



## VILLAGE OF MARTIN'S ADDITIONS

7013 Brookville Road (Second Floor, Suite B)

Chevy Chase, MD 20815-3263

Phone (301) 656-4112

[www.martinsadditions.org](http://www.martinsadditions.org)

### **Agenda for Council Meeting Thursday, June 17, 2021, 7:30 PM**

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

7:30 PM Call to Order: Fattig

7:31 PM Opportunity for Council to Hear Residents' Comments: Fattig

7:41 PM Update from VMA Contract Police Officers

7:51 PM Committee Updates: Fattig

8:11 PM Building Administrator's Report: Lohmeyer **(Pages 3-5)**

8:17 PM Public hearing and Possible Adoption of Ordinance (2021-3-1) to "To adopt an urban forest program" **(Pages 6-14)**

8:31 PM Public hearing and Possible Adoption of Ordinance (2021-4-1) to amend the code of ordinances to clarify the front-loading garage restrictions **(Pages 15-17)**

8:46 PM Financial Matters, including Treasurer's Report: Alexander **(Page 18)**

8:51 PM Manager's Report: Anderegg **(Page 19)**

8:56 PM Opportunity for Council to Hear Residents' Comments: Fattig

9:01 PM Adjournment: Fattig

\*Please note: Listed times are approximate.



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### Virtual Meeting Information

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

#### 1. Dial-In Option

Call: 1 301 715 8592

When prompted, enter the Meeting ID: **883 3117 5094#** (you must enter the "#")

Passcode: **525784**

#### 2. Web/Video Option:

a. Go to the Zoom meeting

link: <https://us02web.zoom.us/j/88331175094?pwd=OFNvZkFzbnA4c0ovdWI4KzA1Q2JjUT09>

b. It will take you to Zoom to download, which is free. Then the meeting will launch. You can view the meeting or just listen in and talk when prompted.

Meeting ID: **883 3117 5094**

Passcode: **525784**

Topic: VMA Council Meeting

Time: June 17, 2021 07:30 PM Eastern Time

TO: The Council at the Village of Martin's Additions  
FROM: Doug Lohmeyer  
DATE OF MEMO: June 14, 2021  
SUBJECT: Building Administrator's Report

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**3506 Bradley Lane.**

Demolition and building permit applications were submitted to the Village office. The staff has initially reviewed the information. Waiting for MCDPS approval. The resident's information meeting was held on Wed. June 17th. The County has not issued their building permit and the project is on hold.

**6609 Brookville Rd.**

The applicants have submitted an application to remove the existing porch and add an addition to the existing house. The County issued their building permit on Nov. 18<sup>th</sup>. The Village building permit was issued on Dec. 7<sup>th</sup>. Work has begun on the addition.

**7200 Chestnut**

The applicants applied for a Village building permit to construct an addition to the west side of the existing house. The County issued their building permit on Sept. 3<sup>rd</sup>. The Village building permit was issued on Oct. 9, 2020. The construction is ongoing.

**7200 Delfield St.**

The property owners have applied for a Village demolition and building permit for a new house. The County issued their building permit on Oct. 23<sup>rd</sup>. The Village issued the demo and dumpster permits on Dec. 14<sup>th</sup> and the building permit on Jan. 4, 2021. The old house has been removed and the new house is under construction.

**7220 Delfield St.**

The applicants have submitted an application to demolition the existing house and rebuild a new house. The plans have been revised and are waiting County approval. The Village information meeting was held on Dec. 14<sup>th</sup>. The County issued the building permit on April 20, 2021. The Village demo and building permits were issued on May 17, 2021. The existing house is still standing and no work is occurring yet.

**120 Quincy**

The homeowners have submitted concept plans for the Village's review. The plans propose to construct several additions to the existing house. They have not applied to MCDPS or a Village permit.

**159 Quincy St.**

The applicants have submitted an application to remove the existing rear deck and replace it with a new one. The County issued its building permit on April 9. The Village building permit was issued on April 27. Work has begun.

**3515 Raymond St.**

The applicant has submitted plans to remove the existing house and to construct a new house. MCDPS issued the building permit on Feb. 2<sup>nd</sup> and the Village issued their building permit on Feb. 9, 2021. The ex. house has been removed and the new house is under construction.

The applicants have submitted a variance application to build an office above the new back porch and steps on the left side of the new house. The variance hearing has not been scheduled.

**3514 Shepherd St.**

The homeowner has submitted an application to remove the ex. deck at the rear of the house and to build a new, larger deck in its place. The Village has issued a permit, but the work has not begun.

**7200 Summit Ave.**

On April 28, 2020, the homeowners submitted a Variance Application for the front and rear setbacks in order to construct a new porch and bay window at the front of the existing house and an addition on the north (right) side of the house. The Variance was approved by the Council on July 16, 2020. The applicants have not submitted to MCDPS or the Village. The Villagd variance will expire on July 16, 2021.

### **7203 Summit**

The homeowners have submitted plans for re-build the existing detached garage at the rear of the existing house. The plans were approved by MCDPS on Jan. 19<sup>th</sup> and the Village issued the building permit on Feb. 9, 2021. Work has begun on the garage.

### **Miscellaneous Items**

The staff is presently working with the following properties:

1. The MSHA has responded to the Village's letter regarding water ponding at the Village street intersections along Brookville Rd. The MSHA staff stated they are working with WSSC and MCDOT and will get back to us soon. The Village sent a letter to the State requesting an updated progress report on the outstanding pedestrian safety issues. Waiting a response from the State.

**The Village of Martin's Additions  
(Urban Forest Ordinance)**

Ordinance No.: 2021-3-1  
Introduced: March 18, 2021  
Adopted:  
Effective Date:

**ORDINANCE TO ADOPT AN URBAN FOREST PROGRAM**

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland general power to pass such ordinances not contrary to the Constitution of Maryland, or the public general law, as deemed 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 Natural Resources Article, Title 5, Subtitle 4, Part IV of the Maryland Code authorizes a municipal corporation to 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, trees are important natural resource and benefit the Village and its residents in many ways, including by filtering the air, capturing carbon dioxide, providing shade, buffering noise, harboring wildlife, controlling storm water runoff, and stabilizing soils, and the Village Council has determined that trees should be planted to help offset the impact of development activities; and

WHEREAS, after proper notice to the public, the Village Council introduced the following Ordinance in an open meeting conducted on the 18th day of March, 2021;

WHEREAS, after proper notice to the public, the Village Council considered this Ordinance in public session assembled on the \_\_\_\_ day of \_\_\_\_\_, 2021; and

WHEREAS, upon consideration of the testimony and evidence presented at the public hearing, 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 \_\_\_\_\_, 2021, 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:

\* \* \*

## CHAPTER 6 REGISTRATIONS AND PERMITS

\* \* \*

### ARTICLE 3. VILLAGE BUILDING PERMITS

\* \* \*

#### 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, **(ii) a statement as to whether a Montgomery County sediment control permit is necessary for the project and, if so, whether the applicant intends to plant an Environmental Impact tree or pay the association fee according to Chapter 9 of this Code,** and (iii) 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.

\* \* \*

## CHAPTER 9 URBAN FOREST; VILLAGE TREES

### Section 9-101. Definitions

For purposes of this Chapter:

**“Environmental Impact tree” mean a tree planted in accordance with the requirements of this Chapter, selected from a list of approved trees adopted by resolution of the Village Council, from time to time.**

“Village tree” means any tree, the center of whose trunk at ground level is located on public right of way and which was planted by or with the permission of the Village or for which the Village has assumed care and treatment.

### Section 9-102. Purpose

- (a) The tree canopy is an attractive, distinctive feature of the Village. Trees are part of a larger ecosystem and assist in the control of air, noise, and visual pollution. They moderate the climate and help conserve energy. **They filter air, capture carbon dioxide, provide shade, buffer noise, harbor wildlife, control storm water runoff, and stabilize soils.** They **help mitigate the impacts of the development of land and** play an important part in controlling water run-off and thus in maintaining the health of Rock Creek, the Potomac River, and the Chesapeake Bay. In addition to improving the quality of residents’ lives, trees positively affect the property values of the entire community. It is therefore in the interest of the Village, its residents, and its property owners to protect, preserve, and enhance the tree canopy.
- (b) The provisions of this Chapter are declared necessary for promoting and enhancing the beauty of the Village; **mitigating the impacts of development of private land by requiring the planting of Environmental Impact trees;** protecting Village trees from damage or destruction; regulating the planting, maintenance, and (when necessary) removal of Village trees; guarding against and eliminating any dangerous conditions caused by trees; and preventing damage to any public sewer main, street, sidewalk, or other public or private property.

### Section 9-103. Tree Supervisor and Tree Committee

- (a) The Village Council shall appoint as Tree Supervisor one of its members, the Village Manager or Assistant Manager, or a resident serving in a volunteer capacity. The Tree Supervisor shall serve until the end of the fiscal year in which he or she was appointed. In addition, the Village Council shall appoint a person from among those named immediately above to act temporarily in the absence or unavailability to the Tree Supervisor. The duties and responsibilities of the Tree Supervisor are, subject to the approval of the Village Council or its designee, to:
  - (1) direct, manage, supervise, and control the planting, maintenance, protection, and (when necessary) removal of Village trees.



- (2) obtain all necessary permits or authorizations from the Maryland Forest Service for the maintenance or removal of Village trees.
- (3) (Reserved).
- (4) inspect all Village Trees with a Licensed Tree Expert at least once a year to determine their health and needs.
- (5) order the treatment, pruning, or removal of any Village tree that is deemed to be injurious to sewers, gas or water lines, or other public utilities; is infected with disease or pests; interferes with the visibility of any traffic-control device or signal; interferes with the proper spread of light along the street from a public street light; or impedes pedestrian or vehicular traffic.
- (6) obtain an opinion from a second Licensed Tree Expert before removing a tree unless the tree meets the conditions noted in subsection (5) above or presents an immediate hazard to people or property. Any Licensed Tree Expert providing a second opinion shall not be hired to perform the removal.
- (7) consult with utility companies concerning scheduling of their pruning of Village trees.
- (8) implement any Village tree plan approved by the Village Council.
- (9) make recommendations from time to time to the Village Council regarding what species of trees should be included on the Village's list of approved Environmental Impact trees.**
- (10) monitor compliance with the provisions of this Chapter concerning the required planting of Environmental Impact trees.**

- (b) The Village Council may appoint a Tree Committee to advise the Council and the Tree Supervisor on matters pertaining to trees in the Village, to assist the Tree Supervisor with tree inspections, and to participate in consultations regarding Village trees.

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

**Section 9-103.1 Requirement to Plant Environmental Impact Trees; Village Tree Planting Fund**

- (a) **In connection with any development activity on private property in the Village for which a sediment control permit is required by the Montgomery County Code, as amended, the permittee or property owner must plant at least one (1) Environmental Impact tree on the property. The Environmental Impact tree must be at least two (2) inches in diameter at the**

**time of installation. The Environmental Impact tree must be selected from the Village's list of approved Environmental Impact trees and be installed within six (6) months from the date of the commencement of the activity that requires the permit.**

- (b) If the permittee or property owner concludes that a required Environmental Impact tree cannot be planted on the subject property because of a lack of sufficient open space or for any other reason, the permittee or property owner must pay a fee to the Village in the amount established by resolution of the Village Council, from time to time. The Village will use fees collected under this Section to implement this Chapter and to install Village trees.**

**Section 9-104. Planting a Tree on Public Right of Way**

- (a) Only the Village is authorized to plant trees on public right ways.
- (b) All new trees planted on public right of ways shall have a caliper of at least two (2) inches, shall have straight trunks, and shall be free of disease and pests.
- (c) Species, spacing, and exact location of trees planted on public right of ways shall be determined by the Tree Supervisor, taking into consideration any Village tree plan and the proximity of any sidewalks, streets, traffic-control devices, public utilities, and other pertinent factors. However, no tree shall be planted:
- (1) within thirty (30) feet of a street intersection, measured from the corner of the intersection curb nearest to where the tree is to be planted.
  - (2) within twenty (20) feet of a fire hydrant.
  - (3) within six (6) feet of a driveway or light pole.

**Section 9-105. Tree-Care Standards**

Treatment of Village trees shall be performed according to standards approved by the Tree Supervisor, the Maryland Forest Service, and any other State or County entity having authority over such work.

**Section 9-106. Protection of Village Trees**

Without prior approval from the Tree Supervisor, it shall be municipal infraction to:

- (a) remove (or cause to be removed) any Village tree.
- (b) injure or prune (or cause to be injured or pruned) any Village tree.
- (c) attach any sign, advertisement, notice, wire, or other object to a Village tree.

**Section 9-107. Pruning of Village Trees by Utility Companies**

- (a) When a public utility company finds it necessary to prune Village trees, the utility company must obtain and fully comply with all required permits, including any

permit required by the Maryland Forest Service, pursuant to section 5-406 Natural Resources Article, Annotated Code of Maryland.

- (b) The utility company must give a least two (2) weeks' notice to the Village Manager of its intent to prune Village trees and include with its notice a copy of the State issued permit. Upon receipt of such notice, the Village Manager will notify the Tree Supervisor. In circumstances where compliance with the notice requirement is impossible or highly impractical, the utility company shall provide notices as far in advance as is reasonably possible and in any event shall inform the Village Manager before commencing work.

(Ord. No. 11-15-1, adopted 1/21/16, effective 2/10/16)

**Section 9-108. Protection of Village Trees During Construction**

- a) During the erection, alteration, or repair of any building or structure, guards, fences, or barriers shall be placed in such locations as are determined by the Tree Supervisor or Code Enforcement Officer to be necessary to prevent injury to Village trees. It shall be a violation to alter, damage, or remove such guards, fences, or barriers.
- b) It shall be a municipal infraction to remove, injure, or prune a Village tree in preparation for or during construction. The owner of the property under construction and the contractor performing the construction are jointly and severally liable for such actions.

(Ord. No. 11-15-1, adopted 1/21/16, effective 2/10/16)

**Section 9-109 Protection of Village Tree Roots**

All subsurface projects shall comply with the following requirements for the protection of the roots of Village trees and shall also comply with any requirements of the Maryland Forest Service, unless specific deviations are authorized by the Tree Supervisor, the Maryland Forest Service, or other entity with authority over such trees.

- (a) When persons, including any working under contract with the Village, encounter roots of a Village tree while conducting or engaging in a subsurface project, they shall modify the project to protect the tree's root system.
- (b) For trees less than 6 inches in diameter, as measured 4.5 feet above average ground level, all machine digging shall stop at the drip line of the tree. For trees 6 inches or more in diameter, as measured 4.5 feet above average ground level, all machine digging shall stop when roots over 1 inch in diameter are encountered. Roots over 1 inch in diameter may not be cut without the approval of the Tree Supervisor, the Maryland Forest Service, and any State, County, or other entity with authority over the tree.
- (c) It shall be a municipal infraction to damage or cut tree roots over 1 inch without permission of the Tree Supervisor, the Maryland Forest Service, or any State, County or other entity with authority over the tree.

**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.

(Ord. No. 2019-09-2, adopted 11/21/19, effective 12/11/19)

**Section 9-111. Entry on Private Property to Treat Village Trees**

With prior notice to a private property owner, the Tree Supervisor and any agent or contractor of the Village may enter upon such private property when necessary for the purpose of inspecting or treating Village trees or monitoring compliance with a requirement to plant an Environmental Impact tree. However, any private property disturbed for ~~such purposes~~ the purpose of inspecting or treating Village trees shall be returned by the Village as nearly as possible to its original condition, and any expenses incurred shall be borne by the Village.

**Section 9-112. Interference with Tree Supervisor**

No person shall prevent, delay, interfere with, or otherwise obstruct the Tree Supervisor or any agent or contractor of the Village while engaged in planting, treating, caring for, or removing any tree as authorized in the Chapter. Any person violating this Section shall be guilty of a municipal infraction and shall be subject to penalties.

**Section 9-113. Enforcement**

- (a) It shall be a violation of this Chapter to:
  - 1) fail to comply with a notice from the Tree Supervisor.
  - 2) interfere with the Tree Supervisor or any agent or contractor of the Village in the performance of their duties and responsibilities under this Chapter.
  - 3) fail to plant a Environmental Impact tree or pay the associated fee within six (6) months of the date of commencement of the activity that requires a Montgomery County sediment control permit.
  - 4)** fail to comply with any other provision of this Chapter.
- (b) A violation of this Chapter shall constitute a municipal infraction for which a citation may be issued and a fine imposed.

\* \* \*

*SECTION 2.* AND BE IT FURTHER ORDAINED AND ORDERED, by the Council of the Village of Martin's Additions, acting under and by virtue of the aforementioned authority, that:

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

(2) This Ordinance shall take effect on the \_\_\_\_\_ day of \_\_\_\_\_, 2021 (at least 20 days after adoption).

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

\_\_\_\_\_  
Katya Hill, Secretary

\_\_\_\_\_  
Susan Fattig, Chair  
Village Council

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

Ordinance No.: 2021-04-1  
Introduced:  
Adopted:  
Effective Date:

**THE VILLAGE OF MARTIN’S ADDITIONS**

**SUBJECT: AN ORDINANCE TO AMEND THE CODE OF ORDINANCES TO CLARIFY THE FRONT-LOADING GARAGE RESTRICTIONS**

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 introduced the Ordinance in an open meeting conducted on the \_\_\_\_ day of \_\_\_\_\_, 2021; and considered the Ordinance in an open meeting conducted on the \_\_\_\_ day of \_\_\_\_\_, 2021;

WHEREAS, to comply with Maryland Code, Land Use Article, Section 20-509, on the \_\_\_\_ day of \_\_\_\_\_, 2021, a copy of following Ordinance was submitted to the Montgomery County Council for its comments;

WHEREAS, the Montgomery County Council did not provide any comments;

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 \_\_\_\_\_, 2021, 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:

\* \* \*

(17) "Front-loading garage" means a garage with a door that faces a front lot line.

\* \* \*

(19) "Front lot line" means ~~the~~ a lot line running along the front of the lot separating it from ~~the~~ a street. **Corner lots have two or more front lot lines.**

\* \* \*

(22) "Garage" means an accessory building or portion of a main building designed, arranged, or used for the housing of private motor vehicles.

(23) "Garage, front-loading" (see front-loading garage).

\* \* \*

**Section 7-402. Construction Standards and Requirements**

\* \* \*

(k) No more than one (1) front-loading garage shall be permitted on a lot. The door width of a front-loading garage shall not exceed ten (10) feet. **Corner lots are subject to these restrictions with respect to all street frontages.**

\* \* \*



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 \_\_\_\_\_, 2021 (at least 20 days after adoption).

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

\_\_\_\_\_  
Katya Hill, Secretary

\_\_\_\_\_  
Susan Fattig, Chair  
Village Council

**Bold underline** indicates new material

~~Strikethrough~~ indicates material deleted

\* \* \* indicates material unchanged

**Village of Martin's Additions  
Financial Report for May 2021  
Arthur Alexander, Treasurer  
June 17, 2021**

	<u>Actual</u>	<u>Budgeted</u>
Revenues	\$ 729,940	749,133
Expenses (excluding capital projects)	580,437	699,262
Net Income (revenues minus expenses)	149,504	49,872
Capital investment expenses	\$ 43,830	
Investment reserves (less expenditures)	1,456,170	
Emergency reserves	1,000,000	

Current assets less designated reserves: \$742,205

We transferred \$50,000 from the Village's savings account in the Maryland Local Government Investment Pool (MLGIP) to the checking account to cover projected expenses, less than the planned \$55,000. We expect to transfer \$55,000 in July 2021.

The Village fiscal year ends June 30, just a few weeks from now. Connoisseurs and aficionados of Martin's Additions' financial reports know that it is time for budget revisions. The Village code stipulates: "No expenditure may be made unless funds therefore have been properly appropriated." It has been customary to review all 37 budget items to ensure that those with expenditures greater than the budgeted amount are revised to reflect the changed circumstances. Last year, we made nine such budget amendments. We have since been advised by both our Village attorney and accountant that adjustments at such a detailed level are unnecessary. Instead, we need only review our seven broad classifications. For example, there has been over-spending in "Tree maintenance" but under-spending in "Tree replacement." The overall category has more than enough funds and does not require amending. Looking across the entire budget shows that each of the seven main classifications is sufficiently funded. Therefore, we require no budget amendments.

Otherwise, the Village is in good financial shape. The national economic slowdown did not negatively affect our revenues, and we expect to end the year with more income than forecast a year ago. Spending has been running below projections. As we look to the coming year, we will be able to undertake new projects such as implementing the Walkability Task Force recommendations.

From: Niles Anderegg, Village Manager  
To: Village Council  
Subject: Village Office Update  
Date: 6/15/2021

## **Overview**

The Village Office has been conducting reviews of internal operating procedures and data clean up. In addition, the Village Office has provided logistical support to Village committees and task forces such as the Public Safety Task Force, the Community Engagement Task Force, and the Election Committee.

## **Public Safety Task Force**

The Village Office has been working with the Public Safety Task Force to produce a survey on public safety issues. Pending the approval of the survey at the Public Safety Task Force's meeting on June 15th, the Office will send the survey to residents via Constant Contact.

## **Events**

The Village Office is currently working to finalize the details of the Fourth of July event. This involves coordinating with the County as well as the vendors, most of whom were involved in 2019, to ensure that we have a successful Fourth of July event. In addition, the Village, along with Section 3 and Section 5, held the annual shredding event which was extremely successful. Last Sunday, the Village held a Volunteer Appreciation reception for the volunteers from this past year who served on Village committees. The event was held at La Ferme and was well received.

## **American Rescue Plan Funds**

The Village will receive funds from the American Rescue Plan as a non-entitlement city in the state of Maryland and has received further guidance on how to access the money and we are currently working to fulfill the obligation set forward by the state of Maryland. We expect to receive the funds in FY22.

## **RFPs**

The Village of Martin's Additions received one response to the invitation to bid on the Waste Recycling contract for the Village. Response was from Waste Management and includes a small increase in cost as well as some changes around limitations to bulk trash. I recommend that the Council accept this bid and direct staff and the Village attorney to conduct contract talks with Waste Management.