

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	7309 Takoma Ave., Takoma Park	Meeting Date:	1/27/2021
Resource:	Non-Contributing Resource Takoma Park Historic District	Report Date:	1/20/2021
Applicant:	Jay Dintaman	Public Notice:	1/13/2021
Review:	HAWP	Tax Credit:	n/a
Permit No.:	936895	Staff:	Dan Bruechert
Proposal:	Tree Removal		

STAFF RECOMMENDATION

Staff recommends the HPC **approve** the HAWP with one condition:

1. Two new trees will be re-planted to mitigate the loss of these two trees.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Non-Contributing Resource to the Takoma Park Historic District
STYLE: Victorian Revival
DATE: 1989



Figure 1: 7309 Takoma Ave. is at the intersection of Takoma Ave. and Baltimore Ave.

PROPOSAL

The applicant proposes to remove two 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)*. The pertinent information in these documents is outlined below.

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 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 historic district.

Non-Contributing/Out-of-Period Resources are either buildings that are of little or no architectural and historical significance to the historic district or are newer buildings that have been constructed outside the district's primary period of historical importance. These types of resources should receive the most lenient level of design review.

Most alterations to Non-Contributing/Out-of-Period Resources should be approved as a matter of course. The only exceptions would be major additions and alterations to the scale and massing of Non-Contributing/Out-of-Period Resources which affect the surrounding streetscape and/or landscape and could impair the character of the historic district as a whole.

Montgomery County Code; Chapter 24A-8

- (a) 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 ensure 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
- (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.)

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.

STAFF DISCUSSION

The applicant proposes replacing two trees: a Black Walnut (17.6" d.b.h.) located adjacent to the driveway entrance along Baltimore Ave. and a Holly (12.4" d.b.h.) located to the rear of the garage in the northeast corner of the lot. The application states that trees will be re-planted, but does not indicate a species for the replacing. This proposal has been reviewed and provisionally approved by the Takoma Park City Arborist.

Staff finds that the removal of the two trees will not have an adverse impact on the surrounding streetscape or the district as a whole. Staff additionally finds that re-planting trees in the same approximate location will help to maintain the district's tree canopy and will mitigate the loss of these trees and recommends the HPC add a condition to replant a minimum of two trees on the site, to be verified by Staff.

STAFF RECOMMENDATION

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

1. Two new trees will be re-planted to mitigate the loss of these two trees; under the Criteria for Issuance in Chapter 24A-8(b)(1) (2), and (d), having found that the proposal will not substantially alter the exterior features of the historic resource and is compatible in character with the district and the purposes of Chapter 24A;

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# 936895
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:

HISTORIC AREA WORK PERMIT CHECKLIST OF APPLICATION REQUIREMENTS

	Required Attachments						
Proposed Work	I. Written Description	2. Site Plan	3. Plans/ Elevations	4. Material Specifications	5. Photographs	6. Tree Survey	7. Property Owner Addresses
New Construction	*	*	*	*	*	*	*
Additions/ Alterations	*	*	*	*	*	*	*
Demolition	*	*	*		*		*
Deck/Porch	*	*	*	*	*	*	*
Fence/Wall	*	*	*	*	*	*	*
Driveway/ Parking Area	*	*		*	*	*	*
Grading/Excavation/ Landscaping	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*





This is an auto-generated email and has originated from an unmonitored email account. Please DO NOT REPLY



✉ On 12/15/2020 3:02:16 PM, Online Customer Service Center wrote:

Subject: Tree Removal Request :: W005878-121320

Body:

RE: Tree Removal Application, Reference # [W005878-121320](#)

12/15/2020

Jay Dintaman

7309 Takoma Avenue

7309 TAKOMA

TAKOMA PARK MD 20912

Dear Jay Dintaman:

The City of Takoma Park has granted preliminary approval for you to remove the 12.4" d.b.h. AMERICAN HOLLY (ILOP) from the BACK RIGHT of your property.

Preliminary approval means that the City will post your property for a 15 day period beginning 12/15/2020 and ending 12/30/2020 2:02:15 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 your HAWP to Takoma Park Public Works and comply with the replanting agreement below.

You are required to replant (2) 1 ½" caliper, category 2, Evergreen trees or make a contribution of \$ to the City's Tree Fund. For reference the category list is maintained online here:

<https://s3.amazonaws.com/publicworks-takomapark/public/arborist/tree-selection-guide.pdf>

HOW TO COMPLETE THE REPLANTING AGREEMENT ONLINE:

To find the replanting agreement you must first go to MyTKPK.

<https://takomaparkmd.gov/services/my-tkpk/>

You'll need to select "My request center" from the menu on the left side of the screen. Then you want to select "View My requests". You will find your Tree Removal Application, as well as each individual tree you are seeking to remove (Tree Removal Request).

Select "Details" for each tree that requires a replanting agreement. Once inside the Request you scroll down to

the "Additional Information" portion of the application. Look for the "Replanting Agreement", select pay fee, agree to replant, or a combination of the two. This will be just above a record of the messages the system has sent you.

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

Dear Jay Dintaman:

The City of Takoma Park has granted preliminary approval for you to remove the 16.7" d.b.h. BLACK WALNUT (JUNI) from the BACK LEFT of your property.

Preliminary approval means that the City will post your property for a 15 day period beginning 12/15/2020 and ending 12/30/2020 1:55:25 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 your HAWP to Takoma Park Public Works and comply with the replanting agreement below.

You are required to replant (3) 1 1/2" caliper, category 3, Deciduous trees or make a contribution of \$ to the City's Tree Fund. For reference the category list is maintained online here:

<https://s3.amazonaws.com/publicworks-takomapark/public/arborist/tree-selection-guide.pdf>

HOW TO COMPLETE THE REPLANTING AGREEMENT ONLINE:

To find the replanting agreement you must first go to MyTKPK.

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