

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: October 17, 2018
Place: Christ Episcopal Church, Kensington, Maryland
Present: Paula Fudge, Chair; Tom Brown, Nancy Kehne, 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: Al Carr, 3904 Washington Street, Kensington

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

Approval of Minutes of the September 19, 2018 Monthly Council Meeting and October 10, 2018 Work Session to Discuss Defining Bay Windows and the Non-Vegetative Surface Coverage in the Front Yards with 115' Front Yard Setback:

Nancy Kehne moved the minutes of the September 19, 2018 Monthly Council Meeting and October 10, 2018 Work Session to Discuss Town Defining Bay Windows and the Non-Vegetative Surface Coverage in the Front Yards with 115' Front Yard Setback be approved. Tom Brown seconded the motion and it passed by a vote of 4-0.

At 7:10 p.m., Carlos Molina arrived at the meeting.

Financial Report for Period September 1, 2018 to September 30, 2018:

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

Council Member Walk: Carlos Molina conducted the monthly Council member walk and submitted his report for follow-up by the Town Manager.

Carlos Molina advised the Council that he had been contacted by a Town resident, encouraging the Council to write a letter to the M-NCPPC Planning Board opposing the proposed self-storage and retail project by 1784 Capital Holdings at 10619 Connecticut Avenue (former Huggins gas station property). After discussion, Carlos Molina moved that the Council direct Town attorney, Ron Bolt, to draft a brief letter stating the Council's opposition to this

proposed self-storage and retail unit at 10619 Connecticut Avenue. Tom Brown seconded the motion.

Paula Fudge noted that the Council does not generally take a position on development outside the Town's municipal boundaries, and was hesitant to do so based on one resident's request. Ron Sherrow stated that in his five years on the Council he was not accustomed to the Council taking such positions without considerable Town resident input. The motion failed by a vote of 2-3.

Report Issuance of CCV Building Permit No. 441-09001 - Dumpster - 4101 Glenridge Street (Madden):

Application Received September 22, 2018 - Permit Issued September 24, 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 Revised Building Permit No. 442-10001 - Screen Porch over Existing Deck - 4100 Franklin Street (Costa):

Jorge and Michele Costa submitted an application for a screen porch over an existing deck for the property at 4100 Franklin 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 description of the project on the application, the Location Drawing produced by Capitol Surveys, Inc., dated March 1, 2018, and the construction drawings by Tirtanadi Architects, dated August 25, 2018 and August 27, 2018, identified as Screen Porch Addition. The scope of the project is to construct a 12' by 16'6" screen porch over the existing deck at the rear of the house. The porch will be setback from the east side property by approximately 41 feet, and from the rear property line by approximately 131 feet. A permit from Montgomery County is required for this work.

Mr. Toomey recommended on September 27, 2018, that the Council should approve the application. The Council approved the permit application via email on October 2, 2018, by a vote of 5-0.

Ratify Building Permit No. 443-10002 - Side Entry Stairway with Roof Structure - 4024 Franklin Street (Hodgson/Malloy):

Richard Hodgson and Kathleen Malloy submitted an application for the reconfiguration and reconstruction of the side entry stairway on the east side of their house at 4024 Franklin 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 produced by Snider & Associates dated June 11, 2007, and the construction drawings by Case Design and Remodeling, Inc., dated September 24, 2018. The scope of the project is to reconfigure and reconstruct the side entry stairway on the east side of the house. The project includes a small 10' by 3'2" roof structure over the stairwell. The roof structure will project 3'2" from the side face of the house, meeting the allowable 2-foot projection into the 15-foot side setback requirement. The stairwell wall will project 3'6" from the side face of the house, meeting the allowable 5-foot projection into the side setback. A permit from Montgomery County is required for this work.

Mr. Toomey recommended on September 27, 2018, that the Council should approve the application. The Council approved the permit application via email on October 2, 2018, by a vote of 5-0.

Ratify Building Permit No. 444-10003 - Front and Rear Fence 4301 Glenridge Street (Walters):

Nicole and Jerry Walters submitted an application for a fence at their property located at 4301 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 produced by Charles P Johnson & Associates, Inc., dated July 2015, and a section of the site plan with the fence locations overlaid onto it. The scope of the project is to construct a six-foot tall fence along the rear property line, and a four-foot tall fence in the left and right side yards to enclose the rear yard. A permit from Montgomery County is required for this work.

Mr. Toomey recommended on October 10, 2018, that the Council should approve the application. The Council approved the permit application via email on October 14, 2018, by a vote of 4-0.

Paula Fudge moved that the permit approvals be ratified for the following: the dumpster at 4101 Glenridge Street; the Screen Porch at 4100 Franklin Street; the side entry stairway with roof structure at 4024 Franklin Street; and fence at 4301 Glenridge Street. Nancy Kehne seconded the motion and passed by a vote of 5-0.

CCV Building Permit Summary for October 2018

New applications for a Building Permit:

- 3800 Dresden Street (Jacobs) Fence - applied 10/15/18
- 4024 Franklin Street (Hodgson) Entry roof - applied 9/17/18
- 4100 Franklin Street (Costa) Screen porch - applied 9/11/18
- 4301 Glenridge Street (Walters) Fence - applied 10/2/18

New Applications for a Building Permit and revisions granted interim approval:

- 4100 Franklin Street (Costa) Screen porch - applied 9/11/18, interim approval 10/2/18
- 4301 Glenridge Street (Walters) Fence - applied 10/2/18, interim approval 10/14/18

Applications for dumpster and storage unit permits:

- 4101 Glenridge Street (Madden) Dumpster - applied 9/22/18, issued 9/24/18

Applications on hold pending further information on the application:

- 4217 Glenridge Street (Dombo) Fence - applied 4/25/18

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
- 4301 Glenrose Street (Rienzo) Screen porch addition - applied 6/27/18, approved 7/18/18

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/Benjamin) New house construction - applied 5/2/18, approved 6/20/18, issued 7/18/18
- 4024 Franklin Street (Hodgson) Fence - applied 6/28/18, approved 7/18/18, issued 8/7/18
- 4024 Franklin Street (Hodgson) Portable storage unit - applied 8/27/18, issued 8/27/18
- 4112 Franklin Street (Swartz) Dumpster - applied 6/7/18, issued 6/7/18
- 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
- 4101 Glenridge Street (Madden) Dumpster - applied 9/22/18, issued 9/24/18
- 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
- 4204 Glenrose Street (Noonan) Portable storage unit - applied 8/8/18, issued 8/8/18
- 3901 Saul Road (Sartain) Addition - applied 8/10/17, variance approved 9/20/17, application approved 9/20/17, issued 11/20/17
- 9808 Summit Avenue (Manfreda) Addition - applied 2/7/18, approved 2/51/18, issued 3/5/18

Completed projects since the September 2018 Council meeting:

- 4221 Franklin Street (Cross) Demolition of existing house- applied 7/3/18, approved 7/18/18, issued 9/4/18, completed 9/26/18

- 4013 Glenrose Street (Gonella) Side entry door and roof overhang - applied 12/12/17, approved 12/13/17, abandoned 9/20/18

Report on Summit Avenue Sidewalk Improvement Project:

Council members and staff conducted a walk thru with Clark/Azar officials on Friday, September 28, 2018, to review the Summit Avenue alignment and design issues. A concept plan (schematic design level) will be presented to the Council by October 18, 2018, and a review meeting will be scheduled at the end of October.

The Council has asked the Town Manager to secure square footage costs for different sidewalk material applications. In addition to the upfront square footage costs, they would like a professional opinion as the expected maintenance and standard life cycle of each material application. The Council would like to install samples for residents to view, but want to first have knowledge of any cost or maintenance issues that may rule out a specific selection.

The Town Council will hold a second work session on Thursday, November 8th, at 6:30 pm, at Christ Episcopal Church to discuss the Summit Avenue concept plan (35% schematic design level) with Clark/Azar officials. The Council encourages residents to review this concept plan via the following link - <http://www.chevy Chaseview.org/docs/35DDSET10-17-18.pdf>

Please share your thoughts, questions and concerns with Council Members and the Town Manager.

Update on Small Cell Tower Legislation: The Montgomery County Council will hold a work session on October 9, 2018, and County Council members remain divided over whether to take immediate action on a proposed zoning text amendment that would allow the construction of small cellular antennas in residential areas.

The amendment would allow the towers to both replace and be attached to existing utility poles in order to make access to faster 5G internet service widely available. A potential roadblock to the legislation is a recent ruling by the Federal Communications Commission that limits how much authority local jurisdictions have over installing cell towers.

A number of technical issues still have to be worked out, such as the minimum distance the towers may be set back from buildings. The County staff initially recommended that number to be 30 feet, but the Council has been considering extending it to 60 feet. Members also have been working on determining whether the poles should be classified as a conditional use in neighborhoods where the utilities are underground, which would require approval by the County Planning Department and the Office of Zoning and Administrative Hearings. The County Council will take up the bill once more at its October 23, 2018 meeting.

NOTE: On October 30, 2018, the Montgomery County Council removed scheduled action on the zoning change bill from its Tuesday afternoon agenda, likely pulled because there was not a majority of the nine Council members who planned to vote in favor of it.

Jana Coe discussed with the Council the lower County municipalities' effort to consider working together to adopt a 'uniform' ordinance. The new FCC ruling is very tightly worded and it seems if we work together to set fees, etc. (along with any specifications particular to our municipality) and encourage co-location of equipment, it will facilitate these installations that will be challenged by the new shot clock restrictions. Because of our contiguous borders, the Pepco pole prominence and other age-related similarities that our municipalities share with each other, such coordination could result in installation of fewer small cell towers.

The Council unanimously supported the Town joining an information sharing network with our neighboring municipalities to generate as similar as is possible regulations and fees for the deployment of small cell tower technology in our communities.

Council Recognition of Town Picnic Chairperson Lisa Fair and Community Volunteers: The annual picnic tradition began 14 years ago with community members volunteering their time to coordinate the picnic. Lisa Fair has chaired the event for the past four years and continues to excel in making certain no detail is missed. The Council extends a special thank you to our volunteers (especially Lisa's husband, Marc Vecchio) for offering their time to help set up and breakdown. And again, thank you to all who attended

this year's picnic and for those who could not attend, we hope to see you next year.

Report on WSSC Water Main Replacement Projects BRLR5837A15

and BRLR6078A16: These two WSSC projects have now been funded, and Jana Coe will be meeting with WSSC officials during the week of October 22nd to discuss the timeline specifics and the Town's permit requirements. These projects were originally scheduled for late 2016 and early 2017, but were postponed due to budgetary constraints.

Project BRLR6078A16 involves water main replacements in the Rock Creek Hills neighborhood and will involve East Franklin Street only. Project BRLR5837A15 involves water main replacements on the Kensington Parkway and will involve East Everett Street only.

Report on Proposed Summit Avenue Extension Project: On

Tuesday, October 10, 2018, the Montgomery County Council T&E Committee held a facility planning review of the extension of Summit Avenue in Kensington. This meeting was an opportunity for Committee members and other interested Council members to provide informal feedback to the Department of Transportation (DOT) as to whether to proceed to phase two of facility planning-the detailed planning stage-that would produce the precise project scope and develop reliable estimates of cost and community and environmental impact, and if so, what should be studied. If the phase two study goes forward according to the funding schedule in the current capital program, a Summit Avenue Extended Capital Improvements Program (CIP) project may be a candidate for inclusion in the FY21-26 CIP. John Thomas, DOT's facility planning manager, briefed the Committee on the Department's findings and recommendations. Steve Aldrich of the Maryland-Capital Park and Planning staff will summarize the Planning Board's views, as the Board gave its stamp of approval for this project on September 6, 2018.

State Training Requirement for Open Meetings Act: The

Maryland Open Meetings Act (Act) requires State and local public bodies to hold their meetings in public, give the public adequate notice of those meetings, and allow the public to inspect meeting minutes. The purpose of the Act is to ensure public faith in government, maintain its accountability to Maryland's citizens and increase the

opportunities for the public to participate in our democracy.

Statute § 3-213 of the General Provisions Article, which became effective July 1, 2017, added the requirement of training, and states: Each public entity subject to the Open Meetings Act must designate at least one employee, officer, or member to receive training on the requirements of the Act. The Town has complied with the Act and will continue to do so.

A public body may not meet in a closed session that is subject to the Act unless the public body has designated a member to take the training. Paula Fudge, Ron Sherrow and Nancy Kehne were nominated and approved as the new Town designees.

Holiday Letter for Refuse/Recycling Personnel: The Council discussed the continuation of a Community Holiday Gift Fund for our refuse and recycling personnel. The Fund is intended to provide a convenient and secure opportunity for CCV residents to convey their thanks and to send Season's Greetings to the men with AA Refuse who collect our household waste, yard refuse and recyclable materials throughout the year. Carlos Molina moved that the Town authorize this gift fund. Tom Brown seconded the motion and it passed by a vote of 5-0. A flyer announcing the collection will be mailed to CCV residents in late November.

Report on Increased Recycling Fees: On September 25, 2018, AA Refuse received notice of another disposal fee increase made by the facility that processes the recyclable materials collected from the Town of Chevy Chase View. Effective September 1, 2018, the WM Recycle America facility has raised its rate from \$55 (plus administrative fees) per ton to \$85 per ton (plus fees), bringing the total cost of processing to nearly \$90 per ton.

Based on the 2018 recorded weights, the Town generates approximately 11.6 tons of recyclable material per month. AA Refuse, Inc. currently charges \$9.77 per household for the collection and disposal of single stream (paper, bottles, cans, and plastics mixed together) recycling.

Effective September 1, 2018, the collection charge for each household's single stream recyclable material will increase monthly to \$11.25 per household (\$456.34 monthly) for a

total monthly cost of \$3,476.25. The total cost for single stream recycling (the price is combined with the yard waste recycling for each household) will remain at this amount through June 30, 2020, or until another tipping fee increase occurs by WM Recycle America (single stream recycling).

Motion to Adjourn: At 8:40 p.m., Nancy Kehne moved the meeting be adjourned. Tom Brown seconded the motion and it passed by a vote of 5-0.

Time and Place of Next Meeting: The Town Council will hold a second work session on Thursday, November 8th, at 6:30 pm, at Christ Episcopal Church to discuss the Summit Avenue concept plan (35% schematic design level) with officials of Clark/Azar.

The Council will meet next for its monthly Council meeting on **Wednesday, November 14, 2018**, at the Christ Episcopal Church, Kensington, Maryland. Please note this is the second Wednesday of November due to the fact that November 21st is the day before Thanksgiving.

Respectfully submitted,
Jana Coe, Town Manager

NOTES AND REMINDERS -

Leaf Removal is Underway: Hughes Landscaping, Inc. will remove all leaves on a weekly basis, weather permitting, until December 31, 2018. **Please do not mix your grass clippings with the leaves at the curb.**

Leaves are to be placed at curbside and made accessible for truck pickup. Sticks, trash, rocks and other rubbish will not be collected and should be bagged for normal trash pickup. Leaves should not be shredded or bagged. For the residents on Connecticut Avenue, Cedar Lane, Kensington Parkway and Saul Road, your leaves also will be picked up weekly. Please rake your leaves to the sidewalk. For liability reasons, do not place leaves on our sidewalks. In the event that you do not have a sidewalk, please rake your leaves as close to the street as possible.

Bulk Pick-Up - The next monthly bulk pick-up is scheduled on **Saturday, November 3, 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.

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. The next quarterly pickup is scheduled for **Thursday, November 29, 2018**. To schedule a donation, please contact A Wider Circle **no later than Monday, November 26th**, by phone at [301-608-3504](tel:301-608-3504) or via email at furnish@awidercircle.org

Maintenance of Shrubbery between Curb and Private Property: This is a friendly reminder to clear or trim shrubbery growing over sidewalks and maintain the area between your property and the street curb.

Application for Building Permit - Building Permit Applications for consideration at the November 14, 2018, meeting must be submitted to the Town Manager by 5:00 p.m. on November 1, 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

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.