

**COUNCIL OF CHEVY CHASE VIEW**  
**Monthly Meeting**

Date: November 23, 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  
Scott Watson, Lighting Consultant for Town  
Others Present: Bruce Hebbard, 4300 Glenridge Street  
David Goldwyn, 4212 Dresden Street  
Steve Beckman, 4020 Everett Street  
Al Carr, District 18 Delegate

Called Meeting to Order: 7:01 p.m. by Paula Fudge, Chair

**Approval of Minutes of October 21, 2020 Monthly Meeting and November 5, 2020 Work Session:** Paula Fudge moved the minutes of the October 21, 2020 monthly meeting and November 5, 2020 work session be approved. Lisa Fair seconded the motion and it passed with a 5-0 vote.

**Financial Report for Period October 1, 2020 to October 31, 2020:** Paula Fudge moved that the financial report for the period October 1, 2020 to October 31, 2020 be accepted. Peter Marks seconded the motion and it passed with a 5-0 vote.

**Council Member Walk:** Paula Fudge will conduct the monthly walk during the first week of December.

**CCV Building Permit Summary for November 2020 meeting**

**New Applications for Chevy Chase View permit:**  
None

**New Applications for Building Permit and Interim Approvals:**  
None

**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 October 2020 Council meeting:**

None

**Pepco Proposal to Transition to LED Streetlighting and How that Affects Town Induction Lights:**

On October 26, 2020, Pepco filed a multi-year plan (Rate Case #9655) with the Maryland Public Service Commission (PSC) designed to assist in the recovery of the region from the pandemic, continue to improve the local energy grid and build a smarter, stronger, cleaner energy future for the 582,000 electric customers the company serves in Montgomery and Prince George's counties. Pepco's plan includes a proposal to transition company-owned streetlights to cleaner, more efficient smart LED streetlight technology between 2022 and 2026—reducing greenhouse gas emissions and helping Maryland and our localities meet their climate change goals. This modernization of more than 66,000 existing streetlights with centrally managed smart LED streetlights and smart nodes will offer remote light management and more enhanced operational oversight, while protecting the environment.

Scott Watson, the Town's lighting consultant, explained to Council members that the Town's induction lights were installed and accepted in early 2003. The light drivers and engines were rated for 100,000 hours of life, but this was not "proven," because they had not been on the market long enough to test this. It was worked out mathematically, based on accelerated laboratory tests of the induction light source. At 10 hours per night, on average, this works out to 10,000 nights, or about 27 years, before 50% of them should burn out.

The original group-replacement schedule was projected to be 15 years, which is when the manufacturer had indicated that 50% of the lights would have lost enough of their original efficacy to be burning at only 60% of their initial light output. In 2018, when Mr. Watson tested the

illuminance on the pavement in a fairly open (shadowless) section of Franklin Street, the numbers were still very close to the original measurement. Mr. Watson then reported that the lights are doing very well, and the replacement period could be extended beyond 15 years - perhaps to the full 27 years of the originally estimated life of the fixtures.

If this is the case, it would not make sense for Pepco to replace these fixtures anytime soon—maybe not before 2030. The timing of the replacement should be based on the maintained illuminance of the fixtures.

On November 6, 2020, Mr. Watson, Paula Fudge and Jana Coe met virtually with Tami Watkins, Government and External Affairs Manager for Pepco Maryland. It was recommended that Pepco allow the Town to keep its induction lights as long as they are feasible, and replace them with LED's that are no glarier, at full output, than the existing induction lights. Mr. Watson also recommended that the replacements provide the coverage needed for narrow streets.

Jana Coe advised Tami Watkins that the Town has spent many thousands of dollars for monthly maintenance that was never required nor performed on the Town's induction lights, so Pepco must provide a credit to Chevy Chase View for the unused maintenance funds, at the time of the change-over to LED.

On November 19, 2020, 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.

On November 23, 2020, the Town's Petition to Intervene was granted. The hearing schedule deadline for Direct testimony for all parties is January 27, 2021.

**Stormwater Management Update - County Council Member Albornoz:**

Montgomery County At-Large Council member, Gabe Albornoz, joined the Council meeting to discuss how the County Council can serve as a facilitator to engage the Departments of Transportation (DOT) and Environmental Protection (DEP) in working with the Town to study stormwater management issues. Mr. Albornoz also provided an update on his subsequent communications with DOT following the 11/6 walk-through in the Town.

At its November 10, 2020, work session the Stormwater Management (SWM) Committee recommended that the Town Council advocate for the DOT to conduct a CCV-wide study to assess the adequacy of the County's drainage system for managing reasonably foreseeable levels of rainfall, the quantity of that rainfall, the contribution that infrastructure has

on flooding in CCV and solutions for mitigating that flooding. The SWM Committee further encouraged the Town Council to pursue that advocacy in collaboration with Montgomery County Council elected officials. The Town Council stated that the Clark/Azar drainage study is now underway and the results of this study will provide guidance for the Council. The Council would like to obtain more concrete information regarding the proposed neighborhood study before it endorses the same.

The Council did approve the SWM Committee's request for Joe Toomey and Ron Bolt to participate in the SWM Committee's meeting on December 1, 2020.

**Thrive Montgomery 2050 Update:** Lisa Fair and Paula Fudge participated in a second meeting with other municipalities and community associations to discuss a consolidated municipality/community letter for the County Council, and recommended that the Town Council sign the letter. The multiple entities asked the Planning Board to slow the review process, as public input to the drafting of the plan has been significantly curtailed due to the pandemic. In advance of the Park & Planning public hearing on November 19, 2020, 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>

**Report on Connecticut Avenue Speed Enforcement and Next Steps:** As reported in the November 5, 2020 work session minutes, the Town Council held a work session to discuss Connecticut Avenue safety issues. District 18 Delegate Emily Shetty presented an overview of District 18 team's research on the speed monitoring program. Council member Ron Sherrow presented additional information regarding best practices and SHA findings.

At the conclusion of this work session, the Council agreed to schedule another work session to research and discuss the specific mechanics required for a potential implementation of a speed monitoring program. It was noted that any such program would require contracting with a willing police department or officer, capable of issuing and prosecuting citations in the Town. The Council will hold its second work session on Wednesday, December 16, 2020, at 6:00 pm. The monthly Council meeting will follow at 7:00 pm.

**Clark/Azar Drainage Study Update:** Clark/Azar and Associates have started the field work for the Council-approved drainage study. The following scope is being undertaken:

- Create a topographic map of the entire Town based on County GIS information.
- Walk the Town road system and note where curb and storm drain exist. Also note the type and size of the curb.
- Identify, based on the field walk, the areas in the Town where water appears to be flowing off the road and into private properties.

- Delineation of drainage areas within the Town based on the County GIS information gathered for the areas identified above.
- Compute the flows for the 10-year storm event Montgomery County standard design storm (~5-inch rain/24-hr period) for each drainage area.
- Update the CIP report with a section on drainage that includes some narrative description and order-of-magnitude cost for potential improvements if any areas are identified as having water drain from the road onto private property.
- Review with the Council
- Update report based on comments received from Council

It is anticipated that the study will be completed in mid-to-late December 2020.

**FY20 Audit Report:** Lindsey & Associates, CCV's auditing firm, reported that the State-mandated municipal audit for FY19 has been completed and filed with the Department of Legislative Services.

The following statement was issued by Lindsey & Associates: "In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the Town of Chevy Chase View as of June 30, 2020, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America".

Paula Fudge moved that the Council accept the FY19 Audit by Lindsey & Associates. Ron Sherrow seconded the motion and it passed by a 5-0 vote.

**Discuss Need to Modernize Town Charter Sec. 9.C Powers; police and corporate; distribution of ordinances; referendums, etc.:** The Council discussed aspects of the Town Charter that would benefit from a full review. The Council agreed to begin work sessions to conduct a thorough review of the Town Charter, as some aspects remain unchanged since the 1950's. The first such work session will be held in January 2021.

**Summit Avenue Sidewalk Rebuild:** The Council instructed Ron Bolt to send legal notice to ECM Corporation, itemizing the observed defects and work performance to abate these defects. The one-year warranty period ends November 27, 2020. If the required work is not completed to the satisfaction of the Town by December 15, 2020, the Town will proceed with a claim for relief under the Performance Bond (No. NMD 1467). Also, as stated in Section 31.1 of the Contract, "in the event that the Contractor should fail to make such repairs, adjustments or other Work that may be made necessary by such defects, the Owner may do so and charge the Contractor the cost thereby incurred."

**Motion to Adjourn:** At 8:26 p.m., Paula Fudge moved that the meeting be adjourned. Lisa Fair seconded the motion and it passed with a 5-0 vote.

**Time and Place of Next Regular Meeting:** The Council will meet via teleconference for its monthly meeting on Wednesday, December 16, 2020, at 7:00 pm.

Respectfully submitted,  
Jana Coe, Town Manager

**NOTES AND REMINDERS -**

**Leaf Removal Underway:** Hughes Landscaping, Inc. will remove all leaves on a weekly basis, weather permitting, until 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 2, 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 December 16, 2020 meeting must be submitted to the Town Manager by 5:00 p.m. on December 2, 2020. 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.

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](mailto:janacoe@chevychaseview.org) or by calling 301-949-9274.

Website - Please visit our website at [www.chevychaseview.org](http://www.chevychaseview.org)