm events are becoming more extreme.

Located at the bottom of steep ravines that characterize this area of the Patapsco River Valley, Main Street and Maryland Avenue may have been an ideal venue for the Ellicott family to build their milling empire by harnessing the energy of the river and its tributaries, but it is not the ideal location for permanent residential or commercial structures. As an old mill town, Historic Ellicott City has grown over the Tiber River. Each of the buildings proposed for demolition was built directly over the river. They have basements with stone walls that double as river walls, as the river was channelized long ago with the large granite stones that are iconic of the District.

Since 2016, Howard County government has developed plans to address flooding and adapt and protect the Historic District from further destruction. An initial plan to demolish 10 buildings, including the ones at issue here, was abandoned. *See* HPC Case 18-46. Instead, the Applicants now propose removing only the four buildings and bridge to allow for the construction of an “enhanced floodplain,” consisting of an expansion of the existing natural river channel with the weir and new culvert. The existing natural channel

¹ Flooding from the Patapsco River over its banks and up Main Street, has also caused damage in the District but tends to be more predictable and gradual areal flooding, not the flash flooding events that can suddenly appear, away from the river, and at a depth and velocity that can easily sweep cars and people into harm’s way and destroy property, including historic structures.

will largely remain and the new concrete terraced weir, faced with stone, will capture stormwater as it flows up the banks of the natural channel. The weir will flow to the new culvert built under Maryland Avenue and the Baltimore & Ohio Ellicott City Station (“Train Station”) to discharge at the Patapsco River.² The enhanced floodplain’s increased capacity for removing flood waters from the vicinity is intended to reduce the height and velocity of flash flood waters rushing down Main Street.

There is no disagreement between the parties as to whether something must be done to save Historic Ellicott City, an important national resource. The only disagreement is the means by which it will be accomplished. Although there is always uncertainty in any risk assessment, here the evidence shows the risk is real and the Applicants’ analysis shows its proposal will go a long way to reduce the risk by addressing the flooding that has made Main Street only a shadow of its former glory.

The Four Buildings Are Structures of Unusual Significance

As a preliminary step to considering the demolition of any structure in the District the Commission must determine whether the structure is one of “unusual importance.” Howard County Code §16.608. The record shows that the four buildings proposed to be demolished are structures of unusual importance, while the bridge is not.³

The proposed demolition is the most significant proposed alteration in the Historic District since its inception. It will result in the loss of a key part of the streetscape of Main Street, part of the first “National Road” that was begun in the early 1800s and had a critical

² A helpful overview of the project is found at page 16 of Applicant’s Attachment A (revised). Detailed plans are included in Applicants’ Attachment B.

³ There was little evidence presented by the parties as to the issue of Unusual Importance, at least regarding the individual structures. The Applicants assumed the buildings were structures of unusual importance. The conclusions and findings here rely most heavily on the detailed Staff Report Addendum, which compiled information from public records in the files of Howard County government. Applicants’ Attachment C and the County Architectural Historian’s Salvage Response were also helpful.

impact of the development of a young United States. Along with the significance of the National Road, the B&O Railroad from Baltimore to Ellicott's Mills was the first commercial railroad built in the United States and the Train Station is thus notable as one of the oldest in the nation.⁴ The context of the National Road and the historic Train Station will be significantly altered.

The view entering Ellicott City from the east, from Baltimore County, will be forever changed. A building has stood at 8049 Main Street, across the street from the Train Station, for well over a hundred years.⁵ For many decades before the Phoenix, the corner entrance of a general store or well-loved watering hole welcomed visitors to the City. Discoveries, the gothic façade of Easton and Sons at Bean Hollow, and Great Panes have changed over the years, but the general appearance of a nineteenth century mercantile main street has remained. Such places become more rare and valuable over time, and Ellicott City Main Street is no exception. It is a National Register Historic District, and a local Historic District that is characterized, in part, by the integrity of its structures and setting.

Accordingly, the Commission concludes that the four buildings, when considered as a set and in context, constitute a "structure of unusual importance" as that term is defined in the County Code. Because of this, and because of the common ownership of the buildings and the common application, the question of whether each building is individually a structure of unusual importance is moot. Nonetheless, the Commission considered each building individually and concludes as follows.

⁴ Guidelines, Chapter 2; Staff Report Addendum at 106.

⁵ In 1840, the Ellicott Brothers divided their property along Main Street into town lots. Guidelines, Chapter 2.

Historical and Architectural Significance of Each Building

1. 8049 Main Street, the “Phoenix” building, is a structure of unusual importance. There is considerable evidence to support this conclusion. The structure’s primacy on the corner of Maryland Avenue as one enters the District from the east, is unusually important in itself. The location has served as a grocer or saloon since before 1900. The second-floor balcony of the Maryland Avenue façade, with its ornate cast-iron railing, has faced the Train Station for more than a century. Elements of the building are among some of the oldest found on Main Street. Even its youngest elements are characteristic of Ellicott City’s architectural and historic heritage. The building features German wood lap siding, a standing seam metal roof with two gabled dormers, the ornate cast-iron balustrade, six over six wood windows with jack-arch brick lintels, and carved wood cornices supporting the second floor. Field stone forms the basement walls, some of which double as river walls.
2. 8055 Main Street, the “Discoveries” building, standing alone, is not a structure of unusual importance. The existing building is of unremarkable architecture from circa 1930. It consists of frame construction with flat roofs. About the only significant feature of the building is the shaped brick parapet topped with brick coping and a molded wood cornice on the front façade. This is not sufficient to make the building a structure of unusual importance, outside of its contribution to the set of adjacent buildings. One part of the location’s history however, is significant to this Decision. The original structure was built around 1851 by James Cassidy and was subject to a mortgage. In 1858, while operating as a restaurant and ice cream saloon, it was heavily damaged by a flash flood down the Tiber River that overflowed onto Main Street. The Baltimore Sun reported that “Mr. Cassidy’s loss consist [*sic*] of choice wines, liquors, &c., in his cellars.” The mortgage was to be paid within two years, but Cassidy was unable to do so and lost the property to foreclosure. Staff Report Addendum at 43.
3. 8059 Main Street, the “Easton and Sons” building, which also served as home to the Bean Hollow coffee shop, is a structure of unusual importance. The gothic limestone façade is unusual for the District. Although not characteristic of the District, the

monumental nature of the façade and its connection with Ellicott City make it unusually important. From the mid-nineteenth century until recent times, an undertaker served the community from the building, which was often described as a cabinetmaker's shop. In 1878, the current structure was erected. About 1930, the Easton family constructed the structure's current gothic facade, which physically represented the weight and seriousness of the matters undertaken therein. The Gothic Revival style was characteristic of the time, particularly for church architecture. The facade is intact and contains some of the most architecturally distinctive detailing in all of Ellicott City.

4. 8069 Main Street, the "Great Panes" building, standing alone, is not a structure of unusual importance. Most recently the home of glass artisans, the structure was originally a tinsmith's shop, but for most of its life is served as a grocer's or other retail establishment. Due to numerous renovations and flood damage, the first floor has been repeatedly rebuilt over time. Although parts of the building's side walls are constructed with uncoursed field stone, it has largely been obscured by stucco, which greatly limits the building's significance.

Tiber River Park

The Tiber Park Bridge is of modern construction and is not a structure of unusual importance. The Park undoubtedly provided a bit of sanctuary from Main Street's busy commercial activity, but because it is not a contributing structure to Ellicott City's historic significance, the Commission is lenient in its judgment and notes that there was no testimony in opposition to the removal of the bridge or trees. Removal of the bridge will result in daylighting the natural river channel, which is compatible with surrounding structures and historically appropriate.

Application of Criteria for Demolition of Structures of Unusual Importance

Having concluded that the buildings, as a set, constitute structures of unusual importance, the Commission will be strict in its judgment. Pursuant to §16.608 of the

Howard County Code, the Commission may approve demolition of a structure of unusual importance, even if it impairs the value of the structure or the District, if one of four criteria have been met, any one of which provides a basis for approving the demolition. Here, the Commission determined that three of the criteria have been met.⁶ The three criteria are:

- 16.608(d)(1): The structure is a deterrent to a major improvement program which will be of substantial benefit to the County.
- 16.608(d)(2): Retention of the structure would be a threat to public safety.
- 16.608(d)(4): Retention of the structure would not be in the interest of a majority of the persons in the community.

The Applicant proffered in the application that,

the proposed project is a major improvement program, representing a benefit to the County through mitigation of flash flooding. The four structures slated for removal currently represent a deterrent to the project, inhibiting the physical construction of the proposed improvements.

Application at 12. The Application elaborates that,

the structures at 8049, 8055 and 8059 must be removed to physically construct the culvert and related conveyance into the culvert. Removal of these structures also removes a constriction to the flow of water in the stream channel due to the fact that these buildings currently sit atop the stream channel ... The structure at 8069 is proposed for removal to permit expansion of the stream channel for additional water storage.

Id.

Protestants did not contest these statements or the substantial evidence supporting them. The evidence includes years of study since the 2016 flood, including a specially commissioned hydrology study and consultation with national experts such as the U.S. Army Corps of Engineers (“USACE”). Much of this information was detailed during this case and in the three Advisory Comments cases that led to this case, all of which were incorporated into the record by reference. HPC 18-46, 19-78, and 20-74.

⁶ The Commission makes no finding on § 16.608(d)(3), undue financial hardship. Although there was evidence of the extraordinary costs involved in moving structures, there was insufficient evidence upon which to find “undue financial hardship” for an entity like the County.

The Applicants presented a thorough review of the evidence. The County's goal is to reduce street level flooding to less than three feet deep on average on Main Street and reduce flood velocities to five feet per second or less. The County's witnesses explained that this is the threshold needed for public safety and to implement nonstructural flood proofing techniques for the remaining buildings on Main Street, and further stated that the USACE agreed that these goals were most ideal for reducing flood danger.

The Applicants noted that the "2016 Ellicott City Hydrology/Hydraulic Study and Concept Mitigation Analysis" by McCormick Taylor (June 16, 2017) identified 17 flood mitigation project alternatives based on extensive analysis. After an initial plan was developed involving the demolition of 10 buildings on lower Main Street, (HPC 18-46), additional study was conducted, and more than 60 alternatives were considered. Application at 11; Applicant's Attachment A (revised) at 5. The USACE conducted a peer review of the County's process and selection of the preferred alternative, "Evaluation of Ellicott City Flood Risk Management Alternatives, Howard County, Maryland" (December 2019) ("Evaluation"), and found that the County was following a "sound process" and that the alternative selected "can significantly reduce flood risks to downtown Ellicott City." *Id.*⁷ The Applicants provided considerable additional evidence and testimony to support their claims. See, e.g., Applicants' Attachments L and M.

⁷ Although the Applicants and Protestants repeatedly referenced them, neither the McCormick Taylor Study nor the USACE *Evaluation* were formally introduced into the record by the parties. The McCormick Taylor Study was incorporated by reference in Staff Report Addendum 12 and Protestant Councilwoman Walsh noted that the USACE *Evaluation* was publicly available on the County's Safe and Sound website, as was the McCormick Taylor study. Given the standards of evidence in administrative hearings and the fact that both are government reports whose existence is beyond reasonable dispute, the Commission will take notice of the reports to the extent they were discussed during the hearings of this case. Both reports shall be included in the record of this case, with the caveat of the stated limitation.

Based on that evidence, which was largely uncontroverted, the Commission concludes that the proposed construction of the weir and culvert meet the criterion of 16.608(d)(1) in that the project constitutes a “major improvement program which will be of substantial benefit to the County.” The engineering evidence shows that the weir and culvert will reduce the depth and velocity of flash flood waters on Main Street during extreme storm events. This will significantly reduce the threat to property and life safety, which is a substantial benefit. The simulations depicted at pages 17-22 of Applicant’s Attachment A (revised) show the reduction in the height and velocity of water on Main Street that will result from implementation of the culvert and weir project. The Commission further concludes that it is not possible to construct the weir or culvert without removal of the four buildings.

The Commission also finds that retention of the structures proposed to be demolished would constitute a threat to public safety, satisfying the criterion of § 16.608(d)(2). The evidence shows that, because the structures are built over the river channel, they constrict the channel, limiting the amount of water that can flow through the channel. This is obvious, even to a layperson, when viewing the image of the structure at 8069 Main Street on page 40 of Applicants’ Attachment A (revised). When extreme storm events cause high flows, the water is forced out of the channel, into buildings and onto Main Street. Mr. Gibson, a witness to both floods, stated that because water could not get under buildings, it tore the walls off buildings. Mr. Gibson was concerned that a future flood event could result in a collapsed building that would cause a dam resulting in even more significant flooding.

In addition, water on Main Street is unable to flow back into the river channel because the buildings act as a barrier between Main Street and the channel. The consequence is that more water remains on Main Street, increasing the risk of washing away people, cars, or other buildings. The Commission agrees with Delegate Watson's testimony that the proposed project will reduce the likelihood of severe flooding and increase the safety of everyone visiting Ellicott City. Removing the four buildings will allow for an expansion of the channel and construction of the culvert, which will clearly enhance public safety by reducing the amount of water on the public way.

For similar reasons, the Commission finds that retention of the structures is not in the interest of a majority of the community under §16.608(d)(4). It is worth noting that, in addition to the Applicants, there were 14 other individuals who testified in support of the project, while there were only 5 against. This is highly persuasive, if not dispositive. More dispositive is the substantial testimony about the fear in the community that results in a lack of pedestrian use of Main Street, particularly when it rains.

The Guidelines record the rise and fall of the fortunes of Ellicott City over generations. They celebrate the city's phoenix-like return from a period of decline after World War Two to the present, when "Ellicott City's commercial area is a thriving mix of shops, restaurants, banks, offices, and apartments." Guidelines Chapter 2 at 9. At least it was until the floods. There is no thriving commercial area where people fear to come. A mercantile district cannot survive without patrons. Tavern owner Mr. Marriner testified that he is concerned that when there is rain in Ellicott City, jobs and lives are threatened.

The Commission concludes that it is in the interest of a majority of the community that Historic Ellicott City be a place where the public feels safe, where the mercantile

tradition can survive, and where people and the many historic structures are protected from future floods. The evidence shows that the proposed work will help achieve that.

Consequently, the Commission finds that the Applicant has thrice met the requirements of the County Code to justify the demolition of the four buildings as structures of unusual importance, subject to the conditions detailed herein.

Protestant's Arguments

Instead of contesting the voluminous evidence of the need to reduce the threat of top-down flash floods and the efficacy of the proposed work in doing so, Protestants primarily argue that the Application should be denied because the Applicants are required to demonstrate that they have considered *all* alternatives, which Protestants assert the Applicants have not done. There is no legal requirement that demands the Applicants demonstrate they have considered *all* alternatives. Indeed, such a requirement would be impossible to fulfill. The language apparently relied on by Protestants is contained in the Guidelines, a non-binding set of "recommendations" that guide Commission determinations.

The Guidelines do not dictate specific solutions that must always prevail, they are not regulations. Their purpose is to provide consistent ground rules for residents and the Historic District Commission, while allowing creativity and individual solutions.

Guidelines at 6. Although the Guidelines do not carry the authority of Code or the Commission's rules, the Commission generally defers to Guideline recommendations to the extent they are compatible with the Code and the Commission's Rules.

The only reference to consideration of alternatives in the Guidelines is a brief mention that reads, "the Commission will consider approving demolition only after all possible alternatives to preserve the structure are exhausted." Guidelines at 88. The

Guidelines do not make clear how one would exhaust an alternative. The Commission concludes that careful study may exhaust an alternative. The Commission further concludes that the Guidelines do not require consideration of “all” possible alternatives. Rather, the Guidelines clear intent is that there will be a careful consideration of a wide-range of reasonable, or possible, alternatives.

This has happened here where more than 60 alternatives were studied, numerous models were run, and a national independent expert reviewed the work. The simulations depicted at pages 17-22 of Applicant’s Attachment A (revised) demonstrate a sampling of the various alternatives that were carefully studied by the County. Although Protestants focused on other parts of the County’s EC Safe and Sound Plan that are not at issue here, it is clear that, as Mr. Peters testified, flood mitigation needs to start from the bottom up.

One Protestant argued that the USACE report identified two alternatives, in addition to the 60 alternatives presented by the County, and implied that those two alternatives had not been considered. The Protestant did not clearly describe the alternatives, but in any event, Mr. Hollenbeck testified that the two alternatives were considered. Based on testimony, one of the alternatives appears to involve increasing channel capacity by removing sediment or excavating the bedrock floor of the channel. Among other problems with this approach, Mr. Hollenbeck noted that there was very little sediment in the channel and the elevation in the area is very flat, mitigating the potential for evacuation of water by deepening the channel. The other alternative apparently involved the construction of a 60-foot high dam that, according to Mr. Hollenbeck’s uncontroverted testimony, would have permanently closed New Cut Road. The Commission will not second guess the County’s apparently reasonable determination as to

the viability of these proposals. It is sufficient that the County adequately considered them and dozens of other alternatives in a thoughtful and technically proficient manner.

Protestants offered no real alternatives to addressing flash floods on Main Street that have not been considered by Applicants.⁸ They only generally request more time for further study, more information, and more modeling, complaining that modeling numerous alternatives under both the 100-year storm and 2016-storm scenarios is not sufficient. But Protestants failed to offer any other technical analysis or concrete alternatives. Protestants also demanded an independent third-party peer review, but that was addressed by the USACE *Evaluation*.

As the testimony in this case demonstrates, time is up. Something must be done, or the vitality of the Historic District may suffer a blow from which it cannot recover. Since 2016, there has been more than four years of technical studies and public meetings across two County administrations. The Applicants have met any requirement to carefully consider a range of possible alternatives.

Another of the Protestants' concerns was that the demolition could be approved and occur prior to necessary approvals for the construction of the weir and culvert from other entities, which might never be obtained. This is a valid concern and has been addressed by making the approval granted herein contingent on the issuance of other necessary

⁸ One Protestant argued that the arch in the bridge crossing the Patapsco River inhibited flow from Main Street. Any proposed alternative based on this bridge ignores two factors. The first is that the engineering analysis shows the high water on Main Street is due in large part to the Subject Properties constricting the flow in the natural channel causing the Tiber to overflow its banks onto Main Street *above* 8081 Main Street. The technical studies show that the high-water level drops *before* the flood waters reach the Patapsco, where the topography flattens out at Maryland Avenue. Thus, allowing for increased flow at some point beyond the edge of the Patapsco will not significantly address the high water on Main Street. In addition, the Patapsco River bridge is not in Howard County and is not controlled by the Applicants, rendering the possibility of this alternative questionable.

approvals, including State and federal government approvals, and approval by CSX, the current owner of the Train Station under which the culvert must travel.

It is doubtful whether the Commission waiting for other processes to finish, such as the federal Section 106 process,⁹ is appropriate given the Commission's statutory role in guiding development in the District. Abdication of important decisions about the future of the District to federal authorities is less likely to address local concerns and the value of the District than the Commission's well established and understood public process. The 106 process is concerned largely with mitigation, a role that is not exclusively carved out for the Commission. It is right and proper that the Commission decide whether the structures will be removed, not the USACE as part of a water permitting decision. The Commission looks to the 106 process to inform and address the mitigation that should occur relative to the loss of the structures and the Commission incorporates in this decision the Commission's November 23, 2020 comments to the USACE in the 106 process, which are attached hereto. It seems clear that some historical interpretation will occur in the future and the Commission, to the extent it is authorized to do so, looks forward to participating in the process of working on that and other possible mitigation.

Finally, the Protestants made somewhat general arguments about the preservation of the structures or parts of the structures. One Protestant complained that the County has not investigated salvaging certain parts of the structure at 8049 Main Street, but that appears to ignore the Applicants' Salvage Report, Attachment C, or the extensive salvage discussions held in the Advisory Comments cases antecedent to this case, which were incorporated into the record by reference. Only two of the structures merit any

⁹ Pursuant to the National Historic Preservation Act, 16 U.S.C. § 470 and the Clean Water Act 33 U.S.C. 1344, the USACE must comply with Section 106 before issuance a permit for construction in the Tiber River.

consideration for relocation, 8049 Main Street and 8059 Main Street, both of which the Commission determined to be structures of unusual importance. However, the importance of those structures relies on their location and context. Architecturally speaking, they are not significant outside of the building elements that are being preserved, including the façade of Easton and Sons and the iron balustrade from the Phoenix, among other elements. The historic integrity and value of the buildings is largely lost without their context on Main Street. Simply placing the buildings elsewhere diminishes their historic integrity and presents the added difficulty of altering the appearance of the new location.

The Commission carefully reviewed the Applicants' salvage plan and requested the County Architectural Historian to provide information on additional materials worthy of salvage. The Historian's Response, which is incorporated into this decision and attached hereto, identified joists, flooring, trusses, fireplace lintels, and historic roofing, among other items. As a condition to the approvals granted in this Decision and Order, the Commission requires salvage and preservation of the materials identified in the Response, as well as the materials identified by the Applicants, and a written update as to the final disposition of those materials within 12 months of the date of this Decision.

The loss of the Subject Properties hurts any who care about the historic and architectural value of the District, including the Commission. But as Ms. Kubofcik, who well represents the interests of the community, testified, for Ellicott City to survive and flourish, the application must be approved. Another witness similarly testified that a few historic buildings must be removed to save the many historic structures that constitute the District. The Applicants have met their burden to show that this is the case. The

preservation of the District warrants its alteration in the manner proposed. For the sake of the future of the District, some of its past must be let go.

Post-Demolition Appearance of the Subject Properties

Protestants were understandably concerned about the long-term appearance of the area after the demolition and the construction of the culvert and weir are complete. In response to these concerns, the Applicants withdrew their request for approval of the proposed paving and black metal railing and bollards. The Applicants repeatedly acknowledged that they would return to the Commission with proposals for the streetscape. As with the Applicants' proposals to date, the Commission expects that Advisory Comments hearings will occur to allow for public and Commission input into the final streetscape design. For now, the daylighting of the existing channel and the construction of the stone-faced weir and culvert in the manner proposed, which mimics the existing natural channel, is in accord with Guideline recommendations.

The Applicants presented a detailed proposal about the appearance of the weir and new areas of river channel walls that will be constructed. The Applicants propose to use stone salvaged from the walls and buildings to face the channel walls, which is historically appropriate and will give the appearance of the original walls. Attachment A (revised) at 32, Attachment B, and Attachment Q provide imagery of this proposed work. An open natural channel is found in other places in the District, is compatible with the surrounding area, and is historically appropriate. The channel will be expanded beyond its existing path but it will not be a large increase and the new construction will appear as similar as possible to the existing by the use of salvaged materials, including all of the stone from any deconstructed walls or buildings. To the extent enough salvaged stone is not available, a

similar looking stone, previously approved by the Commission for other stream walls in the District, will be used.

Based on the appearance of the area after the removal, which largely consists of the open river channel, the Commission has concluded that the removal of the Tiber River Park bridge and trees would not impair the historic or architectural value of the surrounding area. However, the existing Park does provide a useful example of the type of setting and appearance compatible with the area, particularly as depicted on page 73 of the Staff Report Addendum, and the existing Park should inform future applications for the streetscape. The Tiber River is surrounded by trees that provide shade and stability. The appearance and atmosphere of a natural riverine environment is more compatible with the Historic District than an open concrete channel simply meant to convey water.

As to the final streetscape design, all must not be decided now. The Applicants have received the Commission's advisory comments as to the proposed paving, railing, and bollards that the Applicants withdrew, as detailed in the Findings of Fact, part F.10. The area of Main Street and Maryland Avenue, including the Train Station, have been and will continue to be at the heart of the District and the community. A well planned and informed proposal for the public use of the area is required and worth waiting for. Any future streetscape design must be approved by the Commission.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work complies with the County Code, Guidelines, and standards applicable to the Ellicott City Historic District.

ORDER AND CERTIFICATE OF APPROVAL

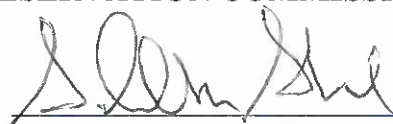
Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 6th day of May, 2021, **ORDERED**, that the Applicant's request for a Certificate of Approval to demolish the structures at 8049, 8055, 8059, 8061, and 8069 Main Street, is **APPROVED as amended and conditioned herein**, and further, that the request for a Certificate of Approval for the construction of the culvert and weir is also **APPROVED as amended and conditioned herein**, and further, that **each Approval is CONTINGENT on the Applicants complying with the following:**

1. The Approvals granted here are not effective unless and until all necessary approvals have been received from the government, CSX, and any other party with a required approval, and until necessary funding has been appropriated to build the culvert.
2. The Approvals are contingent on the County taking all reasonable actions and precautions to ensure that no part of the historic B&O Railroad Train Station complex is damaged in the course of construction of the culvert.
3. The Approvals are contingent on salvage and preservation of all items in the Applicants' Attachment C and the County Architectural Historian's Response dated March 2, 2021, and, within 12 months of the date of this Decision, a written update is provided by the Applicants to the Commission on the final disposition of the items.
4. The Approvals are contingent on the Applicants' making a further written submission on the final appearance of the channel walls, weir wall, river base and culvert headwall and that Applicants use an architectural surface treatment of

natural stone matching the existing stone walls as shown on slide 32 (Attachment A revised) with the stone covering the face and top of the concrete walls.

- 5. The Approvals are contingent on the Applicants providing the Commission with any additional development drawings and 100% completion drawings.

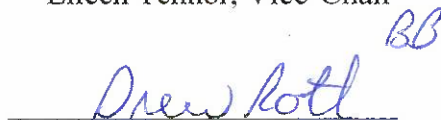
HOWARD COUNTY HISTORIC PRESERVATION COMMISSION



Allan Shad, Chair



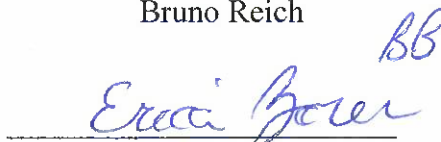
Eileen Tennor, Vice-Chair



Drew Roth



Bruno Reich



Erica Zoren

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW



Lewis Taylor
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.



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

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March 2, 2021

Per the Commissions request to Staff, the County's architectural historian has provided the following list of potential salvageable materials from the buildings in the HPC-20-83 application that have not been identified in Attachment C- Historic Preservation and Mitigation Documentation Identification of Salvageable Material. These items could be considered additional historic resources that could be repurposed within Ellicott City or donated to a salvage store.

Additional Potential Salvage Items

The Phoenix- 8049 Main St

Standing seam metal on front of gable of brick section
 Bricks of side and rear elevations
 Floor joists
 Pressed metal ceiling on first story
 Four historic wood windows on second story
 Stone ashlar at grade below east porch
 Iron fireplace lintel – probably reused strap rail from the B & O
 Flooring – now covered by plywood in attic and plywood and later flooring on second story
 Sidelight and panel

Easton & Sons- 8059 Main St

Steel sash in rear half, second & third stories, transom on first story
 Trusses over river
 Potential Stair stringer

Great Panes- 8069 Main St

Brick front and chimneys
 Joists and rafters
 Flooring



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott City Historic District ■ LAWYERS HILL HISTORIC DISTRICT

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November 23, 2002

Mr. Donald R. Bole
Regulatory Branch, Baltimore District
U.S. Army Corps of Engineers
2 Hopkins Plaza
Baltimore, MD 21201
Sent via email to: Donald.R.Bole@usace.army.mil

Re: **NAB-2019-61647 (Howard Co/Ellicott City Flood Mitigation)**
MDE Tracking No. 201961647
Section 106 Review

Dear Mr. Bole,

The Howard County Historic Preservation Commission (“Commission”) appreciates the opportunity to participate as a consulting party and comment on the adverse effects from the proposed Ellicott City Safe and Sound Flood Mitigation Project(s) on buildings, viewsheds, and other historic resources in the Ellicott City Historic District, which is a National Historic District in addition to its status as a local Historic District established by the Howard County Code. The Howard County Code directs that the Commission “provide advice and counsel” on historic sites, including consulting with the Maryland Historic Trust, and providing early guidance on the design of work that may alter historic sites both within and outside of the County’s two local historic districts.

The Commission understands the importance of the proposed flood mitigation projects, including the objective to protect historic resources from flood damage. However, demolition of historic structures and resources that contribute to the character of the Ellicott City Historic District should not be undertaken lightly and all possibilities for retaining historic resources should be carefully considered. The Commission notes that the November 9, 2020 public meeting on mitigation did not include details of all the proposed work, such as the final decision on specific location and the magnitude of impacts. The Commission expects that the comments and proposed mitigation addressed here will be an initial step in a longer process that continues as final decisions are made. The Commission hopes that its comments are given thorough consideration so that Ellicott City will remain a memorable and special place that contributes to the cultural, architectural, and historic value of Howard County.

The Commission makes the following general comments regarding the adverse effects.

1. Treat stream channels end to end as a resource under the 106 process. If stream channels are not acknowledged as a resource, there is no need to document negative impacts and to mitigate them. The stream channel is a character-defining element, and this character could be lost if streams are rechannelized during culvert construction. This is a particular risk in the West End.
2. Treat the Historic National Road right-of-way as a resource, for the same reasons that the stream channels should be treated as a resource. Preserve in situ, character-defining elements of the Historic National Road include the winding, terrain-following course of the roadway itself, and the mileposts, mile houses, inns and taverns, and stone arch bridges. Mile markers, in particular, should be preserved in situ. Mitigation opportunities can be found in Appendix Two of the 2015 Maryland Historic National Road Corridor Partnership Plan Update, https://www.roads.maryland.gov/OED/MHNR_guidelines.pdf
3. On lower Main Street and Maryland Ave., the recommended mitigations below assume there is adequate, properly documented justification for demolishing buildings on lower Main Street. The Ellicott City Historic District Design Guidelines (Chapter 12) provide that, “the Commission will consider approving demolition only after all possible alternatives to preserve the structure are exhausted.” To date, the Commission has not received detailed information on these alternatives, which include:
 - a. Creation and preservation of pervious surface and “woods in good condition” in the watershed to reduce the severity of flooding.
 - b. The “no build” option for the Maryland Avenue Culvert. The Commission has not received information on the incremental flood mitigation value of the culvert when the other proposed mitigation projects have been completed.
4. In areas where buildings are removed, land use restrictions, such as open space easements, should be established to prevent inappropriate future redevelopment.

Recommended mitigation based on the project as proposed on November 9, 2020.

- a. Explicitly acknowledge that the B&O Turntable Base is an integral part of the B&O Train Station resource, as it is important to preserve the integrity of this resource as a whole.
- b. Relocate and/or preserve elements of the buildings to be removed from Lower Main Street (8049, 8055, 8059, and 8061 Main Street) . Important examples include the facade for Easton & Sons (8059), the Federal style building that constitutes the rear of the Phoenix (8049), and the granite side walls of Great Panes (8061). Preservation in place of building elements is greatly preferred to relocating elements from their original context.

- c. In the West End, move Earlougher's Tavern (8777 Frederick Road) to a nearby location in the same area. Preserve the relationship between the structure and the historic National Road at the new site to the extent practical.
- d. Utilize placemaking exhibits or signage to describe any buildings lost due to the projects, including describing the expansive history of the site, beyond a description of the site and buildings as they exist now. What did the site look like in 1970? In 1920? In 1870? In 1820? In 1770?
- e. Design the new Main Street Terraced Floodplain holistically with the surrounding area, not piecemeal. For example, do not just do the terraces and culvert facing now, and worry about the rest later.
- f. Design, review, approve, fund, and schedule the full new Main Street Terraced Floodplain project prior to any new culvert construction or demolition of existing buildings. Do not create a situation where buildings are demolished, and the culvert is constructed, but the Tiber channel is an incomplete, unfinished eyesore for an indeterminate period.
- g. Consider the opportunity presented by the Terraced Floodplain to create new sight lines and vistas highlighting the B&O train station, and the buildings on the south side of Tiber Alley.
- h. Highlight the stream channel in the vicinity of the Terraced Floodplain. Preserve existing foundations in place to reflect the industrial history of this section of the Tiber as the site of mills.
- i. Reconsider the sequencing of projects within the full scope of the floodwater mitigation plan. Instead of the stated approach of implementing mitigations from the downstream area to upstream, start with the upstream mitigations which have the most impact.

The Commission looks forward to working with the County, the Corps, MHT, and other stakeholders to preserve and protect historic resources to the extent possible, and to mitigate unavoidable adverse effects. Please contact Commission Staff Samantha Holmes, sholmes@howardcountymd.gov, and Commission Representative Drew Roth, mrdrew@gmail.com, in any correspondence related to this matter.

Thank you for the opportunity to comment.

_____/s/_____

Allan Shad

Chair, Howard County Historic Preservation Commission

8085 Main Street - Portalli's
2016 Flood Damage



8085 Main Street
Portalli's
December 2016



8085 Main Street
Portalli's
2018 Flood Damage



8085 Main Street - Portalli's
2019 view of interior



8095 Main Street
Shoemaker/Rosenstock
2016 Flood Damage



Staff Report HPC-21-38
Addendum 14

Page 166

8109-8113 Main Street
Johnson's Building
2016 Flood Damage



8109-8113 Main Street
Johnson's Building
2016 Flood Damage



8109-8113 Main Street
Johnson's Building
October 2016, post-flood



8109-8113 Main Street
Johnson's Building
March 2017
First floor over stream,
looking toward Main
Street



8109-8113 Main Street
Johnson's Building
March 2017
First floor over stream,
looking toward rear of
building.



8109-8113 Main Street
Johnson's Building
2018 Flood Damage



8109-8113 Main Street
Johnson's Building
2018 Flood Damage



8109-8113 Main Street
Johnson's Building
March 2019



Staff Report HPC-21-38 Addendum 15

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8109-8111, 8113 Main Street; 2021 Draft Inventory Updates

The inventory form for this property is still being created. The following information was provided by the County Architectural Historian, to be part of the Inventory record. The information provided is a preliminary draft and is subject to change pending further research and investigation of the structure.

Significance

The frame buildings at 8109 and 8113 Main Street (HO-359) are on lots 129 and 128, respectively, of the Ellicott family holdings that were partitioned in 1840. The 1840 deed for 8113 notes a frame house on the lot and the plat of the Ellicott's properties is shaded to indicate a building on this lot. The previous deed, from 1830 when this lot was part of a larger tract of land, notes a frame stable on the northwest end of the lot and a log stable at the northeast end, but does not mention a frame house. While this is not conclusive proof, it suggests strongly that the frame house was built in the 1830s by George Ellicott as a rental property. It was transferred to his heir, Elizabeth Lea of Montgomery County and would have remained a tenant property. At this time there is no information on how it may have been used, or by whom. It was acquired by Anthony Laumann in 1860 and remained in the family until 1952. The 1840 plat is not shaded on lot 129, suggesting that the building at 8109 did not exist. There is no mention of a building in the 1840 deed. In 1858 Elizabeth Tyson sold the lot to Dennis Mulligan for \$295 and two years later Mulligan sold it for \$600, suggesting that the frame structure was added by Mulligan at that time. Unfortunately, the 1860 map of Ellicott City is not quite clear enough to confirm that both the buildings are standing at that time. However, the 1887 Sanborn Fire Insurance maps show that by that date both buildings had one-story additions that stretched over the Tiber. At that time 8109 housed a grocers and 8113 a barber shop.

HO-586

Katydid

Architectural Survey File

This is the architectural survey file for this MIHP record. The survey file is organized reverse-chronological (that is, with the latest material on top). It contains all MIHP inventory forms, National Register nomination forms, determinations of eligibility (DOE) forms, and accompanying documentation such as photographs and maps.

Users should be aware that additional undigitized material about this property may be found in on-site architectural reports, copies of HABS/HAER or other documentation, drawings, and the “vertical files” at the MHT Library in Crownsville. The vertical files may include newspaper clippings, field notes, draft versions of forms and architectural reports, photographs, maps, and drawings. Researchers who need a thorough understanding of this property should plan to visit the MHT Library as part of their research project; look at the MHT web site (mht.maryland.gov) for details about how to make an appointment.

All material is property of the Maryland Historical Trust.

Last Updated: 02-07-2013

REVIEW SHEET

Historic Preservation Certification Application—Rehabilitation

Property: 8109-11, 8113 MAIN STREET, ELICOTT CITY, MD. Project No.: _____

Certified Historic Structure? yes no

Type of Request: Proposed rehabilitation Final certification (Part 2 previously reviewed)

Final certification (Part 2 not previously reviewed)

5-1-89 date initial application received by State _____ date(s) additional information requested by State

5-1-89 date complete information received by State _____

_____ date of this transmittal to NPS _____

Inspection of property by _____ of State staff. Date(s): _____

NUMBER
1

There is adequate documentation enclosed to evaluate the overall rehabilitation project.

There is insufficient documentation to evaluate the project adequately. The application is missing the following items:

Reasonable efforts have been made to obtain this documentation. Copies of documentation requests are enclosed.

NUMBER
2

This project involves:

an individually designated NHL

substantial demolition

new addition(s)

substantial interior alterations

problematic window treatments

precedent-setting issues _____

other major work items (specify) _____

NUMBER
3

Official State Recommendation

The project has been reviewed according to established NPS procedures by MICHAEL DAY, a professionally qualified architect, architectural historian, or historian on my staff and appears:

to meet the Standards.

to meet the Standards but with concerns/reservations listed on reverse.

to meet the Standards *only* if the specific conditions listed on reverse are met.

not to meet Standards 1 2 3 4 5 6 7 8 9 10 for the reasons listed on the reverse.

to warrant denial for lack of information.

This application is being forwarded without recommendation.

For completed work previously reviewed, also check as appropriate:

completed rehabilitation conforms to work previously approved

completed rehabilitation differs substantively from work previously approved (describe divergences from Part 2 application on reverse).

NUMBER
4

In the space below, describe the project and justify your recommendation. Include a description of the inspection of the property and any negotiations between the State and the applicant. Where approval with conditions is recommended, list the conditions. Distinguish between conditions that must be met to bring the project into conformance with the Standards and recommended changes that would improve the project but are not required for approval. Where denial is recommended, fully explain the reasons why the project does not meet the Standards for Rehabilitation. Continue on separate page if necessary.

HO-586

Summary and Evaluation of Project: THIS PROJECT CONSISTED OF THE REHABILITATION OF TWO EARLY TO MID-NINETEENTH CENTURY BUILDINGS. MAJOR WORK INCLUDED THE GUTTING OF THE INTERIORS OF BOTH BUILDINGS, THE DISMANTLING OF THE STOREFRONT ON ONE BUILDING AND THE REMOVAL OF THE FIRST FLOOR FACADE OF THE OTHER, THE CONSTRUCTION OF INAPPROPRIATE REPLACEMENT STOREFRONTS, THE REPLACEMENT OF ALL WINDOWS WITHOUT SPECIFIC DOCUMENTATION REGARDING THE CONDITION OF THE EXISTING WINDOWS, THE REPLACEMENT OF WOOD SIDING WITH WHAT APPEARS TO BE CEDAR SIDING, AND THE EXPOSURE OF INTERIOR STRUCTURAL COMPONENTS ON THE FIRST FLOOR.

NPS Comments:

Page 177

Concerns/Reservations/Recommendations:

Conditions for Approval:

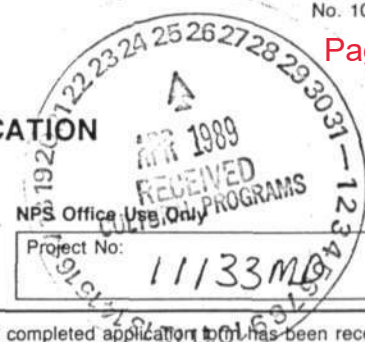
Reasons for Denial: SEE ABOVE DESCRIPTION OF PROJECT.

See attachments: _____
Items sent separately: _____ plans _____ specifications _____ photographs _____ others:
Other documentation on file in State: _____

6-23-89 _____
Date State Official Signature Date NPS Reviewer

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

HISTORIC PRESERVATION CERTIFICATION APPLICATION
PART 1 — EVALUATION OF SIGNIFICANCE



NPS Office Use Only

NRIS No:

HO-586

Project No:

11133MO

Instructions: Read the instructions carefully before completing application. No certification will be made unless a completed application has been received. Type or print clearly in black ink. If additional space is needed, use continuation sheets or attach blank sheets.

1. Name of property: TIBER CROSSING PARTNERSHIP

Address of property: Street 8109-11, 8113 Main Street

City ELLICOTT CITY County HOWARD State MARYLAND Zip 21043

Name of historic district: HOWARD COUNTY HISTORIC DISTRICT COMMISSION

National Register district certified state or local district potential historic district

2. Check nature of request:

- certification that the building contributes to the significance of the above-named historic district for the purpose of rehabilitation.
- certification that the structure or building and, where appropriate, the land area on which such a structure or building is located contributes to the significance of the above-named historic district for a charitable contribution for conservation purposes.
- certification that the building does not contribute to the significance of the above-named district.
- preliminary determination for individual listing in the National Register.
- preliminary determination that a building located within a potential historic district contributes to the significance of the district.
- preliminary determination that a building outside the period or area of significance contributes to the significance of the district.

3. Project contact:

Name CHARLES E. WEHLAND

Street 3677 PARK AVENUE City ELLICOTT CITY

State MARYLAND Zip 21043 Daytime Telephone Number 301-465-8755

4. Owner:

I hereby attest that the information I have provided is, to the best of my knowledge, correct, and that I own the property described above. I understand that falsification of factual representations in this application is subject to criminal sanctions of up to \$10,000 in fines or imprisonment for up to five years pursuant to 18 U.S.C. 1001.

Name CHARLES E. WEHLAND
WALTER L. JOHNSON

Signature *Walter L. Johnson* Date 4-19-89

Organization TIBER CROSSING PARTNERSHIP

Social Security or Taxpayer Identification Number [REDACTED]

Street 3677 PARK AVENUE City ELLICOTT CITY

State MARYLAND Zip 21043 Daytime Telephone Number 301-465-8755

NPS Office Use Only

The National Park Service has reviewed the "Historic Preservation Certification Application — Part 1" for the above-named property and hereby determines that the property:

- contributes to the significance of the above-named district and is a "certified historic structure" for the purpose of rehabilitation.
- contributes to the significance of the above-named district and is a "certified historic structure" for a charitable contribution for conservation purposes in accordance with the Tax Treatment Extension Act of 1980.
- does not contribute to the significance of the above-named district.

Preliminary Determinations:

- appears to meet the National Register Criteria for Evaluation and will likely be listed in the National Register of Historic Places if nominated by the State Historic Preservation Officer according to the procedures set forth in 36 CFR Part 60.
- does not appear to meet the National Register Criteria for Evaluation and will likely not be listed in the National Register.
- appears to contribute to the significance of a potential historic district, which will likely be listed in the National Register of Historic Places if nominated by the State Historic Preservation Officer.
- appears to contribute to the significance of a registered historic district but is outside the period or area of significance as documented in the National Register nomination or district documentation on file with the NPS.
- does not appear to qualify as a certified historic structure.

Date

National Park Service Authorized Signature

National Park Service Office/Telephone No:

See Attachments

HISTORIC PRESERVATION
CERTIFICATION APPLICATION—
PART 1

NPS Office Use Only

HO-586

TIBER CROSSING PARTNERSHIP

Property Name

8109-11 8113 Main Street
Ellicott City, MD 21043

Property Address

Project Number:

Page 179

5. **Description of physical appearance:** Complete plans, original and renovation are attached. The buildings consisted of two buildings with a common center wall. The buildings were originally sided with German style siding on the building at 8109-11 Main Street and with lap board on building at 8113 Main Street. The buildings were originally constructed across the Tiber River by means of construction of a truss system made of hand hewn beams. Local land records will establish the buildings herein existed at least as early as 1860. However, the use of hand hewn beam truss system for members contained in these buildings has not been practiced since approximately 1800, for this reason the date of construction has been set at approximately 1800. Both buildings withstood floods and fires; substantial neglect and make shift renovation in the late 1930's or early 1940's, with the result that poor quality plate glass bow windows had been put in the front and doors had been relocated. Location of original doors and windows could be determined once the plate glass additions were removed. The original locations could be established by reference to the original granite thresholds which were found in the course of renovations. These thresholds and some original window framing were exposed when the protruding glass and aluminum siding windows were removed and showed the location and size of the original windows on the first floor level. The second and third floor windows were intact but in unsalvagable condition. They were, Date of Construction: 1800 Source of Date: Hand hewn members of the truss system have not
Date(s) of Alteration(s): 1930-40 been used subsequent to 1800. Land Records establish the existence of the buildings at least as early as 1860
Has building been moved? yes no. If so, when? the fact that they were not new at that date.

6. **Statement of significance:** The property was acquired by John Holtman on April 15, 1878, from Helena Wallenhorst, et al, and was known as Holtman Grocery Store. The Holtmans had a daughter who married a man from Baltimore City. They in turn also had a daughter. For reasons unknown, their daughter was adopted by Thomas E. Brian and Elizabeth A. Brian and the daughter took the name of Isabel B. Brian. The Brians acquired the aforementioned property on March 6, 1920. Isabel later married Elmer Cavey, who was the head cashier at Patapsco National Bank. Thomas E. Brian survived Elizabeth A. Brian and upon his death, Isabel B. Cavey, a widow, inherited the property on March 30, 1945 as the Brians' adopted child and only heir at law. Isabel sold the property to Samuel H. Caplan on November 30, 1951. Mr. Caplan sold the property to Charles E. Wehland and Jane B. Wehland, his wife, and Walter L. Johnson and Jennifer D. Johnson, his wife, on December 30, 1986. The property known as 8113 Main Street was acquired by Anthony Laumann from John Collier in 1860 and it was known as Laumann's barber shop. Catherine Laumann acquired the property as the widow of Anthony Laumann. During the early 1900's the property was known as Wosch's Barber Shop. Mr. Wosch became the police chief of Ellicott City. The property was conveyed by Catherine Laumann on February 5, 1912, to Minnie Laumann who conveyed the property to Albert Eugene Markley and Hannah Laumann Markley, his wife, on October 16, 1946. They in turn conveyed the property to Joseph G. Miller and Earnese A. Miller, his wife, on March 12, 1952. The Millers conveyed the property on July 10, 1958 to Yale Contractors, Incorporated, who on July 18, 1962 conveyed the property to Samuel H. Caplan. Samuel H. Caplan conveyed the property unto Charles E. Wehland and Jane Best Wehland, his wife, and Walter L. Johnson and Jennifer D. Johnson, his wife, t/a Tiber Crossing Partnership, on February 26, 1987. A map of the Howard County Historical District with the property identified in yellow is attached. Buildings are shown on the map. These buildings are almost in the exact center of the

7. **Photographs and maps.**

Attach photographs and maps to application.

Continuation sheets attached: yes no

CONTINUATION/AMENDMENT SHEET

TIBER CROSSING PARTNERSHIP

Historic Preservation
Certification Application

Property Name
8109-11 8113 Main Street
Ellicott City, MD 21043
Property Address

HO-586

Instructions. Read the instructions carefully before completing. Type, or print clearly in black ink. Use this sheet to continue sections of the Part 1 and Part 2 application, or to amend an application already submitted. Photocopy additional sheets as needed.

This sheet: continues Part 1 continues Part 2 amends Part 1 amends Part 2 NPS Project Number: _____

Continuation of Description of physical appearance:

therefore, replaced by new windows of the same size and arrangement of panes as the old one had. Shutters were repaired where they existed and new shutters of the same type were obtained and installed where the old shutters had been removed. Hardware for shutters existed on most windows but shutters for a number of windows did not exist.

Continuation of 6. Statement of significance:

Ellicott City Historic District. The buildings are located on the south side of Main Street at the point where Main Street makes a slight bend. As a result of the curve in Main Street, these buildings provide a focal point to any traffic moving either east or west on the Main Street. Various early pictures of the buildings exist, including those on Page 134 and 204 of "A Pictorial History - Howard County" by Joetta M. Cramm, copyright 1987, and photostatic copies are enclosed. Further, stucco and asbestos shingles covered the surface of the buildings and were removed to expose the original German siding and lap boards which were in good condition requiring only cleaning and painting in order to preserve the original exterior surface. When the false facade added to 8109-11 was removed, it revealed the original timbers and original roof. The roof of 8109-11 was restored to its original pitch and covered standing seam metal roofing painted to the same color found on the original metal. One of the truss systems on the interior of the building was exposed and presents an interesting arch amenity in the commercial space on the main floor of the building.

The reconstruction was designed to safeguard the heritage of Howard County by preserving the Ellicott City District and reflect elements of its cultural social economic, political and civic beauty; to strengthen the local economy; and to promote the use and preservation of the Ellicott City Historic District in Howard County for the education, welfare and pleasure of the residents of the County. Such reconstruction was completed in accordance with the intent and authority of Article 25A, Section 5(bb) (Historic and Landmark Zoning and Preservation) of the Annotated Code of Maryland, 1957, as amended.

The paint colors chosen restores the building to the color which the roof, siding and cornice work has been painted before the attachment of the false roof, stucco and asphalt shingles mentioned above.

These buildings because of their location, their unique construction and age, make
Name Walter L. Johnson Signature Charles E. Wehland Date 4/19/89
Street 3677 Park Avenue City Ellicott City
State Maryland Zip 21043 Daytime Telephone Number 301-465-8755

NPS Office Use Only

- The National Park Service has determined that these project amendments meet the Secretary of the Interior's "Standards for Rehabilitation."
- The National Park Service has determined that these project amendments do not meet the Secretary of the Interior's "Standards for Rehabilitation."

Date _____ National Park Service Authorized Signature _____ National Park Service Office/Telephone No. _____

See Attachments

TIBER CROSSING PARTNERSHIP

Historic Preservation

Property Name

8109-11 ~~8113~~ Main Street
Ellicott City, MD 21043

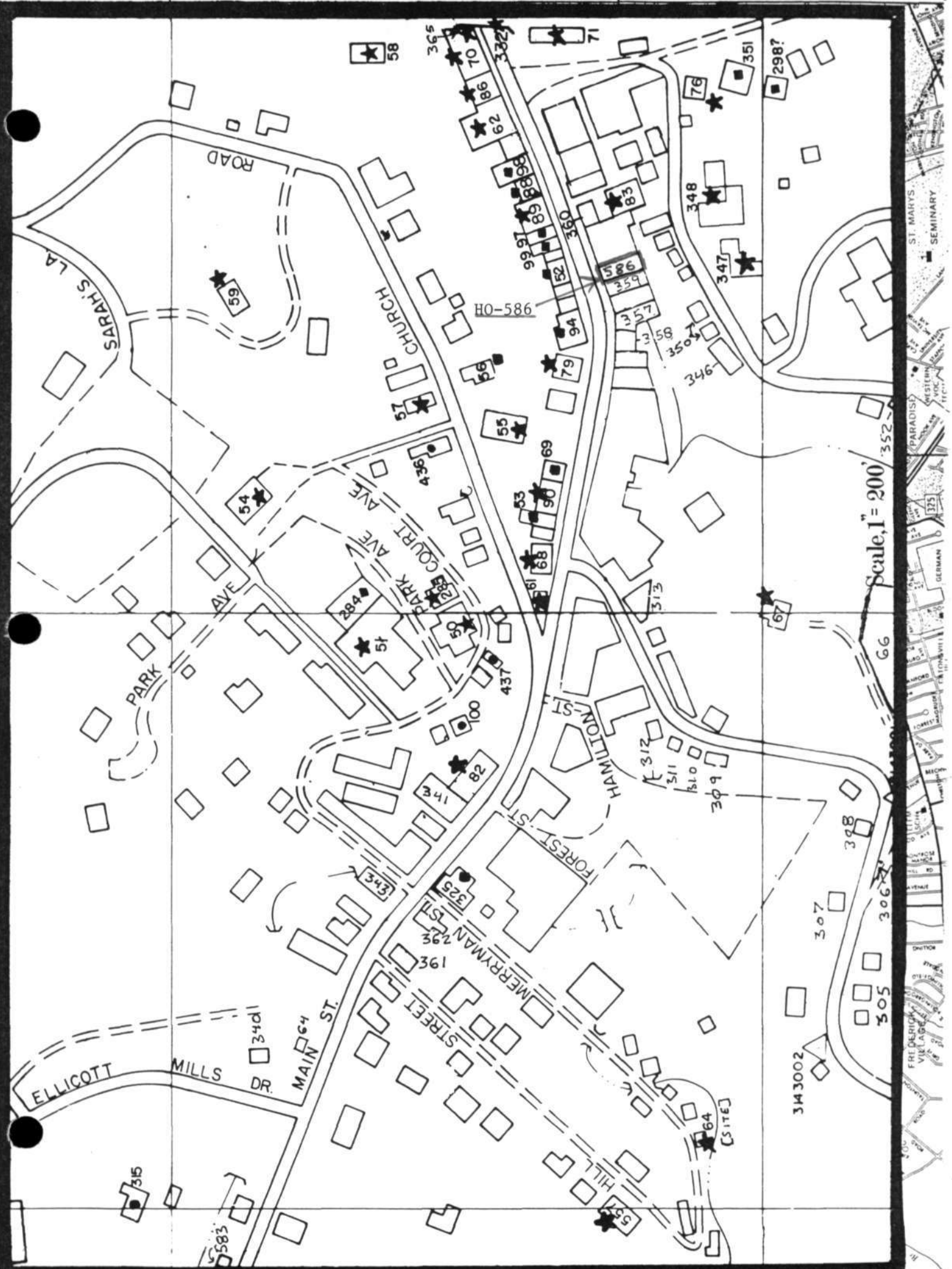
Certification Application

Property Address

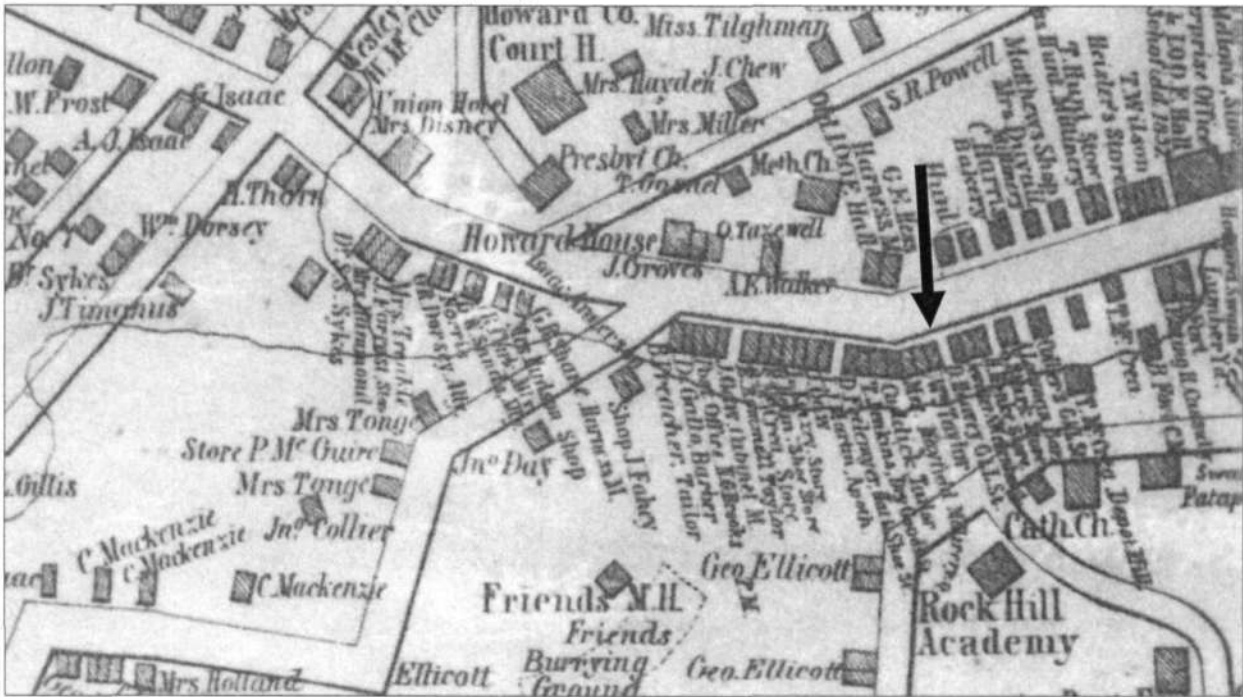
HO-586

them exceptionally significant as an element of the total restoration of the Ellicott City Historic District.

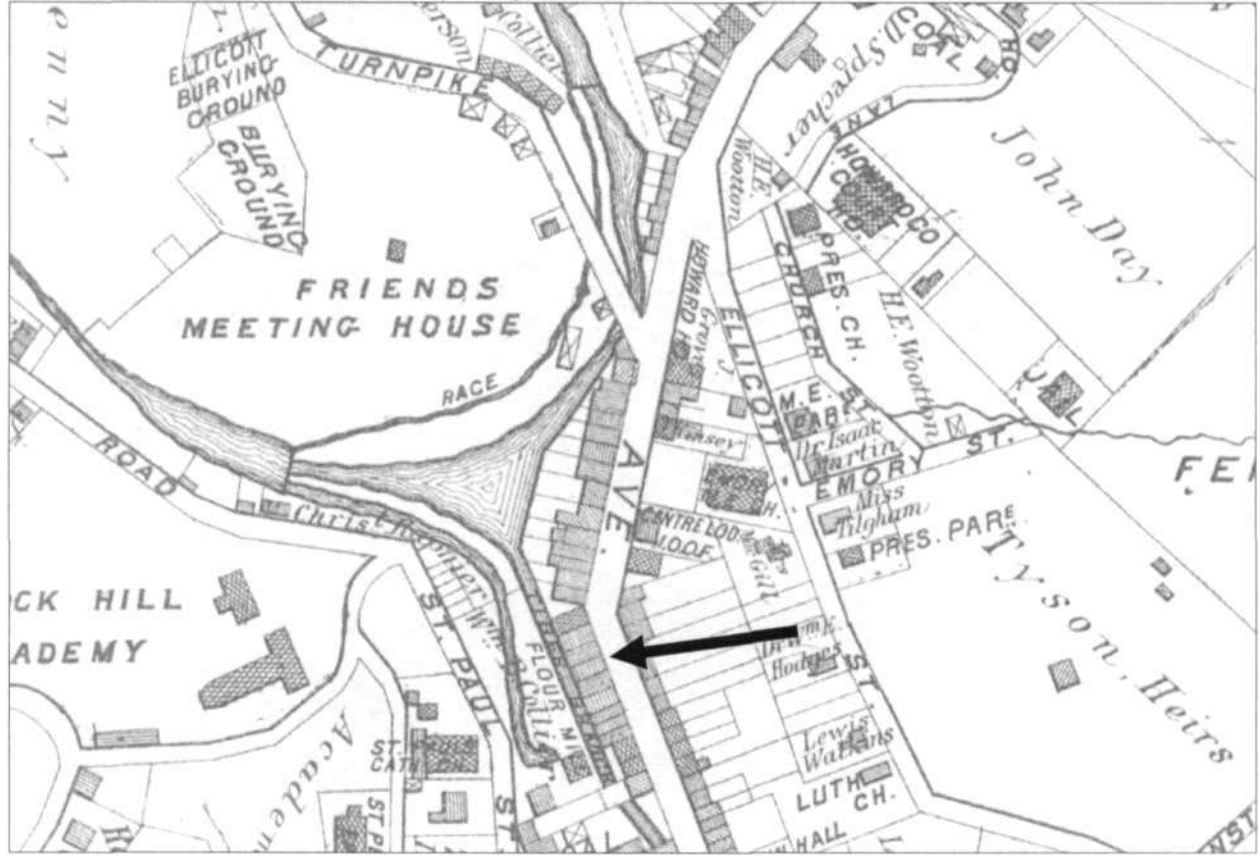
The Builders' "Evaluation of Work Completed" is attached.



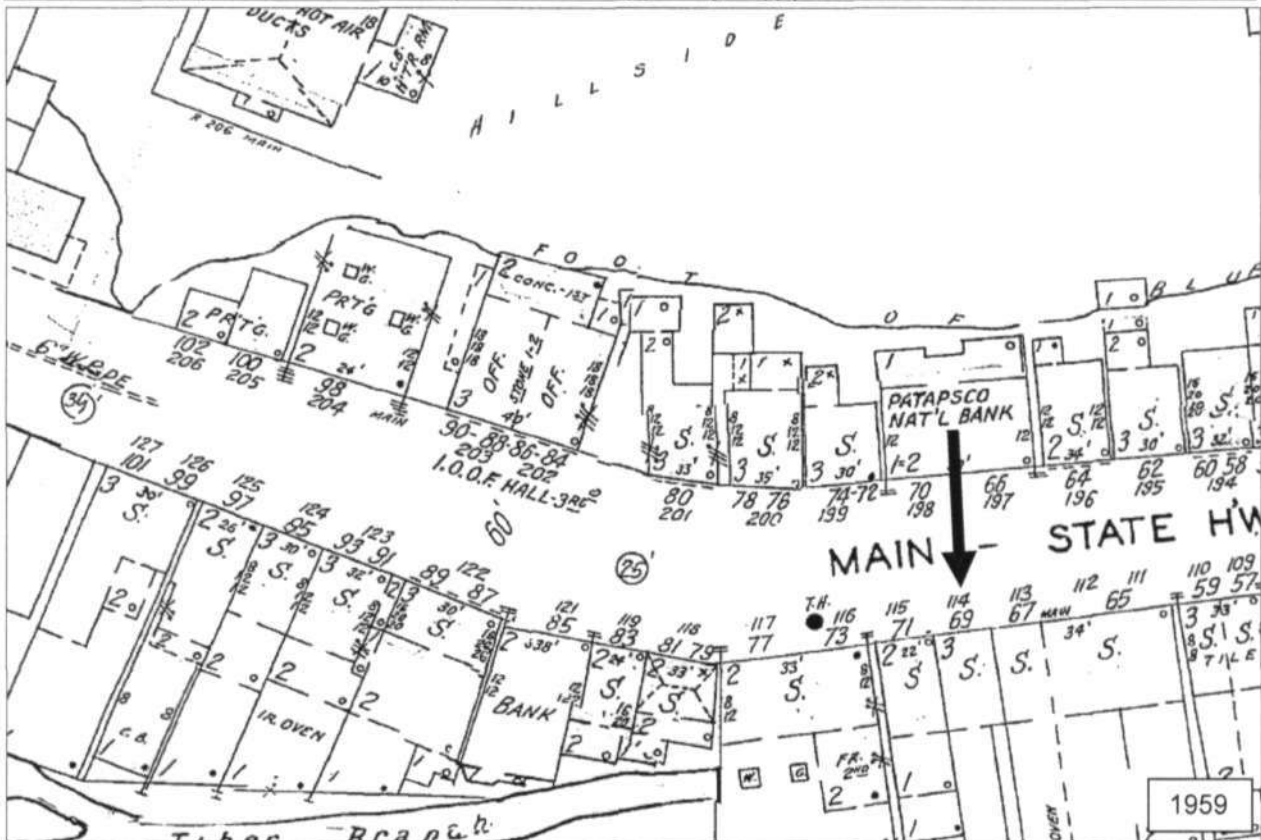
HO-586
Katydid
8109-8111 Main Street (MD 144)
Martenet's Map of Howard County Maryland, 1860



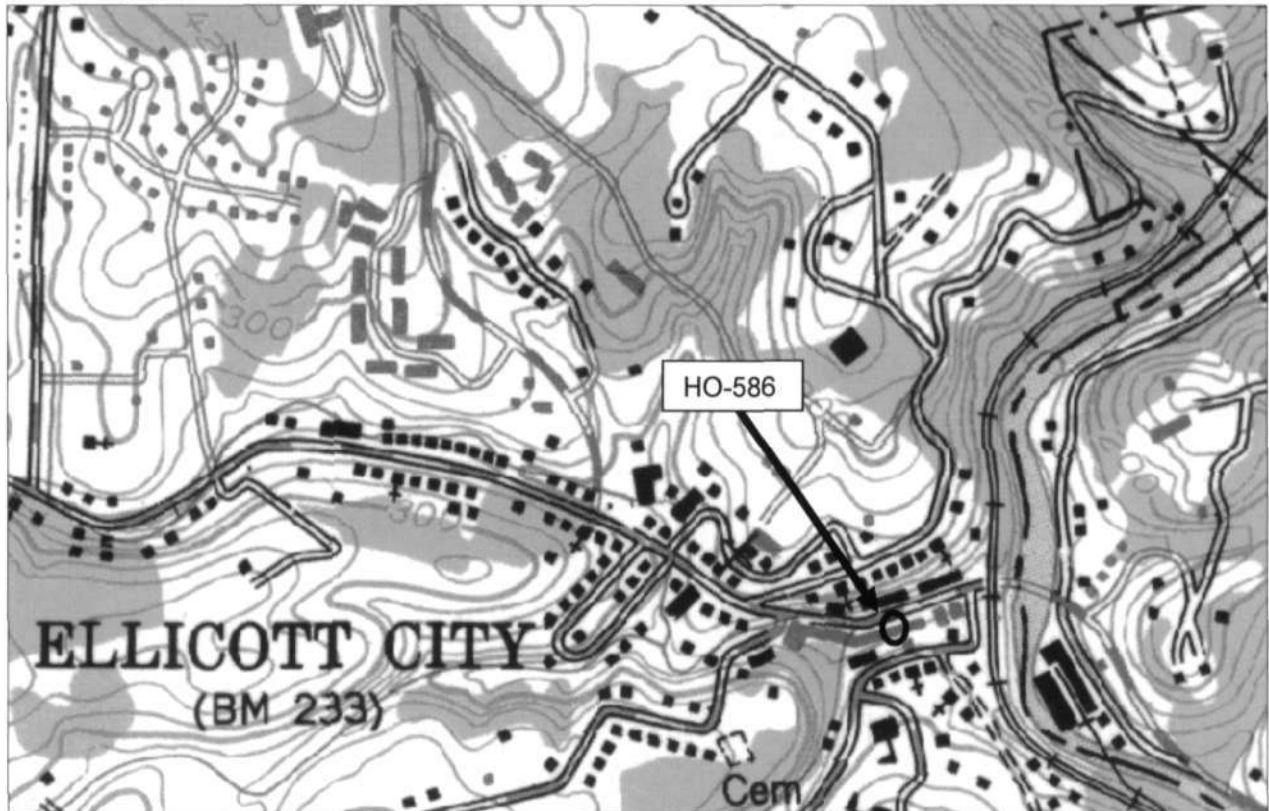
G.M. Hopkins Atlas of Howard County, Maryland, 1878



HO-586
Katydid
8109-8111 Main Street (MD 144)
Sanborn Maps

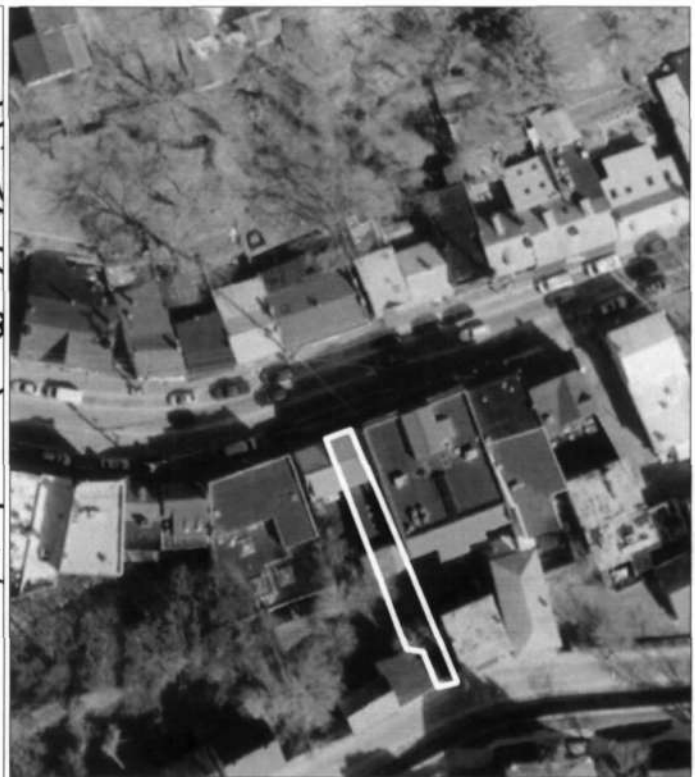
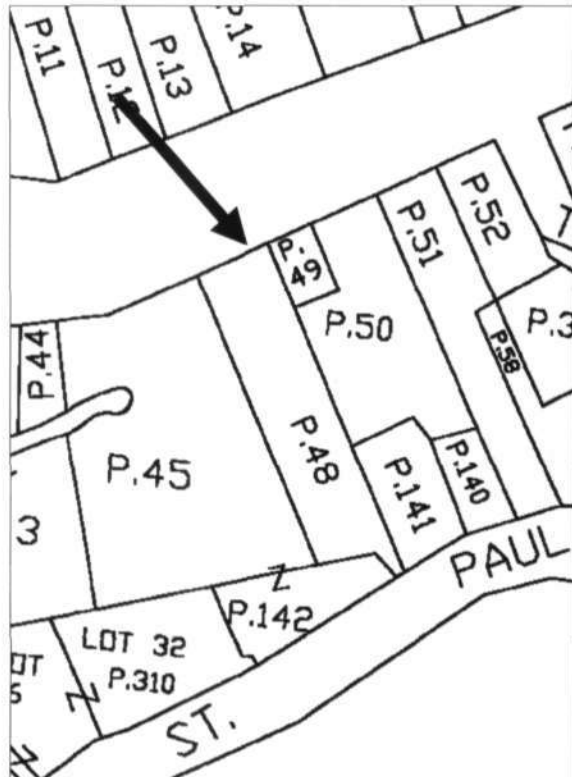


HO-586
Katydid
8109-8111 Main Street (MD 144)
Ellicott City quad 1953, Photorevised 1966 and 1974



Tax Map 25A, Parcel 48

National Web Map Service 6" Orthophoto Map, c. 2010



HO-586
Katydid
8109-8111 Main Street (MD 144)
Photo by Jennifer K. Cosham, 12/5/2012
Northwest elevation



HO-359

Crosscurrents (Caplan's Frame Shop)

Architectural Survey File

This is the architectural survey file for this MIHP record. The survey file is organized reverse-chronological (that is, with the latest material on top). It contains all MIHP inventory forms, National Register nomination forms, determinations of eligibility (DOE) forms, and accompanying documentation such as photographs and maps.

Users should be aware that additional undigitized material about this property may be found in on-site architectural reports, copies of HABS/HAER or other documentation, drawings, and the “vertical files” at the MHT Library in Crownsville. The vertical files may include newspaper clippings, field notes, draft versions of forms and architectural reports, photographs, maps, and drawings. Researchers who need a thorough understanding of this property should plan to visit the MHT Library as part of their research project; look at the MHT web site (mht.maryland.gov) for details about how to make an appointment.

All material is property of the Maryland Historical Trust.

Last Updated: 02-07-2013

HO-359
Crosscurrents
(Caplan's Frame Shop)
8113 Main Street
Ellicott City

This two story frame structure has a standing-seam metal roof. The first floor is three bays wide, with a central entrance and paneled wood transom (no lights) between large glass shop windows. There is a heavy, bracketed cornice between the two floors. Above this are two evenly-spaced 6/1 sash windows with paneled shutters and original hardware.

To the west of this building is a set of metal stairs leading to a door in the south bay of the second floor of the west facade. Above this there are two large 1-light windows in the gable.

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

HISTORIC PRESERVATION CERTIFICATION APPLICATION
PART 1 — EVALUATION OF SIGNIFICANCE

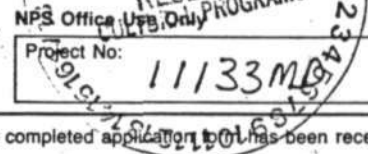
NPS Office Use Only

NRIS No:

NPS Office Use Only

Project No:

11133MB



Instructions: Read the instructions carefully before completing application. No certification will be made unless a completed application has been received. Type or print clearly in black ink. If additional space is needed, use continuation sheets or attach blank sheets.

1. Name of property: TIBER CROSSING PARTNERSHIP (Caplan's Frame Shop, Crosscurrents)

Address of property: Street 8109-11, 8113 Main Street

City ELLICOTT CITY County HOWARD State MARYLAND Zip 21043

Name of historic district: HOWARD COUNTY HISTORIC DISTRICT COMMISSION

National Register district certified state or local district potential historic district

2. Check nature of request:

- certification that the building contributes to the significance of the above-named historic district for the purpose of rehabilitation.
- certification that the structure or building and, where appropriate, the land area on which such a structure or building is located contributes to the significance of the above-named historic district for a charitable contribution for conservation purposes.
- certification that the building does not contribute to the significance of the above-named district.
- preliminary determination for individual listing in the National Register.
- preliminary determination that a building located within a potential historic district contributes to the significance of the district.
- preliminary determination that a building outside the period or area of significance contributes to the significance of the district.

3. Project contact:

Name CHARLES E. WEHLAND

Street 3677 PARK AVENUE City ELLICOTT CITY

State MARYLAND Zip 21043 Daytime Telephone Number 301-465-8755

4. Owner:

I hereby attest that the information I have provided is, to the best of my knowledge, correct, and that I own the property described above. I understand that falsification of factual representations in this application is subject to criminal sanctions of up to \$10,000 in fines or imprisonment for up to five years pursuant to 18 U.S.C. 1001.

Name CHARLES E. WEHLAND
WALTER L. JOHNSON

Signature

Date

4-19-89

Organization TIBER CROSSING PARTNERSHIP

Social Security or Taxpayer Identification Number [REDACTED]

Street 3677 PARK AVENUE City ELLICOTT CITY

State MARYLAND Zip 21043 Daytime Telephone Number 301-465-8755

NPS Office Use Only

The National Park Service has reviewed the "Historic Preservation Certification Application — Part 1" for the above-named property and hereby determines that the property:

- contributes to the significance of the above-named district and is a "certified historic structure" for the purpose of rehabilitation.
- contributes to the significance of the above-named district and is a "certified historic structure" for a charitable contribution for conservation purposes in accordance with the Tax Treatment Extension Act of 1980.
- does not contribute to the significance of the above-named district.

Preliminary Determinations:

- appears to meet the National Register Criteria for Evaluation and will likely be listed in the National Register of Historic Places if nominated by the State Historic Preservation Officer according to the procedures set forth in 36 CFR Part 60.
- does not appear to meet the National Register Criteria for Evaluation and will likely not be listed in the National Register.
- appears to contribute to the significance of a potential historic district, which will likely be listed in the National Register of Historic Places if nominated by the State Historic Preservation Officer.
- appears to contribute to the significance of a registered historic district but is outside the period or area of significance as documented in the National Register nomination or district documentation on file with the NPS.
- does not appear to qualify as a certified historic structure.

Date

National Park Service Authorized Signature

National Park Service Office/Telephone No:

See Attachments

Property Name (Caplan's Frame Shop, Crosscurrents)

Project Number:

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8109-11 8113 Main Street
Ellicott City, MD 21043

Property Address

5. **Description of physical appearance:** Complete plans, original and renovation are attached. The buildings consisted of two buildings with a common center wall. The buildings were originally sided with German style siding on the building at 8109-11 Main Street and with lap board on building at 8113 Main Street. The buildings were originally constructed across the Tiber River by means of construction of a truss system made of hand hewn beams. Local land records will establish the buildings herein existed at least as early as 1860. However, the use of hand hewn beam truss system for members contained in these buildings has not been practiced since approximately 1800, for this reason the date of construction has been set at approximately 1800. Both buildings withstood floods and fires; substantial neglect and make shift renovation in the late 1930's or early 1940's, with the result that poor quality plate glass bow windows had been put in the front and doors had been relocated. Location of original doors and windows could be determined once the plate glass additions were removed. The original locations could be established by reference to the original granite thresholds which were found in the course of renovations. These thresholds and some original window framing were exposed when the protruding glass and aluminum siding windows were removed and showed the location and size of the original windows on the first floor level. The second and third floor windows were intact but in unsalvagable condition. They were, Date of Construction: 1800 Source of Date: Hand hewn members of the truss system have not
Date(s) of Alteration(s): 1930-40 been used subsequent to 1800. Land Records establish the existence of the buildings at least as early as 1860
Has building been moved? yes no. If so, when? the fact that they were not new at that date.
6. **Statement of significance:** The property was acquired by John Holtman on April 15, 1878, from Helena Wallenhorst, et al, and was known as Holtman Grocery Store. The Holtmans had a daughter who married a man from Baltimore City. They in turn also had a daughter. For reasons unknown, their daughter was adopted by Thomas E. Brian and Elizabeth A. Brian and the daughter took the name of Isabel B. Brian. The Brians acquired the aforementioned property on March 6, 1920. Isabel later married Elmer Cavey, who was the head cashier at Patapsco National Bank. Thomas E. Brian survived Elizabeth A. Brian and upon his death, Isabel B. Cavey, a widow, inherited the property on March 30, 1945 as the Brians' adopted child and only heir at law. Isabel sold the property to Samuel H. Caplan on November 30, 1951. Mr. Caplan sold the property to Charles E. Wehland and Jane B. Wehland, his wife, and Walter L. Johnson and Jennifer D. Johnson, his wife, on December 30, 1986. The property known as 8113 Main Street was acquired by Anthony Laumann from John Collier in 1860 and it was known as Laumann's barber shop. Catherine Laumann acquired the property as the widow of Anthony Laumann. During the early 1900's the property was known as Wosch's Barber Shop. Mr. Wosch became the police chief of Ellicott City. The property was conveyed by Catherine Laumann on February 5, 1912, to Minnie Laumann who conveyed the property to Albert Eugene Markley and Hannah Laumann Markley, his wife, on October 16, 1946. They in turn conveyed the property to Joseph G. Miller and Earnese A. Miller, his wife, on March 12, 1952. The Millers conveyed the property on July 10, 1958 to Yale Contractors, Incorporated, who on July 18, 1962 conveyed the property to Samuel H. Caplan. Samuel H. Caplan conveyed the property unto Charles E. Wehland and Jane Best Wehland, his wife, and Walter L. Johnson and Jennifer D. Johnson, his wife, t/a Tiber Crossing Partnership, on February 26, 1987. A map of the Howard County Historical District with the property identified in yellow is attached. Buildings are shown on the map. These buildings are almost in the exact center of the

7. **Photographs and maps.**

Attach photographs and maps to application.

Continuation sheets attached: yes no

CONTINUATION/AMENDMENT SHEET

(Crosscurrents)
(Caplan's Frame Shop)
TIBER CROSSING PARTNERSHIP

Historic Preservation
Certification Application

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Property Name
8109-11 8113 Main Street
Ellicott City, MD 21043
Property Address

Instructions. Read the instructions carefully before completing. Type, or print clearly in black ink. Use this sheet to continue sections of the Part 1 and Part 2 application, or to amend an application already submitted. Photocopy additional sheets as needed.

This sheet: continues Part 1 continues Part 2 amends Part 1 amends Part 2 NPS Project Number: _____

Continuation of Description of physical appearance:

therefore, replaced by new windows of the same size and arrangement of panes as the old one had. Shutters were repaired where they existed and new shutters of the same type were obtained and installed where the old shutters had been removed. Hardware for shutters existed on most windows but shutters for a number of windows did not exist.

Continuation of 6. Statement of significance:

Ellicott City Historic District. The buildings are located on the south side of Main Street at the point where Main Street makes a slight bend. As a result of the curve in Main Street, these buildings provide a focal point to any traffic moving either east or west on the Main Street. Various early pictures of the buildings exist, including those on Page 134 and 204 of "A Pictorial History - Howard County" by Joetta M. Cramm, copyright 1987, and photostatic copies are enclosed. Further, stucco and asbestos shingles covered the surface of the buildings and were removed to expose the original German siding and lap boards which were in good condition requiring only cleaning and painting in order to preserve the original exterior surface. When the false facade added to 8109-11 was removed, it revealed the original timbers and original roof. The roof of 8109-11 was restored to its original pitch and covered standing seam metal roofing painted to the same color found on the original metal. One of the truss systems on the interior of the building was exposed and presents an interest arch amenity in the commercial space on the main floor of the building.

The reconstruction was designed to safeguard the heritage of Howard County by preserving the Ellicott City District and reflect elements of its cultural social economic, political and civic beauty; to strengthen the local economy; and to promote the use and preservation of the Ellicott City Historic District in Howard County for the education, welfare and pleasure of the residents of the County. Such reconstruction was completed in accordance with the intent and authority of Article 25A, Section 5(bb) (Historic and Landmark Zoning and Preservation) of the Annotated Code of Maryland, 1957, as amended.

The paint colors chosen restores the building to the color which the roof, siding and cornice work has been painted before the attachment of the false roof, stucco and asphalt shingles mentioned above.

These buildings because of their location, their unique construction and age, make

Name Walter L. Johnson Signature *Charles E. Wehland* Date 4/19/89
Street 3677 Park Avenue City Ellicott City
State Maryland Zip 21043 Daytime Telephone Number 301-465-8755

NPS Office Use Only

- The National Park Service has determined that these project amendments meet the Secretary of the Interior's "Standards for Rehabilitation."
- The National Park Service has determined that these project amendments do not meet the Secretary of the Interior's "Standards for Rehabilitation."

Date _____ National Park Service Authorized Signature _____ National Park Service Office/Telephone No. _____

See Attachments

(Crosscurrents)
(Caplan's Frame Shop)
TIBER CROSSING PARTNERSHIP

CONTINUATION/AMENDMENT SHEET

HO-359

Historic Preservation
Certification Application

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Property Name

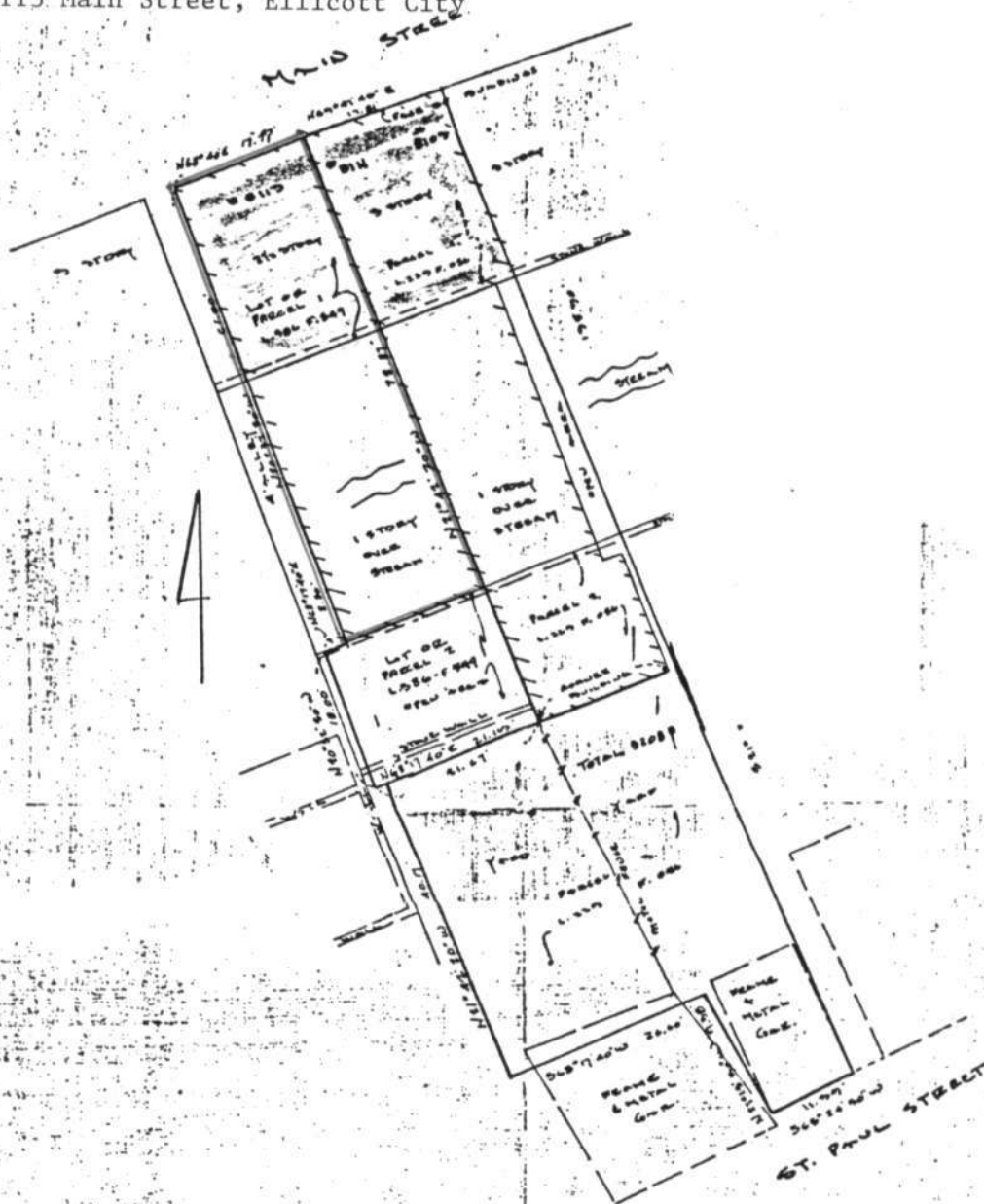
8109-11 8113 Main Street
Ellicott City, MD 21043

Property Address

them exceptionally significant as an element of the total restoration of the Ellicott City Historic District.

The Builders' "Evaluation of Work Completed" is attached.

Caplan's Frame Shop (Crosscurrents)
(Tiber Crossing Partnership Frame Shop)
8113 Main Street, Ellicott City



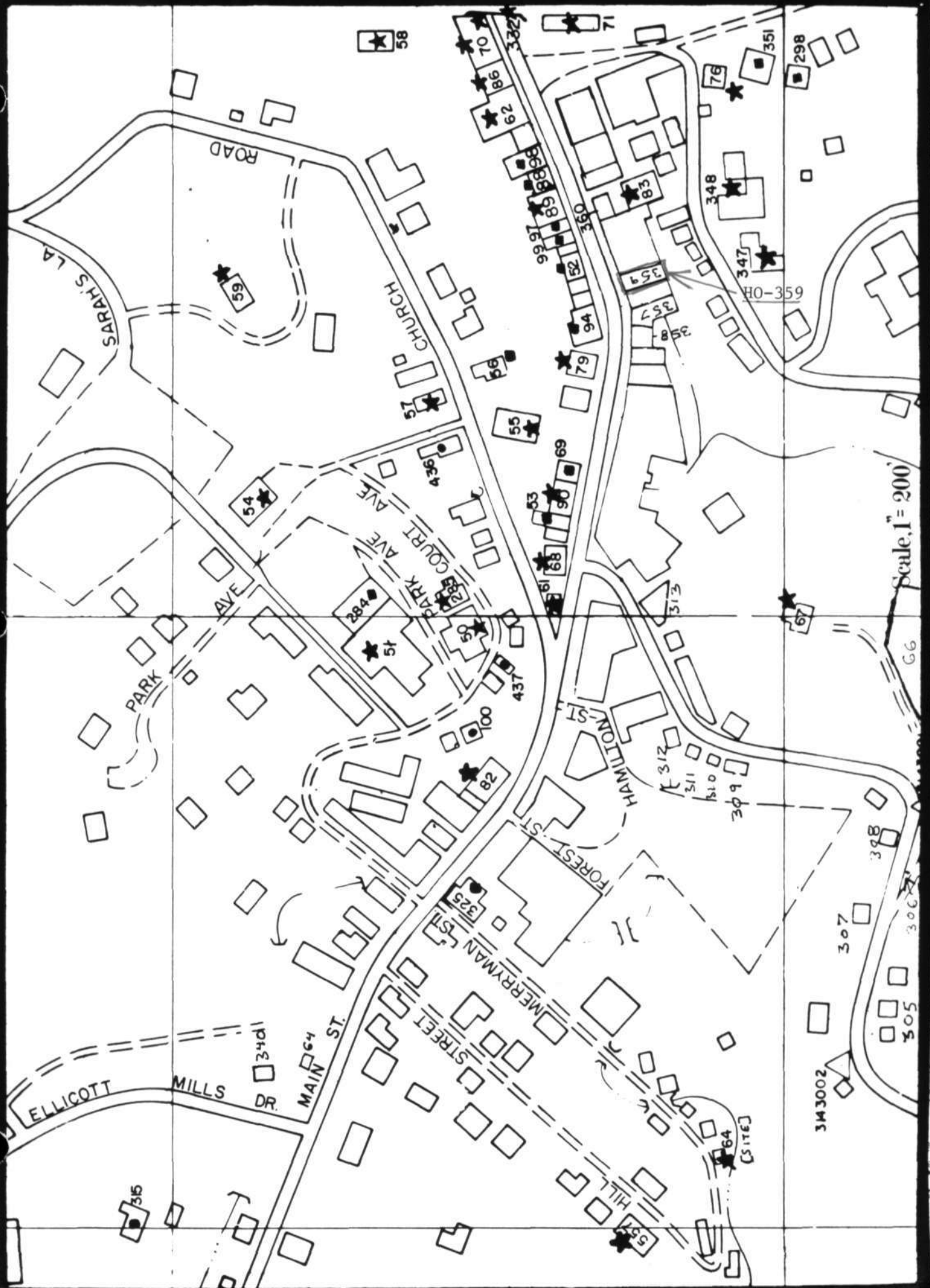
PROPERTY SURVEY
 SAMUEL H. CAPLAN PROPERTY
 LINDER 219 F040056 809-11 MAIN STREET
 ELLICOTT CITY, 2ND ELECTION DISTRICT
 HOWARD COUNTY, MD
 SCALE 1"=10' DEC. 31, 1986
 8113 POSITION JAN. 17, 1987



ERIS ASSOCIATES, INC.
 11311 FARM ROAD
 JANDA, MD 21086

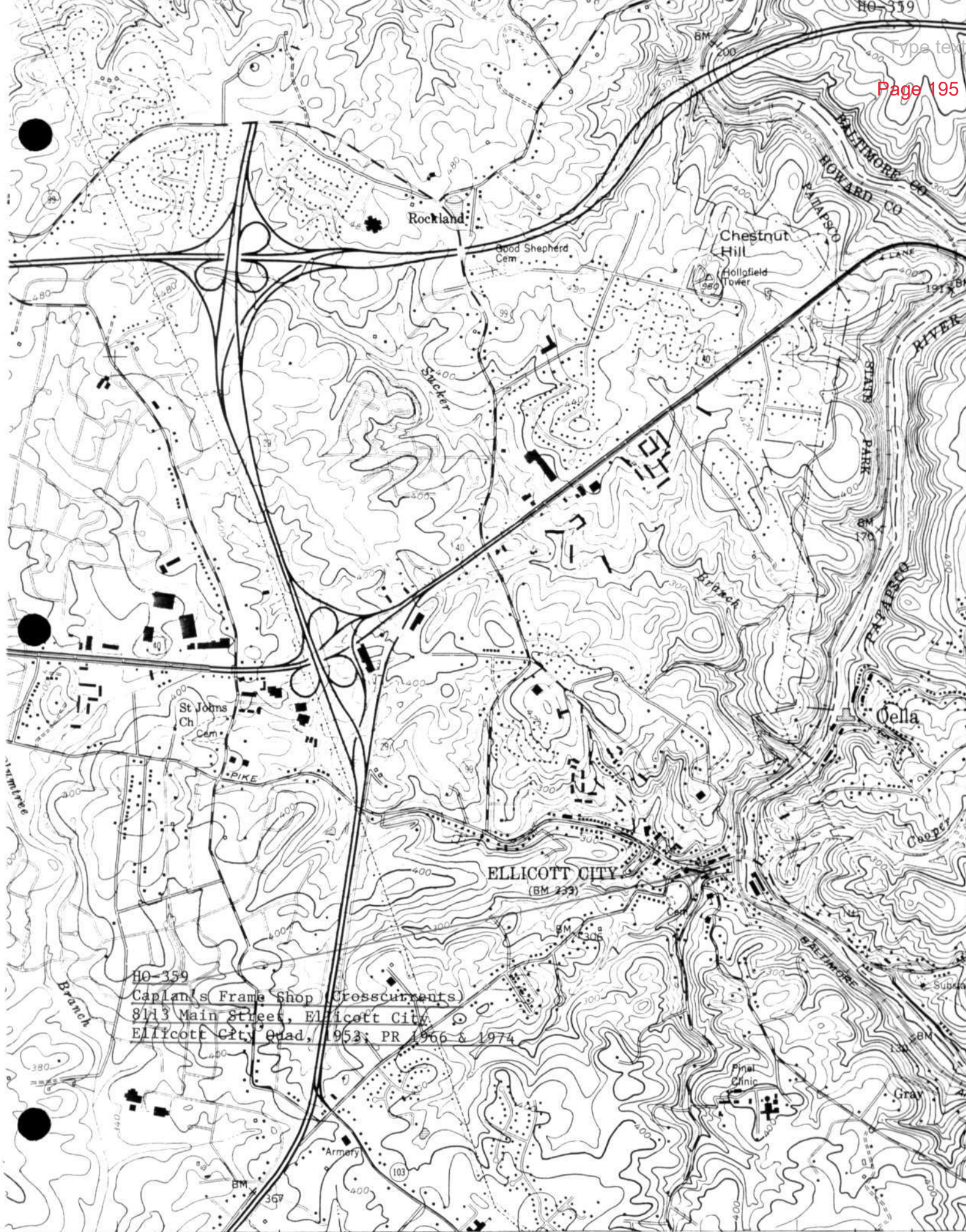


Walter Felt



Scale, 1" = 200'





HO-359
 Caplan's Frame Shop (Crosscurrents)
 8113 Main Street, Ellicott City
 Ellicott City Quad, 1953; PR 1966 & 1974

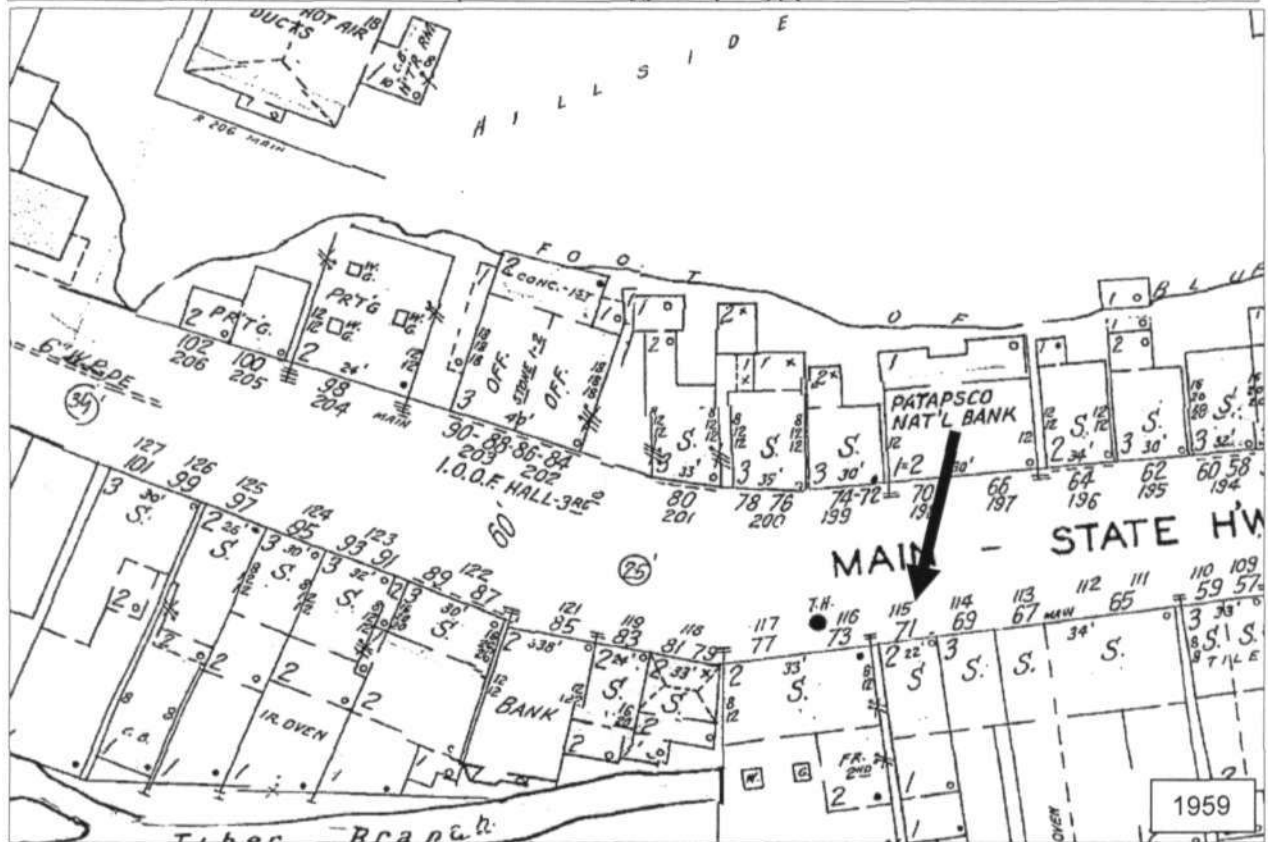
HO-359
Caplan's Frame Shop (Crosscurrents)
8113 Main Street (MD 144)
Martenet's Map of Howard County Maryland, 1860



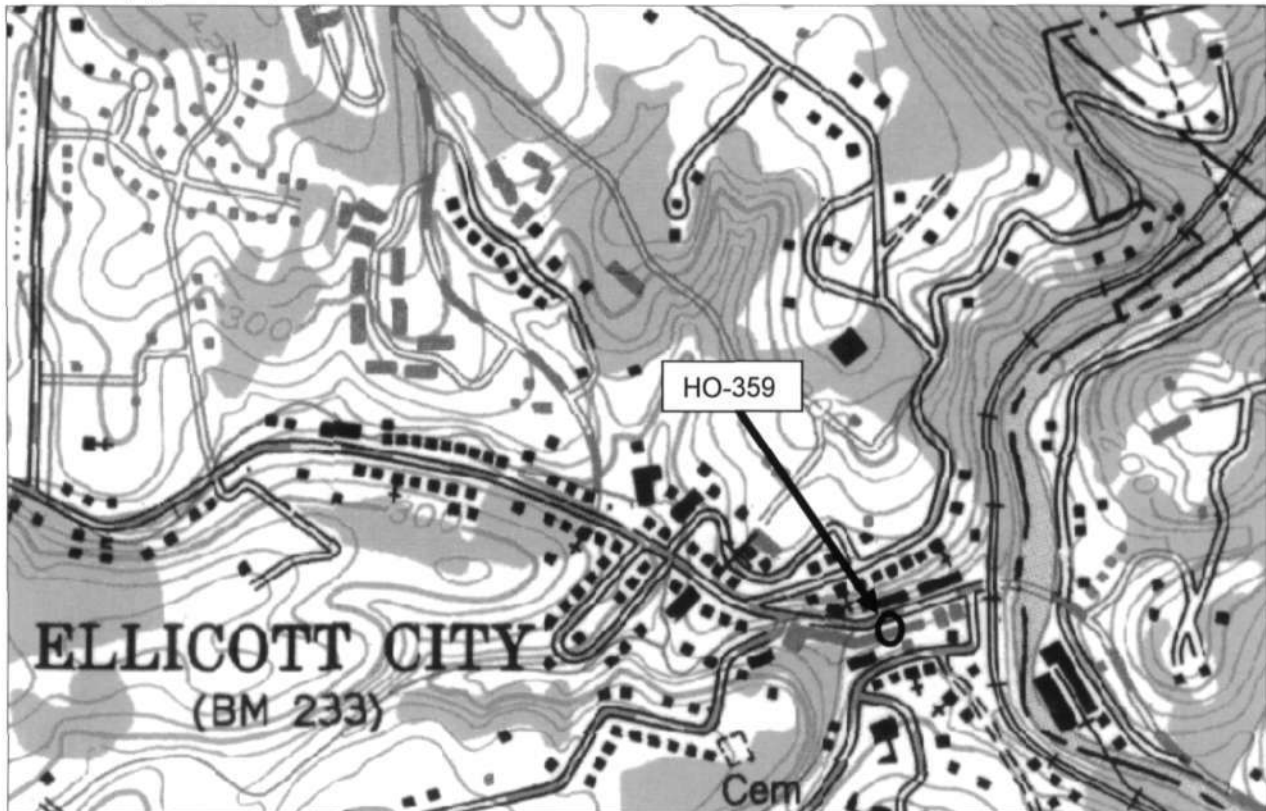
G.M. Hopkins Atlas of Howard County, Maryland, 1878



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Caplan's Frame Shop (Crosscurrents)
8113 Main Street (MD 144)
Sanborn Maps

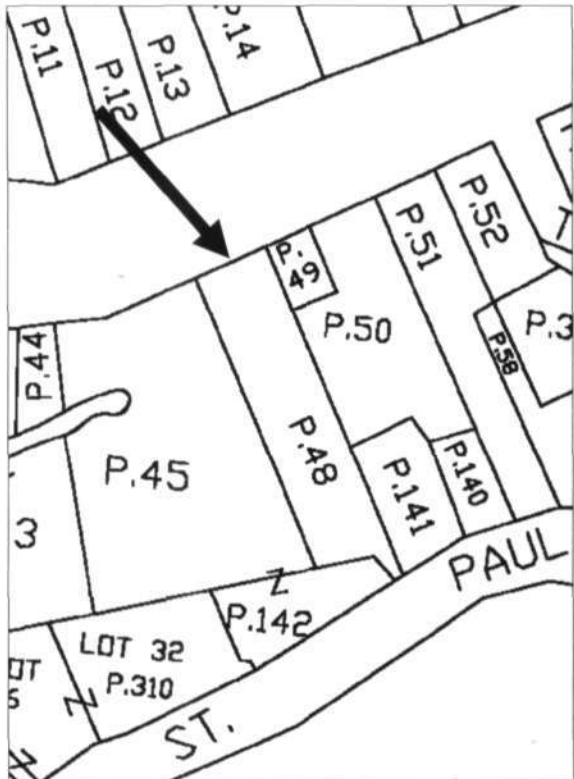


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Caplan's Frame Shop (Crosscurrents)
8113 Main Street (MD 144), Ellicott City
Ellicott City quad 1953, Photorevised 1966 and 1974



Tax Map 25A, Parcel 48

National Web Map Service 6" Orthophoto Map, c. 2010



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Caplan's Frame Shop (Crosscurrents)
8113 Main Street (MD 144)
Photo by Jennifer K. Cosham, 12/5/2012
North elevation





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JSS 8/12

Caplan's frame shop, 8113 W Main St