

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: November 20, 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

Others Present: Ron Sharrow, 4013 Glenridge Street; Remotely
Present: Aliessa Scarlett of Lindsey & Associates; Mary
Spencer, 4112 Glenrose Street; Steven Beckman, 4020
Everett Street

Called Meeting to Order: 7:05 p.m. by Ed Tarbutton, Chair

**Approval of Minutes of October 16, 2024 Monthly Council Meeting
and Minutes of October 16, 2024 Closed Session Meeting:**

Pete Marks moved the minutes of the October 16, 2024 Monthly Council Meeting and the minutes of the Closed Session be approved, with noted permit corrections. Nancy Somerville seconded the motion, and it passed with a 5-0 vote.

Financial Report for Period October 1, 2024 to October 31, 2024:

Pete Marks had a few questions regarding items on the financial statements which the staff will research following the meeting. Pete Marks moved that the financial report for the period October 1 to October 31, 2024, be accepted. Tommy George seconded the motion, and it passed with a 5-0 vote.

Council Member Walk: Council Member Pete Marks conducted the monthly council member walk and shared several observations. Pete expressed satisfaction with the overall condition of the town. Following up on an observation made by Ed Tarbutton, Pete conducted a comprehensive review of all the pedestrian crossings in the town where ADA compliant curb ramps with detectable warnings have been installed. He reported that all installations looked to be in good condition with the possible exception of the ramp at the corner of Franklin St and Conn Ave (closest to the bus shelter). Pete recommended repair of that ramp be included in the town's annual repair work in the spring. Pete compiled a spreadsheet with all the ADA compliant curb ramp installations and their condition and shared it with the Town office.

Pete noted the homes under construction as well as the homes for sale/under contract.

Six-month Extension of Town Permit #575-02602 - 4x11 foot front addition at the front of the overhang of the attached garage-4213 Glenrose Street (Manion): Tommy George moved that the Council approve a six-month extension to Town Permit #575-02602, which now expires August 20, 2025.

Nancy Somerville seconded the motion, and it passed with a 5- 0 vote. The project has encountered a delay in starting; the expected start date is now January 2025.

Building Permit Application - Build a 40' patio of which 20' is elevated with a 2' retaining wall at the intersection of the house and install 38' of new fence under 6.5'- 9819 Connecticut Avenue (Spry): Fred Spry, Jr. submitted a building permit application for his home at 9819 Connecticut Avenue in the Town of Chevy Chase View. The application complies with all the applicable rules and restrictions of the Chevy Chase View Municipal Code. Mr. Noursi's review is based upon the description of the project on the application, the Site Plan submitted by Fred Spry, Jr. on September 10, 2024 and the visual inspection of the constructed wall, elevated patio with fence. The scope of the project is to construct a 40-foot patio, with 20 feet of that patio elevated, a 2-foot retaining wall at the intersection of the house and patio and to install a fence under 6.5 feet in the side and rear yard. Mr. Noursi based his recommended approval of this permit on Montgomery County's final project inspection, the application of the building permit and the adjustments made to the wall, elevated patio and fence to comply with the Town's requirements.

Helen Trybus moved that the permit application be approved with the above stated conditions. Tommy George seconded the motion, and it passed with a 5-0 vote.

FY24 Audit Report: Lindsey & Associates, CCV's auditing firm, reported that the State-mandated municipal audit for FY24 has been completed and filed with the Department of Legislative Services before the October 31, 2024, deadline. 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, 2024, 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". The Council discussed the report with Aliesha Scarlett of Lindsey & Associates (appearing remotely) who answered questions posed by the Council.

Tommy George moved that the Council accept the FY24 Audit by Lindsey & Associates. Helen Trybus seconded the motion, and it passed by a 5-0 vote.

Discussion on the Attainable Housing Strategy: The Town Manager offered the following summary regarding the County Council meeting on Tuesday, November 19, 2024:

The purpose of the meeting was for Council staff to provide the Council with a summary of the comments heard at the listening sessions and since the transmittal of the AHS.

1,639 people signed up to attend a listening session. As of October 18, 2024, approximately 1,386 comments and over 400 emails were received via the County Council portal/contact us link.

Top 3 Concerns Against the AHS:

1. Insufficient infrastructure and resources.
2. Ineffectiveness of the AHS in addressing housing affordability challenges.
3. Concerns about the potential loss of neighborhood character, particularly single-family detached neighborhoods.

Top 3 Reasons in Support of the AHS:

1. Promotion of housing attainability and affordability.
2. Encouragement of diversity within communities.
3. Support for aging in place initiatives.

Following the summary, all council members except Council President Andrew Friedson shared comments. They acknowledged a housing crisis facing the County but some expressed skepticism about whether the proposed AHS would fully address it.

Key concerns raised included:

- Defining terms such as "attainability," "affordability," and "accessibility."
- Questions surrounding infrastructure capacity, parking, and stormwater management.

Council staff provided an outline of the Zoning Text Amendment (ZTA) process. However, no dates for future discussions or actions were set.

After the briefing, Montgomery County Council President Andrew Friedson told 7NEWS that the listening sessions he hosted may not have yielded a fair sampling of public opinion. "There are a lot of concerns we're weighing through that. We also know public meetings and public hearings are not the most representative samples of the community. So, we know there are those in the community that have not yet been heard," said Friedson.

Council President Friedson emphasized that there is no established timetable for the next steps. He explained that a bill must first be drafted for the Council to consider the proposal. Additionally, he noted that the plan is not an all-or-nothing proposition; specific elements can be adopted, revised, or eliminated. If a bill is introduced, further opportunities for public input will be provided.

Given the uncertainty surrounding the timetable, and to ensure the Town remains well-informed about the process, the Council discussed joining with four other towns in retaining a land use attorney. The costs would be shared among the five towns. The discussion included consideration of various phases that were outlined in the retainer agreement and at some later date might be necessary; however, for now, Council determined receiving informational updates on any activity related to the AHS is the most valuable course of action.

Tommy George made a motion to approve the retention of Michelle Rosenfield, as Attainable Housing specialist, seconded by Pete Marks. Passed 5-0 vote.

After the above summary, Town attorney, Ron Bolt provided an update on the proposed Technical Amendment to the State code (Md. Code Land Use Art. Section 20-509 of the Regional District Act) submitted on behalf of multiple municipalities. 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. Mr. Bolt continues working within the process to ensure the wording is as accurate as possible.

Update WSSC Kensington Parkwood II Water Main Replacement

Project: The Maryland Department of Natural Resources authorized WSSC to remove trees from 21 homes as part of this project. Fortunately, only two trees required removal in Chevy Chase View. These trees were located at 4017 and 4205 Glenridge Street. WSSC has committed to planting replacement trees.

WSSC's subcontractor, Flippo Construction, informed the Town that work is currently on a three-week pause to allow notices to be sent out regarding upcoming activities. This work stoppage is scheduled to last through December 7, 2024.

Discussion on Summit Avenue Sidewalk Caulking and Transition

Joints: Harold Green of Chamberlain Contractors inspected the caulking and transition joints on the handicap ramps on October 31, 2024. Chamberlain determined that the remaining gray caulking needs to be removed and properly disposed of. It is recommended that this be scheduled for the spring of 2025, as warmer temperatures are more conducive to the caulking process.

Discussion on Pepco's Proposed Light Conversion and Resulting

Tariffs: The Town continues on-going discussions with PEPCO, as they make efforts to reconcile the total light number and light type within each municipality. To date we have confirmed there are 78 neighborhood lights (owned by PEPCO), 5 neighborhood lights (owned by CCV but maintained by PEPCO), and 34 lights (owned by PEPCO) that run along Connecticut Avenue. Total light count within CCV is 117.

CCV purchased and had PEPCO install 55-watt induction lights within the town boundaries, in 2003. The life of the induction lights installed is estimated to be 27 years. We have learned, through the light audit, that as these lights burn out and need replacement, LED lights will be installed, as PEPCO has no inventory of 55-watt induction lights. This replacement has already occurred at the following addresses:

- 4109 Dresden Street
- 4201 Dresden Street
- 4304 Glenridge Street
- 4012 Glenrose Street

Similarly on Connecticut Avenue, in 2009, 150-watt high pressure sodium lights were installed along Connecticut Ave. Of the 24 lights installed, PEPCO indicates 20 of the lights have been replaced with LED lights.

PEPCO is making efforts to come to an agreement with municipalities for three reasons:

- To have an accurate representation of each municipality's assets
- To provide credits for overbillings that have taken place because of inaccurate records
- And to present a new tariff structure that each municipality must adhere to.

Pepco's new proposed schedule will include a decision as to whether CCV wants to own its lights or to pay a CIAC (contribution in aid of construction) one-time fee with the replacement of each light, offering a lower monthly rate of approximately \$4.31. The other option Pepco is proposing is if the Town chose not to pay the CIAC fee with each replacement but pay the higher rate in perpetuity of approximately \$15.20 per light per month. Pepco's current light replacement plan exclusively uses LED lights. However, they are open to discussions about the warmth and tone of LED lighting. It is worth noting that LED technology has advanced significantly since 2003, improving both the appearance and quality of the lighting.

We have submitted a request to PEPCO to provide Chevy Chase View with the net book value for purchasing our streetlights. Once this information is received, the Town will need to conduct an analysis to determine how to proceed.

If this option is pursued, the Town could retain ownership of the current streetlights. We could then seek out stock for our current 55-watt induction lights and maintain our own inventory. However, one key unknown is the service fee. Under the Model Streetlight Purchase and Attachment Agreements, PEPCO may opt not to provide maintenance services for Town-owned lights, which will need to be addressed in the decision-making process.

Pepco is requesting comments by the end of January on the proposed tariffs. We are hoping to get Chevy Chase View specific numbers by early January. We will continue to meet with Pepco representatives to bring more clarity to the options.

We suggest that as we move forward, all light replacement requests be made to the Town office, instead of having residents make the request directly to PEPCO. This will enable the Town office to update, on an on-going basis, light types. This will be critical if a decision is required down the road, related to CIAC fees and costs.

Resident Directories Mailed Out: The 2024/2025 Resident Directories were mailed out. Approximately 12% of our residents reached out with changes/updates to their previous listing. We were able to include information related to new residents of Chevy Chase View, by establishing contact with their realtors. Consideration should be given next year to whether emails should be included in the printed directory format.

Contribution to the Town Residents' Listserv: The Town listserv was originally created in December 2005 using Yahoo Groups. The listserv enables residents to have neighbor-to-neighbor communications, and the Council considers it a useful community resource. In October 2019, Yahoo groups discontinued offering free listserv options, and the Town helped with the upfront transition cost to groups.io. Since then, CCV has covered the annual fee for the listserv as a contribution. To reduce any potential liability from the listserv, the Town does not

participate in the operation of the listserv, and it is not an official communication vehicle of the Town.

Tommy George moved that the Council approve a \$220 contribution to the listserv to cover the annual fee. Nancy Somerville seconded the motion, and it passed with a 5-0 vote.

Holiday Collection for Refuse/Recycling Personnel: The Council is pleased to announce the continuation of the Community Holiday Gift Fund for our refuse and recycling personnel. The Fund provides a convenient and secure way for CCV residents to express their gratitude and send Season's Greetings to the dedicated Ecology team members who collect our household waste, bulk pickup, yard refuse and recyclable materials throughout the year. A flyer announcing the collection was included in the with the resident directory mailing. For the second year, residents have the option to make their contributions online through a PayPal link on our website. Alternatively, checks can be dropped off at the Council Chair's home mail slot or mailed using the return envelope provided.

The fund will close on 12/16 to allow time for calculating the distribution and Ecology to create the checks.

Discussion on Community Police Procedures: A draft of community police procedures was created to provide general guidelines for new hires, such as Brian, and to ensure that all stakeholders, including Mark and Joe, are aware of the expectations.

Chair Ed Tarbutton addressed the ongoing issue of stop sign violations within the neighborhood, noting that police efforts to address the problem are appreciated. Consideration is being given to shifting from the practice of sometimes issuing residents warnings to ticketing all violators observed failing to stop at stop signs during patrols.

Helen Trybus motioned to approve the draft of the community police procedures. Nancy Somerville seconded the motion, and it passed with a 5-0 vote.

Holiday Decorating Contest: Ed Tarbutton relayed his excitement for the community to engage in the Holiday Decorating Contest again this season. Notice of the contest will be sent out to residents prior to Thanksgiving. Instructions on how to register

your home to be included in the contest will be provided. The voting of the contest will close on December 22nd and winners will be notified on December 23rd with a gift bearing visit from Council Chair, Ed Tarbutton

Motion to Adjourn: At 8:21 p.m., Tommy George moved that the meeting be adjourned. Helen Trybus seconded the motion and it passed with 5-0 vote.

Time and Place of Next Meeting: The Council will meet for the next hybrid monthly meeting at 7:00 p.m. on Wednesday, December 18, 2024, at 10401 Connecticut Avenue, Suite 103, Kensington, MD 20895.

Respectfully submitted,
Denise Hitt, Town Manager

Application for Building Permit - Building Permit Applications for consideration at the December 18, 2024, meeting must be submitted to the Town Manager by 5:00 p.m. on December 9, 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.

CCV Building Permit Summary for November 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, extended 11/20/24

- 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
- 4205 Glenrose Street (Keegan)- Extend and enclose the rear covered porch and install a fireplace - Applied 07/25/24, approved 9/18/24, issued 9/18/24
- 4212 Glenrose Street (Barry)- Addition in front of the garage door, placed over the existing driveway- Applied 09/30/24, approved 10/16/24, issued 10/17/24
- 9807 Connecticut Avenue (Guzman)- Convert existing building from 1 ½ to 2 stories, addition to the second floor and rear, same footprint. Includes fence permit for the front and side of the house. Applied 1/11/24, conditionally approved 10/16/24, issued 10/22/24

Closed projects since the October 2024 Council meeting:

- 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, closed 11/4/24