

March 13, 2023, Town Council Meeting Summary (held by Zoom Video Conferencing)

- Approved the Town Meeting Minutes of February 13, 2023.
- Approved the Special Town Council Closed Session Minutes of March 6, 2023.
- Acknowledged that a Closed Session was held on March 6, 2023, to consider the acquisition of real property for a public purpose and matters directly related to the acquisition; and to consult with counsel to obtain legal advice.
- The Council concurred to support and be a signatory on the Town of Chevy Chase's Antisemitism Resolution, which encourages all municipalities within Montgomery County to work together to raise awareness against antisemitism and hate within our communities.
- The Council concurred to hold a public comment session at the April 10, 2023, Council meeting with regards to the proposed sale of 3420 Plyers Mill Road (Joseph Park). *If the Council decides to move forward with the proposed sale of the property, a formal Public Hearing will be scheduled once an Ordinance to sell the property has been introduced.*
- Approved allocating \$25,000 for a Technical Assistance Panel (TAP) with the Urban Land Institute to coalesce various concept plans with regards to improving pedestrian and transportation movements along Connecticut Avenue, along with reviewing economic development opportunities within the proposed Summit Avenue Extended project.
- Approved sending a letter to Montgomery Planning in support of the Statement of Justification submitted by 10509 Summit Venture, LLC, to allow 25 live/work units within the proposed redevelopment projects to be used as short-stay hotel units, and to allow for roof-top amenity space.
- Introduced **Ordinance No. O-01-2023** to Appropriate and Adopt the Fiscal Year 2023 – 2024 (FY24) Budget and to levy a tax on certain Real and Personal Property under the provision of §6-203 of the Tax-Property Article of the Annotated Code of Maryland, as amended. *The Public Hearing has been scheduled for Monday, April 10, 2023, 7 pm.*
- Approved **Resolution No. R-05-2023** to approve a Variance at 3418 Oberon Street for an encroachment of one foot, five inches (1'5") into the allowed ten-foot (10') side yard setback in accordance with Section 5-104 (4)(b) of the Town Code.
- Approved **Resolution No. R-06-2023** to install additional 'Do Not Enter, 6:00 am – 9:30 am, Monday – Friday' signs at the intersection of University Boulevard at St. Paul Street (southbound), along with the southbound turn lane from westbound University Boulevard onto St. Paul Street, to reinforce the Town's restriction and alleviate cut-thru traffic along McComas Avenue and the Kensington Heights neighborhood, pending final Approval by the Office of Traffic Safety with the State Highway Administration.
- Approved **Resolution No. R-07-2023** confirming the Mayor's appointments of Martha Deale, Kate DeWitt, and Robin Watson to the Board of Elections Supervisors.

Town Council Meeting March 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 Jayne Plank, long-time Resident and Mayor (1974-1982) of the Town, who passed away.

The Town Meeting Minutes from February 13, 2023, and the Confidential Closed Session Minutes from March 6, 2023, were reviewed and approved. See Council Actions.

From the Mayor and Town Council

A Closed Session was held on March 6, 2023, pursuant to State Government Articles §3-305(b)(ii)(3) and §3-305(b)(ii)(7), “Closed Session”, to consider the acquisition of real property for a public purpose and matters directly related to the acquisition and to consult with counsel to obtain legal advice. Attorney Michele Rosenfeld will send a letter of interest for certain property to be acquired by the Town. See attached form – “Statement for Closing a Meeting”.

Antisemitism Resolution

The Town was asked by Chevy Chase to join together with other municipalities to support an Antisemitism Resolution to combat antisemitism in our communities. See Council Actions.

Council Member Lichter stated she and the Mayor have been working with MML Montgomery Chapter and other municipalities to combat antisemitism and white supremacist activities; the Town adopted a resolution in November against all forms of bigotry including antisemitism; held a training forum with the Anti-Defamation League in January; and signing on to the Town of Chevy Chase’s Antisemitism Resolution would show a united front by working with other municipalities to raise awareness and take actions against antisemitism in our communities.

Anne Banville spoke in support and suggested providing education from Holocaust survivors.

Joseph Park (3420 Plyers Mill Road)

The Council discussed selling Joseph Park which, was appraised at \$450,000, for the purpose of acquiring a property within the business district on Howard Avenue to help provide public parking and to potentially establish a parking district.

Council Member Crimmins stated an onsite meeting was held with Residents to provide more information and answer questions.

Council Member Bartram discussed marketing the property through a realtor rather than sealed bids and noted any covenants added to the property would detract from the value.

Council Member Lichter stated the Greenscape Committee looked at the tree canopy and suggested if the property is sold, the property owner be required to plant new trees rather than try to save the existing tree canopy.

Leslie Olson stated Joseph Park is valuable green space and suggested additional public outreach and discussion before moving forward with selling the property.

Vince Kiernan asked about the appraised value and what the proceeds would be used to acquire.

Council Member Lichter suggested an inventory of other greenspaces owned by the Town be presented with this discussion.

The Council concurred to hold a public comment session at the April 10, 2023, Council meeting. If the Council decides to move forward with the proposed sale of the property a Public Hearing would be scheduled at an upcoming meeting.

Urban Land Institute (Technical Assistance Panel):

Council Member Engle discussed appropriating \$25,000 for a Technical Assistance Panel (TAP) with the Urban Land Institute to coalesce various concept plans with regards to improving pedestrian and transportation movements along Connecticut Avenue, along with reviewing economic development opportunities within the proposed Summit Avenue Extended project. See Council Actions.

Council Member Lichter questioned the deliverables from the Technical Assistance Panel (TAP) and suggested input from the Ken-Gar community prior to discussion from the TAP.

Council Member Engle stated based on the scope given to the TAP, there would be a two-day workshop, sketches, a PowerPoint, and report on recommendations.

Development Review Board Update (DRB)

Council Member Crimmins reported a DRB meeting was held on March 6, 2023, to discuss the modifications to the approved plans for 10509 Summit Avenue (The Flats at Knowles Station). The DRB recommended a letter of support for the modification of the live/work units to short-term stay hotel usage and relocation of the resident amenities to the rooftop.

The DRB suggested that professional management of the short-term units be provided and would include this suggestion within the letter of support.

Anne Banville questioned the benefit to the Town and the importance of professional management of the units.

Council Member Crimmins stated the required additional parking and storm water management would provide benefits to the Town.

Leslie Fried noted concerns over adequate parking for the proposed development.

Leslie Olson questioned the egress to Summit Avenue and suggested intersection improvements at Detrick and Knowles Avenues be addressed with the development.

Joe Campbell requested clarification of the maximum number of short stay hotel units and suggested the Town require professional management for these units.
See Council Actions.

Sustainable Kensington

Council Member Lichter reported that the Sustainable Kensington Committee received survey responses from over 212 residents, business owners , and employees in Town and will analyze and make public the results.

Joe Campbell, David Romeo, and Anne Banville commented on the survey.

The results of the survey will be published on the Town's website.

Mayor and Council Reports

A Traffic Committee meeting will be set once the Town receives feedback from the Traffic Engineer regarding adding a sidewalk on Oberon Street.

The Greenscape Committee will host Conservation Montgomery on Saturday, April 29, for a Home Tree Care class available to Residents.

Council Member Engle informed the Council that he would be providing testimony at the March 23 Public Hearing in favor of the County's Pedestrian Master Plan.

From the Town Manager and Staff

Town Manager Hoffman stated the Town has filed a legislative bond initiative in the amount of \$2,400,000 with the State of Maryland for the construction of 48 public parking spaces within the proposed Flats at Knowles Station Project (10509 Summit Avenue); and that the Town received two bids for the Engineering Design, Construction Management, and Inspection Services for the three Town bridges, and a contract will be awarded at the April meeting.

Joe Campbell questioned whether work will be done at one time for all three bridges or sequenced.

Ordinances, Resolutions, and Regulations

Ordinance No. O-01-2023 – An Ordinance to Appropriate and Adopt the Fiscal Year 2023 – 2024 (FY24) Budget and to levy a tax on certain Real and Personal Property under the provision of §6-203 of the Tax-Property Article of the Annotated Code of Maryland, as amended was presented. The Public Hearing has been scheduled for Monday, April 10, 2023, 7 pm. See Council Actions.

Town Manager Hoffman stated the real and personal property tax rates will remain at the same rate as prior years.

Resolution No. R-05-2023 –A Resolution to approve a Variance at 3418 Oberon Street for an encroachment of one foot, five inches (1’5”) into the allowed ten-foot (10’) side yard setback in accordance with Section 5-104 (4)(b) of the Town Code was presented. See Council Actions.

Leslie Olson noted an error on the address in the Resolution.

Resolution No. R-06-2023 – A Resolution to install additional ‘Do Not Enter, 6:00 am – 9:30 am, Monday – Friday’ signs at the intersection of University Boulevard at St. Paul Street (southbound), along with the southbound turn lane from westbound University Boulevard onto St. Paul Street, to reinforce the Town’s restriction and alleviate cut-thru traffic along McComas Avenue and the Kensington Heights neighborhood, pending final Approval by the Office of Traffic Safety with the State Highway Administration was presented. See Council Actions.

Town Manager Hoffman stated that this will allow additional signs at St. Paul Street and University Boulevard notifying motorists, at the recommendation of MCDOT, to help alleviate some of the cut through traffic in Kensington Heights. The Resolution is pending SHA approval for signage in the median along University Boulevard.

Leslie Olson suggested placing the signs so motorists can see them before making the turn due to the curve in the road.

Resolution No. R-07-2023 – A Resolution confirming the Mayor’s appointments of Martha Deale, Kate DeWitt, and Robin Watson to the Board of Elections Supervisors was presented. See Council Actions.

Public Appearances

Joe Campbell requested an update on the copper-colored discharge in Silver Creek, which he reported to the Town, and suggested publicizing the contact information for reporting directly to the Department of Environmental Protection; questioned when the details on the budget will be provided; requested an update on the Brookside Garden Apartments; and the incumbents election plans.

Council Actions

Council Member Crimmins moved to approve the Town Meeting Minutes from February 13, 2023. The motion passed unanimously.

Council Member Crimmins moved to approve the Confidential Closed Session Minutes from March 6, 2023. The motion passed unanimously.

Council Member Lichter moved to support and be a signatory on the Resolution against Antisemitism from the Town of Chevy Chase and resolve to work with the Town of Chevy Chase and other municipalities and the County to combat antisemitism and create a safe community for all. The motion passed unanimously.

Council Member Engle moved to direct Town staff to allocate \$25,000 for the Urban Land Institute Technical Assistance Panel from the CIP. The motion passed unanimously.

Council Member Crimmins moved for the Town to send a letter of support for the Statement of Justification for 10509 Summit Avenue incorporating the recommended points from the DRB. The motion passed unanimously.

Council Member Crimmins moved to introduce Ordinance No. O-01-2023 to Appropriate and Adopt the Fiscal Year 2023 – 2024 (FY24) Budget and to levy a tax on certain Real and Personal Property under the provision of §6-203 of the Tax-Property Article of the Annotated Code of Maryland, as amended and set the Public Hearing for Monday, April 10, 2023, 7 pm. The motion passed unanimously.

Council Member Crimmins moved to adopt Resolution No. R-05-2023 to approve a Variance at 3418 Oberon Street for an encroachment of one foot, five inches (1’5”) into the allowed ten-foot (10’) side yard setback in accordance with Section 5-104 (4)(b) of the Town Code as amended with all references corrected to 3418 Oberson Street. The motion passed unanimously.

Council Member Bartram moved to adopt Resolution No. R-06-2023 to install additional ‘Do Not Enter, 6:00 am – 9:30 am, Monday – Friday’ signs at the intersection of University Boulevard at St. Paul Street (southbound), along with the southbound turn lane from westbound University Boulevard onto St. Paul Street, to reinforce the Town’s restriction and alleviate cut-thru traffic along McComas Avenue and the Kensington Heights neighborhood, pending final Approval by the Office of Traffic Safety with the State Highway Administration. The motion passed unanimously.

Council Member Lichter moved to approve Resolution No. R-07-2023 to confirm the Mayor’s appointments of Martha Deale, Kate DeWitt, and Robin Watson to the Board of Elections Supervisors. The motion passed unanimously.

Council Member Engle moved to adjourn the meeting at 9:18 pm. The motion passed unanimously.