

Town Council Summary from the May 14, 2018 Town Meeting

- Approved the Town Meeting Minutes from April 9, 2018.
- Announced the Candidates for the June 4th Town Election: Tracey Furman for Mayor and Bridget Hill-Zayat and Duane Rollins for Council.
- Held a Courtesy Review for the proposed Solera Reserve Kensington development project at 10549 Metropolitan Avenue.
- Adopted Ordinance No. O-01-2018 - An Ordinance adopting the Town's Operating and Capital Budget for Fiscal Year 2018-19 (FY19) and levying a tax on all assessable property within the Town.
- Approved Resolution No. R-07-2018 – a Resolution of the Town Council authorizing the Town Manager to install “Two Hour, 7:30 a.m. – 5:30 p.m., M-F, Except by Permit” signs along the west side of the 10500 block of Wheatley Street; and to remove the “No Left Turn” restriction along northbound Kensington Parkway at Kent Street.
- Approved Resolution No. R-08-2018 – a Resolution amending the schedule of Fees, Charges, and Expenses.
- Held a Variance Hearing for a six (6) foot fence to be located within the front plane of the property at 3908 Baltimore Street. Approved Resolution No. R-09-2018 – a Resolution to grant a six (6) foot fence within the front plane of the property at 3908 Baltimore Street, as amended, on the eastern side of the property, but not to exceed the front plane of Baltimore Street.
- Held a Variance Hearing for a 1.7 foot side-yard variance at 3500 Dupont Avenue. Approved Resolution No. R-10-2018 – a Resolution to grant a 1.7 foot side-yard variance at 3500 Dupont Avenue as amended provided the original foundation is used.

Town Meeting 7:00 p.m.

Mayor Furman; Council Members Bartram, Crimmins, and Rollins; Town Manager Daily; Assistant Town Manager Hoffman; and Clerk-Treasurer Engels were present. Council Member McMullen was necessarily absent. The Pledge of Allegiance was recited and a moment of silence observed.

The Town Meeting Minutes from April 9, 2018 were reviewed and approved. See Council Actions.

Mayor Furman announced the Candidates for the June 4, 2018 Town Election: Mayor – Tracey Furman; Town Council – Bridget Hill-Zayat and Duane Rollins. A Candidates Meet and Greet will be held on Monday, May 21st at 7:00 pm.

From the Mayor and Town Council

A Courtesy Review was held for the proposed Solera Reserve Kensington Senior Living development project at 10549 Metropolitan Avenue.

T.J. Monahan, Chair of the Development Review Board (DRB), introduced Travis Westmorland, McCaffery Interests, and noted that the Town has had a very positive experience working with the developers on the proposed project.

Mr. Westmoreland introduced the 132 unit facility, which will include independent, assisted, and memory care living options. He stated that he believed the facility would be a great asset to the Kensington community and that they have received productive feedback during the design phase.

Rei Takata, Antunovich Associates, presented renderings of the proposed facility and noted that the two existing historical buildings would be retained for retail/service use. Mr. Takata also noted the following highlights to the design:

- Changed the connector between the new structure and the historic properties to create an interior environmental controlled circulation to the facility.
- Shortened the driveway, as it encroached too closely to the historic buildings.
- Moved the proposed wall between the structure and Metropolitan Avenue to create more public space.
- Constructed a wall along the southern boundary of the property to help with sound mitigation from the CSX tracks.

Jack Gaffey suggested that a safer pedestrian crossing be provided at St. Paul Street to allow residents access to visit the shops along Howard Avenue; and questioned whether the utilities were to be underground.

Council Member Crimmins noted the importance of working with the State Highway Administration to improve the existing pedestrian crosswalk at Metropolitan Avenue and St. Paul Street.

Mr. Westmoreland noted that they are in the beginning stages of working with the utility companies to figure out the best option for the utilities and the target date for construction is the end of the 1st quarter of 2019.

The Mayor and Council commented collectively that they appreciated working with McCaffery Interests on this project and commended them on their effort to incorporate the suggested changes from the community.

Mayor Furman provided an update to the most recent DRB meetings:

- **10619 Connecticut Avenue** – The developer is meeting with Park and Planning next week to review the project; the DRB has made suggestions to the design and a community meeting will be scheduled once the suggestions have been included; noted some residents have expressed concern over the self storage facility; however, the architect is proposing that the structure have an apartment building look, and will also feature 4,000 square feet of retail space, along with public space. The Mayor noted that due to the lower density of the site, it is difficult to make potential projects economically viable.

- **10509 Summit Avenue** – The developer for Knowles Station has a pending offer on the adjacent property, and he met with the DRB to propose a few development plans for the property.

Council Member Bartram reported on the following from the Traffic Committee: 1) discussed the status of the proposed Summit Avenue Extension project; the Committee agreed that the Town should continue to support the extension of Summit Avenue; 2) discussed the County's Bicycle Master Plan to keep in mind for future development; 3) discussed possible pedestrian safety measures at the intersection of Connecticut Avenue and Plyers Mill Road 4) reviewed the petition for the placement of restricted parking along the west side of the 10500 block of Wheatley Street and recommended approval of the restrictions to the Town Council; 5) discussed a number of options the Town Engineer proposed to help with sight line issues at the intersection of Howard Avenue and Fawcett Street; 6) the Committee recommended to the Town Council the removal of the 'No Left Turn' restriction at Kensington Parkway and Kent Street; 7) discussed pursuing the County to improve the parking along Summit Avenue, north of Knowles Avenue.

Mayor Furman thanked Mario Bruno, Kensington Service Center, for another successful Kensington Car Show; noted the following upcoming events: Community Meeting for the proposed Kensington Manor Senior Living project on May 16th; Paper Airplane Day on June 3rd; District 18 Candidate Forum on May 30th; and that Car Wash Coffee is expected to open June 2018.

Ron Franks, Candidate for District 18, stated that the Candidate Forum will be an opportunity to meet all of the candidates and ask questions.

Council Member Crimmins reported that the Town has received the grant for a picnic pavilion at St. Paul Park and are awaiting final approval by the State's Board of Public Works.

Council Member Rollins reminded everyone that Food Truck Night is held the 1st and 3rd Thursday each month through September.

Public Appearances

Al Lacey thanked the Mayor and Council for their continued support of the Day of the Book Festival; noted that additional volunteers were needed for Paper Airplane Day; and thanked the Town for their contributions to the community.

Jack Gaffey thanked everyone for a successful Day of the Book Festival and Kensington Car Show.

Miles Carr requested that the Council consider amending the Town Charter to allow 16 year olds to vote in Town Elections; he noted three cities in Maryland that have already passed ordinances to allow 16 year olds to vote and stated that in order to make changes in our government, young people need the power to vote.

The Council requested that Mr. Carr provide information pertaining to the number of 16 and 17

year olds that have voted in municipal elections where applicable.

Mayor Furman stated that the Council would take the request under advisement and discuss the topic with the Town's Attorney.

Leslie Milano, Candidate for District 18, introduced herself to the Mayor and Council and stated people may visit her website: www.MilanoForDelegate.com.

Ordinances, Resolutions, Regulations

Ordinance No. O-01-2018 – An Ordinance adopting the Town's Operating and Capital Budget for Fiscal Year 2018-19 (FY19) and levying a tax on all assessable property within the Town was adopted. See Council Actions.

Town Manager Daily stated the record was held open until 4:00 pm on May 11, 2018.

Mayor Furman stated that the Council received one written comment by Joseph Campbell.

A Variance Hearing was held for 3500 Dupont Avenue for a 1.7 foot encroachment into the 10 foot side yard setback, for a total of 6.63 square feet. The property owner, Stanka Radeva, along with Eileen Ritter, presented the plans and explained the variance was necessary in order to incorporate the existing foundation and keep the rectangular shape; and that the property was an odd shape and if they were not granted the variance they would have to reduce the size to maintain the rectangular shape and remove the garage from the proposed plan.

Council Member Crimmins noted that although the variance request was small in area, the variance was necessary within the Town's Code. Mr. Crimmins also questioned whether the adjacent property, which is also owned by Ms. Radeva, could provide for an easement to allow for the necessary setback.

Council Member Bartram noted that there is already approximately 20 feet between the structures, and the request meets the specific conditions stated in the Town Code: peculiar to the property; minimum necessary; and not detrimental to the neighboring properties.

Dennis McCurdy spoke in support of the variance and stated that the property owner is proposing to build a nice house that will add value to the community and is only requesting a total of 6.5 square feet.

Barbara Beal stated that she believed the property located at 10704 St. Paul Street and 3501 Dupont Avenue were not correctly notified of the proposed variance. Ms. Beal also questioned the engineering of any above or below utilities, the building line restrictions for corner lots, and requested that the variance be denied.

Ken Amaditz spoke in opposition to the variance stating that it was a self imposed design hardship.

The Council discussed the variance requirements as outlined within the Code and the importance of taking the existing foundation into consideration when applying the law.

Resolution No. R-10-2018 – A Resolution to grant a 1.7 foot variance at 3500 Dupont Avenue was presented.

The Council approved the variance request as stated within Resolution No. R-10-2018, with the following amendments: 1) state that the variance is approved as long as the original foundation would be used within construction; 2) remove a statement from the conclusions of law referencing neighbor objections.

A Variance Hearing was held for 3908 Baltimore Street. The property owner, Jeff Buss, was present and requested that he be allowed to place a six foot fence within the front plane of his property to replace a previous fence that was removed prior to grading and landscaping improvements. Mr. Buss noted that the fence was necessary to help screen Connecticut Avenue.

Assistant Town Manager Hoffman explained that the Town adopted new fence regulations following the removal of the previous fence, and prohibits fences in excess of four feet within the front plane of a property.

The Council discussed the variance request and the requirements to review within the Town Code.

Resolution No. R-09-2018 – A Resolution to grant a six (6) foot fence variance within the front plane of the property at 3908 Baltimore Street was presented.

The Council approved the fence variance request within Resolution No. R-09-2018 with the following amendment: to allow a six (6) foot fence along the eastern front plane of the property, but not to exceed the front plane of Baltimore Street.

Resolution No. R-08-2018 – A Resolution authorizing the Town Manager to install “Two Hour, 7:30 am – 5:30 pm, M-F, Except by Permit” Signs along the west side of the 10500 block of Wheatley Street; and to remove the “No Left Turn” Restriction along northbound Kensington Parkway at Kent Street was presented. See Council Actions.

Robert Speece spoke in support of the petition and Resolution by stating that all adjoining streets have permit parking and allowing parking on both sides of the street is a safety concern, as it creates a sightline issue.

Town Manager Daily stated the Resolution also included an additional traffic order to remove the ‘No Left Turn’ sign at the intersection of Kensington Parkway and Kent Street.

Resolution No. R-07-2018 – A Resolution of the Mayor and Town Council amending the schedule of fees, charges, and expenses was presented. See Council Actions.

Assistant Town Manager stated that the previous Resolution approved in January neglected to

include a number of fees and the amended Resolution would change shed permit fees and add a variance fee for driveways and fences.

Council Actions

Council Member Rollins moved to approve the Town Meeting Minutes from April 9, 2018. The motion passed unanimously.

Council Member Bartram moved to adopt Ordinance No. O-01-2018 adopting the Fiscal Year 2018-19 (FY19) Budget. The motion passed unanimously.

Council Member Bartram moved to adopt Resolution R-10-2018 to grant a 1.7 foot variance for 3500 Dupont Avenue as amended to include “provided the original foundation of the former house is fully used in reconstruction” and to delete in the conclusions of law section “surrounding neighbors have voiced no objection”. The motion passed unanimously.

Council Member Bartram moved to adopt Resolution No. R-09-2018 granting a fence variance for 3908 Baltimore Street as amended for a six (6’) foot fence within the Connecticut Avenue facing front plane of the property. The motion passed unanimously.

Council Member Rollins moved to adopt Resolution R-08-2018 authorizing the Town Manager to install “Two Hour, 7:30 am – 5:30 pm, M-F, Except by Permit” Signs along the west side of the 10500 block of Wheatley Street; and to remove the “No Left Turn” Restriction along northbound Kensington Parkway at Kent Street. The motion passed unanimously.

Council Member Crimmins moved to adopt Resolution R-07-2018 to amend the Town’s schedule of fees, charges, and expenses. The motion passed unanimously.

Council Member Rollins moved to adjourn the Town Meeting at 9:32 pm. The motion passed unanimously.