

**Village of Martin's Additions
Minutes of Council Meeting
Thursday, October 18, 2007
7013 B Brookville Road, Chevy Chase, MD 20815**

Council Members and Village Representatives Present: Tim Price, Chair; Noell Sottile, Vice-Chair; Richard Krajeck, Treasurer; Diane Everts, Secretary; Catherine Gwin, Council member; Jean Sperling, Village Manager; David Podolsky, Village Attorney; Alan Beal, Building Consultant.

Village residents present: Chris Dodge, Josh Bowers, Ray and Celeste Biagini, Dan Gardiner, Patty Tschiderer, Sarah Crahan, Carol Kerkoff, Barbara Bares, Klaus Lorch.

CALL TO ORDER: 7:30 by Chairman Tim Price

POLICE REPORT: Officer DaSilva of the Chevy Chase Police reported that there has been a rash of car break-ins throughout the neighborhoods in Chevy Chase.

APPROVAL OF MINUTES:

September 20, 2007 Work Session: Richard Krajeck moved approval of the minutes from the 9/20/07 working session with Joe Cutro, P.E., currently under contract with the Village for traffic signage solutions. Noell Sottile seconded the motion. All voted in favor.

September 27, 2007, Regular meeting. Diane Everts moved approval of the Minutes. Noell Sottile seconded. All voted in favor

TREASURER'S REPORT: Richard Krajeck

Income for the month of September was nearly \$31,000 which includes about \$4,500 in permit fees; \$3,100 in highway user fees and \$22,500 in income tax rebates from the State and County. Expenses for the month of September were about \$40,000. Significant expenses include: \$2,500 for the Village share of property taxes and insurance as part of our office lease; \$13,290 for Street & Sidewalk Maintenance which includes work by our traffic control consultant and some sidewalk repairs on Taylor.

For the month of September, our expenses were approximately \$10,000 more than income. Year-to-date (from the beginning of our Fiscal Year, July 1 through the end of September) our income is about \$60,400; expenses are about \$127,000 for a drawdown of cash reserves of about \$66,600. This drawdown of cash reserves is anticipated because most of the Village's income is received later in the fiscal year. Richard moved approval of the Treasurer's Report. Noell seconded the motion. All voted in favor.

TRAFFIC PROJECTS

- **Schedule for traffic counts and speed data collection.**

Jean reported to the Council that traffic counts and speed data will be collected on Chestnut Street, Delfield Street and Summit Avenue over a week's time using equipment from VVRC (Vehicle Volume Recording Co.) The data analysis will be done by Joe Cutro, P.E. Traffic counts will then be conducted on Raymond, Bradley and Quincy Streets. Jean was instructed to move forward with the traffic counts. The cost is \$350 per counting unit placed and \$50 for the data analysis. New signs continue to be installed throughout the Village.

- **Update on Regulatory Traffic Control Changes Approved 9/27/07**

Several residents were in attendance to discuss the action recommended by Joe Cutro, P.E., the Village's traffic engineer, to replace the Stop sign at the curve of Summit Ave and Taylor Street with a Turn sign and 10 mph advisory speed. As background, Chairman Tim Price explained the rationale behind the recommendation to remove the Stop sign.

Several residents acknowledged that the rationale might make sense in most circumstances, but based on their observation of the situation the Stop sign has improved the safety at that location. Stepped up enforcement of the Stop sign was suggested. Another resident suggested that visibility of activities on Taylor Street as vehicles rounded the corner at Summit is a problem that calls for a Stop sign.

Richard Krajeck moved that the Council delay the removal of the Summit and Taylor Street Stop sign for further consideration by the Council and reassessment by Mr. Cutro. Diane Everts seconded the motion. There were no further questions. All voted in favor of the motion.

URBAN PLANNING PROJECT

The contract from Jakubiak and Associates has been received and neither the manager nor the Council has had a chance to review it. Richard moved that Tim be authorized to execute the written contract, if after he consults Catherine, they agree that it is consistent with the oral agreement they agreed to with Mr. Jakubiak. Noell seconded and all voted in favor. Jean will have David review it and then forward it to Catherine and Tim.

TREES

- **Working Session scheduled:**

The Council agreed to schedule a working session to discuss the tree canopy preservation for Tuesday November 6, 2007 at 7:00 PM.

- **Fall Tree Planting Plans:**

Dan Gardiner, the Village Tree Supervisor, reported that a dead tree was removed on Quincy Street and that he and Paul Wolfe (Integrated Plant Care) have identified 35 possible locations for new Village trees to be planted. Currently most planting projects are on hold until the drought conditions have eased.

- **McCullough Residential LLC contribution to the Village canopy:**

Dan and Paul Wolfe of Integrated Plant Care, have selected 8 sites in the Village to plant the trees that McCullough Residential LLC agreed to donate to replace the tree the Village cut down in the right of way to allow access to their construction site at 7003 Brookville Road. Once the estimate has been prepared Jean will contact McCullough to get the funds for this replacement as per the agreement.

STREETS:

- **Approval of Sidewalk/ curb/ gutter repair contract:**

Jean reported that bids were received from three firms for sidewalk and curb and gutter repairs in the Village: Chamberlain Contractor, Inc., Aurora Paving and Kerrill Enterprises. Chamberlain's bid was the lowest and while the Village is not required to take the lowest bid, past experience with Chamberlain has been very successful. The Council agreed to accept the proposal from Chamberlain for \$159,065.00 for the work as described in their proposal. The work will begin on Raymond Street on or about October 23rd, 2007.

MANAGER'S REPORT

- **Street Cleaning**

A proposal has been received from Mulheron Tree Experts for two fall street and leaf cleanings for a total of \$7,850. This is consistent with last year's price although it allows for slightly higher dumping fees. The tentative dates are Nov.10-15 and then Dec.10-15. Tim Price signed the contract. Jean agreed to have them check the storm drains at the same time. This item is part of the \$50,000 we have allocated toward street and sidewalk maintenance for this year. Catherine moved approval of the contract. Richard seconded. All voted in favor.

- **Sidewalk shoveling Contract.**

Jean reported that Mulheron also submitted a contract for sidewalk shoveling. His price is unchanged from last year. She has not had a chance to compare it with last year's contract and recommended that discussion be deferred until the November meeting; The Council agreed.

- **New Village Bulletin Board:**

Jean reported that Wayne Fowler is making progress on the new Village Bulletin board, and shared a picture with the Council. It is expected to be completed within a month.

- **Village Surveyors Back at Work:**

The surveyors from A. Morton Thomas are now back in the Village completing the field work after a bit of a delay due to an unexpected project for AMT.

- **Fall Village Walk-Through.**

Jean reminded the Council that they need to schedule a walk-through of this Village this fall. The Council agreed to schedule it later in the month of November after the sidewalk repairs are completed. Jean will send out a reminder,

WEBSITE UPDATE: Richard Krajeck

Richard explained that he has taken on the website creation project for the Village but has not had enough time to get the project completely re-started. The website provider, Calvert Design Group, will continue to honor the prices quoted to the Village earlier in the year.

CONSTRUCTION REPORT: Alan Beal

- **Demolition Fee Change:**

Alan explained that there have been several instances where residents have wanted to do simple demolition of small structures such as sheds and small garages where the current fee of \$500 seemed high in proportion to the cost of the demolition. Alan proposed that the fee schedule be changed to include a square ft. breaking point for demolition. He suggested that the fee for demolition of 250 sq. ft or less be set at \$250. Demolition of more than 250 square feet would be considered major structural demolition and the fee would remain at \$500. The Council agreed that Mr. Podolsky would draft a resolution proposing that change and it would be presented at the November meeting.

- **Site Plan Hearings Report.**

Alan reported that he and Jean set up two site plan reviews on October 11, 2007 to review the construction projects at 6801 Brookville Road and 7220 Chestnut Street. While this site plan meeting is not required by the Village's code, the purpose was for the builders and the neighbors to meet and discuss the plans and raise any concerns in order for these projects to run smoothly. This process has been in place now for almost a year.

- **6801 Brookville Road.**

The first review was for residents to discuss the building plans with the owner/ builder McNamara Bros. The Demolition/ Build permit has been applied for 6801 Brookville Road. Construction has not begun yet.

A Raymond Street resident commented that McNamara Bros. is running a for-profit business at this location and expressed her concern about noise at the site, parking problems associated with construction and worker vehicles and water run off. She encouraged the Village to enforce its code.

Mr. Podolsky explained that in Chevy Chase Village, the manager issues the permits and can impose or address certain conditions as a part of the permit. These conditions have to be reasonable. The Village has to let somebody who is renovating their house have the contractors park somewhere, for example. There are many regulations that can be imposed. However, the manager can impose conditions only if the authority to do so is granted by law—it has to be in the code. Some of these issues should be addressed by Jakubiak during the planning and zoning project when they will address the issues of mansionization and a water issues, noise control and the like.

Residents agreed that noise on a construction site is a really big issue and wondered why more couldn't be done. Mr. Podolsky explained that while other jurisdictions have looked into hiring someone on a part time basis to enforce a noise ordinance, they rely on the County to enforce the noise ordinance

When asked about limiting construction hours Alan explained that someone's ability to work can't be limited—it's a noise issue, not a work issue, and it has to be something that's measurable in order for it to be enforced. You can't say someone can't work in their house at any hour; you can say "you can't create noise above 55 decibels before 7 AM" because that addresses the noise problem. "

- **7220 Chestnut Street.**

The second review was for the building plans for 7220 Chestnut Street with the owner/builder Ed and Grace Novak. Residents of Martin's Additions and neighbors in Section 5 were concerned about issues related to parking, noise, the construction schedule, water runoff, permeable surfaces and recycling of construction materials. The State forester, Sabu Hakim has approved the tree removal for the two trees in the right of way along Thornapple that will allow Mr. Novak access to the site for construction to begin. He has applied to Martin's Additions for a building permit but has not yet applied to the County.

RESIDENT COMMENTS/CONCERNS:

Chris Dodge:

- **Trees on Private Property:**

Chris has met with Cris Fleming (Chairman of the Village Tree Committee) to discuss the issue of the tree canopy in the Village, particularly on private property. He remarked that the problem seems to be with construction, that digging the foundation is the biggest danger to the trees. Alan noted that the 8ft set back from the side lot line with 4 ft of excavation space causes most of the problem the Village is having with tree loss due to construction projects. Chris suggested that a lot could be done voluntarily. Tim remarked that a lot of the problems that the Council hears regarding trees associated with construction sites don't show the effects until 2 to 3 years after the project is completed. Chris suggested that it might be best to integrate any tree plan with architectural controls.

- **Jakubiak Urban Planning Proposal.**

In response to a question from Mr. Dodge on how the Council will proceed the Council explained that Jakubiak's model has been very effective in involving the community and that they will guide the Council on this whole matter.

ADJOURNMENT 9:30 PM. Richard Krajeck moved for adjournment. Diane seconded the motion and all voted in favor.