

Chevy Chase Village Board of Managers' Meeting

June 10, 2019

Note: These minutes reflect the Board's actions only, and do not include remarks made by members of the Board of Managers, Legal Counsel, Village Staff or others in attendance.

BOARD OF MANAGERS

Elissa A. Leonard, Chair	Present
Robert C. Goodwin, Jr., Vice Chair	Present
David L. Winstead, Secretary	Present
Richard M. Ruda, Assistant Secretary	Present
Gary Crockett, Treasurer	Present
Minh Le, Assistant Treasurer	Present
Nancy E. Watters, Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
John M. Fitzgerald, Police Chief	Present
Ellen Sands, Municipal Operations Coordinator	Present
Demetri Protos, Finance Director	Present
Simone Kolnik, Administrative & Constituent Services Assistant	Present

COUNSEL

Suellen M. Ferguson, Village Counsel	Present
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Elissa A. Leonard, Chair of the Board of Managers, called the meeting to order at 7:35 p.m. Ms. Leonard stated that prior to the Board's regular meeting, the Chevy Chase Village Board of Managers convened in closed session beginning at approximately 7:00 p.m. in the Village Hall pursuant to Section 3-305(b) (1) of the General Provisions Article, Annotated Code of Maryland, to discuss personnel matters that affect specific individuals; and pursuant to Section 3-305(b) (7) of the General Provisions Article, Annotated Code of Maryland, to obtain advice on a legal matter with respect to potential litigation. Ms. Leonard stated that during this closed session the Board did not take any action.

Oath of Office Ceremony

Ms. Barbara Meiklejohn, Clerk of the Circuit Court for Montgomery County, administered the Oath of Office to Mr. Gary Crockett, Mr. Richard Ruda, Ms. Linda Willard and Mr. David Winstead.

Election of Officers

Ms. Willard moved the following slate of appointments to serve as Board officers:

Elissa A. Leonard, Chair

Robert C. Goodwin, Jr., Vice Chair

Gary Crockett, Treasurer

Nancy Watters, Assistant Treasurer

David L. Winstead, Secretary

Richard M. Ruda, Assistant Secretary

Mr. Crockett seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Winstead, Ms. Watters, Mr. Ruda and Ms. Willard voted in favor of the motion. The motion passed.

Ms. Willard left the meeting at 7:41 p.m.

Board Appointment of a Member to Serve as Building Officer

Mr. Winstead moved to appoint Gary Crockett to serve as Building Officer. Mr. Ruda seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Winstead, Mr. Ruda and Ms. Watters voted in favor of the motion. The motion passed.

Approval of Minutes from the Board's Previous Meetings

Minutes of the Board's Regular Monthly Meeting held on May 13, 2019 were circulated to the Board prior to the meeting.

Mr. Winstead moved to approve the minutes of the Board of Managers' Regular Monthly Meeting held on May 13, 2019, as drafted. Ms. Watters seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Ms. Watters, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Special Permit & Variance Requests

A-7504 (Variance): Ms. Kristen Lejniaks and Mr. Joseph Poulas, 9 East Irving Street

Replace the steps leading to the front porch of the dwelling with new steps which would encroach twelve (12) inches forward of the twenty-five (25) foot front (East Irving Street) building restriction line (BRL).

Mr. Crockett moved to approve the variance application in Case A-7504 on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates that the applicable requirements for approval of the variance have been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, approving the variance application, as drafted. Ms. Watters seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Ms. Watters, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

A-7505 (Variance): Ms. Kristen Lejniaks and Mr. Joseph Poulas, 9 East Irving Street
Construct a roof over an areaway which would encroach a maximum of two (2) feet into the seven (7) foot side (west) yard setback.

Mr. Goodwin moved to approve the variance application in Case A-7505 on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates that the applicable requirements for approval of the variance have been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, approving the variance application, as drafted. Ms. Watters seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Ms. Watters, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

A-7527 (Variance): Dr. and Dr. Herbert and Nancy Geller, 5617 Grove Street
Replace an air conditioner which would encroach a maximum of one foot, six inches (1'-6") and to authorize when necessary the replacement of two (2) air conditioners which would each encroach two (2) feet into the five (5) foot side (east) yard setback for replacement units.

Mr. Crockett moved to approve the variance application in Case A-7527 on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates that the applicable requirements for approval of the variance have been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, approving the variance application for the replacement of one (1) unit at this time and to authorize the future in-kind replacement of the remaining two units, subject to the issuance of the applicable permits, as drafted. Mr. Goodwin seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Ms. Watters, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Treasurer's Report

The Treasurer's Report was distributed to the Board and posted to the Village website prior to the meeting. *No formal action was taken by the Board.*

Public Hearing: Possible residency requirement for access to the Dog Exercise Area at the Brookville Road Park

No formal action was taken by the Board. The Board held the record open on this matter through the Board's July 8, 2019 regular meeting at which time the Board will convene another hearing and consider possible options to address impacts on neighbors who surround the park.

Matters Presented for Board Consideration & Possible Action

Resolution No. 06-01-19: An Ordinance to amend Chapter 8, "Buildings and Building Regulations", Sec. 8-1, "Definitions", Sec. 8-16, "Residential building construction prohibitions", Sec. 8-21, "Installation and maintenance of fences, walls, trees, hedges, shrubbery, lamp posts, hand rails and arbors" and Chapter 25, "Public Rights-of-Way", Sec. 25-1, "Definitions" and Sec. 25-6, "Structures, fences, walls, lamp posts, hand rails, trees, hedges and shrubbery in public right-of way" to define landscape lighting, clarify that landscape lighting on private property does not require a Building Permit, provide

that installation of landscape lighting in the public rights-of-way does not require a Special Permit, but continues to require a license, and to adopt conforming changes.

The Resolution was circulated to the Board and posted to the Village website prior to the meeting. No comments were received.

Ms. Watters moved to adopt Resolution No. 06-01-19, as drafted. Mr. Goodwin seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Ms. Watters and Mr. Winstead voted in favor of the motion. Mr. Ruda had briefly stepped out of the room at the time the vote was called on the motion. The motion passed.

Amendment to the License to use the Public Parkland by Chevy Chase Club

- To allow the installation and maintenance of lampposts in Parcel B as identified in the subdivision plat (along West Newlands Street)

The license was circulated to the Board and posted to the Village website prior to the meeting. No comments were received.

Mr. Crockett moved to approve the amendment to the License to Use the Public Parkland with Chevy Chase Club, as drafted. Ms. Watters seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Ms. Watters and Mr. Winstead voted in favor of the motion. Mr. Ruda had briefly stepped out of the room at the time the vote was called on the motion. The motion passed.

Committee Matters

Selection of Board Representatives & Contacts to Village Committees

The following proposed list of Board representatives/contacts was circulated to the Board and posted to the Village website prior to the meeting:

<u>Committees Subject to Board Appointment</u>	<u>Board Representative</u>
Community Relations	Linda Willard
Financial Review	Gary Crockett
Public Safety	Richard M. Ruda
Traffic	Robert C. Goodwin, Jr.
Tree	Nancy E. Watters
<u>Committees NOT Subject to Board Appointment</u>	<u>Board Contact</u>
Environment & Energy	Gary Crockett
Parks & Greenspaces	Elissa A. Leonard
Seniors Committee	Linda Willard

Mr. Goodwin moved to approve the slate of Proposed Board Representatives & Contacts to Village Committees, as drafted. Ms. Watters seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Ruda, Ms. Watters and Mr. Winstead voted in favor of the motion. The motion passed.

Police Report

The Police Report was distributed to the Board and posted on the Village website prior to the meeting. Discussion followed. *No formal action was taken by the Board.*

Manager's Report

The Manager's Report was circulated to the Board prior to the meeting. *No formal action was taken by the Board.*

Adjournment

Mr. Crockett moved to adjourn the meeting. Ms. Watters seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Ruda, Ms. Watters and Mr. Winstead voted in favor of the motion. The motion passed. The meeting adjourned at 9:28 p.m.

Attested by: Shana Davis-Cook, Village Manager

Final.