

Village of Martin's Additions
7013 Brookville Road, Suite B, Chevy Chase, MD 20815
Council Meeting Minutes
February 18, 2021
VIA ZOOM CONFERENCE CALL

Council Members Present: Susan Fattig; Arthur Alexander; Todd Mann; Jeff Blander; Katya Hill; **Village Manager:** Niles Anderegg; **Village Manager Assistant:** Martha Fessenden, **Building Administrator:** Doug Lohmeyer; **Village Attorney:** Ron Bolt; **Residents and other Attendees:** Keith Allen (Turner Ln); Tiffany Cissna (Bradley Ln); Marty Langelan (Chestnut St); Naomi Naierman (Quincy St); Larry Wasson (Delfield St); Lorie Mitchell (Cummings Ln); Holly Worthington (Turner Ln); Paula Goldberg (Bradley Ln); Mark Shaffer (Shepherd St); John Grasser (Melville Pl); John MacDonald (Summit Ave); Lynn Welle (Oxford St); Mark Schaffer (Shepherd St); Katherine Hample (Cummings Ln); Tom Plotz (Delfield St); Matthew Canter (Turner Ln); John Sharrow (Chestnut St); Peter Kahn (Bradley Ln)

7:30 PM Call to Order: Fattig

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

Keith Allen gave his weather report, stating that next week's temperatures will be in the 50s and 60s and not much cold weather remaining for the rest of the season. He predicted an early spring without a lot of rain.

Holly Worthington asked about the requirements, process, and timelines for submitting nominations to serve on the Council. Susan Fattig said that information could be found on the [Election Committee page](#) of the VMA website, and that an elections notice had been issued (see Committee Updates, below). Niles Anderegg said that nominations open on February 19 and close on March 5 and candidates have until March 19 to submit disclosure forms and statements.

Tom Plotz questioned whether clear-cutting and removing a mature tree on the lot for the new house at Taylor & Delfield was necessary, noting that its loss changed Taylor St's appearance.

Naomi Naierman expressed her support for creating a safety task and offered to serve on the task force.

Tiffany Cissna thanked the Walkability Task Force for its work, and the Council for its support of the task force. On the safety task force, she noted that in the past, anything related to public health was mainly in the building code; addressing public health issues beyond that is a new direction for the Council. She also commented that she has questions about how the tree ordinance might relate to water retention concerns and the tree canopy.

Larry Wasson noted that changes in state requirements for drainage on sites make it more complicated for residents to drain water from their property.

Jeff Blander asked if all the information on the upcoming election, including timelines for nominations, can be found on the website or if an election packet would be available. Niles clarified that regular communications would be forthcoming in weekly wrap-ups, newsletters, and emails to the community.

7:42 PM Committee Updates: Fattig

Election Committee chair Tiffany Cissna reported on communications to the community about the election. A letter went out recently to residents via U.S. mail. It was noted that some residents had already received it in the mail and others should receive it soon.

7:43 PM Building Administrator's Report: Lohmeyer

Doug Lohmeyer gave his Building Administrator's report ([see attachment](#)). In response to Arthur Alexander's question, Doug noted that an unusually large number of projects are underway at this time. Niles Anderegg clarified that, according to Village records, the tree at Taylor & Delfield appeared to have been on private land, so nothing prohibited the owners from removing it.

7:47 PM Presentation of the Final Report and Recommendations of the Walkability Task Force

Peter Kahn, Task Force Chair, and members Katherine Hample and Lorie Mitchell presented the Task Force report, which can be found [here](#). Peter recognized Task Force members, Larry Wasson and John Sharrow, for their contributions and thanked Niles Anderegg, Arthur Alexander, and the Council for their help. Arthur noted that the Task Force had based its recommendations on solid research, and the rest of the Council joined in thanking the Task Force for its impressive report. The Council has already started to act on some recommendations regarding maintenance and will consider further actions. Jeff Blander suggested that a table of options and cost/benefits be developed and noted that a snow removal mandate might necessitate some Village support so that all residents could meet the mandate.

Katya Hill moved that the Village Council accept the Walkability Task Force Report; seconded by Arthur Alexander. Motion passed unanimously.

8:30 PM Discussion and Possible Adoption of the Scope of Work of a Potential Safety Committee or Task Force

Arthur Alexander noted two main reasons for setting up a Safety Task Force: 1) to determine if there are health or safety issues in the Village that should be addressed; 2) to make recommendations on dealing with any problems identified in that research. Susan Fattig suggested a six-month trial period for a Safety Task Force. Todd Mann commended the work of Mark Shaffer, Jeff Blander, and Arthur in developing the proposal for a Safety Task Force and expressed support for the Safety Task Force but noted the need for guard rails, such as clarifying its role in terms of the police officers. Arthur specified that the Task Force would be asking for information from the police, not recommending procedures directly to the police. Jeff thanked Mark, residents, and the Council for coming together to set up a Safety Task Force. Arthur noted that the next step in stepping up the Task Force is to call for volunteers, and he suggested that volunteers write-up a one-page summary of their interests and background.

Arthur Alexander moved that to adopt the mission statement and the plan to assemble a Safety Task Force; seconded by Todd Mann. Motion passed unanimously.

8:45 PM Discussion of Potential Changes to the Tree Ordinance: Alexander

Arthur Alexander described revisions to the proposed changes to the tree ordinance to make the changes consistent with County law and address resident concerns.

Arthur moved that the Council direct the Village Attorney to draw up these changes in a draft of a revised ordinance; seconded by Katya Hill. Motion passed with Four in favor (Fattig, Alexander, Mann, and Hill) and one abstention (Blander). Jeff abstained because of his concern that new ordinances should be discussed at a forum before any Council action.

8:52 PM Discussion of the Ordinance Process: Alexander

In response to resident comments, Arthur Alexander recommended that a written rationale be required as part of the ordinance process. The rationale would include arguments both for and against the ordinance. Susan Fattig recommended that arguments against a proposal be left to those opposed instead of the ordinance's proponent. Jeff Blander commended Arthur for responding to community concerns but suggested further elaboration on the process, laying out further the steps in more detail as outlined in a chart that he shared ([see attached](#)). Steps might include introducing background research and alternatives at the beginning of the process, having resident forums, and a public forum separately scheduled from the regular Council meeting.

8:59 PM Financial Matters, including Treasurer's Report and Budget Amendments to the FY 21 Budget: Alexander

Arthur Alexander gave the Treasurer's report ([see attachment](#)). Spending has increased in several budget categories, including information Technology, especially cybersecurity, building, new trees, and attorney fees. In response to Jeff Blander's questions about why the reserve balance is 130% over budget and whether there are reserve guidelines, Arthur explained that auditors previously recommended that the Village maintain a reserve of at least one year's budget. Jeff also asked about the drop in accounting costs, which resulted from the shift from using an accountant to handling day-to-day bookkeeping internally. Bookkeeping is now part of the Village Manager's responsibilities; the Manager meets monthly with an accountant to reconcile bank statements. This change has resulted in significant cost savings. At the same time, checks and balances have been improved, so oversight is better.

Jeff Blander moved to amend the FY21 budget to reflect current spending levels; seconded by Todd Mann. Motion passed unanimously.

9:07 PM Manager's Report: Anderegg

Niles Anderegg gave the Manager's report ([see attachment](#)). He noted an RFP is not required for the upcoming all-mail election, but one is being drafted anyway. RFPs will also be posted for street maintenance, snow removal, and waste and recycling services. Niles reported that increasing the number of recycling pick-ups would likely increase trash services costs by about 20%.

Following up on the Manager's recommendations on tree services at the last meeting, Susan Fattig spoke with Council members individually, in the interim. She determined that Mulheron Tree Experts is the majority's choice for Village Arborist based on the discussion had at the last meeting. Todd commented that the trees are an important resource for the Village. He likes the idea of having a company with lots of resources to maintain those trees rather than rely on a single individual. Jeff Blander expressed concern about switching during a pandemic.

Todd Mann moved that the Village Manager be directed to draft a new contract with Mulheron Tree Services to perform tree care and tree arborist services for the Village, seconded by Katya Hill. Motion passed on a vote of 3 in favor (Fattig, Hill, Mann) and two opposed (Alexander, Blander).

9:15 PM Opportunity for Council to Hear Residents' Comments: Fattig

Larry Wasson thanked Jeff Blander for his suggestion for an ordinance process and spoke about the need for communication and coordination among Village committees, task forces, and Council. He

commented on the value of educating the public by installing yield to pedestrian signs and marking crosswalks.

Holly Worthington asked for civility at meetings and for consideration of aesthetics in implementing the Walkability Task Force's recommendations. She also expressed a desire for public forums when new ordinances are being proposed.

Paula Goldberg expressed her hope that the Council shows their appreciation for the outgoing arborist for his years of loyalty and her support for community forums. She called on Arthur Alexander and Ron Bolt to broaden the definition of trees included in a revised tree ordinance to include native understory and canopy trees.

Lynn Welle noted that the 2017 traffic study is now outdated, especially since the pandemic has affected traffic in the Village, mostly due to increased deliveries. He called for a new traffic study and for Oxford St. to be considered as the Walkability Study recommendations are being considered. He asked how resident comments such as a letter he wrote can be incorporated into official records and heard at meetings. Susan Fattig noted Lynn's loyal attendance at meetings and expressed appreciation for his views, while also acknowledging that the 2-minute rule for comments is intended to keep meetings moving and provide everyone with an opportunity to speak. Ron Bolt also pointed out that resident comments are included in the record and are reviewed by Council members. In his letter, Lynn had cited it as a significant barrier to walkability vehicles parked in driveways that partially block the sidewalk.

John Sharrow asked if there were safety issues in the Village that had not been widely publicized. Arthur Alexander said that community concerns were shaped more by a sense of unease than an uptick in reported crimes.

Lynn Welle recommended that a survey be done of vegetation in the Village and that if any portion of a large tree is in the public right-of-way, that tree should not be touched except by the Village. Niles Anderegg noted that residents must identify property lines and the location of trees when plans are submitted. Residents do not need to inform the Village if they are removing a tree unless any portion of the tree is in the right-of-way. Under the Village code, the Village does not regulate private trees.

Marty Langelan seconded Lynn's comment on the value of a tree. She called for a public message board as an essential service for the community so that everyone can see each other's comments. Marty also expressed her support for the idea of recognizing the outgoing arborist for his years of service.

Larry Wasson asked Arthur Alexander about the selection process for trees under the proposed changes to the tree ordination, and Arthur described the approach to public trees as "right tree, right place."

Jeff Blander commented on the need to find ways to accommodate input from a very engaged community more effectively than at very full Council meetings. He also asked about the Council liaison to the Election Committee; Susan Fattig will replace Todd Mann as the liaison. On the proposed ethics ordinance, Jeff suggested that the Council considers an alternative that might address concerns raised in previous discussions: all complaints, ethical or otherwise, would first go to the Council, and then the Council could refer complaints to the Ethics Committee, if needed.

Susan Fattig corrected a misstatement made on the record at the last month's Council meeting when an allegation was made that there was a breach of the voter roll procedure in the last election. After an

investigation, the Council established that the document that supposedly laid out a voter roll procedure that was not followed last year was not authentic, had not been properly adopted, and had not been seen by the appropriate officials, so the charge was spurious. She reassured everyone that VMA takes open, fair elections seriously and will continue to do so.

9:54 PM Adjournment: Fattig

Arthur Alexander moved that the meeting adjourn; seconded by Jeff Blander. Motion passed unanimously, and the meeting adjourned.



VILLAGE OF MARTIN'S ADDITIONS

COUNCIL MEETING APPENDIX

February 18, 2021

Materials included in this appendix were either included in the Council monthly meeting packet distributed before the meeting or submitted to the Council as part of the meeting. All materials appear as submitted.



VILLAGE OF MARTIN'S ADDITIONS

7013 Brookville Road (Second Floor, Suite B)

Chevy Chase, MD 20815-3263

Phone (301) 656-4112

www.martinsadditions.org

Agenda for Council Meeting

Thursday, February 18, 2020, 7:30 PM

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

7:30 PM Call to Order: Fattig

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

7:41 PM Committee Updates: Fattig

7:51 PM Building Administrator's Report: Lohmeyer **(Pages 3-6)**

8:01 PM Presentation of the Final Report and Recommendations of the Walkability Task Force

8:31 PM Discussion and possible Adoption of the Scope of Work of a Potential Safety Committee or Task Force **(Pages 7-8)**

8:46 PM Discussion of Potential Changes to the Tree Ordinance **(Pages 9-11)**

8:56 PM Discussion of the Ordinance process: Alexander **(Page 12)**

9:06 PM: Financial Matters, including Treasurer's Report and Budget amendments to the FY 21 Budget: Alexander **(Page 13)**

9:16 PM Manager's Report: Anderegg **(Page 14)**

9:21 PM Opportunity for Council to Hear Residents' Comments: Fattig

9:26 PM Adjournment: Fattig

*Please note: Listed times are approximate.

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: **874 3085 7774#** (you must enter the "#")

Passcode: 867676

2. Web/Video Option:

- a. Go to the Zoom meeting link:

<https://us02web.zoom.us/j/87430857774?pwd=V2ozcys4YkhCc0dra2lZSzExaEp0dz09>

- 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: **874 3085 7774**

Passcode: 867676

Topic: VMA Council Meeting

Time: Feb 18, 2021 07:30 PM Eastern Time

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

FROM: Doug Lohmeyer

DATE OF MEMO: February 18, 2021

SUBJECT: Building Administrator's Report

3506 Bradley Lane.

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

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. 18th. The Village building permit was issued on Dec. 7th. 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. 3rd. The Village virtual information meeting was held on Tuesday Oct. 6th. None of the adjacent residents participated. The Village building permit was issued on Oct. 9, 2020. The construction has begun.

7210 Chestnut St.

The Village issued their building permit on Oct. 11, 2018. The County has closed their permits. Once the applicants finish the front yard improvements, we will do a final inspection and close the Village Building Permit.

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. 23rd. The Village held the virtual resident information meeting on Dec. 9th. The Village issued the demo and dumpster permits on Dec. 14th and the building permit on Jan. 4, 2021. The old house has been removed.

7220 Delfield St.

The applicants have submitted an application to demolish 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. 14th.

113 Quincy St.

The applicants have submitted an application to build a detached garage at the left rear of the house. The MCDPS permit was issued on Aug. 10th. The Village permit was issued on Oct. 13, 2020. The construction is under way.

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. Staff is reviewing the concept plans.

163 Quincy St.

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

3505 Raymond St.

The new homeowners have applied for a variance to relocate the existing HVAC units from the rear of the house to the right side of the house. The Village Code does not allow HVAC units to project into the minimum side yard setback, so a variance is required. The Variance Hearing on Oct. 29th was suspended and a continuation meeting has not been scheduled.

3515 Raymond St.

The applicant has submitted plans to remove the existing house and to construct a new house. The informational meeting with the neighbors was held on Tuesday, Nov. 17th. MCDPS issued the building permit on Feb. 2nd and the Village issued their building permit on Feb. 9, 2021. The ex. house is being removed.

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.

3517 Shepherd St.

The applicant has submitted an application to add an addition to the right front side of the existing house. The County issued their building permit on Nov. 10th. The Village issued the building permit on Nov. 24. Work on the addition has 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.

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. 19th and the Village issued the building permit on Feb. 9, 2021.

3407 Thornapple St.

On May 29th, the building permit was extended and work on the house appears to be complete. The Applicant revised the plans to show a two-car detached garage at the rear of

the lot. The MCDPS and the Village has issued their revised building permits. According to the builder, the new homeowners may not construct the detached garage. The Village will contact the new residents to verify this information, so the Village can close out the building permit.

Miscellaneous Items

The staff is presently working with the following properties:

1. The MSHA has responded to the Village's letter regarding water ponding at the Village street intersections along Brookville Rd. They plan on making improvements to the intersections at Bradley, Quincy, and Cummings this summer. The MSHA staff stated they are working with WSSC and MCDOT and will get back to us soon. Last week, the MSHA contractor was repaving the intersection at Cummings and Shepherd. The Village staff has been in contact MSHA to get a progress report.

Public Safety Task Force Scope of Work
Village of Martin's Additions
February 18, 2021

Preamble:

The Village's Code of Ordinances explicitly authorizes measures "necessary for the purpose of protecting and promoting the health, safety, comfort and welfare of the present and future inhabitants of the Village." Indeed, so important are these goals that the word "safety" appears in the code 33 times, "health" 30 times.

Some Village of Martin's Addition's (Village or VMA) residents have recently expressed concern over public safety issues that occurred in and around the Village. More specifically, the concerns have included vandalism, theft, and threats to personal health. Several residents have volunteered to look into these concerns and to seek methods to address them.

Accordingly, the Village Council will appoint a minimum of three (3) resident-volunteers to a temporary 6-month Public Safety Task Force (Task Force) to assess public safety and health issues in the Village. If appropriate, upon completion of their work, the Task Force will make recommendations to the Council and community that address identified needs and deficiencies to improve public safety and health, and foster resident awareness and use of best practices.

Mission:

In coordination with the Village's contract Montgomery County police officers and the Village manager, the Task Force will:

- A. Assess the state of public safety and health issues in the Village by gathering information from available data and Village residents (e.g., through comments or surveys).
- B. Identify gaps in the Village's public safety within the context of the Village being a small municipality within a large metropolitan area, bordering incorporated sections as well as unincorporated sections of Montgomery County.
- C. Consider possible personal, community, and official Village remedies as well as the benefits and costs of such remedies or improvements.
- D. Analyze alternative solutions, including any available cost-benefit analyses and impacts on the character of the Village, within the context of its geographic location.
- E. Propose actions in writing to the Council that would remedy identified deficiencies, paying attention to likely benefits and costs, the experiences of other similarly-sized and located jurisdictions, and the preferences of Village residents. Among the remedies that might be proposed for Council consideration are a Village-sanctioned ongoing committee; an unofficial private committee; a private, moderated listserv that, among other things, serves as a clearing-house offering curated links to valid information; and continuation of the Task Force for a limited time to allow fuller investigation of specified subjects.

Operations:

This plan aligns with current best practice of the Village and that of its other resident-volunteer appointed bodies. The Task Force will:

- A. Work with the Village's contracted police officers to identify information sources and recommend procedures. The Task Force will also seek the advice of others, including public health officials and experts, with relevant knowledge.
- B. Conduct a community needs assessment survey consistent with Village practices.
- C. Report progress to the Council at its regularly scheduled monthly meetings.
- D. Submit a final written report, including any prioritized recommendations, to the Council by no later than August 19, 2021.

Meetings:

Meetings of the Task Force shall be conducted in compliance with the Maryland Open Meetings Act. With the assistance of the Village manager, public notice and an agenda shall be issued before the holding of a meeting. Minutes of the meeting shall be promptly prepared, as required by the Act. Once approved by a majority of the Task Force, the meeting minutes shall be given to the Village manager.

As required by the Act, at least one member of the Task Force shall complete the online training offered by the Open Meetings Compliance Board. The trainee shall inform the Village manager once the training has been completed. All members are encouraged to complete the training. The training is available here:
https://www.igsr.umd.edu/VLC/OMA/class_oma_title.php.

Records

Records of the Task Force shall be retained in accordance with the Maryland Public Information Act. Task Force members shall review the Village's Document Retention Schedule and make certain records are retained in accordance therewith.

Budget:

The Task Force shall operate within a one-time allocation for Montgomery County officer time, which will be set by the Council and administered by the Village manager.

DRAFT

Explanation of Proposed Tree Ordinance

Tree canopy trend: The Village's tree canopy reveals worrying trends. Overhead photography going back to the 1960s indicates considerable tree loss in the Village. The reduction in the number of large trees became visibly noticeable in the 1980s, mainly driven by larger houses and increased paved areas in the form of driveways and patios. Overhead photography shows a reduction in canopy and simultaneous increase in paved surface areas. According to county specialists in aerial photography, losses are clearly visible and seem large, overall. However, the county analyst noted this important point: the community has not experienced a net loss in tree canopy as measured by covered area. "As an older subdivision, your neighborhood has an abundance of mature trees. These images show the capability of large trees to significantly increase the spread of their branches in a short amount of time, even to the point of compensating your significant losses due to new house building, power line clearing, and storms."¹

County Tree Canopy Law: In 2014, Montgomery County introduced a tree canopy law that required planting trees when a building application involved a sediment control permit. The required number of trees varied with the size of the disturbed area; three trees were required for areas of 1-6,000 square feet, 6 trees for areas of 6,000-8,000 square feet, etc. If trees could not be planted, a fee of \$250 per tree was imposed, equivalent to a minimum of \$750 per lot. Since the fees funded a countywide program, the Village of Martin's Additions would see little benefit from this program; subsequently, the Village exempted itself from the law's requirements.

Discussion: The trends noted above by the Tree Committee five years ago have not abated. Several proposed ordinances at that time were tabled pending review of subsequent trends. The one adopted proposal initiated a Village-subsidized program to promote resident planting of canopy trees; however, the number of new trees under this program has been modest. Therefore, we seek to address the loss of mature canopy trees directly by promoting new planting during construction projects when planning for new trees is most feasible, by encouraging replacement of removed trees, and by requiring fees when the above options are not feasible. The fees are intended as an incentive to protect existing trees and plant new ones, while providing funds to renew the Village's tree canopy. This proposal is a less onerous version of the county's scheme. The one new feature is the requirement to replace a large tree that is removed or pay a fee.

Possible arguments against proposal:

- *Requiring property owners to plant new trees plus a fee on tree removal are unwarranted intrusions on the rights of property owners.*

This ordinance is in line with the County code (from which the Village had exempted itself) and with the practices of some of our neighboring jurisdictions. It focuses on applicants for sediment control permits, which indicates a project

¹ Report of the Village of Martin's Additions Committee on Trees (July 14, 2015)

requiring county review. This proposal does not enlarge the existing county-wide regulatory scope.

- *Equivalent gains may be possible by enhancing the current subsidized tree program.*

Currently, our tax revenues finance the tree program. VMA's decision to be exempted from the county was made primarily because the fees for tree removal under the county code would likely not flow back to the benefit of village residents (i.e., the county is under no obligation to use tree funds paid by local construction projects for Village trees). This proposed ordinance would enhance the Village's public and private tree program by subsidizing it with these fees.

Furthermore, some of the harm that the ordinance seeks to redress is actually experienced by the broader community when properties have been clear-cut. Current ordinances and regulations do not provide any encouragement to developers to replace trees that have been removed. ~~or to refrain from removing them in the first place.~~ This ordinance acts as a lever to encourage behavior that benefits the entire community.

- *The administrative costs could be prohibitive.*

This ordinance would be integrated into the current VMA building permit procedures without significant cost. While there will be some additional effort required to ensure accountability, this ordinance also offers the village a new revenue source that could offset new administrative costs.

- *The Village has enough trees.*

Not everyone loves a tree, singularly or in groups. Some people value open space and sun, or an unblocked view. Others fear the possible damage to body and property caused by falling trees and branches. The shade that creates positive community benefits can be detrimental to gardeners or those installing solar panels. However, whether one believes that it is necessary to preserve and enhance the total tree canopy or not, this ordinance does two new things that are unrelated to one's opinions: 1) it places the onus of replacing trees on those who remove them; 2) it provides relief to neighbors of development who have lost trees by encouraging a replenishment of the tree canopy and dissuading the unnecessary removal of trees in the course of development.

Proposed Ordinance to Require Tree Replacement and Fee for Tree Removal

The Village Council finds that it is in the interest of the village and its residents to protect, preserve, and promote the village tree canopy. Regulatory incentives to enhance the tree canopy provide benefits to village residents and property owners that extend into future decades.

An applicant for a sediment control permit must plant at least one canopy tree on the affected property at least ~~three~~ two inches in diameter within six months of the date of the permit grant. ~~selected from an approved list of desirable trees.~~ If the applicant concludes that a required tree cannot be planted on the affected property because sufficient open surface area is not available or for any other reason, the applicant must pay a fee of \$750. ~~In addition, removal of a healthy, nonhazardous tree having a circumference of 24 inches or greater 4.5 feet above ground must be replaced by a tree of at least three inches in diameter selected from an approved list of desirable trees. If the applicant concludes that a removed tree cannot be replaced on the affected property because sufficient open surface area is not available or for any other reason, the applicant must pay a fee of \$750 for each required tree that is not planted on the affected property.~~

Policy to Require Explanations of Proposed Ordinances

Proposed ordinances shall be accompanied by an explanation of the need for the ordinance, arguments against the proposal (if any), and alternative means for accomplishing the ordinance's goals (if any). The explanation should be updated as necessary by including relevant additional arguments, information, research of approaches taken by nearby municipalities as well as opinions arising from subsequent discussions, VMA resident listening forums, and reviews.

DRAFT

**Village of Martin's Additions
Financial Report for January 2021
Arthur Alexander, Treasurer
February 18, 2021**

January 2021

	<u>Actual</u>	<u>Budgeted</u>
Revenues	\$ 400,025	459,667
Expenses (excluding capital projects)	373,239	461,745
Net Income (revenues minus expenses)	26,786	-2,079
 Capital investment expenses	 \$ 37,609	
 Investment reserves (less expenditures)	 1,462,391	
Emergency reserves	1,000,000	

Current assets less designated reserves: \$607,064

In the current month of February 2021, we transferred \$50,000, as planned, from the Village's savings account in the Maryland Local Government Investment Pool (MLGIP) to the checking account to cover projected expenses.

Capital expenses for the year to date include sidewalk repairs and contractor costs for the ongoing Walkability Task Force.

Halfway through the fiscal year, it is now evident that some items originally budgeted almost a year ago require upward revisions while others are running below forecasts. Since the Village cannot spend more than has been authorized by budget resolution, it is necessary to approve higher amounts in a few categories. At the same time, a few items are running below projections; these will be reduced so that the net result of the proposed amendments will not increase total spending.

Budget resolution to change authorized spending in specified categories

Budget category	Current amount	Change	New amount
5070 Information technology	\$7,500	+ \$8,500	\$16,000
5222 Building review and permits	45,000	+5,000	50,000
5230 Legal	40,000	+15,000	55,000
5630 Tree Planting Program	2,000	+5,000	7,000
 5206 Accounting and auditing	 44,000	 -27,000	 17,000
5420 Leaf Bags	16,000	-8,000	8,000

From: Niles Anderegg, Village Manager
To: Village Council
Subject: Village Office Update
Date: 2/16/2020

Overview

The Village Office continues to review internal operating procedures and its 2021 calendar of important dates and deadlines. The goal of this project is to improve efficiency. The Office also provided administrative and research support to the Walkability Task Force.

2021 Election

The Office has provided administrative and logistical support to the Election Committee, including assisting the committee in sending every household a copy of the election plan and a mailing regarding the opening of the nomination period. In addition, information about the election has been and will continue to be included in weekly Wrap-ups and the Village newsletter. The Village Office is finalizing an RFP for vendors to conduct the all-mail election. This RFP is based on best practices identified by looking at RFPs provided by the Maryland Municipal League and reviewing last year's election vendor performance. The Village Office is also updating the voter roll to include new residents and remove those who have moved from the Village since the last election in May.

Waste and Recycling Changes

At the January Village Council meeting, the Council directed the Village Office to investigate potential changes to the waste and recycling services for the Village. These changes may include increasing the frequency of recycling service and potentially bulk trash service while decreasing trash pick-ups per week. Accordingly, the Village Office has reached out to Waste Management to explore, for budget planning purposes, a more detailed breakdown of current costs so that the Office might project the cost of possible service changes. No change would occur until after an RFP or request for a quote is issued by the Village as the current contract ends June 30, 2021. If the Council chose to reduce the frequency of trash pick-ups, that would necessitate a change in the Village code as the code requires trash to be picked up twice a week.

Snow Removal

The Village's street snow removal contractor, Rolling Acres, has been clearing the streets after the recent snowfall and, when necessary, pre-treating streets with salt and brine. The Village Office would like to thank residents for their cooperation during snow emergencies, for observing no parking signs, and for keeping the streets as clear as possible, which has allowed Rolling Acres to do their work relatively easily.

RFPs

In addition to the request for proposal for election services and waste and recycling services, the Village is also preparing an RFP for the street maintenance contract. This contract also covers any potential improvements to streets and sidewalks that the Council deems necessary.

TIME: 3 TO 8 HOURS

Aug 2021

! Research
- Non legislative options

Committee #1

*? Notice
Minutes

1

① Initial Discussion

&
② Direct Drafting

*? SOP
To Draft

Committee #2

AT+GRCY #1

2

① 2nd Discussion

② qns present Draft

*? Public forum

Committee #3

Attorney #2

3

① FINAL Draft

② NOTICE of Introduction

30 Days

Public Hearing
Public Comments

*? Separate

4

&
Adoption

- 500 President has
- TBP Committee has
- TBP Council has
- 100 Attorney fees

→ "Costs"

Walkability Task Force 2021 Report and Recommendations



Overview

The Village of Martin's Additions has long desired to improve the walking environment for residents to promote safety while maintaining the green character of the Village. In early 2020, the Council appointed a task force to study the problems and identify possible solutions, and present recommendations for that purpose. Using VMA residents' input, traffic studies, the guidance of an urban planner, independent research, and discussions with other local municipalities, the task force drafted the following set of recommendations for Council consideration.

VMA Walkability Study 2020-2021

- I. Overview
- II. Traffic calming for highest volume/speed streets
- III. Village-wide recommendations
 - Aesthetic considerations
 - Maintain pedestrian environment
 - Other traffic control measurements
- IV. Montgomery County initiatives
- V. Summary
- VI. Phase two

One hundred ninety-one residents completed the survey. This impressive response rate suggests:

- *Residents care about the walkable environment.*
- *The results of the survey are good indicators of resident attitudes.*

Key Walkability Survey Findings

- Survey results are representative of the views of VMA residents at a 90% confidence level, with a 5% margin of error.
- Based on the survey, 59% of VMA residents cited dangerous traffic speeds as a concern.
- Traffic speeds/volume were cited as the most critical pedestrian issue to be addressed.
- Walkability survey results are consistent with concerns reported in the annual VMA survey.

[http://cms6.revize.com/revize/martinsadditions/2020%20Walkability%20Results%20\(Open%20and%20Closed%20Responses\).pdf](http://cms6.revize.com/revize/martinsadditions/2020%20Walkability%20Results%20(Open%20and%20Closed%20Responses).pdf)

According to Survey Results, 92% Percent of VMA Residents Walk to the Village Center on a Regular Basis.*



*Based on a 90% Rate of Confidence and 5% Margin of Error

Brookville Road

*“The Elephant in
the Room”*

Brookville Road has been described as a “Pedestrian Nightmare.” It represents a true danger to pedestrians.

Brookville is a state road, which requires the Village to coordinate with the county and state to make changes.

We Recommend the Council Commit to Addressing Brookville Road in Phase Two

- Section Three improved sidewalks without state opposition.
- At a minimum, VMA should do the same.
- A broader redesign could include wider and higher sidewalks, separation from traffic flow, improved drainage, and additional crosswalks.
- Phase Two would determine what is possible and what is necessary for implementation.

Characteristics of High Volume/Speed VMA Streets

- Overuse by non-resident, cut-through traffic.
- Average speeds exceed the 20 MPH limit.
- Traffic volumes are higher during commuting hours.
- Narrow, with steep segments limiting visibility.
- Heavily parked.
- Thornapple and Summit have no sidewalks.

Cummings, Thornapple and Shepherd serve as primary walking routes to neighborhood destinations.



Traffic Study Data

Street	ADWT	85th % Speed	% Exceeding 20 MPH	Max. Speed Observed	Resident Concern (Survey)
Cummings	900	23.1	45%	35.2	73%
Shepherd	720	24.8	59%	37.3	57%
Thornapple W.	700	25.7	66%	39.4	72%
Thornapple E.	400	21.6	26%	30.5	72%
Summit N.	600	21.6	29%	32.6	67%
Summit S.	250	20.1	15%	31.0	67%

*** 2017 and 2018 Cutro Traffic Studies

According to Urban Planning Consultant Chris Jakubiak, even speeds of 20 mph are dangerous on VMA streets!

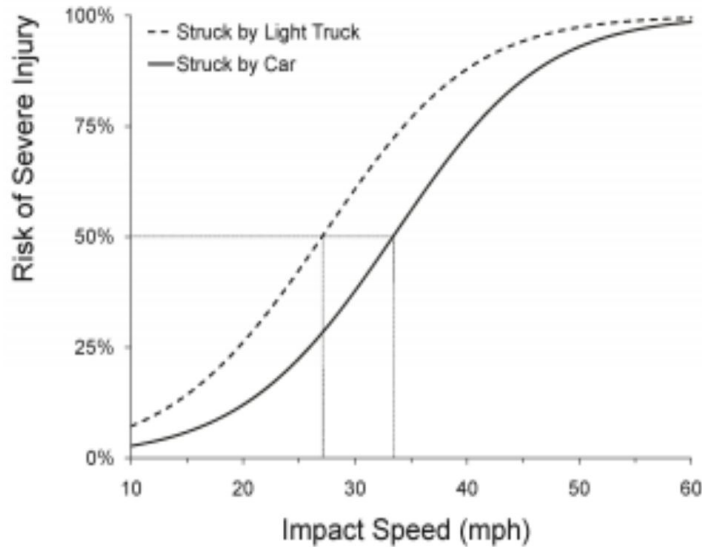
Reduced Speeds = Reduced Risk of Death

<i>Vehicle Speed</i>	<i>Risk of Pedestrian Death after Impact</i>
30 MPH	45%
20 MPH	5%

***<https://southwarklivingstreets.files.wordpress.com/2008/11/traffic-calming-effectiveness-report.pdf>

https://www.montgomerycountymd.gov/DOT-PedSafety/Resources/Files/Resource_files/PedFacility_UserGuide2002.pdf

At Measured VMA Speeds, There a Significant Risk of Severe Injury



© AAA Foundation for Traffic Safety 2011

The risk is greater than 10% when small trucks, children or the elderly are present.

It's 25% for persons struck by small trucks.

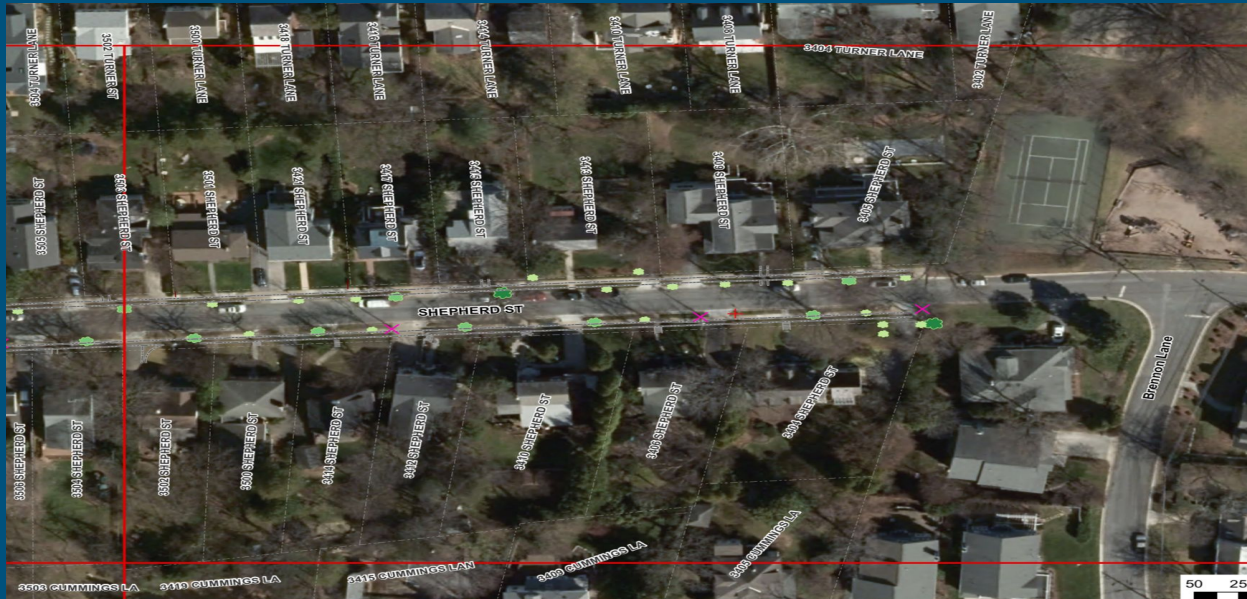
And, 30%-35% for children and the elderly.

Montgomery County Bill MC 02-21 Proposes Lowering Minimum Speeds to 15 MPH

According to the bill's sponsor, "narrow neighborhood streets with parked cars need lower speed limits to create safer conditions."

***https://www.montgomerycountymd.gov/DOT-PedSafety/Resources/Files/04b_MC23-17-UrbanDistrictSpeedLimitAmendments.pdf
<https://bethesdamagazine.com/bethesda-beat/15-mph-speed-limit-for-some-residential-st>

Neighborhood Streets Have the Highest Accident Rates of All Road Types



***<https://ceds.org/cut-thru/>

Cut-Through Traffic Tends To Travel At Higher Speeds

Chevy Chase Village, The Town of Chevy Chase, and Section Three have implemented measures to reduce cut-through traffic

An aerial photograph of a residential neighborhood with several streets highlighted by orange lines and arrows, indicating a proposed route or closure. The streets shown include Cummings Ln, Shepherd St, Thornapple St, Taylor St, Chestnut St, Delfield St, Summit Ave, Rolling Ct, Rosdhu Ct, Beach Dr, Rolling Rd, Vale St, Lenhart Dr, Winnett Rd, Camaller Dr, and Brennon Ln. The orange lines form a large loop around the central area, with arrows indicating a clockwise direction of travel.

Benefits of Speed Humps

- Speed reduction of 20%-25% between bumps.
- Volume reduction of approx. 20%.
- No reduction in parking.
- Speed reductions similar to police enforcement at a significantly reduced cost.

***https://nacto.org/docs/usdq/temporary_speed_humps_impact_evaluation_hallmark.pdf
<https://safety.fhwa.dot.gov/saferjourney1/library/countermeasures/29-30.htm>

According to the Federal Highway Administration,
“the effectiveness of speed humps in slowing traffic
cannot be disputed.”



Speed Humps are a cost-effective alternative to police enforcement

In the US

Speed Humps

are known as

The

“Silent Policeman”

Throughout Europe

Speed Humps

are known as

The

“Sleeping Policeman”

Study on Speed Humps

“Pediatric deaths and injuries are reduced based on the relative proximity of a speed hump to a child’s home.”

***<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1448312/>



Speed humps should be spaced approx.
130 feet apart to be most effective.
Currently, humps are spaced more than
350 feet apart.

*** According to recommendations and research provided by urban planning consultant
Chris Jakubiak

***<https://southwarklivingstreets.files.wordpress.com/2008/11/traffic-calming-effectiveness-report.pdf>

Additional Speed Humps Recommended

- Add one to two additional speed humps between existing humps on Cummings and Shepherd.
- Add one speed hump on Summit between Thornapple and Leland and one speed hump between existing humps on Summit between Thornapple and Taylor.
- Consider additional speed humps on Thornapple, dependent on other traffic calming installations.

VMA Entrance to Cummings Lane From Rollingwood



*** Cummings Lane is approximately 18' wide

VMA Entrance to Shepherd Street From Rollingwood



*** Shepherd Street is approximately 22'9" wide

VMA Entrance on Thornapple From Section Five



*** Thornapple Street is approximately 17'9" wide.

VMA Entrance on Summit From Section Five



*** Summit Avenue is approximately 25'8" wide

Straightaways encourage drivers to exceed 20 mph limits, especially cut-through traffic.



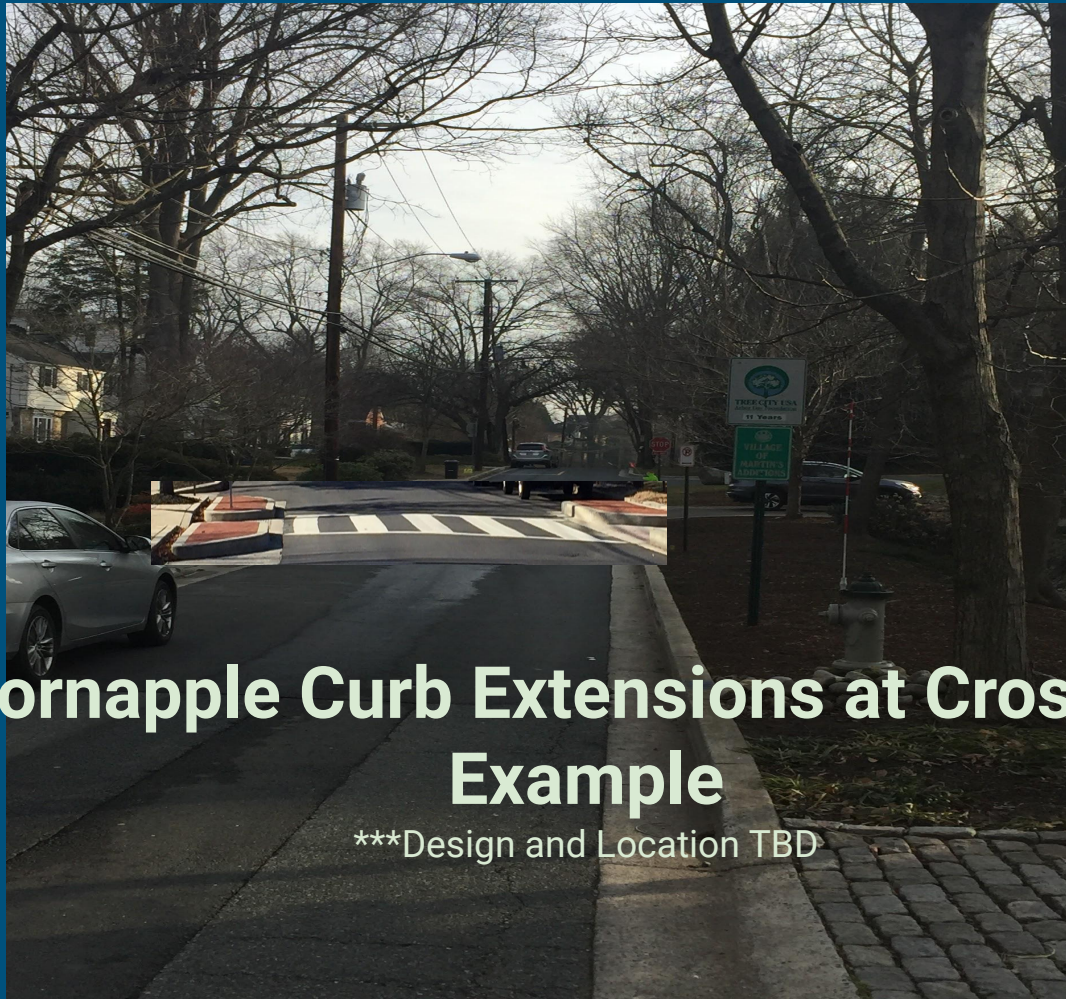
Curb Extension Example





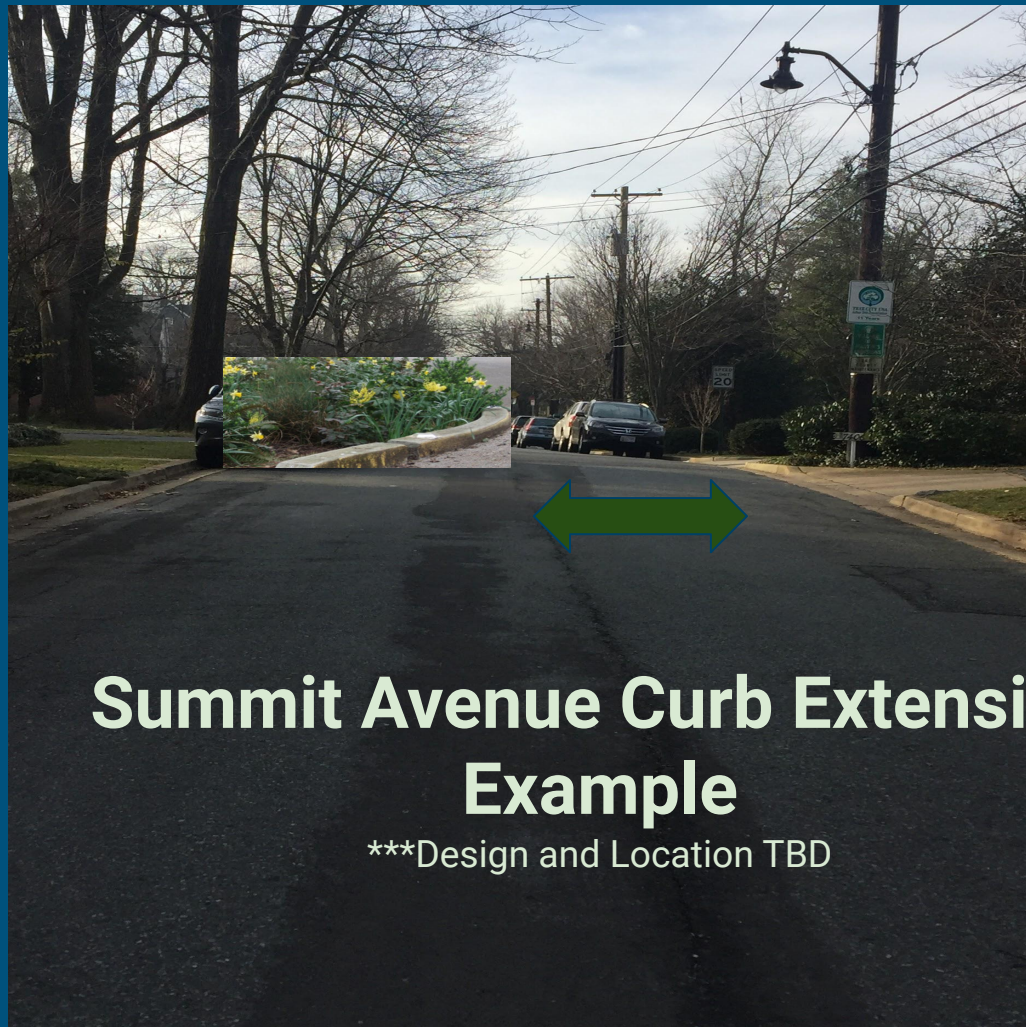
Shepherd Street Curb Extension Example

******Design and Location TBD******



Thornapple Curb Extensions at Crosswalk Example

***Design and Location TBD



Summit Avenue Curb Extension Example

***Design and Location TBD

Recommended Village-Wide Improvements

- Preserve the Village character.
- Maintain the pedestrian environment by assessing and repairing sidewalks, trimming vegetation, and addressing drainage issues in the Village ROW.
- Upgraded crosswalks at all VMA/Brookville Rd. intersections and elsewhere, where appropriate.
- Paint curbs at mandated “no parking” zones at all VMA intersections and hydrants.
- Additional signage, where needed.

Preserve the Village Character



Apply Woonerf Principles of Design

A Dutch concept that requires that traffic calming installations blend into their surroundings, becoming part of the “living yard.”



***http://www.woonerfgoed.nl/int/Childstreet_files/StevenSchepel.pdf
<https://www.bloomberg.com/news/articles/2015-03-23/6-places-where-cars-bikes-and-pedestrians-all-share-the-road-as-equals>

Woonerf designs, pronounced “vone erf,” are especially well-suited to reduce cut-through traffic in “urbanized suburbs.”



*** <https://ibhc.com/blog/woonerfs-a-new-concept-for-complete-streets/>
<https://www.nytimes.com/2013/04/28/automobiles/where-share-the-road-is-taken-literally.html?referringSource=articleShare>

Maintain Pedestrian Environment

- Commit to annual sidewalk inspections throughout the Village and maintain as needed.
- Address ROW drainage issues.
- Vegetation trimming to remove obstructions and improve sight lines for drivers and pedestrians.
- Scheduled tree canopy pruning to allow light to reach walkways and streets.
- Repainting crosswalks and curbs as needed.
- Enforce VMA ROW ordinances to remove obstacles and mandate snow removal.

Redesign and Upgrade Crosswalks Throughout VMA

- Two approaches to upgrading crosswalks:
 - - Raised crosswalks with improved markings.
 - - Conventional crosswalks with improved markings and signage, and rumble strips where appropriate.
- Both will slow traffic entering VMA to create neighborhood greenways.
- Crosswalks should be designed by an urban planner and civil engineer.

Stop Sign
Location



Cummings Lane Intersection has no crosswalk!



***Raised
Crosswalk
Example***

Rosemary Hills School Bus Stop



Additional Crosswalks at North-End Intersections

- At all Thornapple intersections, including the intersection of dead-end Delfield, which should also have a stop sign.
- At Summit intersection from Rollingwood.
- At Summit and Taylor intersection.

Painted Curbs at Intersections and Hydrants

Nearly one-third of VMA residents cite driver visibility as a safety concern. Parked cars create visibility obstacles. Yet, “no parking” signs at VMA intersections and in front of hydrants are routinely ignored.

Painted curbs make no-parking areas more prominent.



No parking sign

Illegally Parked Vehicles at Intersections Create
Pedestrian Visibility Hazards
(Shepherd)

Signage

- Traffic signs should be based on an analysis of VMA streets by a professional traffic engineer.
- Streets where curb extensions are added may need additional signage.
- We recommend adding a stop sign at the intersection of dead-end Delfield and Thornapple.
- Consider adding pedestrian signs at crosswalks.
- All stop signs should be reflective.

Potential Costs of Traffic Calming

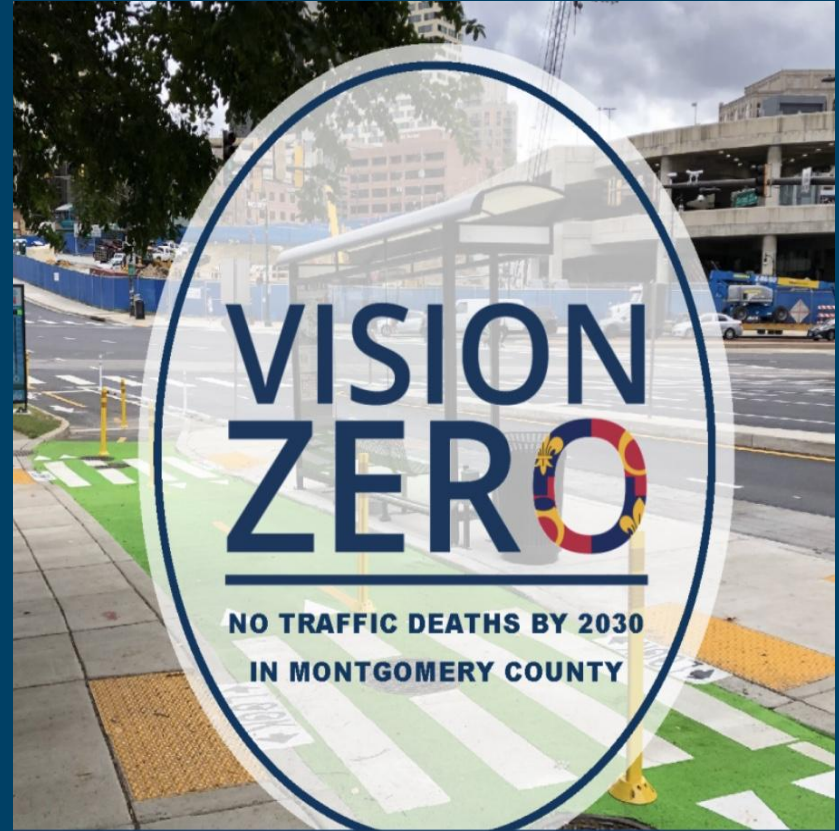
- Loss of parking spaces: curb extensions and crosswalk may result in a loss of one to two parking spaces, dependent on location.
- Financial costs, to be determined.
- Possible minimal increase in Montgomery County Fire-Rescue emergency response time.

Anticipated Benefits/OffSets of Traffic Calming

- Traffic volume reductions up to 20%.
- Speed reductions of between 20% and 25%.
- Reduced pollution and noise.
- Safer, “pedestrian and bicyclist friendly” streets.
- Preserves village aesthetics and property values.
- Cost-effective compared with police enforcement.

Montgomery County

A forward-thinking initiative to
reduce pedestrian and bicyclist
deaths and injuries



Montgomery County Planning is shifting
its focus from police enforcement to
automated enforcement through
well-designed streets.

V. Summary and Recommendations (1)

- Cummings, Shepherd, Thornapple, and Summit were not designed to function as cut-through streets or accommodate current traffic volumes/speeds.
- Recommend creating Neighborhood Greenways by installing traffic calming features such as enhanced speed humps (130 feet apart) and curb extensions at Village entrances from Rollingwood and Section Five.
- Suggest using Woonerf design principles, wherever possible, to blend traffic calming installations and maintain the character of VMA.
- Maintain the pedestrian environment by repairing sidewalks, trimming vegetation and addressing drainage in the Village ROW.

Summary and Recommendations (2)

- Enforce VMA ordinances to remove obstacles and mandate snow removal from sidewalks.
- Upgrade crosswalks at all Brookville Rd. intersections and throughout VMA, as appropriate.
- Paint curbs to discourage illegal parking at all VMA intersections and hydrants.
- Improved pedestrian signage.
- Install a stop sign at the intersection of dead-end Delfield and Thornapple.
- Create a “prototype street” to test effectiveness of traffic calming installations.
- Approve a Phase Two Walkability Study, with a focus on Brookville Road and sidewalks in the north-end.

VI. Phase Two Recommendations

- Work with state and county agencies to address Brookville Rd. walkability concerns.
- Address resident concerns regarding Turner, Taylor, Raymond, Oxford, and Quincy.
- Explore additional pedestrian access possibilities.***
- Re-evaluate the need for sidewalks on Thornapple and Summit.
- Investigate enforcement options, if deemed necessary.

*** Note: See full report for more information on proposed Phase Two