

**COUNCIL OF CHEVY CHASE VIEW  
Monthly Meeting**

Date: September 16, 2015  
Place: Christ Episcopal Church, Kensington, Maryland  
Present: Paula Fudge, Chair; David Albright, Peter Marks and Ron Sherrow, Council members  
Jana Coe, Town Manager  
Ron Bolt, Legal Counsel to Chevy Chase View  
Joe Toomey, CCV Building Permit Administrator

Others Present: John Bodnovich, 4016 Glenrose Street

Called Meeting to Order: 7:30 p.m. by Paula Fudge, Chair

**Approval of Minutes of the July 15, 2015 Monthly Meeting:** Ron Sherrow moved the minutes of the July 15, 2015 monthly meeting be approved. Peter Marks seconded the motion. The motion passed by a vote of 3-0.

**Financial Reports for Period July 1, 2015 to August 31, 2015:** Peter Marks moved that the financial reports for the period July 1, 2015 to August 31, 2015 be accepted. Ron Sherrow seconded the motion and it passed by a vote of 3-0.

**Council Member Walk:** Paula Fudge conducted the monthly Council member walk and reported some street light issues that will be reported to Pepco.

**Ratify Approval of CCV Permit No. 343-07001 - Pool/Fence - 4213 Glenridge Street (Maloney):** Sheila and Timothy Maloney submitted a building application for a pool and fence for their home at 4213 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 in their application, the Property Line Exhibit by Charles P. Johnson & Associates, Inc., dated July 15, 2015 and revised July 22, 2015, the construction plans by Stevenson Pools, dated July 27, 2015, and a catalog cut sheet of the fence. The scope of the project is to construct an in-ground swimming pool, an above ground hot tub, and an enclosure fence in the rear yard of their home.

The pool structure will be 38 by 20 feet, and will be set back 15.5 feet from the rear property line, 17.8 feet from the left (west) side property line, and 44.2 feet from the right (east) side property line. The pool deck will be setback 10.8 feet from the left side property line. The Town Code restricts the placement of a pool no closer than 15 feet from a side or rear property line, and a pool deck no closer than 10 feet. The hot tub will be located adjacent to the rear of the house. The fence will be placed at the rear and side property lines, enclosing the rear yard with sections between the property lines and the rear corners on the house. The fence will be 5.5 feet tall.

Montgomery County issued a permit number 719919 on July 13, 2015, for this work. Mr. Toomey recommended on July 29, 2015, that the Council should approve the application. The Council reviewed the package and voted via email to unanimously approve this application.

**Ratify Approval of CCV Permit No. 344-08001 - Fence - 4104**

**Glenrose Street (Peschka):** Mary Peschka submitted a building application for a fence for her home at 4213 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 in her application, the proposal by the contractor, Long Fence Company, Inc., dated July 30, 2015, and the Rear Property Line Exhibit survey by Charles P. Johnson & Associated dated July 7, 2008. Ms. Peschka has affirmed that the survey from 2008 is an accurate representation of the conditions of her property. Mr. Toomey confirmed that with a site visit finding the property corner marks as shown on the survey.

The scope of the project is to remove the existing rear yard chain link fence and install a 6-foot tall wood fence in her rear yard within her property adjacent to the rear and side property lines, with returns from the side yard sections to the house. The existing chain link fence, on the right (west) side which is on the property line was to be removed, with the permission of the neighbor.

A fence Permit was also obtained from the Montgomery County Department of Permitting Services. Mr. Toomey recommended on August 7, 2015, that the Council should approve the application. The Council reviewed the package and voted via email to unanimously approve this application.

**Ratify Approval of CCV Permit No. 345-08002 - Shed - 9900 Summit Avenue (McCarthy):**

Chris McCarthy submitted a building application for a shed for her home at 9900 Summit Avenue, 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 in her application, the Property Line Exhibit survey by Charles P. Johnson & Associated dated May 29, 2015, showing the proposed location of the new structure and a catalog cut sheet of the shed to be installed. The scope of the project is to place a prefabricated 8 by 8 foot storage shed in her rear yard, 7 feet from the rear (north) property line, and 7 feet from the side (west) property line. The rear and side yard setback requirements are 7 feet.

A permit will also be required by the Montgomery County Department of Permitting Services. Mr. Toomey recommended on August 25, 2015, that the Council should approve the application. The Council reviewed the package and voted via email to unanimously approve this application.

Peter Marks moved that these three CCV building permit approvals be ratified. Paula Fudge seconded the motion and it passed by a vote of 3-0.

**Permit Application for Retaining Wall - 4213 Glenridge Street**

**(Maloney):** Sheila and Timothy Maloney submitted a building application for a retaining wall for their home at 4213 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 in their application, the Property Line Exhibit by Charles P. Johnson & Associates, Inc., dated July 15, 2015, the undated construction plans by Great American Landscapes, and a catalog cut sheet of the construction material. The scope of the project is to replace and enlarge a retaining wall adjacent to the left edge of their driveway. Approval of the permit application will be for the purpose of documenting construction work that was performed prior to obtaining a permit from the Town.

The wall is 3.5 feet tall at its highest point, with a total length of 62 feet. It is offset from the left (west) side property line by 14 inches and the front property line by 20 feet. A permit from Montgomery County is also needed for this work. Peter Marks moved that the building permit application for the retaining wall be approved, with the condition that the applicants provide a copy of the Montgomery County permit or written confirmation from Montgomery County that no permit is required for this retaining wall. Paula Fudge seconded the motion and it passed by a vote of 3-0.

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

**CCV Building Permit Summary for September 2015**

**Applications for a Building Permit:**

- 4213 Glenridge Street (Maloney) Retaining wall - applied 7/20/15

**Applications for a Building Permit granted interim approval during the August recess:**

- 4213 Glenridge Street (Maloney) Pool and fence - applied 7/2/15, interim approval 7/30/15, issued 8/4/15
- 4104 Glenrose Street (Peschka) Fence - applied 7/30/15, interim approval 8/8/15, issued 8/18/15, completed 8/21/15
- 9900 Summit Avenue (McCarthy) Shed - applied 8/11/15, interim approval 8/27/15

**Applications on hold pending revisions to the plans:**

- 10111 Cedar Lane (Francis/Hacking) Deck, fire pit, and pergola - applied 8/1/15
- 4001 Saul Road (Gomez) Fence and deck - applied 7/21/15

**Approved applications awaiting issuance of CCV permit:**

- 4205 Glenrose Street (Griffioen) Demolition of an existing home and construction of a new home and rear yard garage - applied 4/6/15, interim approval 6/1/15
- 9900 Summit Avenue (McCarthy) Shed - applied 8/11/15, interim approval 8/27/15

**Active and open permit construction projects:**

- 10111 Cedar Lane (Francis/Hacking) Construction of a new house - approved 9/17/14, issued 11/24/14
- 9819 Connecticut Avenue (Spry) Shed - applied 5/5/15, approved 5/20/15, issued 6/29/15
- 4220 Dresden Street (Kehoe) Construction of a new house - approved 11/19/14, revised 12/17/14, issued 1/5/15
- 4220 Dresden Street (Kehoe) Fence - approved 4/15/15, issued 4/15/15
- 4220 Dresden Street (Kehoe) Pool - approved 4/15/15, issued 4/15/15
- 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
- 4212 Franklin Street (Gottshall) Fence - applied 5/11/15, approved 6/24/15, issued 8/26/15
- 4034 Glenridge Street RSC Investments LLC) Addition - interim approval 8/21/14, issued 8/21/14, revised 11/19/14
- 4314 Glenrose Street (Green) Wall and fence - interim approval 10/10/14, issued 10/10/14, extended 4/15/15
- 4213 Glenridge Street (Maloney) Pool and fence - applied 7/2/15, interim approval, 7/30/15, issued 8/4/15
- 9900 Summit Avenue (McCarthy) Addition - approved 9/17/14, extension approved 3/18/15, issued 7/1/15

**Completed projects since the July Council meeting:**

- 4120 Everett Street (Griffioen) Demolition of an existing garage and new garage construction - applied 5/5/14, approved 5/21/14, issued 5/22/14, revised 6/18/14, completed 8/27/15
- 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, completed 8/27/15
- 4104 Glenrose Street (Peschka) Fence - applied 7/30/15, interim approval 8/8/15, issued 8/18/15, completed 8/21/15
- 4308 Glenrose Street (Conlan) New house construction - approved 5/21/14, issued 6/11, revised 11/19/14, completed 8/27/15
- 9918 Kensington Parkway (Willson) Addition - applied 5/20/15, interim approval 6/8/15, issued 6/29/15, completed 9/1/15

**East Dresden and Cleveland Street Lighting Proposal Update:** Jana Coe reported that the delivery timetable for the five (5) Neri lights for East Dresden Street and Cleveland Street is expected to take place in late October.

David Albright joined the meeting at 8:05 p.m.

**Continued Discussion of Community Police Summer Pilot Program:**

Ron Sherrow shared additional research that he has conducted in an effort to learn how other municipalities (with full police forces) implemented and maintain programs. He continues to try to find ways to tailor this to CCV. Paula Fudge shared her concerns regarding expectations as well as the importance of clearly stating the parameters of a potential program.

**Status of Character Study Presentation:** Paula Fudge asked Council members to review that information presented by Chris Jakubiak at the June 30<sup>th</sup> work session. She asked that all additional comments be sent to her no later than October 1<sup>st</sup>. The Council will hold an open work session with Chris Jakubiak on **October 19, 2015, at 7:30 p.m.**

**Date for 2015 Picnic:** Paula Fudge reported that Lisa Fair of 3911 Dresden Street volunteered to chair the upcoming CCV picnic on September 27, 2015. In addition, Bill D'Albora, Mattie Bonavia (and family) and Julie and Ed Tarbutton have enthusiastically offered their assistance. The Council greatly appreciates these residents volunteering their time in order to retain this annual picnic tradition.

**Comcast Franchise Renewal Update:** At this time, the County asks for the Towns' position on the proposal for a share of the PEG grant funds.

In a nutshell, each jurisdiction can decide whether: A) it would like to continue to see its share of the capital grant funds be paid to the Montgomery County Chapter of the Maryland Municipal League, for use by Maryland Municipal Cable; or B) whether it would like to keep its share of the capital grant funds for its own use for cable channel capacity.

Both options would involve the participating municipalities receiving a reduced portion of the grant funds than that currently allocated. Under Option A, the County proposes to allocate the share based on subscriber population. Under Option B, instead of the current 1/7<sup>th</sup> share for the Chapter, the share would be 1/9<sup>th</sup>. Also, the participating municipalities would have to agree to give up a similar portion of the grant funds currently received under the Verizon agreement.

Under the terms of the proposed franchise agreement, 1/3 of the grant funds may be used for operating purposes. In order to use the remaining 2/3<sup>rd</sup>, those funds would need to be matched. After discussion, Paula Fudge moved that Ron Bolt be directed to report the Town of Chevy Chase View supported Option B. Peter Marks seconded the motion and it passed by a vote of 4-0.

David Albright had to leave the meeting at 9:35 p.m.

**Fall 2015 Tree Planting Report:** Paula Fudge and Jana Coe have been working to finalize the Fall 2015 planting list. The planting will be in two stages - the first planting phase (late October) will be trees that are out of the ground now (in containers) and the second phase will be the trees that will be dug after they have lost their leaves (usually mid-November). Prior to these plantings, a letter (or email) will be sent to

residents if a right-of-way tree will be planted in front of their home.

**Town Policy - Procedures for Timely Production and Inspection of Public Records under the Public Information Act:** Changes to the Public Information Act take effect on October 1, 2015. Under the changes, a custodian of records must maintain a current list of the types of public records that have been designated as available to any applicant immediately on request (in addition to maintaining "reasonable rules or regulations" that "govern the timely production and inspection of public records", as currently required under the law).

Also, each governmental unit that maintains public records must annually submit to the Office of the Attorney General the contact information for a representative whom a member of the public should contact to request a public record from the governmental unit.

The Council reviewed the draft Town Policy establishing procedures for timely production and inspection of public records under the Public Information Act. Paula Fudge moved that the Town policy be approved with a few minor edits. Peter Marks seconded the motion and it passed by a vote of 3-0.

**Approval of Leaf Removal Contract:** The Town received two proposals for the two-year leaf collection contract, covering October 1, 2015 to December 31, 2015 and October 1, 2016 to December 31, 2016. The proposals reflect a slight change in the collection dates, which will begin/end two weeks earlier than the expired contract.

There are several reasons for the date change - For the past several Fall seasons, trees have been shedding leaves much earlier and are generally bare by the end of November. The December 31<sup>st</sup> end date will assure that mounds of leaves are not placed in the streets in mid-January when the winter snow removal is underway (this has been the case during the last two winters).

Paula Fudge moved that the Council award the two-year contract to Hughes Landscaping, with the two-year fixed price of \$29,000.00 Peter Marks seconded the motion and it passed by a vote of 3-0.

**Approval of Snow Removal Contract:** The Council reviewed the two-year snow removal proposal submitted by Snow Central. Paula Fudge moved the proposal be approved. Peter Marks seconded the motion and it passed by a vote of 3-0. Jana Coe will again work

with Snow Central to identify intersections where barrels of a sand/salt mixture could be placed this winter.

**Other New Business:** Joe Toomey discussed the unpermitted fence posts that have been installed by Temple Emanuel in the public right-of-way and, despite further discussions with the Town, have not yet been removed. Council directed Ron Bolt to send a notice to the Temple Emanuel advising that the aforementioned construction is a violation of the Town Code, Section 2-112, which provides, in pertinent part, that "It shall be unlawful to erect or maintain any private improvement in a public right-of-way without approval from the Town". To abate the violation, the posts that have been installed, and all other construction materials, must be removed, and the right-of-way restored, no later than close of business on Wednesday, September 30, 2015.

**Motion to Adjourn:** At 10:25 p.m., Paula Fudge moved the meeting be adjourned. Peter Marks seconded the motion and it passed by a vote of 3-0.

**Time and Place of Next Meeting:** The Council will meet next for its work session on October 19, 2015, at 7:30 p.m. The next monthly meeting will be held on Wednesday, October 21, 2015, at 7:30 p.m. Both of these meetings will be held at the Christ Episcopal Church, Kensington, Maryland.

Respectfully submitted,  
Jana Coe, Town Manager

## ***NOTES AND REMINDERS -***

**Leaf Removal Begins October 1, 2015:** Hughes Landscaping, Inc. will remove all leaves on a weekly basis, weather permitting, until December 31, 2015. **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.

**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, which allows 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. When the annual directory is next printed in the Fall, your information will be included in the printed version as well.

The Town Manager will review all online access accounts and will formally activate 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.

**Bulk Pick-Up** - The next monthly bulk pick-up is scheduled on **Saturday, October 3, 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](mailto: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](mailto:ccviewmanager@verizon.net) or by calling 301-949-9274.**

**Website** - Please visit our website at [www.chevychaseview.org](http://www.chevychaseview.org).

**Application for Building Permit** - Building Permit Applications for consideration at the October 21, 2015, meeting must be submitted to the Town Manager by 5:00 p.m. on October 7, 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](mailto:ccviewmanager@verizon.net) or 301-949-9274.