

SECTION THREE
VILLAGE OF
CHEVY CHASE

NEWS & VIEWS

AUGUST 2012

SPECIAL AUGUST EDITION

Usually *News & Views* is not published in August, but because of the many important issues facing Section 3, we are sending it to you both online in case you are away on vacation and in the mail.

No Council meeting in August

MONDAY, AUGUST 27

Public School Begins

WEDNESDAY, SEPTEMBER 5

Curbside Bulk Trash

WEDNESDAY, SEPTEMBER 12

Council Meeting, CCUMC

7:45 p.m. Room 107

SUNDAY, SEPTEMBER 23

Party in the Park

4:00 to 7:00 pm

Raindate: September 30

VILLAGE COUNCIL

WWW.CHEVYCHASESECTION3.ORG

BILL BROWNLEE

Chairman

(301) 652-6351

whbrownlee@aol.com

CAROLYN GREIS

Buildings & Roads

(301) 718-1737

CAGreis@msn.com

MELISSA BROWN

Secretary

(301) 312-6059

mbafrica@aol.com

DAVID

OHRENSTEIN

Treasurer

(301) 986-8403

dohrenstein@aol.com

NATASHA SAIFEE

Vice Chair

(240) 497-1889

natasha.saiffee@verizon.net

**ANDY LEON
HARNEY**

Village Manager

(301) 656-9117

(202) 361-3801 cell

villagemanager@chevychasesection3.org

STORMS LEAVE SECTION 3 60 PERCENT POWERLESS

The derecho that hit the area on June 29th came down hard on about 60 percent of our community. Power went out Friday evening, came back on for three hours on the following Monday and then stayed on Monday from around 12:30 to Thursday, July 6 when we had frustrating series of 8 outages until midnight that night. Three families in Section 3 suffered without power from Friday, July 29th through Wednesday, July 4th as a power line serving those three homes was severed on private property. Two houses had limbs come down on power lines leading to their homes but miraculously, neither home lost power. The **Carroll** family home had an enormous tree topple over on the entire roof, damaging the chimney but, amazingly, not much else.

Of course, all this is on top of a similar violent storm the week before which also knocked out power.

With the exception of three homes, none of the outages were the result of downed trees in Section 3. Rather, the feeder line serving 60 percent of our community was severely damaged outside Section 3. Pepco officials say the reason for the second set of outages was that the initial repair married two different types of electrical line to one another and they were ultimately found to be incompatible. That, in turn, caused the many outages we all suffered on Thursday, July 6th as they attempted to fix that line.

We were fortunate that we have kept up an aggressive trimming program of tree limbs hanging over our public streets because we did not have a lot limbs in the street...that is until the next storm! A brief thunderstorm on July 11th blew a large limb into the power line opposite **Elinor Solomon** on Delaware Street. Then a big branch from a maple tree by the **Sheckells/Dioguardi** home brought down their power line and they were without power for about a day and without phone lines for several days.

The chipper came through twice, once for the big storm and again for debris that came down in the second large thunder storm.

In light of all the outages the Council decided at their July 11th meeting that the best way to get Pepco to solve some of our problems was to hire an independent utility engineer to look at the power lines that failed during the storm. We will have that firm assess and prioritize the problems and deferred maintenance. That way, we can go to Pepco with specific requests rather than just asking for more reliable service. Two feeder lines serve Section 3: the one that did not fail was recently improved, the one that did fail has not been upgraded by Pepco.

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**In accordance with the Americans with Disabilities Act and our desire to have our meetings open to everyone in our community, Council meetings are held at the Chevy Chase United Methodist Church which has handicapped elevator access via the parking lot entrance. We are grateful to the Church for their generosity in allowing us to use their facility each month.*



COUNCIL ACTIONS

The Council met on Wednesday, July 11th at Chevy Chase United Methodist Church in room 107. The meeting began at 7:50 p.m. All Council members were present.

PUBLIC SAFETY

The police continue to monitor speeding and stop sign compliance. All crime alerts to Section 3 residents are also sent to our part-time patrolmen.

The Council discussed the storm damage (see page 1) and voted to hire an independent utility engineer to evaluate our power lines and related issues and assess ways to prevent so many frequent outages. The Village Manager provided the Council with a full report of the many outages, a map of where power held and where people were out, along with a report on damage done within the community.

The Council Chair thanked the Village Manager for her extra efforts during the storm and outages.

BUILDINGS AND ROADS

Carolyn Greis, our Buildings and Roads Representative on the Council, summarized current projects: a fence permit was issued to the **Branthovers** of Georgia Street; the **Buchanans** of Bradley Lane are working on submitting their paperwork for patios and other improvements in their back yard; and the drainage problems from the Bradley Lane **Strauss** property on the Connecticut Avenue Edelen property have been resolved.

The Village Manager, at the request of the Council chair, surveyed all the rental homes within Section 3 and discovered that only half were properly licensed as is required by the landlord-tenant commission. We have 15 rental homes and one accessory apartment in the community. Of those, only eight are licensed, one

BE AWARE

Newspaper subscription/children's literature salesmen without a proper vendors' license with a photo id should be reported to the police immediately. Call (301) 279-8000 and report all suspicious persons. Lock your cars, many have been broken into and GPS units stolen. Open sheds and garages are an open invitation to steal a bike or other valuable equipment.

home is being renovated and is not yet licensed. Letters were sent to the property owners who have not licensed their properties along with the appropriate applications and the legal requirements. The Village Manager is following up with the County Landlord-Tenant Commission to assure that all the homes are legally licensed and properly inspected. The Council also learned that several code violations on several properties have been reported to the appropriate authorities. In addition, all rental properties must meet the state's lead paint certification program standards and be inspected and certified that they have no lead paint hazards.

The Village Manager reported to the Council on the proposed Zoning Text Amendment to loosen standards for establishing a legal accessory apartment. The Council is watching this issue very closely. Council Chair Bill Brownlee submitted a letter to the County Planning Board Chairman objecting to the loosened requirements for accessory apartments because of the potentially negative impact it would have on our community adding as many as 12 households, cars, children in schools, etc. (See story this issue.)

The Chevy Chase Lake Sector Plan will be introduced to the public on July 26th. The Council agreed that it was important to have our feedback heard by the Planning Commission early and often. The Council agreed to have the Village Manager testify on behalf of the Village. See story this issue for more up-to-date information.

After discussing the pros and cons of keeping portions of the median strip on Connecticut Avenue green, the Council agreed to "adopt" the median strip from Bradley Lane to Taylor Street this fall when the State Highway Administration (SHA) will be milling and paving the roadway and removing what is inside the curb on the median strip and filling it with faux pavers (concrete stamped to look like stones set in concrete). The Council agreed to purchase plant materials approved by State Highway to go into a series of modest size planters in the median that would alternate with the pavers to animate the strip and bring a little green to the hardscape. The plants selected will require minimal maintenance and be no more than three feet in height per state highway requirements. If after three years of maintaining the planters in the median strip, the Council finds the task too burdensome, the Council agreed to pay to fill in the small gardens with similar material to the faux pavers the SHA is installing. The work will be done this fall much as had been done on Brookville Road last summer and the median strips will be re-done at that time.

The Village Manager has been pressuring Pepco to give us schedules for the new poles and transformer on Delaware Street and Taylor Street and to give us a schedule for the removal of seven trees in the community. Owners of the trees signed off on their removal in April at which time Pepco indicated it would be a

COUNCIL ACTIONS, CONTINUED ON PAGE 5



Congratulations to **Paula Harrell** on the publication of her new book, *Asia for the Asians: China in the Lives of Five Meiji Japanese*, just published by MerwinAsia. The book is a study for the Weatherhead East Asian Institute of Columbia University. Dr. Harrell's first book, published by Stanford University Press in 1992, was on Chinese and Japanese cultural interactions at the turn of the 20th century.

Congrats to **Hallie Jester** of Georgia Street who will be going to Colby College this fall. Hallie will be joining another Section 3 student, **Caroline Kiernan** around the corner on Raymond Street, who is already at Colby.

Congrats too to **Blair Scott** of Shepherd Street, who will be at the University of Michigan this fall...making Mom **Lisa** an empty nester!

Thanks to **Mary Jo Slidell** for volunteering to coach interested Section 3 kids in the art of lacrosse in the Gazebo Park on Thursdays from 4 to 5 p.m. during the month of August. Thanks so much Mary Jo...and if your children are interested, send them to the park to get some good coaching from an experienced player!

A welcome to **Leanne and Barton Bortner** and their two-year old who are about to move into 7002 Florida Street. Both parents are attorneys and are moving from Washington, D.C. Happily, they were able to attend the Welcome New Neighbors Barbeque where they met lots of Section 3 families.

Welcome too to **Marjan Ehsassi and Todd Horst** and their children **Cyrus and Sophia**. Like the Bortners, the family has moved from the District where the children attend Sidwell Friends School. The couple has moved into 3702 Shepherd Street.

TAX BILLS

Most residents pay for their taxes on a semi-annual basis. Section 3 pays the Solid Waste Charge for Section 3 residents. This year's charge is \$55.77 per household. If you pay your own bill, simply deduct that amount from your payment. If your bank pays the bill, they will get an invoice for the second payment reduced by our payment which we make over the summer but before the September due date. To be certain that you don't have a credit amount from prior years and to check later this year to be certain you are up to date, you can always go to county tax rolls to access your records.

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PLANNING COMMISSION PROPOSES ZONING TEXT AMENDMENT TO LOOSEN STANDARDS FOR ACCESSORY APARTMENTS

The Planning Commission has adopted a proposal to loosen standards for accessory apartments in private homes. Right now, if you want a rental apartment in your home, you have to apply for a Special Exception and go through a public hearing. The County has not had a demand for these apartments but the Planning Commission wants to create more affordable housing in the area by loosening the standards and making it a "by right" use, to lead more homeowners to convert parts of their homes into rental apartments. They plan to limit the number county-wide to 2000 units in owner-occupied homes.

The Section 3 Council discussed this and feels very strongly that even with the constraints of no more than one unit every 300 feet that Section 3 might end up with as many as 11 or 12 more units with as many as three additional individuals in each of those units. The impact on our schools county-wide is unknown, the impact on parking on our narrow streets is obvious, although the proposed rule states that one parking space (for three individuals) would have to be provided. It also states that waivers could be granted without any standards for what would allow a waiver to be granted. This proposal is now at the County Council but hearings have not yet been set.

Residents interested in seeing the letter sent by the Section 3 Council to the Planning Commission regarding this proposed change in zoning should contact the Village Manager. As soon as we have more information about when the County Council plans to take up this proposal, we will let you know. We will need people to testify before the Council on this proposal.

NEW DIRECTORY IN THE WORKS

Check your directory listing and make sure your information is correct—are you still using that land line or have you switched to a cell phone? Do we have all your children's names and birthdates correctly listed? Are we missing anyone? Let us know soon as the new directory is well underway!

CHEVY CHASE LAKE SECTOR PLAN

The staff of the Planning Commission unveiled their long-awaited proposed plan for the Chevy Chase Lake Sector on Thursday, July 26th. As you know from previous issues of this newsletter, the details of the plan will have significant impact on Section 3 and neighboring communities. These impacts involve



traffic congestion and public school capacities among others.

Following their presentation in July, the commission allowed 90 minutes of testimony by various stakeholders and affected citizens and community groups (including Section 3). The plan (see map) currently excludes the Howard Hughes Medical Institute (HHMI). Initially HHMI expressed no desire to be part of the process and indicated they had no future growth plans. Their 36-acre site dwarfs the area currently included in the plan. Their use (currently 285,000 square feet of office and meeting space) exists under a special exception. Only after the plan was almost complete did they express a desire to be included in the new zoning. It is essential that they are included as the balance of the new development will have to recognize that use and any anticipated growth and therefore traffic to that site.

The four major land owners in Chevy Chase Lake are: the Chevy Chase Land Company; the Housing Opportunities Commission (HOC); the owners of Newdale Mews apartments by the railroad tracks on the west side of Connecticut Avenue; and the Howard Hughes Medical Institute.

The staff plan recommends development in two phases: modest development (250,000 square foot) prior to the full funding of the Purple Line, which would trigger the second phase of the development. The overall plan calls for a densely populated mix of commercial, retail and residential (1,000 units of multi-family housing) clustered around the Purple Line for a total of 1.5 million square feet of

new development. With one exception, the staff plan [<http://www.montgomeryplanning.org/viewer.shtm#http://www.montgomeryplanning.org/community/chevychaselake/documents/ccl-sector-plan-staff-draft-072012.pdf>] calls for buildings no taller than six stories. All of the land owners, except perhaps the Howard Hughes Medical Institute (which has not yet indicated a preference on building heights), would like taller buildings and higher densities than proposed by the planners and they want the entire plan in a single phase, before funding of the Purple Line.

The key issues and concerns we need to communicate NOW to the planning commission members are:

TWO-PHASED DEVELOPMENT

The two-phased plan would allow for two sets of hearings and insure that intense development would NOT happen on the site if the Purple Line does not get funding. The risk of approving all the proposed uses in a single plan would mean that we would be wedded to a transit-oriented development whether or not the Purple Line came into being. **We need the two-phased approach to the plan.**

HEIGHT RESTRICTIONS

Because this area is surrounded largely by single family homes or low-rise multi-family housing, there is concern that the stakeholders will influence the Planning Commission to raise the heights of buildings creating a kind of Silver Spring development at our doorstep. Higher buildings create higher densities and that will mean increased traffic. **We would like the height of buildings planned to be capped at six stories, no more.**

TRAFFIC IMPACT

It is essential that the Howard Hughes acreage be included in the planning because that will shift some of the thinking regarding density of uses for the entire area. As it is, we are extremely concerned, given our current difficulties getting to that area during rush hour, if we do not prepare a balanced plan with accurate forecasting of traffic patterns, our community will be severely impacted. As it is, they are considering a possible light at Brookville Road and East West Highway which would facilitate more traffic on Brookville Road to get to and from Chevy Chase Lake. Clearly this would have an adverse impact on our community. We want lower densities for that area because we are concerned about the traffic impact and the inability of Connecticut Avenue to carry the load. **We do not want Brookville Road used to divert traffic away from Connecticut, it simply cannot support any additional load and it goes through residential neighborhoods, including, of course, our own.**

IMPACT ON SCHOOLS & INFRASTRUCTURE

North Chevy Chase Elementary School already has several portable classrooms. There is a real concern that the addition of

COUNCIL ACTIONS, CONTINUED ON PAGE 5

GENERATOR FEVER

After the last series of storms, many are considering an emergency power generator! The permanently installed kind is much more costly and the only type that

requires a County and Section 3 permit. Section 3 considers a generator to be a structure under our broad definition of a structure...in short, we treat it exactly the same as an air conditioning compressor. These units cannot be placed in the setback areas unless you apply for and can justify the need for a variance.

Most installations place them close to the house to tap into your existing natural gas line. That means, it cannot be located 20' from the rear of your property or 8' or 10' from the side lot line.

The County says that generators are allowed to be placed in two typical locations: attached to or near a house, but it must meet the main building setbacks. The County allows the units to encroach into the front or rear yard setback by five feet but not into the side setbacks or at least five feet from the rear property line (like a shed) HOWEVER, to comply with both the County and Section 3, you CANNOT put the generator within any of our setbacks. You must also comply with the County noise ordinances for generators.

CHEVY CHASE LAKE, CONTINUED FROM PAGE 4

some 1,000 new apartments would adversely impact an already budget strapped school system. **We are concerned that so many multifamily apartments will overcrowd our schools without adequate ability to support the additional students who might attend. The local school already has portable classrooms.**

We urge you to write today, even if you are on vacation, to emphasize the importance of these concerns to the planning commission before they take up the plan again September 6th.

We have an opportunity to influence their thinking before they make up their minds. Right now, they don't realize how concerned the general public is about the phasing, the heights of buildings, the traffic and schools. We need your voice heard! Please cc the Village Manager so we know who has communicated with them and what was said. The address to write to members of the Planning Commission is MCP-CCLake@mncppe-mc.org

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POWER LOSS, CONTINUED FROM PAGE 1

Once the evaluation is completed by our consulting utility engineers, we will meet with Pepco and try and get commitments to make the necessary improvements.

During the entire storm, we saw many wonderful acts of kindness...people sharing generators, sharing freezer space to save food that would have spoiled, offering their air conditioned homes to neighbors without, plugs to re-charge cell phones. It made you glad to live in Section 3 to see so many people offering to help those who had no power.

COUNCIL ACTIONS, CONTINUED FROM PAGE 2

few weeks before they could be removed and it's now been months. The Village Manager continues to ask for dates because both of these tasks will involve letting neighbors know of the work and moving cars off the roadway.

Our Section 3 greenway renewal pilot project taught us that not every problem with the greenways throughout the community is easily resolved. The variegated liriopie in the shade seems to have taken well although we haven't seen how well it will survive through a winter. The first task this fall will be to attack the greenways which have suffered a lot of ruts from trucks and buses climbing the greenway to avoid a car parked or driving on the other side of the street.

The Village Manager is going to meet with the **Grandy/Jones** family on the corner of Raymond and Connecticut to try and arrange for a bench for the bus stop and school children installed on their property by fall in exchange for better protecting their property from children cutting through their yard with the installation of bushes and a small fence.

FINANCIAL REPORT

Interest rates continue to remain at historic lows and it's difficult to find any institution offering favorable rates. The Village Manager will search for the highest insured rate available in an FDIC, Maryland insured institution.

COMMUNITY AND SOCIAL

Everything is set for the Welcome New Neighbors Barbeque on the 12th. The Village manager went over the plans.

The Party in the Park is scheduled for September 23rd with a rain date of September 30th.

OTHER

As is required by law, the Village appointed a Resident Agent to be the designated recipient of all legal documents. The Council agreed to appoint Ron Bolt, Esq. of Stein Sperling, who has taken over since the retirement of David Podolsky, Esq. of Stein Sperling, who had served for many years as Village Counsel.

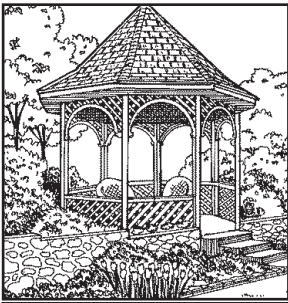
The meeting adjourned at 9:35 p.m



SECTION 3 VILLAGE OF CHEVY CHASE

P.O. Box 15281

Chevy Chase, MD 20815



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AUGUST 2012

**SCHOOL
STARTS
AUGUST 27;
DRIVE
SAFELY**

