

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

<b>Address:</b>	8000 Hampden Lane, Bethesda	<b>Meeting Date:</b>	9/6/2023
<b>Resource:</b>	Contributing Resource (Greenwich Forest Historic District)	<b>Report Date:</b>	8/30/2023
<b>Applicant:</b>	Chuen-Yen Lau & Adam Sherwat	<b>Public Notice:</b>	8/23/2023
<b>Review:</b>	Historic Area Work Permit	<b>Tax Credit:</b>	n/a
<b>Permit No.:</b>	1040525	<b>Staff:</b>	Dan Bruechert
<b>Proposal:</b>	Tree Removal		

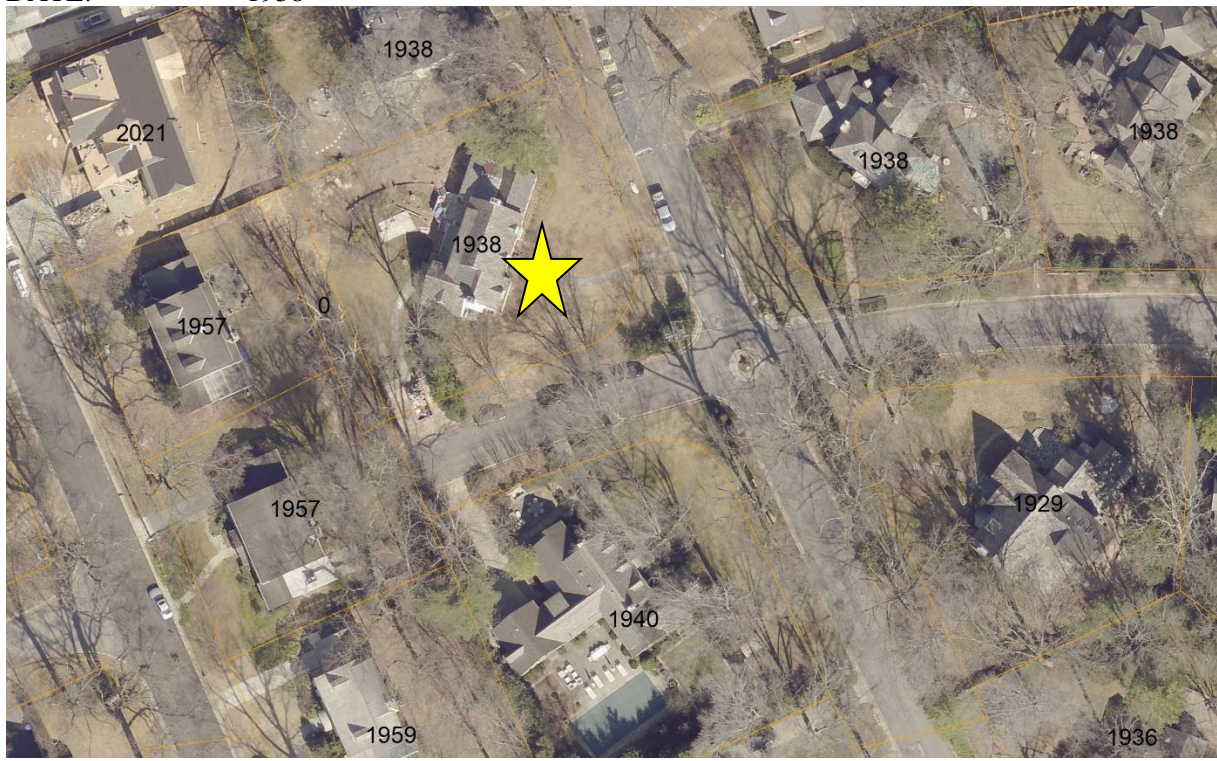
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**STAFF RECOMMENDATION**

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

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Contributing Resource within the Greenwich Forest Historic District  
**STYLE:** Colonial Revival  
**DATE:** 1938



*Figure 1: 8000 Hampden Lane, as indicated by the yellow star, is located at the northwest corner of the intersection of Hampden Lane and York Lane .*

## **BACKGROUND**

The HPC approved a HAWP at the subject property at the June 28, 2023 HPC meeting to construct a detached garage.<sup>1</sup> The applicants indicated that an adjacent Willow Oak would not be impacted by the proposal; however, consulting arborists recommended removing the tree because it would not survive the project.

## **PROPOSAL**

The applicant proposes to remove one tree and plant two trees.

## **APPLICABLE GUIDELINES**

When reviewing alterations and new construction within the Greenwich Forest 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 *Greenwich Forest 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.

### ***Greenwich Forest Historic District Guidelines***

#### **A. PRINCIPLES**

The preservation of the following essential elements of Greenwich Forest is the highest priority in making decisions concerning applications for work permits. These Principles are not meant to stop or create unreasonable obstacles to normal maintenance, reasonable modifications, and the evolving needs of residents.

A2. The houses in Greenwich Forest create an integrated fabric well-suited to its forest setting. These Guidelines are intended to preserve this environment by ensuring that approved work permits include appropriate safeguards that protect the following three essential elements of this fabric:

- b. The *scale and spacing* of houses and their *placement* relative to adjacent houses and the public right-of-way. The original developers made decisions on these three elements to understate the presence of structures relative to the forest. For example, minimum side setbacks at the time were 7' but placement and spacing produced distances between houses that far exceeded the minimum 14'. Additions and new houses have, in almost all cases, preserved generous space between houses and minimized visual crowding with plantings.
- c. High quality building materials and high level of craftsmanship.

#### **B. BALANCING PRESERVATION AND FLEXIBILITY**

Greenwich Forest represents a period in the evolution of Montgomery County worthy of preservation, but it has also changed in response to the needs of residents since it was created in the 1930s. These

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<sup>1</sup> The Staff Report and application materials are available here: <https://montgomeryplanning.org/wp-content/uploads/2023/06/I.A-8000-Hampden-Lane-Bethesda-1029531.pdf> and the recording of the hearing is available here: [https://mncppc.granicus.com/MediaPlayer.php?publish\\_id=d350f055-1697-11ee-aabb-0050569183fa](https://mncppc.granicus.com/MediaPlayer.php?publish_id=d350f055-1697-11ee-aabb-0050569183fa).

Guidelines seek a reasonable compromise between preservation and the needs of residents in several ways.

B1. Most of the houses in the Greenwich Forest Historic District are designated “contributing” because they contribute to the architectural and historic nature of the district. Contributing structures are shown in the map of the districts. These Guidelines are more specific for contributing structures.

B2. Other houses in the district are designated non-contributing either because (1) they were built more recently than contributing houses with other architectural styles (see Appendix 3) or (2) their original features have been significantly altered by subsequent modifications. Non-contributing structures are shown on the map of the District. The Guidelines provide greater flexibility for owners of non-contributing houses.

B3. These Guidelines reflect the reality that nearly all houses in Greenwich Forest have been modified since their construction. Owners are not expected to return their houses to their original configurations. The modifications they are permitted to make under these Guidelines are based on the current reality in the neighborhood, provided that those modifications are consistent with the Principles in these Guidelines.

B4. Property owners have additional flexibility under these Guidelines to make more extensive changes to the parts of their houses that are less visible from the public rights-of-way in front of their houses. The Guidelines accomplish this by stipulating different levels of review for specific elements on different parts of houses.

The *Guidelines* that pertain to this project are as follows:

D15. Tree removal: The preservation of the large mature trees in Greenwich Forest is a high priority of these Guidelines, but there are circumstances in which removal may be unavoidable. Trees smaller than 8” in diameter (measured at 5’ height) may be removed without an application for a work permit. Larger trees may be removed without an application for a work permit if a certified arborist provides documentation to the decision-making body stating that the tree is dead, diseased, dying, or a hazard (e.g., a threat to public safety or the structural integrity of the house). Each tree removed for these reasons should be replaced by one tree in the manner described below.

In planning landscape modifications, additions, and replacement houses, homeowners may propose the removal of trees with diameters greater than 8” (measured at 5’ height). If there is an obvious alternative siting that would avoid removal of mature trees, the application for a work permit should include a brief explanation of why that alternative was rejected. In such cases, the functional needs of the homeowner should be respected. If applications propose the removal of trees larger than 8” in diameter (measured at 5’ height), the site plan for the proposed modification must include the installation of two replacement trees for each tree removed as a result of the modification. These proposals are subjected to strict scrutiny (see Appendix 1) to ensure that homeowners have not overlooked viable options that would avoid tree removal and that the plan for installing new trees adheres to the following guidelines. Each tree removed from the forest canopy must be replaced with two trees chosen from canopy species already established in the region (e.g., White Oak, Nuttall Oak, Scarlet Oak, Greenspire Linden, American Beech, Ash, and Tulip Poplar). If the forest canopy is well established over the site, one of the two replacement trees can be chosen from an understory species that is already established in the region (October Glory Red Maple, Red Sunset Red Maple, Black Gum, and Sycamore). Ornamental trees such as American Dogwood, Serviceberry or Amelanchier, and Eastern Redbud are native and desirable plantings, but they cannot be counted as replacement trees because they do not contribute to the canopy.

According to the *Guidelines*, the three levels of review are as follows:

Limited scrutiny is the least rigorous level of review. With this level, the scope or criteria used in the review of applications for work permits is more limited and emphasizes the overall structure rather than materials and architectural details. The decision-making body should base its review on maintaining compatibility with the design, texture, scale, spacing and placement of surrounding houses and the impact of the proposed change on the streetscape.

Moderate scrutiny is a higher level of review than limited scrutiny and adds consideration of the preservation of the property to the requirements of limited scrutiny. Alterations should be designed so the altered structure does not detract from the fabric of Greenwich Forest while affording homeowners reasonable flexibility. Use of compatible new materials or materials that replicate the original, rather than original building materials, should be permitted. Planned changes should be compatible with the structure's existing architectural designs.

Strict scrutiny is the highest level of review. It adds consideration of the integrity and preservation of significant architectural or landscape features and details to the requirements of the limited and moderate scrutiny levels. Changes may be permitted if, after careful review, they do not significantly compromise the original features of the structure or landscape.

***Sec. 24A-8. Same-Criteria for issuance.***

(a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.

(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

(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.

(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 Interior's Standards for Rehabilitation***

The Secretary of the Interior defines rehabilitation as “the act or process of making possible a compatible

use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.” Standards 2, 9, and 10 most directly apply to the application before the commission:

#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.

#9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportions, and massing to protect the integrity of the property and its environment.

#10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

### **STAFF DISCUSSION**

The subject property is a two-story, side-gable house constructed out of painted brick and stone. On the right side of the house, there is a one-story side gable enclosed porch. The historic attached rear-loading two-car garage, located on the left side of the house, was enclosed and captured as interior space before the district was established. Like many of the houses on corner lots in Greenwich Forest, the subject property is oriented towards the intersection, not parallel to either street, so there is frontage along both Hampden Lane and York Lane. The applicants received approval from the HPC to construct a detached garage adjacent to York Lane. To accommodate the construction of the new garage, the applicants proposed to remove a 29” (twenty-nine inch) d.b.h. Willow Oak. The applicant proposes to plant two trees on site: an American Beech and an October Glory Red Maple.



*Figure 2: The tree proposed for removal (circled in red).*

The *Design Guidelines* for the Greenwich Forest Historic District are unusually prescriptive. After determining that there is no reasonable alternative to the location of the work impacting the tree(s), two trees need to be planted for each tree removed. At the HPC hearing evaluating the proposed garage, the HPC identified the proposed location was appropriate and there was no reasonable alternative location. Therefore, Staff finds the proposed tree may be removed under the *Design Guidelines*.

The *Design Guidelines* then state two canopy trees need to be planted on site as a form of mitigation and to promote the forested character of the district. The proposed American Beech is a species specifically identified in the *Design Guidelines* as an appropriate canopy species. The *Design Guidelines* further state, “If the forest canopy is well established over the site, one of the two replacement trees can be chosen from an understory species...”. The list of understory species includes October Glory Red Maple. Staff does not find a specific threshold in the *Design Guidelines* that defines when a canopy is “well established” over the site. Additionally, Staff has no training as an arborist, and as the *Guidelines* direct the HPC to respect “the functional needs of the homeowner,” Staff recommends the HPC accept the October Glory Red Maple and approve the HAWP under the *Design Guidelines*, 24A-8(d), and Standard 2.

### **STAFF RECOMMENDATION**

Staff recommends that the Commission **approve** the HAWP application; under the Criteria for Issuance in Chapter 24A-8(d), having found that the proposal is consistent with the *Greenwich Forest Historic*

*District Guidelines* identified above, and therefore 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 an electronic set 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](mailto:dan.bruechert@montgomeryplanning.org) to schedule a follow-up site visit.

For Staff only:



HAWP# \_\_\_\_\_ Date assigned \_\_\_\_\_

# APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION  
301.563.3400

**APPLICANT:**

Name: Adam Sherwat & Chuen-Yen Lau

E-mail: adamsherwat@yahoo.com

Address: 8000 Hampden Lane

City: Bethesda

Zip: 20814\_

Tax Account No.: 00497536

Daytime Phone: 202-669-4898

**AGENT/CONTACT (if applicable):**

Name: \_\_\_\_\_

E-mail: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_

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

**LOCATION OF BUILDING/PREMISE:** MIHP # of Historic Property: M:35-165

Is the Property Located within an Historic District?  Yes/District Name: Greenwich Forest  
 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. NO

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. NO. However, please note that recording of a minor subdivision comprised of Lot 1, Block L, Greenwich Forest + Part of Lot 15, Block 12, English Village, Bradley Hills + Part of Lot 16, Block 12, English Village, Bradley Hills is in progress. The "Subdivision Record Plat Application" was submitted to Montgomery County on approximately 11/3/2022. The total area of the newly recorded parcel will be 18,471 square feet.

Building Number: 8000

Street: Hampden Lane

Town/City: Bethesda

Nearest Cross Street: York Lane

Lot: 1

Block: L

Subdivision: Greenwich Forest

Parcel: Unknown



**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 |
| AdditionFence      | Tree removal/planting XX | Solar                           |
| Demolition         | Hardscape/Landscape      | Window/Door                     |
| Grading/Excavation | Roof                     | 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



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

<p><b>Owner's mailing address</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>Adam Sherwat and Chuen-Yen Lau              8000 Hampden Lane              Bethesda, MD, 20814</p> </div>	<p><b>Owner's Agent's mailing address</b></p>
<p align="center"><b>Adjacent and confronting Property Owners mailing addresses</b></p>	
<div style="border: 1px solid black; padding: 5px;"> <p>Bob and Debbie Bruskin              5619 York Lane              Bethesda, MD 20814</p> </div>	<div style="border: 1px solid black; padding: 5px;"> <p>Belinda Lai and Steve Cowan              8004 Hampden Lane              Bethesda, MD 20814</p> </div>
<div style="border: 1px solid black; padding: 5px;"> <p>Bruce Sidner and Nancy Butte              7836 Hampden Lane              Bethesda, MD 20814</p> </div>	<p>8009 Hampden Lane, Bethesda MD 20814              5619 York Lane, Bethesda MD 20814              7835 Hampden Lane, Bethesda MD 20814</p>
<p>7837 Aberdeen Road, Bethesda MD 20814              8001 Aberdeen Road, Bethesda MD 20814              8007 Aberdeen Road, Bethesda MD 20814</p>	

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

1938 Colonial Revival-style single family home, stone on front face, white brick on main house, siding on 1988 addition, slate roof. Two stories with partial basement. Has dormers on front and side. Two brick chimneys. Inside with wood floors, 3 fireplaces (2 marble and 1 stone), 4 bedrooms. Bifurcating stairwell to upstairs bedrooms. Outside has garden landscaping and slate and brick walkways.

**Description of Work Proposed:** Tree Removal to allow for construction of an accessory structure. Replacement trees will be planted per Greenwich Forest Historic Guidelines. The accessory structure HAWP was previously reviewed and approved under a separate HAWP (permit #1029531). Please refer to the document titled, "Tree Removal Justification" for additional details.

Work Item 1: Tree Removal

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Description of Current Condition: Willow oak in close proximity to future construction site for accessory structure.

Proposed Work: Removal of willow oak to allow for construction of an accessory structure. Replacement trees will be planted per the Greenwich Forest Historic Guidelines. Please refer to the document titled, "Tree Removal Justification" for additional details.

Work Item 2:

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Description of Current Condition:

Proposed Work:

Work Item 3:

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Description of Current Condition:	Proposed Work:
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**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	*	*	*	*	*		*





3558 Worthington Blvd Unit 201  
 Frederick, MD 21704  
 +13016462516  
 info@chapingotreecare.com

# Estimate

<b>ESTIMATE#</b>	19161246
<b>DATE</b>	08/04/2023
<b>PO#</b>	

CUSTOMER
Adam Sherwat 8000 Hampden Lane Bethesda MD 20814 (202) 669-4898 adamsherwat@yahoo.com

SERVICE LOCATION
8000 Hampden Lane Bethesda MD 20814 (202) 669-4898

DESCRIPTION	Salvador Orellana
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## Estimate

Description	Rate	Total
(1) Willow Oak Tree Tree with 29" inches of diameter located at the left of the house. In order to build the garage this tree needs to be removed since the tree is leaning towards the house, a root pruning it's not recommended. Safely remove the tree as close to the ground as possible and haul away the resulting debris.		3,200.00
(1) Stump Stump located at the left. Grind the stump within 6" inches below grade and haul away the extra grinding.		500.00



**CUSTOMER MESSAGE****Estimate Total:****\$3,700.00****PRE-WORK SIGNATURE**Signed By: **CHAPINGO TERMS AND CONDITIONS****Terms & Conditions:**

By clicking on the APPROVAL button above, you are agreeing to the terms and conditions listed below:

**Client Care Guarantee** - We guarantee to deliver what we have promised. If we do not, we will work with you until you are satisfied. Our Client Care Guarantee demonstrates our commitment to creating lifelong client relationships. As our work involves living things, no guarantee on the lives of any trees or plants expressed or implied in this contract. Clients shall notify our office in writing of unsatisfactory tree work within 48 hours of the job completion.

**Insurance** - Our workers are covered by workers compensation. The company is insured for personal injury and property damage liability. Proof of insurance can be verified by requesting a copy of our certificate of insurance.

**Working With Living Things** - As trees and other plant life are living, changing organisms affected by several factors beyond our control, no guarantee on tree, plant or general landscape safety, health condition is expressed or implied in this contract unless specifically stated in writing.

**Tree Care Standards** - All work is to be performed in accordance with current American National Standards Institute (ANSI) Standard Practices for Tree Care Operations.

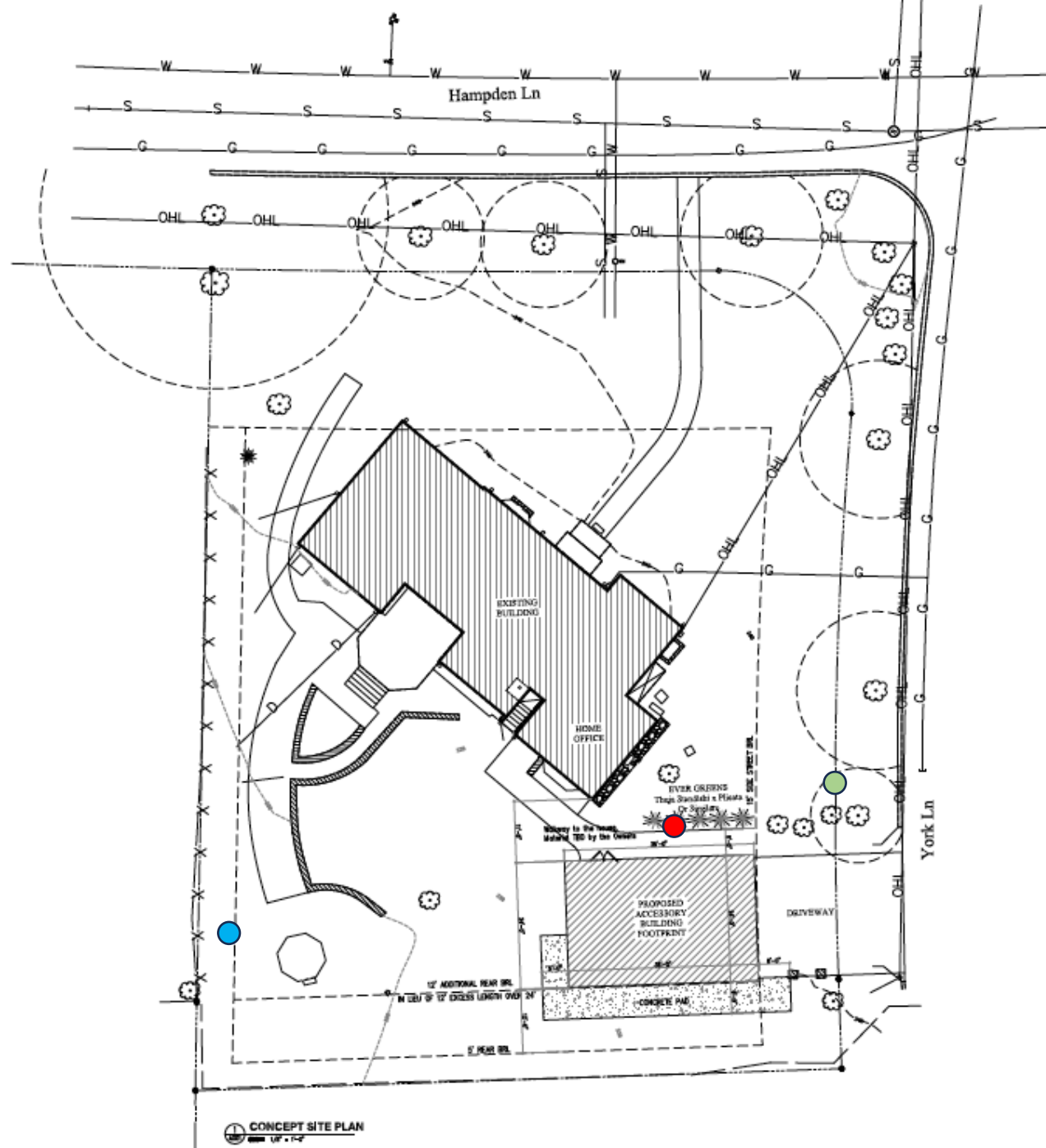
**Ownership of Trees** - Signature/acceptance constitutes a representation of warranty that the trees referenced in this quote are either owned by the signee or that written permission has been received to work on trees which are not on the signee's property. Signee will indemnify and hold us harmless for any breach of this representation and warranty.

**Underground Fixtures** - We are not responsible for any underground property unless we have been informed of its exact location by the owner or the appropriate local utility location agency prior to perform the job.

**Deposit** - A minimum of 50% of the total job cost is required at least 1 day prior to work commencing. If the deposit is not paid within 24 hours prior to the start work date, the job will be rescheduled until the balance is paid. Rescheduled is subject to the company's best availability, and it is not guaranteed that the job will be performed in the same week.

**Cancellation** - Cancellation of work by customer must be received by us in writing or by fax at least 24 hours before crew's intended arrival. Any such cancellation by customer made less than 24 hours before crew's intended arrival will be subject to a minimum charge of 10% of the Total Cost of the contract/job even if work has not yet been commenced as a liquidated damage amount and not as a penalty.

**Late Fees/Collection Fees** - Payment in full is due within 10 days of the work being completed and/or the date of any invoice. Any work/project that has not



- APPROXIMATE LOCATIONS**
- Willow Oak to be removed
  - American Beech replacement
  - October Glory Red Maple replacement



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
*County Executive*

Rabbiah Sabbakhan  
*Director*

# HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 8/10/2023

Application No: 1040525  
AP Type: HISTORIC  
Customer No: 1398840

## Comments

Please refer to the document titled, "Tree Removal Justification", for additional details.

## Affidavit Acknowledgement

The Homeowner is the Primary applicant  
This application does not violate any covenants and deed restrictions

## Primary Applicant Information

Address 8000 Hampden LN  
Bethesda, MD 20814

Homeowner Sherwat (Primary)

## Historic Area Work Permit Details

Work Type ALTER

Scope of Work Removal of a willow oak tree to allow for construction of an accessory structure (cross-reference HAWP #1029531).

## Tree Removal Justification

Dear Historic Preservation Committee (HPC) Members:

We propose to remove a willow oak tree that is near a future construction site for an accessory structure (2-car garage/workshop). The HAWP for the accessory structure was reviewed and approved by the HPC on June 28, 2023, under HAWP permit #1029531. At that time our understanding, based on input from our general contractor, was that tree removal would not be needed to allow for the construction of the accessory structure. However, due to the proximity of the tree to the future construction site, we subsequently requested consultations from two tree care companies with certified arborists (Shifflett Tree Service and Chapingo Tree Care Specialists). Both tree care companies recommended removal of the willow oak as excavating the foundation of the accessory structure would irreversibly damage the roots of the tree, weakening or killing the tree, and potentially posing a risk to the house and to people. As the diameter of the tree is approximately 29 inches, per discussion with the tree care specialists, the recommended safe distance for excavation would be approximately 30-45 feet from the willow oak, making construction of the proposed accessory structure in or near this location infeasible if the willow oak is retained.

The Greenwich Forest Historic Guidelines are specific with respect to managing tree removal for construction. The relevant text from the Greenwich Forest Historic Guidelines (Principle D15) is as follows (in italics):

*In planning landscape modifications, additions, and replacement houses, homeowners may propose the removal of trees with diameters greater than 8" (measured at 5' height). If there is an obvious alternative siting that would avoid removal of mature trees, the application for a work permit should include a brief explanation of why that alternative was rejected. In such cases, the functional needs of the homeowner should be respected. If applications propose the removal of trees larger than 8" in diameter (measured at 5' height), the site plan for the proposed modification must include the installation of two replacement trees for each tree removed as a result of the modification. These proposals are subjected to strict scrutiny (see Appendix 1) to ensure that homeowners have not overlooked viable options that would avoid tree removal and that the plan for installing new trees adheres to the following guidelines. Each tree removed from the forest canopy must be replaced with two trees chosen from canopy species already established in the region (e.g., White Oak, Nuttall Oak, Scarlet Oak, Greenspire Linden, American Beech, Ash, and Tulip Poplar). If the forest canopy is well established over the site, one of the two replacement trees can be chosen from an understory species that is already established in the region (October Glory Red Maple, Red Sunset Red Maple, Black Gum, and Sycamore). Ornamental trees such as American Dogwood, Serviceberry or Amelanchier, and Eastern Redbud are native and desirable plantings, but they cannot be counted as replacement trees because they do not contribute to the canopy.*

Given the circumstances (e.g., the need to maintain a wide berth between the willow oak and the excavation site; the need to adhere to Montgomery County setback requirements;

other functional, structural, and pragmatic concerns including, but not limited to, those discussed under HAWP permit #1029531), there is no obvious, feasible alternative siting that would allow for retention of the willow oak. Therefore, we propose to remove the willow oak and plant two trees as required by the Guidelines. The trees we selected include an American Beech and an October Glory Red Maple. Please refer to the site map with the approximate locations of the replacement trees. The American Beech tree will be planted in the same general vicinity as the willow oak (i.e., the York side of the house) while allowing for adequate distance from the future foundation of the accessory structure.