

**Village of Martin's Additions  
Council Meeting  
December 20, 2007  
Minutes**

**7013 B Brookville Road, Chevy Chase, MD 20815**

**Council members present:** Richard Krajeck, Treasurer, acting as Chairman; Diane Everts, Secretary; Catherin Gwin. Village Representatives: Joseph Cutro, P.E., Traffic Engineer; Dan Baden, Accountant; Joe McCathern, Auditor; David Podolsky, Attorney; Ronald Bolt, Attorney. Residents Present: Howard Stanislawski, Anne Lieberman, Eser Ozdeger, Buck Parr.

**7:30 CALL TO ORDER:** The meeting was called to order by Councilmember Richard Krajeck serving as Chairman in the absence of Tim Price.

**POLICE REPORT**

Officer DaSilva of the Chevy Chase Village Police reported an alarm on Oxford Street, and car vandalism to a convertible roof top on Quincy Street. The only County Police report was damage to a windshield on Quincy Street. Section 3 was very busy—four calls including a report of forgery and credit card theft.

**APPROVAL OF MINUTES:** The minutes of the November 15<sup>th</sup> meeting were presented. Catherine Gwin moved to approve the minutes; the motion was seconded by Diane Everts and passed unanimously.

**TREASURER'S REPORT**

- **Financial Report for November 30, 2007** was read by Richard Krajeck:

The Village received \$190,564 of income in November. VMA income tax share accounted for \$176,128 of that and we also received \$10,442 in interest income that was posted from September and October. Expenses for November were \$45,278, giving us a net income over expenses of \$145,286.

Year-to-date income is \$295,978, expenses \$197,216 for income over expenses of \$98,762. November is likely the highest level of income tax monies coming to the Village. We are a little more than 41% through the fiscal year and have received 58% of our projected income. We have also spent 46% of our projected budget. The Village remains in a sound financial condition. Diane Everts moved to accept the financial report. Catherine Gwin seconded the motion and it passed unanimously.

- **FY 2007 Audit Presentation.**

Joe McCatheran of Linton Shafer Warfield & Garrett, P.A. and Dan Baden, CPA, the Village's Accountant were present for the Independent Auditor's Report. The report indicates that LSWG, P.A. conducted the audit in accordance with generally accepted auditing standards and found that the financial statements present fairly in all material respects, the financial position and results of operations for the year ended June 30, 2007 in conformity with U.S. generally accepted accounting principles.

In the summary report of financial conditions for the Village of Martin's Additions the auditor reported that the Village is in generally good financial condition. Net assets represent approximately 200% of annual expenditures at June 2006 and 2007. Total general fund assets are \$1,262,506 generally consisting of cash and conservative investments. LSWG reported that they encountered no unusual problems in performing the audit and that Village staff was very cooperative. Mr. McCathern's remarks are attached to these minutes.

Catherine Gwin moved to accept the FY 2007 Audit of the Village of Martin's Additions. The motion was seconded by Diane Everts and passed unanimously.

**MANAGER'S REPORT.**

The Village Manager reported the following progress on projects in the Village:

- 7 of the 8 trees funded by McCullough LLC as a replacement for the Village tree that had to be removed to allow access to their construction site have been planted. The remaining tree will be planted in the spring.

- The Village will plant an additional 10 trees before the ground is too frozen this winter.
- The fall street cleaning will be complete at the end of this week, the third week of December with the second of two cleanings.
- All sidewalk repairs in the Village have been completed, so the contract with Chamberlain is concluded. The only addition to the original contract was a driveway apron that was added to the Chernick resident at 6703 Melville Place with the approval of the Village Manager and Council. During the course of the work, improvements were made to the private path at 116 Quincy Street. The additional charge of \$700 was billed to the owner, Ms. Fahl, and is not included in the final contract costs.
- The shoveling contract has been finalized and sent to Mr. Mulheron along with an updated shoveling list.
- The snow removal efforts in the storm of in early December were seriously hampered by a breakdown of the sand and salt truck. The manager felt the Village was not being fully prepared to deal with this storm and apologized to residents that the ice and slippery conditions that occurred were not taken care of as well as they should have been. The Yellow sand cans are now out on the right out way.
- The Holiday Fund has been a great success with more than one-half of the households supporting it. The initial dispersement has been made to the men of Waste Management
- The WSSC held a conference for municipal officials to report on plans to improve the responsiveness of WSSC to water and sewer problems and to outline the need for additional funding and repair and replacement project to move forward, The Village has established contacts within WSSC and feels that problems will now be able to be more quickly addressed. A resident asked for the village to keep records of any sewer backups to report to WSSC.
- The County Council's office of Legislative oversight has asked the Village (as well as all other municipalities in Montgomery County) to provide selected information about its finances and projects by January 4<sup>th</sup>, 2008. The information will be drawn from the FY 2006 audit of the Village.

## **TRAFFIC ENGINEER'S REPORT**

- **Traffic count and speed data: Raymond and Bradley and Quincy.**

Joseph Cutro, P.E. presented the most recent results of the traffic counts he conducted on Quincy Street and the data comparison of Quincy, Raymond and Bradley Lane. Mr. Cutro remarked that all three streets have remarkably similar traffic behavior that presented nothing outstanding to report. Mr. Cutro was surprised by this result because he had expect to see a higher volume on Quincy Street, since Quincy has the through-street character that Raymond and Bradley don't have. In fact these three streets were also very similar to the data that was collected on Chestnut, Delfield and Summit Ave.

In reviewing the data, Diane Everts suggested that the higher traffic volume on Raymond might be explained by the construction on that street. Mr. Cutro said that regardless, the traffic volume and speeds are just not remarkable. He was surprised that the traffic speed east bound (downhill) on Quincy was virtually identical to the west bound traffic—he would have expected slightly higher speeds for the downhill traffic.

Catherine Gwin asked Joe what would indicate to him that there is a problem that can be addressed with speed humps. Mr. Cutro explained that VMA is unique in that most towns don't have 20 mph speed limits –the Village Streets are very narrow so that standard 85% percentile that is typically used to gauge traffic problems on County Roads would not necessarily be the correct measure for Martin's Additions. When 60, 70 or 80% of the traffic is over the speed limit that's when to start to consider the need for speed humps. Mr. Cutro doesn't think that numbers approaching 50% above the speed limit are anything to worry about, especially when the speed limit is 20 MPH. Richard Krajeck asked if there are speed humps that can keep traffic at 20 mph. Mr. Cutro explained that a 12' hump is good for a design speed down to about 17 -18 mph-- if half your traffic is running at about 20 mph, you can probably get a little bit of effect out of this small

speed hump. If the speed limit is 25, you can do a pretty good job of reducing speeds with humps. With the speed limit and the speed profile as low as it is, the effect of speed humps is probably not going to be that great—it comes down to how many vehicles you would drag down to the design speed. The Village would have to decide whether the cost is worth the result—it becomes a cost effectiveness issue.

- **Correction of Summit Avenue and Taylor.**

Mr. Cutro reported that the placement of the stop Sign at Summit Avenue and Taylor Street has been corrected. It has been moved closer to the corner, the parking restriction in front of the Stop sign has been marked with the required No Parking Sign. The Stop bar still needs to be moved to the Stop position, but that can be done later.

- **Review of Quincy Recommendation.**

At the request and petition of many residents of Quincy and Oxford Streets, the Council agreed to reconsider the planned action for regulatory traffic signage changes on Quincy Street (removal of the Stop sign on Quincy Street). Richard Krajeck summarized the Village's recent work on traffic sign and regulation changes. Chief Gordon of the Chevy Chase Police Department and representatives from the Montgomery County Police Department identified numerous problems with the Village traffic signage and enforceability. The Village hired Mr. Joe Cutro, a professional traffic engineer, to review the situation and make recommendations to the Council on how to clarify or correct specific signage problems where needed. The goal was to improve the safety of our residents. Richard went on to explain that the Council has learned that Stop signs are not meant to control speed—they are intended to control intersections. They are neither appropriate nor effective as a speed controlling mechanism. If speed and volume are issues, than the Village needs to implement traffic control devices that are intended to have that result. The plan was to bring a rational solution to the entire situation.

Several residents from Quincy and Oxford expressed their concern about the proposed removal of the Stop sign at Quincy and Oxford. Their main concerns were related to: (1) Speed on Quincy Street (2) the narrowness of the intersection of Oxford Street and Quincy forces people to take wide turns, (3) the commercial traffic, (4) trucks driving over the curb and (5) pedestrian safety.

In response to these concerns Mr. Cutro presented the following explanation: The vast majority of T-intersections, such as this one, are operated perfectly safely without stop signs on through-streets, for example Raymond and Melville operate perfectly safely. There is nothing distinctive about this intersection that it needs an extra stop sign.. Data already tell us that speeds are quite modest; at the Oxford end of Quincy vehicles slow even further as they approach the dead end which is properly signed as such. As such, there are correct ways to use Stop signs at intersections and there are incorrect ways to use stop signs at intersections. The current configuration is incorrect and therefore not safe. A Stop sign is not a legitimate speed control device; its intent is to control the distribution of the right-of-way at intersections. If there is a parking problem on Oxford Street, we should address it and separate it from the Stop sign issue.

At a T-intersection, a Stop sign is frequently used to reinforce what is known as the Boulevard Rule which requires that the side street or stem of the T (Oxford) to yield to traffic on the through-street. Another acceptable method is to place stop signs on all three approaches and supplement the primary signs with 3-way plates. The latter informs motorists that the boulevard rule is no longer in effect and instead the motorist arriving first, exits first; motorists arriving at the same time require the motorist to yield to the vehicles to their right. A two-way Stop at a three-way intersection is not an acceptable configuration.

As a further explanation of the conflicts the current configuration presents Mr. Cutro added: A driver approaching Quincy Street at Oxford can see the Stop sign on the left, assumes there is no one the right, and enters the intersection thinking that a vehicle approaching from the Dead End will yield. That's a conflict. A vehicles turning left from the dead end does not know whether to yield to an east bound vehicle waiting at the Stop sign—that's a conflict, and vice versa. A pedestrian crossing Quincy sees a Stop sign protecting Quincy in one direction and assumes they are protected in the other direction—that's a conflict.

The Village has allowed these conflicts to occur because of a Stop sign configuration that is not acceptable in practice. You can therefore be held liable for any collisions that result. The volume and nature of traffic at this intersection makes such conflict quite rare, but at the same time, why put up with the added liability exposure when the safety benefits of the Stop sign on eastbound Quincy is nil? There is no danger to the public in removing that stop sign; in fact, eliminating the confusing sign configuration will serve to reduce collision risks at that intersection. The conflicts as described also make this case different from the one you considered at Summit and Taylor. In that case there are no such conflicts because there is no traffic entering the intersection from one-way Taylor Street.

The Village's choice for this intersection should be a simple Boulevard Rule Stop on Oxford or the full three-way stop. Stop signs are intersection controls and there is not enough activity to justify all-way controls under MUTCD guidelines nor are there sight limitations or safety issues that might suggest such action would be preferred.

From a practical standpoint, there would be a conflict between the location of a Stop sign on Westbound Quincy Street and an existing tree. A Stop sign is also statutorily accompanied by a 30 ft. parking restriction on the approach side, causing a homeowner to lose their on-street parking.

Mr. Cutro believes that the safest solution at this intersection is the single Stop sign at Oxford Street. He added that this is the safest option because the three-way stop poses additional conflicts of its own. Additional rear end accidents, the additional level of confusion that comes with people who have difficulty negotiation three-way stops. There is more to do at this kind of intersection and the more you throw in front on the motorist the more mistakes they make. The safest intersection is the simplest one. Mr. Cutro added that so many intersections work just this way—this location doesn't need any extra special treatment

Richard Krajeck called for a motion to change the decision to remove the Stop Sign. No motion was made. Catherine Gwin asked Mr. Cutro to confirm again that this is the safest solution, which he did.

#### **Construction Report: Alan Beal**

- **Permits:** Alan reported that the following permits have been issued recently or will be issued within the immediate future:
  - Fence at 7003 Brookville Road (McCullough)
  - Apron at 6607 Brookville Road (Vacarro)
  - Fence at 3519 Turner Lane (Sidhu)
  - Demo at 7220 Chestnut Street (Novak)
  - Rear Addition to 7206 Delfield Street (Gardner)
  - 6801 Brookville Building permit for the new house will be issued soon. The Village had been were waiting for a revised house plan.
- **Geothermal heating and cooling system** to be installed at 7215 Delfield Street. Alan explained that the builder at this location will be applying to the county for a permit to drill at this address in order to put in a geothermal heating and cooling system that will require a well 400 ft deep. Since the Village does not regulate or permit these systems it will be up to the County to issue the necessary permits. It will be a first in Martin's Additions!
- **Driveway apron at 7207 Chestnut Street.** Alan explained that the new construction on Chestnut Street is presenting some unusual challenges with regard to the driveway apron. The construction will abandon the old apron at the neighboring property of 7205 and that presents a problem in terms of access for the neighbor. The Village continues to work with the builder and the neighbor toward a resolution.

**URBAN PLANNING EFFORT KICK OFF.** Richard said that the Council was still reviewing the list of volunteers for the Citizen Advisory Committee for the planning and zoning project and that the hope was that the work would be completed within the next week. Jean expressed the hope that the committee could be announced at this meeting.

#### **ADJOURNMENT.**

Diane moved to adjourn the meeting. Richard seconded.