

**MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION**  
**STAFF REPORT**

<b>Address:</b>	24 Philadelphia Ave, Takoma Park	<b>Meeting Date:</b>	03/08/17
<b>Applicant:</b>	Dana J. Martin	<b>Report Date:</b>	03/01/17
<b>Resource:</b>	Contributing Resource Takoma Park Historic District	<b>Public Notice:</b>	02/22/17
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	n/a
<b>Case Number:</b>	37/03-17P	<b>Staff:</b>	Dan Bruechert
<b>Proposal:</b>	Tree Removal		

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**STAFF RECOMMENDATION:**

Staff recommends **approval** of this HAWP application.

**PROJECT DESCRIPTION**

**SIGNIFICANCE:** Contributing Resource – Takoma Park Historic District  
**STYLE:** Bungalow  
**DATE:** c. 1915-25

The subject property is a side-gable, one and a half story, stucco-sided bungalow with a front-gable dormer. The right property boundary in the backyard is lined by 9 (nine) Leland Cypress trees, planted in 1985, that have had the lower branches significantly trimmed.

**PROPOSAL:**

The applicant is proposing removing 6 of the 9 Leland Cypress trees along the right property boundary.

**APPLICABLE GUIDELINES:**

When reviewing alterations and additions for new construction within the Takoma Park Historic District, decisions are guided by the *Takoma Park Historic District Design Guidelines* (Design Guidelines) and *Montgomery County Code Chapter 24A* (Chapter 24A).

*Takoma Park Historic District Design Guidelines*

There are two very general, broad planning and design concepts which apply to all categories. These are:

The design review emphasis will be restricted to changes that are at all visible from the public right-of-way, irrespective of landscaping or vegetation (it is expected that the majority of new

additions will be reviewed for their impact on the overall district), and,

The importance of assuring that additions and other changes to existing structures act to reinforce and continue existing streetscape, landscape, and building patterns rather than to impair the character of the district.

Alterations to features that are not visible from the public right-of-way should be allowed as a matter of course

Contributing Resources should receive a more lenient review than those structures that have been classified as Outstanding. This design review should emphasize the importance of the resource to the overall streetscape and its compatibility with existing patterns rather than focusing on a close scrutiny of architectural detailing. In general, however, changes to Contributing Resources should respect the predominant architectural style of the resource. As stated above, the design review emphasis will be restricted to changes that are *at all visible from the public right-of-way*, irrespective of landscaping or vegetation.

Some of the factors to be considered in reviewing HAWPs on Contributing Resources include:

All exterior alterations, including those to architectural features and details, should be generally consistent with the predominant architectural style and period of the resource and should preserve the predominant architectural features of the resource; exact replication of existing details and features is, however, not required

All changes and additions should respect existing environmental settings, landscaping, and patterns of open space.

*Montgomery County Code; Chapter 24A-8(b)*

(b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:

- (1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or
- (2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or
- (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied

## **STAFF DISCUSSION**

The current proposal calls for removing 6 (six) Leland Cypress trees along the right property boundary at 24 Philadelphia Ave. While Takoma Park strives to maintain a park-like setting throughout the historic district, there are instances when plantings must be taken down, either because of danger, or age, or in this instance, due to deferred maintenance leading to a potential hazard. The trees identified for removal are not dead or dying, however, the arborist hired by the applicant indicates that the trees “will not tolerate any substantial reduction without declining” and “are susceptible to failure.” Removing this potential danger is consistent with Chapter 24A-8(b)(4).

In addition to Staff’s support of the removal of these six trees, the City of Takoma Park has granted

preliminary approval for the removal of the trees identified in the application with the condition that the application either replant 6 (six) 1 ½ inch caliper category 4 evergreen trees or make a contribution of \$1,050 to the City's tree fund. Either action would further the goal of maintaining the Takoma Park Historic District's park-like setting and would meet the broad planning and design concepts in the Design Guidelines. Staff is supportive of either method of mitigation identified by the City of Takoma Park.

**STAFF RECOMMENDATION:**

Staff recommends that the Commission **approve** the HAWP application as being consistent with Chapter 24A-8 and the Takoma Park Historic District Design Guidelines; and with the general condition applicable to all Historic Area Work Permits that **the applicant will present 3 permit sets of drawings to HPC staff for review and stamping prior to submission for permits (if applicable)**. After issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant will arrange for a field inspection by calling the DPS Field Services Office at 240-777-6370 prior to commencement of work and not more than two weeks following completion of work.



HISTORIC PRESERVATION COMMISSION  
301/563-3400

APPLICATION FOR  
HISTORIC AREA WORK PERMIT

101687  
7891d

Contact Email: Dana.jmart@aol.com Contact Person: Dana Martin  
Daytime Phone No.: 202-514-5377  
Tax Account No.: \_\_\_\_\_ or 202-251-6180  
Name of Property Owner: Dana J. Martin Daytime Phone No.: 202-514-5377  
Address: 24 Philadelphia Ave, Takoma Park, MD 20912  
Street Number City State Zip Code  
Contractor: Adirondack Tree Experts Phone No.: 301-595-2827  
Contractor Registration No.: \_\_\_\_\_  
Agent for Owner: \_\_\_\_\_ Daytime Phone No.: \_\_\_\_\_

**LOCATION OF BUILDING/PREMISE**

House Number: 24 Street: Philadelphia Ave.  
Town/City: Takoma Park Nearest Cross Street: Park Ave  
Lot: 12 Block: 3 Subdivision: 0025 Hill Crest  
Liber: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: 0000 Plat No. 140, JN41

**PART ONE: TYPE OF PERMIT ACTION AND USE**

1A. CHECK ALL APPLICABLE: TREE REMOVAL ONLY CHECK ALL APPLICABLE  
 Construct  Extend  Alter/Renovate  A/C  Slab  Room Addition  Porch  Deck  Shed  
 Move  Install  Wreck/Raze  Solar  Fireplace  Woodburning Stove  Single Family  
 Revision  Repair  Revocable  Fence/Wall (complete Section 4)  Other: \_\_\_\_\_  
1B. Construction cost estimate: \$ Unknown - safety issue  
1C. If this is a revision of a previously approved active permit, see Permit # \_\_\_\_\_

**PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS**

2A. Type of sewage disposal: 01  WSSC 02  Septic 03  Other: \_\_\_\_\_  
2B. Type of water supply: 01  WSSC 02  Well 03  Other: \_\_\_\_\_

**PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL**

3A. Height \_\_\_\_\_ feet \_\_\_\_\_ inches  
3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:  
 On party line/property line  Entirely on land of owner  On public right of way/easement

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Dana J. Martin 1/31/17  
Signature of owner or authorized agent Date

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission  
Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE  
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

1. **WRITTEN DESCRIPTION OF PROJECT**

- a. Description of existing structure(s) and environmental setting, including their historical features and significance:

There are a total of 9 overgrown, top heavy Leland Cypress trees between my house (1918 bungalow) and neighbors. I have a permit from the City of Takoma Park to remove them posing the greatest hazard. (noted on photo) Trees have NO historical significance - prior owner planted in 1985, post-historic district designation.

- b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

The tree removal will enhance the historic resources by removing an existential threat to the integrity of the houses on both sides.

2. **SITE PLAN**

Site and environmental setting, drawn to scale. You may use your plot. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. **PLANS AND ELEVATIONS**

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- a. **Schematic construction plans**, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. **Elevations (facades)**, with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. **MATERIALS SPECIFICATIONS**

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. **PHOTOGRAPHS**

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

6. **TREE SURVEY**

If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. **ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS**

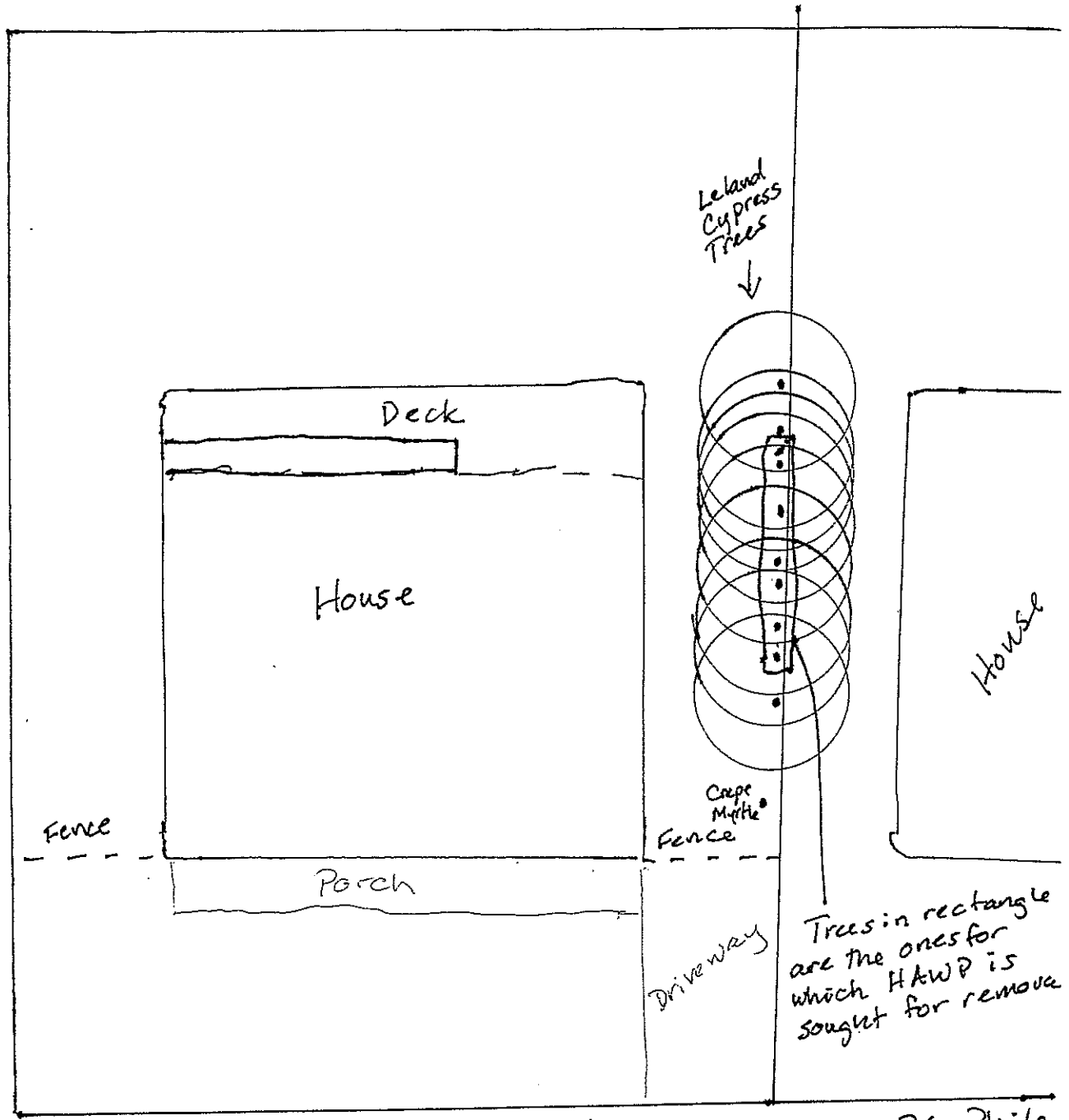
For **ALL** projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question.

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.  
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.

**HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING**  
[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address	Owner's Agent's mailing address
Dana Martin 24 Philadelphia Ave. Takoma Park, MD 20912	N/A
Adjacent and confronting Property Owners mailing addresses	
Mrs. Von. Vaughn 22 Philadelphia Ave. Takoma Park, MD 20912	
Jeffrey Plungis and Bethany Karn 26 Philadelphia Ave. Takoma Park, MD 20912	
Elise Gould and Alexandra Minicozzi 23 Philadelphia Ave. Takoma Park, MD 20912	

Site Plan



24 Philadelphia Ave.  
Takoma Park, MD 20912

26 Phila. Ave →

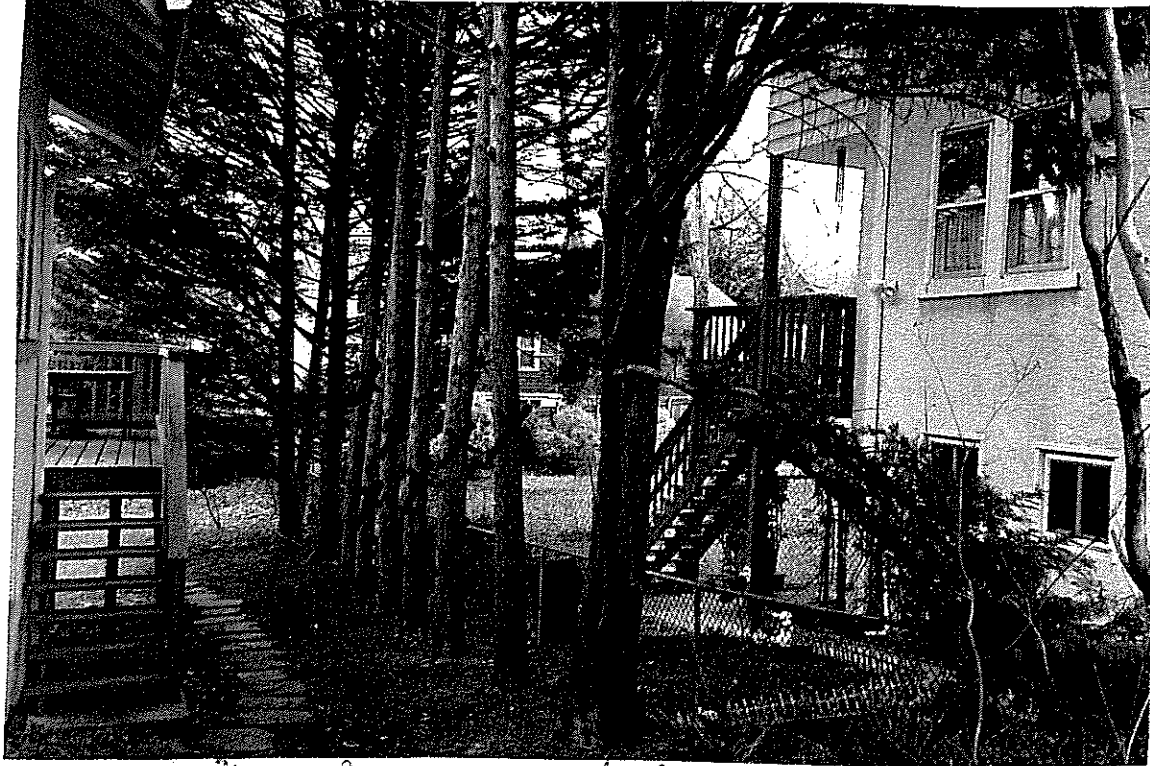
(approx)

Shade portion to indicate North

Applicant: Dana J. Martin

Page: 4 of 9

Existing Property Condition Photographs, Cont'd.



Trees marked with "x" are the ones for which HAWP is sought for removal

View of trees from side yard of 24 Philadelphia Ave



24 Philadelphia Ave →



Existing Property Condition Photographs (duplicate as needed)



Detail: View of Island Cypress trees (large looming ones) from Philadelphia Ave.



Detail: View of the 6 trees to be removed from side yard of 24 Philadelphia - note extreme top-heaviness!



Antiques Done Again

City Of Takoma Park  
Public Works Department



31 Oswego Avenue, Silver Spring, Maryland 20910  
Office: 301-891-7633 Fax: 301-585-2405  
[www.takomaparkmd.gov](http://www.takomaparkmd.gov)

January 23, 2017

Dana Martin  
24 Philadelphia Avenue  
Takoma Park, MD 20912

Re: Same

Dear Dana Martin,

The City of Takoma Park has granted preliminary permit approval for you to remove the 9" d.b.h. Leyland Cypress tree from the right side, the 9" d.b.h. Leyland Cypress tree from the right side, the 9" d.b.h. Leyland Cypress tree from the right side, the 9" d.b.h. Leyland Cypress tree from the right side, the 8" d.b.h. Leyland Cypress tree from the right side, and the 8" d.b.h. Leyland Cypress tree from the right side of your property.

Preliminary approval means that the City will post your property for a 15 day period beginning 01/04/17 and ending 01/19/17 for public comment. **You will be granted a permit to remove the tree(s) pending the City's receipt of your signed agreement to adhere to the City's tree replacement requirements, AND a HISTORIC AREA WORK PERMIT.** The replacement agreement is enclosed, the terms of which require you to replant SIX 1 1/2inch caliper category 4 evergreen tree(s), or make a contribution of \$1,050.00 to the City's tree fund.

Please contact me at 301-891-7612 if you have any questions.

Sincerely,

Ian Chamberlain  
City Construction Manager

Enclosure

# HILL-CREST

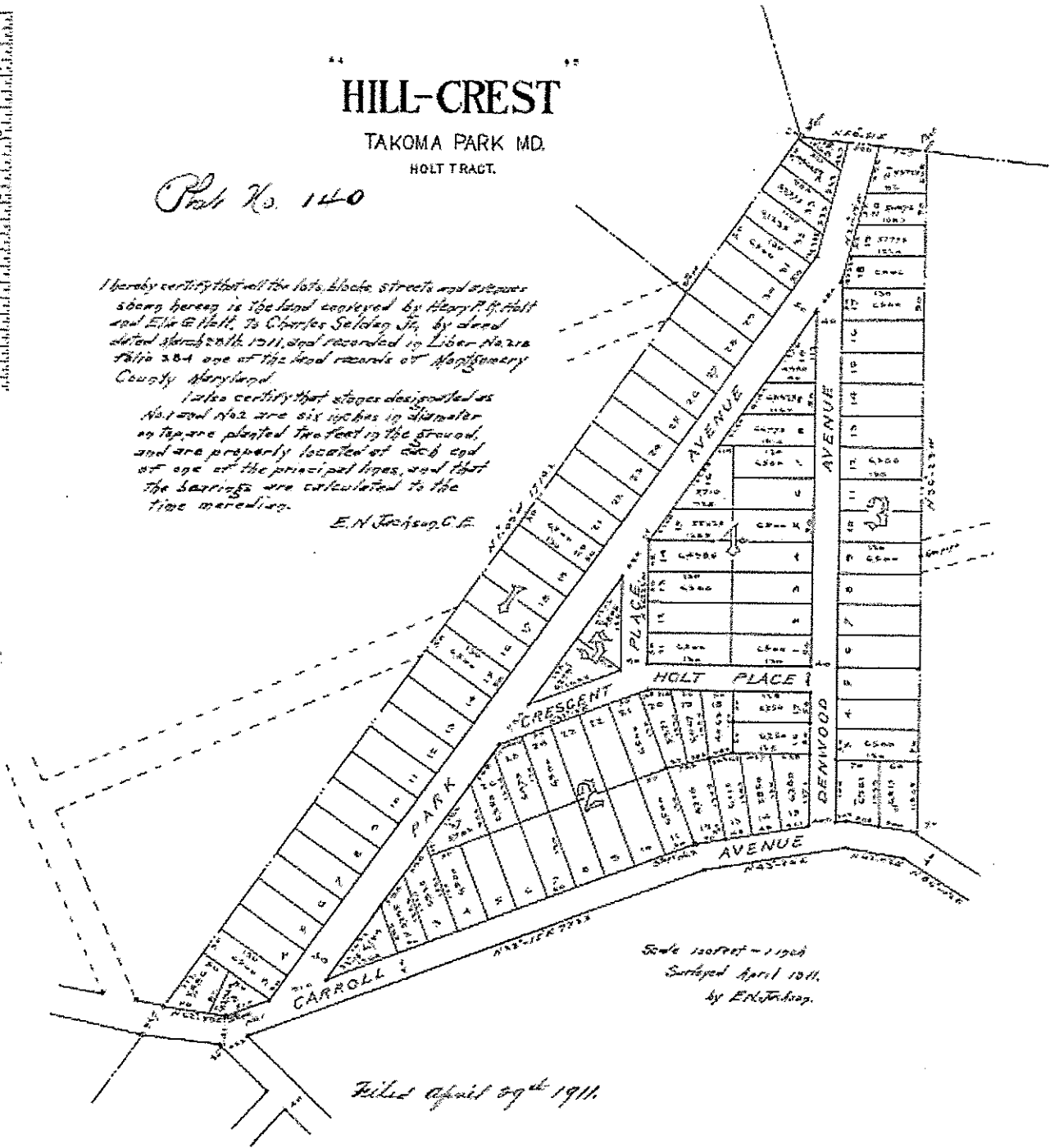
TAKOMA PARK MD.  
HOLT TRACT.

Plot No. 140

I hereby certify that all the lots, blocks, streets and easements shown hereon in the land conveyed by Henry P. Holt and Ella G. Holt, to Charles Seligson, Jr., by deed dated March 28th 1911, and recorded in Liber No. 224 folio 284 are of the land records of Montgomery County Maryland.

I also certify that stakes designated as No. 1 and No. 2 are six inches in diameter and top are painted two feet in the ground, and are properly located at each end of one of the principal lines, and that the bearings are calculated to the time recording.

E. N. Johnson, C. E.



Scale 100 feet = 1 inch  
Surveyed April 1911.  
by E. N. Johnson.

Filed April 29th 1911.

**TREE REMOVAL APPLICATION**

Waiver Fee: \$25.00

Permit Fee: \$50.00

(Fees are non-refundable)

Tree Location Address: 24 Philadelphia Ave  
Takoma Park, MD 20912

Is tree located in Historic District? Yes  
(Refer to General Information Page)  
202-251-6180 or  
Daytime Phone Number: 202-514-5377

Property Owner: Dana Martin  
Check one of the following:  Homeowner  Tenant

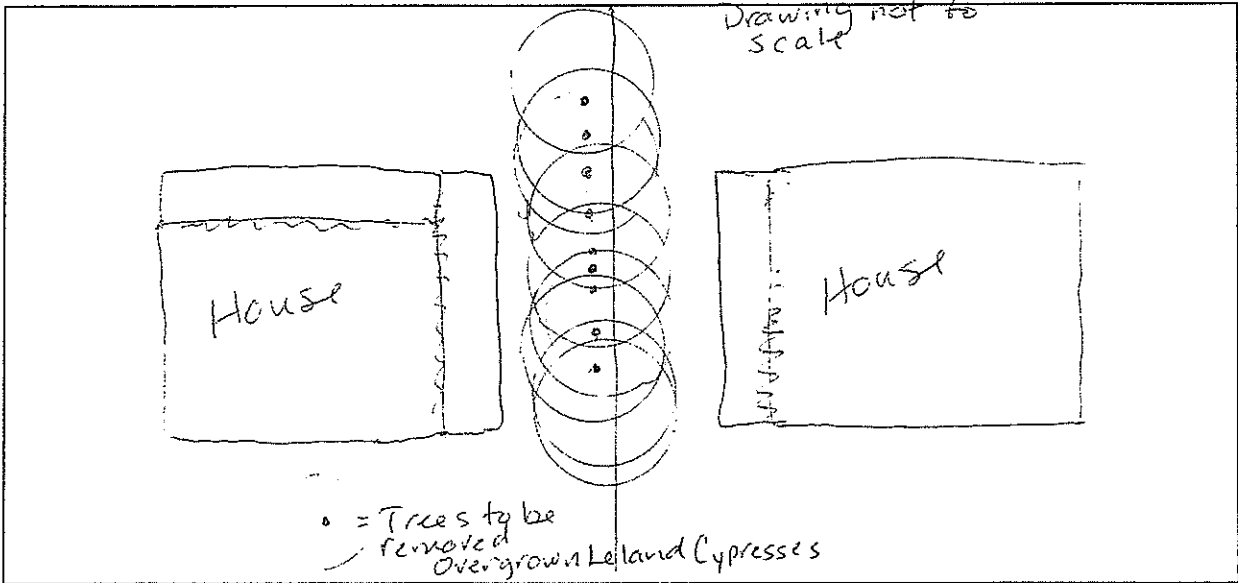
Property Owner Address (if different from tree location):

In order to remove any tree (alive or dead), greater than 24" in circumference or 7 5/8" in diameter at 4.5 feet from the base, a permit or waiver is required. If tree removal is for construction of a building, site plans and County permits must be presented prior to an issuance of a permit. If tree removal is for a driveway, a City driveway apron permit may be required. See General Information page for details.

Number of trees to be removed: 9  
Reason for removal: (1) They pose a hazard (2) serious danger way too close to houses (3) of falling (4) Top heavy - my neighbor and I live in fear!!  
*(I fell during 2010 blizzard but permit denied at that time)*  
*I have gotten them trimmed regularly since no more threat remains.*

You must mark tree(s) to be removed with a ribbon after submitting this application. If tree(s) is not marked, your application may not be able to be processed.

Provide a diagram of the property below and indicate location of the tree(s) to be removed. If a diagram is not provided, your application may not be able to be immediately processed. Diagram can be sketched below or on separate page.



24 Philadelphia Ave  
Applicant's Signature: Dana Martin

22 Philadelphia Ave  
Date: 2/30/10

Addendum:  
Takoma Park Tree Removal  
Permit application  
(Granted as to be most  
hazardous trees)

# ADIRONDACK TREE EXPERTS®



MD. LICENSED TREE EXPERTS #769 & #093, #1204, #1205, #1206,  
 #1207, #1208, #1209, #1210, #1229, #1230, #1262, #1359, #1360  
 11304 Rhode Island Avenue, Beltsville, MD 20705  
 (301) 595-2827 Fax (301) 595-5420  
 www.AdirondackTreeExperts.com  
 Service@AdirondackTreeExperts.com



Proposal Submitted To:

Name: DANA MARTIN  
 Address: 24 PHILADELPHIA AVE  
 City/State/Zip: TAKOMA PARK, MD 20912  
 Phone: 301.920.1589

Date/Time of Estimate: 5/25/2016  
 Email Address: danajmart@aol.com  
 Phone (2): 202.514.5377

We hereby propose to furnish the labor and equipment necessary for the completion of:

TO INCLUDE THE LIGHT SHEARING OF THE RIGHT SIDE ROW OF LEYLAND CYPRESS TREES SO AS TO ALLOW FOR 4-6' FT. OF CLEARANCE FROM BOTH HOUSES. AS THE REMAINDER OF THE TREES THAT ARE FAR REACHING PAST THE HOUSES THEY ARE NOT ACCESSIBLE, THEY WILL REMAIN AS IS. HAUL ALL WOOD AND BRUSH AWAY.

\*\*\*\*\*AS THESE TREES ARE VERY MATURE, THEY WILL NOT TOLERATE ANY SUBSTANTIAL REDUCTION WITHOUT DECLINING. THEY ARE IN FACT OVERGROWN AND ARE SUSCEPTIBLE TO FAILURE. THE KEY TO KEEPING LEYLANDS IS TO ALLOW THEM TO GET TO THE DESIRED HEIGHT AND SIZE AND CONTINUOUSLY MAINTAIN THEM AT THAT SPECIFIC SIZE. ANY DRASTIC PRUNING AT THIS TIME MAY LEAD TO THEIR DEMISE. REDUCING THE TOPS DOWN (TOPPING) WILL ALMOST GUARANTEE THAT THEY WILL NOT SURVIVE. I AM SORRY THAT THERE IS NOT A MORE VIABLE ALTERNATIVE.



Residents of the District of Columbia please add sales tax of 5.75% to the total price and a permit application fee for DC No Parking signs if needed.

Removal of stump grindings: For an additional charge of \$ \_\_\_\_\_ we hereby propose to remove the grindings that resulted from grinding the stump(s). A portion of the grindings will be left in the hole at level so as to help eliminate the possibility of a trip hazard.

All work shall be performed as outlined above and completed in a substantial workmanlike manner, and in accordance with ANSI A300 Standards unless otherwise stated for the sum of \_\_\_\_\_ Dollars **\$850.00**

with payments to be made as follows: 10% Deposit (20% Deposit on Crane Work.) Balance due upon completion to the crew foreman.



Respectfully submitted John Arning  
 Title President Lic. No# 7109  
 Tree Services, Inc. TIA Adirondack Tree Experts

Any alteration or deviation from above specifications, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control.

Note: This proposal may be withdrawn by us if not accepted within 30 days

### ACCEPTANCE OF PROPOSAL

I have the authority to contract for the work described above.

The above prices, specifications and conditions are satisfactory and hereby accepted. Adirondack is authorized to do the work as specified. Deposits are not refundable. At the sole discretion of Adirondack, scheduled work may be postponed due to factors beyond our control such as weather. Unless otherwise indicated, payment in full is due upon completion and Adirondack may charge the balance to any credit card(s) that I have provided. Interest will accrue on any unpaid balance at the rate of 1 1/2 % per month from the date of completion until paid in full. The customer agrees to pay all costs of collection including reasonable attorney's fees. If the proposal calls for the use of the customer's driveway, the customer hereby grants permission to use the same with the understanding that there are risks of damage. Disturbance of the customer's lawn is usual and customary. Adirondack will take all reasonable precautions to prevent damage. All claims for damage to the lawn and/or driveway are expressly waived. The customer will inform Adirondack of all underground septic or sprinkler systems and other sub-surface pipes, drains, etc. and mark the lawn to indicate to the crew the location of the same. This proposal and the terms and conditions on the reverse contain the final and entire Agreement between the parties hereto, and they shall not be bound by any terms, conditions or representations not herein written. My signature below indicates my acceptance of these terms as well as those on the reverse of this proposal. I acknowledge that I have read and understood the scope of work described herein. A facsimile of my signature shall be accepted as original.

Date: 7/18/16 Signature: Dana J Martin

May 16, 2016

Hi Dana:

Just a note to inform you; my Insurance Company was in the Premises today, May 16, 2016. They inspected my roofing and gladly to say their findings are:

"No direct damages to the property." However, they did suggest to me that I send you a certified letter. The trees should be trimmed, or removed."

The trees are healthy, (though the roots are not deep), but they are top heavy and under the right weather conditions they could shavestate your house as well as mine.

I believe a good trim is in order. Feel free, as always to talk with me.

Respectfully  
your neighbor  
Don Sawyer