

Village of Martin's Additions
7013 Brookville Road, Suite B, Chevy Chase, MD 20815
Minutes for Council Meeting on
August 15, 2019

Council Members Present: Arthur Alexander; Susan Fattig; Tiffany Cissna;
Council Members Absent: Richard Krajeck; Katya Hill;
Village Manager: James D. Gaston III; **Assistant Village Manager:** Tina Lurie;
Building Administrator: Doug Lohmeyer; **Residents and other attendees:**
David Bjorklund (Turner Ln); Paula Goldberg (Bradley Ln); Dennis King (Summit Ave);
Lynn Welle (Oxford St)

7:30 PM Call to Order: Cissna
Council member Cissna opens the floor to resident comments.

7:31PM Keith Allen could not attend the meeting, so Manager Gaston reads the weather report on his behalf.

7:32PM Lynn Welle (Oxford St) asks about asphalt patching that WSSC did between 105 and 109 Quincy. He asks why the patch work got bigger on the permanent repair. He said the temporary patch was 25 feet and the permanent patch is 75 feet. After some discussion, Council member Cissna said someone would get back to Mr. Welle with an answer.

7:35PM David Bjorklund (Turner Ln) states there is a hole in the fence at Shepherd Park near the basketball court. Council member Cissna says Manager Gaston has been dealing with Montgomery County Parks and Planning, and the fence is on their list of things to deal with, as well as other possible improvements and repairs.

7:36PM Lynne Welle (Oxford St) says the foliage from private homeowners on Brookville Rd is overgrown, and it's difficult to walk on the sidewalk without walking into the street. Manager Gaston states that Doug Lohmeyer made a list of the homes that have foliage growing into the sidewalk, and that those homes will receive a warning that they need to cut back the growth.

7:38PM Dennis King (Summit Ave) asks about the status of speed enforcement on Summit Ave. Council member Alexander responds that the police have checked on this. Council members Cissna said they'll review the traffic survey.

7:39PM Committee Updates:
There are no committee reports.

7:40PM Council member Cissna says Halie Soifer needs to be added to the Election Committee. Council member Fattig makes a motion to appoint Ms. Soifer to the committee, Council member Alexander seconds, and all are in favor.

7:40PM. Building Administrator's report: Doug Lohmeyer

Mr. Lohmeyer presents two reports to the Council, including information on Accessory Dwelling Units (ADUs). Council member Cissna suggests he meet with Village attorney Ron Bolt to go over the code to discuss the matter. On a separate topic, Council member Alexander asks Mr. Lohmeyer how to quiet the noise from an outdoor emergency generator. Dennis King (Summit Ave) offers a suggestion.

TO: The Council at the Village of Martin's Additions
FROM: Doug Lohmeyer
DATE OF MEMO: August 10, 2019
SUBJECT: Building Administrator's Report

3520 Bradley La.

The applicant has submitted a building permit to the County and the Village. The neighborhood information meeting has been held and the County and Village building permits have been issued. The applicant has indicated they will be applying for a variance for the handicapped ramp along the left side of the house, which would encroach into the minimum side yard setback.

7204 Chestnut St.

The applicant has submitted at building permit package to the County and the Village. The applicant has applied for a variance, which was held on Thursday, Dec. 20 2018. A second variance hearing was held on Jan. 30. 2019. The Village issued the building permit on April 2nd. The staff has requested a "Wall Check" to insure the new additions do not encroach into the setbacks.

7210 Chestnut St.

The Village has received an application for a new house to be built on the vacant lot. The County issued their building permit on Oct. 1, 2018 and the Village issued their building permit on Oct. 11, 2018. Work begun at the site on Oct. 11th. If the work is not completed and the County has not closed their building permit by Oct. 11th, the applicant will need to apply for a Village permit extension.

3521 Cummings La.

The applicant has submitted a building permit to the County and the Village. The variance hearing was held on Feb. 6, 2019. The County issued their building permit on April 2nd and the Village issued their building permit on April 8th. The applicant has provided a "Wall Check" and a "Height Survey", which indicate the new construction is in conformance with the approved site plans and the Village Code.

3508 Shepherd St.

The applicants have submitted at building permit package to the County and the Village. The work related to the house improvements has been completed, but some exterior work is still in progress. The property has been sold and the new owners have moved in. When the exterior work is completed, the existing building permit will be closed and the applicant's bond will be returned. The homeowner has stated they will be applying for a building permit to install a screened porch at the rear of the house.

3412 Taylor St.

An application for a County and Village building permit has been submitted. A resident's information meeting was held on Tuesday, June 19th. The Village building permit has been issued. The house construction has begun. The applicant has raised the elevation of the house because of a high ground water condition. A revised MCDPS building permit may be required. The applicant will provide a "Height Survey" as soon as the roof and shingles are in place.

3512 Taylor Street

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

3407 Thornapple St.

The applicant has submitted a building permit application to the County and the Village. The neighborhood information meeting was held on Monday, Jan. 14, 2019. The County issued the sediment control permit on Feb. 22nd and their building permit on April 9, 2019. The pre-construction meeting has been held and the Village building permit has been issued. Work has begun 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.

Miscellaneous Items

The staff is presently working with the following properties:

1. MSHA Brookville Rd. and Quincy intersection ponding rainwater.
2. Requesting the property owner to trim the vegetation that is blocking the "Stop" sign north of Bradley La. on Brookville Rd.
3. I recommend the Village consider requiring the local utility companies obtain a Village permit for any work inside the Village rights of way.
4. The Village will be requesting certain property owners along Brookville Rd. to trim back the vegetation that overhangs and obstructs the sidewalk along Brookville Rd.
5. The Village is assessing the Accessory Dwelling Unit impact.

MONTGOMERY CONSULTING
MEMO

TO: Village Council, Village Manager, Village Attorney
FROM: Doug Lohmeyer
DATE OF MEMO: August 10, 2019
SUBJECT: Detached Accessory Dwelling Units Survey (ZTA-19-01)

As requested, I prepared the following information regarding the potential for detached "Accessory Dwelling Units" (ADU) within the Village. The information is based on my observations of the existing lot and property conditions during a ride around and a review of the Village's GIS data.

1. The Village has approximately 325 lot.

2. The detached ADU would need to be located behind the main house.
3. The County ZTA 19-01 says two on-site parking spaces will be provided unless “the Hearing Examiner finds... that there is adequate on-street parking”.
4. The Village has a cap on the non-vegetative surface in the front yard, which may prohibit additional parking spaces in the front yard and may limit the number of ADU’s in the Village.
5. Most of the lots in the Village are approximately 50 to 60 feet wide.
6. However, many are wider and some are two lots combined.
7. The current Village Code requires the house be located a minimum of 8 feet from a side yard, with a total of 18 feet on both sides.
8. However, the older Mont. Co. Code, which was in effect before the current Village Code, allowed the house to be closer to the lot line than the current Village Code.
9. From the GIS data, I estimate there are approximately 70 to 75 detached, existing structures located behind the main buildings.
10. These existing structures may be detached garages or sheds.
11. The Village GIS data is not accurate enough to determine the setbacks from the existing garages to the adjacent property lines.
12. Of the 325 lots, I estimate 170 to 180 of the lots have the potential to either convert the existing detached structure or build a new detached structure behind the house.
13. During my ride around and review of the GIS data, I observed that these houses were setback far enough from the side lot line to accommodate a single or shared driveway.
14. There are approximately 20 shared driveways within the Village, which straddle the common property line between two lots.
15. Most have one or two existing detached garages at the far end of the driveway.
16. The current Village Code allows one driveway apron per lot.
17. There is the potential for two property owners, in the future, to abandon their existing driveways and to create a shared driveway along their common property line, in order to build a detached ADU.
18. The Village does have a maximum building coverage for main and detached structures, which may prevent some of these lots from qualifying for the detached ADU.

7:53PM Action on meeting minutes of July 18, 2019

Council member Fattig motions to approve the minutes, Council member Cissna seconds, all in favor.

7:54PM Introduction of Traffic Order No. 2019-01

No Parking Anytime, Summit Ave. and Thornapple Street

Manager Gaston explains the traffic order. Dennis King (Summit Ave) discusses the following letter he submitted to Mr. Gaston:

As you may know the intersection of Thornapple and Summit Ave is a cut through intersection and a major route for emergency, commercial and private vehicles.

The parking issues within this intersection predates the present and two previous village manager. I brought this issue up when I retired 13 years ago, but it died on the vine each and every time, until now.

Thanks to the new village manager and the village traffic engineer it has a chance now to be resolved. The engineer has wondered why it was never addressed in the past.

The problem (vehicles traveling east on Thornapple, turning left/north on Summit) is caused when more than one car is parked in front of 7313. The second car extends in front of 7315. This area in front of 7315 is the exact turn/sweep area that emergency vehicles, school buses, commercial vehicles and private vehicles must negotiate very carefully to avoid hitting any parked car. Some of these vehicles have driven over the curb corner of 3401 Thornapple as they maneuver to make the turn. Emergency vehicles, especially any of the non articulating fire dept. ladder trucks would need to stop and renegotiate the turn, expending valuable time responding to an emergency. This same turning area is affected by any of the above mentioned vehicles traveling in the opposite direction.

I have seen numerous traffic entanglements with a combination of trucks, buses and passenger cars. I have personally had to give some guidance on more than one occasion so a car is not hit.

I understand it is solely the responsibility of the traffic engineer to determine the most effective placement of NO PARKING signs There is reasonable room for one car in front of 7313.

Dennis King

A handwritten signature in cursive script that reads "Dennis F. King". The signature is written in black ink and is positioned below the typed name.

7:57PM Council member Cissna reads a letter from Warren Margolies (Summit Ave) regarding the parking order.

From: **Warren A. Margolies** <wmargolies@mmmlaw.com>

Date: Thu, Aug 15, 2019 at 1:02 PM

Subject: Traffic Order No. 2019-01

To: manager@martinsadditions.org <manager@martinsadditions.org>

Cc: beckgale@gmail.com <beckgale@gmail.com>

James,

I know you spoke with Rebecca the other day, but we wanted to share our thoughts on the proposed Traffic Order in advance of this evening's council meeting. Unfortunately, we'll be unable to attend the meeting since we have three young children.

We currently use the parking space directly in front of our house (7313 Summit) for parking – with three young children, we often have grandparents and other caretakers over to our house and they are able to utilize this space for parking. We would propose the traffic order being limited to one of the two spaces in front of our house – it would be very difficult for us to have to surrender use of both parking spaces. With one parking space being utilized and the other one remaining unused in accordance with the proposed Traffic Order, there would still be plenty of room for trucks and emergency vehicles to turn.

Please feel free to let us know any concerns, or any additional information you'd like us to provide.

Thanks,

Warren Margolies

Council member Alexander states that parking spaces are not guaranteed in front of residents' homes nor is there a claim to a space. Council member Cissna said the resolution would limit the parking but it appears to have been tailored to address the concerns of the neighboring residents. Council member Alexander makes a motion to introduce Traffic Order No. 2019-01 to erect traffic control signs at Thornapple Street. Council member Fattig seconds, all in favor.

8:01PM Financial Matters: Alexander

Council Member Alexander says everything is looking good. Council member Cissna asks how often we have to move money between accounts. Council member Alexander says he moves money from the savings account into the checking account roughly once a month.

8:03PM Manager's Report

Manager Gaston give his report. Council member Cissna says we have openings on the Fire Board, referring back to Mr. King's experience as a volunteer fireman in case of interest to him.

8:10PM Manager Gaston asks Paula Goldberg to discuss the plans for the Community Garden and the plans for improvement, redesign and planting. Ms. Goldberg said we should look into rains-cafes for a conservation garden. We might be able to get a county rebate if we do this.

8:15PM. Dennis King (Summit Ave) recommends Alan Tuck Landscaping. Council member Alexander asks about streetlights. Council member Cissna says we need to find information collected after the new lights were installed on any remaining dark-spots in the Village and address them.

8:18PM Manager Gaston discusses the 3408 Turner Ln. tree that fell during the storm. It fell from private property onto the Village right of way. Our arborist wouldn't work on it due to the possibility of liability issues because the tree fell on wires. These were telecom wires, not Pepco wires. Manger Gaston asks the Council who should pay for it, since it was a public safety issue. Paula Goldberg (Bradley Ln) asked Manager Gaston if the residents of 3408 Turner Ln were notified that the Village was paying for the removal of the tree. Manager Gaston said the residents of the house are renters and that he has not contacted the owner of the house because they live out of town and he has not received an invoice yet for the tree removal.

8:24PM Lynn Welle (Oxford St) says the recent storm left a lot of debris. He asked who would pick it up. Paula Goldberg said Village arborist Paul Wolfe takes care of limbs in the right of way. Mr. Welle clarified he meant smaller debris as well.

Manager Gaston discusses purchasing candy cane style poles for the fire hydrants, similar to those in neighboring municipalities. He provided options to the council for purchase. Mr. Welle supported the option to purchase and install them all at once. The Council supported the recommendation to do them all at once.

8:37PM Manager Gaston says Chevy Chase Village (CCV) is holding additional public meetings regarding the CCV dog park, and it seems likely it will be returned to a regular park. CCV Board of Managers will have an official vote in September.

8:42PM Lynn Welle (Oxford St) said he'd be interested in helping with the walkability study that will be facilitated by planner, Chris Jakubiak.

8:45PM Opportunity for Council to hear residents' comments: Cissna Paula Goldberg (Bradley Ln) is concerned about the storm water drains that are reinforced with rebar, noting that many tires have been damaged. She asks if the storm drains can be painted or somehow addressed.

8:49PM Lynn Welle (Oxford St) talks about the storm water intakes on Quincy St.

8:53PM Council member Cissna asks if there is a motion to adjourn. Council member Fattig makes a motion, Council member Alexander seconds, all in favor. The meeting is adjourned.