

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: April 15, 2015
Place: Christ Episcopal Church, Kensington, Maryland
Present: Paula Fudge, Chair; Coral Bell; Peter Marks; and Ron Sherrow, Council members
Ron Bolt, Legal Counsel to Chevy Chase View
Joe Toomey, CCV Building Permit Administrator

Others Present: Chuck Krockner, ADC Consult, LLC
Paul Hurley, 4029 Franklin Street
Michael Kirvan, 4020 Glenrose Street

Called Meeting to Order: 7:00 p.m. by Paula Fudge, Chair

Revised Building Permit Application for Construct a Walkway and Steps to the Sidewalk at Cedar Lane Right-of-Way - 10111 Cedar Lane (Hacking-Francis):

The request for the revision was submitted by Chuck Krockner, the construction expediter, on behalf of Rose Hacking and Fabian Francis, owners of 10111 Cedar Lane. The original building application was previously approved at the September 17, 2014 Council meeting. The revision to construct a walkway and steps to the sidewalk at Cedar Lane right-of-way complies with all of the applicable rules and restrictions of the Chevy Chase View Municipal Code.

Mr. Toomey's review is based upon the revision to the site plan submitted with the request. The scope of the revision is to construct a 4-foot wide walkway and steps, with a handrail, from the previously approved front stoop, to the sidewalk at the Cedar Lane right-of-way. Approximately nine feet of the length of the walkway will be located within the right-of-way, between the property line and the back of the Cedar Lane sidewalk. The Town Code does not restrict the construction of steps or walkways, as needed, from a porch or stoop.

Mr. Toomey recommended that the application be approved. Ron Sherrow moved that the building permit application for the addition be approved. Peter Marks seconded the motion and it passed by a vote of 4-0.

Budget FY 2016: A hearing was held on the proposed FY 2016 budget. Paula Fudge explained that the FY 2016 budget was developed by the Council in an open work session held on March 9, 2015.

Mr. Kirvan inquired about neighboring municipalities of similar size to the Town and also asked for clarification of the budget line item entitled payroll expenses. Mrs. Fudge explained that it includes FICA contributions, health insurance coverage and retirement contributions for staff.

Mr. Kirvan also asked if the Council had determined how the old street signs would be offered to interested CCV residents. Paula Fudge stated that a notice would be sent to residents notifying them of a drawing for anyone interested.

The resolutions to adopt the new tax rate and budget were discussed. The FY 2016 proposed tax rate of two and two-tenth cents of a dollar (\$.022) per One Hundred Dollars (\$100.00) of assessed value (fair market value) on each One Hundred Dollars (\$100.00) worth of assessable real property in Chevy Chase View was presented. The FY 2016 real property tax rate remains unchanged from FY 2015.

The motion was made by Peter Marks that the Council adopt Resolution No. 113-04-15 approving the tax rate of \$.022 per \$100.00 worth of assessable real property in Chevy Chase View. Coral Bell seconded the motion and it passed by a vote of 4-0. The Town Manager was directed to so advise the Chief of the Montgomery County Finance Division.

Peter Marks moved that the Council adopt Resolution No. 114-04-15 approving the FY 2016 budget covering the period July 1, 2015 - June 30, 2016. The motion was seconded by Coral Bell and it passed by a vote of 4-0.

Approval of Minutes of the March 18, 2015 Monthly Meeting, Permit Fee Revision Work Session of March 30, 2015, and Character Study Work

Session of March 30, 2015: Coral Bell moved the minutes of the March 18, 2015 Monthly Meeting, the Permit Fee Revision Work Session of March 30, 2015 and the Character Study Work Session of March 30, 2015 be approved. Ron Sherrow seconded the motion. The motion passed by a vote of 4-0.

Closed Session Held on March 18, 2015: At 8:05 p.m., in open session, Pete Marks made a motion to enter closed session, pursuant to General Provisions Article § 3-305(b) (7) and (8) to consult with counsel to obtain legal advice on a legal matter, namely building code enforcement and potential litigation, and to consult with staff about the potential litigation. Ron Sherrow seconded the motion and it passed unanimously. The Council unanimously agreed, by a vote of 4-0 (with Council member Albright absent), that the Town should make a counteroffer to resolve the potential litigation. At 8:45 p.m., hearing no objection, Ms. Fudge adjourned the closed session.

Financial Report for Period March 1, 2015 to March 31, 2015:

Ron Sherrow moved that the financial report for the period March 1, 2015 to March 31, 2015 be accepted. Peter Marks seconded the motion and it passed by a vote of 4-0.

Council Member Walk: Coral Bell conducted the monthly Council member walk and reported that deteriorating asphalt curbing on Dresden Street will need to be addressed as part of this year's street maintenance. She also pointed out that large chunks of gravel on Connecticut Avenue were left behind from the SHA's repair of potholes. Jana Coe noted that a Town resident had alerted her to this issue and that SHA had been contacted. Ron Sherrow added that he would ask SHA to look at an area near a storm drain near Glenridge Street.

Building Permit Application for Fence and Pool - 4220 Dresden Street (Kehoe): Brian and Kathy Kehoe submitted two separate building permit applications for their property at 4220 Dresden Street, in the Town of Chevy Chase View. The applications comply with the applicable rules and restrictions of the Chevy Chase View Municipal Code.

The first application is for the installation of a 6-foot high wood fence within the property boundaries, enclosing the rear and side yards, and a four-foot high wood fence between the garage and the house. The Town Code restricts a fence height to be no more than 6-1/2 feet in rear and side yards. The placement of the fence is indicated on a copy of the site plan submitted for the County permit. Montgomery County issued a permit, number 707634 on April 1, 2015, for this work, and a copy of that permit has been submitted to the Town.

The second application is to install a swimming pool in the rear yard. A note on the site plan submitted with the application states that the pool will be setback from the east side property line by a distance of 15.5 feet, with no pool deck on that side. The Town Code restricts the placement of a pool to no closer than 15 feet from a side or rear property line. Montgomery County issued a permit, number 708376 on April 8, 2015, for this work. A copy of that permit must still be submitted to the Town.

Mr. Toomey recommended that both applications be approved. Ron Sherrow moved that the building permit application for the fence and pool be approved. Peter Marks seconded the motion and it passed by a vote of 4-0.

Building Permit Application for Addition - 4212 Franklin Street (Gottshall): Jeffrey and Lisa Gottshall submitted a building permit application for an addition to their home at 4212 Franklin Street, in the Town of Chevy Chase View. The site plan and the architectural plans submitted with the application comply with all of the applicable rules and restrictions of the Chevy Chase View Municipal Code.

Mr. Toomey's review is based upon the construction drawings of Shall's Construction, LLC, dated March 20, 2015. The scope of the project, as stated on the application, is to construct a roof over the existing porch. Approval of the permit application will be for the purpose of documenting construction work that was made prior to obtaining a permit from the Town.

The roof structure is 28'-8" by 14'-11", and covers an existing raised patio that is located at the left rear corner of the house. The roof is located the same distance from the left (east) side property line as that of the house, at 15.1 feet. The required setback is 15 feet. Montgomery County issued a permit, number 706842, on March 24, 2015, to add a porch.

Mr. Toomey recommended that the application be approved. Paula Fudge moved that the building permit application for the addition be approved. Peter Marks seconded the motion and it passed by a vote of 4-0.

The following CCV building permit summary was submitted by Joe Toomey, CCV Building Permit Administrator:

CCV Building Permit Summary for April 2015

Applications for CCV Building Permit:

- 4220 Dresden Street (Kehoe) Fence and Pool
- 4212 Franklin Street (Gottshall) Addition

Request for Revision to a CCV Building Permit - April 2015:

- 10111 Cedar Lane (Hacking/Francis) Walkway
- 4314 Glenrose Street (Green) Wall/Fence 90-day Extension

Applications on hold pending revisions to the plans:

- 9819 Connecticut Avenue (Spry) Shed - applied 11/7/14

Approved applications awaiting issuance of CCV permit:

- 9900 Summit Avenue (McCarthy) Addition - approved 9/17/14, extension approved 3/18/15

Active and open permit construction projects:

- 10111 Cedar Lane (Francis/Hacking) Construction of a new house - approved 9/17/14, issued 11/24/14
- 4220 Dresden Street (Kehoe) Construction of a new house - approved 11/19/14, revised 12/17/14, issued 1/5/15
- 4224 Dresden Street (4224 Dresden Street, LLC) - Construction of a new house - approved 11/19/14, issued 12/15/14
- 4225 Dresden Street (Vaghi) Addition - approved 5/21/14, Time extension approved 11/19/14, issued 2/5/15

- 4001 Everett Street (Wratney) Addition - approved 10/15/14, issued 10/27/14
- 4120 Everett Street (Griffioen) Demolition of an existing garage and new garage construction - approved 5/21/14, issued 5/22/14, revised 6/18/14
- 4120 Everett Street (Griffioen) Addition - approved 6/18/14, issued 7/16/14, revised 9/17/14, revised 11/19/14, revised 2/25/15
- 4101 Franklin Street (Turgeon) New house and garage - issued 3/24/14
- 4034 Glenridge Street (RSC Investments LLC) Addition - interim approval 8/21/14, issued 8/21/14, revised 11/19/14
- 4308 Glenrose Street (Conlan) New house construction - approved 5/21/14, issued 6/11/14, revised 11/19/14
- 4312 Glenrose Street (Skinner) Deck - applied 11/5/14, issued 3/9/15
- 4314 Glenrose Street (Green) Wall and fence - interim approval 10/10/14, issued 10/10/14
- 9800 Summit Avenue (Villafana) Fence - applied 10/10/14, issued 3/18/15

Completed projects since March 2015 Council meeting:

- 9909 Cedar Lane (Vorhis) Fence - applied 3/12/15, issued 3/24/15, completed 4/15/15

East Dresden and Cleveland Street Lighting Proposal Update: The Council reviewed the Digital Filaments quote for a total of five (5) NERI street lanterns/posts which totals \$20,980.00, as well as the quote from Baldwin Line Construction of Maryland, Inc. which contains the work detail to remove the existing lights, install new poles/lanterns, and connect the new lanterns. This quote totals \$5,232.70. The total cost for the purchase and installation of new lanterns/posts is \$26,212.70. Coral Bell moved that the purchase of the five (5) NERI street lanterns, posts and the installation costs be approved. Paula Fudge seconded the motion and it passed by a vote of 4-0.

Date for Next Character Study Work Session: The next work session will be announced when the date has been finalized.

Connecticut Avenue Sidewalk Update: Jana Coe reported the following information and timetable for ongoing retaining wall issues she has been working with SHA to resolve over the past twenty-one months.

- **Re-build Wall** - Wall construction is completed. Wall 'staining' will be done concurrent with 'landscaping' - warmer temperatures are needed.

- **Pole Relocation** - Working with PEPCO and Verizon to schedule their work around 4/20 prior to the landscape installation.
- **Landscaping** - The plantings will occur after the utility companies have completed their work. The straw matting has been applied to stabilize the soil and prevent pre-mature erosion. This area will be totally cleaned up in advance of the proposed plantings. The finished grade varies, the ground closest to Schugars' driveway, and will be leveled and sloped as it approaches the retaining wall to meet the back of wall.
- **Concrete Retaining Wall Capstones** - The contractor will remove all the remaining stain from the horizontal surface areas. These capstones will not be re-stained.
- **Cracks Observed in the Retaining Walls** - The cracks represent normal settling of the walls and are not an indication that the walls' structural integrity has been compromised. SHA is responsible for maintenance of the retaining wall.
- **Wrought Iron Railing** - SHA Construction will continue to work with the contractor to address the pre-mature rusting of the fence.

Other Continued Business:

Request for Extension of CCV Building Permit No. 297-05002 - 4314

Glenrose Street (Green): John and Janis Green of 4314 Glenrose Street requested an extension to June 30, 2015, for CCV Permit No. 297-05002 which was previously issued by the Town on October 10, 2014. The request is related to the scheduling difficulties which made it impractical to commence this effort before the winter. Mr. Green is actively interviewing landscaping contractors to coordinate this project with a broader planning and landscaping improvement plan to their home. Coral Bell moved that the 90-day extension request be approved. Paula Fudge seconded the motion. The motion passed by a vote of 4-0.

CCV 2015 Elections: Nominations of candidates for the upcoming May 14, 2015 election are being accepted through the end of the day on April 21, 2015.

Introduction for Approval of Resolution No. 112-04-15 to Modify the Schedule of Fees for Permit Applications:

The Council discussed the schedule of fees for permit applications that was finalized at the March 30, 2015 work session. Coral Bell moved that Resolution No. 112-04-15 be approved. Ron Sherrow seconded the motion and it was approved by a vote of 4-0.

Update on CCV Directory Development: Jana Coe reported that there are 80 residents who have not confirmed the details needed to update the Town directory, which may result in some residents' information being incorrect. If residents want to make certain their information is correct, please email the Town Manager at ccviewmanager@verizon.net. The standalone directory will be published and distributed in June 2015.

Motion to Enter Closed Session: At 8:10 p.m., Paula Fudge moved the Council enter into closed session pursuant to Maryland Code, General Provisions Article, Section 3-305(b)(7) to consult with counsel to obtain legal advice, and Section 3-305(b)(8) to consult with staff, consultants, or other individuals about pending or potential litigation, related to building code enforcement. Ron Sherrow seconded the motion and it passed by a vote of 4-0. The Council unanimously agreed to have legal counsel conduct settlement negotiations.

Motion to Adjourn: At 8:40 p.m., Coral Bell moved the meeting be adjourned. Peter Marks seconded the motion and it passed by a vote of 4-0.

Time and Place of Next Meeting: The Council will meet next for its monthly meeting on Wednesday, May 20, 2015, at 7:30 p.m. at the Christ Episcopal Church, Kensington, Maryland.

Respectfully submitted,
Jana Coe, Town Manager

NOTES AND REMINDERS -

Bulk Pick-Up - The next monthly bulk pick-up is scheduled on **Saturday, May 2, 2015**. As a reminder, heavy refuse includes major appliances (must have Freon removed), furniture, large toys, bicycles, and plumbing fixtures. Excluded are batteries, propane tanks, bricks, general construction debris and iron pipes. Please have your items at the curb by 7:00 AM on Saturday as the truck comes through early.

Sign Up for eTownMailings: You can now receive the monthly CCV Council meeting minutes and other Council messages and important announcements from the Town Manager. This does not replace the CCV listserv. Go to the CCV website - on the front page under "Quick Links" - you will find the box that says "eTown Mailings". Enter your mail address in the white field, then hit "Go". This will take you to the website of our partner, Constant Contact. Re-type your email address in the box that says "Confirm your email address". Enter your first name, last name and street

address in the section titled "Your Information". Finally click the button at the bottom left that says "Save Profile Changes". After you have completed these steps, you will receive an email confirming your registration. Please note that when one member of your household registers for our electronic mailing list, we will discontinue mailing hard copies of these documents to your household.

Storm Drains - If there is a storm drain adjacent to your property, would you mind helping us out? If you could clear the accumulated debris from the grates occasionally, it will be better to add this debris to the weekly yard pickup as opposed to ending up in the Chesapeake Bay! Thank you.

Listserv - Please consider becoming a member of the CCV listserv. Send an email to ChevyChaseViewNet-subscribe@yahoogroups.com. **As a reminder, the ChevyChaseViewNet listserv is not intended to be used by residents to contact the Town Manager or Council members. For the latter, please use the appropriate telephone number or email address for the Town Manager or Town Council member(s). To ensure the timeliest response on matters related to Town business or the Chevy Chase View Council, your inquiries are best directed to the Town Manager at ccviewmanager@verizon.net or by calling 301-949-9274.**

Website - Please visit our website at www.chevychaseview.org.

Application for Building Permit - Building Permit Applications for consideration at the May 20, 2015, meeting must be submitted to the Town Manager by 5:00 p.m. on May 6, 2015. Please note that the review may take several days and an application is not considered perfected until the Town Building Permit Administrator completes his review. Please contact Jana Coe, Town Manager, at ccviewmanager@verizon.net or 301-949-9274.