



VILLAGE OF MARTIN'S ADDITIONS

7013 Brookville Road (Second Floor, Suite B)

Chevy Chase, MD 20815-3263

Phone (301) 656-4112

www.martinsadditions.org

Agenda for Council Meeting

Thursday, August 20, 2020, 7:30 PM

The Council may entertain a motion in open session to enter into a closed session, in accordance with Section 3-305(b) of the Open Meetings Act (Maryland Code, General Provisions Article).

7:30 PM Call to Order: Fattig

7:31 PM Opportunity for Council to hear residents' comments: Fattig

7:41 PM Committee and Tree Supervisor Updates: Fattig

7:51 PM: Public hearing and possible adoption Ordinance (2020-7-1) to amend chapter 7 of the Village code to regulate signs on private property and the public right-of-way. **(Due to the anticipated number of speakers, we ask each speaker to limit their comments to two minutes.) [Withdrawn]**

8:21 PM Discussion on Potential Questions for the 2020 Annual Survey

8:31 PM Building Administrator's Report: Lohmeyer

8:35 PM Financial Matters, including Treasurer's Report: Alexander

8:45 PM Manager's Report: Anderegg

8:55 PM Opportunity for Council to hear residents' comments: Fattig

9:05 PM Adjournment: Fattig

*Please Note: Listed times are approximate.



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Virtual Meeting Information

Below is the information for those residents who would prefer to dial in remotely or video in to the Council meeting.

1. Dial-In Option

Call: 1 301 715 8592

When prompted, enter the Meeting ID: 898 6985 3494 (you must enter the "#")

Password: 174116

2. Web/Video Option:

- a. Go to the Zoom meeting link: <https://us02web.zoom.us/j/89869853494>
- b. It will take you to Zoom to download, which is free. Then the meeting will launch. You can view the meeting or just listen in and talk when prompted.

Meeting ID: 898 6985 3494

Password: 174116

Topic: VMA Council Meeting

Time: Aug 20, 2020 07:30 PM Eastern Time

**The Village of Martin's Additions
(Sign Ordinance)**

Ordinance No.: 2020-7-1
Introduced: July 16, 2020
Adopted:
Effective Date:

**ORDINANCE TO REGULATE SIGNS
ON PRIVATE PROPERTY AND THE PUBLIC RIGHTS-OF-WAY**

WHEREAS, Maryland Code, Local Government Article, Sec. 5-202, as amended, authorizes the legislative body of each municipal corporation in the State of Maryland to pass ordinances that such legislative body deems necessary 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, Land Use Article, Section 20-509 grants to the legislative body of incorporated municipalities in the Maryland-Washington Regional District, general power to adopt regulations for the protection of the public health, safety, and welfare; the preservation, improvement, and protection of the lands, water, and improvements in the municipal corporation; and to regulate signs;

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 of Martin's Additions holds and maintains the streets and highways within its municipal boundaries in trust for the benefit, use, and convenience of the general public;

WHEREAS, after proper notice to the public, the Village Council introduced the following Ordinance in an open meeting conducted on the 16th day of July, 2020;

WHEREAS, to comply with Maryland Code, Land Use Article, Section 20-509, on the ____ day of _____, 2020, 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, the Council considered this Ordinance in public session assembled on the ____ day of _____, 2020; and

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_____, 2020, 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:

* * *

ARTICLE 5 SIGNS

<u>7-501</u>	<u>Purpose</u>
<u>7-502</u>	<u>Prohibited Signs</u>
<u>7-503</u>	<u>Permitted Signs</u>
<u>7-504</u>	<u>Location of Signs, Generally</u>
<u>7-505</u>	<u>Removal of Signs</u>

Section 7-501. Purpose

It is the policy of the Village of Martin's Additions to enhance vehicular and pedestrian safety by limiting visual distractions and physical obstructions and by maintaining clear sight lines for users of the public rights-of-way, and to maintain the continued attractiveness of the Village through the reduction of litter and visual clutter, by providing the following standards for signs displayed within the Village.

Section 7-502. Prohibited Signs

(a) No sign shall be erected, placed or maintained in any public right-of-way, except for signs posted by the Village or other governmental authority, or by any utility company in accordance with applicable law or the consent of the Village.

(b) No sign other than those permitted in accordance with this Article shall be erected, placed, or maintained within the Village.

Section 7-503. Permitted Signs.

(a) Noncommercial signs. Noncommercial signs may be erected, placed, or maintained on private property, subject to the following conditions:

(1) No sign shall exceed sixteen (16) square feet per sign face;

(2) No sign shall be illuminated or contain any embellishment or other attachment which may cause undue distraction to or jeopardize the safety of vehicle operators or pedestrians, as determined by the Village Manager; and

(3) No sign shall be located within two (2) feet, at its closest point, of the nearest public improvement in the public right-of-way.

(b) Real estate signs. Real estate signs may be erected, placed, or maintained on private property to advertise a property's sale, lease, or rent, subject to the following conditions:

(1) There shall not be erected more than one (1) sign per street frontage of any property, and the sign face shall not exceed six (6) square feet;

(2) No sign shall be illuminated or contain any embellishment or other attachment which may cause undue distraction to or jeopardize the safety of vehicle operators or pedestrians, as determined by the Village Manager; and

(3) No sign shall be located within two (2) feet, at its closest point, of the nearest public improvement in the public right-of-way; and

(4) All signs shall be removed immediately upon the sale, lease, or rental of the property.

(c) Temporary event signs. Temporary event signs, displayed for a limited period of time to announce a public, charitable, educational, religious, celebratory, fundraising, or other similar type of event, or to announce a special event, such as a yard, garage, or estate sale, or open house, may be posted on private property. Such signs may be posted up to two (2) days before the event begins and must be removed immediately after the event is over.

Section 7-504. Location of Signs, Generally.

No sign shall be erected, placed or maintained in a manner which would interfere with a pedestrian's or vehicle operator's view of vehicular or pedestrian traffic, traffic signs or street signs, or in a manner which would constitute an obstruction to those using the public right-of-way, as determined by the Village Manager.

Section 7-505. Removal of Signs.

The Village Manager or the Manager's designee may remove or order the removal of any sign erected, placed, or maintained in violation of this Article.

(Cross Reference: Chapter 3, Code Violations)

* * *

SECTION 2. AND BE IT FURTHER ORDAINED AND ORDERED, by the Council of the Village of Martin's Additions, acting under and by virtue of the aforementioned authority, 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 _____, 2020 (at least 20 days after adoption).

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

_____, Secretary

_____, Chair
Village Council

Underline indicates new material

~~Strikethrough~~ indicates material deleted

* * * indicates material unchanged

Proposed amended version of ordinance (2020-7-1) to amend chapter 7 of the Village Code to regulate signs on private property and the public right-of-way.

**The Village of Martin's Additions
(Sign Ordinance)**

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Introduced: July 16, 2020
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_____, Chair
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~~Strikethrough~~ indicates material deleted

* * * indicates material unchanged

Regulation of Signs

Jurisdiction	Right-of-Way	Private Property
Montgomery County	Prohibited in County right-of-way (Sec. 59-6.7.4.F), except for “limited duration” signs posted with a County permit, subject to size (5 sf), height, location, and other requirements (Sec. 59-6.7.11).	Allowed, subject to size (2 sf cumulative for “permanent” signs) and other requirements (Sec. 59-6.7.3 and 59-6.7.3); “temporary” signs allowed (less than 30 days) subject to size (10 sf per sign and 50 sf cumulative) and other requirements (59-6.7.11 and 59-6.7.12).
Town of Chevy Chase	Prohibited, except for “temporary directional” (<i>e.g.</i> , “open house”) or “exempted” (<i>e.g.</i> , utility or address) signs, meeting certain size (6 sf) and other requirements (Sec. 5-3 and 5-5).	Allowed, subject to size (9 sf per sign; 90 sf cumulative) and other requirements (Sec. 5-7); commercial signs prohibited, except for temporary real estate signs (Sec. 5-7(a)).
Chevy Chase Village	Prohibited, unless noncommercial and authorized by the abutting property owner; but “temporary” (including real estate) signs are exempted (Sec. 12-7).	Allowed, subject to size (16 sf per sign; 90 sf cumulative) and other requirements (Sec. 5-7); commercial signs prohibited, except for temporary real estate signs (Sec. 5-7(a)).
Chevy Chase View	Prohibited, except for “exempted” (<i>e.g.</i> , utility) signs (Feb. 2009 Sign Policy).	Allowed, subject to size (12 sf per sign) and other requirements; commercial signs prohibited, except for temporary construction and real estate signs (Feb. 2009 Sign Policy).
Village of Martin’s Additions	Not expressly allowed or disallowed	No express regulation
Town of Somerset	Not expressly allowed or disallowed	“Property Restriction Signs” (<i>e.g.</i> , no trespassing) are subject to certain size and location requirements (Sec. 112-23).
Town of Garrett Park	Not expressly allowed or disallowed	No express regulation
Section 3 of the Village of Chevy Chase	Temporary real estate and yard sale signs allowed (must be removed 24 hours after sale) (Sec. 7-406).	No express regulation
Section 5 of the Village of Chevy Chase	Not expressly allowed or disallowed	No express regulation
North Chevy Chase	Not expressly allowed or disallowed	“Commercial” signs prohibited (Sec. 210).
Town of Glen Echo	Not expressly allowed or disallowed	No express regulation



Village of Martin's Additions 2019 Survey Round II

Progress:

The Village Council is seeking resident input on Village services and operations. We use the resident feedback to inform the Council decision-making process and set Village priorities. 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 from Friday, November 1, 2019, at 6 PM until Friday, November 15, 2019, at 11:59 PM. Survey results will be shared at the Thursday, November 21, 2019, VMA Council meeting.

1. Overall, how satisfied are you with the Village operations?

- ☐ Extremely satisfied
- ☐ Somewhat satisfied
- ☐ Neither satisfied nor dissatisfied
- ☐ Somewhat dissatisfied
- ☐ Extremely dissatisfied
- ☐ No Responses

2. If you would like to share your experience with the Village, please describe below.

350 characters left.

[Continue >](#)



Village of Martin's Additions 2019 Survey Round II

Progress:



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

- ☐ Within the same day
- ☐ Within 3 business days
- ☐ Within one week
- ☐ Never received a response
- ☐ N/A
- ☐ No Responses

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

- ☐ Within the same day
- ☐ Within 3 business days
- ☐ Within one week
- ☐ Never received a response
- ☐ N/A
- ☐ No Responses

[Continue >](#)



Village of Martin's Additions 2019 Survey Round II

Progress:



5. Most of the Village budget is spent on providing our residents with services. These services often exceed what is provided by the county, such as bi-weekly trash collection from the side yard, police patrols, and Village-sponsored events. Please indicate any changes in services you would like the Village Council to consider, keeping in mind the additional expense the Village would incur from providing such services.

Note:

Based on last year's survey results, the Council is considering adding a composting service. A request for proposal has been issued. We expect to have more information on this new service soon.

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Continue >



Village of Martin's Additions 2019 Survey Round II

Progress:



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

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree nor disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ No Responses

7. If you selected disagree or strongly disagree in question 6, please describe your experience.

350 characters left.

Continue >



Village of Martin's Additions 2019 Survey Round II

Progress:



8. The Village staff sends regular communications to residents about upcoming events, issues under consideration by the Council, and messages from local police. If you would like to receive additional information from the Village office, please list it here.

350 characters left.

[Continue >](#)



Village of Martin's Additions 2019 Survey Round II

Progress:



9. Do you believe the 2019 election was conducted in a fair and open manner? If you have any recommendations or comments, enter them in the comment box.

- ☐ Yes
- ☐ No
- ☐ No Responses

Comment:

500 characters left.

10. Was getting information and the process of voting easy in the 2019 election?

- ☐ Yes
- ☐ No

Comment:

500 characters left.

[Continue >](#)



Village of Martin's Additions 2019 Survey Round II

Progress:

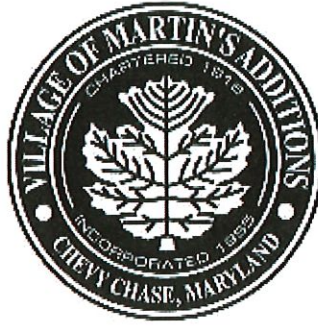
11. In which Village events have you participated in the past year (select all that apply)?

- ☐ Monthly Council meeting
- ☐ Halloween
- ☐ Independence Day/4th of July
- ☐ Adult Spring Fling
- ☐ Celebration on the Sidewalk/Election
- ☐ Movie Night in the Park
- ☐ I have not participated in any Village events
- ☐ Other

12. Please list, if any, other events that you would like the Village to organize or host.

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[Continue >](#)



Village of Martin's Additions 2019 Survey Round II

Progress:

13. 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.

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14. 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.

350 characters left.

[Continue >](#)



Village of Martin's Additions 2019 Survey Round II

Progress:

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350 characters left.

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Continue >



Village of Martin's Additions 2019 Survey Round II

*Required Question(s)

Progress:



* 15. Please select your street below.

- ☐ Bradley Ln
- ☐ Brookville Rd
- ☐ Chestnut St
- ☐ Cummings Ln
- ☐ Delfield St
- ☐ Melville Pl
- ☐ Oxford St
- ☐ Quincy St
- ☐ Raymond St
- ☐ Shepherd St
- ☐ Summit Ave
- ☐ Taylor St
- ☐ Turner Ln
- ☐ Thornapple St

[Finish](#)

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

FROM: Doug Lohmeyer

DATE OF MEMO: August 17, 2020

SUBJECT: Building Administrator's Report

3506 Bradley Lane.

Demolition and building permit applications were submitted to the Village office. The staff has initially reviewed the information. Waiting for MCDPS approval. The resident's information meeting was held on Wed. June 17th. Work is anticipated to begin in Sept.

7210 Chestnut St.

The Village issued their building permit on Oct. 11, 2018. The County has closed their building permit but their sediment control permit is still open. Once they close that permit, we will do a final inspection and if everything is acceptable, the Village Building Permit can be closed.

7200 Delfield St.

The property owners (a partnership) has applied for a Village demolition and building permit for a new house. The MCDPS is reviewing their application. The Village staff has completed the initial review of the application and submitted their comments of the applicant. A resident information meeting has not been scheduled.

7220 Delfield St.

The applicant's have submitted an application to demolition the existing house and rebuild a new house. The project is on hold as they are planning to make revisions to the submitted plans.

113 Quincy St.

The applicant's have submitted an application to build a detached garage at the left rear of the house. The staff has reviewed the plans and are waiting for MCDPS to issue their permit.

163 Quincy St.

The homeowner is proposing to add additional parking along the side of the existing driveway. The parking area will be different material than the driveway and the preliminary non-vegetative analysis indicates the non-vegetative area will not exceed 30% of the front yard. They have not filed for a Village permit.

3515 Raymond St.

The applicant has submitted plans to remove the existing house and to construct a new house. The County is reviewing their plans. The applicant's have revised their plans to address the "Wall Plane Length" condition. The informational meeting with the neighbors has not been scheduled. Waiting to the County to approve the plans.

7200 Summit Ave.

On April 28, 2020, the homeowners submitted a Variance Application for the front and rear setbacks in order to construct a new porch and bay window at the front of the existing house and an addition on the north (right) side of the house. The Variance was approved by the Council on July 16, 2020. The applicants have not submitted to MCDPS or the Village.

3412 Taylor St.

The Village original building permit was issued on Feb. 4, 2019 and extended. The house construction has completed. The MCDPS building permit and sediment control permit has been finalized. The contractor has repaired the damage Village trash can and removed the tree protection in the R/W. The Village has closed the building permit and refunded the performance bond.

3414 Taylor St.

The homeowner has submitted an application to install a yard inlet on the lot at 3414 and connect that pipe into the existing MCDOT in front to the lot. They have submitted a right of way agreement for the section of pipe within the Village right of way.

3407 Thornapple St.

The Village issued their building permit on May 30, 2019. Work is continuing on the new house construction. The applicant has submitted a “Wall Check”, which indicated the new house is in conformance with the approved site plan and the Village Code. On May 29th, the building permit was extended and work is proceeding. The Applicant revised the plans to show a two-car detached garage at the rear of the lot. The MCDPS and the Village has issued their revised building permits.

Miscellaneous Items

The staff is presently working with the following properties:

1. The MSHA has responded to the Village’s letter regarding water ponding at the Village street intersections along Brookville Rd. They plan on making improvements to the intersections at Bradley, Quincy, and Cummings this summer. An email was recently sent to MSHA requesting a status report on their improvements.
2. The staff has spoken to several homeowners about proposed improvements to their property.

**Village of Martin's Additions
Financial Report for July 2020
Arthur Alexander, Treasurer
August 20, 2020**

	<u>Actual</u>	<u>Budgeted</u>
Revenues	\$ 1,804	65,667
Expenses (excluding capital projects)	62,993	59,728
Net Income (revenues minus expenses)	-61,189	5,938
Capital investment expenses	\$ 0	
Investment reserves (less expenditures)	1,500,000	
Emergency reserves	1,000,000	

Current assets less designated reserves: \$ 524,085

In the current month, August 2020, we plan to transfer \$50,000 from the Village's savings account in the Maryland Local Government Investment Pool (MLGIP) to the checking account to cover projected expenses. In June, the planned and actual withdrawal was \$50,000.

In the first month of the new fiscal year, expenses were close to the budgeted amount. Revenues, however, were quite small compared to the budgeted amount, which is a pro-rata share of the annual total. The reason for the discrepancy is that the major source of the Village revenues, the state income tax, arrives in several highly unequal installments. Typically, the first significant amount comes in November. Until then, monthly income tax receipts are zero or in the hundreds of dollars.

From: Niles Anderegg, Village Manager
To: Village Council
Subject: Village Office Update
Date: 8/18/2020

The Office has been engaged in several different activities, including hosting an orientation for committee members regarding the Open Meetings Act and the Public Records Act. Due to covid-19, I have not been able to get sworn in as a notary public; however, my scheduled swearing-in is on August 31st. After that time the Office will be available for notary services.

An update on community events: Due to the covid-19, the County is still not permitting events in County parks, so there will be no Labor Day event this year as the Village has been unable to obtain permits for this.

Village Directory

Thank you to everyone who responded to the survey regarding the publishing of email addresses in the directory. We had almost 200 respondents to the survey. Just as a reminder: if you did not say yes to the survey or contact the Office saying that you wanted your email in the directory, your email will not be included in the 2020 directory. The Office is currently completing the updates to the directory and anticipate mailing it out in a few weeks.

Cybersecurity

The Village is continuing to implement updates to its cybersecurity infrastructure. The Office anticipates completing this project within the next couple of weeks.

GIS Update

Wallace Montgomery, the Village's GIS contractor, has finished the requested updates to the GIS data. Staff is reviewing the update and will try to finalize this project soon.

Management Assistant Search

The Management Assistant search was completed and Martha Fessenden started on August 4.

Community Forum

At the July meeting, the Council directed the Village Office to select dates for a potential Community Forum on preparedness. The tentative date for this event is Thursday, October 1st. Details will be shared in the Weekly Wrap-up and in the Martin's Additions newsletter.

Walkability Task Force

The Office compiled and organized data from the recent walkability survey and forwarded that information to the task force for its review at its next meeting.

Appendix A

Resident comments regarding ordinance (2020-7-1) to amend chapter 7 of the Village Code to regulate signs on private property and the public right-of-way.

From: [Josh Bowers](#)
To: arthur.alexander@att.net; ka2shaz@gmail.com; susan.fattig@gmail.com; toddsmann@gmail.com; drimblander@gmail.com; [Manager](#)
Subject: Comments on the proposed sign ordinance
Date: Saturday, July 18, 2020 10:30:43 PM

I reviewed the proposed ordinance on signs which was a surprise in a variety of ways. These are my thoughts and questions about the ordinance. I am not submitting my comments as an attorney licensed to practice law in Maryland so my comments are not in that capacity. I did not renew my license in Maryland when I retired.

I did not attend the Council meeting when the ordinance was introduced. My initial question is why is the ordinance necessary? What problem needs to be solved? Do Sections 3 & 5 have similar ordinances or do they resolve similar problems informally? The Village has a single full-time employee and a part-time position that is often vacant. There's a limit to what one full-time employee can do. To keep a cap on the Village Manager's workload I favor not creating a formal process by ordinance whenever an alternative approach is feasible.

A red flag came up when I saw the "Purpose" of the ordinance included "removal of visual clutter". If the clutter is on Village property or right-of-way an ordinance is not necessary for the Village to remove it. If the perceived visual clutter is on private property without creating a public health or safety hazard I don't know the basis for the Village to intervene unless zoning laws open the door to this restriction.

I grew up in Reston, Virginia where there were strict limitations on what people could do with the exterior of their homes. As I understood it, the restrictions passed to new home owners through the property deed. I am not aware of esthetic restrictions in property deeds in Martin's Additions.

7.502(b) of the ordinance prohibits signs not in compliance with the ordinance. That surprised me because of our first amendment rights. The ordinance does not attempt to limit the content of signs so that's good. The size and number of signs may be within the Village's authority. I don't know. I suspect the test for Constitutionality is whether the restrictions unduly interfere with the first amendment right. This issue has probably been heavily litigated so there will be a body of case law on whether and how much a local government can restrict signs on personal property.

7-503(2) of the ordinance has a two-day restriction on a "temporary sign" on private property. I doubt that's in accordance with case law. That seems too restrictive. On my wife's 50th birthday we couldn't have a party due the pandemic. Her friends made a dozen happy birthday signs for our yard. It was wonderful. We left the signs in our yard for most of the week which would be a violation of the proposed ordinance. Currently, we have a Black Lives Matter sign in our front yard which has been there for weeks.

There's likely to be an uproar when real estate agents recognize the ordinance at 7-502(a) prohibits "open house" signs on Village right-of-ways directing potential buyers to a house for sale. Residents considering putting their houses on the market (not us) will not be happy when informed of the restriction. On the north end of the Village the realtors promptly remove the "open house" signs so it's not a problem.

Our extensive Halloween decorations include gravestones illuminated at night. Signs are not defined by the ordinance so our illuminated gravestones may be prohibited by the ordinance. Our Halloween decorations are up roughly a week to ten days before Halloween. You may quote me as saying, "When Halloween decorations are illegal, only outlaws will have Halloween decorations". The ordinance is not likely to go over well with the many Village residents who decorate their yards for Halloween. A demonstration against the ordinance by protesters in full Halloween gear is foreseeable.

I seriously doubt Section 7-705 is legal when proclaiming the Village Manager or contractor can remove signs without due process. The government can take no action interfering with private property without due process unless exigent circumstances require action to protect public safety.

Again. I no longer have a license to practice law in Maryland so this is not a lawyer's opinion. To some extent that's a relief to me.

Thank you to everyone for your service on the Council.

From: [Jeffrey Blander](#)
To: [Manager](#); [Hill Katya](#); [Arthur Alexander](#); [Susan Fattig](#); [Todd Mann](#)
Subject: Fwd: proposal to ban signage
Date: Monday, August 17, 2020 10:41:13 PM

Niles,

Forwarding for the record.

Thank you.

Best, Jeff

----- Forwarded message -----

From: **Adam R. Metwalli** <adam.r.metwalli@gmail.com>
Date: Monday, August 17, 2020
Subject: Fwd: proposal to ban signage
To: drjmblander@gmail.com

The proposal to ban all signage is an infringement on property rights and freedom of expression. An outright ban cannot be supported. Period. If you want to impose some small policies about size or height or distance from public property, that's fine. If you want to support a ban on political signage on public property, fine. But an outright ban of all signage and especially on a person's private property is totally unacceptable. And if it were to be passed somehow I would immediately put a sign in my yard as a form of protest. And I NEVER put signs in my yard. For any reason.

So this proposal is ludicrous and probably unconstitutional. Please Do not support it under any circumstances.

Your neighbor,

Adam R. Metwalli, MD

From: [Melissa Elliott](#)
To: [Manager](#)
Subject: Fwd: Strongly Opposed to Proposed Ordinance to Regulate Signs on Right of Ways nd Private Property
Date: Tuesday, August 18, 2020 9:06:55 AM

Hi Niles,

I thought perhaps my partner, Jamie Williams, should have copied you on his email below as well.

Thank you and wishing you good health,
Melissa Elliott

----- Forwarded message -----

From: **Jamie Williams** <willjama@earthlink.net>
Date: Tue, Aug 18, 2020 at 7:28 AM
Subject: Strongly Opposed to Proposed Ordinance to Regulate Signs on Right of Ways nd Private Property
To: <sefesq@gmail.com>
Cc: <arthur.alexander@att.net>, <toddsmann@gmail.com>, <ka2shaz@gmail.com>, <drjmblander@gmail.com>

Dear Village Council,

I am writing to express my strong opposition to a proposed ordinance to regulate signs, especially on private property. We do not have any such signs on our house on Turner Lane, but I find it unbelievable that the village council is going to regulate freedom of speech on people's own private property! Our democracy was founded on the principal of freedom of speech, and my entire life I have appreciated the way people have participated in an active democracy by proudly posting who or what cause they are supporting on their lawn. Whether I agree with them or not, I respect their right to do this and find it inspiring. I have been especially inspired by the signs congratulating students on their graduations, students robbed of their graduation by cover-19, and I have been inspired to see in a largely white affluent neighborhood residents expressing their solidarity for black people in the face of systemic racism. I have seen signs of all political stripes, but I have not seen anything offensive or inappropriate.

We are at a fragile moment in this country facing an unprecedented health crisis, a national reckoning with racial disparities and injustices, and economic hardship with an important election on the horizon. For the village to muzzle freedom of speech and over-reach in restricting private property rights at such a moment is just incredibly tone deaf to me, perplexing at best, and seriously troubling at worst, whatever the motives can possibly be for this.

I can only imagine the national news story that will land here in our quiet, wonderful neighborhood if you decide to move forward with such an egregious infringement on our democratic rights.

Jamie Williams
Turner Lane

From: [Jeffrey Blander](#)
To: [Michael Goldman](#)
Cc: [Susan.fattig@gmail.com](#); [Arthur.Alexander@att.net](#); [Kashaz@gmail.com](#); [Toddsman@gmail.com](#); [Manager](#)
Subject: Ordinance Restrcting or Banning Signs on Private Property
Date: Monday, August 17, 2020 10:46:45 PM

Michael,

Thank you so much for note, feedback, and sharing your concerns. This is sincerely appreciated and matters a great deal.

Copying Niles our village manager for the record.

We will include as part of the discussion for the upcoming council meeting this week.

Best, Jeff

On Monday, August 17, 2020, Michael Goldman <mdg23@georgetown.edu> wrote:

Dear VMA Councilmembers,

I am dismayed to learn that our VMA Council is considering an ordinance to restrict or ban signs on our private property. Putting aside questions of politics and possible racism, this would be an undeniable violation of the First Amendment of the United States Constitution. There is no good reason to ban such signs in violation of our free speech. Indeed, this is a foundation of American democracy -- the right of citizens to speak their minds. It may ostensibly be based on peace and good order, but that vague, generic term provides no serious basis for denying this basic right.

I therefore urge each of you to oppose and reject this direct attack on our Constitutional rights.

Respectfully,

Michael Goldman
[118 Quincy Street](#)

From: [Frank Correl](#)
To: [se fattig](#); toddsmann@gmail.com; [Arthur Alexander](#); [Katya Hill](#); [Jeffrey Blander](#); [Manager](#)
Subject: Proposed Ordinance to Regulate Signs on the Village Right-of-Way and Private Property
Date: Monday, August 17, 2020 2:22:50 PM

According to the minutes of the council meeting on July 16, there was extensive discussion of the subject of the Village of Martin's Additions regulating signs, both in the village right-of-way and on the private property of the residents. After perusal of the draft ordinance, council meeting minutes and the explanations provided by the village attorney Ron Bolt, we wish to take strong exception to this proposed action.

This proposed ordinance is something that can have a very basic, wide ranging effect in the village. Why has it not been distributed widely to the residents to give them a chance to review the issue? Why does one have to go hunting through a complicated website to even find mention of it and then only when it is considered by the council?

This year 2020 is a year with many events and issues on which people may have strong opinions and wish to air them, hoping perhaps to elicit support from neighbors and passers-by. First and foremost, there is the presidential election and election of national, state and local officials. Further, there have been several hot issues -- Black Lives Matter, police behavior, demonstrations which can descend into violence, immigration, and many more that people may wish to share their views on by means of a sign. And then, God bless them, there are the many graduates who are being congratulated or a child celebrating a birthday. Finally, there are the little signs on many lawns asking that dogs be taken elsewhere to do their business (a sign like that, usually small, needs to be near the right of way if it is to be recognized at all).

Besides being a bald invasion of the privacy and property rights of the residents, this proposed ordinance is sloppily put together and seeks to apply sweeping restrictions, with enforcement to be determined, if you please (!), as they go along. The supposed problems being addressed are exaggerated out of proportion -- is a sign closer than two feet to the right of way really capable of distracting a reasonably mature driver?

We respectfully urge that the proposed ordinance be rejected!

Hanne and Frank Correl
Turner Lane

From: [Jeffrey Blander](#)
To: [K C](#)
Cc: [Susan.fattig@gmail.com](#); [arthur.alexander@gmail.com](#); [ka2shaz@gmail.com](#); [toddsman@gmail.com](#); [Manager](#)
Subject: Proposed sign ordinance
Date: Monday, August 17, 2020 11:28:53 PM

Dear Karan,

Thank you so much for your note. This is sincerely appreciated and matters a great deal.

Copying Niles our village manager for the record.

We will include as part of the discussion for the upcoming council meeting this week.

Best, Jeff

On Monday, August 17, 2020, K C <kcapoor@gmail.com> wrote:

Dear Council Members

As VMA residents of nearly 14 years, I would like you to note our strong opposition to the proposed sign ordinance.

Regards,

Karan Capoor/The Capoors
[3507 Cummings Ln.](#)
[Chevy Chase, MD 20815](#)

From: [Jeffrey Blander](#)
To: [Elissa Bean](#)
Cc: [susan.fattig@gmail.com](#); [toddsman@gmail.com](#); [arthur.alexander@att.net](#); [ka2shaz@gmail.com](#); [Mark Shaffer](#); [Manager](#)
Subject: Re: [Martin's Additions googlegroup] The VMA Proposed Sign Ordinance
Date: Tuesday, August 18, 2020 12:09:13 AM

Dear Elissa,

Thank you so much for your advocacy, very thoughtful feedback, and sharing your concerns. This is sincerely appreciated and matters a great deal.

Copying Niles our village manager for the record.

We will include as part of the discussion for the upcoming council meeting this week.

Also, I have asked Niles to kindly have the Tree Supervisor share an update at the next council meeting. We appreciate the great scare your family experienced with the tree falling down as you were leaving the car. A terrifying moment and so grateful no one was hurt.

Best, Jeff Blander

On Monday, August 17, 2020, Elissa Bean <elissa.m.bean@gmail.com> wrote:

Dear VMA Council Members,

I hope this email finds you all healthy and well. I know the VMA listserv is not the official avenue for expressing opinions to you, so I wanted to forward Mark Shaffer's message below, to ensure that you see this, as I believe he makes some important points regarding the sign ordinance. As I write this, I hope you are aware that the conversation continues on the listserv with many residents stating their opposition.

I also wanted to take this opportunity to reiterate what I stated at the last council meeting. I am very much opposed to the sign ordinance under consideration. I believe it is overregulation and a threat to our first amendment rights.

Walking and driving through our neighborhood, I also just don't see a need for it. I can't think of any place where this has been, or is currently a concern in terms of driver/pedestrian safety and visibility. Has there been a single accident in the village or its vicinity relating to sign usage? I don't believe so.

I respect that one might argue this to be an aesthetics issue. We all want to keep our neighborhood looking clean and relatively orderly. Generally speaking, nobody wants a lot of visual clutter, and certainly nobody enjoys seeing signs with messages with which they don't agree. But all I can say to that is, welcome to the U.S.A.! And that is still not a good enough argument to put this ordinance in place.

In these unprecedented times, now more than ever people must have the freedom to express their beliefs. Having the ability to thank our front line workers, congratulate recent graduates, express support for presidential nominees or other social causes through use of signs is practically all we have right now, as we continue to muddle through this pandemic.

Furthermore, I'm concerned this ordinance would be setting a bad precedent for future over regulation.

I urge you to consider this issue carefully, and vote this ordinance down.

Many thanks as always for your volunteerism and time, and I look forward to the meeting on Thursday.

Respectfully,
Elissa B.
Turner Lane

----- Forwarded message -----

From: **Mark Shaffer** <shaffer@markshafferlaw.com>

Date: Mon, Aug 17, 2020 at 1:54 PM

Subject: [Martin's Additions googlegroup] The VMA Proposed Sign Ordinance

To: martins-additions-chevy-chase@googlegroups.com <martins-additions-chevy-chase@googlegroups.com>

The consideration of this the proposed sign ordinance amendment is poorly timed. We are living in a period of societal trauma, which including grave questions about the future of our nation.

The presentation of the proposed sign ordinance does not help. The “Whereas” clauses are pretty standard boilerplate. The “Whereas” clauses should clearly state that VMA will not act to impinge on the Constitutional freedoms of speech and expression. Indeed, thee safeguard should be made a preamble to the entire code of ordinances.

Passage of this proposed ordinance as it is would be begging for a lawsuit. I for one would support, if not initiate one. I suggest that the proposed sign ordinance amendment be sent back to committee for reconsideration. Before any further action is taken, the committee should work to report back to community regarding the following:

1. Exactly what factual and events led to the consideration of the proposed amendment? Who has been harmed by the existing ordinance? How many instances has such harm occurred over how long a period of time? What were the circumstances of the sign(s) which allegedly caused the harm, i.e., sign size, placement, road conditions, and etc.
2. How have other tiny residential communities addressed sign ordinances in a manner different from our current ordinance?
3. How have other tiny residential communities acted to minimize infringement on the freedoms of speech and expression?

4. What is the minimum infringement required to demonstrably safeguard against the harm(s) previously experienced?
5. What right does the VMA and council have to restrict non-commercial signs on private property? There is no language tying the restriction inference with street line of sight?
6. How does the counsel define right of way? Is the intent here that the regulations apply to sideways as well as streets?
7. Will this proposed ordinance amendment be submitted to the residents.
8. What certainties can be included to remedy the vague and subjective objectives of the proposed ordinance amendment – which are likely to be constitutionally infirm, for example in 7-501:
 - a. visual distractions,
 - b. physical obstructions
 - c. line-of-sight,
 - d. continued attractiveness, and
 - e. litter and visual clutter.
9. Why should VMA residents have to engage in administrative or council battles over meaning and application of these provisions? Why are they all not defined in the proposed legislation? Indeed, why are they not defined sufficiently for the residents to vote on them, knowing what they are voting for?
10. Why are commercial signs unregulated, but non-commercial, real state, and temporary events are?
11. How the heck can a resident know when they are placing a sign on private property that comes within 2 feet of a public improvement in a public right of way? Does this include water, gas, power, and cable lines? Are residents required to contact Miss Utilities, read maps, and use a tape measure before posting a sign? Determining whether sign is 16 sq. ft may easier to measure – though this seems more like an attractiveness and visual clutter thing.
12. Does or should the VMA council have the right to legislate taste, i.e. attractiveness and visual clutter? We don't live in a Home Owners' Association.

Thank you,

Mark Shaffer



Mark L. Shaffer

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[Chevy Chase, Maryland](#)

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From: [Jeffrey Blander](#)
To: [Naomi Naierman](#)
Cc: [Thera Swersky](#); [Kimberly Wehle](#); [Craig Ferris](#); [Howard Stanislawski](#); [Manager](#); [Martins-Additions-Chevy-Chase](#)
Subject: Re: [Martin's Additions googlegroup] Yard Sign Ordinance
Date: Tuesday, August 18, 2020 10:19:36 AM

Naomi,

Thank you and appreciated. Yes, I personally have been forwarding all comments to Niles and other council members for the record.

Best, Jeff

On Tuesday, August 18, 2020, Naomi Naierman <nnaierman22@gmail.com> wrote:
Well said, Thera, Sam, Craig and Nancy. Thank you, all.

I hope that the VMA manager and Council member Jeffrey Blander will share all the comments with the Council which does not necessarily read the posts on this listserv as this is not an official communication vehicle of the VMA.

Naomi Naierman
Quincy Street

On Aug 18, 2020, at 9:45 AM, Thera Swersky <tswersk@gmail.com> wrote:

We also believe that the proposed ordinance goes too far and thank you Craig for expressing our mutual concerns in a manner that is clear, logical, and respectful.

We chose to live in Martin's Additions over 40 years ago because of the character of the neighborhood. We love the uniqueness of each home, the lack of uniformity of color and landscaping. We fear the sign restrictions are going the way of the HOAs many of us sought to avoid by moving here. If enacted, these restrictions not only inhibit our free speech and infringe on our property rights, but destroy the individuality we love in our neighborhood.

Thera and Sam Swersky
Quincy Street

On Mon, Aug 17, 2020 at 11:58 PM Kimberly Wehle <kimwehle@gmail.com> wrote:

In the 2015 decision *Reed v. Gilbert*, the Supreme Court struck down an Arizona town's sign ordinance that placed greater burdens on signs depending on their content or subject matter. The Martin's Additions proposed ordinance appears to make distinctions based on the content of - or message contained in - particular signs. To the extent that's the case, the proposal is a non-starter, and the Town should simply move

on. - Kim Wehle

Sent from my iPhone

On Aug 17, 2020, at 11:21 PM, Howard Stanislawski
<howard.stanislawski@gmail.com> wrote:

Thank you.

I respectfully suggest the following:

1. Delete Section 7-502(b)
2. Delete Section 7-503(a)
3. Delete Section 7-504.

Section 7-504 is redundant, and the other two provisions contravene the First Amendment by virtue of their intent to deny homeowners the right to political expression on their own property.

There is no reason to advance such ordinance provisions at any time, and all the more so during national elections.

Thank you. Howard Stanislawski

On Aug 17, 2020 at 10:24 PM, <[Jeffrey Blander](#)> wrote:

Dear Residents, neighbors, and friends of VMA,

Thank you for the outpouring of feedback, genuine concern, and passionate engagement regarding the proposed sign ordinance. Whether shared on the listserv, personalized email note, text message, or socially distanced conversation, your views absolutely matter.

Having recently joined the council in July, I am still getting up to speed on many things, including the background & rationale for this

proposed ordinance. Also how best to implement some new ideas to strengthen engagement within our community in the weeks and months ahead on issues that matter to them most.

With that said, Niles our Village Manager, has assured us that all your feedback is being carefully tracked for the record, so please continue to openly express your views or share concerns. Furthermore, as much time as needed will be devoted at the upcoming council meeting to hear all inputs from residents.

Your heartfelt engagement on this matter shows how very special our community is. I am grateful to have an opportunity to serve, especially during these challenging times.

Stay safe, well, and healthy.

Best,

Jeff Blander

On Monday, August 17, 2020, 'Craig Ferris' via Martin's Additions googlegroup <martins-additions-chevy-chase@googlegroups.com> wrote:

Dear Niles,

Please forward the following comments to the VMA Council which is due to meet Thursday night to consider a proposed ordinance restricting yard signs. I would have sent our email comments directly to the council in one universal message but the village web site does not have a single address for the council.

Dear members of the Village of Martin's Additions Council,

My wife and I are opposed to the provisions of the proposed ordinance governing yard signs on private property. We do not oppose the provisions prohibiting signs on the public right of way, but feel that the proposed limits on signs that a homeowner might choose to post on his or her private property is regulatory overkill and a potential attack on all citizens' rights of free speech.

While the current proposal appears reasonable on the surface, think where it might lead. At first glance limiting the size of a sign may lead to a ratcheting down of the size until all signs are driven out of existence. As I read the proposal, there would be no limit on the number of signs on private property (except for limiting real estate signs to one), but a limit eventually could be set that would virtually ban most signs. Think of the current situation—many people have Black Lives Matter signs, while others have signs supporting immigrants, Muslims and other oppressed religious groups. This is a hotly-contested political season. Many people have signs supporting the two leading presidential candidates, but what if a homeowner wants to post signs supporting a myriad of other federal, state and local candidates. It is not the VMA council's job nor right to decide which candidates or causes residents can support with a sign.

And if that is not bad enough, think of religious holidays. This ordinance, particularly the ban on lighted signs, could be changed to prohibit a lighted Merry Christmas or a Happy Chanukah, Diwali or Kwanzaa sign on someone's front lawn, not to mention banning a lighted menorah, a lighted Christmas tree or the lighted wreath that hangs on the front of my house during the holidays.

The proposed limits are a slippery slope that is likely to lead the village into Constitutional lawsuits.

And to what purpose?

We do not see any need for curbs on signs on private property.

Signs have not been a problem over the 34 years we have lived in the village and are unlikely to be a problem in the future. Plus, issues and causes come and go. And so will the various signs you now see.

Limiting signs on the village right-of-way is reasonable, but limiting signs on private property is not only not needed but violates our rights as citizens.

Craig and Nancy Ferris

Quincy Street

Sent from my iPad

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msgid/martins-additions-chevy-chase/CB9566A9-B053-45FA-BBE8-C35B6761C173%40gmail.com.

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From: [Jeffrey Blander](#)
To: [Merrell Tuck](#)
Cc: [susan.fattig@gmail.com](#); [arthur.alexander@att.net](#); [ka2shaz@gmail.com](#); [toddsman@gmail.com](#); [Manager](#)
Subject: Re: 8/20 Council Meeting & proposed sign ordinance
Date: Monday, August 17, 2020 11:32:56 PM

Dear Merrell and Jim,

Thank you so much for your note, feedback, and sharing your concerns. This is sincerely appreciated and matters a great deal.

Copying Niles our village manager for the record.

We will include as part of the discussion for the upcoming council meeting this week.

Best, Jeff Blander

On Monday, August 17, 2020, Merrell Tuck <merrelljanet@gmail.com> wrote:

Dear VMA Council Members:

My partner Jim Schneider and I object to the proposed sign ordinance and wanted to register our views ahead of the Council meeting next week. It seems to be ill-timed and would violate our free speech laws. There is also a reputational risk, as some might interpret the ordinance as an effort to oppress Black Lives Matter signs.

We are grateful for the work you all do to make this a great place to live, but this particular ordinance seems to us excessive and unnecessary.

Respectfully,
Merrell Tuck & Jim Schneider
[3417 Turner Ln, Chevy Chase, MD 20815](#)

From: [Jeffrey Blander](#)
To: [Nayyera Haq](#)
Cc: [Susan.fattig@gmail.com](#); [Arthur.alexander@att.net](#); [Ka2shaz@gmail.com](#); [toddsman@gmail.com](#); [Manager](#)
Subject: Re: against sign limitations
Date: Monday, August 17, 2020 11:04:01 PM

Dear Nayyera,

Thank you so much for note. This is sincerely appreciated and matters a great deal.

Copying Niles our village manager for the record.

We will include as part of the discussion for the upcoming council meeting this week.

Best, Jeff

On Monday, August 17, 2020, Nayyera Haq <nayyera.haq@gmail.com> wrote:

Dear Council -

Writing in to object to proposed limitations on yard signs.

Being able to express our views on our own property is important, as is maintaining the diversity of voices in our community. I would have to see our village look and preset itself as homogenous.

Thank you for your time.

Nayyera Haq

3511 Shepherd Street

From: [Jeffrey Blander](#)
To: rnhaber@erols.com
Cc: [Todd Mann](#); [Arthur Alexander](#); [Manager](#); [Susan Fattig](#); [Hill Katya](#)
Subject: Re: FW: VMA ordinance 2020-7-1
Date: Monday, August 17, 2020 10:33:13 PM

Dear Ronnie and Miles,

Thank you so much for note, feedback, and sharing your concerns. This is sincerely appreciated and matters a great deal.

Copying Niles our village manager for the record.

We will include as part of the discussion for the upcoming council meeting this week.

Best, Jeff

On Monday, August 17, 2020, <rnhaber@erols.com> wrote:

From: rnhaber@erols.com <rnhaber@erols.com>
Sent: Monday, August 17, 2020 9:40 PM
To: 'susan.fattig@gmail.com' <susan.fattig@gmail.com>; 'arthur.alexander@att.net' <arthur.alexander@att.net>; 'ka2shaz@gmail.com' <ka2shaz@gmail.com>; 'toddmann@gmail.com' <toddmann@gmail.com>; 'drimblander@gmail.com' <drimblander@gmail.com>
Subject: VMA ordinance 2020-7-1

Members of the Village Council:

We have lived in the Village of Martins Addition since 1978. Today is the first time we have felt so shocked by a potential action of our Village council that we must add our voice to that of our neighbors. We are outraged by the thought that our local government would even consider limiting our right to place signs on private property. We don't know where this comes from, or why it was even proposed. But the idea that yard signs of any kind create a traffic hazard is not borne out by the facts.

We urge the council to reject this ordinance.

Ronnie & Miles Haber

Cummings Lane

From: [Jeffrey Blander](#)
To: [Mark Shaffer](#)
Cc: [Susan.fattig@gmail.com](#); [Arthur.alexander@att.net](#); [Ka2shaz@gmail.com](#); [toddsman@gmail.com](#); [Holly Worthington](#); [Manager](#)
Subject: Re: My thoughts on the proposed sign ordinance amendment
Date: Tuesday, August 18, 2020 12:56:57 AM

Mark,

Thank you so much and greatly appreciate the suggestion.

We are living in a time where a pandemic has restricted our basic liberties and racial inequalities exacerbated. Thus something perhaps well intended or even considered benign in the counterfactual, within this current context can easily ignite a powder keg leading to an inferno of emotion and outrage.

Would be awesome to hear more about your experience on the zoning committee and ways to emulate.

Lets set up a chat soon to discuss and compare notes. That would be great.

Best, Jeff

On Tuesday, August 18, 2020, Mark Shaffer <shaffer@markshafferlaw.com> wrote:

Jeffrey

Thank you for your kind note. My hope is that community engagement, VMA's strength, can produce the best result - even if the decision is to do nothing.

My feeling is that the proposed ordinance, though well intended, missed the mark. Mistakes happen. But this one has riled folks up, like nothing I have seen since the great sidewalk wars 40 years ago. Without either First Amendment or community culture issues, that battle resulted in the replacement of the entire council in the two succeeding elections. Working on the residents' zoning committee with strong VMA supported provided a good end result. This maybe a good model for the council to consider.

Best,
Mark

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Jeffrey Blander <drjmblander@gmail.com>

Date: 8/17/20 11:19 PM (GMT-05:00)

To: Mark Shaffer <shaffer@markshafferlaw.com>

Cc: Susan.fattig@gmail.com, [Arthur.alexander@att.net](#), [Ka2shaz@gmail.com](#), [toddsman@gmail.com](#), Holly Worthington <holly@compass.com>, Matthew Trollinger <manager@martinsadditions.org>

Subject: Re: My thoughts on the proposed sign ordinance amendment

Mark,

Thank you so much for note, detailed feedback, sharing your concerns, and recommendations on a standard set of criteria for evaluation. This is sincerely appreciated and matters a great deal.

I have since seen this posted on the community listserv.

Copying Niles our village manager for the record.

We will include as part of the discussion for the upcoming council meeting this week.

Best, Jeff

On Monday, August 17, 2020, Mark Shaffer <shaffer@markshafferlaw.com> wrote:

I have tried to post this on the shared google drive, but can't confirm I made it because I have twice failed to access it. Maybe one of you can help me. Thanks, M

The consideration of this the proposed sign ordinance amendment is poorly timed. We are living in a period of societal trauma, which including grave questions about the future of our nation.

The presentation of the proposed sign ordinance does not help. The "Whereas" clauses are pretty standard boilerplate. The "Whereas" clauses should clearly state that VMA will not act to impinge on the Constitutional freedoms of speech and expression. Indeed, thee safeguard should be made a preamble to the entire code of ordinances.

Passage of this proposed ordinance as it is would be begging for a lawsuit. I for one would support, if not initiate one. I suggest that the proposed sign ordinance amendment be sent back to committee for reconsideration. Before any further action is taken, the committee should work to report back to community regarding the following:

(1) Exactly what factual and events led to the consideration of the proposed amendment? Who has been harmed by the existing ordinance? How many instances has such harm occurred over how long a period of time? What were the circumstances of the sign(s) which allegedly caused the harm, i.e., sign size, placement, road conditions, and etc.

(2) How have other tiny residential communities addressed sign ordinances in a manner different from our current ordinance?

(3) How have other tiny residential communities acted to minimize infringement on

the freedoms of speech and expression?

(4) What is the minimum infringement required to demonstrably safeguard against the harm(s) previously experienced?

(5) What right does the VMA and council have to restrict non-commercial signs on private property? There is no language tying the restriction inference with street line of sight?

(6) How does the counsel define right of way? Is the intent here that the regulations apply to sideways as well as streets?

(7) Will this proposed ordinance amendment be submitted to the residents.

(8) What certainties can be included to remedy the vague and subjective objectives of the proposed ordinance amendment – which are likely to be constitutionally infirm, for example in 7-501:

- a. visual distractions,
- b. physical obstructions
- c. line-of-sight,
- d. continued attractiveness, and
- e. litter and visual clutter.

(9) Why should VMA residents have to engage in administrative or council battles over meaning and application of these provisions? Why are they all not defined in the proposed legislation? Indeed, why are they not defined sufficiently for the residents to vote on them, knowing what they are voting for?

(10) Why are commercial signs unregulated, but non-commercial, real state, and temporary events are?

(11) How the heck can a resident know when they are placing a sign on private property that comes within 2 feet of a public improvement in a public right of way? Does this include water, gas, power, and cable lines? Are residents required to contact Miss Utilities, read maps, and use a tape measure before posting a sign? Determining whether sign is 16 sq. ft may be easier to measure – though this seems more like an attractiveness and visual clutter thing.

(12) Does or should the VMA council have the right to legislate taste, i.e. attractiveness and visual clutter? We don't live in a Home Owners' Association.

Thank you,

Mark Shaffer

Mark L. Shaffer

THE SHAFFER LAW FIRM, PLLC

[3406 Shepherd Street](#)

[Chevy Chase, Maryland](#)

T: 301.502.2490

F: 202.403.3845

www.markshafferlaw.com



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From: [Jeffrey Blander](#)
To: [Lois Edwards](#)
Cc: [Susan.fattig@gmail.com](#); [Arthur.alexander@att.net](#); [Ka2shaz@gmail.com](#); [toddsman@gmail.com](#); [Jeffrey Blander](#); [Manager](#)
Subject: Re: No to the proposal to ban signage in the neighborhood on public and private property.
Date: Monday, August 17, 2020 11:35:20 PM

Dear Lois,

Thank you so much for your note. This is sincerely appreciated and matters a great deal.

Copying Niles our village manager for the record.

We will include as part of the discussion for the upcoming council meeting this week.

Best, Jeff Blander

On Monday, August 17, 2020, Lois Edwards <harpvoice1@gmail.com> wrote:

Lois Edwards
[3407 Turner Lane](#)
[Chevy Chase Maryland 20815](#)
301.654.7130
cell:240.802.0482

From: [Jeffrey Blander](#)
To: [Mark Shull](#)
Cc: [Todd Mann](#); [Arthur Alexander](#); [Katya Hill](#); [Susan Fattig](#); [Jean Sperling](#); [Manager](#)
Subject: Re: Proposed sign ordinance -- Is this real?
Date: Tuesday, August 18, 2020 3:13:38 PM

+ Niles

On Tue, Aug 18, 2020 at 3:12 PM Jeffrey Blander <blandervmacouncil@gmail.com> wrote:
Mark,

Copying Niles, our village manager for the record.

Thank you so much for your engagement, thoughtful comments, and advocacy of this issue.

Best, Jeff

On Tue, Aug 18, 2020 at 2:50 PM Mark Shull <shull.mark@gmail.com> wrote:

Having confirmed that the proposed yard sign ordinance is real, and not a spoof, I want to make clear my extreme opposition.

First, yard signs are speech. And, as others have pointed out, we do not need Martin's Additions reputation soiled by tone deaf attempts to limit speech, that are clearly unconstitutional..

Second, the argument that yard signs can be banned because they are distracting and therefore create extreme danger (like yelling fire in a crowded movie theater) is specious.

Why is a yard sign with a political message any less distracting than a yard sign with a phone number for real estate sale or a bake sale? Or, a van with an advertisement for a painting or gutter cleaning service. All can be equally distracting if a driver chooses to read them while driving, but only the political one is prohibited. The distraction justification is weak, and seems more a transparent pretext.

Third, allowing any government entity to remove signs, without notice, process or a record of their justification for taking the action is beyond the pale.

Lastly, I have to ask, how did this proposal even come about? It is outrageous that at this time in our history, Martin's Additions would even consider a measure to limit speech.

Mark Shull
201 Oxford Street

On Mon, Aug 17, 2020 at 5:44 PM Mark Shull <shull.mark@gmail.com> wrote:

Hi,

I read that there is a proposed ordinance against signs, and read a text of an ordinance to this effect that was linked to the listserve.

First, I have to ask. Is this real or a spoof intended to draw ire?

Assuming you are considering an ordinance against signs, I would be in strong opposition to it. I'm hoping that there is something wrong here, and the ordinance is a hoax or something. But if it isn't, I cannot tell you how wrong I think it is.

Mark Shull
201 Oxford Street

From: [Jeffrey Blander](#)
To: [Todd Rosentover](#)
Cc: [Susan.fattig@gmail.com](#); [Arthur.alexander@att.net](#); [Ka2shaz@gmail.com](#); [toddsman@gmail.com](#)
Subject: Re: Proposed sign ordinance
Date: Monday, August 17, 2020 11:00:56 PM

Todd,

Thank you so much for your feedback. This means a great deal to us.

Copying Niles the village manager for the record.

Best, Jeff

On Monday, August 17, 2020, Todd Rosentover <ajwtdr@verizon.net> wrote:

I am writing to express my *support* for the proposed ordinance.

Todd Rosentover

[3512 Raymond Street](#)

----- Forwarded Message -----

Subject:Re: [Martin's Additions googlegroup] Sign Stolen

Date:Mon, 17 Aug 2020 10:52:03 -0400

From:'Holly Worthington' via Martin's Additions googlegroup <martins-additions-chevy-chase@googlegroups.com>

Reply-To:Holly Worthington <holly@compass.com>

To:Holly Worthington <holly@compass.com>

CC:martins-additions-chevy-chase@googlegroups.com <martins-additions-chevy-chase@googlegroups.com>

I am putting out a flyer encouraging people to contact the village council about their views on the proposed sign law. You can read the proposed sign law in the minutes from the last meeting on the VMA website.

My view is that it is oppression of freedom of speech and that everyone should be able to do whatever they want with regard to their yards, regardless of their political view.

Because of the pandemic, these are times when we have graduations announced by signs, birthdays, births of babies, thank yous for health care workers and Black Lives Matters signs along with the signs that reflect people's political positions that normally come out in America during a presidential election. Passing this ordinance could paint our village as a racist, intolerant place and it will result in a lawsuit. This is a very very dangerous proposal and it could adversely affect property values. This would end up in the newspaper.

Being tolerant of everyone's views is part of being American. It is our democracy to protect. No one should remove someone else's sign, but people do dumb things.

Please contact the village council to let them know your thoughts NOW! They each certainly have their own individual views of this proposal. The meeting is this Thursday at 7:30 so join in.
Emails are here:

Susan.fattig@gmail.com
Arthur.alexander@att.net
Ka2shaz@gmail.com
toddsmann@gmail.com
drjmblander@gmail.com

THIS IS SO IMPORTANT! PLEASE STEP UP!

Holly Worthington
Principal Broker

[5471 Wisconsin Ave. Suite 300](#)
Chevy Chase, MD 20815
m: (301) 943-0314



On Mon, Aug 17, 2020 at 10:36 AM 'Craig Ferris' via Martin's Additions googlegroup <martins-additions-chevy-chase@googlegroups.com> wrote:

Is the theft of my sign something that resulted from the VMA sign ordinance? Think about it! Limiting signs on private property would make the VMA council nothing more than the “thought police” from 1984.

My sign that compares Biden to Trump has been stolen from my front yard. If anyone sees it please let me know where you spotted it. I'd like to catch the Trumper that took it.

--

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The Martin's Additions googlegroup was established to share information of interest to our community.

Emails must be civil. No personal attacks ,no pointless or redundant messages, no for-profit announcements

****No closing with name of company or advertisement: Just the name of the person sending the email. ****

To post an email on the googlegroup, send your email to martins-additions-chevy-chase@googlegroups.com.

You received this message because you are subscribed to the Google Groups "Martin's

Additions googlegroup" group.

To unsubscribe from this group and stop receiving emails from it, send an email to

martins-additions-chevy-chase+unsubscribe@googlegroups.com.

To view this discussion on the web visit <https://groups.google.com/d/msgid/martins-additions-chevy-chase/5BDB5B02-57C7-4C20-8921-67634A51C50C%40verizon.net>.

Sent from my iPad

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To view this discussion on the web visit <https://groups.google.com/d/msgid/martins-additions-chevy-chase/5BDB5B02-57C7-4C20-8921-67634A51C50C%40verizon.net>.

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To view this discussion on the web visit <https://groups.google.com/d/msgid/martins->

additions-chevy-chase/CAGKJ4%3DS0ZfqCKb-eg2XAEOUeQzhjDTiO4oPEbLY69uRg6Wx2Jw%40mail.gmail.com.

From: [Jeffrey Blander](#)
To: [Wendy Bowers](#)
Cc: [susan.fattig@gmail.com](#); [arthur.alexander@att.net](#); [ka2shaz@gmail.com](#); [toddsman@gmail.com](#); [Elissa Bean](#); [Rich Bloom](#); [Manager](#)
Subject: Re: Sign ordinance
Date: Monday, July 20, 2020 12:38:42 PM

+ Niles the Village Manager for awareness.

On Friday, July 17, 2020, Wendy Bowers <wbowers77@gmail.com> wrote:

Hello:

I was made aware of the proposal to limit/restrict yard signs.

I want to express my opposition to this in the strongest way possible.

While I understand this was proposed as a way to limit driver distraction, I can't help but think this is a way to limit our freedom to express our political and personal beliefs.

Full disclosure, we have a "Black Lives Matter" sign in our yard. I am proud to have it in our yard and if someone feels differently, they are welcome to express their own beliefs in their yard as well.

As a physician working in the emergency department during the coronavirus pandemic, I cannot express how much it meant to see my neighbors display signs of gratitude for frontline workers.

This ordinance seems unnecessary and fraught with negative consequences.

Thank you for your time.

Wendy Bloom
3418 Bradley Lane

Sent from my iPhone

From: [Jeffrey Blander](#)
To: [Nina](#)
Cc: [Susan.fattig@gmail.com](#); [Arthur.alexander@att.net](#); [Ka2shaz@gmail.com](#); [toddsman@gmail.com](#); [Manager](#)
Subject: Re: Signs
Date: Monday, August 17, 2020 11:56:58 PM

Dear Nina,

Thank you so much for your note, feedback, and sharing your concerns. This is sincerely appreciated and matters a great deal.

Copying Niles our village manager for the record.

We will include as part of the discussion for the upcoming council meeting this week.

Best, Jeff Blander

On Monday, August 17, 2020, Nina <ninaskates@gmail.com> wrote:

Dear Council members,

I think that making an ordinance about signs is asking for trouble. It is asking neighbors to be pitted against each other and disapproving of each other. It is asking one neighbor to be more righteous than the next one. Because who do you think is going to tell the council about offenders...? And who will the enforcers be? Neighbor against neighbor. I think we need more tolerance of differences of views not less tolerance. In my opinion an ordinance restricting signs even in the right of way is stoking less tolerance. People should be able to express themselves freely no matter what the subject- graduations, birthdays, politics etc. Furthermore, I think restricting signs on the right of way has the same problems. Why are we judging our neighbors? I find the proposal somewhat offensive. Not to mention that it restricts free speech. Do you really want a law suit, cause someone will do it...

I want to be able to express my view of the world on my property that I own. I want to live in a village that is tolerant of differences. I truly hope you will not consider passing such a rule.

Nina Stark-Slapnik
7210 Chestnut Street

From: [Jeffrey Blander](#)
To: [Phil Lerman](#)
Cc: [Arthur Alexander](#); [Katya Hill](#); [Manager](#); [Susan Fattig](#)
Subject: Re: The Sign Ordinance
Date: Tuesday, August 18, 2020 3:17:07 PM

Dear Phil,

Copying Niles, our village manager for the record.

Thank you so much for your engagement, thoughtful comments, and advocacy. This is much appreciated and your inputs matter a great deal.

Best, Jeff

On Tue, Aug 18, 2020 at 1:08 PM Phil Lerman <lerman.phil@gmail.com> wrote:

Dear Council Members,

I am writing to add my voice to the chorus of my neighbors vehemently opposed to the sign ordinance being considered by the Village.

In this extraordinary moment in time -- on the eve of the most contentious and consequential election in memory, and in the midst of the most powerful protests this nation has seen in decades -- any attempt to regulate the speech of those living in the village, via control over yard signs, smacks of the most insidious, irresponsible attacks on First Amendment rights one can imagine.

Even if we give the authors of this proposal the most extraordinary benefit of the doubt -- that they are, actually, only concerned about traffic and beauty, and somehow oblivious to the astoundingly bad timing of raising these questions in this season -- we must still lift our voices in furious condemnation of the possible effects of this ordinance.

And certainly the national media and the public at large will offer no such benefit. This will be seen as a clear and shameless attempt to silence political speech. And frankly, that is exactly how it should be seen.

Let us not be the village that invites such scorn. At the very least, the Village should put these questions aside until the election is over. Drivers have, for all these years, managed to negotiate our roads without reading yard signs and driving into a pole or a tree. I'm sure we can trust them to make it another six weeks.

And at best, we should reject this offensive proposal out of hand, toss it in the dust bin, and move on with the business of running a wonderful, tolerant, and open

Village.

Philip Lerman

3511 Tuner Lane

Phil Lerman
Lerman Productions
lermanproductions.com
301-656-6565

From: [Jeffrey Blander](#)
To: [Brian Hunter](#)
Cc: susan.fattig@gmail.com; arthur.alexander@att.net; Ka2shaz@gmail.com; toddsmann@gmail.com; [Manager](#)
Subject: Re: Village Ordinance regarding signage
Date: Monday, August 17, 2020 11:53:44 PM

Dear Brian and Ana,

Thank you so much for your note, feedback, and sharing your concerns. This is sincerely appreciated and matters a great deal.

Copying Niles our village manager for the record.

We will include as part of the discussion for the upcoming council meeting this week.

Best, Jeff Blander

On Monday, August 17, 2020, Brian Hunter <cholitamumani@hotmail.com> wrote:

Dear Village Council Members,

We are writing to voice our opinion regarding the recent proposal to regulate signs on private property in the Village. We are strongly opposed to such an ordinance, as the free expression of speech is a fundamental right in which the Village should not attempt to interfere with. It is quite concerning to us that such an ordinance would be introduced at this time, considering the current political environment of the Black Lives Matters movement and the November elections. We respectfully ask that this ordinance be rejected at this time. If there are urgent safety issues regarding line of sight for pedestrians or vehicular traffic, we expect that these issues can be addressed by other means. We look forward to discussing this issue further in the upcoming Village Council Meeting.

Thank you,

Brian Hunter
Ana Crespo de Hunter
3501 Turner Lane

From: [Joanne Bamberger](#)
To: [susan.fattig@gmail.com](#); [toddsman@gmail.com](#); [arthur.alexander@att.net](#); [ka2shaz@gmail.com](#); [blandervmacouncil@gmail.com](#)
Cc: [Manager](#); [Manager Assistant](#)
Subject: Sign ordinance issues following up on listserv discussion
Date: Tuesday, August 18, 2020 4:35:22 PM

Dear Council Members,

I am sure at this point you have all seen the lengthy discussion on the VMA listserv about the proposed sign ordinance that was discussed at the last council meeting.

I wanted to send a note to the full council to make sure my thoughts are known on this. First, I am shocked that the Village would undertake something like this broad and vague restriction (based on the language of the ordinance). I would specifically like to know how this issue came up - whose idea was this? Why now? What supposed issues have come up to prompt what comes across as a serious private property and First Amendment issue?

I am not sure that any rewriting or narrowing of the proposed ordinance would be lawful or welcome in this neighborhood. I would be extremely disappointed in this community if the council were to vote to pass this ordinance, which, in my view (as both a resident and as an attorney) impinges on our private property and free speech rights.

If safety is an issue, I would want to see real evidence, not just speculation. If safety is a true issue, I'd like to see the council focus on getting property owners to trim back trees and bushes that seriously interfere with line of sight when pulling out onto Brookville Road from the neighborhood streets.

Thank you for your time.

Best, Joanne Bamberger

--

[Joanne C. Bamberger](#)
Author, Attorney, Photographer

See ["The Likability Project"](#) on Medium, to explore why sexism & likability continue to haunt women who want to be president and what we can do about it

My books - [Love Her, Love Her Not: The Hillary Paradox](#), a look at women's views that helped & hurt Hillary Clinton's 2016 presidential run & [Mothers of Intention: How Women & Social Media are Revolutionizing Politics in America](#)

[Looking for expert commentary? Check out my SheSource profile](#)

Follow me on [Twitter](#), [Instagram](#), [Facebook](#), [LinkedIn](#), [Medium](#)

From: [Jeffrey Blander](#)
To: [Barney Keller](#)
Cc: [susan.fattig@gmail.com](#); [toddsman@gmail.com](#); [arthur.alexander@att.net](#); [ka2shaz@gmail.com](#); [Manager](#)
Subject: Sign Ordinance
Date: Friday, August 14, 2020 10:52:41 PM

Dear Barney,

Thank you very much for your note and sharing these concerns at this time.

This is greatly appreciated and shows how engaged & caring our community is to freely speak up on matters that are important to them.

Stay safe, well, and healthy.

Best, Jeff

On Friday, August 14, 2020, Barney Keller <barney.keller@gmail.com> wrote:

To whom it may concern:

I write in opposition to ordinance 2020-7-1, regulating signs in the Village of Martins Additions.

It seems clear, given the timing of the ordinance and what I have encountered in the neighborhood recently, that you are specifically targeting all of the recent posting of pro-Black Lives Matter literature. Furthermore, banning signs from anywhere on private property or restricting their size arbitrarily clearly and most definitely infringes on the first amendment rights of citizens.

The Village of Martins Additions should not put barriers in place for people to exercise their constitutional rights. Doing so is a slippery slope.

Respectfully,
Barney Keller

From: [Ed Novak](#)
To: [Martin's Additions googlegroup](#)
Cc: [Manager](#); [Fattig Susan](#); [Arthur Alexander](#); [toddsman@gmail.com](#); [Jeffrey Blander](#); [Ka2shaz@gmail.com](#)
Subject: Sign Problem? Safety Concerns? Yes and Yes
Date: Tuesday, August 18, 2020 2:09:05 PM

Dear Village Council and Village Manager,

We **DO** have a sign problem in VMA.....I've attached a picture of one located at the intersection of Thornapple and Chestnut Street. There are probably others in VMA.

For some reason, although clearly observed by most drivers, this particular sign is invisible or illegible to numerous others. Some see it as "Slow" or "Coast", while others apparently don't see it at all. There is even a certain Miata driver from Rollingwood that reads it as "Speed Up". We have an increased number of families with young children living in the immediate vicinity of this intersection. And, according to a traffic study that VMA commissioned a year or two ago, Thornapple Street between Brookville and Chestnut had one of the highest traffic counts and the highest percentage of speeding drivers in all of VMA. If there is anyplace that deserves a speed bump, speed camera, or automatically-deploying spike strip, this is it.

A yard sign that makes a political statement might ruffle some feathers, but isn't going to kill anyone. A driver that doesn't read and obey the one below just might.

I believe the Council could better prioritize public safety in VMA by taking steps that improve adherence to traffic signs, rather than prohibiting the lawn variety.

Thank you.

Ed Novak
Chestnut Street.



From: [Craig Ferris](#)
To: [Manager](#)
Cc: martins-additions-chevy-chase@googlegroups.com
Subject: Yard Sign Ordinance
Date: Monday, August 17, 2020 6:49:37 PM

Dear Niles,

Please forward the following comments to the VMA Council which is due to meet Thursday night to consider a proposed ordinance restricting yard signs. I would have sent our email comments directly to the council in one universal message but the village web site does not have a single address for the council.

Dear members of the Village of Martin's Additions Council,

My wife and I are opposed to the provisions of the proposed ordinance governing yard signs on private property. We do not oppose the provisions prohibiting signs on the public right of way, but feel that the proposed limits on signs that a homeowner might choose to post on his or her private property is regulatory overkill and a potential attack on all citizens' rights of free speech.

While the current proposal appears reasonable on the surface, think where it might lead. At first glance limiting the size of a sign may lead to a ratcheting down of the size until all signs are driven out of existence. As I read the proposal, there would be no limit on the number of signs on private property (except for limiting real estate signs to one), but a limit eventually could be set that would virtually ban most signs. Think of the current situation—many people have Black Lives Matter signs, while others have signs supporting immigrants, Muslims and other oppressed religious groups. This is a hotly-contested political season. Many people have signs supporting the two leading presidential candidates, but what if a homeowner wants to post signs supporting a myriad of other federal, state and local candidates. It is not the VMA council's job nor right to decide which candidates or causes residents can support with a sign.

And if that is not bad enough, think of religious holidays. This ordinance, particularly the ban on lighted signs, could be changed to prohibit a lighted Merry Christmas or a Happy Chanukah, Diwali or Kwanzaa sign on someone's front lawn, not to mention banning a lighted menorah, a lighted Christmas tree or the lighted wreath that hangs on the front of my house during the holidays.

The proposed limits are a slippery slope that is likely to lead the village into Constitutional lawsuits.

And to what purpose?

We do not see any need for curbs on signs on private property. Signs have not been a problem over the 34 years we have lived in the village and are unlikely to be a problem in the future. Plus, issues and causes come and go. And so will the various signs you now see.

Limiting signs on the village right-of-way is reasonable, but limiting signs on private property is not only not needed but violates our rights as citizens.

Craig and Nancy Ferris

Quincy Street

Sent from my iPad

SIGN ORDINANCE

I would appreciate, as a resident of Martin's Addition, for over 42 years at 207 Oxford Street, that my thoughts on the "Village of Martin's Additions " sign ordinance be carefully considered. First, I will briefly comment on the ordinance itself, and second, on its lack of an appeal procedure to a decision by the Village Council, or the Village Manager's Council, regarding the removal of any sign. Third, the timing of the ordinance itself appears to be out of character with the history and past practice of our Village. The ordinance is also, by omission, an affront to the Bill of Rights.

[1] The ordinance claims to facilitate, in pertinent part, (a) good governance, (b) preserve rights, property and privileges, (3) maintain peace and good order, (4) secure persons and property from danger and destruction, and (5) and protect the health, comfort and convenience of village residents. In this regard, it states that announcing a "public, charitable, educational, religious, celebratory, fundraising, or other similar type of event" including "special event, such as yard, garage, or estate sales, or open house, "may be posted on private property." It is clear that the directive does not specifically address political signs, or the size, content, or location of political signs, no matter how *temporary* [Emphasis added]. Therein lies the fly in the ointment. In other words, if I chose to place a political sign on my lawn, twelve inches from my geraniums, for the upcoming Presidential and Congressional elections, I wind up "clueless" because the so called good governance directive is silent on my sign. If I place, for example, a sign that reads "Remove the Turd, November 3rd" or "Keep America Great Again for another Four Years," for 30 days, what are the consequences? Will the Village Council's Manager or designee or a newly created marshal service come and remove the "blight" on my lawn? What if my signs are a foot and six inches from my property line? Can I also fly an American flag upside down or with black crepe to honor the victims of Covid-19?

[2] What remedy does a Village citizen have to contest the decision of the Village Manager and/or his Designee? Once again, the directive is "clueless" and less than transparent. Even if, one is in favor of the directive totally, there is no due process or appeal procedure. There is not even a mediator, arbitrator or Ombudsman, so once again we are encouraging self-help remedies including lawyer's fees and court costs. [3] My family, and my wife's, and former students, have fought in WW 11, the Korean War, Afghanistan, Kuwait, Iraq, and in other operations overseas with the U.S. Marines, Navy and Airforce, so as to permit my neighbors, and my family, free expression and open debate under a document that has served us well; namely, the U.S. Constitution signed and finally ratified in 1789, with the Bill of Rights. Did "We the people..." of Martins Addition come out in mass and request a document to chill their rights to lawn signs? Your timing is as suspicious as is your haste to leave us "clueless" as to your real intent. Instead, of policing the rights of my neighbors *NOT to have their political signs torn down, stole, defaced or otherwise destroyed by vandals*, or, the few that have been subject to such offenses, you have drafted a legally questionable directive. Thus, the Council strains credibility and teats its fellow residents like helpless cretins unable to help our neighbors by giving aid and funds to replace their destroyed signs, no matter who they intend to vote for. I request you reverse this self-initiated insult.

Jeffrey Goldberg

Fwd: Proposal to ban signage

Jeffrey Blander <drjmblander@gmail.com>

Wed 8/19/2020 10:14 AM

To: jodyranck@gmail.com <jodyranck@gmail.com>

Cc: Manager <manager@martinsadditions.org>

Dear Jody

Thank you so very much for your note, feedback, and sharing your concerns. This is sincerely appreciated and matters a great deal.

Copying Niles our village manager for the record.

We will include as part of the discussion for the upcoming council meeting this week.

Best, Jeff Blander

----- Forwarded message -----

From: **Jody Ranck** <jodyranck@gmail.com>

Date: Wed, Aug 19, 2020 at 9:43 AM

Subject: Proposal to ban signage

To: <Susan.Fattig@gmail.com>, <Arthur.alexander@att.net>, <Ka2shaz@gmail.com>, <toddsmann@gmail.com>, <drjmblander@gmail.com>

Hello,

I am writing to express my opinion on the VMA agenda issue to ban signage on both public and private property. I find the fact that this issue is on the agenda quite alarming for a number of reasons:

-unfortunately for the folks proposing this ban, we do have a Constitution and first amendment rights.

-the timing comes after signs began appearing in recent months supporting the Black Lives Matter issue and is quite telling. Why now? We need to know who is proposing this ban? And, by the way, a white teen has been captured on camera on Western Addition burning BLM signs in people's front lawns.

-this proposed ban, if enacted, will undoubtedly be met with a legal challenge. Do we want to be known as the local government that has attempted to restrict freedom of speech and harass people with BLM signs in their lawns? As the father of a black male it deeply concerns me that this is going on. I have heard of one neighbor referring to BLM protestors and thugs and recent posts on the Next Door app about Chevy Chase by an African-American resident was extremely alarming in terms of the level of racism in the broader Chevy Chase community. If anything we may need more discussions on race, BLM and anti-racism to make this a welcoming community.

I strongly oppose this measure and will gladly join any legal action AGAINST this proposed ban.

Regards,
Dr. Jody L. Ranck

Re: Sign ordinance issues following up on listserv discussion

Joanne Bamberger <jlcbamberger@gmail.com>

Tue 8/18/2020 9:50 PM

To: susan.fattig@gmail.com <susan.fattig@gmail.com>; toddsmann@gmail.com <toddsmann@gmail.com>; arthur.alexander@att.net <arthur.alexander@att.net>; Ka2shaz@gmail.com <Ka2shaz@gmail.com>; blandervmacouncil@gmail.com <blandervmacouncil@gmail.com>

Cc: Manager <manager@martinsadditions.org>; Manager Assistant <avm@martinsadditions.org>

As a follow up, I was shocked at the Village message sent out tonight saying that the council does not consider comments made on the VMA listserv. Given the level of communication & strong feelings, that message seems to be purposely turning a blind eye to the opinions of VMA residents.

All of this feels very bad to me & seems like there is something the village council does not want to share with its constituents. I truly hope this is not correct. And I hope that the council will provide answers & be transparent about how this sign ordinance came to be & will provide that information to the residents the council is meant to serve. Even if you pass a modified version of the original ordinance, it is clear that few want it & there has been no factual case made for it by the council

Joanne C. Bamberger <https://joannebamberger.com>

Author, Content creator, Photographer, "Recovering" attorney

My book, "Love Her, Love Her Not: The Hillary Paradox" - <http://bit.ly/1OFM9lf> - a look at women's views that helped & hurt Hillary Clinton's 2016 presidential run & whether 2020 women candidates faced those same gender-based challenges

<https://link.medium.com/1Fp3stQyT5>

202-674-2326 (office)

LinkedIn: Joanne Bamberger

Twitter: @jlcbamberger

Instagram: @joannebamberger

On Aug 18, 2020, at 4:35 PM, Joanne Bamberger <jlcbamberger@gmail.com> wrote:

Dear Council Members,

I am sure at this point you have all seen the lengthy discussion on the VMA listserv about the proposed sign ordinance that was discussed at the last council meeting.

I wanted to send a note to the full council to make sure my thoughts are known on this. First, I am shocked that the Village would undertake something like this broad and vague restriction (based on the language of the ordinance). I would specifically like to know how this issue came up - whose idea was this? Why now? What supposed issues have come up to prompt what comes across as a serious private property and First Amendment issue?

I am not sure that any rewriting or narrowing of the proposed ordinance would be lawful or welcome in this neighborhood. I would be extremely disappointed in this community if the council were to vote to pass this ordinance, which, in my view (as both a resident and as an attorney) impinges on our private property and free speech rights.

If safety is an issue, I would want to see real evidence, not just speculation. If safety is a true issue, I'd like to see the council focus on getting property owners to trim back trees and bushes that seriously interfere with line of sight when pulling out onto Brookville Road from the neighborhood streets.

Thank you for your time.

Best, Joanne Bamberger

--

[Joanne C. Bamberger](#)

Author, Attorney, Photographer

See ["The Likability Project"](#) on Medium, to explore why sexism & likability continue to haunt women who want to be president and what we can do about it

My books - [Love Her, Love Her Not: The Hillary Paradox](#), a look at women's views that helped & hurt Hillary Clinton's 2016 presidential run & [Mothers of Intention: How Women & Social Media are Revolutionizing Politics in America](#)

[Looking for expert commentary? Check out my SheSource profile](#)

Follow me on [Twitter](#), [Instagram](#), [Facebook](#), [LinkedIn](#), [Medium](#)

Re: [Martin's Additions googlegroup] Yard Sign Ordinance

Holly Worthington <holly@compass.com>

Wed 8/19/2020 11:18 AM

To: susan.fattig@gmail.com <susan.fattig@gmail.com>; arthur.alexander@att.net <arthur.alexander@att.net>; Ka2shaz@gmail.com <Ka2shaz@gmail.com>; toddsmann@gmail.com <toddsmann@gmail.com>; drjmblander@gmail.com <drjmblander@gmail.com>

Cc: Manager <manager@martinsadditions.org>; martins-additions-chevy-chase@googlegroups.com <martins-additions-chevy-chase@googlegroups.com>; Holly Worthington <holly@compass.com>

Dear Council Members, Village Manager and village residents,

Thank you, council members for your volunteer service.

I am writing to formally oppose the proposed ordinance and the revised proposed sign ordinance. What was the process for approving the revised sign ordinance in the email that just went out? Did the entire council meet again or did the lawyer just create something else? This feels like a runaway train. This process should be transparent.

We do not have a sign issue in our village either in the right of way or in the yards of residents. I have walked the entire village over the past four days and there is not a single sign in the right of way and not a single offensive sign posted in a resident's yard. Offensive is in the eye of the beholder but nothing came even close in my opinion. There are also very few signs promoting a political candidate. There is certainly nothing going on that impedes a person's ability to drive through the village safely.

Rules imposed for the sake of **potential** problems create a slippery slope of potential power overreach. Please do not impose this overwhelmingly opposed ordinance on our peaceful, collaborative village.

If any sign law is passed here and this gets out to social media and the news media it will absolutely impact the reputation of our neighborhood in the real estate market and therefore potentially impact property values. When even one buyer turns away from a property in a multiple offer situation it can affect the seller's sale price by ten thousand dollars or more. For better or for worse, neighborhoods definitely develop reputations. I cannot emphasize enough how important it is to drop this proposal completely. Couple that with the lawsuit from villagers that will likely be filed and the expense to the village to defend that.

The villagers were largely unaware of the potential sign ordinance. I took it upon myself to make sure they got informed. Communication for any effort with an impact like this needs to be well publicized by the village manager and council over several months and not just by email. We have received no information about what drove the decision to to propose this ordinance. What issue caused this to come up?

Two village residents of color have told me that they now do not feel safe here. That should be hurtful to all of us. This is a moral issue. Please drop this sign ordinance now before permanent damage is done to our village.

Thank you for reading this.

Holly

Holly Worthington

Principal Broker

5471 Wisconsin Ave, Suite 300
Chevy Chase, MD 20815
m: (301) 943-0314

Compass

Opposition to VMA Proposed Sign Ordinance

Jeffrey Blander <drjmblander@gmail.com>

Tue 8/18/2020 9:48 PM

To: Aleta Margolis <aleta@inspiredteaching.org>

Cc: Manager <manager@martinsadditions.org>

Dear Aleta and Michael,

Thank you so very much for your note, feedback, and sharing your concerns. This is sincerely appreciated and matters a great deal.

Copying Niles our village manager for the record.

We will include as part of the discussion for the upcoming council meeting this week.

Best, Jeff Blander

On Tuesday, August 18, 2020, Aleta Margolis <aleta@inspiredteaching.org> wrote:

Dear Susan, Todd, Arthur, Katya, and Jeffrey,

We write to express our passionate objection to the proposed ordinance regarding the posting of signs in our beloved community. We have lived here on Turner Lane since 1997; both of our daughters have grown up here, and we love our neighbors and our community. During our 23 years as residents, we've had the privilege of engaging with many of our neighbors around issues on which we agree and issues on which we disagree. We learn and grow with every exchange. We are grateful to live in a community made up of such thoughtful, engaging people and we value each and every one of our neighbors.

However, we were shocked to learn of the proposed ordinance which would so very clearly limit freedom of speech and freedom of expression for all residents. We recognize that signs stating strong views can, and often do, create discomfort for some readers. But isn't that the point of a democratic society? Shouldn't we be celebrating our right to express our views?

The ordinance states that it is intended to address safety concerns; however that message rings hollow, as the proposed ordinance appears during a moment in time when people across our community and across our country are speaking out - with their voices and their pens - on issues of racial justice, police reform, the upcoming Presidential election, and more. **This ordinance would serve to silence our voices, at a moment in history when caring and thoughtful people should be doing exactly the opposite!** We should be celebrating our right to freedom of speech and freedom of expression. We should be listening to one another, not silencing one another.

In the midst of a time of national reckoning on racial justice, this ordinance refers to signs - and any reasonable reader must conclude that this includes signs reading "Black Lives Matter" - as "visual clutter." Is this the message we want to send about who we are as a community? We desperately hope it is not.

We appreciate the time, talent, and expertise each member of the VMA Council contributes to

our community. Thank you for your service - it means a lot to us. We strongly urge you to vote NO on this proposed ordinance, and to show your support for the values that underlie our community, and our country.

Respectfully submitted,
Aleta Margolis and Michael Brodsky
3410 Turner Lane

--

Aleta Margolis
Founder and President
Center for Inspired Teaching
she/her/hers

[5614 Connecticut Ave., NW, Suite 258](#)
[Washington, DC 20015](#)-2604
202-462-1956

aleta@inspiredteaching.org
www.inspiredteaching.org
[@AletaMargolis](#)
[@InspireTeach](#)

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Fwd: Opposition to signage on public property

Jeffrey Blander <drjmblander@gmail.com>

Tue 8/18/2020 7:47 PM

To: douglas.a.petersen@gmail.com <douglas.a.petersen@gmail.com>

Cc: Manager <manager@martinsadditions.org>

Dear Douglas,

Thank you so much for your note, feedback, and sharing your concerns. This is sincerely appreciated and matters a great deal.

Copying Niles our village manager for the record.

We will include as part of the discussion for the upcoming council meeting this week.

Best, Jeff Blander

----- Forwarded message -----

From: **Douglas Petersen** <douglas.a.petersen@gmail.com>

Date: Tuesday, August 18, 2020

Subject: Opposition to signage on public property

To: susan.fattig@gmail.com, arthur.alexander@att.net, ka2shaz@gmail.com,
toddsmann@gmail.com, drjmblander@gmail.com

VMA Town Council,

Concerning the signage proposal, I am strongly IN FAVOR of banning the posting of ANY non-official (i.e., non-government) signage on ANY public property. The proliferation of non-official signage on public property is dangerous and disorienting. Even if the message of the signage at issue is allegedly innocuous or allegedly popular, such signage should be prohibited.

I wanted to formally register this opinion, as the treatment of signage on public property should differ from the treatment of signage on private property.

Thank you for considering my views.

Best regards,

Douglas Petersen

[7310 Delfield St, Chevy Chase, MD 20815](#)

Fwd: Sign Ordinance

Todd Mann <toddsmann@gmail.com>

Wed 8/19/2020 2:43 PM

To: Manager <manager@martinsadditions.org>

Niles,

You can add this note.

Todd S. Mann

toddsmann@gmail.com

301.642.6665

Begin forwarded message:

From: Ahmet Ergene <adtse@msn.com>

Subject: Sign Ordinance

Date: August 19, 2020 at 2:36:40 PM EDT

To: "Susan.fattig@gmail.com" <Susan.fattig@gmail.com>, "Arthur.alexander@att.net" <Arthur.alexander@att.net>, "Ka2shaz@gmail.com" <Ka2shaz@gmail.com>, "toddsmann@gmail.com" <toddsmann@gmail.com>, "drjmblander@gmail.com" <drjmblander@gmail.com>

Cc: "martins-additions-chevy-chase@googlegroups.com" <martins-additions-chevy-chase@googlegroups.com>, "HollyWorthington3@gmail.com" <HollyWorthington3@gmail.com>

VMA Town Council members:

Forty years ago, when we lived in Carlsbad California, a developer's haven back then we were very instrumental in passing an ordinance banning the proliferation of realty advertisements on little sticks all along the curbside .

Now, this Sign Ordinance whoever has thought of it smacks of nothing less than fascism in the name of "preserving peace and good order (!)". What is next ! Banning the displaying of gay flags ? On the other hand, flaunting the Bible in front of the church entrance would be o.k. , I guess ! The last time the elected official in a governmental body attempted to stifle free speech, we were called an "effete corps of impudent snobs" . None other than the governor of Maryland Spiro Agnew , that person was buried in the darkest pages of our state's history.

Your ordinance will not stay ! On the other hand, for something to keep you occupied you could have acted on Air Conditioner noise emanating from industrial size units especially favored by new 'mansioned' properties ! " To secure persons and property from danger and destruction, and to protect the health, comfort, and convenience of the municipality " rings a hollow note now !

very concerned resident,
Ahmet D. Ergene

Re: Proposed Sign Ordinance

Elliott Antoine <elliott.antoine@gmail.com>

Wed 8/19/2020 3:16 PM

To: Manager <manager@martinsadditions.org>

Hello,

We sent the below letter to all the council members and I would like to make sure you receive a copy. Also, where can the zoom link be found for the meeting tomorrow?

To Whom It May Concern:

Our First Amendment rights are ingrained deeply in the fabric of our great nation. These rights were considered inalienable by our forefathers and therefore sacred to us as a people.

The freedom of speech is a foundation that has helped build our great country into what it is today; a leader in progressivism and a shining example for the world to follow.

If we, in Martin's Additions, now try to censor our freedoms, especially those on our own property, we would be directly attacking this freedom. For over 30 years, my family has been a part of this community and for over 30 years this right has never been infringed upon.

One could say the timing of this motion is quite peculiar; whether or not it is just an obtuse mistake who is to tell the difference? Black Lives Matter is a subject that has not been talked about in the necessary channels since the early 1960s and we, as a Nation, are now having those uncomfortably hard conversations. For over 30 years, our community has seen support for the Republican, Democratic, and other parties, as well as support for our local schools and elections in the form of signage in our front yards. Why now, is signage an issue? Is it because we are seeing an overwhelming amount of support for our brethren in ways that have not been experienced for years? What I can formidably say is that censorship has no place in a community and it is certainly not in the job description of the Village Council.

By directly attacking our rights of freedom of speech and expression in a seemingly respectful manner, the Village would be taking a disgusting overstep in their duties to our community. This overstepping of boundaries can be seen as even more egregious considering we are only miles away from where one of our most sacred documents, The Bill of Rights, resides.

Signed,

Col. (USA Ret) Gregory A. Antoine MD MBA

7211 Chestnut Street

Fwd: [Martin's Additions googlegroup] Yard Sign Ordinance

Mark Shull <shull.mark@gmail.com>

Wed 8/19/2020 4:13 PM

To: Manager <manager@martinsadditions.org>

----- Forwarded message -----

From: **Mark Shull** <shull.mark@gmail.com>

Date: Tue, Aug 18, 2020 at 12:46 PM

Subject: Re: [Martin's Additions googlegroup] Yard Sign Ordinance

To: Holly Worthington <holly@compass.com>

Cc: Mark Shaffer <shaffer@markshafferlaw.com>, Naomi Naierman <nnaierman22@gmail.com>, Thera Swersky <tswersk@gmail.com>, Kimberly Wehle <kimwehle@gmail.com>, Craig Ferris <craig_ferris@verizon.net>, Howard Stanislawski <howard.stanislawski@gmail.com>, Jeffrey Blander <hst939admin@gmail.com>, Manager <manager@martinsadditions.org>, Martins-Additions-Chevy-Chase <martins-additions-chevy-chase@googlegroups.com>

I thought this was a spoof, but received confirmation from a council member that it is not. Yard signs are protected speech.

The safety argument seems more a transparent pretext than a solid justification. If someone chooses to read a sign for a bake sale with a phone number or address to copy down quickly, how is that allowed, while a political sign is not? They can be equally distracting. What about the exact same sign painted on a car or van, parked or moving? The village actually owns the street in this case, but few would think that this can be regulated as being distracting. I've read that forests of campaign signs along medians separating highways and crowded intersections are called "campaign litter" and regulated as a safety issue, but yard signs on one's property do not rise to this level. And, government removal without notice, process or record is too much.

This looks terrible, particularly at this time in our history.

Mark Shull
Oxford Street

On Tue, Aug 18, 2020 at 11:48 AM 'Holly Worthington' via Martin's Additions googlegroup <martins-additions-chevy-chase@googlegroups.com> wrote:

Can anyone chime in on whether we have traffic safety issues in our village due to signs, please?

Holly Worthington
Principal Broker

5471 Wisconsin Ave, Suite 300

Chevy Chase, MD 20815
m: (301) 943-0314

COMPASS

On Tue, Aug 18, 2020 at 1:26 PM Mark Shaffer <shaffer@markshafferlaw.com> wrote:

Thanks Holly. You may be right. But, I'd prefer that someone who has expertise in traffic safety tell me that you are right.

Mark L. Shaffer



THE SHAFFER LAW FIRM, PLLC

3406 Shepherd Street

Chevy Chase, Maryland 20815

T: 301.986.8495

F: 202.403.3845

Shaffer@markshafferlaw.

www.markshafferlaw.com

From: Holly Worthington <holly@compass.com>

Date: Tuesday, August 18, 2020 at 12:35 PM

To: Mark Shaffer <shaffer@markshafferlaw.com>

Cc: Naomi Naierman <nnaierman22@gmail.com>, Thera Swersky

<tswersk@gmail.com>, Kimberly Wehle <kimwehle@gmail.com>, Craig Ferris

<craig_ferris@verizon.net>, Howard Stanislawski <howard.stanislawski@gmail.com> ,

Jeffrey Blander <hst939admin@gmail.com>, Manager

<manager@martinsadditions.org>, Martins-Additions-Chevy-Chase <martins-additions-chevy-chase@googlegroups.com>

Subject: Re: [Martin's Additions googlegroup] Yard Sign Ordinance

I think this whole thing is **a solution in search of a problem**. We don't have a sign problem here or a safety problem. If we did then your suggestion would be applicable. Thanks, Mark.

Holly Worthington

Principal Broker

5471 Wisconsin Ave, Suite 300
Chevy Chase, MD 20815

m: (301) 943-0314

COMPASS

On Tue, Aug 18, 2020 at 12:30 PM Mark Shaffer <shaffer@markshafferlaw.com> wrote:

How would you all feel about the Council referring this matter to a resident committee, with some VMA support, to study safety concerns only? That's the way we dealt with the first zoning ordinance.

It might be useful to know whether or not some traffic expert empirically could show us a safety concern, i.e., placement of signs, signs taller than xyz inches, or signs that demonstrable block driver views on the parking strip – or whatever it is called. And, if so, there might or might not be a community consensus to act, but we'd act with knowledge.

[Mark L. Shaffer](#)

**THE SHAFFER LAW FIRM, PLLC**

3406 Shepherd Street

Chevy Chase, Maryland 20815

T: 301.986.8495

F: 202.403.3845

Shaffer@markshafferlaw.

www.markshafferlaw.com

From: <martins-additions-chevy-chase@googlegroups.com> on behalf of Naomi Naierman <nnaierman22@gmail.com>

Date: Tuesday, August 18, 2020 at 10:07 AM

To: Thera Swersky <tswersk@gmail.com>

Cc: Kimberly Wehle <kimwehle@gmail.com>, Craig Ferris <craig_ferris@verizon.net>, Howard Stanislawski <howard.stanislawski@gmail.com>, Jeffrey Blander <hst939admin@gmail.com>, Manager <manager@martinsadditions.org>, Martins-Additions-Chevy-Chase <martins-additions-chevy-chase@googlegroups.com>

Subject: Re: [Martin's Additions googlegroup] Yard Sign Ordinance

Well said, Thera, Sam, Craig and Nancy. Thank you, all.

I hope that the VMA manager and Council member Jeffrey Blander will share all the comments with the Council which does not necessarily read the posts on this listserv as this is not an official communication vehicle of the VMA.

Naomi Naierman

Quincy Street

On Aug 18, 2020, at 9:45 AM, Thera Swersky <tswersk@gmail.com> wrote:

We also believe that the proposed ordinance goes too far and thank you Craig for expressing our mutual concerns in a manner that is clear, logical, and respectful.

We chose to live in Martin's Additions over 40 years ago because of the character of the neighborhood. We love the uniqueness of each home, the lack of uniformity of color and landscaping. We fear the sign restrictions are going the way of the HOAs many of us sought to avoid by moving here. If enacted, these restrictions not only inhibit our free speech and infringe on our property rights, but destroy the individuality we love in our neighborhood.

Thera and Sam Swersky

Quincy Street

On Mon, Aug 17, 2020 at 11:58 PM Kimberly Wehle <kimwehle@gmail.com> wrote:

In the 2015 decision [*Reed v. Gilbert*](#), the Supreme Court struck down an Arizona town's sign ordinance that placed greater burdens on signs depending on their content or subject matter. The Martin's Additions proposed ordinance appears to make distinctions based on the content of - or message contained in - particular signs. To the extent that's the case, the proposal is a non-starter, and the Town should simply move on. - Kim Wehle

Sent from my iPhone

On Aug 17, 2020, at 11:21 PM, Howard Stanislawski <howard.stanislawski@gmail.com> wrote:

Thank you.

I respectfully suggest the following:

1. Delete Section 7-502(b)

2. Delete Section 7-503(a)

3. Delete Section 7-504.

Section 7-504 is redundant, and the other two provisions contravene the First Amendment by virtue of their intent to deny homeowners the right to political expression on their own property.

There is no reason to advance such ordinance provisions at any time, and all the more so during national elections.

Thank you. Howard Stanislawski

On Aug 17, 2020 at 10:24 PM, <[Jeffrey Blander](#)> wrote:

Dear Residents, neighbors, and friends of VMA,

Thank you for the outpouring of feedback, genuine concern, and passionate engagement regarding the proposed sign ordinance. Whether shared on the listserv, personalized email note, text message, or socially distanced conversation, your views absolutely matter.

Having recently joined the council in July, I am still getting up to speed on many things, including the background & rationale for this proposed ordinance. Also how best to implement some new ideas to strengthen engagement within our community in the weeks and months ahead on issues that matter to them most.

With that said, Niles our Village Manager, has assured us that all your feedback is being carefully tracked for the record, so please continue to openly express your views or share concerns. Furthermore, as much time as needed will be devoted at the upcoming council meeting to hear all inputs from residents.

Your heartfelt engagement on this matter shows how very special our community is. I am grateful to have an opportunity to serve, especially during these challenging times.

Stay safe, well, and healthy.

Best,

Jeff Blander

On Monday, August 17, 2020, 'Craig Ferris' via Martin's Additions googlegroup <martins-additions-chevy-chase@googlegroups.com> wrote:

Dear Niles,

Please forward the following comments to the VMA Council which is due to meet Thursday night to consider a proposed ordinance restricting yard signs. I would have sent our email comments directly to the council in one universal message but the village web site does not have a single address for the council.

Dear members of the Village of Martin's Additions Council,

My wife and I are opposed to the provisions of the proposed ordinance governing yard signs on private property. We do not oppose the provisions prohibiting signs on the public right of way, but feel that the proposed limits on signs that a homeowner might choose to post on his or her private property is regulatory overkill and a potential attack on all citizens' rights of free speech.

While the current proposal appears reasonable on the surface, think where it might lead. At first glance limiting the size of a sign may lead to a ratcheting down of the size until all signs are driven out of existence. As I read the proposal, there would be no limit on the number of signs on private property (except for limiting real estate signs to one), but a limit eventually could be set that would virtually ban most signs. Think of the current situation—many people have Black Lives Matter signs, while others have signs supporting immigrants, Muslims and other oppressed religious groups. This is a hotly-contested political season. Many people have signs supporting the two leading presidential candidates, but what if a homeowner wants to post signs supporting a myriad of other federal, state and local candidates. It is not the VMA council's job nor right to decide which candidates or causes residents can support with a sign.

And if that is not bad enough, think of religious holidays. This ordinance, particularly the ban on lighted signs, could be changed to prohibit a lighted Merry Christmas or a Happy Chanukah, Diwali or Kwanzaa sign on someone's front lawn, not to mention banning a lighted menorah, a lighted Christmas tree or the lighted wreath that hangs on the front of my house during the holidays.

The proposed limits are a slippery slope that is likely to lead the village into Constitutional lawsuits.

And to what purpose?

We do not see any need for curbs on signs on private property. Signs have not been a problem over the 34 years we have lived in the village and are unlikely to be a problem in the future. Plus, issues and causes come and go. And so will the various signs you now see.

Limiting signs on the village right-of-way is reasonable, but limiting signs on private property is not only not needed but violates our rights as citizens.

Craig and Nancy Ferris

Quincy Street

Sent from my iPad

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