

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION

Address:	7305 Willow Avenue, Takoma Park	Meeting Date:	12/2/2020
Resource:	Contributing Resource Takoma Park Historic District	Report Date:	11/25/2020
Applicant:	Federico Azcarate	Public Notice:	11/18/2020
Review:	HAWP	Tax Credit:	n/a
Case No.:	37/03-20AAAA	Staff:	Dan Bruechert
Proposal:	Tree Removal		

RECOMMENDATION

Staff recommends the HPC **approve** the HAWP application with **one (1) condition:**

1. The applicant needs to submit the conditional approval letter from the City of Takoma Park Arborist before Staff releases the approval memo.

PROPERTY DESCRIPTION

SIGNIFICANCE: Contributing Resource to the Takoma Park Historic District
 STYLE: Craftsman
 DATE: 1923



Figure 1: 7305 Willow Ave.

PROPOSAL

The applicant proposes to remove three trees.

APPLICABLE GUIDELINES

When reviewing alterations and new construction within the Takoma Park Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the historic preservation review guidelines in the approved and adopted amendment for the *Takoma Park Historic District (Guidelines)*, *Montgomery County Code Chapter 24A (Chapter 24A)*, and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*.

Takoma Park Historic District 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.

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
- Minor alterations to areas that do not directly front on a public right-of-way such as vents, metal stovepipes, air conditioners, fences, skylights, etc. – should be allowed as a matter of course; alterations to areas that do not directly front on a public way-of-way which involve the replacement of or damaged to original ornamental or architectural features are discouraged, but may be considered and approved on a case-by-case basis
- Some non-original building materials may be acceptable on a case-by-case basis; artificial siding on areas visible to the public right-of-way is discouraged where such materials would replace or damage original building materials that are in good condition
- Alterations to features that are not visible from the public right-of-way should be allowed as a matter of course
- All changes and additions should respect existing environmental settings, landscaping, and patterns of open space.

Secretary of the Interior's Standards for Rehabilitation:

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Chapter 24A

(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
- (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.
- (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

(d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. (Ord. No. 9-4, § 1; Ord. No. 11-59.)

STAFF DISCUSSION

The applicant proposes to remove three trees from the property and grind the stumps.

At the front left corner of the front porch, there is an elm tree. The tree appears to measure approximately 12" (twelve inches) d.b.h., and while Staff is not an arborist, the tree appears healthy. The tree is now impacting the subject property. The roots of the tree are spreading to the point where they have begun to impact the porch foundation. Additionally, a large portion of the tree hangs over the house creating the risk of serious damage to the house.



Figure 2: Elm tree proposed for removal.

Staff finds the proposal to remove the subject tree is appropriate under 24A-8(b)(4) and (d). For tree removals in the Takoma Park Historic District, the HPC requires a review and conditional approval from the Takoma Park Arborist. To date, this material has not been submitted to Staff. Because of the danger posed from the tree, Staff recommends the HPC include a condition for approval of the HAWP that Staff does not release the approval memo to the applicant until the Staff has reviewed the letter from the Takoma Park Arborist recommending approval of the tree removal.

On the right side of the house, the applicant proposes removing two additional trees, an elm that measures approximately 10" (ten inches) d.b.h. and a double trunk Tulip Poplar with the larger trunk measuring approximately 18" (eighteen inches) d.b.h. Both trees appear to be healthy.

The elm on the right side of the house is in the side yard and leans against the gutters. The applicant

contends that this tree poses a threat to the house as it grows and will impact the roof and its roots will damage the foundation. Staff agrees with this assessment and find the tree poses a potential threat to the house. Staff finds the proposal to remove the subject tree is appropriate under 24A-8(b)(4) and (d). As was the case with the elm in front of the house, Staff recommends the HPC include a condition that Staff does not release the approval memo to the applicant until the Staff has reviewed the letter from the Takoma Park Arborist recommending approval of the tree removal.



Figure 3: The elm tree on the right side of the house.

The final tree proposed for removal is a double trunk Tulip Poplar. The larger of the two trunks measures approximately 18" (eighteen inches) d.b.h. The application materials do not include an assessment of this tree's health. Staff finds that because this tree is so far to the rear of the property its removal will not have a significant impact on the mature tree canopy of the surrounding streetscape. Staff notes that Tulip Poplars are a particularly softwood species; and that the double-trunk growth makes the trunk particularly susceptible to breakage where the trunks meet. Staff recommends the HPC approve the proposed Tulip Poplar removal under 24A-8(b)(2) and (d). As with the other two trees, Staff recommends the HPC include a condition that Staff does not release the approval memo to the applicant until the Staff has reviewed the letter from the Takoma Park Arborist recommending approval of the tree removal.



Figure 4: The double trunk Tulip Poplar is located to the rear of the house along the right property boundary.

STAFF RECOMMENDATIONS

Staff recommends that the Commission **approve** the HAWP application with one condition:

1. The applicant needs to submit the conditional approval letter from the City of Takoma Park Arborist before Staff releases the approval memo.

under the Criteria for Issuance in Chapter 24A-8(b)(2), (d), having found that the proposal, is consistent with and compatible in character with the purposes of Chapter 24A; The Takoma Park Historic District Design Guidelines;

and with the Secretary of the Interior's Standards for Rehabilitation #2;

and with the general condition that the applicant shall present the **3 permit sets of drawings, if applicable, to Historic Preservation Commission (HPC) staff for review and stamping** prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits;

and with the general condition that final project design details, not specifically delineated by the Commission, shall be approved by HPC staff or brought back to the Commission as a revised HAWP application at staff's discretion;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or dan.bruechert@montgomeryplanning.org to schedule a follow-up site visit.



FOR STAFF ONLY:
HAWP# 927547
DATE ASSIGNED _____

**APPLICATION FOR
HISTORIC AREA WORK PERMIT**
HISTORIC PRESERVATION COMMISSION
301.563.3400

APPLICANT:

Name: _____

E-mail: _____

Address: _____

City: _____ Zip: _____

Daytime Phone: _____

Tax Account No.: _____

AGENT/CONTACT (if applicable):

Name: _____

E-mail: _____

Address: _____

City: _____ Zip: _____

Daytime Phone: _____

Contractor Registration No.: _____

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property _____

Is the Property Located within an Historic District? Yes/District Name _____

No/Individual Site Name _____

Is there an Historic Preservation/Land Trust/Environmental Easement on the Property? If YES, include a map of the easement, and documentation from the Easement Holder supporting this application.

Are other Planning and/or Hearing Examiner Approvals /Reviews Required as part of this Application? (Conditional Use, Variance, Record Plat, etc.?) If YES, include information on these reviews as supplemental information.

Building Number: _____ Street: _____

Town/City: _____ Nearest Cross Street: _____

Lot: _____ Block: _____ Subdivision: _____ Parcel: _____

TYPE OF WORK PROPOSED: See the checklist on Page 4 to verify that all supporting items for proposed work are submitted with this application. Incomplete Applications will not be accepted for review. Check all that apply:

☐ New Construction

☐ Deck/Porch

☐ Shed/Garage/Accessory Structure

☐ Addition

☐ Fence

☐ Solar

☐ Demolition

☐ Hardscape/Landscape

☐ Tree removal/planting

☐ Grading/Excavation

☐ Roof

☐ Window/Door

☐ Other: _____

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

Signature of owner or authorized agent

Date

Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

Description of Work Proposed: Please give an overview of the work to be undertaken:

Work Item 1: _____	
Description of Current Condition:	Proposed Work:

Work Item 2: _____	
Description of Current Condition:	Proposed Work:

Work Item 3: _____	
Description of Current Condition:	Proposed Work:

Replanting Agreement

How do you plan to replace this tree?:

> Tree Replanting Matrix

> Appeal Process

✓ Message History

Date

On 8/25/2020 4:56:29 PM, System Generated Message:

Message sent to: **Frederico Azcarate**

Subject: Tree Removal Request :: W005323-082520

Body:

RE: Tree Removal Application, Reference # W005323-082520

08/25/2020

Frederico Azcarate

7305 Willow Avenue, Takoma Park, MD 20912

7305 WILLOW

TAKOMA PARK MD 20912

Dear Frederico Azcarate:

The City of Takoma Park has granted preliminary approval for you to remove the 15" d.b.h. AMERICAN ELM (ULAM) from the FRONT LEFT of your property.

Preliminary approval means that the City will post your property for a 15 day period beginning 08/25/2020 and ending 9/9/2020 3:56:28 PM for public comment. A permit to remove the tree(s) will be granted after the comment period is completed and the City receives the signed agreement to adhere to the City's tree replacement requirements. If public comments are received that request an appeal of the removal, a hearing before the Tree Commission will be scheduled to determine if removal can proceed. **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 by phone 301-563-3400, by email MCP-Historic@mncppc-mc.org or online at: <https://montgomeryplanning.org/planning/historic/historic-area-work-permits/>

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 3 1 1/2 " caliper category 4 Evergreen trees or make a contribution of \$525 to the City's Tree Fund. For reference the tree category list is maintained online here: <https://s3.amazonaws.com/publicworks-takomapark/public/arborist/tree-selection-guide.pdf>

TREE WORK DONE FOR HIRE IN THE CITY OF TAKOMA PARK MUST BE CARRIED OUT BY A MARYLAND STATE LICENSED TREE EXPERT (LTE). HIRING SOMEONE WHO IS NOT LICENSED IS A VIOLATION OF CITY AND STATE LAW. MAKE SURE YOUR CONTRACTOR HAS AN LTE NUMBER BEFORE YOU HIRE THEM.

If you have any questions, please contact the Urban Forest Manager at:
UrbanForestManager@TakomaParkMD.gov

✓ Request Details

Reference No:

W005323-082520

Replanting Agreement

How do you plan to replace this tree?:

> Tree Replanting Matrix

> Appeal Process

▼ Message History

Date

On 8/25/2020 4:56:39 PM, System Generated Message:

Message sent to: **Frederico Azcarate**

Subject: Tree Removal Request :: W005324-082520

Body:

RE: Tree Removal Application, Reference # W005324-082520

08/25/2020

Frederico Azcarate

7305 Willow Avenue, Takoma Park, MD 20912

7305 WILLOW

TAKOMA PARK MD 20912

Dear Frederico Azcarate:

The City of Takoma Park has granted preliminary approval for you to remove the 10" d.b.h. AMERICAN ELM (ULAM) from the LEFT SIDE of your property.

Preliminary approval means that the City will post your property for a 15 day period beginning 08/25/2020 and ending 9/9/2020 3:56:38 PM for public comment. A permit to remove the tree(s) will be granted after the comment period is completed and the City receives the signed agreement to adhere to the City's tree replacement requirements. If public comments are received that request an appeal of the removal, a hearing before the Tree Commission will be scheduled to determine if removal can proceed. **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 by phone 301-563-3400, by email MCP-Historic@mncppc-mc.org or online at: <https://montgomeryplanning.org/planning/historic/historic-area-work-permits/>

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 1 1 ½ " caliper category 4 Evergreen trees or make a contribution of \$175 to the City's Tree Fund. For reference the tree category list is maintained online here: <https://s3.amazonaws.com/publicworks-takomapark/public/arborist/tree-selection-guide.pdf>

TREE WORK DONE FOR HIRE IN THE CITY OF TAKOMA PARK MUST BE CARRIED OUT BY A MARYLAND STATE LICENSED TREE EXPERT (LTE). HIRING SOMEONE WHO IS NOT LICENSED IS A VIOLATION OF CITY AND STATE LAW. MAKE SURE YOUR CONTRACTOR HAS AN LTE NUMBER BEFORE YOU HIRE THEM.

If you have any questions, please contact the Urban Forest Manager at:
UrbanForestManager@TakomaParkMD.gov

▼ Request Details

Reference No:

W005324-082520

Replanting Agreement

How do you plan to replace this tree?:

> Tree Replanting Matrix

> Appeal Process

▼ Message History

Date

On 8/25/2020 4:56:48 PM, System Generated Message:

Message sent to: **Frederico Azcarate**

Subject: Tree Removal Request :: W005325-082520

Body:

RE: Tree Removal Application, Reference # W005325-082520

08/25/2020

Frederico Azcarate

7305 Willow Avenue, Takoma Park, MD 20912

7305 WILLOW

TAKOMA PARK MD 20912

Dear Frederico Azcarate:

The City of Takoma Park has granted preliminary approval for you to remove the 15" d.b.h. TULIP POPLAR TREE (LITU) from the RIGHT SIDE of your property.

Preliminary approval means that the City will post your property for a 15 day period beginning 08/25/2020 and ending 9/9/2020 3:56:47 PM for public comment. A permit to remove the tree(s) will be granted after the comment period is completed and the City receives the signed agreement to adhere to the City's tree replacement requirements. If public comments are received that request an appeal of the removal, a hearing before the Tree Commission will be scheduled to determine if removal can proceed. **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 by phone 301-563-3400, by email MCP-Historic@mncppc-mc.org or online at: <https://montgomeryplanning.org/planning/historic/historic-area-work-permits/>

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 4 1 1/2 " caliper category 4 Evergreen trees or make a contribution of \$700 to the City's Tree Fund. For reference the tree category list is maintained online here: <https://s3.amazonaws.com/publicworks-takomapark/public/arborist/tree-selection-guide.pdf>

TREE WORK DONE FOR HIRE IN THE CITY OF TAKOMA PARK MUST BE CARRIED OUT BY A MARYLAND STATE LICENSED TREE EXPERT (LTE). HIRING SOMEONE WHO IS NOT LICENSED IS A VIOLATION OF CITY AND STATE LAW. MAKE SURE YOUR CONTRACTOR HAS AN LTE NUMBER BEFORE YOU HIRE THEM.

If you have any questions, please contact the Urban Forest Manager at:
UrbanForestManager@TakomaParkMD.gov

▼ Request Details

Reference No:

W005325-082520





















