

TOWN OF CHEVY CHASE
COUNCIL MEETING
March 10, 2010

Present: Kathy Strom, Mayor; Linna Barnes, Vice Mayor; Al Lang, Community Liaison; Todd Hoffman, Town Manager; Andi Silverstone, Town Clerk; and David Podolsky and Ron Bolt, Town Attorneys.

Absent: David Lublin, Treasurer

Residents and guests: Tom Brault, 6912 Woodside Place; Deborah Vollmer, 7202 44th Street; Irving and Naomi Kaminsky, 6903 Oakridge Avenue; William Blacklow, 6912 Oakridge Avenue; Craig Brooks, 7008 Oakridge Avenue; George Collins, 7206 Meadow Lane; Robert G. Brewer, Jr., 3 Bethesda Metro Center; Don MacGlashan, 4114 Woodbine Street; Adam Goozh, 7202 Ridgewood Avenue; Sally and Ernie Kelly, 7300 Oak Lane; Mannie Collins, 2925 Terrace Drive; Jan Bogrow, 4309 Thornapple Street; Joe Rubin, 4409 Ridge Street; Vicky Taplin, 4120 Leland Street; Bridget Hartman, 7214 Ridgewood Avenue; Steve Seidel, 4426 Stanford Street; Dedun Ingram, 4411 Elm Street; Scott Egloff, 4428 Stanford Street; and Pam Browning, 4317 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 February 18, 2010 Council Meeting and Executive Session

Councilmember Burda made a motion to approve the minutes of the February 18, 2010 Council meeting and Executive Session. Councilmember Lang seconded the motion, and it passed unanimously.

D. Approval of February 2010 Financial Report

Councilmember Lang made a motion to approve the financial report for February. Councilmember Burda 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.

F. Public Comments

Deborah Vollmer, 7202 44th Street, presented her views on recent snow removal operations and requested that snow plow operators and the sidewalk snow removal crews coordinate better so that snow isn't shoveled in front of driveways.

Irving Kaminsky, 6903 Oakridge Avenue, noted that residents should shovel snow from the sidewalks in front of their homes.

II. Public Hearings & Council Actions (The Public Hearings were recorded.)

A. Public Hearing on an Ordinance to Amend Chapter 28 of the Town Code (Water Drainage)

The Council held a public hearing on an Ordinance to Amend Chapter 28 of the Town Code (Water Drainage). Mayor Strom reported that the Town office received one written comment regarding the definition of "impervious surface" and another regarding several aspects of the proposed ordinance.

Don MacGlashan, 4114 Woodbine Street, commented on the definition of "semi-impervious." Mayor Strom noted that the ordinance allows the Town engineer to develop more specifics regarding defining "semi-impervious."

The public hearing on the Ordinance to Amend Chapter 28 of the Town Code (Water Drainage) was concluded at 7:40 p.m. to be reconvened later during the meeting.

The Council took a five minute break, and then reconvened the public hearing on the Water Drainage ordinance at 7:55p.m.

Councilmembers discussed the ordinance. Councilmember Lang expressed concerns about the costs of administering the ordinance and had questions about how the committee obtained data for their recommendations. Vicky Taplin, Chair of the Environment Committee, explained how the committee gathered information from builders, contractors, and resident applicants for water drainage consultations. Discussion followed about the cost of having annual checks on the effectiveness of water drainage systems.

Councilmember Barnes made a motion to adopt the ordinance. Councilmember Burda seconded the motion, and it passed with Councilmembers Strom, Barnes, and Burda in favor and Councilmember Lang abstaining.

B. Public Hearing on an Ordinance to Amend the Town Building Code to Clarify the Definition of "Street"

The Council held a public hearing on an Ordinance to Amend the Town Building Code to clarify the definition of "street."

Naomi Kaminsky, 6903 Oakridge Avenue, spoke in opposition to the change in the definition of “street,” expressing concern that the result would change the character of picturesque small streets in Town.

Robert G. Brewer, attorney for Chevy Chase Green Vision LLC, spoke in opposition to the ordinance and submitted a letter detailing his client’s objections.

Sally Kelly, 7300 Oak Lane, spoke in support of the ordinance. She said it would distinguish alleys from streets.

Council discussion followed. Mayor Strom explained that the Town’s definition of “street” did not match that of Montgomery County. This ordinance would establish the same definition for “street” and “alley” as the County.

Councilmember Lang made a motion to adopt the ordinance. Councilmember Barnes seconded the motion, and it passed unanimously.

III. Discussions and Presentations

A. Pearl Street Office and Development (Donohoe/Pat Harris)

The developers of the Pearl Street Office development reported on their plans, which include improvements to Elm Street Park. They described the project and its relationship to the Purple Line.

B. Elm Street Park Improvements – Removed from agenda

C. Conservation Easements (Environment Committee)

Vicky Taplin, Chair of the Environment Committee, and Sally Kelly, member of the Environment Committee, described a draft proposal for Conservation Easement Program Eligibility Requirements. The program is broad and inclusive. The program affords tax benefits to the property owner.

It was the sense of the Council to direct staff to work with the committee and move forward with the program.

D. 7206 Meadow Lane Proposed Resubdivision

Mayor Strom updated Town residents on proposed resubdivision plans for 7206 Meadow Lane. To date, the Town has not received notice of the plans. A public hearing will be scheduled upon notice from Park and Planning of the resubdivision plans.

E. Town Policy on Subdivisions/Resubdivisions

Town Manager Todd Hoffman prepared a draft policy and procedures to address proposed subdivisions and resubdivisions in a coordinated and efficient way. The criteria and standards are similar to those in Chevy Chase View, with clearer language. The Council discussed the policy and made some changes.

Councilmember Lang made a motion to adopt the policy on subdivisions and resubdivisions. Councilmember Burda seconded the motion, and it passed unanimously.

Councilmember Barnes made a motion to adopt the Subdivision Review Protocol. Councilmember Burda seconded the motion, and it passed unanimously.

F. Neighborhood Watch Program Guidelines (Scott Egloff)

Scott Egloff, Chair of the Neighborhood Watch Committee, reported on the progress in getting the program operational. He presented Councilmembers a document detailing the goals and responsibilities of the Neighborhood Watch Program.

Councilmember Barnes noted that the work of the committee is too much for volunteers and that staff should take a greater role. It was the sense of the Council that a Town staff member should serve as co-coordinator of the Neighborhood Watch Program.

G. Co-Sponsored Activities Policy

Bridget Hartman, Community Relations, described a proposed Co-Sponsored Activities Policy. Discussion followed about insurance requirements, disclaimers, and agreements with co-sponsors.

Town Attorney Ron Bolt provided language that the Town would not provide insurance for any co-sponsored events.

Councilmember Lang made a motion to adopt the policy as amended. Councilmember Barnes seconded the motion, and it passed unanimously.

H. Noise Control Ordinance Enforcement

At Council's request, Town Manager Todd Hoffman presented methods to enforce the Town's new noise control ordinance. He met with Sgt. John D'Albora, coordinator of the Town's off-duty Montgomery County police officers, about the best way to provide a consistent response to noise complaints. Although any off-duty officers working in Town would respond to a complaint, there would be no guarantee of a response from a "beat" officer at other times.

The Town Manager also met with Captain Hamill, Commander of the Montgomery County Police Department's Second District. He explained that County officers attempt to gain compliance, so it would be unlikely that they would issue citations. The officers do not carry noise meters and would be unaware of the noise control laws specific to the Town. Mayor Strom requested and the Town Manager agreed to provide the 2nd District Police with a summary of the Town's new quiet hours ordinance.

Town Manager Todd Hoffman noted that the Town could direct the off-duty officers to patrol active construction sites. In addition, the ordinance gives residents the ability to file a two-party noise complaint.

I. Snow Removal Operations/Procedures and Improvements

The Town Manager presented a memo describing Town operations during the Blizzard of 2010. He listed his observations and options for improvement in each area.

The staff was directed to develop an emergency preparedness plan for the Town.

J. Save the Trail 5K Run and Community Walk/Ride Donation

Pam Browning, 4317 Elm Street, came before the Council to request a \$3,000 contribution from the Town to Friends of the Capital Crescent Trail to support a “Save the Trail 5K Run and Community Walk/Run on the Trail” event. The contribution would meet all of the Town’s criteria for contributions.

Councilmember Barnes made a motion to approve the contribution of \$3,000 for the event. Councilmember Strom seconded the motion, and it passed unanimously.

IV. New Business - None

There being no further business, the meeting was adjourned at 10:20 p.m.

Respectfully submitted,

Patricia Burda
Secretary

Transcribed by Andi Silverstone