

## **February 13, 2023, Town Council Meeting Summary (held by Zoom Video Conferencing)**

- Approved the Town Meeting Minutes of January 9, 2023.
- Approved the Town Work Session Minutes of January 30, 2023.
- Held a Variance Hearing for 3418 Oberon Street in accordance with Section 5-104, “Building Lines”, of the Town Code. *A Resolution in support of the Variance request will be prepared for the March 13, 2023, Council meeting.*
- Concurred to move forward with holding a future Public Hearing to sell Joseph Park at 3420 Plyers Mill Road. An on-site meeting will be held with neighbors prior to scheduling the Public Hearing.
- Concurred to support House Bill 0459, “County Municipal Street Lighting Investment Act”, which would authorize certain counties or municipalities to acquire street lighting equipment by purchase or condemnation, convert its street lighting service to a customer-owned street lighting tariff, enter into an agreement to purchase electricity, and contract with an electric company for the maintenance of the street lighting equipment.
- Concurred to send out the survey for Sustainable Kensington, as amended.
- Supported filing a Legislative Bond Initiative with the Maryland State Legislature at the request of 10509 Summit LLC, for funding towards public parking.
- Supported filing a Legislative Bond Initiative with the Maryland State Legislature for the future architectural, engineering, and construction needs for a new Public Works facility.
- Approved **Resolution No. R-03-2023** – A Resolution of the Mayor and Town Council confirming appointments made by the Mayor to the Town’s Ethics Commission.
- Approved **Resolution No. R-04-2023** – A Resolution of the Mayor and Town Council of Kensington Authorizing a contract with Compost Crew for compost collection.

## **Town Council Meeting February 13, 2023, 7:00 pm, held by Zoom Video Conferencing**

Mayor Furman; Council Members Bartram, Crimmins, Engle, Lichter; Town Manager Hoffman; Assistant to the Town Manager Marini; and Clerk-Treasurer Engels were present. A moment of silence was observed for longtime residents Jean Adams, John Doherty, and Roland Simpson who recently passed away.

The Town Meeting Minutes from January 9, 2023, and the Work Session Minutes from January 30, 2023, were reviewed and approved. Council Member Engle amended the Work Session Minutes to clarify the “Summit Avenue Extended” paragraph and the “Connecticut Avenue Design Concept and Feasibility Study” paragraph. See Council Actions.

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

A Work Session was held on January 30, 2023 to discuss Fiscal Year 2024 Budget priorities.

Council Member Engle stated he testified on behalf of the Town for safer roads at the Hearing for Senate Bill 0016, “Safe Access for All (SAFE) Roads Acts of 2023”; and will provide future updates on the progress.

### **3418 Oberon Street Variance Hearing**

A Variance Hearing was held for a proposed encroachment of one foot five inches (1'5") into the Town's side yard setback on the east side of the property at 3418 Oberon Street in accordance with Section 5-104 "Building Lines", of the Town Code.

Town Manager Hoffman stated the County has classified the proposed two-story addition as new construction due to the need to comply with the County's front setback requirement. As a result, a variance with the Town is needed on the east side for the proposed 1'5" encroachment into the ten-foot side yard setback.

Peter Beukema, Andersen Price Builders, represented the property owners, Jacqueline Bauer and Daniel Lonnerdal, and answered questions. He stated the house will be removed down to the existing foundation and a new two story dwelling will be built; a five-foot addition will also be added to the rear of the dwelling.

Sharon Scott, Savina Sparker, and Leslie Olson supported the variance.

Council Member Bartram reviewed the variance requirements and stated the proposed new dwelling meets the requirements: the original house was built before the Town's ten-foot side yard setbacks; the existing foundation is being used; and there is adequate space between the neighboring homes.

The Council concurred to support the variance and a resolution will be prepared for the March 13, 2023, Council meeting.

### **Josephs Park, 3420 Plyers Mill Road**

Council Member Crimmins stated the Council discussed selling Joseph Park at the last Work Session. The Park is not actively used as a park and is in close proximity to St. Paul Park; and the sale would help the Town secure resources to acquire other properties within the Kensington Business District.

Town Manager Hoffman stated the Park was appraised at \$450,000; an arborist with Mulheron Tree Experts has provided a report on the condition of the trees; and the Park is zoned R-60 for a single-family home.

Leslie Olson suggested the Council explore making it usable as a park and then determine if it is more suitable for a single-family house in the future.

The Council concurred to have the Greenspace Committee review the tree canopy; notify adjacent property owners of the Town's intent along with an on-site meeting; and move forward with a public hearing.

### **House Bill 0459 – County Municipal Street Lighting Investment Act**

The Mayor and Council discussed supporting House Bill 0459, “ County and Municipal Lighting Investment Act”, which would authorize certain counties or municipalities to acquire certain street lighting equipment by purchase or condemnation, convert its street lighting service to a customer-owned street lighting tariff, enter into an agreement to purchase electricity, and contract with an electric company for the maintenance of the street lighting equipment.

Council Member Lichter submitted written testimony in support of the Bill which would allow local governments to have more control, transition to LED lights, realize cost savings, and reduce carbon footprint.

The Council supported Council Member Lichter’s testimony for House Bill 0459; and suggested finding out more information from the other municipalities before sharing in the cost for counsel to help municipalities acquire certain streetlights from Pepco.

Al Carr thanked the Council for all their efforts and provided background information from the April 2022 Pepco Rate Case.

#### **Development Review Board Update (DRB)**

Council Member Crimmins stated the contract purchaser for 10401 Connecticut Avenue (Bakers Union Building), after due diligence, has chosen not to move forward with purchasing the property, and the property will be remarketed in six to twelve months; Kensington Crossings at 10619 Connecticut Avenue has obtained a county permit for demolition; and the Cafe at Modena Reserve is planning to open in March.

Council Member Bartram stated the developer at 10509 Summit Avenue (The Flats at Knowles Station) has shifted plans due to the market and is proposing to change the 25 live work units to 16 short-term furnished residential units and 9 multi-family units and to add amenities to the roof instead of below the building. The Council concurred to have the DRB review this before the Council sends a letter of support to the Planning Board.

#### **Sustainable Kensington**

Council Members Engle and Lichter presented the Sustainable Kensington (formerly Green Team) Survey to be sent to Residents, which is necessary to achieve Sustainable Maryland designation. The Town likely already qualifies for the initial Bronze level and the survey will help to identify and prioritize other areas Residents are interested in the Town pursuing for sustainability.

Joe Campbell questioned the timing of the survey, the anticipated response, and suggested removing “none of the above” from question one which referred to non-residents.

The Council supported sending out the survey as amended.

#### **Mayor and Council Reports**

Council Member Crimmins reported BabyCat Brewery will have a ticketed St. Patrick's Day event.

Council Member Lichter thanked everyone who helped with the Anti-Defamation League Community training which was well attended and provided informative training and discussion; and reported Katherine Wood with the Greenspace Committee has organized a Weed Warrior Event on February 18 from 2 to 4 pm.

Council Member Bartram suggested scheduling a Traffic Committee Meeting to provide a recommendation, contingent on SHA support, for signage on University Boulevard warning of restrictions on St. Paul Street.

Council Member Bartram discussed requesting a State Bond Bill, at the request of the developer at 10509 Summit Avenue (The Flats at Knowles Station) for funding towards public parking. This would be an opportunity to create additional parking in Town which would also help small parcels redevelop.

Leslie Maxam questioned the amount of the bond and if it is transferable.

Leslie Fried questioned how the parking spaces would be allocated.

Council Member Bartram stated if the bond is approved, the funds would go to the Town and the Town would enter into an agreement with the developer on how the spaces would be allocated; and the bond would be for half the cost and specific to that property.

Town Manager Hoffman also suggested requesting a State Bond Bill with the Maryland State Legislature for the future architectural, engineering, and construction needs for a new Public Works facility.

The Council supported filing two Legislative Bond Initiatives with the Maryland State Legislature.

The Council supported holding the Kensington Car Show on Saturday April 29, with a rain date of Sunday April 30.

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

**Resolution No. R-03-2023** - A Resolution of the Mayor and Council of the Town of Kensington confirming the appointments made by the Mayor to the Town's Ethics Commission.

Town Manager Hoffman stated this will fill the vacancies along with reappointing for the appropriate terms on the Commission which will include Deborah Eckert, Mike McCurry, and Tina Sherman. See Council Actions.

**Resolution No. R-04-2023** – A Resolution of the Mayor and Council of the Town of Kensington Authorizing a contract with Compost Crew for compost collections. See Council Actions.

Town Manager Hoffman stated this will allow for weekly collections at Town Hall with two 65-gallon containers.

Council Member Lichter suggested monitoring the usage of the bins and encouraging restaurants to participate in the program.

### **Public Appearances**

Joe Campbell requested an update on the status of the Brookside Garden Apartments and the Town Bridge repairs.

Mayor Furman stated she reached out to Marc Elrich's office and the county was working on clarifying with the property owner the first right of refusal.

Town Manager Hoffman stated he hopes to award the contract for the engineering, design services, and construction management of the bridges at the next Town meeting.

### **Council Actions**

Council Member Engle moved to approve the Town Meeting Minutes from January 9, 2023. The motion passed unanimously.

Council Member Engle moved to approve the Work Session Minutes from January 30, 2023, as amended. The motion passed unanimously.

Council Member Bartram moved to approve Resolution No. R-03-2023 confirming the appointments made by the Mayor to the Town's Ethics Commission of Deborah Eckert, Mike McCurry, and Tina Sherman for appropriate terms. The motion passed unanimously.

Council Member Crimmins moved to approve Resolution No. R-04-2023 authorizing a contract with Compost Crew for compost collections. The motion passed unanimously.

Council Member Crimmins moved to adjourn the meeting at 9:35 pm. The motion passed unanimously.