



SECTION THREE
VILLAGE OF
CHEVY CHASE

NEWS & VIEWS

DECEMBER 2016

CALENDAR

WEDNESDAY, DECEMBER 7

Bulk Trash Pickup--curbside,
Last bulk trash until March 2017

WEDNESDAY, DECEMBER 14

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

FRIDAY, DECEMBER 16

Community Sing-along by the fire
Gazebo Park, 7:00 p.m.

THURSDAY, DECEMBER 22

Holiday tip day for our trash collection crew

MONDAY, JANUARY 9

Christmas Tree Pick-up, Curbside
(no plastic, just the tree to be recycled)

WEDNESDAY, JANUARY 11

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

VILLAGE COUNCIL

WWW.CHEVYCHASESECTION3.ORG

BILL BROWNLEE

Chairman
(301) 652-6351
whbrownlee@aol.com

NATASHA SAIFEE

Vice Chair
(240) 497-1889
natasha.saiffee@verizon.net

MELISSA BROWN

Secretary
(301) 312-6059
mbafrica@aol.com

CAROLYN GREIS

Buildings & Roads
(301) 718-1737
CAGreis@msn.com

MIKE DIETRICH

Treasurer
(301) 656-3203
mfdietrich@starpower.net

**ANDY LEON
HARNEY**

Village Manager
(301) 656-9117
(202) 361-3801 cell
villagemanager@
chevychasesection3.org

LOTS OF CLOTHING, BLANKETS WENT TO MARTHA'S TABLE

This year's Bill Prigg Memorial Warm Clothing and Blanket Drive was a great success. Two trips to Martha's Table were made with all the goodies donated by generous residents...lots of warm coats and jackets for all ages, a dozen blankets and quilts and many sweaters, pants, fleece jackets, shoes and boots, socks, gloves, hats and scarves...all the things folks with little money need to get through a cold winter. Thanks to **Kirsten Williams** who also posted on her Facebook page, we even got donations from outside of Section 3. We appreciate the use of the Dorsey/Williams porch as a collection site and especially appreciate the help **Betty Dorsey** and **Ava Grace Cameron** gave in sorting and bagging to deliver to Martha's Table. Many thanks for all your help.

LAWSUIT AGAINST COUNTY COUNCIL'S PESTICIDE BAN

News & Views readers may recall that in October 2015, the County Council adopted an anti-pesticide bill which would ban pesticide use on both private property and public parks except the Agricultural Reserve, where the same pesticides affect our food supply and waters. At the time, the state Department of Agriculture indicated that the County did not have purview over this area, that the state did and they regulated and licensed contractors using pesticides. And while banning the use, the County Council did not prohibit their sale, making a mockery of the legislation and forcing neighbor to report neighbor as there is no viable enforcement mechanism to determine exactly what is approved by the County Council and what isn't. The goal was to convert all involved to organic methods of cultivation.

The suit is being brought by five major lawn care firms plus a handful of individuals from around the County. It's supported by a trade association representing pesticide and herbicide manufacturers. They are represented by Gus Bauman of Beveridge & Diamond. The 21-page complaint claims that Maryland regulations, which regulate the use of pesticides and herbicides preempt the county's ordinance and therefore the county ban should be declared unlawful. The vote for the bill was divided, 6 to 3. Council members Roger Berliner, Sidney Katz and Craig Rice voted against the measure citing the potential of the lawsuit and the negative impact it would have on lawn care businesses and the council overreach into residents' rights. County Executive Ike Leggett refused to sign the bill because of the questions about its legality.

We will keep you informed of the suit's progress. The County Council is also embroiled in suits regarding the long-delayed, much flawed transportation center in Silver Spring and the Westbard Sector Plan.

**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, November 9 in room 107 of CCUMC. All Council members were present except **Natasha Saifee**. The meeting began at 8:00 p.m.

The minutes of the October meeting as published in the November newsletter were approved.

PUBLIC SAFETY

The police continue to patrol the streets and check on stop sign compliance both within Section 3 and at the intersection of Brookville Road and Taylor Street. They also are ticketing cars parked too close to stop signs and intersections as it makes it impossible for emergency vehicles and trash trucks to turn into many of our streets if folks park too close to the intersection.

BUILDINGS & ROADS

Buildings and Roads representative **Carolyn Greis** reported on the status of various projects within the community. Applications for the demolition and building permits submitted by the developer of the property at 7104 Delaware Street are pending. The builder of the proposed new house at 7108 Fulton Street has been issued a demolition permit. The developer of the property at 3617 Taylor Street does not need to apply for a demolition permit for the proposed scope of work. Interior demolition is already underway inside, and he will soon be applying for a building permit. The owner of the property at 3602 Taylor Street has to submit revised plans for the proposed work on the house and therefore has not yet been issued a building permit. (See variance request at right.) The Council voted to grant a temporary variance for an ice rink at 3821 Bradley Lane. The rink must be removed by March 30, 2017.

The Village Manager indicated that work to improve a sewer connection at 3609 Taylor Street will be done by WSSC contractor Old Line Construction that may require that the street be closed for part of the time the work is in progress. She is working with the owners, the contractor and WSSC and will be notifying the neighbors as soon as a date is certain for the work.

The Village Manager reports that Yankee Clippers will be

Chevy Chase Historical Society Fall Lecture will be held at the Lawton Center this Sunday, December 4 at 4:00 p.m. Steve Roberts will be talking about his new book, *A Tale of Two Suburbs: Bethesda and Chevy Chase* with copies being sold and signed there.

pruning and trimming all our street trees shortly. This is the first time we have ever had these trees professional trimmed and it was much needed. They will also be tagging trees in need of removal. We have ordered 20 new street trees, selecting more of the four additional species we have selected as viable street trees: *autumnalis* cherry, single stem crape myrtle, Chinese lilac and American Hornbeam. These will be planted in early December by our arborist, Integrated Plant Care.

Roadwork recap: Happily we did not have to replace all of Delaware Street...only about a third of the street foundation was deemed to be in such bad repair that it had to be replaced. Homeowners in the block of Delaware Street between Shepherd and Taylor Streets got all new curb and gutters and wider driveway aprons. The bad concrete was removed, and the entire street newly paved. Those living on the opposite ends of Raymond Street were also very helpful as we replaced bad patches of foundation and then re-paved the two ends of the street.

The Council voted to hire Snow Central as our snow removal contractor for this year. We were very happy with their attentiveness in last year's blizzard and how well they cleared our streets.

FINANCIAL REPORT

Dennis Alexander, CPA, completed the town's annual audit and copies were presented to each Council member. Any resident wishing to review the audit need merely make a request to the Village Manager and it will be provided.

We have some CDs coming due and have found a new institution, Eagle Bank, offering competitive rates and have opened an account with them.

COMMUNITY & SOCIAL

The Halloween Party was smaller this year as our children age. All who attended had a great time. Special thanks to **Jeremy Streatfeild** for serving as the Cat in the Hat Parade leader and to his mother-in-law, Gerry McIsaac, who helped Village Manager **Andy Harney** and **Mary Gorman** serve up pizza and sodas for all.

The Council agreed the best date for the Christmas Sing-along in the Gazebo Park would be either December 15 or 16, depending on the availability of our resident musicians, **Richard Barry** and **Lee Bodner**.

The meeting ended at 9:10 p.m.

VARIANCE REQUEST

Taylor Road LLC, the owner of 3602 Taylor Street, is requesting a variance to construct a new home, one part of which will intrude approximately six feet into the side (south) setback where a nonconforming addition to the original house on the lot once stood.

COUNTY PLANNING BOARD PRESENTS PRELIMINARY RECOMMENDATIONS FOR REGULATING SHORT-TERM RESIDENTIAL RENTALS

Defying their prior testimony in which they urged the County Council to exclude R-60 and R-90 residential zones (neighborhoods like ours), the Planning staff has come up with the following preliminary recommendations for an amendment to the zoning code to allow short-term rentals:

“Allow as a ‘limited’ use in all zones where residential development is allowed. [This means allowing it everywhere, limited use does not require special permission or an exemption]

Require proof that the home is the primary residence of the applicant by requiring the applicant to provide valid proof of home address as established by Executive Regulation under Method 2 of Chapter 2 (2A-15).

Require that an applicant provide written proof that neighbors (those who share a wall or a property line with an applicant’s property or dwelling unit) have been notified about the application.

Restrict rental occupancy to a maximum of 14 days per month and 90 days per year.

Require a license under Chapter 54 (Transient Lodging Facilities) of the County Code.

Limit occupancy of the dwelling unit to a “household” as defined in the zoning code (no more than five unrelated people).

Require that:

- one off-street parking space is available per two bedrooms, or
- the online listing must indicate that vehicle parking is not allowed.

Prohibit parties and unregistered visitors.

Require the host post rules and regulations, including contact information for a mandatory designated representative (to be defined) inside the rental.

Require the host to maintain a record of visitors which is subject to audit.”

This information, which was released on November 28th, destroys the very nature of a single family neighborhood and makes it possible for everyone and anyone on your block to rent out rooms to as many as five unrelated individuals a night with no reasonable hope that anyone is keeping track of the 14 day per

month or 90 day maximum limit per year. There are no inspections required, no requirement that a homeowner be there, rather a “mandatory designated representative” which could mean a hired “host” and who is checking? How would the County control the party prohibition—after the fact? Do you want strangers coming in and out of houses on your block at all times of the year? The County cannot keep up with the inspections already required and clearly doesn’t plan to add staff for the sharing economy. For those in condominiums who do not have doormen or security, this means strangers would have keys to buildings as well as individual apartments.

The potential negative impact is stunning. Our taxes pay for trash collection, for example. If we had a wide range of homes offering short-term rentals to up to five individuals a night for 90 days, then clearly the estimates on which our trash collection contracts were based are no longer valid and that will cost us. In terms of our children walking our streets, we have far more control if we have a unified community of neighbors who live here and are vested in the neighborhood, not transients looking for a cheap place to stay with little regard for our community. If this proposal passes, this means the whole purpose of single family zoning is now a thing of the past unless we fight this proposal to NOT regulate short term rentals.

ELECTION RESULTS

We all know the final election results, but how did Montgomery County vote? The County posted the following November 21, 2016:

Presidential Race: Trump 92,612; Clinton 357,211; Johnson (Libertarian) 11,499; Stein (Green) 6,611; Write-in 10,189.

Senate: Van Hollen 353,627; Szeiga 103,306; Flowers (Green) 13,240; Write-in 568.

Congressional (District 8): Raskin 183,973; Cox 51,407; Wallace(Green) 7,606; Wunder (Libertarian) 3796; Write-in 413.

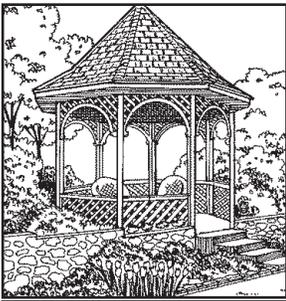
Voters also voted overwhelmingly to approve term limits of 12 years for both County Executive and the County Council. That means that in 2018, Council members Marc Elrich, Nancy Floreen, Roger Berliner and George Leventhal will all be barred from seeking another term. There is some question as to whether Councilmember Nancy Navarro who won her seat in a special election in 2009, a year before the 2010 election will be able to run again. She indicates that she would run again. County Executive Ike Leggett would also be prohibited from running again as a result of the voter’s approval of term limits for that post but he has already indicated that he does not intend to run.



SECTION 3 VILLAGE OF CHEVY CHASE

P.O. Box 15070

Chevy Chase, MD 20815



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DECEMBER 2016

HOLIDAY CAROLING IN THE GAZEBO PARK SLATED FOR FRIDAY, DECEMBER 16

Join us around a warm fire in the Gazebo Park at 7:30 p.m. for a Section 3 sing-along with our talented musician neighbors, Lee Bodner and Richard Barry.

Both men led us in song and on their guitars last year and the warmth of the fire made it possible for us all to really enjoy the moment.

Christmas cookies will be provided, bring your own hot chocolate, cell phone flashlights to see the lyrics and adult beverages, if you wish.

