

SECTION 5 OF THE VILLAGE OF CHEVY CHASE
MINUTES OF THE COUNCIL MEETING

Date: February 21, 2007
Time: 7:30pm
Place: 5906 Connecticut Avenue, Chevy Chase Village Hall
Present: Margy Abbott; Peter Gray; Frances L. Higgins; Ira Rosenbaum; Andrew Smith; 9 Section 5 residents

1. Minutes

Andrew moved that the January 9, 2007, Council meeting minutes be approved as revised by email. Peter seconded the motion and it passed by a unanimous vote.

2. Citizens' Concerns and Suggestions to the Council

A Woodbine resident asked the Council to reimburse her for the expense which she incurred for paving the parking area behind her house. She has paved it in concrete but she asked only that the Council cover the expense for macadam for this area. Ira asked what the dimensions are for the area for which she would like to be reimbursed. Ira said that he would look at the plat of his land and the resident will look at hers and together they will be able to determine the exact square footage for the area behind the resident's house which belongs to the town. When the manager learns the square footage of this area, she will get a price for paving the area in macadam and bring this price to the March Council meeting.

Ira said that there should be an agenda item for Council meetings which addresses emails from residents. The manager will add this item to the agenda for subsequent meetings.

3. Discussion of Revision of Section 5's Permitting Process

Andrew gave some background information concerning the reason for the revision. He said that the Council has realized that it needed an expert to review the building applications and decided to hire Alan Beal. One provision of the new permit application requires that the applicant meet with Alan, the construction company and abutting neighbors. The increases in the permit fees and deposits will cover the cost of Alan's fees. Andrew also said that the Council will review these new fees and deposits in six months.

Margy said that Stuart Rudikoff, a Council member, held a meeting two years ago of all the abutting Chevy Chase towns to discuss zoning. At that time the Council believed that it should become involved in updating its permitting process because it has not been reviewed for thirty years. Peter said that Section 5's present permitting fees are considerably less than the other Chevy Chase towns. Ira said that Section 5 needs the expert advice to oversee the permitting process to be certain that residents do what is stated on the building permit application. A resident asked if the towns which presently employ Alan Beal to review their permitting process have found his expertise effective. The Council said that it did not know the answer to this question.

There was some discussion of the proposed fee for a fence permit. Peter said that if a resident is replacing less than 50% of his/her fence, he should not pay a fee nor apply for a permit. The Council decided not to require a resident to pay a fee if he/she replaces less than 50% of a fence but he/she must get a permit.

Margy moved that the Council enact the following proposed Ordinance with a revision regarding fence permits;

ARTICLE I. IN GENERAL

DIVISION 2. BUILDING PERMIT

The building inspector shall have the authority to require reasonable compliance with the building and sanitary regulations enacted by the Council and Montgomery County.”

Sec. 10-226. Required

It shall be unlawful for any person to erect or demolish any building

Sec. 10-228. Fees.

(a) The fees to be paid for a permit shall be as follows:

- (1) For a permit issued for residential construction under 500 sq. ft. including accessory buildings, porches, pools, \$250.00.**
- (2) For a permit issued for residential construction over 500 sq. ft. on an existing dwelling and new house construction, \$500.00.**
- (3) For a permit issued for demolition of an existing residential dwelling, \$250.**
- (4) For a permit for decks, \$100.**

(b) All fees shall be payable to Section 5 of the Village of Chevy Chase.

The following underlined material will be deleted from the Fee section.

- (1) For a permit issued for the erection of any dwelling, \$5.00**
- (2) For permit issued for any building other than a dwelling or for alterations or additions to any building, \$2.00.**
- (3) For any other permit, \$2.00.**

Sec. 10-231. Deposit

(a) A deposit is required for certain construction projects in order to cover the cost of any damage to streets, pavements, gutters, sidewalks, or other public works, or the cost of removal of any obstruction or obstructions thereon. This deposit shall be made before any building permit shall be issued

(b) Any person intending to undertake residential construction under 500 sq. ft. including accessory buildings, porches, decks or pools, for which a permit is required shall make a deposit in cash or by certified check payable to Section 5 of the Village of Chevy Chase of \$1,000.00; any person intending to undertake residential construction over 500 sq. ft. on an existing dwelling for which a permit is required shall make a deposit in cash or by certified check payable to Section 5 of the Village of Chevy Chase of \$2,000; any person intending to tear down an existing dwelling and construct a new house for which a permit is required shall make a deposit in cash or by certified check payable to Section 5 of the Village of Chevy Chase of \$5,000,

ARTICLE III. FENCES

Sec. 10-304. Permit

No person shall erect, construct, alter, replace or enlarge a fence or wall without obtaining a permit from the building inspector. Every application for a fence or wall shall be accompanied by a site plan. The permit fee shall be \$100.00; however, no fee shall be required for repairs to fix, mend, replace, or restore an existing, in-kind fence or wall if less than 50% of the existing fence or wall is replaced.

Ira seconded the motion and it passed by a unanimous vote.

Margy moved that the Council adopt the changes to the Building Permit Process as stated in the mailing to the residents postmarked January 24, 2007 as amended by the Council at the February 21, 2007, Council meeting. Ira seconded the motion and it passed by a unanimous vote.

4. Discussion of Storm Water Management

Andrew gave a short review of the reasons that Section 5 plans to look at the management of storm water in the town. The Council has reviewed the storm water management ordinances for the Village, the Town and Section 3. A resident said that Montgomery County has recently passed an ordinance regarding storm water management and she will send Andrew a copy. The Council will discuss storm water management at its March meeting.

5. Five Bulb Challenge

Margy said that the Town of Chevy Chase has offered each of its households a fluorescent light bulb to encourage its residents to conserve energy. There was some discussion. Margy moved that Section 5 offer a fluorescent light bulb to each of its households; Andrew seconded the motion. Peter and Ira voted no; Andrew and Margy voted yes. The motion did not pass. The manager will place an application for fluorescent bulbs in the March newsletter.

6. Traffic Study

Several residents on Glendale Road and Woodbine Street came to an earlier Council meeting with a petition signed by some residents asking the Council to install speed bumps. At that meeting the Council decided to have a traffic study conducted. The Council has received the results of this study and Andrew said that the results is very similar to the one conducted three years ago. Andrew said that he would like to send a summary of the traffic study results to the residents. He would also like to send a copy of a survey similar to the one sent three years along with these results. There was some discussion. Ira said that the County has 3 criteria for installing speed bumps in the County and that Section 5 does not meet these three requirements. Andrew will revise the language of the resident survey concerning traffic safety and send it to the other Council members for review.

7. Sidewalk at 7401 Brookville Road

Anne Schruben, a landscape architect representing the owner of 7401 Brookville Road, asked the Council to consider writing a letter to the Maryland State Highway Administration stating that the town does not want a sidewalk to be installed along Brookville Road in front of the property at 7401 Brookville Road because there is no

existing sidewalk on Brookville Road on the east side. There was some discussion. The Council agreed to write a letter to the State Highway Administration stating that Section 5 does not want a sidewalk installed along Brookville Road in front of the 7401 Brookville Road property because it is unnecessary and potentially dangerous.

Ms. Schruben also asked the Council if it still wishes to have the owner of the 7401 Brookville Road property install a sidewalk along the north side of the property on Windsor Place. There was some discussion and the Council decided to discuss this matter at a later meeting and get back to Ms. Schruben.

8. Treasurer's Report

Margy said that there were no unusual expenditures for the last month. She said she believes the proposed revenues for the budget for the fiscal 2007-08 will be approximately \$500,000. She would like to increase the Donation item and add \$5,000 under fees in revenues and \$5,000 for Alan's fees. She recommended giving a raise to the manager and a 15% increase for the trash item. There should be a budget item for web site expenses.

9. Building Inspector's Report

Permit approved:

6 Leland Ct. – 2 story addition

10. Manager's Report

The resident at 6 Leland Ct. has asked the Council to allow him to widen his driveway to 15 feet. There was some discussion. Peter moved that the resident at 6 Leland Ct. not be allowed to widen his driveway to 15 feet because this would limit parking spaces on the street, cover soil with impervious surface and be maintained by the town. Ira seconded the motion and it passed by a unanimous vote. The manager will write the resident advising him of the Council's motion.

The manager will place a notice in the paper in March announcing that the trash contract is up for renewal in June.

The manager will place a notice in the March newsletter advising residents to contact Verizon if they are interested in using Verizon's cable services.

Andrew moved that the meeting adjourn. Ira seconded the motion and it passed by a unanimous vote.