

Village of Martin's Additions
7013 Brookville Road, Suite B, Chevy Chase, MD 20815
Minutes for Council Meeting on
October 17, 2019

Council Members Present: Arthur Alexander; Susan Fattig; Tiffany Cissna; Katya Hill;
Village Manager: James D. Gaston III; **Assistant Village Manager:** Tina Lurie; **Attorney:**
Ron Bolt; **Building Administrator:** Doug Lohmeyer; **Residents and other attendees:**
Keith Allen (Turner Ln); Paula Goldberg (Bradley Ln); Lorie Mitchell (Cummings Ln);
Todd Mann (Raymond St), Sally Maran (Turner Ln); Marty Langelan (Chestnut St);
Lt. Nick Picerno (Montgomery County Police Department VMA Contract Officer)

7:30PM Call to Order: Cissna

Council member Cissna asked if there are any questions or comments from residents.
Marty Langelan (Chestnut St) asked when additional streetlights can get installed.

7:31PM MCPD Lt. Nick Picerno mentioned that six weeks ago at a VMA Community Forum, District 2 Commander Gagen talked to residents about crime and pedestrian safety. While arrests have been made and the County believes those responsible for the crimes in VMA have been arrested, Detective Picerno said he was limited in the amount of information he could share, but the suspects are expected to face imprisonment for other crimes. Regarding pedestrian safety, Lt. Picerno said he would circle back on when the traffic officers may be back in VMA. On a different topic, Lt. Picerno said they have noted an increase in the number of commercial vehicles / trucks driving through the Village and he has alerted those County officers to the matter. He also mentioned that, in researching the Council's inquiry about hiring County crossing guards, there are currently no extra guards or County funding available. He described the process we would have to go through to potentially get a County crossing guard, including securing line item funding in the next year's budget. He also indicated that we could expand our current police program to include officers who act as crossing guards, but that that would require the hiring of an additional 5 - 8 officers to get complete coverage. He estimated hiring such officers would cost roughly \$30,000 annually.

7:45PM Committee Updates:

Marty Langelan (Chestnut St) gave an update from the Election Committee. As of now, two residents have submitted a letter of interest to be considered to fill the Council vacancy. The deadline to submit a letter of interest to the Committee is October 21. The Election Committee will hold a meeting on October 20 at 3:00pm at Lauren Biel's house at 7208 Delfield, and it is open to all residents. Susan Fattig will be the Council liaison attending the meeting.

7:48PM Keith Allen (Turner Ln) gave the weather report. Although it has been very dry, the water tables are very high from previous rainfalls. Winter looks like it could be very mild with below normal snowfall.

7:49PM Paula Goldberg (Bradley Ln), the resident-volunteer Village Tree Supervisor, reported she and Paul Wolfe, our Village arborist, are going to conduct their annual Village

tree inspection on October 18. An announcement will come out soon about the tree subsidy program (Native Canopy Tree Program). Residents participating in this program will have trees planted in early December. Ms. Goldberg noted four very old White Oak canopy trees on private property Bradley Ln. and Quincy St. were lost due to root rot and possible disease during the last year. The trees we lost were over 100 years old.

7:52PM Action on Meeting Minutes of September 19, 2019: Cissna
Council member Cissna explained how, in compliance with the Open Meetings Act, the Council is now approving Council meeting minutes via email. Instead of waiting one month until the next Council meeting to approve the minutes, they will now be approved and uploaded to the Village website quicker so residents can review them. The goal is to have meeting minutes posted within two weeks of the Council meeting, rather than waiting one month, so that residents may have them for review in a more timely fashion. This new process has been approved by Village attorney Ron Bolt.

7:53PM Building Administrator's Report: Lohmeyer
Doug Lohmeyer discussed his report. He said there are two parking situations involving cars that are parking too close to a fire hydrant. He is monitoring this, along with Wayne C. Fowler. Mr. Lohmeyer's full report is included in the appendix.

7:55PM Introduction of Charter Amendment # 2019-1 regarding Council vacancies: Hill
Council member Hill discussed this amendment. The Election Committee recommended that the Charter be amended to allow the existing staggering of Council terms to be maintained, in the event of an appointment to fill a vacancy. Council member Hill made a motion to introduce Amendment # 2019-1, Council member Fattig seconded, all were in favor. This charter amendment is in the appendix. A hearing on the Charter Amendment will take place at the November meeting.

7:58PM Introduction of Resolution # 2019-10-1, Amend Permit Fee Schedule:
Ron Bolt explained this resolution. It will clarify that the fee for a permit extension is the same as for a permit amendment. Mr. Bolt said the permit fees were last updated in June 2017, and the Council imposed at that time an extension fee. The fee schedule should be amended to more clearly state that the "extension" fee is the same as the "amendment" fee. Council member Cissna explained that the reason there is a fee for an extension of a permit is because Village staff monitors construction projects and we're spending Village funds for them to monitor the progress. Council member Alexander made a motion to introduce Resolution # 2019-10-1. Council member Hill offered an amendment to also amend the variance fee for multiple variances made in one variance request to reflect a charge of \$1500 for the first variance and a charge of \$250 for each subsequent variance within the request. Council member Alexander accepted Council member Hill's amendment to his motion, Council member Fattig seconded, and all were in favor. This resolution is in the appendix. A hearing on the Resolution will take place at the November meeting.

8:04PM Introduction of Resolution # 2019-10-2, Oath and Conflicts of Interest
Disclosure Policy: Cissna
Todd Mann (Raymond St) of the Ethics Committee said it's good that all Village staff and resident volunteers take an appropriate oath and sign the Ethics Committee's conflict of interest form. Paula Goldberg (Bradley Ln) asked about criminal activity forms, and

Mr. Mann responded that he doesn't think criminal background checks are necessary. Council member Cissna made a motion to introduce Resolution # 2019-10-2, Council member Fattig seconded and all were in favor. This resolution is in the appendix.

8:13PM Discussion and Possible Introduction of Ordinance # 2019-09-1, Amendments to Code Regarding Accessory Dwelling Units: Fattig
Montgomery County adopted a zoning text amendment to relax the rules for accessory apartments in single-family zones, and to allow detached accessory dwelling units where they were previously prohibited. The County law takes effect on December 31, 2019. The Ordinance would impose building restrictions related to such second dwellings in the Village. Council member Alexander makes a motion to introduce Ordinance # 2019-09-1, Council member Fattig seconds, all in favor. This ordinance is in the appendix. A hearing on the ordinance will take place at the November meeting.

8:18PM Discussion of Memorandum of Understanding- Montgomery County Debris Management Plan
James Gaston III briefly describes this plan and why it is necessary. It would allow the Village to piggy-back on the County's debris removal in the event of an emergency. We are waiting on further edits to the draft by the County. The staff will continue to track.

8:20PM Public Hearing on Ordinance # 2019-09-3 and Resolution # 2019-09-4 to adopt reasonable accommodation processing procedures: Council member Cissna explains this ordinance. It would amend the Code to provide a process for reasonable accommodation requests. The companion Resolution No. 2019-09-4 would adopt Policy No. 2019-09-5, which would establish administrative procedures for such requests. As there were not 30 days between the date of introduction and the October meeting, another hearing on the Ordinance, Resolution, and Policy will take place at the November meeting.
A copy of this ordinance resolution, and policy are in the appendix.

8:21PM Public Hearing on Ordinance # 2019-09-2 regarding Private Trees That Fall Into the Public Rights -Of-Way: Alexander
Council member Alexander explains this ordinance is for private trees that fall into the ROW, and who is responsible for the tree and who pays for removal of all or a portion of the tree. We are required to give a 30-day comment period, we are having a public hearing today and another one at the next Council meeting. A copy of this ordinance is in the appendix.

8:24PM Discussion of 2019 VMA Annual Survey Results: Hill
Council member Hill discusses the annual survey. The overall number of responses was significantly lower than previous years. In addition, the system did not record any survey responses from Melville Place, Oxford Street, and Taylor Street. The Council is concerned that is not accurate and will follow up with residents on those streets and Constant Contact, the administrator of the survey, to see if there were technical difficulties. Survey results are in the appendix.

8:33PM Sally Maran (Turner Ln) asks about the snow plowing contract, and asks that the contractor be careful when they are plowing the street so that snow doesn't get pushed into the driveways. Mr. Gaston states that we sent out an RFP for snow removal. Council

member Cissna also confirms that any contractor selected for the snow removal contract will be briefed on Village street-specific requirements.

8:36PM Financial Matters: Alexander

Council member Alexander discusses his treasurer's report. He states that we need to move some funds to cover expenses as some line item spending – not overall spending – was more than what was budgeted during the last fiscal year which ended June 30, 2019. He notes that this is the first time in his years of being VMA Treasurer that the auditor identified that such moves needed to be made so late in the year. He makes a motion for budget resolutions to re-appropriate and transfer funds, Council member Hill seconds, all in favor. A copy of the Treasurer's report is in the appendix.

8:40PM Manager's Report: Gaston

James Gaston III gives his manager's report. He confirms the concerns with the annual survey will be investigated. He asks the Council how much should be budgeted for Phase 3 of the Community Garden and the Raymond dead-end projects. The Council instructed him to request proposals with the previously discussed parameters and then come back the Council for a decision. The Manager's report is in the appendix.

8:45PM Resident Comments:

Paula Goldberg (Bradley Ln) asks about signs for Tree City designation. Council member Cissna says we need to figure out where they're going to be placed and how decisions can be made in compliance with the Open Meetings Act. Marty Langelan (Chestnut St) says she likes seeing the signs. Mr. Gaston says Joe Cutro, our traffic engineer, has recommended places for the signs to be installed.

8:53PM Keith Allen (Turner Ln) asks how many crossing guards we need and who we would consider for the positions(s).

8:54PM Council member Hill motions to adjourn regular session and move into a closed session, per Section 3-305(b)(1), to discuss personnel matters concerning specific employee(s). Council member Fattig seconds, all in favor. Regular session is adjourned. Present for the session were the Council members and the Village Attorney. The Council discussed personnel matters concerning specific employee(s). No action was taken.

9:29PM Closed session is adjourned.

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

FROM: Doug Lohmeyer

DATE OF MEMO: October 10, 2019

SUBJECT: Building Administrator's Report

3520 Bradley La.

The Village issued their building permit on Nov. 2, 2019. The construction of the addition at the rear of the house is ongoing. Village has approved a variance to allow a temporary handicap ramp and porch to be constructed on the right side of the house. The variance requires the ramp and porch be removed as soon as the structure is no longer needed by the current owners.

7204 Chestnut St.

The Village issued the building permit on April 3, 2019. The construction of the additions is ongoing.

7210 Chestnut St.

The Village issued their building permit on Oct. 11, 2018. The applicant estimates the project will be completed in 2 to 3 months. As of this date, the permit has not been extended.

3521 Cummings La.

The Village issued their building permit on April 8, 2019. The construction of the new house is ongoing. 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 original building permit has been closed and the applicant's performance bond has been returned. The new owner has submitted plans to the County and to the Village for a new porch at the rear of the house. Waiting County approval.

3412 Taylor St.

The Village building permit has been issued on Feb. 4, 2019. The house construction is ongoing. 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 Village issued their building permit on May 30, 2019. 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. The MSHA staff is investigating the ponding water situation at the Brookville Rd. and Quincy.
2. The MSHA staff is reviewing the ponding situation at Brookville Rd. and Cummings La.
3. The staff is preparing a RFP for the GIS system.
4. The Village is assessing the Accessory Dwelling Unit impact.

Charter Amendment No.: 2019-1
Introduced: October 17, 2019
Adopted:
Effective Date:

VILLAGE COUNCIL OF THE VILLAGE OF MARTIN'S ADDITIONS

A RESOLUTION TO AMEND SECTION 408 OF THE CHARTER OF THE VILLAGE OF MARTIN'S ADDITIONS

This Resolution of the Council of the Village of Martin's Additions (the "Council") is adopted pursuant to the Constitution of Maryland, Article XI-E, the Maryland Code, Local Government Article, Section 4-301, *et seq.*, and the Charter of the Village of Martin's Additions (the "Charter"), to amend Section 408 of the Charter to provide that an appointee filling a vacancy on the Village Council shall serve for the remaining unexpired term of the departing member, instead of until the next regular election, as currently provided. This amendment will allow the existing staggering of terms of the Council members to be maintained.

Section 1. BE IT RESOLVED BY THE VILLAGE COUNCIL, that said Section of the Charter be amended to read as follows:

Section 408. Vacancies.

In the event of a vacancy on the Council four or more months before a regularly scheduled election of Council members, the Council shall expeditiously and by a majority vote elect a person qualified under Section 402 to fill the vacancy [until the next regular election] for the unexpired term. The Council shall by a majority vote elect a person to fill the vacancy from a list of not less than three candidates to be provided by the Election Committee.

NOTE: Underlining indicates language added to the Charter
[Boldface Brackets] denote language deleted from the Charter

Section 2. AND BE IT FURTHER RESOLVED, that the date of the adoption of this Resolution is _____ and that the amendment to the Village Charter hereby proposed by this enactment shall be and become effective on _____ (fifty (50) days from adoption), unless a proper petition for a referendum hereon shall be filed as permitted by law on or before _____ (forty (40) days from adoption).

Section 3. AND BE IT FURTHER RESOLVED, that a complete and exact copy of this Resolution shall be posted at the Village Office, 7013-B Brookville Road, Chevy

Chase, Maryland 20815, for at least forty (40) days following adoption and a fair summary of this Resolution shall be published in a newspaper of general circulation in the Village not less than four (4) times, at weekly intervals, within a period of at least forty (40) days starting immediately after the date of adoption.

Section 4. AND BE IT FURTHER RESOLVED, that as soon as the amendment hereby enacted shall become effective, either as herein provided or following a referendum, the Chair shall send, by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the Department of Legislative Services, the following information concerning the amendment: (i) the complete text of the amendment as hereby enacted; (ii) the date of the referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against the question concerning the amendment, whether by the Village Council or in a referendum; and (iv) the effective date of the amendment.

Section 5. AND BE IT FURTHER RESOLVED, that the said Chair be and is hereby specifically instructed to carry out the provisions of Sections 3 and 4. As evidence of compliance herewith, the said Chair shall cause to be placed in the Village files the following information concerning the amendment: (i) appropriate certificates of publication of the newspaper in which a fair summary of this Resolution shall have been published; and (ii) the return receipts of the mailing referred to in Section 4, and shall further complete and execute the Certificate of Effect attached hereto.

Tiffany Cissna, Vice Chair

Arthur Alexander

Susan Fattig

Katya Hill

ATTEST:

James D. Gaston, III, Village Manager

Resolution No.: 2019-10-1
Introduced: October 17, 2019
Adopted:
Effective Date:

THE VILLAGE OF MARTIN'S ADDITIONS

**SUBJECT: A RESOLUTION TO AMEND THE VILLAGE FEE AND
BOND SCHEDULE.**

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland, including the Village of Martin's Additions, general power to pass such ordinances not contrary to the Constitution of Maryland or public general law as they may deem necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality; and

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

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

WHEREAS, Section 6-306(c) of the Code of Ordinances of the Village of Martin's Additions requires payment of a fee for a permit extension; and

WHEREAS, the Village Council, by Resolution No. 6-17-2, adopted July 17, 2019, established the fee for a permit amendment, including an extension, to be 50% of the original permit fee, but finds that the Schedule of Fees should be amended to expressly state that an amendment includes an extension; and

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

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

WHEREAS, after proper notice to the public, the Village Council introduced the following Resolution in an open meeting conducted on the 18th day of October, 2019, and considered this Resolution in an open meeting conducted on the the 21st day of November, 2019;

NOW, THEREFORE, BE IT:

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

RESOLVED, that the foregoing Resolution shall become effective on the ____ day of _____ 2019, and it is further,

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

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

Tiffany Cissna, Vice Chair
Village Council

I, the undersigned Secretary of the Village Council, hereby certify that the foregoing Resolution was adopted by the Council at its meeting on the ____ day of _____ 2019.

Susan Fattig, Secretary



VILLAGE OF MARTIN'S ADDITIONS

7013 Brookville Road (Suite B, 2nd floor)
Chevy Chase, MD 20815-3263
Phone (301) 656-4112 Fax (301) 656-0030
www.martinsadditions.org

SCHEDULE OF FEES

PERMITS

(Res. 7-02-08, adopted 2/15/07; Res. 7-09-1, adopted 7-16-09; Res. 1-12-1, adopted 3-15-2012;
Res. 10-13-1, adopted 11-21-13; Res. 6-17-2; adopted _____)

NEW RESIDENTIAL CONSTRUCTION PERMIT.....\$4,000

EXTERIOR ALTERATIONS or MODIFICATIONS PERMIT..... (A) + (B):
(Commercial and residential buildings, including accessory structures)

(A) Floor Area Fee:

Total floor area increase of 250 sq. ft. or less: flat fee of \$250

Total floor area increase greater than 250 sq. ft.: \$1 per sq. ft. x total sq. ft.

(Total floor area includes all levels, cellars, basements, and attics, as well as stairwells and elevators. Areas with clear ceiling height (measured from floor to ceiling) greater than 14 feet shall count twice)

(B) Exterior Wall Replacement Fee:

Total Length of Contiguous Exterior Wall to be replaced < 15 feet or less: no fee

If > 15 feet then: Fee equals total length of wall to be replaced x \$10 per foot.

(Exterior walls shall be measured along the exterior horizontal length of the wall plane at the height of the first floor joists)

Permit fee equals (A) + (B), up to a maximum of \$4,000.

PERMIT APPLICATION AMENDMENT OR EXTENSION.....50% of Permit Fee

BUILDING CODE VARIANCE APPLICATION.....\$1,500

DEMOLITION PERMIT

Footprint of 250 sq. ft. or less.....\$250

Footprint greater than 250 sq. ft.....\$500

RIGHT-OF-WAY AGREEMENT\$100

OTHER.....\$75

(Including Curb Cut/Driveway Apron; Right-of-Way construction/use of heavy equipment in Right-of-Way; Non-vegetative Surface Alterations (e.g., new driveways, sidewalks, etc.); Deck; Shed; Dumpster; A/C, Generator, or Heat Pump; Portable Storage Unit; Portable Toilet)



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PERFORMANCE BONDS

(Res. 7-02-09, adopted 2/15/07)

Performance bonds are required for the following types of projects in the amount specified.

| CATEGORY: | BOND REQUIRED |
|--|---------------|
| NEW RESIDENTIAL CONSTRUCTION..... | \$2,500 |
| EXTERIOR ALTERATIONS or MODIFICATIONS..... (Commercial and residential buildings, including accessory structures) | \$2,500 |
| DEMOLITION..... | \$2,500 |
| RIGHT-OF-WAY CONSTRUCTION..... (Including curb cut, driveway apron, drainage/extension of front walk) | \$2,500 |
| DUMPSTER..... (A bond is not required for a dumpster if a bond has already been posted for one or more construction categories) | \$2,500 |

Separate Checks made out to "Village of Martin's Additions" are required for the Permit Fee and Bond. Full restoration of the right-of-way and final inspection to close permit is required for full bond return.

Resolution No. 2019-10-2
Introduced: October 17, 2019
Adopted:
Effective:

**RESOLUTION OF
THE VILLAGE OF MARTIN'S ADDITIONS**

SUBJECT: RESOLUTION TO ADOPT POLICY REGARDING THE
TAKING OF OATHS AND DISCLOSURE OF CONFLICTS OF
INTEREST

WHEREAS, to promote the public trust and the utmost ethical service by appointees, and to ensure impartiality and the avoidance of conflicts of interest, the Village Council finds it appropriate to require all elected officials, committee and board members, employees, and those appointed to an executive office, including the Village Tree Supervisor, to execute an Oath of Office/Service and to complete the Village Ethics Committee's Conflicts of Interest Questionnaire; and

WHEREAS, after proper notice to the public, the Village Council introduced this Resolution in an open meeting conducted on the 17th day of October, 2019; and considered this Resolution in an open meeting conducted on the 21st day of November, 2019;

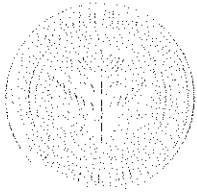
WHEREAS, the Village Council finds that the adoption of the attached policy and regulations would assist in assuring the good government of the Village; protect and preserve the Village's rights, property and privileges, including protection under the Village's insurance policy for appointees acting in good faith; and protect the general welfare of the Village.

NOW, THEREFORE, BE IT RESOLVED this ____ day of _____, 2019, by the Council of the Village of Martin's Additions that:

1. The Village of Martin's Additions hereby adopts the attached Policy; and
2. This resolution is effective as of the ____ day of _____, 2019.

I, Susan Fattig, Secretary of the Village Council, hereby certify that the foregoing Resolution was adopted by the Council at its open meeting on the ____ day of _____, 2019.

Susan Fattig, Secretary



Village of Martin's Additions
7013 B Brookville Road
Chevy Chase, MD 20815
301-656-4112 (Phone)
301-656-0030 (Fax)

Policy No. 2019-10-3

Oath and Conflicts of Interest Disclosure Policy

Council members are required to take an oath of office, as provided in the Village Charter Section 901 and the Maryland Constitution. Village employees and Council members are required to complete the Conflicts of Interest Questionnaire according to the Village Code, Section 4-201.

To promote the public trust and the utmost ethical service by all Village of Martin's Additions (Village) elected officials and Council-appointees, and to ensure impartiality and the avoidance of conflicts of interest, it is the policy of the Village to further require all committee and board members, employees, and those serving in an executive office (including the Tree Supervisor) to execute an Oath of Service and complete a Conflicts of Interest Questionnaire, in the form attached hereto.

In addition to the Election Committee and the Ethics Committee, which are established by the Village Code, Section 2-101, the Village may create such other committees and boards, as deemed necessary by the Village Council from time to time, according to Village Code Section 2-102. This policy shall apply to all appointees to such committees and boards.

All paper records created by this policy shall be maintained in the Village Office in compliance with the Village's State-approved archiving schedule and provided electronically to the Ethic's Chairman upon completion.

Policy Number: 2019-10-3

Introduced: October 17, 2019

Public Hearing: November 21, 2019

Action/Adoption:

Effective Date:



VILLAGE OF MARTIN'S ADDITIONS

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Oath of Employee

State of Maryland)
) ss.
Montgomery County)

I, the undersigned, being duly employed in an at-will capacity as Village Manager/Assistant Village Manager, of the Village of Martin's Additions, a municipal corporation in Maryland, and being duly sworn, do depose and say that I will faithfully execute my duties as such employee with strict impartiality and according to the best of my ability, in accordance with the Charter of the Village of Martin's Additions, the Code of Ordinances, and any rules and procedures adopted by the Village Council.

Member Name: _____

Signed and sworn before me, a notary public, this _____ day of _____, 201____.

Name: _____, Notary Public

(Seal)

My commission expires: _____



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Oath of Committee/Board Member

State of Maryland)
) ss.
Montgomery County)

I, the undersigned, duly appointed to act as a member of the _____ Board
/ _____ Committee of the Village of Martin's Additions, a municipal corporation in
Maryland, and being duly sworn, do depose and say that I will faithfully execute my duties as such
member with strict impartiality and according to the best of my ability, in accordance with the Charter
of the Village of Martin's Additions, the Code of Ordinances, and any committee/board charter or rules
and procedures adopted by the Village Council.

Member Name: _____

Signed and sworn before me, a notary public, this ____ day of _____, 201__.

Name: _____, Notary Public

(Seal)

My commission expires: _____



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Oath of Executive Officer

State of Maryland)
) ss.
Montgomery County)

I, the undersigned, duly appointed to act as _____ of the Village of Martin's Additions, a municipal corporation in Maryland, and being duly sworn, do depose and say that I will faithfully execute my duties as such officer with strict impartiality and according to the best of my ability, in accordance with the Charter of the Village of Martin's Additions, the Code of Ordinances, and any rules and procedures adopted by the Village Council.

Member Name: _____

Signed and sworn before me, a notary public, this _____ day of _____, 201____.

Name: _____, Notary Public

(Seal)

My commission expires: _____

Ordinance No.: 2019-09-1
Introduced: October 18, 2019
Adopted:
Effective Date:

THE VILLAGE OF MARTIN'S ADDITIONS

SUBJECT: AN ORDINANCE TO AMEND THE CODE OF ORDINANCES TO
ADD BUILDING REQUIREMENTS APPLICABLE TO ACCESSORY
DWELLING UNITS

WHEREAS, Local Government Article, Section 5-202 of the Maryland Code grants to the legislative body of every incorporated municipality in Maryland, including the Village of Martin's Additions, general power to pass such ordinances not contrary to the Constitution of Maryland, or public general law, as they may deem necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Maryland Code, Land Use Article, Section 20-509 grants to the legislative body of incorporated municipalities in the Maryland-Washington Regional District, general power to adopt building regulations for the protection of the public health, safety, and welfare; the preservation, improvement, and protection of lands, water, and improvements in the municipal corporation; and to regulate the construction, repair, or remodeling of buildings on land zoned for single-family residential uses at it relates to fences, walls, hedges, and similar barriers; signs; residential parking; residential storage; the location of structures, including setback requirements; the dimensions of structures, including height, bulk, massing, and design; and lot coverage, including impervious surfaces;

WHEREAS, Maryland Code, Local Government Article, Section 5-211 authorizes the legislative body of each municipal corporation in the State of Maryland to make reasonable regulations concerning buildings to be erected within the limits of the municipality, including a building code and the requirement for building permits;

WHEREAS, Section 501 of the Charter of the Village of Martin's Additions authorizes the Village Council to pass such ordinances as it may deem necessary for the preservation of the property, rights, and privileges of the Village and its residents;

WHEREAS, after proper notice to the public, the Village Council discussed the following Ordinance in an open meeting conducted on the 19th day of September, 2019; introduced the Ordinance in an open meeting conducted on the 17th day of October, 2019; and considered the Ordinance in an open meeting conducted on the 21st day of November, 2019;

WHEREAS, to comply with Maryland Code, Land Use Article, Section 20-509, on the 18th day of October, 2019, a copy of following Ordinance was submitted to the Montgomery County Council for its comments;

WHEREAS, the Montgomery County Council indicated receipt of the draft on the ____th day of _____, 2019, and ...;

WHEREAS, the Village Building Administrator, counsel, and staff, have made certain recommendations to the Village Council for amendment of the Village building regulations, concerning accessory dwelling units, as recently authorized by Montgomery County Zoning Text Amendment 19-01, effective December 31, 2019;

WHEREAS, due to narrow street widths, and the existing density and motor vehicle use and traffic in and around the Village, the Village Council finds that existing parking congestion and shortages would be exacerbated by the allowance of accessory dwelling units, unless sufficient measures are implemented to mitigate the impacts;

WHEREAS, the Village Council finds that the Village building regulations do not currently separately address accessory dwelling units and should therefore be amended;

WHEREAS, the Village building regulations currently subject all dwelling units to the building requirements for main buildings;

WHEREAS, as stated in Section 7-401, the purposes of the Village building regulations include maintaining privacy and space between properties, ensuring adequate light, air, and safe passageways between buildings; encouraging appropriately-sized construction in keeping with lot sizes and the character of the Village; minimizing the flow of stormwater from lots by encouraging the maintenance of open spaces and the reduction of impervious surfaces; and the preservation and perpetuation of neighborhood character;

WHEREAS, the Village Council finds that the allowance of accessory dwelling units would be detrimental to the purposes of the Village building regulations, unless sufficient measures are implemented to mitigate the impacts;

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 _____, 2019, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Charter of the Village of Martin's Additions, that the Village Code is hereby amended as follows:

* * *

Section 6-101. Definitions

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

* * *

(2) "Accessory dwelling unit" means a second dwelling unit that is located within a main building or an accessory building.

(Note: All other existing definitions are renumbered, instead of lettered)

Section 6-302. Permits Required.

* * *

(b) Improvements.

Prior to the issuance of a building permit pursuant to the provisions of this Chapter, no person shall:

- 1) Add to, erect, install, replace, alter, construct, re-construct, repair or improve any building;
- 2) Add to, install, replace, alter, construct, re-construct, repair or improve any non-vegetative surface in a front yard;
- 3) Place any heavy equipment upon or move any heavy equipment over an improved street surface, curb, or sidewalk;
- 4) Add to, install, replace, alter, construct, re-construct, repair or improve any curb cut, driveway, or driveway apron;~~or~~
- 5) Commence any activity involving reconstruction, repair, or excavation of any street, curb, or sidewalk, or installation of any structure thereon, or temporarily close or block any street or sidewalk within the Village. No building permit for construction of a private structure within the public right-of-way shall be issued until the owner of the abutting property has executed a revocable license to use the right-of-way in a form approved by the Village. The Code Enforcement Officer may waive the requirement for a license for the alteration or replacement of stairs, guardrails, and walkways, if, in the discretion of the Code Enforcement Officer, the cost and inconvenience of the license exceeds the benefit to the Village;~~;~~ **or**
- 6) **Add to, install, replace, alter, construct, re-construct, repair or improve any accessory dwelling unit, including but not limited to the conversion or renovation of an existing building or part thereof into an accessory dwelling unit.**

(c) Repairs.

Notwithstanding paragraph (b) above, no building permit shall be required in the case of ordinary repairs or maintenance, as defined in Section 6-101, and no building permit shall be required for any of the above described activities in subparagraphs 1 through 5 occurring entirely within the interior of a building, provided, however, that a permit shall be required in connection with an accessory dwelling unit as described above in subparagraph 6, including but not limited to activities occurring entirely within the interior of a building. Emergency re-construction, repair or excavation may be undertaken without first securing a building permit, except that such permit shall be applied for as soon as possible after the need for such activities becomes known.

* * *

Section 6-303. Applications; Investigations and Inspection; Issuance

(a) Any person planning to engage in an activity covered by this Article that requires a Montgomery County building permit shall apply for a Village building permit within three (3) days of applying for the County permit.

(b) An application for a Village building permit shall be submitted in a form prescribed by the Council and shall be accompanied by (i) a copy of the Montgomery County building permit or application for a Montgomery County building permit for the activity and (ii) such plats, plans, drawings, reports and the like as the Council or Code Enforcement Officer deems necessary to determine whether the proposed activity would be in derogation of the health, safety, comfort or welfare of the present or future inhabitants of the Village. For any construction that would be located within four (4) feet of a required setback, or within two (2) feet of a lot line, a site plan and boundary survey with a margin of error of +/- one-tenth (0.10) of a foot, or better, must be submitted depicting all existing and proposed buildings and their distances to the lot lines. The application shall be signed by all the owners of the property and, where related to the erection or construction of, or addition to a building, shall also state the intended use of such building or addition thereto. The applicant may be required to provide a copy of all covenants recorded with respect to the property. A permit for construction related to an accessory dwelling unit shall not be issued until the applicant has submitted a copy of the Montgomery County landlord license for the proposed accessory dwelling unit.

* * *

Section 7-101. Definitions

* * *

(2) “Accessory dwelling unit” means a second dwelling unit that is located within a main building or an accessory building.

* * *

(13) "Dwelling unit" means a building or portion of a building providing complete living facilities for not more than one household, including, at a minimum, facilities for cooking, sanitation, and sleeping.

* * *

(gg35) "Main Building" means a building in which is conducted the principal use of the property on which it is situated. Any dwelling shall be deemed to be a main building on the lot on which it is located.

* * *

(Note: existing definitions are re-lettered accordingly).

* * *

Section 7-402. Construction Standards and Requirements

* * *

(f) Accessory buildings

- (1) Front setback: No wall or projection of any accessory building shall be located closer to the front lot line than sixty (60) feet, **provided, however, that any accessory building that is, or contains, an accessory dwelling unit shall comply with the required front setback for a main building.** For corner lots (which have two front yards), this requirement shall apply only to one front yard. The front yard which is parallel to the side yard shall have a minimum setback equal to the established building line.
- (2) Rear setback: No wall or projection of any accessory building shall be located closer to the rear lot line than five (5) feet, **provided, however, that any accessory building that is, or contains, an accessory dwelling unit shall comply with the required rear setback for a main building.**
- (3) Side setback: No wall or projection of any accessory building shall be located closer to either side lot line than five (5) feet, **provided, however, that any accessory building that is, or contains, an accessory unit shall comply with the required side setback for a main building.**
- (4) Height: The height of any accessory building shall not exceed twenty (20) feet to the highest point of roof surface regardless of roof type.
- (5) Wall plane length: The length of any wall plane of any accessory building shall not exceed twenty-five (25) feet.

* * *

(l) Accessory Dwelling Unit Parking. At least two (2) new dedicated on-site parking spaces shall be provided for any accessory dwelling unit. Such parking spaces shall comply

with the driveway width and maximum non-vegetative surface area requirements of this Chapter. Existing parking area in a driveway or an existing garage may not serve as the required on-site parking spaces for an accessory dwelling unit.

* * *

Section 7-404. Developmental Nonconformities; Accessory Dwelling Units

A developmental nonconformity may be maintained, altered, or repaired, but not replaced, provided that it may not be enlarged in any manner, including but not limited to enlargement of any three-dimensional boundary that existed on June 16, 2009, and further provided that an accessory dwelling unit may not be constructed within a non-conforming structure, except in accordance with this Chapter. A building in which an accessory dwelling unit is constructed must meet the required setback and other requirements of this Chapter at the time of construction of the accessory dwelling unit. As used in this Section, "maintained" and "repaired" shall have the same meaning as "ordinary repairs or maintenance", as defined in Section 6-101 .

* * *

AND BE IT FURTHER ORDAINED AND ORDERED, by the Village Council, acting under and by virtue of the authority granted to it by the Maryland Code, and the Charter of the Village of the Village of Martin's Additions, that:

(1) If any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof; and

(2) This Ordinance shall take effect on the 31st day of December, 2019 (at least 20 days after adoption).

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

Susan Fattig, Secretary

Tiffany Cissna, Vice Chair
Village Council

Underline indicates new material

~~Strikethrough~~ indicates material deleted

* * * indicates material unchanged

Ordinance No.: 2019-09-3
Introduced: September 19, 2019
Adopted:
Effective Date:

THE VILLAGE OF MARTIN'S ADDITIONS

SUBJECT: AN ORDINANCE TO AMEND THE CODE OF ORDINANCES TO
ADD PROVISIONS FOR THE PROCESSING OF REASONABLE
ACCOMMODATION REQUESTS

WHEREAS, Local Government Article, Section 5-202 of the Maryland Code grants to the legislative body of every incorporated municipality in Maryland, including the Village of Martin's Additions, general power to pass such ordinances not contrary to the Constitution of Maryland, or public general law, as they may deem necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Maryland Code, Land Use Article, Section 20-509 grants to the legislative body of incorporated municipalities in the Maryland-Washington Regional District, general power to adopt building regulations for the protection of the public health, safety, and welfare; the preservation, improvement, and protection of lands, water, and improvements in the municipal corporation; and to regulate the construction, repair, or remodeling of buildings on land zoned for single-family residential uses at it relates to fences, walls, hedges, and similar barriers; signs; residential parking; residential storage; the location of structures, including setback requirements; the dimensions of structures, including height, bulk, massing, and design; and lot coverage, including impervious surfaces;

WHEREAS, Maryland Code, Local Government Article, Section 5-211 authorizes the legislative body of each municipal corporation in the State of Maryland to make reasonable regulations concerning buildings to be erected within the limits of the municipality, including a building code and the requirement for building permits;

WHEREAS, the Americans with Disabilities Act, 42 U.S.C. Sec. 12132, et seq., requires that local governments provide reasonable accommodations with respect to land use and zoning requirements, and a public entity, such as the Village, must make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program or activity, 28 C.F.R. Sec. 35.130(b)(7);

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, after proper notice to the public, the Village Council introduced the following Ordinance in an open meeting conducted on the 19th day of September, 2019, and considered this Ordinance in an open meeting conducted on the 17th day of October, 2019 and the 21st day of November, 2019;

WHEREAS, to comply with Maryland Code, Land Use Article, Section 20-509, on the 20th day of September, 2019, a copy of following Ordinance was submitted to the Montgomery County Council for its comments;

WHEREAS, the Montgomery County Council indicated on September 20, 2019, that the County found the proposed amendments to be appropriate;

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 _____, 2019, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Charter of the Village of Martin's Additions, that the Village Code is hereby amended as follows:

* * *

Section 7-405. Variances

- (a) A property owner may apply to the Village Council for a variance from the strict application of the terms of this Article. The Council may authorize a variance from the strict application of any specific requirement of this Article when the standards described herein are met.
- (b) Processing and Public Hearing Requirement
 - (1) Applications for a variance shall be submitted to the Village Manager and shall include the following:
 - (i) Written application on the form provided by the Village Manager, including a statement detailing the specific provisions of this Article from which a variance is sought;
 - (ii) Detailed information pertaining to the nature and extent of the variance sought, including the following: (a) a boundary survey with a margin of error of +/- one-tenth (0.10) of a foot, or better, showing boundaries, dimensions, area, topography, and frontage of the lot involved, as well as the location and dimensions of all buildings existing and proposed to be erected, and the

distances of the buildings from the nearest lot lines; and (b) plans, architectural drawings, photographs, elevations, specification or other detailed information depicting fully the exterior appearance of existing and proposed construction;

- (iii) A summary of what the applicant expects to prove at the hearing, including the names of applicant's witnesses, summaries of the testimonies of expert witnesses, and the estimated time for presentation of the applicant's case; and
 - (iv) Any additional exhibits which the applicant intends to introduce at the hearing.
- (2) The Council shall hold a public hearing on all applications for the grant of a variance. ~~A minimum of~~ **At least** twenty (20) days prior to the scheduled hearing, the Village Manager or his or her designee shall post notice of the hearing at the applicant's property that is the subject of the variance request and mail written notice to all adjoining and confronting property owners by first-class mail.
- (3) **Reasonable Accommodation. If a variance is requested as a reasonable accommodation based upon a disability, as defined by Federal law, the Chair and Village Manager may grant the variance, according to such regulations as may be adopted by the Village Council from time to time. At least twenty (20) days prior to acting upon the request, the Village Manager or his or her designee shall notify the Village Council and post notice of the request at the applicant's property that is the subject of the variance request and mail written notice to all adjoining and confronting property owners by first-class mail. If prior to the expiration of the fifteen-day notice period, written objection to the variance request is filed with the Village Manager, the variance application shall be scheduled for a public hearing and heard by the Village Council according to the provisions of this Section and such regulations as may be adopted by the Village Council from time to time.**
- (c) Standards for decision on variances: The Council may grant petitions for variances upon proof by the applicant by a preponderance of the evidence that:
- (1) by reason of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to the lot, the strict application of this Article would result in peculiar or unusual practical difficulties to, or exceptional or undue hardship upon, the owner of such property;
 - (2) such variance is the minimum reasonably necessary to overcome the aforesaid exceptional conditions; and
 - (3) such variance will not be detrimental to the use and enjoyment of adjoining or neighboring properties.

- (d) Conditions. In granting a variance, the Council may impose such conditions as it determines, in its judgment, are necessary to protect the public health, safety, and welfare.
- (e) Decision. The decision of the Council granting or denying a variance shall be in writing and shall be final and effective as of the date the Council approves the written decision.
- (f) Duration. A building permit for the construction authorized by the variance must be obtained within twelve (12) months of the effective date of the variance or the variance shall be void, unless an extension is granted in writing by the Code Enforcement Officer. The Code Enforcement Officer may grant an extension of the variance, upon such conditions as the Code Enforcement Officer may set, upon a reasonable showing that there has been no material change in circumstances since the effective date of the decision approving the variance and despite due diligence by the recipient of the variance, additional time is necessary to secure a building permit.

* * *

AND BE IT FURTHER ORDAINED AND ORDERED, by the Village Council, acting under and by virtue of the authority granted to it by the Maryland Code, and the Charter of the Village of the Village of Martin's Additions, that:

(1) If any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof; and

(2) This Ordinance shall take effect on the ____ day of _____, 2019 (at least 20 days after adoption).

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

Susan Fattig, Secretary

Tiffany Cissna, Vice Chair
Village Council

Bold Underline indicates new material

~~Strikethrough~~ indicates material deleted

* * * indicates material unchanged

Resolution No. 2019-09-4
Introduced: September 19, 2019
Adopted:
Effective:

**RESOLUTION OF
THE VILLAGE OF MARTIN'S ADDITIONS**

SUBJECT: RESOLUTION TO ADOPT POLICY AND REGULATIONS
FOR REASONABLE ACCOMMODATION PROCESSING

WHEREAS, by Ordinance No. 2019-9-3, adopted on ____ day of _____, 2019, the Village Council amended the Village building regulations to govern reasonable accommodation requests; and

WHEREAS, after proper notice to the public, the Village Council introduced this Resolution in an open meeting conducted on the 19th day of September, 2019; and considered this Resolution in an open meeting conducted on the 17th day of October, 2019 and the 21st day of November, 2019;

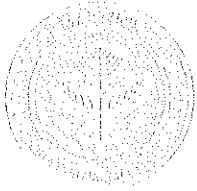
WHEREAS, the Village Council finds that, in accordance with the Village Code, the adoption of the attached policy and regulations would assist in assuring the good government of the Village; protect and preserve the Village's rights, property and privileges; and protect the general welfare of the Village.

NOW, THEREFORE, BE IT RESOLVED this ____ day of _____, 2019, by the Council of the Village of Martin's Additions that:

1. The Village of Martin's Additions hereby adopts the attached Reasonable Accommodation Policy and Regulations (No. 2019-09-5); and
2. This resolution is effective as of the ____ day of _____, 2019.

I, Susan Fattig, Secretary of the Village Council, hereby certify that the foregoing Resolution was adopted by the Council at its open meeting on the ____ day of _____, 2019.

Susan Fattig, Secretary



Village of Martin's Additions
7013 B Brookville Road
Chevy Chase, MD 20815
301-656-4112 (Phone)
301-656-0030 (Fax)

Policy No. 2019-09-5

Reasonable Accommodation Policy and Regulations

The Village of Martin's Additions may grant reasonable accommodations under the Americans with Disabilities Act (ADA) in the context of Village building regulations.

The ADA defines a "disability" as a physical or mental impairment that substantially limits one or more of the major life activities of an individual. Examples of major life activities include, but are not limited to, performing manual tasks, walking, seeing, breathing, and hearing. To determine if an applicant is "substantially limited" in a major life activity, the Village will consider the nature and severity of the symptoms alleged, the duration or expected duration of the impairment, and the permanent or long-term impact of the impairment.

If an applicant for reasonable accommodation is "disabled" under this test, the applicant is entitled to a reasonable accommodation if such accommodation is necessary to allow equal opportunity to use and enjoy their residence. "Reasonableness" requires an examination of whether a request is the minimum reasonably necessary. Also, a request is not reasonable if it would fundamentally undermine the overall zoning scheme or impose undue administrative burden or expense on the Village.

In summary, to grant reasonable accommodation, the Council must make the following findings:

- (1) The applicant is "disabled," *i.e.*, has a physical or mental impairment that limits one or more major life activities;
- (2) The limitation is "substantial" considering its nature and severity, duration or expected duration, and permanency or long-term impact;
- (3) An accommodation is necessary to allow equal opportunity to use and enjoy the property; and
- (4) The requested accommodation is reasonable.

If a reasonable accommodation is granted, it generally will not run with the land. An accommodation can be conditioned upon the duration of the impairment or the applicant's residence at the subject property.

When a request for reasonable accommodation under the ADA is filed, the evaluation process will be the same as that for a variance. Staff will prepare a summary of the request for delivery to the Council and adjoining and confronting houses and will post notice of the request on the property. If no written

objection to the request is received within 20 days, the request may be approved administratively by the Chair and Village Manager. If a written objection to the administrative approval of the request is filed, the Village will schedule the request for a public hearing following the same procedures for a variance (posting of the property and notices delivered to adjoining and confronting houses at least 20 days prior to the hearing).

In all cases, a Village Building Permit will not be issued until a written decision approving the request for reasonable accommodation is approved.

Policy Number: 2019-09-5

Introduced: October 17, 2019

Public Hearing: November 21, 2019

Action/Adoption:

Effective Date:

Ordinance No.: 2019-09-2
Introduced: September 19, 2019
Adopted:
Effective Date:

THE VILLAGE OF MARTIN'S ADDITIONS

SUBJECT: AN ORDINANCE TO AMEND THE CODE OF ORDINANCES TO
REGULATE THE INSPECTION OF PRIVATE TREES AND REMOVAL
OF PRIVATE TREES THAT FALL INTO THE PUBLIC RIGHTS-OF-
WAY

WHEREAS, Local Government Article, Section 5-202 of the Maryland Code grants to the legislative body of every incorporated municipality in Maryland, including the Village of Martin's Additions, general power to pass such ordinances not contrary to the Constitution of Maryland, or public general law, as they may deem necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, the Maryland General Assembly has found and declared that forests and trees are an important and necessary part of the urban and community environment and that the retention, enhancement, and management of these forests and trees by local governments is in the best interest of the citizens of this State, and Maryland Code, Natural Resources Article, Section 5-427(a), as amended, provides that, in promotion of this policy interest, the governing body of a municipal corporation, by appropriate resolution or ordinance, may implement a local urban and community forestry program within its jurisdiction;

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, after proper notice to the public, the Village Council introduced the following Ordinance in an open meeting conducted on the 19th day of September, 2019, and considered this Ordinance in an open meeting conducted on the 17th day of October, 2019 and the 21st day of November, 2019;

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 _____, 2019, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Charter of the Village of Martin's Additions, that the Village Code is hereby amended as follows:

* * *

Section 9-110. Maintenance of Trees on Private Property Near Public Right of Way

- (a) All trees and shrubs located on private property in the Village shall be maintained in a condition so as not to interfere with:
 - (1) the proper spread of light along a street from a streetlight;
 - (2) the visibility of any traffic-control sign, device, or signal; or
 - (3) the required clearance over public sidewalks (8 feet) or streets (12 feet).
- (b) All trees and shrubs located on private property in the Village shall be maintained in a condition so as not to constitute a hazard to persons or property on public right of way or to harbor pests or diseases that constitute a threat to other trees within the Village.
- (c) The owners of property on which is located any tree or shrub that has been determined by the Tree Supervisor to be not in compliance with the provisions of subsections (a) or (b) above shall be notified of that determination in writing by hand delivery or certified mail and shall treat, trim, or remove and destroy the tree or shrub or portion thereof with such period as the Tree Supervisor may specify. The time specified for compliance shall be at least thirty (30) days unless a shorter period is indicated in the judgment of the Tree Supervisor.
- (d) An owner may appeal any determination by the Tree Supervisor to the Village Council. The appeal shall be made in writing and delivered to the Village Manager within ten (10) days of receipt of the notice [described in (c) above] or within the time specified for compliance, whichever is shorter. The nature and grounds for the appeal shall be specified, and any materials or information relied upon in support of the appeal shall be submitted with the appeal.
- (e) The Village Council shall consider the appeal at a public meeting at which any interested party may appear and participate. Written notice of the meeting shall be delivered or sent by certified mail to any owner who appealed at least five (5) days before the meeting. The Council may affirm, withdraw, or modify the notice and shall advise the appellants in writing of its decisions. If the notice is upheld in whole or in part, the Council shall specify a date for compliance.
- (f) If the owner fails to comply with a notice from the Tree Supervisor within the time specified, the Village may perform any work directed in the notice and shall bill the reasonable costs thereof to said owner. The Village may recover any expenses related to the performance of such work from the owner through any means available under law, **including, but not limited to, as a lien on the property tax bill.**

- (g) If the condition poses a clear hazard to persons or property and therefore requires more immediate corrective action, the Council may shorten any of the periods specified above and provide notice as soon as is practical under the circumstances.
- (h) The owners of property on which is located any tree or shrub near a public right-of-way shall periodically inspect the health of such vegetation. In the event a tree or shrub, or branch thereof, shall fall into a public right-of-way, the Village shall remove the fallen vegetation that obstructs the right-of-way. The owner shall be responsible for removing that portion of the tree or shrub, or branches thereof, which fall onto the owner's private property. The Village and the owner may reach an agreement as to the cost-sharing for the removal. If no agreement is reached, the Village shall remove only that portion of the vegetation that has fallen into the right-of-way.

* * *

AND BE IT FURTHER ORDAINED AND ORDERED, by the Village Council, acting under and by virtue of the authority granted to it by the Maryland Code, and the Charter of the Village of the Village of Martin's Additions, that:

- (1) If any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof; and
- (2) This Ordinance shall take effect on the ____st day of _____, 2019 (at least 20 days after adoption).

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

Susan Fattig, Secretary

Tiffany Cissna, Vice Chair
Village Council

Underline indicates new material

~~Strikethrough~~ indicates material deleted

* * * indicates material unchanged

Resolution No. 2019-09-4
Introduced: September 19, 2019
Adopted:
Effective:

**RESOLUTION OF
THE VILLAGE OF MARTIN'S ADDITIONS**

SUBJECT: RESOLUTION TO ADOPT POLICY AND REGULATIONS
FOR REASONABLE ACCOMMODATION PROCESSING

WHEREAS, by Ordinance No. 2019-9-3, adopted on ____ day of _____, 2019, the Village Council amended the Village building regulations to govern reasonable accommodation requests; and

WHEREAS, after proper notice to the public, the Village Council introduced this Resolution in an open meeting conducted on the 19th day of September, 2019; and considered this Resolution in an open meeting conducted on the 17th day of October, 2019 and the 21st day of November, 2019;

WHEREAS, the Village Council finds that, in accordance with the Village Code, the adoption of the attached policy and regulations would assist in assuring the good government of the Village; protect and preserve the Village's rights, property and privileges; and protect the general welfare of the Village.

NOW, THEREFORE, BE IT RESOLVED this ____ day of _____, 2019, by the Council of the Village of Martin's Additions that:

1. The Village of Martin's Additions hereby adopts the attached Reasonable Accommodation Policy and Regulations (No. 2019-09-5); and
2. This resolution is effective as of the ____ day of _____, 2019.

I, Susan Fattig, Secretary of the Village Council, hereby certify that the foregoing Resolution was adopted by the Council at its open meeting on the ____ day of _____, 2019.

Susan Fattig, Secretary



Constant Contact Survey Results

Survey Name: VMA Annual Survey 2019

Response Status: Partial & Completed

Filter: None

10/17/2019 5:12 PM EDT

TextBlock:

The Village Council is seeking resident input on Village services and operations. We plan to use the resident feedback to inform the 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 resident. The survey will be open from Friday, October 4, 2019, at 5 PM until Wednesday, October 16, 2019, at 11:59 PM. Survey results will be shared in the October Council meeting and subsequent newsletter.

Overall, how satisfied are you with the Village operations?

| Answer | 0% | 100% | Number of Response(s) | Response Ratio |
|------------------------------------|----|--------|-----------------------|----------------|
| Extremely satisfied | | | 12 | 30.7 % |
| Somewhat satisfied | | | 17 | 43.5 % |
| Neither satisfied nor dissatisfied | | | 3 | 7.6 % |
| Somewhat dissatisfied | | | 2 | 5.1 % |
| Extremely dissatisfied | | | 0 | 0.0 % |
| No Responses | | | 0 | 0.0 % |
| No Response(s) | | | 5 | 12.8 % |
| | | Totals | 39 | 100% |

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

8 Response(s)

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

| Answer | 0% | 100% | Number of Response(s) | Response Ratio |
|---------------------------|----|--------|-----------------------|----------------|
| Within the same day | | | 14 | 35.8 % |
| Within 3 business days | | | 5 | 12.8 % |
| Within one week | | | 2 | 5.1 % |
| Never received a response | | | 1 | 2.5 % |
| N/A | | | 10 | 25.6 % |
| No Responses | | | 0 | 0.0 % |
| No Response(s) | | | 7 | 17.9 % |
| | | Totals | 39 | 100% |








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

| Answer | 0% | 100% | Number of Response(s) | Response Ratio |
|---------------------------|----|--------|-----------------------|----------------|
| Within the same day | | | 5 | 12.8 % |
| Within 3 business days | | | 5 | 12.8 % |
| Within one week | | | 1 | 2.5 % |
| Never received a response | | | 1 | 2.5 % |
| N/A | | | 21 | 53.8 % |
| No Responses | | | 0 | 0.0 % |
| No Response(s) | | | 6 | 15.3 % |
| | | Totals | 39 | 100% |

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.

23 Response(s)

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

| Answer | 0% | 100% | Number of Response(s) | Response Ratio |
|----------------------------|---|------|-----------------------|----------------|
| Strongly agree |  | | 3 | 7.6 % |
| Agree |  | | 13 | 33.3 % |
| Neither agree nor disagree |  | | 8 | 20.5 % |
| Disagree |  | | 3 | 7.6 % |
| Strongly disagree |  | | 1 | 2.5 % |
| No Responses |  | | 3 | 7.6 % |
| No Response(s) |  | | 8 | 20.5 % |
| Totals | | | 39 | 100% |





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

3 Response(s)


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.

4 Response(s)









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.

| Answer | 0% | 100% | Number of Response(s) | Response Ratio |
|----------------|---|------|-----------------------|----------------|
| Yes |  | | 25 | 64.1 % |
| No |  | | 2 | 5.1 % |
| No Responses |  | | 3 | 7.6 % |
| No Response(s) |  | | 9 | 23.0 % |
| Totals | | | 39 | 100% |

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

| Was getting information and the process of voting easy in the 2016 election? | | | Number of Response(s) | Response Ratio |
|--|--|------|-----------------------|----------------|
| Answer | 0% | 100% | | |
| Yes |  | | 28 | 100.0 % |
| No | | | 0 | 0.0 % |
| Totals | | | 28 | 100% |

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

| In which Village events have you participated in the past year (select all that apply)? | | | Number of Response(s) | Response Ratio |
|---|---|------|-----------------------|----------------|
| Answer | 0% | 100% | | |
| Monthly Council meeting |  | | 9 | 29.0 % |
| Halloween |  | | 11 | 35.4 % |
| Independence Day/4th of July |  | | 5 | 16.1 % |
| Adult Spring Fling |  | | 7 | 22.5 % |
| Celebration on the Sidewalk/Election |  | | 14 | 45.1 % |
| Movie Night in the Park |  | | 3 | 9.6 % |
| I have not participated in any Village events |  | | 9 | 29.0 % |
| Other |  | | 1 | 3.2 % |
| Totals | | | 31 | 100% |

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

3 Response(s)













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.

2 Response(s)

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.

9 Response(s)

*Please select your street below.

| Answer | 0% | 100% | Number of Response(s) | Response Ratio |
|----------------|---|------|--------------------------|-------------------|
| Bradley Ln |  | | 3 | 7.6 % |
| Brookville Rd |  | | 1 | 2.5 % |
| Chestnut St |  | | 2 | 5.1 % |
| Cummings Ln |  | | 2 | 5.1 % |
| Delfield St |  | | 1 | 2.5 % |
| Melville Pl | | | 0 | 0.0 % |
| Oxford St | | | 0 | 0.0 % |
| Quincy St |  | | 6 | 15.3 % |
| Raymond St |  | | 3 | 7.6 % |
| Shepherd St |  | | 2 | 5.1 % |
| Summit Ave |  | | 3 | 7.6 % |
| Taylor St | | | 0 | 0.0 % |
| Turner Ln |  | | 5 | 12.8 % |
| Thornapple St |  | | 3 | 7.6 % |
| No Responses | | | 0 | 0.0 % |
| No Response(s) |  | | 8 | 20.5 % |
| Totals | | | 39 | 100% |

**Village of Martin's Additions
Financial Report for September 2019
Arthur Alexander, Treasurer
October 17, 2019**

July 2019 through September 2019

| | <u>Actual</u> | <u>Budgeted</u> |
|---|---------------|-----------------|
| Revenues | \$ 8,101 | 53,233 |
| Expenses (excluding capital projects) | 165,187 | 182,897 |
| Net Income (revenues minus expenses) | -157,086 | -129,664 |
| Capital investment expenses | \$ 0 | |
| Investment reserves (less expenditures) | 1,500,000 | |
| Emergency reserves | 1,000,000 | |

Current assets less designated reserves \$ 211,460

The 2019 fiscal year that ended June 30 does not seem to go away. We now have the final, audited accounts with all bills and invoices included. Several end-of-year figures showed spending that was more than had been budgeted. The Village's ordinances state: "No expenditure may be made unless funds therefore have been properly appropriated." It has been customary to revise the appropriations at year's end to reflect actual experience and to cover the additional appropriations by transferring funds from surplus accounts, which added up to more than \$112,000.

To that end, the following items require increased appropriations with budget resolutions:

- 5050 · Dues & Subscriptions/Conference: \$150
Transfer from: 5025 · Office Furniture & Equipment (surplus of \$14,801)
- 5080 · Holiday Fund: \$900
Transfer from: 5025 · Office Furniture & Equipment (surplus of \$14,801)
- 5110 · Managerial & Office Salaries: \$2,300
Transfer from: 5025 · Office Furniture & Equipment (surplus of \$14,801)
- 5240 · Police: \$500
Transfer from: 5025 · Office Furniture & Equipment (surplus of \$14,801)
- 5351 · Snow Removal – Plowing: \$7,000
Transfer from: 5025 · Office Furniture & Equipment (surplus of \$14,801)
- 5425 · Recycling Bins: \$150
Transfer from: 5025 · Office Furniture & Equipment (surplus of \$14,801)
- 5515 · Tree Replacement: \$5,600
Transfer from: 5310 · Street Lighting – PEPCO (surplus of \$14,183)
- 5520 · Community Events: \$5,500
Transfer from: 5310 · Street Lighting – PEPCO (surplus of \$14,183)
- 5530 · Website: \$125
Transfer from: 5310 · Street Lighting – PEPCO (surplus of \$14,183)

**Village of Martin's Additions
Treasurer's Report
September 2019**

| | Sep 19 | Budget | Jul - Sep 19 | YTD Budget | Annual Budget |
|--|------------------|-----------------|------------------|---------------------|---------------------|
| Income | | | | | |
| 4000 · Revenue | | | | | |
| 4010 · Permit Fees | 547.00 | 1,250.00 | 1,457.00 | 3,750.00 | 15,000.00 |
| 4020 · Cable TV Franchise Fees | 0.00 | 0.00 | 0.00 | 0.00 | 8,000.00 |
| 4040 · County Revenue Sharing | 0.00 | 0.00 | 0.00 | 26,800.00 | 26,800.00 |
| 4050 · Highway Users Fees | 0.00 | 2,500.00 | 0.00 | 7,500.00 | 30,000.00 |
| 4060 · Income Tax | 0.00 | 0.00 | 0.00 | 0.00 | 650,000.00 |
| 4080 · Personal Property Tax | 0.00 | 75.00 | 0.00 | 85.00 | 4,500.00 |
| 4090 · Real Property Tax | 326.73 | 425.00 | 1,239.19 | 2,600.00 | 15,000.00 |
| 4095 · Utility Property Tax | 0.00 | 0.00 | 0.00 | 0.00 | 15,000.00 |
| 4100 · Holiday Fund | 0.00 | 0.00 | 0.00 | 0.00 | 8,000.00 |
| 4110 · Interest | 163.47 | 4,166.00 | 5,404.42 | 12,498.00 | 50,000.00 |
| 4136 · WSSC - Street Work | 0.00 | 0.00 | 0.00 | 0.00 | 30,000.00 |
| Total 4000 · Revenue | 1,037.20 | 8,416.00 | 8,100.61 | 53,233.00 | 852,300.00 |
| 4200 · Prior Years Surplus | 0.00 | 0.00 | 0.00 | 2,869,337.00 | 2,869,337.00 |
| Total Income | 1,037.20 | 8,416.00 | 8,100.61 | 2,922,570.00 | 3,721,637.00 |
| Expense | | | | | |
| 5000 · General Government | | | | | |
| 5010 · Office Expenses | 1,616.68 | 1,450.00 | 3,756.65 | 4,350.00 | 17,500.00 |
| 5025 · Office Furniture & Equipment | 4,425.00 | 0.00 | 4,550.00 | 0.00 | 10,000.00 |
| 5030 · Insurance | 524.00 | 600.00 | 5,486.00 | 6,800.00 | 8,000.00 |
| 5040 · Printing & Mailing | 20.70 | 0.00 | 43.70 | 1,000.00 | 5,000.00 |
| 5050 · Dues & Subscriptions/Conference | 100.00 | 500.00 | 4,318.24 | 4,600.00 | 10,000.00 |
| 5055 · Storage Rental | 356.00 | 333.00 | 672.00 | 999.00 | 4,000.00 |
| 5060 · Office Lease | 4,381.34 | 2,191.00 | 11,557.24 | 12,281.00 | 32,000.00 |
| 5065 · Telephone | 293.99 | 333.00 | 587.98 | 999.00 | 4,000.00 |
| 5080 · Holiday Fund | 0.00 | 0.00 | 0.00 | 0.00 | 8,000.00 |
| Total 5000 · General Government | 11,717.71 | 5,407.00 | 30,971.81 | 31,029.00 | 98,500.00 |

**Village of Martin's Additions
Treasurer's Report
September 2019**

| | Sep 19 | Budget | Jul - Sep 19 | YTD Budget | Annual Budget |
|---------------------------------------|-----------|-----------|--------------|------------|---------------|
| 5100 - Salaries & Benefits | | | | | |
| 5110 - Managerial & Office Salaries | 11,289.77 | 11,250.00 | 33,037.45 | 33,750.00 | 135,000.00 |
| 5120 - Payroll Taxes & Benefits | 415.93 | 2,083.00 | 2,091.30 | 6,249.00 | 25,000.00 |
| Total 5100 - Salaries & Benefits | 11,705.70 | 13,333.00 | 35,128.75 | 39,999.00 | 160,000.00 |
| 5200 - Professional Fees | | | | | |
| 5210 - Accounting & Auditing | 2,700.00 | 2,700.00 | 8,100.00 | 8,100.00 | 39,000.00 |
| 5220 - Building & Permitting | | | | | |
| 5222 - Building Review & Permits | 6,400.00 | 3,750.00 | 12,250.00 | 11,250.00 | 45,000.00 |
| 5224 - Enforcement & Oversight | 0.00 | 1,500.00 | 0.00 | 4,500.00 | 18,000.00 |
| 5226 - Municipal Operations | 0.00 | 1,500.00 | 0.00 | 4,500.00 | 18,000.00 |
| Total 5220 - Building & Permitting | 6,400.00 | 6,750.00 | 12,250.00 | 20,250.00 | 81,000.00 |
| 5230 - Legal | 4,529.60 | 3,333.00 | 9,685.00 | 9,999.00 | 40,000.00 |
| 5240 - Police | 2,583.60 | 4,166.00 | 10,342.20 | 12,498.00 | 50,000.00 |
| 5244 - Traffic Engineering | 864.00 | 833.00 | 1,912.00 | 2,499.00 | 10,000.00 |
| 5246 - Records Retention & Disposal | 0.00 | 0.00 | 0.00 | 0.00 | 1,500.00 |
| 5247 - GIS Update | 800.00 | 5,000.00 | 800.00 | 5,000.00 | 10,000.00 |
| Total 5200 - Professional Fees | 17,877.20 | 22,782.00 | 43,089.20 | 58,346.00 | 231,500.00 |
| 5300 - Streets | | | | | |
| 5305 - Streets - General | | | | | |
| 5310 - Street Lighting - PEPCO | 184.72 | 416.00 | 362.41 | 1,248.00 | 5,000.00 |
| 5322 - Street Cleaning - Fall/Spring | 0.00 | 0.00 | 0.00 | 0.00 | 15,000.00 |
| 5324 - Street Maintenance - Other | 936.02 | 625.00 | 2,006.38 | 1,875.00 | 7,500.00 |
| 5326 - Leaf Vacuuming | 0.00 | 0.00 | 0.00 | 0.00 | 20,000.00 |
| Total 5305 - Streets - General | 1,120.74 | 1,041.00 | 2,368.79 | 3,123.00 | 47,500.00 |
| 5349 - Snow Removal Services | | | | | |
| 5350 - Snow Removal - Shovel Bvl. Rd. | 0.00 | 0.00 | 0.00 | 0.00 | 5,000.00 |
| 5351 - Snow Removal - Plowing | 0.00 | 0.00 | 0.00 | 0.00 | 25,000.00 |
| Total 5349 - Snow Removal Services | 0.00 | 0.00 | 0.00 | 0.00 | 30,000.00 |
| Total 5300 - Streets | 1,120.74 | 1,041.00 | 2,368.79 | 3,123.00 | 77,500.00 |

**Village of Martin's Additions
Treasurer's Report
September 2019**

| | Sep 19 | Budget | Jul - Sep 19 | YTD Budget | Annual Budget |
|---|-------------------|-------------------|--------------------|---------------------|---------------------|
| 5400 · Waste & Recycling | | | | | |
| 5410 · Waste Collection & Recycling | 10,581.35 | 12,800.00 | 41,771.60 | 38,400.00 | 153,600.00 |
| 5420 · Leaf Bags | 0.00 | 0.00 | 0.00 | 0.00 | 15,000.00 |
| 5425 · Recycling Bins | 0.00 | 500.00 | 0.00 | 500.00 | 1,000.00 |
| Total 5400 · Waste & Recycling | 10,581.35 | 13,300.00 | 41,771.60 | 38,900.00 | 169,600.00 |
| 5500 · Other | | | | | |
| 5510 · Tree Maintenance | 3,024.00 | 2,500.00 | 6,854.00 | 7,500.00 | 30,000.00 |
| 5515 · Tree Replacement | 0.00 | 0.00 | 0.00 | 0.00 | 15,000.00 |
| 5518 · Right-of-Way Landscaping | 586.00 | 0.00 | 1,758.00 | 2,500.00 | 10,000.00 |
| 5520 · Community Events | 1,897.99 | 1,000.00 | 3,244.61 | 1,000.00 | 35,000.00 |
| 5530 · Website | 0.00 | 0.00 | 0.00 | 0.00 | 4,250.00 |
| Total 5500 · Other | 5,507.99 | 3,500.00 | 11,856.61 | 11,000.00 | 94,250.00 |
| 5600 · Initiatives | | | | | |
| 5630 · Tree Planting Initiatives Prog. | 0.00 | 500.00 | 0.00 | 500.00 | 2,000.00 |
| Total 5600 · Initiatives | 0.00 | 500.00 | 0.00 | 500.00 | 2,000.00 |
| 5800 · Designated Funds | | | | | |
| 5805 · Designated - Walkability | 0.00 | 0.00 | 0.00 | 500,000.00 | 500,000.00 |
| 5810 · Designated - Street | 0.00 | 0.00 | 0.00 | 500,000.00 | 500,000.00 |
| 5814 · Designated - Capital Projects | 0.00 | 0.00 | 0.00 | 500,000.00 | 500,000.00 |
| 5820 · Designated - Audit Rec. Reserve | 0.00 | 0.00 | 0.00 | 1,000,000.00 | 1,000,000.00 |
| Total 5800 · Designated Funds | 0.00 | 0.00 | 0.00 | 2,500,000.00 | 2,500,000.00 |
| 5900 · Undesignated Fund Balance | | | | | |
| | 0.00 | 0.00 | 0.00 | 388,287.00 | 388,287.00 |
| Total Expense | 58,510.69 | 59,863.00 | 165,186.76 | 3,071,184.00 | 3,721,637.00 |
| Net Income | -57,473.49 | -51,447.00 | -157,086.15 | -148,614.00 | 0.00 |



Thursday, October 17, 2019
Manager's Report
Submitted by James D. Gaston, III

Administration:

- Village of Martin's Additions 2019 Annual Survey is complete
 - The deadline was Wednesday, October 16, 2019, at 5 PM for paper & 5 PM for online submissions
- Village of Martin's Additions 2019 Council Vacancy Notice has been posted sent via USPS and email
- Attended Montgomery County Municipalities Disaster Debris Management Plan meeting
 - October 2, 2019, in Gaithersburg, MD
 - VMA will have to sign an MOU to take advantage of this program
 - MOU is being finalized by Montgomery County along with all other City/Village/Town municipalities
 - The deadline is Friday, October 18, 2019, for comments
- Attended MML Fall conference, Cambridge, MD, Oct 13-15, 2019

Contracts:

- Reviewing all of VMA's current contracts for accuracy and current status
 - VMA Snow Plowing Services RFP is active and online
 - *Deadline is Friday, October 18, 2019, at 5 PM*
 - GIS: VMA GIS system is being updated & vendor is in review
 - Walkability Study: Chris Jakubiak has begun is the review of VMA
 - A Walkability committee needs to be appointed by the VMA Council
- VMA Archiving: VMA is following the storage procedures outlined by the Maryland Archives Office at the external storage with the recently delivered State of Maryland Retention and Disposal Schedule archive boxes
 - AVM, Tina Lurie, under the direction of the Maryland Archives Office is now completing the final step to review the last 3 cabinets
 - This project is 85% completed & it should be finished by the end of November or sooner
- VMA Village Office
 - The office will be closed on Veterans Day, Monday, November 11, 2019
- Brookville Commercial District Burglaries
 - ADT has installed cameras and a siren around the VMA commercial district
- VMA Community Garden
 - Phase three (3), if approved, is a total reconfiguration of the garden to the original plan with a new gravel walkway.
 - Seeking vendors for draft designs
 - VMA has available funding to pay for Phase 3 but needs to finalize a maximum amount to spend on this project
- Dark Spots/Street Lamps
 - VMA has old-style street lights at 7210 Chestnut Street & 3 other locations
 - There are other areas of VMA that could use the installation of new street lamps
 - An additional walking tour is scheduled for before & after the foliage falls for a Dark Spot analysis
 - Each new street lamp is \$2,800
 - The installation is \$800
 - A grand total of \$3,600 for each



Thursday, October 17, 2019

Manager's Report

Submitted by James D. Gaston, III

- Chevy Chase Park/Jim Johnson Field – Currently being addressed & should be done by October 2019
 - Addressing some erosion & drainage issues
 - Basketball court improvements, including resurfacing courts (new fence)
 - Replacing some fencing around the playground
 - Painting the playground equipment (starting in September)
- VMA Traffic Control Joe Curto has been tasked to complete the following
 - Install two (2) NPAT on new 10' posts, 7311/7313 Summit Avenue opp. Thornapple Street. Remove obsolete 'Children Playing' and post.
 - Install two (2) NSS or NPAT on new 10' posts, 3508 Cummings Lane (at fire hydrant)
 - Install two 18" end-of-road markers at the dead-end of Quincy Street. Add one 18" end-of-road marker at the dead-end of Bradley Lane.
 - Remove Stop Ahead warning sign and post on eastbound Quincy Street approaching Oxford
 - Analyzing possible Tree City USA signs at designated locations in VMA
- Fire Hydrant Markers
 - The installation of all 27 hydrant/utility markers is complete
 - The old yellow signs will be removed by the end of October
- Dead Ends
 - The fences/barriers for the dead-ends, Bradley, Raymond have been painted
 - Raymond Street dead end
 - Vendors are being sought for pricing
- Community Events
 - Halloween Parade & Celebration has been scheduled for October 31, 2019, 5:30 PM – 7 PM at Chevy Chase Park/Jim Johnson Field
- Utilities:
 - PEPCO-is compiling a list of double pole issues within our service territory, which includes but Montgomery County. PEPCO they will be removed within 60-90 days
 - Washington Gas Nothing to report
 - WSSC Nothing to report
- Building Administration:
 - Please see the report from Doug Lohmeyer, attached
- Municipal Operations:
 - Please see the report from Wayne C Fowler, attached
- Building Permit Log - See Attached

TO: The Council at the Village of Martin's Additions
FROM: Wayne C. Fowler, Blue Crab Contracting, LLC
DATE OF MEMO: October 11, 2019
SUBJECT: Municipal Operations Report

3520 Bradley Lane

Finishing touches in progress.

7204 Chestnut Street

Exterior masonry in progress.

7210 Chestnut Street

House construction nearly complete. Permit is set to expire Friday, October 11, 2019

7211 Chestnut Street

Project appears complete. Landscaping in progress.

3521 Cummings Lane

Interior finish work in progress.

3508 Shepherd Street

Rear deck framing in progress.

3412 Taylor Street

Interior work continues.

3407 Thornapple Street

Exterior and interior progress continues.

Priority/Major Projects

1. Removal of out dated and damaged signs plus installation of new and missing signs is scheduled to be completed by the end of the month.
2. Meet with staff about updating GIS System for RFP.
3. Update map of hydrants in the Village. Installation of hydrant markers is complete.
4. Monitor status of reported double power pole in the Village.
 - a. 7315 Delfield St
5. In field consultation with landscaping company during Community Garden-Phase 2.
6. Painted barricades/fences at the end of Quincy Street and Bradley Lane. Painted the metal edge of the storm drain inlets at the end of Bradley Lane.
7. Relocate office bookcases and file cabinets to make space for Village map display.

Routine Projects

1. Dogi Pot Dispensers refilled on weekly basis in
 - a. 3500 block of Thornapple St and
 - b. on Taylor St at Market parking lot entrance.
2. Put out Office recycling for regular weekly pick up.
3. Regular posting of No Parking signs, i.e.: Moving in and out, Large equipment, Tree work, etc.
 - a. at 163 Quincy St
 - b. at 3523 Bradley Ln
4. Transporting to and from storage as requested and needed. i.e.: Equipment, supplies, rolled plans, files, archive boxes, etc.
5. Maintain and update a list of telecom cable and wire to be reported to MC311 for removal.
 - a. 3506 Raymond St
6. Maintain and update a list of houses for sale and under construction in the Village.
 - a. 11 houses
7. Document and alert Village Office to ROW tree situations requiring Village Arborist's attention.
8. Maintain and update a list of reported utility patches.
 - a. 3501 Shepherd St, WGL
 - b. 3523 Bradley Ln, WSSC
 - c. 3407 Thornapple St, WSSC
9. Maintain and update Municipal Operations Report.
10. Maintain and update storage inventory spreadsheet.
11. Identify missing and damaged signage in ROW and submit list to Office.

| VMA Building Permit Log | | | | DATE OF REPORT 10/11/19 | | | | | | | | | | | | | |
|-------------------------|-------------|-------------|---------|-------------------------|----------------------------|--------------|----------------------------|------------------------------|-------------------------------|----------------|------|----------|--------|----------|------|------|------------------------|
| # | PERMIT NO. | PERMIT EXP. | ADDRESS | STREET NAME | APPLICANT | PHONE NO. | EMAIL | DESCRIPTION OF WORK | CONTRACTOR | PHONE | DEMO | DUMPSTER | TOILET | CURB CUT | HVAC | S.C. | VILLAGE OFFICE COMMENT |
| 1 | 18-10-28-A | 11/22/2019 | 3520 | Bradley Ln | Suzanne Wright | 301-691-6018 | qualewright@gmail.com | Single story rear addition | CDL Repair/Rebuild Remodel | (443) 487-2619 | Y | Y | Y | N | Y | N | |
| 2 | 19-04-08-A | 04/03/2020 | 7204 | Chestnut St | Kimberly & Chris Stead | 202-692-0834 | stead@gmail.com | Additions front, rear & side | Jason Evans, Acadia | (301) 801-0777 | N | N | N | N | N | N | |
| 3 | 18-10-11-NC | 10/11/2018 | 7210 | Chestnut St | Robert Slagter | 240-481-1419 | slagter10@outlook.com | Demo new house | Beluga Builders | (443) 848-7414 | Y | Y | Y | N | Y | Y | |
| 4 | 19-2-15-PP | 8/15/2018 | 7211 | Chestnut Street | Elliott Antoine | 617-512-0975 | elliott.antoine@gmail.com | Portable toilet | Ascend Construction | (301) 525-5872 | N | Y | Y | N | N | N | |
| 5 | 19-03-25-A2 | 04/08/2020 | 3521 | Cummins Ln | John Nunez | 240-882-3089 | bnunez@comcast.net | Additions to ex house | Bethesda Chevy Chase Builders | (240) 882-3089 | Y | Y | Y | N | Y | N | |
| 6 | 19-07-05-AD | 7/2/2020 | 123 | Quincy St | Andra Pettersen | 301-442-9824 | andrapettersen@verizon.net | Rear addition | Hyle Erectations | (240) 779-3697 | Y | N | N | N | Y | N | |
| 7 | 18-11-08-Ad | 9/23/2018 | 3508 | Shepherd St | Carmie Wahl | 917-895-0648 | camwahl@aol.com | Additions to ex house | Llaveras Services | (917) 885-0648 | N | Y | Y | Y | N | N | |
| 8 | 19-02-01-UP | 2/4/2020 | 3412 | Taylor St | Monica & John Darvish | N/P | N/P | New house | Park Bradley Homes | (703) 485-7493 | Y | Y | Y | Y | Y | Y | |
| 9 | 19-05-28-NC | 5/20/2020 | 3407 | Thornapple St | 3407 Thornapple Street LLC | 301-675-1582 | dejanbuljak@gmail.com | New house | Dejan Buljak | (301) 675-1582 | N | Y | Y | Y | Y | Y | |