

COUNCIL OF CHEVY CHASE VIEW

Monthly Meeting

Date: May 20, 2009
Place: Christ Episcopal Church, Kensington, Maryland
Present: Mike Plantamura, Chair; Martie Mitchell, Coral Bell, Lulu Gonella, Mike Greene Council members
Jana Coe, Town Manager
David Podolsky, Legal Counsel to Chevy Chase View
Ron Bolt, Legal Counsel to Chevy Chase View
Alan Beal, Building Permit Administrator
Others present: Henry Otto and Judy Whalley, 4212 Dresden Street
Jim Rill, architect for owners of 4212 Dresden Street
Rachel Ritvo, 4020 Everett Street
Rance Hitt, 9904 Connecticut Avenue
Bill D'Albora, 9910 Summit Avenue

Called to Order: 7:30 p.m. by Mike Plantamura, Chair

Welcome Newly Elected Council Members/Report on CCV Elections: The meeting was called to order by Chairman Mike Plantamura. Mr. Plantamura reported that Coral Bell, Mike Greene and he were elected to two-year terms, and welcomed Mr. Greene as a new Council member. The elected officials met the eligibility requirements and submitted their executed Oath of Office to Jana Coe.

Election of Chairman: Lulu Gonella nominated Mike Plantamura to continue to serve as Chairman of the CCV Council. Martie Mitchell seconded the motion and it passed unanimously.

Assignment of Officers: The floor was opened for nomination of officers of the Council. Mike Plantamura nominated the following officers: Martie Mitchell, Acting Chairman; Coral Bell, Treasurer; and Lulu Gonella, Assistant Treasurer.

Approval of Minutes of April 15, 2009 Annual Budget Meeting and April 15, 2009 Regular Meeting: Martie Mitchell moved that the minutes of the April 15, 2009 Annual Budget Meeting and the April 15, 2009 regular meeting be approved. Lulu Gonella seconded the motion. The motion passed with a vote of 4-0, with newly elected Council member Mike Greene abstaining.

Financial Report for the Period April 1, 2009 to April 30, 2009: Martie Mitchell moved that the financial report for the period April 1, 2009 to

April 30, 2009 be accepted. Coral Bell seconded the motion and it passed unanimously.

Council Member Walk: Martie Mitchell reported that the construction site at 4314 Glenrose Street was littered with trash and overgrowth. Alan Beal reported that the property will be changing ownership in the near future. He agreed to contact the County regarding the property.

Application for Fence/Shed – 9910 Summit Avenue (D’Albora): William D’Albora has applied for a permit to construct a fence and shed on his property at 9910 Summit Avenue. A four-foot fence will be located along Summit Avenue and Franklin Streets. A six-foot fence will be located behind the home. The shed will be located in the rear yard along Summit Avenue and will be behind the building restriction line and seven feet from the side property line. Martie Mitchell moved that the application be approved. Lulu Gonella seconded the motion and it passed unanimously.

Application for New Home – 4234 Everett Street (Otto/Whalley): Judy Whalley has applied to construct a new home on the lot located at the corner of Cedar Lane and Everett Street. The new home address will be 4234 Everett Street. The proposed new home has a front porch and porch roof that project 4.8’ into the front yard setback on Cedar Lane and 1.8’ into the setback on Everett Street. Porches and porch roofs are allowed to project up to 5 feet into the front setback. The roof has overhanging eaves that do not project more than 2.5’ into the front and rear (2’ into the side setback is allowed). The garage is a separate accessory structure located on the south end of the property with a driveway apron access from Cedar Lane. The garage is 11’ from the side property line. Lulu Gonella moved that the application be approved. Coral Bell seconded the motion and it passed 4-0, with Martie Mitchell abstaining from the vote since she was the realtor involved in the sale of this property.

Application for Demolition/New Home – 4204 Dresden Street (Francis): Lauren Sharma-Francis and Parman and Sharma have applied for a permit to demolish the existing home and build a new home at 4204 Dresden Street. The proposed home conforms to CCV side and rear setback restrictions. It has a front porch and roof that extends 4’ into the front setback. Porches and porch roofs are allowed to project up to 5’ into the front setback. The proposed site plan moves the existing driveway and driveway apron to the west side of the property and will require the relocation of a recently planted right-of-way tree.

Lulu Gonella reported that she had visited the site and recommended that the recently planted Okame cherry tree should be relocated to a planting site on Summit Avenue, with said cost to be borne by the applicants. In addition, the applicants will be required to close the existing curb cut and a new Okame cherry

tree will be planted in the right-of-way at their expense. Martie Mitchell seconded the motion and it passed unanimously.

Delegate Al Carr Reports on Concluded 2009 General Assembly Session:

Al Carr reported on the 2009 Maryland legislative session bills that directly impact Chevy Chase View, particularly the statewide expansion of speed cameras. Senate Bill 277 authorizes the use of speed monitoring systems statewide to enforce specified highway speed laws in school zones (limited between 6:00 A.M. and 8:00 P.M.) and highway work zones. This law goes into effect on October 1, 2009.

Language includes limiting local government speed camera revenues (including Montgomery County municipalities) to 10% of a local jurisdiction's total revenues after covering the costs of a local speed camera program with all excess local government revenues then directed to the State. However, Montgomery County and all Montgomery County municipalities will retain the authority to place cameras in both school zones and residential areas. Senate Bill 277 clarifies that a municipality that does not maintain a police force may contract with a law enforcement agency that is authorized to issue citations.

He also reported on the bills that would primarily affect the Town of Kensington as well as updates on the reduction of statewide transportation funds and the Purple Line. Mr. Carr expressed appreciation for the partnership that CCV affords him.

Connecticut Avenue Sidewalks: Alan Beal reported on the May 18th SHA presentation of the final design concept for the 'missing' sidewalk on the west side of Connecticut Avenue between Washington Street and Saul Road. The concept plan revealed information about size, texture and placement of retaining walls. SHA will consider narrowing one section of the west lane of traffic near Washington Street.

Rance Hitt of 9904 Connecticut Avenue informed the Council that SHA's presentation indicated that his property would likely lose the mature stand of Leland cypress trees that provide privacy as well as serving as a sound barrier to the vehicular traffic. He asked the Council to work on his behalf to ascertain that SHA replaces these mature shrubs with substantially sized shrubs. Mike Plantamura explained that the funding for this sidewalk has not materialized, but felt the Council should certainly send a letter to SHA at this time regarding the shrubs on Mr. Hitt's property. The Council asked Jana Coe to send the letter to Kate Mazzara, assistant engineer who is in charge of the project.

Mr. Hitt also asked that the Council consider allowing a six-foot front yard privacy fence on his property as an option. Again, Mr. Plantamura stated that this is a few years down the road and this request could be considered, if necessary, at that time.

Vandalism Report: Bill D'Albora of 9910 Summit Avenue reported that in recent weeks over 60 reports of car break-ins have occurred in Kensington. These thefts are primarily from unlocked cars between the hours of 10:00PM and 2:00AM. He asked the Council to consider refocusing the Village of Chevy Chase police for more late night/early morning patrols, particularly on weekends. He also recommended contacting the Bethesda station and asking for increased patrols.

The Council thanked Mr. D'Albora for this information and will follow-up accordingly.

Connecticut Avenue Lighting Update: Martie Mitchell reported PEPCO has received the 12-foot brackets and the new housing units will ship on May 22, 2009. CCV has asked that the internal house-side shields be installed during fabrication. Lights are scheduled for installation on June 1st.

Construction Site Issues and Fee Increase Discussion: The Council reviewed the final draft of Ordinance No. 48 that was distributed to CCV residents as an attachment to the April 15, 2009 monthly meeting minutes. This Ordinance will require a pre-construction meeting for certain construction, clarify that building permit conditions may be imposed and the penalty provisions for violations of the Regulations. Lulu Gonella moved that Ordinance No. 48 be adopted with an effective date of May 20, 2009. Coral Bell seconded the motion and it passed unanimously.

Tree Planting for Spring 2009: Lulu Gonella reported that a total of 26 right-of-way trees will be planted on May 22, 2009. Seventeen residents on Kensington Parkway, East Everett, Dresden Street, Summit Avenue, Glenridge Street and Glenrose Street were called in advance to ask that they accept this planting opportunity defined by consulting CCV arborist, Phil Normandy. A planting list for Fall 2009 has been initiated as some residents responded favorably after the cutoff date for ordering the Spring 2009 trees.

Connecticut Avenue Speed Update: The Montgomery County Police Department has extended the enforcement plan to May 31, 2009. Jana Coe will set up a meeting with Captain Damskey and Chief Manger to review the data collected from the speed trailer that has been deployed on Connecticut Avenue for the past few months as well as review the effectiveness of the MCPD's current six-hour per week speeding enforcement plan.

Dresden Street Sidewalk Repair Completed: Lulu Gonella reported that the Dresden Street sidewalk repair between Connecticut Avenue and Summit Avenue was completed. After clearing the right-of-way of overgrowth, Chamberlain successfully repaired/replaced the entire length of the four-foot sidewalk.

Appreciation to Outgoing Council Member Peter Roman and Nominating Committee: On behalf of the Council, Chairman Mike Plantamura extended its appreciation to Peter Roman for the four years of service on the CCV Council. During his tenure, Peter spent countless hours overseeing the right-of-way tree health and planting. The Council also expressed its appreciation to Fred Hutchinson (chair), Vickie Plank and Judy Whalley for serving on the Nominating Committee.

Council Member Responsibilities: The Council members then discussed the numerous responsibilities of the Council. **Please use the attached updated list as your reference when you need to contact a Council member.**

Overgrowth on CCV Sidewalks: Residents are reminded to cut back all shrubbery that protrudes into the adjacent sidewalks on their property. Please let us know if you are unable to keep your sidewalk cleared.

MML Convention: Jana Coe reported that 2009 Maryland Municipal League convention will be held on June 28, 2009. There are work sessions and lectures on relevant topics to municipalities.

Motion to Adjourn: At 9:05 p.m., Martie Mitchell moved that the meeting be adjourned and the Council meet in executive session, pursuant to the Annotated Code of Maryland, State Government Article Section 10-508(a)(7) to consult with counsel to obtain legal advice on a legal matter . Coral Bell seconded the motion and it passed unanimously.

The Council sought legal advice on the enforcement of the Chevy Chase View building regulations pertaining to two unpermitted projects in the Town. The Council unanimously directed Staff to pursue enforcement. At 9:55 p.m., Lulu Gonella moved to adjourn the executive session, which Coral Bell seconded. The motion passed unanimously.

Time and Place of Next Meeting: The Council will meet next for its monthly meeting on Wednesday, June 17, 2009, at 7:30 p.m. at the Christ Episcopal Church, Kensington, Maryland.

Respectfully submitted,

Jana Coe, Town Manager

Application for Building Permit – Building Permit Applications for consideration at the June 17, 2009 meeting must be fully perfected by 5:00 p.m. on June 3, 2009. Applications can be submitted to Alan Beal, the Building Permit Administrator, for review. Please note that Mr. Beal's review may take several

days and an application is not considered perfected until Mr. Beal completes his review. Any questions about this process should be directed to Mr. Beal at 202-607-4153.

Bulk Pick-Up - The next bulk pick-up will be **Saturday**, June 6, 2009. Bulk pick-ups are held on the first Saturday of the month. As a reminder, heavy refuse includes major appliances, furniture, large toys, bicycles, plumbing fixtures and up to two tires cut into quarters. Excluded are batteries, propane tanks, bricks and 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. **NOTE: The July bulk pick-up will be on Saturday, July 11th.**

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

Listserv – Please consider becoming a member of the CCV listserv. Send an email to ChevyChaseViewNet-subscribe@yahogroups.com.

Street Cleaning – The next regular street sweeping is scheduled for June 15th (the third Monday). Please park your cars in driveways in order that the most effective sweeping can be performed.