

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: January 16, 2019
Place: Christ Episcopal Church, Kensington, Maryland
Present: Paula Fudge, Chair; Tom Brown, Peter Marks, Carlos
Molina and Ron Sherrow, Council members
Jana Coe, Town Manager
Ron Bolt, Legal Counsel for Town
Joseph Toomey, CCV Building Permit Administrator
Others Present: Jackie McConarty, 4200 Glenridge Street
Tanya Ghatan, 9905 Summit Avenue
Patrick O'Donnell, 4208 Glenrose Street
Kristin O'Donnell, 4208 Glenrose Street
Called Meeting to Order: 7:00 p.m. by Paula Fudge, Chair

Appointment of New Council Member: The Council accepted the resignation of Council member Nancy Kehne, effective January 1, 2019. Ron Bolt advised that the Council has the authority to appoint a replacement to fill a vacancy on the Council. The Council chose to fill this four-month opening with Peter Marks of 4213 Franklin Street, as Peter left the Council in May 2018 with a knowledge base of many ongoing Town projects.

Paula Fudge moved that the Council appoint Peter Marks to complete the term of Mrs. Kehne (May 2019). Carlos Molina seconded the motion and the motion passed by a vote of 4-0.
The Council extended appreciation to Nancy Kehne for her nearly two years of service to the Town. As Peter Marks met the eligibility requirements, Ron Bolt, the Town's attorney, administered the Oath of Office to the newly-appointed Council member.

Election of Acting Chair and Designation of Council Member

Responsibilities: Ron Sherrow moved that Peter Marks be elected as Acting Chair to the Town Council. Carlos Molina seconded the motion and it passed by a vote of 4-0.

Approval of Minutes of the December 12, 2018 Monthly Council Meeting:

Paula Fudge moved the minutes of the December 12, 2018 Monthly Council Meeting be approved. Tom Brown seconded the motion and it passed by a vote of 4-0, with the abstention of Peter Marks.

Financial Report for Period December 1, 2018 to December 31, 2018:

The Council reviewed the FY19 Capital Expenditures - Summit Avenue Sidewalk Rebuild line item budget. Paula Fudge moved that \$51,000.00 be added to the FY19 Capital Expenditures "Summit Avenue Sidewalk Rebuild" line item, thus increasing this line item to a total of \$76,000.00. This revised line item budget includes the costs of the Clark/Azar Design Engineering plan, oversight by Municipal Engineer Joe Toomey, Montgomery County permit fees, and the additional stormwater review of 9901/9905 Summit Avenue. The source of the \$51,000.00 additional funds

will be earmarked from revenue surplus that would ordinarily be transferred to reserves. Ron Sherrow seconded the motion and it passed by a vote of 5-0.

Paula Fudge moved that the financial report for the period December 1, 2018 to December 31, 2018 be accepted. Carlos Molina seconded the motion and it passed by a vote of 5-0.

Council Member Walk: Paula Fudge conducted the monthly Council member walk and did not find any issues to report.

Building Permit Application - Demolition and New Home - 4011 Dresden

Street (Quinn): Nancy and Robert Quinn submitted an application for the demolition of the existing house and construction of a new house at 4011 Dresden Street. The application complies with all of the applicable rules and restrictions of the Chevy Chase View Municipal Code.

Mr. Toomey's review is based upon the description of the project on the application, the Site Plan by CAS Engineering, dated November 30, 2018, and the architectural plans by GTM Architects, dated December 3, 2018. The scope of the project calls for the demolition of the existing 2-1/2 story home, built in 1913, and the rear yard garage. The new work will include the construction of a new 2-1/2 story home, with a finished basement, a new rear yard detached two-car garage, and a new driveway and driveway apron.

The front wall of the house will be setback 136.6 feet, meeting the 115-foot setback requirement for the north side of that block. The front entry porch and roof will project an additional 9 feet from the front face of the house, also meeting the front setback requirement.

The proposed left (west) side property line setback will be 16.2 feet. Egress window well and roof overhang projections into the side setback meet the allowable projections. The proposed right (east) side property line setback will be 18.1 feet. The rear yard setback of the screened porch will be approximately 101 feet, meeting the 25-foot requirement.

The proposed 22' by 22' single story detached garage will be located in the rear yard, 7.2 feet from the right property line and approximately 50 feet from the rear property line. Mr. Toomey recommended approval of this application.

An application has been submitted to the Montgomery County Department of Permitting Services, on December 3, 2018 (number 859831) for the construction of a single-family dwelling. A demolition permit from the County will also be required.

Ron Sherrow moved the permit application be approved. Tom Brown seconded the motion and it passed by a vote of 5-0.

Building Permit Application - Demolition and New Home - 4304 Glenridge Street (McConarty): William and Jacqueline McConarty submitted an application for the demolition of the existing house and construction of a new house at 4304 Glenridge Street. The application complies with all of the applicable rules and restrictions of the Chevy Chase View Municipal Code.

Mr. Toomey's review is based upon the description of the project on the application, the Site Plan by CAS Engineering, dated December 10, 2018, and the architectural drawings by Claude C. Lapp Architects LLC, dated November 16, 2018. The scope of the project calls for the demolition of the existing one-story home and the construction of a new 2-1/2 story home, with a finished basement, an attached two-car garage, and a new driveway and driveway apron.

The Established Building Line (EBL) setback for the property is 38.8 feet. The proposed front wall of the house will be set back 39.0 feet from the front property line. The front entry porch and roof will project 3.4 feet into the allowable 5-foot projection into the EBL.

The proposed left (east) side property line setback will be 22.9 feet. The proposed right (west) side property line setback will also be 22.9 feet. The rear yard setback of the screened porch will be approximately 38 feet, meeting the 25-foot requirement.

The front yard non-vegetative surface area, including the driveway, walkway, and front porch will be 23.7%, meeting the 30% limitation. The driveway width at the at the right-of-way will be 12 feet. Mr. Toomey recommended approval of this application.

Applications have been submitted to the Montgomery County Department of Permitting Services, on December 6, 2018, for demolition of the existing structure (number 860222), and on December 10, 2018, to construct a new home (number 860535.) The County permit applications are being reviewed and have not yet been issued.

Paula Fudge moved the application be approved. Carlos Molina seconded the motion it passed by a vote of 5-0.

CCV Building Permit Summary for January 2019

New applications for a Building Permit:

- 4011 Dresden Street (Quinn) Demolition of an existing house and new house construction - applied 12/4/18
- 4304 Glenridge Street (McConarty) Demolition of an existing house and new house construction - applied 12/11/18

Approved applications awaiting issuance of the Chevy Chase View permit:

- 4104 Glenridge Street (Hastings) Front portico and side entry stoop - applied 5/2/18, approved 5/16/18, extension of time approved 11/14/18

Active and open permit construction projects:

- 4016 Cleveland Street (Garayta) Addition - applied 7/4/18, approved 7/18/18, revision approved 8/30/18, issued 9/10/18
- 4108 Dresden Street (Di Martino) Addition and detached garage - applied 5/2/18, approved 5/16/18, issued 7/18/18
- 4017 Everett Street (Farkas/Gilbert) New house construction - applied 5/2/18, approved 6/20/18, issued 7/18/18
- 4100 Franklin Street (Costa) Screen porch - applied 9/11/18, interim approval 10/2/18, issued 11/1/18
- 4221 Franklin Street (Cross) New house construction - applied 7/3/18, approved 7/18/18, issued 9/10/18
- 4100 Glenridge Street (Amorim/Stipp) Construction of a new home, driveway, and apron - applied 2/2/18, approved 2/21/18, issued 3/15/18, revision approved 7/18/18
- 4217 Glenridge Street (Michele M. Dombo Construction Management, LLC) Major addition - applied 12/6/17, approved 1/17/18, revision approved 8/30/18, issued 3/16/18
- 4001 Glenrose Street (Rickman) Portable storage unit - applied 8/9/18, issued 8/9/18
- 4004 Glenrose Street (Wong) Portable storage unit - applied 8/10/18, issued 8/10/18
- 9800 Summit Avenue Harper) Dumpster - applied 11/15/18, issued 11/15/18
- 9808 Summit Avenue (Manfreda) Addition - applied 2/7/18, approved 2/51/18, issued 3/5/18

Completed projects since the December 2018 Council meeting:

- 4024 Franklin Street (Hodgson) Side entry roof - applied 9/17/18, approved 10/17/18, issued 10/31/18, completed 1/4/19
- 9808 Summit Avenue (Manfreda) Driveway and driveway apron - applied 11/19/18, approved 12/12/18, completed 12/13/18

Public Hearing on Ordinance No. 77 Define Bay Windows: The Council introduced Ordinance No. 77 Defining Bay Windows at the December 12, 2018 monthly meeting, which amends the Town code to allow a bay-window to project into a setback, having an at-grade foundation with a footing or being cantilevered, so long as the bay window is limited to 10 feet in width, a single story in height, and is constructed of at least 50% glass (excluding roof and foundation). Ron Bolt sent the draft ordinance to Montgomery County for review.

Hearing no further comments from the residents, or the County Council, Tom Brown moved that Ordinance No. 77 to Define Bay Windows be adopted, with an effective date of January 16, 2019. Ron Sherrow seconded the motion and it passed by a vote of 5-0.

Report on Summit Avenue Sidewalk Improvement Project:

Town Council members and staff will conduct a walk through with Clark/Azar officials at 4:00 p.m. on Monday, January 21, 2019, to review Summit Avenue alignment and design issues. Immediately following the conclusion of the walk through, the Town Council will hold an open work session at 5:00 p.m. at Christ Episcopal Church (in the undercroft) to discuss the 75% Design Development Plan as developed by Clark/Azar.

The link to the Clark/Azar 75% Design Development Plans can be found on the Town's website -

<http://www.chevy Chaseview.org/docs/CASummitSidewalk75.pdf>

Approval of Clark/Azar Contract Amendment #1 to Provide Drainage

Analysis of 9901 and 9905 Summit Avenue: The Town's "Storm water issue" at 9901 and 9905 Summit Avenue involves freestanding water in the Town right-of-way. Residents' "storm water issues" likely include water collecting on their lawns, as well as in the Town right-of-way. In a proposed Amendment #1 to the Clark/Azar Engineering Design contract, the Council has requested an evaluation and analysis of runoff and drainage issues of these two specific properties and their fronting rights-of-way (ROW) along the Summit Avenue corridor. The subject ROW includes the vegetative and paved areas fronting those properties. This may require property owner's written permission to enter their private property to collect data. The study will include one site visit to review existing conditions of the subject properties and their fronting ROW, and a document of drainage patterns.

Following the site visit, Clark/Azar will prepare hydrologic computations and a letter report with suggested improvements to mitigate the drainage problems on the Town right-of-way. The report will include schematic sketches of the proposed improvements and cost opinions of the construction costs for each of the suggested improvements.

Carlos Molina moved that the proposed Amendment #1 to the Clark/Azar Summit Avenue Engineering Design contract in the amount of \$2,900.00 be approved. Tom Brown seconded the motion and it passed by a vote of 5-0.

Introduce Ordinance No. 78 - Regulate Small Wireless Telecommunications

Facilities in the Right-of-Way: The Council authorized Ron Bolt to draft Ordinance No. 78 - Regulate Small Wireless Telecommunications Facilities in the Right-of-Way. Joe Toomey reviewed the draft for any additional edits as it pertains to permitting of these small cell towers.

The recently adopted FCC Order on small cell regulation went into effect on January 14, 2019, and local governments have until April 15, 2019 to adopt local aesthetic standards. Per the FCC Order, any such standards must be "(1) reasonable, (2) no more burdensome than those applied to other types of infrastructure deployments, and (3) objective and published in advance."

Tom Brown moved that Ordinance No. 78 - Regulate Small Wireless Telecommunications Facilities in the Right-of-Way be introduced with the intent to hold a hearing on said ordinance for potential adoption at the February 20, 2019 monthly meeting. Paula Fudge seconded the motion and it passed by a vote of 5-0.

Ordinance No. 78 can be found on the Town website at <http://www.chevy Chaseview.org/docs/Ordinance78.pdf>.

Report on Holiday Fund Contributions to AA Refuse Personnel: Thank you to everyone who contributed to the Holiday Fund on behalf of our workers at AA Refuse. This year Town residents contributed a total of \$9,520.00. The crews asked the office to extend their thanks, and to let you all know how much your generosity means to them. Thank you for your collective kindness and giving spirit over the holiday season.

FY20 Budget Planning/Municipal Tax Duplication: At the March 20, 2019 Council meeting, the Council will accept the proposed FY20 budget for presentation to Town residents for comments prior to the Annual Budget Hearing on Wednesday, April 17, 2019. The Council will schedule a budget work session in early March. The work session is open to the public.

Jana Coe advised the Council that the Montgomery Chapter of the Maryland Municipal League is still very involved with the ongoing effort to revise the municipal tax duplication process with Montgomery County and is proposing a series of brown bag lunches with County Council members in late January to early February. The Chapter is also developing a Municipal Tax Duplication briefing that will serve as a primer for the new County Council members and help acquaint them with the Tax Duplication issue.

Zoning Text Amendment 19-0 Accessory Residential Uses - Accessory Apartments: On January 11, 2019, County Council member Hans Riemer introduced ZTA 19-01 which would make many changes to the accessory apartment rules. The most notable change is that "detached" apartments would be made permissible in the R-60 and R-90 zones. That means a separate structure could be built as an accessory apartment (like a "tiny house" or "granny pod"). ZTA 19-01 is available here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190115/20190115_4A.pdf

Currently, in the R-60 and R-90 zones, an accessory apartment must be part of the house. ZTA 19-01 would allow stand-alone/detached accessory apartments to be built. Oddly, a "guest house" would continue to be prohibited in the R-60 and R-90 zones. A guest house is, "... a detached dwelling that is intended, arranged, or designed for occupancy by transient, nonpaying visitors of the resident owner of the principal dwelling."). County Code Sec. 59.3.3.3. Thus, a detached guest apartment would be prohibited, but a detached rental apartment would be allowed, under the proposal.

The Council will continue to monitor the progress of this proposed legislation.

Closed Session. At 8:45 p.m., in open session, Paula Fudge made a motion to enter closed session, pursuant to Maryland Code, General Provisions Article § 3-305(b) (1) to discuss the employment, compensation, and performance evaluation of the Town Manager. Ron Sherrow seconded the motion and it passed by a vote of 5-0.

After discussion, the Council agreed by a vote of 5-0, that based on the performance evaluation, that the Council would offer Jana Coe an extension of her employment as Town Manager with a 3% increase in salary for FY20 as well as a bonus for the current fiscal year.

At 9:25 p.m., hearing no objection, Paula Fudge adjourned the closed session.

Time and Place of Next Meeting: The Council will hold its next monthly Council meeting on **Wednesday, February 20, 2019** at Christ Episcopal Church, Kensington, Maryland.

Respectfully submitted,
Jana Coe, Town Manager

**Important Reminder When Filing Your
2018 Maryland State Tax Return**

By law, as a municipality, the Town of Chevy Chase View receives a portion of the Maryland state income tax the Town's residents pay each year. This revenue represents the most significant source of the Town's overall income and goes directly toward paying for services that the Town delivers to its residents in lieu of the county-provided services. Town residents DO NOT pay any additional State income taxes to live in Chevy Chase View.

To ensure that the Town of Chevy Chase View receives all State income tax revenues due to the Town, we ask you to please take special care when completing your 2018 MD State income tax return.

For tax returns for Tax Year 2018, please be aware that MD Form 502 has been updated to require specific information to identify the return filer as a resident of the Town of Chevy Chase View. **See below a sample of the first page of MD Form 502.** This required information is located in the box directly under your mailing address.

1. Enter number **1617** (the 4-digit political subdivision code assigned to Chevy Chase View). Please see the left red arrow below.
2. Under "Maryland Political Subdivision", include **Chevy Chase View** (if filing electronically there may be a character limit, and if so, use the abbreviation **Ch Ch View**). Please see the right red arrow as well as the note shown below.

REQUIRED: Physical address as of December 31, 2017 or last day of the taxable year for fiscal year taxpayers.
See Instruction 6. Part-year residents see Instruction 26.

1617 → 4 Digit Political Subdivision Code (See Instruction 6) Chevy Chase View* ← Maryland Political Subdivision (See Instruction 6)

Physical Street Address Line 1 (Street No. and Street Name) (No PO Box)

Physical Street Address Line 2 (Apt No., Suite No., Floor No.) (No PO Box)

City _____ State MD ZIP Code _____ Maryland County _____

***Note: if filing electronically there may be a character limit, and if so, use the abbreviation Ch Ch View.**

NOTES AND REMINDERS -

Website: - Can't remember trash holidays? Looking for the next bulk trash date? When leaf collection ends? Building applications? We are working hard to keep it current and include relevant resident information, including archived minutes and other special reports and notifications. Please visit our website at www.chevychaseview.org

Bulk Pick-Up: The next monthly bulk pick-up is scheduled on **Saturday, March 2, 2019**. 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.

Partnership with Wider Circle to Redirect Useable Items Prior to Monthly Bulk Collections: A Wider Circle (AWC), a wonderful organization whose goal is to collect re-usable furniture as well as many other household items, teamed up with the Town of Chevy Chase View to collect and redistribute items to people and families in need.

AWC thanks the CCV community for its generous donation and looks forward to the next quarterly pickup scheduled for **Thursday, February 28, 2019**.

Maintenance of Shrubbery between Curb and Private Property: This is a friendly reminder concerning vegetation that grows over sidewalks in the community. It is the responsibility of property owners to ensure your vegetation is not hindering the public sidewalks. The Town does its best to work with private property owners to allow you to trim your shrubbery back in a manner that you would like. The Town does have the ability to protect the public right of way, if necessary, should a dangerous condition exist, by trimming back the vegetation from the public right of way.

Vegetation should be cut back to the following Specification: Twelve (12) inches from the sidewalk and up to eight (8) feet off the ground.

We thank you for your cooperation to make sure the public sidewalks are as safe as possible for pedestrians. Should you have any questions, please feel free to contact the Town Manager.

Application for Building Permit: Building Permit Applications for consideration at the February 20, 2019, meeting must be submitted to the Town Manager by 5:00 p.m. on February 6, 2019. Please note that the review may take several days and an application is not considered perfected until the Town Permit Administrator-Municipal Engineer completes his review. Please contact Jana Coe, Town Manager, at ccviewmanager@verizon.net or 301-949-9274.

New Montgomery County Permitting Department Website: The Montgomery County Department of Permitting Services (DPS) has a new website that provides quicker access for a range of services, from applying for permits to tracking construction activities.

<https://www.montgomerycountymd.gov/dps/>

At the new website, customers can clearly see what is required to obtain permits and approvals. The website features a user-friendly guide that serves as a roadmap for every step of the permit application, including inspections. To assist customers -- homeowners, professionals or businesses -- each step is clearly described, with links for information, forms and online services.

The new website has a page to track commercial construction activity that has an impact on county roads. Information can be displayed in either map or satellite view and includes open DPS permits for commercial building, commercial demolition and the county right of way. Data is updated nightly.

<https://www.montgomerycountymd.gov/DPS/neighborhood-map.html>

General Street Parking Reminders: Take care to observe the following Montgomery County parking laws.

- ◆ Park at least 35 feet from an intersection.
- ◆ Park at least 30 feet from a stop sign.
- ◆ Park at least 15 feet from a fire hydrant.
- ◆ Park at least 5 feet from a private driveway.
- ◆ Park facing the way traffic flows. This is an important point.

PLEASE TAKE ADVANTAGE OF THE FOLLOWING THREE COMMUNICATION OPTIONS FOR TOWN RESIDENTS ONLY

1. 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.

2. Town Directory and Members Only Access: The Town publishes a Resident Directory in early Fall each year. In addition, this Resident Directory is available online, when you to sign up for "Members Only" (link) access to the Resident Directory. When you sign up for access, the online Resident Directory will be updated to include the information you provide. If you are new to the Town, we would like to add you to the Town's online Resident Directory. Then, when the annual directory is reprinted in the Fall, your information will be included in the printed version as well. The Town Manager administers online access accounts and formally activates residents' accounts. You will receive an email with instructions once approved. We take your privacy seriously and have done everything possible to bring this useful content to you in a secure manner.

3. 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.**

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.

