

Sayers, Margery

From: joel hurewitz <joelhurewitz@gmail.com>
Sent: Wednesday, February 2, 2022 1:05 PM
To: CouncilMail
Subject: Re: CR16 - 2022 Phoenix Upper Main

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Members of the County Council,

In addition to the right of reversion which was previously emailed, I have the following thoughts and suggestions, regarding the Phoenix Upper Main seating area.

The Administration suggested that there will be an MOU with Mr. Hemmis and the Phoenix Upper Main; however, this will be ineffective against any future owner/operator of the property. Any access and operational requirements must run with the land and bind future owners.

Thus, instead, I believe that the County should retain a public access easement for the full alleyway. Provided, however, that except in the case of a possible flood event, the owner/operator may place tables, chairs and other accessories as may be approved by the Historic Preservation Commission and/or other agencies, so long as at all times a permanent 7-foot public access easement shall be provided.

Furthermore, in the event of a possible flood event, the County shall have the right to remove and temporarily store any objects in the alleyway if after demand upon the property owner/operator the objects are not immediately removed. Costs for the removal and temporary storage shall be billed to the owner/operator.

Additionally, to make it clear that this is a public access alley, signs should be installed at each end: "(Up Arrow) Public Access, Old Courthouse Staircase" and "(Up Arrow) Public Access, Main Street."

I do not think that these suggestions are a perfect solution, but I feel that they will address some of the concerns of those expressing opposition to the transfer.

Sincerely,

Joel Hurewitz

On Fri, Jan 21, 2022 at 11:20 AM joel hurewitz <joelhurewitz@gmail.com> wrote:

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> Dear Council,

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> After listening to the public testimony on CR16-2022, I have mixed feelings about this resolution. However, I believe that one thing that might address some of the long-term concerns is if the County were to reserve a right of reversion which may be exercised if the two buildings cease to be under common ownership or control and/or the properties are used for purposes other than as a restaurant.

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> Sincerely,
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> Joel Hurewitz
> Columbia, MD