

**Village of Martin's Additions  
Council Meeting  
June 19<sup>th</sup>, 2008  
7013 B Brookville Road, Chevy Chase, MD 20815  
Minutes**

**COUNCIL MEMBERS AND VILLAGE REPRESENTATIVES PRESENT:** Tim Price, Chairman; Noell Sottile, Vice Chairman; Richard Krajeck, Treasurer; Diane Everts, Secretary; Catherine Gwin, Council Member; Jean Sperling, Village Manager; Ron Bolt, Attorney; Alan Beal, Building Administrator.

**Residents:** Keith Allen, Rick Michel

**THE MEETING WAS CALLED TO ORDER AT 7:30 PM BY CHAIRMAN TIM PRICE.**

**POLICE REPORT presented by Sgt. Dasilva.**

Two calls were reported in Martin's Additions, both were false alarms, The Montgomery County Police reported two nearby vehicle break-ins , one on Leland Street in Rollingwood and one on Valley Place in the Town of Chevy Chase.

**MINUTES-**The minutes of the May 15th Annual Meeting were presented with no changes. **Action on the Minutes:** Moved for approval: Richard Krajeck; 2<sup>nd</sup>: Diane Everts; Vote: All in favor.

**RESIDENTS COMMENTS:** There were no comments.

**TREASURER'S REPORT**

**Month of May report:**

Income for the month of May was about \$97,240 which includes the income tax rebate of nearly \$89,000; highway user fees of \$3,800; cable franchise fees of \$1,700, and about \$2,200 in interest from investments.

Expenses for the month totaled \$26,827. All expenses were within anticipated levels. Income for the month was about \$70,400 greater than expenses. Income for the first 11 months of the 2008 Fiscal Year is \$526,700 which is 78% of the projected annual income of \$676,700. Expenses year-to-date are \$584,780 or 74% of the FY 2008 budget.

**Questions on Financial Report:** Catherine Gwin asked if the Village had ever received less than expected revenues. Richard said that has been the case and may happen this year in the category of income tax, especially with the downturn in the stock market.

**Action on Financial Report:** Moved for approval Richard; 2<sup>nd</sup> Tim Price; Vote: All in favor.

**Budget Amendment to FY 2008 Legal Expense Category:**

Treasurer Richard Krajeck explained that when the FY 2008 budget was amended at the May Annual meeting the appropriation for legal expenses was inadvertently reduced from \$50,000 to \$30,000. This will leave insufficient funds to cover the remaining legal expenses for FY 2008.

**Action on Amendment:** Richard moved that the FY 2008 budget be amended to add \$20,000 to the legal portion of that budget and thus restore the budget to the original \$50,000 budgeted for this category. 2<sup>nd</sup>: Diane Everts. Vote: All in favor.

**LAND USE TASK FORCE UPDATE**

Councilmember Noell Sottile initiated the discussion of the progress the Land Use Task Force (LUTF) has made at its most recent meeting and review of presentation by Jakubiak and Associates (JAK). JAK identified two major characteristics of Martin's Additions that they felt are key components of the Village and whose contribution to our character should be preserved. First they identified the "streetscape", noting the houses, sidewalks, decorative plantings and the like that are concentrated close to the street, create a concentrated activity zone. They also identified an interior green-scape created by the very large rear lots which add a distinctive area of green space throughout the Village. These observations and the desire to preserve this character was noted by the LUTF and they asked that they form the basis for recommendations by JAK on ordinances that will assist in supporting this character. An illustration was presented that showed these two distinct character constructions

The LUTF asked for additional data for the next presentation by JAK on the 12 houses that were selected for in-depth analysis; 6 of the houses represent traditional houses and 6 represent houses

built or substantially developed since 2002. The LUTF also asked JAK to draft some possible ordinances to address the preservation of these observed characteristics which they agreed to do. These draft recommendations will be considered at the next meeting of the LUTF.

Catherine Gwin asked what proportion of the process of evaluating and developing ordinances to address the concerns has occurred relative to the time expended on the contract. She wondered how far along the LUTF was in relation to its mandate. Richard and Noell agreed that the LUTF had decided that some issues were more immediate than others and should be addressed in part, rather than in the whole, but were unable to estimate any proportional relationship between the contract and the current status of the project.

Alan added that he felt that the Task Force has made major leaps of understanding and that this most recent presentation provided a great deal of information for the Task Force. They are now better able to direct JAK. Alan felt confident that LUTF should now be able to move more quickly on some aspects of the project,

Alan Beal spoke to the most recently introduced County Council bill (by Roger Berliner, our area representative to the County Council) that addressed the issue of lot coverage as a percentage on a sliding scale related to lot size. Alan presented a synopsis of the bill saying it lowers lot coverage dimensions to 30% for a 6,000 square foot lot (from the current level of 35%) and further reduces the lot coverage allowed as the size of the lot increases—1% reduction in lot coverage for every 1,000 ft increase in the size of the lot. At 14,000 sq, ft, for lot size, lot coverage bottoms out at 22%. A second bill, related to neighborhood notice when additions are built larger than 200 square feet, is also being considered by the County Council. Alan expressed the opinion that both bills will eventually pass the County Council, but will have little affect on current house construction in Martin's Additions as presently defined.

#### **PUBLIC HEARING: Amendment to Section 6-311, Noise Control and Construction Hours (Resolution 4-08-1)**

Chairman Tim Price reminded the Council and audience that at the April 17<sup>th</sup>, 2008 meeting of the Village Council a proposed amendment to Section 6-311 of the Village ordinance which regulates construction hours and noise was introduced. The intention of the revision of this section of the code is to allow the Village to prohibit disruptive construction activities and noise regardless of whether the construction activity requires a Village Permit or not. Tonight's meeting constitutes the official Public Hearing to receive comment on this ordinance revision, and as such Tim asked for any comments.

Larry Wasson asked if the Council has contemplated a warning system to be in place before a citation was issued. After some further explanation it was made clear that the council will still have the discretion to issue warnings-- there is a mechanism that will allow for the Council to "do less" than issue a citation. Once a policy is developed that lays out the guidelines for citation issuance, a system for warnings will be built into the process.

**Action on Amendment:** With no further comment Tim Price called for a motion to act. Richard Krajeck moved for adoption of the proposed amendment; 2<sup>nd</sup>: Noell Sottile; Vote: All in favor;

**Secretary's Signature:** Secretary of the Council, Diane Everts, signed Resolution 4-08-1 as required. In accordance with Charter requirements, the amendment, introduced on 4/17/08, adopted 6/19/08 will be effective July 9, 2008.

#### **MANAGER'S REPORT**

##### **◆Water problem at 3407 Turner Lane.**

William Bissell, P.E. has completed his evaluation of the long standing water problem at 3407 Turner Lane and prepared a report with recommendations for remediation. The report was shared with the Council earlier this month. Dan Shaw of Chamberlain has been asked to prepare an estimate for the recommended repair. No dollar estimate has been received yet but Jean asked for approval to initiate the repair with an email vote once the estimate is received. The Council agreed to this arrangement.

##### **◆ Election Results Provided.**

The election results for the Village of Martins' Additions were recorded with the Maryland State Archives as required as well as the County and the Maryland Municipal League.

##### **◆State Debt reported Filed.**

The necessary State Anticipated Debt Report was filed with the State Treasurer's Office showing we did not intend to incur any debt in FY 2009.

◆**Property Tax Rates for FY 2009 Filed.**

The necessary property tax rate notice was filed with the State on Maryland on May 19, 2008 via fax.

◆**Storm Damage Report**

Martin's Additions fared very well in the last few round of storms. We had minimal problems with town trees compared to some of the difficulties around us. The most serious damage occurred on Quincy Street when a limb from a town tree brought down some limbs from a tree on private property at 163 Quincy. A Village tree at 103 Quincy Street dropped a large limb onto the driveway at that location. This is not the first time this tree has lost large limbs.

◆**Storm Clean-Up**

Bringing a chipper truck through the Village to clean up town debris and offer the same service to the residents' debris seems to work very well and was well received. They removed almost a full truck load, or almost 5 tons of debris.

Jean said that she would like to set up a more formal, defined process for this to be done in the future so that more people are aware of the service. The list serv and word of mouth was relied on but we need to think through a policy and how we can alert residents in a more comprehensive fashion. The website will be helpful in terms of posting alerts.

◆**Post-Storm/Other Tree Evaluations and Action filed by Integrated Plant Care**

-103 Quincy-pin oak- needs to be taken down ASAP. All interested parties (The homeowner, Village Manager, Tree Supervisor and consulting Tree Care Firm, Integrated Plant Care)) are very concerned about the condition of the tree. Consequently Jean asked our consulting arborist, Barb Neal for an independent evaluation. Ms. Neal has informed us that this tree must come down immediately. The necessary steps have been initiated (giving Pepco notice that they need to bring this tree down to the wires, getting a State permit, scheduling the tree removal with our contractor)  
-3411 Taylor-Bradford Pear-will be pruned to below the power lines and roped to try to prevent it from splitting.

-163 Quincy –Oak—although it lost a few large limbs it appears to be sound at this time.

-3503 Thornapple Street –Cherry tree –Carpenter ant activity in the tree cavity does not appear to be so extensive that the limb is in imminent danger of breaking.

◆**Storm Preparedness.**

This was the topic of the Local Managers lunch this month which was held in Friendship Heights and the discussion continues via email.

Most neighboring jurisdictions do what VMA did to assist residents with their storm debris. A host of other procedures were discussed; for example, other towns rely on the police non-emergency number to close streets when trees come down and block the street. If power lines comes down the procedure is to call 911. Garrett Park has someone on call 24/7 and the Mayor has a cell phone paid for by the town in his hands at all times. Section 3 has prepared a Master Sheet for all Council members with directions and phone numbers for emergency contacts. Somerset and Garrett Park have back-up generators. Jean intends to pursue the full topic of emergency preparedness with the surrounding jurisdictions and prepare an information paper for the Council to discuss soon.

◆**Street Cleaning.**

The first spring street cleaning was performed in May by the Mulheron firm. The crew was not properly deployed the second day and thus were not able to complete the job until the following week. Jean has asked another vendor to provide an estimate for the second round of street cleaning for consideration.

◆**Street Paving Plans for Taylor Street.**

VMA has three paving and repair projects on Taylor Street and Chestnut Street that Jean had hoped to get done in June but will not get to. It is hoped they can be rolled into the bigger work that we will do with street sealing and pothole repair. Two of the three projects are the result of construction and the bond amounts have been held in the current fiscal year.

◆**Website.**

Carrie Raines is inputting the changes to the Webpage design draft. We should be able to at least get some of the basic information uploaded soon. Jean will circulate the latest version as soon as it is available.

♦**Survey.** Dan Schriever of A. Morton Thomas reported that they are still struggling with one block (Quincy Street). The next step will be by the GIS and setting the monuments. They hope to wrap the project up in July

♦**Closing out Fiscal Year.**

The Village is still waiting for the snow removal bill from Mark Peyton. A bill has been received from Grace Novack for the work on the voter roles and directory data base in the amount of \$675, within the projected \$1,000 ceiling.

♦**4<sup>th</sup> of July Wrap Up Party**

Scheduled for July 6<sup>th</sup>. No one has called to volunteer. Jill Filipczyk offered to help when asked.

**CONSTRUCTION UPDATE: Alan Beal**

♦**Trees, fence, driveway apron at McNamara Property.** Alan reported that Bob McNamara, the builder at 3525 and 3529 Raymond asked for a confirmation of the Village's position on retaining the trees on the property at that construction site and an explanation of fence restrictions in the County and/or Martin's Additions. Alan and Jean sent a letter of explanation in response. It appears that the new owners at 3529 have agreed not to remove the larger trees on the property that McNamara has tried so conscientiously to retain throughout the construction process.

♦**Monies Received for damage to 3512 Raymond Street.** McNamara Bros has written a check to the Village to cover the estimated cost of repair to the street and curb that resulted from the construction at 3512 Raymond Street.

♦**Demo/ Construction at 3516 Turner (McNamara).** McNamara Bros has purchased the home at 3516 Turner Lane and intends to demolish it and build a new home. The plans include staging the construction from the front of the property in order to minimize the disruption on the street.

♦**Project completions:** three major construction projects are coming to completion: 3525 and 3529 Raymond Street (McNamara Bros), 3501 Raymond Street (Keating) and 7215 Delfield Street (Reshevsky). The Singles have requested their bond be returned but the Village is awaiting final street repairs by selected utilities.

♦**Permits Issued:** Dumpster at 3522 Raymond Street, (Bares/Ephron family) for exterior home repairs.

♦**Potential Development of 7320 Delfield Street.** Alan explained that the lot at 7320 Delfield Street (formerly the Douglas property) is on the brink of being sold. It is over 23,000 sq.ft. in size and will likely support two houses. The question came up about whether the Village can have any impact on this action. The Village attorney Ron Bolt explained that the Council could adopt a "Subdivision Review Policy" that will allow us to have more influence on subdivision case review by the County Planning Board. He promised to forward information on this topic to the Village.

**NEW BUSINESS**

♦**Environmental Program Initiatives.** Catherine Gwin reported that Karen McManus (Cummings Lane) has expressed an interest in initiating an environmental awareness initiative in Martin's Additions. They will make an effort to meet and pursue these interests.

♦**Oath of Office.** Outgoing chairman Tim Price administered the Oath of Office to incoming Council members Larry Wasson (new), Richard Krajeck (incumbent) and Noell Sottile (incumbent). The new term becomes effective July 1, 2008.

**OLD BUSINESS**

♦**Manager's Contract-** was presented by attorney Ron Bolt, signed by employee Jean Sperling, Chairman Tim Price and Secretary Diane Everts. The contract was effective as of April 1, 2008.

**ADJOURNMENT: 9 PM**