

Council Agenda

1/8/2024

Join Zoom Meeting

Link: <https://us02web.zoom.us/j/86091939743?pwd=TVpNMkk1azROb1l6eTJpSFRtVnJUZZ09>

Meeting ID: 860 9193 9743

Passcode: 491819

One tap mobile

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+13126266799,,86091939743# US (Chicago)

Dial by your location

- +1 301 715 8592 US (Washington DC)

- +1 312 626 6799 US (Chicago)

- +1 646 558 8656 US (New York)

Public Comment Period

7:00 p.m.

Approval of Agenda

7:05 p.m. Motion: To consider approval of the agenda as presented.

Consent Agenda

7:06 p.m. Motion: To consider approval of the following items by consent:

- Dec. 4, 2023 Town Council meeting minutes;
- Council Chair appointments for calendar year 2024:
 - Budget – Ann Bolten (Cumberland)
 - Communications – Leslie Caplan (Essex)
 - Environment – Barton Rubenstein (Dorset)
 - Equity & Inclusion – David Sacks (Trent)

- Parks and Natural Resources – Josh Rosenthal (River)
- Pool – Matt Zaft (Dorset)
- Public Safety – Kumar Vaswani (Trent)
- Swim Team – Dario Fuentes (Cumberland)
- Tennis – Carrie Wofford (Essex)

Non-Consent Agenda

7:07 p.m. Public Hearing/Motion: To consider a permit application, submitted by Daniel Bremer-Wirtig and Rebecca Lamadrid, to add a rear deck and wall at the property located at 5613 Warwick Pl. (NOTE: The applicant is planning to seek an amendment for a replacement driveway at a future time, though a variance may be required. The driveway is not under consideration by the Council at this time.)

7:25 p.m. Discussion: Building Administrator's Report

7:30 p.m. Public Hearing/Motion: To consider the Introduction of a Resolution establishing the 2024 Pool Rules

7:35 p.m. Public Hearing/Motion: To consider the Adoption of a Resolution establishing Reasonable Accommodation procedures.

7:45 p.m. Public Hearing/Motion: To consider the Adoption of a Resolution in support of the Maryland Municipal League legislative priority advocating for a State bill that would allow municipalities to issue citations for red light cameras; and advocating for municipalities to use stop sign cameras, as recommended by the Traffic Committee.

7:55 p.m. Public Hearing/Motion: To consider the Adoption of an Ordinance to amend the Code of Ordinances to clarify that above-grade stormwater collection and drainage devices, including micro-bio-retention boxes, are subject to building regulations.

8:05 p.m. Manager/Financial Report

8:20 p.m. Adjourn

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.

ⁱ Questions should be submitted via email ahead of the meeting to manager@townofsomerset.com or town@townofsomerset.com.

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

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.

Town of Somerset

Council Meeting Minutes

12/4/2023

Attendees

Mayor & Council: Jeffrey Slavin (Mayor) (Warwick Pl.); Stephen Surko (Council President) (Uppingham St.); Robin Barr (Essex Ave.); Debbie Heller (Falstone Ave.); Kabir Kumar (Trent St.); Shannon Rovak (Cumberland Ave.); **Town Staff:** Matthew Trollinger (Town Manager); EJ Hardwick (Deputy Town Manager); Linda Williams (Office Administrator); Ron Bolt (Town Attorney); **Members of the Public:** Deborah Shulman (Falstone Ave.); Harry Holzer (Falstone Ave.); Scott Wilets (Wilets Architecture); Carrie Wofford (Essex Ave.); James Gillis (Essex Ave.); Alison Hooker (Essex Ave.); Kumar Vaswani (Trent St.)

7:00 p.m. Public Comment Period

Mayor Slavin opened the meeting and Mr. Trollinger reminded the audience of protocol for making comments on Zoom. Members of the public were invited to make public comments.

Deborah Shulman (Falstone Ave.) and Harry Holzer (Falstone Ave.) commented on the difficulties that they have had in getting a permit for a rear yard addition, which triggers stormwater restrictions for the Town. The Mayor reminded the Council and residents that the specifics of their application cannot be discussed outside a hearing. The Mayor and Council suggested the residents meet with the Town Manager to review the process for applying.

Carrie Wofford (Essex Ave.) reminded the Council that the Tennis Committee had done a report on pickleball, and that the Council should be mindful of that information when discussing any future pickleball opportunities. In addition, she noted that several town residents were particularly interested in the topic and have expressed a desire to be part of a committee or survey-making process. Mayor Slavin noted that the thought process behind a survey would be to have a neutral party write it so that the language would not be biased and to provide the Council with as much information as possible for any future discussions.

7:20 p.m. **Motion:** To consider approval of the agenda

Town Manager Trollinger recommended the Council make the following adjustments to the agenda:

- 1) Remove the permit hearing for 5529 Surrey St. Because of the staff's conversations with the applicant earlier that day, the application needs to be amended and further reviewed.
- 2) To enter into a closed session per the Maryland Open Meetings Act General Provisions Art. Sec. 3-305(b): to obtain legal advice from counsel. The Town Attorney can offer advice pertinent to future THRIVE Montgomery and Zoning Text Amendments.

Council President Surko motioned to approve the agenda as amended. Councilmember Barr seconded. All in favor. **Action: Agenda approved on a vote of 5-0.**

7:21 p.m. Consent Agenda

Mayor Slavin introduced the consent agenda as follows:

- Minutes from the November 6, 2023 Council Meeting;
- 2024 Town Council Meeting calendar;
- The appointment of Rohit Khanna (Falstone Ave.) to the Public Safety Committee; and
- The appointment of the following Youth Council members for terms lasting from January 1 – June 1, 2024:
 - Peter Kumar (Grade 11)
 - Ari Peters (Grade 11)
 - Pierpaolo Baldassari (Grade 10)
 - Alexandra Finn (Grade 10)
 - Sara Guinand (Grade 10)
 - Kalman Levitin (Grade 10)
 - Tabitha Cutler (Grade 9)
 - Zoe Gibson-Johnson (Grade 9)

Councilmember Barr motioned to approve the consent agenda. Councilmember Heller seconded. All in favor. **Action: Consent agenda approved on a vote of 5-0.**

7:23 p.m. **Public Hearing/Motion:** To consider approval of a building permit amendment request submitted by James Gillis and Alison Hooker for the extension of a front porch on the property located at 4816 Essex Ave. The applicant is seeking two variances from Sec. 11-14(C)(1)(c) of the Town Code as part of the application amendment:

Mr. Trollinger introduced the application, which was an amendment to a permit that had already been granted. The applicants sought to extend a stoop in their front yard, which is existing non-conforming, and therefore requires a variance.

The applicants, Mr. James Gillis and Ms. Alison Hooker, explained that they were seeking a variance because the current stoop is narrow and tight. The proposed stoop and eave extension will provide them with a practical sheltered entranceway when approaching the front door. In addition, the stoop preserves the mid-century character of the building and enhances the streetscape. They also asserted that the stoop would allow the option to install an accessible ramp that is easy to approach by a person with a disability, and that the stoop reinforces community building by promoting interaction among neighbors. Furthermore, they asserted that the proposed alteration maintains light and air between residences, remains compatible in scale, massing, and character, and does not adversely affect the use, enjoyment or value of nearby properties.

The Council asked the Town Manager whether the Town had received any comments, to which the Town Manager replied that there were no comments either in favor or against the proposal and that the Town had delivered via email and hard copy, announcement of the plans and the variances, along with a site plan.

The Council discussed the merits of the case. The Council agreed with the applicants' arguments and noted that there was no opposition. Councilmember Barr motioned to approve the permit amendments and variances. Councilmember Heller seconded. Councilmembers Surko and Rovak voted in favor; Councilmember Kumar abstained. **Action: The permit amendment was approved by a vote of 4-0.**

7:38 p.m. **Public Hearing/Motion:** Building Administrator's Report

Mr. Trollinger reviewed the Building Administrator's Report. The Council had no follow-up questions.

7:45 p.m. **Motion:** To consider the Introduction of a Resolution establishing a Consent and Release form for the use of residents' photographs in media, as recommended by the Communications Committee.

Mayor Slavin asked the Town Attorney to explain the Resolution. Mr. Bolt explained that the form would require consent to use people's pictures in the Town Journal and other media.

The Council discussed its process, and whether it could be adopted at once. The Town Attorney noted that although the Council can adopt Resolutions at the time of adoption, the Council had previously adopted a practice of following the same process of introduction, followed by Public Hearing and Adoption, to provide for greater transparency in the process.

Councilmember Heller relayed that the Communications Committee would further review the proposal at its upcoming meeting and provide further feedback for the Council.

Councilmember Heller motioned to introduce the Resolution; Councilmember Kumar seconded. All in favor. **Action: Introduced by a vote of 5-0. It will be considered for Adoption at the subsequent Council meeting.**

7:52 p.m. **Motion:** To consider the Introduction of a Resolution in support of the Maryland Municipal League legislative priority advocating for a state bill that would allow municipalities to issue citations for red light cameras; and advocating for municipalities to use stop sign cameras, as recommended by the Traffic Committee.

Councilmember Barr noted that the language had been tweaked after learning more about the Maryland State Assembly's plans for the upcoming session. Councilmember Barr motioned to Re-introduce the Resolution. Councilmember Heller seconded. All in favor. **Action: Resolution Introduced by a vote of 5-0. It will be considered for Adoption at the subsequent Council meeting.**

7:56 p.m. **Motion:** To consider the Introduction of an Ordinance to amend the Code of Ordinances to clarify that above-grade stormwater collection and drainage devices, including micro-bio-retention planter boxes, are subject to building regulations.

Mr. Trollinger noted that this would codify the staff's existing understanding of micro-bio-retention boxes, consistent with the Town's other requirements for setbacks and definitions for structures that may encroach. The Town Attorney further noted that the County has not provided clear guidance on how these structures should be defined.

Councilmember Kumar motioned to Introduce the Code amendment. Councilmember Surko seconded. **Action: Ordinance Introduced by a vote of 5-0. It will be considered for Adoption at the subsequent Council meeting.**

8:05 p.m. **Public Hearing/Motion:** To consider the Adoption of an ordinance to amend the Code of Ordinances to add intents and purposes; add building height requirements applicable to main and accessory buildings; add definitions; clarify the applicability of existing provision; add a grandfathering provision for buildings; and amend provisions for internal consistency.

The Town Manager provided a breakdown of the staff's survey of the Town's existing houses and building heights. The staff reviewed a total of 144 houses throughout the Town, and compared the heights with the three height regulations that were previously considered:

- 1) The "County" method, which sets a maximum height of 35' or a maximum mean height of 30'. *139/144 houses conform to this standard.*
- 2) The "Chevy Chase" method, which sets a maximum height of 35' and a maximum mean height of 30'. *128/144 houses conform to this standard.*
- 3) The "Martin's Additions" method, which sets a maximum height of 33' and a maximum mean height of 28', while also providing for an Established Building Height of up to 35' and 30', respectively. *95/144 houses conform to this standard.*

The methods were so named to represent the other nearby municipalities that have adopted similar measures. Mr. Trollinger noted that Chevy Chase Village had the closest equivalent lot sizes, but that they vary, similar to Somerset.

The Council discussed the proposal under consideration, which would adopt the "Martin's Additions" regulation, setting building heights at 33' and 28'. The Council unanimously agreed that there should be height restrictions in Town to avoid buildings that are not in keeping with the mass and scale of other houses in town. The Council discussed whether 33/28' or 35/30' was the more appropriate restriction.

Councilmember Kumar suggested that 35' and 30' would catch the houses that have drawn residents' concerns in the past and that the 33' and 28' restrictions were not appropriately decided on based on the characteristics of Somerset, as Martin's Additions has characteristics different from those in Somerset – notable that the houses are closer on average.

Mr. Trollinger noted that one resident had submitted a comment. Ruth Albert (Falstone Ave.) had expressed support for height restrictions via email, though she did not specify the measurements that she felt appropriate.

The Council discussed whether the Established Building Height was appropriate, or whether there should be just one measurement throughout the Town. Councilmembers Kumar and Heller expressed concern that this could create areas of Town where some houses are allowed to be built bigger than others and may have unintended consequences.

Council President Surko motioned to adopt the ordinance as introduced, with the 33' and 28' maximums, and established building height. Councilmember Barr seconded. Councilmember Kumar stated that he would support 35' and 30' but was not in favor of the ordinance as written. Councilmembers Surko, Barr, Rovak, and Heller voted to approve. Councilmember Kumar voted in opposition. **Action: Code Amendment Adopted by a vote of 4-1.**

8:48 p.m. **Public Hearing/Motion:** To consider the Adoption of an ordinance to amend the Code of Ordinances to provide that notice of planned removals of trees in the public right-of-way will be issued by the Town to abutting owners.

No public comments were made.

Councilmember Kumar motioned to adopt the ordinance. Councilmember Barr seconded. All in favor. **Action: The Code Amendment was Adopted by a vote of 5-0.**

8:52 p.m. **Public Hearing/Motion:** To consider the Adoption of an ordinance to amend the Code of Ordinances to provide that notice of building permit applications will be issued by the

Town; to delete the neighbor signature sheet requirement; and to change the application processing deadline.

No public comments were made.

Councilmember Rovak motioned to adopt the ordinance. Councilmember Kumar seconded. All in favor.

Action: The Code Amendment was Adopted by a vote of 5-0

8:55 p.m. **Motion:** To enter into a closed session per the Maryland Open Meetings Act General Provisions Art. Sec. 3-305(b): to obtain legal advice from counsel regarding THRIVE Montgomery and County Zoning Text Amendments.

Councilmember Barr motioned to enter into Closed Session. Councilmember Kumar seconded. All in favor. Action: The Council entered into closed session, and asked the Town Manager to clear the Town Hall meeting room and virtual meeting room until the meeting reconvenes.

9:28 p.m. The Council re-entered into Open Session

Mayor Slavin suggested that the Council adjourn for the evening. Mr. Trollinger told the Council that if they have any questions about his report that they can contact him directly to discuss.

9:31 p.m. Adjourn

The Council adjourned by unanimous consent.

Mayor Slavin is nominating the following residents to serve as Chairs of their respective Committees for the calendar year 2024:

- Budget – Ann Bolten (Cumberland Ave.)
- Communications – Leslie Caplan (Essex Ave.)
- Environment – Barton Rubenstein (Dorset Ave.)
- Equity & Inclusion – David Sacks (Trent St.)
- Parks & Natural Resources – Josh Rosenthal (River Rd.)
- Pool – Matt Zaft (Dorset Ave.)
- Public Safety – Kumar Vaswani (Trent St.)
- Revenue – Nick Fox (Cumberland Ave.)
- Swim Team – Dario Fuentes (Cumberland Ave.)
- Tennis – Carrie Wofford (Essex Ave.)

The following Committees will be filled or resolved at a later date to confer with Committee members and/or consider alternative structuring:

- Audit
- History & Archives
- Newcomers
- Revenue
- Traffic

1/8/2024

FROM: Matthew Trollinger, Town Manager
TO: Somerset Town Council
RE: 5613 Warwick Pl. Permit Application

Background

The applicant applied for, and was granted, a permit for additions to their existing home in October of 2022, and work has been completed for the original permit. Construction for that work is complete. The applicant is now seeking a new permit, for additional work to their home.

Construction of a rear-yard above-ground deck. The deck is measured at approximately 400 sq. ft., but because decks with natural ground below allow water to naturally seep through, is not considered an impervious surface addition. Therefore, stormwater management is not required for the deck. As confirmed by the Town's Building Administrator, the deck complies with all other Town requirements, most notably Town setback requirements.

- *The Town staff recommends that the deck permit be granted as it complies with the Town Code.*

Replacement of the existing driveway and apron. The Town Code Sec. 112-14(D)(4)(b) requires that "all new or replacement driveways must be constructed of permeable materials." The applicant has stated in a response to staff comments in December that a soil stability report warned against adding additional weight to the site and soaking water through the driveway could cause problems... The existing driveway slopes 1% towards the house. The proposed driveway will match the existing condition. Driveway drains to a new trench drain and water is carried to the existing sediment traps." Although the applicant has included a trench drain, the Town had only provided a caveat if the proposed construction alters the pre-construction slope. The staff's opinion is that the applicant will need to apply for a variance from the Town Code requirements for a permeable driveway. Although notice was delivered for the proposed work, notice has not been given for a variance hearing.

- *The Town staff do not recommend that the driveway permit be granted at this time, as the proposed variance is not duly noticed.*

Construction of a retaining wall. At the side of the proposed driveway, the applicant is proposing a retaining wall. The house is on a slope, and therefore the retaining wall is necessary for the safety and the retention of existing earth, per Somerset Code Sec. 112-32(C). The footers of the proposed retaining wall are to be poured onto the neighbor's (Laskys) property. The applicant has submitted a consent form from the neighbors to construct the retaining wall retaining wall footing to encroach onto their property. Montgomery County has not yet permitted the retaining wall.

- *The Town staff recommends approval of the retaining wall on the condition that the Town first receive a permit, for the identical work proposed, from the Montgomery County Department of Permitting Services.*

Town of Somerset Permit and Waiver Application

If your home is in the Historic District, please refer to the Historic District instructions in addition to completing applicable permit below.

Street address for which permit applies: 5613 Warwick Place Chevy Chase, MD 20815 Date 10/15/23

Applicant Information:

Name: Daniel Bremer-Wirtig Rebeca Lamadrid Phone 202-494-2383 202-341-1004

Address: 5613 Warwick Place Cell Phone: 202-494-2383 202-341-1004

City, State and Zip: Chevy Chase, MD 20815 Email: daniel.bremer@gmail.com rebeca.lamadrid@gmail.com

Property Owner Information or Co-Owner Information (if other than applicant)

Name: _____ Phone: _____

Address: _____ Cell Phone: _____

City State and Zip: _____ Email: _____

Contractor Information:

Name: Denchfield Landscaping, Inc. (Ed Bisese) Phone +1 (301) 949-5000

Address: 5950 Ager Road Cell Phone: +1 (443) 994-1721

City, State and Zip: Hyattsville, MD 20782 Email ed@dlanscaping.com

Contractor License Number :

Maryland Home Improvement (for additions) MHIC# 124244

Montgomery County Office of Consumer Protection (for new homes) _____

For Building Permits Only:

Legal description (lot and block) Lot 23 Block 9

Date of subdivision plat recordation of lot: _____

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For further information regarding the official version of any Town document, please contact the Town directly at:

4510 Cumberland Avenue Chevy Chase, MD 20815 301-657-3211

town@townofsomerset.com

Property in Somerset's Historic District

If your property is in the Somerset Historic District, please visit the website for Montgomery County's Historic Preservation Commission at http://www.montgomeryplanning.org/historic/instructions/historic_area_work_permits.shtm and become familiar with the process. Town of Somerset strongly suggests that you set up a pre-permit meeting with the Town of Somerset before beginning the permit process with HPC and the County in order to avoid the possibility of having to return to them to apply for a revision. There may be a fee charged for this meeting. Contact the Town Manager to arrange such a meeting. Following your pre-permit meeting with Somerset, take your plans to the County Historic Preservation Office for further instructions. Once you are in their system, they will send your plans to the Local Advisory Panel (LAP). In Somerset, members of the town's council are acting as the LAP. As such, council members will not be making a decision on the building permit. Once the Historic Commission approves the plans and issues the Historic Area Work Permit, they will forward the plans to the Montgomery County permitting office for their permit approval. Once you have both of the county permits, you apply for a Town of Somerset permit and put yourself on the schedule for a Town Council meeting where a decision will be made.

Please ensure that you submit a complete application; incomplete applications will not be reviewed. Refer to the Permit Instruction Sheets for details on how to apply for your particular permit(s). In addition, it is strongly suggested that you consult with the Town Manager about the need for a pre-construction meeting.

Please check the appropriate boxes to indicate the permit(s) for which you are applying. See the Fee Schedule for associated fees and deposits.

Check Box	Town of Somerset Permit	Town Fee	Town Deposit	Neighbor Review Sheet	County Permit	Council or Mayor Approval
<input type="checkbox"/>	Install or replace exterior components for HVAC systems. <u>HVAC Permit Instructions</u>	Yes for Replacement. No if part of bldg permit	Yes*	Yes	Yes	Council (Mayor can approve in an emergency for eventual council approval)
<input checked="" type="checkbox"/>	Building Permit (new homes, additions, porch, stoop, garage, accessory bldg.) <u>Building Permit Instructions</u>	Yes	Yes	Yes	Yes	Council
<input checked="" type="checkbox"/>	Curb Cut, Driveway Apron, Sidewalk <u>Right-of-Way curb cut, driveway apron and curb cut instructions</u>	Yes	Yes*	Yes	No	Mayor**
<input checked="" type="checkbox"/>	Demolition Demolition Permit Instructions	Yes	Yes*	Yes	Yes	Council
<input type="checkbox"/>	Dumpster or Portable Storage Units <u>Dumpster or Portable Storage Unit Permit Instructions</u>	Yes	Yes*	No	No	Mayor**
<input type="checkbox"/>	Fences <u>Fence Permit Instructions</u>	Yes	No	Yes Inside and outside of Somerset	Yes if new; No if replacement in kind.	Mayor**
<input checked="" type="checkbox"/>	Walls: Permits required for walls more than 12" high <u>Wall Permit Instructions</u>	Yes	Yes	Yes* Inside and outside of Somerset	Yes if wall is more than 30" high	Mayor**

Town of Somerset Permit Application

Check Box	Town of Somerset Permit	Town Fee	Town Deposit	Neighbor Review Sheet	County Permit	Council or Mayor Approval
<input type="checkbox"/>	Generator <u>Generator Permit Instructions</u>	Yes	Yes*	Yes	Yes	Council
<input type="checkbox"/>	Tree Removal <u>Tree Removal Instructions</u>	No	Depends* on number of trees and whether or not there is a reforestation plan.	Yes Inside and outside of Somerset	No	Mayor for 1-2 trees; Council for 3 or more trees;
<input type="checkbox"/>	Waivers <u>Waiver Instructions</u>	Yes	N/A	Town notifies neighbors	Possibly	Council
<input type="checkbox"/>	Application to extend permit	Yes	No	No	Possibly	Depends on type of permit

* If you are applying for a building permit and these items are part of the project, the cumulative deposit will not exceed \$2,000, with the exception of the Tree Reforestation deposit.

**Any item approved by the mayor that is also part of a building project will also require council approval.

Description of work to be done:

Please refer to the following attachments for detailed descriptions of the proposed work:

1. Replacement of driveway, driveway retaining wall and driveway apron
2. Construction of deck with railing and steps down to lower terrace

Anticipated date for work to commence: _____ December, as soon as permit is approved

Anticipated date for completion: 02/2024

I certify that I am the owner(s) of the property for which I am applying for a permit, that the application is correct and that construction will comply with the plans submitted. I acknowledge this to be a condition of the issuance of this permit.

Owner Signature  Date 10/15/23

Printed Name Daniel Bremer-Wirtig

Co-Owner Signature  Date 10/16/23

Printed Name Rebeca Lamadrid

Co-Owner Signature _____ Date _____

Printed Name _____

NEIGHBOR SIGNATURE SHEET

Note to neighbors: Please be aware that your signature on this document does not signify concurrence. It only confirms that you have seen the respective plans. You are welcome to comment on the plans by writing the Mayor or by attending the Council meeting on (applicant to fill in date) 11/06/23 when the Council will consider these plans.

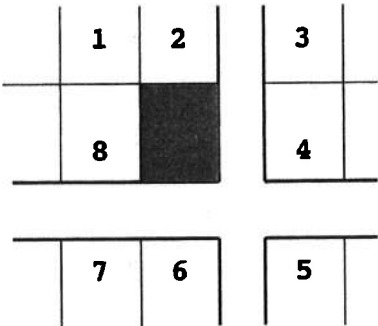
Street address of project site: 5613 Warwick Place, Chevy Chase, MD 20815

For the neighbor: Please check the box below for the plans that you have seen:

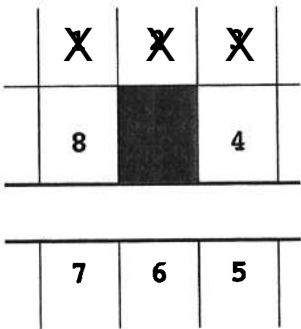
- ☐ Tree removal (include residents inside and outside of Somerset where applicable);
- ☐ External HVAC components, new location or replacement;
- ☐ New Construction (additions and new homes); Review drainage and storm water management plans as well as parking plan if applicable;
- ☐ New curb cut or driveway apron and sidewalk;
- ☐ Demolition
- ☐ Location of Dumpster or Portable Storage Device;
- ☐ Fence: new, relocated or replaced (includes residents inside and outside of Somerset where applicable);
- ☐ Walls (includes residents inside and outside of Somerset where applicable);
- ☐ Generator

Applicant: Using the following map as a key, list the names and addresses of the neighbors who adjoin or confront the property where project is to take place. "Adjoining or confronting" is defined as land that touches the boundary line of another property on at least one point, or which would do so except for an intervening road, street or right-of-way. Then ask neighbor to sign in the appropriate box.

☐ **Corner Site**



☒ **Mid-block Site**



<input checked="" type="checkbox"/>	Printed Name	Address	Signature	Date
	X	X	X	X
<input checked="" type="checkbox"/>	Printed Name	Address	Signature	Date
	X	X	X	X
<input checked="" type="checkbox"/>	Printed Name	Address	Signature	Date
	X	X	X	X

Neighbor Signature Sheet

3

4	Printed Name Marshall and Mary Lasky	Address 5611 Warwick Place Chevy Chase, MD	Signature	Date
5	Printed Name Daniel Jamieson and Jennie Rabinowitz	Address 5610 Warwick Place Chevy Chase, MD	Signature DocuSigned by: <i>Jennie Rabinowitz & Daniel Jamieson</i> C839E84FB1154AA...	Date 11/16/2023
6	Printed Name Walter M. Bastian III and Carla Desjean-Bastian	Address 5612 Warwick Place Chevy Chase, MD	Signature DocuSigned by: <i>Walter M. Bastian III</i> CD351BBDD2804B0...	Date 11/20/2023
7	Printed Name James Losey and Alexandra Acosta	Address 4700 Essex Ave Chevy Chase, MD	Signature DocuSigned by: <i>Alexandra Acosta</i> 57BA14EB559E4C0...	Date 11/20/2023
8	Printed Name Alexander Thier and Tamara Gould	Address 5615 Warwick Place Chevy Chase, MD	Signature DocuSigned by: <i>Tamara Gould & Alexander Thier</i> 49C72526A2BB493...	Date 11/20/2023

Applicant:

I certify that I have shown all the required neighbors the identical full-size plans (unless the cost of proposed work is less than \$25,000 in which case smaller plans can be used) that I have filed or will file with the Town of Somerset and, if applicable, Montgomery County Maryland. I further certify that I have notified the same neighbors of the anticipated date (noted above) that the Town Council, if applicable, will consider my permit application.

APPLICANT SIGNATURE *[Signature]* DATE 10/15/23

PRINTED NAME Daniel Bremer-Wirtig & Rebeca Lamadrid

1. Replacement of Driveway, Driveway Retaining Wall, and Driveway Apron

Project Overview

This building permit application proposes the comprehensive replacement of the existing driveway, driveway retaining wall, and driveway apron. The project aims to enhance the durability, functionality, and aesthetic appeal of the driveway area while ensuring full compliance with the Town of Somerset's building codes and regulations. Additionally, the project incorporates carefully planned landscaping and plantings to create an inviting and sustainable entrance. A stormwater drainage plan with on-site infiltration measures is also integrated to manage stormwater runoff effectively, adhering to local requirements.

Project Scope

1. **Driveway Replacement:** The existing driveway will be removed and replaced with high-quality concrete slabs. The primary objective is to ensure enhanced durability, functionality, safety, and the aesthetic appeal.
2. **Driveway Retaining Wall Replacement:** The existing driveway retaining wall will be removed, and a new retaining wall will be constructed using materials and design elements that enhance structural integrity to address any structural concerns of the driveway area.
3. **Driveway Apron Replacement:** The driveway apron will be removed and replaced, meeting current standards to ensure safe and efficient vehicular access.
4. **Landscaping and Plantings:** The project includes the integration of landscaping and plantings to create an aesthetically pleasing and sustainable entrance. Native or adaptive plant species will be selected to minimize water usage and maintenance. These elements will be integrated into the project design, enhancing the visual appeal of the entrance while promoting sustainability and biodiversity. The landscaping plan will consider factors such as plant height, spread, and seasonal interest.
5. **Compliance with Town Regulations:** The project will adhere to the Town of Somerset's building codes and regulations throughout the design and construction phases.
6. **Stormwater Drainage Plan:** A detailed stormwater drainage plan will be developed and implemented, including on-site infiltration measures such as gravel velocity traps, permanent sediment traps, and other appropriate techniques to effectively manage stormwater runoff while minimizing its impact on the local drainage system and environment.

Conclusion

The proposed replacement of the driveway, driveway retaining wall, and driveway apron aims to improve the functionality, durability, and aesthetic appeal of the property's entrance. With a commitment to using high-quality materials, integrating sustainable landscaping and plantings, and implementing effective stormwater management techniques, this project will enhance the property and the community and contribute to the preservation of the local environment.

2. Construction of Trex Deck with Railing and Steps Down to Lower Terrace

Project Overview

This construction permit application proposes the construction of a 400 sq. ft. above-ground Trex deck with railing and steps down to the lower terrace. The project aims to create a functional outdoor space that enhances the property's usability, aesthetic appeal, and overall value. The use of Trex decking material ensures durability, low maintenance, and resistance to the elements, while the incorporation of railing and steps promotes safety and ease of access to the lower terrace. The plans will adhere to local building codes and regulations, ensuring compliance throughout the construction process.

Project Objectives

Create Usable Outdoor Space: The primary objective is to construct a spacious and versatile outdoor deck that can be used for relaxation, entertainment, and social gatherings. The deck will provide an elevated platform that offers panoramic views of the surrounding landscape.

Ensure Durability and Low Maintenance: By utilizing Trex decking material, known for its high-quality composite construction, the project aims to create a durable and long-lasting deck. Trex decking is resistant to rot, fading, staining, and warping, significantly reducing the need for ongoing maintenance.

Enhance Aesthetic Appeal: The design of the deck will be carefully considered to ensure it complements the existing architecture and landscape of the property. The choice of Trex decking color and texture will harmonize with the surroundings, creating a visually appealing outdoor space that seamlessly blends with the natural environment.

Provide Safety Features: The inclusion of a sturdy railing system will be a crucial element of this project. The railing will provide a protective barrier along three sides of the deck, ensuring the safety of users, particularly in elevated areas. The steps leading down to the lower terrace will be designed with appropriate dimensions and materials to facilitate safe and easy access.

Improve Accessibility: The steps down to the lower terrace will be constructed to provide a seamless transition from the deck, enabling convenient access to the lower level of the property.

Project Scope

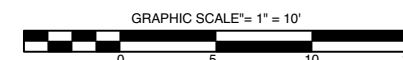
1. **Design and Planning:** The deck design will be carefully developed, taking into account the property's layout, architectural style, and functional requirements.
2. **Excavation and Site Preparation:** The construction area will be excavated, removing any vegetation, debris, or obstructions. The ground will be leveled and compacted to provide a stable foundation for the deck structure.
3. **Footings and Support Structures:** Properly sized and positioned footings will be installed to provide stability and support for the deck. The support posts and beams will be

constructed using suitable materials and techniques, ensuring structural integrity and load-bearing capacity.

4. **Trex Decking Installation:** Trex composite decking boards will be securely fastened to the deck framework. The boards will be carefully aligned and installed, creating a smooth and even surface that meets safety standards and aesthetic expectations.
5. **Railing System:** A sturdy and code-compliant railing system will be installed along the perimeter of the deck. The railing material and design will be selected to enhance safety while complementing the overall deck aesthetics. The railing will be securely attached to the deck structure to provide stability and support.
6. **Steps and Access to Lower Terrace:** Steps will be constructed to facilitate safe and convenient access from the deck to the lower terrace. The design and dimensions of the steps will adhere to local building codes, ensuring proper riser and tread measurements for ease of use and safety.

Conclusion

The construction of a Trex deck with railing and steps down to a lower terrace will provide a functional, durable, and visually appealing outdoor space. By utilizing high-quality materials and adhering to safety and accessibility standards, the project aims to enhance the property's value while offering an enjoyable and versatile area for outdoor activities. The completed deck will provide a welcoming space to relax, entertain, and enjoy the surrounding natural beauty.



DENCHFIELD
LANDSCAPING, INC.

5950 Ager Rd
Hyattsville MD 20782
301-949-5000

LaMadrid - Bremer
Residence
5613 Warwick Place
Chevy Chase, Maryland 20815

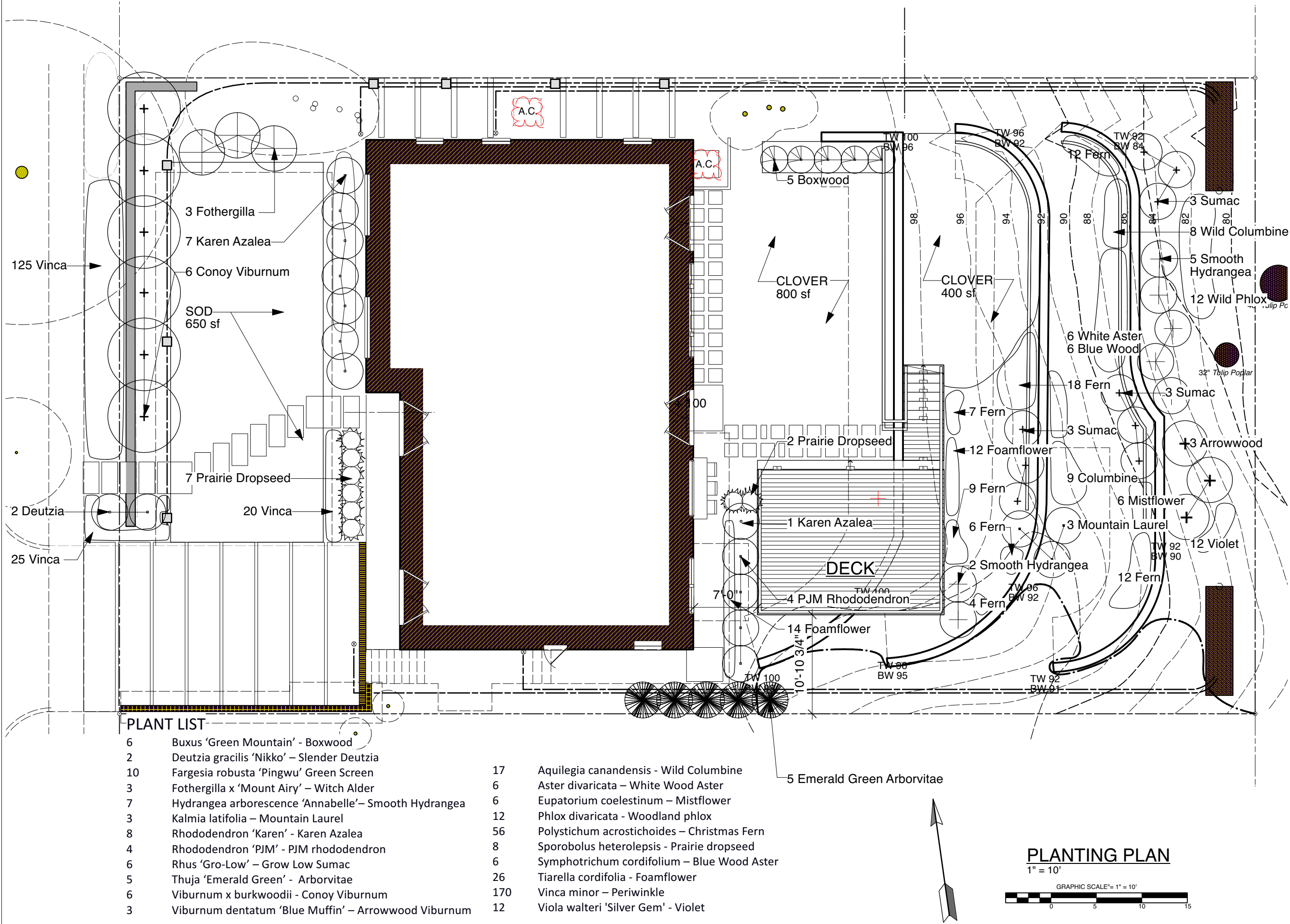
Drawn By: EB

Date: 9.10.20
REVISED: 10.12.20 REVISED: 5.1.23
REVISED: 11.10.20 REVISED: 6.28.23
REVISED: 8.24.21 REVISED: 7.6.23
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REVISED: 9.12.22 REVISED: 11.14.23

Planting Plan

Scale As Noted

L-2
SHEET 2 OF 2



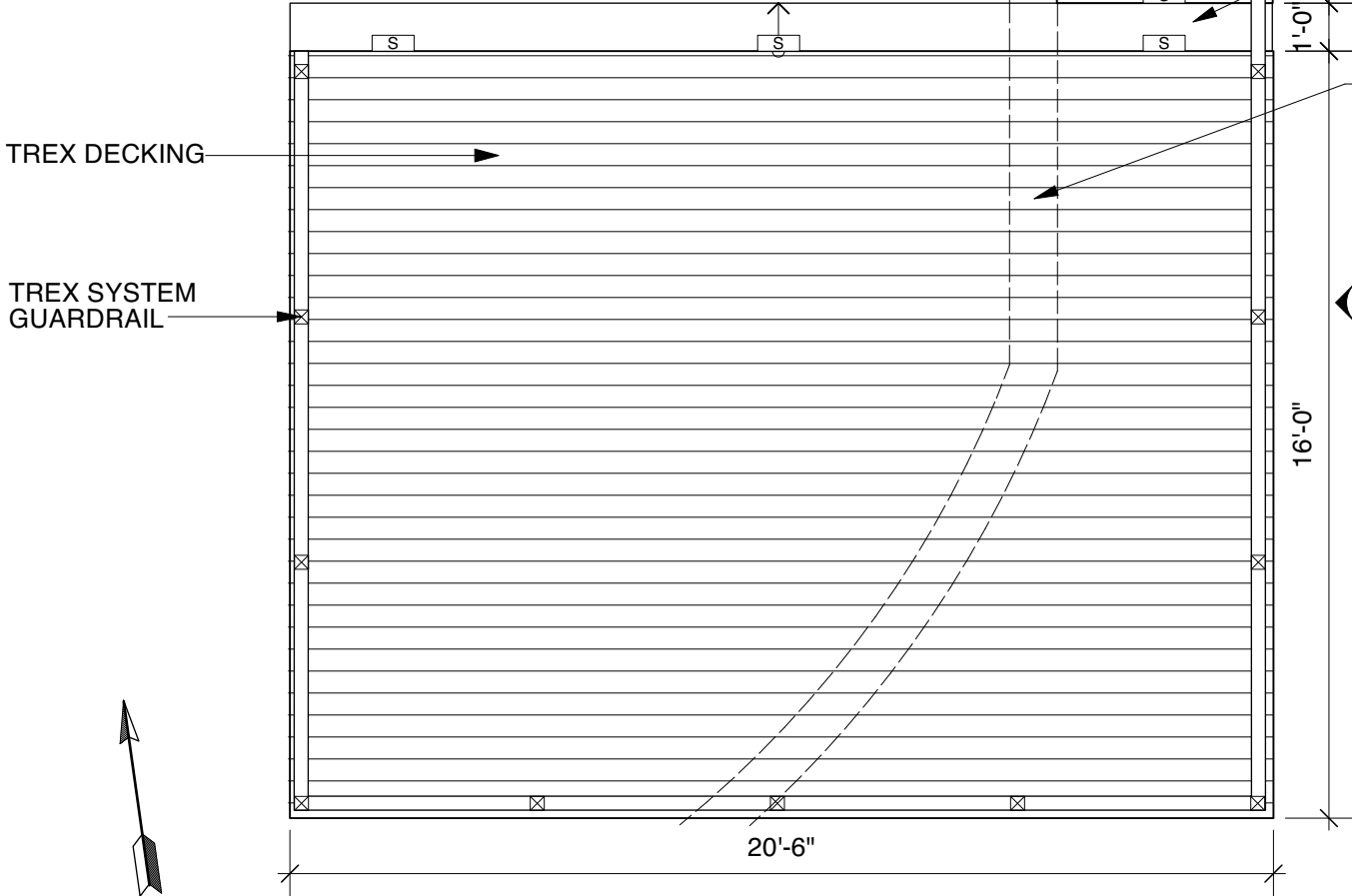
DECKING:
TREX DECKING- COLOR TO BE DECIDED

GUARD RAIL:
TREX RAILING- STYLE AND COLOR
TO BE DECIDED

POST COMPONENTS - TBD
POST SLEEVE 4X4"
PYRAMID POST CAP 4X4"
POST SLEEVE SKIRT 4X4"

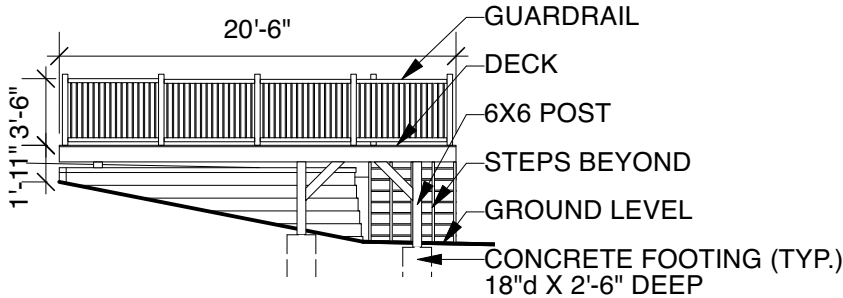
RAIL-
TOP/BOTTOM RAIL
BALUSTERS

C SOUTH ELEVATION



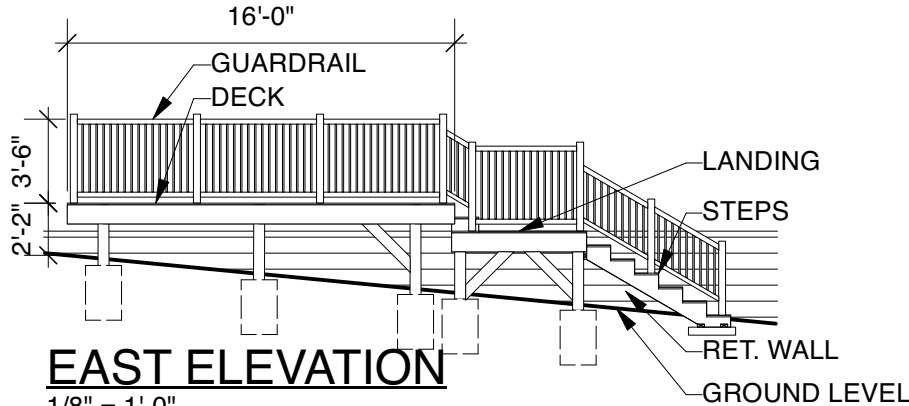
DECK PLAN

1/4" = 1'-0"



NORTH ELEVATION

1/8" = 1'-0"



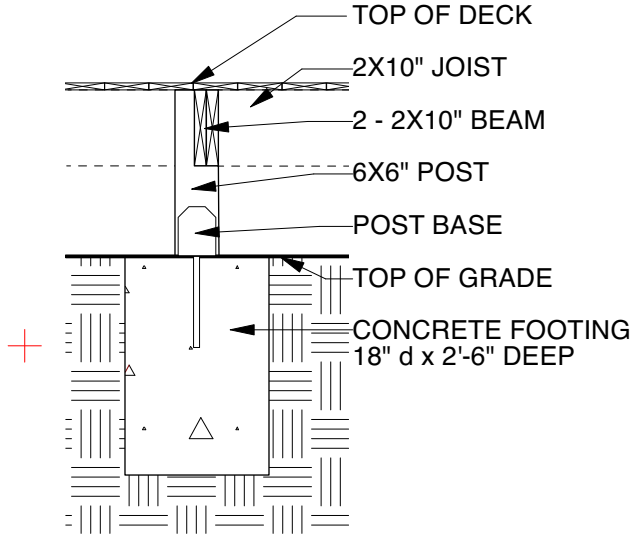
EAST ELEVATION

1/8" = 1'-0"

- DECK WORKSHEET**
1. Free-Standing Deck
 2. Deck Dimensions (L): 16'-0" x (W) 20'-6" x Height varies 14" to 5'-0"
 3. Footing Size: 18" d x 2'-6" deep
Total #: 14 (including stairs)
 4. Post Spacing: 8'-9" (9'-0" maximum)
 5. Beam Size (2) 2" x 10"
 6. Post Base/Cap Connectors: YES
 7. Freestanding deck
 8. Joists 2" x 10" @ 16" o.c.
 9. Deck Boards: Composite*
(*Provide current Code Evaluation Report @ Framing Inspection)
 10. Guardrails: Composite*
(*Provide current Code Evaluation Report @ Framing Inspection)

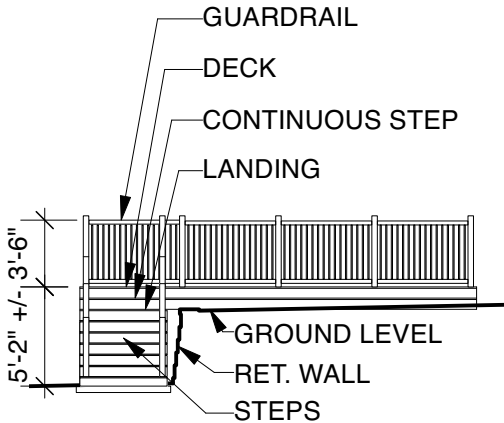
MATERIALS
POST - P.T. 6 X 6"
GUARD RAIL POST - P.T. 4 X 4" (COVERED)
BEAM - P.T. 2- 2 X 10"
JOIST - P.T. 2 X 10"
DECKING - TREX

NOTE: DEFAULT TO MONTGOMERY COUNTY RESIDENTIAL
DECK DETAILS 4/20/2020 WHERE SPECIFICATIONS ARE
INCOMPLETE. (TYP.)



DECK FOOTING DETAIL

1/2" = 1'-0"



SOUTH ELEVATION

1/8" = 1'-0"

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Deck Plan & Elevations

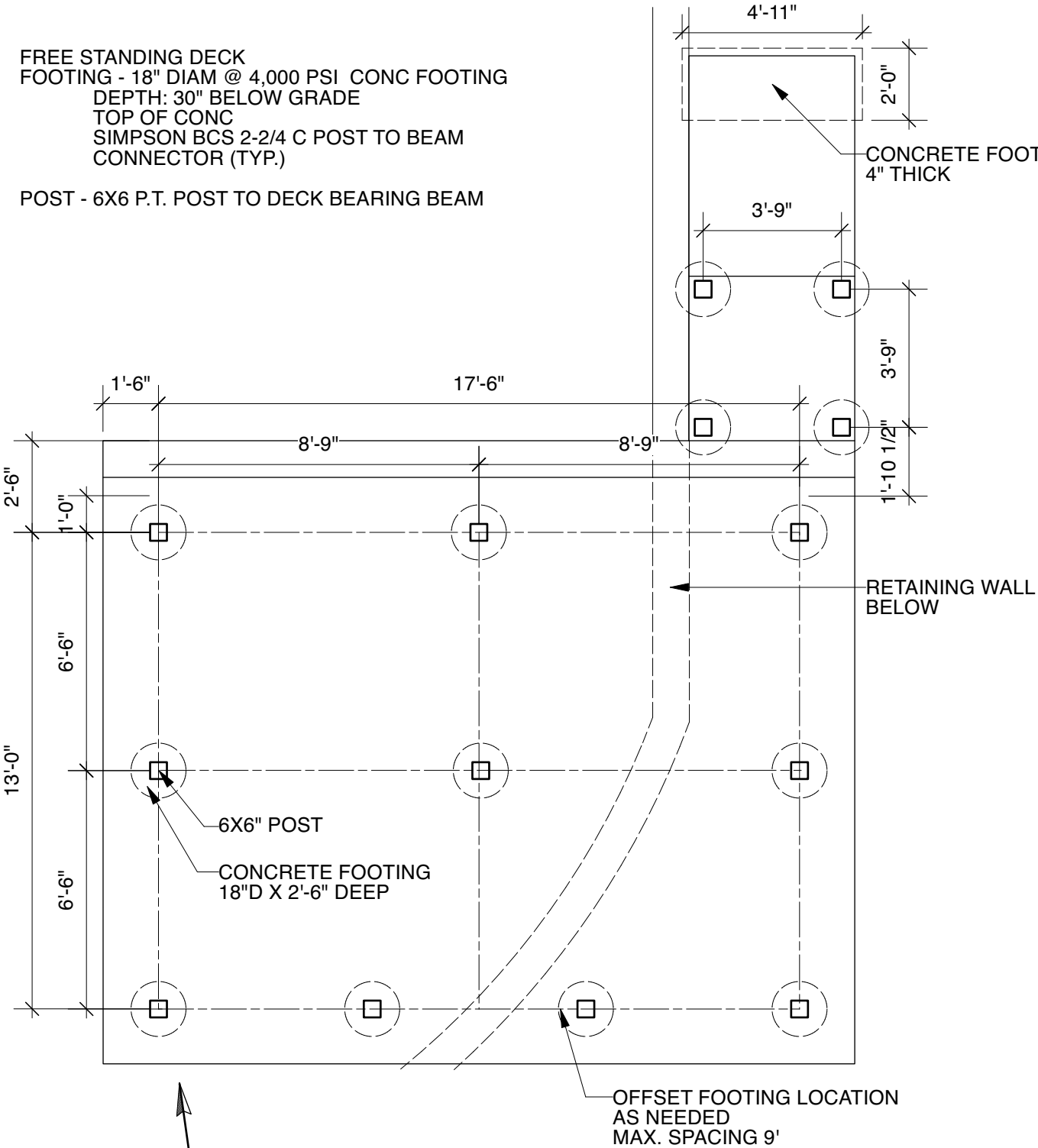
Scale As Noted

D-1

SHEET 1 OF 2

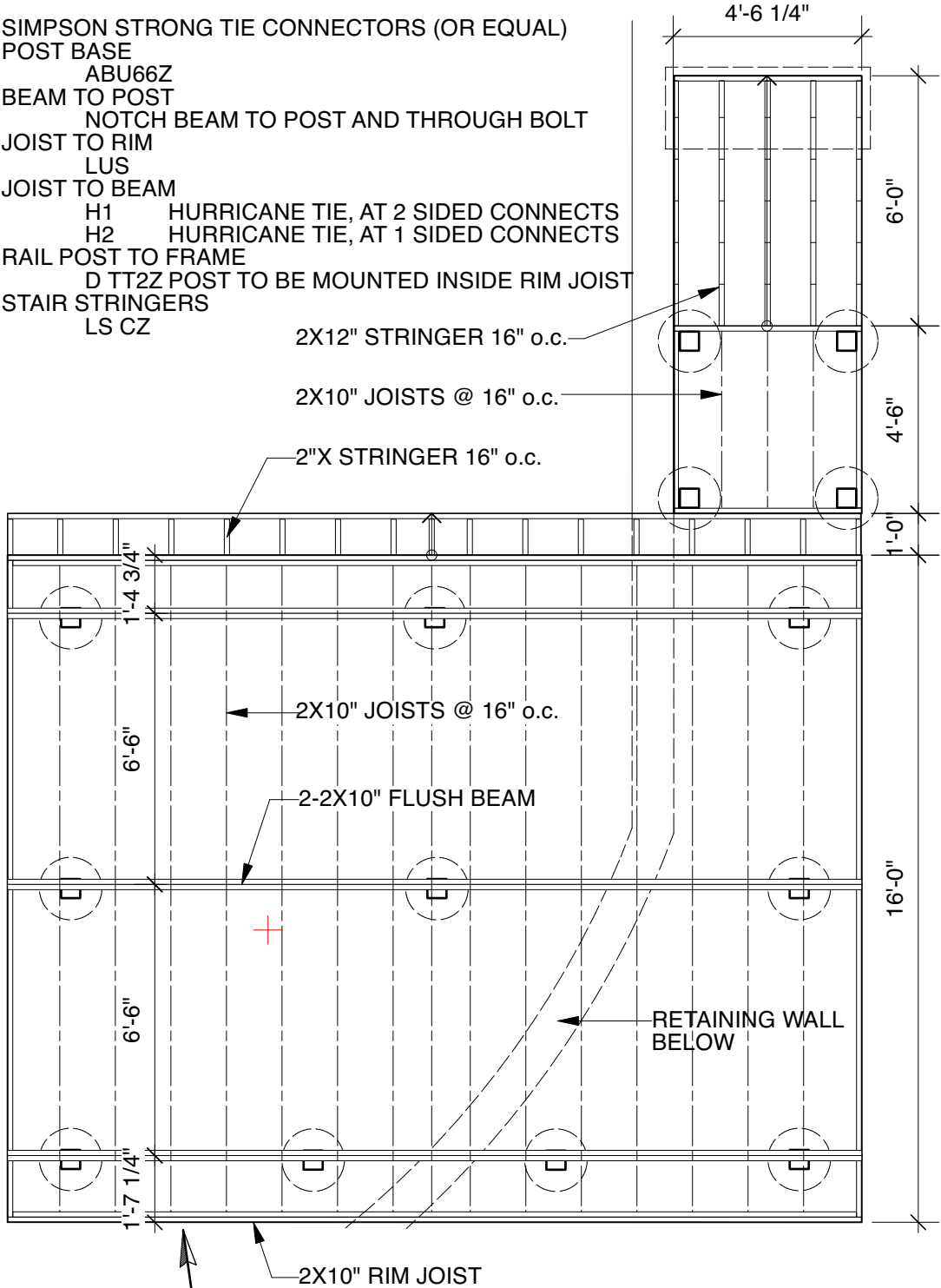
FREE STANDING DECK
FOOTING - 18" DIAM @ 4,000 PSI CONC FOOTING
DEPTH: 30" BELOW GRADE
TOP OF CONC
SIMPSON BCS 2-2/4 C POST TO BEAM
CONNECTOR (TYP.)

POST - 6X6 P.T. POST TO DECK BEARING BEAM



FOUNDATION PLAN
1/4" = 1'-0"

SIMPSON STRONG TIE CONNECTORS (OR EQUAL)
POST BASE
ABU66Z
BEAM TO POST
NOTCH BEAM TO POST AND THROUGH BOLT
JOIST TO RIM
LUS
JOIST TO BEAM
H1 HURRICANE TIE, AT 2 SIDED CONNECTS
H2 HURRICANE TIE, AT 1 SIDED CONNECTS
RAIL POST TO FRAME
D TT2Z POST TO BE MOUNTED INSIDE RIM JOIST
STAIR STRINGERS
LS CZ



FRAMING PLAN
1/4" = 1'-0"

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**Footing Plan
Framing Plan
Details**

Scale As Noted



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

BUILDING RESIDENTIAL PERMIT APPLICATION

Application Date: 6/28/2023

Application No: 1035955
AP Type: BUILDING
Customer No: 1468652

Affidavit Acknowledgement

This application does not violate any covenants and deed restrictions

Primary Applicant Information

Address 5613 WARWICK PL
CHEVY CHASE, MD 20815
MHIC Contractor DENCHFIELD (Primary)
Homeowner LAMADRID

Building Residential Permit Details

Use Code	DECK
Work Type	CONST
Disturbed Area	400
Work Area	400
Estimated Cost \$	18000
Scope of Work	CONSTRUCT FREE STANDING TREX DECK IN REAR YARD. SINGLE LEVEL DECK WITH STEPS TO GRADE AT LOWER LEVEL.
Type of Water Supply	WSSC
Sewage Disposal	WSSC
MHIC License #	20782
MHIC License Expiration Date	06/28/2024

Daniel Bremer - Rebeca Lamadrid
5613 Warwick Place
Chevy Chase, MD 20815

10/19/2023

We understand Mr. Bremer met with Mr. Lasky to discuss Mr. Bremer's applications for permits in the town of Somerset. Mr. Lasky had several concerns about the process of construction related to how his property would be protected during demolition of a failing retaining wall on the Bremer property and a replacement wall built in the same location. The outside of the existing wall is at the property line between the properties. We assume part of the foundation extends underground into the Lasky property.

1. PROTECTING SHRUBS: Prior to construction, shrubs deemed at risk of damage will be tied up and wrapped in burlap to compact each and make it less vulnerable. We are fortunate that the plants adjacent to the work zone are a species known for their ability to withstand nearby construction. Azaleas have dense masses of fine roots and quickly recover when roots are trimmed by digging. Restoring Lasky property will be the first task after construction. All debris will be removed. Grade will be restored. Shrubs will be unbound. Compost will be added to the soil, and the area will be mulched.
 - Gravel can be placed under the wall to answer Mr. Lasky's concern that water from weepholes in the wall may cause erosion.
 - Shrubs significantly damaged during construction will be replaced with new three-gallon container size azaleas on a one to one basis.
2. DEMOLITION: We ask Mr. Lasky's tolerance and permission to access his property. It will be necessary to walk on his property to complete construction. Those trips will be kept to a minimum. Demolition of the failing wall will be made from the Bremer side. We hope to be able to reuse the existing wall's foundation and thereby reduce demolition, digging, and construction. All debris will be removed through the Bremer property. No equipment, passage, or storage of materials is planned on Lasky property. Disruption in the neighboring property is limited to digging as needed to install the foundation. Our masons will need to stand at the bottom of the wall in order to build it. We expect a two-foot area will be sufficient space to work. That area will be restored at the conclusion of the project.
3. INTRUSION: Mr. Lasky asked how far the foundation of the wall intrudes onto his property. The buried concrete footing is planned to extend 14" over the property line.
4. RAILING: Retaining walls greater than 30" high generally require a 36" high guardrail.

Ed Bisese
LANDSCAPE ARCHITECT
Denchfield Landscaping

Office: 301-949-5000
Mobile: 443-994-1721
<https://www.dlandscaping.com/>

NEIGHBOR SIGNATURE SHEET

Note to neighbors: Please be aware that your signature on this document does not signify concurrence. It only confirms that you have seen the respective plans. You are welcome to comment on the plans by writing the Mayor or by attending the Council meeting on (applicant to fill in date) 11/06/23 when the Council will consider these plans.

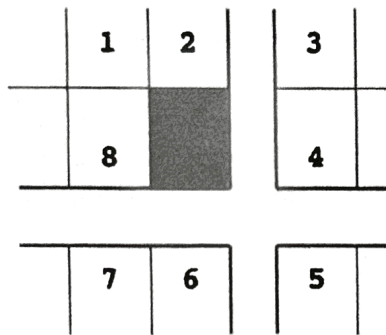
Street address of project site: 5613 Warwick Place, Chevy Chase, MD 20815

For the neighbor: Please check the box below for the plans that you have seen:

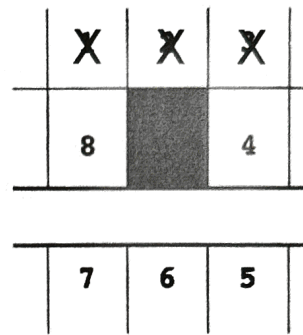
- ☐ Tree removal (include residents inside and outside of Somerset where applicable);
- ☐ External HVAC components, new location or replacement;
- ☒ New Construction (additions and new homes); Review drainage and storm water management plans as well as parking plan if applicable;
- ☒ New curb cut or driveway apron and sidewalk;
- ☒ Demolition
- ☐ Location of Dumpster or Portable Storage Device;
- ☐ Fence: new, relocated or replaced (includes residents inside and outside of Somerset where applicable);
- ☒ Walls (includes residents inside and outside of Somerset where applicable);
- ☐ Generator

Applicant: Using the following map as a key, list the names and addresses of the neighbors who adjoin or confront the property where project is to take place. "Adjoining or confronting" is defined as land that touches the boundary line of another property on at least one point, or which would do so except for an intervening road, street or right-of-way. Then ask neighbor to sign in the appropriate box.

☐ **Corner Site**



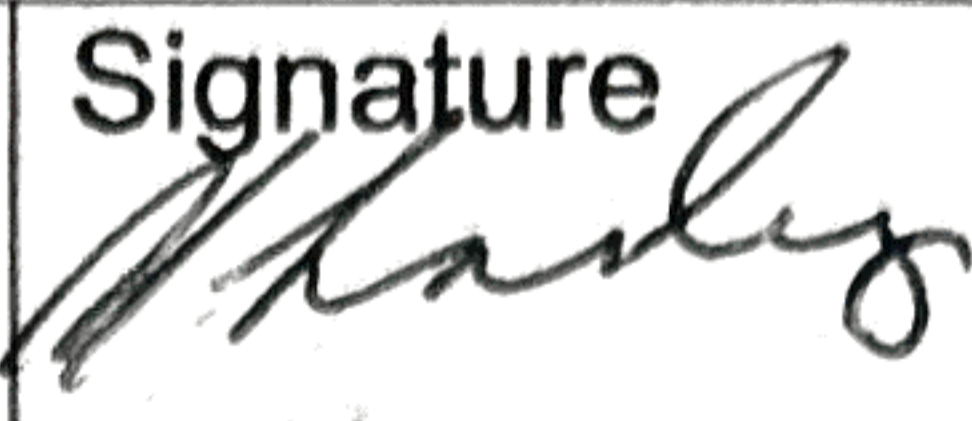
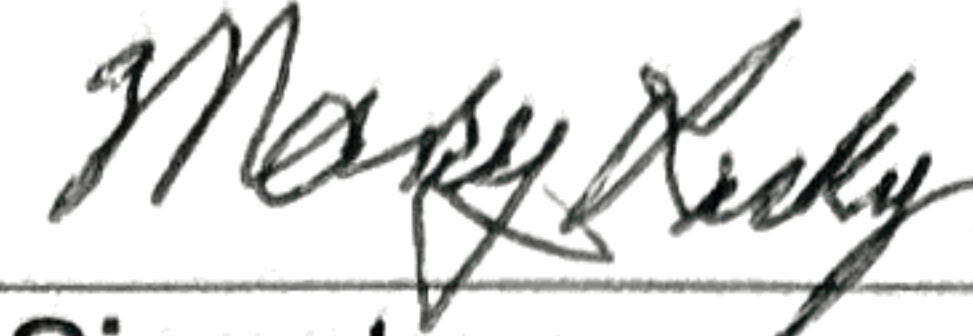
☒ **Mid-block Site**



<input checked="" type="checkbox"/>	Printed Name	Address	Signature	Date
	X	X	X	X
<input checked="" type="checkbox"/>	Printed Name	Address	Signature	Date
	X	X	X	X
<input checked="" type="checkbox"/>	Printed Name	Address	Signature	Date
	X	X	X	X

Neighbor Signature Sheet

3

4	Printed Name Marshall and Mary Lasky	Address 5611 Warwick Place Chevy Chase, MD	Signature  	Date 11/20/23 11/20/23
5	Printed Name Daniel Jamieson and Jennie Rabinowitz	Address 5610 Warwick Place Chevy Chase, MD	Signature	Date
6	Printed Name Walter M. Bastian III and Carla Desjean-Bastian	Address 5612 Warwick Place Chevy Chase, MD	Signature	Date
7	Printed Name James Losey and Alexandra Acosta	Address 4700 Essex Ave Chevy Chase, MD	Signature	Date
8	Printed Name Alexander Thier and Tamara Gould	Address 5615 Warwick Place Chevy Chase, MD	Signature	Date

Applicant:

I certify that I have shown all the required neighbors the identical full-size plans (unless the cost of proposed work is less than \$25,000 in which case smaller plans can be used) that I have filed or will file with the Town of Somerset and, if applicable, Montgomery County Maryland. I further certify that I have notified the same neighbors of the anticipated date (noted above) that the Town Council, if applicable, will consider my permit application.

APPLICANT SIGNATURE   DATE 10/15/23

PRINTED NAME Daniel Bremer-Wirtig & Rebeca Lamadrid

Date: January 2, 2024

Applicant Information:

- **Name:** Daniel Bremer-Wittig and Rebeca Lamadrid
- **Contact Information:** daniel.bremer@gmail.com 202-493-2383 / rebeca.lamadrid@gmail.com 202-341-1004

Property Information for Construction:

- **Address of Proposed Construction:** 5613 Warwick Place, Chevy Chase, MD 20815
- **Type of Construction:** Replacement of driveway retaining wall

Neighbor's Information:

- **Name:** Marshall Lasky and Mary Lasky
- **Address:** 5611 Warwick Place, Chevy Chase, MD 20815
- **Contact Information:** marshlasky@earthlink.net 301-404-3945 / mary.lasky@jhuapl.edu (240) 893-8162

Consent Provisions:

I/We, Marshall Lasky and Mary Lasky, being the lawful owner(s) of the property located at 5611 Warwick Place, Chevy Chase, MD, hereby acknowledge and give consent for the construction of a retaining wall, including footing that may encroach upon my/our property as part of the building project being undertaken by Daniel Bremer-Wittig and Rebeca Lamadrid at 5613 Warwick Place, Chevy Chase, MD.

I/We have been fully informed of the plans and impacts of the proposed construction, including the nature, duration, and extent of the encroachment onto my/our property. I/We understand that this consent is required as part of the building permit application being submitted by Daniel Bremer-Wittig and Rebeca Lamadrid.

Terms of Consent:

1. **Construction Details:** The specifics of the encroachment, including dimensions and duration, are detailed in the memo and plans presented to the neighbor for his/her review, which are identical to those for which a building permit is requested (attached).
2. **Restoration:** Upon completion of the construction, any disturbed areas on my/our property will be restored to their original condition, as detailed in the aforementioned memo.

Signatures:

I/We understand the nature and effect of this consent form and sign it voluntarily for the purpose of aiding Daniel Bremer-Wittig and Rebeca Lamadrid in obtaining the necessary building permit for the construction project described herein.

Neighbor's Signature: Mary Lasky Date: 1/4/24

Applicant's Signature: [Signature] Date: 01/2/2024

LaMadrid - Bremer
Residence

5613 Warwick Place
Chevy Chase, Maryland 20815

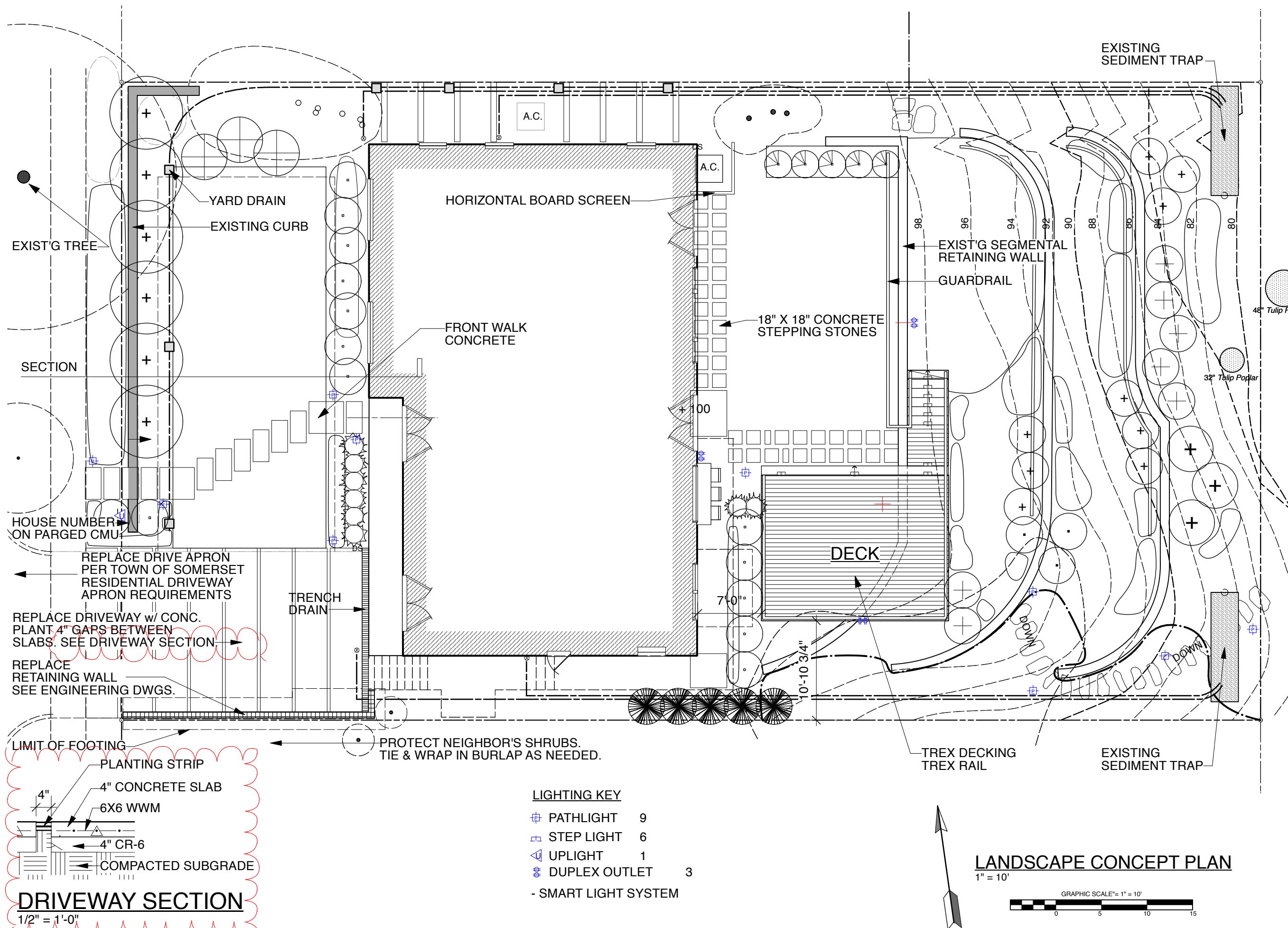
Drawn By: EB

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REVISED: 12.19.23	

Scale As Noted

— L-1 —
SHEET 1 OF 2



LaMadrid - Bremer
Residence

5613 Warwick Place
Chevy Chase, Maryland 20815

Drawn By: EB

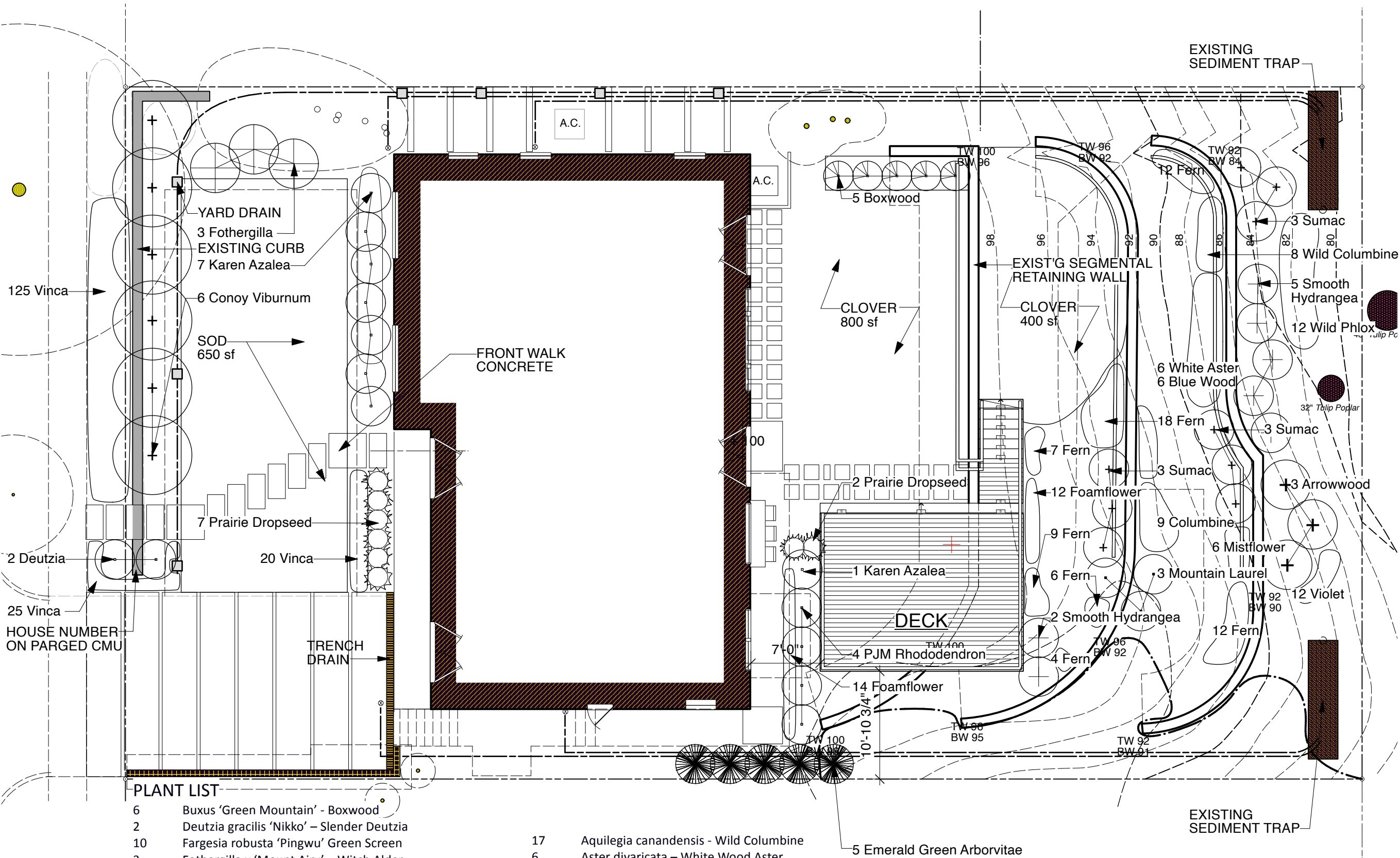
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Planting Plan

Scale As Noted

L-2
SHEET 2 OF 2



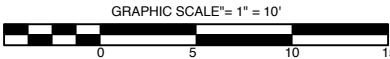
PLANT LIST

- | | |
|----|---|
| 6 | Buxus 'Green Mountain' - Boxwood |
| 2 | Deutzia gracilis 'Nikko' - Slender Deutzia |
| 10 | Fargesia robusta 'Pingwu' Green Screen |
| 3 | Fothergilla x 'Mount Airy' - Witch Alder |
| 7 | Hydrangea arborescence 'Annabelle' - Smooth Hydrangea |
| 3 | Kalmia latifolia - Mountain Laurel |
| 8 | Rhododendron 'Karen' - Karen Azalea |
| 4 | Rhododendron 'PJM' - PJM rhododendron |
| 6 | Rhus 'Gro-Low' - Grow Low Sumac |
| 5 | Thuja 'Emerald Green' - Arborvitae |
| 6 | Viburnum x burkwoodii - Conoy Viburnum |
| 3 | Viburnum dentatum 'Blue Muffin' - Arrowwood Viburnum |

- | | |
|-----|---|
| 17 | Aquilegia canadensis - Wild Columbine |
| 6 | Aster divaricata - White Wood Aster |
| 6 | Eupatorium coelestinum - Mistflower |
| 12 | Phlox divaricata - Woodland phlox |
| 56 | Polystichum acrostichoides - Christmas Fern |
| 8 | Sporobolus heterolepis - Prairie dropseed |
| 6 | Symphotrichum cordifolium - Blue Wood Aster |
| 26 | Tiarella cordifolia - Foamflower |
| 170 | Vinca minor - Periwinkle |
| 12 | Viola walteri 'Silver Gem' - Violet |

PLANTING PLAN

1" = 10'



**LaMadrid - Bremer
Residence**

5613 Warwick Place
Chevy Chase, Maryland 20815

Drawn By: EB

Date: 9.10.20

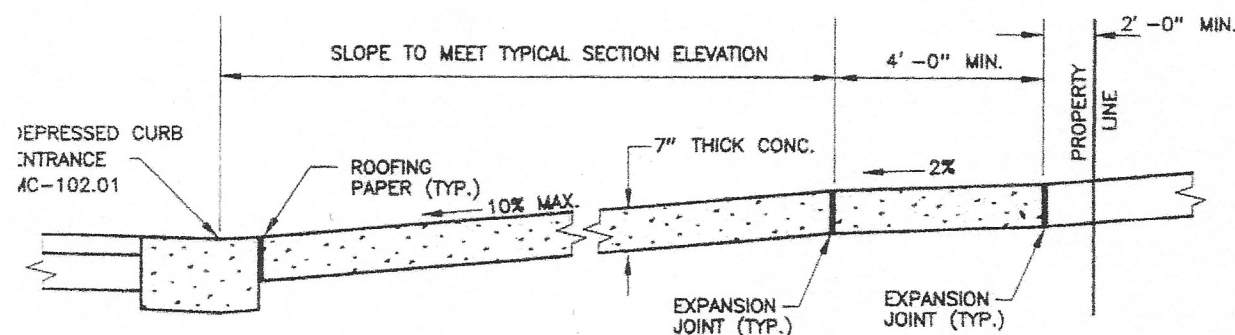
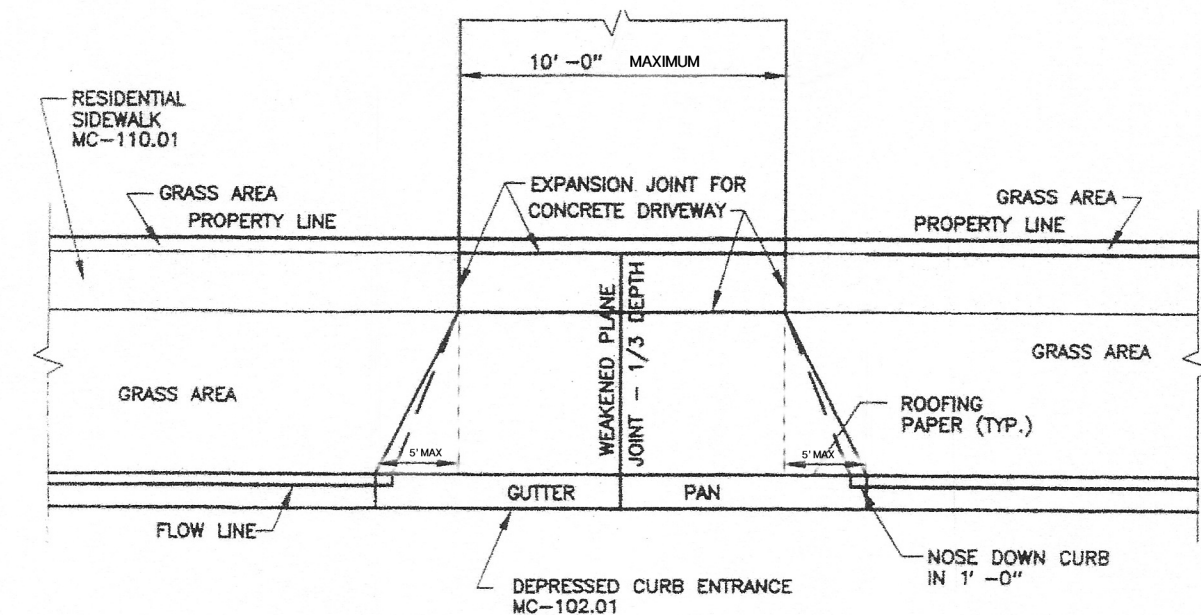
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Drive Details

Scale As Noted

L-3

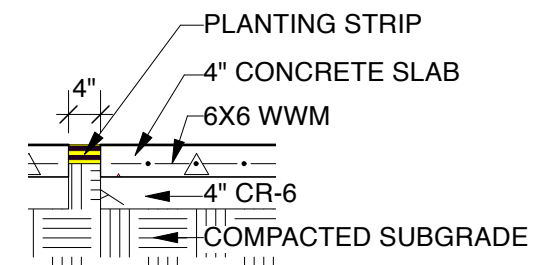
SHEET 3 OF 3



GENERAL NOTES

1. REFER TO MARYLAND STATE HIGHWAY ADMINISTRATION SPECIFICATIONS FOR MATERIALS AND METHODS OF CONSTRUCTION.
2. DRIVEWAY AND DRIVEWAY APRON TO BE MAINTAINED BY PROPERTY OWNER.
3. PROVIDE WEAKENED PLANE JOINTS AT MAXIMUM INTERVALS OF 15'.
4. THE EXPANSION JOINTS SHALL BE PLACED AT LOCATIONS SHOWN.
5. EXPANSION JOINT MATERIAL SHALL BE 1/2 INCH PREFORMED CORK, TRIMMED AND SEALED WITH NON-STAINING, TWO COMPONENT POLYSULFIDE OR POLYURETHANE ELASTOMERIC TYPE SEALANT, COMPLYING WITH FS TT-S-00227.
6. AFTER SEVEN FEET IN LENGTH (FROM STREET PAVEMENT) THE DRIVEWAY CAN EXCEED THE 10 FEET MAX WIDTH.

**Residential Driveway Apron Requirements
Town of Somerset**



DRIVEWAY SECTION

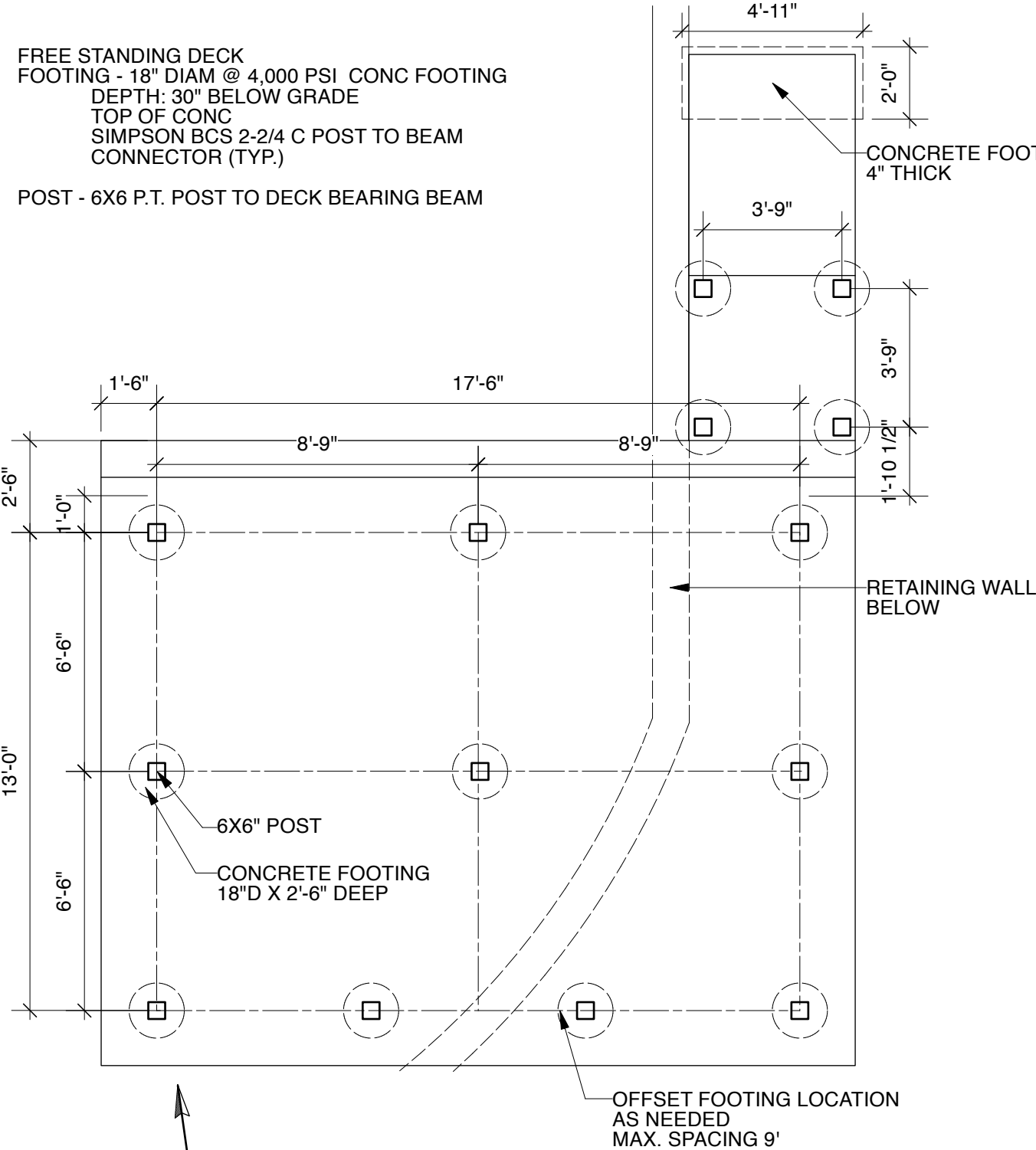
1/2" = 1'-0"

NOTES:

- THE PROPOSED DRIVEWAY REPLACES AN EXISTING IMPERVIOUS DRIVEWAY.
- THE EXISTING DRIVEWAY SLOPES ABOUT 1% TOWARDS THE HOUSE. PROPOSED DRIVEWAY TO MATCH EXISING SLOPE.
- THE PROPOSED DRIVEWAY IS TO BE MADE OF CONCRETE AND WILL BE IMPERVIOUS.

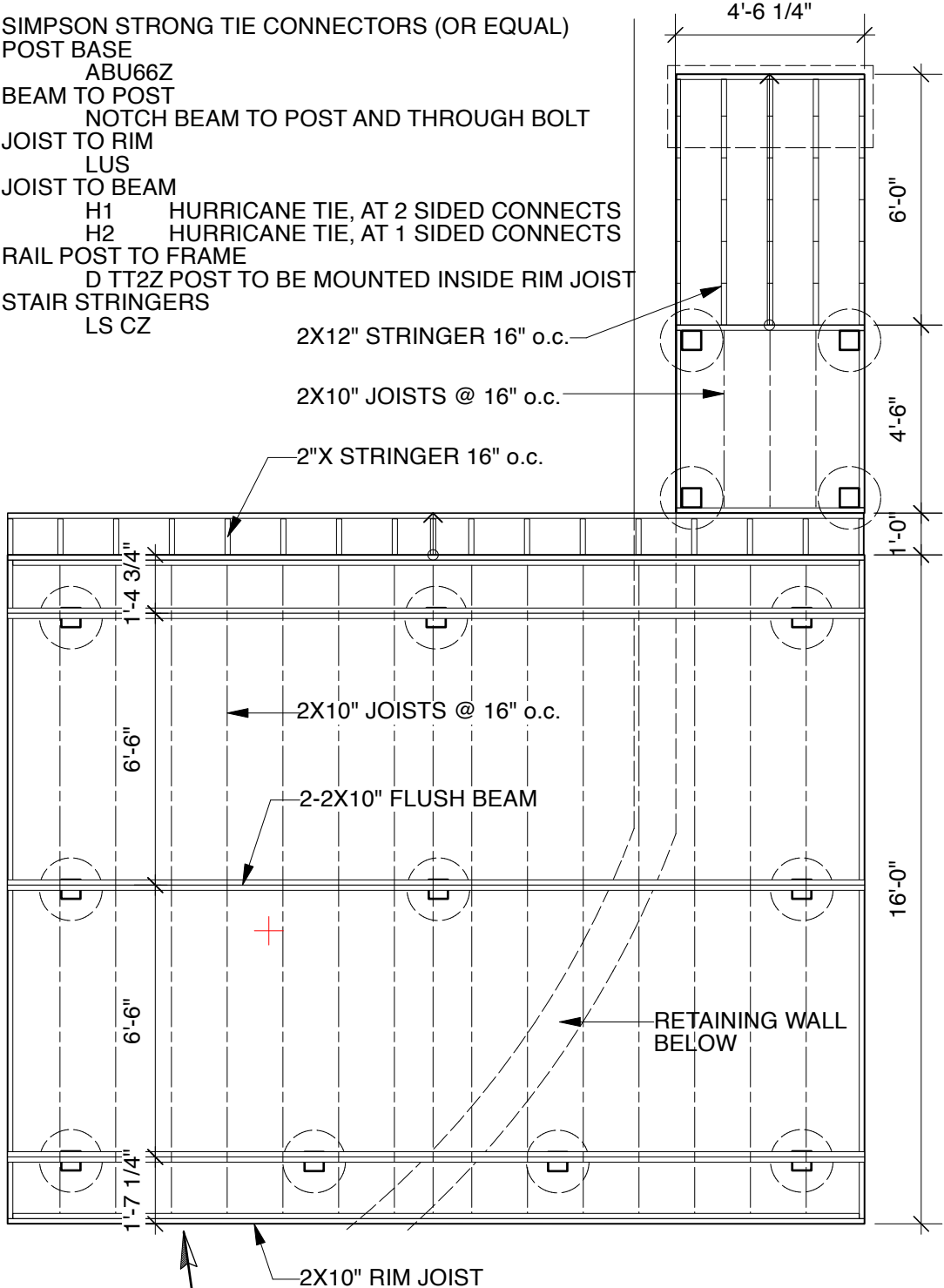
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TOP OF CONC
SIMPSON BCS 2-2/4 C POST TO BEAM
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FOUNDATION PLAN
1/4" = 1'-0"

SIMPSON STRONG TIE CONNECTORS (OR EQUAL)
POST BASE
ABU66Z
BEAM TO POST
NOTCH BEAM TO POST AND THROUGH BOLT
JOIST TO RIM
LUS
JOIST TO BEAM
H1 HURRICANE TIE, AT 2 SIDED CONNECTS
H2 HURRICANE TIE, AT 1 SIDED CONNECTS
RAIL POST TO FRAME
D TT2Z POST TO BE MOUNTED INSIDE RIM JOIST
STAIR STRINGERS
LS CZ



FREE STANDING DECK
DB: DROPPED BEAM 2 - 2 X 10"
RJ: 2X10" RIM JOIST W/ OR W/O TRIM BOARD

FRAMING PLAN
1/4" = 1'-0"

DENCHFIELD
LANDSCAPING, INC.

5950 Ager Rd
Hyattsville MD 20782
301-949-5000

**LaMadrid - Bremer
Residence**
5613 Warwick Place
Chevy Chase, Maryland 20815

Drawn By: EB

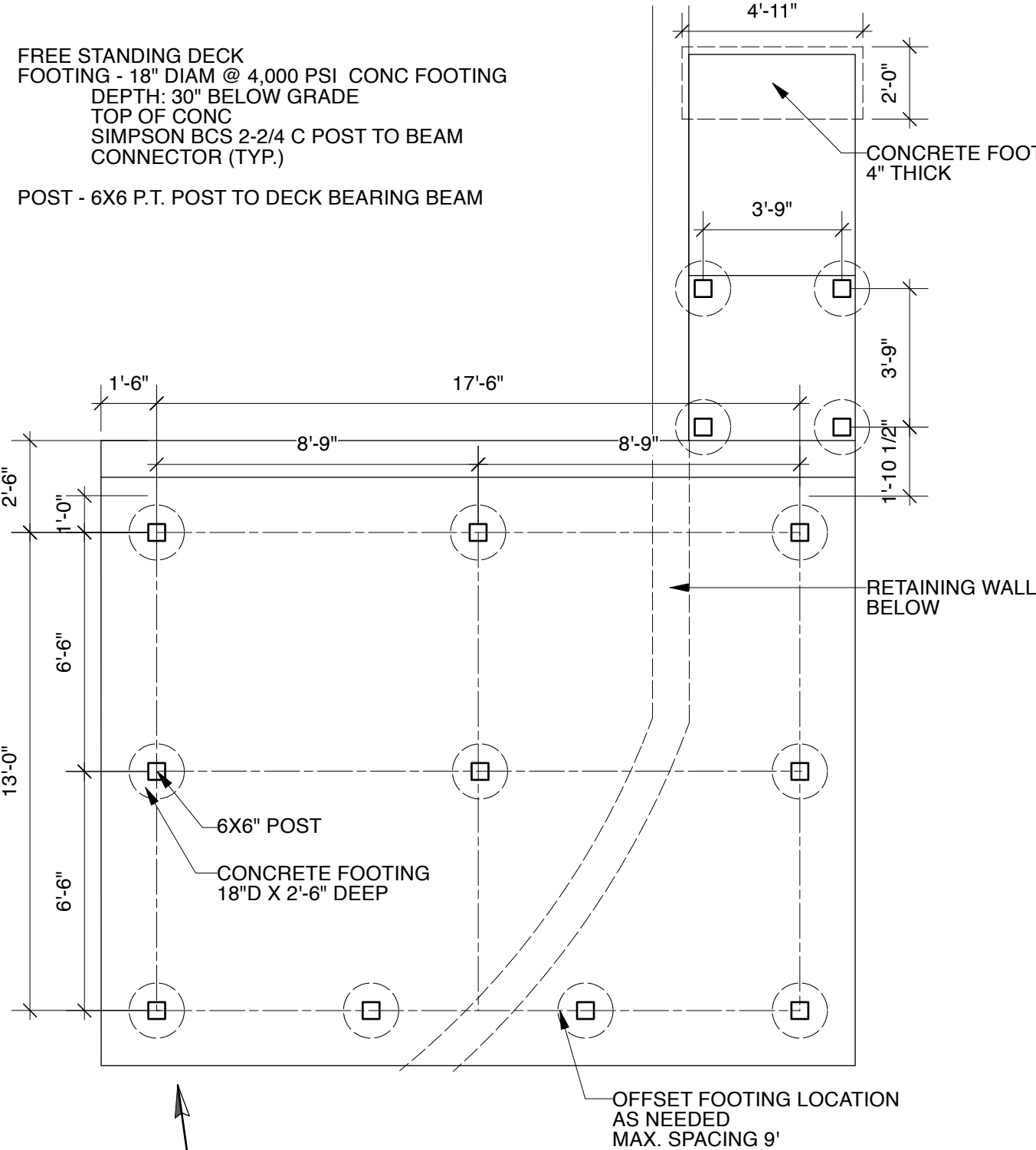
Date: 9.10.20
REVISED: 10.12.20 REVISED: 5.1.23
REVISED: 11.10.20 REVISED: 6.28.23
REVISED: 8.24.21 REVISED: 7.6.23
REVISED: 9.16.21 REVISED: 7.14.23
REVISED: 7.12.22 REVISED: 10.19.23
REVISED: 8.31.22 REVISED: 10.23.23
REVISED: 9.12.22 REVISED: 11.14.23
REVISED: 12.19.23

**Footing Plan
Framing Plan
Details**

Scale As Noted

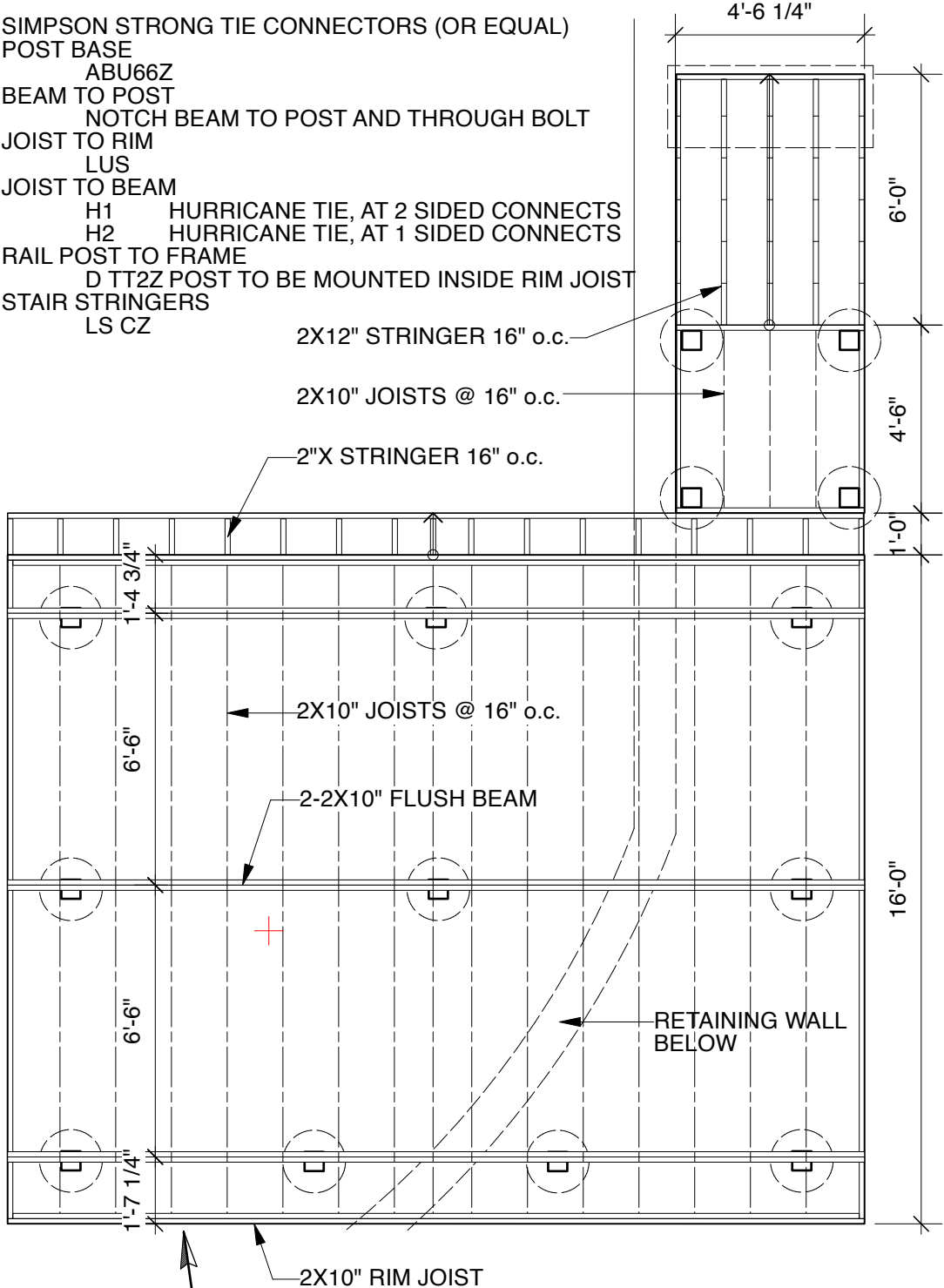
FREE STANDING DECK
FOOTING - 18" DIAM @ 4,000 PSI CONC FOOTING
DEPTH: 30" BELOW GRADE
TOP OF CONC
SIMPSON BCS 2-2/4 C POST TO BEAM
CONNECTOR (TYP.)

POST - 6X6 P.T. POST TO DECK BEARING BEAM



FOUNDATION PLAN
1/4" = 1'-0"

SIMPSON STRONG TIE CONNECTORS (OR EQUAL)
POST BASE
ABU66Z
BEAM TO POST
NOTCH BEAM TO POST AND THROUGH BOLT
JOIST TO RIM
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H1 HURRICANE TIE, AT 2 SIDED CONNECTS
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REVISED: 12.19.23

**Footing Plan
Framing Plan
Details**

Scale As Noted

D-2
SHEET 2 OF 2

MONTGOMERY CONSULTING

15111 Players Way - Glenwood, MD 21738 Tel: (301) 908-3220

SUBJECT: 5613 Warwick Pl. – Initial Review Comments

DATE: Nov. 4, 2023

1. The property owner has submitted an application to replace the existing driveway and apron, replace the existing retaining wall along the south side of the driveway, and to construct a deck at the rear of the house.
n/a
2. The MCDPS issued their deck permit on July 13, 2023, but I don't see where a MCDPS retaining wall permit application has been submitted to the County.
Application for driveway wall is in process with Montgomery County (Building Permit Number: 1050422)
3. The driveway apron will be constructed per the Town's standard driveway apron detail.
The applicant confirms that the driveway apron will be constructed per the Town's standard driveway apron detail – See sheet L-3 for details.
4. The deck will be located 10.9 feet from the southern property line.
The applicant confirms that the deck will be located 10.9 feet from the southern property line.
5. The two shaded areas at the eastern side of the lot should be labeled.
The two shaded areas at the eastern side of the lot have been labeled – These are 2 existing sediment traps.
6. The adjacent neighbor's acknowledgement sheet needs to be completed.
Adjacent neighbor's acknowledgement sheet has been completed and can be found attached.
7. The proposed driveway note says "Replace Driveway w/ conc. plant 4" gaps between slabs". Is this intended to be a pervious driveway? Please clarify and show a section of driveway.
The proposed driveway replaces an existing impervious driveway. The existing driveway slopes about 1% towards the house. The proposed driveway is to match

existing slope. The proposed driveway is to be made of concrete and will be impervious – See sheet L-3 for details.

8. What is the square on the north side of the house on Sh. L2?

The square on the north side of the house on Sh. L2 is an existing air handler. There are no changes to the existing air handler.

9. What is the square at the southeast corner of the house on Sh. L2?

There are two rectangles, not squares, on the east side of the house, one north-east and another south-east. These rectangles represent two separate sediment traps installed at terminus of downspout leaders.

DATE: Dec. 12, 2023

Via email exchange with Matthew Trollinger, Town Manager

1. Are you still planning to include the rain barrels that were on previous plans?
No. The rain barrels were removed since revision 10.23.23. The current revision is dated: 12.19.23.
2. Will the proposed retaining wall encroach onto the neighbor's property?
Yes. Contractor believes the footing of the current retaining wall that is failing and requires replacement encroaches underground onto the neighbor's property. This has been disclosed and discussed with the neighbors, Mr. and Mrs. Lasky. These disclosures were submitted as part of the application and are documented by:
 - a. *A memo dated 10/19/23 from Ed Bisese from Denchfield Landscaping to the applicant; and,*
 - b. *Drawings, specifically the Site Retaining Walls by Rathgeb/Goss Associates and L-1 by Denchfield Landscaping, Inc.*

DATE: Dec. 14, 2023

Via email exchange with Matthew Trollinger, Town Manager

1. The driveway you are proposing is not permeable. Our Code requires all replacement driveways to be made of permeable material, unless they are greater than 5% in slope. Do you have the existing and proposed driveway slopes?
*After reviewing information provided by the Town of Somerset, the contractor (Denchfield Landscaping) believes there is conflicting guidance regarding the Code requirements for **new** driveways and **replacement** driveways. Clarification of the requirements for a **replacement driveway** would be welcome.*

However, please note that a recent soil stability report warned against adding additional weight to the site and soaking water through the driveway could cause problems.

If the driveway slope is being increased and is now above 5%, it will need to be managed with a stormwater management plan.

The existing driveway slopes 1% towards the house. The proposed driveway will match the existing condition. Driveway drains to a new trench drain and water is carried to the existing sediment traps.

2. Doug was unsure about a couple of items that have changed:

- a. Earlier plans indicated an ex. air handler was located on the north side of the house – are there any changes to that?

The air handler located on the north side of the house is existing. There are no changes to the existing air handler.

- b. Can you please include and label it on a site plan? Because it is existing non-conforming, this will make it clear that you are not requesting a variance for the AC.

Drawings have been updated accordingly. The air handler located on the north side of the house is included and labeled as existing. No variance is being requested in this application for the air handler.

- c. The Plans received on Oct. 24, 2023, show the proposed retaining wall construction will encroach on the neighbor's property. Do you have a letter or email granting their permission to work on their lot?

Contractor believes the footing of the current retaining wall that is failing and requires replacement encroaches underground onto the neighbor's property. This has been disclosed and discussed with the neighbors, Mr. and Mrs. Lasky. These disclosures were submitted as part of the application and are documented by:

- 1. A memo dated 10/19/23 from Ed Bisese from Denchfield Landscaping to the applicant; and,*
- 2. Drawings, specifically the Site Retaining Walls by Rathgeb/Goss Associates and L-1 by Denchfield Landscaping, Inc.*

A letter or email granting their permission to work on their lot will be furnished.

- d. What are the shaded items at the eastern end of the property? Can those be labeled on an updated site plan?

The two shaded areas at the eastern side of the lot have been labeled – These are 2 existing sediment traps.

MONTGOMERY CONSULTING

15111 Players Way - Glenwood, MD 21738 Tel: (301) 908-3220

SUBJECT: 5613 Warwick Place

DATE: Jan. 3, 2024

The property owner has submitted a building permit application to construct a new deck at the right rear of the existing house.

The deck will be located 10.9 feet from the right side property line and approximately 50 feet from the rear property line.

The MCDPS issued the deck permit on July 13, 2023.

They also propose to replace the existing driveway and apron on the right side of the house.

The existing retaining wall along the right side property line will also be replaced by a 6 foot high retaining wall in the same location.

The MCDPS is reviewing the retaining wall permit.

A Town deck permit, driveway apron permit, and a wall permit is required. I recommend the Town's retaining wall permit not be issued until the MCDPS issues their wall permit.

TO: The Town of Somerset Council
FROM: Doug Lohmeyer
DATE OF MEMO: Jan. 3, 2024
SUBJECT: Monthly Status Report

4815 Cumberland

The property owner has submitted a building permit application to MCDPS and the Town to remove the ex. house and to construct a new house. The engineer stated that MNCP&PC has determined that a subdivision record plat is required. The staff at MNCP&PC required the stormwater management plans be revised to protect the ex. trees at the rear of the lot. The plans for the new house have not changed. The new SWM plans were re-submitted to MCDPS for review on Nov. 28, 2023. The record plat is at MNCP&PC for their signature.

4905 Cumberland Ave.

The property owner has submitted an application to remove the existing house and to construct a new house. The staff is reviewing the updated Site Plan and SWM plans.

4515 Dorset Ave.

The property owner has submitted an application to construct a detached two car garage at the rear of the house. The Council approved the application on August 7th and the Town permit has been issued.

4816 Essex Ave.

The property owner has submitted building permit applications to the MCDPS and the Town. They propose to remove a large portion of the building at the rear of the house and make interior improvements. The Town permits were issued on May 6, 2023. Work is underway. The Council approved the variances to enlarge the existing front porch and stoop.

4702 Falstone

The applicant submitted a plan to modify the existing driveway and apron to accommodate the owner's handicapped vehicle. The Council approved the application on Sept. 11, 2023. The applicant must submit detailed plans of the revised driveway and apron before the Town permit can be issued.

4906 Falstone Ave.

The property owner submitted an application to remove the ex. deck at the left rear of the house and to construct an enclosed addition at the same location. The plans are now being reviewed by the staff.

4806 Grantham

The property owner has submitted an application to add a second story addition to the existing house. An addition is also proposed at the left rear of the house and a new front porch overhang is also planned. The Council approved the permits on May 1st. The MCDPS permit was issued on June 1, 2023. The Town building permit was issued on July 8, 2023. The construction has begun.

5409 Surrey St.

An application was submitted to remove the ex. deck at the rear of the house and to build a new deck in the same location. The Town issued their permits on Oct. 7, 2023.

5529 Surrey St.

The property owner submitted an application to add an addition, a deck, and a patio at the rear of the ex. house. The staff is reviewing the latest revised construction plans.

5808 Surrey St.

The property owner is considering adding an accessory building at the rear of the ex. house. The staff has reviewed the concept and sent comments to the owner.

5528 Trent St.

The property owner plans on removing the existing house and building a new house. The MCDPS building permit is pending. On Sept. 11, 2023, the Council approved the application. The Town issued the building permit on Dec. 19, 2023. Work is ongoing.

5613 Warwick Pl.

The property owner submitted an application to construct a deck at the rear of the house and to replace the ex. driveway and apron. The staff has reviewed the plans and sent comments to the owner.

5702 Warwick Ave.

The applicant submitted a building permit application to make interior improvements to the existing house, including an ADU in the basement. They also propose to construct a

deck at the right rear of the house. The MCDPS issued their building permit on Aug. 16th. The Town will issue the building permit as soon as the applicant submits the required County ADU certification documents.

[illegible]

[illegible]

Town of Somerset
Resolution Establishing 2024 Pool Rules

Resolution No.:1-24-2
Introduced: 1/8/2024
Adopted:
Effective Date:

RESOLUTION ESTABLISHING TOWN POOL RULES

WHEREAS, the Town of Somerset recognizes the importance of maintaining a safe and enjoyable environment for all residents and visitors utilizing the Town Pool; and

WHEREAS, the Pool Committee has diligently reviewed and considered the current state of pool operations and has provided recommendations for the establishment of pool rules to enhance safety, order, and overall satisfaction for the upcoming year;

NOW, THEREFORE BE IT RESOLVED by the Town of Somerset Council that the attached Pool Rules are hereby established for the year 2024; and

BE IT FURTHER RESOLVED that the Town staff is authorized to post these pool rules at the pool facility and on the Town's official website. The Pool Committee shall review and update these rules as necessary, with any changes subject to approval by the Town Council.

This resolution shall take effect immediately upon adoption.

ADOPTED by the Council of the Town of Somerset on this ___ day of _____ 2024.

ATTEST:

TOWN OF SOMERSET

Matt Trollinger, Manager/Clerk-Treasurer

Town of Somerset

Approved:

Stephen Surko, President

Town Council

_____ Date: _____

Jeffrey Slavin, Mayor

Town of Somerset

Town of Somerset Swimming Pool Rules

Welcome to the Somerset Pool. So that all of our residents, from infants to centenarians, may enjoy a safe, pleasant time, the Town Swimming Pool Committee has designed these rules for pool use. Please inform your families and guests

of these rules and the necessity to follow them and the instructions of the pool manager and staff. If you have any questions or comments, please contact the Town Manager.

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I. GENERAL

1.
 - (a) The pool is the property of the Town of Somerset. For that reason, unless an exception is otherwise authorized by the Town Council, only persons residing in the Town of Somerset (or who have binding contracts to purchase a residence within the Town, or who have purchased a house in the Town but have yet to move in) and Town employees are eligible to register to use the pool. Town employee members have the same rights and responsibilities as residents. All users of the pool must be registered or present a guest pass, according to these pool rules.
 - (b) Residents who are not in the MemberSplash system must identify themselves by presenting a driver's license or other identification prior to entering the pool and arrange with the Town Hall to register.
 - (c) The following persons shall not be eligible to register to use the pool, or to use the pool as a guest: (1) any person required to register as a sex offender according to Maryland law; or (ii) any person who has been permanently suspended or banned

from use of the pool.

- (d) All users of the pool and their guests shall comply with these pool rules at all times, abide by the instructions and directives of pool staff, and otherwise conduct themselves in an appropriate manner toward staff, and other users, while at the pool.
 - (e) All users of the pool and their guests shall comply with these pool rules at all times, abide by the instructions and directives of pool staff, and otherwise conduct themselves in an appropriate manner toward staff, and other users, while at the pool.
2. The Pool Committee is appointed and authorized by the Mayor and the Town Council to advise the Town Manager on the supervision, operation, and management of the pool and to sponsor activities at the pool.
 3. The pool manager on duty is always in full charge.
 4. All comments/complaints about the management of the pool should be made to the Town Manager.
 5. The legal capacity of the Somerset Pool enclosure is 375 persons. The pool management will limit admissions to meet this requirement.
 6. Guest pass credits may be purchased at the Town Hall, on the Town website, on the MemberSplash website, or via Venmo: @townofsomerset-md.
 7. Cars may be parked only in the upper parking lot, except for those transporting individuals with disabilities. Vehicles are not permitted beyond the bridge except for disabled persons, delivery, repair, and emergency personnel. **Do not cross the bridge to drop off or pick up swimmers, except for disabled persons.**
 8. Valuables are brought to the pool at your own risk.

II. DEFINITIONS

1. The “deep end” of the main pool is the 25-meter length of the pool including the diving board. The “shallow end” of the pool is that portion of the pool at a right angle to the deep end. The “wading pool” is the shallow pool separate from the main pool.
2. The “pool enclosure” is the area bordered by the fences and the poolside of the bathhouse.
3. The designated picnic areas are: the picnic grove (grassy area), the upper brick walkway patio, and the patio adjacent to the pool house. The “pool deck” is composed of concrete slabs contiguous to the pools.

III. POOL HOURS

1. The pool is open daily from the weekend before Memorial Day through Labor Day unless extended. Except where otherwise noted, regular pool hours are as follows:

- a. School days: 1:00 p.m. - 8:00 p.m.
- b. Fourth of July: 10:00 a.m. - 6:00 p.m.
- c. Closing Day: 10:00 a.m. - 7:00 p.m.
- d. Saturdays: 10:00 a.m. – 10:00 p.m.
- e. All other days: 10:00 a.m. - 9:00 p.m.
- f. The pool facility will close promptly at the designated closing times. All swimmers must exit the pool fifteen minutes prior to the designated closing times and promptly complete their use of the bathhouse. Closing times are subject to change at the direction of the pool management.

2. The pool enclosure will be closed during thunder and lightning for a minimum of thirty minutes; when necessary for maintenance operations; or as determined by the pool management for the health and safety of pool patrons.

3. “Adult Swim” breaks will occur at the Pool Manager’s discretion. Children (thirteen years and younger) may not use the main pool during Adult Swim. The length of the break is at the discretion of the Pool Manager. Breaks do not apply to swim teams during swim practice.

4. **USE OF THE POOL WHEN IT IS CLOSED IS PROHIBITED
UNLESS APPROVED BY THE TOWN**

IV. MAIN POOL

1. Use of the pool

- a. All persons who use the pool must be individually signed in at the front desk and may be required to present appropriate identification.
- b. Children seven years and younger may not swim or be in the pool enclosure unless supervised by a qualified adult (persons thirteen years or older who have passed the deep water test). Children eight years to thirteen years may be in the pool enclosure unsupervised if they have passed the deep water test.
- c. All adults supervising children should provide maximum supervision. If children are in the water, the supervising adult must accompany them or sit at the poolside within a few feet of them.

- d. Cell phones, cameras, and any audio or video recording devices are banned from use in the locker rooms and bathrooms.
- e. Objectionable or improper behavior or conduct, including but not limited to harassment whether sexual, verbal, or physical, will not be tolerated. Anyone (resident or guest) who violates this will be subject to disciplinary measures as set forth in Section XII of these rules. Any instances of such harassment or improper conduct should be promptly reported to pool staff and/or to the Town office.
- f. If there are a sufficient number of lap swimmers, the diving well may be closed for lap swimming.

2. Lap Swimming

- a. Lap swimmers, including children who have passed the deep water test, should and are expected to seek unoccupied lanes for swimming before seeking to share a lane. All lap swimmers should be willing to share their lane with a new lap swimmer.
- b. When a new swimmer wishes to enter a lane currently occupied by another swimmer, he/she should first gain the other swimmer's attention, and by voice or gesture, indicate his/her intent and show how he/she wishes to be accommodated, i.e. counter-clockwise rotation or divide the lane in half with each swimmer staying in the indicated half lane. If this does not work, the new swimmer should seek the guard or pool manager's intervention.
- c. When all lanes are filled by two swimmers each, a new swimmer may seek to become a third swimmer in a lane. Lap lanes are meant to accommodate 3 plus swimmers. The goal is to find swimmers of the same speed. When 3 or more are swimming in a lane, all shall swim counterclockwise.
- d. At times when there are four or more swimmers per lane in all six lanes, lap swimmers should voluntarily restrict their continuous use of the lane to 30 minutes to give new swimmers the opportunity to swim laps.
- e. One lap lane must be available during swim team practice.
- f. Closing of the diving well will be left to the discretion of the pool manager on duty.
- g. Pool kickboards and foot fins are reserved for lap swimming, swim team practice, and lessons.

3. Use of pool by children

- a. Infants (children three years and younger) are allowed in the shallow portion of the main pool. Infants who are not potty trained must wear diapers covered by rubber pants with snug-fitting legs and waists. A swimsuit must be worn over the rubber

pants and diapers.

- b. Infants must be under the constant supervision of a responsible adult who must be in the water with the infant at all times, in a one-to-one situation. An infant or child may wear a securely-attached flotation device, provided an adult is supervising the child at an arms-length distance in the water at all times.
- c. All children must pass the Basic Proficiency Swimming Test (“BPST”) annually to the satisfaction of the pool manager or his/her designee to swim in all areas of the deep end of the main pool or to use the diving board. To pass this test, the child shall:
 - (1) Swim fifty meters (two lengths of the deep end) with confidence;
 - (2) Float for one minute; and
 - (3) Tread water for one minute.

A list of all children passing the BPST will be kept in the pool office.

4. Diving

- a. Diving from the diving board is permitted only when the diving well has been roped off. Swimming in the well is permitted when the well has been opened.
- b. Only those children who have passed the BPST may use the diving board.
- c. After a dive, divers must swim to the nearest ladder. Divers may leave the board only after the previous diver has cleared the area below.
- d. Only one person at a time is permitted on the diving board and only one on the diving board ladder. Horseplay and/or excessive bouncing on the diving board are not permitted.
- e. Running dives and back dives from the deck are not allowed.
- f. At all times when the pool is open, diving is permitted only into the deeper half of the deep end of the pool where the water is at least six feet deep. No dives are permitted in other parts of the pool.
- g. No goggles when diving off the diving board.

5. Water slide

- a. The water slide may be used only when the landing area is roped off. The pool management controls the times for using the slide.
- b. Use of the water slide is limited to:
 - (1) adults; or

(2) children who have passed the BPST; or have passed a separate test given by the pool management for using the water slide; or have not passed either of the above tests, but only at certain times when a lifeguard is in the area specifically for assisting those children.

- c. Use of the slide must be “feet first.”
- d. A person must exit the landing area immediately after using the slide. The next person may begin a slide only after the previous person has cleared the area below.
- e. Only one person at a time is permitted on the slide platform and only one on the ladder.
- f. An adult may be present in the slide landing area in order to assist a child’s use of the slide. **There shall be no catching of children coming off of the slide before they hit the water.**
- g. No goggles, water wings, or any other flotation devices may be worn or carried when going down the slide.

6. Safety

- a. In the event of an emergency, the pool will be cleared. The signal for this will be three sharp blasts of a lifeguard’s whistle.
- b. All injuries on the premises should be reported immediately to the pool manager or lifeguard.
- c. Glass containers (including suntan lotion, shampoo, and baby bottles) of any description are prohibited. Repeated violations of this rule will result in disciplinary measures as set forth in Section XII of these rules.
- d. Rough play, running, pushing, acrobatics, dunking, wrestling, excessive splashing, and other objectionable and dangerous behaviors are prohibited.
- e. Soft plastic balls, snorkels, and face masks are permitted at the discretion of the lifeguards. Inflatable toys, inner tubes, and other inflatable or styrofoam devices are not permitted except on raft nights, and except for infants and children in accordance with Section IV 2.b.
- f. No super soakers or other air-powered or pressurized water guns are allowed.
- g. Pool kickboards and foot fins are reserved for lap swimming, swim team practice, and lessons, under the supervision of a staff member or other qualified instructor.
- h. Upper retaining wall is off-limits to everyone.

7. Health

- a. All persons must be clean before entering the pool.
- b. Smoking is prohibited on all Pool property including in the parking lots.
- c. Pets are never allowed in the pool enclosure except for the last evening of the pool season, **provided, however, that service animals are permitted in accordance with the Americans with Disabilities Act and the Maryland services animal law (Md. Code, Human Services Art., Sec. 7-705), as amended.**
- d. Admission to the pool enclosure is forbidden, at the discretion of the pool management, to anyone wearing bandages, or with skin abrasions, colds, coughs, extremely inflamed eyes, open sores, infections, excessive sunburn, nasal or ear discharge, or other symptoms which are determined by pool management to be detrimental to the health of others.
- e. Spitting, spouting of water, blowing the nose, or urinating or defecating in the pool is prohibited at all times.
- f. All health and safety regulations from the CDC will be adopted at the Somerset Pool, including all those related to COVID-19.

V. WADING POOL

1. The wading pool is reserved for children seven years and younger. However, children eight and over who are assisting in the care of younger children may use the wading pool, provided they are in the company of a responsible adult.
2. Children must be accompanied in the wading pool enclosure by a supervising adult (thirteen years and older).
3. The wading pool gate must be kept closed.

VI. FOOD

1. Food and beverages are generally prohibited, except as provided herein and in connection with the designated picnic area as described in Section VII below.
2. Water in plastic bottles is permitted.
3. Formula or milk in plastic baby bottles may be fed to babies held in an adult's lap in the wading pool enclosure.

VII. DESIGNATED PICNIC AREAS

1. Within the pool enclosure, food may be kept and eaten only in the designated picnic areas. The designated picnic areas are the picnic grove (grassy area), the upper brick

walkway patio, and the patio adjacent to the pool house. Food may be brought to the picnic grove only through the bathhouse and over the upper brick walkway.

2. Cooking is not permitted in the designated picnic areas, except when using the gas grill supplied by the Town. Users are expected to clean the grill when they have finished using it.
3. If you are planning a group picnic, follow the guidelines in Section VIII 10.
4. Trash must be kept from blowing into the pool enclosure. It should be deposited in the trash cans in the designated picnic areas. To keep animals and insects from rummaging, please remember to replace the top of the trash cans.

VIII. GUESTS

1. All pool users who are not members as defined by the Town Code are guests.
2. Guests must be personally known to their hosts. In no event may a member extend guest privileges to a person soliciting entry.
3. All members have the privilege of bringing guests.
4. Except as otherwise provided, all guests must be accompanied at check-in by a member who is registered in the MemberSplash system.
5. Guests may not bring other guests.
6. Guests who are close relatives (children and their spouses, grandchildren and their spouses, and parents) who do not reside in Somerset, houseguests of a member, and house sitters for a member have the option of using the pool without the presence of the member to sign them into the pool. They must sign in under the member's account and their guest fees will be charged to that member's account. However, nannies, au pairs, babysitters, and other caregivers shall be exempt from payment of the guest fee when accompanying a resident under their care.
7. A resident must be at least 11 years old to bring a guest unsupervised and that said guest(s) must also be at least 11 years old. Nannies, caregivers, babysitters, au pairs, etc. would be excluded from this per the prior rule regarding their status as "exempted" guests. Also, this would have no effect on the age at which a resident may go to the pool unsupervised, which would stay as 8 years old.

IX. GROUP EVENT GUIDELINES AND RULES:

1. More than 10 Non-Somerset residents on a single day constitute a group event. There is a ~~\$100-group~~ fee charge plus ~~\$4.00a~~ per guest fee for all group events, as set by the Town Fee Schedule. The ~~\$4.00~~ guest fee will be charged for all non-Somerset residents attending the group event.

2. All residents wishing to have a group event at the pool must submit a reservation form to the Pool Manager at least 1 week prior to the event. Along with the completed reservation form, you must submit 2 checks. One check to be made payable to the pool management company to cover the cost of additional guards if needed (the Pool Manager will determine how many extra guards are needed and the cost) and a second check made payable to the Town of Somerset in the amount of \$250 which will be returned following the event after the Pool Manager approves the cleanup of the event area. **In addition, your pool account will be charged a ~~\$100.00~~ group event fee.**
3. The maximum number of Non-Somerset residents allowed for any group event is 20 on Fridays, Saturdays, and Sundays and 30 people Mondays through Thursdays. This includes adults and children.
4. Guest fees will be charged for all non-Town of Somerset residents. Prior to the group event, you must have a balance in your account sufficient to cover fees for your guests.
5. There may only be 2 group events during any time period and no more than 6 group events in a day according to the following schedule:
 - a. Morning group events: 10:00 am to 1:00 pm
 - b. Afternoon group events: 2 to 5:00 pm
 - c. Evening group events: 6 to 9:30 pm Saturday and Sunday; and 6 to 8:30 pm Monday through Friday.
6. Group events may not be held on Memorial Day, Labor Day, or July 4.
7. Clean-up must be completed by the end of your group events time period or deposit will be forfeited.
8. Grills and tables cannot be formally reserved and pool staff is not responsible for doing so. Please remember that others could be using the seating areas and grills during your group events.
9. To ensure your deposit is returned, all areas that your guests use must be cleaned up. Should anyone in your group events bring food to another area such as the bathrooms or pool deck in violation of the rules, you are responsible for cleaning these areas of food and other group events debris.
10. All areas of the pool are communal. Keeping this in mind, group events decorations are limited to the white bulletin board in the patio area. The pool manager can supply push pins for affixing decorations to the bulletin board.
11. The decision of the pool manager is final as to all group events.

12. Failure to pre-register a Group Event may result in cancellation of the Group Event by the pool manager. Repeated violation of this rule will result in disciplinary action as set forth in Section XII of these rules.

Reminders:

- Glass is not allowed in any form at the pool. This includes the eating areas, the kitchen, and the bathrooms within the entire fenced pool enclosure.
- Food and drinks other than water are not allowed on the pool deck or in the pool bathrooms. Food and beverages are only allowed in: the patio kitchen area, the upper terrace area, and the grassy picnic area at the rear of the pool enclosure.
- Your guests are your responsibility when attending your party.
- Please be mindful to sort your recycling items and dispose of them properly.

X. SWIM TEAM

1. Practice hours for the swim team are as follows:
 - a. Before public school is out and starting the Tuesday after the pool opens for the season: Monday through Friday, up to two hours in the afternoon.
 - b. After public school is out until the end of the swim team season: Up to two hours in the morning and two hours in the afternoon, Monday through Friday. Times are to be set by the Swimming Pool Committee.
2. At least one lane will be available for lap swimming during practice sessions. If the lane is in use by the swim team and a resident requests the lane, the swim team must cede that lane.
3. Occasionally the team will host four-hour meets on a weekday evening or on a Saturday or Sunday morning. Signs will be posted in the bathhouse from the opening day about these meet days. During meets the pool will not be open for general swimming.

XI. ENFORCEMENT

1. Town Code Section 5-301(g) authorizes the Council to adopt rules and regulations governing the operation of the pool and the conduct of users, including guests, and providing for the enforcement of such regulations.
2. The pool manager or Town Manager may suspend for up to two (2) days the privileges of any user who is violating any rule. This suspension may be appealed to the Mayor within five (5) days from the date of the pool manager's or Town Manager's action. The Mayor's decision shall be final and no further appeal will be afforded.

3. The Mayor may, in the Mayor's discretion, suspend for up to two (2) months, the privileges of any user who violates any rule, after a written warning. The Mayor may suspend the privileges of any user for such additional time as the Mayor deems appropriate, or permanently ban a user from use of the pool (after consultation with the Council), who commits a third violation within a three (3) year period. A suspension by the Mayor for more than two (2) days, or a permanent ban, may be appealed to the Town Council within thirty (30) days from the date of the Mayor's decision.
4. Pending review, any ban or suspension will remain in effect.

Town of Somerset
Resolution Establishing Reasonable Accommodation Procedures

Resolution No.:1-24-1
Introduced: 12/4/23
Adopted: 1/8/2024
Effective Date: 1/8/2024

**RESOLUTION ON REASONABLE ACCOMMODATION FOR INDIVIDUALS WITH
DISABILITIES**

WHEREAS, the Town of Somerset acknowledges the significance of upholding the principles of the Americans with Disabilities Act (ADA) to ensure equal access to housing and services for individuals with disabilities;

WHEREAS, the ADA defines a “disability as a physical or mental impairment that substantially limits one or more major life activities, including but not limited to performing manual tasks, walking, seeing, breathing, and hearing;

WHEREAS, the Town recognizes the need to establish clear criteria and procedures for evaluating requests for reasonable accommodation under the ADA within the framework of Town building laws and regulations; and

WHEREAS, the Town considered this Resolution in open session on January 8, 2024;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF SOMERSET:

- 1) The Council affirms its commitment to the principles of the ADA and the provision of reasonable accommodation to individuals with disabilities.
- 2) The criteria for determining disability status includes consideration of the nature and severity of alleged symptoms, the duration or expected duration of impairments, and the permanent or long-term impact of the impairment.
- 3) Should an applicant meet the criteria for being “disabled,” the Council shall consider whether the limitation is substantial, and if so, whether a reasonable accommodation is necessary to ensure equal opportunity for the individual to use and enjoy their residence.
- 4) The concept of “reasonableness” shall be evaluated based on whether the requested accommodation is the minimum reasonably necessary and does not fundamentally undermine the overall zoning scheme, or impose undue administrative burden or expense on the Town.
- 5) To grant a reasonable accommodation, the Council must make specific findings:

- a. The applicant is “disabled,” with a physical or mental impairment limiting one or more major life activities.
 - b. The limitation is substantial, considering the nature, severity, duration, or expected duration, and permanency or long-term impact.
 - c. An accommodation is necessary for equal opportunity to use and enjoy the property.
 - d. The requested accommodation is reasonable.
- 6) The approval of a reasonable accommodation is not transferrable or binding on future property owners or residents. Any accommodation may be conditioned upon the duration of the impairment or the applicant’s residence at the subject property.

This resolution shall take effect immediately upon adoption.

ADOPTED by the Council of the Town of Somerset on this 9th day of January 2024.

ATTEST:

TOWN OF SOMERSET

Matt Trollinger, Manager/Clerk-Treasurer

Town of Somerset

Approved:

Stephen Surko, President

Town Council

Jeffrey Slavin, Mayor

Town of Somerset

Date: _____

Town of Somerset

Resolution in Support of Traffic Camera Monitoring and Stop Sign Camera Use

Resolution No.: 23-10-3

Introduced: 10/2/2023

Adopted:

Effective Date: 1/8/2024

WHEREAS, the Town of Somerset values the safety and well-being of its residents and visitors, and strives to maintain a safe and orderly traffic environment within its jurisdiction;

WHEREAS, the problem of vehicles running through Stop signs is a long-standing problem in the Town;

WHEREAS, the Town of Somerset has implemented several passive measures to reduce Stop sign violations (e.g., humps at intersections, flashing lights around Stop signs), yet Stop sign violations continue;

WHEREAS, the Town of Somerset contains Somerset Elementary school and young children walk to and from school, crossing several local streets at Stop signs

WHEREAS, the Town of Somerset is reliant on Montgomery County for police services, and providing non-police staff the authority to monitor traffic cameras would enable greater vigilance and assistance in enhancing traffic safety within the town;

WHEREAS, the Maryland Municipal League (MML) has identified the need for legislative changes to permit non-police officers to monitor traffic cameras;

WHEREAS, the Town's Traffic Committee has thoroughly examined and recommended that the Town of Somerset align with the MML's legislative priority to further enhance traffic safety, improve enforcement, and reduce traffic violations;

NOW, THEREFORE, BE IT RESOLVED by the Town of Somerset Council that:

Section 1: Support for Stop Sign Camera Use

The Town of Somerset endorses the use of stop sign cameras as a valuable tool to deter non-compliance with stop signs within our community. We acknowledge the potential benefits of these cameras in reducing dangerous traffic violations, and in promoting safer streets for our residents, pedestrians, and cyclists.

Section 2: Support for Traffic Camera Monitoring

The Town of Somerset, in recognition of its reliance on county police services, wholeheartedly supports the MML's legislative priority that seeks to allow non-police officers to monitor traffic cameras within our jurisdiction. We believe that this change will enhance our ability to ensure traffic safety and provide vital support in monitoring our streets.

Section 3: Support for Legislative Action

The Town of Somerset urges the Maryland General Assembly to take prompt and favorable action on proposed legislation that aligns with the MML's priorities regarding traffic camera monitoring by non-police officers and that permits the use of stop sign cameras to enhance traffic safety.

Section 4: Communication with Legislators

The Mayor and Town Council shall communicate this resolution to our local state legislators, the MML, and other relevant stakeholders to express our strong endorsement of these initiatives and to request their support in advancing this legislation.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon adoption.

ADOPTED by the Town of Somerset Council this 8th day of January, 2024.

ATTEST:

TOWN OF SOMERSET

Matt Trollinger, Town Manager
Town of Somerset

Stephen Surko, Council President
Town of Somerset

APPROVED

Jeffrey Slavin, Mayor
Town of Somerset

Date: _____

Town of Somerset
Ordinance to Amend Building Regulations
(Micro-Bioretentation Planter Boxes)

Resolution No.: 11-23-1

Introduced:

Adopted:

Effective Date:

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES TO
CLARIFY THAT ABOVE-GRADE STORM WATER COLLECTION
AND DRAINAGE DEVICES, INCLUDING MICRO-
BIORETENTION PLANTER BOXES, ARE SUBJECT TO
BUILDING REGULATIONS

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland general power to pass such ordinances not contrary to the Constitution of Maryland, or the public general law, as deemed necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Maryland Code, Local Government Article, Section 5-211, as amended, authorizes the legislative body of each municipal corporation in the State of Maryland to make reasonable regulations concerning buildings to be erected within the limits of the municipality, including a building code and the requirement for building permits;

WHEREAS, Maryland Code, Land Use Article, Section 20-509 grants to the legislative body of incorporated municipalities in the Maryland-Washington Regional District general power to adopt building regulations for the protection of the public health, safety, and welfare; the preservation, improvement, and protection of lands, water, and improvements in the municipal corporation; and to regulate the construction, repair, or remodeling of buildings on land zoned for single-family residential uses at it relates to fences, walls, hedges, and similar barriers; signs; residential parking; residential storage; the location of structures, including setback requirements; the dimensions of structures, including height, bulk, massing, and design; and lot coverage, including impervious surfaces;

WHEREAS, Section 83-17 of the Town Charter authorizes the Town Council to pass ordinances not contrary to the Constitution and laws of the State of Maryland or the Town Charter, as it may deem necessary for the good government of the Town; for the protection and preservation the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and visitors thereto and sojourners therein;

WHEREAS, after proper notice to the public, the Town Council introduced the following Ordinance in public session assembled on the ____th day of _____, 2023;

WHEREAS, to comply with Maryland Code, Land Use Article, Section 20-509, on the ____th day of _____, 2023, a copy of following Ordinance was submitted to the Montgomery County Council for its comments;

WHEREAS, the Montgomery County Council indicated receipt of the draft on ____th day of _____, 2023 and provided no comments;

WHEREAS, the Town Council considered the following Ordinance in public session assembled on the ____th day of _____, 2023;

WHEREAS, officials from the Montgomery County Department of Permitting Services have indicated that certain storm water drainage devices, including, but not limited to, micro-bioretenion planter boxes, are deemed exempt from County building regulations, including setbacks, even in situations where, due to sloping topography, such devices may be significantly above grade;

WHEREAS, the County Code, Sec. 59-4.1.7.B.5.b.ii, provides that “[a] permanent rainwater collection or harvesting system may project a maximum of 3 feet into any side street, side, or rear setback,” but the Town Code does not currently afford such exception;

WHEREAS, the Town Council finds that the Town building regulations should be clarified to address above-grade stormwater drainage devices;

WHEREAS, upon consideration of the testimony and evidence presented at the public hearing, the Town Council finds that the ordinance as hereinafter set forth is necessary for the good government of the Town; for the protection and preservation the Town’s property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and visitors thereto and sojourners therein.

NOW, THEREFORE, the Town Council does hereby adopt the foregoing Ordinance.

BE IT ORDAINED AND ORDERED, this ____th day of _____, 2023, by the Town Council, acting under and by virtue of the authority given it by the Maryland Code and the Town Charter that the Code of Ordinances is hereby amended as follows:

* * *

§ 112-2 Definitions.

As used in this Part 1, the words set forth below shall be defined as follows:

* * *

BUILDING

~~Includes a~~Any permanent structure, whether a ~~primary~~ **main** or accessory structure, having one or more stories and a roof, designed primarily for the shelter, support or enclosure of persons or property of any kind, and including all parts of the structure, including, but not limited to, projections, **elements**, and ~~appurtenant structures~~ **appurtenances, and equipment that is/are attached to or located within ten (10) feet of a building surface. "Building" excludes projections, elements, appurtenances, and equipment that is/are constructed at or below grade, such as a window well or patio.**

* * *

§ 112-14 Building requirements; stormwater drainage.

* * *

C. Setback requirements. A building, **or any part thereof**, shall be set back from lot lines at least as follows, as measured from the final ~~face of the building walls~~ **surface of the building, or any part thereof**, as constructed:

(1) Main building:

(a) Side: eight (8) feet one side; eighteen (18) feet sum for both sides.

(b) Rear: twenty (20) feet.

(c) ~~No main building, or any part or projection thereof, may be constructed nearer to any front lot line than~~ **Front:** the established building line or twenty-five (25) feet, whichever results in a greater setback. For corner lots, any and all lot lines bordering upon a street shall be considered a front lot line.

(d) Exceptions for projections and appurtenant structures:

[1] Cornices and eaves may project 2 1/2 feet or less into any minimum setback, but such projection shall be not less than two feet from the vertical plane of any lot line.

~~{a}~~

[2] Steps, stoops, decks, terraces, porches, bay windows, oriel entrances, vestibules, balconies, outside stairways, chimneys, and similar projections may not project into any required setback.

[3] Air conditioners and heat/cool pumps may project not more than five feet into any minimum front or rear setback. Additional projection may be permitted for the purpose of adding noise abatement devices. Nonconforming air conditioners or heat/cool pumps projecting into any

minimum side setback prior to November 1, 2017, may be maintained, altered, repaired and replaced.

[4] Access ramps and wheelchair lifts. An open and uncovered access ramp or wheelchair lift, and any handrails associated therewith, may project into any minimum front, side, or rear setback, provided the following conditions are met:

[a] The access ramp or wheelchair lift, and any handrails associated therewith, cannot reasonably be constructed without projecting into the required setback;

[b] The access ramp or wheelchair lift, and any handrails associated therewith, project into the required setback the minimum distance reasonably necessary to provide a person a reasonable accommodation; and

[c] The access ramp or wheelchair lift has the minimum dimensions reasonably necessary to comply with all applicable provisions of the Americans with Disabilities Act, as amended or replaced

[5] Stormwater collection, harvesting, infiltration, and drainage devices with a height not exceeding twelve (12) inches, including but not limited to micro-bioretention planter boxes, may project a maximum of three (3) feet into any side or rear setback area. Height is measured from the surface of the adjoining ground. Where the elevations of adjoining grounds differ, the measurement shall be made from the surface of the lower ground.

[6] Any other projection, element, appurtenance, or equipment not expressly listed in this subparagraph (d) shall not be afforded an exception and must comply with the required setback for the building.

* * *

AND BE IT FURTHER ORDAINED AND ORDERED, by the Town Council, acting under and by virtue of the authority granted to it by the Maryland Code and the Town Charter, that:

1. If any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof; and

2. This Ordinance shall take effect on the _____ day of _____, 2023 (36 calendar days after approval by the Mayor).

ATTEST:

TOWN OF SOMERSET

Matt Trollinger, Manager/Clerk-Treasurer
Town of Somerset

Stephen Surko, President
Town Council

Approved:

Jeffrey Slavin, Mayor
Town of Somerset

Date: _____

Bold and Underline indicates new material

~~Strikethrough~~ indicates material deleted

* * * indicates material unchanged

Date: 11/20/2023

From: Matt Trollinger, Town Manager

To: Somerset Town Council

Subject: Proposed Code Amendment for Planter Boxes and Micro-Bio-Retention Structures

I am writing to introduce a proposed Code amendment aimed at providing clear guidelines for the treatment and evaluation of planter boxes within the Town of Somerset. Given the successful incorporation of such structures in neighboring municipalities and an impending construction project incorporating a planter box for stormwater management, it is crucial for Somerset to establish concise regulations.

Background:

The Town staff has offered guidance on evaluating planter boxes and micro-bio-retention structures concerning building setbacks. The proposed language seeks to codify these interpretations, allowing structures up to one foot to encroach three feet into a side setback. This approach maintains consistency with existing height restrictions for walls, addressing considerations of light, air, and massing.

Clarification on Setback Requirements:

The proposed Code amendment also presents an opportunity to clarify that window wells and similar below-grade structures will not be subject to setback requirements. This clarification aligns with the town's historical practices, promoting coherence in regulations and streamlining the evaluation process for such features.

Balancing Sustainable Design and Structure Size:

Micro-bio-retention structures represent an innovative approach to stormwater management, aligning with the Town's tiered preference for sustainable environmental site design (ESD) mitigation techniques. To strike a balance between promoting ESD and preventing overly massive structures, the proposed amendment includes regulations safeguarding against such imbalances.

Timeline for Consideration:

This Code amendment will be considered for introduction at the December Council meeting, and, if introduced, potentially adopted in January following Council discussion and an opportunity for public comment.

I am available at your convenience to discuss the details of this proposed amendment further and address any questions or concerns the Council may have. Your dedication to the continued improvement and sustainable development of the Town of Somerset is greatly appreciated.

Thank you for your time and consideration.

Manager's Financial Report

January 2024

SUMMARY

We are mid-way through our fiscal year, and the Town's finances are starting to come into shape. The Town has received its first large income tax distribution, which indicates that the Town should be in a strong position concerning income. In addition, large payments (and significant progress) have been made on several large capital projects which will greatly impact the Town's bottom line.

The fiscal summary highlights several line items that are over budget for various reasons and several lines that figure to be under budget. In summary, the Town figures to be slightly ahead in terms of income, and is on track overall in expenses, barring unforeseen expenses related to capital projects or weather emergency response (i.e., snow).

REVENUE

Based on income tax revenue – which is the biggest driver for town income – revenue can be expected to be about \$250,000 - \$300,000 higher than forecast, though lower than FY23 actuals. January income will be tracked, as the Town received a large reconciliation distribution last year. The Budget Committee is planning to begin meeting in the next month or so, to look at the Town's history and see if there are trends that are emerging post-COVID.

Property tax appears to be coming in right at the budgeted amount.

The Town has slightly higher revenue sharing revenue from Montgomery County, and the high interest rates available in the savings is providing the Town with higher interest revenue as well. These numbers are relatively small, especially in comparison to income tax and property taxes.

EXPENSES

Major Capital Expenses

Pool Deck Renovations

Due to the weather, there has not been significant progress or expenses in the last month. The pool project began in September. Although several change orders have been made that have increased the original proposal cost (related to poor soil), the project remains on track to be within the project budget.

The Town has so far spent a total of \$499,213.65 of its budgeted \$869,330. Any major unforeseen expenses will be reported to the Council. This spring, the new concrete deck will be poured.

LED Streetlight Replacement

Construction has been completed for 1/3 of the Town. Phase 2 is expected to begin in the next month, and Phase 3 in the following month. The Town has made its payments to Pepco, and is under budget.

The Town has spent \$230,088 of its budgeted \$232,701 and there are no other anticipated expenses related to this project. The Town used ARPA grant money to fund this project.

Roadway/Walkway Master Plan and Repairs

The Town budgeted a total of \$358,375 for further repairs and master plan work, with the intent of using ARPA grant money towards this project. The Town has so far done \$58,726 of repairs, and the staff has asked Dewberry to follow up on their evaluation and use the data to develop an improvement strategy and long-term maintenance plan, as well as assist with RFP development.

Fortunately, over 80% of Somerset's roads were deemed to be in "good" or "excellent" condition. There are minor repairs that we intend to do this spring, but I anticipate the Town coming in under budget on this line item this fiscal year, as we may not get a contract in place to do repairs to the scope that we were hoping for when the budget was first developed. However, this remains a priority, and I hope that the Town can begin more significant repairs later in the calendar year 2024, whether they fall into this budget season or the FY25 budget.

Solar Panel Installations

The Town has completed solar panel installations at the Town Hall, and the project came in under budget. The Town budgeted \$68,7500 and the final cost came to \$55,997.

The Environment Committee will consider recommendations for solar panel installation at the Town Pool in next year's budget.

Stormwater Evaluation

The Town budgeted \$30,000 for a stormwater evaluation of the micro-watershed contained between Dorset, Essex, Warwick, and Surrey St. In speaking with Bayland last week, they anticipated onsite evaluations to begin later this month or at the beginning of February. The contract with Bayland comes in at \$26,840, so should ultimately come in under budget.

During the formulation of next year's budget, Bayland may not have a full report ready.

Other Expenses

As noted above, I have highlighted areas where the Town has budget overruns (in bright yellow). In total, those budget overruns are relatively small, at a total of \$9,832.21. This is far less than the contingency budget of \$30,000.

I have also highlighted (in muted yellow), several line items that are currently running over budget and will be monitored closely throughout the rest of the year. Again, even though some of the individual lines may go slightly over budget, overall, the Town is on pace to be well under budget.

Audit

The Town has filed an audit extension with the State, and should complete the audit by March. There are no irregularities, but the audit fell around the holiday season which has delayed the final report. I will schedule the auditors to present to the Council once it is complete.

Budget

Last year, the Budget Committee held its first meeting on February 17. The timeline last year seemed to work well. The Committee met with the staff several times throughout February and early March, delivering a draft budget to the Council on March 8. The Council held two Budget Work Sessions in March, before introducing the budget in April and adopting it in May.

Chair Ann Bolten has indicated that she will step down after this budget season.

ADMINISTRATIVE NOTES

Anti-Semitism Awareness

The Village of Martin's Additions is hosting a webinar on Antisemitism and has invited people from neighboring municipalities to attend and take part. I have shared the link in the weekly email blast this past week, and plan to do so again this week.

ARPA Reporting

The ARPA reporting will be due in April. I will provide an ARPA breakdown with the budget for the Council to examine and comment on.

Bulk Trash

The Town has scheduled four bulk trash pickups, in response to resident interest. Last year we were able to increase from two to three, and this year we will bring it up to four: in February, May, August, and November.

Contracts

The following contracts will need to be bid out this year:

- Trash/Recycling/Yard Waste (May)
- Tree Maintenance (July)
- Composting (September)
- Stormwater Review (November)

Directory and Resource Guide

The Town staff is working with the Communications Committee to update the Directory and Resource Guide. We expect to have this completed in the first quarter of 2024.

Dot-Gov

The Dot-gov website will be accepting new applications again starting January 12, and the Town will go through the process of getting that designation.

Leaf Collection Complete

Leaf Collection was completed throughout the month of December. Anecdotally, it seemed that the collections went very well this year, as we had fewer calls than usual in the Town Hall. Several residents have even requested that the service be extended, which could be considered for future years.

Permitting/Budgeting Software

I am meeting with a company that I was introduced to at the ICMA Conference that offers permitting and budgeting software that may be useful for the town and improve the efficiency and transparency of these two time-consuming and important processes.

Town Code Amendments

Several Town Code Ordinances go into effect on January 9, including the building height restrictions that were adopted last month.

Upcoming Building Projects

Several significant building projects are anticipated to be completed and come before the Council in the next month or two, including two new construction projects. The Town staff has been in discussions with the applicants for several months. The applicants may seek variances for the height of the houses.

Youth Council

The Youth Council is expected to hold its first meeting later this month.

Town of Somerset
Budget vs. Actuals: FY24
July 2023 - January 2024

	Actual	Budget	Total over Budget	% of Budget
Income				
41000 Tax			0.00	
41100 Property Tax	372,976.46	698,713.00	-325,736.54	53.38%
Total 41000 Tax	\$ 372,976.46	\$ 698,713.00	-\$ 325,736.54	53.38%
42000 Intergovernmental			0.00	
42100 Income Tax	653,216.69	1,206,814.00	-553,597.31	54.13%
42200 Highway User (MD)	29,223.00	51,427.00	-22,204.00	56.82%
42300 Revenue Sharing (MC)	112,394.00	98,957.00	13,437.00	113.58%
42400 Bank Share (MC)	268.62	269.00	-0.38	99.86%
42500 Cable Franchise Fee			0.00	
42501 Comcast	2,034.83	4,164.00	-2,129.17	48.87%
42502 Verizon	5,462.06	11,631.00	-6,168.94	46.96%
Total 42500 Cable Franchise Fee	\$ 7,496.89	\$ 15,795.00	-\$ 8,298.11	47.46%
Total 42000 Intergovernmental	\$ 802,599.20	\$ 1,373,262.00	-\$ 570,662.80	58.44%
43000 Recreation			0.00	
43100 Pool Fees			0.00	
43101 Camp Summerset	3,325.00	8,000.00	-4,675.00	41.56%
43102 Guest Fees	5,370.00	9,500.00	-4,130.00	56.53%
43103 Water Aerobics	2,536.00	2,800.00	-264.00	90.57%
43104 Morning Swim		2,400.00	-2,400.00	0.00%
Total 43100 Pool Fees	\$ 11,231.00	\$ 22,700.00	-\$ 11,469.00	49.48%
43200 Tennis Court Fees			0.00	
43201 Regular Fees	1,574.49	3,000.00	-1,425.51	52.48%
43202 Camp Summerset - Tennis	3,325.00	100.00	3,225.00	3325.00%
Total 43200 Tennis Court Fees	\$ 4,899.49	\$ 3,100.00	\$ 1,799.49	158.05%
Total 43000 Recreation	\$ 16,130.49	\$ 25,800.00	-\$ 9,669.51	62.52%
44000 Interest			0.00	
44100 Interest - MCPPI	24,024.33	26,011.00	-1,986.67	92.36%
44200 Interest - PNC	33,062.66	19,810.00	13,252.66	166.90%
44300 Interest - Capital One	1,307.41	1,227.00	80.41	106.55%
Total 44000 Interest	\$ 58,394.40	\$ 47,048.00	\$ 11,346.40	124.12%
45000 Rental to Residents			0.00	
45100 Town Hall Fees	2,400.00	3,600.00	-1,200.00	66.67%
Total 45000 Rental to Residents	\$ 2,400.00	\$ 3,600.00	-\$ 1,200.00	66.67%
46000 Permit			0.00	
46100 Building Permits	7,729.50	15,338.00	-7,608.50	50.39%
46200 Fence/Wall	225.00	1,000.00	-775.00	22.50%
46300 Storage Pods	75.00	150.00	-75.00	50.00%
46400 Dumpster	300.00	600.00	-300.00	50.00%
46500 Curb/Driveway	225.00	300.00	-75.00	75.00%
46600 Late fee		600.00	-600.00	0.00%
46700 Variance	1,000.00	4,000.00	-3,000.00	25.00%
Total 46000 Permit	\$ 9,554.50	\$ 21,988.00	-\$ 12,433.50	43.45%
47000 Miscellaneous - Revenue			0.00	
47100 Employee Holiday Fund	9,823.00		9,823.00	
47200 Misc. Revenues	1,113.61		1,113.61	
Total 47000 Miscellaneous - Revenue	\$ 10,936.61	\$ 0.00	\$ 10,936.61	
Uncategorized Income			0.00	
Total Income	\$ 1,272,991.66	\$ 2,170,411.00	-\$ 897,419.34	58.65%

Expenses

60001 Operating Expenses			0.00	
61000 Personnel			0.00	
61100 Payroll Expense			0.00	
61102 Pension Expense		1,200.00	-1,200.00	0.00%
61103 Payroll Software	834.28	3,200.00	-2,365.72	26.07%
Total 61100 Payroll Expense	\$ 834.28	\$ 4,400.00	-\$ 3,565.72	18.96%
61200 Salary Expense			0.00	
61201 Mayor	7,499.96	15,000.00	-7,500.04	50.00%
61202 Town Manager	67,500.03	135,000.00	-67,499.97	50.00%
61203 Public Works Regular	42,150.67	87,157.00	-45,006.33	48.36%
61205 Deputy Town Manager	33,750.00	80,000.00	-46,250.00	42.19%
61206 Office Admin	29,157.44	58,315.00	-29,157.56	50.00%
Total 61200 Salary Expense	\$ 180,058.10	\$ 375,472.00	-\$ 195,413.90	47.96%
61300 Employer Retirement Cont.	13,739.72	27,692.00	-13,952.28	49.62%
61400 Health Insurance-Employer Paid	29,532.00	53,000.00	-23,468.00	55.72%
61600 Workman's Comp	5,456.00	25,443.00	-19,987.00	21.44%
61700 FICA, Medicare & UI	15,364.59	30,647.00	-15,282.41	50.13%
61800 Staff Training	4,106.66	1,000.00	3,106.66	410.67%
61900 Handbook		1,000.00	-1,000.00	0.00%
Total 61000 Personnel	\$ 249,091.35	\$ 518,654.00	-\$ 269,562.65	48.03%
62000 Professional Services			0.00	
62100 Arborist	10,370.00	26,175.00	-15,805.00	39.62%
62200 Audit/Accounting	10,200.00	49,897.00	-39,697.00	20.44%
62500 Legal Fees			0.00	
62501 Attorney	46,781.00	86,297.00	-39,516.00	54.21%
62502 Code	1,761.00	2,500.00	-739.00	70.44%
Total 62500 Legal Fees	\$ 48,542.00	\$ 88,797.00	-\$ 40,255.00	54.67%
62600 Police Salaries	19,057.50	37,180.00	-18,122.50	51.26%
62700 IT			0.00	
62701 Web Site		2,900.00	-2,900.00	0.00%
62703 Web Site Credit Card Fee		500.00	-500.00	0.00%
Total 62700 IT	\$ 0.00	\$ 3,400.00	-\$ 3,400.00	0.00%
62800 Permit Review			0.00	
62801 Enforcement Officer	1,322.50	4,000.00	-2,677.50	33.06%
62802 Building Administrator	50,250.00	70,000.00	-19,750.00	71.79%
62803 Stormwater Review	4,800.00	30,000.00	-25,200.00	16.00%
Total 62800 Permit Review	\$ 56,372.50	\$ 104,000.00	-\$ 47,627.50	54.20%
62908 Project Management Support	2,670.00	7,500.00	-4,830.00	35.60%
62911 Landscaping Consultant	8,414.20	20,000.00	-11,585.80	42.07%
62913 Grounds Maintenance	11,425.65	15,000.00	-3,574.35	76.17%
Total 62000 Professional Services	\$ 167,051.85	\$ 351,949.00	-\$ 184,897.15	47.46%
64000 Civic Affairs			0.00	
64100 Special Events			0.00	
64101 Community Service		500.00	-500.00	0.00%
64102 4th July	408.40	750.00	-341.60	54.45%
64103 New Comers	2,391.93	3,200.00	-808.07	74.75%
64104 Flu Clinic	446.25	1,000.00	-553.75	44.63%
64108 Social Events	1,000.00		1,000.00	Committee for Montgomery
64108-1 Nonagenarian	587.27	650.00	-62.73	90.35%
64108-2 Tennis		200.00	-200.00	0.00%
64108-3 Shred		1,000.00	-1,000.00	0.00%
64108-4 Pool	586.63	2,000.00	-1,413.37	29.33%
64108-5 Environmental		1,500.00	-1,500.00	0.00%
64108-6 Somerset Sundays		3,500.00	-3,500.00	0.00%
Total 64108 Social Events	\$ 2,173.90	\$ 8,850.00	-\$ 6,676.10	24.56%
Total 64100 Special Events	\$ 5,420.48	\$ 14,300.00	-\$ 8,879.52	37.91%
64200 Membership Dues			0.00	
64201 CCCFH		100.00	-100.00	0.00%
64202 Other	2,292.00	984.00	1,308.00	232.93%
Total 64200 Membership Dues	\$ 2,292.00	\$ 1,134.00	\$ 1,158.00	202.12%
64300 MML			0.00	
64301 Chapter Meetings	300.00	1,500.00	-1,200.00	20.00%
64302 Dues		7,533.00	-7,533.00	0.00%
64303 Conference Registration	2,355.00	3,599.00	-1,244.00	65.43%
64304 Travel and Lodging	2,098.29	5,423.00	-3,324.71	38.69%
64305 Misc.		271.00	-271.00	0.00%
Total 64300 MML	\$ 4,753.29	\$ 18,326.00	-\$ 13,572.71	25.94%
Total 64000 Civic Affairs	\$ 12,465.77	\$ 33,760.00	-\$ 21,294.23	36.92%
65000 Publications			0.00	
65100 Journal			0.00	
65101 Postage	2,836.33	5,848.00	-3,011.67	48.50%
65102 Printing	4,147.00	11,351.00	-7,204.00	36.53%
65103 Graphic Designer	2,496.00	7,621.00	-5,125.00	32.75%
Total 65100 Journal	\$ 9,479.33	\$ 24,820.00	-\$ 15,340.67	38.19%
65200 Directory & Handbook		4,654.00	-4,654.00	0.00%
Total 65000 Publications	\$ 9,479.33	\$ 29,474.00	-\$ 19,994.67	32.16%
66000 Insurance			0.00	

66100 Property/Liability - LGIT	7,831.00	7,058.00	773.00	110.95%
66200 Truck Insurance - LGIT	1,353.00	2,374.00	-1,021.00	56.99%
Total 66000 Insurance	\$ 9,184.00	\$ 9,432.00	-\$ 248.00	97.37%
67000 Town Hall/Garage			0.00	
67100 Town Hall			0.00	
67101 Equipment			0.00	
67102 Maintenance	6,450.88	13,663.00	-7,212.12	47.21%
67103 Supply	3,778.70	3,781.00	-2.30	99.94%
67104 Utilities	3,498.68	5,449.00	-1,950.32	64.21%
67105 Renovation/Improvements	300.00	28,000.00	-27,700.00	1.07%
67105-4 Solar Panel Installation	55,997.50	68,750.00	-12,752.50	81.45%
Total 67105 Renovation/Improvements	\$ 56,297.50	\$ 96,750.00	-\$ 40,452.50	58.19%
Total 67100 Town Hall	\$ 70,025.76	\$ 119,643.00	-\$ 49,617.24	58.53%
67200 Garage			0.00	
67201 Supplies	1,230.42	3,781.00	-2,550.58	32.54%
67202 Utilities	710.96	2,740.00	-2,029.04	25.95%
67203 Maintenance		1,230.00	-1,230.00	0.00%
67206 Major Equipment		85,000.00	-85,000.00	0.00%
67207 Truck			0.00	
67207-1 Gasoline	237.65	2,084.00	-1,846.35	11.40%
67207-2 Repairs	206.41	937.00	-730.59	22.03%
Total 67207 Truck	\$ 444.06	\$ 3,035.00	-\$ 2,590.94	14.63%
Total 67200 Garage	\$ 2,385.44	\$ 95,786.00	-\$ 93,400.56	2.49%
67300 Office			0.00	
67301 Supplies	7,266.03	10,329.00	-3,062.97	70.35%
67302 Web-hosting/Domain	104.82	169.00	-64.18	62.02%
67303 Phone	3,998.90	6,879.00	-2,880.10	58.13%
67304 Uniform	109.71	1,182.00	-1,072.29	9.28%
67305 Office Equipment	9,063.95	8,500.00	563.95	106.63%
67306 Miscellaneous	1,965.00	3,969.00	-2,004.00	49.51%
Total 67300 Office	\$ 22,508.41	\$ 31,028.00	-\$ 8,519.59	72.54%
Total 67000 Town Hall/Garage	\$ 94,919.61	\$ 246,457.00	-\$ 151,537.39	38.51%
68000 Streets & Sidewalks			0.00	
68100 Streets			0.00	
68101 Sweeping	2,504.20	7,147.00	-4,642.80	35.04%
68102 Maintenance		3,510.00	-3,510.00	0.00%
68103 Resurface	58,726.40	305,000.00	-246,273.60	19.25%
68104 Supplies/Signs	3,847.67	16,500.00	-12,652.33	23.32%
68105 Street Lighting	13,455.57	16,734.00	-3,278.43	80.41%
68106 Street Snow Removal		25,000.00	-25,000.00	0.00%
68107 Curbs		53,375.00	-53,375.00	0.00%
Total 68100 Streets	\$ 78,533.84	\$ 427,266.00	-\$ 348,732.16	18.38%
Total 68000 Streets & Sidewalks	\$ 78,533.84	\$ 427,266.00	-\$ 348,732.16	18.38%
69000 Trees, G. & P			0.00	
69100 Contract-Trees & Grounds			0.00	
69101 Maintenance	26,125.00	44,099.00	-17,974.00	59.24%
69102 Tree Removal	20,375.00	31,800.00	-11,425.00	64.07%
Total 69100 Contract-Trees & Grounds	\$ 46,500.00	\$ 75,899.00	-\$ 29,399.00	61.27%
69200 Equipment		1,000.00	-1,000.00	0.00%
69202 Trees	8,235.00	13,897.00	-5,662.00	59.26%
69203 Landscaping/Stormwater			0.00	
69203-2 Landscaping/Stormwater		30,000.00	-30,000.00	0.00%
Total 69203 Landscaping/Stormwater	\$ 0.00	\$ 30,000.00	-\$ 30,000.00	0.00%
69204 Lighting	230,088.00	232,701.00	-2,613.00	98.88%
69300 Dumping Fees			0.00	
69301 Recycling		2,811.00	-2,811.00	0.00%
Total 69300 Dumping Fees	\$ 0.00	\$ 2,811.00	-\$ 2,811.00	0.00%
69400 General			0.00	
69401 Supplies	183.57	5,271.00	-5,087.43	3.48%
69402 Maintenance	701.25	3,502.00	-2,800.75	20.02%
69404 WSSC Meter	265.00	760.00	-495.00	34.87%
Total 69400 General	\$ 1,149.82	\$ 9,533.00	-\$ 8,383.18	12.06%
Total 69000 Trees, G. & P	\$ 285,972.82	\$ 365,841.00	-\$ 79,868.18	78.17%

Budget had anticipated all new LED lights for fiscal year

70000 Sanitation			0.00	
70100 Trash Contract	42,704.04	87,794.00	-45,089.96	48.64%
70200 Recycling Contract	20,765.64	44,958.00	-24,192.36	46.19%
70300 Leaves Contract	55,125.00	55,020.00	105.00	100.19%
70400 Blue Bins		250.00	-250.00	0.00%
70500 Composting	14,856.00	33,746.00	-18,890.00	44.02%
70600 Composting Bins	192.00	800.00	-608.00	24.00%
70700 Yard Waste	7,887.42	21,413.00	-13,525.58	36.83%
Total 70000 Sanitation	\$ 141,530.10	\$ 243,981.00	-\$ 102,450.90	58.01%
71000 Recreation Exp			0.00	
71100 Pool			0.00	
71101 Maintenance	10,958.93	17,206.00	-6,247.07	63.69%
71102 Equipment	4,465.57	15,000.00	-10,534.43	29.77%
71103 Electrician	225.76		225.76	
71104 Management Fees	62,587.46	148,923.00	-86,335.54	42.03%
71105 Management Miscl. Fees	932.06	1,349.00	-416.94	69.09%
71107 Coaches Fee	30,000.00	30,000.00	0.00	100.00%
71108 Aerobics Class	3,800.00	2,868.00	932.00	132.50%
71109 MCSL Fee		500.00	-500.00	0.00%
71110 Utilities			0.00	
71110-1 WSSC			0.00	
71110-a Water	10,265.60	8,222.00	2,043.60	124.86%
71110-b Sewer	6,895.49	9,046.00	-2,150.51	76.23%
Total 71110-1 WSSC	\$ 17,161.09	\$ 17,268.00	-\$ 106.91	99.38%
71110-2 Electric	8,038.64	11,471.00	-3,432.36	70.08%
71110-3 Gas	3,954.10	7,199.00	-3,244.90	54.93%
71110-4 Phone			0.00	
71110-c Reg. Phone	493.04	1,996.00	-1,502.96	24.70%
71110-d Fios	647.58	2,003.00	-1,355.42	32.33%
Total 71110-4 Phone	\$ 1,140.62	\$ 3,999.00	-\$ 2,858.38	28.52%
Total 71110 Utilities	\$ 30,294.45	\$ 39,937.00	-\$ 9,642.55	75.86%
71111 Plumber	6,267.77	8,000.00	-1,732.23	78.35%
71112 Software	410.68	4,077.00	-3,666.32	10.07%
71113 Renovation	499,213.65	869,330.00	-370,116.35	57.43%
71114 Parking Lot		15,000.00	-15,000.00	0.00%
71116 Security Monitoring	2,423.92	8,603.00	-6,179.08	28.18%
71117 Cleaning Contract	3,700.00	8,322.00	-4,622.00	44.46%
71119 Early Bird Swim		2,151.00	-2,151.00	0.00%
71120 Pest Inspection	1,552.76	1,835.00	-282.24	84.62%
Total 71100 Pool	\$ 656,833.01	\$ 1,173,101.00	-\$ 516,267.99	55.99%
71300 Tennis Courts		7,000.00	-7,000.00	0.00%
71302 Supplies	148.38	586.00	-437.62	25.32%
71303 Maintenance	60.00	2,000.00	-1,940.00	3.00%
Total 71300 Tennis Courts	\$ 208.38	\$ 9,586.00	-\$ 9,377.62	2.17%
71400 Parkland Management	20,639.54	25,000.00	-4,360.46	82.56%
Total 71000 Recreation Exp	\$ 677,680.93	\$ 1,207,687.00	-\$ 530,006.07	56.11%
72000 Bank Service Charge	69.34	1,000.00	-930.66	6.93%
73000 Debt Services			0.00	
73100 SunTrust Poolhouse Bond	107,257.25	117,473.00	-10,215.75	91.30%
Total 73000 Debt Services	\$ 107,257.25	\$ 117,473.00	-\$ 10,215.75	91.30%
74000 Misc. Expenses	2,641.57	3,858.00	-1,216.43	68.47%
76000 Budget Contingency			0.00	
76100 Operating		30,000.00	-30,000.00	0.00%
76400 Contingency - Capital		30,000.00	-30,000.00	0.00%
Total 76000 Budget Contingency	\$ 0.00	\$ 60,000.00	-\$ 60,000.00	0.00%
Total Expenses	\$ 1,835,877.76	\$ 3,616,832.00	-\$ 1,780,954.24	50.76%
Net Income	-\$ 562,886.10	-\$ 1,446,421.00	\$ 883,534.90	38.92%