

Chevy Chase Village Board of Managers

March 9, 2009

BOARD OF MANAGERS

Douglas B. Kamerow, Chair	Present
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
Ronald M. 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

Douglas Kamerow, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:30 p.m. Mr. Winstead arrived at 7:39 p.m.

Approval of the minutes from the Board's regular meeting held on February 9, 2009. Prior to the meeting, Ms. Eig and Ms. Feldman submitted changes to the draft minutes from the Board's regular meeting held on February 9, 2009. Discussion followed.

Mr. Yeo made a motion to approve the minutes of the Board's regular meeting held on February 9, 2009, as amended. Mr. Jones seconded the motion. Dr. Kamerow, Ms. Eig, Ms. Feldman, Ms. Stephens, Mr. Yeo and Mr. Jones voted in favor of the motion. Mr. Winstead had not arrived yet. 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

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.

Rob Vricella of 5505 Grove Street asked how much of an increase was proposed for the tax rate. Mr. Lawrence responded that a 5-6% decrease was currently proposed (inasmuch as the constant yield tax rate would be maintained). Discussion followed. The Board and Mr. Biddle

complimented Mr. Lawrence on a job well done; particularly noting the Committee's expanded membership. The Board thanked Mr. Lawrence and the Committee for their thoughtful work.

Decisions on Previous Appeals

A-5495: Mr. and Mrs. Christopher Ian Twinn, 5503 Center Street—(a) construct a covered open front porch, the eave and cornice of which would encroach 0.4 feet into the twenty-five (25) foot front setback; (b) construct a rear addition, the eave and gutter of which would encroach 1.6 feet into the seven (7) foot west side yard setback; and (c) construct a fireplace as part of the aforementioned proposed addition, the exterior wall of which would encroach one (1) foot into the seven (7) foot west side yard setback. A final draft of the decision approving this request was distributed to the Board prior to the meeting. Discussion followed.

Mr. Yeo made a motion to approve the decision that approves the request to: (a) construct a covered open front porch, the eave and cornice of which would encroach 0.4 feet into the twenty-five (25) foot front setback; (b) construct a rear addition, the eave and gutter of which would encroach 1.6 feet into the seven (7) foot west side yard setback; and (c) construct a fireplace as part of the aforementioned proposed addition, the exterior wall of which would encroach one (1) foot into the seven (7) foot west side yard setback. Ms. Stephens seconded the motion. Dr. Kamerow, Ms. Eig, Mr. Jones, Ms. Feldman, Ms. Stephens and Mr. Yeo voted in favor of the motion. Mr. Winstead had not arrived yet. The motion passed.

A-5496: Mr. and Mrs. John J. Campanella, 22 Hesketh Street—(a) construct a rear one-story kitchen addition, the cornice and gutter of which would encroach 0.9 feet into the seven (7) foot east side yard setback; and (b) construct a fireplace in the aforementioned proposed addition, with an exterior wall which would encroach .9 feet and a vent protruding from the exterior wall which would encroach 1.5 feet into the seven (7) foot east side yard setback, and the cornice and gutter of which would encroach an additional 0.3 feet into the east side yard setback for a total encroachment of 1.8 feet. A final draft of the decision approving this request was distributed to the Board prior to the meeting. Ms. Eig noted that there is an additional encroachment of a vent that protrudes six inches into the seven foot (7 ft.) side yard setback, which was not disclosed by the applicant or the applicant's architect at the hearing. Discussion followed.

Mr. Yeo made a motion to approve the decision that approves the request to: (a) construct a rear one-story kitchen addition, the cornice and gutter of which would encroach 0.9 feet into the seven (7) foot east side yard setback; and (b) construct a fireplace in the aforementioned proposed addition, with an exterior wall which would encroach .9 feet and a vent protruding from the exterior wall which would encroach 1.5 feet into the seven (7) foot east side yard setback, and the cornice and gutter of which would encroach an additional 0.3 feet into the east side yard setback for a total encroachment of 1.8 feet. Ms. Feldman seconded the motion. Dr. Kamerow, Ms. Eig, Mr. Jones, Ms. Feldman, Ms. Stephens and Mr. Yeo voted in favor of the motion. The motion passed.

Appeals

A-5509: Maryland-National Capital Park & Planning Commission (Chevy Chase Open Space), 5409 Grove Street—Demolish the existing main building and detached garage.

Michelle Grace of Park & Planning's Facility Management Division presented the request. Discussion followed.

Ms. Eig made a motion to direct Counsel to draft a decision approving the request to demolish the existing main building and detached garage. Ms. Stephens seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Mr. Jones, Ms. Feldman, Ms. Stephens and Mr. Yeo voted in favor of the motion. The motion passed.

Old Business

Introduction of 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.

Dr. Kamerow explained that the draft Ordinance had been submitted to the Montgomery County Council for a 30-day review period. The Ordinance was introduced for consideration and no comments were received from the floor. A Public Hearing will be held at the Board's April 6, 2009 meeting.

Electronic Pet Containment Signage

Two draft versions of a proposed sign were circulated to the Board prior to the meeting. The Board directed staff to identify other phrasing alternatives for the sign. Discussion followed.

Village Website Logo Design Recommendation

Mr. Biddle explained that a workgroup had been formed last summer to assist in the redevelopment of the Village's website, and that an integral part of the process was the design of a Village logo. Ms. Eig explained the drafting process through which the workgroup assisted in the design of the proposed logo that was circulated to Board members prior to the meeting. Mr. Winstead suggested that the proposed logo not be used on police uniforms or the Village flag, but only "print" materials such as stationery and the *Crier*. Mr. Winstead also encouraged phasing in the new logo so that existing quantities of stationery not be wasted. Dr. Kamerow encouraged staff to consult with its graphic designer in regard to developing policies that would guide how the draft logo would be used, color(s), background, etc. Discussion followed. The Board provided its support of the proposed draft logo.

New Business

Presentation: Chevy Chase at Home (CC@H; Senior Citizen Self-Help)

Betty O'Connor of 137 Grafton Street introduced Joan Urban and Naomi Kaminsky, co-organizers of the initiative, a national movement commonly referred to as "Aging in Place". The initiative provides a self-help organization for seniors allowing them to remain in their homes as they age while receiving basic support from other seniors in their own communities. Ms. Kaminsky explained their hopes that CC@H would take approximately 18-24 months to get going, that 250 to 300 households would participate, that the group would ultimately provide social activities and that it would become incorporated with a 501(c)(3) tax status.

Ms. O'Connor requested Board approval to circulate a two-page survey in the *Crier* for residents to complete and return. Approval of the circulation of the survey has already been approved by surrounding Chevy Chase, MD municipalities. The Board approved circulation of a survey in a future issue of the *Crier*, funds for which should come from the Village's Committee on Children, Youth & Families as the appropriate liaison to CC@H. Mr. Winstead noted that the Village Hall could be utilized as a meeting place for CC@H. Discussion followed.

Purchase Authorization Request—Police Cruiser Video Systems (*SafeSpeed* Program Funded)

Mr. Biddle requested authorization to purchase two video system units for use in the police cruisers. Police Chief Gordon explained how the cameras would be utilized. Discussion followed.

Ms. Stephens made a motion to authorize the Village Manager to purchase two video system units for use in the police cruisers through an existing Utah State contract with *WatchGuard Video*, in the amount of \$10,050 from *SafeSpeed* Program funds. Mr. Jones seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Mr. Jones, Ms. Feldman, Ms. Stephens and Mr. Yeo voted in favor of the motion.

Chairman's Report

None.

Manager's Report

Purchase Notification/Authorization Request—Brookville Road Walkway

Mr. Biddle advised that he had entered into a contract with *Diversified Property Services* in the amount of \$4,500 to provide a State Highway Administration-compliant right-of-way land appraisal to support the Brookville Road walkway project. In connection with this same project, Mr. Biddle advised that he had paid \$2,684 as fee to Montgomery County for a storm water permit. Mr. Biddle requested a supplemental appropriation from *SafeSpeed* Program reserves in the amount of \$7,164 to fund the appraisal and Montgomery County fee.

The Board unanimously authorized a supplemental appropriation in the amount of \$7,164 from *SafeSpeed* Program reserves for a land appraisal and Montgomery County storm water fee for the Brookville Road Walkway project.

Montgomery County Bill to Prohibit Use of Brick and Paver Public Sidewalks

Mr. Biddle explained that County Council member Nancy Floreen had recently introduced a bill that would prohibit the use of brick pavers in public sidewalks. Mr. Biddle attended a Committee hearing on the proposed bill, which appears to have been unsuccessful in gaining any broad support. The Committee noted its appreciation for the information Mr. Biddle provided on the Village's sidewalk program, and noted that any future version of the bill would exempt municipalities.

Chevy Chase Park—Ball Field Improvements Update

Mr. Biddle advised that he had spoken with the District of Columbia's Councilmember Mary Cheh, following a *DC Examiner* article which implied that the funds for the proposed

improvements to the ball field were no longer available. Ms. Cheh advised that the project appears to be on indefinite hold, because the funds earmarked for the project are needed for other areas of the District's Department of Parks & Recreation's budget.

Cedar Parkway Unimproved Public Right-of-Way

Mr. Biddle advised the Board that a land survey was needed in order to properly demarcate the Cedar Parkway unimproved public right-of-way located between 37 West Lenox Street and 43 West Lenox Street. He explained that one of the abutting residents had previously denied surveyor access to his property. Access is needed to accurately perform the survey. Mr. Biddle requested Board authorization to legally pursue access to the abutting property for the purpose of surveying the unimproved public right-of-way. The Board directed Mr. Biddle to proceed as needed to properly survey and demarcate the unimproved public right-of-way. Discussion followed.

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 open meeting to convene in a closed session pursuant to State Government Article Section 10-508 (a) (1) to discuss a personnel matter that affects one or more specific individuals. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Mr. Jones, Ms. Feldman, Ms. Stephens and Mr. Yeo voted in favor of the motion. The motion passed. The open meeting adjourned at 8:54 p.m.

Secretary, Chevy Chase Village Board of Managers

Final.