

The Town of
GLEN ECHO
Chartered 1904

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TOGE Open Work Session:

TOGE Construction Project Oversight Considerations:

**Overseeing Construction in Municipalities and Subdivision
Development Beyond services offered by Montgomery County**

Thursday, January 10, 2019 Town Hall 7:00 PM

Present: Mayor, Willem Polak, **Councilmembers**, Nancy Long, Dia Costello, Dan Spealman and Matt Stiglitz. **Town Manager**, Nicole Ventura

Residents: Renny & Edie Springuel (Vassar Circle), Aaron Hirsch (University Ave.), Collin Green (Princeton Ave.), Emily & Mary Parsons (Bryn Mawr), Raya Bodnarchuk (Harvard Ave.), Matt Polak (University), and Matt McFarland (Vassar Circle).

Guests: Joe Toomey, PE, Building Permits Review and Municipal Services, Jana Coe, Manager Town of Chevy Chase View and Jean Sperling, former Manager of Village of Martin's Additions. Absent – Wayne C. Fowler, Code Enforcement Officer.

• Experiential Examples of Municipal Construction Oversight

Mayor Polak introduced Jana Coe, Manager of Town of Chevy Chase View and Jean Sperling, former Manager of Village of Martin's Additions.

Ms. Coe and Ms. Sperling discussed how a Building Permit Administrator and Engineer in their respective Municipalities is a very beneficial service to their communities. They both felt that Montgomery County Building enforcement officers were not on site to oversee new construction on a regular basis. County Permit Inspectors only come to the site when the builder is required to have a County inspection or if there was a complaint filed by a third party. Complaints can take up to 48 hours to be addressed. Having an in-town Building Engineer provides reliable oversight and prompt attention to complaints

Both Managers agreed that the Building Permit Administrator/ Engineer and Code Enforcement Manager are indispensable for properly reviewing the plans and overseeing adherence to County building codes and local construction protocols. Having a Building Engineer available is also very beneficial to overseeing work by

the utility companies--Pepco, Washington Gas and WSSC. The Building Engineer is able to make sure that the projects are in compliance with County Code and industry standards.

Ms. Coe cited other occasions where her Town was well served by the Building Permit Administrator including the oversight needed for a complete sidewalk rebuild to meeting ADA compliance, review and recommend changes to clarify/codify the Town's building regulations, storm water management, and negotiations of utilities' settlement of right-of-way restorations.

- **The Role of the PE in Overseeing Construction in Municipalities**

Mayor Polak introduced Joe Toomey, PE and reiterated that the town is considering hiring him as a Building Permit Administrator /Municipal Engineer to review and oversee construction projects in Town of Glen Echo in addition to overseeing street and work done by utility companies. He is working with the Town of Chevy Chase View and some other municipalities in the area.

Mr. Toomey provided the Council and residents a copy of the Montgomery County Department of Permitting Serves Construction Inspections schedule (copy attached to these Minutes) as an opening example of the lack of consistent County oversight of residential construction. This schedule shows that from month 3 through month 5 no inspections are routinely conducted by the County. He also provided a list of the services he offers to the Town of Chevy Chase View (copy attached to these Minutes) which includes initial project meetings and review, individual property reviews and meetings, weekly construction meetings and review. He informed the Council that the Town of Glen Echo would be billed on as-provided basis in 15 min. increments. He does not have a minimum number of hours as part of his contract.

- **Questions from Attendees**

Resident Aaron Hirsch commented that he felt the service of Building Engineer was considered a premium service and based on the history of Town of Glen Echo this was not a service needed since the town has not had any major issues with builders in Town. He also felt that the proposed permit fees for new construction should have been discussed at more open meetings to allow residents to debate the fees. He felt the Town was overreacting due to the project at 7315 University.

Council Member Matt Stiglitz responded to Aaron Hirsch that by charging the builder a higher new construction fee, they would be paying for the services of the Building Engineer rather than the tax payers footing the bill. He also stated that the lack of response the Town got from Montgomery County on the 7315 University project was a wake-up call to look at the Town's current procedures.

Resident Matt Polak asked about the start time of construction work – 7:00 am-- and wondered if the Town could implement a later start time. Joe Toomey responded that 7:00 am was the County start time – and that most construction

workers start early and end early to beat traffic. He felt changing the start time was not something that would be easily considered.

Resident Renny Springuel stated that the Town has had issues in the past with the County following up on complaints. He felt that having a Building Engineer working for the Town was needed due to the lack of response from the County.

Resident Collin Green asked how often Joe caught errors that the County approved that did not meet County requirements.

Joe Toomey gave an example of the height of home that was calculated incorrectly. The County missed the error and had approved the height. Once this was brought to the County's attention the builder was required to recalculate the height and correct the physical structure to meet the Code.

In another example Jana Coe and Joe Toomey both mentioned that they have been in a battle with the County over the definition of a bay window which can encroach on set-backs. The structure built was in fact not a bay window but used to expand available floor space. This use of a definition of a projection caught the County by surprise and has resulted in County clarification. This is just an example of the importance of being on top of these kinds of building code intricacies.

Mary Parsons stated that in the past the Town had the Mayor monitor more the building permits and had allowed the Town to keep the cost of permits low. She thought that the new fees should not be imposed on the Vassar Project since the builder has been working on getting this project approved for 4 years.

Matt MacFarland commented that most other Municipalities have more stringent rules than the Town of Glen Echo and having a Town Manager working 30 hours per week should allow the Town to have more supervision of building projects.

The work session meeting was adjourned 9:30 pm
Minutes Prepared by: Nicole Ventura

Approved by: Willem Polak
Mayor, Willem Polak

March 12, 2019
Date