

TOWN OF CHEVY CHASE  
COUNCIL MEETING  
February 18, 2010

Present: Kathy Strom, Mayor; Linna Barnes, Vice Mayor; Patricia Burda, Secretary; David Lublin, Treasurer; Al Lang, Community Liaison; Todd Hoffman, Town Manager; Andi Silverstone, Town Clerk; David Podolsky, Town Attorney; and Alan Beal, Town zoning consultant.

Residents and guests: Mark Miller and Lone Simonsen, 4411 Leland Street; Elaine and Tom Collins, 6903 Ridgewood Avenue; Karen Depew and Steve Keeble, 4414 Walsh Street; Vicky Taplin, 4120 Leland Street; Sally Kelly, 7300 Oak Lane; Don MacGlashan, 4114 Woodbine Street; Judy McGuire, 4003 Rosemary Street; Mary Anne Hoffman, 7104 44<sup>th</sup> Street; Bridget Hartman, 7214 Ridgewood Avenue; Ann Wild, 7104 Oakridge Avenue; Bill Pritchard, 7211 Ridgewood Avenue; William Miller, 7000 Valley Place; and Dedun Ingram, 4411 Elm Street.

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 January 13, 2010 Council Meeting and Executive Sessions

Councilmember Burda made a motion to approve the minutes of the January 13, 2010 Council meeting and Executive Sessions. Councilmember Lublin seconded the motion, and it passed unanimously.

D. Approval of January 2010 Financial Report

Councilmember Lublin made a motion to approve the financial report for January. Councilmember Lang seconded the motion, and it passed unanimously.

E. Town Manager's Report

Town Manager Todd Hoffman reported to the Council on the initiatives undertaken by Town staff over the past month. Among the highlights were assistance with planning the Public Services Committee's community meeting on lighting options; assistance with planning the Climate Protection Committee's "Meet the Energy Efficiency Experts" event; finalizing the Community Handbook; continuing with snow removal operations; and working with the Community Relations Committee to plan the Town's spring events.

The Town Manager reported that he had received credential manager status from the ICMA Executive Board. This status recognizes the manager as a professional local government manager

qualified by a combination of education and experience, adherence to high standards of integrity, and an assessed commitment to lifelong learning and professional development.

#### F. Public Comments

Dedun Ingram, 4411 Elm Street, expressed her views on recent snow removal operations.

### II. Variance Hearings

#### A. Miller/Simonsen, 4411 Leland Street, Front Porch and Front Porch Covering

Town zoning consultant Alan Beal presented the staff report for the variance application. Mark Miller and Lone Simonsen, 4411 Leland Street, applied for variances from the Town building regulations to construct a front porch and front porch covering. The applicants propose to construct a new covered porch on the front of the house facing Leland Street. The proposed porch projects 16.9 feet into the 34 foot front setback along Leland Street. Porches may project into a front setback no more than 9 feet; therefore, a variance of 7.9 feet is required. The proposed roof covering projects 17.9 feet into the 34 foot front setback. Porch coverings may project into a front setback no more than 3 feet; therefore, a variance of 14.9 feet is required.

The proposed roof covering also projects 9 feet into the 25 foot front setback along 45<sup>th</sup> Street. Porch coverings may project into a front yard setback no more than 3 feet; therefore, a variance of 6 feet is required.

The Town office received six letters in support of the variance request.

The applicants explained that since the house is non-conforming to both front yard setbacks, it would be impossible to construct a replacement porch on the front of the existing house without a variance. The existing porch is decaying and warped, requiring complete replacement. In addition, the existing porch extends further toward Leland Street than the proposed new porch. The proposed porch is similar in shape and style to other porches on Leland Street.

Councilmembers discussed the variance request. Mayor Strom noted that the existing non-conforming house and porch create a unique situation. The physical condition of the existing porch requires that it be replaced. In addition, the applicants' request is the minimum amount of variance required.

Councilmember Lang made a motion to approve the variance as requested. Councilmember Burda seconded the motion, and it passed unanimously.

### III. Public Hearing & Council Actions

#### A. Public Hearing on a Proposed Noise Control Ordinance

The Council held a public hearing on a proposed Noise Control Ordinance. Dedun Ingram, 4411 Elm Street, spoke in favor of the ordinance and asked that arrangements be made for staff to be trained to carry noise meters in order to measure noise levels. In addition, she asked that there be a way to enforce noise disturbances at night.

Councilmembers discussed the provisions of the proposed Noise Control Ordinance. After making some revisions to the original proposed ordinance, they adopted the ordinance, which becomes effective March 20, 2010.

#### B. Introduction of an Ordinance to Amend Chapter 28 of the Town Code (Water Drainage)

Councilmember Lublin made a motion to introduce an ordinance to amend Chapter 28 (Water Drainage) of the Town Code. Councilmember Burda seconded the motion, and it passed unanimously. Council directed staff to prepare an article for the FORECAST describing the revised Water Drainage Ordinance and advertising a public hearing for the March Council meeting.

#### IV. Discussions and Presentations

##### A. Committee Reports

Councilmembers heard reports from the Chairs of the all Town committees summarizing what their committees have accomplished and their future plans.

##### B. CCES Facility Planning Process

Mayor Strom and Councilmember Barnes reported to the Council about the Chevy Chase Elementary School (CCES) facility planning process. Discussion followed about the impact an addition to the school would have on the Town in terms of parking and traffic issues.

There was discussion about the effect that the Town's building code, tree ordinance, and a POS grant for the CCES playground might have on any expansion of the school. The Town Attorney was asked to look into those issues.

Councilmembers discussed the need for better communication between the school and the Town. The Council directed staff to draft a letter to CCES officials asking for better communication and requesting a meeting to discuss issues of concern to the Town and the school.

##### C. Co-Sponsorship of B-CC Educational Foundation Event

Bridget Hartman, 7214 Ridgewood Avenue, came before the Council to request that the Council agree to co-sponsor an event at the Lawton Community Recreation Center so that the fees for using the facility could be waived. The event is for Bethesda-Chevy Chase High School alumnae book writers. Mrs. Hartman, who is on the Community Relations Committee, reported that her committee has developed a policy, subject to review by the Town Attorney, to present to the Council.

It was the sense of the Council that the event provides an opportunity to help the school. Councilmember Barnes made a motion to co-sponsor the B-CC event. Councilmember Lang seconded the motion, and it passed unanimously.

##### D. Crosswalk Standards (PSC)

Members of the Public Services Committee unanimously recommended that white stripes be added along the outside edges of the Town's decorative crosswalks so that the crosswalks would be clearly identifiable as pedestrian crosswalks.

The Council, by consensus, agreed unanimously with the PSC recommendation.

##### E. Assessing Resident Opinions on Street Lighting (PSC)

Councilmember Lang, Council liaison to the PSC, reported that the PSC held a public meeting to assess residents' opinions on street lighting. Three residents attended the meeting and agreed that the Town should be evenly illuminated. The low attendance was attributed to the snow storm.

Discussion followed about another public meeting, due to the poor attendance at the first meeting. It was the sense of the Council to direct staff to post the Street Lighting report on the website and schedule a presentation of the report for the Annual Meeting. Council directed staff to prepare a postcard for Town residents that summarizes the Street Lighting report.

#### F. CCES Traffic and Parking (PSC)

Councilmember Lang reported to the Council about the traffic flow at CCES. There was discussion about the fact that the drop-off lane at the school was not plowed, which is the responsibility of the school. It was the sense of the Council to send a letter to Jody Smith, principal of CCES, asking for better communication between the Town and the school.

The Council asked the PSC to study parking issues at the school.

#### G. FY10 Budget Review

Treasurer David Lublin described the status of the budget. Councilmembers were provided with a list of possible expenditure reductions in the current fiscal year. Councilmember Lublin indicated that the Town's substantial reserves could withstand the current deficit. He recommended that no cuts be made for this year. The Council will consider changes and cuts for the next fiscal year.

The Council scheduled a public meeting on the budget for March 3, 2010, they will from residents about their ideas for the coming fiscal year.

#### H. Noise Control Ordinance Enforcement – Deferred

#### V. Blizzard 2010 Review

Councilmembers reviewed the way the Town handled the blizzard with the idea of looking for ways to improve future snow removal operations.

Councilmember Lublin made the following motion:

A. The Town Manager and Staff shall conduct their own internal review and assess the performance of existing contractors and staff, and whether there are ways to further improve snow removal and associated communications and related processes in a report to the Town Council to be completed as soon as possible, but no later than one week before the next scheduled Council meeting.

B. The Public Services Committee shall work with the Town Manager to evaluate the feasibility and desirability as well as the financial and other costs and issues associated with the following:

1. Hiring either Town teens or day laborers to help clear sidewalks on an emergency basis;
2. Keeping the Town office open on a 24-hour basis when there is the potential for major snow events;
3. Clearing the driveways and walks of senior citizens;
4. Providing snow equipment, such as snow blowers and shovels, for use by Town residents.

The Public Services Committee shall produce a written report as soon as possible, but no later than one week before the next scheduled Council meeting.

Councilmember Burda seconded the motion. Discussion followed about various ideas for improvement, including rebidding contracts for snow removal and sidewalk snow removal, and identifying fire hydrants with flags.

On the basis of discussion, Councilmember Lublin made a motion to amend his original motion to eliminate the deadlines. Councilmember Burda seconded the amended motion, and it passed unanimously.

#### VI. New Business - None

There being no further business, the meeting was adjourned at 10:50 p.m.

Respectfully submitted,

Patricia Burda  
Secretary

Transcribed by Andi Silverstone