

November 5, 2018 Town Council Meeting

- Approved the Town Meeting Minutes from October 8, 2018.
- Announced that the Annexation Referendum for Annexation Resolution AR-01-2018 will be held on Saturday, December 1, 2018, 9:00 am – 12:00 pm, within the public right-of-way in front of 10728 St. Paul Street, Kensington, Maryland. *Please note that the Referendum is only open to registered voters of Montgomery County, as of October 25, 2018, that live within the proposed Annexation area.*
- Approved the following Sign Variances at 10414 Detrick Avenue:
 - Allow an additional 100 square feet of signage beyond the sign allowance calculation on the east elevation; and
 - Allow an additional 44 square feet of signage beyond the sign allowance calculation on the south elevation; and
 - Allow illumination during non-business hours for Sign 3 (Wine & Co.) and Sign 4 (Directory) on the east elevation; and
 - Allow illumination during business hours only for Sign 1 (10414 Detrick Avenue) and Sign 2 (Knowles Station) on the east elevation; and
 - Allow illumination until 10:00 pm or the close of business for Tenant Signs A, B, C, D, and E on the north elevation; and
 - Allow illumination until 10:00 pm for Tenant Signs A, B, C, D, and F on the south elevation; and
 - The Town will also inform the County’s Sign Review Board that no adverse effect on residential properties abutting, contiguous, confronting, or within 150 feet of 10414 Detrick Avenue was found during the Variance Hearing.
- Approved sending a letter to the Montgomery County Department of Transportation to “opt-out” of the dock less bikes, e-bikes, and e-scooters Pilot Program.
- Approved sending a letter to Montgomery Planning confirming that the Town of Kensington and Solera Reserve Kensington, in accordance with an Easement Agreement between Montgomery County, Konterra Limited Partnership and the Town of Kensington, have agreed that the Town will continue to have jurisdiction and control of the 10500 block of St. Paul Street.
- Approved sending a letter in support of Solera Reserve Kensington’s position that they should not be required to contribute towards the County’s Bike Share Program.
- **Adopted Resolution No. R-16-2018** – A Resolution proclaiming November to be Municipal Government Works Month in Kensington, Maryland.

Town Meeting 7:00 p.m.

Mayor Furman; Council Member 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.

The Town Meeting Minutes from October 8, 2018 were reviewed and approved. See Council Actions.

Bicycle Master Plan (Montgomery County)

Pamela Dunn and Eli Glazier, Montgomery County Planning, presented the County's Bicycle Master Plan with respect to the Town of Kensington and concerns with future development along Knowles and Summit Avenue.

Mr. Glazier stated that the Bicycle Master Plan proposes a side path along Knowles Avenue between Connecticut and Summit Avenue; however, Planning staff is recommending a separated two-way path to avoid conflict between pedestrians and bicyclists. In order to achieve this, Mr. Glazier noted that the Planning staff is proposing reducing the existing lane widths from 48 feet to 44 feet.

The Mayor and Council expressed concern about narrowing the width of the travel lanes, specifically the westbound travel lane, as this will create difficulties for vehicles turning onto Knowles from Connecticut Avenue.

Mr. Glazier noted that this issue may be resolved by setting the stop bar back from the intersection, allowing a greater turning radius for westbound traffic. In addition, the intersection will be evaluated at the time of design.

Mr. Glazier stated that the Bicycle Master Plan recommends a two-way separated bike plan along Summit Avenue between Howard and Knowles Avenue.

The Mayor and Council expressed concern about this proposal, as the plan may prevent future on-street parking and tree placement options following future development projects.

Mr. Glazier stated that the Council's concerns could be addressed by having curb extensions within the designated parking lane, which would allow the planting of trees; or the Council could request that the public right-of-way be increased from 70 feet to 80 feet within the Master Plan.

Jack Gaffey spoke in support of the bike paths and the importance of a buffer between the street and the bike path.

Leslie Olson asked if there were any additional routes being considered within the Town.

Al Carr commended the Planning staff on the proposed Bicycle Master Plan and suggested three alternatives for the east-west route of Knowles Avenue. Mr. Carr also suggested that the Town adopt the County's law to allow bicycles on sidewalks.

Joe Campbell spoke in support of the Bicycle Master Plan and the importance of the Town and County to elevate this plan as a priority; he also questioned plans for possible routes along Kensington Parkway and Kent Street.

Dave Beaudet spoke in support of the Bicycle Master Plan and suggested an underpass beneath the CSX tracks.

The Mayor and Council questioned the intent behind the route; state highways being considered low stress; existing utilities along the proposed bike path routes; and whether additional, non-State roads, could be identified as alternative routes within the plan.

Ms. Dunn and Mr. Glazier stated that the planned route would connect Connecticut and Knowles Avenue to Beach Drive, and subsequently NIH; utilities would be dealt with during the time of redevelopment; and that if the Town was unhappy with the proposed route it could be removed; however, the Town would not have the ability to reestablish the plan if removed.

Variance Hearing for 10414 Detrick Avenue

Tom Brault and Ki Yoon, Woodside Ventures, presented a request for multiple sign variances for the property located at 10414 Detrick Avenue (Knowles Station).

Leslie Olson spoke against the requested twenty-four-hour sign illumination and noted that this was a regressive approach to our regulations and while she understood visibility of businesses is necessary, this was not appropriate.

Dave Beaudet noted the importance of controlling light pollution.

Council Member Bartram noted that the Town's sign regulations do not necessarily reflect the Kensington Sector Plan's mixed-use concept within certain areas of the Town and suggested that the variance process work as a transitional period until the Code may be amended.

Council Member Hill-Zayat stated that she did not have an issue with the variance requests pertaining to the sign allowance calculation; however, she noted concerns with regards to the impact the illumination may have on residential properties.

See Council Actions.

From the Town Manager and Staff

Annexation

Town Manager Daily stated that the Town received a petition that meets the State's requirement for requesting a referendum with regards to Annexation Resolution No. AR-01-2018. Mr. Daily stated that the Town will hold an Annexation Referendum Election on Saturday, December 1, 2018, 9:00 am – 12 noon, in front of 10728 St. Paul Street.

Tina Sherman asked if the Town will be sending out information with regards to the referendum and if it would include background information on the Annexation.

Town Manager Daily stated that the referendum language, along with a response to a few of the concerns raised by the proposed annexed area will be sent.

10500 St. Paul Street

Town Manager Daily noted that the Town has been working on clarifying the appropriate dedication line for the public right-of-way along the 10500 block of St. Paul Street, and that an 1898 Plat indicates a right-of-way between 30 feet and 40 feet across the CSX tracks. Mr. Daily concluded that an easement agreement has been presented to allow the Town to maintain jurisdiction of the right-of-way. A letter will be sent to the Montgomery County Planning Commission confirming the easement, if approved by the Town Council. See Council Actions.

Assistant Town Manager Hoffman stated that the Town will be meeting with other local municipalities on November 28th to discuss small cell tower regulations.

Town Manager Daily stated that a Council work session has been scheduled for January 29, 2019 to discuss amendments to the Town's sign regulations. Mr. Daily requested that the Council review the County regulations and note where they would like for the Town to be more restrictive and to send comments to the staff by January 4, 2019.

Jack Gaffey noted that if the County's sign ordinance is adopted, the Town should be aware that any changes they make will affect the Town.

From the Mayor and Town Council

Dockless Bikes

Mayor Furman and the Council discussed entering into the County's dockless bikes, e-bikes, and e-scooters pilot program. See Council Actions.

David Beudet stated that he does not see the need for the program within the Town and suggested that a zip car program would be more beneficial.

Bike Share Program

Mayor Furman noted that the Montgomery County Department of Transportation is asking Solera Reserve Kensington to contribute towards a bike share program as part of their development project, and that Solera is requesting the Town oppose this request considering their intended use.

The Council discussed the merits of requiring Solera Reserve to contribute towards a bike share program. See Council Actions.

Council Member Bartram stated that the Traffic Committee had met and that they discussed a number of options to resolve the concerns of residents along Farragut Avenue with regards to traffic calming. The consensus at the meeting was not to consider barricading off Farragut Avenue, other options will be reviewed at a future meeting.

Council Member Crimmins questioned the status of bike racks for St. Paul Park.

Council Member Rollins suggested placing a recycling station in front of the M&T Bank along Howard Avenue.

Assistant Town Manager Hoffman stated that the bike racks had arrived and the Crew will install

it following leafing season; and will check to see if there is an extra recycling station for Howard Avenue.

Mayor Furman reminded the Council that the annual Christmas Tree and Menorah lightings will be held on Sunday, December 2nd; and that the Committee for Montgomery Legislative Breakfast and MML Chapter Dinner are scheduled for Thursday, December 13th.

Public Appearances

Jack Gaffey thanked the Town for the Kensington Cabin dedication; Explore Kensington Day; and Pumpkin Rock N' Roll.

Dave Beaudet mentioned that Residents along Farragut Avenue have suggested blocking the street during Scary Perry due to traffic and safety concerns.

Council Member Crimmins agreed with closing Farragut Avenue next year and will review with Town staff.

Ordinances, Resolutions, Regulations

Resolution No. R-16-2018– A Resolution of the Mayor and Town Council proclaiming November to be Municipal Government Works Month in the Town was presented to highlight municipal government and the services they provide. There was no public comment. See Council Actions.

Council Actions

Council Member Crimmins moved to approve the Town Meeting Minutes from October 8, 2018. The motion passed unanimously.

Council Member Crimmins moved to approve the sign variance for 10414 Detrick Avenue to allow an additional 100 square feet of signage beyond the sign allowance calculation on the east elevation and allow an additional 44 square feet of signage beyond the sign allowance calculation on the south elevation. The motion passed unanimously.

Council Member Crimmins moved to approve the sign variance for 10414 Detrick Avenue to allow illumination during non-business hours for Sign 3 (Wine & Co.) and Sign 4 (Directory) on the east elevation; allow illumination during business hours only for Sign 1 (10414 Detrick Avenue) and Sign 2 (Knowles Station) on the east elevation; allow illumination until 10 p.m. or the close of business for Tenant Signs A, B, C, D, and E on the north elevation; allow illumination until 10:00 p.m. for Tenant Signs A, B, C, D, and F on the south elevation; and inform the County's Sign Review Board that no adverse effect on residential properties abutting, contiguous, confronting, or within 150 feet of 10414 Detrick Avenue was found during the Variance Hearing. The motion passed 3 to 1. The Mayor concurred. Council Member Hill-Zayat opposed the motion.

Council Member Hill-Zayat moved to send a letter to Montgomery Planning confirming that the Town of Kensington will maintain jurisdiction over the public right-of-way along the 10500 block

of St. Paul Street following an Easement Agreement between the Town, Montgomery County, and Konterra Limited Partnership. The motion passed unanimously.

Council Member Hill-Zayat moved to send a letter to the Montgomery County Department of Transportation to “opt-out” of the dockless bikes, e-bikes, and e-scooters Pilot Program. The motion passed unanimously.

Council Member Rollins moved to send a letter to support Solera Reserve Kensington’s position that they should not be required to contribute towards the County’s Bike Share Program. The motion passed unanimously.

Council Member Rollins moved to adopt Resolution No. R-16-2018 to proclaim November to be Municipal Government Works Month. The motion passed unanimously.

Council Member Hill-Zayat moved to adjourn the meeting at 10:21 p.m. The motion passed unanimously.