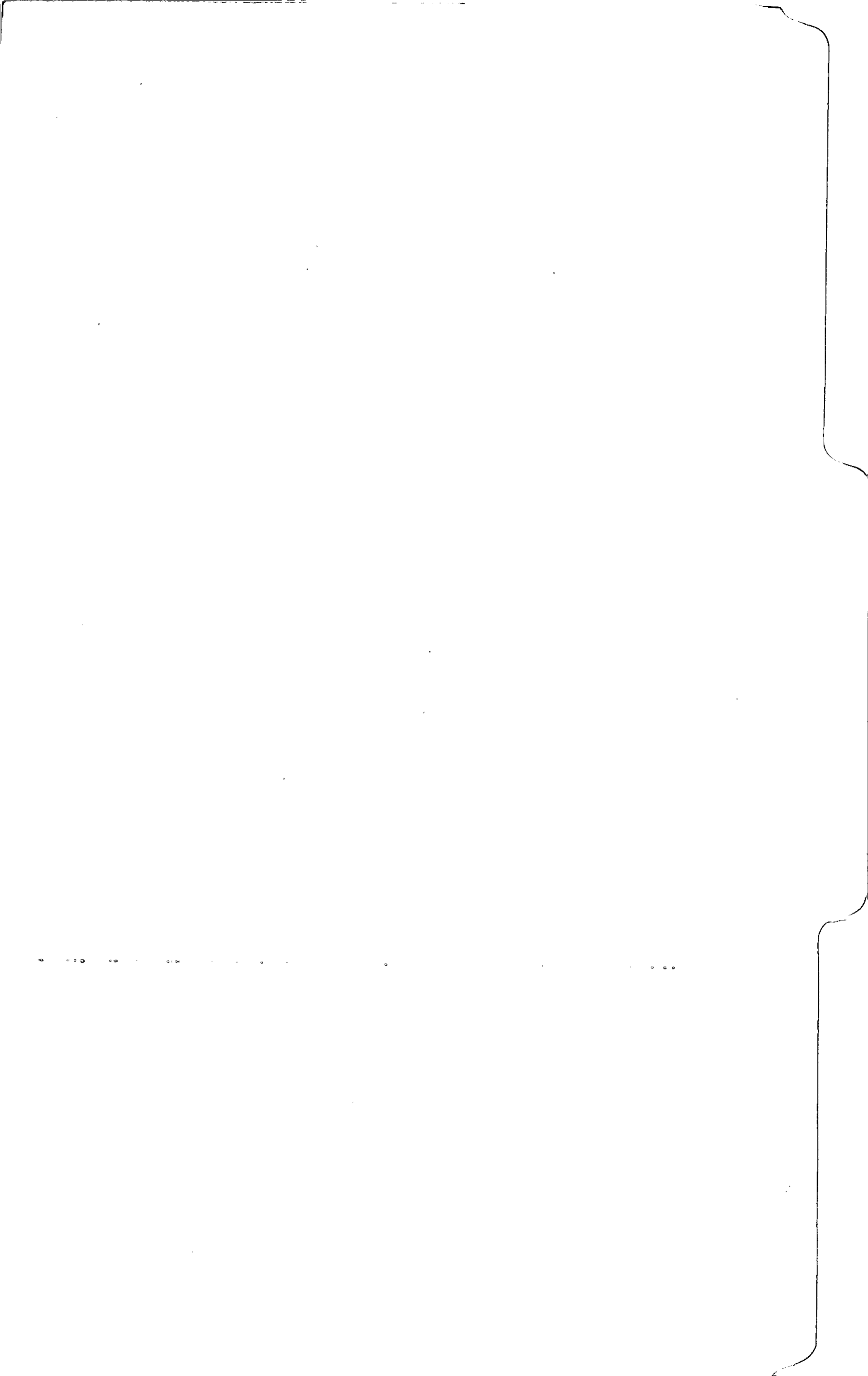


~~209 Market~~ Street (near)  
Brookville M.D.

2012 HAWP







## HISTORIC PRESERVATION COMMISSION


Isiah Leggett  
County Executive

Leslie Miles  
Chairperson

Date: 9/20/12

### MEMORANDUM

TO: Diane Schwartz Jones, Director  
Department of Permitting Services

FROM: Anne Fothergill   
Planner Coordinator  
Historic Preservation Section-Planning Department  
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #608992—tree removal

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The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP) and this application was **approved** by the HPC on September 19, 2012.

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERENCE TO THE ABOVE APPROVED HAWP CONDITIONS AND MAY REQUIRE APPROVAL BY DPS OR ANOTHER LOCAL OFFICE BEFORE WORK CAN BEGIN.

Applicant: Town of Brookeville  
Address: near 209 Market Street, Brookeville

This HAWP approval is subject to the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 to schedule a follow-up site visit.





HISTORIC PRESERVATION COMMISSION  
301/563-3400

APPLICATION FOR  
HISTORIC AREA WORK PERMIT

Contact Email: Clerk@TownofBrookvilleMD.org Contact Person: Cate McDonald  
Daytime Phone No.: 301 570 4465

Tax Account No.: \_\_\_\_\_  
Name of Property Owner: Town of Brookville Daytime Phone No.: 301 570 4465

Address: 5 High St Brookville MD 20833  
Street Number City State Zip Code

Contractor: \_\_\_\_\_ Phone No.: \_\_\_\_\_

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

Agent for Owner: \_\_\_\_\_ Daytime Phone No.: \_\_\_\_\_

LOCATION OF BUILDING/PERMIT Near of House

House Number: 209 Street: Market St

Town/City: Brookville Nearest Cross Street: North St @ Market St

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Other: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: \_\_\_\_\_

PART ONE TYPE OF PERMIT/ACTION/ALTERATION

- |                                    |                                  |   |  |                                    |  |  |                               |                               |
|------------------------------------|----------------------------------|---|--|------------------------------------|--|--|-------------------------------|-------------------------------|
| <input type="checkbox"/> Construct | <input type="checkbox"/> Extend  | <input type="checkbox"/> Alter/Revitalize | <input type="checkbox"/> A/C                             | <input type="checkbox"/> Slab      | <input type="checkbox"/> Room Addition     | <input type="checkbox"/> Porch         | <input type="checkbox"/> Deck | <input type="checkbox"/> Shed |
| <input type="checkbox"/> Move      | <input type="checkbox"/> Install | <input type="checkbox"/> Wreck/Raze       | <input type="checkbox"/> Solar                           | <input type="checkbox"/> Fireplace | <input type="checkbox"/> Woodburning Stove | <input type="checkbox"/> Single Family |                               |                               |
| <input type="checkbox"/> Revision  | <input type="checkbox"/> Repair  | <input type="checkbox"/> Reversible       | <input type="checkbox"/> Fence/Wall (complete Section 4) |                                    | <input type="checkbox"/> Other: _____      |  |                               |                               |

Tree Removal

B. Construction cost estimate: \$ 2000

C. If this is a revision of a previously approved active permit, see Permit # \_\_\_\_\_

PART TWO COMPLETE FOR NEW CONSTRUCTION AND EXTENSION/ADDITIONS

- 2A. Type of sewage disposal: 01  WSSC 02  Septic 03  Other: \_\_\_\_\_
- 2B. Type of water supply: 01  WSSC 02  Well 03  Other: \_\_\_\_\_

PART THREE COMPLETE ONLY FOR FENCE/RETAINING WALL

- 3A. Height \_\_\_\_\_ feet \_\_\_\_\_ inches
- 3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:  
 On party line/property line     Entirely on land of owner     On public right of way/assessment

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

[Signature]  
Signature of owner or authorized agent

7/16/2012  
Date

Approved: [Signature] For Chairman, Historic Preservation Commission

Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: 7/20/12

Application/Permit No.: 608992 Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

JUL 20 2012  
By: [Signature]

Date Received in DPS

Mail Log # 285776

JUL 23 2012

Assigned To: \_\_\_\_\_

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

<b>Address:</b>	near 209 Market Street, Brookeville	<b>Meeting Date:</b>	9/19/12
<b>Resource:</b>	Brookeville Historic District	<b>Report Date:</b>	9/12/12
<b>Applicant:</b>	Town of Brookeville (Cate McDonald, Agent)	<b>Public Notice:</b>	9/5/12
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	No
<b>Case Numbers:</b>	23/65-12D	<b>Staff:</b>	Anne Fothergill
<b>Proposal:</b>	Tree removal		

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**STAFF RECOMMENDATION**

- Approval  
 Approval with conditions

**PROPERTY DESCRIPTION**

**SIGNIFICANCE:** Brookeville Historic District

**PROPOSAL**

The applicants propose to remove a decayed 22" bitternut hickory tree (see Circle 7).

**APPLICABLE GUIDELINES**

**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 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.)

### **STAFF RECOMMENDATION**

Staff recommends that the Commission **approve the HAWP application** as being consistent with Chapter 24A-8(b)(1);

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;

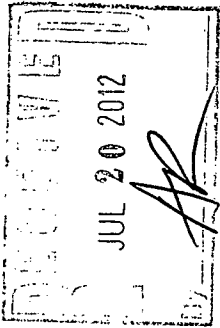
and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or [anne.fothergill@mncppc-mc.org](mailto:anne.fothergill@mncppc-mc.org) to schedule a follow-up site visit.



DPS - #8

HISTORIC PRESERVATION COMMISSION  
301/563-3400

# APPLICATION FOR HISTORIC AREA WORK PERMIT



Clerk@TownofBrookvilleMD.org  
Contact Email: \_\_\_\_\_ Contact Person: Cate McDonald  
Daytime Phone No.: ~~301 570 4465~~ 301 520 4465

Tax Account No.: \_\_\_\_\_  
Name of Property Owner: Town of Brookville Daytime Phone No.: 301 520 4465  
Address: 5 High St Brookville MD 20833  
Street Number City State Zip Code

Contractor: \_\_\_\_\_ Phone No.: \_\_\_\_\_  
Contractor Registration No.: \_\_\_\_\_  
Agent for Owner: \_\_\_\_\_ Daytime Phone No.: \_\_\_\_\_

LOCATION OF BUILDING/PREMISE Nearest House  
House Number: 209 Street: Market St  
Town/City: Brookville Nearest Cross Street: North St @ Market St  
Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_  
Elev: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: \_\_\_\_\_

Date Received in DPS  
Mail Log # 285771  
JUL 23 2012  
Assigned To: \_\_\_\_\_

PART ONE: TYPE OF PERMIT ACTION AND USE  
1. CHECK ALL APPLICABLE: Tree Removal  
 Construct  Extend  Alter/Renovate  A/C  Stab  Room Addition  Porch  Deck  Shed  
 Move  Install  Wreck/Raze  Solar  Fireplace  Woodburning Stove  Single Family  
 Revision  Repair  Revocable  Fence/Wall (complete Section 4)  Other: \_\_\_\_\_  
2. Construction cost estimator: \$ 2000  
3. If this is a revision of a previously approved active permit, see Permit # \_\_\_\_\_

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENSION/ADDITIONS  
2A. Type of sewage disposal: 01  WSSC 02  Septic 03  Other: \_\_\_\_\_  
2B. Type of water supply: 01  WSSC 02  Well 03  Other: \_\_\_\_\_

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL  
3A. Height \_\_\_\_\_ feet \_\_\_\_\_ inches  
3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:  
 On party line/property line  Entirely on land of owner  On public right of way/easement

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

Signature of owner or authorized agent: \_\_\_\_\_ Date: 7/16/2012

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission  
Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Application/Permit No.: 608992 Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

Edt 6/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE  
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

**1. WRITTEN DESCRIPTION OF PROJECT**

a. Description of existing structure(s) and environmental setting, including their historical features and significance:

Removal of a Hickory Tree  
See attach Arborist (Tree # 11 Highlighted)

b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

**2. SITE PLAN**

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

**3. PLANS AND ELEVATIONS**

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- a. *Schematic construction plans*, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (facades), with marked dimensions; clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

**4. MATERIALS SPECIFICATIONS**

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

**5. PHOTOGRAPHS**

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

**6. TREE SURVEY**

If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

**7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS**

For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question.

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.  
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.



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

Owner's mailing address	Owner's Agent's mailing address
TOWN of Brookeville PO Box 67 Brookeville MD 20833	
Adjacent and confronting Property Owners mailing addresses	
Michael Acierno Harper Pryor 209 Market St Brookeville MD 20833	
Dr. Warren Ferris 207 Market St Brookeville MD 20833	
Harry + Karen Montgomery 210 Market St Brookeville MD 20833	

## Town of Brookeville Tree Assessment

Tree number	Species	Diameter (dbh at 4.5')	Location	Problem	Recommendation	Spray paint	Priority
1	Ash	47"	Brookeville Academy grounds, by the road	There are dead limbs and dead stubs hanging over the road. One root is decayed, but the rest of the base appears solid.	Prune the deadwood. Consider vertical mulching. Monitor.	White	B
2	Brookeville Angel	--	Brookeville Academy grounds	The base of the statue is rotting, and I saw evidence of carpenter ants.	I suggest the sculpture be removed from its base and placed on new one.		B
3	Locust	24"	Brookeville Academy grounds	Significant trunk decay: Large decay conks on trunk; Large broken scaffold branch; woodpeckers; could possibly hit house below.	Removal, or remove top and leave trunk for wildlife	orange	B
4	Locust	23"	Brookeville Academy grounds--just below #3; <i>may not be Academy property</i>	Significant trunk decay: Large decay conks on trunk and many major scaffold branches; many broken branches; would hit house below	<b>Removal</b>	orange	A
5	Walnut	12"	Brookeville Academy grounds	There are wounds on 3 sides of the base of the tree and bleeding cankers; the canopy quality is poor	The tree is not much of a hazard in terms of damage, but it should not be allowed to grow too large: Monitor	green	
6	Ash	65"	202 Market Street	There is ivy growing all over the base of the tree--it should be removed. The base of the tree appears sound, but ivy does obscure much of it.	Remove ivy. Prune the deadwood.	Not sprayed, as covered with ivy. Would be a white.	B
Not numbered	Maples	newly planted	North Street	The young maples have too much mulch touching the base of the trunk--it is better for the tree to pull back the mulch from the trunk.	Pull mulch away from the trunk.		A
7	Locust	22"	17 North Street	Large decay conks on trunk and trunk has a hollow sound.	<b>Removal</b>	orange	A
8	Hickory	8"	17 North Street	Young tree with a buttress wound that is at least 1/3rd of the circumference of the tree. Should not be allowed to grow too big.	Monitor and do not allow to grow too large.	green	

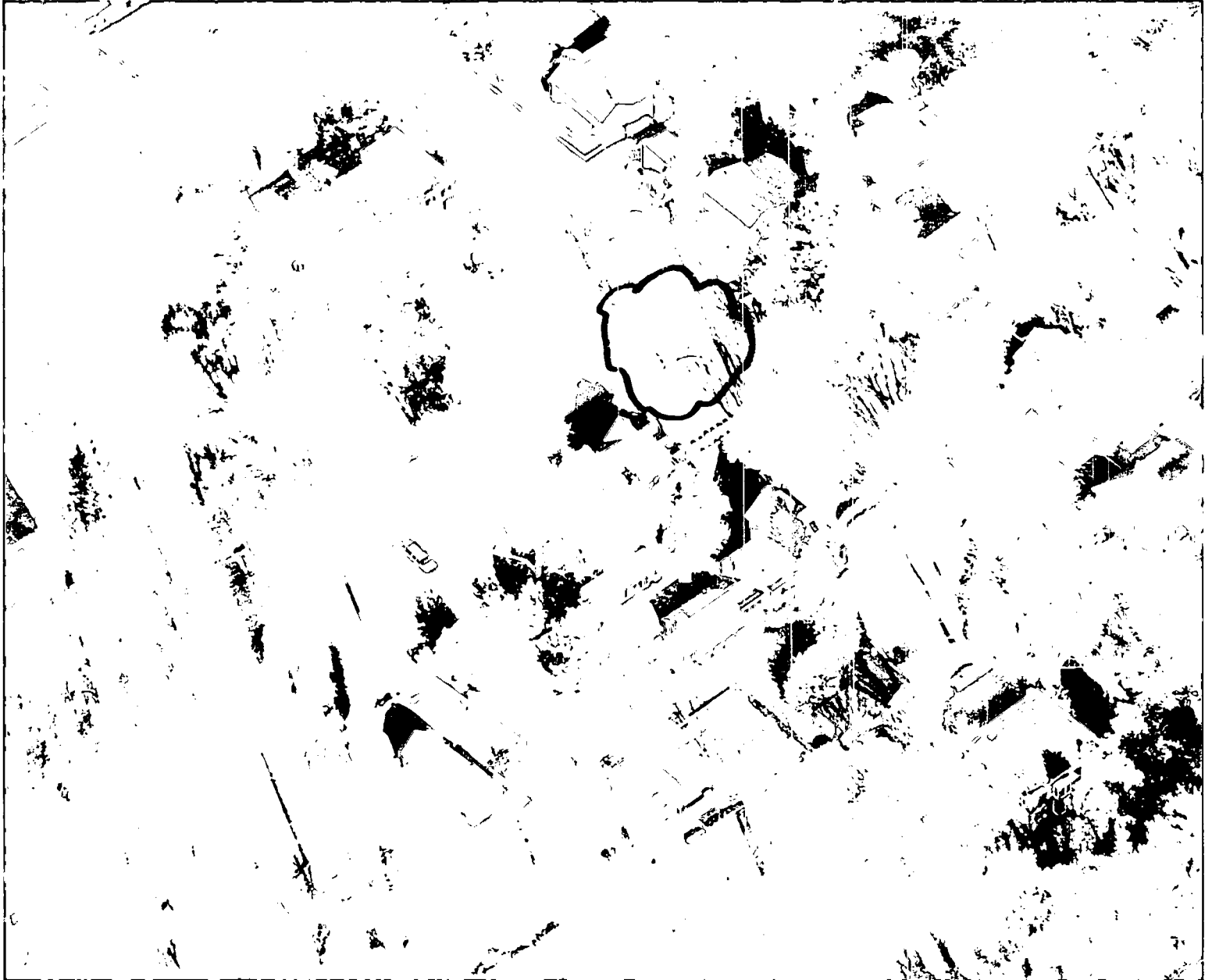
16

Tree number	Species	Diameter (dbh at 4.5')	Location	Problem	Recommendation	Spray paint	Priority
9	Locust	13"	17 North Street	The tree has decay conks in the trunk and several long trunk wounds. Located near overhead utilities.	Removal	orange	A
10	Norway Maple	18"	Across from 13 North Street	The top limbs are dead, and the limbs could fall into the street. However the top of the tree is only about 6" caliper, and the target level is low.	Prune the dead top of the tree.	White	C
11	Bitternut hickory	22" at 2' height	North Street, by property that fronts to Market Street	The tree has a codominant fork, and the fork union is decayed and cracked. Tree is at high risk of fork failure.	Removal. It is possible that the fork could be bolted together to provide some lessening of risk, but in my opinion it is better to remove the tree.	orange	A
12	Oak	30"	By the rock circle seating area by private lane	There are two dead limbs of about 5" caliper--one will go over the private lane, but the other is over the circle.	Prune the deadwood	white	C
13	Locust	31"	By the WSSC entrance on Market Street	The tree is mostly dead, and there are decay conks throughout trunk. It is leaning on an adjacent tree. The limbs are over utility lines.	Remove the tree, or remove limbs that are over the utility lines.	orange	B
14	Elm	29"	By the WSSC entrance on Market Street	There is euonymus vine growing all over the tree, and it has a fork that appears to be failing, but will not hit the road.	Monitor	green	
15	Locust	14"	Georgia Avenue at Newlin's Mill; <i>May not be town property</i>	Large decay conks on trunk; could possibly hit the street.	Removal	orange	B





tree to be removed



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