# Kensington Around Town March 2019



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The British Players Present: "Noises Off" March 21, 22, 23 24, 28, 29 & 30

Wheaton & Kensington Chamber of Commerce Mixer Tuesday, March 26 • 12-1:30pm

Community Meeting for 10609 Connecticut Ave Town Hall Thursday, March 28 • 7pm

Kensington Historical Society Meeting Tuesday, April 2 • 7 - 8 pm Kensington Town Hall

Shred it! Paper & Electronics Drop Off Saturday, April 27 • 1-3 pm Kensington Town Hall

**KVFD Spaghetti Dinner** Saturday, April 27 • 5-8 pm

Kensington Day of the Book Festival Sunday, April 28 • 11 am- 4 pm Howard Avenue

**GALA Craft Fair** Sunday, April 28 • 11 am - 2 pm Armory Avenue

For more info on events go to: **TOK.md.gov/Events-Calendar** 

COMMUNITY MEETING - Kensington Square Self Storage (10619 Connecticut Ave) March 28 • 7pm Town Hall

### **Proposed Development**

### **PROPOSED DEVELOPMENT OF 10619 CONNECTICUT AVE**

Authors: Tracey Furman; Mayor; Darin Bartram, Town Councilmember and Co-Chair, Development Review Board



Back in April 2018, a development group (applicant) brought an initial concept to the Town's Development Review Board (DRB) to build a self-storage facility on the property at 10619 Connecticut Avenue, otherwise known as the Huggins Property, located at the corner of Connecticut Avenue and Plyers Mill Road. Since that time, this project has been reviewed by the Town's DRB several times and has come before the Town Council at the October 8, 2018, Town Council meeting at which time the Council voted unanimously to draft a letter of opposition to the project to the Montgomery County Council. This letter of opposition outlined the Council's collective agreement that the project, as proposed in October 2018, did not conform to the Town's 2012 Sector Plan and, as a conditional use, did not provide meaningful retail and community amenities sufficient to outweigh the conditional use of a proposed self-storage facility.

In the time since the Council's letter of opposition in October 2018, the applicant has been working to redesign the project based on feedback received from the DRB, the Mayor and Town Council, and surrounding community organizations. The applicant has recently scheduled a community meeting for March 28th at 7pm at Kensington's Town Hall. While this meeting will be hosted at our

Town Hall, it is important to note that this meeting is the applicant's opportunity to share their plans with area residents and the Town of Kensington's role is merely to offer our community space in order to make this event as convenient for our residents as possible.

In light of all this, and in preparation for the applicant's upcoming community meeting, we wish to share an extended version of some of our thoughts about the possible development uses of the 10619 Connecticut Ave site for, among others. self-storage.

At the outset, the two of us are (and we believe the rest of the council is) committed to our opposition to the project, unless a final proposal contains a high level of public amenities such as artist community, outdoor space, restaurant, and architectural details. Furthermore, the public amenities to be proposed by the applicant must be such that their benefit and enjoyment by our community must outweigh the use of the rest of the building for self-storage.

Although the Town staff and the Development Review Board have spent significant time evaluating this site and the proposal, there are enough unique factors concerning this property that we have requested input from the Montgomery Planning Board staff. We need a better idea of what a different developer could do "by right", versus what a developer can do under the optional method, which would include meaningful Town input. This is too important a corner to make assumptions. The cost of being wrong could be a very distasteful surprise alternative development that would be a part of our Town for decades to come.

Under the Town's 2012 Sector Plan, this lot would allow a developer to use the "standard method"



to develop a Floor Area Ratio (FAR) 1.0, which zones rather sites like the Huggins property which for this lot would allow development up to about is zoned CRT.) 46,000 square feet of use. (The site's net area While we are very concerned about any potential is about 46,000 square feet. This lot is zoned use that includes self-storage, we are weighing CRT 2.5, C2.0, R2.0, H75, which means that if that concern against uncertainty about alternative a developer uses the optional method, it could uses of that site. As noted above, the owner paid build up to about 93,000 sf (2.0 x the site area) of a lot for this site and will be looking for a return solely commercial or solely residential, or 115,000 on his investment. How the owner chooses to sf (2.5 x the site area) if it built mixed residential develop this property has bearing on how much & commercial; with a maximum building height of input the Town can have toward the final project. 75 feet).

There are other concepts for that site that are To support the Town's review of development under his active consideration, including a options on this site, the Town has asked Planning fast-food restaurant, or a small commercial staff to perform a retail analysis of the proposed development consisting of a bank and mattress use of 10619 Connecticut Ave., to get their view discount store. While Montgomery County on the viability of retail at this location. The retail Planning staff would prefer development at this analysis is pending the revised plans submission. site to include a mixed-use concept, pursuant to Regarding the proposal before the Town and meeting zoning requirements within the Sector County, the Town Council has previously voted Plan, these alternatives could be permitted by unanimously to not support the proposed right, leaving the Town with very little input to development at the Huggins site. We believe that what is developed at that site.

standalone self-storage at that site would kill We believe a single-level, small retail concept on that corner, such as a mattress store or a fastfood restaurant, would be a terrible use of the only

retail activity at that corner, which as you all know, otherwise consists of two gas stations and the fire station. currently available corner for retail at Connecticut and Plyers Mill. The use as a mattress store would At the same time, we need to keep in mind that the Town does not own that site. The owner paid brand our town almost as badly as the gas stations \$4 million for it in November 2017, and is entitled do. A fast-food restaurant would add significant to make economic use of that property. He can traffic to a failing intersection and would also not build some things "by right", using the standard raise the image of Kensington. And neither would method of development, requiring minimal public provide our community with the amenities that we consideration from the Town. Or, he may wish wish to see for a location such as this. to propose development using the "optional There is some disagreement as to the economic method," where he would have to provide public viability of alternative uses, but we believe that amenities and consider public input in exchange some of those uses could go forward and we for being able to build to a higher density. It is would have only limited ability to influence the these latter optional method developments that overall final project -- especially with regard are subject to significant public consideration to architecture and amenities. (And, even if a by the Town and County. (The proposed use for project is not viable today, economic viability can self-storage is a "conditional use," which faces change over time.) Many of us would be deeply an even higher burden of justification, based on disappointed to end up with these kinds of uses county zoning code provisions that prefer selfon that site. (The present use by Hawkins is being storage facilities to be located in light industrial

### **Proposed Development**

### **Proposed Development**

done on a sub-market, temporary basis. The owner does not intend this for anything but a bridge period.)

Over the years, many Town residents have expressed an interest in having space for an arts community, and even more have vocalized a desire for additional sit-down, community restaurants. When the present development proposal arose, none of us supported it, and we still don't. But, we must remain open-minded toward any proposed project and evaluate it based on if (1) the developer is willing to dedicate the first two floors to dining/artist uses, (2) there is a significant redesign of the outward appearance of the building, and (3) we can avoid the potential for distasteful alternative uses of that site.

We worry that a lot of residents have expectations about this site that are unrealistic. We can not impose a "moratorium" on building until traffic is fixed. We cannot dictate a particular use of that site, which we don't own. Even under the expanded authority of the Sector Plan and design guidelines, property owners can make use of their property in ways we may disagree with.

Notwithstanding the above, even permissible alternatives at this site present real and permanent challenges. Traffic at that corner is horrible and most of the "fixes" (e.g., the Summit Ave. Extension) are long-term and uncertain, and may offer only moderate relief. A residential development on that site would feed traffic into a failing intersection, and if the building was not age-restricted, that additional traffic would likely occur during peak traffic rush-hours. Similarly, a fast-food restaurant depends on high throughput, and would worsen conditions at that intersection. Given the glut of commercial office space in the county, we foresee no likelihood of a proposal that would include commercial office space now or in the near future. And, given the economics of the property, we would expect that the owner would pursue more likely alternatives such as a franchise fast food restaurant rather than commercial office

or residential. Which leads us to the present case in which the owner is looking to sell to a company that builds and manages self-storage facilities. Like them or not, these buildings have very low traffic, after initial move-ins, and have zero impact on school crowding.

With a "conditional use" of self-storage we have the maximum ability to demand design details, versus minimum ability for "by right" uses. And, the addition of an artist community and a restaurant would offer some very welcome "life" on that corner and add much desired amenities to our community. We think it is irresponsible to dismiss these amenities as "lipstick on a pig," because no one on the Council or the DRB would support a storage project that includes only token amenities.

The applicant has scheduled a Community Meeting for March 28th at 7pm. We highly encourage residents to attend. As this meeting is being hosted by the applicant and is not an official Town meeting, the Town will not take any position on the proposed plan at the community meeting. The applicant will be required to make a presentation at a future Town meeting, at which time the Mayor and Town Council would discuss our position on the project presented to us. At this time there has been no request from the applicant to be on a future Town meeting agenda.

We can by all means chase this project away. But if that's the path we choose, we must be prepared, as a community, to recognize that we may have limited ability to influence some of the alternatives that may come next.



#### February 11, 2019 Town Council Meeting

- Approved the Town Meeting Minutes from January 14, 2019 and the Work Session Minutes from January 28, 2019.
- Adopted Ordinance No. O-01-2019 An Emergency Ordinance to Amend Chapter 3, "Streets, Sidewalks, Maintenance and Use of the Public Rights-of-Way", by Adopting Article III, "Wireless Telecommunications Facilities in the Public Rights-of-Way", to provide for certain standards and regulations relating to the location of small wireless telecommunications towers, antennas, and other structures within the Town's public rights-of-way or on Town property, consistent with Federal and State Law; and providing a fee, annual charge and a penalty.
- Adopted Resolution No. R-03-2019 A Resolution authorizing the Town Manager to purchase a picnic pavilion from Playground Specialists, Inc., for St. Paul Park.

#### Town Meeting 7:00 p.m.

Jack Gaffey questioned the developers plans Mayor Furman; Council Member Bartram, for improving traffic flow by adding a lane along Crimmins, Hill-Zayat, and Rollins; Town Manager Knowles Avenue. Daily. Assistant Town Manager Hoffman: and Clerk-Treasurer Engels were present. The Pledge Mr. Brault stated that he would be willing to work of Allegiance was recited, and a moment of with the State, County, and Town on improving silence was observed. traffic along Knowles Avenue.

The Town Meeting Minutes from January 14, Joe Campbell, Adeline Louie, Doug Lynott, Leslie 2019 and Work Session Minutes from January 28, Maxam, Julie O'Malley, and Helen Wilkes all 2019 were reviewed and approved. See Council spoke in opposition to the proposed 3rd Phase Actions. of the Knowles Station Townhome project citing traffic implications, concern over zoning use, and From the Mayor and Council a lack of greenspace.

Mayor Furman reminded Residents of the 125th Liz Brennan guestioned the width of the sidewalks Anniversary Celebration on April 6<sup>th</sup>, and noted within Phase 2 of the Townhome project and that formal invitations will be mailed to Residents: whether the addition of 19 new homes would the 125<sup>th</sup> Celebration will also include two affect the current school capacity concerns. additional events later this year at Kensington Cabin Park and St. Paul Park; noted that the Mr. Brault noted that the 19 new Townhomes was

Greenscape Committee had met recently and discussed re-designing the gardens within Clum-Kennedy Park, creating banners for the Howard Avenue street lights, and celebrating Arbor Day in cooperation with the Day of the Book Festival.

Council Member Bartram noted that the Traffic Committee will convene on February 21st, 7:00 pm.

Council Member Rollins noted that Food Truck Night will once again return on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of the month beginning May 2<sup>nd</sup>.

From Town Manager and Staff

4000 Knowles Venture LLC (4000 Knowles Avenue)

Tom Brault, Woodside Ventures, presented a proposed Townhome development project, Phase 3 of Knowles Station, at 4000 Knowles Avenue; and requested that the Council consider abandoning a portion of the public right-of-way along Kaiser Place (Warner Street) in exchange for certain public benefits to the surrounding site.

### **Town Minutes**

below the threshold to impact the school capacity concerns.

Nick Pirulli, Brainard Avenue, stated that the existing area is unsightly and suggested working with the developer for less density and something that would work with the character of the Town.

Town Manager Daily stated that the Town does not own the public right-of-way; however, the Town may regulate and control the right-of-way for safety and maintenance purposes. If the Town elected to abandon the right-of-way at the end of Kaiser Place, the area would most likely be split between 4000 Knowles and the HOC property.

Council Member Bartram discussed the importance of working with developers with proposed projects because there are certain projects that may be done by right, in which the Town would have limited leverage in design aspects.

Helen Wilkes requested that the Town place a moratorium on development or at least step back and figure out a plan to incorporate the character and look of the Town.

Mayor Furman reminded everyone that the 2012 Kensington and Vicinity Sector Plan includes Design Guidelines which addresses the characteristics of the Town, while the actual Sector Plan provides an outline for development within the CRN and CRT zones.

The Council discussed Mr. Brault's presentation and expressed concern with the existing intersection and the impact additional development would have on traffic; the Council stated that they would like to discuss the request for abandonment with the Town Attorney prior to making a decision on the request.

Asst. Town Manager Hoffman stated that the Town recently hired Kariann Zentz as a part time Communications and Marketing Specialist to help the Town staff with both communication and

marketing tasks.

Leslie Maxam asked if the position was advertised and discussed the County's requirements for recruiting open positions; Ms. Maxam stated that she is concerned about transparent hiring and would have liked to have known the position was open.

Joe Campbell stated that the position should have been advertised and discussed more prominently; guestioned the hours, salary and budget line.

Mayor Furman stated that the position was discussed and approved within a budget line for the existing FY19 Budget. The position will be for 20 hours a week at \$35 an hour and has no associated benefits. Mayor Furman also noted that Kariann previously worked with the Town's public relations firm, Maier Warner, and is very familiar with the Town and our operations.

#### Montgomery County Police (Additional **Coverage Service Agreement**)

Town Manager Daily stated that an analysis was done to compare the Town's existing additional coverage police services agreement with that of adjacent municipalities, in which they directly hire officers as employees for additional coverage. Mr. Daily noted that financially, the costs would be similar and suggested that either approach would be acceptable.

Leslie Olson stated that there is continuous disregard for the Town's posted restrictions and that she rarely sees enforcement; and thought that hiring our own officers would allow them to be there when needed.

Jack Gaffey stated that more police enforcement is needed, especially at the 'Do Not Block the Box' signs at the intersection of Connecticut and Howard Avenues.

Jim Cooper spoke in support of hiring our own officers and noted that this would allow for greater accountability and control.



Joseph Campbell stated that the current approach State Law; and providing a fee, annual charge and with the County police has been working well and a penalty was presented for introduction, public that they have been doing a fine job enforcing the hearing, and emergency adoption. See Council 'No Left Turn' sign at the intersection of Kensington Actions. Parkway and Kent Street; he guestioned whether Town Manager Daily stated that following a recent FCC ruling in anticipation of wireless telecommunication companies introducing 5G, many local communities across the country have

there would be more enforcement if the Town hired their own officers; if the police reports are available to the public; and whether the Town purchased police bikes have helped enforcement. been adopting regulations on the aesthetics and placement of small cell towers within the public Town Manager Daily stated that the police reports are available by request and that current rights-of-way. Mr. Daily continued that Town enforcement areas are determined by the Council Attorney Ferguson recommended that the Town and relayed to the Bethesda District Commander; adopt these regulations under an emergency ordinance. and noted that there are not enough funds available to enforce all of the restrictions at all The Mayor and Council accepted Town Attorney

times. Ferguson's recommendation and held a Public Adeline Louie asked if the Town's traffic restrictions Hearing on Ordinance No. O-01-2019 under could be enforced with the use of cameras. emergency circumstances.

Town Manager Daily stated that the Town does Bernadette Engelstad, East Bexhill Drive, spoke not have authority to issue violations by use of against the emergency ordinance as she believed camera for time restrictions or stop signs, as State that the Ordinance would pave the way for telecommunication companies to install small cell law only permits camera use for speed violations within certain areas. towers, which she explained may cause harmful health concerns to the public.

The Mayor and Council concurred to direct staff The Council noted that the intent behind the to provide for the hiring of two police officers to enforce traffic restrictions within the upcoming emergency ordinance is not to pave a way for Fiscal Year 2019-2020 Budget; and asked that telecommunication companies to install small the Traffic Committee also discuss the proposal cell towers, but rather to provide regulations at their next meeting. on certain aspects of the towers when the 5G network comes into fruition. The Ordinance may **Ordinances, Resolutions, Regulations** be amended at a later time and that there is current State legislation that may supersede the Town's regulations; however, they believed the regulations were a necessary step to protect the Town.

Ordinance No. O-01-2019 - An Emergency Ordinance of the Mayor and Council of the Town of Kensington to Amend Chapter 3, "Streets, Sidewalks, Maintenance and Use of the Public Rights-of-Way", by Adopting Article III, "Wireless Leslie Olson requested a longer Public Hearing to Telecommunications Facilities in Public Rightsallow further review of a complex issue. of-Way", to provide for certain standards and regulations relating to the location of small wireless Council Member Bartram stated that the telecommunications towers, antennas, and other Council will revisit the ordinance as things structures within the Town's public rights-of-way develop; however, it is necessary to approve the or on Town property, consistent with Federal and Ordinance at this time in the unlikely event that

### **Town Minutes**

## **Town Minutes**

a telecommunications company comes forward with a small cell tower proposal.

John Doherty questioned the origination of the text in the Ordinance.

Mayor Furman noted that Town Attorney Ferguson has been working very closely on this issue with other localities and the Maryland Municipal League.

Ellen Suthers, East Bexhill Drive, stated that she appreciated the intent behind the emergency ordinance and suggested that the Council continue reviewing the Ordinance for further clarification.

**Resolution No. R-03-2019 -** A Resolution authorizing the Town Manager to purchase a picnic pavilion structure from Playground Specialists for St. Paul Park was presented. See Council Actions.

Leslie Olson suggested adding snowbirds to the metal roof to help hold snow and ice.

#### **Council Actions**

Council Member Rollins moved to approve the Town Meeting Minutes from January 14, 2019 and the Work Session Minutes from January 28, 2019. The motion passed unanimously.

Council Member Bartram moved to introduce Ordinance No. O-01-2019 - an Emergency Ordinance of the Mayor and Council of the Town of Kensington to Amend Chapter 3, "Streets, Sidewalks, Maintenance and Use of the Public Rights-of-Way", by Adopting Article III, "Wireless Telecommunications Facilities in Public Rightsof-Way", to provide for certain standards and regulations relating to the location of small wireless telecommunications towers, antennas, and other structures within the Town's public rights-of-way or on Town property, consistent with Federal and State Law; and providing a fee, annual charge

and a penalty. The motion passed unanimously.

Council Member Crimmins moved to close the Public Hearing on Ordinance O-01-2019. The motion passed unanimously.

Council Member Crimmins moved to adopt the Ordinance O-01-2019 - An Emergency Ordinance of the Mayor and Council of the Town of Kensington to Amend Chapter 3, "Streets, Sidewalks, Maintenance and Use of the Public Rights-of-Way", by Adopting Article III, "Wireless Telecommunications Facilities in Public Rightsof-Way", to provide for certain standards and regulations relating to the location of small wireless telecommunications towers, antennas, and other structures within the Town's public rights-of-way or on Town property, consistent with Federal and State Law; and providing a fee, annual charge and a penalty, effective immediately. The motion passed unanimously.

Council Member Rollins moved to approve Resolution No. R-03-2019 - authorizing the Town Manager to purchase a picnic pavilion structure from Playground Specialists for St. Paul Park. The motion passed unanimously.

Council Member Hill-Zayat moved to adjourn the meeting at 9:41 p.m. The motion passed unanimously.

#### February 25, 2019

#### Work Session 5:30 p.m.

Mayor Furman, Council Members Bartram, Crimmins, Hill-Zayat and Rollins; Town Attorney Ferguson, Town Manager Daily, Assistant Town Manager Hoffman, and Clerk Treasurer Engels were present.

Town Attorney Ferguson discussed the process for abandoning the public rights-of-way; and noted that while the Town maintains and controls the right-of-way, the Town does not own or have



zoning authority over the right-of-way. In addition County Park and Planning, along with the utilitie would have the final say of any abandonment proposal.

The Mayor and Council concurred that the would not move forward at this time to develo an abandonment policy.

The Mayor and Council continued the discussion on possible amendments to the Town's Commercial and Sign regulations with the following recommendations:

- Removing A-frame signs from the ordinance since the Town is less restrictive than the county and allowing the county to enforce A-frame signs.
- Requiring permits for limited duration sig within the Town and having the issue dat posted on the signs to help staff enforce the various regulations.
- Allow illuminated signs that project a 'hale effect around individual channel letters.
- Remove all existing pole signs, except for within the Historic District, from our existing exemption within five years.
- Discussed the specifics of prohibited signs an illumination of signs after a business is closed as stated within the current regulations.

Town Attorney Ferguson will draft the suggested changes for council review.

The Work Session ended at 7:05 pm.

# **Town Minutes**

on,	Building Permits
ney op neir the	<b>Building Permits</b> Please be reminded that both a Town and County permit are needed for any exterior structural changes, with the exception of landscaping and repairs. Historic District properties will also need a Historic Area Work Permit (HAWP). Please contact the Town staff with questions.
ice the rce	Town Permits
	3511 Plyers Mill Court - Garage
igs	10423 Mannakee Street - Interior
ate the	3509 Dupont Avenue - Porch
	Concord Street at University Blvd Utility
lo'	10605 Concord Street - Utility
	3927 Baltimore Street - Storage Container
for	10206 Frederick Place - Utility
ing	3505 Kensington Court - Interior
nd ed,	3607 Dupont Avenue - Storage Container

# Warner Circle Park

### DEVELOPMENT UPDATE OF WARNER CIRCLE PARK

Authors: Jason Gerson, John Doherty, Sue Gander, Helen Wilkes, Katherine Wood



Warner Circle Special Park -- a 4.4-acre property at the center of the Kensington Historic District -- is one of the Town's jewels and great assets. The two historic buildings located on the property, the Warner Mansion and carriage house, were built as the summer home of Brainard Warner, most often recognized as the founder of Kensington.

In a previous issue of this newsletter, the Friends of Warner Circle (FOWC), formerly the Warner Circle Committee, introduced itself as a group of local residents whose primary goal is to serve as a community catalyst for identifying a viable long-term use for the property. We, the Board of FOWC, are now writing to apprise Kensington residents about recent Warner Circle Park developments and invite your involvement and input.

As you know, the property is currently owned by the county, and the Department of Parks has been responsible for maintaining the site. Although Parks has limited resources, it has acted as a steward and provided basic maintenance of the buildings and grounds over the past several vears.

Parks was approached by Washington Land-

mark Construction (WLC) in mid-2018 to explore the possibility of developing the Mansion and carriage house into condominiums. WLC, which is owned by Trevor and Karl Voglmayr, is responsible for the redevelopment of the Gymnasium and other historic buildings at the National Park Seminary in nearby Forest Glen. Parks was in discussion with WLC for many months about Warner Circle Park, culminating in a Letter of Intent that was signed in December 2018.

While the Letter of Intent signals a formal advance in the process, it is important to recognize that the plans are still at an early stage. Moreover, because Warner Circle Park and its buildings were purchased by the county with public funds and are subject to historic preservation requirements, numerous state and county level entities will need to approve any proposed use or redevelopment (Maryland Historical Trust, Montgomery Parks, Montgomery County Planning Board, Montgomery County Council, to name a few).

That said, Parks and Karl Voglmayr have demonstrated a willingness to engage with the FOWC and the broader community. A FOWC meeting was held on January 31, 2018. Mr. Voglmayr discussed his experience and expertise re-developing historic properties and presented preliminary concepts and a tentative timeline for the redevelopment of the Warner buildings. The presentation slides can be found on the FOWC website listed below and at: https://tok.md.gov/redevelopment/. Several senior Parks staff members, including Director Michael Riley, were on hand to answer guestions and to assure the community that Parks is committed to preserving the park grounds for public access and enjoyment.

Key takeaways from the presentation include:



- Current plans envision that the Mansion and There is much legal and financial spadework carriage house would be sold to WLC and that remains to be done, as well as coordinawould include a building envelope of six tion among numerous county and state entities. (6) feet around each building. The rest of the Parks continues to work on these matters and parkland (minus parking areas) would be plans to come back to Kensington with Mr. preserved for public access. Voglmayr in May 2019 to present updated plans to the Town (date/time TBD).
- Current plans envision a small addition to the Mansion footprint - smaller than what had In the meantime, the FOWC is continuing to been approved as the office addition in the program fun, community-building events at Warner Circle Park. On June 30th, in partnership 2011 Facility Plan (https://www.montgomwith Parks and the county Department of Transeryparks.org/projects/directory/warner-circle-special-park-facility-plan/) portation, we will have the inaugural "Cycling in the Circle," which will include bike and helmet Current plans call for the development of checks and road safety instruction in advance of twelve (12) units, ten (10) in the Mansion, and the 4<sup>th</sup> of July Parade. On July 20th, we will have two (2) in the carriage house. the second annual Opera in the Park concert. More details to follow!
- Several units will be CAPABLE (Community Aging in Place Advancing Better Living for To learn more about Warner Circle Park's his-Elders) and designed to provide access and tory, the FOWC's activities and principles, and livability, including an elevator in the Manto contact the FOWC, see: http://www.noveslision. braryfoundation.org/friends-of-warner-circle. html.
- There is an existing historic preservation easement that requires public access to the property, thereby continuing to allow for public events in the Park (e.g. Opera in the Park, Pumpkin Rock n' Roll). Parks and the community will work with WLC to develop a plan to open non-private spaces in the buildings to the public on occasions throughout the year.

Approximately thirty (30) FOWC members attended the meeting. Attendees asked questions about a wide range of issues, including: financing for the construction and long-term financial viability of the condominiums; the possibility of rehabilitating the carriage house for a non-residential purpose (e.g. artists' studios, café, co-working space); whether current parking surfaces would need to be expanded; potential traffic, environmental, and construction impacts; responsibilities for park landscaping; and potential location of power lines, HVAC compressors, and trash receptacles.

# Warner Circle Park

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Mayor Tracey C. Furman

Council Member Darin R. Bartram Council Member Bridget Hill-Zayat



Council Member Conor D. Crimmins Council Member Duane L. Rollins

Town Manager Sanford W. Daily 3710 Mitchell Street Kensington, MD 20895-3350 301-949-2424 swdaily@tok.md.gov

March 11, 2019

Mayor Furman Councilmember Bartram Councilmember Crimmins Councilmember Hill-Zayat Councilmember Rollins

Pursuant to Article VIII of the Town Charter, the Town Manager is required to submit an Annual Proposed Budget to the Council no later than the third Monday in April of each year. Accordingly, please find enclosed the proposed Fiscal Year 2019-20 (FY20) Budget, with the anticipated revenues and expenses. The proposed budget is supported by a written financial plan, including the basis for estimates of anticipated revenues and proposed expenditures. The Budget Ordinance is scheduled to be introduced at the March 11<sup>th</sup> Town Council meeting, when the Public Hearing date can be set for April 8, 2019.

Upon introduction of the FY20 Budget, the Council, after the public hearing, may review the Proposed Budget for the purpose of increasing or decreasing line items. Where the Council decides to increase the total proposed expenditures, it shall also increase the total anticipated revenues in an amount at least equal to the total proposed expenditures. The FY20 Budget has been prepared and can be adopted in the form of an Ordinance at a meeting in which at least a majority of the Council is necessary for its adoption.

The Town has received notice that it is NOT exempt under Section 6-308 of the State Code. The Maryland Department of Assessments has certified the Constant Yield Tax Rate at \$0.1312. The Constant Yield Rate is set by determining the property tax rate needed in order to generate the same amount of revenue as the previous fiscal year. Thus, the Town tax rate is being reduced by .0048 which means a reduction of approximately \$27,698.39 from last year in property tax revenue.



The Town does anticipate receiving \$102,453 through the Highway User Revenue program, per the Governor's proposed Budget and changes in State Law, which is \$82,125 more than last year. In addition, County Executive Elrich has advised us that the Municipal Tax Duplication payment will be equal to last year's level, pending approval by the County Council.

It is anticipated that the Town will maintain our current service levels by setting the Real Property Tax Rate at the constant yield rate of \$0.1312 per \$100 of assessed value; setting the Personal Property Tax Rate at \$0.80 per \$100 of assessed value, and setting the Personal Property Tax Rate for Railroads and Utilities at \$5.00 per \$100 of assessed value for the 2019-20 Fiscal Year.

Sincerely yours,

Sanford W. Daily Town Manager

#### MAYOR

**Tracey Furman** Mayor.Tracey@tok.md.gov

#### <u>COUNCIL</u>

Darin Bartram (Mayor Pro-Tem) Conor Crimmins Bridget Hill-Zayat Duane Rollins Mayor.Council@Tok.md.gov

Kariann Zentz, Communications & Marketing Specialist Kariann.Zentz@tok.md.gov

#### **TOWN STAFF & CREW**

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Susan Engels, Clerk - Treasurer Susan.Engels@tok.md.gov

Shirley Watson, Facility Manager/Events Shirley.Watson@tok.md.gov

Jim Snow and Tom D'Albora, Code Enforcement Code@tok.md.gov

Jason Swain, Joe Natali, and Pablo Oliva, Public Works Jamie Simms, Facility Maintenance

# **FY20 Budget Ordinance**

#### **ORDINANCE No. 0-02-2019**

#### AN ORDINANCE ADOPTING THE TOWN OPERATING AND CAPITAL BUDGET FOR FISCAL YEAR 2019-20 (FY20) AND LEVYING A TAX ON ALL ASSESSABLE PROPERTY WITHIN THE TOWN OF **KENSINGTON, MARYLAND**

WHEREAS, the proposed budget for the Fiscal Year, beginning July 1, 2019 and ending June 30, 2020 must be submitted to the Town Council on or before the third Monday in April; and

WHEREAS, the proposed budget ordinance must be introduced at a meeting of the Mayor and Town Council to allow for timely notice as required by the Town Charter and establish a public hearing on said Budget Ordinance; and

WHEREAS, the Fiscal Year 2019-20 (FY20) Proposed Budget provides a complete financial plan, including anticipated revenues and proposed expenditures for the fiscal year.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Kensington, in public meeting assembled, that the budget for the Town of Kensington for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020 is hereby introduced and to be adopted as follows:

#### FY 2019-2020

ANTICIPATED REVENUE		
Local Taxes	\$1,290,154	
Shared Revenues	\$618,595	
Licenses & Permits	\$48,278	
Intergovernmental Revenue	\$263 <i>,</i> 485	
Fines and Forfeitures	\$19,327	
Miscellaneous Revenue	\$81,900	
Grants - County & State		
TOTAL ANTICIPATED REVENUE	_	\$2,321,739
Re-appropriation	-	\$765 <i>,</i> 666
TOTAL ANTICIPATED FUNDS AVAILABLE		\$3,087,405
	-	
PROPOSED EXPENDITURES		

General Government Public Works Public Safety, Parks & Non-Departmental	\$1,006,613 \$863,537 \$356,596	
OPERATING BUDGET TOTAL		\$2,226,746
Capital Improvements Budget	-	\$860,659
	=	\$550,000
TOTAL COMBINED PROPOSED EXPENDITUR	RES	\$3,087,405

AND BE IT FURTHER ORDAINED that all of the sums set forth herein under the heading "EXPENDITURES" be and hereby are appropriated;

AND BE IT FURTHER ORDAINED that there is hereby levied on all of the assessable real property within the Town a tax at the rate of:



**Real Property:** \$0.1312 on each One Hundred Dollars (\$100) of assessed value of said property.

AND BE IT FURTHER ORDAINED and there is hereby levied a tax on all personal property subject to taxation by the Town, at the rate of:

1. operating personal property of a railroad; 2. operating personal property of a public utility that is machinery or equipment used to generate electricity or steam for sale; 3. all other operating personal property of a public utility; and 4. machinery and equipment, other than operating personal property of a public utility, that is used to generate electricity or steam for sale or hot or chilled water for sale that is used to heat or cool a building.

**AND BE IT FURTHER ORDAINED** that the Council hereby adopts the imposition of a full year, one-half year, three-guarter year and one-guarter year tax levies authorized pursuant to §§ 10-102, 10-103, 10-104 and 10-105, Tax Property Article, Annotated Code of Maryland, as amended, and authorizes and empowers Montgomery County, Maryland, to collect and remit the same to the Town of Kensington, consistent with the imposition and collection of such levies on real property by Montgomery County.

### within the Operating and Capital Improvements Budget categories.

ADOPTED by the Town Council this 13th day of May 2019.

Tracey C. Furman, Mayor and President of the Council

**THIS IS TO CERTIFY** that the foregoing Ordinance was adopted by the Town Council in public meeting assembled on the 13th day of May 2019.

Susan Engels, Clerk Treasurer

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**FY20 Budget Ordinance** 

Personal Property: \$0.80 on each One Hundred Dollars (\$100) of assessed value on the following personal property subclasses as authorized in § 8-101 of the Tax-Property Article, Annotated Code of Maryland: stock in business, distilled spirits, and all other personal property directed by said article to be assessed, with the exception that there is hereby levied a tax of \$5.00 on each One Hundred **Dollars (\$100)** of assessed value on the following personal property subclasses as set forth in § 8-101 of the Tax-Property Article, Annotated Code of Maryland:

**AND BE IT FURTHER ORDAINED** that the Town Council may from time to time transfer funds by Resolution

#### TOWN OF KENSINGTON BUDGET DETAILS FOR FISCAL YEAR 2019-2020

			Droposod Budgot			
			2019-20	Adopted Budget 2018-19	Actuals 2-28-19	Projected 6-30-19
ANTICIPATED REVEN	IUE					
LOCAL TAXES		Rates				
Real Propert	у Тах	0.1312	\$763 <i>,</i> 592	\$748,411	\$751,806	\$751 <i>,</i> 806
Personal and	d Ordinary Tax Business	0.8000	\$93 <i>,</i> 580	\$89,030	\$91,705	\$91,705
Personal Pro	pperty Tax - Utilities	5.0000	\$432,983	\$327,326	\$400,533	\$400,533
		SUBTOTAL	\$1,290,155	\$1,164,767	\$1,244,044	\$1,244,044
SHARED						
Income Taxe	S		\$618,345	\$713 <i>,</i> 475	\$428,379	\$672,696
Admissions	and Amusements Tax		\$250	\$250	\$226	\$452
		SUBTOTAL	\$618,595	\$713,725	\$428,605	\$673,148
LICENSES						
Building Per	mits		\$5 <i>,</i> 000	\$5,000	\$7,955	\$11,933
Traders' Lice	nses		\$9,000	\$9,000	\$700	\$9,000
Cable Franch	lise Tax		\$29,008	\$32,300	\$15,297	\$30,594
Parking Pern	nits		\$5,270	\$3,800	\$6,767	\$6,767
		SUBTOTAL	\$48,278	\$50,100	\$30,719	\$58,294
INTERGOVERNMEN	г					
County Tax !	Duplication Payment		\$156,806	\$156,806	\$156 <i>,</i> 809	\$156,809
State Highwa	ay User Tax		\$102,453	\$73,328	\$69,019	\$73 <i>,</i> 328
Bank Shares			\$4,226	\$4,226	\$4,226	\$4,226
		SUBTOTAL	\$263,485	\$234,360	\$230 <i>,</i> 055	\$234,363
FINES AND FORFEIT	JRES					
Speed Came	ra Revenue		\$18,327	\$18,327	\$0	\$0
Code Infract	ions		\$1,000	\$1,000	\$311	\$534
		SUBTOTAL	\$19,327	\$19,327	\$311	\$534
OTHER						
Town Hall Re	entals		\$30 <i>,</i> 000	\$30,000	\$20,963	\$30,000
Municipal Ev	vents		\$13,500	\$13,500	\$14,378	\$15,155
Miscellaneo	s		\$8,400	\$8,400	\$16,552	\$16,802
Interest			\$30 <i>,</i> 000	\$25,000	\$32,928	\$49,392
		SUBTOTAL	\$81,900	\$76,900	\$84,821	\$111,349
GRANTS FOR CAPIT,	AL IMPROVEMENT PROJECTS			\$33,779	\$0	\$33,779
	TOTAL OPERATING & GRANT REVENUE		\$2,321,739	\$2,292,957	\$2,018,555	\$2,355,510
UNAPPROPRIATED			\$765,666	\$677,085	\$0	\$0
	TOTAL AVAILABLE REVENUE		\$3,087,405	\$2,970,042	\$2,018,555	\$2,355,510



EXPENDITURES GENERAL GOVERNMENT PERSONNEL SERVICES Salaries Social Security, Medicare Unemployment Taxes Workers Compensation Insurance Health/Life/Disability Benefits Pension Contributions

#### OPERATING EXPENSES

ELECTED & APPOINTED EXPENSES Mayor and Council Compensation Mayor/Council Legislative, Education, Travel

PROFESSIONAL SERVICES Town Attorney Audit Other Professional Services

TOWN GOVERNMENT OPERATIONS Town Hall Repairs and Maintenance Town Hall Utilities Town Hall Equipment Economic Development & Commercial Revitalization Office Expenses Office Equipment/Furniture Insurance Dues, Memberships and Fees Training, Conferences & Travel Miscellaneous

TOTAL GENERAL GOVERNMENT EXPENSES

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# FY20 Budget Details

	Proposed Budget 2019-20	Adopted Budget 2018-19	Actuals 2-28-19	Projected 6-30-19
	\$481,734	\$404,704	\$258 <i>,</i> 589	\$392,530
	\$36,980	\$31,087	\$20,179	\$30,425
	\$9,292	\$6 <i>,</i> 615	\$4 <i>,</i> 074	\$6,615
	\$43,991	\$41,704	\$27 <i>,</i> 851	\$40,797
	\$40,273	\$232,286	\$21,670	\$232,286
SUBTOTAL	\$612 <i>,</i> 270	\$716 <i>,</i> 397	\$332 <i>,</i> 363	\$702,653
	\$24,000	\$24,000	\$18,000	\$24,000
	\$13,680	\$13,680	\$9,068	\$13,603
SUBTOTAL	\$37 <i>,</i> 680	\$37,680	\$27 <i>,</i> 068	\$37 <i>,</i> 603
	\$40,000	\$40 <i>,</i> 000	\$5 <i>,</i> 217	\$10,434
	\$10,700	\$10,700	\$10,700	\$10,700
	\$40,865	30,684	11,991	30,684
SUBTOTAL	\$91,565	\$81,384	\$27 <i>,</i> 908	\$51 <i>,</i> 818
	\$42,615 \$49,387	\$42,615 \$49,387	\$32,597 \$17,963	\$42,615 \$30,334
	\$8,000	\$8,000	\$4,996	\$8,000
	\$95,075	\$96,950	\$79,273	\$96,950
	\$27,874	\$26,874	\$14,833	\$25,427
	\$500	\$500	\$462	\$500
	\$21 <i>,</i> 000	\$21,000	\$15,123	\$15,123
	\$9,797	\$9,797	\$9 <i>,</i> 520	\$9,520
	\$7,850	\$7,850	\$108	\$500
	\$3,000	\$3 <i>,</i> 000	\$1,715	\$3 <i>,</i> 500
SUBTOTAL	\$265 <i>,</i> 098	\$265 <i>,</i> 973	\$176 <i>,</i> 590	\$232 <i>,</i> 470
	\$1,006,613	\$1,101,434	\$563 <i>,</i> 930	\$1,024,544

		Proposed Budget 2019-20	2018-19	Actuals 2-28-19	Projected 6-30-19
PENDITURES					
JBLIC WORKS					
PERSONNEL SERVICES					
Salaries		\$320,770	\$290,325	\$166,967	\$245,384
Social Security, Medicare Unemployment Taxes		\$24,406	\$22,314	\$12,875	\$18,877
Workers Compensation Insurance		\$23 <i>,</i> 256	\$21,049	\$10 <i>,</i> 906	\$21 <i>,</i> 049
Health/Life/Disability Benefits		\$70,292	\$74,226	\$44,848	\$65 <i>,</i> 893
Pension Contributions		\$24 <i>,</i> 490	\$103,545	\$14,807	\$103 <i>,</i> 545
	SUBTOTAL	\$463 <i>,</i> 214	\$511,459	\$250 <i>,</i> 403	\$454 <i>,</i> 749
OPERATING EXPENSES	-				
OPERATING SUPPLIES					
Training, Conferences & Travel		\$500	\$500	\$25	\$500
Drug Testing - Drivers		\$1,000	\$1,000	\$0	\$500
Uniforms, Gloves, Vests & Shirts		\$2,000	\$2,000	\$1,096	\$2 <i>,</i> 000
Small Equipment Purchases		\$7 <i>,</i> 500	\$7,500	\$0	\$7,500
Vehicle Expenses Fuel - Gas & Diesel		\$9,000	\$9,000	\$4,919	\$8,433
Small Equipment Maintenance/Repairs		\$5 <i>,</i> 000	\$5,000	\$186	\$5 <i>,</i> 000
Vehicle Maintenance/Repair		\$20,000	\$20,000	\$7,800	\$20,000
Shop Supplies/Tools		\$3,000	\$3,000	\$1,231	\$3,000
Miscellaneous		\$500	\$500	\$1,450	\$1,600
	SUBTOTAL	\$48 <i>,</i> 500	\$48,500	\$16,706	\$48,533
REFUSE, RECYCLING & LEAF COLLECTION					
Refuse, Recycling, Yard Waste Contract		\$167,401	\$129,504	\$85 <i>,</i> 308	\$132,649
Leaf Removal & Disposal Fees		\$15,500	\$15,500	\$12,598	\$15,500
	SUBTOTAL	\$182,901	\$145,004	\$97,907	\$148,149
INFRASTRUCTURE					
Street Sweeping		\$8 <i>,</i> 000	\$8,000	\$0	\$2,000
Street Maintenance, asphalt, street name signs		\$24 <i>,</i> 000	\$24,000	\$3,091	\$24,000
Snow Removal, salt and contracted services		\$8 <i>,</i> 500	\$8,500	\$1,995	\$1,995
Sidewalk Repair & Replacement		\$20 <i>,</i> 000	\$20 <i>,</i> 000	\$9 <i>,</i> 922	\$20,000
Storm Drain Maintenance		\$20 <i>,</i> 000	\$20 <i>,</i> 000	\$0	\$20,000
Landscaping and Trees ROW		\$80 <i>,</i> 000	\$80 <i>,</i> 000	\$48,913	\$80,000
Garage Maintenance, Miscellaneous & Utilities	-	\$8,422	\$8 <i>,</i> 422	\$1,981	\$3,395
	SUBTOTAL	\$168,922	\$168,922	\$65 <i>,</i> 902	\$151,390
TOTAL PUBLIC WORKS EXPENSES		\$863,537	\$873 <i>,</i> 885	\$430,918	\$802,821



PUBLIC SAFETY Salaries

Social Security, Medicare Unemployment Taxes Workers Compensation Insurance Health/Life/Disability Benefits Pension Contributions

OPERATING SUPPLIES & SERVICES Building Inspector Parking Lot Lighting Street Light Lighting Traffic Enforcement [MCPD] Traffic Control & Engineering Miscellaneous

#### TOTAL PUBLIC SAFETY EXPENSES

PARKS & RECREATION OPERATING SUPPLIES & SERVICES Park Utilities Park Equipment and Maintenance Park Landscaping

ANNUAL AND SPECIAL EVENTS Municipal Events

TOTAL PARKS RECREATION EXPENSES

#### NON DEPARTMENTAL

Contingency

TOTAL NON DEPARTMENTAL EXPENSES

TOTAL OPERATING BUDGET

CAPITAL IMPROVEMENTS PROGRAM

TOTAL CIP BUDGET APPROPRIATIONS

TOTAL OPERATING & CIP EXPENDITURES

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# **FY20 Budget Details**

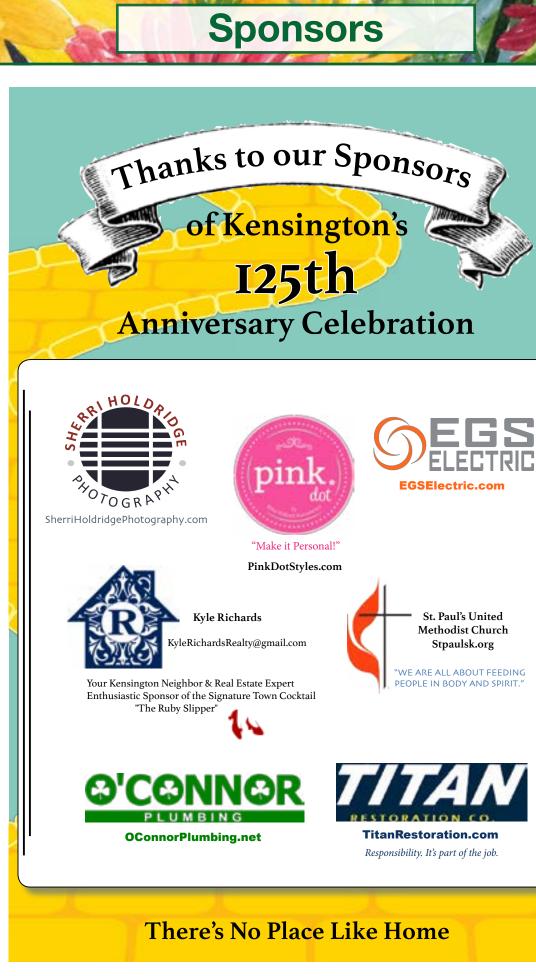
	Proposed Budget 2019-20	Adopted Budget 2018-19	Actuals 2-28-19	Projected 6-30-19
	\$143,290	\$75,412	\$38,289	\$62,915
	\$11,013	\$5,795	\$2 <i>,</i> 969	\$4,853
	\$10,389	\$5,467	\$3,342	\$5,467
	\$11,216	\$2,547	\$0	\$2,212
	\$5,263	\$2,472	\$1 <i>,</i> 664	\$2,472
SUBTOTAL	\$181,171	\$91 <i>,</i> 694	\$46 <i>,</i> 263	\$77,918
	\$4,200	\$4,000	\$3 <i>,</i> 000	\$4,000
	\$2,000	\$2,000	\$635	\$846
	\$56,142	\$56,142	\$30,474	\$52,241
	\$0	\$67,500	\$31,057	\$53,240
	\$12,000	\$12,000	\$3,134	\$6,268
	\$500	\$500	\$0	\$0
SUBTOTAL	\$74,842	\$142,142	\$68,299	\$116,595
	\$256,013	\$233 <i>,</i> 836	\$114 <i>,</i> 563	\$194,514
	4	¢4,202	64.465	<u> </u>
	\$1,803	\$1,303 \$19,750	\$1,166 \$81	\$1,513 \$19,750
	\$19,750 \$20,000	\$19,730	\$81 \$13,260	\$19,750
SUBTOTAL	\$30,000 \$51,553	\$50,000	\$13,200	\$51,263
JUBIUIAL				
	\$39,030	\$65,350	\$50,084	\$60,540
SUBTOTAL	\$39,030	\$65,350	\$50,084	\$60,540
	\$90,583	\$116,403	\$64,591	\$111,803
	\$10,000	\$10,000	\$0	\$0
	\$10,000 \$10,000	\$10,000	30 \$0	\$0 \$0
	\$10,000	λτ0,000	γŪ	ŞU
	\$2,226,747	\$2,335,557	\$1,174,001	\$2,133,682
	. ,,	, ,,,	, ,,	, ,
	\$860,659	\$634,485	\$437 <i>,</i> 605	\$634,485
	\$860,659	\$634,485	\$437 <i>,</i> 605	\$634,485
	\$3,087,405	\$2,970,042	\$1,611,607	\$2,768,167



#### TOWN OF KENSINGTON CAPITAL IMPROVEMENT PROJECTS BUDGET

#### **BUDGET DETAILS FOR FISCAL YEAR 2019-20**

CAPITAL IMPROVEMENT PROJECTS FY 2019- 20		Proposed Total Available (*includes encumbered) Funding FY 2018-19 on July 1, 2018	Actual Expenditures or Encumbered Year to Date for FY 2018- 19	Proposed Additions to CIP Budget FY 2019- 20 July 1, 2019	Proposed Available Funding FY 2019-20 July 1, 2019	
09-01	Public Works	Street Reconstruction & Renovation Program	\$753 <i>,</i> 899	\$753 <i>,</i> 899	\$525,000	\$525 <i>,</i> 000
09-02	Public Safety	Street Light Acquisition & Replacement	\$253,244	\$10,582	\$0	\$242,662
10-01	Parks & Recreation	Parks & Play Area Improvements; Park Shelter St.Paul Park	\$108,405		\$35,000	\$143,405
11-02	Public Works	Town Hall Renovations - Upgrade and replace HVAC, Other Renovations	\$149,668		\$31,000	\$180,668
11-03	General Government & Public Works	Vehicle, Equipment & Capital Replacement Fund Contribution	\$171,605	\$12,621	\$78,410	\$237,394
12-02	Public Works	Bridge Renovation & Repair Program	\$119,000		\$10,000	\$129,000
12-03	Public Works	Storm Drainage Reconstruction & Renovation Program	\$119,000		\$10,000	\$129,000
14-01	Public Works	Flood Plain Protection & Land Acquisition	\$119,000		\$12,000	\$131,000
14-02	General Government & Public Works	Advance Land Acquisition & Construction, Public Works Garage and other public uses	\$479,547		\$149,249	\$628,796
14-03	General Government	Town Hall - Drill Hall Floor Replacement	\$29,000		\$10,000	\$39,000
			\$2,302,368	\$777,102	\$860,659	\$2,385,925



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### Community

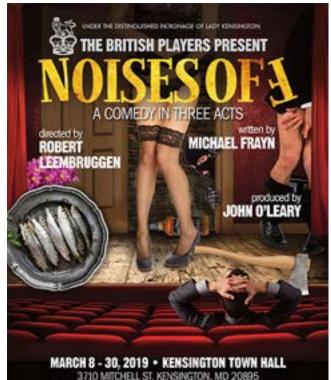
# Kensington Historical Society

### FEATURES NATIONAL EXPERT ON KIT HOUSES

#### Tuesday, April 2 · 7 pm



What is a kit house and why was it so important to Kensington's history? Join the KHS meeting to find out if your home was delivered in a thousand pieces in a boxcar and later assembled on site, or you're just interested in the fascinating history of kit homes. Kathryn Holt Springston, a nationally recognized expert on kit houses, will tell us about this important industry and its place in our national history. She will also highlight many of Kensington's houses including the Sears Houses and Gunnison Houses which were previously featured in the Kensington Historical Society's 2007 Annual Calendar. KensingtonHistory.org



ICKETS: 240-447-9863 • FOR INFO VISIT BRITISHPLAYERS.ORG

### **Performance Dates** March 21, 22, 23, 28, 29 & 30 at 8pm March 24 at 2pm Adults \$24 | Children \$12 BritishPlayers.org





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### **Community Meeting for 10619 Connecticut Ave** Hosted by 1784 Capitol Holding Thursday, March 28 at 7pm in Town Hall



Presentation on a revised sketch plan of Kensington Square Self Storage. This is the community's opportunity to patricipate in a presentation by the applicant to ask questions and provide feedback.

This event is being held independent of the Town of Kensington.



Kensington, MD 20895

www.tok.md.gov

To: