



SOMERSET TOWN JOURNAL



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Start Off The New Year At The Next Brown Bag Lunch Friday, January 13

By Mayor Jeffrey Slavin



We have selected **Friday, January 13, 2012** as the date for the next quarterly **Brown Bag Lunch**, from **Noon to 1:00 p.m.** at the Town Hall.

Please bring a sandwich or main course to share and any other food you would like to contribute. **Soft drinks, ice, utensils, plates, and napkins** are provided.

In addition to an anticipated discussion about the holiday season, we will also be celebrating the birthday of Town Manager **Rich Charnovich** on that date, and we will have his favorite birthday cake.

Come congratulate Rich, and have comments ready for your elected leaders. If you have questions, call me at **301-654-6767** or email me at mayor@townofsomerset.com.

for **plantings**, reduction in the space available for **on-street parking**, amount of **impervious surface**, traffic and pedestrian **safety**, and Town **aesthetics**.

At the **January** Council meeting, there will be a public hearing and Council action on the revised curb cut Ordinance. If you have any thoughts you would like to share on this issue, please email the Council at council@townofsomerset.com and our Town Manager, **Rich Charnovich**, at manager@townofsomerset.com.



Revised Curb Cut

Curb Cuts Revisited

By Barbara Zeughauser, Council Member



Over the summer, I introduced an **Ordinance** to amend the **Town of Somerset's Code** (*Chapter 3, Streets and Sidewalks*), to limit the number and size of curb cuts in Town. In July, following the introduction of the

Ordinance, there was a public hearing and several residents raised questions concerning the applicability of the new Ordinance to existing curb cuts.

At the **December** Council meeting, I introduced a **revised curb cut Ordinance** to make it clear that the new Ordinance has future applicability only, and in no way will require homeowners to take any action to change, limit, or modify existing curb cuts.

The purpose of the Ordinance (fully printed at the end of this month's Journal), is to address concerns about the removal of **trees**, reduction in the area available

Calendar

Monday, January 2

Office Closed for New Year Holiday

Tuesday, January 3

Town Council Meeting

Friday, January 13

Brown Bag Lunch

Monday, January 23

MVA Mobile Office

Sunday, January 29

Sometimes Somerset Singers

Don't forget to check the Town website throughout the month for an up-to-date calendar. Go to www.townofsomerset.com and click on **Town Calendar**.

The Preliminary Agenda for each month's Town Council meeting is posted on the Town website (www.townofsomerset.com) seven days prior to the meeting. A copy is also posted on the bulletin board on the Town Hall porch.



On My Mind

By Mayor Jeffrey Slavin

Common Sense Resolutions for the New Year

Most of us make **New Year's resolutions**. Often they involve such personal goals as *weight loss, increased exercise, smoking cessation, or new travel adventures*. That is all well and good,

but as the elected leader of our wonderful municipality, I would like to make some alternate suggestions for resolutions that will help our Town government and enhance everyone's quality of life.

Over the past half decade, the Council and I have made great efforts towards **calming traffic**. Time, energy, and public funds have been spent for a traffic study, signage, bumps and humps, and more police service. In spite of all these efforts, we still get regular complaints about folks rolling through stop signs. And guess what? **Many of these violators are our own residents!** I have heard this from others and I have seen it myself. Sometimes even *I* don't do the best job at coming to a complete stop.

I know we all have hectic schedules and are often in a rush, but please, in **2012** let's be mindful of the consequences and honor our stop sign law. A few extra seconds of effort will lead to greatly increased public safety.

Another resolution I want to suggest involves our dedicated **Somerset Elementary School** crossing guard, who works on school days at the intersection of **Dorset** and **Warwick**. Many times over the past year, residents have called to tell me about **discourtesy** and even outright **rudeness** to this dedicated public servant. That is unacceptable. While I don't believe it's our own residents' doing, I would like to ask people help us identify those responsible. It would also be nice to be especially **kind** and **appreciative** to the guard.

My last resolution request involves our dog population. Many know how much I love "**man's best friend**" and I have been a pet owner for years. Nevertheless, it really irks me when I see a number of residents continue to **violate** the leash and poop rules. Over the past year, complaints have increased rather than decreased, there have been unnecessary dogfights, and extra annoyance about dirty shoes. **Please**—everyone who has a dog: make a special effort to obey the regulations. This is good public policy and no one deserves an exception to these vital rules. We really don't want to embarrass people by giving them citations, but that would be the next step.

So, a **Happy New Year** to all. May your dreams come true in 2012, and with all your individual efforts, we can jointly make Somerset the best place to live.



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Maxine Finkelstein, Editor
Deadline for ads and copy is the 15th of the month at 4:30 p.m.

Pepco Summary

By Ellen Globokar, Dorset Avenue

On **November 16**, the long-anticipated meeting between the **Ad Hoc Committee** on **Pepco** issues and Pepco officials



was held at the Town Hall.

Mayor Slavin

appointed the committee last spring to address the frequent power outages in Somerset. Representatives from the utility included **Charles Washington Jr.**, Senior Public Affairs manager, **Jerry Pasternak**, Vice President Pepco Region, and **Samson Thomas**, Engineer. Ad Hoc Committee members in attendance included **Ellen Globokar**, **Christine Farley**, **Josh Bobeck**, **David Kathan**, and **Elizabeth Thompson**. Also attending was **Rich Charnovich**, Town Manager, representing Mayor Slavin.

Pepco officials stated their intention to upgrade **ALL** of Somerset's electrical system to make it more reliable. At a previous Town meeting, they had outlined a plan that would upgrade only portions of the Town. Just before work was to begin, they discovered that their proposed minimal upgrade would not be sufficient.

According to Pepco's records, Somerset's feeder is adjacent to that of **West Chevy Chase**, which was cited as one of the "**worst performing**" feeders in **Montgomery County**. This designation is one of the reasons we are getting a major upgrade. (Those of us at the meeting insisted that Somerset's reliability is worse than that of West Chevy Chase, but Pepco's data shows otherwise.)

Pepco representatives stated that Somerset has had **23 momentary** outages since **January 2010** and has

had **nine sustained** outages, most of which were storm related. The current plan, which should be completed by **April**, calls for upgrading and replacing wires throughout the Town.

Pepco is also installing an **automated** distribution system early next year that will allow them to **switch** Somerset to another feeder **remotely** if an outage occurs from an event such as a tree falling on a power line. Since this switching will no longer require a Pepco technician to travel to the site, we all hope that automated distribution should speed service restoration.

Believing that many power failures are the result of **downed limbs** and **trees**, Pepco is in the process of aggressively pruning trees that are close to power lines. **Smart meters** will be installed next year, which will also alert them to problem areas more quickly. These changes should allow Pepco to be able to predict with greater accuracy when power will be restored in case of an outage, and to be more responsive to their customers.

Finally, Pepco has instituted a **new policy** that should benefit those who live on smaller streets in Somerset. In the past, Pepco prioritized service restoration based on the severity of the outage. Outages that were limited to one or two streets were addressed later. As a consequence, a few streets were left in the dark even when the majority of the feeder's power had been restored. According to the officials at our meeting, this will no longer be their practice.

We hope all of these changes outlined by Pepco occur as soon as possible. The Ad Hoc committee and the Mayor will continue to do their best to ensure Pepco improves its reliability.

Somerset Singers Sing-Along

By Cathy Pickar, Dorset Avenue



The **Batting Cage** May be Down for the Winter, but not "**Shoeless Joe from Hannibal MO!**"

The **Somerset Singers** will host another performance/sing-along on **Sunday, January 29** at **3:00 p.m.** (*not the usual 4:00*) at the Somerset Town Hall. The first part of the performance

is particularly suitable for younger children, who can sit around the rocker as our own **David Batson** narrates the classic "**The Snowman**," by **Raymond Briggs**, with music by **Howard Blake**.

The second part of the performance features the **Sometimes Somerset Singers** and children singing baseball classics. The batting cage may be down for the winter, but we can still sing about "**Shoeless Joe from Hannibal MO**," **Katie Casey** who's baseball mad, and how "**You Gotta Have Heart**" if your team is losin'. Audience members will be invited to join in of course!

We look forward to a big turnout!



Notes From The Manager's Desk

By Rich Charnovich, Town Manager



Town Hall Top 10 List

Each month I will attempt to do my best to inform our residents on 10 important issues I currently see happening within the Town of Somerset. As always, if anyone has any questions regarding Town operations, please feel free to contact me at Town Hall at manager@townofsomerset.com or 301-657-3211.

Christmas Tree Disposal

Unity Disposal will have a special Christmas tree pick-up on **January 6, 2012**. Please have your tree out before **7:00 a.m.** that morning. If you happen to miss this day, Unity will also pick up Christmas trees after that during normal refuse pick-ups on **Tuesday mornings**. Please make sure the trimmings from the tree are removed before placing your trees on the curb for pick-up.

Tax Season Approaching

Somerset's largest source of revenue is the portion of State income tax paid by Town residents. Unfortunately, Somerset will not get its share of income taxes unless our name appears on the Maryland income tax form in **the box marked, "City, Town or Taxing Area."** Please do not forget to complete this section when filling out your taxes.

Winter Season Is Here

A few reminders for winter. **Mulheron Tree Experts** will again be the Town's contractor for **snow removal**. Regarding sidewalk cleaning, remember the **Town Code** states that when there are **two inches of snow or less** in the front or on the side of the property, it is the responsibility of the **homeowner** to keep those areas clear. **More than two inches** is the responsibility of the **Town contractor**. Please also be mindful of the plows that clear our roads by doing your best to keep cars **parked in driveways**, as opposed to on the streets. This makes it easier to clear the roadways fully.

The **batting cage** located at the Town Hall is going to be **closed** this winter season from **December through February**. Last year's snow damaged the cage, so this measure is to protect it. The cage will open again in early March.

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E-Journal Sign-Up

We would like to urge as many residents as possible to receive their **Town Journal** electronically. As a **Tree City USA** and a **PLANT Maryland Community**, Somerset wants to reduce its impact on the environment by encouraging residents to receive their copy of the Town Journal by email. If you are not currently on the Town Journal email distribution list and would like to receive an electronic copy, please contact Town Hall at manager@townofsomerset.com or at 301-657-3211.

Town Directory Update (Last Chance For Directory Changes)

We are currently working on the **2012 Town Directory**, and we know there are many incorrect email addresses in the current one. Please email these changes to town@townofsomerset.com. If you are new to Somerset, or if you wish to amend your household's entry, please send us an email containing the information you wish to be included in your listing. If there is a death in your family and the Town is notified, we remove the individual's name from the Directory. You can use the format in the current directory as your guideline; otherwise, we suggest you consider including the following, as applicable:

Name: _____
Name: _____
Children: _____
Address: _____
Tel #: _____ Fax #: _____
Email Address: _____

Council Regular Meeting Actions – December 5, 2011 Meeting

The Town Council met in regular session on December 5, 2011. The Council took the following actions:

1. Approval of the November 7, 2011 Regular Council Meeting Minutes.
2. Approval of the November 14, 2011 Special Council Meeting Minutes.
3. Approval of the addition of Richard Charnovich, Town Manager, to the Capital One Bank checking and savings account signature cards.
4. Approval of an Unincorporated Association Resolution, establishing a new checking account with Capital One Bank for the purpose of depositing and distributing the Town of Somerset's restricted funds.
5. Approval of an application submitted by Bonnie and Martin Lewin, 4817 Cumberland Avenue, to install a gas Kohler 14 Res Generator.
6. Approval of an application submitted by Nicole Totah, 5409 Surrey Street, for a replacement HVAC Unit that has already been installed.
7. Approval of a recommendation of the Local Advisory Panel to the Historic Preservation Commission on an application submitted by Dean Yap, 4805 Cumberland Avenue. The applicant proposes to replace the current 11' driveway apron with a 15' driveway apron, and to replace the existing stone wall to the right of the driveway.
8. Approval of a recommendation of the Local Advisory Panel to the Historical Preservation Commission on an application submitted by Jeffrey and Jennifer Mascott, 5820 Surrey Street. The applicant proposes a two-story rear addition with a two-car garage at the cellar level, and conversion of the existing kitchen into a study.
9. Approval of a building permit extension for 4909 Essex Avenue until February 6, 2012.
10. Approval of an additional services invoice submitted by McInturff Architects, dated November 28, 2011 for \$31,875, for the Pool House Renovation Project.
11. Approval of the Mayor's recommendation for 2012 Election Day in the Town of Somerset to be March 20, 2012, and to set the hours for voting as 5- 9:00 p.m. at the Somerset Town Hall.
12. Introduction of an amendment to the Town's current Curb Cut Ordinance. The amendment will be placed in this Journal for public inspection. A public hearing will be held at the January 3, 2012 Council Meeting on the proposed amendment.

In addition to the items approved at the Regular Meeting, the Council also heard the Financial Report from the Clerk/Treasurer, Richard Charnovich, and a Pool House renovation update from Lou Balodemas, Project Manager. Adventure Theater was on hand at the Meeting, as the Council and Mayor had the pleasure of donating one of the pianos in the Town Hall to the organization.

Mayor Slavin had his monthly report available at the meeting for anyone who wanted to review it.



Finally, please keep in the mind the “**odd jobs**” list that was distributed in the **November** journal if you are interested in hiring someone for snow shoveling/maintenance around your property during the winter months.

Construction /Parking In Town

Town Hall staff recognize all of the difficulties right now with the significant amount of construction occurring in Town. The Town will continue to **enforce Code**, monitor construction projects, and ensure that **construction regulations** are reinforced with applicants, contractors, and sub-contractors for all projects. It is important that we do our best to enforce regulations to minimize disruptions to existing property owners while welcoming those who are moving into Town.

If you are having work done on your home or are building a new home in Town, please keep in mind the following regulations: **On weekdays**, work cannot start before **7:00 a.m.** **On Saturdays** and **Federal holidays**, work cannot begin before **9:00 a.m.** **On Sunday**, only **interior work** that cannot be heard by neighbors can be done. The Town has adopted the same work hour regulations as those administered by **Montgomery County**. A “**Reminders to Builders**” document can be found on the **Town's website** or by contacting the **Town Hall**.

Curb Cut Policy

Several months ago, the Town Council enacted a new curb cut policy. For the near to immediate future, only one curb cut will be permitted per property. No requests will be accepted to consider the approval of two or more cuts. In addition, any application to widen an existing curb cut cannot exceed 20 feet. If anyone has questions regarding this policy, please contact me. An amendment to the Town's Curb Cut Ordinance was introduced at the December 5, 2011 Council Meeting. The amendment is scheduled to be acted on by the Council at the January 3, 2012 Meeting. A copy of the amendment can be viewed on the Town's website.



Generator Noise Regulations

Enforcement Of Generator Noise Regulations

Many homes either already have **generators installed** or will be applying to install emergency generators. Most of these generators have not been able to pass the County noise level requirements. Now I am pleased to announce that several generators recently successfully passed the noise level requirements. Please note that the Town staff and I will be requesting that mitigation measures be taken to meet the noise level requirements if the generator has not passed yet. This is a very sensitive issue, and we realize that many homes need the generators for various reasons, medical or otherwise, but we also must be mindful that the noise of these generators can affect our neighbors. Please contact Town Hall if you would like information on the mitigation contractors we have on file. A list of **Acoustical Engineers** can also be located on the Town's website.

HVAC Unit Permits

Many residents do not realize that a Town permit is required if you are going to install or replace any type of **HVAC unit** for your home. Noise level requirements also must be met for these units for the protection of your neighbors. Please contact the Town Hall or visit the Town website for specific requirements for the installation of HVAC units.

Private And Town Tree Removal Process

This is a reminder that the Town of Somerset must **approve removal** of any trees, whether they are publicly or privately owned. Please make sure that you contact the Town Hall to obtain a permit in advance of removing any trees from your property. Violators of this Ordinance are subject to **fines** in accordance with the Town Code.

Dog Regulations

Two things to keep in mind as you walk your dogs around the community:

- Make sure your dog is on a **leash** when being walked around the neighborhood as per **Montgomery County** leash regulations. It is important to ensure the safety of **pedestrians** walking as well as other animals in the neighborhood.
- Per the Town Code, please make sure that dog waste is **disposed of properly** and not left on Town sidewalks or on private property. We continue to receive complaints about this, and we want to make sure it is curtailed for both sanitary and aesthetic reasons.



By Mayor Jeffrey Slavin

While I was humbled and honored to have been named **Montgomery County's Philanthropist of the Year 2011 by the Community Foundation**, and appreciate all the attention received, I see this as a beginning to my personal mission and not the end. Accordingly, I find it imperative to continue to encourage all residents to ramp up their efforts to help our **County's needy**, especially at this holiday season. Of course, charity starts at home, so I want to say to all, as I do

every year, that now is the time to be especially generous to those who work for us and provide service, because so many of them continue to struggle. We have so many blessings here in Somerset; why not *increase your gifts* so that we can make an even greater impact. I appreciate all those who join in this effort

As has been previously reported, I have named six residents to an **Ad Hoc Tennis Committee**, and an initial meeting has taken place. This temporary committee will review the current **tennis court rules** and make recommendations to the Council, as well as advise me on what a more formal structure for an official tennis committee would look like. Currently, our Town Code does not provide for enough citizen participation, and I would like to have the Council establish a panel with a better-defined mission and more participants. Thoughts and opinions from anyone interested are welcome.

Based on the success of last year's show at the **Friendship Heights Community Center**, a group of Town artists is now planning a second show, to take place in **December 2012**, a year from now. The first meeting of the planning group has convened and assignments have been made. All Somerset artists are invited to participate. For further information, please contact **Sandra Zacharia** (Warwick) at **301-657-3697**.



Certificate of Appreciation

At the last Town Meeting, **Michael Bobbitt, Executive Director of Adventure Theatre** presented the Council and me with a **Certificate of Appreciation** in thanks for our donation of our extra piano that was no longer needed. Adventure Theatre, located in nearby **Glen Echo**, was co-founded almost **sixty years ago** by the mother of State Senator **Brian Frosh** (Grantham). Many of us have a strong association with this vital nonprofit group, which plans to put the piano to good use. It was our pleasure to be of assistance.

Holiday best wishes to all, safe travels, and blessings for a productive new year.



Security Committee Report—Safeguard Online Banking

By Birdie Pieczenik, Security Committee Chair

It is a pleasure to report there has been **no crime** in Somerset during the last two months. Here are some tips to prevent offenses that can happen with online banking:

- **Use strong passwords:** a mix of letters and numbers that would be difficult for anyone to guess.
- **Make sure to use and update** your anti-virus protection software.
- **Keep personal and sensitive information out of emails;** a phone call is a good way to validate a suspicious email asking for information.
- **Always log off securely** after conducting online banking.
- **Never give out information** to someone who claims to represent your bank without calling the bank first; your bank already has all the information it needs from when you opened your account.
- **Go online regularly** to check your accounts, and alert your bank quickly if something does not look right.
- **Do not conduct business** from a public computer

An **Apple Store "Genius"** told me that he checks his bank statements and credit card activity daily because he is aware of online banking fraud. That might be a bit much—the point is: *don't be victims.*



Pool Renovation Project

Pool Renovation Project Nears Completion

By Marnie Shaul, Council Member

During the past few weeks, one contractor has been finishing items on the punch list. I'm happy to report that the **pool house renovation** project is nearly complete. We are still awaiting hardware for the “**barn door**” at the main entrance, and the **second** water fountain. There are several warranty items that will be replaced in the **spring**, including **new plantings** in the planters and any other dead shrubs. Other spring additions include a **new sign** for the driveway entrance with some new native plants, plants in the base of the rain garden near the bridge, and an **enclosure** for the recycling bins near the garbage can storage so the site can look tidy. We plan to celebrate the project's completion with a **party** at the beginning of the pool season.

The project is expected to cost about **\$3 million** on completion, which is about **12 percent** over budget. For those of you who have undertaken home renovation projects or built new homes, I imagine this is not surprising. The biggest additional costs were **unanticipated repairs** to existing components such as stone retaining walls, deteriorated concrete pool decks, and re-wiring the in-pool lights, which were all outside the original scope of the project. Other major additional costs resulted from the **unsuitable** soil conditions, changes required by the **county** from the plan review process or from **inspectors** on the site, and upgrades recommended by the **architects/engineers** and additional **Council** requests. If you are interested in more details, a project costs table is on the **Town's website** in the pool renovation and pool tabs. The Town financed about **40 percent** of the project from savings and the remainder from a loan, which, as reported in **last month's Journal**, we recently refinanced to get a lower interest rate.

Now that we have a **beautiful new facility**, all of us are responsible for keeping the facility in **A-1 shape**. For example, the Town will give extra attention to the new non-skid floors, which work as expected, but aren't easy to keep clean. The **Pool Committee** is tasked with making recommendations about the **pool management** contract, use of the facility by **guests**, **rental** policies, use of **physical** facilities such as the kitchen, and for other **capital investments** that might be needed. Each of us can help keep the site clean and a place all of us can be proud of.

Permits Granted



Tree Removal Permits

5533 Warwick Place, *Silver Maple*. The tree was dead and severely leaning over the house.

4811 Grantham Avenue, *Two White Pines*. Both trees were growing in the shade and have very sparse canopy.

4805 Cumberland Avenue, *Flowering Dogwood*. The tree was in poor condition and in decline. The tree was also growing on top of a retaining wall and was unstable.

Dumpster Permits

5800 Deal Place. One Dumpster to be used for interior house remodeling.

Wall Permits

4805 Cumberland Avenue. The wall will be relocated to allow for a wider driveway. It will be two tiered and not exceed **30 inches** in height.

Driveway Apron Permits

4805 Cumberland Avenue. The driveway apron will be increased to **15 feet** in width.

Curb Cut Ordinance

**ORDINANCE TO AMEND TOWN OF SOMERSET CODE:
CHAPTER 3, STREETS AND SIDEWALKS,
SECTIONS 3-103, 3-105, 3-106; AND 3-111, AND TO
RENUMBER SECTIONS 3-107, 3-108, 3-109, AND 3-110**

WHEREAS, the Charter of the Town of Somerset Section 83-68(a) permits the Town to “do whatever it deems necessary to establish, operate, maintain in good condition, and regulate the use of public ways of the town”; and

WHEREAS, the Charter of the Town of Somerset Section 83-68(b) provides that the Town “may require that a permit be obtained from it and a reasonable deposit to safeguard the town be made before any cuts or openings are made in any street, curb, or sidewalk”; and

WHEREAS, the Charter of the Town of Somerset Section 83-69(5) provides that the Town has the power to “install, construct, reconstruct, repair, and maintain curbs and gutters along any town public way or part thereof”; and

WHEREAS, the Town Council of the Town of Somerset wishes to amend its requirements applicable to new curb cuts, and to the removal of existing curb cuts; and

WHEREAS, the Town is concerned about removal of trees, reduction in the area available for plantings, reduction in the space available for on-street parking, the amount of impervious surface, traffic and pedestrian safety and Town aesthetics; and

WHEREAS, based on these concerns, the Town wishes to limit new curb cuts to one per property, to limit the width of new driveways and driveway aprons, and to require certain improvements when a curb cut is removed; and

WHEREAS, the Town Council wishes to permit under certain circumstances, waiver of these requirements as it recognizes that conditions specific to a particular property may make waiver appropriate to better achieve the purposes of this Amendment.

BE IT ORDAINED by the Town Council of the Town of Somerset that Chapter 3 Section 3-103 and Sections 3-105 through 3-111 be amended as follows ([deletions in brackets], **NEW MATTER IN BOLD CAPITAL LETTERS**):

CHAPTER 3 STREETS AND SIDEWALKS

Article I. In General

Section 3-103. **Action on Permit Application**

(a) Temporary Permit

(b) Driveway Apron or Curb Cut.

(1) The Town Council shall act upon the permit application for a permanent driveway apron or curb cut following the procedures and criteria for consideration of building permit applications **AND THE PROCEDURES AND CRITERIA IN THIS ARTICLE.**

(2) IF A PROPERTY HAS ACCESS THROUGH AN EXISTING CURB CUT, NO ADDITIONAL CURB CUTS MAY BE APPROVED FOR THAT PROPERTY. THIS SUBSECTION IS APPLICABLE EVEN IF THE ACCESS IS SHARED WITH ANOTHER PROPERTY THROUGH A SINGLE CURB CUT. *[A proposal will be considered at the January meeting of the Council to revise this provision to permit a new curb cut for property having an existing shared driveway with a shared curb cut providing use of the shared driveway and shared curb cut is ended.]*

(3) WHEN CONSIDERING AN APPLICATION FOR ANY NEW CURB CUT AND ITS LOCATION, THE TOWN COUNCIL SHALL TAKE INTO CONSIDERATION SUCH FACTORS AS CHARACTER OF THE STREET, REMOVAL OF TREES, REDUCTION IN THE AREA AVAILABLE FOR PLANTINGS, AMOUNT OF IMPERVIOUS SURFACE, REDUCTION IN THE SPACE AVAILABLE FOR ON-STREET PARKING, TRAFFIC AND PEDESTRIAN SAFETY, AND LOCATION OF PUBLIC UTILITY STRUCTURES.

(4) FOR ALL NEW CURB CUTS, A PRIVATE DRIVEWAY WHICH CROSSES A SIDEWALK IN THE PUBLIC RIGHT-OF-WAY MAY NOT EXCEED TEN (10) FEET IN WIDTH IN THE AREA BETWEEN THE STREET PAVEMENT AND THE EDGE OF THE SIDEWALK FARTHEST FROM THE STREET, EXCEPT THAT THE APRON MAY EXTEND BEYOND THIS TEN FOOT WIDTH, AS PROVIDED IN SECTION 3-103(B)(6).

(5) FOR ALL NEW CURB CUTS, A PRIVATE DRIVEWAY WHICH DOES NOT CROSS A SIDEWALK IN THE PUBLIC RIGHT-OF-WAY MAY NOT EXCEED TEN (10) FEET IN WIDTH WITHIN SEVEN (7) FEET OF THE STREET PAVEMENT, EXCEPT THAT THE APRON MAY EXTEND BEYOND THIS TEN FOOT WIDTH, AS PROVIDED IN SECTION 3-103(B)(6).

(6) THE APRON WHERE THE DRIVEWAY CONNECTS WITH THE STREET PAVEMENT SHALL BE ALLOWED A FIVE-FOOT RADIUS ON EACH SIDE OF THE DRIVEWAY FOR A TOTAL ENTRANCE AT THE CURBSIDE NOT TO EXCEED TWENTY (20) FEET IN WIDTH.

Section 3-105. **ELIMINATION OF CURB CUT**

WHEN A PROPERTY OWNER ELIMINATES A CURB CUT, THE PROPERTY OWNER SHALL INSTALL, AT THE PROPERTY OWNER'S EXPENSE, A CURB, SIDEWALK, GRASS, AND/OR TREES OR OTHER PLANTINGS, SO THAT THE AREA WHERE THE CURB CUT IS ELIMINATED IS CONSISTENT WITH THE ADJACENT AREA.

Section 3-106. **EXISTING CURB CUTS**

(A) MORE THAN ONE CURB CUT PER PROPERTY

IF A PROPERTY HAS MORE THAN ONE CURB CUT LAWFULLY EXISTING OR APPROVED FOR A PERMIT AS OF DECEMBER 5, 2011, SUCH CURB CUTS SHALL REMAIN LAWFUL AND MAY CONTINUE IN USE.

(B) EXISTING CURB CUTS AND DRIVEWAY APRONS GREATER THAN TWENTY FEET IN WIDTH

ALL CURB CUTS AND DRIVEWAY APRONS THAT WERE LAWFULLY EXISTING OR APPROVED FOR A PERMIT AS OF DECEMBER 5, 2011 THAT DO NOT COMPLY WITH THE TWENTY (20) FOOT WIDTH LIMIT DESCRIBED IN SECTION 3-103(B)(6), SHALL REMAIN LAWFUL AND MAY CONTINUE IN USE.

Section [3-105] 3-107. **Provisions Not Applicable to WSSC**

Section [3-106] 3-108. **Indication of Obstruction**

Section [3-107] 3-109. **Destruction of Streets**

Section [3-108] 3-110. **Penalties**

Section 3-111. **WAIVER**

THE TOWN COUNCIL MAY GRANT A WAIVER FROM THE DRIVEWAY AND CURB CUT REQUIREMENTS OF THIS ARTICLE IF THE TOWN COUNCIL FINDS DUE TO CONDITIONS SPECIFIC TO THAT PROPERTY

SUCH WAIVER WILL:

(A) LESSEN PARKING AND TRAFFIC CONSTRAINTS;

(B) LESSEN ADVERSE ENVIRONMENTAL EFFECTS; OR

(C) IMPROVE SAFETY.

Preliminary Agenda

Regular Town Council Meeting

Somerset Town Hall – Tuesday, January 3, 2012 – 7:30 p.m.

The Somerset Town Council will meet in regular session on Tuesday, January 3, 2012 at the Somerset Town Hall.

Agenda updates are posted on the Town website:

www.townofsomerset.com

Regular Meeting of the Town Council

Council Work Session – 7:00 p.m.

Council Meeting Convenes – 7:30 p.m.

1. Motion: To consider approval of the December 5, 2011 Regular Council Meeting Minutes – 7:30 p.m.
2. Discussion: Town Manager's January Financial Report – 7:35 p.m.
3. Comments: Town Residents/Agenda Items – 7:40 p.m.
4. Comments: Town Residents/Non-Agenda Items – 7:45 p.m.
5. Discussion: Pool House Construction Update – 7:50 p.m.*
6. Discussion/Motion: To consider approval of PCO 80 for the Pool House Renovation Project in the amount of \$251.75 – 8:00 p.m.
7. Public Hearing/Motion: To consider approval of an application submitted by John and Sue Rosenthal, 5529 Surrey Street, for a replacement HVAC Unit that has already been installed – 8:05 p.m.
8. Public Hearing/Motion: To consider approval of Council Member Zeughhauser's amendment to the Town's current curb cut ordinance – 8:10 p.m.*
9. Discussion/Motion: To consider authorizing the Mayor and Staff to negotiate a Memorandum of Understanding with Amos T. and Robin Wilder, 5535 Warwick Place regarding a fence in the rear of their property – 8:30 p.m.
10. Discussion/Motion: To consider approval of the Mayor's re-nomination of Phyllis Wiesenfelder (Cumberland) to the Board of Supervisors of Elections. Her term will expire 12/31/13 – 8:40 p.m.
11. Discussion/Motion: To consider approval of the Mayor's nomination of Sherry Bindeman Kahn (Essex) to the Board of Supervisors of Elections. Her term will expire 12/31/14 – 8:45 p.m.
12. Discussion/Motion: To consider approval of the Mayor's re-nomination of Bill Marmon (Cumberland) to the Board of Supervisors of Elections. His term will expire 12/31/14 – 8:50 p.m.
13. Discussion/Motion: To consider approval of the Mayor's re-nomination of Barbara Condos as Chairperson of the Swimming Pool Committee. Her term will expire on 12/31/12 – 8:55 p.m.
14. Discussion: To consider introduction of an amendment to the Town Code to set standards for utility company attachments to poles in public rights of way – 9:00 p.m.
15. Discussion: Council Member Proctor's update on an effort to add cost-effective options to Pepco's tariffs for LED street lights – 9:10 p.m.
16. Discussion: Mayor's Report – 9:20 p.m.
17. Adjourn – 9:25 p.m.

Key

Public Hearing Item: Agenda item where public comment is permitted.

Discussion Item: Agenda item limited to discussion among the Council, Mayor and Town Staff.

Motion Item: Agenda item requesting action, limited to Council discussion.

Comments: Opinions and Questions from Town residents.

This is a preliminary Agenda prepared to meet the Journal press deadline, which typically is two weeks prior to the next Town Council meeting. During this period, there will likely be changes to the timing of items, and some items may be added or deleted. Please consult the bulletin board on the Town Hall porch or the Town website for the most up-to-date Agenda.

Residents who wish to be present for a particular Agenda item are advised to arrive 15 minutes ahead of the item's scheduled discussion time as discussions sometimes run ahead of schedule.

Items marked * have related articles inside this issue of the Town Journal.



left to right: Council members Bill Farley, Barbara Zeughhauser, Cathy Pickar, Vice President Marnie Shaul, Alan Proctor