

5. PERMITS

**A. BOARD OF ZONING APPEALS: Variance Request V-61-19
(Rhonda Sabb, 6312 Baltimore Avenue) Ward 1**

Zoning Ordinance Section 27-442(e)(Table IV) prescribes that each lot shall have a side yard at least 8 feet in width and Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking. Therefore, a variance of 3 feet side yard width and 3% net lot coverage are requested for Lots 2 & 3 and Block 1 at 6312 Baltimore Avenue.

Motion: To support the application by Rhonda Sabb for a variance to validate an existing condition (dwelling) and extend the existing driveway located on Lots 2 and 3 and Block 1 at 6312 Baltimore Avenue and authorize the Mayor to send a letter to the Board of Zoning Appeals stating the Council’s position. The Council’s position is based on the following criteria:

- (1) A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions; and
- (2) The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and
- (3) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.

Moved by: Mr. Brosch

Seconded by: Ms. Morrissey

Yea: 4

Nay: 0

Abstain: 0

**B. BUILDING PERMIT FOR AN ADDITION AND DECK
(Arthur and Barbara Parker, 4011 College Heights Drive) Ward 6**

Motion: To approve the request for a building permit for a 1 story 15.9’x 32’ modular addition with a 6’x 15.9’ deck located on Lot 6, Block 34 and Section 7 at 4011 College Heights Drive.

Moved by: Ms. Verrill

Seconded by: Ms. Morrissey

Yea: 4

Nay: 0

Abstain: 0

**C. BUILDING PERMIT FOR A 1-STORY ADDITION AND CONVERT EXISTING PORCH TO INTERIOR LIVING SPACE
(Jacob Dworkin, 4213 Woodberry Street) Ward 4**

Motion: To consider the request for a building permit to construct a 1-story 7.5’x 9.5’ addition, convert existing screened porch to interior living space, and renovate basement including a new egress well at basement recreation room located on Lot 4, Block 29 and Section 7 at 4213 Woodberry Street.

Moved by: Ms. Verrill

Seconded by: Mr. Schultz

Yea: 4

Nay: 0

Abstain: 0

6. PUBLIC HEARING ON PROPOSED SIDEWALKS

A. Public hearing regarding a proposal to construct and improve sidewalks in University Park per the recommendation of the Police, Traffic and Public Safety Committee. Mayor and Council heard public comments regarding a proposal to repair and maintain existing sidewalks, streets, curbs and gutters, also per the recommendation of the Police, Traffic and Public Safety Committee.

Comments: *(Note: Responses from Councilmembers, Staff, Town Attorney and/or the Mayor are italicized.)*

- It is vitally important to a community to maintain the infrastructure when the Town has the ability to do so. This resident is in support of the sidewalk and infrastructure proposals.
- On the sidewalks proposed for Clagett-Pineway, College Heights and Underwood, are there any reports of pedestrian or vehicular accidents on those streets? If safety is a consideration, how big a consideration is it? *As far as the Council is aware, there have been no pedestrian accidents on those areas or anywhere else in the interior of the Town. The Committee is not aiming to solve a problem of pedestrian accidents. The long-term goal is to get more people oriented towards walking and biking.*
- A resident has concerns of losing the historic character at the small park on 42nd Street. It was suggested to consider a barrier for College Heights Drive rather than 5' wide sidewalks.
- Where will cars park on Clagett-Pineway when a sidewalk is installed? Resident is very concerned about vehicles that do not stop at the intersections.
- Prioritize the projects rather than having everything done at once.
- A resident is in favor of traffic calming but does not think sidewalks are the answer. Over time sidewalks become unsafe because of unevenness.
- A resident does not recommend placing a new sidewalk in front of 4818 Clagett-Pineway because it will not be maintained.
- The Town has sustainability goals and objectives and this is all very necessary. This resident thanked the Committees for their efforts.
- This resident has been waiting 34 years for a sidewalk on Underwood Street.
- Having a sidewalk doesn't end the problems since they have to be maintained. The "no thru" streets are very walkable and quiet without a sidewalk. There is still an issue with cars not obeying traffic signals. The traffic issues need to be addressed to protect the pedestrians; adding sidewalks is not the fix.
- A resident supports placing a sidewalk on Clagett-Pineway and College Heights Drive.
- Reconsider the costly projects that are perfectly usable.
- A resident is very sad after reading about all the trees that the Town is intending to cut down and the loss of the triangle at Henson Green. Why five' sidewalks?
- A resident on Clagett-Pineway is opposed to the addition of new sidewalks. Sidewalks are more dangerous than people realize. He hates to see more greenery taken away.
- Consider bumper-stacks along the road and this would accomplish the same thing as new sidewalks. Design large planters in a circle to be used as a temporary traffic circle to test if it will actually work before spending a lot of money.
- Several members of the Trees, Parks and Environment Committee said they are sorry that trees have to be taken down, but it is for a good reason and new trees will be planted to replace them.
- It appears that the top priority for residents is vehicles speeding throughout the Town and ignoring stop signs. This resident suggested speed bumps to help solve this problem. He urged Council to consider this option since it is much cheaper than what is being proposed.
- A resident with small children is looking forward to the new sidewalks so that she can feel safe when

taking walks with her children.

- *There is no plan to get rid of Henson Green, the plan is to make it larger.*

Mayor Carey said that the Council will vote on the construction and repair of sidewalks as well as street infrastructure at the Council meeting on August 12.

7. PUBLIC HEARING – VARIANCE REQUEST FOR RENTAL LICENSE TO ALLOW EXISTING BASEMENT CEILING HEIGHT (Eliana Bolton-Wilson, 6711 Queens Chapel Road, Ward 3)

Section 4-115. Special Exceptions

The Common Council may consider an application for a special exception based upon a particular case or situation, and may approve the application provided that there is a showing of hardship, unique topography, unusual circumstances or safety considerations that warrant an exception. Special exceptions shall be granted by the Council only if it finds that such exception:

- (a) will not adversely affect the public health, safety, welfare or interest, nor the reasonable use of adjoining properties;
- (b) will not violate any covenants applicable to the property;
- (c) can be granted without substantial impairment of the purpose and intent of the Town building regulations;
- (d) will not interfere with or obstruct the visibility of motorists or cyclists; and
- (e) will not unduly impede the enforcement of any other applicable law. (Revised, effective December 12, 1989, February 28, 1998)

Town Code Section 13-204 (a) states that habitable space shall have a clear ceiling height of not less than seven (7) feet for at least one-half (1/2) of the space.

A variance request has been made for a rental license to allow a ceiling height of 6’ 10”. Therefore, a variance of 2” is requested for the property located on Lot 16 and Block 9 at 6711 Queens Chapel Road. This request requires a Special Exception per Section 4-115 Sub-sections A-E of the Town Code. To approve a Special Exception, Council must make the requisite findings.

Motion: To approve the request for a rental license to allow a ceiling height of 6’ 10”. Therefore, a variance of 2” is requested for the property located on Lot 16 and Block 9 at 6711 Queens Chapel Road requires a Special Exception per Section 4-115 Sub-sections A-E of the Town Code, showing a hardship renting the property because of the second bathroom being in the basement. Council approved the request for a variance for a rental license to allow existing basement ceiling height, with findings required by Section 4-115 Sub-sections A-E of the Town Code having been met.

Moved by: Ms. Morrissey

Seconded by: Ms. Verrill

Yea: 4

Nay: 0

Abstain: 0

8. PUBLIC COMMENT

(Note: Responses from Councilmembers, Staff, Town Attorney and/or the Mayor are italicized.)

- A resident questioned the process for the request of a building permit on the agenda for a Councilmember. Resident concerned that there was no discussion from the Council before the vote. *The consent agenda is for building permit applications where the Town would have no basis for saying*

“no” for the building permit, as it is within all of the requirements.

9. NEW BUSINESS

A. CONTRACT WITH VEORIDE, INC. FOR MOBILITY VEHICLES AND SERVICES

Motion: To authorize Town participation with the City of College Park and University of Maryland in a one-year Shared Mobility Pilot Program and to approve a contract with VeoRide, Inc. to provide mobility vehicles and services in a program involving the Town of University Park, City of College Park, and the University of Maryland.

Moved by: Mr. Schultz

Seconded by: Ms. Verrill

Yea: 4

Nay: 0

Abstain: 0

B. LETTER OF SUPPORT TO M-NCPPC FOR A PILOT PROJECT

Motion: As recommended by the Mayor and in collaboration with the University of Maryland and City of College Park, to approve submittal of a letter in substantially the form provided, to the Maryland-National Capital Park and Planning Commission supporting a pilot project to allow limited classes of eScooters and eBikes on Prince George’s County Park trails.

Moved by: Mr. Schultz

Seconded by: Ms. Morrissey

Yea: 4

Nay: 0

Abstain: 0

C. LETTER STATING POSITION REGARDING DSP-13009-15, SP-130003; SA-130001-02 FOR RIVERDALE PARK STATION (CAFRTZ PROPERTY)

Motion: As recommended by the Development Overview Committee, to authorize the Mayor and Town Attorney to write and send a letter in substantially the form provided and reflecting the discussion about building 9, to the Maryland-National Capital Park and Planning Commission (M-NCPPC) expressing the Town’s position regarding DSP-13009-15; SP-130003; SA-130001-02 for Riverdale Park Station (Cafritz Property).

Moved by: Mr. Schultz

Seconded by: Ms. Morrissey

Yea: 4

Nay: 0

Abstain: 0

D. LETTER TO SUPPORT CLIMATE CHANGE STUDY

Motion: As recommended by the Mayor, to approve submittal of a letter to the National Science Foundation in substantially the form provided, express the Town’s support for a research proposal entitled “Bringing Local Community Benefits to Prince Georges County, Maryland Through Demand Response Modeling for Electricity Usage in Buildings.”

Moved by: Mr. Brosch

Seconded by: Mr. Schultz

Yea: 4

Nay: 0

Abstain: 0

10. APPROVAL OF MINUTES: *July 1, 2019*

Moved by: Ms. Verrill

Seconded by: Mr. Schultz

Yea: 4

Nay: 0

Abstain: 0

11. DEPARTMENT AND COUNCIL REPORTS

A. MAYOR'S REPORT

- Mayor Carey will be out of Town from July 18-27.
- The Town is on the “reserve” list after applying for a grant from the Maryland Heritage Areas Authority. It will be allocated in October, to install a path from the 9-11 Memorial to Adelphi Road. The Town has a matching fund of approximately \$41,000. Mayor Carey has asked staff to look into when this project can get started.
- A presentation is scheduled for September 9 regarding the Capital Grants Program.

B. COUNCIL AND COMMITTEE REPORTS

Police, Traffic and Public Safety Committee - *Mr. Schultz*

The July 17 meeting is cancelled

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

Ms. Ferguson received a letter from the Open Meetings Compliance Board regarding email exchanges amongst Councilmembers. She will forward a copy of the letter to Councilmembers.

D. REPORT FROM THE TOWN CLERK ~ *Andrea Marcavitch*

- The Three-Year Strategic Plan will be uploaded on the website this week.
- The Clerk's office is archiving, organizing and creating procedures to make the office more organized.
- Copies of the Town Newsletter are now available on the Town bus.
- Council meeting packets are now available on-line for anyone interested.
- Ms. Verrill said that after taking the tour of Town Hall, she was very impressed with the very well-organized files in attic area.
- The Maryland Municipal League Fall Conference is scheduled for October 13-15 in Cambridge, MD.

E. REPORT FROM THE CHIEF OF POLICE ~ *Chief Baker*

Reported on the criminal incidents from June 1-15, 2019

- The National Night Out event is scheduled for Tuesday, August 6 from 6-9 p.m. at the Town Field. Those who plan to participate should provide the Police Department with a phone number or an email address.
- Chief Baker and Lieutenant Enig will attend a Virtual Reality Program, Artificial Intelligence at the University of Maryland.

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

June 2019 Treasurer's Report was distributed.

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

- The trashcan on East West Highway has been removed due to a complaint.
- Mr. Beall has processed twelve shade and ornamental tree reimbursements for this year.
- University Park's Public Works Department is participating with Prince George's County Summer Employment Program. The sixteen-year-old is doing a great job and the department has enjoyed working with him. This is a six-week program.
- There have been some complaints about the water quality in Town. WSSC is addressing this issue.
- Pictures of the sunken street patches have been emailed to the inspector so they may be fixed.
- The WSSC project on Van Buren to 44th Avenue will be completed before the start of school.
- In reference to the bridges, Mr. Beall expects to have the RFP ready to submit to potential bidders by the end of the week. The goal is to have the bridges installed before the first snow.
- The tennis court project is ready to go but unfortunately, we are on the bottom of the contractor's priority list.
- Mr. Beall responded to a question about the possibility of the Town staff taking care of litter and vegetation along East West Highway and the State Highway Administration would reimburse the Town.

12. ADJOURNMENT by consent at 10:05 p.m.

Submitted by: _____
Lenford C. Carey, Mayor