



TOWN OF CHEVERLY, MARYLAND
MAYOR AND TOWN COUNCIL

WORKSESSION
THURSDAY, February 28, 2019

7:00PM

Closed Session:

Pursuant to § C-13 of the Town Charter, the Mayor and Council of the Town of Cheverly will go into a closed session 7:00PM, Thursday, February 28, 2019 at Cheverly Town Hall, 6401 Forest Road, Cheverly, MD 20785.

Pursuant to Maryland Code, § 3-101 et seq., of the General Provisions Article, the Mayor and Council will meet briefly in open session in order to vote to close the meeting pursuant to § 3-305(b), to discuss personnel matters, § 3-305(b)(1), and to consult with counsel to obtain legal advice, § 3-305(b)(7).

7:30PM

AGENDA

1. Pledge of Allegiance
2. FY20 Budget Schedule
3. Capital Improvements Plan (CIP) for Fiscal Years FY20 – FY26
4. Ethics Commission Update
5. Election Update
6. Ward 4 Council Position
7. Planning Board Letter re: Cheverly West
8. WMATA Heavy Repair & Overhaul facility on Pennsy Drive
9. Small Cell Update (legislative status, aesthetics regulations)
10. Council Updates

Next Meetings of the Mayor and Town Council

March 14, 2019 Town Meeting 8pm

March 28, 2019 Worksession 7:30pm



MEMO

Date: February 21, 2019
To: Mayor and Council
From: David J. Deutsch
Interim Town Administrator
Subject: February 28, 2019 Worksession Items

2. FY20 Budget Schedule:

Based on a review of past practice and a realistic assessment of staff capacity, I would suggest that each of the next three Worksessions will have a budget component. The April and May Town Meetings will also have a budget focus.

3. Capital Improvements Plan for Fiscal Years FY20 – FY26

Some suggestions have been received from Mayor and Council (see attachments). The Public Works "shopping list" is attached. The Police Department is updating its proposal, and it will be forwarded to you upon its receipt. I need to stress that the projects contained in the staff lists do not carry my endorsement at this time. There will be an assessment completed on each proposal in time for the March Worksession.

4. Ethics Commission Update

Below is the current roster of Ethics Commission membership:

Ward 1: David Lavoy

Ward 2: Jack Stemmler

Ward 3: Vacant

Ward 4: Kenneth Jones

Ward 5: Vacant

Ward 6: Tony Thomas

Representatives are needed from Ward 3 and Ward 5. The Commission should meet soon to select its Chair and to review financial disclosure forms and review recommended changes to the elected official's financial disclosure form.

5. Election Update

As you know the election is on Monday, May 6. The cutoff date for candidates to file is 45 days prior to the election, which is March 22. The Board of Election Supervisors met this week and discussed candidate donations, absentee applications, shredding previous year's election materials, and BOE supervisors and judge's compensation related to the election. Their next meeting is March 7th at 6:30pm. Election information will be in the March Newsletter.

6. Ward 4 Council Position

News and Announcements item was posted last Friday (2/15/19) which contained the schedule. It will be in the March Newsletter as well. The key dates are March 20 for receipt of applications, and March 28 for Council selection and swearing in of new member.

7. Planning Board Letter re: Cheverly West

The Town Planning Board has reviewed the proposed Cheverly West project at several of its recent meetings. The Planning Board provided its recommendations in the attached letter.

8. WMATA Heavy Repair & Overhaul facility on Pennsy Drive

WMATA is holding a public hearing on its plans for a maintenance facility near the Landover Station. Attached are pictures showing the layout, the public hearing notice and project summary.

9. Small Cell Update (legislation and aesthetics regulation)

Please see the News and Announcements item posted yesterday. A copy of the recently adopted emergency Ordinance is also attached.

3. Capital Improvements Plan (CIP) for Fiscal Years FY20 – FY26

David Deutsch

From: Michael Callahan
Sent: Saturday, February 09, 2019 5:13 PM
To: David Deutsch
Subject: CIP Item

David,

Lights for the New Basketball Court. Along with a Policy that the Lights can only be on till 9:00PM

Mike

David Deutsch

From: Michael Callahan
Sent: Wednesday, January 30, 2019 2:58 PM
To: Mayor and Council
Cc: David Deutsch
Subject: FY20 Capital Improvement Items

Folks,

I know it's a little late, but could you please provide David with your desired CIP items for next year by our February 14th meeting . Please provide a title and short description, any issues you perceive, etc.

David, two items that will not happen this year that are in the 2019 budget are the Bike Path and Dog Park. I would like to carry over these funds.

Mike

David Deutsch

From: Laila Riazi
Sent: Thursday, February 14, 2019 1:42 PM
To: David Deutsch
Subject: CIP FY20 Inputs
Attachments: LR Proposed CIP FY20.docx

Hello David,
Grabbing a quick minute to email CIP and other related inputs.
Yes, quite a few and some would need to be plussed out quite a bit.
Also doing this to serve as a guide for next sets of eyes if I am not at the table.

Have additional info on some areas and happy to talk it all through with whomever as helpful.

Take Care,

Laila Riazi
202-258-6167 (calls and texts welcome)
Councilmember, Ward One
Town of Cheverly

Proposed CIP FY20 – CM Riazi

I know that some of these are not classic CIPs and am including them anyway because of how they touch areas of need. I also am trying to be careful to not steal the thunder from Public Works and the Police Department, so I am happy to strip out proposals that overlap.

Refurbishment of Community Center Stage

This project would support use of the stage for plays, community “café” music productions, poetry slams, etc.

Most obvious needs

- Sound
- Lighting
- Curtain
- Storage (including redesign of CPRC storage)
- Gym Doors (especially right rear)
- Refurbishment of gym bathrooms

Addition of Storage Buildings

This project would increase storage space for the Town and possibly for specific community organizations with traditional onsite storage needs.

- Placement behind and between Community Center and Police Station
- Durable units that can resist break-ins.
- Keypad entry to avoid key duplication issues.
- Interior shelving, storage configurations, and/or rolling carts

Maryland Smart Energy Communities Grant Program

This project would take the Town to the next level of sustainability in the area of energy consumption and would contribute to the 2020 renewal of Sustainable Maryland Certified.

- Counts toward 2020 renewal of Sustainable Maryland Certified
- Reimbursable grant
- Requires 20% match
- Last year’s due date was October 10
- New community, so funding assured
- Proposed award amount of \$35k
- 30% can be used to fund energy audits (level II)
- Energy Efficiency (only area supported in FY19—all areas to be restored for FY20)
- Renewable Energy
- Transportation (e-Vehicles) would wrap Code Enforcement vehicle in here if not already figured out by Mr. Torres

History / Archive and Community Storage Project

Many Town and community groups have pieces of Cheverly history that need digitized and preserved. We also have a wealth of individual histories that play a central role in the growth and evolution of what we've come to know as Cheverly. Pieces are held by many different individuals and organizations and material and stories have been lost along the way. A number of community groups are engaged in the process of capturing audio and video histories. This project would digitize Town of Cheverly historical documents and create a large scale common storage space (assuming cloud?) to support bringing together the diverse histories and stories of our Cheverly community. The Town would provide the structure, capacity, guidelines, etc.

- High capacity, stable storage platform
- User-friendly tools for large-scale community organization upload of material.
- 3 "history in a box" kits for lending within the community to facilitate capturing audio and video histories/journeys etc.
- Quarterly training sessions on creating a personal and community history project

Big Belly Trash and Recycling Bins

This project is probably not best as an outright purchase, but rather as a lease for reasons of maintenance, so not the classic CIP? Proposal for 5 yr (minimum available) lease of trash and recycling high capacity (compacting) containers for placement at the Town Park pavilion.

- Area is repeated concern following rentals to the extent that it prevents others from enjoying the use of the pavilion.
- The available trash and recycling does not meet the need for even the most well-intentioned of users.
- Compacting feature addresses capacity and reduces need for collection.
- Proposing addition of WIFI feature to support residents' desires for "free" connectivity
- If Town desires to look at a "curbside composting" idea, would propose leasing of a Big Belly specifically for compost and encourage a centralized compost drop off at Public Works that could be picked up by composting business or Eco farms, etc.
- Costly proposal – interested in getting 7-11, Metro walkway, BW Parkway/202 bus stops, Walmart bus stop locations under later grant opportunity or partnerships.

Increase of Small Grant Program from \$10k to \$15k

The Small Grant Program has been an engine of community good in Cheverly and encourages community organizations to be in conversation with elected and staff about community needs and wants that have been ground-truthed and have a solid level of structure / support.

- Propose maintaining a \$2k cap per organization per year.
- Propose maintaining requirement that applicant be a community org in good standing.

Sidewalk Installation

This project would add sidewalks to one side of a street in town for this next fiscal year, looking to balance route to a destination with site considerations.

- Dewey as a possible location, as it appears fairly smooth and houses level with street on the south side.
- Opportunity for installation of ADA compliant cross walks, raised cross walks, etc.
- Survey, area/neighbor meeting recommended to get a better grasp on the community feel for sidewalk installation.
- Funding question significant.
- Currently requires petition and expense born by residents.

32 Gallon Trash and Recycling Receptacles

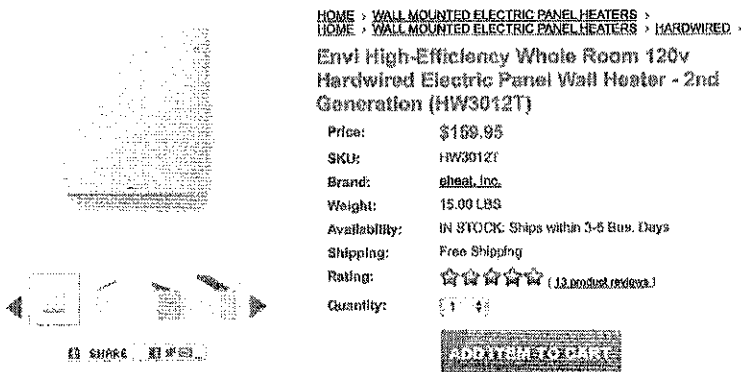
I thought that this project was already in play. Putting forward just in case. This project would support residents use of properly-sized, durable, receptacles with an attached lid—reducing resident frustrations and supporting Public Works staff in safe and efficient trash collection.

- Purchase of 100 (32 gallon) Town seal trashcans to offer to residents at reduced cost.
- Purchase of additional 100 (32 gallon) recycling receptacles, if supply levels low.

Large Conference Room—miscellaneous not at the level of CIP or major budget discussion.

- Better coat rack or hangers for current coat rack.
- Same for trash can (keep meaning to pick up and keep forgetting).
- Replacement of fan powered heaters with quieter radiant wall heaters.
- Currently, you must choose between warmth and being able to carry on a conversation.
- Defer to Mr. Torres, but familiar with something like this:

<https://www.eheat.com/envi-high-efficiency-whole-room-120v-hardwired-electric-panel-wall-heater-2nd-generation-hw3012t/>



HOME > WALL MOUNTED ELECTRIC PANEL HEATERS >
HOME > WALL MOUNTED ELECTRIC PANEL HEATERS > HARDWIRED >

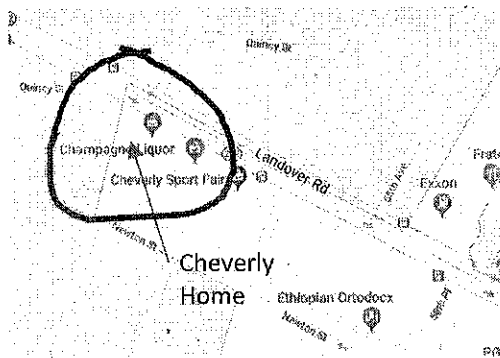
**Envi High-Efficiency Whole Room 120v
Hardwired Electric Panel Wall Heater - 2nd
Generation (HW3012T)**

Price: \$189.95
SKU: HW3012T
Brand: eheat, Inc.
Weight: 15.00 LBS
Availability: IN STOCK Ships within 3-5 Bus. Days
Shipping: Free Shipping
Rating: ★★★★★ (13 product reviews)
Quantity: 1

ADD TO CART

Paving of Spur off of Rt. 202 and Quincy (Ward One across 295)

This street is absolutely the worst. The difficulty surrounds ownership / maintenance. As I understand, we think that the County owns it. If we can clarify and demand attention, this may not need to be on this list. If not, we need to take action to repave this stretch.



Drop off Lane for Spellman Elementary School

This project would address pedestrian safety, traffic, and parking concerns relating to school drop off and pickup at the 63rd Ave. entrance to Spellman Elementary School. Would anticipate that this project would require support and coordination with PGCPs.

- Creation of lane and retaining wall along the 63rd Ave. side of Spellman Elementary.
- If desired, lane could extend across 6301 Kilmer lot.
- Could allow for limited parking for 6301 Kilmer outside of drop-off / pick-up times.
- Any associated safe routes to schools or other grant funding possibilities?

Storm Water Management Montrose and Cheverly Ave. and Cheverly Ave. / Medical Terrace

This is a placeholder to engage a serious conversation regarding the confluence (word choice intentional) of storm water in these areas.

- Part of a much larger issue leading into Quincy Run.
- Cars have been “surprise” flooded at the main 202 entrance to the town to the level of requiring passenger evacuation from vehicles. Winter icing is also a significant concern.
- Residents on Cheverly Ave. backing onto Medical Terrace live with sandbags around storm drains to try to guide overflow away from their properties.
- In short term Medical Terrace curb and gutter education/conversation needed.
- Will need private property storm water management AND county/municipal action.
- Big and complicated, yes, and increasing area of concern for the Town and residents.

****Not CIP but placeholder for Compost Buddies Initiative!****

CIP Recommendations from the Cheverly Green Infrastructure Committee, February 16, 2019

1) Street tree planting. Continue street tree planting, funding the project at the current amount (\$15,000) or higher. We suggest that the outsourced or contract tree planting be an annual line item. About 37 trees have been planted through current funding. Trees were obtained through a contract Montgomery County has with Ashton Manor Environmental, LLC.

2) Riparian forest restoration along tributary 1. This is town land, sometimes referred to as the buffer between the residences and Kenilworth Industrial Park. The developer of lot 8 in the industrial park obtained permission from Public Works to have WSSC attach a sewer line through town property. In doing the project, the land was clear-cut. The developer agreed with the Public Works Director to restore the property. We developed a riparian forest restoration plan (attached) and submitted it to the Department of Public Works. The then Town Administrator decided not to hold the developer to his promise, but rather to let nature take its course. This land is smack against a stream which already has a great problem with sedimentation due to the type of soil on its banks and erosion from neighboring properties. This is a case where, due to the need for bank stabilization, we do not want to wait to see what will grow there. The Public Works Director has agreed to revisit the issue, and encouraged the Green Infrastructure Committee to submit the suggestion as a budget item. If the lot 8 developer will not follow through with his promise to restore the land, the town should add the restoration to its budget. If the developer will take on a part of the restoration, the town can fund the remainder. The restoration can be accomplished in stages, if necessary. There are no expense estimates at this time.

3) Adding to and protecting existing natural areas. This is not currently a CIP item, but we recommend keeping it in mind as we move to a new mayor and town council and new administration. Continue to follow the county land surplus legislation. If possible, acquire the upland "cloverleaf" property from the State Highway Administration. Based on the dog park experience, the latter will be a long-term effort.

February 13, 2019

Revised
2-14-19

Memo

To: David Deutsch, Interim Town Administrator

From: Juan L. Torres, Director of Public Works

Subject: Department and Town wide needs for budget year 2019/2020

The following items are departmental needs: Not prioritized.

- 1- Heavy equipment/truck lift - \$65700.00 – Current underground lift releases pressure and lowers the truck by itself.
- 2- Refuse Collection Truck - \$170800.00 – Three of the four current units are obsolete and repair parts are not immediately found – transmission repairs required \$7000.00. The Town's operations need at least two reliable vehicles.
- 3- Abrasive materials spreaders - \$11000.00 – Current units 2011 units on back of trucks need replacement due to aging metal.
- 4- Diesel/gasoline powered 4 wheel drive pickup with plow - \$65780.00 – Replacement for one of two current plows required for operations.
- 5- Diesel powered 750 Ford dump truck with plow and spreader - \$110790.00 – Replacement for 1997 GMC Truck corroded frame and dump body – repair parts hard to obtain.
- 6- Repairs to the public works yard surface and leaf composting area - \$89700.00 – Current asphalt surface has exceeded its intended life with the composting area requiring immediate repairs.
- 7- Diesel powered walk behind vibratory asphalt roller - \$16500.00 – Increase department capabilities to perform permanent pothole repairs with hot asphalt.
- 8- Purchase and install 1500 Gallon, low profile, Norwesco double compartment septic holding tank - \$12500.00 – Current septic holding tanks do not meet current or future needs.

The following are Town wide CIP needs: Not Prioritized

- 1- Repairs to Town Park track without widening - \$48500.00 – Town Park's most use feature is in dire need of repairs. This is an estimate and widening it wherever possible, will easily double the provided figure if the same material is used. Using just asphalt instead of the rubberized material is cheaper.
- 2- Accessible path to all for new pavilion - \$35750.00 – There is no improved surface access to the new pavilion at the old basketball court. The estimated figure is provided if pavers are used – using just concrete will be cheaper.

- 3- Removal of current asphalt surface and installation of pavers at pavilion - \$49780.00 -- This estimated is dependent on pavers used and a perfect compactable subgrade once current surface is excavated and the subgrade disturbed.
- 4- Accessible path to Town Park's "park toy area and multi-courts - \$55660.00 -- Currently accessibility to this Town Park feature is limited due to surfacing.
- 5- Repairs to Boyd Park asphalt path - \$22750.00 -- Current path has deteriorated due to roots and wet areas around the path.
- 6- Removable sail canopy for Town Park 1931 Stage - \$35670.00 -- This removable canopy will ensure performers are partially protected during hot or rainy weather performances.
- 7- Remove the concrete pad at Legion Park and install a brick pavers pad - \$17679.00
- 8- Install better accessibility closers, required electrical and hardware at all Town buildings and ramps as necessary - \$75390.00 -- Current accessible entrances need improvement and the police building does not have an electric automatic closer.
- 9- Security cameras for the municipal building monitored by the Police department - \$24670.00 -- Safety and security of the building and occupants
- 10- Carry over existing Gym HVAC replacement funding and add another \$85500.00 -- Current funding did not meet actual cost
- 11- Cable room upgrade - \$120670.00 -- New controls with at least two digital cameras and required broadcasting and editing equipment.
- 12- Repairs to the entrance and improved surface for parking at 6301 Kilmer Street - \$45760.00
- 13- Mechanical engineers study and cataloging of Town hall and police department building systems leading to efficiency and future expansions - \$45500.00
- 14- New treatment of roof for municipal building -- Office side, \$28500.00 est. -- Gym side single membrane - \$56780.00 estimate.
- 15- Lights for the multi-court - \$34500.00
- 16- Electricity for the new pavilion with PEPCO permits - \$14500.00

The only additional items on this list are the paving improvements and the repairs to the Town's sidewalks, curbs and gutters. Funding for these two efforts should continue at last year's FY levels. Consideration to connecting streets such as Benton Road, Monroe Street could be made a priority; however, the 6000 block of Inwood Street between Cheverly Avenue ought to be funded first.

7. Planning Board Letter re: Cheverly West

Cheverly Planning Board

February 5, 2019

Town of Cheverly
Cheverly, MD 20785

RE: Cheverly West Site Plan

Dear Mayor Callahan and Town Council:

During the Planning Board meeting of December 11, 2018, the Cheverly Planning Board ("Board") met with Phillip Galiano, the managing member of 59th Avenue Associates, LLC. He had met with the Board in October 2018, presenting his first draft of the revised site plan. He then presented a revised draft of a site plan to build townhomes on part of his property, facing Beecher Street, off of 59th Avenue. Mr. Galiano is currently approved to build single family dwellings on the property and must submit a revised site plan for approval for the proposed 12-16 townhomes fronting Beecher Street. He hopes to have the Planning Board's and Town's support for the proposed changes.

The Board sees the redevelopment using higher density along the Tuxedo Road corridor as a positive action. This Town and the Board have advocated for higher density around the Cheverly Metro which is reflected in the 2004 Tuxedo Road Sector Plan and the 2018 Greater Cheverly Sector Plan. Both reflect strong community input supporting greater density and mixed use development around the metro and specifically along the Tuxedo Road corridor.

This project represents one of the first development projects near the Cheverly Metro Station, and it is the Board's hope that it would help attract attention and set a higher standard for the kind of denser, more urban mixed use setting desired by residents along the Tuxedo Road Corridor. While the development does provide for higher density, the Board would encourage even greater density and a design that is more suitable for an urban setting and would attract future development in the area.

Mr. Galiano sent a letter dated December 17, 2018 in response to our meeting on December 11th, addressing several of the issues raised during the meeting and asking for our support of his revised draft site plan. In our review of the current draft site plan and in discussions both in the Board's December and January meetings, we see this as an opportunity to advocate for changes that reflect the goals and desires of the community as reflected in the Greater Cheverly Sector Plan.

Some key points to consider before providing tacit or explicit support for the proposed changes are:


1. Provide a revised detailed site plan that accurately reflects the proposed development. While the owner has stated that they will include such things as sidewalks, etc. the site plan must be accurate before we provide support for it.

Cheverly Planning Board

2. The current draft site plan has an older suburban style that we feel does not take advantage of the future opportunities available in the area. The Board would advocate for higher density in keeping with the Tuxedo Road Corridor and Cheverly Sector plans.
3. Assure that the revised draft site plan also reflects requirements from the County's and Cheverly's Green Infrastructure Plans.
 - a. Promote innovative and cost effective water and flood mitigation measures. The plan has little pervious surface area, particularly fronting Beecher Street. We would advocate an increase in pervious surface area, such as greater green space and tree canopy. This development is near the Route 50/Lower Beaver Dam flood plain, so use of rain gardens, green roofs and other innovative water runoff features are essential to help reduce further degradation of local water ways, the Lower Beaver Dam Creek Anacostia River and the Chesapeake Bay ecosystem. Perhaps there are ways the town could identify partnerships or other resources to assist in this regard.
4. Set a standard to help improve pedestrian and bicycle and other non-motorized transport options, making sure the plan encourages greater access to the Metro, parks, schools and other local areas of interest.
5. The Board recommends that the developer use high quality durable materials in the construction of this project. It is the Board's hope that the development has a level of durability that reduces maintenance burden on future residents. We would recommend considering LEED certification or similar certification in new construction.

We appreciate your attention to this issue. Please do not hesitate to contact me for further information.

Sincerely,



Margaret MacDonnell
Chair, Cheverly Planning Board

Cc: David Deutsch, Interim Town Administrator

8. WMATA Heavy Repair & Overhaul facility on Pennsy Drive



**Notice of Public Hearing
Washington Metropolitan Area Transit Authority
Proposed new Heavy Repair & Overhaul Facility
Prince George's County, MD
Docket R19-01**

Purpose

Notice is hereby given that a public hearing will be held by the Washington Metropolitan Area Transit Authority on a proposed Heavy Repair & Overhaul Facility in Prince George's County, MD as follows:

Hearing No. 625
Monday, March 18, 2019
Fortis College
4351 Garden City Drive
Landover, MD
Closest Metrorail station: New Carrollton
(Metrobus Routes F12, F14, TheBus 21)

**Public Hearing scheduled to begin at 7 p.m.
Open house at 6:30 p.m.**

Please note that this date is subject to the facility's cancellation policy.

The locations of all public hearings are wheelchair accessible. Any individual who requires special assistance such as a sign language interpreter or additional accommodation to participate in the public hearings, or who requires these materials in an alternate format, should contact Danise Peña at 202-962-2511 or TTY: 202-962-2033 as soon as possible in order for Metro to make necessary arrangements. For language assistance, such as an interpreter or information in another language, please call 202-962-1082 at least 48 hours prior to the public hearing date.

For more information please visit
wmata.com/plansandprojects



PURPOSE OF THE PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Washington Metropolitan Area Transit Authority (WMATA) regarding the environmental report and general plans for a Heavy Repair and Overhaul (HRO) facility in Prince George's County, MD. At the hearing, WMATA will receive and consider public comments and suggestions about the proposal. The proposed design concepts may change as a result of this hearing.

HOW TO REGISTER TO SPEAK AT THE PUBLIC HEARING

All organizations or individuals desiring to be heard with respect to the proposal will be afforded the opportunity to present their views and make supporting statements and to offer alternative proposals. Public officials will be allowed five minutes each to make their presentations. All others will be allowed three minutes each. Relinquishing of time by one speaker to another will not be permitted.

In order to establish a witness list, individuals and representatives of organizations who wish to be heard at the public hearing are requested to furnish in writing their name and organization affiliation, if any, via email to speak@wmata.com. Please submit only one speaker's name per request. Lists of individual speakers will not be accepted. The request may also be made by calling the Office of the Secretary at 202-962-2511.

HOW TO SUBMIT WRITTEN STATEMENTS

Testimony may be submitted online about this proposal at wmata.com/plansandprojects. Online submission will be available by 9 a.m. on Saturday, February 16, 2019 and will close on Thursday, March 28, 2019 at 5 p.m. This is in addition to your ability to speak at a public hearing. For those without access to computers or internet, testimony may also be mailed to the Office of the Secretary, Washington Metropolitan Area Transit Authority, 600 Fifth Street, NW, Washington, DC 20001. All comments must be received by the Office of the Secretary by 5 p.m. on Thursday, March 28, 2019 to be included in the public record.

The comments received by the Office of the Secretary, along with the online submissions and public hearing comments, will be presented to the WMATA Board of Directors and will be part of the official public hearing record. Please note all statements are releasable to the public upon request, and may be posted on WMATA's website, without change, including any personal information provided.

WHAT IS PROPOSED

WMATA proposes construction of a new rail maintenance facility, which would provide additional rail car maintenance capacity to support Metrorail vehicle fleet and reorganize track maintenance functions at WMATA's rail yards to accommodate the increase in demand for additional track maintenance and associated equipment.

Heavy Repair and Overhaul Facility

WMATA would construct a new rail yard and support facilities for WMATA's Car Track and Equipment Maintenance (CTEM) division and the Office of Track and Structures (TRST). The project site is bounded by Pennsy Drive, Ardwick-Ardmore Road, Veterans Parkway (MD 410), and the Metrorail Orange Line, in Landover, Maryland. The project site includes a connection to the Metrorail Orange Line between the Landover and New Carrollton Metrorail Stations. Facility components include:

- Enclosed HRO service bays to accommodate up to 40 rail cars;
- Rail car truck shop;
- Vehicle storage tracks to accommodate up to 24 rail cars;
- Bays for railcar repair;
- Traction power substation;
- Yard operations control tower;
- Roadway access and loading docks for heavy trucks;
- Stormwater management facilities;
- Employee parking; and
- Operations and administrative offices.

Property acquisition would be necessary for construction of the Heavy Repair and Overhaul facility, as shown in the attached plans and described in the environmental report. The new facility would be approximately 37 acres in size.

REFERENCE MATERIAL AVAILABLE FOR INSPECTION

The docket consists of this Notice of Public Hearing, an environmental report and general plans for the new Heavy Repair and Overhaul facility. These documents are available online at wmata.com/plansandprojects and may be inspected during normal business hours at the following locations:

WMATA, Office of the Secretary
600 Fifth Street, NW
Washington, DC 20001
202-962-2511
(Please call in advance to coordinate)

Landover Hills Town Hall
6904 Taylor Street
Landover Hills, MD 20784
301-773-6401

Glenarden Library
8724 Glenarden Parkway
Glenarden, MD 20706
301-772-5477

Town of Cheverly Executive Offices
6401 Forest Road
Cheverly, MD 20785
301-773-8360

WMATA COMPACT REQUIREMENTS

WMATA's Compact requires that the Board, in amending the mass transit plan, consider current and prospective conditions in the transit zone should the project be built. The transit zone includes Prince George's County and considerations include, without

limitation, land use, population, economic factors affecting development plans, existing and proposed transportation and transit facilities, any dislocation of families or businesses; preservation of the beauty and dignity of the DC Metro Area; factors affecting environmental amenities and aesthetics, and financial resources. The mass transit plan encompasses, among other things, transit facilities to be provided by WMATA, including stations and parking facilities, and the character, nature, design, location and capital and operating cost thereof. The mass transit plan, in addition to designating the design and location of transit facilities, also provides for capital and operating expenses, as well as "various other factors and considerations, which, in the opinion of the Board, justify and require the projects therein proposed" all as more particularly set forth in WMATA's Compact.

WMATA submitted the environmental report to the Federal Transit Administration (FTA) to support a Categorical Exclusion determination in accordance with the National Environmental Policy Act (NEPA). The environmental report and general plans for the project are available for public review at the locations identified in the reference materials section above.

The work and changes depicted in this information package constitute the proposed amendment to the mass transit plan for purposes of the WMATA Compact.



- 1. EXISTING BUILDING FOOTPRINT
- 2. EXISTING PARKING
- 3. EXISTING DRIVEWAYS
- 4. EXISTING UTILITIES
- 5. EXISTING PROPERTY AND UTILITIES
- 6. EXISTING DRIVEWAYS
- 7. EXISTING DRIVEWAYS
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- 19. EXISTING DRIVEWAYS
- 20. EXISTING DRIVEWAYS

CONTRACT NO. / 000000

HEAVY REPAIR & OVERHAUL FACILITY
ARCHITECTURE - SITE PLAN
PENNSY DRIVE

SCALE: 1" = 100'-0"
DRAWING NO. G-002
SHEET NO. 2 of 24

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
DEPARTMENT OF TRANSIT INFRASTRUCTURE AND ENGINEERING SERVICES
OFFICE OF MAJOR CAPITAL PROJECTS

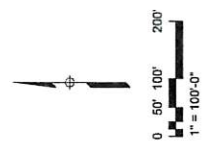


REVISIONS	DATE	BY	DESCRIPTION

DESIGNED	DATE	DESCRIPTION

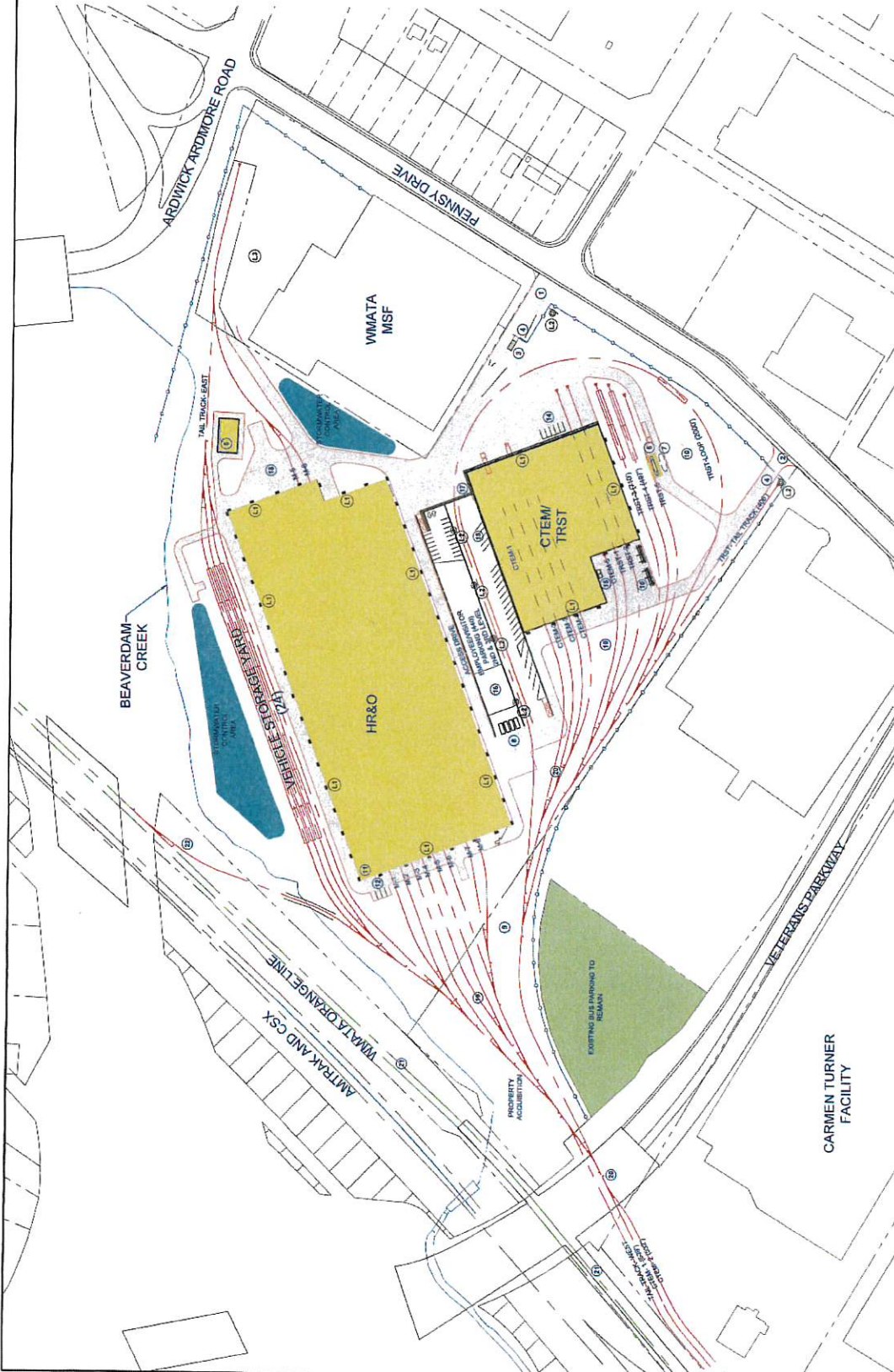
DESIGNED	DATE	DESCRIPTION

- LANDSCAPE NUMBERED NOTES**
- (L1) WETLANDS AREA TO REMAIN
 - (L2) STORMWATER CONTROL AREA
 - (L3) REDUCTION OF PAVING AREA ADJACENT TO THE CREEK
 - (L4) REMOVED ARDWICK AND HENDRE STREET ACCESS, NEW CURBS
 - (L5) MINIMAL IMPACT AT MAINLINE CONSTRUCTION
 - (L6) EXISTING TRACK



DESIGNED: _____ DATE: _____		REVISIONS		SUBMITTED: _____ DATE: _____		APPROVED: _____ DATE: _____	
DRAWN: _____ DATE: _____		DATE	BY	DATE	BY	DATE	BY
CHECKED: _____ DATE: _____		DESCRIPTION		DESCRIPTION		DESCRIPTION	
APPROVED: _____ DATE: _____							
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY DEPARTMENT OF TRANSIT INFRASTRUCTURE AND ENGINEERING SERVICES OFFICE OF MAJOR CAPITAL PROJECTS				PENNSY DRIVE RAIL MAINTENANCE FACILITY LANDSCAPE - SITE PLAN PENNSY DRIVE			
CONTRACT NO. G-005 DRAWING NO. G-005				SHEET NO. 3 OF 24			

- LIGHTING NUMBERED NOTES**
- ① LED BUILDING MOUNTED WALL
 - ② PACE
 - ③ LED POLE MOUNTED LIGHTS W/ DIRECTIONAL LIGHT SHIELD
 - ④ EXISTING LIGHTING TO REMAIN



DESIGNED DRAWN CHECKED APPROVED	DATE DATE DATE DATE	REFERENCE DRAWINGS NUMBER DESCRIPTION	REVISIONS DATE BY DESCRIPTION	SUBMITTED DATE	APPROVED DATE	CONTRACT NO. 0000000	PENNSY DRIVE RAIL MAINTENANCE FACILITY LIGHTING PLAN - SITE PLAN PENNSY DRIVE	DRAWING NO. G-006	SHEET NO. 4 of 24
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WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
 DEPARTMENT OF TRANSIT INFRASTRUCTURE AND ENGINEERING SERVICES
 OFFICE OF MAJOR CAPITAL PROJECTS

9. Small Cell Update (legislative status, aesthetics regulations)

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**TOWN OF CHEVERLY
ORDINANCE 2019-____
EMERGENCY ORDINANCE**

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**An Ordinance whereby the Town of Cheverly amends Chapter
24 of the Town of Cheverly Code in order to regulate the
installation and construction of wireless facilities and
supporting structures.**

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WHEREAS, the United States Government, via the Federal Communications Commission, has taken action that undermines the authority of the Town of Cheverly to regulate the installation, appearance, and location of wireless facilities and supporting structures if the Town does not have certain regulatory and/or legislative authority in place by certain dates; and

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WHEREAS, Maryland Code, § 5-202(1), (2) & (5) of the Local Government Article grants to municipalities the power to adopt ordinances to assure the good government of the municipality, to protect and preserve the municipality's rights, property and privileges, and to protect the health, comfort, and convenience of the residents of the municipality; and

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WHEREAS, § C-23 the Town Charter grants to the Town Council the power to pass all such ordinances, resolutions and laws not contrary to the Constitution and laws of the State of Maryland or this Charter as it may deem necessary for the good government of the Town in order to promote health, safety, comfort, convenience, welfare and happiness of the residents of the Town and visitors thereto and sojourners therein; and

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WHEREAS, pursuant to § C-23 of the Town's Charter and Chapter 24 of the Town Code, the Town has near absolute authority to regulate construction, installation of improvements, or modification of any structure in, on, over, and under, the Town's rights of way, streets and sidewalks; and

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WHEREAS, the Town deems it to be necessary and appropriate to provide certain standards and regulations relating to the location, placement, design, construction and maintenance of telecommunications towers, antennas and other structures within the Town's public rights of ways, and providing for the enforcement of said standards and regulations, consistent with federal and state law limitations on that authority;

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WHEREAS, pursuant to § C-14 of the Charter the Mayor and Council have authority to enact emergency legislation by the affirmative vote of a majority of the members of the Council.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Cheverly in regular session assembled that Chapter 24 of the Town Code is hereby amended and renumbered as follows:

Chapter 24

**STREETS, SIDEWALKS, AND OTHER
PUBLIC WORKS PROJECTS, AND**

1 WIRELESS FACILITIES AND SUPPORTING STRUCTURES

2
3 **§ 24-1. Public works projects.**

4 ***

- 5 **§ 24-17. Application for Permit.**
- 6 **§ 24-18. Requirements and findings.**
- 7 **§ 24-19. Exceptions.**
- 8 **§ 24-20. Violations and penalties.**

9
10 ARTICLE I

11
12 Streets, Sidewalks, and Other Public Works Projects

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16 ARTICLE II

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18 Wireless Facilities and Supporting Structures

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20 **§ 24-17. Application for Permit.**

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22 A. The installation of wireless facilities and support structures in a Town right-of-way shall
23 require a permit under this chapter. No permit shall be issued with respect to the installation of
24 wireless facilities or support structures in, on or over any Town street, sidewalk, or right-of-way
25 unless and until the permit applicant and the Town have negotiated and executed a franchise or
26 right-of-way use agreement setting forth the terms and conditions, including fair compensation to
27 the Town, for applicants' use of Town right-of-way, and where applicable, lease payments for the
28 use of any Town-owned poles or facilities.

29
30 B. In addition to the other information required by this article, an application for such a permit
31 shall submit the following information pertaining to particular sites or a proposed deployment:

32
33 1. A technical description of the proposed facilities, along with detailed diagrams
34 accurately depicting all proposed facilities and support structures;

35
36 2. A detailed deployment plan describing construction planned for the 12-month
37 period following the issuance of the permit, and a description of the completed deployment;

38
39 3. An engineering certification relating to the proposed construction signed by a
40 professional engineer licensed in Maryland;

41
42 4. A statement describing the applicant's intentions with respect to collocation;

43
44 5. A statement demonstrating the permittee's duty to comply with applicable safety
45 standards for the proposed activities in the Town rights-of-way;

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2 6. In the case of a proposed attachment to a Town-owned facility located in the Town
3 rights-of-way, an executed attachment agreement with the Town;

4
5 7. In the case of a proposed attachment to an investor-owned utility pole in the rights-
6 of-way, an executed attachment agreement with the utility pole owner; and

7
8 8. Such other information as the Town Administrator may require.

9
10 C. The applicant shall pay a processing fee to the Town at the time of application to install
11 wireless facilities in a public right of-way is made, in addition to any other fees required by this
12 chapter or by this code generally. The amount of the fee shall be set by the Town Administrator.

13
14 **§ 24-18. Requirements and findings.**

15
16 A. Wireless facilities and support structures proposed to be located on streets, sidewalks or
17 other rights-of-way in the Town shall meet the following requirements:

18
19 1. Absent a special finding by the Town Administrator:

20
21 a. Wireless facilities may only be installed on existing utility poles or light poles;
22 and

23
24 b. Only entities authorized by the Maryland Public Service Commission pursuant
25 to MD. Code Ann., Public Utilities Art., §§ 5-410, 8-103, as amended from time to
26 time, may erect new poles in the Town's right-of-way, and only then for the purpose
27 of supporting telephone lines to provide telephone service.

28
29 2. Any new pole including a replacement pole, installed in Town rights-of-way to
30 support wireless facilities shall:

31
32 a. Comply with all structural and safety standards specified by the Town
33 Administrator;

34
35 b. Not obstruct pedestrian or vehicular traffic flow or sight lines;

36
37 c. Not exceed the average height of the existing street light poles or utility
38 poles within the area extending one thousand (1,000) feet in any direction of the
39 proposed structure;

40
41 d. Shall be designed to accommodate the co-location of at least three (3)
42 different wireless providers' antennas and related equipment;

43
44 e. If metal, be treated or painted with non-reflective paint, and in a way to
45 conform to or blend into the surroundings; and

1 f. Comply with such other requirements and conditions as the Town
2 Administrator may conclude are appropriate to impose.

3 3. Any wireless facilities installed on a pole or any other structure in the rights-of-way
4 shall:

5
6 a. Have equipment box or boxes no greater in collective size than 17 cubic feet in
7 volume with no one side/dimension exceeding four and ¼ (4.25) feet;

8
9 b. Have panel antennas no greater than two (2) feet in height, and omni/dome
10 antennas no greater than four (4) feet in height and no wider than three (3) feet in
11 diameter;

12
13 c. Have no more than three (3) panel antennas per pole, and no more than one
14 omni/dome antennas per pole;

15
16 d. Have microwave dishes no greater than two (2) feet in diameter, with no more
17 than 3 microwave dishes per pole;

18
19 e. Be located and designed, including materials, color, and texture, so as to
20 minimize visual impact on surrounding properties and as seen from the streets and
21 sidewalks; and

22
23 f. Comply with such other requirements and conditions as the Town Administrator
24 may conclude are appropriate to impose.

25
26 B. Wireless facilities and support structures proposed to be located on streets, sidewalks or
27 other rights-of-way in the Town may be permitted upon a finding by the Town Administrator that:

28
29 1. The application complies with all standards and requirements set forth in § 24-18A;

30
31 2. The location selected in the application is not in an area where there is an over-
32 concentration of poles or other facilities in, on or over the streets, sidewalks or other rights-
33 of-way;

34
35 3. The location selected, and scale and appearance of the wireless facilities and
36 support structures to be installed, are consisted with the general character of the
37 neighborhood;

38
39 4. The applicant has agreed to and provided adequate insurance, bonding and
40 indemnification to protect the Town and its residents from injury or liability relating to or
41 arising from the proposed facilities and structures;

42
43 5. The applicant has entered into the franchise or right-of-way use agreement with the
44 Town required by § 24-17A; and

45
46 6. The wireless facilities, if located in a residential area, do not generate any noise.

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2 **§ 24-19. Exceptions.**
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4 No permit shall be issued with respect to any Town street, sidewalk, or right-of-way where, in the
5 judgment of the Town Administrator, sufficient capacity no longer exists for additional facilities
6 to be placed in the proposed location without jeopardizing the physical integrity of utilities or other
7 facilities already present in the proposed location, or the safe and efficient vehicular or pedestrian
8 use of the street, sidewalk, or right-of-way.
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10 **ARTICLE III**

11 **PENALTIES**

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14 **§ 24-20. Violations.**
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16 Violations of this Chapter shall be municipal infractions as set forth in Chapter 17 of the Town of
17 Cheverly Code. Nothing herein shall prevent the Town of Cheverly from seeking all relief
18 available under the law with respect to any violation of Article II, including, but not limited to,
19 seeking injunctive and declaratory relief.
20

21 **AND BE IT FURTHER ORDAINED** that if any provision of this Ordinance or the
22 application thereof to any person or circumstance is held invalid for any reason, such invalidity
23 shall not affect the other provisions or any other applications of the Ordinance which can be given
24 effect without the invalid provision or applications, and to this end, all the provisions of this
25 Ordinance are hereby declared to be severable;
26

27 **AND BE IT FURTHER ORDAINED**, that this Ordinance is an Emergency Ordinance
28 and shall be effective immediately;
29

30 **AND BE IT FURTHER ORDAINED**, that a fair summary of this ordinance shall
31 forthwith be published twice in a newspaper having general circulation in the Town and otherwise
32 be made available to the public.
33

34 **INTRODUCED** by the Town Council of the Town of Cheverly, Maryland, at a regular
35 public meeting on **January 24, 2019.**
36

37 **ADOPTED** by the Town Council of the Town of Cheverly, Maryland, at a regular public
38 meeting on **January 24, 2019.**
39

Adopted: _____

Attest:

Barbara Bibbs, Town Clerk

Michael Callahan, Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

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[] indicate deletions

Underline indicates additions

Asterisks * * * Indicate matter retained in existing law but omitted herein

Effective Date: January 24, 2019