



CALENDAR

Town Offices Closing
12 noon—
Fri., Dec. 23rd

Town Offices Closed
Mon., Dec. 26th

Town Offices Closed
Mon., Jan. 2nd

Town Council Meeting
Mon., Jan. 9th 7pm

Town Offices Closed
Mon., Jan. 16th

Public Hearing
Info on Page 3

Please check the
Town's website for
up to date
information.

www.tok.md.gov



Kensington Around Town

DECEMBER 2011



Kensington Gateway Parking Lot

The Town's new parking lot is almost complete and we anticipate it will officially open for use on January 3rd. We are waiting for the gas line work to finish along Metropolitan Avenue and for PEPCO to connect the street lights.

The Parking Lot will be restricted to 4 hour parking, except for 18 spaces, which are designated as 'Permitted All Day Parking' by signs. These spaces are located along the railroad tracks closest to the train station. As we evaluate the use of the number of designated spaces utilized, we may change the number of all day parking spaces or establish 'Parking by Permit Only' designations in the lot. Drivers who attempt to park all day in the 4 hour spaces will be subject to ticketing and towing.

The Kensington Gateway Parking Lot has been a project six years in the making for this Town. With the limited parking along Howard and Metropolitan Avenues, along with the influx of commuters riding the MARC Train, the Town began this process to help alleviate the parking stress along our downtown area.

MAYOR FOSSELMAN'S REPORT



The voting precinct redistricting has moved Kensington from County Council District 5 into District 1. Thank you to Valerie Ervin for her dedicated service to the Town and for being a cheerleader at the county government level. We welcome **Roger Berliner** - President of the County Council - as our new representative. Please join us for a **January meet and greet** (TBD).

As noted on the front page, the **new parking lot** on Metropolitan Avenue will be open in January 2012. Utility and landscaping details are being finalized. Special thank you to Andie Murtha and Judy Hanks Henn for their 2009 redesign of the entire site plan. Several parking spaces were gained, additional landscaping, a bio-retention storm drain system and vintage lighting.

You may have noticed some construction along Connecticut Avenue, south of Washington Street, recently as the first phase of the **Safe Routes to School Grant** has been implemented. The State Highway Administration has completed the returns at each intersection between Saul and Washington and will finish the project during the spring months.

The Town Crew has begun installation of year round **street tree lights for Antique Row**. The LED lighting should be complete in a few weeks, bringing additional charm and security to the district.

Thank you to David Gregg for decorating the **Town's Christmas Tree**, the Town Staff for another successful tree lighting, and the Kensington Arts Theatre for their holiday caroling talents the eve of the lighting.

As we close the year 2011, we reflect upon our past, present and future. There is so much to be thankful for in Kensington. I wish everyone a wonderful holiday season and a very happy 2012.

Pete Fosselman

Public Hearing—Monday, January 23, 2011

Town Permits

3941
Washington Street—
Replace Sidewalk

3948
Baltimore Street—
Addition

3505
Frederick Place—
Fence

10013
Frederick Avenue—
New House

Armory Avenue—
Washington Gas

10011
Frederick Avenue—
PEPCO

10013
Frederick Avenue—
Driveway Apron

Ordinance O—01—2012

An Ordinance of the Mayor and Council of the Town of Kensington, Maryland amending Chapter 5, "Housing and Building Regulations", by enacting Article 6, "Moderately Priced Housing", of the Code of the Town of Kensington to incorporate by reference Chapter 25A, "Housing, Moderately Priced" of the Montgomery County Code, to provide for low- and moderate-income housing to meet existing and anticipated future employment and housing needs. This law would require moderately priced units to be included for future development by any applicant that:

- (1) submits for approval or extension of approval a preliminary plan of subdivision under Chapter 50 of the Montgomery County Code which proposes the development of a total of 20 or more dwelling units at one location in one or more subdivisions, parts of subdivisions, re-subdivisions, or stages of development, regardless of whether any part of the land has been transferred to another party;
 - (2) submits to the Planning Board or to the Director of Permitting Services a plan of housing development for any type of site review or development approval required by law, which proposes construction or development of 20 or more dwelling units at one location; or
 - (3) with respect to land in a zone not subject to subdivision approval or site plan review, applies for a building permit to construct a total of 20 or more dwelling units at one location.
- The ordinance authorizes Montgomery County to implement and enforce the law on behalf of the Town.

MAYOR

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TOWN MINUTES

November 14, 2011 Council Summary

- Approved Town Meeting Minutes from October 24, 2011.
- Discussed how to allocate the new parking lot.
- Approved Special Town Meeting Minutes from October 29, 2011.
- Approved Resolution R-16-2011 designating the Town as a Sustainable Community.

November 14, 2011—Mayor Fosselman, Council Members Barch, McMullen, Sullivan and Thompson, Town Manager Daily, Town Building Inspector Stablow, Clerk-Treasurer Engels and Assistant Town Manager Hoffman were present. The Pledge of Allegiance was recited and a Moment of Silence observed for Peter Stathes who passed away.

Town Building Inspector Neil Stablow gave a status report on the new parking lot which should be completed by December 1st.

The Mayor stated the original intention of the parking lot was for retail use; there has been consideration of switching the Town spaces used for commuter spaces at the MARC Station to the new lot; there has been no discussion of taking any spaces away from commuters; maintenance costs of the parking lot need to be considered; and suggested limited signage and more attractive signs such as wood.

Town Manager Daily explained the agreement with the County on collecting fees; he has investigated individual and bulk meters which would be too costly; recommended a permit system for short and long term parking; and stated some businesses in need of parking spaces were interested in paying a fee for the spaces.

Jack Gaffey suggested retail parking should be shorter than 4 hours so it is not abused.

Darin Bartram suggested splitting the lot between commuter and retail and then gathering data to see how it is utilized.

Margaret Goldsborough supported the idea of having spaces at the train station and on the north side for retail use; stated 1 to 2 hour parking is not long enough for customers and the 4 hour spaces are not abused.

Duane Rollins suggested a centralized meter system; leasing bulk meter machines; fees for bicycle lockers; signage to ban overnight parking; a semi-mobile coffee kiosk; questioned if there were any hazards in standing water in the retention ponds; and questioned how spaces for individual commuters would be managed without additional enforcement and signage.

Town Building Inspector Stablow stated standing water should not be a problem because the retention pond is designed to percolate water quickly. Julie O'Malley questioned the type of lighting. Town Manager Daily stated it would be similar to the LED light on southeast corner of Safeway.

Evan Reynolds questioned whether people collecting money at Plyers Mill and Connecticut could be regulated. The Mayor explained the Town is aware of it and working with others on a solution. Council Member McMullen noted there is a bill pending that would require permits for this activity.

Kevin Jensen questioned whether MARC would charge for their spaces at the train station. Council Member McMullen noted CSX lots usually do not charge.

Elie Sola-Sole stated 1 to 2 hours is not long enough for retail parking; suggested sharing the new lot with commuters to reclaim some parking by the train station for retail; and suggested regulating half of the lot for 4 hours and then see what happens with the other half.

Lance Kilpatrick questioned what would happen if someone was parked in their paid space; stated commuters frequent the shops in Town; and the environmental impact should be considered.

Council Member Thompson suggested initially observing how the lot is used before considering meters or permits.

TOWN MINUTES

Council Member McMullen noted there will be expenses to maintain the parking lot and funds have not been budgeted for this.

Council Member Sullivan suggested a bulk metering system designating some spaces 4 hours and some spaces 8 hours.

Council Member Barch suggested an allocation of spaces to commuters, long term retail, and short term retail. He will send his suggestion to the Council for input and discussion at the next meeting.

Catherine Hogan requested use of storage space in the Armory for a donation program she is coordinating at Cedar Lane Unitarian Church for the unemployed. The Council agreed to allow use of space for three weeks.

Sabina Emerson stated she has not received a leaf pick up on her street and questioned how code enforcement is being handled. Town Manager Daily explained once the equipment is working all areas will be picked up and code enforcement issues could be directed to him or the Assistant Town Manager.

Eli Sola-Sole reminded everyone of the upcoming Third Thursday Event for Old Town.

The Mayor thanked Eli Sola-Sole for all her hard work promoting Third Thursday Events.

Julie O'Malley questioned when the Design Guidelines would be discussed by the Council for input to the PHED Committee. Council Member Barch explained a Revitalization meeting will be held once they receive the final changes from Park and Planning.

Jack Gaffey suggested photos from Park and Planning's power point presentation be an integral part of the Design Guidelines.

Duane Rollins suggested music and a puppeteer for the Third Thursday event to help attract more people; questioned whether the Victorian room would be available for other uses; and whether the use agreement for rental of the Armory has been completed.

Town Manager Daily will check with Town Attorney on status of the Armory use agreement.

Julie O'Malley stated the two Women's Clubs have planned to decorate the Victorian Room for the holidays.

Council Member Thompson stated the Victorian room is used and gets used as much as the Council room.

The Mayor reported he received two requests from the north side with regards to traffic issues, Council Member Thompson will be scheduling a traffic meeting to address them; attended County Council Member Roger Berliner's meeting, Kensington is moving into his district from District 5 to District 1; attended the fall MML conference; the Reynolds property issue has been resolved, an agreement between the Town and the Reynolds was executed which will allow two homes instead of three; and he met with the new police commander and the lieutenant.

Council Member Sullivan stated she attended the Planning Board meeting on the Design Guidelines, they made many changes she and other activists asked for including improvements to the rear of buildings along Metropolitan Avenue; the Design Guidelines are still not an enforceable document, issues that are important enough for Kensington should be put into the Sector Plan itself, in the Wheaton Sector Plan a county wide set of guidelines was recommended with individual master plans addressing what individual communities want and not leaving discretionary items up to the Design Guidelines; attended the Board of Appeals Hearing for the Reynolds property which was a good example of the Council working together; encouraged Residents to come to the Third Thursday event and thanked Elie for putting it together.

Council Member McMullen stated he received a memo outlining a detailed site selection process for the middle school which the Town has been invited to as a stakeholder; and congratulated WJ boy's soccer team which will be playing in the state championship.

TOWN MINUTES

Council Member Thompson attended the MML fall conference and core classes offered and asked for Council support to form an exploratory committee to determine if the space where the fire department used to be in the Armory could be used for a museum to display artifacts and historical records.

Mayor noted the space had previously been considered for use and there were costs associated with ingress, egress, and fire issues; he suggested there may be some type of grant available.

Council Member Barch met with County Council Member Roger Berliner and his Chief of Staff, Cindy Gibson, and walked the Sector Plan area in Town; he also met with various County Members on the Sector Plan and most questions now relate to the Design Guidelines.

George Myers fence was discussed. The Council agreed to move forward with the minimum contribution in the Town's policy. Town Manager Daily will resolve any legal issues with the location.

Town Manager Daily stated Washington Gas may be replacing the entire line on Kent Street and if they do the resurfacing will be delayed.

Town Manager Daily explained Resolution R-16-2011 authorizing designation of the Town as a sustainable community which would enable funding for reinvestment and revitalization.

Council Actions:

Council Member McMullen moved to approve the minutes from the October 24, 2011 Town Meeting. The motion passed 3 to 1. Council Member Sullivan voted against the motion.

Council Member Barch moved to approve the minutes from October 29, 2011. Council Member Barch stated he wanted to clarify what was said at the October 29th meeting. His intention was to request an opinion from the Attorney General's Office because he believes a Council Member may have breached confidentiality of a closed meeting. Until he has clarification on confidentiality, he will not be attending any closed meetings. The motion passed unanimously.

Council Member Thompson moved to approve Resolution No. R-16-2011 designating the Town as a sustainable community. The motion passed unanimously.

Council Member Barch moved to adjourn the meeting at 9:15 p.m. The motion passed unanimously.

November 28, 2011

Council Summary

- Approved Town Meeting Minutes from November 14, 2011.
- Approved the Closed Session Minutes from October 29, 2011.
- Denied a sign variance for 10616 Connecticut Avenue.
- Discussed a Facility Use Permit for the Armory.
- Resolution No. 17-2011 updating the fee schedule was presented for review.
- Allocated spaces between retail and commuter with no fee initially.

November 28, 2011—Mayor Fosselman, Council Members Barch, McMullen, Sullivan and Thompson, Town Manager Daily, Town Attorney Ferguson, Clerk-Treasurer Engels and Assistant Town Manager Hoffman were present. The Pledge of Allegiance was recited and a Moment of Silence observed.

A request for a variance for a non conforming commercial gas station sign at 10616 Connecticut was heard. Mostafa Abyneh, the applicant, stated he only checked with the State on whether the new name was available and stated it would be very expensive to change the sign. Town Attorney Ferguson explained the requirements under Section 6-104 (i) of the Town Code to allow a variance. The Mayor stated two emails were received, from former Council Members, opposing the Council granting a variance based on their experience on the Council when the sign ordinance was written. The Council concurred the applicant

had a self imposed hardship and information presented did not meet the requirements for a variance. Council Member Thompson suggested his existing sign could be reconfigured with less cost than a new sign. There was no public comment on the variance request. See Council Actions.

Jack Gaffey suggested a campaign to encourage people to support Kensington merchants by shopping and eating locally.

Leslie Olson expressed concern over the dangerous crosswalk at Metropolitan and St Paul and suggested lowering the speed limit or moving the crosswalk; and she also stated there was graffiti on the electric box at the train station.

The Mayor stated orange flags could be used for the crosswalk as a short term solution until the Town obtains control over Metropolitan Avenue.

Julie O'Malley requested information on the municipal parking plan in the Sector Plan. The Mayor explained there is no information yet, once the Sector Plan is approved the plan will be crafted.

The Mayor reported he testified at the PHED Committee Meeting on November 21, County Council Member Roger Berliner, the Town's new Council representative, was present; thanked all the volunteers serving on the Traffic Committee; and commended Council Member Thompson on the article in the Washington Post on his proposed use of the old fire house.

Council Member Barch reminded Residents to be careful with the recent carjackings in Wheaton, stated the Town should obtain the crime statistics for Wheaton next time the police come; and now that Michael Brown is back at Park and Planning he will be going over the draft of the Design Guidelines with him.

Council Member Thompson attended the PHED Committee meeting; reported the Traffic Committee met, the committee suggested placing temporary cones on random days between 6 a.m. to 9 a.m. to discourage traffic at Lexington, Perry and St. Paul, installing a triangular island to slow speed by narrowing the entry way at University and Farragut, narrowing Perry Street in order to

install sidewalks without disturbing trees, reviewing old traffic studies, requesting the police not to issue any warnings for restrictions, repainting and repairing speed humps in Town, and installing "children at play" signs; and he also will be circulating a letter to those in the surrounding community interested in a historical archive.

Town Manager Daily noted "children at play" signs can be put up, but studies have shown they are not effective and he will check on any legal issues regarding placing temporary cones on the streets with time restrictions.

Council Member McMullen reported he will be following the site selection process for the proposed middle school which will begin in January and also cautioned Residents on the recent crime activity during the day in a well populated area at Westfield Mall.

Council Member Sullivan reported she attended the PHED Committee meeting, the next meeting is Dec 5th at 9:30; thanked Council Member Thompson for his work on the archive idea and traffic issues; and suggested shopping locally to support Town businesses.

Town Manager Daily discussed a standardized user agreement for Town Hall and presented Resolution No. R-17-2011, updating the fee schedule for permits and use of Town Hall by approximately 3.5%, for Council review.

Town Attorney Ferguson stated currently there are either various agreements or no agreements on use of the building and suggested a standardized facility use permit with provisions for payment terms, indemnification, insurance, and termination for convenience. Council Member Thompson suggested adding language to enable the Council to waive fees and insurance requirements for certain functions.

Town Attorney Ferguson explained the importance of certificates of obtaining certificates of insurance for independent contractors and for the use of the building.

Julie O'Malley clarified that the items in the Victorian room were donated to the Town; and the historical society has insurance, but the women's clubs do not.

Allocation of spaces and fees were discussed for the new parking lot on Metropolitan Avenue.

Barry Peoples spoke in favor of parking for both retail and commuters with a lower cost to Town Resident commuters who have already paid taxes for the lot.

John Morris stated there was ample parking on Howard Ave.; ridership is approximately 160; two thirds drive and most are not Town residents; few spaces in the new parking lot will be used by retail; and the majority of spaces should be available for commuters.

The Mayor stated there is a need for parking on Howard Avenue as noted by merchants at a prior Town Meeting.

Jack Gaffey stated there are not enough spaces on Howard Avenue and suggested merchants should not park in front of their own businesses.

Emily Sama-Miller stated the commuter spaces are vital, she moved to Parkwood because of the MARC train, and would be willing to pay a monthly fee.

The Mayor explained we are not taking any commuter spaces away, but adding spaces.

Darin Bartram explained the importance of gathering data at first and suggested someone could check the lot after the first train and before the last train to determine use.

After considerable discussion, the Council concurred to relocate 9 spaces used for commuters from the train station to the new parking lot and provide 10 more commuter spaces for a total of 19 spaces at the new lot for commuters, the remaining spaces at the new lot along with the 9 spaces at the train station would be designated for retail use; a flyer with suggested language from Council Member Thompson will be prepared; a map with

the spaces designated will be handed out to commuters in the morning by Town Staff; there will be very limited signage; no fees will charge initially, but may be charged at a later date; towing will be enforced after the first month; the lot will be monitored over the next couple of months to determine usage; and the Town Manager will continue investigating pay by phone option and leasing equipment.

Jack Gaffey suggested labeling the pavement rather than signs and resident stickers.

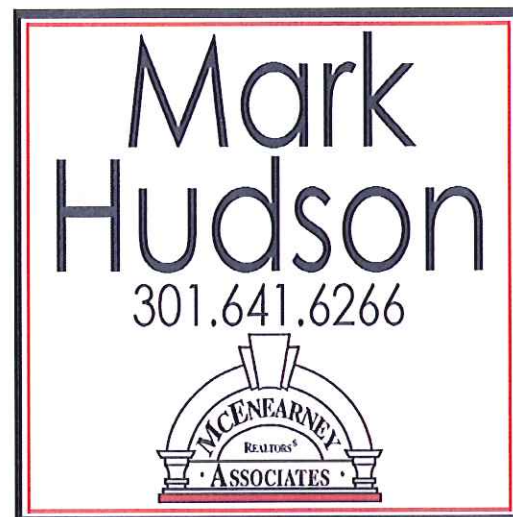
Council Actions:

Council Member Barch moved to approve the minutes from the November 14, 2011 Town Meeting. The motion passed unanimously.

Council Member Thompson moved to approve the minutes from the October 29, 2011 Closed Session. The motion passed unanimously.

Council Member McMullen moved to deny the variance request for the sign at 10616 Connecticut Avenue pursuant to Chapter VI, Article 1, Section 6-104 (i) based on evidence before the Council which does not meet the criteria to grant a variance under 6-104 (i) 1), 2), and 3). The motion passed unanimously.

Council Member Thompson moved to adjourn the meeting at 9:05 p.m. The motion passed unanimously.





Even before the marketplace began turning to open-air, street-level shopping, Kensington was there – with its walkable streets and unique merchants. To remind the public of Kensington’s hidden treasures during the holiday shopping season, Maier & Warner PR has focused the Town’s *Explore Kensington* campaign on our retailers to attract more visitors and shoppers.

The agency has created and sent eBlasts promoting merchant holiday specials, tying them to the EK website. A recent eBlast identified “ten great gift ideas” that included yoga and spa specials and sales of handmade soaps, custom framing and an author’s signed first edition.

To unearth other novel nuggets, agency staffers attended Third Thursday to connect with several merchants and to encourage them to keep the agency apprised of their sales and specials. Merchants are welcome to contact Maier & Warner to request inclusion in the eBlasts. (Please email Jessica at Jessica@maierwarnepr.com or call 301-424-4141).

“Hair,” the rollicking live theater performance that included such standards as “Aquarius” and “Good Morning Starshine,” drew Maier & Warner staffers – who promptly promoted Kensington Arts Theater’s excellent production online and through social media.

In just a couple weeks since the launch of the *Explore Kensington Facebook* page, more than 65 fans signed up. And more than 5,000 people visited the website, prompting a call from a local reporter to inquire about the instant popularity of the fledgling social media initiative.

The Farmers Market continues to draw visitors, and the agency continues to promote it: one mini video under way is “Farmers Market,” featuring different seasonal vendors. “Around Town,” another mini video turns the spotlight on the distinct features of Kensington. When complete, both videos will be posted on the website and be hosted on the *Explore Kensington YouTube* channel.

VENDOR SPOTLIGHT: Krishon Chocolates



Krishon Chocolates is committed to offering the highest quality chocolates and pastries available anywhere. We source local ingredients whenever possible and seek the freshest organically produced and fairly traded ingredients because people are important to us to. We honor the purest chocolate experience possible. All of our products are soy free, corn syrup free and GMO free. We have many gluten-free options, vegetarian and vegan choices that do not sacrifice integrity or flavor. We use no preservatives or artificial colorings or flavorings.

It is equally important that we recognize and acknowledge the green movement. We use eco-friendly packaging and actively practice conservation to reduce our environmental impact.





If It Snows. . .

The Town requires all of its residents and businesses to clear a path on the sidewalk in front of their properties within 24 hours of each snow fall. If a path has not been cleared within 24 hours, a notice will be sent to the resident or business reminding them it needs to be done. If a path still has not been cleared within 24 hours of the notice, a citation will be issued—\$65 for residential and \$195 for businesses. Businesses are reminded to NOT pile the snow at sidewalk corners or block pedestrian right-of-ways.

Exceptions: residential sidewalks located on Conn., Summit and Knowles Avenues will be cleared by the Town.

If you are traveling during the winter months, please make arrangements before leaving to have someone clear your sidewalk.

The following individuals are available, for a fee, to help with your snow removal this winter:

Chris McCurry
240-750-5043

Brett McCurdy
240-447-5921



Kensington Around Town

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To Kensington Residents