

COLUMNS

## Competing Business Interests plague Ellicott City flood control



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Over the past month, Council Member Liz Walsh has been publicizing the status of several residential building projects in the Tiber Branch Watershed, a 3.7 square mile area located in Ellicott City, noting fears for the flood-prone area. The County's Safe and Sound program, which implements stormwater management projects to help with Main Street area flooding, can only do so much, and can take a long time, at great expense. In the meantime, business owners and residents in the area are impatient and worried, especially seeing so much development going up around this area.

Walsh has expressed concern over the number of projects being allowed to skirt current regulations through waivers to cut down more trees, as well as being allowed to pay fees in lieu of complying with forest conservation requirements. There are five current large projects, all near the Main Street area, where either the replanting of several acres of trees, as required for forest conservation, is being allowed at a distant offsite location, or where fees are being paid to allow steep slope disturbance and additional large tree removals. Walsh stated that one of the projects, Taylor Highlands, cut 72 trees without authorization, and seeks to bank 2.1 acres of plantings offsite.

This is a particularly serious issue when one takes into account the fact that for years, Howard County was not in compliance with Maryland State requirements on the criteria of how development waivers were allowed to be granted, which has only recently been corrected. Given the years of having gone way too far in allowing deforestation, especially in sensitive areas, why wouldn't we, at least temporarily, focus on forest preservation? It's a fair question. The zoning waiver process, sometimes referred to as alternative compliance, is managed by the County's Department of Planning and Zoning (DPZ). Given recent waivers granted by the DPZ, it feels like an immediate course correction is deeply needed.

"It would be one thing to not put an extreme measure like a moratorium, in the area, which many want, but to not even require adherence to existing regulations is dangerously negligent" said Sara Arditti, who lost her art gallery business on Main Street Ellicott City to flooding. The interests of existing business owners in the area are pitted against developers, who claim they will improve storm water management. Yet, the Army Corps of Engineers did a hydrology study after the first deadly flood in 2016, noting that development indeed exacerbates the ability to retain storm water, compared to woods. Most of us realize that this is a fairly obvious conclusion. Yet, even after the second fatal flooding in Ellicott City in 2018, we have not stopped allowing these waivers, and have not even provided enough incentive to ignore regulations completely.

The community in and around Main Street Ellicott City is clamoring for more protection through a stronger waiver process. In an effort to remedy the frequent granting of exceptions to preservation rules, Ms. Walsh introduced Council Bill 54 to stop the allowance of these waivers in the Tiber Branch Watershed. Public hearings on the Bill took place in September, and several local groups testified to their desire to revamp the process. The Council was set to vote on the bill in early October, but instead tabled the Bill, postponing a vote. Some fear it will be pushed past the November election campaign season, reducing pressure to rectify the issue. During the vote to table the Bill, Council Member Walsh

stated that she hoped the postponement was solely a good faith effort to seek amendments to the Bill to address any concerns.

To weigh in on these issues, give the County Council feedback via email to [COUNCILMAIL@HowardCountyMD.gov](mailto:COUNCILMAIL@HowardCountyMD.gov).