

### **Town Council Summary from the August 13, 2018 Meeting, 7:06 p.m.**

- Approved the Organizational and Town Meeting Minutes from July 9, 2018.
- Held a Courtesy Review of the proposed Senior Living (62+) development project at 3906 and 3910 Knowles Avenue.
- Held a Public Hearing on **Annexation Resolution No. AR-01-2018** – Authorizing the Annexation to the Town of Kensington of approximately 12.585 acres of land located adjacent to the present corporate limits of the Town located north of the center line of Perry Avenue to University Boulevard and certain interior and adjacent rights-of-ways therein. *The Public Record will remain open until 4:00 pm on Friday, September 7, 2018.*
- Held a Public Hearing on **Annexation Resolution No. AR-02-2018** – Adopting an Annexation Plan for the Annexation of approximately 12.585 acres of land bounded by Perry Avenue, St. Paul Street, and University Boulevard West and certain interior and adjacent rights-of-way. *The Public Record will remain open until 4:00 pm on Friday, September 7, 2018.*
- Adopted **Resolution No. R-13-2018** – A Resolution of the Town Council confirming the Mayor’s appointment of Michael Henehan to replace the remaining term of Chris Bruch to the Development Review Board.
- Adopted **Resolution No. R-14-2018** – A Resolution of the Mayor and Town Council authorizing the termination of the Town of Kensington’s Defined Benefit Plan, as of August 31, 2018, and authorizing those employees to participate in the Deferred Contribution and Money Purchase Plans.

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

### **3906 and 3910 Knowles Avenue Courtesy Review**

A Courtesy Review was held for the proposed Knowles Manor Housing development project at 3906 and 3910 Knowles Avenue.

Mayor Furman stated that the County Planning Department’s hearing for the proposed project has been postponed; however, the Town would proceed with the Courtesy Review.

TJ Monahan, Chair of the Development Review Board (DRB), stated that the Committee does have some concerns with the project, including building height; egress and ingress from Knowles Avenue; parking requirements; elevation materials; and the proposed lay-by-lane.

Council Member Crimmins stated that he has significant concerns over the proposed height of the building, traffic patterns for egress and ingress, and the already failing intersection of Connecticut Avenue and Knowles Avenue.

Bruce Levin, MAC Realty Advisers, along with his development team, stated that the project is still within the sketch plan phase, but currently proposes 123 one and two bedroom apartments with an age restriction of 62+, along with 52 parking spaces and 10 motorized scooter spaces. Mr. Levin explained that the project is designed towards a targeted audience that will most likely

not require a vehicle.

With respect to Council Member Crimmins and Mr. Monahan's concerns, the development team addressed the allowable heights, as indicated within the 2012 Kensington Sector Plan, and noted that although tract TC-4 indicated that this block should grade down from 75 feet at the intersection with Connecticut Avenue to 45 feet at the intersection of Detrick Avenue, they believe that there are options within the Sector Plan to build a 64 foot building. The development team also addressed the parking concerns by explaining their analysis within the presented traffic study, which evaluated neighborhood street parking, vendor traffic, and peak hour traffic from residents.

Council Member Crimmins questioned the angle of the apron to make a right turn into the property.

Council Member Rollins asked if emergency vehicles and apparatus were taken into account when designing the building.

Mr. Levin stated that the lay-by-lane, along with the driveway, if necessary, could be accessed by emergency vehicles; he will discuss the angle of the apron with the development team.

Council Member Hill-Zayat questioned parking on residential streets and circulation through neighborhoods within the traffic study.

### **Public Comment**

Public comment was received with regards to the project and included the following: (1) concerns with the proposed number of residential and visitor parking spaces; (2) the height of the building compared to what is outlined within the 2012 Kensington Sector Plan; (3) concerns over access to public transportation for senior residents; (4) concern over traffic congestion, including the possible use of neighboring streets for both circulation of egress/ingress and parking; (5) and how the property will restrict vehicles from attempting to turn left (west) along Knowles Avenue (MD 547).

Troy Leftwich, Montgomery Planning Department, informed the Council that the State Highway Administration has sent a letter accepting what the applicant has proposed.

Mr. Levin thanked the Mayor, Town Council, and community for the feedback and will take their comments into consideration and provide an update at a future meeting.

### **Ordinances, Resolutions, Regulations**

**Annexation Resolution No. AR-01-2018** – A Public Hearing was held on Annexation Resolution No. AR-01-2018 authorizing the annexation to the Town of Kensington approximately 12.585 acres of land located adjacent to the present corporate limits of the Town located north of the center line of Perry Avenue to University Boulevard and certain interior and adjacent rights-of-way therein. See Council Actions.

**Annexation Resolution No. AR-02-2018** – A Public Hearing was held on Annexation Resolution No. AR-02-2018 adopting an Annexation Plan for the annexation of approximately 12.585 acres of land bounded by Perry Avenue, St. Paul Street, and University Boulevard West and certain interior and adjacent rights-of-way. See Council Actions.

Town Manager Daily stated that the Town received a signed petition from over fifty (50) percent of property owners, meeting State law requirements, within the proposed annexation area requesting the action. A legal advertisement was placed within the Montgomery Sentinel acknowledging the Public Hearing, in accordance with Town and State law.

Steven Henne spoke against the annexation and stated he does not see the associated benefits to justify an increase in property taxes. Mr. Henne also requested the availability of the petition and registered voter list.

Tina Sherman thanked the Town for their consideration and spoke in support of the annexation, as many of the residents are already active within the Town.

Bettina Charlton spoke against the annexation and stated that half of the residents on her street were not notified; Ms. Charlton suggested a referendum, questioned whether Decatur Avenue could be removed from the Annexation Plan and if her property could be grandfathered to allow the existing side yard setbacks to exist.

Jordan Robertson thanked the Town and spoke in support of the annexation and believed it would help provide cohesiveness to the area north of Perry Avenue.

Jessica Ryckman spoke in support of the annexation and noted that a significant effort was made by the Annexation Committee to talk with every property owner, and literature was left with those properties that they could not reach.

Phong Banh spoke in support of the annexation.

Town Manager Daily recommended that the Public Record remain open until 4:00 pm on Friday, September 07, 2018. Mr. Daily also noted that written testimony may be submitted to [Mayor.Council@tok.md.gov](mailto:Mayor.Council@tok.md.gov) during this time, and that the Annexation Resolutions will be presented for adoption at the September 10, 2018 Council Meeting. Questions regarding the possibility of grandfathering in certain setbacks may be directed to Mr. Daily at [SWDaily@tok.md.gov](mailto:SWDaily@tok.md.gov), or by calling the Town Office: 301-949-2424 by 4:00 pm on Friday, September 7, 2018.

**Resolution No. R-13-2018** – A Resolution confirming the Mayor's appointment of Michael Henehan to replace the remaining term of Chris Bruch to the Development Review Board (DRB) was presented. See Council Actions.

**Resolution No. R-14-2018** – A Resolution authorizing the termination of the Town of Kensington's Defined Benefit Plan, as of August 31, 2018, and authorizing those employees to

participate in the Deferred Contribution and Money Purchase Plan was presented. See Council Actions.

Town Manager Daily stated that a soft freeze of the Defined Benefit Plan was instituted in 2010, and the Deferred Contribution and Money Purchase Plan was created for new hires. Mr. Daily noted that approximately \$860,000 is needed to close the Defined Benefit Plan, which has three current employees, one spouse of a deceased employee, and one former employee within the Plan. Once the Plan is closed, current employees will be authorized to join the Deferred Contribution and Money Purchase Plan and immediately vested.

### **From the Mayor and Town Council**

The Organizational and Town Meeting Minutes were reviewed. The Organization Minutes were corrected to indicate that Council Member Rollins was to serve on the ad hoc 125<sup>th</sup> Birthday Celebration Committee and not Council Member Crimmins. See Council Actions.

### **Public Appearances**

Jack Gaffey informed Residents that tonight is the peak of the Perseid Meteor Shower.

Leslie Milano, candidate within the District 18 Democratic primary, thanked the Town and Residents of Kensington for their support.

### **Council Actions**

Council Member Bartram moved to leave the public record open until 4 p.m. on September 7<sup>th</sup> on Annexation Resolution No. AR-01-2018. The motion passed unanimously.

Council Member Bartram moved to leave the public record open until 4 p.m. on September 7<sup>th</sup> on Annexation Resolution No. AR-02-2018. The motion passed unanimously.

Council Member Bartram moved to approve the Town Organizational Minutes from July 9, 2018, as amended to correct that Council Member Rollins will serve on the ad hoc 125<sup>th</sup> Birthday Celebration Committee not Council Member Crimmins. The motion passed unanimously.

Council Member Bartram moved to approve Town Meeting Minutes from July 9, 2018. The motion passed unanimously.

Council Member Bartram moved to adopt Resolution No. R-13-2018 to confirm the Mayor's appointment of Michael Henehan to replace the remaining term of Chris Bruch on the Development Review Board. The motion passed unanimously.

Council Member Bartram moved to adopt Resolution No. R-14-2018 authorizing the termination of the Town of Kensington's Defined Benefit Plan, as of August 31, 2018, and authorizing those employees to participate in the Deferred Contribution and Money Purchase Plan. The motion passed unanimously.

Council Member Hill-Zayat moved to adjourn the Town Meeting at 9:23 pm. The motion passed unanimously.