

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: February 17, 2021
Place: Meeting was held via an open conference call
Present: Paula Fudge, Chair; Lisa Fair, Peter Marks, Carlos
Molina and Ron Sherrow, Council members
Jana Coe, Town Manager
Ron Bolt, Legal Counsel for Town
Joseph Toomey, CCV Building Permit Administrator
Julie Sparacino, Moderator
Others Present: Bruce Hebbard, 4300 Glenridge Street
Nancy Somerville, 4409 Saul Road
Stacey Noonan, 4200 Glenridge Street
Al Carr, District 18 Delegate
Catherine Schempp, 4216 Dresden Street
Elfin Noce, 9910 Kensington Parkway
Jackie Sansone, 9904 Kensington Parkway

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

Approval of Minutes of January 19, 2021 Work Session with Clark/Azar and Monthly Meeting: Paula Fudge moved the minutes of the January 19, 2021 Clark/Azar Work Session and the monthly meeting be approved. Lisa Fair seconded the motion and it passed with a 4-0 vote.

Ron Sherrow joined the meeting at 7:10 pm.

Financial Report for Period January 1, 2021 to January 31, 2021:

Peter Marks moved that the financial report for the period January 1, 2021 to January 31, 2021 be accepted. Carlos Molina seconded the motion and it passed with a 5-0 vote. Paula Fudge noted that the FY21 snow removal budget would be exceeded due to the recent weather events.

Council Member Walk: Peter Marks conducted the monthly Council member walk and noted several follow-up issues for the Town manager.

NOTE: More folks are spending time outdoors during this pandemic, and residents are encouraged to collect loose trash that is on the street in front of their homes. Thank you.

Building Permit Application - Fence - 4201 Saul Road (4205 Saul Road LLC):

Dan Demeria of 4205 Saul Road, LLC, owner of the property at 4201 Saul Road, submitted a fence permit application for the home at 4201 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 is based upon the description of the project on the application, the property survey by Meridian Surveys with the location of proposed fences overlaid on the survey, and photographs of the proposed fence styles. The scope of the project is to install a 6-foot tall privacy fence to enclose the side and rear yards, and a 4-foot tall picket fence to

enclose a section of the Saul Road front yard, as shown on the property survey. A side and rear yard fence height is limited to no greater than 6.5 feet. A front yard fence height is limited to no greater than 4 feet. Fence height is measured from the ground below the fence, and includes the fence, fence posts, and fence post caps.

A condition of the permit must include that the applicant must request a final inspection upon completion of the installation, to assure that fence height limitations have been met. Mr. Toomey recommended that the Town Council approve this building permit application.

A permit from the Montgomery County Department of Permitting Services is also required for this project. Ron Sherrow moved that the permit application be approved. Lisa Fair seconded the motion and it passed with a 5-0 vote.

Building Permit Application - Addition and Front Stoop Roof - 4209 Franklin Street (Winters): Michael and Linda Winters submitted a building permit application for their home at 4209 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 architectural plans by Flanagan Architects dated February 9, 2021, and the property survey by TES dated February 10, 2021. The scope of the project is to construct a basement and first-floor addition at the rear of the existing house, enclose the existing side screen porch, and reconstruct the existing front entry portico. The project also includes the construction of a rear deck above the roof of part of the addition, an exterior stairway from the deck to the ground, and the construction of a rear patio. Extensive interior renovations are also included.

The proposed rear addition will be setback 25.7 feet from the left (west) side property line, approximately 39 feet from the right (east) property line, and approximately 92 feet from the rear property line. The screen porch, to be enclosed, is 23.4 feet from the left property line. The required side setback is 15 feet and the required rear setback is 25 feet.

The proposed front portico stoop will project 3'-9", and the roof above the stoop will project 4'-6" from the front face of the house. The front setback requirement for the property is 49.7 feet, as calculated by the Established Building Line (EBL) formula. The setback of the house is only 49.3 feet. The five-foot allowance for an unenclosed front porch projection into the required front setback would allow a 4.6-foot projection from the front face of the house. The EBL calculation was taken from the front setback Town survey values provided by Charles P. Johnson Associates, instead of the TES values. Mr. Toomey recommended that the Town Council approve this building permit application.

A building permit application was submitted to the Montgomery County Department of Permitting Services (number 941214) on 02/04/2021, and its review is in progress.

Paula Fudge moved that the permit application be approved. Peter Marks seconded the motion and it passed with a 5-0 vote.

CCV Building Permit Summary for February 2021

New applications for a Building Permit:

- 4209 Franklin Street (Winters) Addition and entry portico - applied 2/3/21
- 4201 Saul Road (4205 Saul Road LLC) Fence - applied 2/8/21

Approved applications awaiting issuance of the Chevy Chase View permit:

- 4100 Dresden Street (Tyson) Shed and fence - applied 6/23/20, approved 7/15/20

Active and open permit construction projects:

- 9817 Connecticut Avenue (Tansil/Vas de Carvalho) Addition - applied 1/31/20, approved 2/19/20, issued 5/22/20
- 4016 Dresden Street (Plank) Construct a new home - applied 4/14/20, approved 5/20/20, revision approved 6/17/20, issued 8/12/20
- 4213 Dresden Street (Potomac Heritage Homes) Demolition - applied 11/21/20, approved 12/16/20, issued 1/14/21
- 4213 Dresden Street (Potomac Heritage Homes) New house construction - applied 11/21/20, approved 12/16/20, issued 1/14/21
- 4205 Saul Road (4205 Saul Road, LLC) New house - applied 9/3/20, approved 9/16/20, issued 12/21/20
- 4305 Saul Road (Coleman) Addition - applied 8/17/20, approved 9/16/20, issued 9/23/20
- 10011 Summit Avenue (Barch) In-ground pool - applied 12/2/20, approved 12/16/20, issued 12/29/20

Completed projects since the February 2021 Council meeting:

- 3904 Dresden Street (Graham/Aslan) Major addition - applied 6/4/19, approved 8/22/19, issued 8/23/19, completed 1/30/21
- 4011 Dresden Street (Quinn) New house construction - applied 12/4/18, approved 1/16/19, completed 1/30/21
- 9918 Kensington Parkway (Burke) Storage pod - applied 1/6/21, issued 1/30/21

Update on Thrive Montgomery 2050: As previously reported, the Community Coalition, representing over 33,000 Montgomery County residents in 27 community organizations and municipalities, submitted a letter (see link below) requesting Park and Planning provide more data and analysis to support its proposals.

<http://www.chevychaseview.org/docs/TM2050CoalitionResponseLetter11-17-20.pdf>

The Community Coalition will hold a Zoom meeting on February 17, 2021, to discuss steps to compile Missing Middle Housing best practices, lobbying on the benefits of compatibility, discussing the Thrive Montgomery 2050 process, and inviting County Council members to future meetings.

Update on Connecticut Avenue Speed Enforcement): Ron Sherrow reported MDOT SHA has reiterated that it anticipates completing a "corridor needs analysis" for Connecticut Avenue (MD 185) between Western Avenue (Chevy Chase Circle) and University Boulevard (MD 193) by late March 2021. SHA stated the study will identify strategies to improve pedestrian and bicycle network deficiencies using context-driven improvements. For information about SHA's "Context-Driven" concept, visit: [Context Driven \(v1\) \(arcgis.com\)](#). Mr. Sherrow said he is continuing to study Maryland speed monitoring system ordinances and best practices in preparation for interviews with administrators of local municipally-operated speed monitoring systems. With a focus on what resources other municipalities devote to implement and sustain their Safe Speed Programs, the interview findings can help the Council decide if it is feasible for CCV to institute similar traffic calming technology.

Update - Clark/Azar Drainage Study: Jason Azar of Clark/Azar has reported that the final report on the storm drainage study should be completed within the next week and sent to Council for its review and approval.

Update - Stormwater Management Committee: The Stormwater Management Committee held a meeting on Tuesday, February 9, 2021. The main agenda item was the committee's planned report and specifically the recommendations it will include in its report. The committee used nearly all of its meeting time to discuss recommendations. The members discussed various ways to organize recommendations such as long-term vs. short term, external (State and Montgomery County) vs internal (CCV and its residents), etc. The members had a wide-ranging discussion about a number of recommendations that touch on nearly every facet of stormwater management. The SWM Committee plans to hold its next meeting on Tuesday, March 2, where it plans to keep refining its final report and recommendations.

Update on Pepco Proposal to Transition to LED Streetlighting in Town: As previously reported, the Town filed a Petition to Intervene in Pepco Rate Case #9655, citing the Town's agreement with Pepco in or around 2003 to upgrade its then-current light fixtures with 55-watt induction light fixtures, at significant cost and expense to the Town. The agreement included the payment of monthly maintenance fees. Given the excellent reliability of the 55-watt induction lights, a significant sum of maintenance payments will be left unused if the induction lights are replaced prematurely.

The Town Manager has been working with Scott Watson, the Town's lighting consultant, to determine the monthly tariff for the 55-watt induction lights during the years 2008-2020. By comparing rated lamp and system life of our 55-watt induction luminaires to that of High-Pressure Sodium (HPS), the Town estimates it has paid approximately \$34,000 to cover potential maintenance that was never needed.

The Town is also requesting that the Town's LED conversion be placed at the end of Pepco's regional installation schedule (2022-2026), as the 55-watt induction lights have shown no evidence of failing, and it allows the Town ample time to approve the LED replacement luminaire that is truly equivalent in appearance, output, color temperature,

glare shielding, and ANSI distribution to each existing 55-watt induction luminaire. Ron Bolt recommends that the Town discuss these findings with Pepco officials and try to reach an informal agreement in advance of the March 3, 2021 hearing date.

FY22 Budget Planning Work Session: On Monday, March 15, 2021, the Council will hold a virtual work session to develop the FY22 budget. The work session is open to the public and will begin at 6:00 pm.

The Council will review and accept the proposed FY22 budget for presentation to Town residents at its March 17, 2020 monthly Council meeting. Residents will be encouraged to offer comments prior to the Annual Budget Hearing on Wednesday, April 21, 2021.

Council-Sponsored Stormwater Survey: In November, the Town Council invited residents to participate in the stormwater management survey that was developed in conjunction with Montgomery County's Division of Transportation Engineering (MCDOT). The survey was intended to gather information for use in assessing the current stormwater system in the Town. The Town Manager sent tabulated survey data to the Council on February 6, 2021, for review and approval. The Council agreed they would review the data to determine if re-sorting would simplify the presentation before releasing the survey results to residents and MCDOT.

MCDOT Kensington Parkway Shoulder Improvement Plan: The Montgomery County Department of Transportation (MCDOT) is hosting a virtual public workshop to learn about the Kensington Parkway Shoulder Improvements Project. WSSC's Kensington Parkway Water Main Replacement Project has been ongoing since 2018 and the roadway will be resurfaced this Spring. MCDOT is using this opportunity to consider paving the Kensington Parkway gravel shoulder between Saul Road and Everett Street as a way to incorporate facilities for pedestrians and bicyclists. We encourage you to attend the virtual meeting, share your input on how you would like to see Kensington Parkway redesigned, and provide any suggestions that may better reflect the community's needs. Should you have questions or comments regarding this project at any point, please contact the Project Manager, Kyle Lukacs, at kyle.lukacs@montgomerycountymd.gov or 240-777-7207.

Residents were encouraged via an e-Town mailing to attend the virtual public workshop on Wednesday, February 24, 2021, as well as take a brief survey using this link: <http://tinyurl.com/KensingtonPkwyShoulder>

HB 635: On February 12, 2021, Delegate Al Carr sent an email requesting the Town Council's support of the proposed amendment to HB635. Currently as written, HB635 requires the Maryland Emergency Management Agency, Maryland Department of Transportation and the Maryland Department of the Environment to analyze recent and historic flooding, evaluate existing and potential flood prevention and control measures, including physical infrastructure, examine environmental issues associated with flooding and develop recommendations, including long and short-term solutions on addressing the impacts of flooding and associated environmental issues in Prince George's County. The proposed amendment will require these same state agencies to conduct a parallel study for Montgomery County.

The Town Council briefly discussed the proposal at its February 17, 2021 meeting and agreed to take it into consideration. The timing of this legislation and the proposed study is particularly appropriate as Montgomery County is actively considering measures to increase the density of down-county development associated with Missing Middle housing (Thrive Montgomery 2050).

NOTE: After reviewing the Town of Kensington's letter of support for HB635, as well as the recommendation of Pete Marks, Town Council member serving as liaison to the Stormwater Management Committee, the Town Council sent the following letter (with recommendations) supporting the proposed HB 635 amendment. The Town's letter can be found online at <https://files.constantcontact.com/5e81ae57101/3502f1d0-4e6c-4632-8fd3-5d7e13elf56c.pdf>.

To become law, HB635 (if amended) must first be approved by the House Environment and Transportation Committee. The virtual public hearing for HB635 is scheduled for 1:30 pm on Wednesday, March 3rd in the Environment and Transportation Committee.

Motion to Adjourn: At 8:20 p.m. Peter Marks moved that the meeting be adjourned. Ron Sherrow seconded the motion and it passed by a 5-0 vote.

Time and Place of Next Meeting: The Council will meet next for its virtual monthly meeting on Wednesday, March 17, 2021, at 7:00 pm.

Respectfully submitted,
Jana Coe, Town Manager

NOTES AND REMINDERS –

Important Reminder When Filing Your 2020 Maryland State Tax Return

By law, as a municipality, the Town of Chevy Chase View receives a portion of the Maryland state income tax the Town's residents pay each year. This revenue represents the most significant source of the Town's overall income and goes directly toward paying for services that the Town delivers to its residents in lieu of the county-provided services. Town residents DO NOT pay any additional State income taxes to live in Chevy Chase View.

To ensure that the Town of Chevy Chase View receives all State income tax revenues due to the Town, we ask you to please take special care when completing your 2020 MD State income tax return.

For tax returns for Tax Year 2020, please be aware that MD Form 502 has been updated to require specific information to identify the return filer as a resident of the Town of Chevy Chase View. **See below a sample of the first page of MD Form 502.** This required information is located in the box directly under your mailing address.

1. Enter number **1617** (the 4-digit political subdivision code assigned to Chevy Chase View). Please see the left red arrow below.
2. Under "Maryland Political Subdivision", include **Chevy Chase View** (if filing electronically there may be a character limit, and if so, use the abbreviation **Ch Ch View**). Please see the right red arrow as well as the note shown below.

REQUIRED: Maryland Physical address of taxing area as of December 31, 2020 or last day of the taxable year for fiscal year taxpayers. **See Instruction 6. Part-year residents see Instruction 26.**

1617 4 Digit Political Subdivision Code (See Instruction 6)	Chevy Chase View Maryland Political Subdivision (See Instruction 6)
Maryland Physical Address Line 1 (Street No. and Street Name) (No PO Box)	
Maryland Physical Address Line 2 (Apt No., Suite No., Floor No.) (No PO Box)	
City	<div>MD</div> <div>State</div>
	<div>ZIP Code + 4</div>
	<div>Maryland County</div>

Unleashed Dogs: Many residents are expressing increasing concern about unleashed dogs in the Town. Dog owners are reminded of the following provisions in the Montgomery County Code, Chapter 5, related to Animals and Public Nuisance:

Animal Trespass (Montgomery County Code, Sec. 5-203(a)(3)) - "An owner must not allow an animal to enter private property without the property owner's permission. (\$100 fine). Any dog is at large if it is outside the owner's premises and not leashed, unless it is a service dog, is in a dog exercise area designated by the Maryland National Capital Park and Planning Commission or is participating in an approved activity." (\$100 fine for first offense; \$500 fine for each subsequent violation).

Unwanted Contact - "The pet owner must prevent unwelcome or unsolicited threatening physical contact or close proximity to a person or a domestic animal that occurs outside the owner's property that may cause alarm in a reasonable person, such as biting, chasing, tracking, inhibiting movement, or jumping." (\$500 fine).

You are reminded to clean up after your dog and place the bag in your own trash container for disposal by Ecology Services' crew.

Bulk Pick-Up - The next monthly bulk pick-up is scheduled on **Saturday, March 6, 2021**. 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 March 17, 2021 meeting must be submitted to the Town Manager by 5:00 p.m. on March 3, 2021. 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 janacoe@chevychaseview.org or by calling 301-949-9274.

***PLEASE TAKE ADVANTAGE OF THE FOLLOWING THREE COMMUNICATION OPTIONS
FOR TOWN RESIDENTS ONLY***

1. Sign Up for eTown Mailings: 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 by emailing ChevyChaseViewNet+subscribe@groups.io.