

Tsunami mural retroactively approved

By DANIELLE OHL
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The controversy over the mural splashed across Tsunami restaurant has come to a swift close.

The Historic Preservation Commission on Tuesday night voted to approve the painting on the restaurant, owned in part by Democratic mayoral candidate Gavin Buckley.

The commission voted quickly and unanimously, with no prior discussion. The choice to retroactively accept the mural, originally unveiled in 2015, followed a years-long dispute over the building's facade. The West Street building falls within Annapolis's Historic District, but the mural was commissioned without approval from the HPC, which safeguards the city's historic character.

The commission previously argued it has jurisdiction over alterations of historic facades. Buckley has said the mural, a giant mashup of a golden Buddha and the screaming nurse from 1925 film "Battleship Potemkin," did not fall under the commission's purview. District court Judge John P. McKenna Jr. ruled in the city's favor in May and, in his opinion, determined the city's laws met content-neutrality requirements that allow a government to restrict circumstances of certain speech, but not the content of the speech itself.

Buckley originally filed suit against the city rather than applying for a retroactive certifi-



FILE PHOTO BY PAUL W. GILLESPIE/CAPITAL GAZETTE
Tsunami on West Street commissioned artist Jeff Huntington to paint a mural on the front of the restaurant that has caused a controversy.

cate of approval to prove a point, he said.

"We just want the city to think about some other apparatus or some other way that doesn't make the HPC in charge of artistic content," Buckley said. "They're no more qualified than I am."

The commission also considered a city plan submitted by Douglass Bobb with EBA Engineering, Inc. to rebrick Main Street to fix rutted and separating pavers. With the commission's approval, the project will move forward this January, said public works director David Jarrell. The Main Street

rebricking will be completed in three sections — between Church Circle and Conduit Street, between Conduit Street and Francis Street and between Francis Street and Memorial Circle — and include water line installation for businesses without sprinkler systems.

"I think we can do about 20 of those a month," Jarrell said. "We would just be working on [an area the size of] one parking spot, so it won't be massive disruption to the street."

The city would install the water lines from

January and March.

Rebricking of the top section between Church Circle and Conduit Street would begin on the right lane to allow left lane traffic to flow through. Under the plan, the city would remove current brick pavers, the underlying asphalt and a subbase, Jarrell said, and lay new subbase and asphalt. Construction would then switch to the left lane. The city would lay asphalt on the top section by May and on the bottom section, between Francis Street and Memorial Circle, during June and July using an identical process.

The city would in August begin reconstruction on the middle section, between Conduit Street and Francis Street, while simultaneously laying bricks on the top section. Both sections will be closed. The city would finish reconstruction and rebricking on the bottom and middle sections in September. The project would be completed in October, in time for the United States Sailboat Show.

The project, if completed, will not affect sidewalks, Jarrell said, though parking will be redirected in construction areas. The city is considering running the circulator more often to ease constraints on parking and allow access to Main Street businesses from city garages, Jarrell said.

At the time of publication, the commission did not vote on the city's Main Street reconstruction plan.

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Electric cars on display

People look over electric cars at the Annapolis Electric Vehicle Showcase, sponsored by Annapolis Green, on Maryland Avenue Sunday.

Hogan seeks suit over BWI, Reagan flight patterns

By PHIL DAVIS
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Gov. Larry Hogan has asked the state attorney general to sue the Federal Aviation Administration over new flight patterns at BWI Thurgood Marshall Airport, siding with residents who say their neighborhoods have been harmed by increased noise.

In a letter Tuesday to Attorney General Brian Frosh, Hogan wrote that he wants the attorney general to sue the FAA and Administrator Michael Huerta, over the implementation of the Next Generation Airport System at BWI and Reagan National Airport. The \$35 billion system was implemented at airports across the nation as an attempt to cut down on delays and carbon emissions but has been the target of complaints that the new flight paths cause planes to fly too low to the ground near residential neighborhoods.

"We have heard from countless Marylanders, including many community leaders and elected officials, about this continuing problem," Hogan wrote. "This program has made many Maryland families miserable in their own homes with louder and more frequent flights which now rattle windows and doors."

"As elected leaders of this state, we cannot allow this situation to stand," he added.

Frosh spokeswoman Raquel Coombs said that while the Maryland Constitution grants Hogan the power to require the attorney general to pursue certain legal actions on behalf of the state, a lawsuit



FILE PHOTO BY PAUL W. GILLESPIE / CAPITAL GAZETTE
An arriving Spirit Airlines airplane approaches BWI Thurgood Marshall Airport to land on a Tuesday afternoon in June.

against the FAA is still an "ongoing discussion."

"This is a concern that the attorney general and the governor (are) on the same side (about)," Coombs said, adding that a lawsuit is "not out of the realm of possibility."

FAA spokeswoman Tammy Jones wrote in an email that the agency "is committed to hearing the community's concerns and to fully and fairly consider any formal Community Roundtable-endorsed changes."

In May, a FAA official sent a letter to the DC Metroplex BWI Community Round-

table — a group of community representatives established by the Maryland Aviation Administration — saying the administration could not revert to old flight paths immediately.

Federal officials also have argued their data shows a disconnect between residents and their experiences with plane noise. At a June meeting, officials said statistics compiled for two runways at BWI showed planes were higher during their approach to the airport than before the new system.

Mary Reese, the District 30 representative for the group, said a recent ruling in

Arizona could pave the way for Frosh's office to sue.

Last month, the U.S. Court of Appeals for the District of Columbia ruled in favor of Phoenix, which sued the FAA over new flight paths at Phoenix Sky Harbor International Airport.

The city and a neighborhood association argued the changes implemented in 2014 were "arbitrary and capricious," adversely impacted historic sites and lacked public input.

The court agreed, ordering the paths' implementation be vacated on Aug. 29.

"It certainly establishes precedent. That's huge. That's incredible," Reese said. "There are many similarities to what we've experienced in Maryland and they experienced in Phoenix."

Linda Curry, a Severna Park resident who chairs the BWI Noise Coalition, said both her group and the roundtable have been frustrated by what they see as a lack of communication and cooperation by FAA officials.

"It seems like across the country that the round tables try their best to accomplish something, but it always ends up they have to go the legal route," she said. "What's happened in Phoenix has energized everyone else. We now feel like there's a light at the end of the tunnel."

Anne Arundel County Council passed a resolution last week that supported the roundtable group that has also called for changes at the Linthicum and Washington airports.

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