

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: February 16, 2022
Place: Meeting was held at Christ Episcopal Church
Present: Paula Fudge, Chair; Lisa Fair, Peter Marks, Carlos Molina and
Nancy Somerville, Council members
Jana Coe, Town Manager
Ron Bolt, Legal Counsel for Town
Others Present: Jason Azar, Clark/Azar (appearing remotely)
Ron Sherrow, 4013 Glenridge Street
Al Carr, District 18 Delegate

Called Meeting to Order: 7:03 p.m. by Paula Fudge, Chair

Building Permit Application - Two-story addition of first-floor sunroom and second-story bedroom, addition of mud room entry, and raise roof of third level attic - 9901 Connecticut Avenue (Nix-Gomez/Keeney) - Aaron Nix-Gomez and Jennifer Keeney submitted a permit application for their home at 9901 Connecticut 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.

Jason Azar referred the Council to Mr. Toomey's review of January 6, 2022. Mr. Toomey's review is based upon the description of the project in the application, the construction plans by Capitol Builders Group, identified as Permit Set: June, 2021, and the Location Survey by Landtek Partners LLC, dated October 26, 2022. The scope of the project is to expand the existing first-floor sunroom, on the right side of the house, and add a mud room entry on the left side of the house. The project also includes expansion of the second-floor bedroom above the expanded sunroom, and to raise the roof of the third-level attic space. Extensive interior alterations will also be made. The addition will be offset by 18 feet from the right (south) property line, and 18 feet from the left (north) side property line, meeting the required 15-foot setback. The front setback will be greater than that of the original house, meeting the setback requirement for an addition to an existing structure. The rear setback will be 59 feet, meeting the required 25 feet.

The Council discussed the two issues with this application.

1. The Location Survey does not meet the accuracy required by the Building Regulations for construction within four feet of a building restriction line. However, as the proposed side setback will be three feet greater than required, the Council agreed that the survey accuracy is sufficient for this application.

2. The property is located at the southeast corner of Connecticut Avenue and Franklin Street, which gives it the appearance of a corner lot. However, a small portion of what was originally a full lot (identified now as remainder of lot 11) still exists between the 9901 Connecticut Avenue property and Franklin Street. The majority of lot 11 was used when

Montgomery County expanded the Franklin Street right-of-way between Connecticut Avenue and Kensington Parkway. According to the Maryland Department of Assessment and Taxation (DAT) records, ownership of this property is held by Montgomery County, making 9901 Connecticut Avenue, or lot 10, an interior lot and not a corner lot. As it is an interior lot, it does not require a 35-foot setback on the side that is close to Franklin Street. The Council agreed that 9901 Connecticut Avenue is not considered a corner lot.

A permit application with the Montgomery County Department of Permitting Services, number 963977, was made on August 17, 2021. Peter Marks moved that the permit application be approved. Carlos Molina seconded the motion and it passed with a 4-0 vote (Lisa Fair was not present for this vote).

Continued Discussion Regarding FY22/FY23 Street Improvements: In 2020, Clark/Azar worked with The Town of Chevy Chase View to create an Asset Survey and Capital Improvements Plan (CIP) that documented the condition of various Town infrastructure items and laid out a ten (10) year plan for maintenance and upgrades to various infrastructure items such as curbs, sidewalks, paving and drainage structures.

Peter Marks discussed the Council's decision at the January 2022 meeting to focus on the installation of concrete curb, gutter and aprons, as well as a complete milling and paving of Cleveland Street. It also includes the milling and paving of Summit Avenue between Glenridge Street and Saul Road, and the milling and paving of Franklin Street between Summit Avenue and Cedar Lane. The Council discussed with Jason Azar the installation of several additional drains and inlets on the far west end of Franklin Street (close to Cedar Lane). Jason Azar recommended that the inlet installation be postponed until the completion of a resiliency study. The Council agreed with this recommendation.

Peter explained to Council members that the far east end of Cleveland Street has a "rolled" concrete curb and gutters (encompassing approximately the last six houses on the cul-de-sac). The construction plan will extend these rolled gutter/curbs along the entire Cleveland Street roadway. All residences, including the six residences in the cul de sac will require new concrete driveway apron installations that will conform to Montgomery County standards. The Council agreed with the rolled curbs installation.

Jason Azar submitted a proposal for Civil Engineering Services for the FY22/23 Final Design of the aforementioned project. The proposal in the amount of \$24,443.00 includes the understanding of the project, scope of services that includes preparation of construction documents, bid proposal, construction administration and fees.

Carlos Molina moved that the proposal be approved (with inclusion of more detailed scope of the project). Paula Fudge seconded the motion and it passed with a 4-0 vote (Lisa Fair was not present for this vote).

Approval of Minutes of January 19, 2022 Monthly Council Meeting: Nancy Somerville moved that the minutes be approved. Carlos Molina seconded the motion and it passed with a 4-0 vote. (Lisa Fair was not present for this vote).

Financial Report for Period January 1, 2022 to January 31, 2022: Peter Marks moved that the financial report be accepted. Nancy Somerville seconded the motion and it passed with a 4-0 vote. (Lisa Fair was not present for this vote).

Lisa Fair joined the meeting at 7:55 p.m.

Council Member Walk: Lisa Fair reported that the monthly walk is underway and she will submit her findings next week to the Town Manager.

CCV Building Permit Summary - February 2022

New applications for a Building Permit:

- 9901 Connecticut Avenue - Two-story addition of first-floor sunroom and second-story bedroom, addition of mud room entry, and raise roof of third level attic - 9901 Connecticut Avenue (Nix-Gomez/Keeney)- applied 12/24/21, approved 2/16/22

Applications on hold pending further information on the application:

- 4001 Glenridge Street (Allan) Fence - applied 2/15/22
- 4006 Glenridge Street (McLamb) Fence - applied 2/11/22
- 4312 Glenridge Street (Stogoski) Fence - applied 3/2/21

Approved applications awaiting issuance of the Chevy Chase View permit:

- 4009 Cleveland Street (Albright) Detached garage - applied 6/2/21, approved 7/21/21
- 4021 Glenridge Street (Matan) Pool and pool house - applied 10/5/21, approved 10/20/21

Active and open permit construction projects:

- 4001 Cleveland (Whiteside/Shelhamer) Screen porch - applied 12/3/21, approved 12/15/21, issued 1/5/22
- 9819 Connecticut Avenue (Spry) Porch and deck addition - applied 2/19/21, approved 3/17/21, issued 5/12/21
- 4209 Franklin Street (Winters) Addition and entry portico - applied 2/3/21, approved 2/17/21, issued 9/2/21
- 4021 Glenridge Street (Matan) Addition - applied 4/7/21, approved 4/21/21, issued 6/24/21
- 4017 Glenridge Street (Foley) - Fence - applied 1/31/22, approved 2/3/22, issued 2/3/22
- 4025 Glenrose Street (Loveland/Wertheim) - Fence -applied 1/16/22, approved 1/17/22, issued 1/27/22
- 4102 Glenridge Street (DeSarno) Addition and screen porch - applied 10/5/21, issued 1/29/22

Completed projects since the January 2022 Council meeting:

- None -

Thrive Montgomery 2050: Lisa Fair will circulate a draft of the letter of support that confirms the latest information about the status of this legislation.

Update on Connecticut Avenue Safety Issues: On January 10, 2022, SHA briefed the District 18 delegation on the draft corridor study. There were some things missing that the delegates felt were critical and should be fixed before releasing the study to the public. Once that is done, it will be released publicly and the District 18 delegation will work with SHA to conduct several virtual community town halls to solicit feedback on the proposal

NOTE: We received word on February 18, 2022, that SHA has released the SHA Connecticut Avenue Corridor Study. You can review the report here: <https://roads.maryland.gov/mdotsha/pages/Index.aspx?PageId=366>

Discuss Support for HB1083 which would allow Maryland municipalities to convert its street lighting service to a customer-owned street lighting tariff: Delegate Al Carr discussed HB381 with the Council. The bill has been cross-filed on the Senate side (SB376), and a hearing before the Senate Finance Committee was held on February 15, 2022. Al Carr is requesting letters of support. He noted that the bill may be subject to further amendments as a result of comments by the PSC and utility companies.

The proposed legislation is intended to streamline the process for local governments considering acquiring utility-owned overhead street lights and assuming ownership and maintenance. The Council agreed to send a letter of support to the appropriate elected officials.

New Business

Discuss Treasury issuance of Final Rule on State and Local Fiscal Recovery Funds: On January 6, 2022, the U.S. Department of the Treasury issued the Final Rule for the State and Local Fiscal Recovery Funds (SLFRF) program. The Final Rule - which takes effect on April 1, 2022, but also gives recipients the ability to take advantage of Final Rule provisions immediately - provides state and local governments with increased flexibility to pursue a wider range of uses, as well as greater simplicity.

Per the Final Rule, recipients may now elect a "standard allowance" of up to \$10 million (or their award amount, if less than \$10 million) to spend on government services through the period of performance under lost revenue eligibility category. Recipients choosing this option are no longer required to calculate lost revenue through Treasury's formula and can begin to apply these funds "for the provision of government services" as of January 6, 2022. Please note that allocations are not impacted by this standard allowance; recipients receiving less than \$10 million may simply choose to apply their entire allocation to the provision of government services."

Carlos Molina moved that the Council declare the 'standard allowance' on behalf of the Town of Chevy Chase View. Peter Marks seconded the

motion and it passed with a vote of 5-0. The first report covers the period ending 3-31-22.

Status of building permit administrator search: Jana Coe reported that the search for a building permit administrator has not yielded any candidates. John Strong of Clark/Azar will continue to administer permit applications and oversee ongoing construction projects.

Discuss authorization of extension of management agreement with Town's accounting firm, Lindsay and Associates, for term of one year (FY22 audit): Under the current management agreement, Lindsay and Associates audited the financial statements of the governmental activities, the business-type activities (if any), each major fund, and the aggregate remaining fund information, which collectively comprise the entity's basic financial statements, of the Town as of and for the years ended June 30, 2019, 2020 and 2021.

The Town has an option under the current management agreement to extend Lindsay and Associates services for the years ending June 30, 2022 and 2023 for \$9,200 and \$9,200, respectively. Lisa Fair moved that the Council approve the two one-year extensions. Carlos Molina seconded the motion and it passed with a vote of 5-0.

Discuss RFP for refuse and recycling services (current contract with Ecology Services expires June 30, 2022): The Council did not recommend any changes to the current refuse and recycling services. It approved the issuance of a Request for Proposals (RFP) for refuse and recycling services for a term of three years, with three one-year extensions.

A Town resident asked the Council to consider offering food composting services offered by Compost Crew Services. There are approximately 25 residents who contract for this service independently. The Town Manager will prepare a survey to send to residents to help gauge the overall interest in this service.

FY23 Budget Planning: The Council will hold its budget work session to develop the FY23 budget on Wednesday, March 9, 2022, at 6:00 pm at Christ Episcopal Church. The work session is open to the public. At the March 16, 2022 Council meeting, the Council will accept the proposed FY23 budget for presentation to Town residents for comments prior to the Annual Budget Hearing on Wednesday, April 20, 2022.

Council acceptance of Council member Lisa Fair's resignation and discussion of procedure to fill the vacancy: At the Town Council meeting on February 16, 2022, the resignation of Council member Lisa Fair was accepted, effective March 15, 2022. Lisa and her husband, Marc, have sold their Dresden Street home and will be leaving Chevy Chase View. Lisa joined the Council in 2019 and has been very active with Thrive Montgomery 2050 and served on the Municipal Cable Board. Before joining the Council, Lisa served as chair of the Town picnic since 2015. Lisa's passion to preserve CCV's sense of community has been a tremendous asset to Chevy Chase View.

Council Member Appointment Procedure: The Town Council now invites volunteers to fill this upcoming vacancy. According to the Town Charter, the Council "by majority vote shall fill vacancies in the Council, and such person(s), upon qualification as required of a newly elected official,

shall serve for the remainder of the unexpired term." To be qualified to serve on the Council, according to the Town Charter, one must be a qualified voter of Montgomery County residing in Chevy Chase View, and at least 18 years of age.

The candidate selected will serve the remainder of Lisa Fair's term, ending in May 2023. In order for Council members to become acquainted with residents who wish to be considered for this Council member appointment, we are asking that you provide the Council with a short biography as well as sharing your interests in Council and Town matters.

The signed Application for Appointment form and your short biography should be delivered to the Town Manager, Jana Coe, at 4104 Franklin Street, Kensington, Maryland. Deadline for submission is Friday, March 11, 2022. If you have any questions, please contact Jana Coe at 301-949-9274 or janacoe@chevyCHASEVIEW.org.
<http://www.chevyCHASEVIEW.org/docs/AppointmentForm2022.pdf>

Motion to Adjourn: At 8:50 p.m., in open session, Lisa Fair made a motion to enter closed session, pursuant to Maryland Code, General Provisions Article § 3-305(b) (1) to discuss the employment, compensation, and performance evaluation of the Town Manager. Carlos Molina seconded the motion and it passed by a 5-0 vote. The Council voted unanimously to provide a salary increase and bonus to the Town Manager. At 8:50 p.m., hearing no objection, Paula Fudge adjourned the closed session.

Time and Place of Next Meeting: The Council will meet next at Christ Episcopal Church for its March 9, 2022 budget work session. The next monthly meeting will be held on March 16, 2022, at 7:00 pm. at Christ Episcopal Church.

Respectfully submitted,
Jana Coe, Town Manager

NOTES AND REMINDERS -

Important Reminder When Filing Your 2021 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 2021 MD State income tax return.

For tax returns for Tax Year 2021, 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, 2019 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

MD
State

ZIP Code + 4

Maryland County

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)

Bulk Pick-Up - The next monthly bulk pick-up is scheduled on **Saturday, March 5, 2022**. 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 16, 2022 meeting must be submitted to the Town Manager by 5:00 p.m. on March 2, 2022. 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 eTownMailings: Please register to receive important announcements from the Council and Town Manager. Go to the CCV website – on the front page choose “For Residents” and then choose “E-Town Mailings”. Enter your email address where indicated, then hit “Go”. This will take you to the website of our partner, Constant Contact. Follow the directions on the screen to complete your registration. You can register as many email addresses as you like for your household, but you must use enter each recipient individually.

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” 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. You can sign up at <http://chevychaseview.org/wp/residents/town-directory/>.

3. Listserv – Please consider becoming a member of the CCV listserv by emailing ChevyChaseViewNet+subscribe@groups.io.

The 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 janacoe@chevychaseview.org or by calling 301-949-9274.

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