

**Village of Martin's Additions  
Council Meeting  
7013 B Brookville Road, Chevy Chase, MD 20815  
Approved Minutes December 18, 2014**

**Present:** Council Members Arthur Alexander, Bill Lebovich, Tiffany Cissna, Jon Fleming; Attorney Ron Bolt; Village Manager Jean Sperling; Residents/Public: Marcella Trowern, Lara Sweeney, Brian Collins, Bill Catherwood, Keith Allen, Ted Stoddard, Frank and Hanne Correl, Kathy Kraminger

**7:30 PM CALL TO ORDER: Alexander**

**RESIDENTS' CONCERNS AND CONTRIBUTIONS**

*3529 Raymond Street.* Lara Sweeney (garden designer of Marcella and Steven Trowern of Raymond St), planned outdoor sunporch and did not believe a permit was needed. A stop work order was issued. The project was scaled back and submitted for a permit. The language in the code was discussed. Councilmember Alexander stated that permits are needed anytime one "moves dirt." Attorney Bolt stated the definition of "structure" is broad and includes any assembly of materials. Manager Sperling acknowledged the project has already been reviewed by building inspector Alan Beal twice, and a formal building permit application was received today, which will go through all proper channels.

*Frank Correl (Turner Ln)* – inquired on ability to comment as meeting goes along. Councilmember Alexander reminded all this is a Council Meeting, not a Public Hearing, so the focus is the meeting of the Council, and public comment is limited to the comment period identified on the agenda. Residents can contact Council members via email, in person, or in writing at any time. All ordinance proposals go to public hearing where there is ample opportunity for comment before vote and adoption.

**APPOINTMENT OF ELECTIONS COMMITTEE MEMBERS FOR 2015**

Frank Correl (Turner Lane) – will continue to serve  
Molly Ruhl (Delfield Street) - declined to serve  
Ted Stoddard (Turner Lane)– will continue to serve  
Mark Weiner (Thornapple Street)– will be invited  
Jim Alberg (Cummings Lane) will also be invited

**TREE COMMITTEE REPORTS & DISCUSSION - ALEXANDER**

Chairman Alexander reported on the deliberations of the Tree Committee Meeting of 12/17/14. A review of aerial photos of green cover in Martin's Additions shows a decline beginning in 1990's. Alexander presented two studies, one showing a correlation between number of trees on a property and the value of the house. The Committee has so far developed 3 proposals to enhance tree coverage in the Village. Proposal 1 – use public funds to subsidize the purchase of trees on private property; Proposal 2 – as a part of the building permit process, require the replacement of trees taken down that meet certain criteria (not dying, dead, diseased, danger); Proposal 3 – through the building permit process, require net addition of one new canopy tree new house or addition of >300 ft<sup>2</sup> . Variance process would be needed to handle different circumstances. The Building code might allow for a building that a tree ordinance may not allow, and be problematic.

Attorney Bolt noted a potential nexus problem with third proposal--does building a large house negatively impact the canopy if no trees are taken down? Councilmember Lebovich identified "clear-cutting" as the desired action to prevent, thus the legislation should focus on this. Councilmember Fleming supported the first proposal of subsidization and warned of clear-cutting before sale of a home. He also supported wider education of canopy issues. The possibility of combing proposals 2 and 3 was noted. There will be further discussion on this matter. No action on the proposals was taken.

**MOTOR VEHICLE AND TRAFFIC CODE DISCUSSION**

Attorney Bolt summarized prior actions and discussions. Section regulating signs on private property discussed and removed. Discussion ensued on parking adjoining to one's house and parking complication of VMA streets, including a concern that some residents will not be able to comply without a simple amendment to the current draft code being made. Councilmember Cissna expressed concern over amount of language dedicated to towing without discussion of warning and/or ticketing first. Councilmember Lebovich - moved to introduce the ordinance as amended (regulation of signs on private property removed).

Motion to Introduce: Lebovich; 2<sup>nd</sup>: Alexander; Vote: All in favor.

## BLOCK PARTY POLICY

Attorney Bolt summarized prior discussions, establishing three types of "block parties:" 1. Those administered by the Village, 2. Those put on by Residents and open to everyone, and 3. Those put on by Residents and not open to all residents. Legally the public has the right to use right-of-way, thus residents generally cannot be prevented from attending a private block party, subject to some exceptions. The policy will require residents to indemnify the Village when holding a block party and assure the free passage of emergency vehicles and neighbors through signing a form. The policy statement is as follows:

### Policy No. 12-18-14

#### Policy on Block Parties

The Village of Martin's Additions maintains the public rights-of-way within its boundaries. The Village Council finds that when residents seek to temporarily close streets in order to accommodate private functions, appropriate procedures should be followed to insure adequate access for emergency vehicles and residents, notice to neighbors, and indemnification of the Village.

For this reason, it is the policy of the Village to require the attached application to be submitted for Village approval prior to any temporary closing of any streets in order to accommodate private functions.

**Policy Number: 12-18-14; Action/Adoption: December 18, 2014; Effective Date: January 8, 2014**

The required application is available at the Village Office.

**Motion:** Fleming

**2<sup>nd</sup>:** Lebovich

**Vote:** All

## 8:45 PM Financial Matters: Report for the Month of November, 2014 Action on Financial Report

	Actual	Budget	Jul-Oct 14	TYD Budget	Annual	Budget
Revenues	371,352.10		58,916	482,488.87	394,530	839,700
Expense	63,173.31		55,305	202,415.78	279,541	685,500
Designated Street/sidewalk					500,000	500,000
Designated Street Lighting					500,000	500,000
Undesignated fund					<u>1,064,249</u>	<u>1,064,249</u>
					2,343,790	2,749,749
Net income	\$308,003		3,611	280,073.09	-39,211	00

Comments: The Village's finances continue on course. Residents in reading this report must keep in mind that the Village has a small tax base. Consequently, the ups and downs of the market and the economy, including significant private financial actions, result in significant volatility to Village income. Protection against potential changes is accounted for by the surplus.

**Motion To Accept:** Alexander; **2<sup>nd</sup>:** Lebovich **Vote:** All in favor

## BUILDING ADMINISTRATORS REPORT

### New Permit

#### Requests/Information/Action/Acknowledgement

- **3505 Raymond Street.** Rear Addition. No Further information or Action.
- **3529 Raymond Street.** Construction in rear; stop work issued. Earlier permit denied
- **3414 Cummings Lane.** Plans received for garage, swimming pool; pool house and more. Cleared by Beal.

#### Permitting Process Underway:

- **3414 Cummings.** Next step is county review & approval.

### Permits Ready/ Issued:

- Fence 3514 Bradley

#### Construction Underway:

- **3513 Raymond Street.** Tear down; all new construction. Well underway.
- **3521 Raymond Street.** Exterior roof lift. New front porch. underway. Permit fee issue
- **3509 Shepherd St** –Rear addition should be ready for final clearance.
- **3510 Bradley Ln** –Still underway.
- **3514 Bradley-** Almost complete; Washington Gas issue-gas line hit.

- **7309 Delfield-** Construction continues to be a challenge; complaints; awaiting geothermal; dry wells soon.
- **3219 Thornapple Street-**Addition/porch/variance. Construction well underway.
- **7218 Chestnut Street-**Construction well underway. Closed in; ready for winter work.
- **3511 Raymond Street-**Renovations. Construction underway. Inside work.

**On Hold:**

- **3507 Raymond** Rear addition. Originally denied. Likely pursuing variance. Not confirmed.

**Completed:**

- **3413 Bradley Ln** –completed. Bond return request under way.
- **3404 Thornapple Street-** Front Porch, front yard landscaping. Completed. No bond deposited; check voided and returned

**Other Municipal Support: General Management:**

- *General building support:* Ongoing supervision and progress reporting of construction projects. Records of compliance with VMA requirements. (e.g., tree protection) •Monitoring of MC DPS Reports. • Move in and out traffic and parking controls. •Construction parking controls and supervision.
- *Special projects:* •monthly streetlight review and reporting. •Storage unit/equipment management; •Monitor and report on Utility work.

**MINUTES OF NOVEMBER 2014 COUNCIL MEETING**

Motion to Approve: Alexander; 2<sup>nd</sup>: Cissna; Vote: All in favor

**MANAGER’S REPORT**

**Community Policing Program:** Continues to operate well. Pleased with street marking improvements. Helps with keeping crosswalks clear and aligned with stop signs.

**Sanitation Services:** All in order. Twice weekly yard waste pick up has ceased with consult of Waste Management. Once a week pick up will continue throughout winter.

**Snow Plowing Services:** Rolling Acres has been lined up for snow plowing. We will have one truck fully dedicated to Martin's Additions and substantial additional support. Section five will also be using the same contractor. Currently evaluating one side of the street parking for snow removal.

**Brookville Sidewalk Shoveling Assistance:** Still being developed. Awaiting agreements.

**Utility Services:**

**WSSC-WATER:** No water breaks here. Many elsewhere. We are notified thru WSSC notification system.

**SEWER:** Problem on Quincy Street. Unresolved. WSSC can't find the connection. Working with them

**WASHINGTON GAS:** Line puncture at 3514 Bradley Lane--part of construction project. Brand new apron excavated. Since replaced. Concern about depth of gas line.

**PEPCO:** No Issues. Appears that additional reliability enhancement completed.

**PERMITTING ISSUANCES:** Multiple utility permit requests processed for new construction.

**UTILITY ROAD REPAIRS:** Location of repairs in the towns are numerous, although we do get notice of them every week.

**Trees:**

**Pruning:** Some winter pruning has begun.

**Plantings:** 12 + trees planted. One tree not available for 3411 Thornapple. Will be planted in the Spring.

**Streets Road repairs/ traffic issues:**

**Street Cleaning:** Last street cleaning will occur next week.

**Road Markings Project:** Completed successfully.

- **7315 Summit.** Shed. Completed. Bond Voided and returned

- **3511 Turner Ln** –Completed. Bond returned

- **7210 Delfield St** –Completed. Needs bond returned.

- **3515 Shepherd St** - Completed. Bond needs to be returned

- **3514 Turner Ln.**– ROW License needed for Fence.

- **3411 Thornapple St** –Rear addition. Completed. Bond returned

- **3518 Bradley Ln** –Bond still held. Possible additional work.

**Problems:**

- **101 Quincy Street-** Unpermitted driveway work

- **3529 Raymond-** unpermitted work

-----

**State Attention to Brookville Road.** Review is underway by State Officials. An accident at Brookville and Taylor added to the list of woes.

**Street light update:**

Holophane currently is redesigning the "guts" for the two lights that were installed on Bradley Lane. Office met with and will be working directly with a factory sales rep from Holophane, Dan Roser, in an effort to expedite this process. Scott Watson is also putting pressure on Holophane to get these mock ups completed. For the record, the new design, intended to better match the 55 watt Induction bulb that was the choice of the Council, are Type II reduced 77 wattage LED (to 50 Watt for tariff purposes) 3000k, 120 volt lamps.

Scott Watson has stressed the importance of the correct orientation of the lamps when the new guts are installed.

**Water Issues: Oxford Street**

- Dye tablets have been acquired for checking the storm drains on Oxford Streets. Will be scheduled soon.
- Rain Garden completed by resident,

**Community Events and Wellbeing:**

- **Lending Library** has a volunteer to assist--Alex Weiner who also would like to initiate a "Little Free Library" Program.
- Facebook creation and link. We have had two people volunteer to assist us with getting our Facebook up and running off of our Website.

**Administrative Matters**

- Martin's Additions has withdrawn from the Montgomery County Chapter of the MML's membership in a "coalition" that we did not agree to or vote to join related to a concoction called "Utility 2.0." A letter to that effect, similar to the withdrawal of Chevy Chase Village, Section 3, Section 5 and Chevy Chase View, was sent to the County Chapter President, Roger Berliner, the Public Service Commission and several other County officials.
- State Highway user report is due into the State at the end of December.
- Concerned about municipal Tax duplication program; "civic" (non municipal reps) group involved.
- We need to start thinking about the celebration of our 30th anniversary of incorporation which will occur in Feb/March of 2015.
- Bike Share: two comments as a result of newsletter article.
- No reply to Red Cross babysitting class
- Toys for Tots donations strong.
- Holiday fund donations strong
- New stationery ordered and delivered.
- Risk Policy still needs our changes; additional surety bond needs to be issued.
- Request for composting bucket program received. Checking with other municipalities.

**Discussion/Other Issues:**

- Snow and Shoveling Contract: with illness of prior contractor, Rolling Acres has taken over snow plowing in the Village. Sidewalk shoveling assistance not set up yet, difficulty in finding contractor.
- Lighting update: Village now has dedicated representative from Holophane, still working with PEPCO on the lights. Work continues.
- Police: information still being gathered about probable effects of road striping on traffic issues on Thornapple St.
- Tax duplication: civic committee (non-municipal residents) fighting for reducing tax duplication payment to municipalities and eliminating income tax rebate from state. Being followed by Maryland Municipal League.

9:30 PM

ADJOURNMENT