



VILLAGE OF MARTIN'S ADDITIONS

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

Agenda for Council Meeting Thursday, September 19, 2019, 7:30 PM

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- | | |
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| 7:30 PM* | Call to Order: Vice-Chair Cissna |
| 7:31 PM | Opportunity for Council to hear residents' comments: Vice-Chair Cissna |
| 7:40 PM | Update from VMA Contract Police Officers: Picerno |
| 7:50 PM | VMA Committee Updates: Committee Chairs |
| 7:55 PM | Action on Meeting Minutes of August 15, 2019: Vice-Chair Cissna |
| 7:55 PM | Building Administrator's Report: Lohmeyer |
| 8:00 PM | Discussion of and Possible Introduction of Ordinance No.: 9-19-1 regarding Accessory Dwelling Units: Fattig |
| 8:10 PM | Discussion of and Possible Introduction of Ordinance No.: 9-19-3 and Resolution No.: 9-19-4 to adopt reasonable accommodation processing procedures: Fattig |
| 8:20 PM | Discussion of and Possible Introduction of Ordinance No.: 9-19-2 regarding Private Trees That Fall Into The Public Rights-Of-Way: Alexander |
| 8:30 PM | Vote on Traffic Order No. 2019-01 (NO PARKING at Summit & Thornapple): Cissna |
| 8:35 PM | VMA Annual Survey: Hill |
| 8:45 PM | Financial Matters: Alexander |
| 8:50 PM | Manager's Report: Gaston |
| 9:00 PM | Opportunity for Council to hear residents' comments: Vice-Chair Cissna |
| 9:05 PM | <i>The Council will entertain a motion in open session to enter into a closed session, in accordance with Section 3-305(b)(1) of the Open Meetings Act (Maryland Code, General Provisions Article), to discuss personnel matters that affect one or more specific individuals.</i> |
| 9:25 PM | Adjournment: Vice-Chair Cissna |

* Please Note: Listed times are approximate.

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

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

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

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

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

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

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

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

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

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

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

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

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

3520 Bradley La.

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

7204 Chestnut St.

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

7210 Chestnut St.

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

3521 Cummings La.

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

3508 Shepherd St.

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

3412 Taylor St.

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

3512 Taylor Street

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

3407 Thornapple St.

The applicant has submitted a building permit application to the County and the Village. The neighborhood information meeting was held on Monday, Jan. 14, 2019. The County issued the sediment control permit on Feb. 22nd and their building permit on April 9, 2019. The pre-construction meeting has been held and the Village building permit has been issued. Work has begun on the new house construction. The applicant has submitted a "Wall Check", which indicated the new house is in conformance with the approved site plan and the Village Code.

Miscellaneous Items

The staff is presently working with the following properties:

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

MONTGOMERY CONSULTING MEMO

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

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

- I. The Village has approximately 325 lot.

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

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

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

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

No Parking Anytime, Summit Ave. and Thornapple Street

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

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

The parking issues within this intersection predates the present and two previous village manager. I brought this issue up when I retired 13 years ago, but it died on the vine each and every time, until now. Thanks to the new village manager and the village traffic engineer it has a chance now to be resolved. The engineer has wondered why it was never addressed in the past.

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

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

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

Dennis King

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

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

From: **Warren A. Margolies** <wmargolies@mmmlaw.com>
Date: Thu, Aug 15, 2019 at 1:02 PM
Subject: Traffic Order No. 2019-01
To: manager@martinsadditions.org <manager@martinsadditions.org>
Cc: beckgale@gmail.com <beckgale@gmail.com>

James,

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

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

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

Thanks,
Warren Margolies

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

8:01PM Financial Matters: Alexander
Council Member Alexander says everything is looking good. Council member Cissna asks how often we have to move money between accounts. Council member Alexander says he moves money from the savings account into the checking account roughly once a month.

8:03PM Manager's Report

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

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

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

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

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

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

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

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

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

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

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

DRAFT

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

FROM: Doug Lohmeyer

DATE OF MEMO: September 14, 2019

SUBJECT: Building Administrator's Report

3520 Bradley La.

The applicant has submitted a building permit to the County and the Village. The neighborhood information meeting has been held and the County and Village building permits have been issued. The Village has approved a variance to allow a temporary handicap ramp and porch to be constructed on the right side of the house. The variance requires the ramp and porch be removed as soon as the structure is no longer needed by the current owners.

7204 Chestnut St.

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

7210 Chestnut St.

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

3521 Cummings La.

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

The property owner has requested permission from the Village to construct a screening fence along a portion of the Cummings Lane frontage, within the Village right of way. If the Village approve the proposed fence, a right of way license will be required.

3508 Shepherd St.

The applicants have submitted at building permit package to the County and the Village. The work related to the house improvements has been completed, but some exterior work is still in progress. The property has been sold and the new owners have moved in. When the exterior work is completed, the existing building permit will be closed and the applicant’s bond will be returned. The current homeowner has stated they will be applying for a building permit to install a screened porch at the rear of the house. A right of way license is in process for the driveway pavers, which were installed within the Village right of way.

3412 Taylor St.

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

3512 Taylor Street

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

3407 Thornapple St.

The applicant has submitted a building permit application to the County and the Village. The neighborhood information meeting was held on Monday, Jan.14, 2019. The County issued the sediment control permit on Feb. 22nd and their building permit on April 9, 2019. The pre-construction meeting has been held and the Village building permit has been issued. Work has begun on the new house construction. The applicant has submitted a "Wall Check", which indicated the new house is in conformance with the approved site plan and the Village Code.

Miscellaneous Items

The staff is presently working with the following properties:

1. MSHA Brookville Rd. and Quincy intersection ponding rainwater.
2. The Village building permit conditions and the Village Performance Bond has been revised to clarify that the property owner is responsible for any damage to the Village right of way, which may be caused by the public utility contractor's work relating to the applicant's project.
3. The Village is assessing the Accessory Dwelling Unit impact.

Ordinance No.: 9-19-1
Introduced: September 19, 2019
Adopted:
Effective Date:

THE VILLAGE OF MARTIN'S ADDITIONS

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

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

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

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

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

WHEREAS, after proper notice to the public, the Village Council introduced the following Ordinance in an open meeting conducted on the 19th day of September 19, 2019;

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

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

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

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

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

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

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

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

WHEREAS, the Village Council finds that the foregoing Ordinance would assure the good government of the municipality, protect and preserve the municipality's rights, property, and privileges, preserve peace and good order, secure persons and property from danger and destruction, and protect the health, comfort and convenience of the citizens of the Village of Martin's Additions, and is necessary for the preservation of the property, rights, and privileges of the Village and its residents.

NOW, THEREFORE, the Village Council does hereby adopt the following Ordinance.

BE IT ORDAINED AND ORDERED, this ____ day of _____, 2019, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Charter of the Village of Martin's Additions, that the Village Code is hereby amended as follows:

* * *

Section 6-101. Definitions

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

* * *

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

* * *

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

Section 6-302. Permits Required.

* * *

(b) Improvements.

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

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

(c) Repairs.

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

* * *

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

- (a) Any person planning to engage in an activity covered by this Article that requires a Montgomery County building permit shall apply for a Village building permit within three (3) days of applying for the County permit.
- (b) An application for a Village building permit shall be submitted in a form prescribed by the Council and shall be accompanied by (i) a copy of the Montgomery County building permit or application for a Montgomery County building permit for the activity and (ii) such plats, plans, drawings, reports and the like as the Council or Code Enforcement Officer deems necessary to determine whether the proposed activity would be in derogation of the health, safety, comfort or welfare of the present or future inhabitants of the Village. For any construction that would be located within four (4) feet of a required setback, or within two (2) feet of a lot line, a site plan and boundary survey with a margin of error of +/- one-tenth (0.10) of a foot, or better, must be submitted depicting all existing and proposed buildings and their distances to the lot lines. The application shall be signed by all the owners of the property and, where related to the erection or construction of, or addition to a building, shall also state the intended use of such building or addition thereto. The applicant may be required to provide a copy of all covenants recorded with respect to the property. A permit for construction related to an accessory dwelling unit shall not be issued until the applicant has submitted a copy of the Montgomery County landlord license for the proposed accessory dwelling unit.

* * *

Section 7-101. Definitions

* * *

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

* * *

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

* * *

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

* * *

Section 7-402. Construction Standards and Requirements

* * *

(f) Accessory buildings

- (1) Front setback: No wall or projection of any accessory building shall be located closer to the front lot line than sixty (60) feet, **provided, however, that any accessory building that is, or contains, an accessory dwelling unit shall comply with the required front setback for a main building.** For corner lots (which have two front yards), this requirement shall apply only to one front yard. The front yard which is parallel to the side yard shall have a minimum setback equal to the established building line.
- (2) Rear setback: No wall or projection of any accessory building shall be located closer to the rear lot line than five (5) feet, **provided, however, that any accessory building that is, or contains, an accessory dwelling unit shall comply with the required rear setback for a main building.**
- (3) Side setback: No wall or projection of any accessory building shall be located closer to either side lot line than five (5) feet, **provided, however, that any accessory building that is, or contains, an accessory unit shall comply with the required side setback for a main building.**
- (4) Height: The height of any accessory building shall not exceed twenty (20) feet to the highest point of roof surface regardless of roof type.
- (5) Wall plane length: The length of any wall plane of any accessory building shall not exceed twenty-five (25) feet.
- (6) **Accessory Dwelling Unit Parking. At least two (2) new dedicated on-site parking spaces shall be provided for any accessory dwelling unit. Such parking spaces shall comply with the driveway width and maximum non-vegetative surface area requirements of this Chapter. Existing parking area in a driveway or an existing garage may not serve as the required on-site parking spaces for an accessory dwelling unit.**

* * *

Section 7-404. Developmental Nonconformities; Accessory Dwelling Units

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

* * *

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

- (1) If any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof; and
- (2) This Ordinance shall take effect on the 31st day of December, 2019 (at least 20 days after adoption).

ATTEST:

THE VILLAGE OF MARTIN’S ADDITIONS

Susan Fattig, Secretary

Tiffany Cissna, Vice Chair
Village Council

Underline indicates new material

~~Strikethrough~~ indicates material deleted

* * * indicates material unchanged

Ordinance No.: 9-19-3
Introduced: September 19, 2019
Adopted:
Effective Date:

THE VILLAGE OF MARTIN'S ADDITIONS

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

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

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

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

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

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

WHEREAS, after proper notice to the public, the Village Council introduced the following Ordinance in an open meeting conducted on the 19th day of September 19, 2019;

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

WHEREAS, the Montgomery County Council did not submit 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 _____, 2019, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Charter of the Village of Martin's Additions, that the Village Code is hereby amended as follows:

* * *

Section 7-405. Variances

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

detailed information depicting fully the exterior appearance of existing and proposed construction;

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

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

* * *

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

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

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

Susan Fattig, Secretary

Tiffany Cissna, Vice Chair
Village Council

Underline indicates new material

~~Strikethrough~~ indicates material deleted

* * * indicates material unchanged

Village of Martin's Additions Reasonable Accommodation Policy and Regulations

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

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

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

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

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

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

When a request for reasonable accommodation under the ADA is filed, the evaluation process will be the same as that for a variance. Staff will prepare a summary of the request for delivery to the Council and adjoining and confronting houses and will post notice of the request on the property. If no written objection to the request is received within 15 days, the request may be approved administratively by the Chair and Village Manager. If a written objection to the administrative approval of the request is filed, the Village will schedule the request for a public hearing following the same procedures for a variance (posting of the property and notices delivered to adjoining and confronting houses at least 20 days prior to the hearing).

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

Ordinance No.: 9-19-2
Introduced: September 19, 2019
Adopted:
Effective Date:

THE VILLAGE OF MARTIN'S ADDITIONS

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

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

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

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

WHEREAS, after proper notice to the public, the Village Council introduced the following Ordinance in an open meeting conducted on the 19th day of September 19, 2019;

WHEREAS, the Village Council finds that the foregoing Ordinance would assure the good government of the municipality, protect and preserve the municipality's rights, property, and privileges, preserve peace and good order, secure persons and property from danger and destruction, and protect the health, comfort and convenience of the citizens of the Village of Martin's Additions, and is necessary for the preservation of the property, rights, and privileges of the Village and its residents.

NOW, THEREFORE, the Village Council does hereby adopt the following Ordinance.

BE IT ORDAINED AND ORDERED, this ____ day of _____, 2019, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Charter of the Village of Martin's Additions, that the Village Code is hereby amended as follows:

* * *

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

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

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

* * *

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

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

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

Susan Fattig, Secretary

Tiffany Cissna, Vice Chair
Village Council

Underline indicates new material

~~Strikethrough~~ indicates material deleted

* * * indicates material unchanged

Resolution No.: 2019-01
Introduced: August 15, 2019
Adopted: September 19, 2019
Effective Date: September 20, 2019

THE VILLAGE OF MARTIN'S ADDITIONS

SUBJECT: RESOLUTION TO ERECT TRAFFIC CONTROL SIGN(S) (NO PARKING ON NORTHBOUND SUMMIT AVENUE, AT THE THORNAPPLE STREET INTERSECTION).

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

WHEREAS, Section 25-102(a)(2) and Section 25-106 of the Transportation Article of the Maryland Code grants to the legislative body of every local authority in Maryland, including the Town, the power to regulate traffic by means of traffic control devices, provided such devices conform to the manual and specifications of the State Highway Administration;

WHEREAS, Section 8-103 of the Code of Ordinances of the Village of Martin's Additions provides that the Village Council may, when deemed appropriate, necessary or advisable for the public good, safety and convenience, control or regulate vehicular and pedestrian traffic or parking, and provide for the erection of regulatory traffic and parking control signs and other devices; and

WHEREAS, the Village Council finds it appropriate, necessary and advisable for the public good, safety and convenience to control traffic and parking, as provided herein; and

WHEREAS, this Resolution was introduced in open session on August 15, 2019 and considered in open session on _____, ____, 2019.

NOW, THEREFORE, BE IT:

RESOLVED that the Village Manager be and is hereby authorized and instructed to install no parking signs, at any time, on Summit Avenue, east side, from a point opposite the north curb line of the west leg of Thornapple Street, to a point 60' south of the south curb line of the east leg of Thornapple Street, 65' in total length;

RESOLVED, that this Resolution shall be effective immediately upon adoption and shall be filed by the Village Manager and kept available for public inspection; and

RESOLVED, that the Village Manager is authorized to execute and issue the attached Order for Traffic Control Devices.

Richard Krajeck, Chair
Village Council

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

Susan Fattig, Secretary

Village of Martin's Additions
Financial Report for August 2019: Contingencies
Arthur Alexander, Treasurer
September 19, 2019

In this report, I depart from the usual discussion of spending and receipts to consider a longer-term issue. What might we do if we lost the Village office? This could happen from a destructive fire or storm; the sale and demolition of the building; or non-renewal of our lease. Your imagination will likely come up with other possibilities. How might we cope?

In the past, Village operations were in a private home, typically the village manager's, as they still are in neighboring towns. When a larger venue was required, space was rented in a local town hall, or above the restaurant, La Ferme. For more than twenty years, we have enjoyed the benefits of our own office where staff work and meet with contractors, discuss issues with residents, and where Council meetings are held. I do not foresee doing all this in someone's basement. Hence, the need for considering a contingency plan.

One possibility is to buy a house within the Village to accommodate the activities now held at the Village office. The purpose of this note is to consider the financial implications of that choice.

According to the online company Zillow, the average price of a Village of Martin's Additions house in the past two years is approximately \$1 million, which makes the arithmetic easy. Acquisition could be financed two ways: outright purchase from our reserves, or with a mortgage. First consider outright purchase. The main cost is the income lost from our deposits at the Maryland Local Government Investment Pool (MLGIP). The current interest rate on deposits is 2.1%; therefore, we would lose \$21,000 from withdrawing a million dollars.

The second option is to obtain a mortgage; the current rate on a conventional 30-year mortgage with a 20% down payment is 3.8%. The annual payment would be \$45,000. Additionally, we would lose the interest on the down payment, \$4,200, for a total cost of \$49,200. However, not all the mortgage payment is a net cost. An increasing portion over the years reduces the debt. A "pure" cost is simply the interest on the loan; in the first years, this is \$30,400, which is what we use in the comparisons.

Our current lease of \$32,000 annually includes a pro-rated portion of the property tax. The tax on a property assessed at \$1,000,000 is currently about \$10,700. One additional cost is insurance; we currently pay approximately \$300 for the office contents. A rough estimate of the cost for a complete structure and contents is around \$1,000.

The annual costs of the alternatives are shown in the table below. The bottom line is that outright purchase from Village reserves of approximately \$2.7 million is a feasible option. A mortgage would have larger budgetary and economic costs, especially in the early years.

	<u>Current lease</u>	<u>Outright purchase</u>	<u>Mortgage</u>
Lost interest on reserves	0	21,000	4,200
"Pure" mortgage cost	0	0	30,400
Property taxes	0	10,700	10,700
Insurance	300	1,000	1,000
Lease	32,000	0	0
TOTAL	32,300	32,700	46,300

Village of Martin's Additions Treasurer's Report August 2019

	Aug 19	Budget	Jul - Aug 19	YTD Budget	Annual Budget
Income					
4000 · Revenue					
4010 · Permit Fees	150.00	1,250.00	910.00	2,500.00	15,000.00
4020 · Cable TV Franchise Fees	0.00	0.00	0.00	0.00	8,000.00
4040 · County Revenue Sharing	0.00	26,800.00	0.00	26,800.00	26,800.00
4050 · Highway Users Fees	0.00	2,500.00	0.00	5,000.00	30,000.00
4060 · Income Tax	0.00	0.00	0.00	0.00	650,000.00
4080 · Personal Property Tax	0.00	0.00	0.00	10.00	4,500.00
4090 · Real Property Tax	878.75	2,000.00	912.46	2,175.00	15,000.00
4095 · Utility Property Tax	0.00	0.00	0.00	0.00	15,000.00
4100 · Holiday Fund	0.00	0.00	0.00	0.00	8,000.00
4110 · Interest	5,054.50	4,166.00	5,056.47	8,332.00	50,000.00
4136 · WSSC - Street Work	0.00	0.00	0.00	0.00	30,000.00
Total 4000 · Revenue	6,083.25	36,716.00	6,878.93	44,817.00	852,300.00
4200 · Prior Years Surplus	0.00	0.00	0.00	2,869,337.00	2,869,337.00
Total Income	6,083.25	36,716.00	6,878.93	2,914,154.00	3,721,637.00
Expense					
5000 · General Government					
5010 · Office Expenses	1,555.96	1,450.00	2,020.08	2,900.00	17,500.00
5025 · Office Furniture & Equipment	125.00	0.00	125.00	0.00	10,000.00
5030 · Insurance	524.00	600.00	4,962.00	6,200.00	8,000.00
5040 · Printing & Mailing	23.00	0.00	23.00	1,000.00	5,000.00
5050 · Dues & Subscriptions/Conference	62.26	100.00	4,218.24	4,100.00	10,000.00
5055 · Storage Rental	316.00	333.00	316.00	666.00	4,000.00
5060 · Office Lease	2,190.67	7,899.00	7,175.90	10,090.00	32,000.00
5065 · Telephone	293.99	333.00	293.99	666.00	4,000.00
5080 · Holiday Fund	0.00	0.00	0.00	0.00	8,000.00
Total 5000 · General Government	5,090.88	10,715.00	19,134.21	25,622.00	98,500.00

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

	<u>Aug 19</u>	<u>Budget</u>	<u>Jul - Aug 19</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
5100 - Salaries & Benefits					
5110 - Managerial & Office Salaries	16,310.76	11,250.00	27,184.60	22,500.00	135,000.00
5120 - Payroll Taxes & Benefits	1,250.21	2,083.00	2,100.53	4,166.00	25,000.00
Total 5100 - Salaries & Benefits	17,560.97	13,333.00	29,285.13	26,666.00	160,000.00
5200 - Professional Fees					
5210 - Accounting & Auditing	2,700.00	2,700.00	5,400.00	5,400.00	39,000.00
5220 - Building & Permitting					
5222 - Building Review & Permits	5,850.00	3,750.00	5,850.00	7,500.00	45,000.00
5224 - Enforcement & Oversight	0.00	1,500.00	0.00	3,000.00	18,000.00
5226 - Municipal Operations	0.00	1,500.00	0.00	3,000.00	18,000.00
Total 5220 - Building & Permitting	5,850.00	6,750.00	5,850.00	13,500.00	81,000.00
5230 - Legal	5,155.40	3,333.00	5,155.40	6,666.00	40,000.00
5240 - Police	5,167.80	4,166.00	7,758.60	8,332.00	50,000.00
5244 - Traffic Engineering	1,048.00	833.00	1,048.00	1,666.00	10,000.00
5246 - Records Retention & Disposal	0.00	0.00	0.00	0.00	1,500.00
5247 - GIS Update	0.00	0.00	0.00	0.00	10,000.00
Total 5200 - Professional Fees	19,921.20	17,782.00	25,212.00	35,564.00	231,500.00
5300 - Streets					
5305 - Streets - General					
5310 - Street Lighting - PEPCO	177.69	416.00	297.58	832.00	5,000.00
5322 - Street Cleaning - Fall/Spring	0.00	0.00	0.00	0.00	15,000.00
5324 - Street Maintenance - Other	10.36	625.00	1,070.36	1,250.00	7,500.00
5326 - Leaf Vacuuming	0.00	0.00	0.00	0.00	20,000.00
Total 5305 - Streets - General	188.05	1,041.00	1,367.94	2,082.00	47,500.00
5349 - Snow Removal Services					
5350 - Snow Removal - Shovel Bvl. Rd.	0.00	0.00	0.00	0.00	5,000.00
5351 - Snow Removal - Plowing	0.00	0.00	0.00	0.00	25,000.00
Total 5349 - Snow Removal Services	0.00	0.00	0.00	0.00	30,000.00
Total 5300 - Streets	188.05	1,041.00	1,367.94	2,082.00	77,500.00

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

	Aug 19	Budget	Jul - Aug 19	YTD Budget	Annual Budget
5400 - Waste & Recycling					
5410 - Waste Collection & Recycling	10,396.75	12,800.00	31,190.25	25,600.00	153,600.00
5420 - Leaf Bags	0.00	0.00	0.00	0.00	15,000.00
5425 - Recycling Bins	0.00	0.00	0.00	0.00	1,000.00
Total 5400 - Waste & Recycling	10,396.75	12,800.00	31,190.25	25,600.00	169,600.00
5500 - Other					
5510 - Tree Maintenance	2,174.00	2,500.00	3,830.00	5,000.00	30,000.00
5515 - Tree Replacement	0.00	0.00	0.00	0.00	15,000.00
5518 - Right-of-Way Landscaping	586.00	2,500.00	1,172.00	2,500.00	10,000.00
5520 - Community Events	1,346.62	0.00	1,346.62	0.00	35,000.00
5530 - Website	0.00	0.00	0.00	0.00	4,250.00
Total 5500 - Other	4,106.62	5,000.00	6,348.62	7,500.00	94,250.00
5600 - Initiatives					
5630 - Tree Planting Initiatives Prog.	0.00	0.00	0.00	0.00	2,000.00
Total 5600 - Initiatives	0.00	0.00	0.00	0.00	2,000.00
5800 - Designated Funds					
5805 - Designated - Walkability	0.00	0.00	0.00	500,000.00	500,000.00
5810 - Designated - Street	0.00	0.00	0.00	500,000.00	500,000.00
5814 - Designated - Capital Projects	0.00	0.00	0.00	500,000.00	500,000.00
5820 - Designated - Audit Rec. Reserve	0.00	0.00	0.00	1,000,000.00	1,000,000.00
Total 5800 - Designated Funds	0.00	0.00	0.00	2,500,000.00	2,500,000.00
5900 - Undesignated Fund Balance					
	0.00	0.00	0.00	388,287.00	388,287.00
Total Expense	57,264.47	60,671.00	112,538.15	3,011,321.00	3,721,637.00
Net Income	-51,181.22	-23,955.00	-105,659.22	-97,167.00	0.00



Thursday, September 19, 2019
Manager's Report
Submitted by James D. Gaston, III

Administrative Matters:

- Chevy Chase - #DownCounty Council Meetings
 1. Attended the Village of Chevy Chase, MD, Council Meeting Monday, September 9, 2019
 - Dog Park Update - On Monday, September 9, 2019, at the CCV Board of Managers meeting, a vote was taken regarding the status of CCV Dog Park. The final vote was 5-2 in favor of disestablishment
 - Alternative Dog Park Option have been emailed to VMA residents
 2. Attended monthly Fire Board Meeting, Wednesday, September 11, 2019 at 8 PM
 - VMA has a vacant 3rd position
 - Chevy Chase Fire Department Open House-Sat, Oct 12, 2019, 10 AM – 3 PM
 - All are invited
 3. Attended the 1st MML Engagement and Outreach Committee in Annapolis, MD, August 28, 2019
 4. Registered for the Fall MML Conference in Cambridge, MD, Oct. 13-15, 2019
- VMA Office Computers
 - All VMA computers have been upgraded to the latest version of Microsoft Office & the VMA office has migrated from Gmail platform to Microsoft Office
- Building Permit Log - See Attached
- Brookville Burglaries
 - VMA hosted a Community Meeting with Montgomery County Police Commander of District 2, on Monday, September 16, 2019
 - Brookville merchants have decided to install alarm/siren systems & several video cameras to address the recent burglaries
 - Installation should be completed by the end of September or sooner
- VMA Committees
 - Per the VMA Council request; all VMA appointed members have been completing an Oath of Office & a Conflict of Interest Form
- 2019 Leaf Bags
 - For those who chose to receive leaf bags this year from VMA, if you have not already received your leaf bags, you will soon receive them. Deliveries have already begun from Global Industries and are expected to be completed within the next week. Please note the boxes are addressed to "Resident" because the office chose not to give residents' names to the vendor.
- Storage Unit - Wayne Fowler & I cleaned and purged the VMA external storage unit
 - The shelving units for the archive boxes have been installed
- VMA Community Garden has been cleaned up of loose debris by *GreenSweep*
 - Phase two (2) is being done by Ruppert Landscaping & will be completed by the end of the month
 - Phase three (3), if approved, is a total reconfiguration of the garden to the original plan with a new gravel walkway.
 - Seeking vendors for draft designs & costs



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- Dark Spots – See attached Map
 - VMA has old-style street lights at 7210 Chestnut Street & 3 other locations
 - There are other areas of VMA that could use the installation of new street lamps
 - On my night tour, I counted 12 areas that meet this criterion
 - Cost would be \$42,000 for 15 new street lamps plus installation
 - Still working a vendor for installation cost
- Chevy Chase Park – Currently being addressed & should be done by September 2019
 - Addressing some erosion & drainage issues
 - Basketball court improvements, including resurfacing courts (new fence)
 - Replacing some fencing around the playground
 - Painting the playground equipment (starting in September)

VMA Traffic Control

- Inventory of the all of the VMA signage has been done by Joe Curto
- No Parking Sign at Thornapple and Summit plus Traffic order

Village Exterior Door

- Door has been fixed & will be locked after office hours, during the weekends & on holidays

VMA Archiving VMA is following the storage procedures outlined by the Maryland Archives Office at the external storage with the recently delivered State of Maryland Retention and Disposal Schedule archive boxes

- AVM, Tina Lurie, under the direction of the Maryland Archives Office has reviewed all of the boxes & the next step is to complete the same review all of the 3 cabinets
- This project is ¾ completed & it should be finished by the end of October or sooner

Fire Hydrant Markers See attached Picture

- 15/30 or Half of the 30 New Fire Hydrants markers have been installed on all Fire Hydrants south of Turner Lane
 - The rest will be installed by the end of September
 - The old yellow signs will be removed by the end of October

Dead Ends

- The fences for the dead ends, Bradley, Raymond & Cummings will be painted by the end of September or sooner
- Raymond Street Dead
 - Paul Wolf has made recommendations for cleanup & the installation of vegetation
 - Vendors are being sought for pricing

VMA Village Office

The office will be closed on Columbus Day, Monday, October 14, 2019

Community Events:

1. 2nd annual Movie Night in the Park at Chevy Chase Park (Shepherd Park) - The Princess Bride
 - a. The event was a very successful
 - b. 2020 Movie Night has been scheduled for September 6, 2020



Thursday, September 19, 2019
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Contractors and Contracts:

- Reviewing all of VMA's current contracts for accuracy and current status
 - Rolling Acres Contract for Street Cleaning, Sewer Cleaning & Leaf Removal is signed
- GIS: VMA GIS system is being updated & vendor is in review
- Walkability Study: Chris Jakubiak has begun is review of VMA
 - A Walkability committee needs to be appointed by the VMA Council

Utilities:

- PEPCO-is compiling a list of double pole issues within our service territory, which includes but Montgomery County. PEPCO they will be removed within 60-90 days
- Washington Gas Nothing to report
- WSSC Nothing to report

Building Administration:

- Please see report from Doug Lohmeyer, attached

Municipal Operations:

- Please see report from Wayne Fowler, attached



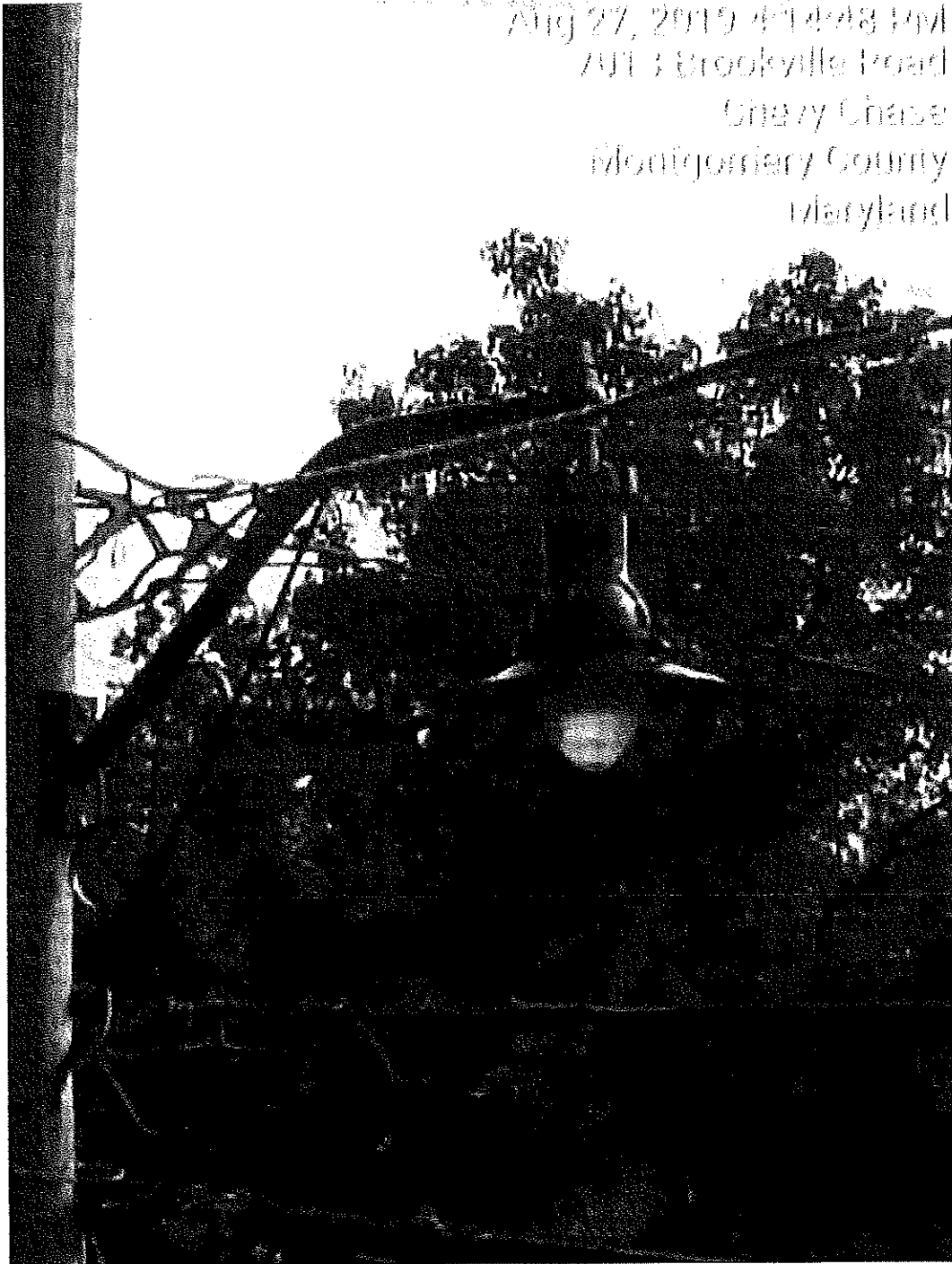


Hydrant F66 on
Turner Ln at
Brookville Rd

© BCC, LLC 2019

8/30/19,
6:11:28 PM

Aug 27, 2019 4:14:28 PM
7113 Brookville Road
Cherry Chase
Montgomery County
Maryland

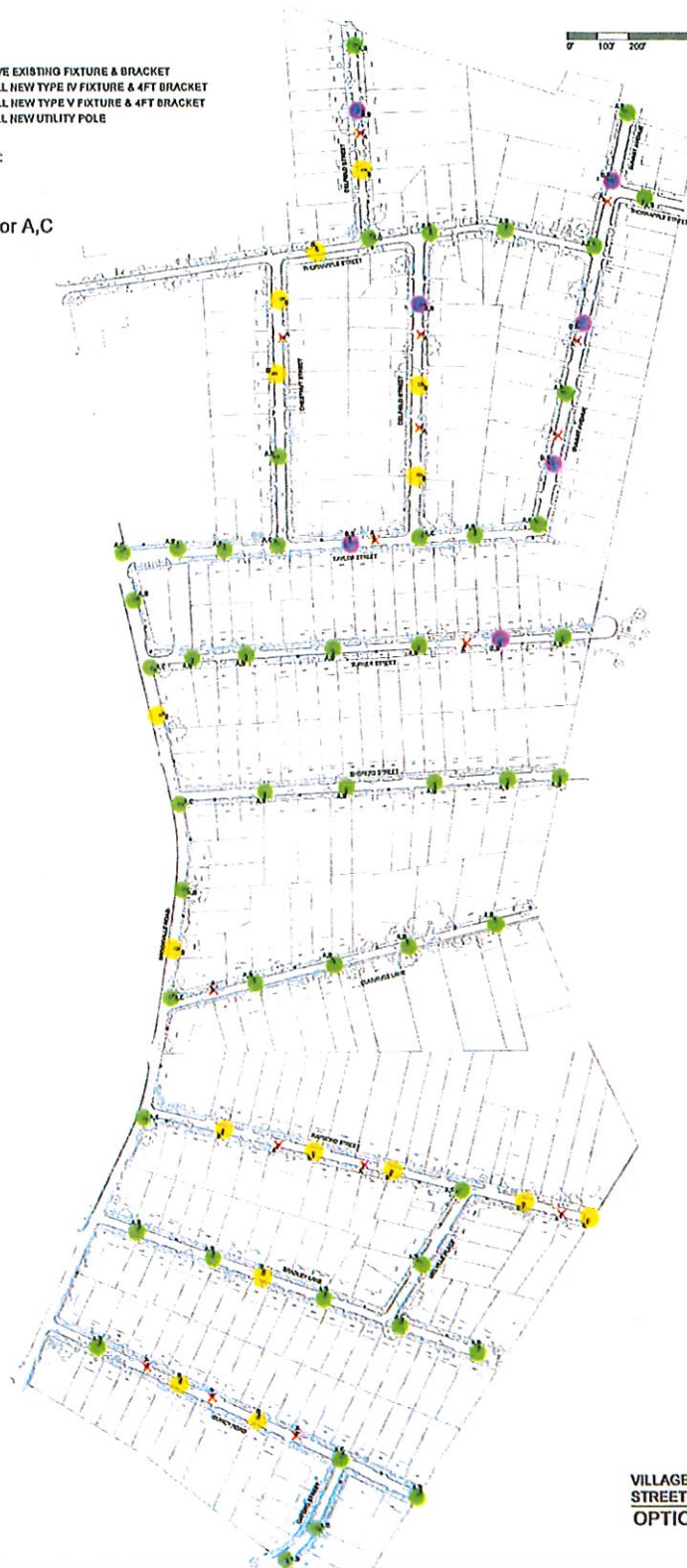


LABEL KEY:

- A - REMOVE EXISTING FIXTURE & BRACKET
- B - INSTALL NEW TYPE IV FIXTURE & 4FT BRACKET
- C - INSTALL NEW TYPE V FIXTURE & 4FT BRACKET
- D - INSTALL NEW UTILITY POLE

COLOR KEY:

- ✕ A
- B
- A, B or A, C
- D



**VILLAGE OF MARTIN'S ADDITIONS
STREET LIGHTING PLAN
OPTION B - SOME NEW POLES**

Scott M. Watson, Inc.
January 21, 2010

TO: The Council at the Village of Martin's Additions
FROM: Wayne C. Fowler, Blue Crab Contracting, LLC
DATE OF MEMO: September 17, 2019
SUBJECT: Municipal Operations Support Report

3520 Bradley Lane

Handicap ramp framing nearly complete.

7203 Chestnut Street

Stump has been ground below grade and right-of-way stabilized with straw and seed.

7204 Chestnut Street

Roof, exterior trim, siding and windows are installed.

7210 Chestnut Street

House construction nearly complete.

7211 Chestnut Street

Interior progress continues.

3521 Cummings Lane

Preparing for underground Pepco service line installation.

3502 Shepherd Street

Dumpster removed from driveway.

3508 Shepherd Street

Finishing touches in progress.

3412 Taylor Street

Roof, exterior trim, siding and windows are installed.

3407 Thornapple Street

House wrap and windows are installed.

3503 Turner Lane

Exterior trim and siding are nearly complete.

Miscellaneous Items

1. Dogi Pot Dispensers refilled on weekly basis. Produce map of Dogi Pot locations in the Village.
2. Put out Office recycling for regular weekly pick up.
3. Regular posting of No Parking signs at 5 addresses on request. i.e.: Moving in and out, Large equipment, Tree work, etc.
4. Transporting to and from storage as requested and needed. i.e.: Equipment, supplies, rolled plans, files, etc..
5. Maintain and update a list of telecom cable and wire to be reported to MC311 for removal.
6. Maintain and update a list of 10 houses for sale and under construction in the Village.
7. Document and alert Village Office to ROW tree damage requiring Village Arborist's attention.
8. Maintain and update Municipal Operations Support Report
9. Identify missing and damaged signage in ROW and submit list to Office.
10. Meet with staff about updating GIS System.
11. Meet with staff about migration to Outlook.
12. Meet with staff about annual leaf bag delivery logistics.
13. Delivering recycling bins to residents at the direction of the Village Office.
14. Update map of hydrants in the Village and install 15 of 30 hydrant flags. Installation will be completed by the end of the month.
15. Record and report double power poles in 2 locations in the Village.
16. Barricades at the end of Quincy Street and Bradley Lane will be repainted by the end of the month. The metal edge of the storm drain inlets will be painted to improve visibility by the end of the month.

VMA Building Permit Log				DATE OF REPORT 09/17/19													
#	PERMIT No.	PERMIT EXP.	ADDRESS	STREET NAME	APPLICANT	PHONE NO.	EMAIL	DESCRIPTION OF WORK	CONTRACTOR	PHONE	DEMO	DUMPSTER	TOILET	CURB CUT	HVAC	S.C.	VILLAGE OFFICE COMMENT
1	18-10-29-A	11/2/2019	3520	Bradley Ln	Suzanne Wright	301-651-6018	quaidewright@gmail.com	Single story rear addition	ODL Repair Rebuild Remodel	(443) 487-2619	Y	Y	Y	N	Y	N	
2	19-04-03-A	04/03/2020	7204	Chestnut St	Kimberly & Chris Steed	202-669-0634	steed@gmail.com	Additions front, rear & side	Jason Evans, Acadia	(301) 891-0777	N	N	N	N	N	N	
3	18-10-11-NC	10/11/2019	7210	Chestnut St	Robert Slapnik	240-481-1419	slapnik10@outlook.com	Demo new house	Beluga Builders	(443) 846-7414	Y	Y	Y	N	Y	Y	
4	19-2-15-PP	8/15/2019	7211	Chestnut Street	Elliott Antoine	617-512-0875	elliott.antoine@gmail.com	Portable toilet	Ascend Copnstruction	(301) 525-5672	N	Y	Y	N	N	N	
5	19-03-29-A2	04/08/2020	3521	Cummings Ln	John Nunez	240-882-3089	jhnunez@comcast.net	Additions to ex house	Bethesda Chevy Chase Builders	(240) 882-3089	Y	Y	Y	N	Y	N	
6	19-02-25-D	02/25/2020	207	Oxford	Jeffrey & Elizabeth Goldberg	240-479-8185	elizabethgoldberg@gmail.com	Deck	MD Deck	(301) 792-2518	N	N	N	N		N	
7	19-02-13-P	11/19/2019	107	Quincy St	Matthew & Marjorie Schneider	240-401-8516	marjorie1122@yahoo.com	Rear screened porch	Jendell Construction, Inc.	(301) 942-3600	N	N	Y	N	N	N	
8	19-07-02-AD	7/2/2020	123	Quincy St	Andra Patterson	301-442-9624	andrapattersona@verizon.net	Rear addition	Hyre Expectations	(240) 778-3897	Y	N	N	N	Y	N	
9	18-11-08-Ad	9/23/2019	3508	Shepherd St	Karen Kuchins SOLD to Camille Wahl	301-275-2255	kzkuchins@aol.com	Additions to ex house	Llaverdes Services	(301) 652-1799	N	Y	Y	Y	N	N	
10	19-02-01-UP	2/4/2020	3412	Taylor St	Monica & John Davish	NIP	NIP	New house	Park Bradley Homes	(703) 485-7493	Y	Y	Y	Y	Y	Y	
11	19-05-29-NC	5/30/2020	3407	Thornapple St	3407 Thornapple Street LLC	301-675-1682	djanbujak@gmail.com	New house	Dejan Bujak	(301) 675-1682	N	Y	Y	Y	Y	Y	
12	2019-05-08-5 DU	2020-08-05	3503	Turner Lane	Mike Hess	(240) 286-1165	mihess@hessconstruction.com	Dumpster	Hess Construction	(240) 286-1165	N	Y	N	N	N	N	