

TOWN OF CHEVY CHASE
COUNCIL MEETING
May 12, 2010

Present: David Lublin, Mayor; Kathy Strom, Vice Mayor; Al Lang, Secretary; Linna Barnes, Treasurer; Patricia Burda, Community Liaison; Todd C. Hoffman, Town Manager; Andi Silverstone; Town Clerk; Town Attorneys David Podolsky and Ron Bolt; and Alan Beal, Zoning Consultant.

Residents and guests: John Bickerman, 4011 Thornapple Street; William Pritchard, 7211 Ridgewood Avenue; Pam Browning, 4317 Elm Street; Deborah Borkowski, 7105 Ridgewood Avenue; and Stephanie Flack, 7111 Oakridge Avenue.

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 7, 2010 Council Meeting and Executive Session

Councilmember Lang made a motion to adopt the minutes of the April 7, 2010 Council meeting and executive session. Councilmember Barnes seconded the motion, and it passed unanimously.

D. Approval of April 2010 Financial Report

Councilmember Burda made a motion to approve the financial report for April 2010. 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. Discussion followed about playground noise at Chevy Chase Elementary School. Council asked the Town Manager to contact the principal of the school about the noise and to schedule a meeting at the school.

F. Public Comments

There were no public comments.

II. Swearing-In of Newly-Elected Councilmembers

The oath of office was taken by newly re-elected Councilmembers Lang, Lublin, and Strom.

III. Election of Officers

Councilmember Strom made a motion to appoint David Lublin as Mayor. Councilmember Lang seconded the motion, and it passed unanimously.

Mayor Lublin made a motion to appoint Al Lang as Secretary, Linna Barnes as Treasurer, Kathy Strom as Vice Mayor, and Patricia Burda as Community Liaison. Councilmember Lang seconded the motion, and it passed unanimously.

IV. Variance Hearings

A. Walk, 7208 Oakridge Avenue, Side Setback – Postponed

B. Bickerman, 4011 Thornapple Street, Rear Setback

Town zoning consultant Alan Beal presented the staff report for the variance application. John Bickerman, 4011 Thornapple Street, applied for two variances from Town building regulations to construct a partially covered deck on the rear of his home.

A portion of the proposed deck projects 15.4 feet into the 27.9 foot rear setback. Decks may project into a rear setback no more than 9 feet; therefore, a variance of 6.4 feet is required. The area of the deck that requires a variance measures approximately 156 square feet.

A portion of the deck is proposed to have a roof. The proposed roofing projects 16.4 feet into the 27.9 foot rear setback. The roofing over a deck may project into a rear setback no more than 3 feet; therefore, a variance of 13.4 feet is required. The area of the roof that requires a variance measures approximately 187.6 square feet.

The applicant provided letters of support from several neighbors, and Town Manager Todd Hoffman provided a letter from a neighbor expressing concern about water run-off problems that might be created by the proposed addition.

The applicant claimed various hardships in support of the variance application for the deck and deck roof.

Mr. Beal noted that the house had an existing set of stairs leading down to the rear yard. These stairs were legally non-conforming by approximately 2.4 feet and were removed in anticipation of the construction of the proposed deck. For safety, the applicant erected a temporary set of replacement stairs that are non-conforming by approximately 5.1 feet.

Councilmembers discussed the variance request. There was discussion about water drainage issues as well as the mass of the proposed structure. At the suggestion of the Council, Mr. Bickerman decided to ask for a continuation of his variance hearing in order to talk to the

neighbor who had concerns about water run-off and to consider a redesign that would have less mass.

V. Council Actions

A. Adoption of FY11 Operating & Capital Budgets and Tax Rates

Mayor Lublin made a motion to adopt the FY11 Budget as presented to the community. Councilmember Burda seconded the motion. Discussion followed. Councilmember Lang expressed his concerns about the budget, specifically with respect to legal expenses and staff salaries and bonuses. He also expressed his preference for project based budgeting.

The motion to adopt the FY11 Budget was called. Councilmembers Lublin, Barnes, Strom, and Burda voted in favor of the motion. Councilmember Lang was opposed.

Mayor Lublin made a motion to adopt the property tax rate at \$0.01 per assessed value and the business property tax rate at \$0.10 per assessed value, as proposed. Councilmember Lang seconded the motion, and it passed unanimously.

VI. Discussions & Presentations

A. Playful City USA Application

Town Manager Todd Hoffman and Parks and Playground Commission members Stephanie Flack and Deborah Borkowski described the Playful City USA application. They outlined the goals and features of the program. Councilmembers made some suggestions and noted that the minutes of the Parks and Playgrounds Commission should be posted on the Town's website.

Councilmember Strom made a motion to approve the Playful City USA application, as amended. Mayor Lublin seconded the motion, and it passed unanimously.

B. CCES Traffic Plan Adjustments

Bill Pritchard, Chair of the Public Services Committee, and Councilmember Lang presented Councilmembers with a description of a proposed amendment to the traffic plan for Chevy Chase Elementary School. Valley Place would become one-way during pick-up and drop-off times at the school. STOP signs would be installed at the one-way locations.

Councilmember Barnes made a motion to approve the proposed plan subject to review by a traffic engineer and presentation to affected neighbors. Councilmember Lang seconded the motion, and it passed unanimously.

C. Co-Sponsorship of Save the Trail 5K Run and Community Walk/Ride

Pam Browning, 4317 Elm Street, came before the Council to request that the Town co-sponsor the Save the Trail 5K Race and Community Walk/Bike event on May 29, 2010. The request meets all of the Town's criteria for sponsorship.

Discussion followed about publicity for the event, including using the Town's listserv and contacting other municipalities to solicit their participation.

Councilmember Strom made a motion for the Town to co-sponsor the event. Mayor Lublin seconded the motion, and it passed unanimously.

D. Developmental Non-conformities

Councilmember Barnes reported on the issue of developmental non-conformities, which are existing structures that were lawful when established, but which no longer conform to the Town Code.

It was the sense of the Council to schedule a work session on developmental non-conformities in June.

E. Town Survey 2010

Town Manager Todd Hoffman discussed retaining a professional research firm to assist with developing and conducting the Town's 2010 Community Services Survey. He identified two firms that have performed surveys for local governments in the area.

Councilmember Strom pointed out that it was the preference of the Community Relations Committee to keep the survey simple and not to use consultants.

It was the sense of the Council to have the survey produced by staff with input from the committees and the Council.

VII. New Business

Newly-elected Mayor Lublin asked Councilmembers to ask in advance for new business items to be put on the agenda, and to contact him before speaking to the Town Attorney.

Councilmember Strom asked for confirmation that there will be no Council meeting in August and asked that the September Council meeting be rescheduled due to a conflict with a religious holiday.

Councilmember Burda mentioned the 2010 election initiative "Why Care" and the debates that will be scheduled among County Councilmembers.

Councilmember Barnes discussed issues regarding the acquisition of open space.

VIII. Adjournment

There being no further business, the meeting was adjourned at 10:15 p.m.

Respectfully submitted,

Al Lang
Secretary

Transcribed by Andi Silverstone