

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: September 19, 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

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

Approval of Minutes of the July 18, 2018 Monthly Council Meeting and August 14, 2018 Work Session to Discuss Town Ordinance Defining Bay Windows No. 77:

Paula Fudge moved the minutes of the July 18, 2018 Monthly Council Meeting and August 14, 2018 Work Session to Discuss Town Ordinance Defining Bay Windows (No. 77) be approved. Nancy Kehne seconded the motion and it passed with a 5-0 vote.

Financial Report for Period July 1, 2018 to August 31, 2018:

Ron Sherrow moved that the financial report for the period July 1, 2018 to August 31, 2018 be accepted as amended. Nancy Kehne seconded the motion and it passed with a 5-0 vote.

Council Member Walk: Paula Fudge reported that she has partially completed the monthly Council member walk and will submit her report upon completion.

Report Issuance of CCV Building Permit No. 437-08001 - Dumpster - 4204 Glenrose Street (Noonan):

Application Received July 31, 2018 - Permit Issued August 8, 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.

Report Issuance of CCV Building Permit No. 438-08002 - Portable Storage Unit - 4001 Glenrose Street (Rickman):

Application Received August 8, 2018 - Permit Issued August 9, 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.

Report Issuance of CCV Building Permit No. 439-08003 - Dumpster - 4004 Glenrose Street (Wong): Application Received August 10, 2018 - Permit Issued August 10, 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.

Report Issuance of CCV Building Permit No. 440-08004 - Portable Storage Unit - 4024 Franklin Street - (Hodgson): Application Received August 26, 2018 - Permit Issued August 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 Revised Building Permit No. 412-01001 - Curb Cut/Driveway - 4217 Glenridge - (Dombo) : Michele Dombo of Michele M. Dombo Construction Management, LLC submitted an application for a revision to the existing permit for the property at 4217 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 and the Upton Architecture site plan submitted with the application. The scope of the project includes the construction of a new driveway/apron as shown on the site plan, and the abandonment/closing of the existing driveway apron. The conditions of the permit revision include that the right-of-way work must follow the Montgomery County Department of Public Works & Transportation, Combination Concrete Curb and Gutter Type A, Standard No. MC-100.01 and Residential Driveway with Curb Radius, Standard No. MC-301.05. The original application did not include the driveway or driveway apron construction.

The driveway width will be 12 feet at the front property line. The driveway surface will cover approximately 26% of the front yard. The driveway and front walk impervious surfaces will cover a total of approximately 28% of the front yard. A permit from Montgomery County is not required for this work.

Mr. Toomey recommended on August 28, 2018, that the Council should approve the application. The Council approved the permit application via email on August 30, 2018, by a vote of 4-0.

Ratify Revised Building Permit No. 435-07003 - Addition - 4016 Cleveland Street - (Garayta): Patrick and Natasha Garayta submitted an application for a revision to the existing permit for the property at 4016 Cleveland 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 Existing Conditions Survey by Charles P. Johnson & Associates, Inc., dated August 17, 2018, and the architectural drawings by J. Kent Williams, of JKDCA, revised August 15, 2018. The scope of the project is the construction of a two-story kitchen and bedroom addition, and a one-story family room addition at the rear of their home, a covered rear entry stoop, and repairs to the existing front entry portico.

The addition at the rear of the house will be setback 25.0 feet from the property line. The second story bay window, at the rear of the addition, will project 2.0 feet from the rear wall of the house. The rear entry covered stoop will project 3.0 feet from the rear wall of the house. The basement rear egress well will extend 3'-8" from the rear of the foundation. The Montgomery County Department of Permitting Services issued building permit No. 846408 on August 21, 2018.

Mr. Toomey recommended on August 28, 2018, that the Council should approve the application. The Council approved the permit application via email on August 30, 2018, by a vote of 4-0.

Paula Fudge moved that the permit approvals be ratified for the following: the Portable Storage Unit/Dumpster at 4204 Glenrose Street, 4001 Glenrose Street, 4004 Glenrose Street, 4024 Franklin Street; the new Driveway Apron and Removal of Existing Apron at 4217 Glenridge Street; Revision to Addition at 4016 Cleveland Street. Nancy Kehne seconded the motion and it passed by a vote of 5-0.

CCV Building Permit Summary for September 2018

Building Permit revisions granted interim approval

- 4016 Cleveland Street (Garayta) Addition - applied 7/4/18, approved 7/18/18, revision approved 8/30/18
- 4217 Glenridge Street (Michele M. Dombo Construction Management, LLC) Major addition - applied 12/6/17, approved 1/17/18, revision approved 8/30/18

Applications for dumpster and storage unit permits

- 4024 Franklin Street (Hodgson) Portable storage unit - applied 8/27/18, issued 8/27/18
- 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

Applications on hold pending further information on the application

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

Approved applications awaiting issuance of the Town permit

- 4104 Glenridge Street (Hastings) Front portico and side entry stoop - applied 5/2/18, approved 5/16/18
- 4013 Glenrose Street (Gonella) Side entry door and roof overhang - applied 12/12/17, approved 12/13/17
- 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) Demolition of existing house- applied 7/3/18, approved 7/18/18, issued 9/4/18
- 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
- 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 July 2018 Council meeting:

- 4000 Cleveland Street (Lucas) Fence - applied 3/14/18, approved 3/21/18, issued 4/4/18, completed 8/28/18
- 9814 Connecticut Avenue (Peters) Fence - applied 5/23/18, interim approval 6/4/18, issued 8/3/18, completed 8/28/18

- 3800 Dresden Street (Jacobs) Screen Porch - applied 1/2/18, approved 1/17/18, issued 1/17/18, completed 9/4/18
- 4017 Everett Street (Farkas/Benjamin) Demolition of existing house - applied 5/2/18, approved 6/20/18, issued 7/18/18, completed 8/28/18

Public Hearing Ordinance No. 76 to Regulate Non-Vegetative Surface Coverage in the Front Yards:

On June 6, 2018, the Council held a work session to discuss trends in building and resultant impervious front-yard coverage, including driveways. The Council directed the Town Attorney to prepare an ordinance for further review, limiting front yard non-vegetative surface coverage to 30%. At the July 18, 2018 Council meeting, Ordinance No. 76 to Regulate Non-Vegetative Surface Coverage in the Front Yards was introduced and the public hearing date set for September 19, 2018. Montgomery County acknowledged receipt of the proposed ordinance on July 26, 2018, and had no comments.

Paula Fudge stated that the Council discussed the allowable percentage of front yard non-vegetative surface for the homes located on the north side of Dresden Street between Summit Avenue and Connecticut Avenue at the June 6, 2018. Those lots have a 115-foot front yard setback and the Council should consider the runoff impact should the 30% paving limitation be applied.

Paula Fudge moved that the Council approve Ordinance No. 76 as written, and also commit to further discussion of the front yard non-vegetative surface coverage at the Council's second work session on bay windows, which is scheduled for October 10, 2018. Carlos Molina seconded the motion and it passed by a vote of 5-0.

Report on Summit Avenue Sidewalk Improvement Project:

Council members and staff will conduct a scheduled walk-thru with Clark/Azar officials on Friday, September 28, 2018, to review the Summit Avenue alignment and design issues.

Report on SHA Study for MD 185: On August 16, 2018, SHA officials met with Town officials to discuss recent findings for a safety study concerning MD 185 (Connecticut Avenue) from Saul Road to Franklin Street that was initiated in July 2017.

SHA studied various concerns shared by Town residents and reported the following actions that SHA will undertake within the next ninety (90) days: 1) Trim foliage along northbound MD 185 to provide improved sight distance from westbound Franklin Street looking south; 2) Post motorists warnings signs on MD 185 north and south of Franklin Street; 3) Switch the order in which WB/EB Saul Road traffic enters the MD 185 intersection - existing order is WB first/EB second to new order EB first/WB second; 4) Encourage MCPD to work with CCV to improve the speed monitoring along MD 185.

Report on Maryland-National Capital Park and Planning Hearing - Subdivision Plan #120180160 - 4201/4205 Saul

Road: Maryland-National Capital Park and Planning (M-NCPPC) held the hearing on September 6, 2018. The M-NCPPC Commission approved the Subdivision Plan #120180160 by a unanimous vote.

Update on Small Cell Tower Legislation: There are two important hearings that the Council will be monitoring over the next few weeks.

The Montgomery County Council will hold a public hearing on Tuesday, September 25, 2018 at 7:30 p.m. on ZTA 18-11, Telecommunications Towers - Approval Standards, which would add definitions, allow certain telecommunications towers as a conditional use in certain residential zones, revise the standards for telecommunications towers allowed as a limited or conditional use, exempt certain antennas from height limits, revise the conditional use findings required for the replacement of a pre-existing pole, and generally amend conditional use requirements to address certain telecommunications towers. This bill would change the zoning law in residential areas. It would allow small cell tower antennas to be placed on utility poles in the public right-of-way thirty (30) feet from residents' homes and there would be no notice to the community. The community would have no way to object or suggest alternative locations.

The public hearing will be held in the third floor hearing room of the Council Office Building, which is located at 100 Maryland Avenue in Rockville. The meeting will be televised live by County Cable Montgomery (CCM) on Xfinity channels 6 and 996, RCN channels 6 and 1056 and FIOS

channel 30. It will be available live via streaming through the County Council website at <http://tinyurl.com/z9982v8>

Secondly, the Federal Communications Commission has released its draft Declaratory Ruling and Third Report and Order, focusing on state and local management of small cell wireless infrastructure deployment. The document, if approved by a majority of commissioners at the FCC's September 26, 2018 open meeting, would enact substantial new limits on local wireless siting review.

The proposal would result in huge revenue losses for local governments from small cell lease agreements, new unfunded mandates and a loss of local control over issues like undergrounding, negotiations for public benefits and the ability to fully control the appearance of city streets.

The proposal offers many of the benefits of utility status to wireless providers, without any resulting requirement to build out and provide service to all residents in a timely fashion. By removing the leverage that cities have in negotiations with wireless providers, this proposal threatens to widen the digital divide, allowing providers to cherry-pick the most marketable areas for infrastructure, while leaving rural and less-profitable places behind.

Date for Work Session #2 to draft Town Ordinance regarding Bay Windows: The Council will hold its second open work session to discuss the Town Code as it relates to bay windows on October 10, 2018, at 5:30 p.m. at Christ Episcopal Church.

Report on Tree Maintenance and Fall Planting: Myer and Laws Tree Service has completed the tree maintenance work defined by Dr. Tolbert Feather, the Town's consulting arborist. Dr. Feather will be developing the 2018 Fall planting for replacement trees.

Town Directory for 2018-2019: The Town directory for 2018-2019 will go to the printer in early November and will be distributed in mid-November. Thank you to residents who reviewed their current listings and submitted updates.

Motion to Adjourn: At 8:30 p.m., Paula Fudge moved the meeting be adjourned. Carlos Molina 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 monthly Council meeting on Wednesday, October 17, 2018, at the Christ Episcopal Church, Kensington, Maryland.

Respectfully submitted,
Jana Coe, Town Manager

NOTES AND REMINDERS -

Leaf Removal Begins October 1, 2018: 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, October 6, 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 October 17, 2018, meeting must be submitted to the Town Manager by 5:00 p.m. on October 3, 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 by calling 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