

**Village of Martin's Additions
Council Meeting
7013B Brookville Road, Chevy Chase, MD 20815
Minutes October 17, 2013**

Council Members Present: Arthur Alexander; Bill Lebovich; Jon Fleming; Josh Bowers.

Village Staff Present: Jean Sperling, Tori Hall. **Village Attorney:** Ron Bolt.

Residents Present: Bill Catherwood, Ted Stoddard, Keith Allen, Hanne and Frank Correl, Ernie and Bert Liebman, Paula Goldberg, Lynne Welle, Cris Fleming.

7:30 PM CALL TO ORDER: ARTHUR ALEXANDER

Council Member Tiffany Cissna has given birth to a baby boy, named Roberto. Congratulations to all the Cissnas! Arthur pointed out that Tiffany may be the first sitting council member to have a baby.

RESIDENTS' CONCERNS AND CONTRIBUTIONS

Lynne Welle (209 Oxford): At the corner of Quincy and Oxford streets are rocks placed to dissuade vehicles from driving over the curb. He said the stones are ineffective and requested that they be removed. Jean recommended that the Council consult with Wayne C. Fowler, our municipal operations support, for additional recommendations before making a final decision. Lynne added that the corner has become weedy and unsightly.

ADOPTION OF MULTI HAZARD MITIGATION RESOLUTION: Resolution No. 10-13-2

Adopted: October 17, 2013 Effective: October 17, 2013

RESOLUTION OF THE VILLAGE OF MARTIN'S ADDITIONS TO ADOPT MONTGOMERY COUNTY HAZARD MITIGATION PLAN 2013

WHEREAS, the Village of Martin's Additions recognizes the threat that natural hazards pose to people and property; and

WHEREAS, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and

WHEREAS, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121, et seq., and the implementing regulations thereto, local governments are required to develop a hazard mitigation plan as a condition for receiving disaster mitigation grant funding; and

WHEREAS, the Montgomery County Council, by Resolution 17-832, adopted the Montgomery County Hazard Mitigation Plan 2013 (dated July 30, 2013); and

WHEREAS, the Village of Martin's Additions finds that adopting the Montgomery County Hazard Mitigation Plan 2013 would promote the good government of the Village and protect and preserve the Village's rights, property, and privileges.

NOW, THEREFORE, BE IT RESOLVED this 17th day of October, 2013, by the Council of the Village of Martin's Additions that:

1. The Village of Martin's Additions hereby adopts the Montgomery County Hazard Mitigation Plan 2013, as adopted by the Montgomery County Council, by Resolution 17-832; and
2. This resolution is effective as of October 17, 2013.

I, Bill Lebovich, Secretary of the Village Council, hereby certify that the foregoing Resolution was adopted by the Council at its open meeting on October 17, 2013.

Motion: Bill Lebovich; 2nd: Josh Bowers; Vote: All in favor.

BUILDING ADMINISTRATOR'S REPORT presented by Manager Sperling.

New Permit Requests/Pending or In-process:

- 3408 Raymond St – Deck / Screened porch
- 3510 Bradley Ln – Driveway issue and potential tear down.
- 3511 Turner Lane – Utility disconnect and tear down.
- 3515 Shepherd St – Potential addition. Info requested.
- 3418 Turner Ln - Shed.
- 7203 Summit Avenue - Side or rear addition.

Underway:

- 3405 Shepherd St - Driveway.
- 205 Oxford St - Rear/side addition.
- 3509 Shepherd St - Demolition and Rear addition
- 3414 Shepherd St - Rear addition.
- 3504 Cummings - Driveway Resurfacing; deck extension; additional screening. Nearing completion.
- 3410 Cummings - Pool excavation complete. Plumbing in progress.
- 3518 Bradley - Front deck/Patio restoration.

- 3515 Taylor St - Dumpster and shed.

Construction Completed:

- 124 Quincy Street – Front yard gate and fence in ROW. Note: ROW license agreement needed. Jean, Ron and the council members discussed why ROW license agreements are necessary in general to protect public access to the ROW.
- 3414 Cummings Lane- Final clearance. Bond to be returned shortly.

Other Municipal Support

- Pepco pole replacement: Delfield
- Ongoing supervision and progress reporting of construction projects.
- Clearance of projects; driveway apron check; tree protection check
- Move in / out parking control.
- Assist w/ resident concerns –
- Stump grinding - placement and removal of no parking restrictions.

- Summit Avenue tree trimming.
- Respond to sediment runoff complaints on Cummings Lane
- Storage unit/equipment management/ Recycling bin swaps
- Repair Village signs.
- Leaf bag distribution and storage project.
- Complaint Management- incomplete WGL restoration on Raymond Street.
- Parking and traffic control on Raymond Street during WGL permanent patch installation.
- Inventory and report on restoration of street and ROW
- Investigate maintenance tracking software.
- Investigate and evaluate water drainage problem along Taylor Street.
- Permit delivery.
- E.B.L. Calculating for proposed projects.

INTRODUCTION OF RESOLUTION 10-13-1 (ORD. 5-13-1): AMENDMENT OF PERMIT FEES

Introduced: October 17, 2013 Adopted: TBD Effective Date: TBD

THE VILLAGE OF MARTIN’S ADDITIONS

SUBJECT: A RESOLUTION TO AMEND THE VILLAGE BUILDING PERMIT FEE SCHEDULE.

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, 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; and

WHEREAS, Maryland Code, Local Government Article, Section 5-211, as amended, authorizes municipal corporations within the State to establish and collect reasonable fees and charges for permits authorized by law to be granted by a municipal corporation, or associated with the exercise of any governmental or proprietary function authorized by law to be exercised by a municipal corporation; and

WHEREAS, Section 6-307 of the Code of Ordinances of the Village of Martin’s Additions authorizes building permit fees to be established by resolution of the Village Council; and

WHEREAS, pursuant to Ordinance No. 5-13-1, permit requirements have been added for certain projects; and

WHEREAS, the Village Council finds that the fees established by this Resolution bear a reasonable relationship to the recovery of actual costs incurred by the Village; and

WHEREAS, the Village Council finds that modifying the fee schedule with respect to applications for permits, as set forth on the attached Schedule of Fees, would promote the good government of the Village and protect and preserve the Village’s rights, property and privileges; and

WHEREAS, this Resolution was considered in open session on October 17, 2013 and November 21, 2013.

NOW, THEREFORE, BE IT:

RESOLVED that the amendments to the attached Schedule of Fees be and are hereby adopted by the Village Council, and it is further,

RESOLVED, that the foregoing Resolution shall become effective on the (TBD) 2013, and it is further,

RESOLVED, that written notice of the adoption of the foregoing Resolution shall be provided to Village residents in accordance with Section 502(d) of the Village Charter, and it is further,

RESOLVED, that the foregoing Resolution shall be permanently filed by the Secretary and kept available for public inspection.

New Building Fee Schedule Amendments: Consideration of Building Permit Fees

A/C - GENERATOR - HEAT PUMP	\$75.00
USE OF HEAVY EQUIPMENT	\$75.00
RIGHT OF WAY LICENSE AGREEMENT	\$100.00

Motion to introduce: Bill Lebovich; 2nd: Jon Fleming; Vote introduction: All in favor. Residents will have an opportunity to comment on the proposed permit schedule at the Council's monthly meeting on November 21, 2013.

DISCUSSION OF COMPREHENSIVE TREE EDUCATION PROGRAM

Manager Sperling informed the Council that the Maryland-National Capital Park and Planning Commission (MNCPPC) offers site-specific "tree canopy analysis" and recommended that we request this analysis for the Village of Martin's Additions as part of our comprehensive tree education program being considered in the Village.

Council Members were given a flyer about the upcoming "Trees Matter Symposium" being presented by MNCPPC on Nov. 20th, 2013, (8:00am-4:00pm) at the Silver Spring Civic Building. Cost is \$79 per attendee. Council members were provided a copy of the Report of Section 3 of the Village of Chevy Chase; prepared by Andy Harney. Manager Section 3.

Josh Bowers discussed what he has learned recently about how several surrounding municipalities regulate tree removal. One conclusion he reached from these conversations is that it is unclear whether these regulations are having any measurable effect on the number of trees removed by developers, and that individual property owners taking down trees is typically not the problem. He said the approval rates in the municipalities he contacted appeared to be 100% when the tree trimming or removal did not involve construction on a home. He concluded it is unclear whether regulations in other municipalities benefited their residents by requiring permission to remove or trim a tree when construction was not a consideration. Two village managers interviewed by Josh Bowers said it was a problem convincing residents to trim or remove trees in poor health. His research is ongoing into what municipal regulations successfully protect tree canopy by requiring protective actions or restricting tree removal during construction. Policies in other municipalities that promote a healthy tree canopy were also discussed.

Council members discussed how to proceed with a tree education program and whether to create a Citizens Committee on Trees. Arthur recommended proceeding with the request for MNCPPC tree canopy analysis of the Village area. Council members Arthur, Josh and Jon agreed to work on developing a charter for creating such a committee in the future. Jean reminded council that arborist Paul Wolfe would be happy to discuss tree issues. We may also want to consider arborist Barb Neal, and the State Arborist, so we have resources at our disposal.

FINANCIAL MATTERS: Report for the Month of September, 2013, Jonathan Fleming, Treasurer

July 2013 – September 2013

	Actual	Budgeted
Revenues	\$63,440,142,976	
Expenses	77,203	95,230
Net Income	-13,763	47,746

Reserve account (less designated allocations): \$766,424. The Reserve Account is equal to total current assets of \$1,666,424 less \$900,000 designated for replacement of street lighting and re-paving upon completion of major utility work on Village streets. Our first major receipts from property tax collections have started to arrive. The amount of \$58,129 was deposited in the Village Account at PNC Bank on October 10 and will be reflected in the Treasurer's Report for October.

ACTION ON ALL FINANCIAL REPORTS:

Moved to accept: Arthur Alexander; 2nd: Josh Bowers; Vote: All in favor.

ACTION ON MINUTES

Moved to accept: Bill Lebovich; 2nd: Jon Fleming; Vote: All in favor.

MANAGER'S REPORT:

SANITATION SERVICES/LEAF BAGS:

- Leaf bags distribution completed successfully and excess sent to storage. May do things differently next year, rather than dropping the boxes in the manager's driveway.
- Recycling bins- working with Chevy Chase view to see if we can strike a deal with Toters Inc. to jointly purchase a smaller quantity of Toters.

UTILITY SERVICES:

- WSSC: Project in the south end moving to identification of easements. VMA office continues to support communications with WSSC for replacement of water and now sewer lines along eastern boundary of the south

end of Martin's Additions. The construction strip will be marked this weekend. No progress on start date. Sewer Work is being added to the construction plans, confirming that we aren't done yet with just water and gas.

- WASHINGTON GAS (WGL): Jon Fleming attended a meeting on 10/15/2013 with WGL in Chevy Chase Village. Further gas line work in the Village of Martin's Additions is unlikely to begin until next fall at the earliest, but this needs to be confirmed. Coordination will be needed with WSSC.

PEPCO:

- New pole, transformer etc. on dead end Delfield. Other incidental work in the community
- New procedures developed to address the mutual assistance program for electric utility support for events with national significance. Pepco has been involved with the industry in developing a new industry-wide framework. Going forward, when an event requires a national response, the industry will declare an industry-wide National Response Event (NRE).

ROAD CONDITIONS:

- Utility Work: WGL Raymond Street repairs to curb, gutters and street completed.
- Road Signs: Work by County for replacement is complete. Brookville Road has been spelled wrong and will be repaired.
- Pot hole and sidewalk flooding issues investigation and identification kicked off. Hope to have repairs done this fall.
- Brookville Road/Taylor St. intersection. SHA District 3 is reviewing our concern about the meeting yet to be scheduled.
- Street Lighting: No further developments; Village trees are to be trimmed around the lights to improve the illumination of the streets as we have done in the past.

ROW UPGRADES AND RESTORATION:

- Dead end of Quincy Street to be cleared of all growth.
- Plans for plantings at corner of Brookville and Cummings now under consideration. We have asked a resident landscaping expert to work with Paul Wolfe; no confirmation yet.
- Request for replacement of Liriope denied. Wood removed.

COMMUNICATION & SURVEY UPDATE:

- Website update is underway (Calvert Design);
- Survey update ready for review (A. Morton Thomas).

TREE WORK

- Stump ground on Bradley Lane; incidental tree pruning on Summit Ave to remove dead limb and pull Village tree back from residents' gutter; concern about leaf clumps dropping from trees resolved.
- Fall planting will begin in November
- Village trees interfering with cable and power drop lines were reviewed by Paul Wolfe and about 15-20 residents have been identified. He can clean them up.
- Trees also need to be lifted around street lights. Both actions can be performed at the same time.

ADMINISTRATIVE MATTERS & LEGISLATIVE CONCERNS:

- Community event: Halloween Dinner & Parade-Turner Lane 10/31 4:00-6:00 p.m.
- Municipal Tax Duplication: Letter prepared from MML and signed by all municipalities, including Martin's Additions. Next GO Committee meeting will be October 28th at 2:00 pm.
- Montgomery County Zoning Code re-write: Hearing Nov. 12 and 14th, 7:30 pm
- Complaints: Cats, bus stop location, water pooling on sidewalk, potholes. Neighbor problems; met with police.

CONCLUDING RESIDENT COMMENTS

Ernie Liebman (3407 Thornapple) asked about what could be done for residents with dead and dying trees who cannot afford to get the trees removed. He also asked whether the community has any interest in maintaining trees on these private properties.

Paula Goldberg (3410 Bradley) suggested that the tree committee charter have a mission statement that specifies measurable outcomes.

ADJOURNMENT AT 9:05 P.M.