

TOWN OF CHEVY CHASE
COUNCIL MEETING
January 9, 2008

Present: Linna Barnes, Mayor; Rob Enelow, Vice Mayor; Lance Hoffman, Secretary; Kathy Strom, Treasurer; Mier Wolf, Community Liaison; Todd Hoffman, Town Manager; David Podolsky, Town Attorney; Ron Bolt, Assistant Town Attorney; Alan Beal, consultant; and Andi Silverstone, Town Clerk. Residents and guests: Jean Sperling, Martin's Additions; Kristin Gerlach, 4004 Underwood Street; Jon Hiatt, 7410 Ridgewood Avenue; Andrea Boyarsky-Maisel and Harvey Maisel, 7105 45th Street; Bridget and Lees Hartman, 7214 Ridgewood Avenue; Jon Tupolosky, 3916 Virgilia Street; Pat Burda, 4108 Woodbine Street; Diane Dorfman, 4421 Walsh Street; K. Depuic and Steven Keeble, 4415 Walsh Street; Julia Brown, 4423 Walsh Street; Joe Rubin, 4409 Ridge Street; Jim Roy, 4511 Elm Street; Sarah Smith, 3916 Woodbine Street; Julia Miller, 4212 Oakridge Lane; Paul Davey, 4304 Thornapple Street; Mark Giarraputo; Jeb Brown, 3916 Virgilia Street; Gordon Seymour, 4003 Underwood Street; Joe and Gabriele Fontana, 4317 Stanford Street; Christine Real de Azua, 4502 Elm Street; Carlos Fernandes, 6803 East Avenue; David Shipler, 4005 Thornapple Street; Debra Feldman, 4505 Elm Street; Bruce Russell, 7107 Oakridge Avenue; Robert Lederman, 3916 Underwood Street; Howard Feldman, 4505 Elm Street; Jim Mich, 4400 Walsh Street; David Lublin, 4214 Thornapple Street; Irving and Naomi Kaminsky, 6903 Oakridge Avenue; Dedun Ingram, 4411 Elm Street; Judy McGuire, 4003 Rosemary Street; Steve McConnell, 4309 Leland Street; Virginia Ceaser, 3919 Virgilia Street; Veda and Robert Charrow, 4001 Underwood Street; Shekhar Aiyar, 4213 Oakridge Lane; Susan and Will Blacklow, 6912 Oakridge Avenue; Joan Hoover, 6902 Oakridge Avenue; Stephen Molario, 7115 Ridgewood Avenue; Thomas P. Heidenberger, 3909 Underwood Street; Peter Mora, 4006 Underwood Street; Bari Schwartz and Barry Hager, 4300 Willow Lane; Lou Hobson, 4005 Underwood Street; R. Krcyeck, Martin's Additions; Marcie Meditch, 4002 Underwood Street; Wes Siegner, 3916 Woodbine Street; John Murphey, 4002 Underwood Street; Audrey Dutton, reporter from the Gazette; Andy Garfinkel, 4407 Walsh Street; Rod Henderick, 4000 Underwood Street; Jan Bogrow, 4309 Thornapple Street; Coralee Hoffman, 3917 Virgilia Street; Kirk Renaud, 3906 Woodbine Street; and Sue Hill, 7013 Maple Avenue.

I. General Business

A. Call to order

Mayor Barnes called the meeting to order at 7:00 p.m.

B. Pledge of Allegiance to the Flag

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

C. Approval of December Financial Report

Councilmember Wolf made a motion to approve the financial report for December. Councilmember Enelow seconded the motion, and it passed unanimously.

D. Public Comments

Mayor Barnes told those in attendance that a public hearing on the proposed Moratorium Ordinance would be held at a later date. She requested that all speakers limit their comments, during this public comments period, to two minutes.

Bridget Hartman, 7214 Ridgewood Avenue, presented the Council with a petition signed by 267 residents requesting that the Council enact an emergency moratorium until the Council can deliberate on the recommendations of the Land Use Committee. The petitioners requested that the ordinance have an end date in April, 2008, or whenever the new legislation, based on recommendations from the Land Use Committee, is enacted. The reasons for the request include maintaining the distinctive character of the neighborhood as called for in the Strategic Plan.

Shekar Aiyar, 4213 Oakridge Lane, spoke in opposition to the emergency moratorium ordinance. He expected the recommendations from the Land Use Committee would go into effect in the spring. He also mentioned that the emergency legislation “changes the rule of the game in the middle” and affects residents who bought their homes with the understanding that the old set of rules applied.

Steve Molario, 7115 Ridgewood Avenue, expressed his opinion that FAR (Floor Area Ratio) is too restrictive and should be regressive. He thought the restriction was unfair and that the expectation of current homeowners is to live in a larger house.

Bruce Russell, 7107 Oakridge Avenue, expressed support for having an emergency moratorium. He complained that the Environmental Committee has not produced a noise control ordinance.

Robert Lederman, 3916 Underwood Street, asked why the Town is approving plans, which in his opinion, do not comply with the Town’s current laws. He expressed support for the moratorium

Debra Feldman, 4505 Elm Street, purchased her home in the Town in October, 2007. She had a feasibility study done and was assured that her proposed addition would be approved. Her plan meets current building regulations. She urged transparency and mentioned that the moratorium had not been included in a letter sent to residents on January 5, 2008.

Diane Dorfman, 4421 Walsh Street, spoke in opposition to the moratorium. She expressed concerns that due process was not being followed and that the building process shouldn’t stop until legislation is passed.

Irving Kaminsky, 6903 Oakridge Avenue, asked the Council to install a sidewalk on the north side of Thornapple Street. He and his wife take their walks at that location and believe it is very dangerous because of the traffic. He noted that the Public Services Committee recommended that a sidewalk be installed at that location last July.

Barry Hager, 4300 Willow Lane, asked that building regulations be held in place, that due process be followed, and that there be transparency while the new building ordinance is being considered.

Harvey Maisel, 7105 45th Street, expressed his opinion that there can be over-legislation and hardship and duress from passing emergency legislation.

Dedun Ingram, 4411 Elm Street, spoke in support of the emergency moratorium. She asked for transparency and to have the ordinance be posted on the Town's website. She also supported moving forward with the building ordinance.

Peter Mora, 4006 Underwood Street, stated that the emergency legislation effort started because of the construction at 4004 Underwood Street. He noted that the house was big but was within permissible standards. He advised that permit approval should not be hurried.

Howard Feldman, 4505 Elm Street, opposed the moratorium. His opinion was that the moratorium is unfair, against due process rights, and will be challenged. He pointed out that the letter sent to residents did not mention the moratorium or emergency legislation. He also asked why there was an emergency.

Martin Gold, 4420 Walsh Street, spoke in opposition to the moratorium. He said that it makes for a confrontational community, and he did not understand why there was a need for emergency legislation.

Kristen Real de Azua, 4502 Elm Street, spoke in favor of the moratorium. She said that she feels that builders are trying to get their permits in before the emergency moratorium is enacted and before any new building regulations are adopted. She also spoke about the need for transparency.

Jon Hiatt, 7410 Ridgewood Avenue, spoke in support of the emergency moratorium and agreed with the need for transparency. He said that the moratorium is a tool to use to establish new regulations and will give the Council time to consider the recommendations of the Land Use Committee.

Pat Burda, 4108 Woodbine Street, endorsed emergency legislation for a moratorium.

David Lublin, 4214 Thornapple Street, expressed his support for the moratorium and asked the Council to move forward with the Land Use Committee recommendations.

Will Blacklow, 6912 Oakridge Avenue, spoke in support of the moratorium. He also said he does not oppose the FAR requirements recommended by the Land Use Committee.

Judy McGuire, 4003 Rosemary Street, spoke in support of the moratorium. She pointed out that the request for a moratorium was the result of a grass roots effort. She expressed her opinion that the fact the 260+ residents signed the petition in favor of the moratorium is evidence to pass it.

Virginia Ceaser, 3919 Virgilia Street, spoke in support of the moratorium. She spoke about the new building is ruining the character of the neighborhood. She read an e-mail from Jane Lawton in which Ms. Lawton [urged that the Town go along with the provisions of the Visioning Committee] questioned how a teardown of a 1400 square foot cottage and replacement with an oversized house on Virgilia Street could be allowed under the "new" Town Code.

Terry Banks, 4117 Aspen Street, pointed out that the Town enacted a new setbacks ordinance in February 2006. The FAR is new and is intended to help the Town establish building height requirements.

Julia Brown, 4423 Walsh Street, stated that 267 signatures on a petition does not sound like a majority of voters of the Town to her.

Andrea Boyarsky-Maisel, 7105 45th Street, said she was dismayed by mansionization, but a moratorium is unfair and irresponsible.

Brian Kehoe, 4404 Walsh Street, identified himself as a builder that lives in the neighborhood. He mentioned property values and property rights issues and the need to let residents know what the result of the proposed building regulations will be. He said there is no need for a moratorium.

Susan Blacklow, 6912 Oakridge Avenue, spoke in opposition to mansionization saying that the previous moratorium had no real effect. She complained about the enforcement of the existing laws and the fact no noise ordinance had been enacted. She is in favor of the moratorium.

Paul Davey, 4304 Thornapple Street, recently purchased a home in the Town. He indicated that a moratorium creates division in the Town, and he is opposed to it. He recommended that the Council educate residents about proposed legislation.

Peter Bowers, 4417 Stanford Street, spoke in opposition to the moratorium. He said that, in his opinion, the proposed building regulation represented a taking of right.

Veda Charrow, 4001 Underwood Street, described that she had put on an addition and went through the permitting process. According to her, a moratorium is not a stopping of all construction.

II. Variance Requests

A. Fontana, 4317 Stanford Street, Front Yard Fence

Town Manager Todd Hoffman presented the staff report to the Council. Joseph and Gabrielle Fontana, 4317 Stanford Street, have applied for a variance from Town building regulations to install a front yard fence. Town building regulations prohibit front yard fences; therefore, a variance is required.

The subject property is a corner lot and has two front yards – one along Stanford Street (actual front yard) and one along East Avenue (functional side yard). As illustrated on the attached site plan, the applicants propose to install a 4 foot high picket fence that would extend approximately 22.5 feet past the front line of the house along East Avenue. The applicant warrants that the fence will be installed at least 2 feet from the Town right-of-way, as required by Town building regulations. Town staff conducted a field measurement and determined that the distance from the proposed fence to the sidewalk on East Avenue would be 5 feet 9 inches.

Following the November 2007 hearing, the applicants requested that a final decision on their request be deferred pending consideration of a new request by the Town Council. In the initial request, the applicants proposed to install a 4 foot high picket fence extending 22 feet past the front line of the house. This request was based on measurements taken from a house location survey, while the new request is based on measurements taken from a boundary survey.

The Town staff has received four signed letters from neighbors in support of granting this variance request.

The applicants stated that there are three corner lots on the east side of East Avenue and eight corner lots on the west side of East Avenue -- all with similar topographical features (shallow back yards with larger side yards) and all with front yard fences. In every instance, the front yard fence is greater than 4 feet in height. They also stated that the proposed fence would be an attractive addition to the property and to the overall appearance of the town and that their immediate neighbors are in full support of the proposed fence and see no issues with sight lines. The applicants' fence is over 70 feet from the Stanford and East intersection. The property is a corner lot and much of the usable land is along the East Avenue side of the property.

The following residents spoke in support of the Fontanas variance request: Jim Mich, 4400 Walsh Street; Mary Connelly, 6800 East Avenue; a resident at 4417 Stanford Street; Joe Rubin, 4409 Ridge Street; Joan Hoover, 6902 Oakridge Avenue; and Naomi Kaminsky, 6903 Oakridge Avenue.

Councilmember Wolf made a motion that the variance be granted as presented and to honor the safety and happiness of the children. Councilmember Enelow seconded the motion. Councilmember Hoffman remarked that the residents had obviously listened to the tapes of the previous hearing and responded effectively to concerns raised there. He also noted that the neighbors supported the request. Councilmember Strom pointed out that the property has a very narrow backyard and that the conditions on East Avenue which is a major egress and ingress to the Town make that lot unique. She noted that the residents are requesting the minimum necessary to overcome the hardships of the property.

The motion was called and passed unanimously. The record of the prior hearing will be incorporated in the record of this hearing.

III. Council Actions

A. Council Adoption of Proposed Charter Amendments

1. Consensus Items:

- a) Sections 205, 209,301, 303, 304, 403, 406, 505, 509, 512, 516, 703 & 704

These consensus items had been voted on and adopted at the December Council meeting. The Gazette newspaper did not publish them in time to give enough notice, so they have to be voted on, again, and then published. Councilmember Enelow made a motion to adopt the consensus items. Councilmember Hoffman seconded the motion, and it passed unanimously.

2. Non-Consensus Items:

- a) Section 204: Public Speaking at Council Meetings

This Section had been re-drafted as discussed at the December Council meeting. Councilmember Strom made a motion to adopt the amendment to Section 204. Councilmember Enelow seconded the motion, and it passed unanimously.

b) Section 210: Process to Petition an Ordinance to Referendum

Councilmember Hoffman made a motion to adopt the amendment to Section 210. Councilmember Wolf seconded the motion. Councilmembers Barnes, Enelow, Hoffman and Wolf voted in favor of the motion. Councilmember Strom was opposed.

c) Section 503: Setting the Real Property Tax Rate

This amendment had been tabled from the December Council meeting in order for the Town Attorney to draft clarifying language describing personal property taxes. Councilmember Wolf made a motion to adopt the amendment as revised. Councilmember Enelow seconded the motion. Discussion followed about how the tax rate would be set. The amendment calls for the Council to set the tax rate. Previously, the tax rate was voted on at the Annual Town Meeting. The motion was called and passed with Councilmembers Enelow, Hoffman, and Wolf voting in favor, Councilmembers Strom and Barnes opposed.

B. Introduction of an Ordinance to Set Town-Wide Speed Limit of 25 MPH

Councilmember Hoffman made a motion to introduce an ordinance to set a Town-wide speed limit of 25 MPH. Councilmember Wolf seconded the motion, and it passed unanimously. A public hearing will be scheduled for February or March.

C. Introduction of an Ordinance to Establish an Emergency Building Moratorium

Councilmember Strom made a motion to introduce an ordinance to establish an emergency building moratorium. She explained the provisions of the ordinance including the exceptions. Per Councilmember Strom's request, her comments appear in their entirety at the end of these minutes. She asked that a public hearing be scheduled for as soon as possible and that copies of the ordinance be distributed to Town residents. Councilmember Barnes seconded the motion. The motion passed with Councilmembers Barnes, Hoffman, Strom, and Wolf in favor and Councilmember Enelow opposed.

Councilmember Enelow gave his reasons for opposing an emergency moratorium. He made comparisons between the way the Town is now and the circumstances in 2005, when the Town had passed legislation for an emergency moratorium. Per Councilmember Enelow's request, his comments appear in their entirety at the end of these minutes.

Councilmember Hoffman gave similar reasons for opposing an emergency moratorium, condensing his previously prepared remarks because many of his points had already been made by Councilmember Enelow. Per Councilmember Hoffman's request, his statement appears in its entirety at the end of these minutes.

Discussion followed about scheduling a public hearing on the legislation. It was the sense of the Council to hold a public hearing on the building moratorium on February 6 and vote on it on February 13. Staff was directed to send out a special

mailing and post information on the website about the public hearing on the moratorium ordinance.

D. Introduction of an Ordinance to Amend Chapter 4 of the Town of Chevy Chase Municipal Code to Adopt New Zoning Regulations

Councilmember Barnes made a motion to introduce the ordinance to amend Chapter 4 of the Town of Chevy Chase Municipal Code to adopt new zoning regulations. Councilmember Strom seconded the motion, and it passed unanimously.

Staff was directed to reserve meeting space for every evening in February and March for work sessions and public hearings.

IV. Discussions

A. New Zoning Regulations

Julia Miller, Chair of the Land Use Committee, discussed the purpose of the legislation, which is to address house size. The ordinance is designed to regulate bulk, mass, and height [, lot coverage, and design]. The committee used the Town’s strategic plan as a “road map” in developing the proposed legislation. The goals included preserving the distinctive character of the Town in a way that was easy to administer. The sources used by the committee included Town surveys and meetings.

The committee’s recommendations include bonuses to increase the Floor Area Ratio (FAR). The ordinance makes a distinction between cellars and basements.

Councilmembers thanked the committee for their recommendations. Councilmember Strom asked that the recommendations as set forth in the detailed report presented to the Council be made a part of the record with the ordinance.

There was discussion about how residents could calculate their FAR.

B. Building Permit Appeal Procedures – Deferred

C. Time Limits on Variance Approvals – Deferred

D. Long Range Planning Committee Report

1. BRAC DEIS

Pat Burda described on-going efforts related BRAC DEIS. These efforts are interrelated with downtown Bethesda development such as Woodmont East. In that regard, she noted that she and Councilmember Strom, Ted Pochter, Ron Bolt, and Pat Burda met with Pat Harris and the developers of Woodmont East. They are developing a better design and planning to keep more green space. The Long Range Planning Committee will submit recommendations to the Council.

2. Purple Line

Pat Burda, Chair of the Long Range Planning Committee, reported that the consultants (SSC) hired by the Town to evaluate the impact of the

Purple Line on the Town are doing a great job. She asked that a letter be sent, under the Mayor's signature, to Mike Madden of the Maryland Transportation Authority, requesting additional documentation and information on the Purple Line.

Ms. Burda and her committee would like SSC to meet with Councilmembers in March or April. Ms. Burda received a memo from SSC, which she recommends be shared with Rich Madaleno and the Assistant to Senator Chris Van Hollen.

The Council agreed to both these requests.

IV. New Business

Councilmember Wolf requested that a committee be formed to determine what to do to honor the memory of former Town resident, Councilmember and Chair Jane Lawton. Mayor Barnes appointed Councilmember Wolf as Chairman of the committee.

There being no further business, the meeting was adjourned at 10:45 p.m.

Respectfully submitted,
Lance Hoffman, Secretary

Transcribed by Andi Silverstone

Statements of Councilmembers on the Proposed Ordinance to Establish an Emergency Building Moratorium

Kathy Strom
1/9/08

Good evening.

Tonight I introduce a temporary emergency moratorium ordinance which proposes a suspension until April 30, 2008 in the issuance of building permits by the town for certain construction projects. This measure is necessary for the Town to have sufficient time to consider and enact legislation to protect the town's character by limiting the height and bulk of new building in the town. As stated this legislation will prevent the rush feared by many residents to avoid application of the standards of the new ordinance while the Town proceeds with an open and deliberative process to consider and review the new proposal.

As we have heard this evening many residents are concerned about a rush to permitting while the town completes its review of the new proposal and works to enact legislation. What we propose tonight responds to this concern as well as the concern that the town has time to fully consider the legislation and bring forth the best result.

The proposed temporary emergency moratorium ordinance we introduce tonight is reasonable and tailored narrowly to achieve its goals. It includes several exceptions to the temporary

emergency moratorium, namely 1) that permits for the construction of an addition to an existing single-family home will be allowed so long as the footprint of the addition does not exceed 500 square feet and the height of the addition does not exceed the height of the existing home; 2) that permits relating to a historic property may proceed where the historic area work permit for the project has been issued by the county; 3) that permits for demolition or construction may issue if the permit has been issued by Montgomery County before January 9, 2008 and 4) permits may issue where there has been substantial damage due to accidental causes such as fire, storm or natural disaster..

The proposed FAR ordinance-- which the moratorium is designed to complement --would amend the town's building code to maintain the town's special character and encourage compatible building in the town. We are grateful to the land use committee under the leadership of Chairperson Julia Miller who has tremendous expertise in this area and the work of Mayor Linna Barnes, also highly experienced in this field, and the assistance of professional land use consultants and architects who together have proposed new building regulations. These proposals have been designed using the new authority achieved through the work of the town during the moratorium in 2005 and are an important step in completing the goals of maintaining community character through encouraging compatible building in the town. These goals are important and while we work to achieve them in a prompt and thoughtful manner, it is reasonable, necessary and appropriate to make sure that its intent is not undermined in the meantime.

We cannot count on voluntary compliance with these standards until the ordinance is enacted, and we have seen in the town that teardowns and other large scale projects have continued unabated despite a slowdown in the economy in other areas.

This moratorium will provide the Town and the council ample time to review, consider and enact this important legislation. This proposed limited moratorium until April 30 of this year (or earlier if the town council has completed its work on the ordinance) affords sufficient time to explain the ordinance, hear residents' views on its many provisions, and allows the council to work to enact sound legislation.

To those that say that this ordinance is unnecessary since the economy will ensure that teardowns will not be accelerating while the town considers the new ordinance, the evidence is to the contrary. While we have succeeded in enacting many new, good ordinances designed to protect trees and prevent water runoff issues and ensure proper setbacks between properties, these ordinances did not and could not address the issues of out of scale and out of character development facing the town. Not until the state granted municipalities' request for new authority could the town use the tools proposed today to address the fundamental problems of mansionization. Now we have the tools. The committee with the assistance of expert consultants has worked diligently and has proposed legislation regarding height, bulk and massing using the FAR tool which addresses proportionality using a floor to area ratio that we will hear more about tonight.

The proposed emergency moratorium is an important next step in the Town's efforts begun in 2005 to respond to residents' concerns regarding disproportionate building in the town and associated problems that resulted and have impacted our residents. We now have an important opportunity to use our new authority wisely. As we work to enact this important far legislation, let's make sure that we give it its due and enact a brief and limited moratorium.

Thank you to all of the residents who are attending the meeting tonight and thank you to my fellow Councilmembers whom I urge to support this ordinance.

Mayor Barnes, I hereby introduce the temporary emergency moratorium ordinance included in the packet which contemplates a public hearing on the ordinance prior to voting on the ordinance. I request that you schedule a public hearing on the ordinance as soon as possible.

Rob Enelow 1/9/08

Our memories are too short.

Let's compare 2008 with 2005. Two and a half years ago this town was in the midst of a mansionization/teardown frenzy that was destroying its character. Dozens of oversize houses and additions had been going up for over a decade. The tree canopy was disappearing before our very eyes. And what was the town government doing at that time? Doing what we do best. Nothing. Oh, we were studying the problem, we were having meetings, discussions, consultants, committees, etc. There was a sense of paralysis, that all of the players with the best of intentions were accomplishing... well, not much. And it seemed like this could continue indefinitely, for years. And dozens and dozens of more houses would be demolished.

Then the moratorium petition was presented. It was late Spring 2005. A bolt out of the blue. I was blind-sided. And so was the entire Town Council. Was I skeptical? You bet. But after hearing from hundreds of concerned residents, on both sides of the issue, and after careful and thorough deliberation (over 2 months, I recall) the council unanimously agreed to a six-month emergency moratorium. I have no regrets about my vote.

What did the moratorium accomplish? It gave the entire political process what I will charitably call a huge "kick in the pants". Led by then Mayor Bill Hudnut (who I still feel would make an outstanding President) the entire town rolled up its sleeves, formed all the committees, and worked extremely hard. It was an amazing and inspiring display of civic pride.

We all know about the Tree Ordinance. We all know about the Setbacks ordinance. We all know about the Water ordinance, the other legislative accomplishments as well as the pre-pac meetings and the entire overhaul of the permitting process. NONE of this would have happened without that emergency moratorium. NONE of this would have happened if it were not for the extraordinary efforts of many of the talented citizens who are in this room right now.

Have these ordinances succeeded? No. But they were the only tools we had. It was the best we could do. If there were no tree ordinance, those crepe myrtles on Virgilia would be mulch. If there were no water ordinance, there would be no water board appeal on the Underwood project. Are the new houses still too big? Yes. But many of these projects would have been even larger. And there would be fewer canopy trees in Chevy Chase today.

We now have the authority to do so much more. Now we are about to start debating the new FAR ordinance. And I must thank Julia Miller and the Land Use Committee for their extraordinary effort in the proposed FAR ordinance. But here's the question: Are we in situation today that is comparable to 2005? Back then, there was little prospect for any near-term solutions to this vexing problem. Well, it's January 2008, and we now have a land-use ordinance on the table. Does it need work? Of course. Will it be refined? Changed? Probably. That's the legislative process. It's a good process. And it's a fair process.

So I pledge to you right now that I will do whatever it takes to hammer out an FAR ordinance. And I am willing to meet with the Council every week, and I repeat, every week, until the work is done.

Now we have another petition for an emergency moratorium. Why? What are people so upset about? Plenty. It seems there is a new home that is going to be built on Underwood and it has a lot of folks plenty mad. As a matter of fact, the water ordinance provides recourse- there will be a hearing at the Water Board next week. That sounds like the way government is supposed to work- it's called due process.

There are people who are really angry about the proposed project on Virgilia. But the process of tree board hearings and water protection plans and so forth is actually working. The crepe myrtles are still there, more than a year since the first hearing. A moratorium will NOT prevent the Underwood house from being built. We can't change that inconvenient reality.

People are still upset by the scale of the new houses. So am I. That is why I am willing to meet every week, and I mean it, every week, until we finish this work. Where is the emergency? This proposal is merely a distraction, which will unnecessarily DIVIDE our community at a time when we need to UNITE our community around an FAR ordinance. We are tantalizingly close to uniting this town around a workable FAR plan! This moratorium proposal doesn't change the rules in the middle of the game. It changes the rules at the end of the game.

There is a fundamental conflict on display here. Frustration versus Fairness. All the anger at these oversized houses is so passionate, and so understandable. But that still doesn't mean that a moratorium is fair. Both sides of this issue present compelling arguments. But even if we are not satisfied with the outcome, fairness must prevail. Thank you.

Lance Hoffman
1/9/08

I want to work with the recommendations of the Land Use Committee, and act on them expeditiously, and I would even put the Council on an accelerated meeting schedule to work out any issues related to them. Working on a fast track and meeting biweekly or even weekly if necessary, I would hope we could pass a new zoning ordinance in mid-April 2008 and have it take effect as soon as possible thereafter.

I am also committed to transparent government. I haven't met anyone who is not committed to that as well. The entire community should have a chance to comment about proposed Council actions that can have major effects on individuals and on the community. If any moratorium is instituted, it should come after adequate opportunity for all residents to comment. I'd much rather spend valuable resident and Council time debating and honing new building regulations and then enacting them, rather than debating the pros and cons of a moratorium and thus delaying the effective date of such new regulations.