

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: March 17, 2021
Place: Meeting was held via an open video/audio conference
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
Elise Pas, 3900 Cleveland Street
Al Carr, District 18 Delegate
David Goldwyn, 4212 Dresden Street
Tom McCarty, 4221 Dresden Street
Andy Alpert, 4008 Cleveland Street

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

Approval of Minutes of February 17, 2021 Monthly Meeting: Lisa Fair moved the minutes of the February 17, 2021 monthly meeting be approved. Carlos Molina seconded the motion and it passed with a 5-0 vote.

Financial Report for Period February 1, 2021 to February 28, 2021:
Carlos Molina moved that the financial report for the period February 1, 2021 to February 28, 2021 be accepted. Paula Fudge seconded the motion and it passed with a 5-0 vote.

Council Member Walk: Lisa Fair reported that she will conduct the monthly Council member walk during the week of March 22nd and share her report with the Council when completed.

Building Permit Application - Enclosed Porch/Deck - 9819 Connecticut Avenue (Spry): Fred Spry submitted a permit application for his home at 9819 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.

Mr. Toomey's review is based upon the description of the project on the application, the plans by Architect Felix Tansil, dated February 10, 2021, and the House Location Survey by Charles P. Johnson & Associates, Inc., dated May 5, 2015. Mr. Spry has provided a statement that the 2015 survey accurately represents the current conditions of the property. The scope of the project is to construct a main level 10'-6" by 20'-7" enclosed porch, building upon an 18'-8" by 44'-10" ground level deck at the rear of the house, with a 15'-0" by 21'-0" open deck at the second level above the porch. The second level deck will also have an exterior stairway to the lower-level deck.

The new construction will be set back 25 feet from the right (south) side property line, and 28.6 feet from the left (north) side property line, meeting the 15-foot setback requirement. The new work will also be set back

approximately 72 feet from the rear property line, meeting the 25-foot setback requirement. 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 on March 1, 2021 and its issuance is pending.

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

CCV Building Permit Summary for March 2021

New applications for a Building Permit:

- 9819 Connecticut Avenue (Spry) Porch/Deck - applied 2/19/21

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
- 4209 Franklin Street (Winters) Addition and entry portico - applied 2/3/21

Active and open permit construction projects:

- 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) New house construction - applied 11/21/20, approved 12/16/20, issued 1/14/21
- 4101 Glenridge Street (Madden) - Storage Unit - applied 3/16/21, issued 3/17/21
- 4201 Saul Road (4205 Saul Road LLC) Fence - applied 2/8/21, issued 3/8/22
- 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: None

Update on Thrive Montgomery 2050: Lisa Fair reported that on March 18, 2021, the Town Council had joined the Community Coalition of incorporated municipalities and community organizations, representing more than 40,000 residents, in writing to express serious concerns with the process the Planning Board has followed for Thrive Montgomery 2050 since its October 1, 2020, meeting on the working draft. The Community

Coalition asked that the new draft be published in its entirety and a hearing on that draft be scheduled, to be followed as necessary by further work sessions, before transmission to the Council. We appreciate that planning staff devoted considerable time and energy prior to the pandemic to outreach and research, and have continued to bring their expertise to bear. All of that will continue to be useful.

Here is the link to letter:

<http://www.chevyCHASEview.org/docs/TMProcessletterfinal031621withsigners.pdf>

Update on Connecticut Avenue Speed Enforcement: Ron Sherrow reported that MDOT SHA still 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. 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. He expects to have more in-depth information to share at the April Council meeting.

Clark/Azar Drainage Study Final Report: The Clark/Azar final report was completed and distributed to the Town Council and SWM Committee members for review. The Council intends to review the maintenance recommendations for FY21, with the hope of implementing this work in FY22.

Update - Stormwater Management Committee: The Stormwater Management (SWM) Committee held meetings on March 2, 2021 and March 16, 2021. The SWM Committee continues to refine its final report and recommendations. The next meeting is scheduled for Tuesday, March 23, 2021, at which time they hope to finalize the report. After reviewing the report, the Council can consider the stormwater management impacts on the FY22 budget.

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, stating the Town reached an agreement with Pepco in or around 2003 to replace its light fixtures, at significant cost and expense to the Town. The agreement between Pepco and the Town included the payment of monthly maintenance fees to cover future maintenance costs, and these maintenance fee payments will be left unused if the light fixtures are replaced. Per Ron Bolt's recommendations, the Town discussed these findings with Pepco officials and tried to reach an informal agreement in advance of the March 3, 2021 hearing date. Pepco recommended that Town continue its intervention case to resolve these issues.

The Town's lighting consultant, Scott Watson, recommended that the Town consider purchasing the lighting equipment in the Town owned by Pepco. Ron Bolt discussed with the Council the option of purchasing the induction lights and related equipment from Pepco, as allowed by State law, and contracting for maintenance. The Town has issued a formal request to Pepco asking that the fair market valuation of the Town's lighting equipment be provided to the Council.

Discuss Need to Modernize Town Charter Sec. 9.C Powers; police and corporate; distribution of ordinances; referendums, etc.: In November, 2020, the Council discussed aspects of the Town Charter that would benefit from a full review and agreed to begin work sessions to conduct a thorough review of the Town Charter. Given the number of high-level issues the Council is currently managing, it discussed the need to modernize Town Charter Sec. 9.C Powers; police and corporate; distribution of ordinances; referendums, etc. The Council discussed the referendum procedures contained in the Charter. Ms. Coe noted how staff at the Maryland Municipal League reported that the Town's Charter provision allowing only 25 voters to compel a referendum on an ordinance is highly unusual, and that the standard requirement is 20% of the electorate. Ron Bolt explained that the Charter allows ordinances to be adopted without prior notice, and this may be why the referendum threshold is uncommonly low. He suggested that the ordinance adoption procedure be amended to require introduction of an ordinance prior to adoption, and for a public hearing to be held, which the Town currently does as a matter of practice. They directed Ron Bolt to draft a charter amendment resolution for introduction at the April 21, 2021 Council meeting, conforming the ordinance adoption process to current practice and setting the referendum threshold at the common standard of 20% of the electorate.

Formal Acceptance of FY22 Budget: The Council held a work session on March 15, 2021, to develop the FY22 budget. Paula Fudge presented the proposed budget to the Council.

Paula Fudge made a motion to accept the proposed budget for presentation to the Town residents for comments and a public hearing. Peter Marks seconded the motion and it passed with a 5-0 vote.

The annual budget meeting (including a public hearing on the proposed budget) has been scheduled for Wednesday, April 21, 2021, at 6:30 pm, prior to the regular monthly meeting scheduled start time of 7:00 pm on that date. The hearing will be held at Christ Episcopal Church, 4001 Franklin Street, Kensington, Maryland.

Spring Bulk Yard Waste Pickup Scheduled for Week of April 12-15, 2021: The annual Spring Bulk Yard Waste Cleanup is scheduled for April 12-15, 2021. Myers & Laws Tree Service will be performing this cleanup for the Town.

Appoint Nominating Committee for May 13, 2021 Election: Jana Coe advised Council members that Mike Plantamura has agreed to serve as chairman of the Nominating Committee for the upcoming May 13, 2021, election. Dawn Forsberg and Stacey Kuzma will serve as members to this committee.

Ron Sherrow moved that the Nominating Committee members for the 2021 Council election be appointed. Carlos Molina seconded the motion and it passed with a 5-0 vote. Notice will be mailed via regular postal mailings announcing the nomination and election process.

Motion to Adjourn: At 8:36 p.m. Peter Marks moved that the meeting be adjourned. Lisa Fair seconded the motion and it passed with a 5-0 vote.

Time and Place of Next Meeting: The Council will meet via teleconference for its annual budget hearing monthly meeting on April 21, 2021, at 6:30 pm at Christ Episcopal Church, Kensington, Maryland. The regular monthly Council meeting will be held directly following the conclusion of the annual budget hearing.

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 **Chevy Chase View**

4 Digit Political Subdivision Code (See Instruction 6) 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).

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, April 3, 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 April 21, 2021 meeting must be submitted to the Town Manager by 5:00 p.m. on April 7, 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@chevy Chaseview.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