

# **Chevy Chase Village Board of Managers**

## **April 6, 2009**

### **BOARD OF MANAGERS**

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

### **STAFF**

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

David L. Winstead, Acting-Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:34 p.m. Mr. Jones left at 9:02 p.m.

**Approval of the minutes from the Board's regular and executive sessions held on March 9, 2009.** No changes were submitted.

**Ms. Feldman made a motion to approve the minutes of the Board's regular and executive sessions held on March 9, 2009. Mr. Yeo seconded the motion. Mr. Winstead, Ms. Eig, Mr. Jones, Ms. Feldman, Ms. Stephens and Mr. Yeo 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**

None.

### **Decisions on Previous Appeals**

None.

### **Appeals**

**A-1712: Mr. and Mrs. William R. Maloni, 5 Chevy Chase Circle—Remove one 12.0-inch diameter Southern Magnolia tree located on the southeast corner of the pool to accommodate a proposed patio.** Mr. and Mrs. Maloni and their landscape architect, Brian Stephenson, presented the request. Discussion followed.

Prior to the meeting, correspondence related to the appeal from five members of the Village's Tree Committee was received and distributed to the Board. Tree Committee member Ralph Stephens of 11 Magnolia Parkway testified that the commenting members of the Committee presented no objection to the requested removal. Discussion followed.

**Mr. Yeo made a motion to direct Counsel to draft a decision approving the request to remove one 12.0-inch diameter Southern Magnolia tree located in the rear yard of the property to accommodate a proposed patio, provided the applicants reforest with at least one (1) deciduous hardwood tree, which must be at least two and one-half inches (2 1/2") in caliper at the time of installation and must be of a species that achieves a mature height of at least forty-five feet (45'). Ms. Stephens seconded the motion. Mr. Winstead, Mr. Jones, Ms. Feldman, Ms. Stephens and Mr. Yeo voted in favor of the motion. Ms. Eig abstained. The motion passed.**

**A-5517: Mr. and Mrs. John J. Campanella, 22 Hesketh Street—Construct a one story rear addition to accommodate a kitchen/breakfast room and a one story addition to accommodate a mud room. The proposed additions combined with the existing house and detached garage would exceed the 35% total lot coverage by 3.8 percentage points. Ms. Campanella presented the request. Discussion followed.**

Richard Zantzing of 5815 Cedar Parkway stated that he supports the request. Discussion followed.

**Ms. Eig made a motion to direct Counsel to draft a decision approving the request to construct a one story addition to accommodate a kitchen/breakfast room and a one story addition to accommodate a mud room, because the total lot coverage conforms to the Montgomery County lot coverage requirement of 35%, but does not meet Chevy Chase Village requirements because Chevy Chase Village includes eaves and gutters in the footprint. As the property is a Category II in the Historic District, Ms. Eig stated that she finds that it would be a hardship to conform to the Chevy Chase Village regulations. The proposed additions combined with the existing house and detached garage would exceed the 35% total lot coverage by 3.8 percentage points. No one seconded the motion. The motion did not pass.**

**Mr. Yeo made a motion to direct Counsel to draft a decision denying the request to construct a one story addition to accommodate a kitchen/breakfast room and a one story addition to accommodate a mud room. The proposed additions combined with the existing house and detached garage would exceed the 35% total lot coverage by 3.8 percentage points. Ms. Stephens seconded the motion. Mr. Winstead, Mr. Jones, Ms. Feldman, Ms. Stephens and Mr. Yeo voted in favor of the motion. Ms. Eig voted against the motion. The motion passed.**

**A-5518: Mr. and Mrs. Alexander J. Triantis, 3706 Bradley Lane—Demolish a detached garage located in the rear yard of the property. Mr. Triantis introduced Jane Treacy of Treacy and Eagleburger Architects who presented the request. Discussion followed.**

**Ms. Feldman made a motion to direct Counsel to draft a decision approving the request to demolish a detached garage located in the rear yard of the property. Mr. Jones seconded the motion. Mr. Winstead, Ms. Eig, Mr. Jones, Ms. Feldman, Ms. Stephens and Mr. Yeo voted in favor of the motion. The motion passed.** The applicants requested an expedited decision.

#### **Old Business**

**Resolution No. 02-02-09: An Ordinance to amend Chapter 12 of the Chevy Chase Village Code to require the posting of signs disclosing the presence of electronic pet containment systems.** Mr. Bolt explained that the proposed Ordinance would provide passersby warning of the existence of electronic pet containment systems located on private property. Discussion followed. Notice of the enactment of this Ordinance will be provided in the *Crier* and on the Village's website and listserve.

**Mr. Jones made a motion to approve Resolution No. 02-02-09. Ms. Feldman seconded the motion. Mr. Winstead, Ms. Eig, Mr. Jones, Ms. Feldman, Ms. Stephens and Mr. Yeo voted in favor of the motion. The motion passed.**

#### **Utility/Communications Undergrounding Conduit Network Presentation**

Mr. Biddle introduced Scott Riddle of KCI Technologies, Inc. (KCI). Mr. Riddle explained that the goal was to eliminate as many overhead wires as possible. Discussion followed regarding KCI's research findings.

The Board stated that before it considers authorizing a particular design configuration, it would like to have preliminary, but reliable cost estimates, for construction costs of conduit networks for the following separate systems:

1. a streetlights only system;
2. streetlights and Chevy Chase Village communications systems; and
3. streetlights, Chevy Chase Village and commercial communications systems.

#### **New Business**

None.

#### **Chairman's Report**

None.

#### **Manager's Report**

##### **Purchase Authorization—Police Cruiser**

Mr. Biddle requested authorization for a supplemental appropriation from *SafeSpeed* Program reserves in the amount of \$40,000 for a new police cruiser under the existing Montgomery County Public Safety Vehicles contract #9367000061BD.

**The Board unanimously voted in favor of the above-outlined supplemental appropriation and purchase.** The corresponding amount will be deleted from the tentative FY2010 *SafeSpeed* Program budget.

### **Brookville Road Park**

Mr. Biddle explained that the park has become dilapidated from its constant use by dogs and he outlined his proposal to install a dog run enclosure using a lightweight metal fence in a portion of the park and to remove the existing lightweight fencing along Brookville Road (located just inside the split-rail fence). Discussion followed. The Board asked Mr. Biddle to get recommendations for design and maintenance of the park from the Village's Parks Committee. Mr. Yeo volunteered to serve as the Committee on Children, Youth & Families' representative to the Parks Committee.

### **Unimproved Public Rights-of-Way**

Mr. Biddle explained that in order to properly survey, and ultimately demarcate, the unimproved public rights-of-way at the ends of East Kirke Street and Laurel Parkway and in the 100 block of Hesketh Street, the Village might encounter opposition as has been encountered in the attempt to survey and demarcate the unimproved public right-of-way at the end of Cedar Parkway. The Board encouraged Mr. Biddle to proceed with surveying and properly demarcating the above-referenced public rights-of-way, despite the opposition that might be encountered. The Board also directed staff to install fencing demarcating the east boundary of the Cedar Parkway unimproved public right-of-way as soon as possible.

**Mr. Biddle requested supplemental appropriation of \$12,500 to survey and install corner pins in the above-referenced unimproved public rights-of-way. The Board voted unanimously in favor.**

### **Police Report**

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

**Ms. Eig made a motion to adjourn the meeting. Mr. Yeo seconded the motion. Mr. Winstead, Ms. Eig, Ms. Feldman, Ms. Stephens and Mr. Yeo voted in favor of the motion. The motion passed. The meeting adjourned at 10:20 p.m.**

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Secretary, Chevy Chase Village Board of Managers

*Final.*