



Approved: November 16, 2022

Peter Nagrod called the meeting to order at 7:30 p.m. Because of the coronavirus pandemic, this meeting took place via ZOOM videoconference. In attendance were Commissioners Georgette Cole, Jonathan Dail, Dave Hix, and Robert Johnson.

Approval of Agenda: The agenda was accepted by consensus.

Agenda Item 2: Discuss Article VII, Section 3.141, 3.142, 3.143, as it affects building permits, especially in the RR2 area. Does this allow for the flexibility needed to preserve the historic cottages?

- We noted that Article VII, Sec 3.14 only applies to the front setback and the issue in remodeling was often the side setbacks. This issue is property-dependent, often characteristic of a zone, but not for all properties in the zone. Changes need to take this into account.
Possible Action Item: The PC could start by reviewing all of the setbacks in the Historic District (RR2) to come up with more realistic setbacks for this zone. Note that the current spreadsheet for this is in need of serious review. We need at least two volunteers to work on this.
- We discussed the difference between lot coverage and maximum enclosed space restrictions. It was suggested what we'd really like to avoid in the RR-2 was a change from a typical historic cottage shape to a McMansion style "box".
Possible Action Item: It should be possible to devise a mathematical formula to progressively decrease the amount of enclosed space on upper floors of a structure.
- When discussing the enlargement of a building in the setback of its property, we asked what ordinances governed the definition of **non-complying buildings**. We did not look this up during the meeting, but remembered ordinances were changed to restrict increasing the degree of non-compliance. The pertinent ordinance is Article VII 5.3, 5.31, and 5.32. [5.32(c) was added in 2015]
- It was pointed out that we really need a disincentive to "knock-down" houses. Although we require a demolition permit, there are no criteria related to granting it. Grovers like their freedom and don't look favorably on restrictions. Whatever we come up with, education will be key to implementation. In our last meeting with the HPC they suggested a Historic Overlay District but admitted that the Town doesn't have anyone who has the training or skillset to administer such a district. The PC agreed we were not in favor of doing something like this which required a professional staff to administer.
- One suggestion is for the PC to have more flexibility in allowing modifications to make the old houses more livable. This could be done in coordination with the HPC. It was observed

this seems to mingle the PC with the BZA. Could the BZA variance conditions be more relaxed?

Possible Action Item: Ask Christine Dibble (a former BZA member) or Marc Hansen (the current head of the BZA) if this is possible.

- One issue with flexible evaluation is the ability to keep the process fair/equal for all applicants. Subjective judgements are more open to a perception of unequal treatment. It was observed that a non-complying change was made during the remodel of 404 Grove Avenue. It was approved because it was necessary to conform to Montgomery County fire code.

Possible Action Item: It might be helpful to look at MC fire code with a view toward applying it to livability standards in the small cottages.

- We returned to discussing demolitions, including demolition-by-neglect. Neglect is a big issue and education is highly desirable to establish community buy-in. It was suggested that unoccupied properties should be taxed to encourage property owners to unload non-productive assets. This met with general approval. It was suggested the PC draft such an ordinance for WG based on the current DC ordinance and send it to the Town Council with a recommendation for passage/ implementation. Since WG generally ensures the property tax income is revenue neutral, we suggested the extra revenue be used to the advantage of the occupied homes. For example, it could be rebated to their property taxes, or used to reduce the dwelling tax on the occupied homes (mathematically simpler), or perhaps used to establish a historic homes insulation fund.

Possible Action Item: Draft such an ordinance to be discussed at the regular PC meeting in two weeks.

- Another issue discussed was the need to more clearly define “lot” and “lot of record” in order to ensure someone can’t buy several lots, tear down the houses, and build a new one on the combined lots. This should not be possible without a formal subdivision, but our current ordinances do not make this clear.

Possible Action Item: Find the ordinances and definitions related to this issue and figure out the necessary re-write.

Agenda Item 3: Other Business

It was asked when the PC would address general ordinance revisions. This task was deferred until after the Comprehensive Plan was finished as were many other issues. The Chair said we would discuss it at the next regular meeting.

There being no further business, the meeting adjourned shortly before 9 pm.

Georgette volunteered to put together minutes and send them around for comments.

Submitted by Georgette Cole