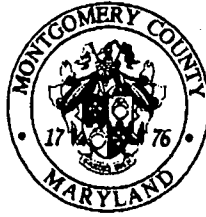


2 North street
Brookville H.D.



HISTORIC PRESERVATION COMMISSION


Isiah Leggett
County Executive

Leslie Miles
Chairperson

Date: 10/11/12

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 #610593—tree removal

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 October 10, 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: James and Brenda Albus
Address: 2 North 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

6010593

Contact Email: elyalbus@aol.com Contact Person: _____

Daytime Phone No.: 301-570-0205

Tax Account No.: 03592458

Name of Property Owner: James + Brenda Albus Daytime Phone No.: _____

Address: 2 North Street Brookeville MD 20833
Street Number City State Zip Code

Contractor: _____ Phone No.: _____

Contractor Registration No.: _____

Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISES

House Number: 2 North Street Street: North Street

Town/City: Brookeville Nearest Cross Street: Market St.

Lot: 2 Block: _____ Subdivision: 005

Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

Tree Removal

1A. CHECK ALL APPLICABLE:

- Construct Extend Alter/Renovate
- Move Install Wreck/Raze
- Revision Repair Reversible

CHECK ALL APPLICABLE:

- AC Stab Room Addition Porch Deck Shed
- Solar Fireplace Woodburning Stove Single Family
- Fence/Wall (complete Section 4) Other: _____

1B. Construction cost estimate: \$ _____

1C. 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.

Brenda J. Albus
James C. Albus
Signature of owner or authorized agent _____ Date: 9/3/12

Approved: _____
Disapproved: _____ Signature: _____ Date: 10/11/12
Application/Permit No.: _____ Date Filed: _____ Date Issued: _____

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	2 North Street, Brookeville	Meeting Date:	10/10/12
Resource:	Non-Contributing Resource Brookeville Historic District	Report Date:	10/3/12
Applicant:	James and Brenda Albus	Public Notice:	9/26/12
Review:	HAWP	Tax Credit:	No
Case Numbers:	23/65-12F	Staff:	Anne Fothergill
Proposal:	Tree removal		

STAFF RECOMMENDATION

- Approval
- Approval with conditions

PROPERTY DESCRIPTION

SIGNIFICANCE: Non-Contributing resource in the Brookeville Historic District
YEAR BUILT: 2007

PROPOSAL

The applicants propose to remove three declining trees: 16" and 19" black cherry and large tulip poplar (see Circles 6-8).

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 to schedule a follow-up site visit.



HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

610593

Contact Email: elyalbus@aol.com Contact Person: _____
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Street Number City State Zip Code
 Contractor: _____ Phone No.: _____
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- Revision Repair Revocable Fence/Wall (complete Section 4) Other: _____

Tree Removal

CHECK ALL APPLICABLE:

1B. Construction cost estimate: \$ _____

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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.

Brenda J. Albus
James C. Albus
 Signature of owner or authorized agent

9/3/12
 Date

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

**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:

Remove three trees as indicated in arborist report

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 plot. 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
James & Brenda Albus 2 North Street Brookeville MD 20833	
Adjacent and confronting Property Owners mailing addresses	
Katherine Larguhar 1 North Street Brookeville MD 20833	Matthew Pollock 4 North Street Brookeville MD 20833

Jim + Brenda Allous

2 North St.

Brookerville MD 20833

301-570-0205

941-704-0755

elyallous@aol.com

4 North Street

large tulip
poplar

Black Cherry 16"

Black Cherry 19"

1 North Street

Driveway

North Street

Green Legacy Tree Consultants, Inc.

Barb Neal, Arborist

ISA Board Certified Master Arborist MA-4283B

ASCA Registered Consulting Arborist # 428

Maryland Tree Expert License # 812

216 Wood Street Ithaca, NY 14850

www.greenlegacytrees.com

June 8, 2012

Brenda Albus
2 North Street
Brookeville, MD

On June 1, 2012, I revisited your property to do a re-assessment of the trees located on your property. My assignment was to visually assess the trees and make recommendations for their care and management. Since I was last at your house, a neighboring property is being developed.

You have many trees in your backyard, and most of them appear to have solid bases and the canopies and foliage look healthy. I did find a few trees of concern, however.

Left side of property: The large tulip poplar on your left side yard (facing the house) has leaves smaller than is typical of the species. This typically indicates that the tree is stressed, most likely from the effects of construction. The base of the tree still seems solid, and I recommend that you have the tree looked at every two years.

Backyard, center: Black Cherry, 16" diameter—this tree has a basal cavity of about 12" deep. This tree would have been the most affected by the construction of your house. The canopy still seems OK, but I suggest that you consider removing the tree, as it could fail towards your house.

Right side of property, by driveway: Black Cherry, 19" diameter—this tree has a longitudinal wound that is about 3' long, and the cavity associated with it appears to be deep, and the structural stability of that area is likely compromised. If it should fail at that point, it would fail towards your drive and cars. I recommend that you remove this tree.

I also recommend that you cut the ivy and other vines from the trees. It is a never ending job, but worthwhile for the trees.

Please do not hesitate to call or email me if you have questions.

Sincerely,

Barb Neal

Existing Property Condition Photographs (duplicate as needed)



left side of property

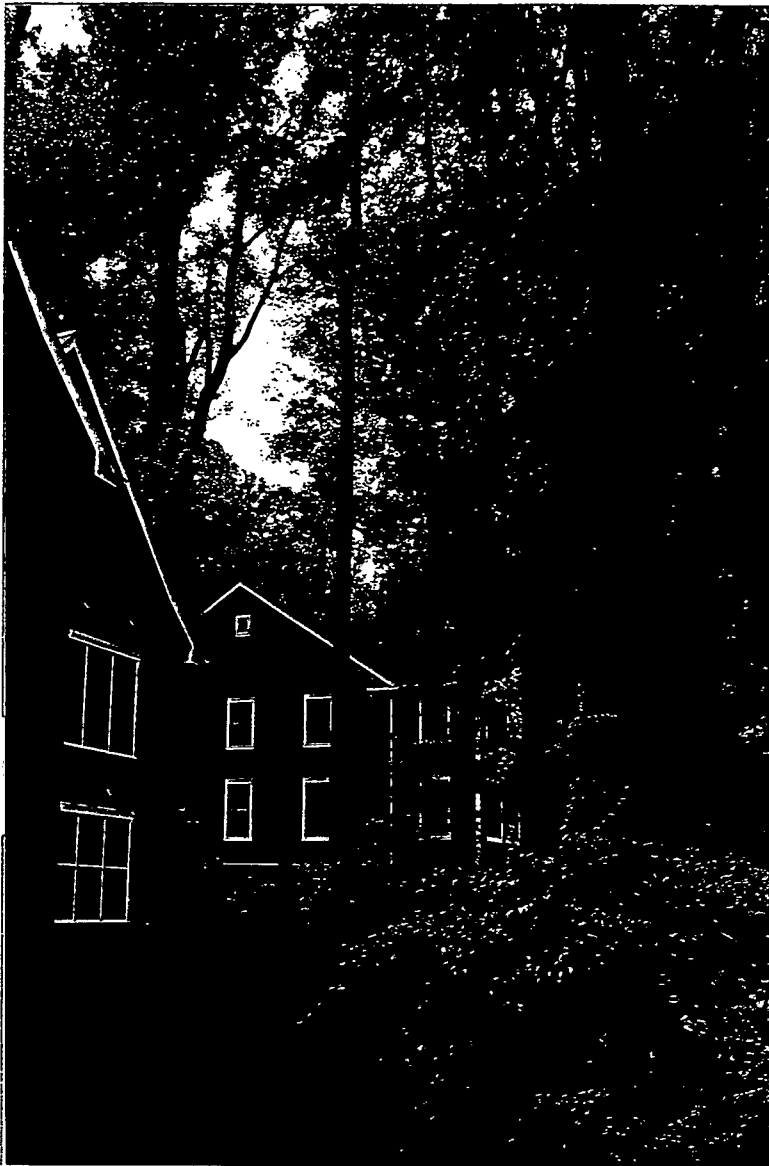
Detail: _____

Applicant: Albus - 2 North St. Brooksville 20833

Page: _____

(9)

Existing Property Condition Photographs (duplicate as needed)



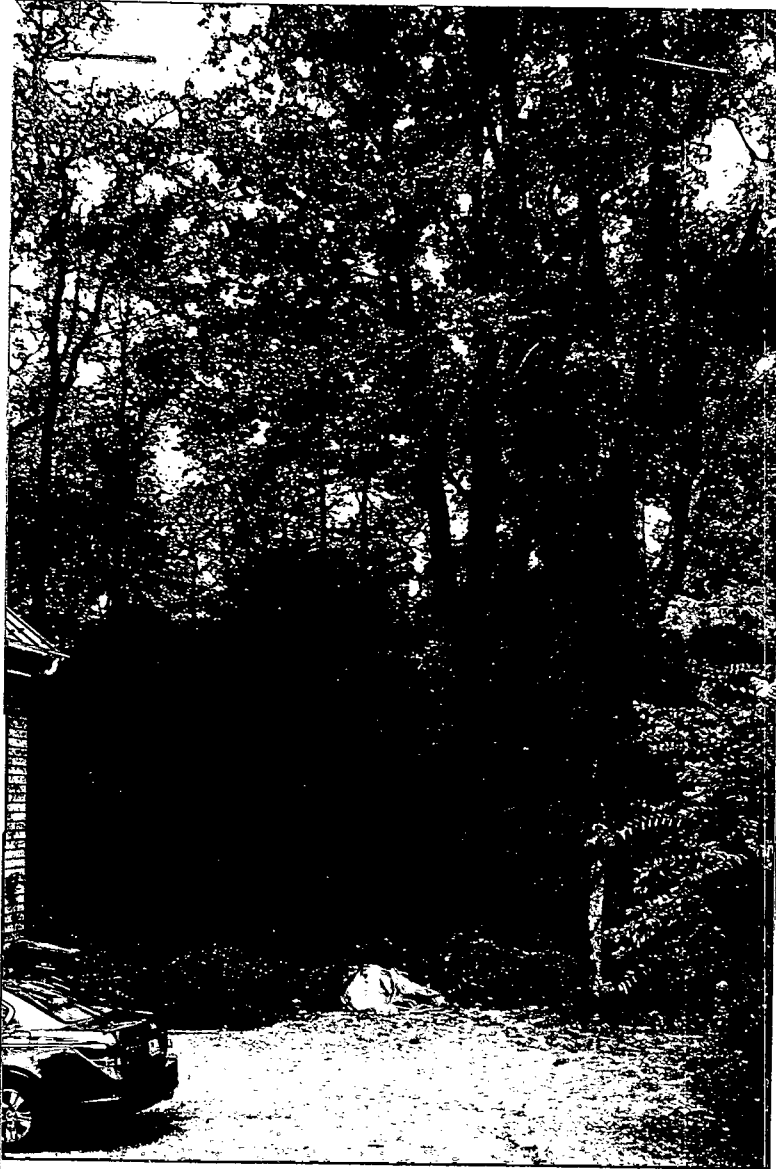
Backyard, center

Detail: _____

Applicant: Albus - 2 North St. Brookeville 20833

Page: _____

Existing Property Condition Photographs (duplicate as needed)



Right side of property, by driveway

Detail: _____

Applicant: Albus - 2 North St. Brookville 20833

Page: _____

BROOKEVILLE