

COUNCIL OF CHEVY CHASE VIEW
Monthly Meeting

Date: October 16, 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: Remotely Present: Ron Sharrow, 4013 Glenridge Street; Mary Spencer, 4112 Glenrose Street; Bruce Hebbard, 4300 Glenridge Street

Called Meeting to Order: 7:00 p.m. by Ed Tarbutton, Chair

Approval of Minutes of September 18, 2024 Monthly Council

Meeting: Helen Trybus moved the minutes of the September 18, 2024, Monthly Council Meeting be approved. Nancy Somerville seconded the motion, and it passed with a 5-0 vote.

Financial Report for Period September 1, 2024 to September 30, 2024:

Pete Marks moved that the financial report for the period September 1, 2024, to September 30, 2024, be accepted. Tommy George seconded the motion, and it passed with a 5-0 vote.

Council Member Walk: Nancy Somerville conducted the monthly Council member walk. Nancy noted festive Halloween décor on display at many homes. Houses for sale at 4101 Saul Road (under contract), 4009 Glenrose and 4200 Dresden.

Ed Tarbutton noted some deterioration of the rubber fill between sidewalk squares on Summit Avenue; particularly noticeable at Everett/Summit and Glenrose/Summit. Additionally, Ed noted that the ADA rumble pads at the corners seem to be coming up from the ground. The Town will follow up on what repairs and improvements are needed.

Building Permit Application -9807 Connecticut Avenue (Guzman):

Daniel Guzman submitted a permit application for 9807 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.

Lance Ball, Town permit administrator reviewed (1) the description of the project on the application, (2) the Site Plan, prepared by Exacta Land Surveyors, LLC, dated 10/17/2023, (3) the Boundary Plan prepared by Exacta Land Surveyors, LLC, dated 5/13/2024, (4) Architectural/Structural Plans prepared by Edwin Giron-Freeman Architectural Designer, and signed by Nader Elhajj, P.E., dated 10/1/2024, and (5) the Fence Site Plan which is based on a House Location Survey by Duly, with the location of the fence hand drawn on top by the applicant.

The scope of the project is to (1) construct a 24' x 28' +/- two story rear addition, (2) construct a 2nd story addition over the existing footprint of the main building, and (3) install a new 6.5' wood fence along part of both left and right property lines tying into the front left and right of the house. The proposed construction meets the requirements of "Section 13-404

Exemptions from setback requirements, projections" because the proposed additions (1) do not encroach into the required EBL front setback more than the existing building, (2) are set back at least 35' from all front lot lines, and (3) conform to the required side and rear setbacks for the lot.

The 6.5' proposed wood fence is located within the property lines on the Boundary Plan and is constructed within the side yard.

The homeowner received a Revised Montgomery County building permit on 10/7/24 and has filed an application with the County for a fence permit.

Mr. Ball recommended that the Town Council approve this building and fence permit pending the issuance of the Montgomery County fence permit.

Tommy George moved that the permit application be conditionally approved upon receipt of the Montgomery County Fence Permit. Stop Work Order remains in effect. Nancy Sommerville seconded the motion, and it passed with a 5-0 vote.

There was some concern expressed as to the Town's responsibility regarding the quality of the home, as the structure being exposed to the elements for years. Ron Bolt confirmed that the Town is not obligated to assess the quality of the construction but acknowledges the concern. The County performs inspections and enforcement.

Building Permit Application - 4212 Glenrose Street (Barry): Mr. and Mrs. Barry submitted a permit application for their home at 4212 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. Peter Noursi, Town permit administrator reviewed (1) the description of the project on the application, (2) the Site Plan/Non-vegetative exhibit prepared by ATD Landscaping with square footage of impervious areas approximated and labeled by the applicant and modified by the Town on October 15, 2024. The approximate non-vegetative coverage is 26%.

The scope of the project is (1) remove the existing driveway on side and widen it 20 feet and extend to the rear of the house, (2) remove the lead walkway and construct a wider (4') lead walkway from the stoop through the property line to the curb, (3) construct a four foot wide walkway from the new driveway to the lead walk, and (4) remove and replace the front stoop with the same footprint as the existing stoop.

Mr. Noursi recommends the Town Council approve the permit. The applicant does not require a corresponding Montgomery County building permit for this project.

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

A discussion was held regarding the future consideration of an amendment to the Code that would allow for an administration exception for de minimis variances, at the discretion of the Town Council, related to minor common changes such as steps, stoops, and similar modifications. Ron Bolt confirmed that a comparable administrative variance exists in another municipality.

Ratify Town Permit #590-09003 - Fence - 4012 Everett Street

(Moody) Per Town Code, permits for dumpsters, portable storage units and fences are processed by administrative approval.

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

#590-09003 - Fence- 4012 Everett Street (Moody) Applied 9/11/24, approved/issued 9/18/24

Discussion of the Town's Focus Regarding Attainable Housing: The Town submitted the jointly signed letter requesting support for the State to grant a proposed technical amendment to the State code (Md. Code Land Use Art. Section 20-509 of the Regional District Act). 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. The Town received positive feedback from Senator Jeff Waldstreicher, stating that he and other members of the state delegation are currently working on a draft for this clarification.

The Town continues to appraise the residents. This proposal is before the County Council and its subcommittee, the Planning, Housing & Parks (PHP). Council Staff is currently compiling the feedback from the listening sessions and the online portal. Once the feedback is aggregated, the council staff will share the summaries with the Full Montgomery County Council. County Council will decide how best to proceed.

If approved to advance by the County Council, it will then go back to the Planning Board to support the drafting of legislation, potentially in the form of a Zoning Text Amendment (ZTA) reflecting some or all the content of the Attainable Housing Strategy. While no specific dates for pending legislation have been provided, Andrew Friedson has stated there will be at least 30 days between the introduced legislation and a public hearing.

The Town Council discussed the possibility of participating in collective efforts led by a Land Use attorney who is representing multiple area municipalities.

A concern was raised about the challenges of grouped representation, noting that different jurisdictions may have conflicting opinions that one attorney may not be able to advocate for uniformly. It was suggested that the Town consider engaging the Land Use attorney more as an expert or consultant on the issue at this stage.

Additionally, the Council emphasized the need to understand the financial obligations associated with this engagement to make an informed decision about the level of involvement Chevy Chase

View would want or need. Ron advised that a decision would most likely need to be made within the next thirty (30) days.

Update on Clark Azar Schematics: Clark Azar & Associates plan to submit the 65% Construction Design to the Town, MCDOT, WSSC, and SHA by mid-November. However, the design will not include the proposed bioswales at two properties due to utility conflicts and concerns about the survival of mature trees.

Nancy Sommerville has reached out to Ann English, head of the RainScapes Program, to discuss these challenges. Nancy is hopeful that Ms. English will be able to offer less invasive alternatives that can still achieve the desired results.

Nancy stated that there is a [Montgomery County website](#) that provides percentages of impervious surfaces by address. This information could possibly be a starting place when addressing issues for updating the Town's stormwater code.

Pete Marks provided a general timeline for the project once information is received back from Clark Azar. The following steps will need to occur:

- Determine what is included in the construction package.
- Issue an RFP to recommended contractors (estimated 2-3 months).
- Review bids (approximately 1 month).
- Hold pre-construction meetings, with the understanding that contractors will be prepared to begin work on the date set by the Town.

Update on WSSC Project: WSSC's contractor, Flipppo Construction, continues to perform work at the intersections involved in Phase 1 of the project.

Installation of thrust collars and valves are currently scheduled for
Glenridge Street & Connecticut Avenue: 10/25-11/1
Everett Street & Connecticut Avenue: 10/29 -11/1

Residents affected by any shutdown/tie-in work will be notified at least 48 hours in advance.

Traffic and sediment control measures will be in place, and the water tested. Steel plates will remain over the excavated intersections as they work to compact the subbase and temporarily pave the trenches. Flipppo will maintain the temporary trenches until full road repairs can be completed once all work is finished.

Update on CCV Town Polos and T-shirts: Several residents inquired about another opportunity to order CCV shirts. A notice was emailed asking those interested to reply, with the intention of placing another order if the minimum order requirement could be met. A reminder has been sent, and residents have until Friday, October 18 to respond.

As of now, the minimum order has not been reached for any shirt styles. The Council agreed to proceed with purchasing the minimum order in various sizes. Extra shirts will be available for future purchase if residents express interest.

Update on Cyberscurity Grant-DoIt: CCV Kickoff meeting is this Friday, 10/18 - it is meant to set the expectations of the assessment process. The goal of the State and Local Cybersecurity Grant Program (SLCGP) is to help states, local governments, rural areas, and territories address cybersecurity risks and cybersecurity threats to information systems

Directory Update: Two Town emails have been sent through Constant Contact, asking residents to review their directory listings and email any changes. To date, approximately 10 updates have been received. Residents have been asked to submit any updates by Monday, October 21.

In addition, outreach has been made to new residents who recently moved in or have settled contracts. The goal is to have the 2024-25 directories mailed out in early November.

As part of this directory update, efforts are also being made to reach residents who are not subscribed to receive Town emails via Constant Contact. It was discovered that some residents are on the listserv but not subscribed to Town emails. Emails and letters have been sent to those not currently subscribed, encouraging them to sign up, as 95% of all Town information is distributed through Constant Contact emails.

Motion to Adjourn to Executive Session: At 7:56 p.m. Tommy George moved that the Council enter closed session pursuant to Maryland Code, General Provisions Article Section 3-305(b) (1) concerning one or more employees over whom it has jurisdiction. Pete Marks seconded the motion, and it passed with a 5-0 vote.

Motion to Adjourn: At 8:31 p.m., Tommy George 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, November 20, 2024**, at 7:00 p.m.

Respectfully submitted,
Denise Hitt, Town Manager

Application for Building Permit:

Building Permit Applications for consideration at the November 20, 2024, meeting must be submitted to the Town Manager by 5:00 p.m. on **November 11, 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@chevyCHASEVIEWMD.GOV or by calling 301-949-9274.

CCV Building Permit Summary for October 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
- • 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

Closed Projects since the September 2024 Council Meeting:

- 4012 Everett Street (Moody) - Install fence in rear and side yard. Applied 9/11/24, approved/issued 9/18/24, closed 10/10/24

