THPC Case # 35/32-13A]

Mader Plan Site # 35/32, BATTEL WARDERWERS

.



HISTORIC PRESERVATION COMMISSION

Isiah Leggett County Executive William Kirwan Chairperson

Date: January 9, 2014

MEMORANDUM

TO:

Diane R. Schwartz Jones, Director

Department of Permitting Services

FROM:

Josh Silver, Senior Planne

Historic Preservation Section

Maryland-National Capital Park & Planning Commission

SUBJECT:

Historic Area Work Permit #658366, installation of ADA ramp and hardscape alterations

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was <u>approved</u> at the January 8, 2014 meeting.

Applicant:

Montgomery County Parks Department

Address:

5315 Elliot Drive, Bethesda





HISTORIC PRESERVATION COMMISSION 301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

- Wille Mueller

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ADDICEDON/FORTING POLICE					

SEE REVERSE SIDE FOR INSTRUCTIONS

Edit W21/99

I.a. DESCRIPTION OF STRUCTURE AND ENVIRONMENTAL SETTING (including features, and significance)

In 1956, M-NCPPC purchased and remodeled six World War II surplus prefabricated barracks from the Navy for use as community centers. They were placed in various Montgomery County Parks. The Westmoreland Hills building is located at the entrance to that park, which also features a playground, basketball and tennis courts, baseball and softball fields, and the historic Battery Bailey, the only Civil War era earthwork remaining in Montgomery County. The park was listed on the Master Plan for Historic Preservation in 1979 for its association with the fortification (35/32). At the time of listing, the entire, 10-acre, legal parcel was designated, rather than just the area immediately associated with the earthwork. In 2009, the community center was found to be ineligible for Master Plan designation as an individual resource when a HAWP was presented to the HPC to demolish it (case 35/32-09A). The demolition was never undertaken and, since that time, the center was rehabilitated and is now in use.

<u>I.b.</u> GENERAL DESCRIPTION OF THE PROJECT AND ITS EFFECT ON HISTORIC RESOURCES (the environmental setting, and historic district)

The proposed project is designed to help bring this park into compliance with the Americans with Disabilities Act under a Department of Justice court order. It proposes to improve an existing sidewalk between the parking lot and the community center, install a handlcap ramp to the building, and construct a properly sloped walkway from the parking area to the basketball and tennis courts.

It includes the following:

- 1. Access to the community center
 - a. Remove 95' of the existing 6'wide asphalt path that connects the parking lot to the building.
 - b. Replace the existing path with an approximately 155' long and 5'wide concrete sidewalk.
 - c. Install handrall along parts of new path (see attached spec).
 - d. Repave a portion of the existing parking lot with concrete and asphalt to bring it into conformance with ADA requirements (approximately 1500 square feet).
 - e. Construct a 35' long, stone retaining wall. The wall height will vary from 3' maximum to 1'minimum with an average height of approximately 2'. The gray limestone will be laid in regular courses
 - f. As needed, repair in kind portions of the existing sidewalk that surrounds the building.
- 2. Access from Item 1.b. above to existing playgrounds and tennis and basketball courts
 - a. Construct a new, 5' wide, 170' long, concrete walkway. All work will be at grade or in fill; no cut is proposed.

Effect: The project is not expected to have an adverse effect on the historic character-defining features of Battery Bailey. It will not alter or diminish the integrity of location, design, setting, materials, workmanship, feeling or association. The land where the work is proposed was included in the historic

earthwork's environmental setting because environmental settings generally include the entire legal parcel. That said, archeologists will monitor ground disturbing work to ensure that if any artifacts are revealed during construction, the opportunity is there to temporarily stop the project if necessary, to evaluate whether the site has archeological significance, and to properly recover any artifacts.

2. SITE PLAN: see attached

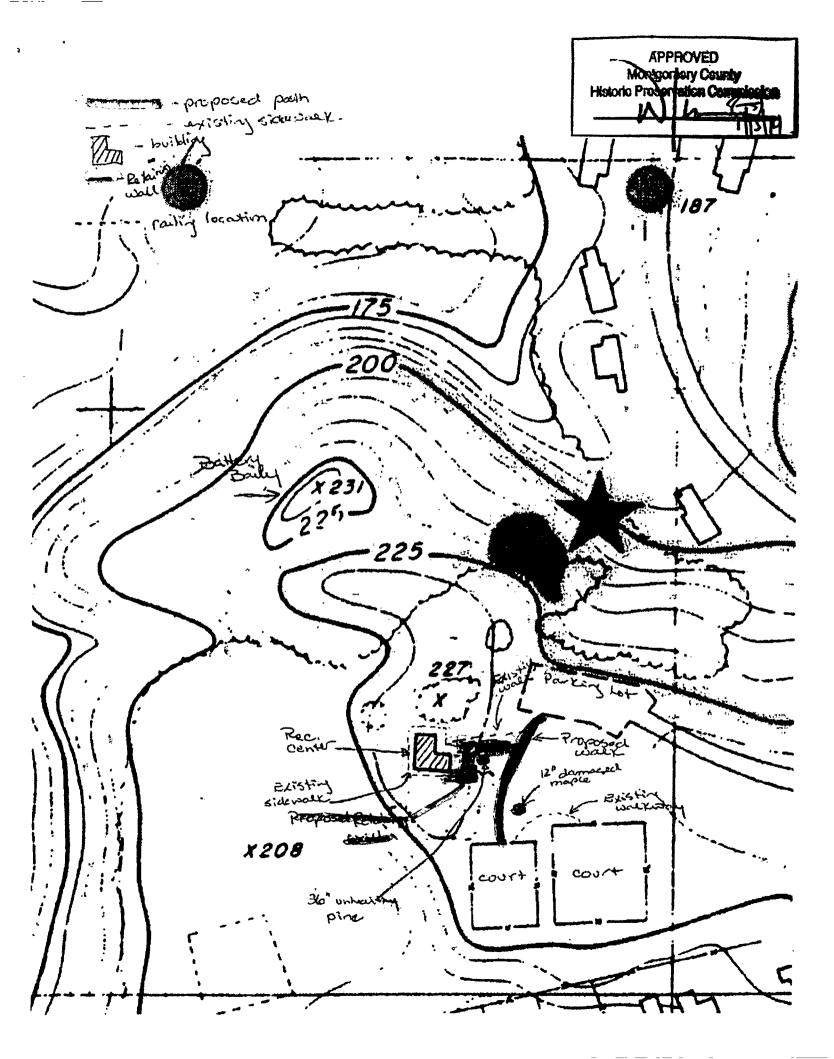
3. PLANS AND ELEVATIONS: N/A

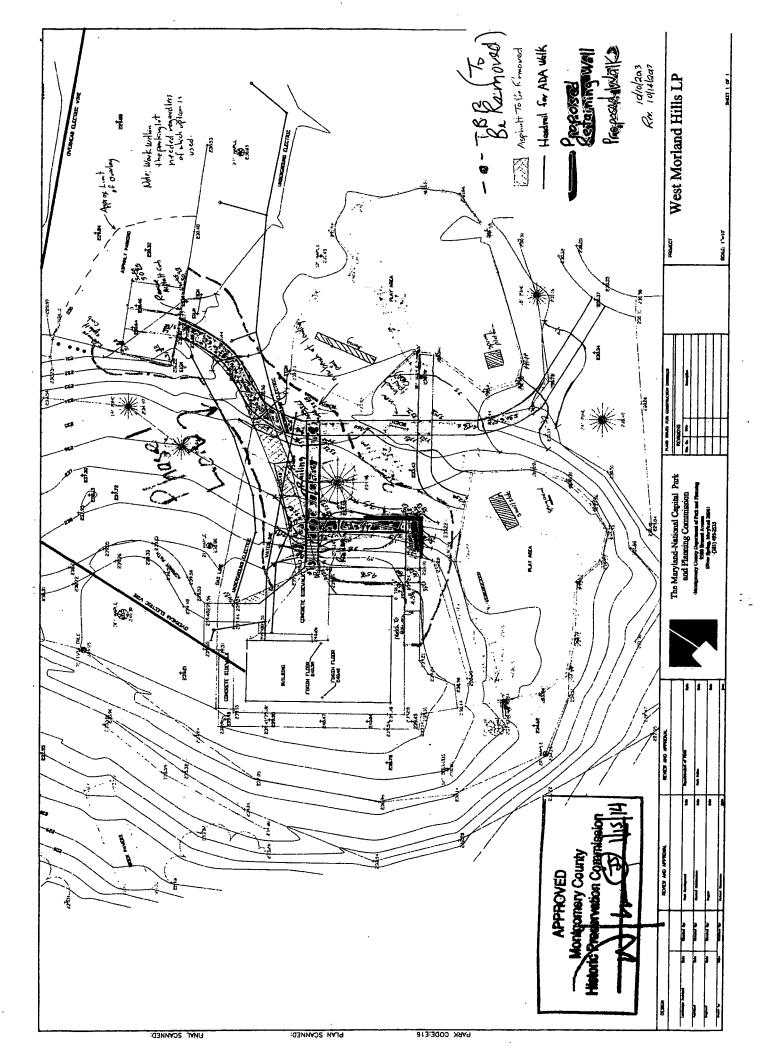
4. MATERIAL SPECIFICATIONS: see attached

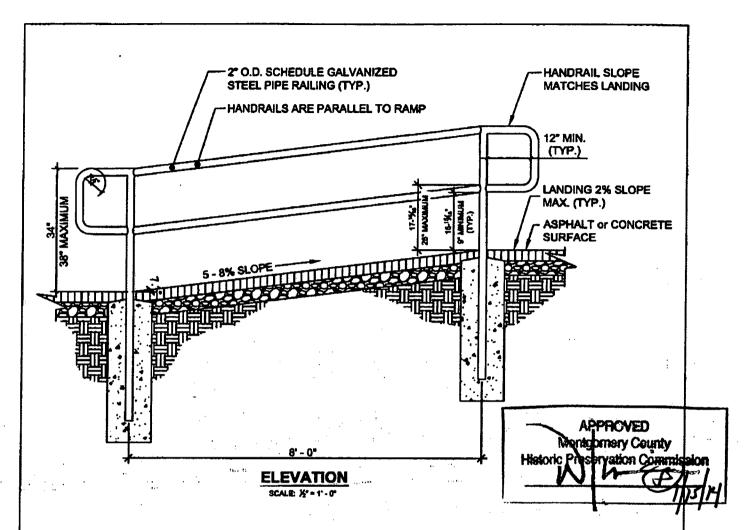
5. PHOTOGRAPHS: see attached

6. TREE SURVEY: see attached site plan

7. ADDRESS OF ADJACENT AND CONFRONTING PROPERTY OWNERS: see attached







NOTES:

- 1. ALL PIPE JOINTS TO BE WELDED AND GROUND SMOOTH.
- 2. ALL PIPES SHOULD BE ETCHED WITH ACID BEFORE PAINTING AND PRIMED BEFORE APPLYING COATS OF SEMI-GLOSS ALKALIDE ENAMEL.
- 3. HANDRAILS USED FOR ACCESSIBILITY PURPOSES SHALL COMPLY WITH THE 2010 ADA STANDARDS, SECTION 505.
- 4. GRIPPING SURFACE MUST BE CONTINUOUS ALONG THE HANDRAIL LENGTH AND SHALL NOT BE OBSTRUCTED.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Montgomery Parks - Montgomery County, Maryland

— Wongomery Parks - Wongomery County, Waryland					
PARK			REVISION	DATE	DETAIL NO.
DEVELOPMENT DIVISION	PARK DEVELOPMENT DIVISION CHIEF	ADA HANDRAIL - RAMP			422
9500 BRUNETT AVENUE					422
SILVER SPRING, MD 20001	DATE APPROVED				MARCH 2013

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:

5315 Elliot Drive, Bethesda

Meeting Date: 1/8/14

Applicant:

Montgomery County Parks (Julie Mueller, Agent)

Report Date: 1/2/14

Resource:

Master Plan Site #35/32.

Public Notice: 12/26/13

Battery Bailey/Civil War Earthworks

Review:

HAWP

Tax Credit:

N/A

Case Number: 35/32-14A

Staff:

Josh Silver

PROPOSAL: Installation of ADA ramp and hardscape alterations

STAFF RECOMMENDATION

Staff recommends that the HPC approve the HAWP application.

PROPERTY DESCRIPTION

SIGNIFICANCE:

Master Plan Site #35/32, Battery Bailey/Civil War Earthworks

STYLE:

Earthworks

DATE:

1860's

These Civil War earthworks are situated on top of a hill overlooking Little Falls Branch and are constructed in a "C" shape facing north. Ramparts or trenches extend westward toward the creed and eastward. The battery contained six platforms for the creek eastward. The battery contained six platforms for field guns in embrasure. There were no guns in the barbette. The battery and approaches are overgrown with trees and brush. The sharp outlines of the battery have been rounded by time. There appear to be six cuts for embrasures in the ramparts although center embrasures are difficult to make out. The remains of the terrepleins are visible although they are not intact. The remains of the platforms cannot be seen. There is an unidentified raised section in the center of the fort.

PROPOSAL

The designated environmental setting for the historic site is 10 acres. The proposed work will not impact the earthworks. The work as proposed will be performed to a non-historic building and the immediate surrounding areas. In 2009, the HPC found the building did not meet any of the criteria for designation to the Master Plan for Historic Preservation and approved a HAWP to demolish the building. The demolition was never undertaken and, since that time, the building has been rehabilitated and programmed for a new use. The proposed work consists of the following:

- Removal of 95 linear feet of an existing 6' wide asphalt pathway that connects the parking lot to the building.
- The existing pathway will be replaced with an approximately 155 linear foot, 5' wide concrete pathway. An additional 170' long, 5' wide concrete pathway is proposed to complement the new pathway. The pathways will be placed in a new configuration in order to comply with ADA accessibility requirements. The pathways will connect the building, parking area and active play



- areas within the park. Install a 36" high, metal hand railing in select locations along the new pathways for conformance with ADA requirements.
- Resurfacing of approximately 1,500 s.f., of an existing paved parking area with a combination of concrete and asphalt.
- Construction of a 35' long stone retaining wall along the east and south sides of the proposed walkway and ADA ramp in front of the building. The retaining wall height will vary from 3' high maximum, to 1' high minimum with an average height of approximately 2'. The wall will retain a regarded area that will serve as ADA access to the building. No frame or metal ramp is proposed. An approximately 36" high, metal handrail is proposed along the graded area for conformance with ADA requirements. The wall is necessary to stabilize the slope, minimize fill and reduce the amount of land disturbing activities.
- Removal of one 12" Red Maple and a 36" White Pine.

APPLICABLE GUIDELINES

When reviewing alterations and new construction to a Master Plan site several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include 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.

Montgomery County Code; Chapter 24A-8:

- (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
 - (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.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any one 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 the Interior's Standards for Rehabilitation:

Standard #2: The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

Standard #9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships 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 proportion, and massing to protect the integrity of the property and its environment.

Standard #10: New additions and adjacent or related new construction will 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

Staff finds that the proposal will not substantially alter the exterior features of the historic site. The proposed work is compatible in character and nature with the historical and archaeological features of the site. The proposed work will not impact the earthworks and is confined to an area of the environmental setting that is adjacent to the non-historic building and does not remove any significant landscape or cultural features related to the earthworks. Staff recommends that the HPC approve the HAWP application consistent with Chapter 24A-8(a) & (b) and Standards 2, 9 & 10.

STAFF RECOMMENDATION

Staff recommends that the Commission <u>approve</u> the HAWP application as being consistent with Chapter 24A-8(b) (1) & (2)

- (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;

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

and with the general condition that the applicant shall present the 3 permit sets of drawings 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 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 joshua.silver@mncppc-mc.org to schedule a follow-up site visit.



HISTORIC PRESERVATION COMMISSION 301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Daylor Place No.: 301-650-4890 The Account No.: 07 - 00427944 Hame of Property Owner: 11-NCPPC/MONT . CO. Paulos
Daylores Property Owner: 14-NCPPC/MONT . CO. Paulos
Daylores Property Owner: 1301-650-4890 4500 Bronett luc. Silver Spring 20901 Mont-Co. Pauls Contractor Registration No.: 14 / PT DOMESTIC COLD DESIGNATION House Munder: 5315 PARTONE TYPE OF PERSON IN COLUMN AND THE CHECK ALL APPLICABLE IA. CHECK ALL APPLICABLE ☐ A/C ☐ Stab ☐ Reem Addition ☐ Porch ☐ Dock ☐ Shed ☐ Salar ☐ Firsplace ☐ Woodburning Stave [] Single Femily Fence/Well (corruinte Section 4) 0ther: __ ☐ Revision ☐ Repair ☐ Revacable 1B. Construction cost estimate: \$ ___ 1C, If this is a proficien of a provincely approved active potentit, one Formit #__ Planting for June O. I. avisor in Contra Moleura PARCHION 02 🗀 Saptic 2A. Type of sourage disposal: et 🗆 wasc ez (3 Well 03 C Other: ___ ZB. Type of visitor supply: BANKER A RECEIVED AND A FOR A PARTY OF THE P 3B. Indicate whether the fence or retaining well is by be constructed on one of the following locations: I hardy cartily that I have the extherity to make the famous application, that the application is correct, and that the construction will comply with plant approved by all appears fated and I hardy acknowledge and accept this to be a condition for the issuence of this permit.

SEE REVERSE SIDE FOR INSTRUCTIONS

Edit, 6/21/98

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- 2. SITE PLAN: see attached
- 3. PLANS AND ELEVATIONS: N/A
- 4. MATERIAL SPECIFICATIONS: see attached
- 5. PHOTOGRAPHS: see attached
- 6. TREE SURVEY: see attached site plan

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7. ADDRESS OF ADJACENT AND CONFRONTING PROPERTY OWNERS: see attached

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	G ADDRESSES FOR NOTIFYING			
(Owner, Owner's Agent, Adjacent	and Confronting Property Owners)			
Owner's mailing address:	Owner's Agent's mailing address:			
M-NCPPC	,			
Attn: Park Property Management	SAME			
9500 Brunett Avenue	JAME			
Silver Spring, Maryland 20901				
Adjacent and Confronting Property Owners				
Property Address	Mailing Address			
RUCCI, PETER P ET AL TR				
5315 DUVALL DR	SAME			
BETHESDA MD 20816-1873				
DAVIES, RALPH L &	JEANNE F DAVIES			
5401 DUVALL DR	S403 DUVALL DR			
BETHESDA MD 20816	BETHESDA MD 20816			
THE THE POLICE, LESTIE				
5403 DUVALL DR	SAME			
BETHESDA MD 20816				
LAWSON, EUGENE X & S G				
5405 DUVALL DR	SAME			
BETHESDA MD 20816				
GRAHAM, DEAN C & D S				
5407 DUVALL DR	SAME			
BETHESDA MD 20816-1871	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
SAMOAY COSDEDIC M & I H	Sunta e glica			
S409 DUVALL DRIVE	SAME			
BETHESDA MD 20816				
NEWMAN, KURT D & ALISON G				
5411 DUVALL DR	SAME			
BETHESDA MD 20816-1871				
GERACI, JOSEPH J &	SUSAN L BLANKENHCIMER			
5413 DUVALL DR	5413 DUVALL DR			
BETHESDA MD 20816	BETHESDA MD 20816			
DERVERMANCEMENT Francois Christian				
5415 DUVALLOR Alexandre Trustee	SAME			
BETHESDA MD 20816-1871	to the best			
DRISCOLL, PETER E				
S417 DUVALL DR	SAME			
BETHESDA MD 20816				
RAYMOND, ALLEN 8 & ELIZABETH S				
5419 DUVALL DR	SAME			
BETHESDA MD 20816-1871				
SUNLEY, EMIL M IR & J S	† · · · · · · · · · · · · · · · · · · ·			
5421 DUVALL DRIVE	SAME			
	 			
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5310 ELLIOTT RD	SAME	
BETHESDA MO 20816-2911	1.41	
HENREY, ROBERT J & ET AL	HENREY, ROBERT J E ET AL	
5313 ELLIOTT RD	349 N MAPLE AVE	
BETHESDA 20816	GREENWICH CT 06830-4710	
Keating, geoffrey t & K L		
5310 FALMOUTH RD	SAME	
BETHESDA 20816		
BEHAULT, MARY HOWTH HERRY ROBERT		
5313 FALMOUTH RD	SAME	
BETHESDA MD 20816-2916		
TACHMINDJI, DIANE E TRUSTEE		
5314 FALMOUTH RD	SAME	
BETHESDA MD 20816-2915		
BLANCHETTE, ROBERT W ET AL		
5315 FALMOUTH RD	SAME	
BETHESDA MD 20816-2916		

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MNCPPC HISTORIC PROPERTIES SUMMARY FORM

35/32

1. NAME: Battery Bailey

Region: II

2. LOCATION: Westmoreland Hills Local Park

Chevy Chase, Maryland

3. ASSOCIATED PARK: Westmoreland Hills Local Park

4. CURRENT CONDITION: Fair, Altered, Original Site

5. DATE OR PERIOD: 1860's

6. DESCRIPTION:

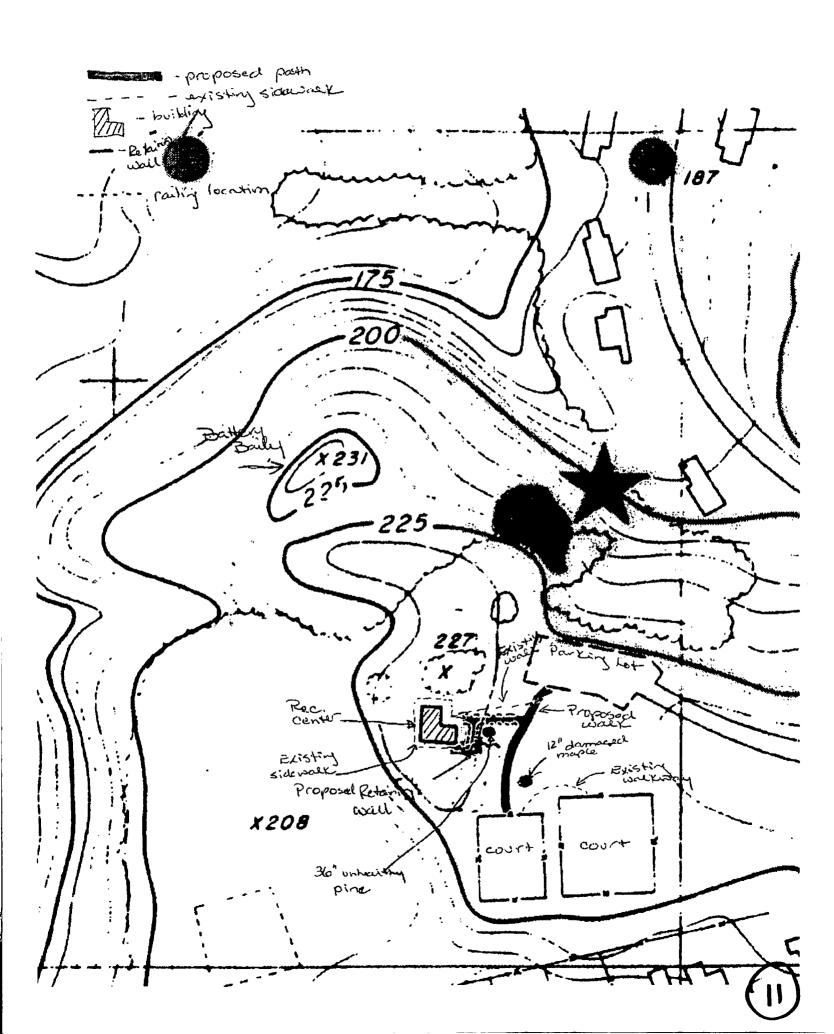
These Civil War earthworks are situated on top of a hill overlooking Little Falls Branch and are constructed in a "C" shape facing north. Ramparts or trenches extend westward toward the creek and eastward. The battery contained six platforms for field guns in embrasure. There were no guns in barbette. The battery and approaches are overgrown with trees and brush. The sharp outlines of the battery have been rounded by time. There appear to be six cuts for embrasures in the ramparts although center embrasures are difficult to make out. The remains of the terrepleins are visible although they are not all intact. The remains of the platforms cannot be seen. There is an unidentified raised section in the center of the fort.

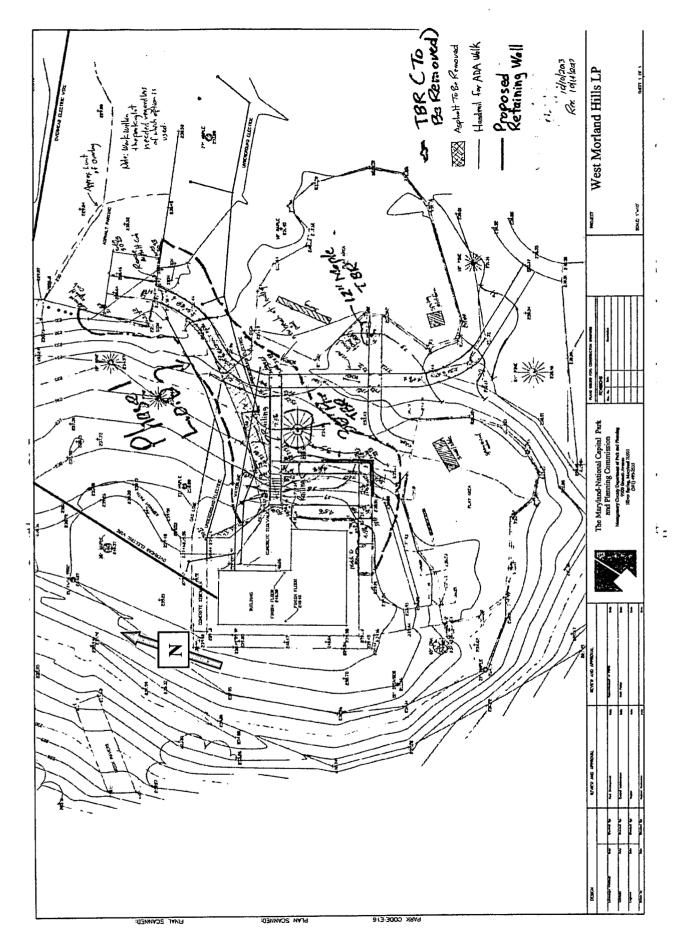
7. SIGNIFICANCE:

This battery was one of 93 unarmed batteries in the 34 mile circle of forts and batteries which surrounded Washington during the Civil War. Battery Bailey was named for Col. Guilford Bailey who was killed in action during the battle of Fair Oaks in 1862. Although gun embrasures are discernible, the battery apparently went unarmed and for the most part unmanned during the Civil War. There was no known action at Battery Bailey during the Civil War. Of the Civil War defenses of Washington which existed in Montgomery County, Battery Bailey is the only site remaining intact.

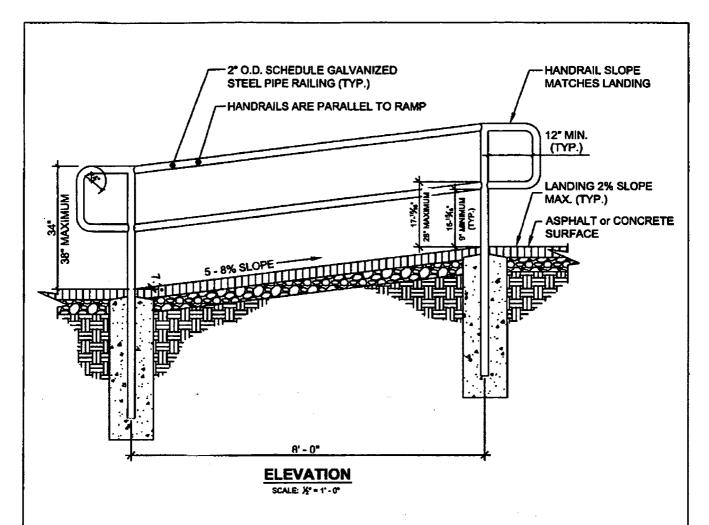
- 8. STATUS: On Master Plan for Historic Preservation
- 9. CATEGORY: Archaeological Site











NOTES:

- ALL PIPE JOINTS TO BE WELDED AND GROUND SMOOTH.
- 2. ALL PIPES SHOULD BE ETCHED WITH ACID BEFORE PAINTING AND PRIMED BEFORE APPLYING COATS OF SEMI-GLOSS ALKALIDE ENAMEL.
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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Montgomery Parks - Montgomery County, Maryland

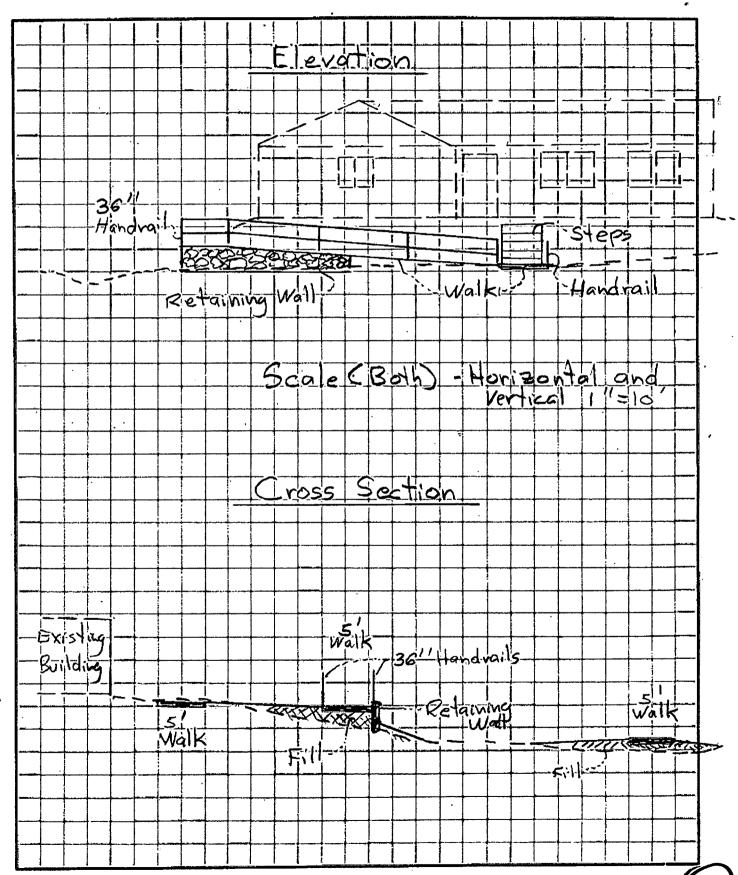
PARK		ADA HANDRAIL - RAMP	REVISION	DATE	DETAIL NO.
DEVELOPMENT	PARK DEVELOPMENT DIVISION CHIEF				422
DIVISION 9500 BRUNETT AVENUE					422
SILVER SPRING, MO 20001	DATE APPROVED				MARCH 2013

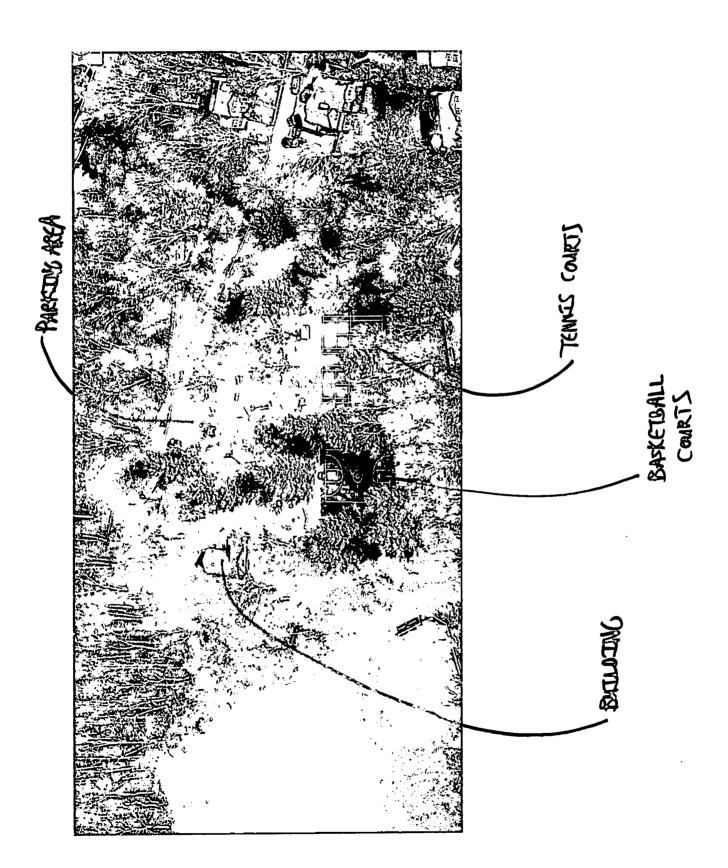
M-NCPPC DEPARTMENT OF PARKS

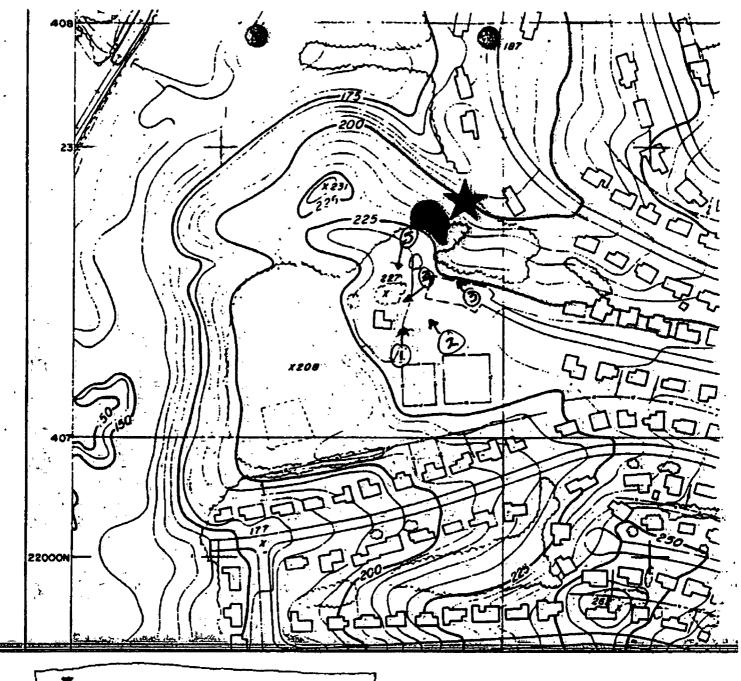
9500 BRUNETT AVENUE SILVER SPRING, MD 20901 (301) 495-2535



PROJECT Westmoveland	Hills
ADA	JOB NO.;
COMPUTATIONS FOR:	
BY:CHECKED BY:	
DATE: 12119113 SHEET NO.	OF







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CIVIL WAR EARTHWORKS SITE 35/32

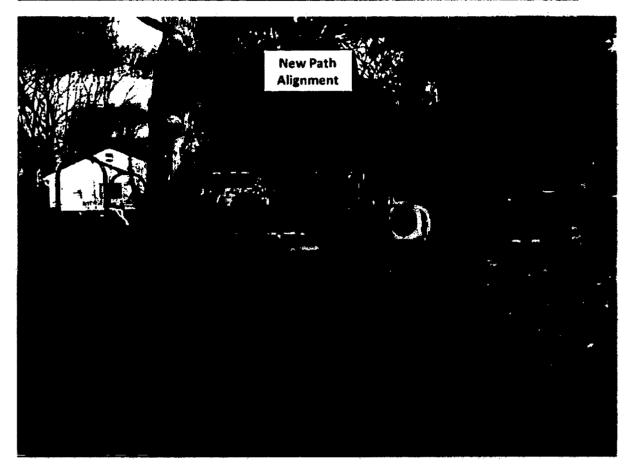
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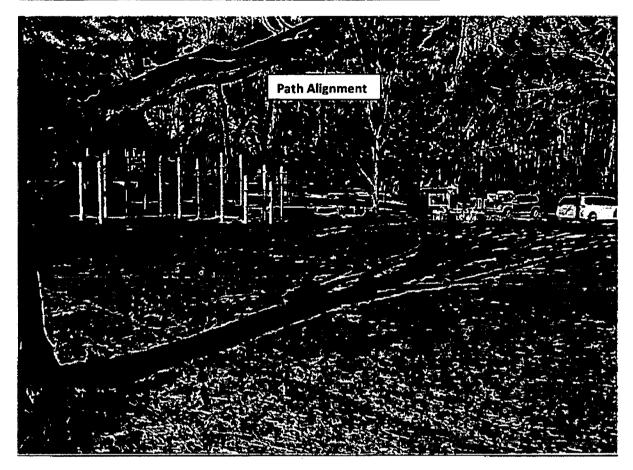
5315 Elliott Road Bethesda, MD, 20816



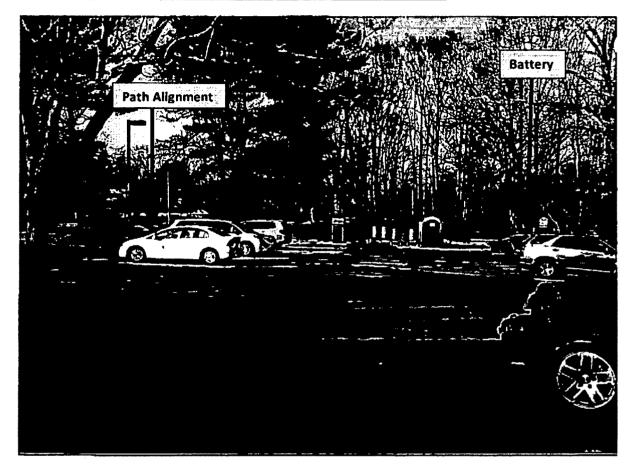
VIEW 1: From Basketball Court Looking Toward Battery (Battery not Visible Due to Topography)



VIEW 2: From Tennis Court Looking Toward Battery (Battery not Visible)



VIEW 3: From Parking Lot (Battery on Right & Community Center on Left)



VIEW 4: From Parking Lot Toward Path



CONTRACTOR OF STREET



VIEW 5: From Battery Toward Path (Path Not Visible Due to Topography)





Silver, Joshua

From:

Mueller, Julie

Sent:

Thursday, December 19, 2013 4:15 PM

To:

Silver, Joshua

Cc:

Green, Bob; Hertz, Daniel

Subject:

Westmoreland Hills HAWP requested information

Hi Josh, I've taken your questions (in blue) and answered them in green. The retaining wall elevation and plan will be sent to you tomorrow morning. Folks are still working on it, but I wanted to get as much to you as possible today. Please let me know if you have enough information to keep us on the Jan. 8 agenda or if you need to move us to the 22nd. Thanks again for your flexibility and your willingness to take on this last-minute HAWP. We appreciate it. Julie

Note: The HPC's preference is to illustrate proposed changes on a site plan. If you have a site plan please mark it up with your changes and e-mail it to me. Was the site plan that I sent to you sufficient?

The locations and style of the handrail (Item 1.c.). I suggest you provide a detail for the handrail locations. I cannot tell from the topo map where the hand railings start/stop on the proposed new pathway. The handrail is indicated somewhat inexactly on the drawing that I sent you with a dotted black line. If you look at the pink proposed walkway, the railing will be attached to the concrete walk starting where the walk juts off from the path leading down to the ball courts. The railing continues along the walkway until it connects to the sidewalk that surrounds the building. I can't tell if this is indicated on the site plan that I emailed today, but I don't think it is. Please keep in mind that the community center is not a historic resource. The railing locations are on the site plan, but it may be difficult to read.

A detail of the location where the ADA ramp is proposed. Again, I cannot tell from the topo map the location of the ramp and how it connects to the building. It has been confirmed: the ramp is, in fact, a sidewalk that has been graded to meet ADA requirements, allowing a person to travel from the parking lot to the sidewalk that surrounds the building without having to use a frame or metal ramp. The term "ramp", in ADA language, means a walk within a certain slope range. In our case the "ramp" is level with the ground and is not elevated. Details for the proposed retaining wall. An elevation and plan drawing SUPPLY that show the location and details for the wall. Please explain why the wall is needed i.e., what is it retaining. The landscape will be graded so that it will not be necessary to install a frame or metal ramp. The wall is necessary to stabilize some of the slope, minimize fill, and reduce the amount of land disturbing activities.

The written description states the removal of 95' of an existing 6' wide asphalt path that connects the parking lot to the building, whereas the topo map you provided states "existing walkway". Is this the walkway that is proposed for removal? All of the existing asphalt sidewalk in front of the building will be taken up and replaced by a concrete sidewalk that is one foot narrower than the existing sidewalk. The terms path, sidewalk, and walkway have been used interchangeably in this submittal. I apologize for any confusion. Additional segments of concrete walkway will be added to provide ADA access to the building and other amenities.

In your e-mail to me yesterday you asked about noting trees on the plan. I see two trees indicated on the plan. Are you proposing to remove these trees? If so, please provide their species and size. The site plan that I sent you notes all of the trees in the immediate vicinity of the proposed project. In an earlier email, I stated that no trees were expected to be removed. However, this afternoon, it was confirmed by our Horticulture Division that, in fact, the two trees that I noted in the submittal will have to be removed. 1) The inside of the 12" Red Maple (acer rubrum) is decaying. We need to take this tree down even if the path were not constructed as it is in danger of falling. 2) The 36" white pine (pinus strobus) is in fair condition, but will not survive the grading required to meet ADA standards. The route of the sidewalk was placed near this tree to avoid other healthier ones.