

Village of Martin's Additions
7013 Brookville Road, Suite B, Chevy Chase, MD 20815
Minutes for Council Meeting on
February 16, 2017

Council Members Present: Richard Krajeck (Chair); Arthur Alexander; Tiffany Cissna; Susan Fattig; Katya Hill; **Village Manager:** Matthew Trollinger; **Assistant Village Manager:** Beth Boa; **Attorney:** Ron Bolt; **Building Administrator:** Doug Lohmeyer; **Residents and other attendees:** Keith Allen (Turner Ln); Elissa Bean (Turner Ln); Lauren Biel (Delfield St); Frank Correl (Turner Ln); Nicole Donath (Delfield St); Paula Goldberg (Bradley Ln); Lynn King (Thornapple St); Marty Langelan (Chestnut St); Sean Lev (Delfield St); Sally Maran (Turner Ln); Pat Pendnergast (Thornapple St); Mark Schuman (Thornapple St); John Sharrow (Chestnut St); Larry Wasson (Delfield St); Marge Wasson (Delfield St); Lynn Welle (Oxford St) Natalie Strauss Welle (Oxford St).

7:30 PM Call to Order: Krajeck

7:30 PM Village Police Update: Krajeck

Mike Pratt, who serves as one of two Village police officers, reported on crime trends in the area. The Chevy Chase area recently has had a few residential robberies. Pratt advised residents to respond to people approaching their homes by acknowledging that they are home while not necessarily answering the door. This may prevent a break in. Pratt asked that residents please call the police non-emergency number to report suspicious people and activity. (301-279-8000).

Mike Pratt also reported that he monitors drivers on the streets that are running stop signs, particularly in the north end on Thornapple St. Larry Wasson (Delfield St) requested that he ticket all offenders rather than giving a warning. Mike Pratt noted that Chevy Chase is one of the safest communities in Maryland.

7:40 PM Opportunity for Council to hear residents' comments including north end sidewalks: Krajeck

Keith Allen (Turner Ln) reported that the temperatures for the rest of February into March will be 60-70F.

Chairman Krajeck invited residents to comment on proposed sidewalks in the north end of the Village. Residents noted that the priority is safety for pedestrians as cars speed on Thornapple and do not always stop at stop signs. Some residents advocated for sidewalks on Thornapple while others advocated for other methods to slow traffic such as speedbumps, make Thornapple one way, other traffic calming measures and having the Village police officers consistently issue tickets to speeders and cars that do not stop at

stop signs. Those that prefer sidewalks stated that would be the safest alternative for pedestrians and people pushing strollers and that the Village may have liability if someone is hurt walking. Those that do not agree with sidewalks reasons included that it would take up too much of the right-of-way, require residents to shovel snow off of the sidewalks, decrease parking, narrow the streets, wreck the character of the street, and cost too much.

Chairman Krajeck will discuss options with the traffic engineer Joe Cutro including speed bumps, other slowing mechanisms on Thornapple, sidewalks and making streets one way. He invited residents to attend the next Council meeting on March 16 for an update on the options.

8:25 PM Election Committee Update: Langelan

Marty Langelan (Chestnut St) updated the Council on the plan for the Council elections. Nominations will open March 12 with a community open house. Nominations are due by April 11. There will be a candidates' forum in late April or early May. Elections and the Celebration on the Sidewalk will be held Thursday May 11. The Election Committee will meet Monday, February 27 at 6:30PM in the Village office.

8:35 PM Action on Council Meeting Minutes of January 19, 2017: Krajeck

Motion by Councilmember Fattig to approve the draft minutes for the Council meeting held on January 19, 2017; seconded by Councilmember Alexander. All in favor.

The minutes as approved are attached.

8:35 PM Discussion/Possible Introduction of Ordinance 2-17-1 To Amend the Code of Ordinances to require a pre-permit Consultation Meeting for Certain Construction Projects: Bolt

Ron Bolt (Village Attorney) described Ordinance 2-17-1 which would require permit applicants to attend a meeting, to which Village residents would be invited, prior to being approved for a permit. The meeting would provide an informal forum to discuss resident concerns, in a non-binding manner. Councilmember Cissna proposed that the meeting be held after approval of the permit, but prior to construction, so that residents are not led to believe that the meeting serves as an opportunity to compel changes to construction plans. The Council agreed that a pre-construction meeting should be required for certain projects after the permit approval to allow residents to learn about timelines, parking, traffic, and the point of contact for the project. Ron Bolt will revise the draft and the Council will discuss, and possibly introduce it, at the next meeting.

9:02 PM Discussion of Ordinance 1-17-1 To Amend the Code of Ordinances to Further Regulate the Construction of Curb Cuts, Driveways, and Aprons in the Public Right-of-Way: Bolt

Attorney Bolt described the Village’s responsibility for maintaining driveway aprons in the right-of-way, according to current practice. Currently, the Village will not maintain aprons that have been upgraded by owners or are non-standard. Ordinance 1-17-1 would codify the existing practice. As a result of discussions at the January meeting, the Ordinance was revised to provide that betterments, or non-standard materials, could be abandoned by residents who want the Village to standardize their apron and maintain it going forward. Such would be done in accordance with the Village’s repair schedule, at such time as replacement is required. Per published County design standards, which are applied in the Village, the apron includes all that portion of the driveway that is within the public right-of-way.

Motion by Councilmember Krajeck to introduce Ordinance 1-17-1 To Amend the Code of Ordinances to Further Regulate the Construction of Curb Cuts, Driveways, and Aprons in the Public Right-of-Way; seconded by Councilmember Alexander. All in favor.

9:05 PM Financial matters, including Treasurer's Report: Alexander

July 2016 through January 2017

	Actual	Pro-rated budget
Revenues	633,036	499,683
Expenses (excluding capital projects)	316,482	392,131
Net Income	316,554	107,552

Capital Expenditures \$ 287,080

Designated Capital Funds \$1,400,000

Reserve account (current assets less designated allocations): \$ 1,474,368

Revenues are more than expected and spending is catching up with the budgeted amounts as the year progresses and projects occur as planned.

Two bits of financial information arrived this month. Our January distribution from the state income tax was \$8,040, about normal for this time of year. Also, the state comptroller sent the latest estimate of our Wynne case liability. It is now \$182,000, an amount that creeps up as residents send in amended returns. We have reserved \$150,000 to cover this liability.

The current budget for the Village’s online presence is \$1,500. As of the end of December, we had already spent \$1,994. The Village Manager has contracted with a new company to host the site. Spending on this item is over-budget, mainly because of one-time investment expenses. I recommend a budget increase to \$7,000, which should cover all projected costs plus a small cushion in case of unforeseen events.

Additionally, Traffic Engineering expenses of \$5,400 are running above the annual budget of \$3,000 because of the Village-wide review of signage and road markings. We will have to approve an amended budget for this item when we have a better idea of the total costs for this project.

The reserve account (current assets minus funds set aside for designated capital expenditures) is more than double the Village's budgeted annual expenditures, which provides a cushion against unexpected occurrences as well as a buffer for higher than expected capital improvement costs. At the moment, we do not foresee such complications, but the future, as always, remains unknown.

Motion by Councilmember Alexander to amend reserves for the Wynne case liability to \$190,000; seconded by Councilmember Hill. All in favor.

Motion by Councilmember Alexander to amend the budget for the website to \$7000; seconded by Councilmember Fattig. All in favor.

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

Treasurer's Report attached.

9:12 PM Building Administrator's Report: Lohmeyer

Building Administrator Lohmeyer gave his report.

Building Administrator's Report Attached

9:15 PM Manager's Report: Trollinger

Administrative Matters:

- Office Orientation: The Village Office received a redesign proposal in December 2015. Staff will be meeting with the designers to go over the proposal, and to discuss concerns, and options moving forward.
- May Election: The Election Committee has held several meetings to begin planning for the annual Council Election and Celebration on the Sidewalk May 11.
- Website: Google Analytics reports that we had 1,726 page views from January 13 to February 13, which is back up to pre-holiday levels. Interestingly, there was a large spike on Monday February 6, though it is unclear what exactly precipitated that.
- Records Retention: Staff is waiting for approval from MD State Archives for transfer of old building plans.
- 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.
- Newsletter: continues to be published monthly online. The next edition should be going out next week.

- Contracts:
 - Arborist: The Village has finalized its contract with Integrated Plant Care to continue as its Arborist moving forward.
 - Website: The Village selected Revize Software Systems to redesign its website. Village staff is filling out a detailed questionnaire and setting up a kick-off meeting to begin the process. Staff will circulate options to Village residents for input.
 - GIS: Village is developing an RFP to update and maintain the Geographic Information System (GIS), the Village's system to capture, store analyze and present spatial and geographical data. A draft will be circulated within the next week.
 - Municipal Operations/Code Enforcement: The Village has finalized its contract with Blue Crab Contracting (Wayne C. Fowler) to continue in his role with the Village moving forward.

Street Treatment:

- Rolling Acres has been through to pre-treat the roads prior to snow and winter weather. They remain on standby in case we get any last remnants of winter.

Utilities: WSSC

- Village staff has worked out an agreement 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, Taylor, and Thornapple. The work will begin in late summer/early fall of 2017.
 - WSSC will hold a public outreach meeting sometime in March to go over plans with the community once they have selected a contractor. The Village staff will notify residents once a final date has been selected.

Streets Lighting:

- Stock numbers were approved at PEPCO, and they began install designs this past week. Village staff coordinated communication between PEPCO's lead applications manager and Holophane's sales representative to continue pushing the project forward. PEPCO will be placing the finalized order by the end of February. Holophane estimates it will take about six weeks to fill the order.

Streets & Sidewalks:

- The Village has received some complaints about potholes, and has utilized cold-weather patch to alleviate some of the major areas of issue on Turner Lane until A.B. Veirs returns in the spring.
- Street Repaving: Concrete work has been completed on Bradley, Melville, Raymond (dead end), Cummings, Shepherd, Turner and Taylor. Thank you to residents for their help in adhering to posted 'No Parking' signs. Work has been on hold until springtime.
- Actual street repaving will be done in the spring – this avoids us having to re-do (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 through February.

- One exception to no paving is Quincy Street, where we repaired the failing Washington Gas trench, and milled the street to smooth out the driving surface for winter. 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.
- 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.
- North End Sidewalks: The Village's Building Administrator and Engineer, Doug Lohmeyer, took a look at the north end of Martin's Additions to assess the viability of adding sidewalks. Currently, none of the streets north of Taylor have sidewalks. What he determined was that adding a sidewalk to the east side of Delfield Street would have the least impact of any streets, and suggested that it might make sense as the first "phase" of sidewalk installation in the north end. Delfield actually has sidewalk on that side of the street about a third of the way up, and has the least amount of trees and other plantings and landscaping that would be impacted by new sidewalks. Joe Cutro, the Village's traffic engineer, also agreed with this sentiment, and felt that it would be a good "trial run" for sidewalk installation in the north end. Both Doug and Joe met with Mike Veirs of A.B. Veirs to go over one design plan and get an estimate. A.B. Veirs estimated that sidewalk installation on Delfield would cost roughly \$40,000. Joe is in the midst of assessing the rest of the North End to develop a tentative layout and cost for additional sidewalks.

Sanitation:

- Waste Management has moved us over to a new Accounts Manager who has more experience with governmental bodies. Staff met briefly with Waste Management this week for an introduction to the new Accounts Manager. A post-able recycling reminders flyer is mailing this week to Village residents.
- The next bulk pickup will be on March 11, coordinating with A Wider Circle on Friday March 10.
 - Please contact the Village Office if you have any items for bulk pickup, particularly if they are 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;
 - 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.

9:25 PM Opportunity for Council to hear residents' comments: Krajeck

Sally Maran (Turner Ln) asked the Council when they will decide about fixing her driveway apron. Chairman Krajeck will respond to her.

Elissa Bean (Turner Ln) asked if the Council was considering leaf vacuuming in the fall. The Council responded that the Village will try both leaf vacuuming and leaf bags in the fall of 2017.

9:30 PM Adjournment: Krajeck

Village of Martin's Additions
7013 Brookville Road, Suite B, Chevy Chase, MD 20815
Minutes for Council Meeting on
January 19, 2017

Council Members Present: Richard Krajeck (Chair); Arthur Alexander; Susan Fattig;
Village Manager: Matthew Trollinger; **Assistant Village Manager:** Beth Boa;
Attorney: Ron Bolt; **Building Administrator:** Doug Lohmeyer; **Residents and other attendees:** Keith Allen (Turner Ln); Bonnie Baugh (Summit Ave); Sally Maran (Turner Ln); Lynn Welle (Oxford St).

7:30 PM Call to Order: Krajeck

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

Bonnie Baugh (Summit Ave) reminded the Council that she had requested a pre-construction meeting with developers about the project at 3405 Thornapple Street. She said that there has been no communication or notification about the project. All the neighbors are upset. Councilmember Alexander noted that no one attended these meetings in the past and they are not required by the Village Code of Ordinances. Village Manager Trollinger said that a neighbor notification was sent out in September 2016 and another one last week, and that the builder did not want to participate in a meeting as he had told her it was not required. The Village is planning to schedule a meeting and the builder has said she will send out letters to neighbors. The Council asked Attorney Ron Bolt to prepare an amendment to the Code noting in what circumstances a builder is required to hold a pre-construction meeting and when in the process it should be held. Bonnie Baugh suggested that notices be emailed in addition to being mailed.

8:05 PM Action on Council Meeting Minutes of December 15, 2016: Krajeck

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

The minutes as approved are attached.

8:05PM Discussion on Amendment to Policy 9-16-01: Draft Policy for Inclusion in *Martin's Edition*: Krajeck

The Council discussed amending Policy 9-16-01 on the publication policy of *Martin's Edition* to a different word number limit.

The amended Policy will be posted on the website and published in January's *Martin's Edition*.

Motion by Chairman Krajeck to amend policy 9-16-01 to a 250 word limit; seconded by Councilmember Alexander. All in favor.

Policy 9-16-01 attached.

8:05 PM Discussion of Ordinance 1-17-1 To Amend the Code of Ordinances to Further Regulate the Construction of Curb Cuts, Driveways, and Aprons in the Public Right-of-Way: Krajeck

Attorney Bolt described the Village's responsibility for maintaining driveway aprons in the right-of-way, according to current practice. Currently, the Village will not maintain aprons that have been upgraded by owners or are non-standard. Ordinance 1-17-1 would codify the existing practice or the Council could modify it to require the Village to maintain any apron even if it has been upgraded. Attorney Bolt was asked by the Council to bring additional proposed language to the February 16, 2017 Council meeting to allow the Village to replace and upgrade when an owner wants to abandon it.

8:20 PM Financial matters, including Treasurer's Report: Alexander

July 2016 through December 2016

	Actual	Pro-rated budget
Revenues	561,274	428,300
Expenses (excluding capital projects)	271,218	336,113
Net Income	290,056	92,187
Capital Expenditures	\$163,539	
Designated Funds	\$1,400,000	

Reserve account (current assets less designated allocations): \$ 1,574,761

Half the fiscal year is now behind us, which provides sufficient time to review trends. Revenues are more than expected and spending remains below what had been budgeted.

Major capital improvements are in process as we begin repaving the streets and replacing lights. We now have \$1.4 million set aside for these projects; as bids come in and work proceeds, we will be able to plan for project completion. WSSC owes the Village approximately \$100,000 for road repairs.

The reserve account (current assets minus funds set aside for designated capital expenditures) is more than double the Village's budgeted annual expenditures, which provides a cushion against unexpected occurrences as well as a buffer for higher than expected capital improvement costs. At the moment, we do not foresee such complications, but the future, as always, remains unknown.

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

Treasurer's Report attached.

8:25 PM Manager's Report: Trollinger

Administrative Matters:

- Office Orientation: The Village Office received a redesign proposal in December 2015. Staff will be meeting with the designers to go over the proposal, and to discuss concerns, and options moving forward.
- Community Events:
 - Holiday Fund: Thank you to all who have generously donated. Donations were up slightly from last year, and the Waste Management workers on our route were very grateful and asked me to pass on their thanks to Village residents.
- Website: Google Analytics reports that we had 1,726 page views from December 12 to January 12, which is down about 20% from the previous month, likely from people being away during the holiday season. There was a 24-hour period on 1/9/2017 in which the website was down due to a server issue.
- 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.
- Newsletter: continues to be published monthly online. The next edition should be going out next week.
- Contracts:
 - Arborist: The Village has selected Integrated Plant Care as its Arborist moving forward. A final contract is being developed.
 - Website: The Village has met with the three finalists, and has two options that would satisfactorily meet the Village's needs within a manageable budget. The Council is welcome to give input into these options.
 - GIS: Village is developing an RFP to update and maintain the Geographic Information System (GIS), the Village's system to capture, store analyze and present spatial and geographical data.

Street Cleaning:

- Rolling Acres has been through to pre-treat the roads prior to snow and winter weather. They remain on standby in case another street cleaning is needed before winter weather.

Utilities: WSSC

- Village staff has worked out an agreement 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, Taylor, and Thornapple. The work will begin in late summer/early fall of 2017.
 - WSSC will hold a public outreach meeting sometime in February or March to go over plans with the community once they have selected a contractor. The Village staff will notify residents once a final date has been selected.
- Village staff received a revised set of plans from WSSC, and has begun reviewing the plans and will meet with WSSC again before finalizing a work permit.

Streets Lighting:

- Product numbers have been added to PEPCO's system, but they are still waiting for the final check and addition to the design database. Once that happens, they will send to Public Space Permits.

Streets & Sidewalks:

- The Village has received some complaints about potholes, and has ordered a kit of cold-weather patch to alleviate some of the major areas of issue until A.B. Veirs returns in the spring.
- Street Repaving: Concrete work has been completed on Bradley, Melville, Raymond (dead end), Cummings, Shepherd, Turner and Taylor. Thank you to residents for their help in adhering to posted 'No Parking' signs. Work has been on hold until springtime.
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- 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.
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installation on Delfield would cost roughly \$40,000. Joe is in the midst of assessing the rest of the North End to develop a tentative layout and cost for additional sidewalks.

Sanitation:

- Bulk trash pickup was January 14. A Wider Circle also did a pickup on Friday, January 13.
- The next bulk pickup will be on March 11, coordinating with A Wider Circle on Friday March 10.
 - Please contact the Village Office if you have any items for bulk pickup, particularly if they are 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;
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8:35 PM Building Administrator's Report: Krajeck

Building Administrator Lohmeyer gave his report.

Building Administrator's Report Attached

8:37 PM Opportunity for Council to hear residents' comments: Krajeck

8:37 PM Adjournment: Krajeck

Ordinance No.: 1-17-1
Introduced: February 16, 2017
Adopted:
Effective Date:

THE VILLAGE OF MARTIN'S ADDITIONS

SUBJECT: AN ORDINANCE TO AMEND THE CODE OF ORDINANCES TO FURTHER REGULATE THE CONSTRUCTION OF CURB CUTS, DRIVEWAYS, AND APRONS IN THE PUBLIC RIGHT-OF-WAY.

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, 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 February 16, 2017;

WHEREAS, the Council has considered the construction, alteration, and replacement of curb cuts, driveways, and driveway aprons in the public right-of-way and finds that the Code of Ordinances should be amended to further regulate the same;

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 _____, 2017, 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 6-101. Definitions

For the purposes of this Chapter, the following words and phrases shall have the following meanings:

* * *

- (g) “Council” means the Village Council of the Village of Martin’s Additions.
- (h) “Curb cut” means a break in the continuity of the curb in a public right-of-way for allowance of vehicular access to an adjoining parcel, or where there is no curb, the intersection of the driveway and edge of the improved roadway.
- (hi) “Dumpster” means a large container, including, but not limited to, a detached wheeled trailer, designed or used to store rubbish, construction and/or demolition debris, or other material to be discarded.

* * *

(Ord. No. 5-13-1, adopted 9/9/13, effective 10/10/13; Ord. No. 11-15-1, adopted 1/21/16, effective 2/10/16; Ord. No. 4-16-1, effective 7/6/16).

* * *

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~~
- 3)4) Add to, install, replace, alter, construct, re-construct, repair or improve any curb cut, driveway, or driveway apron; or
- 4)5) 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.

(c) Repairs.

Notwithstanding paragraph (b) above, no building permit shall be required in the case of ordinary repairs or maintenance, as defined in Section 6-101, and no building permit shall be required for any of the above described activities occurring entirely within the interior of a building. Emergency re-construction, repair or excavation may be undertaken without first securing a building permit, except that such permit shall be applied for as soon as possible after the need for such activities becomes known.

* * *

(Ord. No. 5-13-1, adopted 9/19/13, effective 10/10/13; Ord. No. 11-15-1, adopted 1/21/16, effective 2/10/16; Ord. No. 10-16-1, adopted 12/15/16, effective 1/4/17)

* * *

Section 7-402. Construction Standards and Requirements

* * *

(i) **Curb Cuts.** There shall be no more than one curb cut on any lot, the width of which shall be no greater than twenty (20) feet, inclusive of the turning radii, provided however, that two (2) curb cuts shall be permitted on lots requiring vehicular access to Brookville Road to allow the construction of a circular driveway, the width of which shall be no greater than fourteen (14) feet at the curved portions of the driveway.

(j) **Driveways and driveway aprons.**

(1) Width. No driveway on private property or within the public right-of-way shall exceed ten (10) feet in width in front of the front building line. Driveway width includes the width of any adjoining or adjacent surface comprised of the same material as the driveway. Notwithstanding the foregoing, a driveway that is wider than ten (10) feet as of June 16, 2009 may be replaced or repaired provided that such replacement or repair shall not increase the width of the driveway.

(2) Permit considerations. Except as may be determined by the Code Enforcement Officer, the construction of a curb cut, driveway, or driveway apron shall comply with published Montgomery County design standards. In addition, the Code Enforcement Officer shall grant a permit to construct or expand a curb cut, driveway, or driveway apron only if the proposed construction would not interfere with the public health, safety, or welfare, as may be determined by the Code Enforcement Officer. In determining whether the construction would interfere with the public health, safety, or welfare, the Code Enforcement Officer may consider the following:

- (i) Location of trees, hedges, berms, and shrubbery or other plant growth;
- (ii) Location of fences, walls, or other structures;
- (iii) Location of public utilities;
- (iv) Location of public and private improvements in the public right-of-way;
- (v) Possible obstruction of pedestrian and/or motorist visibility; and
- (vi) Other factors as may be determined by the Code Enforcement Officer to be necessary to protect the public health, safety, or welfare.

(3) Initial construction. The applicant shall be responsible for all costs associated with initial construction and/or expansion of a curb cut, driveway, and/or driveway apron.

(4) Maintenance. The Village shall maintain and repair lawfully-constructed curb cuts, driveways, driveway aprons, and public sidewalks within a public right-of-way as necessary to address wear and tear from ordinary use, unless such maintenance or repair is necessitated by the actions of the property owner or the property owner's tenants, guests, or invitees. The use of a driveway or driveway apron by trucks or construction equipment shall not be considered ordinary use. Notwithstanding the foregoing, the Village shall not be obligated to maintain and repair any such curb cuts, driveways, or driveway aprons that include betterments, or alternative materials, installed by property owners. Such betterments, or alternative materials, shall not be installed by property owners without the permission of the Village, according to the provisions of Section 7-209. If, however, an owner wants to abandon a betterment, or alternative materials, and have the construction revert to standard construction, the Village may replace the portion of the driveway or driveway apron within the public right-of-way, in a manner consistent with Village standards, at such time as replacement is required, as determined by the by the Code Enforcement Officer.

(5) Removal. In the event a curb cut, driveway, or driveway apron within a public right-of-way is removed, the property owner previously served by the curb cut, driveway, or driveway apron shall restore the public right-of-way by installing a curb, sidewalk, grass or other ground cover and plantings consistent with the adjacent area as determined by the Code Enforcement Officer.

* * *

(Ord. No. 4-09-2, adopted 5/27/09, effective 6/16/09; Ord. No. 4-10-1, adopted 6/17/10, effective 7/8/10; Ord. No. 11-15-1, adopted 1/21/16, effective 2/10/16)

* * *

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 _____, 2017.

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

Susan Fattig, Secretary

Richard Krajeck, Chair
Village Council

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

**Village of Martin's Additions
Treasurer's Report
January 2017**

	<u>Jan 17</u>	<u>Budget</u>	<u>Jul '16 - Jan 17</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Income					
4000 · Revenue					
4010 · Permit Fees	2,440.00	1,666.00	5,103.00	11,662.00	20,000.00
4020 · Cable TV Franchise Fees			2,057.96	4,000.00	8,000.00
4040 · County Revenue Sharing			26,907.00	26,800.00	26,800.00
4050 · Highway Users Fees		1,000.00	17,624.34	19,000.00	23,000.00
4060 · Income Tax	8,040.63	110,000.00	342,473.07	260,000.00	600,000.00
4080 · Personal Property Tax	1,027.94	100.00	5,100.99	5,800.00	6,000.00
4090 · Real Property Tax	58,633.43	61,850.00	145,477.81	142,950.00	150,000.00
4095 · Utility Property Tax			0.00	1,000.00	12,300.00
4100 · Holiday Fund	530.00	200.00	9,520.00	6,500.00	6,500.00
4110 · Interest	1,089.84	300.00	5,873.86	1,041.00	4,000.00
4140 · Washington Gas - Street Work			72,898.20		
Total 4000 · Revenue	<u>71,761.84</u>	<u>175,116.00</u>	<u>633,036.23</u>	<u>478,753.00</u>	<u>856,600.00</u>
4200 · Prior Years Surplus	0.00		0.00	2,562,376.00	2,562,376.00
Total Income	<u>71,761.84</u>	<u>175,116.00</u>	<u>633,036.23</u>	<u>3,041,129.00</u>	<u>3,418,976.00</u>
Expense					
5000 · General Government					
5010 · Office Expenses	1,176.18	1,500.00	6,523.58	10,500.00	18,000.00
5025 · Office Furniture & Equipment			0.00	6,000.00	12,000.00
5030 · Insurance	402.00		5,616.00	5,000.00	5,000.00
5040 · Printing & Mailing			643.12	2,500.00	5,000.00
5050 · Dues & Subscriptions/Conference			3,807.54	5,120.00	10,000.00
5055 · Storage Rental	257.00	268.00	1,542.00	1,876.00	3,200.00
5060 · Office Lease	2,190.67	2,191.00	19,331.88	19,045.00	30,000.00
5065 · Telephone	822.85	250.00	1,909.17	1,750.00	3,000.00
5080 · Holiday Fund	528.50	200.00	9,516.50	6,500.00	6,500.00
Total 5000 · General Government	<u>5,377.20</u>	<u>4,409.00</u>	<u>48,889.79</u>	<u>58,291.00</u>	<u>92,700.00</u>

**Village of Martin's Additions
Treasurer's Report
January 2017**

	Jan 17	Budget	Jul '16 - Jan 17	YTD Budget	Annual Budget
5100 - Salaries & Benefits					
5110 - Managerial & Office Salaries	7,258.12	11,000.00	55,967.76	77,000.00	132,000.00
5120 - Payroll Taxes & Benefits	1,020.69	1,916.00	6,847.51	13,420.00	23,000.00
Total 5100 - Salaries & Benefits	8,278.81	12,916.00	62,815.27	90,420.00	155,000.00
5200 - Professional Fees					
5210 - Accounting & Auditing	3,000.00	3,000.00	26,800.00	27,000.00	42,000.00
5220 - Building & Permitting					
5222 - Building Review & Permits	1,900.00	1,667.00	18,700.00	11,665.00	20,000.00
5224 - Enforcement & Oversight	805.00	1,000.00	4,135.00	7,000.00	12,000.00
5226 - Municipal Operations	805.00	1,500.00	3,897.50	10,500.00	18,000.00
Total 5220 - Building & Permitting	3,510.00	4,167.00	26,732.50	29,165.00	50,000.00
5230 - Legal	2,743.50	4,166.00	19,029.50	29,170.00	50,000.00
5240 - Police	2,374.90	2,500.00	16,984.41	17,500.00	30,000.00
5242 - Lighting Consultant			0.00	2,500.00	5,000.00
5244 - Traffic Engineering	3,008.00		5,395.00	750.00	3,000.00
Total 5200 - Professional Fees	14,636.40	13,833.00	94,941.41	106,085.00	180,000.00
5300 - Streets					
5305 - Streets - General					
5310 - Street Lighting - PEPCO	1,373.39	1,350.00	7,317.31	9,300.00	16,000.00
5322 - Street Cleaning - Fall/Spring			10,054.47	14,000.00	28,000.00
5324 - Street Maintenance - Other		1,250.00	242.50	8,750.00	15,000.00
Total 5305 - Streets - General	1,373.39	2,600.00	17,614.28	32,050.00	59,000.00
5349 - Snow Removal Services					
5350 - Snow Removal - Shovel Bvl. Rd.		3,000.00	0.00	3,000.00	5,000.00
5351 - Snow Removal - Plowing	1,400.00	12,000.00	2,100.00	12,000.00	20,000.00
Total 5349 - Snow Removal Services	1,400.00	15,000.00	2,100.00	15,000.00	25,000.00
Total 5300 - Streets	2,773.39	17,600.00	19,714.28	47,050.00	84,000.00

**Village of Martin's Additions
Treasurer's Report
January 2017**

	<u>Jan 17</u>	<u>Budget</u>	<u>Jul '16 - Jan 17</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
5400 · Waste & Recycling					
5410 · Waste Collection & Recycling	6,961.76	7,100.00	55,460.08	49,500.00	85,000.00
5420 · Leaf Bags			13,955.00	14,025.00	14,025.00
5425 · Recycling Bins			13.57	500.00	1,000.00
Total 5400 · Waste & Recycling	<u>6,961.76</u>	<u>7,100.00</u>	<u>69,428.65</u>	<u>64,025.00</u>	<u>100,025.00</u>
5500 · Other					
5510 · Tree Maintenance	860.00	7,000.00	1,730.00	23,000.00	35,000.00
5515 · Tree Replacement	4,350.00		4,350.00	4,000.00	4,000.00
5518 · Right-of-Way Landscaping	1,056.00	500.00	5,133.24	3,500.00	6,000.00
5520 · Community Events			5,021.10	2,000.00	10,000.00
5530 · Website	114.90	115.00	1,994.34	855.00	1,500.00
Total 5500 · Other	<u>6,380.90</u>	<u>7,615.00</u>	<u>18,228.68</u>	<u>33,355.00</u>	<u>56,500.00</u>
5600 · Initiatives					
5620 · Street Light Study			2,464.35		
5630 · Tree Planting Initiatives Prog.			0.00	4,000.00	4,000.00
Total 5600 · Initiatives	<u>0.00</u>		<u>2,464.35</u>	<u>4,000.00</u>	<u>4,000.00</u>
5800 · Designated Funds					
5810 · Designated - Street	123,541.42		287,080.40	500,000.00	500,000.00
5811 · Designated Street Lighting			0.00	500,000.00	500,000.00
5812 · Designated - Sidewalk			0.00	250,000.00	250,000.00
5813 · Designated - Wynne Decision			0.00	150,000.00	150,000.00
Total 5800 · Designated Funds	<u>123,541.42</u>		<u>287,080.40</u>	<u>1,400,000.00</u>	<u>1,400,000.00</u>
5900 · Undesignated Fund Balance			0.00	1,346,751.00	1,346,751.00
Total Expense	<u>167,949.88</u>	<u>63,473.00</u>	<u>603,562.83</u>	<u>3,149,977.00</u>	<u>3,418,976.00</u>
Net Income	<u><u>-96,188.04</u></u>	<u><u>111,643.00</u></u>	<u><u>29,473.40</u></u>	<u><u>-108,848.00</u></u>	<u><u>0.00</u></u>

TO: The Council at the Village of Martin's Additions

FROM: Doug Lohmeyer

DATE OF MEMO: February 16, 2017

SUBJECT: Building Administrator's 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 Village has closed the applicant's building permit. However, five sections of recently poured concrete sidewalk, within the Village right of way, are spalling (showing stones at the surface). The applicant has stated that this spring, his contractor will be replacing the existing driveway and they will replace the spalling sections of sidewalk at that time. I recommend holding the \$2500 performance bond until the Village sidewalk is acceptable.

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.

If the new slate sidewalk, within the Village right of way, is not an issue, the \$2500 performance bond should be returned.

6702 Melville St.

The Village has issued a building permit to enclose the breezeway between the existing house and garage. The work has begun. The applicant has been directed to remove the storage POD from the Village right of way and to screen the temporary toilet.

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.

3510 Taylor Street

The staff has noticed that the existing brick retaining wall within the Village right of way is collapsing, is a safety hazard, and is in need of immediate repair. The staff is attempting to contact the homeowner. A right of way license will be required.

3512 Taylor Street

The staff noticed that when the retaining wall was re-built, the contractor left a 2-inch-wide depressed area between the existing Village sidewalk and the base of the new wall, which may cause a pedestrian to trip and fall. The staff is attempting to contact the homeowner to correct the situation.

3405 Thornapple St.

The staff issued a building permit to relocate the existing house to the adjacent lot and add improvements to the old structure. The improvements include a new curb cut and driveway.

The work has begun and the existing house has been moved to the adjacent lot.

MSHA – Brookville Road

MSHA maintenance staff is investigating the water ponding at the northeast corner of Brookville Rd. and Bradley La.

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. The GIS update is on hold. Staff is preparing a RFP for the GIS system.