

Chevy Chase Village Board of Managers

March 10, 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	Absent
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 Gordon, Police Chief	Present
Shana R. Davis-Cook, Manager of Administration	Present
Michael W. Younes, Manager of Contracts/Capital Projects	Present

Douglas Kamerow, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:33 p.m. Ms. Stephens was absent.

Approval of Minutes from the February 11, 2008 Regular Board Meeting

Ms. Eig submitted changes to the minutes, which were provided to the Board at the meeting. Discussion followed.

Mr. Yeo made a motion to approve the amended minutes of the February 11, 2008 regular Board meeting. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Mr. Yeo and Mr. Jones voted in favor of the motion. The motion passed.

Mr. Biddle advised the Board of the different options for audio recording, transcription and minutes drafting of the Board's meetings. The Board directed staff to continue: 1) drafting a condensed version of the minutes, 2) recording the meetings through the current vendor, and 3) executing transcriptions only by request.

Treasurer's Report

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

Committee Reports

Building Facilities Commission

None of the Commission members were in attendance. Dr. Kamerow outlined the request from the Commission, which had been provided to the Board prior to the meeting. The Commission requested the Board's approval to name the rooms at the south end of the building *The Tuohey Wing*, in recognition of former Building Facilities Commission Chair Mary Anne Tuohey's years of service and effort in the development of the Village Hall. Discussion followed.

Mr. Yeo made a motion to direct Counsel to draft a Resolution to amend Chapter 3 of the Village Code to identify the room at the south end of the Village Hall as “The Tuohey Conference Room”. Mr. Winstead seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Mr. Yeo and Mr. Jones voted in favor of the motion. The motion passed.

Budget Committee

The Budget Committee’s preliminary report was distributed to the Board prior to the meeting. Committee Chair Samuel Lawrence and the Board discussed the Committee’s report and the constant yield tax rate. Mr. Winstead asked for an article to be included in the April 2008 issue of the *Crier* providing a detailed explanation of the constant yield tax rate. Discussion followed.

Decisions on Previous Appeals

None.

Appeals

None.

Old Business

Building Regulations Review—Work Session

The Board conducted a work session on potential new building regulations pursuant to a decision tree which was circulated to the Board and audience prior to the meeting. The Board directed Counsel to modify the draft as follows:

Floor Area Ratio (FAR)

- Fixed .44 (FAR) with two exceptions: 1) for lots under 7,500 square feet , there would be a minimum house size of 3,000 square feet or .44 FAR, whichever is greater; 2) for lots over 15,000 square feet, there would be a cap of 6,600 square feet (an applicant could request a special permit to exceed 6,600 square feet). **Dr. Kamerow, Ms. Feldman, Mr. Yeo and Mr. Jones voted in favor of the regulation. Ms. Eig and Mr. Winstead voted in opposition.**
- Exempt the first 240 square feet of an accessory structure from inclusion in the FAR. **All voted in favor.**
- Use Montgomery County, Maryland’s definition for “attics” and include the attics defined as such in the FAR calculation (if any portion of the attic is seven feet (7’) or higher, any portions of the attic that are over five feet (5’) high are included in the FAR). **All voted in favor.**
- Rooms in which there are ceilings over ten feet (10’) in height are calculated at .10 for every foot above 10 feet, times the average of the room. **All voted in favor.**
- Calculate the FAR at 75% for areas of a basement where five feet (5’) of exterior wall is exposed above ground. **All voted in favor.**
- Calculate porches that have a roof and at least three walls in the FAR at the full rate. **All voted in favor.**

- Walls over forty-two inches (42”) in height will be considered walls¹. Also screens will count as walls. **All voted in favor.**
- Calculate the FAR by measuring the interior paint-skin to interior paint-skin. **All voted in favor.**

Lot Coverage

- 35% maximum for all structures. **All voted in favor.**
- 20% of the rear yard maximum for accessory structures. **All voted in favor.**

Impervious Surface Lot Coverage

- The Board voted not to regulate impervious surface lot coverage at this time.

Curb Cuts

- Restrict one curb cut (a single opening in the curb to provide vehicular access from the improved roadway) per property. **All voted in favor.**

Maximum Height—Main Building

- A maximum building height shall not exceed the lesser height of thirty-five feet (35’), measured to the highest point of the roof surface, or thirty feet (30’) when measured to the mean height level for a sloping roof. **All voted in favor.**

Maximum Height—Accessory Structures

- Maximum height of sixteen feet (16’) to the exterior peak of the roof measured from the front of the structure and retain 1-story height limit. **All voted in favor.**

Wall Plate Height

- Twenty-foot (20’) maximum height, measured from the beginning of the first floor. This limitation applies when the wall is twelve feet (12’) or less from the side property line. **All voted in favor.**

Side Wall Plane Length

- Forty-foot (40’) maximum continuous side wall plane length, longer walls must have an articulation of at least 5’ x 5’. **All voted in favor.**

Wall Plane Height

- **The Board voted not to regulate wall plane height at this time.**

Rear Setback—Main Structure

- Twenty-foot (20’) rear yard setback for the main structure. **All voted in favor.**

¹ 42” was derived from a discussion that took place between the Board and the Village Manager, based on the Village Manager’s understanding of Montgomery County’s definition for “wall”. Understanding of this definition was later (at the March 31, 2008 Special Meeting) clarified and modified in the draft ordinance.

Rear Setback—Accessory Structure

- Five-foot (5') rear yard setback for new accessory structures, where no accessory construction previously existed. **All voted in favor.**

Additions vs. New Construction

- Make all building regulations apply to additions and new construction. **All voted in favor.**

Other

- Grandfather non-conforming construction damaged by natural disasters and fires. **All voted in favor.**

New Business

None.

Chairman's Report

None.

Manager's Report

Contract Authorizations

TruGreen LandCare, LLC (parks and right-of-way maintenance)—Mr. Biddle explained that this modification to the existing contract was requested to cover maintenance of expanded plating areas in the Buffer Area. Discussion followed.

Mr. Winstead made a motion to direct the Village Manager to modify the existing contract with *TruGreen LandCare, LLC* with a supplemental appropriation of \$3,516 to expand their existing right-of-way and parks maintenance of the Buffer Area. Mr. Jones seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Mr. Yeo and Mr. Jones voted in favor of the motion. The motion passed.

RK&K, LLP—Mr. Biddle explained that this survey, utility designation and mapping, street assessment survey and mapping, Connecticut avenue topography and mapping, would support future capital projects. Discussion followed. The Board directed Mr. Biddle to solicit bids for the work.

Police Report

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

Dr. Kamerow made a motion to adjourn the meeting. Mr. Winstead seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Mr. Yeo and Mr. Jones voted in favor of the motion. The motion passed. The meeting adjourned at 11:37 p.m.

Secretary, Chevy Chase Village Board of Managers

Final.