

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: October 16, 2019
Place: Christ Episcopal Church, Kensington, Maryland
Present: Paula Fudge, Chair; Lisa Fair, Carlos Molina,
Peter Marks 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: 7:00 p.m. by Paula Fudge, Chair

Approval of Minutes of the September 18, 2019 Monthly Council Meeting and October 8, 2019 Work Session: Peter Marks moved the minutes of the September 18, 2019 Monthly Council Meeting and October 8, 2019 Work Session be approved. Carlos Molina seconded the motion and it passed by a vote of 4-0, with Ron Sherrow abstaining from the vote since he was not present at the October 8, 2019 Work Session.

Financial Report for Period September 1, 2019 to September 30, 2019: Ron Sherrow moved that the financial report for the period September 1, 2019 to September 30, 2019 be accepted. Carlos Molina seconded the motion and it passed by a vote of 5-0.

Council Member Walk: Peter Marks conducted the monthly Council member walk. The Town Manager will follow up on the right-of-way and maintenance issues identified in the detailed report.

After discussion, Paula Fudge moved that the Town remove the small "No Parking 8am - 1pm Sunday" signs that are located on the north side of Everett Street in 4100 block due to the fact that this restriction is not being enforced and no longer necessary due to current traffic and parking levels on Sundays, which have been reduced from prior years. Carlos Molina seconded the motion and it passed by a vote of 5-0.

Ratify Building Permit 471-09002- Detached Garage and Small Side Porch Addition - 4216 Everett Street (Petry): Colin and Lindsey Petry of 4216 Everett Street submitted a building permit application to construct a detached garage in the rear yard and an addition/modification to the front porch and roof of the house. An alternative of the project also includes replacement of the rear yard patio and retaining wall. 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 provided by Total Engineering Services, dated September 18, 2019, and the architectural plans by Flanagan Architects, revised September 18, 2019. The proposed garage, which measures 24' x 27' requires a 10.1-foot setback from the rear and the left (east) side property lines. The Established Building Line (EBL) for the property is 56.5 feet from the front property line. The front face of the existing house is set back 58.7 feet. The roof of the proposed front porch will extend 7'11" from the front face of the house, which is 4'11" into the allowable 5-foot projection into the EBL. A building permit from the Montgomery County Department of Permitting Services, number 888039, was issued on September 9, 2019.

Mr. Toomey recommended on September 26, 2019 that the Council should approve the application. The Council approved the permit application via email on September 30, 2019 by a vote of 5-0.

The permit is issued with the condition that inspection and approval for work under this permit must be obtained from the Town prior to the placement of any concrete or masonry footings, foundations or slabs. The Town must be given two (2) full business days' notice for a request for an inspection. Paula Fudge moved that CCV Permit No. 471-09002 approval be ratified. Carlos Molina seconded the motion and it passed by a 5-0 vote.

CCV Building Permit Summary for October 2019

Approved Applications awaiting issuance of Permit:

- 4216 Everett Street (Petry) Porch addition and rear yard garage - applied 8/29/19

Active and open permit construction projects:

- 9909 Cedar Lane (Vorhis) Additions and entry roof - applied 5/6/19, approved 5/15/19, issued 5-31-19
- 10101 Connecticut Avenue (Temple Emanuel) Fence - applied 9/5/19, issued 9/19/19
- 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
- 3815 Everett Street (Blank) Outside patio - applied 2/5/19, approved 2/20/19, issued 6/18/19
- 4201 Franklin Street (Scarff) Storage pod - applied 8/30/19, issued 8/31/19
- 4221 Franklin Street (Cross) New house construction - applied 7/3/18, approved 7/18/18, issued 9/10/18

- 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) New house construction - applied 12/11/18, approved 1/16/19, issued 4/29/19
- 4309 Glenrose Street (Covell) Dumpster - Applied 2/22/19, issued 2/25/19

Completed projects since September 2019 Council meeting:

- 3803 Everett Street (Gelfuso) Dumpster - applied 6/27/19, issued 7/1/19
- 4105 Glenrose Street (Sommer) Addition, screen porch, deck, and portico - applied 2/4/19, approved 2/20/19, issued 3/13/19

Summit Avenue Sidewalk Improvement Project Update: Joe Toomey reported that a progress meeting with ECM officials was held on Monday, October 14, 2019. ECM had to move their crew to a job with a strict deadline, but have now re-mobilized and are working on a modified design at 10002 Summit Avenue, which will eliminate a portion of the street-side header curb. There are several high priority repairs that are needed at the Saul Road and Glenrose Street intersections. It is expected that the rebuild work will continue to mid-November.

Town Directory for 2019-2020: The Town directory for 2020 has gone to the printer and will be mailed to residents in mid-November.

Council Recognition of Town Picnic Chairperson Lisa Fair: We celebrated the Town's 15th annual picnic tradition wherein community members volunteer their time to coordinate the picnic. Lisa Fair has chaired the event for the past five years and she continues to excel in making certain no detail is missed. A special thank you to our volunteers (especially Lisa's husband, Marc Vecchio) for offering their time to help set up and breakdown.

Introduce Ordinance No. 81 to Regulate Accessory Dwelling Units: The Council discussed the modified draft ordinance as prepared by the Town attorney subsequent to the work session held on October 8, 2019. Town Council members discussed rental license parameters, setback requirements for fire and rescue personnel, underground utility requirements due to visual clutter from cable, telephone and Pepco overhead wires being strung to the detached ADU.

Paula Fudge moved that the Ordinance No. 81 to Regulate Accessory Dwelling Units, as amended, be introduced to the public at the November 20, 2019 Council meeting. Carlos Molina seconded the motion and it passed by a vote of 5-0.

Discussion of Opioid Class Action: On September 20, 2019, the Town was notified of the court-authorized Class Notice issued in accordance with the September 11, 2019 Order of the U.S. District Court regarding National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio), hence the Town has been added to the Class Action list. The Town must decide whether or not to remain in the litigation, or opt out. If the Town chooses to opt out, it can join another lawsuit or bring our own. Mr. Bolt feels that small municipalities in the area will likely have no desire to actively litigate this matter. Thus, the question is in which class action should the Town remain (and receive the benefits therefrom). Notification of such exclusion from the Negotiation Class certified by the U.S. District Court must meet the November 22, 2019 deadline. Mr. Bolt will keep the Council updated as to what direction other municipalities are taking on this matter.

Discuss Updates on Small Cells at Federal and County Levels, and Consider Submitting Comments on behalf of Chevy Chase View: The Montgomery County Council has introduced ZTA 19-07 that will incentivize the industry to use existing infrastructure because streetlight and utility poles that are 60 feet from residences will be allowed to be replaced with new towers, as a limited use without a hearing, subject to certain limitations on height increases based on the amount of adjoining pavement (e.g., an additional height of 6 feet above the existing utility pole is allowed where the adjoining paved area is 65 feet or less in width).

Deployments of small cell towers in between 30 and 60 feet from residences will be allowed as a conditional use, subject to a hearing, and following a recommendation from the County Transmission Facility Coordinating Group. The Hearing Examiner may impose requirements to mitigate the visual impact, including by use of "screen (sic), coloring, or other mitigation options." The proposed ZTA 19-07 is aimed at adopting reasonable regulations in an effort to prevent Federal or State preemption.

Holiday Collection for Refuse/Recycling Personnel: The Council is pleased to announce the continuation of a Community Holiday Gift Fund for our refuse and recycling personnel. The Fund is intended to provide a convenient and secure opportunity for CCV residents to convey their thanks and to send Season's Greetings to the wonderful men with Ecology who collect our household waste, yard refuse and recyclable materials throughout the year. A flyer announcing the collection will be mailed to CCV residents in late November.

Motion to Adjourn: At 8:45 p.m., Paula Fudge moved the meeting be adjourned. Lisa Fair seconded the motion and it passed by a vote of 5-0.

Time and Place of Next Meeting: The Council will meet next for its monthly Council meeting on Wednesday, November 20 2019, at 7:00 pm at Christ Episcopal Church, Kensington, Maryland.

Respectfully submitted,

Jana Coe, Town Manager

NOTES AND REMINDERS

Leaf Removal Underway through December 31, 2019: Hughes Landscaping, Inc. will remove all leaves on a weekly basis, weather permitting, until December 31, 2019. **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. Please rake your leaves to the sidewalk. 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.

Bulk Pick-Up - The next monthly bulk pick-up is scheduled on **Saturday, November 2, 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.

Application for Building Permit - Building Permit Applications for consideration at the November 20, 2019, meeting must be submitted to the Town Manager by 5:00 p.m. on November 6, 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 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 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 janacoe@chevychaseview.org or by calling 301-949-9274.**

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