

**Village of Martin's Additions**  
**7013 Brookville Road, Suite B, Chevy Chase, MD 20815**  
**Minutes for Council Meeting on**  
**October 20, 2016**

**Council Members Present:** Richard Krajeck (Chair); Arthur Alexander; Tiffany Cissna (arrived 8:15 pm); Susan Fattig; Katya Hill; **Assistant Village Manager:** Beth Boa; **Attorney:** Ron Bolt; **Building Administrator:** Doug Lohmeyer; **Residents and other attendees:** Keith Allen (Turner Ln); Steve Schmal (Summit Ave.); Larry Wasson (Delfield St); and Marjorie Wasson (Delfield St).

7:30 PM Call to Order: Krajeck

Chairman Krajeck acknowledged Dan Gardner (Delfield St), Village Tree Supervisor. Dan is retiring as Tree Supervisor and in appreciation, the Village will plant a red bud tree in his honor.

7:30 PM Opportunity for Council to hear residents' comments: Krajeck

Keith Allen (Turner Ln) noted that the white oak at the end of Turner Ln has died; Paul Wolfe (arborist) will plant a new one.

7:35 PM Action on Council Meeting Minutes of September 15, 2016: Krajeck

Motion by Councilmember Alexander to approve the draft minutes for the Council meeting held on September 15, 2016; seconded by Councilmember Fattig. All in favor.

The minutes as approved are attached.

7:35 PM Update on Committee Appointments: Krajeck

A new volunteer for the Election Committee is Lauren Biel (Delfield St).

Motion by Councilmember Fattig to approve Lauren Biel's membership on the Election Committee; seconded by Councilmember Hill. All in favor.

7:35PM Arborist's Recommendations for Fall Tree Planting: Krajeck

The Council approved the list of trees for fall tree planting.

List of trees for fall tree planting attached.

8:02PM Policy 9-16-01: Draft Policy for Inclusion in *Martin's Edition*: Krajeck

The Council discussed Policy 9-16-01 which would change the publication policy of *Martin's Edition*. The Policy will be published in October's *Martin's Edition*.

Councilmember Fattig suggested that the draft be amended by rewording the restriction pertaining to resident submissions. Motion by Councilmember Fattig to introduce policy 9-16-01, as amended; seconded by Councilmember Hill. All in favor.

Draft Policy 9-16-01 attached.

7:40 PM Discussion and Possible Introduction of Ordinance 10-16-01: to amend the Code of Ordinances regarding the Established Building Line front setback; Setback for certain projections; Non-conforming buildings; Right-of-Way license agreements: Krajeck

First, the Council discussed changes to the Code regarding the Established Building Line front setback based on recommendations from Doug Lohmeyer, Building Administrator. One option would be to adopt Montgomery County code that only applies to new construction.

On a related, but separate matter, the Council discussed Village Code requirements for projections into the front setback such as front porches and how far they can project. Lohmeyer suggested the option of making the allowable porch depth a percentage (20%) of the setback because currently the Code eliminates the ability of older homes to build a porch due to the EBL and setback.

The Council agreed to table this discussion for now pending a further discussion on the front setback and whether the EBL should be amended.

ROW license agreements are required for any vegetation over 12 inches and any structure in the ROW, and intend to put residents on notice that such structures may need to be removed by the Village and would need to be replaced at the resident's cost. The Council discussed waiving right-of-way (ROW) license agreement requirements in instances that the cost and inconvenience of the license exceeds the benefit to the Village. This would affect sections 6-302 and 7-209 of the Code.

The Council discussed changes to sections 7-403 and 7-404 of the Code. The exemptions for rebuilding and altering non-conforming structures will be revised to apply the same stricter standard so that a building cannot be enlarged in any manner, including but not limited to enlargement of any three-dimensional boundary of the building that existed on June 16, 2009.

Motion by Councilmember Alexander to introduce Ordinance 10-16-01, as amended (to amend sections 6-302, 7-209, 7-403, 7-404); seconded by Councilmember Hill. All in favor.

Ordinance 10-16-01 (amending sections 6-302, 7-209, 7-403, 7-404) attached.

8:15 PM Annual Survey: Hill

Councilmember Hill presented the results of the 2016 annual survey of Village residents. It was posted for two weeks and closed October 3<sup>rd</sup>.

Councilmember Hill reported that this year we received 141 responses, which is a fairly significant increase from last year's 105 responses.

117 residents took the time write in text responses that provide great insight into what's most important to our residents. The Council really appreciates the time the residents took to submit their anonymous feedback. The most common feedback points were:

- Communications – residents would like to see more information from the Village office on what's happening in the community, issues under consideration by the Council, construction plans, community events and other information that could be of interest to the residents. There were also a number of resident comments requesting to bring back elements of the original format of the monthly newsletter. The Village office will make an effort to better meet the residents' needs by communicating about a wider range of subjects that affect the residents' day to day life and Village activity. This will also be reflected in the newsletter, which will be more enjoyable to read. We will develop a new format for the newsletter in the coming months.

- Utility work/street disrepair – completely understandably we received a lot of complaints on the state of our streets. The Village office is pushing hard to have the streets repaved as early as possible.

- Services – the overwhelming majority of residents do not want to see reductions to the services provided by the Village. Other feedback included:

- o There were several comments requesting eliminating police patrols and an equal amount of comments requesting increasing of patrols.

- o Some residents wanted to add leaf vacuuming to the current service of leaf bag delivery, rather than replace one service with another as the survey suggested.

- o Residents are interested in reinstating snow shoveling for the elderly as a service. The Council will take into consideration these suggestions as we look at our budget for next year.

- Elections – there were many positive responses on the work performed by the Election Committee. A number of residents expressed concern with lack of competition for Council seats during the last election. If you are interested in running for one of the two Council seats up for re-election in May, please reach out to the Election Committee members.

The Council thanked residents that responded to this year's survey, whether electronically or in paper form. It is great resource to us as we deliberate on issues throughout the year.

2016 Annual Survey of Village Residents Results attached.

8:50 PM Sidewalks on the North End of the Village: Krajeck

AMT is putting together a proposal to survey the entire North End of the Village to look at the feasibility and a potential layout for sidewalk installation on Thornapple, Summit, Delfield, and Chestnut.

Joe Cutro (Engineer) has already taken a cursory look at Thornapple and would recommend that any sidewalks be installed on the south side of the street based on topography and utility conflicts (i.e. fire hydrants, PEPCO poles). He is also putting together an estimate on what it would cost to install sidewalks on the south side of Thornapple. In conversations with Joe, the Village could go one of a couple of ways on this potential project – install all in one fell swoop, or do it piecemeal, and prioritize streets one by one (probably in order: Thornapple; Summit; Chestnut; Delfield based on foot traffic and respective business of the roads). If we wanted, we could also have Joe look at Summit, Chestnut, and Delfield so we could get information and a rough estimate on those streets.

Both the information from Cutro and the proposal from AMT should tell us if the project is something we would want to go ahead with – we can then decide if we want to accept AMT's proposal, or if it is a project that would require its own RFP. Based on the fact that we already have a contract and relationship with a company capable of carrying out this project, are we justified in continuing with them? Or is the scope of the project so far removed from what we normally do with AMT that it warrants a new RFP, and to go through multiple proposals?

As a reminder, Thornapple is particularly tricky because it is split between VMA and Section 5. The Office asked the Section 5 Manager, Ashley Kavanaugh, if she had ever been approached by any residents or Councilmembers about the possibility of adding sidewalk. She said that such a discussion had never come up in her time at Section 5. (She did say that it would require the removal of several large trees, and that residents use the ROW for landscaping – which we already knew as a consideration).

If we were unable to get buy-in from Section 5, it would probably make sense to connect sidewalks on Thornapple to Chestnut, which could then tie in to Taylor Street. This path would make the most sense from a pedestrian perspective walking from the north end to the Brookville Market area. However, that would be very much informed by the survey performed by AMT, or whichever firm VMA decided to go with.

Councilmember Cissna reported that a resident suggested changing Thornapple Street to one-way from Chestnut to Summit rather than installing sidewalks. Sidewalks would cause disruption to the trees, yards, and utility poles.

The Council will have Joe Cutro advise about making some streets in the north end of the Village one way.

9:00 PM Financial matters, including Treasurer's Report: Alexander

July 2016 through September 2016

Actual Pro-rated budget

Revenues	\$133,496	214,150
Expenses	116,039	168,056
Net Income	17,457	46,094

Reserve account (current assets less designated allocations): \$1,612,351

For the first three months of the fiscal year, both revenues and expenses are running somewhat behind the pro-rated budgeted amounts. The first significant income receipt will be the Village's allotment from the state income tax, which arrives in late November. An unbudgeted revenue came from Washington Gas, which provided \$72,900 in August for repaving the streets that the company dug up for new gas lines.

Over the past several years, the Village has allocated a large part of its reserves to capital improvement projects including \$500,000 for street repaving and \$250,000 for sidewalk repair. We now have a contract for repaving and sidewalk repairs, the cost of which closely matches our allocated amounts.

The reserve account (current assets minus funds set aside for designated capital expenditures) is roughly double the Village's budgeted annual expenditures, which provides a planned cushion against unexpected occurrences.

Councilmember Alexander will contact Accountant Dan Baden to have him create a designated line item for the Wynne repayments.

Motion by Councilmember Alexander to approve the Treasurer's Report; seconded by Councilmember Fattig. All in favor.

Treasurer's Report attached.

9:00 PM      Manager's Report: Boa

Administrative Matters:

- Audit: Village staff is working with the Village Accountant and Linton, Shafer, Warfield & Garret (LSWG) on putting together the necessary documents for the annual audit.
- Community Events:
  - o Halloween Party: The Village will be hosting a Halloween celebration on October 30 at the end of Turner Lane. We will have pizza, ice cream, a DJ playing music, crafts, and pumpkins for carving. Special thanks to Keith Allen, who is assisting in planning and storage, as well as providing electricity and restroom facilities. We are still looking for volunteers to help set up, assist with crafts, and clean up the day of the party.
- Website: Google Analytics reports that we had 2,281 page views from September 11 to October 11, which is up from the slower days of summer. It is far more

than the 989 in July/August, but down from the nearly 2,800 we had around the time of the annual Celebration on the Sidewalk/Election.

- Contacting the Office: The VMA Office is staffed from at least 9:00 am – 5:00 pm Monday through Friday, although someone is often in the office earlier than that. Outside of the regular office hours, the best way to get in contact with Village staff is via email at [martinsadditions@gmail.com](mailto:martinsadditions@gmail.com).
- Newsletter: continues to be published monthly online. The next edition should be going out next week.
- Office Cleaning: Staff has hired a new cleaning firm.
- Centennial Plaque: A centennial plaque will be placed by the centennial tree next week.
- Contracts:
  - o Municipal Code Enforcement: Consistent with our Charter and Policy, the Village put out a formal RFP for Municipal Code Enforcement work.
  - o Arborist: Village has also finalized a formal RFP for Village Arborist position. An RFP should be posted on the Village website and on the Maryland Municipal League's website tomorrow, Friday October 21st.
  - o Website: Village staff is putting together a formal RFP to host and potentially redo the Village's website. That should be finalized and posted on the Village's website and the Maryland Municipal League's website by the end of next week. The Village has already been contacted by two vendors with experience in municipal websites design that have expressed interest.

#### Safety and police:

- Remember to have a safe Halloween. Halloween is an exciting time, especially for young people. Police have offered a few tips to keep the holiday as safe as possible:
  - o Trick-or-Treating – Do so in your neighborhood and in areas that are familiar. Adults are encouraged to be present during trick-or-treating, to stay close and to watch their kids as they approach unfamiliar houses. Instruct children not to eat any candy until returning at the end of the night, and not to enter strangers' houses.
  - o Costumes – Wear reflective clothing and carry a flashlight in order to be seen by motorists. In the same vein, drivers operating vehicles should be wary of children. Wear costumes that allow for visibility so kids can clearly see around them.
  - o Candy – Accept only wrapped candy unless it's coming from a family member or a well-known neighbor. Adults, make sure to examine the candy collected beforehand.
  - o Families – Homeowners, be sure the outside of your property is well-lit, and all outside lights are turned on and any animals are secured.
  - o Transportation – If you are operating a car or another vehicle on Halloween night, be wary of kids going door to door. Be sure to enter and exit driveways carefully. As the night progresses and it gets darker, drivers should pay special attention to kids dressed in dark clothing.
- All of these tips will be published in the newsletter.

#### Utilities: WSSC

- Village staff is working with WSSC to receive reimbursement for road repairs.

- WSSC is returning to VMA! – next up is a series of sewer main replacement projects. The following VMA streets will be affected: Quincy, Raymond, Chestnut, and Thornapple. About half of the work is scheduled to begin soon after the new year, while the rest will begin in late summer/early fall of 2017.

#### Streets Lighting:

- The Village has received the photometric data to send to PEPCO to begin installation of the seven new poles, and replace existing streetlights throughout VMA. The Village is going ahead with the custom-made 55-watt LED lights that were hung on Bradley Lane. These lights have the appropriate color and temperature, and were voted on by residents as one of two acceptable options. PEPCO is ordering the lights, and their computers show a lead time of about six weeks to fill the order, though I have been in touch with Holophane to try and see if we can expedite that process. Installations should begin shortly thereafter. (PEPCO said that cold weather doesn't matter, but rain and snow and staff availability during holiday season can affect installation time).

#### Streets & Sidewalks:

- Street Repaving: Village staff sent out an email to residents outlining where we are in the street repaving process. After an RFP was issued, the Village selected A.B. Veirs as its contractor. Village staff has gone through the Village with A.B. Veirs, and identified concrete that needs to be fixed or replaced throughout Martin's Additions (residents may have noticed orange dots on the sidewalks, curbs and gutters – those denote spots that are to be replaced or repaired). Work is scheduled to begin shortly after Halloween. Actual street repaving will be done in the spring – this avoids us having to redo (and re-pay for) the same work after WSSC tears up the streets (again). It also makes sense from a weather standpoint – falling leaves can impact the stability of asphalt, but more importantly asphalt plants close around Thanksgiving time until through February.
- One exception to no paving is Quincy Street, where we will repair the failing Washington Gas trench, and pave over and smooth out the road this fall. Quincy is in dire need of some work, and for safety reasons we cannot allow it to go ignored for another year while WSSC tears it up again. Keep in mind, this is only a temporary solution. Once WSSC has finished up its sewer replacement work, we will go back and finish up the aforementioned streets – Thornapple, Quincy, Chestnut. (Raymond work should be finished in time to begin repairs in the spring).
- In total, the project is estimated to cost slightly under \$800,000 which, after accounting for Washington Gas and WSSC reimbursements, should keep the project under the \$750,000 set aside in the budget.
- A number of residents have taken advantage of the opportunity to "piggy-back" off the Village's contract with A.B. Veirs and get an evaluation and estimate to redo driveways.

#### Sanitation:

- Bulk Trash: The next bulk trash pickup will be on Saturday, November 12th. A Wider Circle will pick up on Friday, November 11th.
  - o Please contact the Village Office if you have unusually large-sized objects, or an unusually large amount of items for bulk pickup (see below). This allows us to contact

Waste Management so they can send the appropriately-sized truck. Unusually large refers to items that are:

- Over four feet in size;
- Over 50 lbs;
- o More than six items. Also as a reminder, certain items cannot be picked up as part of Bulk Trash, including construction debris, tires, and refrigerators that have not been tagged.
- Leaf Bags: Leaf bags were delivered by Laniado's. If any residents need extras, they can contact the Village Office.

9:05 PM Building Administrator's Report: Lohmeyer

Doug Lohmeyer, Village Building Administrator, gave his report.

7219 Chestnut St.

The homeowner placed stones tiles over the top of the existing concrete lead sidewalk. A right of way license agreement was prepared for that portion of the sidewalk in the Village right of way. We are waiting for the homeowner to return the executed and notarized agreement, which will be recorded in the land records at Montgomery County.

3414 Cummings Lane

The construction of the detached garage, pool, pool decking, and driveway is on-going. The Village recently extended the building permit.

7210 Delfield St.

The homeowner has planted rose bushes and other plants, outside the new fence at the front of the property and within the Village right of way. A right of way license agreement was prepared for the plantings in the Village right of way. We are waiting for the homeowner to return the executed and notarized agreement, which will be recorded in the land records at Montgomery County.

3505 Raymond Street

Work is continuing on the original house improvements and a new building permit has been issued for the front porch addition, the new deck above the old garage, and the relocation of two A/C compressors at the rear of the house.

3507 Raymond St.

The homeowner has submitted plans and a building permit application to the Village to make interior improvements and to add a deck to the rear of the house. The Village has issued a building permit. The work is ongoing.

3512 Taylor Street

The staff noticed that the existing retaining wall along the front property line was being totally removed and re-built. The Village no longer issues permits for retaining walls. A right of way license agreement was prepared for the wall in the Village right of way. The agreement has been recorded in the land records at Montgomery County.

MSHA – Brookville Road

When the WSSC contractor was flushing the fire hydrant on the east side of Brookville Road, the staff noticed that the existing MSHA storm drain inlet, just north of Shepherd St. was missing a grate and a large hole was located adjacent to the sidewalk and bike lane. The MSHA maintenance crew has rebuilt the inlet, but the opening, where the water enters the inlet, is restricted. I contacted MSHA and they agreed the opening is too small. They are scheduled to enlarge the opening.

When we walked the Village in order to access the condition of the sidewalks, we notice water was ponding onto the handicapped ramp at the northeast corner at Brookville Rd. and Bradley La. We contacted MSHA and asked them to correct that situation. Waiting to hear their decision.

AMT GIS Update

AMT last updated the Village GIS computer data in 2014. We are presently compiling the information for a new update. The update will include the new front yard construction projects since 2014, the WSSC water main replacement project from 2012 and 2016, the recent WGL improvements, and any changes to trees within the Village right of way. We have submitted some of this information to AMT and the rest should follow in the near future.

Recently, residents have been questioning the location of their property lines. We are also compiling a folder of individual lot surveys, which may help clarify where the individual property lines are located. AMT provided a street right of way survey in 2007.

We have asked AMT to review the individual property line surveys and compare that information to the survey they provided in 2007.

9:10 PM      Opportunity for Council to hear residents' comments: Krajeck

Steve Schmal (Summit Ave) appreciated the information recently sent from the office on repaving and urged the Village to go forward on updating streetlights. He suggested that the Village enlist "block captains" for each street to help with communication from the Council and office. He asked for an update on the status of the redesign of the Brookville Rd/Taylor St intersection.

9:15 PM      Closed Session: Krajeck

At 9:15 pm, Susan Fattig made a motion to enter closed session pursuant to the Open Meetings Act, General Provisions Article, Section 3-305(b)(1) to discuss the appointment of a specific appointee over whom the Village Council has jurisdiction. Arthur Alexander seconded the motion and it passed unanimously. Present were Beth Boa, Assistant Village Manager; Ron Bolt, Village Attorney; and Doug Lohmeyer, Building Administrator. The Council discussed the performance of the specific appointee, and unanimously agreed to have the Village Manager speak with the appointee about the Council's findings and to offer terms for continued service. The meeting was adjourned at 9:57 pm.

9:57 PM          Adjournment: Krajeck

**Village of Martin's Additions**  
**7013 Brookville Road, Suite B, Chevy Chase, MD 20815**  
**Minutes for Council Meeting on**  
**August 18, 2016**

**Council Members Present:** Richard Krajeck (Chair), Arthur Alexander, Tiffany Cissna, Susan Fattig; Katya Hill **Village Manager:** Matt Trollinger; **Assistant Village Manager:** Beth Boa; **Building Administrator:** Doug Lohmeyer; **Residents and other attendees:** Naomi Naierman (Quincy St), Steve Schmal (Summit Ave).

7:30 PM Call to Order: Krajeck

7:30 PM Report from Police Officer Nick Picerno: Krajeck

Officer Picerno reported that the Village did not suffer the “routine” summer crime problems this year. He attributed our quieter summer to the Second District surging to address the burglaries and car break-ins, resulting in a significantly lower amount of crime this summer throughout the district and increased resident awareness and vigilance. Officer Picerno urged Village residents to continue to secure residences, lock cars, and report suspicious activity to police.

7:40 PM Opportunity for Council to hear residents’ comments: Krajeck

Steve Schmal (Summit Ave) raised the issue of residents or outside organizations being able to publish information about their organizations and events in the Village newsletter, *Martin's Edition*, reporting that he had drafted proposed guidelines to cover inclusion of local non-profits’ announcements.

7:40 PM Ratification of Election of Officers: Krajeck

Council members had proposed their roles on the Council in July. Richard Krajeck: Chair; Tiffany Cissna: Vice Chair; Arthur Alexander: Treasurer; Susan Fattig: Secretary; Katya Hill: Member-At-Large.

Motion by Councilmember Krajeck to ratify the election of officers; seconded by Councilmember Hill. All in favor.

7:40PM Update on Committee Appointments: Krajeck

Volunteers for the Election Committee are: Marty Langelan; Naomi Naierman; Natalie Straus Welle; Steve Trowern.

The Council approved the members of the Election Committee.

Volunteers for the Ethics Committee are: Celeste Biagini; Mark Efron; Jimmy Joyce.  
The Council approved the members of the Ethics Committee.

Dan Gardner is retiring as Village Tree Supervisor. The Council will appoint a new Tree Supervisor, per the Code of Ordinances Section 9-103. Interested volunteers should contact the Village office by September 8.

7:45 PM Action on Council Meeting Minutes of June 16, 2016: Krajeck

Motion by Councilmember Alexander to approve the draft minutes for the Council meeting held on June 16, 2016; seconded by Councilmember Fattig. All in favor.

The minutes as approved are attached.

7:45 PM Public Hearing on Ordinance No. 6-16-1, renewal of RCN Cable TV Franchise: Krajeck

A public hearing was held on Ordinance No. 6-16-1. There were no comments presented.

Motion by Councilmember Fattig to adopt Ordinance No. 6-16-1, renewal of RCN Cable TV Franchise; seconded by Councilmember Alexander. All in favor.

Ordinance No. 6-16-1, renewal of RCN Cable TV Franchise attached.  
Memorandum of Understanding attached.

7:45PM *Martin's Edition* Newsletter Contents: Krajeck

Chairman Krajeck commented that Steve Schmal (Summit Ave) submitted draft guidelines for submission of content for the *Martin's Edition* newsletter by local non-profits.

First, the Council discussed whether appropriate to add such submissions to the monthly newsletter. Councilmember Cissna reiterated her position that only official Village business be included in the newsletter for a variety of reasons and that, if the Council decided to go forward with including such information, legal counsel should be consulted on how to appropriately implement such a decision. The rest of the Council voiced support for including local non-profit announcements in a separate section of the newsletter while agreeing to consult with legal counsel on how to implement. Discussion ensued as to which non-profits could be included and the length of submissions.

Although legal counsel will be consulted, next steps are for Assistant Village Manager Beth Boa to edit the draft guidelines pursuant to the Council discussion and send them to Attorney Ron Bolt and the Council for review. Katya Hill may add a question to this year's annual survey seeking resident opinions on inclusion of local non-profit

announcements. As discussed, such announcements would need to be 100 words or less and be submitted by a Village resident.

Draft Guidelines for What Non-Village Business Can and Cannot be Included in *Martin's Edition* from Steve Schmal Attached, noting the Council still plans to consult with its attorney.

8:00 PM Update from the Centennial Celebration Committee: Naierman

This will be the last update from the Committee.

The Committee has developed a video from the Centennial Celebration event. The Centennial Celebration Committee presented a DVD to each Council member. The remaining DVDs will be distributed to residents that requested a copy and the rest will be stored in the Village office. It is also posted on the Village website.

The video with snippets of interviews of residents of VMA is in production and will be posted on the Village website.

Thus far the budget estimate is \$20,250 at most, including expenses related to the program itself, such as children's entertainment, videography and AV equipment. The estimated expense of the development of the two videos is included and it may slightly exceed the \$20,000 event budget.

The Council thanked Naomi Naierman and the Committee members.

8:05PM Update on Streetlights: Trollinger

Village Manager Trollinger reported on his conversations with Pepco about replacing streetlights and adding seven new poles in the Village. Discussion ensued about the options presented and associated costs.

Due to some outstanding questions on the information presented by Pepco, the Council would like to meet with Mike Picucci, who is a Regional Manager at Pepco, to discuss options. Village Manager Matt Trollinger will arrange a meeting.

Pepco's induction versus LED Street Lights and Process memo attached.

8:30 PM Discussion on Established Building Line front setback: Krajeck

The Council discussed changes to the Code regarding the Established Building Line front setback based on recommendations from Doug Lohmeyer, Building Administrator. One option would be to adopt Montgomery County code that only applies to new construction.

The Council discussed Village Code requirements for projections such as front porches and how far they can project. Lohmeyer suggested the option of making the porch depth a percentage of the setback.

Chairman Krajeck will invite resident architect Lynn Iadarola (Shepherd St) to meet with the Council and Lohmeyer to give input on projections. Councilmember Cissna requested that any input be accompanied by data on homes that would be impacted as well as illustrations so that it would be easier for everyone to see the impact(s) of the changes being discussed.

8:45 PM Annual Survey: Hill

Councilmember Hill will prepare draft questions for Fiscal Year 2017's Annual Survey. It will be based on the survey from FY2016. Council members are invited to submit questions to Councilmember Hill who will present a draft survey to the Council at the next meeting (September 15, 2016).

8:45 PM Arborist Contract: Krajeck

Council Chairman Krajeck noted that while the Village is happy with the current Arborist (Integrated Plant Care), pursuant to the Village Charter and Policy, the job needs to be bid out. The Council discussed whether to split the arborist contract into two parts: (1) a consulting job and (2) a separate firm to do the work of trimming and removing trees in the Right-of-Way in order to avoid the appearance of a conflict of interest.

The Ethics Committee members' opinion was two-to-one for maintaining the current practice of having one firm do all of the work. The Council's opinion was four to one in favor of having one entity do the work.

Village Manager Trollinger will prepare a request for proposals for the Village arborist position. He will inform the new Tree Supervisor about this discussion.

8:50 PM Financial matters, including Treasurer's Report: Alexander

	Actual	Budgeted
Revenues	\$2,891	1,891
Expenses	27,830	49,453
Net Income	-24,940	49,453
	27,830	-47,562.00

Reserve account (current assets less designated allocations): \$1,588,216

For the first month of the fiscal year, the Villages accounts are not very informative. Both revenues and income get off to a slow start.

However, there is close to a final reckoning of the effects of the U.S. Supreme Court's *Wynne* decision as it affects Martin's Additions. The State of Maryland had allowed taxpayers with income from other states to claim a credit on their state taxes for taxes paid elsewhere, but a credit was not allowed for county taxes. The Court held that credits should have been allowed for all levels of government. Martin's Additions is required to refund revenues inappropriately received from income taxes to the extent that residents file for their previously disallowed credits. The latest and near final estimate from the State Comptroller is that we will owe \$150,000, subject to minor change. The State will recover these funds in 20 quarterly installments, beginning in May 2019, by deducting the funds from the regular disbursements we receive from the Village share of State income taxes.

Due to years of careful budgeting, the Village reserve account (current assets minus funds set aside for designated capital expenditures) is roughly double the Village's budgeted annual expenditures, which provides a planned cushion against unexpected occurrences. As a result, the Council discussed paying the *Wynne* funds back as a lump sum. Village Manager Trollinger will ask the Village Accountant Dan Baden and James Pasko, Manager, Revenue Accounting for the Comptroller of Maryland how to pay the funds as a lump sum. The Village Council agreed to create a designated fund balance in the FY 2017 budget to clearly show where the funds would come from and impact on the overall budget.

Motion by Councilmember Fattig to approve the Treasurer's Report; seconded by Councilmember Hill. All in favor.

Treasurer's Report attached.

8:55 PM      Manager's Report: Trollinger

Village Manager Matt Trollinger gave his report.

#### Administrative Matters:

- Community Events:
  - o Halloween Party: The Village will be hosting a Halloween celebration on October 30 at the end of Turner Lane. We will have pizza, ice cream, a DJ playing music, crafts, and pumpkins for carving. Special thanks to Paul Wolfe, who will be providing pumpkins, and Keith Allen, who is assisting in planning and storage, as well as providing electricity and restroom facilities. We are looking for volunteers to help set up, assist with crafts, and clean up for the event, and to help with any additional planning in the next couple of months.
- Website: Google Analytics reports that we had 1,724 page views from June 9 – July 9, and 989 views from July 10- August 9, which is down from the previous few months quite significantly, likely as the election ended and people head away on summer vacation.
- Contacting the Office: The VMA Office is staffed from at least 9:00 am – 5:00 pm Monday through Friday, although someone is often in the office earlier than that.

Outside of the regular office hours, the best way to get in contact with Village staff is via email at [martinsadditions@gmail.com](mailto:martinsadditions@gmail.com).

- Newsletter: continues to be published monthly online with the exception of July when there was no Council meeting.
- Directory: Staff has put together and sent out 2016 Village Directories to residents. There are extra copies in the office if residents need them.
- Contracts:
  - o Municipal Operations & Code Enforcement: Staff is working to put out a request for proposals for Municipal Operations & Code Enforcement work. Currently, work is done on an informal basis.
  - o Snow Plowing & Street Cleaning: The Village has triggered its option clause with Rolling Acres to continue to provide snow plowing & street cleaning to the Village this winter.
  - o Arborist: Village will put out a formal RFP for Village Arborist position, per the Council decision discussed earlier in the meeting.
  - o Website: Village's current website provider and host is generally unresponsive. At the summer MML Convention, Staff spoke with a number of representatives from other companies, one of which has submitted an offer that would require an upfront cost to migrate over, but would ultimately cost less on a per month basis. Village staff plans to put together a formal RFP coming weeks to receive proposals from various vendors. Staff will send a list of municipal website samples to the Council.

#### Safety and police:

- Our contract Police officers continue to contribute safety tips to newsletter on a semi-monthly basis to increase community awareness and help prevent crime.
- Reminder to always double-check to make sure your car doors are locked, and to not keep any valuables in your car if at all possible.
- Residents should also report any suspicious activity to police.
- Our Village's traffic engineer, Joe Cutro assessed the bent stop sign behind the Village marketplace. It is likely that it will have to be replaced.

#### Utilities: WSSC

- House Connections are almost finished on the South End. WSSC still has one service to fix on 111 Quincy. The service was put in incorrectly, and needs to be moved nine feet away from a tree.
- WSSC is finishing up final repairs of driveway aprons, curbs, and right-of-ways before the work is entirely complete.
- Village Staff did a walk-through with WSSC to complete a "punch list" of areas/items that are in disrepair due to WSSC's work in the South end. The Village has an additional year to identify any spots that need attention from WSSC.
- Once the final house connection has been fixed and the punch list has been completed, WSSC will sweep the streets and move all equipment out of the Village.

#### Streets Lighting:

- PEPCO sent one its engineers to VMA to observe the layout of the Village, and assess the locations of new poles, according to our design. Five of the seven proposed locations require trimming Village trees, which will be handled by PEPCO. PEPCO will send over a price on the seven new poles in the next two weeks.
- PEPCO prepared a memo for the Village comparing LED and Induction Lighting. The memo outlines performance and cost differences. The cost difference is not as prohibitive as originally thought, based on estimates from Scott Watson. The custom-built 55 watt LED fixture that is located on 3525 Bradley are essentially the same price as the 55 watt Induction light (in fact it is slightly cheaper).
  - o PEPCO has agreed to stock additional custom-made LED lights for the Village.
- In the last week the Village received a call from PEPCO saying that PEPCO's supplier, Holophane, was planning to cease and desist its line of QL Induction lights. This is in direct conflict with what the Village was told by Scott Watson, who assured that Induction would be available for at least 25 years.
- VMA still has the option to sign a master agreement with PEPCO, buying the light fixtures from them outright, and then installing new lights on its own. However, this would require the Village, not PEPCO, to maintain all street lights, including replacing any lights that go out in the future. According to PEPCO, no municipality in the area has ever signed its master agreement and taken over maintenance responsibilities.

#### Streets & Sidewalks:

- Street Repaving: Staff has sent out an RFP, with bids due by Friday September 2.
  - o After successful negotiation with the Village staff to increase their initially proposed reimbursement, Washington Gas has reimbursed the Village for paving repairs. Village staff is negotiating with WSSC to get its reimbursement check as well.
- Brookville Market Intersection: Staff has been working with Section 3 and local elected officials to push State Highway to a redesign of the dangerous intersection. On August 9th the Village received a letter from SHA stating that the project is funded for design, and that design planning is scheduled to start in November 2016.
- Oxford/Quincy Intersection: As a courtesy, WSSC agreed to move the boulders on the corner of Oxford and Quincy down to the dead end of Turner. We will use one of the boulders as a plaque for the Centennial Tree. See report from Doug Lohmeyer on plans for re-doing the storm drain.
- The Council recommends replacing the two wooden Village signs.

#### Leaf Bags:

- Have been ordered from Laniado Wholesale who will also provide delivery to individual homes. The Council has budgeted \$10,000 in FY17 so will need to have a budget amendment to cover the additional \$4,025 estimated cost. Discussion ensued about the possibility of leaf vacuuming versus leaf bag distributing in the Village.

#### Sanitation:

- Bulk Trash: Next pickup September 10, again coordinated with A Wider Circle pick up on Friday September 9.

9:05 PM Building Administrator's Report: Lohmeyer

Doug Lohmeyer, Village Building Administrator, gave his report.

7219 Chestnut St.

The homeowner placed stone tiles over the top of the existing concrete lead sidewalk. A right of way license agreement was prepared for that portion of the sidewalk in the Village right of way. We are waiting for the homeowner to return the executed and notarized agreement, which will be recorded in the land records at Montgomery County.

3414 Cummings Lane

The construction of the detached garage, pool, pool decking, and driveway is on-going. The Village recently extended the building permit.

7210 Delfield St.

The homeowner has planted rose bushes and other plants, outside the new fence at the front of the property and within the Village right of way. A right of way license agreement was prepared for the plantings in the Village right of way. We are waiting for the homeowner to return the executed and notarized agreement, which will be recorded in the land records at Montgomery County.

3505 Raymond Street

Work is continuing on the original house improvements and a new building permit has been issued for the front porch addition and the relocation of two A/C compressors at the rear of the house.

3507 Raymond St.

The homeowner has submitted plans and a building permit application to the Village to make interior improvements and to add a deck to the rear of the house. The Village has issued a building permit, but the work has not begun.

3512 Taylor Street

The staff noticed that the existing retaining wall along the front property line was being totally removed and re-built. The Village no longer issues permits for retaining walls. A right of way license agreement was prepared for the wall in the Village right of way. We are waiting for the homeowner to return the executed and notarized agreement, which will be recorded in the land records at Montgomery County.

3504 Turner Lane

The staff observed the installation of a new landscape retaining wall in the front yard.

The Village no longer issues permits for retaining walls. A right of way license agreement was prepared for the wall in the Village right of way. We are waiting for the homeowner to return the executed and notarized agreement, which will be recorded in the land records at Montgomery County.

#### 3507 Turner Lane

The building permit has been issued. Work is wrapping up on the two story addition. Ms. Metwalli called and asked for a final review and the return of the performance bond.

When I visited the site, I measured the front porch roof, which was reduced from 36" to 30" during the Variance Hearing. The new porch roof extends 35.5" from the front wall of the house.

The contractor has removed the porch roof and re-built the roof. It now extends 30" from the front wall. In my opinion, the improvements, as revised, comply with the Village Code, the building permit should be closed, and the performance bond should be refunded.

#### MCDOT – Quincy and Oxford

Presently, large trucks are having difficulty making the turning movement at the intersection of Quincy and Oxford and the rear wheels are driving across the curb and sidewalk.

In April, we met with the MCDOT maintenance staff and discussed rebuilding the existing brick inlet to allow a larger turning radius at the western side of the intersection. In July, I again met with the staff at MCDOT. They have determined the cost of rebuilding the inlet was too expensive and set a bad precedent. We discussed enlarging the radius without changing the inlet. We will soon meet with Joe Cutro to discuss this option and cost.

#### MSHA – Brookville Road

When the WSSC contractor was flushing the fire hydrant on the east side of Brookville Road, the staff noticed that the existing MSHA storm drain inlet, just north of Shepherd St. was missing a grate and a large hole was located adjacent to the sidewalk and bike lane. The MSHA maintenance crew has rebuilt the inlet, but the opening, where the water enters the inlet, is restricted. I contacted MSHA and they agreed the opening is too small. They are scheduled to enlarge the opening in Sept.

#### AMT GIS Update

AMT last updated the Village GIS computer data in 2014. We are presently compiling the information for a new update. The update will include the new front yard construction projects since 2014, the WSSC water main replacement project from 2012 and 2016, and

any changes to trees within the Village right of way. We hope to submit this information to AMT in Sept.

Recently, residents have been questioning the location of their property lines. We are also compiling a folder of individual lot surveys, which may help clarify where the individual property lines are located. AMT provided a street right of way survey in 2007. We will ask AMT to review the individual property line surveys and compare that information to the survey the provided in 2007.

The Council asked whether AMT had become more responsive to staff needs in recent months and was told that that issue had not been resolved. Staff plans to write a formal letter to AMT in hopes of correcting the issue(s). The Council also suggested that staff become familiar with the ARC-GIS.

9:20 PM Opportunity for Council to hear residents' comments: Krajeck

9:20 PM Councilmember Alexander made a motion to enter closed session pursuant to Maryland Code, General Provisions Article, Section 3-305(b)(1) to discuss the appointment, assignment, and performance evaluation of an appointee (independent contractor) over whom the Village Council has jurisdiction; seconded by Councilmember Cissna. All in favor. Present were Doug Lohmeyer, Matt Trollinger and Beth Boa. Pending legal counsel, a lump sum payment may be made to Blue Crab Contracting (BCC) to compensate for invoices that have not been received by the Village for February through June 2016 (the last 5 months of the preceeding fiscal year). Also pending legal counsel is a path forward on how to compensate for work done in FY 2017 until an RFP is completed and a new contract is in place. Attorney Bolt will be consulted. An RFP will be developed and competed for the Code Enforcement/ Municipal Operations contractor position in the Village in the near future. The closed session adjourned at 10:05 pm.

10:05 PM Adjournment: Krajeck



2279 Lewis Avenue □ Rockville, Maryland 20851

October 17, 2016

301-881-8130 □ Fax 301-881-3695

Ms Beth Boa  
Village of Martin's Additions  
7013 B Brookville Rd.  
Chevy Chase, MD 20815

Dear Ms Boa,

I recently reviewed the trees in Martin's Additions with Dan Gardner, looking specifically for trees that need to be taken down plus replacement trees for these and other locations. I'm pleased to report that only three trees are dead and there are nine locations for new trees.

#### Tree and Stump Removals

7214 Chestnut St.- Autumnalis cherry  
7308 Summit Ave.- Kwanzan cherry  
3500 Turner Lane- Sweetgum

#### Tree Replacements

7203 Delfield St.- Redbud  
7223 Delfield St.- "Okame" cherry  
7311 Delfield St.- Amelanchier  
7315 Delfield St.- Black gum  
7308 Summit Ave.- Kwanzan cherry  
7304 Summit Ave.- Hornbeam  
7214 Chestnut St.- Autumnalis cherry  
3500 Turner La.- Sweetgum  
Turner La. at the Park- Swamp white oak

With the Council's approval, I will obtain the necessary permits from the State for the tree removals and order the new trees.

Please let me know how I may be of service.

Sincerely,

A handwritten signature in black ink that reads 'Paul L. Wolfe, II'. The signature is written in a cursive style with a large, sweeping 'P' and 'W'.

Paul L. Wolfe, II  
President  
Integrated Plant Care, Inc.



**Village of Martin's Additions**  
**7013 B Brookville Road**  
**Chevy Chase, MD 20815**  
**301-656-4112 (Phone)**  
**301-656-0030 (Fax)**

**Policy No. 09-16-01**

**DRAFT Policy for Contents of *Martin's Edition***

The Village of Martin's Additions (Village) Council desires to be transparent in its publishing policy for *Martin's Edition*, the Village's monthly newsletter.

The Village newsletter is generally reserved for official Village business. However, residents may submit articles and notices. In order for non-Village business to be included in *Martin's Edition*, the information

- (1) must be submitted by a current Martin's Additions resident;
- (2) must pertain to a not-for-profit organization;
- (3) must be received in its entirety by the Village staff in electronic format by the 15th of the month it is to be printed; and
- (4) is limited to written text and cannot exceed 100 words.

**Policy Number: 09-16-01**

**Action/Adoption:**

**Effective Date:**

Ordinance No.: 10-16-1  
Introduced: October 20, 2016  
Adopted:  
Effective Date:

## **THE VILLAGE OF MARTIN'S ADDITIONS**

**SUBJECT:** AN ORDINANCE TO AMEND THE CODE OF ORDINANCES TO RESTRICT APPLICATION OF THE ESTABLISHED BUILDING LINE FRONT SETBACK TO NEW CONSTRUCTION; AMEND THE REQUIRED FRONT SETBACK FOR CERTAIN PROJECTIONS; LIMIT THE RECONSTRUCTION AND REPLACEMENT OF NON-CONFORMING BUILDINGS; AND ALLOW APPROVAL OF CERTAIN RIGHT-OF-WAY IMPROVEMENTS AND PLANTINGS WITHOUT A RECORDED LICENSE.

WHEREAS, Local Government Article, Section 5-202 of the Maryland Code grants to the legislative body of every incorporated municipality in Maryland, including the Village of Martin's Additions, general power to pass such ordinances not contrary to the Constitution of Maryland, or public general law, as they may deem necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Maryland Code, Local Government Article, Section 5-211 authorizes the legislative body of each municipal corporation in the State of Maryland to make reasonable regulations concerning buildings to be erected within the limits of the municipality, including a building code and the requirement for building permits;

WHEREAS, Maryland Code, Land Use Article, Section 20-509 grants to the legislative body of incorporated municipalities in the Maryland-Washington Regional District general power to adopt building regulations for the protection of the public health, safety, and welfare; the preservation, improvement, and protection of lands, water, and improvements in the municipal corporation; and to regulate the construction, repair, or remodeling of buildings on land zoned for single-family residential uses at it relates to fences, walls, hedges, and similar barriers; signs; residential parking; residential storage; the location of structures, including setback requirements; the dimensions of structures, including height, bulk, massing, and design; and lot coverage, including impervious surfaces;

WHEREAS, Section 501 of the Charter of the Village of Martin's Additions authorizes the Village Council to pass such ordinances as it may deem necessary for the preservation of the property, rights, and privileges of the Village and its residents;

WHEREAS, the Village Council introduced the following Ordinance at a public meeting held on October 20, 2016;

WHEREAS, to comply with Maryland Code, Land Use Article, Section 20-509, on the 23 day of \_\_\_ day of \_\_\_\_\_, 2016, a copy of following Ordinance was submitted to the Montgomery County Council for its comments;

WHEREAS, the Montgomery County Council did not submit any comments;

WHEREAS, after proper notice to the public, and after at least thirty days from the date a copy of the following Ordinance was transmitted to the Montgomery County Council, the Village Council considered the following Ordinance in public session assembled on the \_\_\_ day of \_\_\_\_\_, 2016;

WHEREAS, the Village Building Permit Administrator has made certain recommendations to the Village Council for amendment of the Village building regulations concerning the application of the established building line front setback and the permissible encroachment of porches and certain other projections, to allow more flexibility in altering existing structures;

WHEREAS, the Council has further considered the alteration and replacement of non-conforming buildings and finds that the same standard that applies to the alteration of existing non-conforming buildings should apply to the replacement of non-conforming buildings that suffer a casualty event;

WHEREAS, the Council has further considered the requirement for a recorded license to use the right-of-way and finds that the Village should have discretion to not require a license for the alteration or replacement of stairs, guardrails, walkways, and the installation of non-woody plant growth, if the circumstances warrant;

WHEREAS, the Village Council finds that the foregoing Ordinance would assure the good government of the municipality, protect and preserve the municipality's rights, property, and privileges, preserve peace and good order, secure persons and property from danger and destruction, and protect the health, comfort and convenience of the citizens of the Village of Martin's Additions, and is necessary for the preservation of the property, rights, and privileges of the Village and its residents.

NOW, THEREFORE, the Village Council does hereby adopt the following Ordinance.

BE IT ORDAINED AND ORDERED, this \_\_\_ day of \_\_\_\_\_, 2016, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Charter of the Village of Martin's Additions, that the Village Code is hereby amended as follows:

| \* \* \*  
**Section 6-302. Permits Required.**

| \* \* \*  
(b) Improvements.

Prior to the issuance of a building permit pursuant to the provisions of this Chapter, no person shall:

- 1) Add to, erect, install, replace, alter, construct, re-construct, repair or improve any building;
- 2) Add to, install, replace, alter, construct, re-construct, repair or improve any non-vegetative surface in a front yard;
- 3) Place any heavy equipment upon or move any heavy equipment over an improved street surface, curb, or sidewalk; or
- 4) Commence any activity involving reconstruction, repair, or excavation of any street, curb, or sidewalk, or installation of any structure thereon, or temporarily close or block any street or sidewalk within the Village. No building permit for construction of a private structure within the public right-of-way shall be issued until the owner of the abutting property has executed a revocable license to use the right-of-way in a form approved by the Village. [The Code Enforcement Officer may waive the requirement for a license for the alteration or replacement of stairs, guardrails, and walkways, if, in the discretion of the Code Enforcement Officer, the cost and inconvenience of the license exceeds the benefit to the Village.](#)

\* \* \*

**Section 7-101. Definitions**

For the purposes of this Chapter,

\* \* \*

(gg) “Main Building” means a building in which is conducted the principal use of the property on which it is situated. Any dwelling shall be deemed to be a main building on the lot on which it is located.

[\(hh\) “New construction” means the construction of a new main building on a vacant lot or subsequent to the substantial demolition of a main building. Substantial demolition means demolishing fifty \(50\) percent or more of the exterior surface area of the main building, including the roof surface and any projections and appurtenances.](#)

[\(hii\) “Non-vegetative surface” means any surface that is not vegetative, including, but not limited to, asphalt, concrete, stone, gravel, sandstone pavers, and the like, and includes the area of any front porch, stoop, steps, and/or stairs.](#)

\* \* \*

**Section 7-209. Maintenance of Public Right-of-Way**

(a) The owner of private property adjoining a public right-of-way shall maintain that portion of the right-of-way located between the private property line and the edge of

the paved street in a safe and sanitary condition. Said owner shall not permit grass or weeds to grow within the right-of-way to a height in excess of twelve (12) inches above the ground. Nothing herein shall be deemed to require an owner of private property adjoining a right-of-way to repair sidewalks or curbs located within the right-of-way.

- (b) The owner of private property adjoining a public right-of-way shall not place any structure, wall, fence, tree, hedge, shrubbery, or any other plant growth, except low growing plantings, within the right-of-way without a license to use the right-of-way issued pursuant to Section 6-302. The Code Enforcement Officer may waive the requirement for a license for the placement of non-woody plant growth, if, in the discretion of the Code Enforcement Officer, the cost and inconvenience of the license exceeds the benefit to the Village. Any ~~such~~ tree, hedge, shrubbery, or other plant growth located within the right-of-way on December 9th, 2009 may be maintained, but not replaced, provided that it does not interfere in any manner with pedestrian or vehicular traffic and is maintained in such a manner and at such height that a clear and unobstructed view is available to pedestrians and vehicular traffic.
- (c) The owner of private property adjoining a public right-of-way shall not permit any structure, wall, fence, tree, hedge, shrubbery, or any other plant growth located on such owner's private property to extend into the right-of-way in such manner that interferes with pedestrian or vehicular traffic. Any structure, wall, fence, tree, hedge, shrubbery, or any other plant growth located on private property adjoining a right-of-way shall be maintained in such a manner and at such height that a clear and unobstructed view of the right-of-way is available to pedestrians and vehicular traffic.
- (d) Any ~~non-public~~ structure, wall, fence, tree, hedge, shrubbery, or any other plant growth located within the public right-of-way, other than an improvement or plant growth installed by the Village, in violation of any provision of this Section 7-209 shall be removed by and at the expense of the owner and occupant of the abutting private property upon the request of the Code Enforcement Officer. The Code Enforcement Officer may request removal as a result of a violation of any provision of this Section 7-209 or when otherwise deemed necessary by the Code Enforcement Officer for the public health, safety, or welfare, or for the public use of the right-of-way. The Code Enforcement Officer, or his or her designee, may take such action as is necessary to restore the right-of-way or return the right-of-way to a condition required by this Section. The cost of any restoration or corrective action may be specially assessed against the abutting private property and collected with the property taxes or collected by a suit for damages.
- (e) Any person who violates any provision of this Section 7-209 or allows a violation of any provision of this Section on his or her property, shall be guilty of a municipal infraction and shall be jointly and severally subject to a penalty of One Hundred Dollars (\$100.00) for each day that a violation exists. If a violation occurs, there shall be a rebuttable presumption that all owners of the property allowed the violation.

**Section 7-402.**

**Construction Standards**

\* \* \*

\* \* \*

(e) Setbacks

- (1) Front: Except as otherwise set forth in this Chapter, no wall or projection of any main building shall be located closer to any front lot line than ~~the established building line or~~ twenty-five (25) feet, ~~whichever is greater.~~ For new construction, no wall or projection of any main building shall be located closer to any front lot line than the established building line or twenty-five (25) feet, whichever is greater.

\* \* \*

(5) Projections (main buildings)

- i. Bay windows, oriel entrances, balconies, and vestibules no greater than ten (10) feet wide, and cornices, eaves, and chimneys shall be permitted to project a maximum of two-and-one half (2.5) feet into any setback area.
- ii. Unenclosed porches, decks, breezeways, steps, stoops, and exterior stairways may project nine (9) feet into the ~~front or~~ rear setback area and three (3) feet into any side setback area. Unenclosed porches, decks, breezeways, steps, stoops, and exterior stairways may project into the front setback area a distance that is equal to twenty percent (20%) of the distance between the front building line and the front property line.
- iii. Air conditioners, generators, and heat pumps may project five (5) feet into any front or rear setback area.

\* \* \*

**Section 7-403.**

**Exemptions for rebuilding**

Notwithstanding any provision to the contrary contained in this Chapter, a main building or accessory building existing prior to June 16, 2009 that sustains a total physical loss or substantial physical loss (fifty (50) percent of more) due to accidental causes including, but not limited to, fire, storm, falling tree(s), flooding, other natural disaster, may be rebuilt or repaired provided that ~~(i)~~ the replacement building (i) does not encroach farther into any setback area than the previous building, and (ii) the footprint of the replacement building is not enlarged beyond the dimensions of the previous building, and (iii) the replacement building does not exceed the building height of the previous building is not enlarged in any manner, including but not limited to enlargement of any three-dimensional boundary of the building that existed on June 16, 2009.

**Section 7-404. Developmental Nonconformities**

A developmental nonconformity may be maintained, altered, or repaired, but not replaced, provided that it may not be enlarged in any manner, including but not limited to enlargement of any ~~beyond the three~~-dimensional boundary that existed on June 16, 2009, except in accordance with this Chapter.

\* \* \*

AND BE IT FURTHER ORDAINED AND ORDERED, by the Village Council, acting under and by virtue of the authority granted to it by the Maryland Code, and the Charter of the Village of the Village of Martin’s Additions, that:

(1) If any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof; and

(2) This Ordinance shall take effect on the \_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

THE VILLAGE OF MARTIN’S ADDITIONS

~~Tiffany Cissna~~Susan Fattig, Secretary

Richard Krajeck, Chair  
Village Council

Underline indicates new material  
~~Strikethrough~~ indicates material deleted  
\* \* \* indicates material unchanged



## Constant Contact Survey Results

**Survey Name:** Village of Martins Additions Annual Survey 2016

**Response Status:** Completed

**Filter:** None

10/17/2016 9:06 PM EDT

---

### TextBlock:

The Village Council is seeking resident input on Village services and operations. We plan to use the resident feedback to inform decision-making and priority setting. The survey should take less than 10 minutes to complete. So, please participate! Please submit the survey only once for each household. The survey will be open for 2 weeks from September 19th, 2016 to October 3rd, 2016. Survey results will be shared in the October Council meeting and newsletter.

---

### Overall, how satisfied are you with the Village operations?

Answer	0%	100%	Number of Response(s)	Response Ratio
Extremely satisfied			53	37.5 %
Somewhat satisfied			54	38.2 %
Neither satisfied nor dissatisfied			18	12.7 %
Somewhat dissatisfied			8	5.6 %
Extremely dissatisfied			4	2.8 %
No Response(s)			4	2.8 %
<b>Totals</b>			<b>141</b>	<b>100%</b>

---

If you selected somewhat dissatisfied or extremely dissatisfied in question 1, please describe your experience.

21 Response(s)

If you have contacted the Village office within the last year, how quickly did the Village office staff respond to your request?

Answer	0%	100%	Number of Response(s)	Response Ratio
Within the same day			58	41.1 %
Within 3 business days			30	21.2 %
Within one week			5	3.5 %
Never received a response			5	3.5 %
N/A			35	24.8 %
No Response(s)			8	5.6 %
<b>Totals</b>			<b>141</b>	<b>100%</b>

If you have contacted anyone on the Village Council within the last year, how quickly did the Council Member(s) respond to your request?

Answer	0%	100%	Number of Response(s)	Response Ratio
Within the same day			27	19.1 %
Within 3 business days			18	12.7 %
Within one week			4	2.8 %
Never received a response			5	3.5 %
N/A			80	56.7 %
No Response(s)			7	4.9 %
<b>Totals</b>			<b>141</b>	<b>100%</b>

Most of the Village budget is spent on providing our residents with services. Services listed below are an expansion of standard County services. Which services would you like the Village to continue to provide? Rank in order of importance to your family (1 being the most important and 5 being the least important). If you would like the Village to continue providing these services at their current levels, type "No Change" in the comment box.

1 = 5

Answer	1	2	3	4	5	Number of Response(s)	Ranking Score*
Trash pick up twice per week from side or backyard (as opposed to once per week at the curb)						108	1.6
Bulk trash pickup every other month						108	3.3
Yard waste pick up once per week						108	3.1
Police patrols (our current contract is with 2 Montgomery County police officers for combined 10 hours per week)						108	2.7
Village sponsored community events (Halloween parade, etc.)						108	4.2

\*The Ranking Score is the weighted average calculated by dividing the sum of all weighted rankings by the number of total responses.

Please indicate any additional services, if any, you are interested in receiving from the Village.

Answer	0%	100%	Number of Response(s)	Response Ratio
Snow shoveling of sidewalks for elderly and disabled			64	47.4 %
Additional police patrols (expansion of current service)			55	40.7 %
I do not wish to add any services the Village currently provides			38	28.1 %
Other			15	11.1 %
<b>Totals</b>			<b>135</b>	<b>100%</b>

Please indicate any reductions to services you are interested in pursuing in order to decrease the Village budget.

Answer	0%	100%	Number of Response(s)	Response Ratio
Reduce trash pick up to once per week			17	13.1 %
Move trash pick up to the curb from the side/back of the house			19	14.7 %
Eliminate additional police patrols			6	4.6 %
I do not wish to reduce any services the Village currently provides			93	72.0 %
Other			9	6.9 %
<b>Totals</b>			<b>129</b>	<b>100%</b>

I believe the enforcement of the building codes has been fair and effective.

Answer	0%	100%	Number of Response(s)	Response Ratio
Strongly agree			15	10.6 %
Agree			28	19.8 %
Neither agree nor disagree			74	52.4 %
Disagree			17	12.0 %
Strongly disagree			3	2.1 %
No Response(s)			4	2.8 %
<b>Totals</b>			<b>141</b>	<b>100%</b>

If you selected disagree or strongly disagree in question 8, please describe your experience.

28 Response(s)

What is the most effective method of communicating information to you? Please select all that apply.

Answer	0%	100%	Number of Response(s)	Response Ratio
Email communications (for example, using Constant Contact, our current email service)			121	86.4 %
Village website			19	13.5 %
Village newsletter delivered to your home by US Mail			38	27.1 %
Village newsletter delivered to you by email			45	32.1 %
<b>Totals</b>			<b>140</b>	<b>100%</b>

What kind of information would you like to receive from the Village Office?

Answer	0%	100%	Number of Response(s)	Response Ratio
Notice of upcoming events			105	78.3 %
Notice of issues under consideration by the Council			114	85.0 %
Other			25	18.6 %
<b>Totals</b>			<b>134</b>	<b>100%</b>

Do you support replacing the lawn and leaf bag delivery with leaf vacuuming from the curb during the fall? The leaves would be vacuumed from the Right of Way and not the street itself. Weekly yard waste would not be affected by this change, however, residents would need to purchase their own leaf bags. The cost to VMA would be similar to the cost of leaf bag delivery.

Answer	0%	100%	Number of Response(s)	Response Ratio
Yes			48	34.0 %
No			89	63.1 %
No Response(s)			4	2.8 %
<b>Totals</b>			<b>141</b>	<b>100%</b>

Do you believe the 2016 election was conducted in a fair and open manner? If you have any recommendations or comments, enter them in the comment box.

Answer	0%	100%	Number of Response(s)	Response Ratio
Yes			105	74.4 %
No			12	8.5 %
No Response(s)			24	17.0 %
<b>Totals</b>			<b>141</b>	<b>100%</b>

Would you like to volunteer your time and expertise to the Village of Martin's Additions on a short-term or long-term basis? If so, please contact the Council directly at VMACouncil@googlegroups.com.

24 Response(s)

Do you have anything else you would like to share with the Village Council? For example, you could provide suggestions on what you would like to see more or less of in how we operate.

40 Response(s)

\*Please select your street below.

Answer	0%	100%	Number of Response(s)	Response Ratio
Bradley Ln			18	12.7 %
Brookville Rd			10	7.0 %
Chestnut St			8	5.6 %
Cummings Ln			8	5.6 %
Delfield St			10	7.0 %
Melville Pl			2	1.4 %
Oxford St			3	2.1 %
Quincy St			12	8.5 %
Raymond St			19	13.4 %
Shepherd St			12	8.5 %
Summit Ave			11	7.8 %
Taylor St			8	5.6 %
Turner Ln			14	9.9 %
Thornapple St			6	4.2 %
No Response(s)			0	0.0 %
<b>Totals</b>			<b>141</b>	<b>100%</b>

**Village of Martin's Additions  
Treasurer's Report  
September 2016**

	<u>Sep 16</u>	<u>Budget</u>	<u>Jul - Sep 16</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
<b>Income</b>					
<b>4000 - Revenue</b>					
4010 - Permit Fees	930.00	1,666.00	2,338.00	4,998.00	20,000.00
4020 - Cable TV Franchise Fees	0.00	2,000.00	0.00	2,000.00	8,000.00
4040 - County Revenue Sharing	0.00		26,907.00	26,800.00	26,800.00
4050 - Highway Users Fees	15,931.82		15,931.82		23,000.00
4060 - Income Tax	0.00		0.00	0.00	600,000.00
4080 - Personal Property Tax	2,976.65		2,984.35		6,000.00
4090 - Real Property Tax	5,391.37	7,000.00	10,113.67	12,100.00	150,000.00
4095 - Utility Property Tax	0.00		0.00		12,300.00
4100 - Holiday Fund	0.00		0.00		6,500.00
4110 - Interest	777.78	135.00	2,322.71	262.00	4,000.00
4140 - Washington Gas - Street Work	0.00		72,898.20		
<b>Total 4000 - Revenue</b>	<b>26,007.62</b>	<b>10,801.00</b>	<b>133,495.75</b>	<b>46,160.00</b>	<b>856,600.00</b>
<b>4200 - Prior Years Surplus</b>	<b>0.00</b>		<b>0.00</b>	<b>2,562,376.00</b>	<b>2,562,376.00</b>
<b>Total Income</b>	<b>26,007.62</b>	<b>10,801.00</b>	<b>133,495.75</b>	<b>2,608,536.00</b>	<b>3,418,976.00</b>
<b>Expense</b>					
<b>5000 - General Government</b>					
5010 - Office Expenses	447.30	1,500.00	2,493.35	4,500.00	18,000.00
5025 - Office Furniture & Equipment	0.00		0.00		12,000.00
5030 - Insurance	0.00		5,124.00	4,830.00	5,000.00
5040 - Printing & Mailing	0.00		0.00	1,250.00	5,000.00
5050 - Dues & Subscriptions/Conference	100.00		3,807.54	3,500.00	10,000.00
5055 - Storage Rental	257.00	268.00	514.00	804.00	3,200.00
5060 - Office Lease	2,190.67	2,191.00	10,569.20	10,281.00	30,000.00
5065 - Telephone	268.43	250.00	537.83	750.00	3,000.00
5080 - Holiday Fund	0.00		0.00		6,500.00
<b>Total 5000 - General Government</b>	<b>3,263.40</b>	<b>4,209.00</b>	<b>23,045.92</b>	<b>25,915.00</b>	<b>92,700.00</b>

**Village of Martin's Additions  
Treasurer's Report  
September 2016**

	<u>Sep 16</u>	<u>Budget</u>	<u>Jul - Sep 16</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
<b>5100 - Salaries &amp; Benefits</b>					
5110 - Managerial & Office Salaries	13,094.43	11,000.00	22,670.78	33,000.00	132,000.00
5120 - Payroll Taxes & Benefits	1,380.25	1,916.00	2,780.01	5,748.00	23,000.00
<b>Total 5100 - Salaries &amp; Benefits</b>	<u>14,474.68</u>	<u>12,916.00</u>	<u>25,450.79</u>	<u>38,748.00</u>	<u>155,000.00</u>
<b>5200 - Professional Fees</b>					
5210 - Accounting & Auditing	3,000.00	3,000.00	9,000.00	9,000.00	42,000.00
5220 - Building & Permitting					
5222 - Building Review & Permits	4,000.00	1,667.00	6,600.00	5,001.00	20,000.00
5224 - Enforcement & Oversight	0.00	1,000.00	0.00	3,000.00	12,000.00
5226 - Municipal Operations	0.00	1,500.00	0.00	4,500.00	18,000.00
<b>Total 5220 - Building &amp; Permitting</b>	<u>4,000.00</u>	<u>4,167.00</u>	<u>6,600.00</u>	<u>12,501.00</u>	<u>50,000.00</u>
5230 - Legal	5,575.50	4,166.00	6,932.50	12,498.00	50,000.00
5240 - Police	4,736.60	2,500.00	7,504.61	7,500.00	30,000.00
5242 - Lighting Consultant	0.00	1,250.00	0.00	1,250.00	5,000.00
5244 - Traffic Engineering	0.00		367.00		3,000.00
<b>Total 5200 - Professional Fees</b>	<u>17,312.10</u>	<u>15,083.00</u>	<u>30,404.11</u>	<u>42,749.00</u>	<u>180,000.00</u>
<b>5300 - Streets</b>					
5305 - Streets - General					
5310 - Street Lighting - PEPCO	1,117.00	1,400.00	2,196.68	4,000.00	16,000.00
5322 - Street Cleaning - Fall/Spring	0.00		0.00		28,000.00
5324 - Street Maintenance - Other	0.00	1,250.00	0.00	3,750.00	15,000.00
<b>Total 5305 - Streets - General</b>	<u>1,117.00</u>	<u>2,650.00</u>	<u>2,196.68</u>	<u>7,750.00</u>	<u>59,000.00</u>
5349 - Snow Removal Services					
5350 - Snow Removal - Shovel Bvl. Rd.	0.00		0.00		5,000.00
5351 - Snow Removal - Plowing	0.00		0.00		20,000.00
<b>Total 5349 - Snow Removal Services</b>	<u>0.00</u>	<u></u>	<u>0.00</u>	<u></u>	<u>25,000.00</u>
<b>Total 5300 - Streets</b>	<u>1,117.00</u>	<u>2,650.00</u>	<u>2,196.68</u>	<u>7,750.00</u>	<u>84,000.00</u>

**Village of Martin's Additions  
Treasurer's Report  
September 2016**

	<u>Sep 16</u>	<u>Budget</u>	<u>Jul - Sep 16</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
<b>5400 - Waste &amp; Recycling</b>					
5410 - Waste Collection & Recycling	6,922.76	7,100.00	27,691.04	21,100.00	85,000.00
5420 - Leaf Bags	0.00		0.00		14,025.00
5425 - Recycling Bins	19.46		19.46		1,000.00
<b>Total 5400 - Waste &amp; Recycling</b>	<u>6,942.22</u>	<u>7,100.00</u>	<u>27,710.50</u>	<u>21,100.00</u>	<u>100,025.00</u>
<b>5500 - Other</b>					
5510 - Tree Maintenance	485.00	8,000.00	485.00	8,000.00	35,000.00
5515 - Tree Replacement	0.00		0.00		4,000.00
5518 - Right-of-Way Landscaping	492.00	500.00	1,117.86	1,500.00	6,000.00
5520 - Community Events	3,195.71		3,495.71		10,000.00
5530 - Website	114.90	115.00	500.64	345.00	1,500.00
<b>Total 5500 - Other</b>	<u>4,287.61</u>	<u>8,615.00</u>	<u>5,599.21</u>	<u>9,845.00</u>	<u>56,500.00</u>
<b>5600 - Initiatives</b>					
5620 - Street Light Study	1,631.85		1,631.85		
5630 - Tree Planting Initiatives Prog.	0.00		0.00		4,000.00
<b>Total 5600 - Initiatives</b>	<u>1,631.85</u>		<u>1,631.85</u>		<u>4,000.00</u>
<b>5800 - Designated Funds</b>					
5810 - Designated - Street	0.00		0.00	500,000.00	500,000.00
5811 - Designated Street Lighting	0.00		0.00	500,000.00	500,000.00
5812 - Designated - Sidewalk	0.00		0.00	250,000.00	250,000.00
<b>Total 5800 - Designated Funds</b>	<u>0.00</u>		<u>0.00</u>	<u>1,250,000.00</u>	<u>1,250,000.00</u>
<b>5900 - Undesignated Fund Balance</b>	<u>0.00</u>		<u>0.00</u>	<u>1,496,751.00</u>	<u>1,496,751.00</u>
<b>Total Expense</b>	<u>49,028.86</u>	<u>50,573.00</u>	<u>116,039.06</u>	<u>2,892,858.00</u>	<u>3,418,976.00</u>
<b>Net Income</b>	<u><u>-23,021.24</u></u>	<u><u>-39,772.00</u></u>	<u><u>17,456.69</u></u>	<u><u>-284,322.00</u></u>	<u><u>0.00</u></u>