

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: December 16, 2020
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: Tom McCarty, 4221 Dresden Street
Pablo Guerrero and Claudia Tellez, 4217 Dresden
Bruce Hebbard, 4300 Glenridge Street
Catherine Schempp, 4216 Dresden Street
Justin Barch, 10011 Summit Avenue
David Goldwyn, 4212 Dresden Street
Todd Eskelsen, 4011 Glenridge Street

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

Approval of Minutes of November 23, 2020 Monthly Meeting:

Lisa Fair moved the minutes of the November 23, 2020 monthly meeting be approved. Carlos Molina seconded the motion and it passed with a 5-0 vote.

Financial Report for Period November 1, 2020 to November 30, 2020:

Peter Marks moved that the financial report for the period November 1, 2020 to November 30, 2020 be accepted. Ron Sherrow seconded the motion and it passed with a 5-0 vote.

Council Member Walk: Carlos Molina conducted the monthly Council member walk, and he had no maintenance or follow-up issues to report this month.

Building Permit Application - In-ground swimming pool, retaining walls, outside fireplace and free-standing arbor structure - 10011 Summit Avenue (Barch): Justin and Kelly Barch submitted a building permit application for their home at 10011 Summit 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 Meridian Surveys, Inc. Boundary Survey dated November 25, 2020, and the construction drawings dated October 30, 2020. The scope of the project is to construct an in-ground 16 by 36-foot swimming pool, surrounded by a patio pool deck, retaining walls

at grade changes, an outside fireplace and a free-standing arbor structure. The project will also include a six-foot tall fence enclosing the rear yard and pool.

The pool is shown as being setback from the rear and right (south) side property lines by 15 feet, and 42 feet from the left side property line. This meets the 15-foot pool setback requirement. The pool deck is shown as setback from the rear and right-side property lines by 10 feet, and 32 feet from the left side property line. This meets the 10-foot pool deck setback requirement. The fireplace is shown as setback seven feet from the right-side property line, meeting the accessory structure setback. The retaining walls are shown with setbacks greater than seven feet. The fence is shown as being located at the property lines. Mr. Toomey recommended that the Town Council approve this building permit application.

A building permit from the Montgomery County Department of Permitting Services (number 928096) was issued on October 16, 2020. Carlos Molina moved that the permit application be approved. Paula Fudge seconded the motion and it passed with a 5-0 vote.

The Council discussed the applicability of Code Section 13-403(b), and whether an additional setback should apply based on the length of the retaining wall. The Council noted that the use of the word "structure" in this Section may be unclear. Mr. Bolt stated he believed that the word "building" should have been used in this Section. Ron Sherrow stated he believes some retaining walls longer than 24 feet are subject to setback requirements. Mr. Toomey noted that the wall would be below grade. Accordingly, an additional setback would not apply in any event. The Council will revisit the wording of Section 13-403(b) at a later date.

Building Permit Application - Demolition/New Home - 4213 Dresden Street (Potomac Heritage Homes):

Dan Demeria for Potomac Heritage Homes, owner of the property at 4213 Dresden Street, submitted a demolition and building permit application for 4213 Dresden 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 Site Plan by Norton Land Design dated November 2020, and as revised on November 30, 2020, and the architectural plans by Joshua McKenrick, AIA, of Allen Wright Design, PLLC, dated November 16, 2020. The scope of the project calls for the demolition of the existing two-story home, built in 1936, and the construction of a new two-story, five-bedroom home, with a finished basement, an attached two car garage and attached rear yard deck. Also included in this project is the construction of a new driveway and driveway apron, and a new front walk.

The front wall of the house will be setback 54.0 feet from the front

property line, meeting the 53.6-foot Established Building Line setback requirement for the property. The proposed right (east) side property line setback will be 15.6 feet, and the proposed left (west) side setback will be 24.4 feet, with both meeting the required 15-foot setback requirement. The rear property line setback will be more than 68 feet. The roof overhang will project one foot beyond the building footprint on each side.

The removal of a right-of-way tree, for the placement of the proposed driveway, has been approved by the Town Arborist, as the tree has been identified as not in very good form, and showing signs of deterioration in the main trunk. The owner will be replacing the tree with three new trees, as specified by the Arborist.

The proposed driveway and front walk will occupy approximately 18% of the front yard, meeting the allowable 30% non-vegetative surface requirement.

Mr. Toomey recommended that the Town Council approve this building permit application. Permit applications have been submitted to the Montgomery County Department of Permitting Services on November 18, 2020 to demolish the existing home (number 933827), and for the construction of a single-family dwelling (number 933825.) Both permits are in review and have not yet been issued. Carlos Molina 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 December 2020 meeting

New Applications for Chevy Chase View permit:

- 4213 Dresden Street (Potomac Heritage Homes) Demolition and construction of a new house - applied 11/21/20
- 10011 Summit Avenue (Barch) In-ground pool - applied 12/2/20

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
- 4205 Saul Road (4205 Saul Road, LLC) New house - applied 9/3/20, approved 9/16/20

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
- 10001 Connecticut Avenue (Ansah) Major addition - applied 12/10/19, approved 12/18/19, issued 1/10/20

- 10001 Connecticut Avenue (Ansah) Pool - applied 2/3/20, approved 2/19/20, issued 2/24/20
- 3904 Dresden Street (Graham/Aslan) Major addition - applied 6/4/19, approved 8/22/19, issued 8/23/19
- 4011 Dresden Street (Quinn) New house construction - applied 12/4/18, approved 1/16/19, issued 6/24/19
- 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
- 4003 Everett Street (Prince) Bay window addition - applied 5/6/20, approved 5/16/20, issued 8/20/20
- 4209 Everett Street (Crisafulli) Side porch enclosure - applied 4/1/20, approved 4/15/20, issued 5/22/20
- 4209 Everett Street (Crisafulli) Garage addition - applied 7/06/20, approved 7/15/20, issued 9/18/20
- 4201 Franklin Street (Scarff) Storage pod - applied 8/30/19, issued 8/31/19
- 4201 Saul Road 4205 Saul Road, LLC) New house - applied 12/9/19, approved 12/18/19, issued 3/2/20
- 4305 Saul Road (Coleman) Addition - applied 8/17/20, approved 9/16/20, issued 9/23/20

Completed projects since the November 2020 Council meeting:

- 4201 Franklin Street (Scarff) Storage pod - applied 8/30/19, issued 8/31/19, completed 12/1/20

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.chevy Chaseview.org/docs/TM2050CoalitionResponseLetter11-17-20.pdf>

Lisa Fair, Paula Fudge and Jana Coe will be participating in the Community Coalition's next Zoom meeting on January 6, 2021, to discuss questions and shared points of concern regarding:

- Zoning Text Amendment 20-07 (the proposal to allow multi-family housing types on R-60 lots within 1 mile of Metrorail stations) and preparation for the February 9, 2021 public hearing;
- Thoughts on the 'Missing Middle' housing concept; and
- Next steps regarding Thrive Montgomery 2050 response.

Update - Stormwater Management Committee: The Stormwater Management Committee held meetings on December 1st and December 15th, 2020. SWM Committee member, Nancy Somerville, gave a

presentation on December 15, 2020, that covered: 1) Brief introduction to importance of green infrastructure for stormwater and flood control; 2) Montgomery County's green infrastructure projects and priorities; and 3) stormwater practices of neighboring municipalities.

Residents can review the minutes of these meetings on the Town website and the presentation on the Town Committee page of the Town website, <http://www.chevyCHASEview.org/wp/town-committees/>.

Update - Clark/Azar Drainage Study: Jason Azar of Clark/Azar has advised that their survey work to determine the effectiveness of containing the Town's roadway water is currently underway. It is anticipated that the draft report of the storm drainage study will be completed by December 20th. The Council will hold a work session to review this draft on Tuesday, January 19, 2021, at 6:00 pm. The work session is open to the public.

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 to Pepco of monthly maintenance fees to cover the cost of future maintenance by Pepco, which maintenance payments will be left unused if the light fixtures are replaced again. Accordingly, the Town has an interest in assuring that the prior agreement between the Town and Pepco is honored, and that, at a minimum, unused maintenance payments are refunded and the Town's light fixtures are not replaced until closer to the end of their rated lives.

The Town's lighting consultant, Scott Watson, will be working with the Town Manager and attorney to develop the direct testimony prior to the hearing schedule deadline for all parties on January 27, 2021.

Stormwater Management Survey Update: 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 (DOT). The survey was intended to gather information for use in assessing the current stormwater system in the Town. DOT will take these survey results and overlay them on the County's GIS mapping of the Town's storm drain system to determine if there are pockets where multiple households may benefit from Montgomery County maintenance.

Residents were encouraged to respond by December 1st, and we did receive additional submissions after that deadline. As of Monday, December 14th, there were 106 submissions. There were at least 7

duplicate submissions. After the Town manager compiles the data in the preferred DOT format, it will be submitted to DOT for their review/comment.

Motion to Adjourn: At 8:10 p.m., Carlos Molina 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 monthly meeting on Tuesday, January 19, 2020, at 7:00 pm. (or at the conclusion of the work session with Clark/Azar officials), which will start at 6:00 pm, as noted above.

Respectfully submitted,
Jana Coe, Town Manager

NOTES AND REMINDERS -

Leaf Removal Underway: The weekly leaf removal performed by Hughes Landscaping, Inc. will end on December 31, 2020. **Please do not mix your grass clippings with the leaves at the curb.**

Leaves are to be placed at curbside and made accessible for truck pickup. Sticks, trash, rocks and other rubbish will not be collected and should be bagged for normal trash pickup. Leaves should not be shredded or bagged. For the residents on Connecticut Avenue, Cedar Lane, Kensington Parkway and Saul Road, your leaves also will be picked up weekly. For liability reasons, do not place leaves on our sidewalks. In the event that you do not have a sidewalk, please rake your leaves as close to the street as possible.

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, January 9, 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 January 19, 2021 meeting must be submitted to the Town Manager by 5:00 p.m. on January 5, 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.