

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: May 16, 2018
Place: Christ Episcopal Church, Kensington, Maryland
Present: Paula Fudge, Chair; Tom Brown, Nancy Kehne,
Carlos Molina, Ron Sherrow, Council members
Jana Coe, Town Manager
Ron Bolt, Legal Counsel for Town
Joseph Toomey, CCV Building Permit Administrator

Others Present: David and Kitty DiMartino, 4108 Dresden St
Tamara Gorodetsky, GTM Architects

Called Meeting to Order: 7:05 p.m. by Paula Fudge, Chair

Welcome Elected Council Members: Ron Bolt reported that Paula Fudge and Carlos Molina were elected to two-year terms, and welcomed Mr. Molina as a new Council member.

According to the Town Charter, Sec. 5. Election procedure: I. Following the election, each newly elected official shall qualify within ten days by taking oath before any officer in Montgomery County authorized by law to administer oaths, to discharge diligently and faithfully all duties of the office. As Paula Fudge and Carlos Molina each met the eligibility requirements, Ron Bolt, the Town's attorney, administered the Oath of Office to the two newly-elected Council members.

Election of Chair: Nancy Kehne nominated Paula Fudge to serve as Chair of the CCV Council. Ron Sherrow seconded the motion and it passed by a vote of 4-0 with Paula Fudge abstaining from the vote.

Election of Officers: The floor was opened for nomination of other Council officers. Paula Fudge nominated Nancy Kehne to serve as Acting Chair, Ron Sherrow to serve as Treasurer and Tom Brown to serve as Assistant Treasurer. Nancy Kehne seconded the motion and it passed by a 5-0 vote.

Executive Session: At the Christ Episcopal Church, on April 25, 2018, at 6:02 pm, the Town Council met in open session for the purpose of entertaining a motion to enter closed session pursuant to Maryland Code, General Provisions Article Sec. 3-305(b)(7) to consult with counsel to obtain legal advice on a legal matter, namely a proposed subdivision and the regulations and review criteria applicable thereto. The motion was made by Paula Fudge and seconded by Peter Marks. All voted in favor. In attendance

were Paula Fudge, Chair, Peter Marks, Nancy Kehne, Tom Brown, and Ron Sherrow, Council members; Jana Coe, Town Manager; Joe Toomey, Building Permit Administrator, and Ron Bolt, Town Attorney. No action was taken. The meeting adjourned at 7:04 pm.

Approval of Minutes of the April 18, 2018 Annual Budget Meeting and Monthly Meeting: Nancy Kehne moved the minutes of the April 18, 2018 Annual Budget Meeting and Monthly Meeting be approved. Ron Sherrow seconded the motion and it passed by a 3-0 vote. Paula Fudge and Carlos Molina abstained from the vote as they were not in attendance at this meeting.

Financial Report for Period April 1, 2018 to April 30, 2018: Ron Sherrow moved that the financial report for the period April 1, 2018 to April 30, 2018 be accepted. Nancy Kehne seconded the motion and it passed by a 5-0 vote.

Council Member Walk: Ron Sherrow conducted the monthly Council member walk and presented several right-of-way overgrowth issues that the Town Manager will address with respective residents.

Ratify Issuance of CCV Permit 424-04002 - Front Portico over Existing Stoop - 4205 Glenridge Street (Bryer/Hartig): Jackson Bryer and Mary Hartig applied for a building permit to build a front portico over an existing stoop for their home at 4205 Glenridge Street, in the Town of Chevy Chase View. The application complies with all of the applicable rules and restrictions of the Chevy Chase View Municipal Code.

Mr. Toomey's review was based upon the description of the project on the application, the construction plans by I J Kovac Architect & Associates, LLC, dated March 30, 2018, and revised April 18, 2018, an undated site plan showing the relationship of the home to the property and data from the Chevy Chase View Geographic Information System (GIS) program produced by Charles P. Johnson Associates, Inc. The scope of the project is to construct a 5-foot by 8 foot, 2-inch front entry portico roof over the existing front stoop. The GIS data identifies that the existing house is set back from the front property line by 53.4 feet, a distance that does not meet the required 55.0 foot Established Building Line (EBL) setback for that property. As the house does not meet the required setback, the new porch roof can project no more than 5 feet from the front face of the house. The plans indicated that the new roof will project exactly 5 feet from the front face of the house.

The Montgomery County Department of Permitting Services has issued a building permit, number 832541, on April 3, 2018 for the addition of an entry roof. Mr. Toomey recommended on April 19, 2018, that the Council should approve the application. The Council unanimously approved the application via email on April 25, 2018.

Ratify Issuance of CCV Permit 424-04003 - Portable Storage Unit - 4101 Dresden Street (Klaffky): Application Received April 24, 2018 - Permit Issued April 27, 2018. Permits for dumpsters or portable storage units for projects that do not require a construction permit from the Town are processed the day in which the application is received, signed by the Council Chairperson, and delivered to the applicant with instructions for the right-of-way care and protection requirements.

Ratify Issuance of CCV Permit 426-05001- Fence - 4105 Glenrose Street - (Sommer): Timothy and Christina Sommer applied for a building permit to install a fence at their home at 4105 Glenrose Street, in the Town of Chevy Chase View. 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 in their application, the Location Drawing by Capitol Surveys, Inc., dated May 26, 2016, showing the location of the proposed fence, a photograph of the fence style, and a memo showing the adjacent property owners' approval of the project. The scope of the project is to replace the existing storm damaged fence and a chain link fence, with a new 6-foot tall wood privacy fence along the right (east) side property line in the rear and side yard of their property. The Building Regulations restrict the height of a rear and side yard fence to no taller than 6.5 feet.

The Montgomery County Department of Permitting Services issued a permit to construct a fence, number 831879, on March 29, 2018. Mr. Toomey recommended on April 27, 2018, that the Council should approve the application. The Council unanimously approved the application via email on May 2, 2018.

Ratify Issuance of CCV Permit 426-05002- Fence - 4317 Saul Road - (Crisafulli): Benjamin and Sarah Crisafulli applied for a building permit install a fence at their home at 4317 Saul Road, in the Town of Chevy Chase View. The application complies with all of the applicable rules and restrictions of the Chevy Chase View Municipal Code.

Mr. Toomey's review was based upon the description of the project on the application, the Location Drawing produced by John E. Pool, Surveyor, dated December 3, 2017, a fence layout diagram provided by the applicants, and a photograph of the fence style. The scope of the project is to install a wood board fence at their left (west) and rear property lines. A 4-foot tall fence will be installed at the side property line, starting 18 feet from the front property corner, and continuing 30 feet toward the rear of the property. A five-foot tall fence will continue to the rear property line where the 4-foot tall fence ends. A 6-foot tall fence will be installed at the full length of the rear property line. The Building Regulations

restrict the height of a front yard fence to no taller than 4 feet. Side and rear yard fences can be no higher than 6.5 feet. The 5-foot tall section will be offset from the front property corner by 48 feet. The front yard, or the area between the front property line and the front of the building, is shown as 46.9 feet on the Charles P. Johnson Associates, Inc. Site Plan drawing of May 2017, which was submitted with the application for the applicants' recent addition permit application.

The Montgomery County Department of Permitting Services has issued a building permit, number 832825, on April 6, 2018 for installation of the fence. Mr. Toomey recommended on April 27, 2018, that the Council should approve the application. Paula Fudge, Peter Marks and Ron Sherrow approved the application via email on May 2, 2018.

Paula Fudge moved that the permit approvals be ratified for the following: Front Portico over Existing Stoop at 4205 Glenridge Street; Portable Storage Unit at 4101 Dresden Street, and Fences at 4105 Glenrose Street and 4317 Saul Road. Nancy Kehne seconded the motion and it passed by a 4-0 vote. Carlos Molina abstained from the vote as he did not participate in approving these permits.

Building Permit Application - Enlarge Front Entry Stoop and Side Entry Stoop - 4104 Glenridge Street (Hastings): Pete and Kelly Hastings applied for building permit to construct a two portico roofs at their home at 41045 Glenridge Street, in the Town of Chevy Chase View. 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 Charles P. Johnson & Associates, Inc., dated April 26, 2018, and the architectural plans by Franke Architects, dated May 2, 2018. The scope of the project is to construct a portico roof over an enlarged front entry stoop at the existing front entry door, enlarge the side entry stoop, and perform minor interior renovations.

The front entry portico roof will project 4'-8" off of the front face of the house and 4.87 feet into the Established Building Line (EBL) front setback requirement, meeting the allowed 5-foot projection into the EBL. The enlarged side entry stoop will be offset from the right (west) property line by 21.06 feet. Mr. Toomey recommended that this permit application be approved.

A permit from the Montgomery County Department of Permitting Services must also be obtained for this project. Ron Sherrow moved that this permit application for two portico roofs be approved. Paula Fudge seconded the motion and it passed by a vote of 5-0.

Building Permit Application - Addition and New Garage - 4108

Dresden Street - (DiMartino): David and Kitty DiMartino applied for a building permit to construct an addition and new garage at their home at 4108 Dresden in the Town of Chevy Chase View. 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 Location Drawing, produced by Snider & Associates, dated May 15, 2017, and the architectural drawings produced by GTM Architects, dated March 27, 2018, with revisions through May 9, 2018. The scope of the project is to demolish a part of the existing house and the existing detached garage, and to construct a new two-story addition on a full basement, a covered side entry, rear deck, enlarged driveway, and a rear yard detached garage.

The two-story addition will be located 52 feet from the front property line at the same distance as the existing structure, and more than 23 feet from the right (west) side property line. An 8'-4" wide bay window will project 3 feet from the front face of the house towards the front property line. The covered side entry porch will be offset more than 19 feet from the right (west) side property line. The rear deck will be offset from the rear property line by more than 113 feet. The 22 by 22-foot rear yard detached garage will be offset 12 feet from the right (west) side property line and more than 14 feet from the rear property line. Mr. Toomey recommended that this permit application be approved.

An application for a building permit from the Montgomery County Department of Permitting Services is pending (number 836351, submitted May 3, 2018) for additions to an existing home. Nancy Kehne moved this permit application for the two-story addition on a full basement, a covered side entry, rear deck, enlarged driveway, and a rear yard detached garage be approved. Paula Fudge seconded the motion and it passed by a vote of 5-0.

CCV Building Permit Summary for May 2018

New applications for a Building Permit

- 4108 Dresden Street (Di Martino) Addition and detached garage - applied 5/2/18
- 4104 Glenridge Street (Hastings) Front portico and side entry stoop - applied 5/2/18

Applications for a Building Permit granted interim approval

- 4205 Glenridge Street (Bryer/Hartig) Entry portico - applied 4/10/18, interim approval 4/23/18, issued 4/24/18
- 4105 Glenrose Street (Sommer) Fence - applied 4/16/18, interim approval, issued 5/2/18
- 4317 Saul Road (Crisafulli) Fence - applied 4/15/18, interim approval, issued 5/2/18

Applications for dumpster and storage unit permits:

- 4101 Dresden Street (Klaffky) Portable storage unit - applied 4/27/18, issued 4/28/18

Applications on hold pending additional information on the application:

- 4017 Everett Street (Farkas/Benjamin) Demolition of existing house and new house construction - applied 5/2/18
- 4217 Glenridge Street (Dombo) Fence - applied 4/25/18

Approved applications awaiting issuance of permit:

- 4013 Glenrose Street (Gonella) Side entry door and roof overhang - applied 12/12/17, approved 12/13/17

Active and open permit construction projects:

- 4000 Cleveland Street (Lucas) Fence - applied 3/14/18, approved 3/21/18, issued 4/4/18
- 4017 Cleveland Street (Chiacone) Addition - applied 3/7/18, approved 3/21/18, issued 4/5/18
- 3800 Dresden Street (Jacobs) Screen Porch - applied 1/2/18, approved 1/17/18, issued 1/17/18
- 4220 Everett Street (Collins/Miller) Addition and detached garage - applied 6/7/15, approved 6/21/17, issued 7/28/17
- 4220 Everett Street (Collins/Miller) Driveway and apron - applied 2/22/18, interim approval 2/27/18, issued 3/1/18
- 4221 Franklin Street (Saylor) Dumpster - applied 12/4/17, issued 12/4/17
- 4018 Glenridge Street (Egan) Major addition - applied 1/10/17, approved 1/18/17, issued 3/20/17
- 4018 Glenridge Street (Egan) Driveway apron - applied 10/19/17, interim approval 11/25/17, issued 11/25/17
- 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
- 4102 Glenridge Street (DeSarno) New house - applied 6/1/17, interim approval 10/15/17, issued 10/16/17
- 4102 Glenridge Street (DeSarno) Deck and seating wall - applied 3/19/18, interim approval 3/20/18, issued 3/21/18
- 4205 Glenridge Street (Bryer/Hartig) Entry portico - applied 4/10/18, interim approval 4/23/18, issued 4/24/18

- 4217 Glenridge Street (Michele M. Dombo Construction Management, LLC) Major addition - applied 12/6/17, issued 3/16/18
- 4301 Glenridge Street (Walters) New house construction - applied 6/13/16, application revised 8/5/16, approved 9/21/16, issued 1/5/17, revised 2/15/17
- 3901 Saul Road (Sartain) Addition - applied 8/10/17, variance approved 9/20/17, application approved 9/20/17, issued 11/20/17
- 4317 Saul Road (Crisafulli) Addition and detached garage - applied 8/28/17, approved 9/20/17, issued 10/19/17
- 9808 Summit Avenue (Manfreda) Addition - applied 2/7/18, approved 2/51/18, issued 3/5/18

Completed projects since the April 2018 Council meeting

- 4301 Glenridge Street (Walters) Walkway to the curb - applied 11/16/17, approved 11/30/17, issued 11/30/17
- 10010 Summit Avenue (Bowen/Muldonian) Fence - applied 4/10/18, approved 4/18, issued 4/18/18, completed 4/26/18

Ratify Acceptance of Council Recommendation to M-NCPPC Regarding Preliminary Plan No. 120180160 - 4201 and 4205 Saul Road:

On April 30, 2018, the Town Council held the public hearing for M-NCPPC Preliminary Plan No. 120180160 - 4201-4205 Saul Road. The Town's authority is limited by law as the subdivision of land within the Town is regulated by the Maryland-National Capital Park and Planning Commission (M-NCPPC). After applying the required criteria and the Town's subdivision standards adopted in 2007, the Council concluded that the proposed lots would be compatible with other lots in the area in terms of size, width, shape, alignment and street frontage. Accordingly, the Town Council unanimously voted to recommend approval of the 4201 and 4205 Saul Road subdivision proposal.

Subsequent to the April 30, 2018 public hearing, Ron Bolt submitted a draft recommendation for consideration by the Council members. The Council approved the recommendation via email on Monday, May 14, 2018. Paula Fudge moved that the Council's approval of the written recommendation be ratified. Tom Brown seconded the motion and it passed by a vote of 4-0. Carlos Molina abstained from the vote as he had not yet joined the Council. The link to document can be found on the Town's website: <http://www.chevy Chaseview.org/docs/CouncilRecommendationforApprovalM-NCPPC.pdf>

The Town Council recognizes that a number of residents were disappointed in the Council's decision, and sincerely hopes Town residents can understand the amount of time and the depth of research that Council members contributed in preparation for the hearing.

Update on RFP for Engineering Design - Summit Avenue Sidewalk Improvement Project: At the April 18, 2018, monthly meeting, the Council discussed the draft RFP for the Engineering design for the Summit Avenue Sidewalk Improvement Project, as well as the list of firms that have been referred for this sidewalk design work. After Ron Bolt's review, RFP #2018-1 Summit Avenue Sidewalk Engineering and Design Project was posted to the Town website on Thursday, May 10, 2018 and recommended firms were invited to provide a bid for this project.

In addition, State law requires that procurement advertisements be posted at the eMaryland marketplace (State Fin. & Procur. Art. Sec. 17-502 - <https://emaryland.buyspeed.com/bsa/>) and the RFP was posted on May 14, 2018. Proposals must be received by close of business on Tuesday, June 12, 2018.

Scheduled June 6, 2018 Work Session At-Grade Paving in Front Yards: At the April 18, 2018 monthly meeting, the Council set a second work session on June 6, 2018, at 7:00 PM to continue work on this issue. The public is invited to attend this open work session. Prior to the work session commencing, the Council members will join Ron Bolt at 6:00 PM for a tutorial on Town governance.

Update on Small Cell Tower Legislation: On May 15, 2018, the County Council approved standards for installing small cell antennas in commercial and industrial areas. The changes approved by the Council would not affect rules for installing the antennas in residential zones and the antennas are not permitted on detached homes or townhouses. County officials remain concerned that future State or federal regulations could preempt the new zoning regulations. Earlier this year, a State bill was proposed in the General Assembly that would have prevented the county from passing any significant zoning regulations concerning small cell antennas, but that bill did not move forward.

Wireless cell service providers such as Verizon and T-Mobile have been installing small cell antennas around the country as a way to provide faster 5G cell service.

The changes were approved as the Federal Communication Commission considers regulations that could preempt County restrictions regarding cell towers. For example, the County is not permitted to prohibit wireless services from operating and the FCC is considering regulations that would prevent local governments from establishing wireless application and right-of-way fees. The approved legislation enables the antennas to be installed on existing streetlights and limits their extension to no more than 15 feet above the existing pole height.

Ron Bolt advised Council members that deployment to an existing facility (e.g., a utility pole) is a limited use. A limited use

is permissible so long as it meets the County Code requirements, and no hearing is required. (See County Code Sec. 59-3.5.14.C). Based on guidance from the Maryland Municipal League, Mr. Bolt recommended the Council consider adoption of a local ordinance which will provide a means and process to require a permit and impose reasonable regulations.

Appreciation to Nominating Committee: On behalf of the Council, Chair Paula Fudge extended its appreciation to Mike Plantamura (Chair), Stacey Kuzma and Dawn Forsberg serving on the Nominating Committee for the May 2018 election. A special note of appreciation was extended to the Election Committee. Lucy Swartz and George Monk served as Judges, and Steve Swartz and Ethel Monk served as Tellers.

Appreciation to Outgoing Council Member Peter Marks : On behalf of the Council, Chair Paula Fudge extended its appreciation to Council member Peter Marks, who served on the Council for four years, beginning in May 2014. Peter's thoughtful, well-informed and insightful leadership deemed him a significant contributor to the Town's governance.

Council Member Responsibilities/Monthly Walk: The Council members then discussed the numerous responsibilities of the Council. The information can be found on the CCV website.

Motion to Adjourn: At 8:50 p.m., Nancy Kehne moved the meeting be adjourned. Paula Fudge seconded the motion and it passed by a vote of 5-0.

Time and Place of Next Meeting: The Council will meet next for its work session on June 6, 2018, at 7:00 PM at the Christ Episcopal Church, Kensington, Maryland. The next monthly Council meeting will be on Wednesday, June 20, 2018, at the Christ Episcopal Church, Kensington, Maryland.

Respectfully submitted,
Jana Coe, Town Manager

NOTES AND REMINDERS -

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 donations and looks forward to the next quarterly pickup scheduled for **Thursday, May 31, 2018.** To schedule a donation, please contact A Wider Circle via phone at 301-608-3504 or via email at furnish@awidercircle.org **no later than Friday, May 25th.**

Bulk Pick-Up - The next monthly bulk pick-up is scheduled on **Saturday, June 2, 2018**. 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.

Application for Building Permit - Building Permit Applications for consideration at the June 20, 2018, meeting must be submitted to the Town Manager by 5:00 p.m. on June 6, 2018. 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.

***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.**

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