

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: September 18, 2024

Place: Meeting was held at 10401 Connecticut Ave., Suite 103

Present: Ed Tarbutton; Chair, Nancy Somerville, Pete Marks, Tommy George and Helen Trybus, Council members
Ron Bolt, Legal Counsel for Town, appearing remotely
Denise Hitt, Town Manager
Elizabeth Rembold, Assistant Town Manager
Ron Sherrow (4013 Glenridge Street), Amy Waydhoff (Parkwood resident), Victoria Checa(observer)

Others: Remotely Present: Michael and Mary Plantamura, 4109 Franklin Street; Jeff Griffith, Parkwood resident; Lia Fordjour, 10111 Cedar Lane; Easby-Smith, 4218 Glenridge Street; Mary Farrell Spencer, 4112 Glenrose Street; Klaffky, 4101 Dresden.

Called Meeting to Order: 7:09 p.m. by Ed Tarbutton, Chair

Approval of Minutes of July 23, 2024 Monthly Council Meeting:

Nancy Somerville amended the July 2024 minutes, regarding the Clark Azar schematics. The revisions are as follows:

Update on Clark Azar Schematics should include the following:

Nancy suggested we should reach out to the County with what we've learned through our stormwater/resilience study and urge them to implement stronger stormwater regulations. But Nancy also thinks we should proceed with passing our own regulations. Nancy believes all but one of the recommended regulation changes should go forward. One recommendation, setting a cap on impervious surface, is important but needs additional study to identify the right/reasonable limits.

Recommended building regs from stormwater and resilience study:

- Require submission of drainage plans with every permit application. The drainage plan should address how stormwater runoff will be managed, where runoff will be directed, and include notification to adjacent and downstream property owners.

- Adopt a policy that allows no increase in peak runoff onto adjacent properties for a 10-year storm event.
- Incentivize use of surface green infrastructure in place of drywells (which tend to fail over time due to lack of maintenance and/or poor soil conditions) by requiring 50 percent additional storage if a project uses drywells instead of surface facilities.
- Require a permit and drainage plan for any increase in impervious surface covering 150 square feet or more in area. Refer to Town of Somerset code as a model.
- Adopt a policy defining maximum lot impervious cover for the entire property; Town code currently specifies impervious limits only for front yards. In deference to varying sizes of lots in the Town, provide higher allowable percentages on smaller lots: 40 percent for lots that are 20,000 square feet or larger; 50 percent for lots between 12,000 and 20,000 square feet; and 55 percent for lots under 12,000 square feet. (Detailed analysis of Town lot sizes and current coverage is recommended.)
- Disallow discharge of stormwater directly into the right-of-way through pipes or roof leaders cut through the curb face. Require that discharge from roof leaders and sump pumps be directed into stormwater management facilities or over a grass or landscaped area prior to discharge into the roadway.

Tommy George moved the minutes, as revised of the July 23, 2024, Monthly Council Meeting, as revised be approved. Helen Trybus seconded the motion, and it passed with a 5-0 vote.

Financial Report for Period July 1, 2024 to July 31, 2024 and August 1, 2024 to August 31, 2024: Pete Marks moved that the financial report for the periods July and August 2024, be accepted. Nancy Somerville seconded the motion, and it passed with a 5-0 vote.

Council Member Walk: Tommy George conducted the monthly Council member walk. He reported that nothing significant was found during his walk. He also noted the following:

9807 Connecticut Avenue -the blue tarp remains on the structure, with no real noted changes.

Ed Tarbutton remarked that metal plates are in place at some intersections, because of the WSSC work. Care should be used as the plates are slippery when wet. The metal plates are temporary.

Building Permit Application - Extend and Enclose Rear Covered Porch and Install Fireplace -4205 Glenrose Street (Keegan): Sean and Maddie Keegan submitted a permit application for 4205 Glenrose Street in the Town of Chevy Chase View. The application complies with all the applicable rules and restrictions of the Chevy Chase View Municipal Code.

Nancy Sommerville moved that the permit application be approved. Pete Marks seconded the motion, and it passed with a 5-0 vote.

Ratify Town Permit #588-09001 - Fence - 10101 Connecticut Avenue (Temple Emanuel) Per Town Code, permits for dumpsters, portable storage units and fences are processed by administrative approval.

Helen Trybus moved that the approval for a CCV Town permit be ratified. Tommy George seconded the motion, and it passed with a 5-0 vote.

Discussion and Review of a Proposed Technical Amendment to the State code (Md. Code Land Use Art. Section 20-509 of the Regional District Act): Ron Bolt provided the relevant overview. The Town of Chevy Chase is heading the request on behalf of multiple municipalities for the State to grant a proposed technical amendment. This amendment seeks to confirm that municipalities have the authority to regulate all residential housing types within their corporate boundaries, without impeding any specific housing type. This would provide that the Attainable Housing Strategies Initiative of multifamily homes would be subject to the same restrictions as the single-family homes. The amendment further states that said restrictions would be applied without regard to the type of building, except that regulations that apply to buildings with more than one residence may be less restrictive. Council voted to proceed with signing a letter along with neighboring jurisdictions supporting this technical amendment.

Helen Trybus moved to approve joining with other municipalities to seek this technical amendment. Tommy George seconded the motion, and it passed with a 5-0 vote.

Discussion of the Town's Focus Regarding Attainable Housing Zoning Text Amendment: Ed Tarbutton stated that the Town's primary goal is to ensure all residents are aware of the proposed changes to single-family zoning, how quickly these changes are progressing, and the best ways to voice their questions and concerns. He emphasized that

this Zoning Text Amendment is one of the most significant actions in decades, and residents need to get involved if they disagree or need more specific information on the proposed plan. Residents are encouraged to engage on the listserv and to reach out to Ed or the Town office to consolidate efforts.

The Town Council's near-term focus is to encourage residents to sign up for the listening sessions being held by Council President Friedson. These sessions are considered by the Montgomery County Council as the primary method for community engagement, providing a limited opportunity to raise questions and concerns.

Residents should be aware that the final listening session will be a virtual session on **October 2 from 12:00 to 1:30 p.m.**, with registration closing on **September 27 at noon.**

Additionally, residents with concerns are encouraged to reach out to County Council members as soon as possible, as the Council may introduce the potential ZTA as early as late fall. If and when legislation is officially introduced, the County Council will be required to hold a public hearing before adopting a final ZTA.

The Town is focused on maintaining municipal regulatory authority, particularly concerning setbacks, fencing, and parking for single-family homes. The Town is requesting that a legislative amendment clarify that municipal regulations can be applied uniformly across both multi-family and single-family developments.

Update on Clark Azar Schematics: Clark Azar & Associates submitted an overview for Council's review, including layouts, drainage area computations, and construction cost estimates. The plan incorporates capital improvements based on the findings of the Stormwater Resilience Study. At the 35% design stage, it was determined that some of the proposed survey and drainage discussions could not be included in this proposal. These particular projects will require further discussions with the county due to the severely undersized capacity of the Town's water and sewer systems. Other projects will be integrated into the capital improvement plan as the design progresses to the 65% completion stage.

At 65%, the Town can engage in discussions with both the County and the State to secure their support or determine what adjustments may be necessary.

Nancy Somerville stated that we will follow up with property owners affected by green and gray infrastructure projects.

Pete Marks emphasized that it is important to keep the project moving forward, and any issues that arise with specific green or gray stormwater plans can be addressed later. We should not delay the capital improvements since some of these projects are modular.

Ed Tarbutton stressed the need to complete the planning process so the work can begin this summer. To ensure that the roads are addressed and completed in a timely manner, it may be best to separate out the sidewalk replacement on Dresden to streamline the remaining work. Dresden sidewalks can still be evaluated for replacement but should not delay the next phase of the project. Nancy Somerville moved to proceed with the 65% schematics prepared by Clark Azar, after removing the sidewalk from the scope of considered projects. Helen Trybus seconded the motion, and it passed with a 5-0 vote.

Update on WSSC Project: WSSC's contractor, Flippo Construction, began the project on September 5, 2024. Originally, WSSC planned to complete Glenridge and Everett Streets as part of Phase 1 before moving into Parkwood. However, the delayed start resulted in a change of plans. Phase 1 will now address all intersections involved in the entire project, focusing on installing thrust blocks at the intersections.

Currently, the intersections being worked on in Chevy Chase View (CCV) include:

- Glenridge and Summit Avenue
- Glenridge and Gartrell Street
- Everett and Summit Avenue

Flippo is coordinating with the State Highway Administration (SHA) for work at the Connecticut Avenue intersections of Everett and Glenridge.

Traffic and sediment control measures are in place, and the water has been tested. Steel plates will remain over the excavated intersections as Flippo works to compact the subbase and temporarily pave the trenches. Flippo will maintain the temporary trenches until full road repairs can be completed once all work is finished. The water main replacement is expected to resume in March 2025, starting with Glenridge Street and then Everett Street.

Update on Town Picnic/100 Year Celebration: This year's annual picnic, taking place on Sunday, **September 22, 2024**, at 4:00 p.m., is a special celebration of the Town's 100-year anniversary.

All shirts are in, tagged and bagged. They will be distributed at the picnic. Koozies are packaged as a takeaway gift. Several historical displays have been ordered to enhance décor and special cookies, displaying the Town logo will be offered to guests.

Discussion of Increasing the RainScapes Incentive: The Montgomery County RainScapes Program has reopened. During our stormwater management visits, it was noted that many stormwater issues stem from water flowing downhill from backyard to backyard. The Stormwater Resiliency Study recommended creating rain gardens as an effective way to reduce water flow. Several residents applied to the program last year and are expected to complete their projects in FY25.

As suggested in the Study, increasing the CCV rebate may encourage more residents to undertake RainScapes projects in their yards. We have \$50,000 budgeted for this program. Currently, CCV provides 50% of the County's approved RainScapes rebate, with the County's maximum lifetime rebate set at \$7,500. This means CCV's maximum contribution is \$3,750, if the total rebate does not exceed 85% of the project's cost.

Discussions were held regarding increasing the rebate amount, which will be awarded on a first-come, first-served basis. Additionally, a cap will be set based on the Town's budget, which is currently \$50,000 for FY25.

Any increase in the rebate that CCV provides as a percentage of the County's approved RainScapes rebate will not exceed 85% of the project total cost. A notice will be distributed regarding the program asking residents to inform us when they submit a plan.

Helen Trybus moved to increase the Town incentive from 50% to 70%. The motion was seconded by Pete Marks, with a 4-0 vote in favor with Nancy Somerville abstaining.

Resolution to Adopt Montgomery County Hazard Mitigation Plan:

A Hazard Mitigation Plan serves as the tangible embodiment of a jurisdiction's commitment to minimizing risks associated with natural hazards. Local officials can rely on this plan in their day-to-day decision-making, from shaping regulations and ordinances to granting permits and funding capital improvements. Additionally, Local Hazard Mitigation Plans establish the foundation upon which FEMA and States prioritize future grant funding, aligning resources with areas most in need of support and protection. Montgomery County completed its initial Hazard Mitigation Plan on February 2, 2007, and updated it February 10, 2014, April 8, 2019, and most recently on March 27, 2024.

Nancy Somerville moved to approve the Resolution to the Montgomery County Hazard Mitigation Plan. Pete Marks seconded the motion, and it passed with a 5-0 vote.

Neighborhood Incident: Ed Tarbutton reported that residents should be aware of a recent incident in Chevy Chase View, where a resident and their dog were attacked by another dog. Although the dog was on a leash, the owner did not have proper control over it. The resident required hospital treatment after the encounter.

Please remember that in addition to keeping dogs on a leash, owners are also required to maintain control of their pets. Montgomery County Animal Control was notified and determined that the dog had no prior incidents. The owner was required to quarantine the dog for ten days, and a record of the attack has been filed.

Motion to Adjourn: At 8:20 p.m., Pete Marks moved the meeting be adjourned. Helen Trybus seconded the motion, and it passed with a 5-0 vote.

Time and Place of Next Meeting: The Council will meet next at 10401 Connecticut Avenue, Suite 103 for its monthly meeting on **Wednesday, October 16, 2024**, at 7:00 p.m.

Respectfully submitted,
Denise Hitt, Town Manager

CCV Building Permit Summary for September 2024

Active and Open Permit Construction Projects:

- 4216 Everett Street (May)- First floor addition of kitchen and screened porch Revised Application Applied 6/3/24, approved 6/18/24, issued 6/20/24
- 4213 Glenrose Street (Manion)- Addition in front of the garage door, placed over the existing driveway- Applied 11/01/23, approved with conditions 02/21/24, issued 7/16/24

- 4112 Glenrose Street (Stevens)- Addition to rear of the house to create accessible bathroom and bedroom. Applied 7/2/24, conditionally approved 7/23/24, issued 7/29/24
- 10101 Connecticut Avenue (Temple Emanuel)-Extend fence along Dresden Street and provide a gate. Applied 9/6/24, approved 9/13/24, issued 9/13/24
- 4012 Everett Street (Moody) - Install fence in rear and side yard. Applied 9/11/24, approved 9/18/24, issued 9/19/24

Closed Projects since the July 2024 Council Meeting:

- 9819 Connecticut Avenue (Spry)- Rear addition including basement - Applied 6/1/22, approved 6/15/22, issued 7/12/22, extended to 2/19/24- extended to 8/19/24, closed 8/19/24

Applications on hold pending further information on the application:

- 9807 Connecticut Avenue (Guzman) - Second-story addition, rear addition, fence - Applied 1/11/24
Town of CCV Stop Work Order Still in Effect Posted - 3/21/23 Montgomery County Permit issued 12/4/23

Application for Building Permit:

Building Permit Applications for consideration at the October 16, 2024, meeting must be submitted to the Town Manager by 5:00 p.m. on **October 7, 2024**. Please note that the review may take several days, and an application is not considered completed until the Town Permit Administrator- Municipal Engineer, Lance Ball, completes his review. Please contact Denise Hitt, Town Manager, at Townmanager@chevy Chaseviewmd.gov or by calling 301-949-9274.