

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

<b>Address:</b>	1 High Street, Brookeville	<b>Meeting Date:</b>	10/25/2023
<b>Resource:</b>	Primary Resource (Brookeville Historic District)	<b>Report Date:</b>	10/18/2023
<b>Applicant:</b>	Sajid Niazi	<b>Public Notice:</b>	10/11/2023
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	N/A
<b>Case Number:</b>	1045881	<b>Staff:</b>	Michael Kyne
<b>PROPOSAL:</b>	Tree removals and replanting plans.		

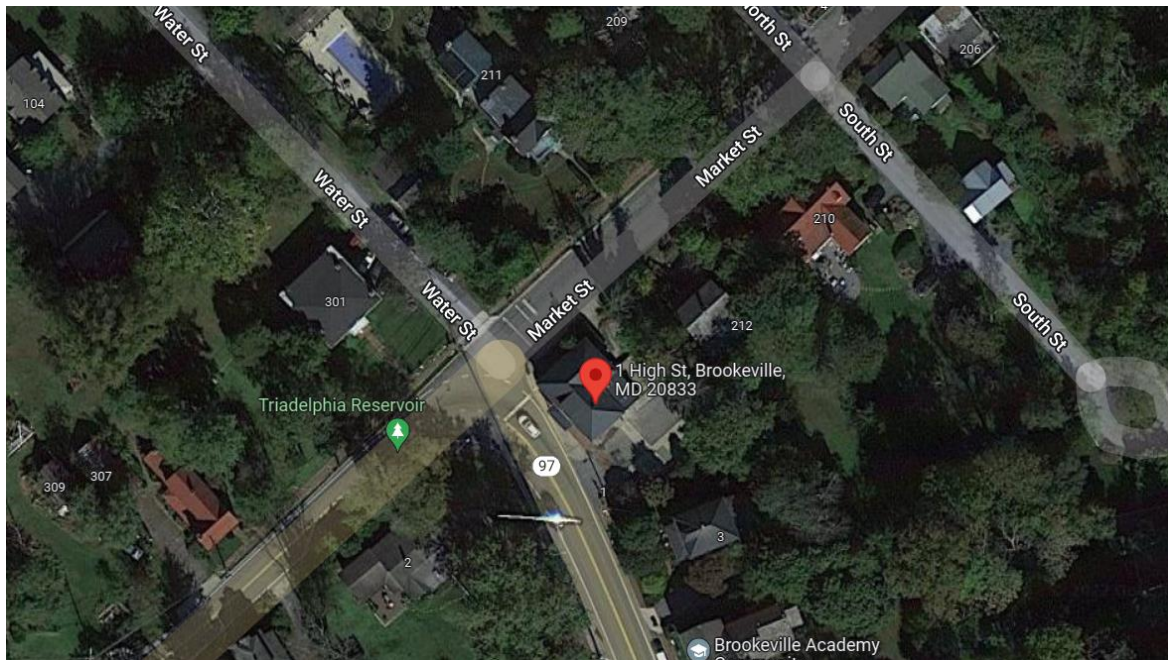
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**STAFF RECOMMENDATION:**

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

**ARCHITECTURAL DESCRIPTION:**

**SIGNIFICANCE:** Primary Resource within the Brookeville Historic District  
Brookeville Post Office  
**DATE:** 1922



*Fig. 1: Subject property at the southeastern corner of High Street (Georgia Avenue) and Market Street.*

**BACKGROUND:**

This application is related to HAWP #1003919 REVISED (building addition, parking lot expansion, fence installation, and site improvements), which was approved with seven (7) conditions at the January 11, 2023 HPC meeting<sup>1</sup>, and is intended to satisfy Condition #7, as outlined below:

- 7. A new HAWP for the tree removal must be submitted to the HPC for review and approval, along with a revised planting plan showing the location of newly planted trees, prior to the issuance of any building permits. The new planting plan must be approved by the Town of Brookeville prior to the issuance of any building permits.**

**PROPOSAL:**

The applicant proposes to remove nine (9) trees and plant new landscaping at the subject property.

**APPLICABLE GUIDELINES:**

When reviewing alterations and new construction within the Brookeville Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the *Brookeville Historic District Master Plan Amendment (Amendment)*, *Montgomery County Code Chapter 24A-8 (Chapter 24A-8)*, and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

***Montgomery County Code; Chapter 24A-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 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
  - (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

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<sup>1</sup> Link to January 11, 2023 staff report for HAWP #1003919 REVISED: <https://montgomeryplanning.org/wp-content/uploads/2023/01/I.J-1-High-Street-Brookeville-1003919-REVISION.pdf>

Link to additional materials provided to the HPC for HAWP #1003919 REVISED prior to the January 11, 2023 HPC meeting: <https://montgomeryplanning.org/wp-content/uploads/2023/01/I.J-1-High-Street-Brookeville-Additional-Information.pdf>

Link to January 11, 2023 HPC meeting recording:

[http://mncppc.granicus.com/MediaPlayer.php?publish\\_id=0c04217d-9287-11ed-96ab-0050569183fa](http://mncppc.granicus.com/MediaPlayer.php?publish_id=0c04217d-9287-11ed-96ab-0050569183fa)

- (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.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.
- (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.” The applicable *Standards* are as follows:

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 subject property is a one-story building located at the southeast intersection of High Street (Georgia Avenue) and Market Street in the Brookeville Historic District. The historic building was constructed in 1922 and formerly served as the Brookeville Post Office.

The applicant proposes to remove nine (9) trees and plant new landscaping at the subject property. All trees to be removed are along the east property line and include the following:

1. 3.5” DBH Maple (outside the HPC’s purview, due to size)
2. 9” DBH Maple
3. 21” DBH Eastern Red Cedar
4. 62.5” DBH Maple (dead)
5. 22” DBH White Mulberry
6. 13” DBH Walnut
7. 8.5” DBH Walnut
8. 40” DBH White Ash
9. 15” DBH Eastern Red Cedar

Per the submitted landscape plan, four (4) new evergreen and ornamental trees will be planted at the east/southeast side of the property, along with shrubbery and other ornamental plantings at the east/southeast and northwest sides of the property.

This application is related to HAWP #1003919 REVISED (building addition, parking lot expansion, fence installation, and site improvements), which was approved with seven (7) conditions at the January 11, 2023 HPC meeting, and is intended to satisfy Condition #7, which stipulated that “[a] new HAWP for the tree removal must be submitted to the HPC for review and approval, along with a revised planting plan showing the location of newly planted trees, prior to the issuance of any building permits. The new planting plan must be approved by the Town of Brookeville prior to the issuance of any building permits.”

Staff notes that the applicant presented their proposal to the Town of Brookeville at their October meeting; however, as of this writing, staff has not received the results of that meeting. This information will be provided to the HPC supplementally prior to the October 25, 2023 HPC meeting, when this application is scheduled to be heard.

Staff supports the applicant’s proposal, finding that it will not remove or alter materials, features, or spaces that characterize the property, per *Standard #2*.

After full and fair consideration of the applicant’s submission, staff finds the proposal, as modified by the recommended conditions, consistent with the Criteria for Issuance in Chapter 24A-(b) 1 and 2, having found it consistent with the *Secretary of the Interior’s Standards for Rehabilitation #2* as outlined above.

### **STAFF RECOMMENDATION**

Staff recommends that the Commission **approve** the HAWP application 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 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 [michael.kyne@montgomeryplanning.org](mailto:michael.kyne@montgomeryplanning.org) to schedule a follow-up site visit.





FOR STAFF ONLY:  
HAWP# 1045881  
DATE ASSIGNED \_\_\_\_\_

# APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION  
301.563.3400

**APPLICANT:**

Name: Sajid Niazi  
Address: 2624 Dapple Grey Ct  
Daytime Phone: 410-507-1316

E-mail: sajniazi@yahoo.com  
City: Olney Zip: 20832  
Tax Account No.: 03331876

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

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_  
City: \_\_\_\_\_ Zip: \_\_\_\_\_  
Contractor Registration No.: \_\_\_\_\_

**LOCATION OF BUILDING/PREMISE:** MIHP # of Historic Property 1 High Street Brookville MD 20833

Is the Property Located within an Historic District? Y Yes/District Name Brookville  
\_\_\_\_\_ 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: 1 Street: High Street  
Town/City: Brookville Nearest Cross Street: Market Street  
Lot: 58 Block: \_\_\_\_\_ Subdivision: 05 Parcel: 495

**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:**

- |                                             |                                              |                                                           |
|---------------------------------------------|----------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> New Construction   | <input type="checkbox"/> Deck/Porch          | <input type="checkbox"/> Shed/Garage/Accessory Structure  |
| <input type="checkbox"/> Addition           | <input type="checkbox"/> Fence               | <input type="checkbox"/> Solar                            |
| <input type="checkbox"/> Demolition         | <input type="checkbox"/> Hardscape/Landscape | <input checked="" type="checkbox"/> Tree removal/planting |
| <input type="checkbox"/> Grading/Excavation | <input type="checkbox"/> Roof                | <input type="checkbox"/> Window/Door                      |
|                                             |                                              | <input type="checkbox"/> 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.

Sajid Niazi  
Signature of owner or authorized agent

9/20/23  
Date

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

<b>Owner's mailing address</b> 2624 Dapple Grey Ct Olney MD 20832	<b>Owner's Agent's mailing address</b>
<b>Adjacent and confronting Property Owners mailing addresses</b>	
212 Market Street Brookville MD 20833	3 High Street, Brookeville MD 20833
211 Market Street, Brookeville 20833	2 High Street, Brooke MD 20833

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

Continuance of HAWP 1003919. Tree removal is required on the East side of the property. Proposed site and landscape plans are attached.

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

Removal of trees

see attached Pictures

Picture 1 - trees along the wooden fence  
- trees circled - Total trees 6

Picture 2 - trees along the wooden fence  
- trees circled - Total trees 3

Work Item 1: Tree Removal

Description of Current Condition:  
Remove trees

Proposed Work:  
Continuance of HAWP 1003919. See landscape plan

Work Item 2: \_\_\_\_\_

Description of Current Condition:

Proposed Work:

Work Item 3: \_\_\_\_\_

Description of Current Condition:

Proposed Work:



Historic I



Six Trees

(4) (1) (6)

(17)

9



Photo 2



Three trees

3

2

1

10







CIVIL ENGINEERING  
LAND SURVEYING  
LANDSCAPE ARCHITECTURE  
LAND PLANNING

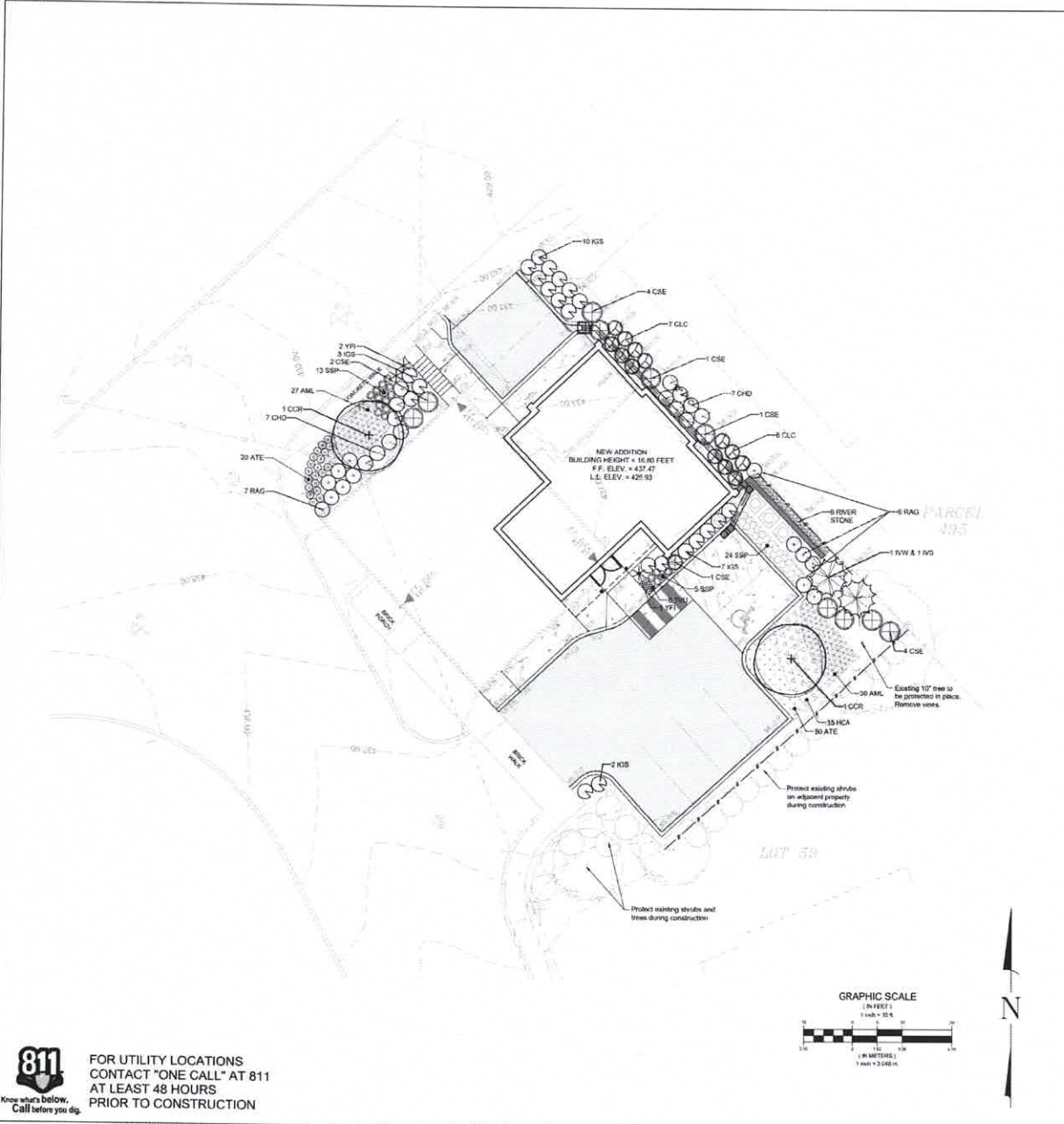
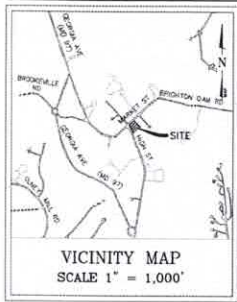
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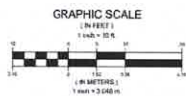
Professional Landscaper  
License No. 2023-00-001819-000190

OWNER:  
ONE HIGH STREET, LLC  
1550 LITTLE PATRIOT  
PARKWAY, SUITE S710  
COLUMBIA, MD 21044  
CONTACT: SAJ NAJZ  
PHONE: 410-567-1316  
EMAIL: sajnajz@yafico.com



LANDSCAPE PLANT LIST							
KEY	QTY	BOTANICAL NAME	COMMON NAME	CAL.	HGT	ROOT	SPACING
<b>EVERGREEN AND ORNAMENTAL TREES</b>							
CCR	2	<i>Coniis canadensis</i> 'Appalachian Red'	Appalachian Red Redbud		6-12' LA.	B&B	AS SHOWN
RVW	1	<i>Thuja occidentalis</i> 'Winter Red'	Winter Red Winterberry		5'	B&B	AS SHOWN
IVS	1	<i>Thuja occidentalis</i> 'Southern Gentleman'	Southern Gentleman Winterberry		5'	B&B	AS SHOWN
<b>DECIDUOUS AND EVERGREEN SHRUBS</b>							
AML	87	<i>Amelanchier canadensis</i> 'VIGNONMARSH'	Low-lying Maund Chokeberry		12-18"	#3 Cont.	24" o.c.
CHD	14	<i>Crataegus harringtonii</i> 'Duke's Sentinel'	Duke's Crataegus Japanese Quince		24-30"	#7 Cont.	36" o.c.
CLC	13	<i>Diervilla umbellata</i> 'Calep'	Vanilla Spice™ Summersweet		24-30"	#3 Cont.	36" o.c.
CSE	11	<i>Cornus sericea</i>	Red Osier Dogwood		24-30"	#3 Cont.	48" o.c.
KIS	22	<i>Ilex glabra</i> 'Shamrock'	Shamrock Hollyherry		24-30"	#3 Cont.	36" o.c.
RAG	13	<i>Rhus aromatica</i> 'Cryo-Low'	Prostrate Fragrant Sumac		12-18"	#3 Cont.	36" o.c.
<b>HERBACEOUS PERENNIALS</b>							
ATE	70	<i>Andropogon lateralis</i>	Silver Bluestem			#1 Cont.	18" o.c.
MCP	35	<i>Muhlenbergia capillaris</i>	Muhly Grass			#1 Cont.	24" o.c.
TVU	5	<i>Thymus vulgaris</i> 'Silver Power'	Verticillate English Thyme			#1 Cont.	12" o.c.
SSP	42	<i>Schizanthus scapularis</i> 'Spark Munchkin'	Dwarf Little Bluestem			#1 Cont.	18" o.c.
YFI	3	<i>Yucca filamentosa</i>	Adam's Needle Yucca			#3 Cont.	30" o.c.

Note: Plant counts are provided for the convenience of the contractor. The plan delineates on any discrepancies between the table and the plan. Contractor is responsible for verifying the counts and bringing any discrepancies to the attention of the landscape architect and client before proceeding. The planting plan must be carefully followed to ensure good plant survival and acceptance of landscaping upon completion of the project. Failure to install the specified plants in the specified locations will result in the rejection of the entire planting area, and the contractor will be required to reinstall the plantings as shown on the plan at their own expense. Substitutions are not allowed without prior approval of the landscape architect.



**811**  
FOR UTILITY LOCATIONS  
CONTACT "ONE CALL" AT 811  
AT LEAST 48 HOURS  
PRIOR TO CONSTRUCTION  
Know what's below.  
Call before you dig.

REVISIONS	NO.	DESCRIPTION	DATE

PLAT 21826  
JETS ELECTION DISTRICT  
TOWN OF BROCKVILLE  
MARYLAND

LOT 58  
BROCKVILLE

PROJ. MGR: KJH  
DRAWN BY: PHR  
SCALE: 1" = 10'  
DATE: 08/09/2022

CONSTRUCTION  
LANDSCAPE PLAN

L2.01  
PROJECT NO. 2021.276.11  
SHEET NO. 1 OF 2