



# TOWN OF SOMERSET

4510 Cumberland Avenue  
Chevy Chase, MD 20815  
(301) 657-3211  
Fax (301) 657-2773  
clerk@townofsomerset.com



Jeffrey Z. Slavin  
*Mayor*

Rich Charnovich  
*Town Manager/Clerk-Treasurer*

February 4, 2013  
Council Minutes

## Council Members and Mayor

Mayor Jeffrey Slavin  
Council Vice President Marnie Shaul  
Council Member Barbara Condos  
Council Member Franny Peale  
Council Member Cathy Pickar  
Council Member Barbara Zeughauser

## Town Staff and Consultants

Larry Plummer, Town Inspector  
Dr. Tolbert Feather, Town Arborist  
Rich Charnovich, Town Manager

## Town Residents and Contractors Signed In

John Stewart, Dorset  
Alex and Dolores Bartning, Surrey  
Bill Hanlon, Cumberland  
Earl Silbert, Essex  
Joy Abel, Grantham  
Phyllis Wiesenfelder, Cumberland  
Ellie Fink, Dorset  
Robin Barr, Essex  
Milton Heller, Falstone  
Matt Fink, Dorset  
Ross Rassuli, The Atlantic Company  
Chris Madison, Equity Residential

Brendan O'Leary, The Atlantic Company

Press

### **January 7, 2013 Minutes**

Motion Vice President Shaul, second Council Member Condos to approve the January 7, 2013 minutes. Motion passed 5-0.

### **Board of Supervisor of Elections call for nominations for 3 Council seats**

Alex Bartning nominated Marnie Shaul. Joy Abel nominated Barbara Zeughauser. Jeffrey Slavin nominated Franny Peale. No other nominations were made. Nominations were closed.

### **February Financial Report**

Town Manager Charnovich provided the monthly financial report.

### **4824 Cumberland Avenue Application**

Mayor Slavin asked Mr. Plummer to provide his report. Dr. Feather also provided his report. The gazebo and retaining wall applications are not associated with the application to remove the 2 trees. Dr. Feather stated that both trees are healthy and recommends that the Council not to approve the removal of them. It was determined that the consideration of the 2 trees would be sent to Mayor Slavin for consideration. Motion Council Member Peale, second Council Member Pickar, to separate the retaining wall and gazebo applications from the 2 trees. Motion passed 4-1, with Council Member Condos against. Motion Council Member Peale, second Council Member Zeughauser to approve building permits for the construction of the gazebo and retaining wall. Motion passed 5-0.

### **Update on construction projects 5529 Uppingham, 5510 Trent and 5513 Uppingham**

Town Inspector Plummer provided his report to the Council about these 3 construction sites.

### **4701 Willard Avenue Project**

Equity Residential and the Atlantic Company have applied to the Town of Somerset to access its land for a project at this building, formerly the Irene. Mayor Slavin asked Mr. Plummer and Dr. Feather to provide their reports. Robin Barr, Essex, asked how the stream would be protected in the area of the work. Representatives from Equity Residential and the Atlantic Company were present to explain the project and answer questions. Motion Vice President Shaul, second Council Member Zeughauser to preliminarily approve the List of Conditions as proposed by Inspector Plummer and Dr. Feather contingent upon review and a final list of conditions provided by the Town

Attorney. It was also requested that Equity Residential provide a copy of the survey showing the Somerset borders for this project. Motion passed 5-0.

#### **4710 Falstone Avenue Tree Removal Request**

Dr. Feather provided his report to the Council. Discussion took place as to whether this should have come to the Council. Town Staff indicated that since this is ongoing construction, any deviation from the existing reforestation plan must be reviewed and acted on by the Council. Motion Council Member Pickar, second Council Member Peale to approve the removal of 1 additional tulip poplar tree along with the following revised reforestation plan: 2, 4-5 inch red maples and 2 ornamental trees to be planted on the property. Motion passed 5-0.

#### **PEPCO tree plantings**

Ellie Fink, Dorset asked if these are trees that would grow under power lines. Pat Silbert, Essex asked about Yellowwood trees. It was determined to only approve 1 tree on this list for now and do further review before coming back to the Council for final approval. The one tree at this time would be a Willow Oak at 4910 Dorset Avenue. Motion Vice President Shaul, second Council Member Peale. Motion passed 5-0.

#### **Town Tree plantings**

Motion Council Member Zeughauser, second Vice President Shaul to approve the planting of these trees and locations as recommended by the Town Arborist and the PNR:

- 4806 Essex Avenue, 1 Scarlet Oak (planted in the fall of 2013)
- 4816 Essex Avenue, 1 Scarlet Oak
- 4818 Essex Avenue, 1 Scarlet Oak
- 4902 Essex Avenue, 1 Scarlet Oak
- 4704 Falstone Avenue, 1 Flowering Cherry
- 4807 Falstone Avenue, 2 Flowering Cherry
- 4911 Falstone Avenue, 1 Redbud
- 5509 Greystone Street, 2 Willow Oak (on Surrey St.)
- 5506 Greystone Street, 1 Yellowwood
- 5514 Greystone Street, 1 Red Maple
- 5809 Surrey Street, 1 Yellowwood
- 4711 Trent Court, 1 Flowering Cherry
- 5608 Warwick Place, 1 Yellowwood
- 5702 Warwick Place, 1 Redbud
- 4728 Dorset Avenue, transplant Zelkova from 4800 Grantham Avenue on Surrey Street
- 4800 Grantham Avenue, 1 White Oak (on Surrey St.)
- Town Pool Property, 1 Paw Paw tree (1 Paw Paw tree already approved, 2 total required)

Motion passed 5-0.

#### **Bill 35-12 Montgomery County Tree Canopy Bill**

It was discussed, and the Council determined it would authorize Mayor Slavin to send a letter of general support for Bill 35-12. Motion Vice President Shaul, second Council Member Zeughauser. Motion passed 5-0.

**ADA Lift at Town Pool**

Motion Council Member Condos, second Council Member Pickar, to purchase an ADA lift for the Town Pool at the cost of \$6,095.00 and install a second rail by the pool steps at a cost of \$750.00. Motion passed 5-0.

**Purchasing or Refurbishing Chairs at Town Pool**

Motion Council Member Condos, second Council Member Peale, to re-strap and repaint 27 lounge chairs at the Town Pool at a cost of \$2,309.00. Motion passed 5-0.

**Balodemas Architects pool management guide**

Motion Council Member Condos, second Vice President Shaul to approve payment to Balodemas Architects in the amount of \$7,460.00 for the comprehensive pool management guide. Motion passed 5-0.

**Opening and Closing Dates for the Town Pool**

Motion Council Member Condos, second Council Member Pickar to set the opening and closing dates for the Town Pool. Opening: May 18, 2013. Closing: September 15, 2013. Motion passed 5-0.

**2013 Swim Team Discussion: Coaches Fees**

Nancy Jardini, Swim Team Committee Chair, attended the Council Meeting to discuss the amount the Town provides for Swim Team Coaches for the upcoming season. The Town Council and Mayor agreed in principle to raise the amount from \$14,000.00 to \$15,300.00 for the upcoming fiscal year 2014.

**Appointment of Dr. Alexis Carmer to the Pool Committee**

Motion Council Member Zeughauser, second Council Member Pickar to confirm Mayor Slavin's nomination of Dr. Alexis Carmer to serve on the Town Pool Committee for a term expiring December 31, 2015.

**2013 Tennis Fee Resolution**

Motion Council Member Pickar, second Council Member Zeughauser to set the 2013 fee for usage of the tennis courts at \$20.00 per household which represents no increase from last year. Motion passed 5-0.

**2013 Camp Summerset Usage of Tennis Courts**

Motion Council Member Pickar, second Vice President Shaul to approve Camp Summerset's usage of the Town tennis courts this summer. Motion passed 5-0.

**Nutrition and Workplace Water Promotion Policies**

Motion Council Member Zeughauser, second Council Member Peale to approve nutrition and workplace water policies as part of the HEAL Cities campaign. Motion passed 5-0.

**Resolution in support of the Fix Guns Check Act**

Motion Council Member Zeughauser, second Council Member Pickar to adopt a Resolution in support of the Fix Guns Checks Act with the goal of helping to reduce gun violence in America and help prevent future mass shootings as recommended by Mayor Slavin. Motion passed 5-0.

**Adjourn at 10:48**