

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: April 17, 2019
Place: Christ Episcopal Church, Kensington, Maryland
Present: Paula Fudge, Chair; Tom Brown, 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

Others Present: Tanya Ghatan, 9905 Summit Avenue

Called Meeting to Order: 7:15 p.m. by Paula Fudge, Chair

Approval of Minutes of the March 20, 2019 Monthly Council Meeting: Paula Fudge moved the minutes of the March 20, 2019 Monthly Council Meeting be approved. Carlos Molina seconded the motion and it passed with a 4-0 vote, with Peter Marks abstaining as he did not attend the March meeting.

Financial Report for Period March 1, 2019 to March 31, 2019: Ron Sherrow moved that the financial report for the period March 1, 2019 to March 31, 2019 be accepted. Carlos Molina seconded the motion and it passed by a vote of 5-0.

Council Member Walk: Tom Brown conducted the monthly Council member walk and submitted his report. The Town Manager will follow up on the maintenance and right-of-way issues that were reported.

Ratify Issuance of CCV Building Permit No. 456-03001 - Portable Storage Unit - 4029 Franklin Street - (Hurley): Application Received March 22, 2019 - Permit Issued March 26, 2019. 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. Paula Fudge moved that the building permit application approval be ratified. Carlos Molina seconded the motion and it passed by a vote of 5-0.

Building Permit Application - Driveway Apron - 4108 Dresden Street (DiMartino): David and Kitty DiMartino submitted a permit application to reconstruct the driveway apron at their home at 4108 Dresden Street in the Town of Chevy Chase View. The application complies with 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, which is a request to reconstruct the existing asphalt driveway apron to match the replaced driveway. The scope of the original construction permit application, which the Council approved at

the May 16, 2018 meeting, was to demolish a part of the existing house and the existing detached garage, and to construct a new two-story addition on a full basement, a covered side entry, rear deck, enlarged driveway, and a rear yard detached garage. That permit did not include construction or replacement of the driveway apron in the right-of-way.

Approval of the permit application will be for the purpose of documenting the work that was completed prior to obtaining a permit from the Town. The new driveway apron is approximately identical to the original one, 10.5 feet wide at the front property line, with an 18.5-foot curb cut at the roadway edge. A permit from the Montgomery County Department of Permitting Services was not required for this project. Mr. Toomey recommended that the Council should approve the application. Tom Brown moved that the permit application be approved. Carlos Molina seconded the motion and it passed by a vote of 5-0.

CCV Building Permit Summary for April 2019

New applications for a Building Permit:

- 4108 Dresden Street (DiMartino) Driveway apron - applied 3/28/19

Applications for Dumpster and Storage Unit Permits:

- 4029 Franklin Street (Hurley) Portable storage unit - applied 3/22/19, issued 3/26/19

Applications on Hold Pending Further Information:

- 4304 Glenridge Street (McConarty) New house construction - applied 12/11/18, approved 1/16/19

Approved Applications Awaiting Issuance of Town Permit:

- 4011 Dresden Street (Quinn) Demolition of an existing house and new house construction - applied 12/4/18, approved 1/16/19
- 3815 Everett Street (Blank) Outside patio - applied 2/5/19, approved 2/20/19

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 (DiMartino) Addition and detached garage - applied 5/2/18, approved 5/16/18, issued 7/18/18
- 4017 Everett Street (Gilbert/Farkas) New house construction - applied 5/2/18, approved 6/20/18, issued 7/18/18
- 4017 Everett Street (Gilbert/Farkas) Deck - Applied, interim approval 1/23/19, issued 1/28/19
- 4029 Franklin Street (Hurley) Portable storage unit - applied, 3/25/19, issued 3/26/19
- 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
- 4104 Glenridge Street (Hastings) Front portico and side entry stoop - applied 5/2/18, approved 5/16/18, extension of time

approved 11/14/18, revision of plans approved 2/20/19, issued 2/26/19

- 4304 Glenridge Street (McConarty) Demolition of an existing house - applied 12/11/18, approved 1/16/19, site plan revision submitted 2/25/19, interim approval 2/25/19, issued 2/26/19
- 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
- 4105 Glenrose Street (Sommer) Addition, screen porch, deck, and portico - applied 2/4/19, approved 2/20/19, issued 3/13/19
- 4309 Glenrose Street (Covell) Dumpster - Applied 2/22/19, issued 2/25/19
- 9800 Summit Avenue (Harper) Dumpster - applied 11/15/18, issued 11/15/18

Completed projects since the March 2019 Council meeting:

- 4100 Franklin Street (Costa) Screen porch - applied 9/11/18, interim approval 10/2/18, issued 11/1/18, completed 4/1/19

Report on Zoning Text Amendment 19-01 Accessory Residential Uses - Accessory Apartments and Accessory Dwelling Units: In January 2019, Councilmember Hans Riemer introduced Zoning Text Amendment (ZTA) 19-01, Accessory Residential Uses—Accessory Apartments, to support county residents who want to build accessory dwelling units (ADUs) on their properties. An ADU is a separate housing unit on the same lot as the primary home. Examples include backyard cottages and basement apartments.

Following a County Council public hearing as well as consideration by the Planning Board, the Council's Planning, Housing and Economic Development (PHED) Committee conducted three work sessions in March and April. PHED Chair Hans Riemer and Committee members Andrew Friedson and Will Jawando considered alternatives and amendments to the original proposal.

After making various changes, the Committee has concluded its work. The PHED Committee recommendations will go to the Council for review in mid-June with a vote expected this summer.

Notable PHED Committee recommendations include the following:

1. Attached ADU "size" limit of 1,200 sf (except that an entire basement may be used);
2. Detached ADU "size" limit of 10% of the lot area (For example, a 9,000 square foot lot could have a detached ADU no larger than 900 square feet - this appears to mean habitable floor area);
3. One (1) on-site parking space for the ADU, unless within 1 mile of any Metrorail or Purple Line Station (this would be a decrease from the current ZTA proposal of 2 on-site spaces) - this requirement can be waived if a hearing examiner finds that adequate street parking exists;

4. No increased setback for detached ADUs, **up to 32 feet in length** (currently, County side and rear setbacks are increased for an accessory structure longer than 24 feet; the setback is increased by 2 feet for every 2 feet the structure's length exceeds 24 feet);
5. An existing accessory structure that is converted into an ADU cannot add a new window facing a neighbor; and
6. An ADU cannot be used for short-term leasing.

The Chevy Chase View Town Council has taken the following actions:

- Encouraged residents to review this ZTA 19-01 legislation - see following link:
https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2019/20190115/20190115_4A.pdf. Residents are encouraged to review the legislation and send comments to each of the Montgomery County Council members, if residents wish to indicate their support or opposition. **The ZTA 19-01 will go to the Council for review in mid-June with a vote expected this summer. The PHED Fact Sheet is available here:**
<https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/2019/FactSheetPHEDRecommendationsonZTA19-01.pdf>
- Added link to presentation made by Paul Gaiser to Town's website.
<http://www.chevy Chase View.org/docs/ZoningAmendment19-01AccessoryResidentialUses.pdf>
- Sent eTown mailing sharing this information (and links) to Town residents
- Town Council sent a letter to each County Council member stating its position that ZTA 19-01 must be withdrawn, the subject studied with much more care and with input from County residents. The Town Council believes that proceeding in haste with limited visibility to the public is unwise and has high potential for undesirable consequences. The Amendment if passed in its current form will result in a sea change in the character of single-family housing in Montgomery County for many residents in all of the County's diverse income regions. The letter can be found at
<http://www.chevy Chase View.org/docs/TownCouncillettertoMoCoCouncilZTA19-01.pdf>

Ron Bolt shared with the Council members the actions other municipalities are considering to address these potential changes resulting from this proposed zoning text amendment.

Report on Summit Avenue Sidewalk Improvement Project:

Clark/Azar has completed the update of specifications, plans, and final cost estimate based on the February 26th work session discussions. Joe Toomey, Ron Sherrow, Paula Fudge and Jana Coe will meet with Clark/Azar officials to discuss some minor changes that are needed to complete the Request for Proposal (RFP) document.

The Council considered the residents' input on the five (5) sidewalk samples that were installed on the east side of Summit Avenue (between Glenridge Street and Saul Road). The Council concluded that sample No. 2 was the favored choice, and these specifications will be included in the RFP.

Review of Clark/Azar Study - 9901/9905 Summit Avenue: At the January 16, 2019 Council meeting, a motion was approved to amend the Clark-Azar & Associates Summit Avenue Engineering Design contract, to provide drainage analysis of 9901 and 9905 Summit Avenue. The Town's storm water issue at 9901 and 9905 Summit Avenue involves freestanding water in the Town right-of-way. Residents' storm water issues include water collecting on their lawns, as well as in the Town right-of-way. In this proposal, the Council requested an evaluation and analysis of runoff and drainage issues of these two specific properties and their fronting rights-of-way along the Summit Avenue corridor.

Jason Azar and Matt Edelman, of Clark-Azar & Associates, visited the site for a visual inspection of the existing conditions. Their analysis utilized topographic information from the Summit Avenue sidewalk survey, Montgomery County geographic information system (GIS) data, and storm water runoff calculations. They delivered the draft report entitled "Town of Chevy Chase View Drainage Study." The report includes their observations of the existing conditions, hydrologic computation results, proposed drainage improvements, and their conclusion. Clark/Azar provided a very good analysis and suggested three solutions.

The Council discussed the report and also heard concerns from Tanya Ghatan, the owner of 9905 Summit Avenue. One concern that has been raised is that the drainage on Summit Avenue at the two subject properties is inadequate, and contributes to the ponding issues in the front yards. During heavy rain, water collects in the street, because as noted in the report, Summit Avenue in this section is very flat, with a slope of less than 1%, but that surface water does drain towards the Glenrose Street/Summit Avenue intersection. It further states, in Section III of the report, that the runoff from the Summit Avenue pavement would have a low probability of contributing to the ponding water behind the 4-inch concrete curb.

After considerable discussion, Paula Fudge moved that the Council ask the homeowners of 9901 and 9905 Summit Avenue to secure three bids from contractors who would regrade these two front yards, including the right-of-way, that would address the ponding around the fire hydrant. The Town Council will review the bids and contribute up to \$3,000.00, with payment made upon completion of the work. The homeowners will be required to sign a Hold Harmless document.

CCV Elections - May 9, 2019 - 7:00 PM to 9:00 PM: The Town Council elections are scheduled for Thursday, May 9, 2019. Residents can expect a mailing introducing the nominations.

Other New Business: Steven Wellner and Amy Pickard purchased their home, at 10114 Summit Avenue, two years ago. The house is now in need of roof shingle replacement. The house, built in 1949, is a one and a half story Cape Code style house with a finished attic. As the roof

shingles will be replaced, they are planning on adding skylights to the rear slope of the roof in order to allow more light into the interior.

The Chevy Chase View Municipal Code exemptions from permit requirements does not specifically include skylights, and the exemption for interior renovation that makes no alteration in the three-dimensional boundaries of the structure may not apply, as a skylight adds some mass to the roof. In the past the Council has agreed that minimal additions to the surface of a house, such as window shutters or trim do not require a permit. The skylight model being considered is the Velux GXU model. It is a deck mounted skylight, as opposed to a curb mounted unit, and has a profile of only about 4 inches above the roof shingles of the house.

Carlos Molina moved the installation of low-profile skylights would be exempt from a Town Permit, as a skylight installation does not change the foot print of the house, and has a minimal change to the three-dimensional boundaries of the structure. Other rooftop installations, such as an antenna, satellite dish, and solar panels, are exempted from the requirements of a permit. Peter Marks seconded the motion and it passed by a vote of 5-0.

Thank You to Tom Brown: The Council members thanked Tom Brown for his contribution to Town governance over the past two years.

Motion to Adjourn: At 9:45 p.m., Paula Fudge moved the meeting be adjourned. Peter Marks seconded the motion and it passed by a vote of 5-0.

Time and Place of Next Meeting: The next monthly Council meeting will be held on Wednesday, May 15, 2019, at 7:00 p.m. the Christ Episcopal Church, Kensington, Maryland.

Respectfully submitted,
Jana Coe, Town Manager

NOTES AND REMINDERS -

Website: - Can't remember trash holidays? Looking for the next bulk trash date? When leaf collection ends? Building applications? We are working hard to keep it current and include relevant resident information, including archived minutes and other special reports and notifications. Please visit our website at www.chevychaseview.org

Bulk Pick-Up: The next monthly bulk pick-up is scheduled on **Saturday, May 4, 2019**. 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.

Partnership with Wider Circle to Redirect Useable Items Prior to Monthly Bulk Collections: A Wider Circle (AWC), a wonderful organization whose goal is to collect re-usable furniture as well as many other household items, teamed up with the Town of Chevy Chase View to collect and redistribute items to people and families in need.

AWC thanks the CCV community for its generous donation and looks forward to the next quarterly pickup scheduled for **Thursday, May 30, 2019.**

Maintenance of Shrubbery between Curb and Private Property: This is a friendly reminder concerning vegetation that grows over sidewalks in the community. It is the responsibility of property owners to ensure your vegetation is not hindering the public sidewalks. The Town does its best to work with private property owners to allow you to trim your shrubbery back in a manner that you would like. The Town does have the ability to protect the public right of way, if necessary, should a dangerous condition exist, by trimming back the vegetation from the public right of way.

Vegetation should be cut back to the following

Specification: Twelve (12) inches from the sidewalk and up to eight (8) feet off the ground.

We thank you for your cooperation to make sure the public sidewalks are as safe as possible for pedestrians. Should you have any questions, please feel free to contact the Town Manager.

Application for Building Permit: Building Permit Applications for consideration at the May 15, 2019, meeting must be submitted to the Town Manager by 5:00 p.m. on May 1, 2019. 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 301-949-9274.

New Montgomery County Permitting Department Website: The Montgomery County Department of Permitting Services (DPS) has a new website that provides quicker access for a range of services, from applying for permits to tracking construction activities.

<https://www.montgomerycountymd.gov/dps/>

At the new website, customers can clearly see what is required to obtain permits and approvals. The website features a user-

friendly guide that serves as a roadmap for every step of the permit application, including inspections. To assist customers -- homeowners, professionals or businesses -- each step is clearly described, with links for information, forms and online services.

The new website has a page to track commercial construction activity that has an impact on county roads. Information can be displayed in either map or satellite view and includes open DPS permits for commercial building, commercial demolition and the county right of way. Data is updated nightly.

<https://www.montgomerycountymd.gov/DPS/neighborhood-map.html>

General Street Parking Reminders: Take care to observe the following Montgomery County parking laws.

- ◆ Park at least 35 feet from an intersection.
- ◆ Park at least 30 feet from a stop sign.
- ◆ Park at least 15 feet from a fire hydrant.
- ◆ Park at least 5 feet from a private driveway.
- ◆ Park facing the way traffic flows. This is an important point.

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@yahogroups.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.**

Storm Drains: If there is a storm drain adjacent to your property, would you mind helping us out? If you could clear the accumulated debris from the grates occasionally, it will be better to add this debris to the weekly yard pickup as opposed to ending up in the Chesapeake Bay! Thank you.