

**EXPEDITED**  
**HISTORIC PRESERVATION COMMISSION STAFF REPORT**

<b>Address:</b>	25 Montgomery Ave., Takoma Park	<b>Meeting Date:</b>	12/06/17
<b>Resource:</b>	Non-Contributing Resource Takoma Park Historic District	<b>Report Date:</b>	11/29/17
<b>Review:</b>	HAWP	<b>Public Notice:</b>	11/22/17
<b>Case Number:</b>	37/03-17ZZZ	<b>Tax Credit:</b>	n/a
<b>Applicant:</b>	Steven Edminster	<b>Staff:</b>	Dan Bruechert
<b>Proposal:</b>	Tree Removal		

**STAFF RECOMMENDATION:**

Staff recommends that the HPC **approve** the HAWP application.

**PROJECT DESCRIPTION**

**SIGNIFICANCE:** Non-Contributing Resource to the Takoma Park Historic District  
**STYLE:** Victorian Revival  
**DATE:** c.1980

This house is infill construction and sits on the corner of Hickory and Montgomery Ave. The applicant is proposing to remove a cherry tree located at the rear of the lot on the Montgomery Ave. side of the house. The tree is listing toward the house and shows some signs of damage on the trunk. As this tree is toward the rear of the house, immediately adjacent to a large oak tree, and the house is non-contributing; its removal will not have a significant impact on the historic character of the surrounding district. The City of Takoma Park issued two conditions on approving the tree removal: 1) a category 2 tree be planted within six months of the approval; and 2) the applicant pay into the city tree fund. Staff supports this proposal and supports the City's conditions.

**STAFF RECOMMENDATION:**

**Approval**  
 Approval with conditions.

Approval is based on the following criteria from Chapter 24A of the Montgomery County Code, Section 8(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

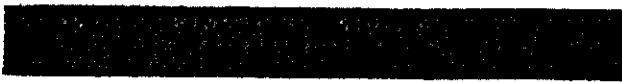
x   2. The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site, or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or

       3. The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site, or historic resource located within an historic district, in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located, or

       4. The proposal is necessary in order that unsafe conditions or health hazards be remedied; or

       5. The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or

       6. In balancing the interests of the public in preserving the historic site, or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.



HISTORIC PRESERVATION COMMISSION  
301/563-3400

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: sedminster2002@yahoo.com Contact Person: Steve Edminster  
Daytime Phone No.: 301-875-9859

Tax Account No.: \_\_\_\_\_

Name of Property Owner: Steven Edminster Daytime Phone No.: 301-875-9859

Address: 25 Montgomery Avenue Takoma Park MD 20912  
Street Number City State Zip Code

Contractor: TBD Phone No.: \_\_\_\_\_

Contractor Registration No.: \_\_\_\_\_

Agent for Owner: N/A Daytime Phone No.: N/A

**LOCATION OF BUILDING/PREMISE**

House Number: 25 Montgomery Ave Street \_\_\_\_\_

Town/City: Takoma Park Nearest Cross Street: Hickory Ave

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Liber: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: \_\_\_\_\_

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

1A. CHECK ALL APPLICABLE:

- Construct
- Extend
- Alter/Renovate
- Move
- Install
- Wreck/Raze
- Repair
- Revocable

CHECK ALL APPLICABLE:

- A/C
- Slab
- Room Addition
- Porch
- Deck
- Shed
- Solar
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Wall (complete Section 4)
- Other: \_\_\_\_\_

1B. Construction cost estimate: \$1750.00 remnant cut down tree

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.

Signature of owner or authorized agent

10/19/17  
Date

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission

Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

817987

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**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:

None - The project is to cut down a tree that is diseased and potentially dangerous. There is no historic significance. The city of Takoma Park has issued preliminary approval for the tree removal permit and is set to issue the final permit pending receipt of a historical area permit. We contributed \$175 to the Takoma Park tree fund and will plant one tree as well to offset removal of the tree in question.

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

see above.

**2. SITE PLAN**

Site and environmental setting, drawn to scale. You may use your plat. 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.

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**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
25 Montgomery Avenue Takoma Park, MD 20912	N/A
Adjacent and confronting Property Owners mailing addresses	
24 Montgomery Avenue Takoma Park MD 20912	
22 Montgomery Avenue Takoma Park MD 20912	
29 Hickory Avenue Takoma Park MD 20912	

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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)

September 28, 2017

Steven Edminster and Laura Coughlin  
25 Montgomery Avenue  
Takoma Park, MD 20912

Re: Same

Dear Steven Edminster and Laura Coughlin,

The City of Takoma Park has granted preliminary permit approval for you to remove the 16" d.b.h. Cherry tree from the front of your property.

Preliminary approval means that the City will post your property for a 15 day period beginning 09/28/17 and ending 10/13/17 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. Additionally, since your property is located within the Historic District, you are required to receive a HISTORIC AREA WORK PERMIT.** To apply for a HAWP, contact Montgomery County Department of Permitting Services at 240-777-3400 or online at:  
<http://permittingervices.montgomerycountymd.gov/dps/building/HistoricAreaWorkPermit.aspx>.

Please submit both the signed replanting agreement and a copy of your HAWP to Takoma Park Public Works, in order to be issued a tree removal permit.

The replacement agreement is enclosed, the terms of which require you to replant TWO 1 ½ inch caliper category 2 deciduous tree(s), or make a contribution of \$350.00 to the City's tree fund.

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

Sincerely,

Jan van Zutphen  
Urban Forest Manager

Enclosure

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)

September 28, 2017

Steven Edminster and Laura Coughlin  
25 Montgomery Avenue  
Takoma Park, MD 20912

Re: Same

Dear Steven Edminster and Laura Coughlin,

In order to receive a permit to remove an urban forest tree within the City of Takoma Park you must agree to replant or contribute an equivalent amount to the City's Tree Fund as per Section 12.12.100 of the City Code. Replacement trees shall be nursery stock trees with a minimum size of 1 1/2 inches in caliper for deciduous trees, or 10 feet in height for evergreen trees and guaranteed for one (1) year. You are required to provide the City with the species and location(s) where you wish to plant the tree(s), as approval is necessary prior to planting. **Tree(s) must be planted within six (6) months of the date this agreement is signed.** The City will conduct a site visit to confirm the planting.

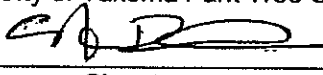

Where it is not feasible or desirable to replace trees on site, the replacement requirement may be satisfied by planting trees at another location within the City or by a contribution equivalent to the installed market value of the required replacement trees to the City's tree planting fund.

The tree replacement requirements based on the City of Takoma Park Tree Ordinance are stated below:

① <sup>one</sup> ~~two~~ of 1 1/2 inch caliper trees:  
Category 2

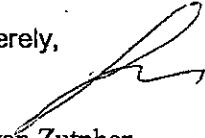
OR

① <sup>one</sup> Tree Fund Payment of: ~~\$350.00~~ 195  
(Make check payable to City of Takoma Park and return with this letter.)

	10/10/17
Signature	Date
	10/10/17
Signature	Date

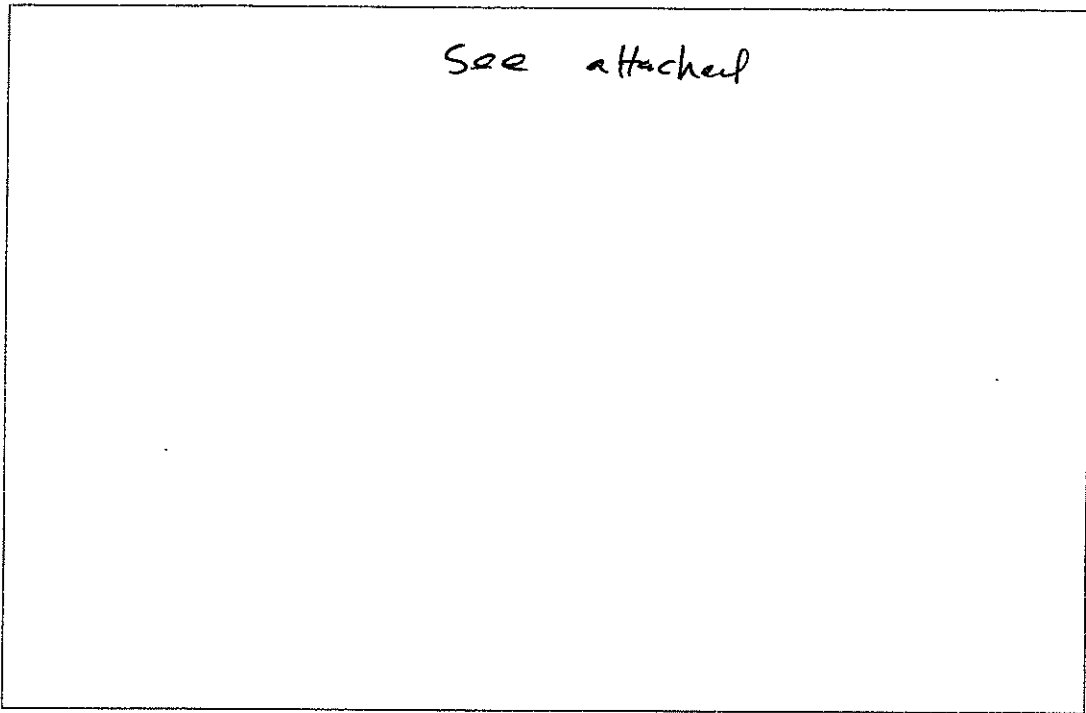
If no appeals are filed in opposition to your permit request, the permit will be issued after completion of the 15-day posting period and receipt of this signed tree planting agreement or payment of replacement tree cost. Payment must be made by check to the City of Takoma Park, and submitted to the Public Works Department, 31 Oswego Avenue, Silver Spring, MD 20910.

Sincerely,

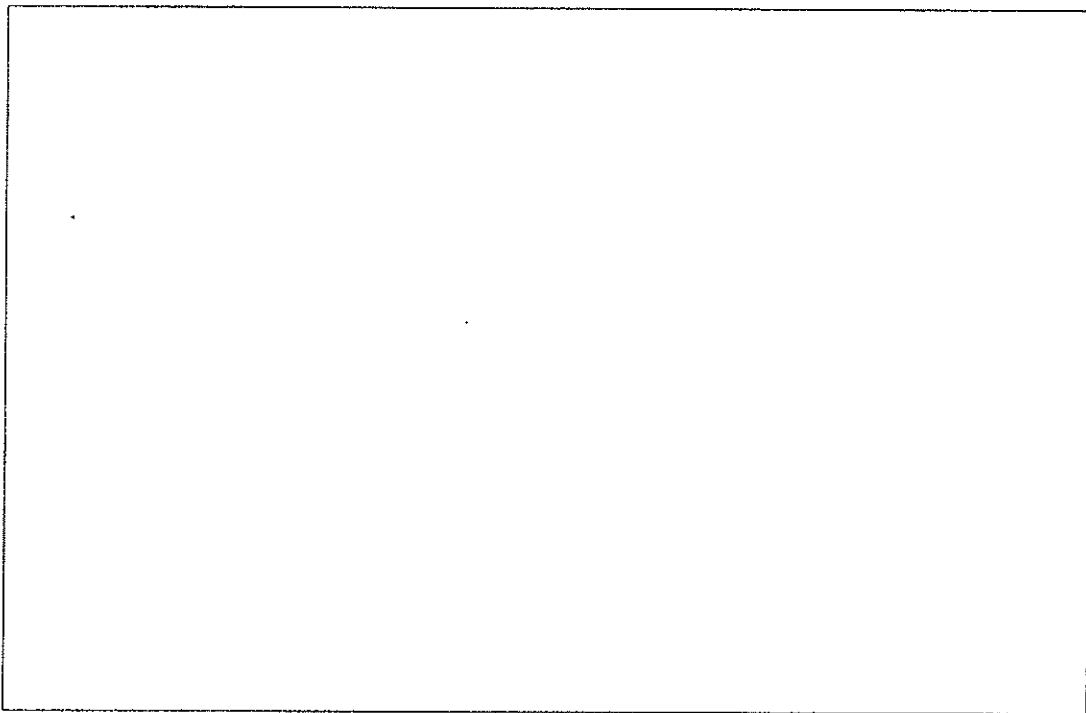
  
Jan van Zutphen  
Urban Forest Manager

⑦


Existing Property Condition Photographs (duplicate as needed)



Detail: \_\_\_\_\_

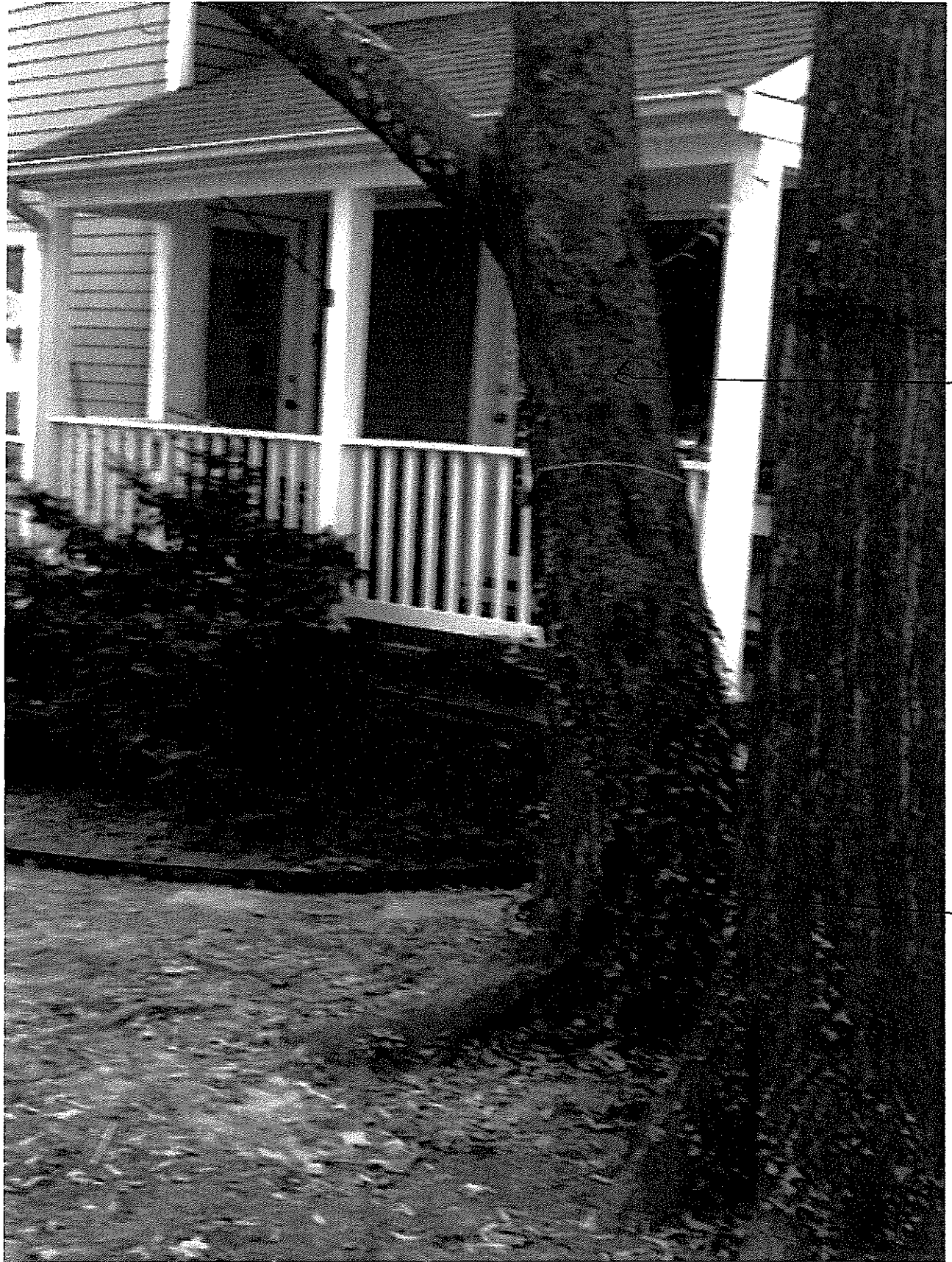


Detail: \_\_\_\_\_

Applicant:  Steve Edminster

Page: 





tree  
leaning  
towards  
house

rotting  
base

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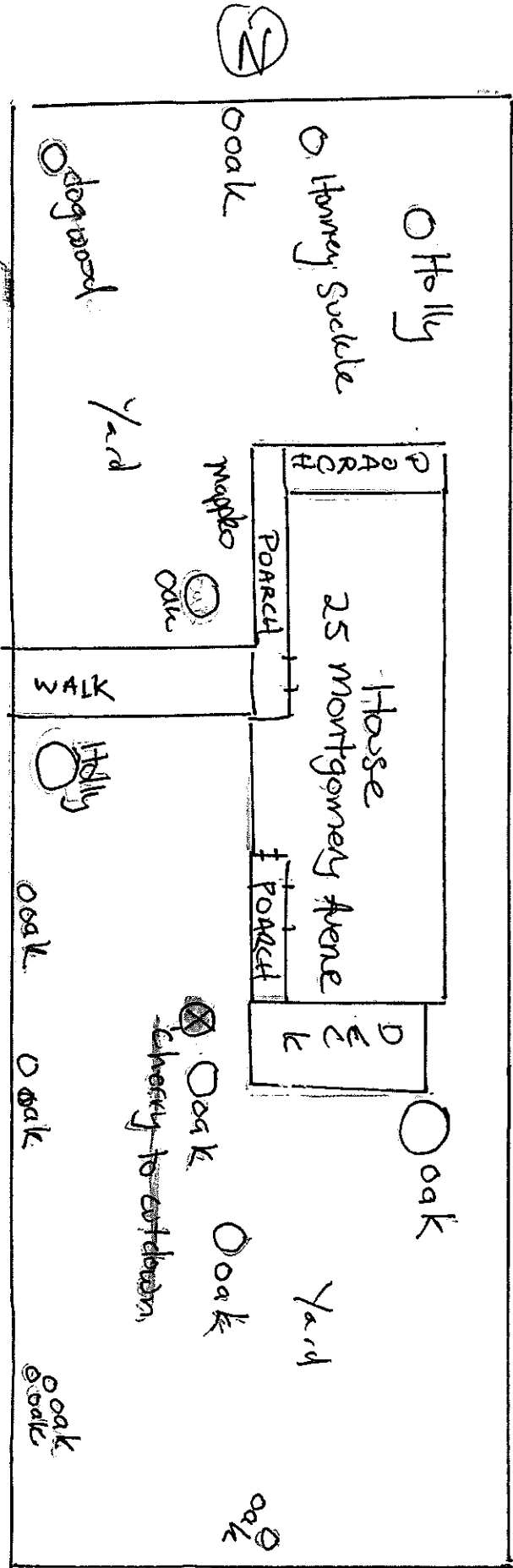
Tree base with <sup>rot</sup> damage

(10)

Site Plant catalog of trees  
 at 25 Montgomery Ave. Takoma Park MD 20912

(1)

(4)



(2)

(3)

(5)



**MULHERON TREE EXPERTS, INC.**  
 10563 METROPOLITAN AVENUE  
 KENSINGTON, MD 20895  
 Maryland Tree License #715



Office: (301) 942-6700  
 Fax:

# PROPOSAL

September 22, 2017  
 Page 1

STEVE EDMINSTER  
 25 MONTGOMERY AVENUE  
 TAKOMA PARK, MD 20912

Home:  
 Office:  
 Mobile: 301-875-9859  
 Fax:

Proposal #: 21841  
 Proposal Date: 9/22/2017  
 Customer #: 17985  
 SalesRep: ED

Item#	Quantity	Description of Services	Item Amount	
1	1	CHERRY TREE 22" DBH CHERRY TREE AT RIGHT SIDE OF GATE. TAKE DOWN TREE AND REMOVE ALL RESULTING BRUSH AND WOOD. CLEAN UP WORK AREA. <b>STUMP REMOVAL IS AVAILABLE AT ADDITIONAL COST.</b>  <b>*CUSTOMER RESPONSIBLE FOR OBTAINING TAKOMA PARK PERMIT.*</b>	1,750.00	<input type="text"/> Initial to Accept
2	1	CHERRY TREE STUMP OF ABOVE REFERENCED TREE GRIND STUMP AND SURFACE ROOTS 6" BELOW GRADE. BACKFILL THE HOLE WITH STUMP MULCH UNTIL LEVEL WITH GRADE. REMOVE EXCESS MULCH. **MTE IS NOT RESPONSIBLE FOR ANY DAMAGE TO UNDERGROUND SYSTEMS FOR CABLE, IRRIGATION, TELEPHONE, INVISIBLE FENCE OR LAMP POST WIRING**	575.00	<input type="text"/> Initial to Accept

**Proposal Total: \$2,325.00**

**Acceptance of Proposal:**

I have read and understand the above provisions, specifications, prices, and, "terms and conditions" on reverse, all of which are hereby accepted. MTE is authorized to do the work as specified. Acceptance after thirty (30) days from Proposal Date above becomes an offer which MTE may reject at its sole discretion.

Customer: [Signature] Date: 10/19/17

MTE/BY: [Signature] Date: September 22, 2017

Should you have any questions, or if you wish to make any changes to this Proposal, please do not hesitate to call us. Please sign and return as soon as possible.

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October 20, 2017

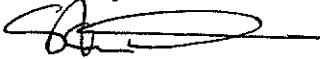
Historic Preservation Commission  
Montgomery County  
255 Rockville Pike  
Rockville, MD

Dear Madam/Sir:

Please find our application to the Historic Preservation Commission (HPC) of Montgomery County for the removal of a cherry tree in our yard. Jan van Zutphen, the arborist for Takoma Park where we live, visited our property in late September and assessed the tree and found it to be in poor condition. On September 28, the City of Takoma Park gave us preliminary approval to remove the tree (see attached letter). The 15-day period for the public to appeal removal of the tree has come and gone without comment, expiring on October 6. Subsequently, we agreed to replant one tree and contribute \$175 to the tree fund for a second tree to meet the city's requirement to replace the cherry tree (see attached agreement). Takoma Park will issue the final permit to cut down the tree once we receive a Historic Area Work Permit (HAWP). Hence this application to you.

We want to remove the tree because it is in poor health and leaning precariously toward our house. With this application, we are also submitting pictures of the tree and a to-scale site plan of our property noting the location of the tree and cataloging other trees on the property (tree survey). There is, in our view, no historical significance to the cherry tree we wish to cut down. And as mentioned, we will replant one tree on our property and have contributed to the city's tree fund to plant an additional tree. We look forward to your help in getting approval to cut down this tree. Please feel free to contact us if you need any additional information.

Sincerely,



Steve Edminster  
25 Montgomery Avenue  
Takoma Park, MD 20912  
301-875-9859

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