



SECTION THREE  
VILLAGE OF  
CHEVY CHASE

# NEWS & VIEWS

FEBRUARY 2016

## CALENDAR

**WEDNESDAY, FEBRUARY 10**

**Council Meeting**  
CCUMC, Room 107, 7:45 p.m.

**WEDNESDAY, MARCH 2**

**Bulk Trash Pick-up, Curbside—the first of 2016!**

**WEDNESDAY, MARCH 9**

**Council Meeting**  
CCUMC, Room 107, 7:45 p.m..

**THURSDAY, MARCH 17**

**Everybody's Irish Party**  
Gazebo Park, 5:00 to 7:00 p.m.

## BLIZZARD BRINGS NEIGHBORS TOGETHER

What a difference it makes to have electricity during a blizzard! For those who remember the last big blizzard in 2010, that whole experience was so different because we didn't have power. This time, thanks to new feeder lines and secondary lines in Section 3, we have endured with our heat and cell phones on and our screens and emails fully functioning.

The big challenge for us was where to put the snow on such narrow

streets...the first plan was to take down the fence on the Shepherd Street side of the park and cart excess snow to that site to melt over time. But time became an issue and it was soon apparent to our contractor that plan would not work. Snow Central made it very clear...we could have clear, passable streets and some sidewalks not cleared, or moderately passable one lane streets and a path on the

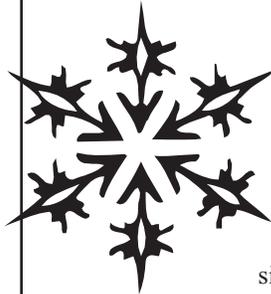
sidewalk. After discussion with the members of the

Council, it was decided that

the four east-west streets—Raymond, Shepherd, Taylor and Spring—should be cleared from curb to curb so that cars could pass one another and emergency vehicles could get through without anyone having to back down a street. The north-south streets would continue to be cleared but remain essentially a single lane

because in most instances, a car could see someone coming the other direction before entering the block; shoveled sidewalks would remain cleared.

The work began on Taylor Street with special hand-shoveled cut-throughs to the street from front walks so folks could go out to the street and go around the snow to get to the cars in their driveways. The cut-throughs allowed the mailman a way into the house. Seniors not living on the east-west streets had their walkways shoveled. Raymond Street was the next street to be cleared and then on to Shepherd Street. Walkways already cleared on Raymond Street were retained on the north side of the street so that children could walk to school.



## VILLAGE COUNCIL

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BLIZZARD, CONTINUED ON PAGE 2

*\*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, January 13. All Council members were present. The meeting began at 7:55 p.m. at the CCUMC room 107.

### PUBLIC SAFETY ISSUES

The Village Manager reported that our patrolman Chris Jordan has been doing an excellent job. State Highway officials have informed us that they now have a plan for the intersection of Taylor and Brookville that will improve the visibility of the stop signs and therefore the safety of the intersection. They are going to set up a joint meeting with Martins Additions residents and Section 3 officials to present the plan and the schedule for implementing it.

### BUILDINGS & ROADS

The Village manager got approval from the Council to represent Section 3 in the newly formed Coalition of Bethesda Area Residents (CBAR). See story this issue.

There were no new permits to report this month, but several residents have plans for spring in the offing and have been discussing them with buildings and roads representative **Carolyn Greis**.

The Village Manager reported on upcoming road work (see story this issue).

The ambitious tree trimming program undertaken by the Council with our arborist is completed. Pepco is planning some work in Section 3 and the Village Manager has been working with their contractor Davey Tree Company and will be informing Village residents about their plans shortly.

The Village Manager decided the park was so muddy that putting mulch over the entire park was the best alternative given the weather and the state of the grass after heavy rains. Our contractor Chapel Valley did the work.

The Village Manager is exploring the best available possible solar powered post tops for additional soft lighting in the park. She is going to experiment with just two lights to be certain they work well and provide minimal, free lighting for the fencing.

### FINANCIAL REPORT

The Village Manager reported on the current status of the problems with income tax distribution from the Office of Comptroller and said she was to attend a meeting sponsored by the County with state officials on this subject on the 15th (see story

this issue).

### COMMUNITY & SOCIAL

The Party in the Park is scheduled for September 18 with a rain date the following Sunday. The Village Manager is lining up the rides now.

The Council discussed the fact that plans to hold an event at LaFerme's new bar are on hold as they have not finalized what they are going to do as yet.

### OTHER

**Bob Salmon** is almost finished wading through all our archives and we hope in 2016 to be in a position to satisfy the State's requirements as well as putting together our own archives.

The Council voted to go into executive session to discuss the Village Manager's salary and performance.

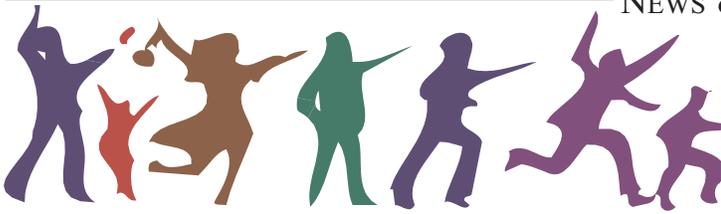
The public meeting adjourned at 8:55 p.m.

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### BLIZZARD, CONTINUED FROM PAGE 1

Those on the south side of the street had cut-through paths to the street to get to their cars but their sidewalks were covered with the snow taken from the roadway. Similarly the sidewalks on Shepherd Street were kept clear on the north side of the street for children to walk to the pre-school and those on the south side of the street were provided with cut-through paths to the street. The same is true of Spring Street where the north side of the street was reserved for pedestrian access. Brookville Market and all the other shops on Brookville Road were open and up and running on Monday.

Unlike many in unincorporated portions of the County, Section 3 residents could drive out of their driveways and get to a market or work by Sunday. A number of neighbors went way above and beyond to help others, among them: **Tom Wilson** on Taylor Street with his snow blower, **Scott Burns** on Shepherd Street did an amazing job not only clearing folks' sidewalks with his snow blower but also whole driveways. **Skip Jennings** worked his magic with his snow blower on Florida Street and a host of other kind residents assisted neighbors in shoveling out. Sadly, some of that work was sacrificed to a wider street, but all in the interest of the common good. A special thanks to all those who chipped in to help a neighbor—that's what makes Section 3 such an amazing place.



## NEIGHBORHOOD NEWS

It is with great sadness that we report the passing of one of Section 3's residents. **Charlotte Brewer** of Connecticut Avenue lived in Section 3 for some 51 years, first in the house occupied by the Finns at Connecticut and Shepherd Street and then next door. She was a spirited woman active in politics and passionate about the environment and about people. She leaves four children: Purky Kidder, Fraser Gilbane, Mika Brewer and Polly Beyer and seven grandchildren. The family plans a celebration of her life this spring at the Spring at Cedar Lane Unitarian Church.

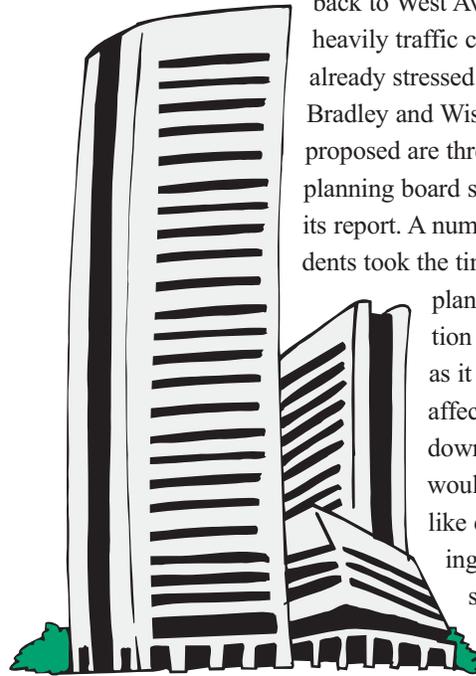
## COALITION FOR BETHESDA AREA RESIDENTS FORMED

A new community-based advocacy group has been formed to serve as a watchdog on plans for Bethesda's growth. The group, known as CBAR—Coalition for Bethesda Area Residents has set up an informative website ([www.cbar.info](http://www.cbar.info)) and is looking for individuals to join them in tamping down the proposed plans to make Bethesda so densely populated that it will drastically affect our roads, our schools and our ability to enjoy all the amenities they promise. Today the proposed plans for the next two decades call for a 40 percent increase in density with the number of residential units increasing from 7,200 to 19,000 units... That's a lot of people on the same size roadways we have now. That's a lot of kids going to our schools which are already overcrowded.

The Master Plan for Bethesda is well underway with the planning board now considering the staff recommendations and meeting with individual property owners who have made proposals to alter the master plan to allow taller buildings with greater densities. As of December 15th, they had approved almost 1.4 million square feet of additional development beyond the staff's original recommendations.

Before the planning board now is a proposal Section 3 residents heard about via email for a 145-foot residential tower on the land between Trader Joe's and the Norwood Church at the intersection of Bradley and Wisconsin Avenues. It is one of three proposals that the planning board will be assessing at a work session now slated for February 4. Here are the three issues slated for that work session:

\*A proposal for a 145-foot high, 240,000 square foot residential tower which would extend from Wisconsin Avenue



back to West Avenue and create a heavily traffic cut-through to an already stressed intersection at Bradley and Wisconsin. The densities proposed are three times what the planning board staff recommended in its report. A number of Section 3 residents took the time to write to the

planning board in opposition to this development as it would adversely affect our ability to access downtown Bethesda, would create a canyon-like effect with tall buildings close to residential streets and put excessive pressure on our schools.

\*A proposal for an eight-story residential building above the fire station at the corner of Bradley and Wisconsin. This would again put pressure on the same intersection and change the residential nature of the strip between Bethesda and Friendship Heights. It would also put pressure on Nottingham Drive, a small residential street that would be the entry and exit point for residents onto Wisconsin Avenue. One also has to question the economic viability of having a firehouse on top of residences. With all the new units proposed for Bethesda, who would want to sleep above a fire station?

\*A proposal by the owners of the Aldon Management Company to raise densities in the apartments they own in and around Bradley Boulevard near the same Bradley and Wisconsin intersection. They are proposing 130- to 150-foot tall buildings with high densities along Bradley Boulevard, Chevy Chase Drive, Wellington Drive and Strathmore Street.

What happens in Bethesda directly affects our property values, our quality of life, our traffic, our ability to move about. We need growth, change is inevitable, but thoughtful change that is manageable and growth that our infrastructure, our schools can handle. So we need to be involved. Take a moment to look at the website ([www.cbar.info](http://www.cbar.info)), we will continue to report on the group's efforts and ask others to communicate directly with the planning board, come to meetings, and be a part of the future of our area.

## PROGRESS ON INCOME TAX DISTRIBUTIONS/WYNNE DECISION

Members of the Montgomery County financial administration and members of the Maryland Municipal League (MML) met on January 15 with two top officials in the Office of the Comptroller regarding irregularities found in the income tax distributions. Section 3 for example, received \$123,000 less in our November distribution than in any other year in recent history. The County received millions less than they normally receive. It was also discovered by the Town of Chevy Chase that the Office of the Comptroller counted over 1,000 returns of individuals located in an unincorporated portion of Chevy Chase as belonging to the Town of Chevy Chase and they now want the Town to repay \$4.9 million in revenues back to the County for their (the Comptroller's office) errors over a five year period.

Because the problems seem to trace back a number of years, the officials from the Office of the Comptroller reported that they have hired an independent auditor to review their systems to determine how the errors occurred and how to fix them. The report should be issued in February. The County and municipalities have asked for a first look to better understand the issues and the proposed solutions.

Section 3's Village Manager has been in constant communication with officials at the MML, with officials at the County level, and with Office of the Comptroller personnel as well as our own auditor. The meeting made it clear that the "look-back" period for the audit would only be to 2010, but the Village Manager has found discrepancies going back a decade. In discussions with the Office of the Comptroller, they made her aware of annual reports, published on line, called "Income Tax Summary Reports" which provide interesting data which they had in their possession but never audited or compared year over year. No one informed us of the reports either. Had we known about these reports, we might have caught errors years ago. What are the anomalies in those reports that are so alarming? There is a summary of the numbers of tax returns for each jurisdiction. We have 282 households, but it's not unusual for a household to have more than one tax return filed—for example, for children, for a business whose address is the home or perhaps a couple who don't file jointly.

But the numbers fluctuate so much that there is concern as to whether they have properly coded all our residents each year as being Section 3 residents. It's also possible that some of those returns listed as belonging to Section 3 residents are for people in other jurisdictions...only the audit will tell the story for 2010-2015. For example in 2014, they report that we had 363 returns filed from

Section 3 residents... here is a chart year by year of the numbers and readers will understand our concern on just this single indicator:

What does this mean? How we went from a low of 277 returns in 2011 to a high of 445 returns in 2006 with the same number of households is troubling and no one seems to be able to give answers at this point.

In years where our numbers of returns are low, it's possible that neighboring jurisdictions received income tax revenues that should have come to Section 3. In years where the numbers of returns are high, it's possible we received income that should have gone to other jurisdictions. The fact that our community has contiguous borders with four other jurisdictions: The Town of Chevy Chase on the West, Section 5 on the North, Martins Additions on the East and Chevy Chase Village on the South does not make it any easier. Admittedly these boundaries make the tax distribution office's job challenging but it was our understanding that our addresses were properly coded based on the Chevy Chase Redbook which we had provided to the Office of the Comptroller. Many questions are still to be resolved.

Because of the numerous claims on income that came to the County and Section 3 under the Supreme Court Wynne decision, the accuracy of this information or coding of jurisdictions is essential. They say we have between 45 and 54 individuals who filed returns in multiple states. A large proportion of those individuals may well have filed claims.

To resolve the questions raised by these converging issues, we have asked the Office of the Comptroller to simply give us a list of addresses they have coded for Section 3 but they claim that this is "privileged information" because it comes from the taxpayer's returns. Since we have no interest in the names of the taxpayers, only if they have our addresses properly coded, we don't agree with this stance. They claim if we give them all the addresses in Section 3 (which is included in the Redbook they already have) that they can verify if those are all properly coded. But that does not answer the question as to how many other addresses they might also have coded as Section 3 when they are not. So this point is still to be resolved.

There have been over 12,000 claims filed in Maryland under the Wynne decision, with more to come. The state says it has already processed 12,000 claims but we don't know how many are from Montgomery County. The "look-back" period goes to 2006 for those who filed protective claims. The deadline for filing claims for 2011 was in early January. Claims can still be filed for 2012-2014. There is also a court case pending because the state legisla-

2014	363
2013	352
2012	351
2011	277
2010	329
2009	391
2008	335
2007	363
2006	445
2005	323
2004	299

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## 2016 ROAD REPAIRS, RECONSTRUCTION PLANS

This spring promises to be a busy and challenging one for Section 3...WSSC (under court order) must replace antiquated parts of our infrastructure. They will be replacing the water main in the block of Delaware Street between Shepherd and Taylor Streets probably beginning in late February, early March. This will require the digging of a trench in the street and of course, limited access via car while they are working. The good news is that while it will be inconvenient, they can lay between 80 and 100 feet of pipe a day so the whole job hopefully will not take that long. WSSC will then move on to their next site, the section of Georgia Street between Bradley Lane and Raymond Street. In both instances, they will then put in a temporary patch because later in the Spring, Section 3's own contractor will be taking apart the roadbed and reconstructing both streets, both of which our core sampling has revealed do not have a proper foundation. Residents of both locations will of course be given detailed information about what is happening on the street and when.

On Shepherd Street Montgomery County's contractor, D & F

Construction (yes the same folks Section 3 uses all the time) will be installing a new storm drain between Delaware and Florida Streets on Shepherd. This is the result of the collapsed storm drain which caused the sinkhole last May. Their consultants are working on the design now and we don't yet have a start date on that job. The trench will be in the street, close to the gutter on the north side of the street.

On Raymond Street between Connecticut Avenue and Delaware Street, we will be milling and paving the street and repairing any of the foundation beneath the surface asphalt that shows deterioration. We will also be milling and paving Raymond Street between the brick speed hump intersection at Georgia Street and Brookville Road. Again, we will repair and replace any deteriorated concrete we see in the foundation beneath the surface layers.

Spring Street from the intersection of Delaware down to Fulton Street will be milled and paved. Again, any necessary repairs to the foundation will be made before the road is repaved. So, there will be a lot of coordination and a lot of equipment in the community. Hopefully we'll be able to time the work so that you can still get from here to there.... But we'll keep in touch with everyone to make certain that you are properly informed well in advance. Milling and paving generally only takes a few days, assuming no major flaws in the subsurface are not found.

Washington Gas recently informed us that they will be putting new gas lines and replacing four connections all along Bradley Lane late this spring. The four connections at three homes are part of a court order to replace aging gas connections. The rest of the work is the same kind of upgrade that many residents of Chevy Chase Village experienced last year. We are working with Chevy Chase Village and Washington Gas to get a better handle on their schedule to make certain that the work on Georgia Street and the work on Bradley Lane do not conflict. When we have more information we will inform all the Bradley Lane residents regarding the work to be done.

Our consulting engineering firm is working on the specs to be attached to a bid package we hope to issue in February for the Section 3 contract work. WSSC is paying for the water main replacement and the County is paying for the storm drain replacement. So it's an ambitious plan but one we hope to orchestrate with little disruption to our residents. Needless to say, all those affected will be well informed well in advance.

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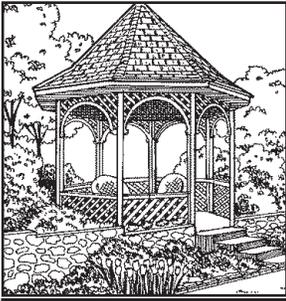
ture put a cap of three percent on the interest that will be paid on these claims. What's more, if a return was originally coded to Section 3 and it was incorrectly coded, the claim will be taken from Section 3 distributions.

What's being done? There will be a report from the auditor hired by the Office of the Comptroller and it's possible (likely) that the state legislative auditor may also become involved, there is a hearing on the State Senator Rich Maldaleno is going to hold a hearing on the subject. It was scheduled right after the big storm and has to be re-scheduled as of this writing. There are some unpleasant political reverberations in Annapolis between the Senate President Mike Miller and State Comptroller Peter Franchot. We would like to keep away from the political hornet's nest this has raised and stick to getting guaranteed accuracy that we can verify...a desire that at the moment seems like a very tall order.

We will continue to monitor these developments, in the meantime, **if you have filed a protective claim and have received a check from the state, we would like to know about it if only to verify that they are indeed repaying folks and for which year. If you have filed claims and have NOT received a check, we'd like to know that as well. We have no other independent means of verifying how many claims have been filed and if folks have received the funds they are due.**



**SECTION 3 VILLAGE OF CHEVY CHASE**  
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**SECTION THREE  
VILLAGE OF  
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# NEWS & VIEWS

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FEBRUARY 2016

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## SENIORS' SNOW SHOVEL LIST

The Seniors' snow shoveling list has grown as you can imagine. If you have not already asked to be on the list and qualify for Medicare, please let the Village Manager know and she will add you to the list. It's too difficult to add people after a storm has hit because we've already provided our contractor with a list, but we do update between storms. But we've already added a half dozen for the next storm! Being on the list does not absolve you of responsibility for the public sidewalk, but we pledge to have someone shovel your walkway if it gets to be two inches or more. You are still responsible for clearing it of ice and making it passable.

