

Chevy Chase Village Board of Managers

April 14, 2008

BOARD OF MANAGERS

Douglas B. Kamerow, Chair	Present
David L. Winstead, Vice Chair	Present
Susie Eig, Secretary	Present
Gail S. Feldman, Treasurer	Present
Betsy Stephens, Assistant Treasurer	Present
Peter M. Yeo, Board Member	Present
Robert L. Jones, Board Member	Present

STAFF

David R. Podolsky, Legal Counsel	Present
Adam Cohen, Assistant Legal Counsel	Present
Geoffrey B. Biddle, Village Manager	Present
Roy Gordon, Police Chief	Present
Shana R. Davis-Cook, Manager of Administration	Present
Michael W. Younes, Manager of Contracts/Capital Projects	Present
Doris M. Lyerly, Permitting and Code Enforcement Specialist	Present

Douglas Kamerow, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:03 p.m. Ms. Eig and Mr. Winstead arrived at 7:12 p.m.

Approval of Minutes from the March 10, 2008 Regular Board Meeting

Ms. Feldman made a motion to approve the minutes of the March 10, 2008 regular Board meeting. Mr. Yeo seconded the motion. Dr. Kamerow, Ms. Feldman, Mr. Yeo and Mr. Jones voted in favor of the motion. Ms. Stephens did not vote because she was absent from the March 10, 2008 meeting. The motion passed.

Treasurer's Report

The Treasurer's report was distributed to the Board prior to the meeting. Discussion followed.

Committee Reports

Budget Committee

Committee Chair Samuel Lawrence presented the draft budget for FY2009. Discussion followed.

Decisions on Previous Appeals

None.

Appeals

A-5375: Mr. Stefan M. Meisner & Ms. Rachel L. White, 5514 Center Street—Enclose an existing screened porch, a portion of which would encroach up to twelve-inches (12") into the west side yard setback. Mr. Meisner presented his case. Discussion followed.

Ms. Stephens made a motion to direct Counsel to draft a decision approving the request to enclose an existing screened porch, a portion of which would encroach up to twelve-inches (12") into the west side yard setback. Mr. Winstead seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Ms. Stephens, Mr. Yeo and Mr. Jones voted in favor of the motion. The motion passed.

A-5374: Mr. Michael C. Williams & Ms. Susan K. Gallagher, 21 East Melrose Street—(a) construct a two-story wood frame addition, a portion of which would encroach 7.29-feet into the twenty-five foot front setback from Brookville Road; (b) install a step leading to a proposed one-story wood frame addition. The step would encroach 7.02-feet into the twenty-five foot front setback from Brookville Road. Mr. Williams and the applicants' architect, Anne Decker, presented the request. Vicki Campbell of 21 East Melrose Street and Rob Nichols of 102 East Melrose Street each stated their support of the request. Discussion followed.

Ms. Feldman made a motion to direct Counsel to draft a decision approving the variance to allow the applicants to (a) construct a two-story wood frame addition, a portion of which would encroach 7.29-feet into the twenty-five foot front setback from Brookville Road; (b) install a step leading to a proposed one-story wood frame addition. The step would encroach 7.02-feet into the twenty-five foot front setback from Brookville Road. Ms. Stephens seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Ms. Stephens, Mr. Yeo and Mr. Jones voted in favor of the motion. The motion passed.

A-5325: Mr. and Mrs. S. Michael Goldin, 6108 Western Avenue—Replace an existing chain link fence with a two-foot (2') high iron or aluminum picket fence capping on top of a four-foot (4') high brick wall with six-foot (6') high pillars between the southeast corner of the house and the front (Nevada Avenue) property line and along the front (Nevada Avenue) property line; and with a six-foot (6') high wood fence along the north property line between the front (Nevada Avenue) property line and the front building restriction line. The proposed maximum height of both sections would be six-feet (6'). Mr. and Mrs. Goldin presented the request. John Carmody of 6121 Nevada Avenue and Mira Gur-Arie of 6132 Western Avenue each stated their support of the request. Thomas Gigot of 110 East Lenox Street stated his opposition to the request. Discussion followed.

Ms. Feldman made a motion to direct Counsel to draft a decision approving the variance to allow the applicants to replace an existing chain link fence with a two-foot (2') high iron or aluminum picket fence capping on top of a four-foot (4') high brick wall with six-foot (6') high pillars between the southeast corner of the house and the front (Nevada Avenue) property line and along the front (Nevada Avenue) property line; and with a six-foot (6') high wood fence along the north property line between the front (Nevada Avenue) property line and the front building restriction line. The proposed maximum height of both sections would be six-feet (6'). Ms. Stephens seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Feldman, Ms. Stephens, Mr. Yeo and Mr. Jones voted in favor of the motion. Ms. Eig voted against the motion. The motion passed.

Old Business

Wohlfarth Property/Chevy Chase Open Space

Brenda Sandberg of the Legacy Open Space Office of the Maryland National Capital Park & Planning Commission (M-NCPPC) explained that a proposal had been received from EDAW, Inc. to facilitate charettes to discuss future designs for the property in the amount of \$12,120. Discussion followed.

Mr. Jones made a motion to approve the proposal from EDAW, Inc., and to contribute one half of the cost with M-NCPPC, contributing the other half, provided the charettes are held after the Park & Planning Commission approves the demolition of the existing structures on the Wohlfarth Property/Chevy Chase Open Space. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Ms. Stephens, Mr. Yeo and Mr. Jones voted in favor of the motion. The motion passed. The Board also directed Counsel to draft a letter to Royce Hanson, Chair of the Park & Planning Commission, advising that the Village would support cost sharing at 50% of the proposed \$12,120 provided the Park & Planning Commission agrees to the demolition of the existing structures on the property.

Building Regulations Review Public Hearing

Dr. Kamerow invited responses from residents concerning the proposed building regulations (see transcript (reference only), Appendix A). The following residents spoke during the public hearing:

Porter Wheeler, 4 Oxford Street
John Elliot, 37 West Irving Street
Mark Dettelbach, 5603 Kirkside Drive
Philip Sheridan, 5416 Center Street
Robbie Brewer, 105 Grafton Street and Legal Counsel to Mr. and Mrs. Alexander Boyle, 49 and 51 West Lenox Street
Anthony Marra, 30 West Kirke Street
Genie Asmuth, 5810 Cedar Parkway
Donna Evers, 28 West Kirke Street
David Jones, 15 Primrose Street and of *David Jones Architects*
Susan Gorman, 45 West Lenox Street
John Talbot, 5906 Cedar Parkway
Linda Lyons, 3922 Oliver Street
Ron Holroyd, 3929 Oliver Street
Alison Powers, 3929 Oliver Street
Bliss Ryan, 5414 Grove Street
Rob Vricella, 5505 Grove Street
Heather Cass, 7 Magnolia Parkway
Roxanne Steinberg, 5 West Lenox Street
Tom Mudlaff, 5604 Montgomery Street
Lee Ingram, 28 West Irving Street
Jerome Bracken, of 5 Magnolia Parkway
Diane Kartalia, 5412 Grove Street

Jim Leslie, 47 West Lenox Street
Ralph Stephens, 11 Magnolia Parkway
George Kinter, 121 Hesketh Street
Betty Tubbs, 5509 Montgomery Street
Gerri Carr, 3 Grafton Street
Alan Berlow, 9 East Melrose Street
Sheri Blotner, 140 Hesketh Street
Richard Zantzinger, 5815 Cedar Parkway

Discussion followed regarding applying the draft regulations to new homes built on vacant lots, demolitions of more than 50% of the exterior features of existing structures and additions that would increase a home's square footage by 40% or more.

The Board scheduled a Special Meeting for Monday, April 28, 2008 at 7:30 p.m.

New Business

Resolution No. 04-01-08: Ordinance to extend a temporary moratorium on the processing of applications for permits for demolition and/or construction or erection of buildings or other structures.

Mr. Yeo made a motion to approve Resolution No. 04-01-08. Mr. Winstead seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Mr. Yeo and Mr. Jones voted in favor of the motion. Ms. Stephens voted against the motion. The motion passed.

Chairman's Report

None.

Manager's Report

Contract Authorizations

Francis O. Day Company, Inc.—Mr. Biddle explained that this request would expand the Village's list of street maintenance contractors to three (3), and would piggyback on the existing Maryland State Highway contract. Discussion followed.

Mr. Winstead made a motion to authorize the Village Manager to enter into a contract with Francis O. Day Company, Inc. pursuant to unit pricing on the Maryland State Highway's existing contract. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Ms. Stephens, Mr. Yeo and Mr. Jones voted in favor of the motion. The motion passed.

Police Report

The monthly Police Report was distributed to the Board prior to the meeting.

Mr. Winstead made a motion to adjourn the meeting. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Ms. Stephens, Mr. Yeo and Mr. Jones voted in favor of the motion. The motion passed. The meeting adjourned at 11:15 p.m.

Secretary, Chevy Chase Village Board of Managers

Final.