

TOWN OF CHEVY CHASE
TOWN COUNCIL MEETING
June 11, 2008

Present: Kathy Strom, Mayor; Rob Enelow, Vice Mayor; David Lublin, Secretary; Linna Barnes, Mayor; Al Lang, Community Liaison; Todd Hoffman, Town Manager; Andi Silverstone, Town Clerk; and David Podolsky and Adam Cohen, Town Attorneys.

Residents and guests: Rose Miller, 7000 Valley Place; Esther, Rebecca, and Emily Schrader and Nick Anderson, 7101 Oakridge Avenue; Mike and Alisa Lebowitz, 7102 Oakridge Avenue; Ann Wild, 7104 Oakridge Avenue; Bruce Russell and Jean Shorett, 7107 Oakridge Avenue; Alex Palmer, 7008 Meadow Lane; Monique Shimm, 4215 Thornapple Street; Andrew Freimuth, 4009 Underwood Street; Margaret Clark, 7205 Oakridge Avenue; Stephanie Flack, 7111 Oakridge Avenue; Andy and Katie Berg, 7217 Oakridge Avenue; Marty and Tom Fears, 4307 Curtis Road; Bill Pritchard, 7211 Ridgewood Avenue; Jan Bogrow and John Fleder, 4309 Thornapple Street; Steve Seidel, 4426 Stanford Street, Michael Guhin, 4006 Rosemary Street; Bruce Douglas, 7404 Ridgewood Avenue; Steve Seidel, 4426 Stanford Street; and Grant Davies, 4313 Bradley Lane.

I. General Business

A. Call to order

Mayor Strom called the meeting to order at 7:05 p.m.

B. Pledge of Allegiance to the Flag

Mayor Strom led those in attendance in the pledge of allegiance to the flag.

C. Approval of Minutes of April 2008 and May 2008 Council Meetings

Councilmember Barnes made a motion to approve the minutes of the regular meeting and executive session of April 2008. Councilmember Enelow seconded the motion, and it passed unanimously. Councilmember Lublin made a motion to amend the minutes of the May 14th Council meeting to indicate that he and Councilmember Lang “could not vote yet” regarding approval of minutes of the March Council meeting. Councilmember Lang seconded the motion, and it passed unanimously. Councilmember Lublin made a motion to approve the minutes of the May 14 Council meeting as amended. Councilmember Enelow seconded the motion, and it passed unanimously.

D. Acceptance of Financial Report for May 2008

Council Treasurer Linna Barnes made a motion to accept the financial report for May. Councilmember Lang seconded the motion, and it passed unanimously.

E. Public Comments

Jean Shorett, 7107 Oakridge Avenue, asked the Council to review the Town's water ordinance and its implementation. Mayor Strom asked Ms. Shorett to share her concerns with the Council in writing, and the issue would be referred to the Environment Committee.

Bruce Russell, 7107 Oakridge Avenue, spoke about the need for enforcement and standard operating procedures. He expressed concerns about representations made to remove a large tree and asked Councilmembers to review the decision. The Mayor informed Mr. Russell that the Tree Board is looking into the matter.

Mike Lebowitz, 7102 Oakridge Avenue, spoke about the high volume of traffic that cuts through the Leland Center parking lot. The Public Services Committee will address this issue as part of their review of recommendations made by the former Traffic Committee.

II. Public Hearings & Council Actions

A. Public Hearing on Proposed Sidewalks for Oakridge Avenue and Thornapple Street (The public hearing was recorded.)

Councilmembers heard testimony given by residents. They decided to continue the hearing on sidewalks for Oakridge Avenue and Thornapple Street, including further consideration of option 5, which places the proposed new sidewalks on the east side of Oakridge and the north side of Thornapple. As part of the decision to move forward with consideration of that option, Council agreed unanimously that the width of the sidewalks will be 3.5" feet on both Oakridge and Thornapple, and that the feasibility of permeability will continue to be studied actively in advance of the continuation of the hearing in July. As to option 5, Council also agreed that the sidewalk should be connected with the existing sidewalks on the east side of Oakridge, and the south side of Curtis (via a crosswalk in the second case). Council further agreed to obtain and to present to the community recommendations on the installation of a new stop sign and crosswalks at Curtis and Oakridge, reduction of the speed limit to 20mph on the block of Oakridge with new sidewalks, and other potential traffic improvements on that block in advance of the July meeting. Three Councilmembers (Strom, Lang, and Lublin) supported parking on one side of Oakridge Avenue; two (Barnes and Enelow) supported taking additional portions of existing green space on both sides of Oakridge to make it possible to maintain parking on both sides of the street.

B. Public Hearing on Resolution to Amend the Town's Permit Fee and Performance Bond Schedules

Town Manager Todd Hoffman presented the resolution to amend the Town's permit fee and performance bond schedules. He noted the changes reflected in the resolution. Councilmember Lang made a motion to approve the amended fee schedule. Councilmember Enelow seconded the motion, and it passed unanimously.

C. Introduction of an Ordinance to Impose Time Limits on Variances

Councilmembers considered introduction of an ordinance to set time limits on approved variances. The ordinance requires that a building permit for the construction authorized by a variance be obtained within 12 months of the effective date of the variance or the variance would be void. There is a provision in the ordinance to allow for the Town Manager to grant an extension of the variance upon conditions set by the Town Manager.

Councilmember Barnes made a motion to introduce the ordinance. Councilmember Lublin seconded the motion, and it passed unanimously. A public hearing will be scheduled for the July Council meeting and publicized in the July Forecast.

A. Introduction of an Ordinance to Amend Chapter 4 of the Town of Chevy Chase Municipal Code Regarding Front Yard Improvements

Town Manager Todd Hoffman described the provisions of the front yard improvements ordinance. The provisions include that the Mayor and Town Manager would be able to grant variances for replacement walls and fences and that walls less than 1 foot high would be allowed in front yards provided they are set back at least 2 feet from all public improvements. Variance requests for new fences and walls would require a boundary survey unless the improvements are set back farther from the nearest property line than the margin of error on a house location survey.

Councilmember Barnes made a motion to introduce the ordinance. Councilmember Lublin seconded the motion, and it passed unanimously. Since notice of this ordinance needs to be sent to the County Council, a public hearing will be scheduled for the September Council meeting. It will be publicized in the September Forecast.

B. Introduction of an Ordinance to Amend Chapter 4 of the Town of ChevyChase Municipal Code Regarding Improvements in the Public Right-of-Way

Town Manager Todd Hoffman described the provisions of the right-of-way improvements ordinance. The ordinance authorizes the Town Manager and Mayor to grant variances for replacement fences and walls. All new fence and wall variance requests would require a boundary survey with a margin of error of one inch or less. The survey must show distances of proposed fences and walls from public improvements. The proposed ordinance also establishes a rationale to grant relief for improvements to be constructed in the public right-of-way.

Councilmember Barnes made a motion to introduce the right-of-way improvements ordinance. Councilmember Enelow seconded the motion, and it passed unanimously. Since notice of this ordinance needs to be sent to the County Council, a public hearing will be scheduled for the September Council meeting. The hearing will be publicized in the September Forecast.

III. Presentations & Discussion

A. CCES Traffic Plan

Bill Pritchard, Chair of the Public Services Committee, described two traffic plans for Chevy Chase Elementary School (CCES). One was developed by a Montgomery County employee from the County's Department of Public Works and Transportation. It includes 9 recommendations. The second plan is a modification of that plan with recommendations from Town Engineer Joe Cutro. The request for a plan was initiated by the principal of Chevy Chase Elementary School. Discussion followed about identifying questions for the school's principal, who will be attending a future Council meeting.

Staff was directed to post a diagram of the proposed traffic plan for CCES on the Town's website. The Public Services Committee will modify the plan to include permit parking on the south side of Rosemary Street. A public hearing on the proposed plan will be scheduled for the July Council meeting. Councilmember Al Lang, liaison to the Public Services Committee, will hold a public meeting before the July Council meeting, to inform Town residents of the traffic plan proposals.

B. Speed Hump Policy

Bill Pritchard, Chair of the Public Services Committee, described each point of the proposed Speed Hump policy to the Council. Councilmember Strom made a motion to adopt the speed hump policy with two changes: add "State of Maryland" and strike the paragraph dealing with speed hump removal. Councilmember Lang seconded the motion. The speed hump policy as presented had a 30 mph threshold. Discussion followed about whether the threshold for installing a speed hump should be 25 mph or 30 mph. Councilmember Enelow recommended amending the policy to set the speed limit at 25 mph. It was the sense of the rest of the Council to leave the speed limit at 30 mph.

The motion was called. It passed with Councilmembers Strom, Barnes, and Lublin in favor and Councilmembers Enelow and Lang opposed.

C. Removal of "Access to Wisconsin Avenue Restricted" Signs on Streets Intersecting Connecticut Avenue

This agenda item was deferred until the July Council meeting.

D. Bethesda Metro 4 Proposed Development

Steve Seidel, 4426 Stanford Street, explained the Bethesda Metro 4 project. There was discussion about the Planning Board's decision to allow the developer, Meridian, to consider Wisconsin Avenue and Old Georgetown Road when calculating the FAR. Mr. Seidel requested that the Council send a letter to the Planning Board asking for a reexamination of the FAR calculation method for the site. The Council agreed to send the letter.

E. Ambulance Transport Fees

Grant Davies, Town representative to the Bethesda Fire Board, reported that the County Council has proposed charging ambulance transport fees. The Bethesda Fire Board opposes charging fees for several reasons, including service delivery issues. Mr. Davies requested that the Council take a public position and oppose the fees.

It was the consensus of the Council to oppose the ambulance transport fees and send a letter in opposition to the fees to the County Council.

F. East Leland Crosswalk and Rotary at 46th and Leland Street

The Council directed the Public Services Committee to study the feasibility of reconfiguring the Thornapple path to the north and installing a crosswalk at East Avenue and Leland Street. In addition, the Council asked the Public Services Committee to study the feasibility of installing a traffic rotary at Leland Street and 46th Street.

IV. New Business

Mayor Strom announced that the Council would not have a meeting in August, and there will be no August Forecast.

Staff was directed to remove the STOP sign at Valley Place and Beechwood Drive. There was a discussion about the process used to install STOP signs. It was the sense of the Council to direct the Public Services Committee to review the STOP sign policy and make recommendations to the Council.

Councilmember Lublin made a motion to invite all Town residents to all meetings of the Town and committees. After discussion, Councilmember Lublin withdrew his motion. It was the sense of the Council that the entire community should be invited to the forthcoming meeting on the CCES traffic plan and that more community participation is usually desirable.

Councilmember Barnes reported on a proposal by County Councilmember Roger Berliner concerning land use. With the support of the rest of the Town Council, Councilmember Barnes agreed to testify at a public hearing in support of County Councilmember Berliner's proposal.

There being no further business, the meeting was adjourned at 10:40 p.m.

Respectfully submitted,

David Lublin
Secretary

Transcribed by Andi Silverstone