

Chevy Chase Village Board of Managers

February 11, 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
Ronald M. Bolt, Assistant Legal Counsel	Present
Geoffrey B. Biddle, Village Manager	Present
Roy A. Gordon, Police Chief	Present
Shana R. Davis-Cook, Director of Administration	Present
Michael W. Younes, Manager of Contracts/Capital Projects	Present
Doris M. Lyerly, Permitting and Code Enforcement Specialist	Present

Douglas B. Kamerow, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:30 p.m. Mr. Winstead left at 10:02 p.m.

Approval of Minutes from the January 14, 2008 Regular Board Meeting

Ms. Eig made a motion to approve the amended minutes of the January 14, 2008 regular Board meeting. 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.

Treasurer's Report

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

Committee Reports

The Village Green (Environmental Committee Report)

Committee Chair Lawrence Heilman announced an Environmental Fair to be held on Earth Day, April 22, and said that free energy efficient light bulbs would be provided to the first 100 people in attendance. Dr. Heilman suggested an assessment be done of the Village Hall carbon footprint and energy use, and noted that Mr. Younes had already interviewed three companies and recommended one. Dr. Heilman also noted the significant amount of interest expressed by Village residents in support of the Committee's endeavors. Discussion followed.

Capital Improvements Projects (CIP) Task Force

Chair Robert Jones noted that the Task Force had been formed to review the projects that had already been presented to the Board, such as the Brookville Road walkway, Connecticut Avenue project, etc., to determine which of these projects or parts of these projects could be funded by speed camera revenues. Discussion followed.

Decisions on Previous Appeals

None.

Appeals

A-1462 (Extension Request): Mr. and Mrs. Kenneth Kaufman, 6311 Broad Branch Road Removal of one Southern Magnolia tree measuring 13.5-inches in diameter located in the side yard of the property to accommodate a proposed addition. Ms. Kaufman presented the request, explained why the work could not be performed in the timeframe originally permitted by the Board, and stated that there have been no material changes in circumstances or in the project proposal. Discussion followed.

Ms. Feldman made a motion to direct Counsel to draft a decision approving a one-year extension to remove one Southern Magnolia tree measuring 13.5-inches in diameter located in the side yard of the property to accommodate a proposed addition, provided the applicants reforest with at least one hardwood deciduous canopy tree that achieves a mature height of at least 45 feet and must be at least 2 ½-inches in caliper at the time of installation. 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.

W-4: Mr. and Mrs. Paul L. O'Brien, 114 Grafton Street—Applicants seek a waiver from the application of the moratorium on the issuance of building permits to allow the construction of an addition in the rear yard of the property. Mr. O'Brien and his architect George Myers of GTM Architects presented the request. Letters of support from neighbors were circulated to the Board prior to the meeting.

Alison Powers of 3929 Oliver Street stated that while she felt the addition was reasonable, it would be a large addition as seen from the street. She encouraged the Board to postpone approval of the proposal pending enactment of new regulations. Discussion followed.

Mr. Yeo made a motion to direct Counsel to draft a decision approving the request for a waiver from the application of the moratorium on the issuance of building permits to allow the construction of an addition in the rear yard of the property. 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.

Old Business

Building Regulations Review

Dr. Kamerow began the discussion and opened the floor to the audience for comments:

Diane Kartalia of 5412 Grove Street stated her support for exclusion of impervious surfaces from the proposed lot coverage regulations.

Philip Sheridan of 5416 Center Street stated his support for regulating below-grade structures located in the side yard setback.

Robert Elliott of 17 West Irving Street commented on his general concerns regarding mansionization and cautioned that thorough data should be compiled of existing conditions.

Roxann Steinberg of 5 West Lenox Street stated that while she understood the Board's desire to uphold the character of the Village, she cautioned against drafting regulations pursuant to arbitrary views from a few residents. She also requested an economic analysis of the impact of the draft regulations on current home values and an exemption from the draft regulations for homes within the historic district.

Heather Cass of 7 Magnolia Parkway stated her concerns with enacting regulations based on limited calculations of the existing conditions within the Village. Mr. Younes explained how the "Comparison of Selected Properties to Proposed Regulatory Limits" document was compiled.

Jim Leslie of 47 West Lenox Street stated his concern with the application of the proposed FAR in relation to properties with a drastic grade change.

Elizabeth Ingram of 28 West Irving Street submitted comments on behalf of her husband, Gregory Ingram, regarding the draft ordinance, which included a request to provide residents with an understanding of how the proposed regulations would affect improvements to their property. Ms. Ingram encouraged the Board to further educate the residents on how these regulations would affect individual properties.

Serena Fossi of 5600 Western Avenue stated her support for some of the proposed regulations.

Dr. Kamerow asked if it would be worthwhile to exclude the historic district from the draft regulations. Mr. Jones supported exclusion of the historic district. Ms. Eig objected to exclusion of homes in the historic district because the Historic Preservation Commission's decision can be arbitrary. Ms. Feldman cautioned that while the draft regulations would impose additional regulatory review, blanket regulations should be applied to the entire Village. Mr. Winstead also stated that the draft regulations should be applied to the Village as a whole.

Stephanie Glakas of 5408 Grove Street encouraged the Board to educate residents in how the draft regulations would affect development of their properties.

Dr. Kamerow summarized the discussion and directed staff to perform calculations on a broader range of homes based on the measurements most recently calculated by staff in the document entitled "Comparison of Selected Properties to Proposed Regulatory Limits", but excluding impervious lot coverage. Ms. Stephens asked if someone could be hired to do calculations of all existing homes. Ms. Feldman agreed that this would be a worthwhile endeavor. Mr. Winstead

also agreed and suggested performing an initial gauge of residents interested in receiving their respective calculations. Mr. Yeo said that an additional month should be added to the process allowing residents to get information regarding their existing conditions and a subsequent referendum on the draft regulations. The Board asked Mr. Biddle to draft information on what would be required to allow residents to come in to get additional information regarding their property's existing calculations and what would be required to begin to conduct a referendum on the draft regulations.

Alan Berlow of 9 East Melrose Street said that the Village should provide FAR calculations to all residents for their property and for all of their abutting neighbors.

The Board agreed to eliminate impervious lot coverage as a subject of the draft regulations.

The Board directed Mr. Younes to provide data on the original random sample of 117 homes, to include lot size, square footage, FAR, wall plate height and side wall plane length, for use at the Board's Special Meeting to be held on February 25, 2008.

New Business

Resolution No. 02-01-08: Vote of intent in regard to the structures on the Wohlfarth Property. Mr. Winstead provided edits to the draft resolution, which staff typed during the meeting and re-circulated to the Board and audience.

Paul Broderick of 5514 Grove Street stated his concurrence with Mr. Winstead's edits and he suggested that the park be fenced for safety like the 41st Street park.

Serena Fossi of 5600 Western Avenue asked for her previously submitted comments to be re-circulated during the proposed charettes for use of the property.

Discussion followed.

Ms. Feldman made a motion to approve Resolution No. 02-01-08, as amended. Ms. Eig 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.

Chairman's Report

None.

Manager's Report

None.

Police Report

The monthly Police Report was distributed to the Board prior to the meeting. Chief Gordon provided an update on the speed camera program and a recent string of automobile vandalism on the west side of the Village. Discussion followed.

Mr. Jones made a motion to adjourn the meeting. Ms. Eig 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 10:42 p.m.

Secretary, Chevy Chase Village Board of Managers

Final.