

March 4, 2019 Council Meeting Minutes

Town officials present

Jeffrey Slavin, Mayor
Marnie Shaul, Council President
Franny Peale, Council Member
Morris Panner, Council Member
Steve Surko, Council Member
Ron Bolt, Town Attorney
Doug Lohmeyer, Engineering Consultant
Tolbert Feather, Town Arborist
Rich Charnovich, Town Manager

Consent Agenda

1. Approval of the February 4, 2019 Council Meeting Minutes
2. Approval of the re-appointment of Robin Orseck to serve on the Board of Supervisor of Elections for a term ending December 31, 2021. Motion Shaul, second Peale to approve items 1 and 2 on the consent agenda with requested review of the minutes by Shaul. Motion passed 4-0.
3. Motion Peale, second Shaul to approve the appointment of Matt Fink, Frank Joseph, Howard Waltzman, Steve Shaprio, and Kathryn Williams to serve on the Tennis Committee

Introduction of an Ordinance to amend the section of the Town Code concerning the Tennis Committee. Action on the proposed Ordinance will be scheduled for the April Council Meeting.

4. Motion Shaul, second Peale to approve the following appointments to the Swim Team Executive Committee for terms ending September 30, 2021: Ann Bolten, Kelly Swain, Matthew Zaft, Gayle Horn, Nancy Jardini, Bob Chlopak, Kristen Khanna, Josh Freeman, Kathy Toomey, Brian Smith, Michael Roark (Treasurer), Darcey Thompson, Fiona Fox, Debbie Berger. Motion passed 4-0.

Non Consent Agenda

5. Town Manager Charnovich was in attendance and presented both the administrative and financial reports.
6. Doug Lohmeyer was in attendance to present the Building Administrator report.
7. A representative, Michelle Golden, was in attendance with the Montgomery County E-Scoter program to provide an informational presentation
8. Motion Shaul, second Peale to approve a building permit application at 4823 Dorset Avenue to complete the following scope of work:
 - 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

Motion passed 4-0.

9. A public hearing was held on a 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. The results were:

Motion Peale, second Shaul to approve a 6.55-foot waiver for the 2nd and 3rd floor balconies which project into the required "nearby house" front setback along Dorset Avenue. Motion passed 4-0.

Motion Surko, second Shaul to deny a 1.3 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. Motion passed 3-2, Surko, Shaul, and Slavin for, Panner and Peale against.

Motion Peale, second Panner to approve a 1.1-foot waiver for a wraparound balcony feature along the Deal Place setback. Motion passed 4-0.

Motion Peale, second Panner to approve a 6 inches waiver for the 2-story ornamental panel projections along Deal Place. Motion passed 3-1 with Surko against.

Motion Peale, second Surko to defer action until the May 2019 Council Meeting on a 2.1-foot waiver request for the I-Beam that projects into the side-yard along Deal Place. Motion passed 4-0.

Soo Lee Choo, attorney, was in attendance representing the applicant. The applicant spoke regarding their strong desire to complete the project. Neighbor at 5802 Deal Place spoke with both compliments and concerns related to the project.

The Decision completed by the Town Attorney will be appended to the final minutes.

10. Motion Shaul, second Peale to approve a tree removal request at 4718 Cumberland Avenue to remove the following trees and include the reforestation plan recommended by the Town Arborist:

3 Leyland Cypress
2 Black Cherry
2 Hickory

Motion passed 4-0

11. Motion Shaul, second Panner to approve a Town tree planting at 5510 Surrey Street to plant the following tree as recommended by the Town Arborist and Parks and Natural Resources Committee: 1 Black Gum. Motion passed 4-0.

12. Motion Panner, second Peale to approve setting the 2019 Tennis Fee at \$25.00 per household as recommended by the Tennis Committee. Motion passed 4-0.

13. Motion Panner, second Shaul to approve a proposal submitted by American Pool, LLC (Community Pools) to manage the Town Pool for the 2019 season. The approval is contingent upon the parties agreeing to a contract reviewed by the Town Attorney. Motion passed 4-0.

14. Motion Shaul, second Panner to authorize Mayor Slavin to send a letter to the Montgomery County Planning Board in relation to Regency's latest plans for the Westbard Development (Westwood Shopping Center). (Copy of the letter has been posted to the Town website and Town list serv.). Motion passed 4-0.

15. General Code Update

16. Mayor Slavin provided his report to those in attendance and had copies available

17. Adjourn at 10:50 pm