

"Where People and Trees Have Deep Roots and Grow Strong"



# Somerset TOWN JOURNAL



Volume 64 • No. 3

March 2019

## Town Budget Work Sessions Scheduled for March

By Marnie Shaul, Council President, Uppingham Street

The Council will hold two budget work sessions in March: **Wednesday, March 6 from noon to 2 p.m. and Monday, March 11 from noon to 2 p.m.** At these sessions, the Council will review estimates for every revenue source and expenditure. The Council will have assistance from the Town Budget Committee, which reviewed revenue estimates in February. The Budget Committee also looked at the Town's reserves in light of potential expenditures. At the March work sessions, the Council will also review committee budget requests for 2020. Additionally, Mayor Slavin has asked for Town consultants to make presentations during the work sessions. He specifically requested a presentation from the person who serves as our "police chief" and who coordinates the work

of all the Montgomery County police officers the Town employs. Other consultants employed by the Town include the Town Arborist, the Building Code Reviewer, and the Code Enforcement Officer. The Council has asked for a position description for each Town staff member and Town consultant for consideration at the budget work sessions. This will provide the Council with a clearer understanding of each person's responsibilities.

Residents are welcome to observe the work sessions, although they may not have an opportunity to speak if there's not sufficient time for Council Members to pose all their questions. A public hearing on the proposed FY20 budget will be held at the May Council meeting and residents' comments are welcome then.

### Upcoming Budget Meeting Dates

*(Location of all meetings is to be determined, depending on the status of the Town Hall renovation project. Location will be announced closer to the meeting dates.)*

**Wednesday, March 6  
Noon-2 p.m.**

First Council work session to review line items in budget.

**Monday, March 11  
Noon-2 p.m.**

Second Council work session to review line items in budget.

**Monday, April 1**

Regular Town Council meeting at which Mayor presents FY 2020 budget.

**Monday, May 6**

Regular Town Council meeting with public hearing on budget and Council vote on final budget.

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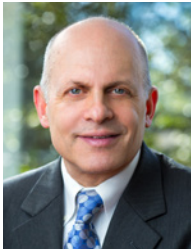
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# ON MY MIND

## An Arrest for Justice

By Mayor Jeffrey Slavin, *Warwick Place*

As February is Black History Month, I am focusing on heroes like the acclaimed late activist Fannie Lou Hamer. I keep remembering the legendary quote which motivated many of her actions, "I am sick and tired of being sick and tired..."

Along the same line of thought, I am "sick and tired" of the injustice that for too long has been afforded the members of the next-door-to-Somerset Macedonia Baptist Church. This religious institution's historic cemetery was paved over many years ago, most likely in violation of law, and now efforts to have the sacred site honored properly have been basically met with the door slammed in their face for the past two years. Nor should we think that the cemetery and the people interred in it are simply a matter of past history that does not concern us. These Black ancestors built River Road, Bradley Boulevard, and other parts of the infrastructure that supports our quality of life every day. It is only proper that we respect them and honor their memory.

The site is now owned by our local housing authority, the Housing Opportunities Commission (HOC). The Black African Cemetery Coalition has been protesting HOC's inaction this year at the commission's monthly meetings. Arrests have been made. Earlier this month, the Coalition asked me to come join the protest and be prepared to be arrested. We spoke at the public comment session of the meeting and then started singing songs of freedom, thereby disrupting the board's work. When we wouldn't stop singing, the HOC asked the police to take us away. I couldn't have been more proud! The Coalition had asked me to participate in the hope that the arrest of an elected official would bring more attention to their cause. I also wanted to set an example for our young people.

Town residents can learn more about this story by viewing the Montgomery Community Media report: <https://www.mymcmedia.org/cemetery-protest-draws-more-protester-arrests-at-hoc-meeting/>

The arrests of Dr. King and thousands of others during the 60's led to the civil rights laws that are still impactful today. The arrests of many public officials in the 80's at the South African Embassy—including two DC Councilmembers who were my one time bosses—eventually led to the end of the apartheid government in that country. I hope Montgomery County leadership is listening now and that the arrests will have an impact!

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Open: 9:00 a.m. – 4:30 p.m.  
Monday thru Friday  
301-657-3211 | Fax: 301-657-2773  
TTY users call Maryland Relay

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The Town Journal is the official publication of The Town of Somerset, Montgomery County, MD.

If you prefer to receive the Journal via email, please provide your request to [manager@townofsomerset.com](mailto:manager@townofsomerset.com) or call Town Hall at 301-657-3211.

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

POST OFFICE ADDRESS:  
4510 Cumberland Ave.  
Chevy Chase, MD 20815

[www.townofsomerset.com](http://www.townofsomerset.com)

# Learn More about MoCo's E(Electric)-Scooters Program

By **Stephen Surko, Council Member, Uppingham Street**

E(Electric)-Scooters are a popular new form of environmentally-friendly, personal transportation. If you work or visit downtown Washington DC, you have probably seen individuals riding around on E-Scooters – and you've probably seen E-Scooters left sloppily here, there, and everywhere. Somerset is in an excellent location for residents to use E-Scooters to run errands in downtown Bethesda, visit Friendship Heights, or take the Capital Crescent Trail to Georgetown (probably faster and more enjoyably than METRO or driving). But there are issues, including safety (of the rider and pedestrians – when they are in motion and left on the ground) and aesthetics.

Somerset has an opportunity to participate in a new Montgomery County E-Scooter program, so we need to consider the pros and cons. Ms. Michelle Golden (Senior Marketing Manager, Montgomery County Commuter Services) will be attending our next Town Council meeting on Monday, March 4 to provide information on the program under development. You are encouraged to attend if you want to learn more about the E-Scooter program to be considered by Somerset. But if you have questions and are unable to attend, please feel free to email me at [ssurko@townofsomerset.com](mailto:ssurko@townofsomerset.com).



## MARCH CALENDAR

**WEDNESDAY, MARCH 6**

Budget Work Session  
12 noon to 2 p.m.

**MONDAY, MARCH 11**

Budget Work Session  
12 noon to 2 p.m.

**MONDAY, MARCH 25**

MVA Mobile Office  
10 a.m. to 2 p.m.  
Friendship Heights



## Registration Now Open!

Register by February 28 to receive  
Early Bird Discounts!

Enrolling K-6th graders for One & Two-Week Sessions

<b>Session 1:</b> June 24–July 5 (no camp July 4)	<b>Session 2:</b> July 8–July 19	<b>Session 3:</b> July 22–August 2
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[campsummerset.com](http://campsummerset.com)

# Somerset's LED Pilot Program: Comments, Please



**By Marnie Shaul, Council President, Uppingham Street**

In early March, the Council expects five different LED street light fixtures to be installed along Cumberland Avenue near the Town Hall. The Town is doing a pilot in order to obtain residents' feedback on which light they like best. Both the quality of each light and the cost of the fixture are factors to consider when residents make their judgments. Each street light pole will have a sign identifying the manufacturer and a cost estimate. Actual costs might vary if the Town placed a substantial order but the rank order of costs will likely stay the same. The fixture cost does not include the cost of Pepco's installation which will likely be several hundred dollars per fixture.

The Town Environment Committee has been a champion of LED street lights because they save energy, will cost less over the long term, and protect our environment. The Committee plans to lead several tours on Cumberland Avenue to solicit your comments. Because we don't yet have an exact installation date, the Committee will be announcing dates after the Journal deadline. Watch for the March tour dates on the list serves.

The Council welcomes your reactions and guidance as it considers moving forward with LED street lights. If we receive a positive response, we will consider putting funds in the Town's upcoming FY20 capital budget.

Please submit your comments about the LED lights to the Environment Committee's new email address at **[TOS.EnvironmentCommittee@gmail.com](mailto:TOS.EnvironmentCommittee@gmail.com)**



## A Plea for Native Plants, and Once Again, No Pesticides!

It is nearly spring and many of us have already ventured into our gardens on the rare warm days. By now, many wildflowers have started to bloom in our 17-acre woodland close to the Somerset pool. Bird calls have increased and we can enjoy leaving our windows open.

We are extremely fortunate to live in a town committed to preserving our canopy trees and that works hard to create sustainable landscaping to limit and slow storm water runoff and that focuses on native plants. The Town also committed to limiting pesticide use on all town land back in 2013. We only plant native trees along the Town's streets.

Why are native plants and not using pesticides so important? University of Delaware Professor Doug Tallamy recently spoke at the Audubon Naturalist Society about his most recent book, *The Living Landscape*. He is especially interested in why the insect population has declined globally by 45% since 1974. Because native plants and insects evolved together, they are uniquely suited to fulfilling each other's needs. If we plant non-native plants, they do not attract insects and thus will not support songbirds and other wildlife. Consider that a native oak tree can support over 500 species of butterflies and moths. Those caterpillars are a crucial food source for over 98%

of songbirds. A pair of chickadees requires between 6,000 and 9,000 caterpillars to successfully raise just one brood of chicks.

Yet a crape myrtle, a stranger to our native bugs, supports almost no insects. Adding insecticides and pesticides further reduces our insect numbers. Even honeybees are harmed! In addition, these pesticides pose a health risk to humans, and our children in particular.

You can find many sources of native plants nearby, including American Plant Food. The **Rainscapes** program through Montgomery County will help fund conservation landscaping that includes reducing lawn size and planting native plants. The National Wildlife Federation has an excellent tool on its website to help you choose native plants suited to your zip code. Even if you do not do your own gardening, talk to your landscaper now about not using pesticides and using native plants for future planting projects. Most landscapers are eager to help and have good ideas themselves. Our wildlife thanks you!

If you would like a Pesticide Free Lawn Sign, contact me at [levinfried@gmail.com](mailto:levinfried@gmail.com).



## New Feature for the Sustainability Corner: Seeking Resident Comments

By Barton Rubenstein,  
Member,  
Environment  
Committee,  
Dorset  
Avenue

**Neighbors:** In order to create more "buzz" about the impact of climate change, the Environment Committee has decided to create a Resident Comment section as part of the **Sustainability Corner**. This will allow residents to share their thoughts with others. These comments could contain ideas about how better to recycle, reduce or reuse. They could describe changes you have noticed in your backyard or random/quirky/fun things you want to share. We would like this space to be filled with both cheerful and introspective thoughts about our neighborhood. Please submit your climate concerns, questions, solutions and ideas to **TOS. EnvironmentCommittee@gmail.com**. We look forward to receiving your comments! Below are a few examples:

*"For years, we used to have many American robins in our backyard and now I rarely see them. We also just stopped using pesticides a few years ago and now use only organic fertilizers. I hope the birds return."*  
Barton Rubenstein, Dorset Avenue

*"I had a pair of skis that I hadn't used in several years and was so glad to find someone in the neighborhood that wanted them. It's great to*

*repurpose old items that still work!"* Marnie Shaul, Uppingham Street

*"I had noticed that monarch numbers were down in my yard last summer. A quirk of my milkweed plants, I thought. Then I noticed the story that the Californian monarch count had fallen precipitously this year. Maybe not a quirk of my milkweed."* Robin Barr, Essex Avenue



# Manager's Corner

By Rich Charnovich, *Town Manager*

## Upcoming Budget Workshop Sessions

Two budget sessions have been scheduled in 2019. They are March 6, 2019 and March 11, 2019; both sessions will be held from 12 p.m. to 2 p.m. in the Town Hall. These sessions are open to the public and information will be provided on the Town's plans for FY'20 and beyond. .

## Town Hall Renovation Project Begins in March

During the week of March 11, a major renovation project is scheduled to begin on both the exterior and interior of the building. Once started, it is expected to take 6 to 8 months to complete. During this time, the Town Hall will not be available for rental.

## Winter Season Continues

The groundhog has spoken, but it is yet to be determined if he will hit the bullseye. Until that determination is made, please keep in mind the following:

**Snow Removal:** Mulheron Tree Experts, Inc. is the Town's contractor for snow removal. Regarding sidewalk cleaning, please be advised that the Town Code authorizes our contractor to maintain the public sidewalks in the community. If a property owners would still like to assist with the clearing of the sidewalk adjacent to their properties, they are welcome to.

**Snow Plow:** Please be mindful of the plows that clear our roads by doing your best to keep cars parked in driveways as opposed to parking on the streets when snow is in the forecast. This enables the plows to do a better job.

**Sled Riding Hill Rules:** The current sled riding rules for Cumberland Avenue follow:

- **Sledders:** Sled at your own risk! The Town of Somerset does not monitor the sledding hill. It is the responsibility of parents to supervise children.
- **Motorists:** Drive Carefully! Children Sledding! Be courteous to those who live on Cumberland. Respect parked cars and private property.
- **Vehicles:** Enter from top of hill and depart downhill. Vehicles are not permitted to travel up Cumberland from Devon Lane.

- Residents who park on Cumberland should strongly consider parking cars in their driveways if sledding is occurring.

## LED Pilot Program on Cumberland Avenue near the Town Hall

In the past few months, the Town Council approved a pilot energy efficiency street light program in collaboration with PEPCO. The lights will be installed on Cumberland Avenue on the stretch of roadway near the Town Hall. Town officials will be seeking public input on the lighting that will be installed as a part of the pilot program. It is anticipated that these lights will be installed sometime in March. Please look out for future announcements with additional information. See Council President Marnie Shaul's article on the topic in this edition of the Journal.

## 2019 Household Tennis Court Passes

The 2019 household fee for tennis passes will be set at the March 4, 2019 Council meeting. Afterwards, the Town Hall will be send out an announcement regarding the availability of 2019 passes. Until then, using 2018 passes is still acceptable.

## Montgomery County Building Permits--New Website

The Montgomery County Department of Permitting Services (DPS) has a new website that provides quick access to information on a range of services, from applying for permits to tracking construction activities: <https://www.montgomerycountymd.gov/dps>

The website features a user-friendly guide that serves as a roadmap for every step of the permit application process, including inspections. To assist customers -- homeowners, professionals or businesses -- each step is clearly described, with links for information, forms and online services.

Also, please check with the Town Hall to see if Town of Somerset requirements differ from those of Montgomery County. If you live in the Somerset Historic District and are considering any home improvements please make sure to contact the Historic Preservation Commission. This must be done before any planning begins.

# From the Mayor's Desk

By Mayor Jeffrey Slavin



This month will mark the one year anniversary of Eugene Tillman's leadership (Warwick) as columnist for the Journal's "All About People." Eugene is always seeking news about Somerseters, especially regarding careers, hobbies, and lifecycle events. Since his deadline is the 15th of every month, please write him well before then at [allaboutsomerset@gmail.com](mailto:allaboutsomerset@gmail.com) so that your news can be shared in the Journal. We have so many interesting residents doing so many interesting things.

As most of you know, the Town has a contract with Mulheron Tree Experts for snow removal. As Mayor, I take the lead on communicating with Ed Mulheron and his staff on details of this task. This year, I have once again "deputized" Council Members **Barbara Zeughauser** (Trent) and **Steve Surko** (Uppingham) to assist me on a 24/7 basis. We always need information from the field on problem areas during a storm. I want all residents to know

that they should feel free to call me—whatever the time of day—on my cell 202-549-2299 (text, too) or home (yes, I still have a landline) 301-654-6767. This includes requests to have driveway aprons cleared!

An annual reminder... the Council, Town Staff, and I are ready to be of assistance to those who lose family or household members during the year. Among other things, we can help publicize memorial services, contact neighbors, and include an obituary in the Town Journal. We are sorry when you have a loss and will assist in lessening burdens wherever possible.

Last, in the past year I have again stepped up use of my Twitter account. Many of the issues I write about are relevant to Somerset. I encourage all "tweeters" in Town to follow me at @jzslavin. I will be happy to follow you back. I also make use of my Facebook page.

## Somerset's Helping Hand Is Just an Email or Phone Call Away



If you need a ride, someone to pick up some groceries or a prescription, a ride to the Metro, or even if you just want to get to a friend's house, please contact **Somerset Helping Hand**. We have a list of 30 Somerset volunteers who can help.

Send an email to [HHSomerset@gmail.com](mailto:HHSomerset@gmail.com) or call **Barbara Zeughauser** at 301-951-8560, **Kathleen Kenyon** at 301-656-8581 or **Jim Berry** at 301-656-6089.

If you would like to add your name to the volunteer list, please send an email to [HHSomerset@gmail.com](mailto:HHSomerset@gmail.com).



# All About People

By Eugene Tillman, *Warwick Place*



In late January, our neighbor and Maryland Attorney General **Brian Frosh** (Grantham) graciously agreed to sit for a special *All About People* interview with **Barbara Marenus** (co-editor of the *Somerset Journal*) and myself. As you may recall, Barbara and her husband, **Jon Medalia** (Surrey), interviewed

Brian for a piece in the *Journal* in summer 2014 (<http://townofsomerset.com/ArchiveCenter/ViewFile/Item/174>). That interview occurred shortly after Brian's victory in the Democratic primary which set the stage for his election to a first term as Attorney General. With his reelection in November, we thought the residents of the Town would like to hear Brian's assessment of his first term and his goals for the current one.

We first asked Brian to describe some notable achievements from his first term. He started with pre-trial reform explaining the perils of the cash bail system for those charged with minor crimes like shoplifting, trespassing, urinating in public, and the like.

*"We had thousands of people in jail for one reason, and that's because they were poor. When bail is set, the accused typically pays 10% of that amount to secure a bond for their release. For a minor crime, the cost of the bond might be a few hundred dollars. Lots of people just don't have that kind of money, period. As a result, they can spend days and even months in jail on a minor charge – even in cases that ultimately get dismissed. For most people, spending a few nights in jail puts them at risk of losing their job, their house, and even their family."*

Brian's office succeeded in convincing Maryland's highest court to change the rule on setting bail. Now, if a judge establishes a financial condition for release of the accused, the judge must make sure the person can meet it. As Brian explained, "The rule applies statewide, and we now have many fewer people in jail for minor crimes." As a footnote, the bail bond industry went to the General Assembly to try to overturn the rule and lost that battle in the 2016 session.

Brian next pointed to his office's success in protecting victims of lead paint poisoning who have received structured settlements in the form of annuity payments.

*"Using highly deceptive and predatory practices, some companies offer to convert a portion of the annuity to a one-time cash payment on terms highly disadvantageous to the annuitant. Our office has sued the worst of the offenders for violations of consumer protection statutes, and some of that litigation is ongoing. The investigations of these practices ultimately spawned important regulatory reforms. Among other things, the [factoring] companies must be licensed by the state, a judge must make a determination that the arrangement is in the best interests of the annuitant, and the annuitant must appear personally in court [at the hearing to approve the sale]."*

Another major accomplishment was the creation of the first organized crime unit in the history of the Maryland Attorney General's office.

*"We have indicted and put behind bars some of the most dangerous people in the state, including drug traffickers, human traffickers, pill mill operators, and violent gang members. While street crime is usually handled by the local state's attorney, we are targeting major players whose crimes cross multiple jurisdictions in the state."*

Brian provided an example of a violent carjacking case in Baltimore that led to the arrest of four individuals.

*"Normally, the Baltimore City state's attorney would have prosecuted that case. Through our investigation, however, we determined that these individuals were linked to a total of 26 carjackings in various jurisdictions all around the Baltimore metropolitan area. Through our deeper dive, we were able to make 25 additional cases."*

As widely reported, various policies and actions of the Trump administration have spawned litigation brought by state attorneys general around the country including Brian's office. We asked Brian if he includes the "Trump litigation" in his list of major accomplishments.



*"This is not what I thought I was going to be doing as Attorney General, needless to say. That said, Democratic AGs have been on the front line of defense against Trump for the first two years of his presidency. Unlike the attorneys general in the vast majority of states, however, the Maryland AG doesn't have [a general power] to file cases on behalf of constituents. We need a law specifically giving us litigation authority or a letter from the Governor authorizing a suit."*

Following the executive order from the Trump administration banning the entry of foreign nationals from certain predominantly Muslim countries,

*"I wrote to Governor Hogan telling him the order was unconstitutional and seeking authorization to file suit. When I didn't get a response, we went to the General Assembly and secured a bill authorizing the AG to protect the best interests of Marylanders when threatened by federal action or inaction. We are now participating in suits to protect the Affordable Care Act, to stop the citizenship question on the census form, to protect the environment, to stop child separation at the border, and to require the Department of Education to protect vulnerable students cheated by predatory for-profit institutions. Most of these cases include numerous other state AGs, although only our office and the District of Columbia AG brought the emoluments challenge."*

Brian also touched on other successes including being the first attorney general in the country to issue guidance prohibiting profiling by law enforcement as well as having the opportunity to successfully defend a challenge by the National Rifle Association to Maryland's Firearm Safety Act of 2013 which Brian sponsored in the Senate! Bottom line: it was a busy and productive first term.

We then turned to the subject of Brian's goals for his second term which he described as more of the same – "protecting Marylanders and Maryland."

*"For example, we just filed suit to block seismic testing off the Atlantic coast. We're working with seven other AG offices, and our goal is to stop offshore drilling near Maryland. We're also looking to ramp up our consumer protection efforts, and we have reached an agreement with the Hogan administration to get additional personnel to pursue predatory lending practices in the housing market. We have lots of work to do on the opioid crisis. We will continue our efforts*

*to put pill mill operators and drug dealers behind bars. We are also part of a multistate investigation of opioid manufacturers. And yes, I expect additional litigation in response to the actions of the Trump administration."*

Turning to campaign strategy, we asked Brian how his 2018 effort differed from the one in 2014. To put that into perspective, Brian received 57.8% of the vote in 2014 and 64.9% in 2018.

*"In some ways, the races were significantly different. In 2014, my main hurdle was the primary. This time, I didn't have a primary challenge, but I did have a very aggressive opponent in the general election, and my race was targeted by the Republican Attorneys General Association. I managed to raise \$2 million which I used primarily for TV, radio, and digital advertising. My name recognition was much higher this time than in 2014."*

We wrapped up the evening with a question about the role of Somerset residents in supporting his campaign, and Brian could not have been more effusive.

*"The Town has been incredibly supportive. People have hosted fundraisers, coffees, phone banks, post card writings, and more. It's hard to imagine I could have gotten any more support from the residents of Somerset."*

\* \* \*

One final neighborhood note of interest: In her latest New York Times best seller, *The Big Fella: Babe Ruth and the World He Created*, author Jane Leavy called upon **Matt Zaft** (Dorset) to analyze the Babe's stock and bond portfolios and how his investments fared over time. In addition to quoting Matt throughout the book, Leavy included the following in her acknowledgements: "Matthew Zaft, financial advisor at Morgan Stanley in Washington, gamely accepted five hundred pages of badly Xeroxed financial documents dating back to 1927 and made sense of them and thus made sense of the economic force the Babe became." Separately, Matt was recently named by Forbes to their "Best-In-State ranking" of financial advisors nationwide.

# Council Meeting Actions

The Town Council met in regular session on February 4, 2019 and took the following actions:

1. Approval of the January 7, 2019 Council Meeting Minutes.
2. Approval of the 2019 Town election to be held on May 14, 2019 from 4:30 p.m. to 7:30 p.m. in the Town Hall.
3. Approval to sign proposal acceptance letter and send to PEPCO for the PILOT street lighting project on "little" Cumberland Avenue and to authorize payment in the amount of \$5,220.00 to be sent to PEPCO.
4. Approval of the following spring tree plantings. The planting of a Willow Oak at 5510 Surrey Street was deferred until a later date.
  - 4712 Cumberland Avenue, 3 Redbud
  - 4914 Cumberland Avenue, 3 Dogwood
  - 4705 Dorset Avenue, 2 Serviceberry
  - 4725 Dorset Avenue, 3 Dogwood
  - 4922 Dorset Avenue, 1 October Glory Red Maple
  - 4731 Essex Avenue, 1 Dogwood
  - 5405 Surrey Street. 2 Snowdrift Crabapple
5. Adoption of an Ordinance to amend Chapter 6 of the Town Code of Ordinances to clarify what documents must accompany a building permit application and a waiver request, and to add a requirement for a boundary survey.
6. Adoption of an Ordinance to add a new Chapter 12 of the Code of Ordinances to adopt requirements concerning the installation and operation of small wireless telecommunications facilities in the public rights of way.
7. Approval to authorize sending a letter to the Montgomery County Council in relation to ZTA 19-01 which would make changes to Accessory Dwelling Unit Rules in Montgomery County. The letter would support affordable housing but not the Accessory Dwelling Unit Rules.
8. Beyond the actions taken by the Town Council, Mayor Slavin provided his monthly report. Town Manager Charnovich was not in attendance at the meeting. Administrative Assistant Linda Williams attended the meeting. Building Code Administrator Doug Lohmeyer provided a report on the status of current construction projects.

## CLASSIFIED ADS

BOZEMAN, MONTANA: Awesome Every Season! Ski Big Sky & the Bridgers! Fly fishing. Trail rides. White-water rafting. Hiking/biking everywhere. Enjoy our 4-bedroom home on 20 acres with spectacular 360-degree vistas. Four-night minimum stay. Just four miles to downtown Bozeman. Contact **Birdie Pieczenik** at SRPVacationHomes@gmail.com or 301-652-1207.

PARIS, FRANCE: Picturesque Day and Nite! And more affordable than ever! Enjoy our one-bedroom apartment in the 2nd arrondissement — the heart of historic Paris. Walk to the Louvre, the Pompidou Center, the Seine and two Metro stops. Four-night minimum stay. Contact **Birdie Pieczenik** at SRPVacationHomes@gmail.com or 301-652-1207.

LIFESTYLE AND WELLNESS COACHING: Would you like to get unstuck and upgrade your lifestyle and wellness habits? Small changes can make a lasting difference. If you are curious to see if coaching is right for you contact Certified Wellness Coach **Diane Horn** RDH CHHC at 301-654-0310 or diane.b.horn@gmail.com.

WINTERGREEN, VIRGINIA RESORT: TripAdvisor#FKN9242609. 9 BR/9.5 baths. Wintergreen's premier Mountaintop Lodge. Seasonal Blue Ridge views. Ideal for retreats, reunions, vacations, couples weekends; ski, golf, tennis, spa, hiking getaways. Enormous decks, floor-to-ceiling windows, natural woodwork, soaring Great Room. Near outstanding Nelson County micro-brewery/vineyard route near Charlottesville. Contact **Bob Gage** at rgage@cov.com; 202-744-5943

SEA COLONY — BETHANY BEACH — EDGEWATER BUILDING OCEAN FRONT: 3 bedrooms and 2 full baths. Sunday to Sunday rentals — \$2,900 per week (Somerset special price) Call: 301-233-2727 **Luba Marx**.

*Ads are printed as a courtesy to Town residents. The Town makes no representations as to quality, safety or otherwise regarding the goods and services advertised. Readers should make their own inquiries. To place an ad, submit typed or neatly printed copy to the Clerk-Treasurer. Ads must include a Somerset phone number. Price: \$5 per advertisement per issue. Check or exact change. Fifty word limit per advertisement.*

# Preliminary Agenda

## Regular Somerset Town Council Meeting Somerset Town Hall, March 4, 2019–7:30 p.m.

The Somerset Town Council will meet in regular session on Monday, March 4, 2019 at 7:30 p.m. at the Somerset Town Hall. Agenda updates are posted on the Town website: [www.townofsomerset.com](http://www.townofsomerset.com).

- **Council Work Session–7:00 p.m.**
- **Council Meeting Convenes–7:30 p.m.**
- **Comments: Public Comment Period–7:30 p.m.\***



*Council Members (l to r): Morris Panner, Marnie Shaul, Franny Peale, Barbara Zeughauser, Stephen Surko*

## CONSENT

1. **Motion:** To consider approval of the February 4, 2019 Council Meeting Minutes.
2. **Motion:** To consider re-appointment of Robin Orseck to the Board of Supervisor of Elections for a term ending December 31, 2021.
3. **Motion:** To consider re-appointment of Matt Fink to the Tennis Committee for a term ending December 31, 2021.
4. **Motion:** To consider appointments to the Swimming Pool Committee.
5. **Motion:** To consider appointments to the Swim Team Executive Committee.
6. **Motion:** To consider appointments to the Parks and Natural Resources Committee.

## NON-CONSENT

7. **Discussion:** Town Manager February Administrative and FY19 Fiscal Reports – 7:35 p.m.
8. **Discussion:** Building Permit Administrator Report– 7:50 p.m.
9. **Public Hearing/Motion:** Presentation on Montgomery County E-Scooter Program – 7:55 p.m.
10. **Public Hearing/Motion:** To consider approval of a building permit application at 4823 Dorset Avenue to complete the following scope of work: – 8:10 p.m.
  - Demolish the existing garage and shed and install a new shed;
  - Remove existing driveway and install a front drive with pavers;
  - Remove and replace retaining walls;
  - Add screening to the HVAC units;

- Replace non-historic brick patio with a larger stone patio;
- Create a stepping stone path to the left of the house and at the rear;
- Replace wood treads on the back porch; and
- Remove a tree at the rear corner of the lot.

11. **Public Hearing/Motion:** Waiver application for the project occurring at 5800 Deal Place. The following waivers have been determined to be necessary by the Town in order for the applicants to retain recently-constructed portions of the house:
  - A. A 6.55-foot waiver for the 2nd and 3rd floor balconies which project into the required “nearby house” front setback along Dorset Avenue. The applicant contends no waiver is needed because the County does not require an “established building line” front setback for the project.
  - B. A 5-foot waiver for the triangular architectural feature at the corner of the house which projects into the required “nearby house” front setback along Dorset Avenue. The applicant contends no waiver is needed because the County does not require an “established building line” front setback for the project.
  - C. A 1.5-foot waiver for a wraparound balcony feature along the Deal Place setback. The applicant contends no waiver is needed, based on a County exception for a balcony that encroaches into a required setback.
  - D. A 0.9-foot waiver for the 2-story ornamental panel projections along Deal Place. The applicant contends no waiver is needed, based on a County exception provided for ornamental features that encroach into a required front setback.

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# Town Council Preliminary Agenda

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E. A 2.1 foot waiver for the I-Beam that projects into the side-yard along Deal Place. The applicant contends no waiver is needed, based on a County exception provided for an ornamental feature that encroaches into a required side setback.

**12. Public Hearing/Motion:** To consider setting the 2019 Tennis fee per household at \$25.00 (no change from 2018) – 8:45 p.m.

**13. Public Hearing/Motion:** To consider approval of a pool management services proposal for the 2019

season contingent upon a final contract being entered after review by the Town Attorney – 8:50 p.m.

**14. Public Hearing/Motion:** To consider sending a letter to the Montgomery County Planning Board and testifying at the public hearing on March 14 in relation to Regency's plans for the Westbard Development – 9:00 p.m.

**15. Discussion:** General Code Update – 9:05 p.m.

**16. Discussion:** Mayor's Report – 9:10p.m.

**17. Adjourn** – 9:15 p.m.

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## 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.

\*Residents who wish to be present for a particular Agenda item are advised to arrive 20 minutes ahead of the item's scheduled discussion time since discussions sometimes run ahead of schedule.

*This is a preliminary Agenda prepared to meet the Journal press deadline, which typically is two to three 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 contact Rich Charnovich at Town Hall if you are interested in what has been added, or consult the bulletin board on the Town Hall porch or the Town website/email blast for the most up-to-date Agenda.*

*The Mayor and Town Council may entertain a motion during the open meeting to close a portion of the meeting, in accordance with Section 3-305(b)(1)(7) of the Open Meetings Act (Maryland Code, General Provisions Article), to consult with counsel to obtain legal advice.*

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