

31/7-93E 10007 Leafy Avenue
Capitol View Park Historic District



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

August 13, 1993

Mr. Bill Garfinkel
Alten Development
5335 Wisconsin Avenue, NW
Suite 440
Washington, DC 20015

Dear Bill:

As a result of our meeting with Jay Calloway of DEP and your arborist at your construction site on Leafy Avenue on August 3, we agreed that you would file a retroactive Historic Area Work Permit (HAWP) for the removal of the large pine tree on Lot 10. I mailed you the application form last week. It should be submitted to DEP in Rockville by August 18 for the HPC meeting on September 8.

As we discussed, your HAWP application and site plan should specify, clearly and completely, the trees that have been removed (including others on adjacent lots that you have agreed to replace), your replacement planting proposal (location, species, and size) and the revised location for the driveway on Lot 10 approved by the HPC earlier this year.

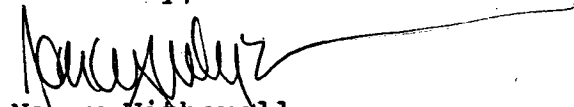
I urge you to consider the HPC meeting an opportunity for you to establish a clear public record so that the community, DEP, and the HPC will have a full understanding of what will happen at the site while you are completing construction.

In addition, may I remind you that your previous agreement with the HPC was to maintain the snow fence around the other trees on the site during construction. I am particularly concerned about the amount of dirt piled against the trees at the rear of Lots 9 and 10. Your arborist agreed that damage to the pine in the rear yard of Lot 10 was possible because of the height of the dirt pile. You agreed to remove it as soon as possible. I would suggest that that be done prior to the HPC meeting on September 8.

I concurred with your request to remove lower branches from the existing pines in the front yards of Lots 9 and 10 only to the extent necessary to provide clearance for the new houses. In addition, we agreed that the removal of trees smaller than 6" in caliper (at breast height) does not require prior HPC approval. Nevertheless, given the history of the site and its wooded condition, I urge you to leave as much shrubbery as possible under the pine trees.

I hope this letter accurately records our August 3 meeting and lays out what I hope will be resolved at the HPC meeting on September 8. If you have questions, please call me at (301) 495-4570. Otherwise, I'll look forward to seeing your HAWP application with your complete replanting proposal by August 18.

Sincerely,



Nancy Witherell
Historic Preservation
Planner

cc: David Clough
Capitol View Park LAP

SEPT. 8, 1993

APPROVED W/ ^{FIVE} CONDITIONS:

- (1) THE REMOVED WHITE PINE BE REPLACED W/ ~~2~~² WHITE PINES (10-12' TALL) - ONE IN ^{REAR} YARD OF 10007 LEAFY + SECOND IN A SUITABLE LOCATION ON A DIFFERENT LOT
- (2) DRIVEWAY FOR LOT#10 BE ADJUSTED TO AVOID WHITE PINE @ FRONT CORNER OF LOT W/ TREE PROTECTION MEASURES DURING CONSTRUCTION
- (3) 1 4" CALIBER BIRCH PLANTED @
- (4) 2 4" CALIBER RED MAPLES (0011 LEAFY TO BE PLANTED - 1 IN FRONT YARD @ 10003 LEAFY AND 1 IN FRONT YARD @ 10005 LEAFY - OVER -



Historic Preservation Commission

51 Monroe Street, Suite 1001, Rockville, Maryland 20850.
217-3625

APPLICATION FOR HISTORIC AREA WORK PERMIT

TAX ACCOUNT # 994725 + 994706

NAME OF PROPERTY OWNER Curzon Homes of Kensington TELEPHONE NO. 301-964533
(Contract/Purchaser) (Include Area Code)

ADDRESS 10607 Leafy Ave CITY Rockville STATE MD ZIP 20850

CONTRACTOR Logo Tree Experts CITY Rockville STATE MD TELEPHONE NO. 301-774-7968
CONTRACTOR REGISTRATION NUMBER MD 1520

PLANS PREPARED BY Land Services Group TELEPHONE NO. 301-681-8266
(Include Area Code)

REGISTRATION NUMBER _____

LOCATION OF BUILDING/PREMISE

House Number 10607 Street Leafy Ave

Town/City Silver Spring Election District _____

Nearest Cross Street Parker St

Lot 10 Block 34 Subdivision Captain's View Park

Liber _____ Folio _____ Parcel _____

1A. TYPE OF PERMIT ACTION: (circle one) Construct Extend/Add Alter/Renovate Repair Wreck/Raze Move Install Revocable Revision Circle One: A/C Slab Room Addition Porch Deck Fireplace Shed Solar Woodburning Stove Fence/Wall (complete Section 4) Other

1B. CONSTRUCTION COSTS ESTIMATE \$ 11,000.00

1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # 901007-66 / 910800-72

1D. INDICATE NAME OF ELECTRIC UTILITY COMPANY PC 71

1E. IS THIS PROPERTY A HISTORICAL SITE? YES

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/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

4A. HEIGHT _____ feet _____ inches

4B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:

1. On party line/Property line _____

2. Entirely on land of owner _____

3. On public right of way/easement _____ (Revocable Letter Required).

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] Partner Date 8/11/90

Signature of owner or authorized agent (agent must have signature notarized on back). Date

APPROVED _____ For Chairperson, Historic Preservation Commission

DISAPPROVED _____ Signature _____ Date _____

APPLICATION/PERMIT NO: 901007-66 FILING FEE: \$ _____

DATE FILED: _____ PERMIT FEE: \$ _____

DATE ISSUED: _____ BALANCE \$ _____

OWNERSHIP CODE: _____ RECEIPT NO: _____ FEE WAIVED: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 10007 Leafy Avenue	Meeting Date: 9/8/93
Resource: Capitol View Park H.D.	Review: HAWP/Alteration
Case Number: 31/7-93E	Tax Credit: No
Public Notice: 8/25/93	Report Date: 9/1/93
Applicant: Curzon Homes of Kensington	Staff: Nancy Witherell
PROPOSAL: Remove pine tree	RECOMMEND: Approve w/conditions

The applicant is applying for a retroactive HAWP for the removal of a pine tree in the front yard of a lot where a new house is being constructed. The tree was one of a group of five pine trees that have been the topic of discussion several times by the HPC, most recently in January, 1993, when the proposed house on the adjacent lot was moved back on the lot in order to save another pine tree. The group of five trees was to be saved and protected by snow fencing during construction.

The applicant removed one of the trees in order to build the foundation of the house for Lot 10 (10007 Leafy Avenue). The HPC will recall discussing another pine tree at the front of the same lot at its January meeting, during which the Commission found that the placement of the driveway for that lot had to accommodate the tree.

The applicant proposes replacing the 24"-caliper white pine tree that was removed with two white pine trees, each 10'-12' in height.

In addition, new trees are proposed for adjacent lots, as a result of the removal of trees during an earlier phase of construction. The applicant agreed to replant birches on the adjacent lot to the north (10011 Leafy Avenue). He proposes two birch trees, each 2 1/2" in caliper. On the adjacent lot to the south (10005 Leafy Avenue), a maple tree approximately 12" in caliper was removed, as well. The applicant proposes planting two red maples in the rear yards of 10005 and 10003 Leafy Avenue, each 2 1/2" in caliper.

STAFF DISCUSSION

When a healthy tree has been removed without the Commission's

approval, it is only possible to mitigate the loss by additional plantings. The applicant has submitted a landscape plan that shows proposed replacement trees.

HPC staff has asked Steve Cary, M-NCPPC staff arborist, to analyze the proposed site plan. In his judgment, it is inappropriate to plant any new pine trees in the front yard of Lot 10 (10007 Leafy Avenue) given its current crowded condition. In addition, the proposed location for the two white pines is too close to the sidewalk and might cause visibility problems. He recommends, instead, that one white pine, of the proposed height, be planted in the rear yard.

He also noted the revised drawing of the curved driveway for the lot, and recommends that the driveway curve closer to the center of the lot in order to avoid the existing pine tree near the front corner lot line.

With regard to the other proposed plantings, Mr. Cary recommends that one larger birch tree, of about 4" in caliper, be planted in the front yard of 10011 Leafy Avenue. He also recommended that the red maples be planted in the front, rather than rear yards, of 10003 and 10005 Leafy Avenue, in order to provide a public benefit. He recommends that the maples be 4" in caliper, considering that the maple tree removed was 12" in caliper.

The staff defers to Mr. Cary's professional judgment and concurs with his comment about planting the trees for the maximum public benefit. In addition, the staff concurs with his recommendation that the proposed location for the driveway on Lot 10 be adjusted to avoid the large pine tree at the corner. The HPC's directive to the applicant was to avoid the pine tree in order that it be saved. As drawn, the driveway will come within several feet of the trunk of the tree, and this is not an acceptable configuration.

STAFF RECOMMENDATION

Provided the following conditions be met, the staff recommends that the Commission find the proposal consistent with the purposes of Chapter 24A, particularly 24A-8(b)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 Standard #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.

Conditions:

1. The removed white pine will be replaced with a white pine of 10'-12' in height, to be planted in the rear yard of 10007 Leafy Avenue (Lot 10).
2. The driveway location for Lot 10 will be adjusted to avoid the white pine at the front corner of the lot.
3. At 10011 Leafy Avenue, one 4"-caliper birch will be planted.
4. At 10005 and 10003 Leafy Avenue, one 4"-caliper red maple will be planted in the front yard of each house.



Historic Preservation Commission

51 Monroe Street, Suite 1001, Rockville, Maryland 20850

217-3625

file at DEP: 250 Hunsford Dr., Rockville 277-6370

APPLICATION FOR HISTORIC AREA WORK PERMIT

TAX ACCOUNT # 994725 # 994736

NAME OF PROPERTY OWNER Curzon Homes of Kensington TELEPHONE NO. 301-961533

(Contract/Purchaser)

(Include Area Code)

ADDRESS 2 Wisconsin Circle Suite 200 Chevy Chase MD 20915

CONTRACTOR Poso Tree Exports CITY STATE ZIP TELEPHONE NO. 301 774-2968

CONTRACTOR REGISTRATION NUMBER MD 7520

PLANS PREPARED BY LAND SERVICES GROUP TELEPHONE NO. 301 621 8006

(Include Area Code)

REGISTRATION NUMBER _____

LOCATION OF BUILDING/PREMISE

House Number 10007 Street Leafy Ave

Town/City Silver Spring Election District _____

Nearest Cross Street Banker St

Lot 10 Block 34 Subdivision Capital View Park

Liber _____ Folio _____ Parcel _____

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1B. CONSTRUCTION COSTS ESTIMATE \$ 110,000

1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # 9010090066 / 9108000072

1D. INDICATE NAME OF ELECTRIC UTILITY COMPANY PG&E

1E. IS THIS PROPERTY A HISTORICAL SITE? Yes

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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]

0111CA

SUPPLEMENTAL APPLICATION FOR HISTORIC AREA WORK PERMIT
REQUIRED ATTACHMENTS

1. WRITTEN DESCRIPTION OF PROJECT

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

The existing setting is a group of New Homes being constructed along Leafy Ave. Each lot is approx 50' wide and 120' deep with some mature trees (designated tree save areas). The particular building site is Lot 10 which is to the west of Lot 9. ~~Both~~ Both Lots have a considerable amount of trees along the rear.

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

Removal of 1 large white pine which was located at the foundation of the home under construction. This tree was one of a group of substantial trees in the front of Lots 9 and 10. The impact of removing this one tree to the entire project was minimal considering its proximity behind the other.

(2)

2. Statement of Project Intent:

Short, written statement that describes:

- a. the proposed design of the new work, in terms of scale, massing, materials, details, and landscaping:

Planting of 2 10' to 12' white pines
on the front left corner of the lot.

- b. the relationship of this design to the existing resource(s):

The new trees will blend in with the existing
scenery of large trees (primarily pines) in the designated
tree save area of lot 9 and 10.

- c. the way in which the proposed work conforms to the specific requirements of the Ordinance (Chapter 24A):

Planting a 2 for 1 ratio using acceptable
species.

3. Project Plan:

Site and environmental setting, drawn to scale (staff will advise on area required). Plan to include:

- a. the scale, north arrow, and date;
- b. dimensions and heights of all existing and proposed structures;
2-STORY FRAME HOUSES - 25 ft. in height.
- c. brief description and age of all structures (e.g., 2 story, frame house c.1900); NEW HOMES BUILT WITHIN LAST 3 YEARS.
- d. grading at no less than 5' contours (contour maps can be obtained from the Maryland-National Capital Park and Planning Commission, 8787 Georgia Avenue, Silver Spring; telephone 495-4610); and
- e. site features such as walks, drives, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.
NO OTHER STRUCTURES OTHER THAN THOSE SHOWN
ON PLAN.

4. Tree Survey: If applicable, tree survey indicating location, caliper and species of all trees within project area which are 6" in caliper or larger (including those to be removed).

5. Design Features: Schematic construction plans drawn to scale at 1/8" = 1'-0", or 1/4" = 1'-0", indicating location, size and general type of walls, window and door openings, roof profiles, and other fixed features of both the existing resource(s) and the proposed work.
6. Facades: Elevation drawings, drawn to scale at 1/8" = 1'0", or 1/4" = 1'0", clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for 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.
7. Materials Specifications: General description of materials and manufactured items proposed for incorporation in the work of the project.
8. Photos of Resources: Clearly labeled color photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
9. Photos of Context: Clearly labeled color photographic prints of the resource as viewed from the public right-of-way and from adjoining properties, and of the adjoining and facing properties.

Color renderings and models are encouraged, but not generally required.

Applicant shall submit 2 copies of all materials in a format no larger than 8 1/2" x 14"; black and white photocopies of color photos are acceptable with the submission of one original photo.

10. Addresses of Adjacent 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. If you need assistance obtaining this information, call the Department of Assessments and Taxation, at 279-1355.

1. Name BRUCE MULDOWN
 Address 10011 LEAPY AVE.
 City/Zip SILVER SPRING MD 20910
2. Name LEAPY HOUSE INC
 Address 10000 BRUNSWICK AVE.
 City/Zip SILVER SPRING MD 20910



3. Name RUDOLPH & F.V. CEBULLA
Address 10013 MENLO AVE.
City/Zip SILVER SPRING MD 20910
4. Name CURZON HOMES INC.
Address 10009 LEAFY AVE.
City/Zip SILVER SPRING MD 20910
5. Name CURZON HOMES INC
Address 10007 LEAFY AVE
City/Zip SILVER SPRING MD 20910
6. Name NANCY & STUART FOSTER
Address 10005 LEAFY AVE
City/Zip SILVER SPRING MD 20910
7. Name JENS & NIAN ANDERSON
Address 10015 MENLO AVE.
City/Zip SILVER SPRING MD 20910
8. Name _____
Address _____
City/Zip _____

1757E

5

RED MAPLE
2 1/2" CAL

RED MAPLE
2 1/2" CAL

2 W. PINE
10-12'

2 Birch
2.5" CAL

LEAFY
WARNER AVENUE

(40' R/W)

10003

10005

10007

10009

10011

N 07° 50' 54" W

N 07° 50' 54" W

SOUTHERN MANHATTAN
N 17° 54' 51" W

WHITE PINE
N 07° 50' 54" W

TRIPLE STEM
HEMLOCK

N 00° 50' 10" S

"A" REVERSE
FT = 333.03
FR = 353.15
D = 345.00

"A"
FT = 337.03
FR = 357.17
D = 349.00

"A" REVERSE
FT = 300.03
FR = 300.13
D = 352.00

"A"
FT = 304.13
FR = 305.03
D = 358.00

EXISTING HOUSE

12

0075 #

11

0050 #

10

0025 #

9

0000 #

50.00' 50.00' E 50.00' N 07° 50' 54" W 50.00' 50.00' E 50.00'

AMENDED PROPOSAL

clump of
white pines,
10007 Lecky Avenue



↓ tree removed



①

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1757E

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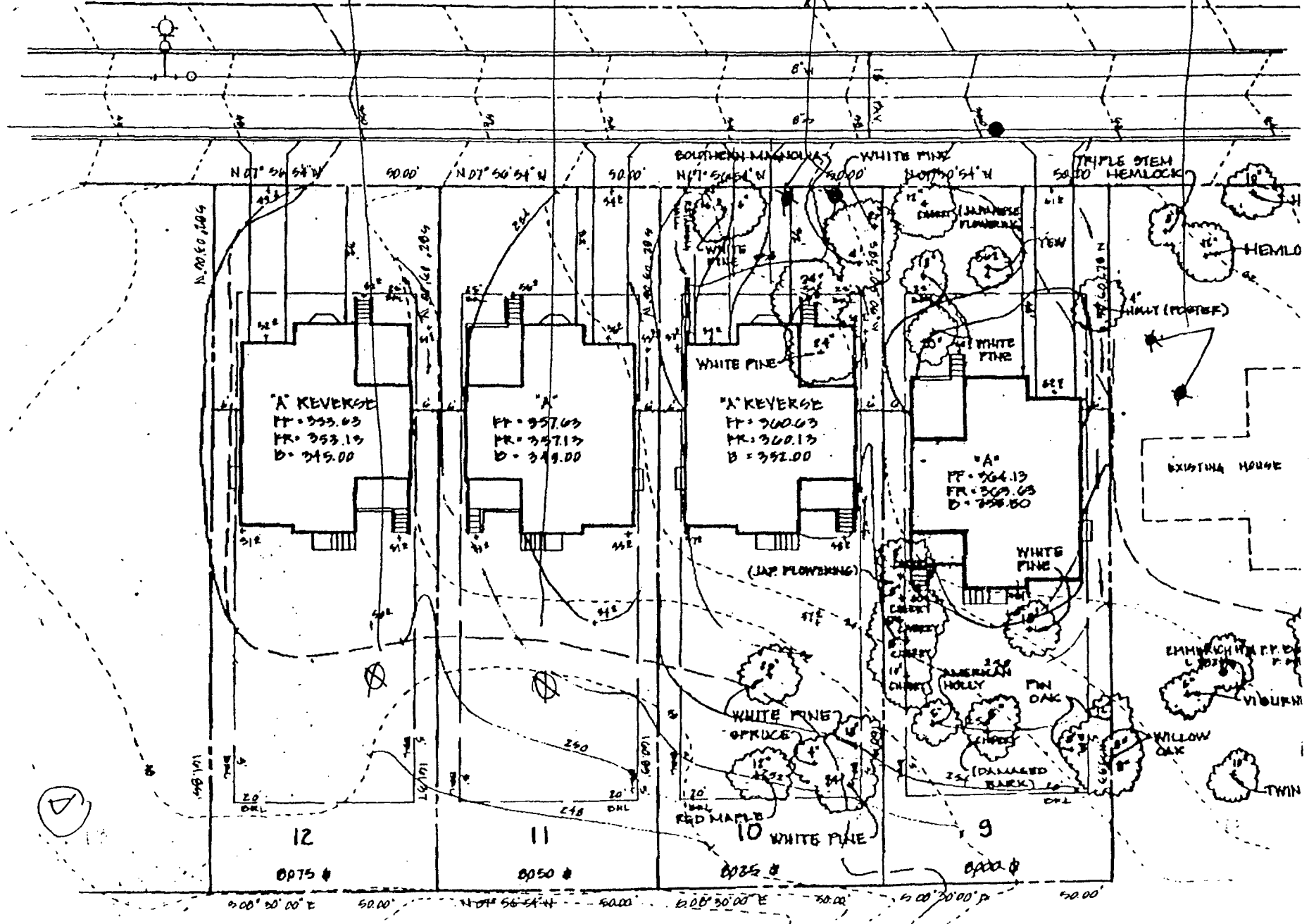
RED MAPLE
2 1/2" CAL

2 W. PINE
10-12'

2 Birch
2.5" CAL

WARNER AVENUE

(40' R/W)



ENCLOSED PROPOSAL

RED MAPLE
2 1/2" CAL

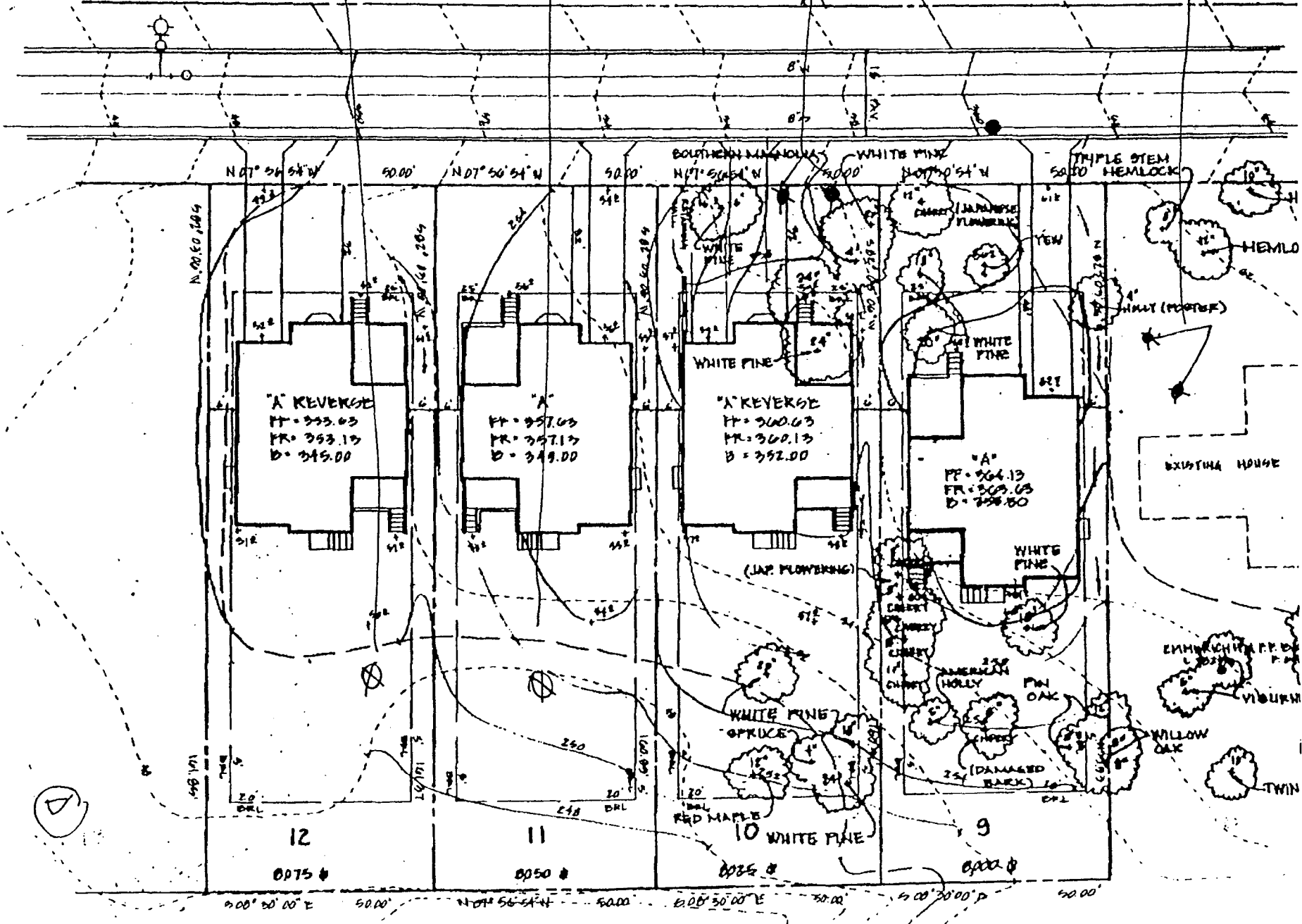
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(40' R/W)



REVISIONS PROPOSAL

RED MAPLE
2 1/2" CAL

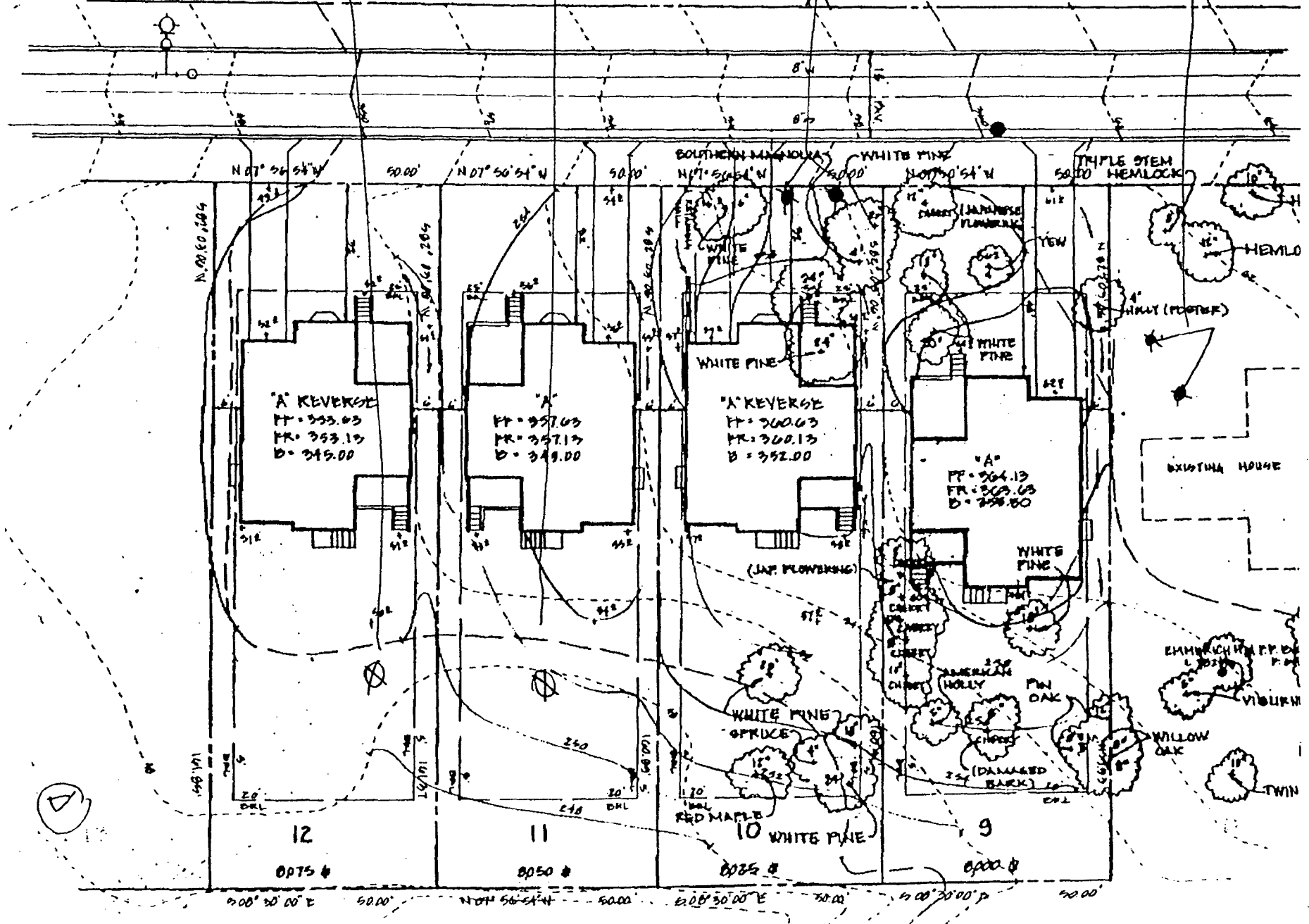
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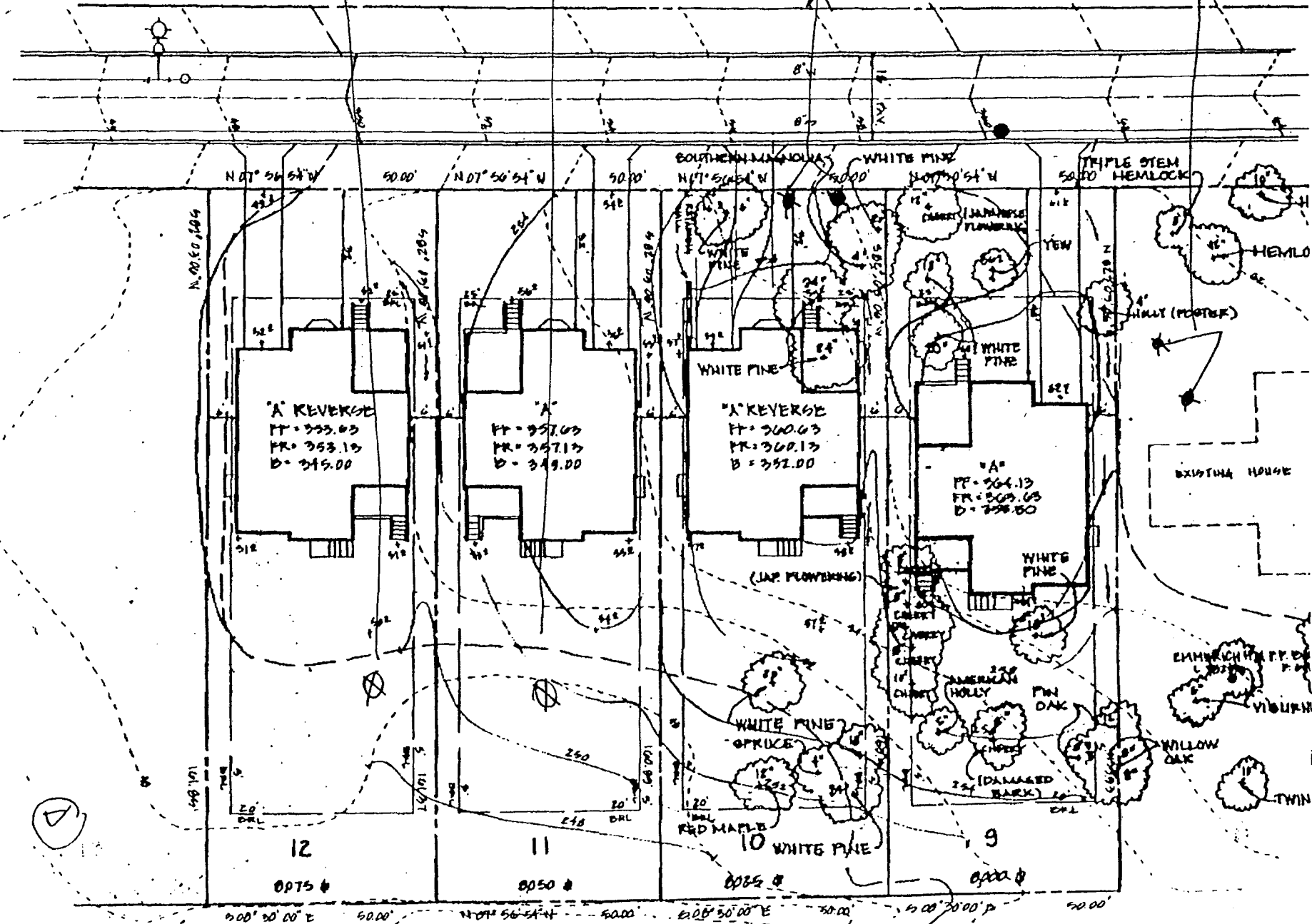
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(40' R/W)



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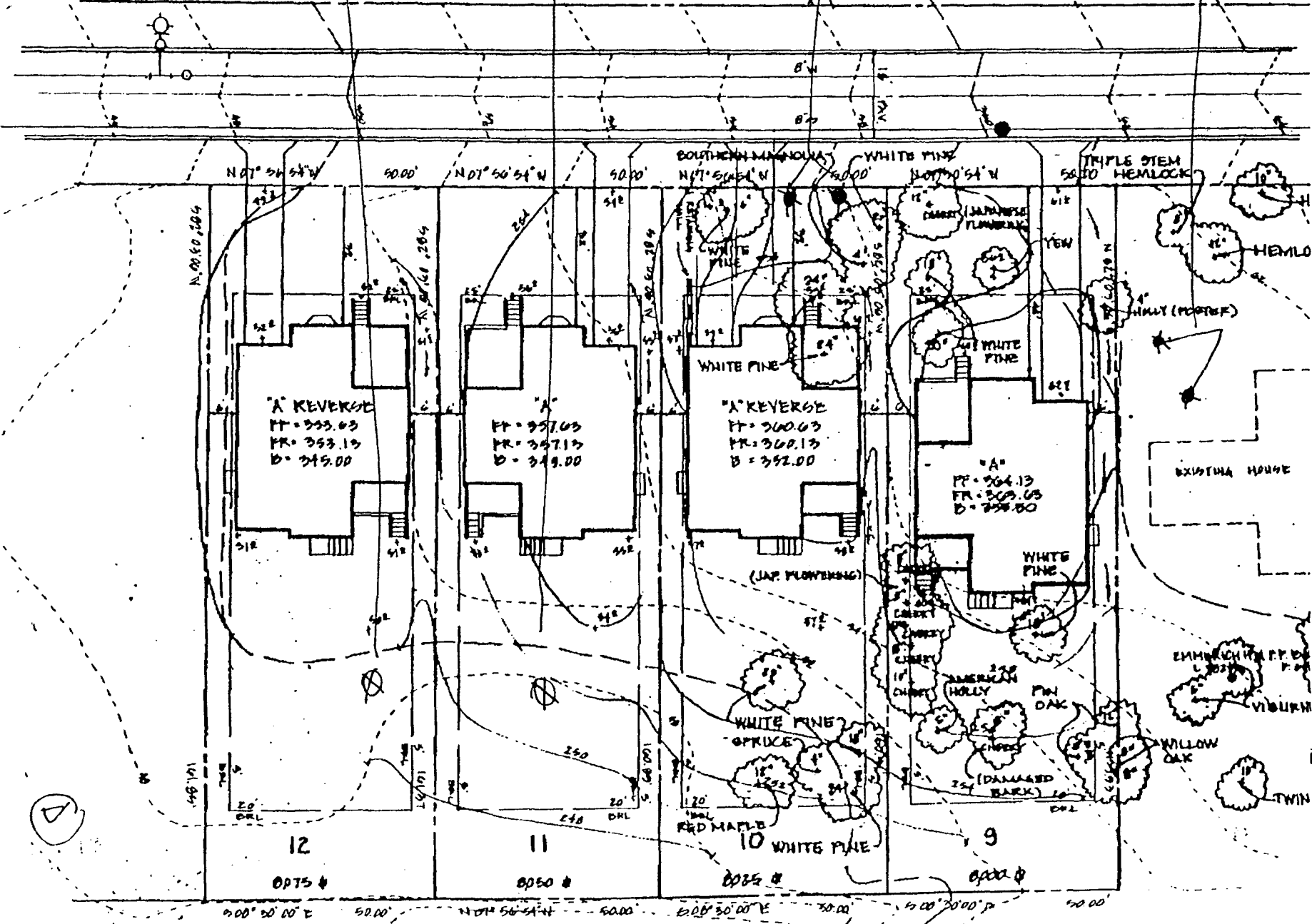
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2 Birch
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WARNER AVENUE

(40' R/W)



AMENDED PROPOSAL

**THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
8787 GEORGIA AVENUE
SILVER SPRING, MARYLAND 20907**





























