



**MEETING OF
UNIVERSITY PARK MAYOR AND COMMON COUNCIL
WILL BE HELD
VIA VIDEO AND AUDIO CONFERENCE
7:30 p.m.
January 3, 2022
REGULAR SESSION**

The Council meeting will be conducted entirely remotely with no in-person meeting attendance. To join the Council meeting through a video conference, please use the link below.

Join Meeting:

<https://us02web.zoom.us/j/85869195325?pwd=cXNsKzNDQU9ySmNJZU5pQnFIZWo4QT09>

To join with audio only, dial: (301) 715-8592

Meeting ID: 858 6919 5325

Passcode: 495422

Public Participation:

Participants who join the video/audio conference will be muted during the meeting except for Mayor, Council, and staff. Participants can turn their video on during the meeting, so we can all see each other, or can turn it off if they would rather. Participants will have the opportunity to speak during Public Comment - agenda item #7. During that time, all participants will be taken off mute. If you would like to comment, please state your name and Mayor Carey will call on you to speak. Public comments will be limited to three minutes.

Public comments or questions may also be made by emailing the Town Clerk TC Hegeman at thegeman@upmd.org. All electronic comments must be submitted by 12 p.m. on January 3, 2022. Comments received will be read by the Town Clerk during public comment.

1. CALL TO ORDER: *Mayor Carey*

| | | | |
|-----------------|------------|----------------|------------|
| Present: | Biermann | Absent: | Biermann |
| | Gathercole | | Gathercole |
| | Morrissey | | Morrissey |
| | Morgan | | Morgan |
| | McGaughey | | McGaughey |
| | Wells | | Wells |
| | Stephen | | Stephen |

2. PLEDGE OF ALLEGIANCE – Mayor Carey

3. APPROVAL OF THE AGENDA

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

4. APPROVAL OF MINUTES: *December 20, 2021*

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

5. PUBLIC COMMENT

6. MAYOR, COUNCIL, AND COMMITTEE COMMENTS AND REPORTS

A. MAYOR'S REPORT – *Mayor Carey*

B. COMMITTEE REPORTS AND COUNCIL COMMENTS

7. NEW BUSINESS

A. TOWN LETTER TO M-NCPPC REGARDING THE ADELPHI ROAD SECTOR PLAN

Motion: To authorize the Mayor and Town Attorney to submit a letter to M-NCPPC (Maryland National Capital Park and Planning Commission) regarding the Adelphi Road Sector Plan in substantially the form drafted by Councilmember Wells for the Development Overview Committee.

Moved by:

Seconded by:

Yea:

Nay:

Abstain:

8. TOWN ADMINISTRATOR'S REPORT

9. ADJOURNMENT

**** A Closed Session may be called ****

Agenda Item 4
Draft 12/20/21 Council Minutes



**MEETING OF
UNIVERSITY PARK MAYOR AND COMMON COUNCIL
VIA VIDEO AND AUDIO CONFERENCE
7:30 p.m.
December 20, 2021
MINUTES**

1. CALL TO ORDER: *Mayor Carey* at 7:30 p.m.

Present: Mr. Biermann, Ms. Gathercole, Ms. Morrissey, Mr. Morgan, Mr. McGaughey, Ms. Wells

Absent: None

Excused: Mr. Stephen

2. PLEDGE OF ALLEGIANCE – was led by Mayor Carey.

3. APPROVAL OF THE AGENDA

Moved by: Ms. Wells

Seconded by: Ms. Gathercole

Yea: 6

Nay: 0

Abstain: 0

4. APPROVAL OF MINUTES: *December 6, 2021*

Moved by: Ms. Gathercole

Seconded by: Mr. Biermann

Yea: 6

Nay: 0

Abstain: 0

5. CONSENT AGENDA

Motion: To approve the following consent agenda items.

Moved by: Mr. McGaughey

Seconded by: Mr. Morgan

Yea: 6

Nay: 0

Abstain: 0

**A. BUILDING PERMIT APPLICATION TO WATERPROOF BASEMENT
(Orinda Nelson, 6518 40th Avenue) Ward 2**

To install 113' interior waterproofing connection to basin with vapor barrier on the wall on Lot 11 and part of 12, Block 21 and Section 5A at 6518 40th Avenue.

**B. BUILDING PERMIT APPLICATION TO INSTALL RAILING
(Michael Jakub, 4301 Underwood Street) Ward 4**

To replace one handrail and adding a new one on Lot 16, Block 22 and Section 7 at 4301 Underwood Street.

6. PUBLIC COMMENT

- A resident thanked Mayor Carey, Mr. Deutsch and Ms. Hegeman for the work on the proposed distribution of ARPA funds for non-profits and asked that Councilmembers support the list.

7. MAYOR, COUNCIL, AND COMMITTEE COMMENTS AND REPORTS

A. MAYOR’S REPORT – *Mayor Carey*

- Ms. Marcavitch, former Town Clerk and George Wilkinson, Town resident recently published the University Park Resident’s Guide. Residents can find this very informative Guide on the Town website and hard copies will be available at Town Hall.

B. COMMITTEE REPORTS AND COUNCIL COMMENTS

Police, Traffic and Public Safety Committee - Ms. Wells

The next meeting is scheduled for Wednesday, January 12, 2022

Development Overview Committee - Ms. Wells

The next meeting is scheduled for Thursday, January 13, 2022

- Discussion will include a low-income housing project on Ager Road and 23rd Avenue and a Zoning amendment for Riverdale Park Station.
- A letter to the Maryland National Capital Park and Planning Group regarding the Adelphi Road Sector Plan will be presented to the Council for approval at the January 3 Council meeting.

Helping Hands - Ms. Gathercole

- The Helping Hands Christmas Party held on Wednesday, December 15th was a well attended and successful event.

8. NEW BUSINESS

A. INTRODUCTION OF LEGISLATIVE RESOLUTION 21-O-09: AMENDING TOWN CODE CHAPTER 1, GENERAL PROVISIONS (*First Reading*)

Motion: To introduce Legislative Resolution 21-O-09 to amend Chapter 1, General Provisions of the Town Code.

The earliest date this motion may be considered for passage is January 18, 2022.

Moved by: Ms. Wells

Seconded by: Ms. Gathercole

Yea: 6

Nay: 0

Abstain: 0

B. INTRODUCTION OF LEGISLATIVE RESOLUTION 21-O-10: AMENDING TOWN CODE CHAPTER 2, ADMINISTRATION (*First Reading*)

Motion: To introduce Legislative Resolution 21-O-10 to repeal and re-enact Chapter 2, Administration of the Town Code.

The earliest date this motion may be considered for passage is January 18, 2022.

Moved by: Ms. Wells

Seconded by: Ms. Gathercole

Yea: 6

Nay: 0

Abstain: 0

C. INTRODUCTION OF LEGISLATIVE RESOLUTION 21-O-11: REPEALING AND RE-ENACTING IN ITS ENTIRETY TOWN CODE CHAPTER 3, ANIMALS AND FOWL (*First Reading*)

Motion: To introduce Legislative Resolution 21-O-11 to repeal and re-enact Chapter 3 of the Town Code in its entirety.

The earliest date this motion may be considered for passage is January 18, 2022.

Moved by: Mr. Morgan

Seconded by: Ms. Wells

Yea: 6

Nay: 0

Abstain: 0

D. INTRODUCTION OF LEGISLATIVE RESOLUTION 21-O-12: AMENDING TOWN CODE CHAPTER 4, BUILDING AND CONSTRUCTION (*First Reading*)

Motion: To introduce Legislative Resolution 21-O-12 to amend Chapter 4, Building and Construction of the Town Code.

The earliest date this motion may be considered for passage is January 18, 2022.

Moved by: Mr. McGaughey

Seconded by: Ms. Wells

Yea: 6

Nay: 0

Abstain: 0

E. ALLOCATION OF ARPA FUNDS TO NON-PROFITS

Motion: To approve the distribution of the \$113,000 as listed in the memo presented by the Mayor and to authorize the Town Administrator to convey those funds to the designated organizations on behalf of the Town of University Park.

Moved by: Ms. Wells

Seconded by: Ms. Morrissey

Yea: 6

Nay: 0

Abstain: 0

Note: To meet federal government reporting requirements, a form will be issued to the recipient organizations asking for a description of how the funds will be spent. Religious organizations will be informed that donations should be distributed to those in need regardless of their religion.

F. COMMITTEE MEETING MINUTES

Discussion on recording meetings versus taking minutes for committee meetings.

- Mayor Carey reported that it is Maryland law that minutes of Council and Committee meetings be available. While this can be problematic for committee chairs, recordings of the meetings do not seem to provide a solution which is accessible to the public.
- The Town Attorney referenced 3306 of the General Provisions Article of the State Code that requires that minutes be kept. It reads: “a public body need not prepare minutes of an open session if live and archived video or audio streaming of the open session is available”.
- Unless there is written minutes, residents are required to listen the audio to determine what happened.
- If there is a question of storage, there are programs that allow you to save files onto a local computer or up to a cloud.
- Rather than taking notes at a meeting, the meeting could be recorded and the audio can be stored or the audio can be designated to someone who can create minutes from the recording.

- See what the cost would be to have the Committee notes written up by a recording secretary.
- There is an option of computer-generated transcription of meetings.
- The Town Administrator was asked to look further into this issue. The Committee Chairs were asked to consider how this will work best for their Committees.

9. ADMINISTRATOR AND DEPARTMENT REPORTS

A. REPORT FROM THE TOWN ADMINISTRATOR ~ *David Deutsch*

No report.

B. REPORT FROM THE TOWN ATTORNEY ~ *Suellen Ferguson*

No report.

C. REPORT FROM THE TOWN CLERK ~ *TC Hegeman*

No report.

D. REPORT FROM THE CHIEF OF POLICE ~ *Chief Harvey Baker*

Crime Report: 1 incident in Ward 5

- On December 18, several University Park officers participated in “Shop with a Cop”.
- A new officer will join the University Park Police Department on January 6, 2022.

E. REPORT FROM THE TOWN TREASURER ~ *Dan Baden*

Not present.

F. REPORT FROM THE DIRECTOR OF PUBLIC WORKS ~ *Michael Beall*

- Due to the upcoming holidays, the recycling collection days are as follows: Wednesday, December 22 and Wednesday, December 29.
- There will be one more round of leaf collection throughout town.
- The repair of all the damaged sidewalks through town has been completed.
- There was a minor stormwater management project on Wells Parkway in Ward 7 in order to mitigate some flooding conditions.
- The Phase 2B Infrastructure Project is still in permitting, and therefore completion will necessitate higher contract costs. Staff will present an updated estimate of costs and a plan for completing the work at the January 18 Council meeting.
- A Councilmember reported that there is a hornet’s nest in a public tree in front of 4000 Beechwood.
- A Councilmember reported two scooters that are on the sidewalk on 41st near Tennyson. The Mayor will handle it.

10. ADJOURNMENT by consent at 8:46 p.m.

Agenda Item 7A
Town Letter to M-NCPPC

DRAFT

January 4, 2022

Honorable Elizabeth Hewlett, Chair
Prince George's County Planning Board
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

Re: Adelphi Road – UMGC – UMD
Purple Line Station Area Sector Plan

Dear Ms. Hewlett:

At its meeting on January 3, 2022, the Mayor and Common Council of the Town of University Park reviewed the Adelphi Road-UMGC-UMD Purple Line Station Sector Plan as presented by the Maryland National Park and Planning Commission. We take this opportunity to provide the Planning Board with our comments.

Overall, the Town is of the opinion that the area of the Sector Plan is too narrowly defined, and thus, does not consider many of the impacts of future development within the presently defined area upon the neighboring communities. Therefore, our comments are focused on the impacts that we believe will adversely affect our Town that we believe are not adequately identified nor discussed in the draft Plan.

We continue to support higher density development around transit facilities such as Metro and Purple Line stations. We also are highly concerned over climate change and strongly support development that minimizes the loss of tree cover and natural environment.

1. **Traffic impacts:** The findings in the preliminary statement of the Plan are that the existing intersections of Adelphi Road with University Boulevard and Campus Drive are functioning at adequate levels of service, and will continue to do so after the proposed addition of approximately 1500-2500 housing units and some commercial facilities along with the Purple Line Station. However, the Plan acknowledges but that “the intersection of Adelphi Road, Campus Drive, and MD 193 (University Boulevard) is challenging to navigate and problematic for walking and bicycling” and “existing bicycle and transit facilities are limited or minimal at best.” Further, the “high motor vehicle volumes during the peak travel periods, the speeds of motor vehicles, and the lack of bicyclist facilities puts motorists and bicyclists into conflict, and present safety issues for bicyclists.” The Plan recognizes that the public comments already received from residents highlight these drawbacks. The Plan, due to its small size, also does not acknowledge nearby traffic issues that will only increase. Adelphi Road already has capacity and congestion issues in the area from Northwestern High School (just south of the Sector Plan boundary) to East-West Highway and The Mall at Prince Georges. The

current level of congestion makes it difficult for our residents to get into and out of our neighborhood. The improvements cited in the Plan to help resolve these issues appear to depend solely on individual developments as they occur piecemeal over time. As a result, it is unlikely that the improvements will be constructed as now proposed, in view of the myriad pressures that occur during the entitlement phase. There are no guaranteed positive outcomes. At minimum, all roads constructed in the Plan area should be required to be public roads, and the Plan should include a Transportation Study to show the traffic impacts of Purple Line ridership and higher density zoning, to better understand how to ameliorate the development that is proposed. Specific plans for the reconfiguration of the Adelphi -University Blvd. – Campus Drive intersections should be required prior to adoption of the Plan.

2. **Related Bicycle and Pedestrian Safety:** Additional traffic emanating from the development of the lands within the Sector Plan area will also decrease pedestrian safety for our residents who often walk to the Mall, new Hyattsville Public Library, M-NCPPC Recreation/Community Center, and the several churches along Adelphi Road in this area. While the policy guidance of the Sector Plan strongly supports better pedestrian and bicycle facilities within the boundaries of the Sector Plan, due to the small size of the sector, it does not address the increased traffic and decreased ability of our community to walk to shopping, community amenities and even to the Metro. The same can be said for bicycle safety within this area, as the existing bike lanes are somewhat intermittent and often shared with vehicles.
3. **Natural Environment:** The issue of preserving the existing green spaces in the Plan area has already been raised in the community in response to the proposed Western Gateway Project. This development was intended to build out a large portion of the southern Plan area. While this development has been placed on hold, the discussion has highlighted the value of the area known as “Guilford Woods”. In the County’s 2017 Green Infrastructure Plan, most of the Plan area south of Campus Drive is an Evaluation Area and Guilford Run and its wooded stream buffer is a regulated area. Regulated Areas are protected environmental features if approved as part of a Natural Resources Inventory (NRI). Regulated Areas include “the vegetated buffer following Guilford Run creek in the southeast corner”, with the remainder an Evaluation Area.

It is important that all applicable law be followed, including the Green Infrastructure Plan and the Woodland and Wildlife Habitat Ordinance. An NRI for the area known as Guilford Woods should be required for the Plan, which should also include a map designating the area. Onsite preservation of trees should be required to satisfy the Woodland and Wildlife Habitat Ordinance. Including additional acreage in the Guilford Run Stream Valley Park (Conservation Area C) should be considered, to encompass all or part of Guilford Woods.

4. **Public Facilities:** The Sector Plan recommends the creation of some very urban passive recreation areas (plazas, small seating areas, etc.) within the Sector boundary. It is likely that some of the residential buildings could provide

Some recreational facilities like exercise rooms and perhaps small swimming pools for their residents. Some, but likely not all, residents may be eligible by virtue of student or faculty engagement with the University of Maryland to use its recreational fields, gyms and other more active facilities. However, there will be additional need for active outdoor recreation. Impact on capacity and use of existing nearby recreation and public facilities, such as libraries, has not been analyzed.

5. **Schools:** While we understand that it is not the Planning Board’s responsibility to ensure adequate school facilities, the fact remains that a development of residential housing of the size proposed in the Sector Plan will have an effect on neighborhood schools, including University Park Elementary School. Since our school is already operating at or above capacity with numerous “temporary” classrooms, this is concerning to us.

6. **Stormwater Management:** The Town has significant issues with stormwater management. The development of areas that drain into Guilford Run, the primary drainage basin within the Sector Plan Boundary, impacts municipalities downstream, including University Park and College Park. While we are aware of plans to mitigate existing stormwater issues through the Clean Water program of the County, it is yet unclear how these measures will alleviate flooding and other stormwater issues in the areas of University Park that are within this watershed. Specific provisions for development that improve stormwater runoff quantity and quality coming from the new projects within the Sector Plan area could be strengthened in the Plan.

We hope that these comments are helpful and will result in a stronger plan that is a better neighbor to the surrounding communities by examining the impacts of proposed developments within the Sector on the Town of University Park and other municipalities that border it.

Sincerely,

Lenford C. Carey, Mayor