

Town Council Reports June 2014

HISTORIC PRESERVATION COMMISSION – Georgette Cole:

Permit Review: Joe Clark appeared with drawings of a roof extension project he was planning for one façade of his home at 402 Grove Ave. The PC decided no Town permit was required, but recommended he consult with the HPC. The HPC agreed that no permit review was required and that the proposed roof extension was consistent with HPC design standards. Shelley Winkler appeared before the HPC for an early consultation on ideas for a rear screened porch she and her family is proposing for their home at 501 Brown Street. Bob suggested some optional design approaches that would be consistent with HPC design guidelines. A building permit and HPC review of the final plans will be required.

PC Meeting Report: Wendy reported on the June PC meeting she had attended. Jim Snyder re-submitted his building permit application for enclosing his carport at 201 Maple Avenue. His attorney, Charles Chester, discussed the plan with the Planning Commission and the Town Attorney, Suellen Ferguson. After Mr. Snyder and his attorney held a separate consultation, Mr. Snyder withdrew his current application while he explores alternate plans. He will submit this for the July 2nd Planning Commission meeting. Bob will contact Charlie Challstrom about applying the new HPC procedures to the Snyder plans. The current plan package is not adequate for HPC review.

Joe Clark came to ask about permit requirements. A permit is only necessary for his pergola because it is over 7 feet tall. He was advised to bring his plans to the HPC for informal review; see his submission details above.

A Public Ways permit was approved for Pepco. They will replace 3 electrical utility poles between the Deer Park Bridge and 313 Brown Street. This will increase the height/clearance of the power lines in the Deer Park Bridge area.

The PC also discussed whether public way permits should apply when paving a driveway across Town property and, if so, what standards could be used. This issue overlaps with town regulations concerning the maximum number of cars allowed at a residence/driveway. After discussion the Planning Commission Chair proposed a Permit for Public Ways and Town Property. This would apply only to new uses and help control use of Town land for parking. Draft criteria and a possible draft ordinance will be prepared for the next meeting. The “non-compliance” list/survey was also discussed. The survey has so far covered three houses on the Circle.

On June 11 Charlie Challstrom notified Bob Booher that the PC had received an application for a handicap ramp at 346 Ridge Road and asked if the HPC wanted to review the permit application. Charlie was in the process of expediting approval of the ramp due to the "wounded warrior" status of the application which had already been approved by Montgomery County DPS. Charlie suggested to the PC that a discussion of criteria for expedited reviews should be on the July 2 agenda. Bob informed Charlie that the HPC had elected not to review "special structures" covered by Article IV, section 5.

CSX Bridge: Gail will contact Joli about how the HPC can monitor the bridge work.

Houses on Town property—proposed ordinance: The Town Council enacted the draft ordinance with regard to HPC review. It did not adopt the HPC’s proposed clarifications regarding compatibility with the Town’s historic character—the “intent” language remains. Each of the 8 town homeowners whose house overlaps town property can draft their individual easement. Eva Polson has hired an architect who has visited her property.

Building permit procedures HPC: Our written procedures need to be revised. Action deferred.

Archives: Pat Patula submitted an archives report, a management plan, research request form, and a donation procedure and form. Ernie Kawasaki is typing transcriptions of illegible historic Town/Camp Meeting documents. Bob will contact Steve Wertz about conditions in the archives room. Bob will talk to Carole Huberman about the “Washington Grove Story.” Ed Mroczka has manipulated scanned historic photos in the Past Perfect database to verify original architectural detail. Pat is meeting on digital archives, i.e., “the cloud.”

Steatite quarry: Wendy and Charlie Challstrom will go out in August to find the relevant survey markers locating the steatite quarry.

Plaques: The HPC will consider initiating a Plaque Group to determine which Town historic sites are worthy of interpretative signage.

W.G. MEADOW CONSERVATION PARK – Georgette Cole: Nothing to report

SHADY GROVE CROSSING: Georgette Cole: Nothing to report.

FORESTRY - Audrey Maskery: Tree pruning and thinning continued through Woodward Park. The ground, normally very wet in the area, was dry enough to allow the contractor to use a ‘cherry picker’ to remove dead limbs from the trees. Pruning the upper branches of trees provides less wind resistance during high winds and generally provides the trees with a healthier future.

Two trees in front of 118 Chestnut Avenue which were in very poor condition were removed and their bases ground out.

WOODS GROUP: Ann Briggs – Chair.

There will be no Woods Group meetings until the end of August.

MEMORIALS -Audrey Maskery: Nothing to report.

PLANNING COMMISSION – John McClelland:

Building Permit Application

- 201 Maple Rd (garage & enclosed attachment to dwelling) – Need HPC review
- 201 Maple Rd (carport enclosure) – withdrawn

- 207 Grove Ave (shed) – approved
- 402 Grove Ave (fence and removal of shed) – approved
- 402 Grove Ave (pergola) – no permit required as structure under 7’

Public Ways: 407 Acorn Ln (Johnson Alley excavation) – Owner intends to waterproof basement wall and improve drainage. The road material removed to gain access to the basement wall will be replaced with concrete. Johnson Alley to be closed for approx. 3 days. A financial security instrument (i.e. bond) is needed. Access to transportation for Sarah Steel has been addressed by the property owner.

Expedited Review of Permit Applications: Rules and procedures under development for cases where:

1. Public health and safety issues are involved
2. The HPC has determined it will not review the application
3. Public utility work permits on projects/actions that could not be reasonably foreseen

Procedures for Permanent Easements: (see attachment *)

Code of Ordinances – Non-Complying Structure Ordinance Article VII Section 5: Although prior PC actions and discussion (specifically listed in the minutes from September 2010) concluded that “non-compliance” could not be increased in any direction including height/up – the current ordinance should be clarified. A simple addition to the verbiage was proposed, however, the PC chair cited Town cost and his desire to address other ordinance changes – specifically decks (Article VII Section 3.327). The PC will review the entire code of ordinances for clarifications and updates to present in one multi-ordinance cost saving package.

MAPLE LAKE - Carolyn Rapkivian: Maple Lake was treated with Cutrine+ and Diquat, to treat the algae and rooted pond-weed however there continues to be issues and the Committee is working to find solutions. Volunteers physically removed algae and pond-weed using 2x4s as well as rakes. Barley bales were also placed in the lake.

The water quality was tested by Water Testing Labs and according to the analysis, the water quality is good (e.coli: 11; total coliform: 2419).

A family of geese (two adults and three goslings) who nested outside of the lake (most likely not on Town property), continued to use the lake at night for protection and during the day for feeding in spite of Committee attempts to plug up fence holes. One of the goslings had a very severe deformed 'wrist' joint – the right wing would not extend normally. Resident Patty Klein a veterinarian at Second Chance Nature Center, transported the gosling to the Center. She advised the Committee that the remaining geese, once fully flighted will eventually leave the lake area. Volunteers picked up goose droppings on the shore with scoopers.

In spite of the challenges noted above, the lake did open as planned and the life guards are: Eric Gausseres, Kelley Schreiber, Caitlin Kelly, Lainey Selby, and Emily Montgomery.

WEBSITE – Carolyn Rapkivian: Work progressed to develop a scope of work for a contract for organizing and migrating our content for a new Town website.

SAFETY – Carolyn Rapkivian: Nothing to report.

ROADS AND WALKWAYS – Bill Robertson

Cleared walkways for the July 4th Parade

MAINTENANCE – Bill Robertson

Initiation of Tree Maintenance by out contractor, concentrating on playground and walkways

Mowing continues

CONTRACTS – Greg Silber: Nothing to report.

RECREATION – Greg Silber: The Rec. Committee will meet on Wed. 16 July at 7:30 p.m. Summer In The Parks is underway and running smoothly, and indications are that campers are quite enthused! This year's July 4th celebration -- including its traditional parade, music, bell ringing, flag-raising, and softball game -- was another great success.

PLAYGROUNDS – Greg Silber: The Council has established a Playground Committee that will make recommendations to the Mayor and Council regarding possible changes and improvements to the Woodward Park playground equipment. Residents interested in this issue are welcome to join the discussion. Some member of the committee visited a local playground. The Committee is setting up a meeting with a representative from Kompani to see what they will offer us in regards to help with grant writing, plans, and things of that nature. The Town used this company for the last structure installation about 13 years ago.

As authorized by Ordinance No. 2014-03, effective July 9, 2014, the Mayor and Council may by resolution grant a permanent easement for use of certain Town-owned land to authorize the continued use and location, and, if requested, the replacement or reconstruction, of a portion of any main building otherwise legally existing in the Town on January 1, 2014. This authorization only applies for main buildings initially constructed in part on land owned by the Town of Washington Grove for the following eight properties specified in Ordinance No. 2014-03:

- 1 Circle
- 2 Circle
- 13 Circle
- 15 Circle
- 17 Circle
- 203 Second Avenue
- 409 Fifth Avenue
- 315 Grove Avenue

Procedures:

1. Application, Building Permit, Plans – An application for a permanent easement (and when replacement or reconstruction is also requested, a building permit and plans) must be submitted by the owner of the property. This application will consist of a letter from the property owner(s) to the Mayor requesting the permanent easement, together with all required items and information.
2. Identification Plat – The application must be accompanied by four copies of an identification plat prepared by a civil engineer, surveyor or other competent person, indicating by metes and bounds, bearings and distances, or by lot, block and subdivision, the land and its area for which the permanent easement/building permit is sought and the portion of said land which is owned by the Town, and showing the adjoining properties and streets and rights of way, north point and scale, and any other pertinent information. The land for which a permanent easement is sought must be outlined in red and using a unique line type.
3. When Reconstruction or Replacement is Requested – The plans reflect reconstruction or replacement to the original dimensions without any enlargement of any non-compliance.
4. Owners Intent – The application(s) and plans reflect the property owner's intent to maintain the portion of the main building on land owned by the Town in a manner that is respectful of the historical integrity of the Town and compatible with the neighborhood and improvements therein.
5. Review by PC and HPC – The application for permanent easement and for any building permit and plans have been reviewed under the provisions of Article IV, Building Permit

Regulations, by the Planning Commission and the Historic Preservation Commission, and the building permit is otherwise approved, subject to the Council granting a permanent easement.

6. Recommendation Supporting Issuance – A recommendation has been issued by the Planning Commission to the Council supporting the issuance of a permanent easement for use of Town-owned land.

7. Easement Agreement – The owner of the property enters into, on behalf of the owner and any successors and assigns, an agreement acceptable to the Town that grants a permanent easement for use of Town-owned land. The easement shall specifically identify and then restrict the use of the easement to accommodate the portion of the main building on Town-owned land. The easement shall provide for eligibility for reconstruction or replacement of that portion of the main building on Town-owned land as authorized by the Town in a building permit. Such reconstruction or replacement shall adhere to the same dimensions, without enlargement of any non-compliance, and in any event shall be respectful of the historical integrity of the Town and compatible with the neighborhood and improvements therein. The easement shall include a provision that provides for termination of the easement if the terms are not strictly adhered to, or if the easement is no longer necessary to accommodate the identified portion of the main building on Town-owned land.

8. Costs and Responsibilities – There is no Town-imposed fee for submitting an application for a permanent easement. The costs for preparing and copying the required identification plat for a property are the responsibility of the property owner(s). It has been suggested property owners for various eligible properties consider coordinating contracts for preparing the required identification plats; such coordination is a responsibility of the property owners, not the Town. The Town will engage the Town Attorney to prepare a first draft easement agreement. Legal reviews and associated costs are the respective responsibilities of the parties to the easement agreements.

Note – Ordinance No. 2014-03 authorizes permanent easements for the eight properties specified and applies only to main buildings as referenced in Article VII, the Washington Grove Zoning Ordinance. The above does not apply to accessory buildings, e.g. sheds.