

28/32 Hopkins-Frey House
204 Heil Road
Board of Appeals

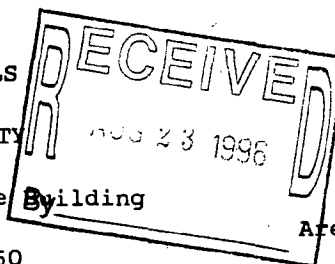
Public Hearing Date 10-11-95
Planning Board Hearing Date None
Agenda Number _____

COUNTY BOARD OF APPEALS CASE #A-4407
Thomas Albrecht, Administrative
Error (HPC) Conditions in HAMP, 202
Hells Road, Silver Spring

Case withdrawn
by applicant
1/22/96-

A-4407
CC: MARCUS

BOARD OF APPEALS
for
MONTGOMERY COUNTY



Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850

Telephone
Area Code 301
217-6600

Case No. A-4407

APPEAL OF THOMAS ALBRECHT

RESOLUTION TO DISMISS APPEAL

(Resolution adopted January 24, 1996)
(Effective date of Resolution: August 15, 1996)

In Case No. A-4407, the appellant charges administrative error on the part of the Historic Preservation Commission in its imposition of conditions in its approval of a historic area work permit pertaining to driveway construction, dated July 26, 1995.

On January 22, 1996, the Board received a letter from Thomas and Nancy Albrecht, which states:

"We are withdrawing our appeal scheduled for January 24, 1996 at 1:30 p.m."

On January 24, 1996, the date of the scheduled hearing, the Board considered the request and found that the request is in accordance with the Montgomery County Zoning Ordinance and the Board's Rules of Procedure. Therefore,

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland, that pursuant to written request in Case No. A-4407, Appeal of Thomas Albrecht, shall be, and hereby is dismissed with prejudice.

The subject property is Lot 1, Block D, Rawls Springs Subdivision, located at 202 Heil Road, Silver Spring, Maryland.

The foregoing Resolution was proposed by William Green and concurred in by Allison Bryant, Susan Turnbull, Judy Clark and Helen R. Strang, Chairman.

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland,
this 15th day of August, 1996.

A handwritten signature in cursive script, reading "Tedi S. Osias". The signature is written in dark ink and is positioned above a horizontal line.

Tedi S. Osias
Executive Secretary to the Board

BOARD OF APPEALS
for
MONTGOMERY COUNTY

Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850

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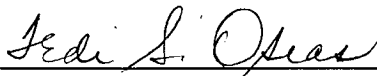
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Montgomery County, Maryland,
this 15th day of August, 1996.



Tedi S. Osias
Executive Secretary to the Board

bcc: Patricia Parker, Historic Preservation Planner
Maryland-National Capital Park
& Planning Commission
Design, Zoning & Preservation Division
8787 Georgia Avenue
Silver Spring, Maryland 20910

BEFORE THE BOARD OF APPEALS
FOR MONTGOMERY COUNTY, MARYLAND

APPEAL OF
THOMAS ALBRECHT

*
*
*

Case No. A-4407

PRE-HEARING SUBMISSION

Montgomery County, Maryland, by its undersigned attorneys, submits the following information pursuant to the Administrative Procedures Act, Section 2A-7(a), Montgomery County Code 1994, as amended, in the proceeding before the Board of Appeals scheduled for October 11, 1995 at 1:30 P.M.

A. DESCRIPTION OF THE CASE

This is an appeal from a decision of the Historic Preservation Commission granting an historic area work permit for a driveway. The approval required that the driveway be composed of 2 two-foot wide blue stone or quartz gravel strips with grass in between and be no wider than eight feet. Appellant has appealed from the imposition from these restrictions.

B. SUPPORTING DOCUMENTS

1. Staff reports.
2. Transcript of July 26, 1995.

C. WITNESSES

Patricia Parker, Historic Preservation Planner
Maryland-National Capital Park
& Planning Commission
Design, Zoning & Preservation Division
8787 Georgia Avenue
Silver Spring, Maryland 20910

Ms. Parker will testify to proceedings before the Historic Preservation Commission which resulted in the decision under appeal.

D. REQUEST FOR SUBPOENAS

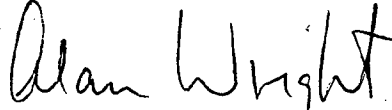
None.

E. ESTIMATE OF TIME

The County estimates that its portion of the case will take approximately fifteen minutes.

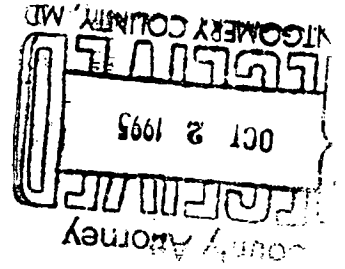
However, it is expected that William Schillerstrom will also appear and testify on his own behalf.

CHARLES W. THOMPSON, JR.
COUNTY ATTORNEY



Alan M. Wright
Senior Assistant County Attorney

Attorneys for Montgomery County
Executive Office Building
101 Monroe Street - Third Floor
Rockville, Maryland 20850
(301) 217-2600



HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 204 Heil Road Meeting Date: 9/27/95
Resource: Master Plan Site #28/32, HAWP: Alteration
Hopkins-Frey House
Case Number: 28/32-95A RECONSIDERATION Tax Credit: No
Public Notice: 09/13/95 Report Date: 9/20/95
Applicant: Tom Albrecht Staff: Patricia Parker
PROPOSAL: Construct Driveway RECOMMEND: Approval

BACKGROUND

The applicant, Tom Albrecht, appeared before the HPC on July 26, 1995 to discuss approval to construct a new gravel driveway at 204 Heil Road. The Master Plan Site, the Hopkins-Frey House (#28/32) was the subject of an approved subdivision proposal to divide the property into two lots. One lot (Lot #1) is unimproved and contains .900 acres and Lot #2 is improved by the farmhouse and outbuilding and contains 1.140 acres.

Subsequent to subdivision approval, the HPC denied a request of this applicant to reduce the environmental setting for the historic house from 2.04 acres. The HPC decided that the environmental setting should remain as 2.04 acres for Master Plan Site #28/32, the Hopkins-Frey House. Therefore, the HPC would continue to review proposals which involve change to the property or any portion thereof.

Access to the smaller lot (under the ownership of this applicant) is provided through an easement in a panhandle configuration on property under separate ownership. The applicant proposes to construct a gravel driveway to provide access to Lot #1, via deeded easement, crossing Lot #2, 1.140 acres, which includes the historic house.

The construction of this driveway was the subject of an earlier HPC discussion (Staff Report of 7/26/95). At that meeting on July 26, 1995, the HPC approved the HAWP with certain conditions. The conditions were:

- 1) The driveway shall be eight feet wide with two strips of gravel (bluestone or quartz) each approximately two feet in width.

2) After the allee of trees, the driveway would shift toward the fence.

Three Commissioners voted in approval of the motion with two voting against the motion. The applicant now requests that the HPC reconsider its decision due to the following reasons:

"1. After a thorough review of the new information presented at the hearing on July 26, we wish to give our response. Not enough time was allowed at the hearing for a complete review and response.

2. As a result of our inspection and observation of driveways of a number of Master Plan historic houses, we found no driveways that conformed to the requirements imposed on our Historic Area Work Permit.

3. The approved driveway does not accomodate our three vehicles and discussions with road experts indicate that the precise measurements of the specifications for our driveway can not be applied to gravel.

4. After receiving our Historic Area Work Permit, several events have occurred that impact on the HPC decision."

Item 4 refers to an incident which was communicated to staff verbally that described the dismantling of the driveway by the adjacent property owner.

STAFF DISCUSSION

Reconsideration of this proposal is necessary to afford the applicant ample opportunity to respond to received comments. Further, staff feels that the conditions of HAWP approval may require revisitation of this issue because of construction specifications within the conditions for HAWP approval. Driveways with gravel spread in this manner normally exist because the driveway is in need of maintenance - that is, the driveway may have started as full width gravel and become two parallel tracks due to use. Continued use of driveways often cause rutting and the spreading of gravel beyond the its limits. The appearance of grass as a median strip is often because gravel is absent in that area due to use - not due to design.

The proposal is to construct a 10' wide x 150' long driveway of 3/4" bluestone surface. The driveway would commence at Heil Road and proceed north to Lot #1. Tree removal is not a part of this proposal.

Staff feels that approval of the proposal, as presented, is necessary in order that the owner of the subject property not be deprived of reasonable use of the property. Note 3 on the Record Plat states "Access (is) restricted to single driveway entrance

to Heil Road for Lot 1." The applicant proposes to construct a single driveway entrance.

The material and placement of the driveway are consistent and appropriate for the historic site. The HPC has approved gravel as surfacing for driveways in the past. Staff feels that the driveway could bend closer to existing fencing after the allee of trees. However, staff does not feel that this feature should be a condition of approval.

RECOMMENDATION:

Staff recommends that the Commission find the proposal consistent with the purposes of Chapter 24A, particularly 24A-8(b)1 and 8(b)5:

The proposal will not substantially alter the exterior features of an historic site, or historic resource within an historic district; and

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;

and with Standards #1 and #10:

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment; and

New additions and adjacent or related new construction shall 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.

September 12, 1995

Historic Preservation Commission
MNCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

Dear HPC:

This letter is to request a reconsideration of the decision of the HPC at the hearing on July 26 regarding an application for a Historic Area Work Permit to construct a gravel driveway at 202 Heil Road, Silver Spring, MD. We would like to present new information on the following:

1. After a thorough review of the new information presented at the hearing on July 26, we wish to give our response. Not enough time was allowed at the hearing for a complete review and response.
2. As a result of our inspection and observation of driveways of a number of Master Plan historic houses, we found no driveways that conformed to the requirements imposed on our Historic Area Work Permit.
3. The approved driveway does not accommodate our three vehicles and discussions with road experts indicate that the precise measurements of the specifications for our driveway can not be applied to gravel.
4. After receiving our Historic Area Work Permit, several events have occurred that impact on the HPC decision.

We hope to show that our original request was both reasonable and appropriate and was in accordance with HPC staff recommendations. Please contact us if you have any questions.

Sincerely,



Thomas and Nancy Albrecht

September 11, 1995

TO: Pat Parker, HPC

FROM: Nancy and Thomas Albrecht

RE: Additional information for reconsideration of HPC
driveway approval

1. Our response to information presented at the hearing
2. Review of driveways for historic houses
3. Review of road specifications
4. Update on HAWP

TO: Patricia Parker, HPC
From: Thomas + Nancy Albrecht
Date: Sept. 6, 1995
RE: Reconsideration Hearing

We would like to appear
before the HPC on Sept. 27
to request a reconsideration
to our Historic Area Work Permit
Application -

We have additional information
to present -

(Nancy) I can be reached at 301-294-5583
during the day -

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 204 Heil Road	Meeting Date: 7/26/95
Resource: <u>Master Plan</u> Site #28/32, Hopkins-Frey House	HAWP: Alteration
Case Number: 28/32-95A	Tax Credit: No
Public Notice: 07/12/95	Report Date: 7/19/95
Applicant: Tom Albrecht	Staff: Patricia Parker
PROPOSAL: Construct Driveway	RECOMMEND: Approval

BACKGROUND

The applicants most recently appeared before the HPC to discuss a proposal to reduce the environmental setting for Master Plan Site #28/32, the Hopkins-Frey House. At that meeting, the HPC decided that the environmental setting should remain as 2.04 acres. Therefore, the HPC would continue to review proposals which involve change to the property. The applicants now own Lot #1 comprised of .8 acres and unimproved (Lot #2, 1.2 acres, which includes the historic house was recently conveyed and is under separate ownership) and propose to construct a gravel driveway within the panhandle for access to the property.

The HPC did request and obtain an opinion from legal staff as to the status and validity of subdivision for this property because the HPC did not formally review the subdivision proposal as required. Unfortunately, error occurred during staff review and the HPC did not formulate a recommendation for the Planning Board. Attorneys for the HPC have determined that subdivision of the property into two lots is valid; unfortunately, revisitation of this issue by the HPC would be futile.

STAFF DISCUSSION

The proposal is to construct a 10' wide x 150' long driveway of 3/4" bluestone surface. No trees are involved in this proposal.

The material and placement of the driveway are consistent and appropriate for the historic site. The HPC has approved gravel as surface for driveways in the past.

STAFF RECOMMENDATION

The staff recommends that the Commission find the proposal consistent with the purposes of Chapter 24A, particularly 24A-8(b)1:

The proposal will not substantially alter the exterior features of an historic site, or historic resource within an historic district;

and with Standards #1 and #10:

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment; and

New additions and adjacent or related new construction shall 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.

APPLICATION FOR HISTORIC AREA WORK PERMIT

CONTACT PERSON Thomas Albrecht
 DAYTIME TELEPHONE NO. (202) 514-6236

TAX ACCOUNT # 16 05 03096812

NAME OF PROPERTY OWNER Thomas + Nancy Albrecht DAYTIME TELEPHONE NO. tom (202) 514-6236
P.O. BOX 248 N - 301-294-5583
 ADDRESS 13020 Wainwright Rd Highland MD 20777
CITY STATE ZIP CODE

CONTRACTOR _____ TELEPHONE NO. () _____
 CONTRACTOR REGISTRATION NUMBER _____

AGENT FOR OWNER _____ DAYTIME TELEPHONE NO. () _____

LOCATION OF BUILDING/PREMISE

HOUSE NUMBER 202 STREET Heil Road
 TOWN/CITY Silver Spring NEAREST CROSS STREET N.H. Ave.
 LOT 1 BLOCK D SUBDIVISION Rawls Springs
 LIBER _____ FOLIO _____ PARCEL _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CIRCLE ALL APPLICABLE: CIRCLE ALL APPLICABLE: A/C Slab Room Addition
 Construct Extend Alter/Renovate Repair Move Porch Deck Fireplace Shed Solar Woodburning Stove
 Wreck/Raze Install Revocable Revision Fence/Wall (complete Section 4) Single Family Other gravel driveway

1B. CONSTRUCTION COST ESTIMATE \$ 150 - 350.-

1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # _____

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

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.
Thomas Albrecht July 10, 1995
Signature of owner or authorized agent Date

APPROVED _____ For Chairperson, Historic Preservation Commission
 DIS APPROVED _____

THE FOLLOWING ITEM 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:

- 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

Historic Area Work Permit Application
Thomas and Nancy Albrecht
Lot 1, Block D, Rawls Spring
Residential Building Lot
202 Heil Road
Silver spring , MD 20905

List of Attachments

- 1) Written Description: The work to be completed under this HAWP application consists of spreading a strip of 3/4 inch bluestone gravel approximately 4 inches deep, 10 feet wide and 150 feet long to establish a driveway. This driveway will be located within an easement established in a sub-division plan approved by the Maryland National Capital Park and Planning Commission and the Montgomery County Planning Board and recorded by the applicants in April, 1995.
- 2) Site Plan: See attached plat.
- 3) Material Specifications: The materials will consist of 3/4 inch bluestone gravel as supplied by Rockville Crushed Stone.
- 4) Photographs: To be supplied.
- 5) Tree Survey: A forest conservation plan was completed during the sub-division process. The plan identified a treerow consisting of 8-12 inch Canadian Hemlocks, approximately 60 feet long, located along the west side of the driveway and beginning at the entrance along Heil Road.
- 6) Adjacent and Confronting Property Owners Addresses:

Harry P. Ridenour Jr.
15208 Water Oak Drive
Gaithersburg, MD 20878

Noel M. and M.E. Gregos
112 Heil Road
Silver Spring, MD 20905

Lewis D. and S. Watson
14 Stonegate Drive
Silver Spring, MD 20905

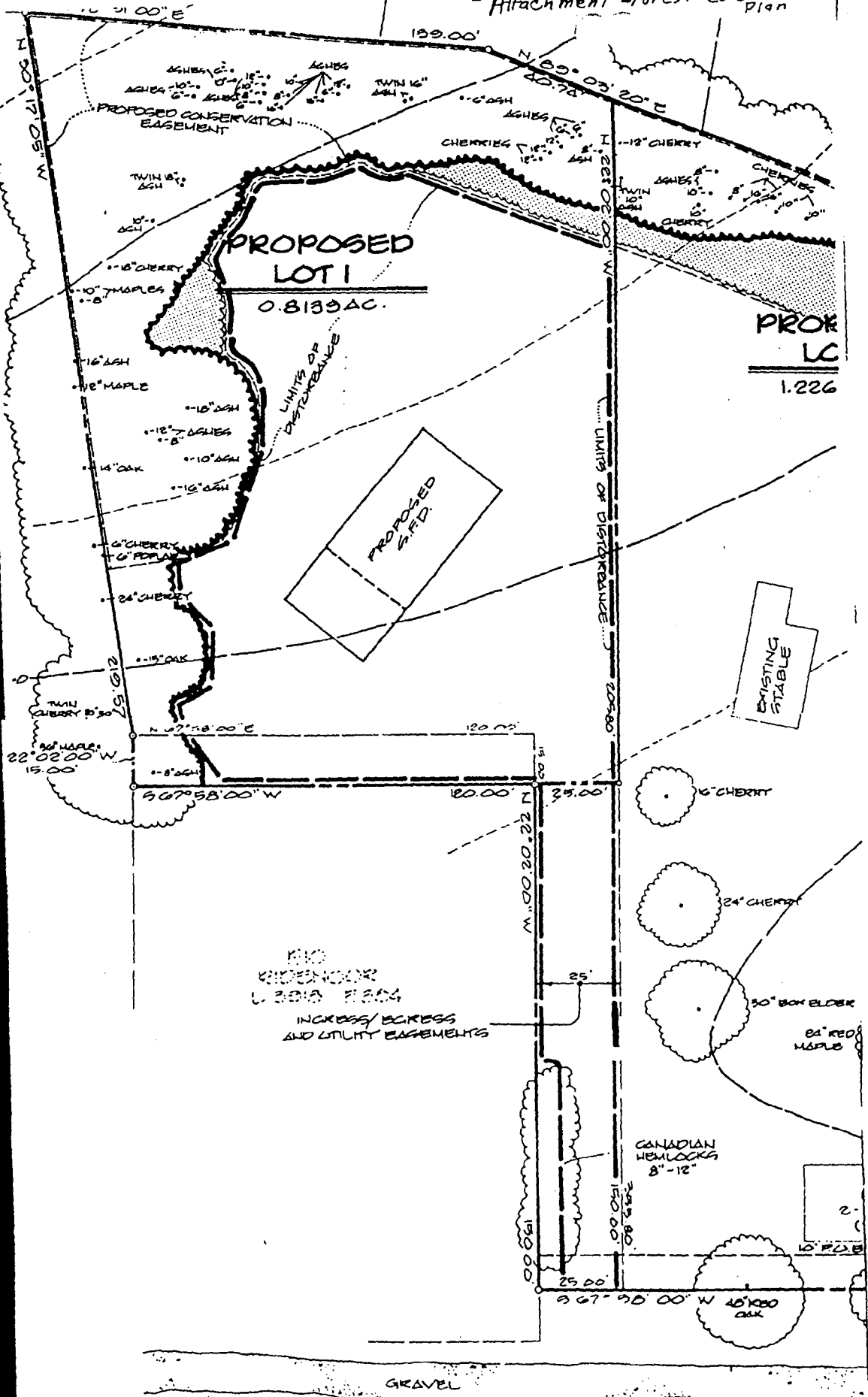
Adrian W. and E. S. Sybor
18 Stonegate Drive
Silver Spring, MD 20905

Wm L. Jr. and M. M. Morris
22 Stonegate Drive
Silver Spring, MD 20905

Marita N. Turner et al
26 Stonegate Drive
Silver Spring, MD 20905

Om P. and M. Arora
115 Heil Road
Silver Spring, MD 20905

Wm Schillerstrom and L. Powalski
204 Heil Road
Silver Spring, MD 20905



**PROK
LC
1.226**

**R10
GREENHOOD
L. 2015 2204**
INGRESS/EGRESS
AND UTILITY EASEMENTS

**EXISTING
STABLE**

CANADIAN
HEMLOCKS
8"-12"

GRAVEL

LANDMARK ENGINEERING
 CIVIL ENGINEERS - LAND PLANNERS - SURVEYORS
 1751 ELTON ROAD, SUITE 202
 SILVER SPRING, MARYLAND 20903
 PHONE: (301) 434-9550
 FAX: (301) 434-7427



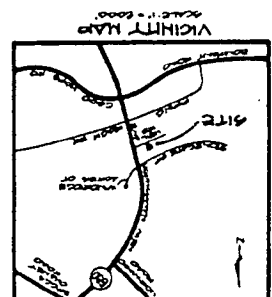
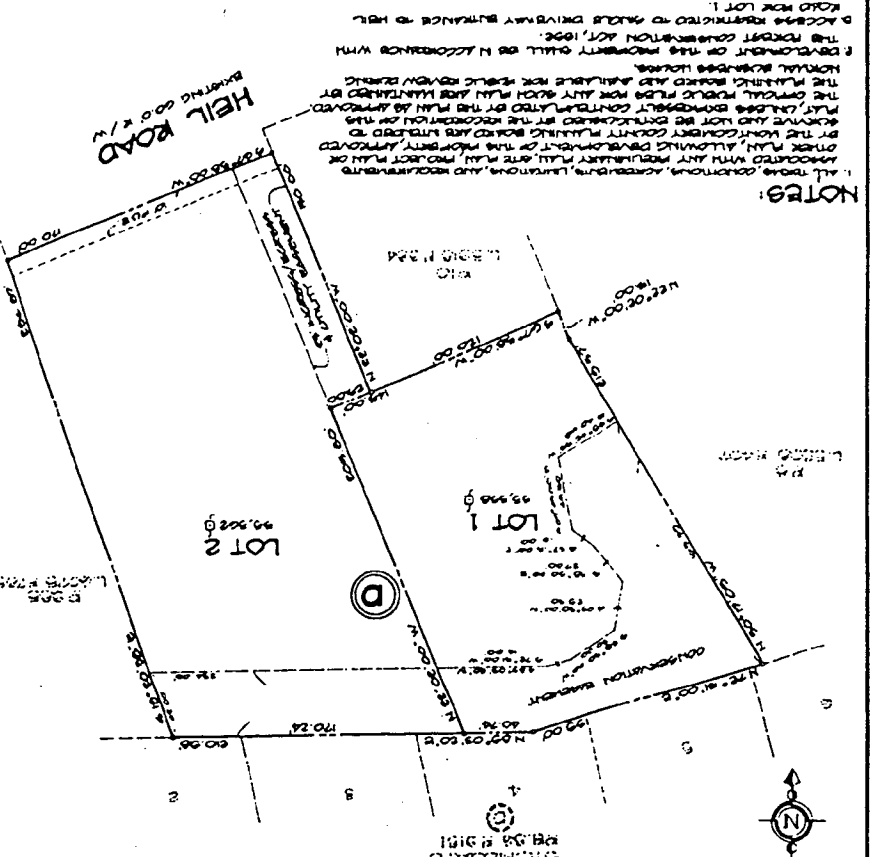
LOTS 1 AND 2, BLOCK D
 RAWLS SPRING
 ELECTION DISTRICT NO. 9
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1" = 50'

APPROVED: [Signature]
 MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF ENVIRONMENTAL REGULATION
 DATE: [Date]
 FOR PUBLIC WATER SUPPLY AND SEWERAGE SYSTEMS ONLY

DATE: 5/26/94
 DATE: 11/29/94
 DATE: 11/29/94
 DATE: 5/26/94
 DATE: 5/26/94
 DATE: 5/26/94

OWNER'S DEDICATION
 WE, THE UNDERSIGNED, HEREBY DEDICATE TO THE PUBLIC THE LAND SHOWN HEREON AS LOT 1 AND LOT 2, BLOCK D, RAWLS SPRING, ELECTION DISTRICT NO. 9, MONTGOMERY COUNTY, MARYLAND, FOR THE USE OF THE PUBLIC AS A PARK AND RECREATION AREA. THE DEDICATION IS SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THE INSTRUMENT OF DEDICATION, WHICH IS FILED IN THE OFFICE OF THE CLERK OF THE DISTRICT COURT OF MONTGOMERY COUNTY, MARYLAND, ON THIS DATE. THE DEDICATED LAND IS SHOWN ON THE PLAT OF THE SUBDIVISION RECORDED IN THE OFFICE OF THE CLERK OF THE DISTRICT COURT OF MONTGOMERY COUNTY, MARYLAND, ON THIS DATE. THE DEDICATED LAND IS SHOWN ON THE PLAT OF THE SUBDIVISION RECORDED IN THE OFFICE OF THE CLERK OF THE DISTRICT COURT OF MONTGOMERY COUNTY, MARYLAND, ON THIS DATE. THE DEDICATED LAND IS SHOWN ON THE PLAT OF THE SUBDIVISION RECORDED IN THE OFFICE OF THE CLERK OF THE DISTRICT COURT OF MONTGOMERY COUNTY, MARYLAND, ON THIS DATE.

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT AND ACCURATE. I HAVE PERSONALLY EXAMINED THE SITE AND FOUND IT TO BE AS SHOWN ON THE PLAT. I HAVE ALSO EXAMINED THE RECORDS OF THE DISTRICT COURT OF MONTGOMERY COUNTY, MARYLAND, AND FOUND THAT THE PLAT IS CORRECT AND ACCURATE. I HAVE ALSO EXAMINED THE RECORDS OF THE DISTRICT COURT OF MONTGOMERY COUNTY, MARYLAND, AND FOUND THAT THE PLAT IS CORRECT AND ACCURATE. I HAVE ALSO EXAMINED THE RECORDS OF THE DISTRICT COURT OF MONTGOMERY COUNTY, MARYLAND, AND FOUND THAT THE PLAT IS CORRECT AND ACCURATE. I HAVE ALSO EXAMINED THE RECORDS OF THE DISTRICT COURT OF MONTGOMERY COUNTY, MARYLAND, AND FOUND THAT THE PLAT IS CORRECT AND ACCURATE.



NOTES:
 1. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND RESTRICTIONS OF THE PLAT SHALL APPLY TO THIS PROJECT PLAN OR ANY OTHER PLAN, INCLUDING DEVELOPMENT OF THE PROPERTY APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD AND LISTED ON THE RECORDS OF THE MONTGOMERY COUNTY PLANNING BOARD. THE RECORDS OF THE MONTGOMERY COUNTY PLANNING BOARD SHALL BE MAINTAINED BY THE PLANNING BOARD AND SHALL BE AVAILABLE FOR PUBLIC REVIEW. THE DEVELOPMENT OF THIS PROJECT SHALL BE IN ACCORDANCE WITH THE RECORDS OF THE MONTGOMERY COUNTY PLANNING BOARD. ACCESS IS RESTRICTED TO PUBLIC DRIVEWAY ENTRANCE TO HEIL ROAD FOR LOT 1.

Historic-Record Plat -
 Record Plat -
 Scale: 1" = 50'

1 you at the last worksession on this because I do feel this
2 needs to be clearly thought-out so that the Commission has a
3 strong position to defend their recommendations.

4 ACTING CHAIRMAN KOUSOULAS: Definitely. Okay.
5 The next order of business is the Historic Area Work
6 Permits. I'd like to open the public record. Have these
7 been duly advertised?

8 MS. PARKER: Yes. They were advertised in the
9 Montgomery County Journal on September 13, 1995.

10 ACTING CHAIRMAN KOUSOULAS: Okay. Does anyone
11 wish to speak in opposition to Case B, C or D? Do I hear a
12 motion?

13 MR. RANDALL: Yes. I would move that Cases B
14 through D be approved on an expedited basis on the basis
15 cited in the Staff Report.

16 MS. SODERBERG: I second them.

17 ACTING CHAIRMAN KOUSOULAS: There being a motion
18 and a second, is there any discussion? I close the public
19 record. Can I have a show of hands, all those in favor?
20 The motion passes unanimously. Okay. The next case is Case
21 A, 28/32-95A. Can we have a Staff Report?

22 MS. PARKER: Yes we can. This is a case that was
23 before you earlier in July of this year presented by
24 applicant, Tom Albrecht, to construct a gravel driveway on
25 the property of 204 Heil Road. You will remember that this

1 is a Master Plan site -- the Hopkins-Frey House was the
2 subject of an approved subdivision proposal dividing the
3 property into two lots.

4 Lot 1 is unimproved. It is still under the
5 ownership of Mr. and Mrs. Albrecht. Lot number 2 is
6 improved by the farmhouse and an outbuilding contains 1.140
7 acres, is now under the ownership of Mr. Schillerstrom and
8 Powalski. Access to the smaller lot under the ownership of
9 the applicant is provided through an easement in a panhandle
10 configuration on the property.

11 The applicant proposes to construct a gravel
12 driveway to provide access to this lot. It is via a deeded
13 easement. It does cross Lot 2 which includes the historic
14 house. The construction of the driveway was approved by the
15 HPC with certain conditions. The conditions were that the
16 driveway should be 8-foot wide with two strips of gravel,
17 bluestone or quartz, each approximately 2-foot in width.

18 Second condition would be after the allee of
19 trees, the driveway would shift towards the fence. At that
20 time, three Commissioners voted in approval of the motion,
21 with two voting against the motion. The applicant now
22 requests that the HPC reconsider its decision because of the
23 followings reasons: the applicant states that one, after a
24 thorough review of the new information presented at the
25 hearing on July 26th, they wish to give their response.

1 There was not enough time allowed at the hearing for a
2 complete review and response.

3 Secondly, as a result of their inspection and
4 observation of driveways of a number of Master Plan historic
5 houses, they found that no driveways conformed to their
6 requirements imposed on their Historic Area Work Permit.

7 Third, they do not feel that the approved driveway
8 accommodates their three vehicles and discussions that they
9 have had with road experts indicate that the precise
10 measurements of the specifications for the driveway cannot
11 be applied to gravel.

12 Fourth, after receiving their Historic Area Work
13 Permit, several events occurred that impacted on the HPC
14 decision. Now item four refers to an incident communicated
15 to Staff verbally that described the dismantling of the
16 driveway by the adjacent property owner. Before you was
17 placed earlier at the worksession, comments that were
18 received by Mr. Schillerstrom.

19 These comments were also faxed to the applicant's
20 attorney so that they are aware of the comments. Today we
21 have received some additional explanation from Mr.
22 Schillerstrom submitting a series of photographs and you
23 have before you a description and he lists them from
24 describing one through seventeen -- the photographs that are
25 submitted.

1 I will pass them around to you so that you
2 certainly can view those. These have not been provided to
3 the Albrecht's. Staff feels that reconsideration of this
4 proposal is necessary to afford the applicant ample
5 opportunity to respond to received comments. This has been
6 the tradition of this HPC.

7 Further Staff feels that the conditions of HAWP
8 approval may require re-visitation of this issue because of
9 construction specifications within the conditions for HAWP
10 approval. Gravel often spreads when applied in this manner,
11 meaning that the driveways that were pictured by the
12 Schillerstrom's could possibly be in need of maintenance.

13 Driveways are also constructed in the manner that
14 the Schillerstrom's have described to you. Staff actually
15 feels that the driveway could be constructed in either
16 manner. But before you tonight is an application and a
17 reconsideration by the Albrecht's. The Albrecht's are
18 describing to you a proposal to construct a 10-foot wide
19 gravel driveway to access Lot 1.

20 Staff feels that the approval of the proposal as
21 presented is necessary in order that the owner of the
22 subject property not be deprived of reasonable use of the
23 property and also we note that there is a note 3 on the
24 record plat that states that access and I quote "is
25 restricted to single driveway entrance to Heil Road for Lot

1 1."

2 The applicant proposes to construct a single
3 driveway entrance. The material and placement of the
4 driveway are consistent and appropriate for the historic
5 site. The HPC has approved gravel as surfacing for
6 driveways in the past and Staff feels that the driveway
7 could have been closer to existing fencing after the allee
8 of trees, but Staff does not feel that this feature should
9 be a condition of approval.

10 Staff recommends that the Commission find the
11 proposal consistent with the purposes of Chapter 24A,
12 particularly 24A-8(b)1 and 8(b)5. "The proposal will not
13 substantially alter the exterior features of an historic
14 site, or historic resource within an historic district; and
15 the proposal is necessary in order that the owner of the
16 subject property not be deprived of reasonable use of the
17 property or suffer undue hardship; and with Standards 1 and
18 10."

19 "A property shall be used for its historic purpose
20 or be placed in a new use that requires minimal change to
21 the defining characteristics of the building and its site
22 and environment; and new additions and adjacent or related
23 new construction shall be undertaken in such a manner that
24 if removed in the future, the essential form and integrity
25 of the historic property and its environment would be

1 unimpaired."

2 I brought with me tonight some slides showing the
3 property as of July -- about July 26.

4 ACTING CHAIRMAN KOUSOULAS: Okay.

5 MS. PARKER: This is the historic farmhouse, the
6 Hopkins-Frey House, you'll see Heil Road to the right there.
7 I'm still on Heil Road here and you can see the -- just the
8 beginning of where the driveway would be constructed.
9 Again, a similar picture. Again, where the beginning of the
10 driveway would be, there's an allee of trees that you can
11 see just not quite the center of the photograph, but
12 somewhat to the left.

13 You can see it more clearly here. The drive --
14 I'm standing in Heil Road and the drive would continue
15 straight back north toward Lot 1. This is the confronting
16 property across Heil Road from Hopkins-Frey House. This is
17 an adjacent property to the west. This is an open field and
18 out toward New Hampshire to the east. Heil Road is just at
19 the bottom of your picture to the right.

20 Now, you're looking -- again, you're going
21 straight back toward Lot 1. So, we're talking about this
22 area for the construction of the driveway. Again, the
23 driveway would be constructed closer to the fencing there.
24 You can see the "for sale" sign up. Again, I emphasize that
25 these pictures were taken earlier somewhere toward the later

1 part of July.

2 This is Lot 1. It's marked by the "for sale"
3 sign. This is to the east. This is part of the historic
4 property, Lot 2. Again, showing the barn and outbuilding
5 which is part of the Hopkins-Frey House. Again, to the
6 east. Now we're looking back. This is the lot and we show
7 -- another picture -- we're moving toward the west here to
8 give you an idea of the size.

9 Now we're looking back toward Heil Road. The
10 house that you see at the end of the picture here is across
11 Heil Road. It is the same house that we showed you earlier.
12 And again, the gravel drive would be constructed. You can
13 see the allee of trees here. And I should mention, it was
14 mentioned in the earlier Staff Report, that tree removal is
15 a part of this HAWP proposal.

16 This is, again, the same shot located a little bit
17 differently. Okay. I hope that helps.

18 ACTING CHAIRMAN KOUSOULAS: Thank you. Are there
19 any questions of Staff from the Commission? Okay. Would
20 the applicant like to come up to the table?

21 MR. BROCKETT: Mr. Chairman and Members of the
22 Commission, my name is Ward Brockett and I represent the
23 applicant. The applicant has today, Mr. McCollum present
24 who is a Civil Engineer and he has been building roads for
25 over 40 years and he's prepared to testify as to road

1 construction and the nature of the spreading of the gravel.
2 But his testimony is essentially what is incorporated to
3 some extent in the Staff Report.

4 Ms. Albrecht is also ready to testify as to the
5 existence of other driveways in the area and in the
6 historical area and their nature, and indicate that no
7 driveways are constructed in the way that their's was
8 required to be. In view of the Staff recommendations, I'd
9 like to postpone their testimony and in view of the lateness
10 of the hour, to see if it's necessary to bring them forward.

11 I would, however, like to comment on two points.
12 One is whether or not there exist an easement. I think the
13 Staff Report indicates that there is a deeded easement in
14 existence. The next question is whether or not that there's
15 a legal right for the Albrecht's to do what they are doing.
16 I believe that came up at the last hearing and I would
17 indicate to you that I think the case law is clear that the
18 Albrecht's --

19 ACTING CHAIRMAN KOUSOULAS: If I could interrupt a
20 second. I don't -- really what we're concerned with is the
21 historic attributes of the gravel. And you know certainly
22 the case that you can make for it from the road builder,
23 your Civil Engineering, but not the legal right to turn an
24 ingress or egress into a paved right-of-way.

25 MR. BROCKETT: Okay. I don't want to bring that

1 up because I believe the opponents to the application have
2 indicated or questioned that legal right to put it in there.

3 ACTING CHAIRMAN KOUSOULAS: That can be addressed
4 at another place, not here.

5 MR. BROCKETT: I say in view of the Commission's
6 report, do you wish to hear from the witnesses now?

7 ACTING CHAIRMAN KOUSOULAS: Maybe we should hear
8 from the other speakers and then you can bring them up as --
9 if required. Okay, would William Schillerstrom come up?

10 MS. POWALSKI: Good evening. I'm Lynn Powalski.

11 MR. SCHILLERSTROM: And I'm William Schillerstrom.
12 We live at 204 Heil Road. I assume that the Commission has
13 read the letter that we dated September 24th addressing our
14 position on this reconsideration. We have submitted several
15 photographs addressing the issues that the Albrecht's have
16 brought up primarily the issue of whether the driveway is
17 functional in its current state. They have claimed that
18 their vehicles cannot use this driveway.

19 We have taken pictures of a Jeep Cherokee on the
20 driveway and a sedan -- a Camry, a Toyota Camry -- full size
21 sedan. And as you can see, the cars fit perfectly on the
22 existing driveways two gravel strips. We are willing to
23 modify the driveway if the Albrecht's feel this will enhance
24 their ability to use the driveway by moving the strips,
25 narrowing the width between the strips or widening it

1 depending how they feel would best suit their particular
2 needs.

3 In terms of the second contention that they have
4 not been able to find any historic houses with the two
5 strips of gravel with grass medium. We are assured that
6 they have discovered houses on the Master Plan that don't
7 have this type of driveway, but I'm sure the Commissioners
8 are familiar that there are many different types of
9 driveways to historic houses. There can be gravel. There
10 can be paved. There can cobblestone or brick.

11 We're sure that given enough research, that we can
12 locate houses -- historic houses, whether on the Historic
13 Registry or other designations that do have this type of
14 driveway. As we indicated earlier at the previous hearing,
15 this is a familiar looking driveway for a historic farmhouse
16 which our house is.

17 And we're sure that the -- from our participation
18 in the last hearing, that the Commission was basically
19 looking at both proposals and attempting to a fashion that
20 compromise between the two positions of the affected
21 parties. We as the owners of the property are, of course,
22 concerned with maintaining the setting that least impacts
23 our house and we believe the two strips with the grass
24 medium meets that need while meeting the Albrecht's need for
25 accessing their unimproved lot.

1 We feel that the Albrecht's request for a 10-foot
2 gravel driveway is excessively wide and is unnecessary. The
3 road that we live on, Heil Road, is a gravel road and it is
4 only 11-feet wide and we just don't want essentially an
5 extension of Heil Road down the side of our property which
6 extends to the side and it's essentially in our backyard.

7 We don't have any testimony from Civil Engineers
8 or anything like that stating what is the proper
9 construction of a roadway. In our original proposal, we did
10 have down that we felt that a proper grading of the area
11 with a crushed stone subsurface with the gravel over that
12 would probably be the most permanent and best method of
13 constructing this driveway, but suggestion or proposal was
14 not approved by the Commission.

15 We were opposed to the construction of the
16 improvement all together and until the property was improved
17 with a house and that aspect of our proposal also was not
18 approved. So, I think that under the circumstances, the
19 Commission came to a common ground by modifying the
20 Albrecht's application to meet some of our desires as well
21 as coming to a workable solution for meeting their needs.

22 And we are opposed to the Commission granting the
23 Albrecht's application as it's originally applied because I
24 believe that it abandons this compromise that the Commission
25 had arrived at in their previous hearing. As to the other

1 -- the last contention of the Albrecht's that we dismantled
2 the improvement, is not accurate.

3 What happen and I think you can see it in some of
4 the pictures here -- picture one shows it and picture two
5 which -- actually I submitted a slide to Pat Parker.

6 MS. PARKER: Would you like for me to show that
7 now?

8 MR. SCHILLERSTROM: Yes, if you would. When the
9 Albrecht's constructed the driveway as it currently exists,
10 they laid an excessive amount of gravel down. I took it
11 upon myself to bring it into compliance and what that
12 entailed was essentially removing access gravel and then
13 filling in as appropriate, and this was the section on the
14 right here. The strip on the right was the condition of the
15 two strips and as you can see, that's a yard stick that I
16 have laid onto the gravel and you can see it's in excess of
17 3-feet.

18 It's actually -- in some sections it was close to
19 4 and as well as the spreading characteristics of the gravel
20 being -- they laid down about six to eight inches of gravel
21 in depth so once a car drove over it any amount of time, it
22 would essentially spread into the 10-foot continuous strip
23 that the Albrecht's had originally desired.

24 The strip on the left, I have removed the gravel
25 to narrow it down. I, at a later point, added more gravel

1 to it, as you can see in some of the pictures what it
2 currently looks like. It's approximately -- each strip is
3 approximately 2-feet wide.

4 ACTING CHAIRMAN KOUSOULAS: Okay. Thank you.
5 Would the applicant like to come back up?

6 MR. BROCKETT: Again, I would state, it's the
7 applicant's legal right to use that easement, to improve
8 that easement, to maintain that easement, as long as they
9 conform with any governmental requirements or requirements
10 of this Commission. I don't believe it's up to the
11 proponents to be able to object to from anything from a
12 historical point of view.

13 And again, we're prepared to present, but again
14 the Commission report indicates that this is not an uncommon
15 driveway -- an uncommon method of way of driving -- of
16 maintaining or improving a right-of-way. And we're dealing
17 with a practical situation here. If you put down gravel,
18 it's going to spread.

19 And if you're going to drive over it, it's going
20 move. And what we're saying is, we'd like to be able to
21 construct about a 9-foot driveway with the knowledge that
22 once you use that driveway, you're not going to be going
23 down the same lanes each and every time in exactly the same
24 spot -- that gravel is going to move and it may extend out
25 the 9-1/2 to the 10-feet.

1 ACTING CHAIRMAN KOUSOULAS: How about if we have
2 the Commission address some comments and questions to you
3 and your other experts and maybe we can get to that
4 testimony quickly.

5 MR. RANDALL: I've got a question. The Commission
6 spent a fair amount of time on this issue already and if
7 you've ever taken the Meyers Briggs Test, you know that an
8 ENTP type -- personality type hates to be redundant and keep
9 doing the same thing and I'm an ENTP. Why is it that what
10 the Commission already approved, doesn't work.

11 I mean I have pictures in front of my that suggest
12 that for normal type vehicles, it fits. Is there a vehicle
13 that is routinely driven that is in excess of 8-foot wide
14 where the tires are?

15 MR. BROCKETT: Which we haven't had an opportunity
16 to see those pictures.

17 MR. RANDALL: Well, you're free to come up and --

18 MR. SCHILLERSTROM: They can use ours.

19 MR. BROCKETT: I would like Mr. McCollum to
20 respond to that.

21 MR. MCCOLLUM: Okay. I don't know what the
22 pictures show, but I know what normal driveways look like.
23 The first thing is the Commission apparently specified two
24 strips of gravel. I've been building roads for 41 years and
25 I have never seen a driveway built out of two strips of

1 gravel. Now, I've seen a lot of them with the grass growing
2 in the middle, but if you dig, you'll find that the gravel
3 goes all the way across.

4 So, I think probably they were thinking of the
5 appearance and not necessarily what the construction was.
6 Second thing, is if you put down a relatively narrow strip
7 of gravel, the wheel traffic tends to pound it and move it
8 aside. I mean the pressure, I shouldn't say pound, the
9 pressure of the wheels going over it would tend to move the
10 gravel until it stabilizes, so you will tend to make two
11 wheel tracks.

12 But the gravel itself will tend to spread out and
13 I think that's why they were thinking that a 10-foot
14 driveway would be reasonable. I think the appearance once
15 this driveway is built 10-feet wide and gives it a chance to
16 stabilize, with the small amount of traffic that you're
17 going to have going in and out of that thing, you're going
18 to have grass growing up the middle anyhow.

19 But it's a very awkward -- I mean, frankly, I went
20 out there with the man to construct this thing and the best
21 way we could do it was block off a section of the trucks bed
22 so that it dumped into streams one on each side. The truck
23 bed is like 6 -- 3 or 4 inches wide something on that order
24 and approximately 18 inch spacing on each side. It hits the
25 ground, of course it moves some.

1 It's not going to stay in the same place. Gravel
2 by definition is non-cohesive, so it's going to move.

3 ACTING CHAIRMAN KOUSOULAS: If there isn't that
4 center portion of gravel there to hold back the gravel
5 that's spreading, would the two tracks tend to rut more?

6 MR. MCCOLLUM: Well, yeah, there's give. But
7 besides that, normally when you spread stone to make a
8 driveway, you spread it all the way across. And as I say,
9 if the driveway is not used much, then the grass grows in
10 the middle. And I think that's what you're trying to get is
11 the appearance, you know, consistent with the historic
12 property.

13 I've built roads on three continents, and I've
14 never seen a driveway built like that.

15 MR. RANDALL: Well, you've got one like that right
16 now. It's there.

17 MR. MCCOLLUM: It was a real strain, but I'm not
18 sure how long it's going to stay there.

19 MS. SODERBERG: I think it's important that you're
20 aware that it is just the appearance that we're concerned
21 with.

22 MR. MCCOLLUM: Yeah, that's what I'm saying.

23 MS. SODERBERG: That's exactly it. If you are
24 familiar with Colonial Williamsburg at all, you know that
25 the corporation that runs that keeps some of their houses

1 unpainted or with the paint peeling off and things like that
2 with some of the shingles gone, so that it looks more
3 authentic. And this is the kind of look that we're, again,
4 we're trying to mitigate the impact of building a new house
5 next to a historic by putting an old looking driveway in.

6 MR. MCCOLLUM: Yes, ma'am, but surely you realize
7 that what I'm saying is that what you're specifying is not
8 realistic in that I don't believe they exist anywhere, at
9 least I've never one.

10 MS. SODERBERG: Well, if we -- what if we were to
11 specify that it wouldn't matter if it went over 8-feet wide
12 -- between 8 and 10-feet wide you know.

13 MR. MCCOLLUM: You can put it down 8-feet, but
14 it's not going to stay 8-feet.

15 MS. SODERBERG: Exactly. That's the idea. We
16 realize that gravel moves and that's the way it did in the
17 old days too.

18 MR. MCCOLLUM: And that's why I'm saying that if
19 you build it all the way across, which is the normal way to
20 construct a driveway.

21 MS. SODERBERG: No. I'm not saying that. We
22 still want the patch in the middle, but it will spread
23 around, that's true.

24 MR. MCCOLLUM: But if no traffic goes over it,
25 grass will grow up through it.

1 MR. RANDALL: But, if no traffic goes over it, why
2 do you need it?

3 MR. MCCOLLUM: You can still ride on it.

4 MR. ALBRECHT: No traffic goes over the tracks --
5 the tires don't ride on the middle of the drive, they ride
6 on the side.

7 MR. RANDALL: Then, what I'm sort of lost about is
8 that one, this is the only example of this on three
9 continents, but it does now exist. And two, it can't be
10 done, but it is there. Now I think we all recognize that
11 the gravel is going to spread some and I don't think that
12 the HPC is ever going to send the enforcement arm of this
13 county out to see if it's 2-feet and 4 inches that it
14 spread, that's not the point.

15 I think what we were trying to create was
16 something that if you take a look at the pictures -- that
17 you got the same pictures now and I think it's number five,
18 if your's is marked -- is a considerably more obtrusive
19 picture of what would be here if we were to have approved
20 that. Now, I think a lot of us that either live in the
21 country or have been out in the country, have seen a lot of
22 basically two strips of gravel with the grass growing up.

23 Now maybe that's not the way it started out,
24 that's the way it eventually got.

25 MR. MCCOLLUM: That's what I'm saying here sir.

1 MR. RANDALL: But you've got the benefit that you
2 didn't have to wait for history to catch up with, you've
3 already got it like that. And I think from the Commission's
4 perspective when we voted on this, we felt that was going to
5 be the least obtrusive impact on the historic structure
6 there.

7 And I think when I take a look at this other
8 driveway that I guess is 11-feet wide -- the road actually
9 versus your request for a 10-foot wide and it's going to be
10 a 150-foot long, that's a significant amount of gravel and I
11 think is a significant amount of impact. I don't know why
12 -- I don't think anybody is denying anybody reasonable use
13 of the property, certainly that's not the Commission's
14 intent.

15 Our only perspective and concern is not whether an
16 easement does or doesn't exist, who has reasonable access or
17 not, but to the extent somebody has a legally ability to put
18 something there, the impact on that historic resource. And
19 I continue to believe that, in particular now since you've
20 got that after it's driven on a period of time, sure it's
21 going to spread out a little bit. And at some point,
22 there's going to be a need to fill in somewhat with gravel.

23 I've got a gravel parking area outside my historic
24 home and I know that you come in and once in awhile you'll
25 have to drop a little bit of gravel down and shovel it

1 around and that sort of thing. I don't see a big issue, but
2 I do see a dramatically different picture of what that's
3 going to look like were the Commission to approve a 10-foot,
4 150-foot long driveway packed with gravel compared to what's
5 there right now.

6 And if I thought the only way that you could ever
7 get a vehicle across it was if you had that, then I might
8 feel differently. Or if I were convinced that it's not
9 possible to create a two strip, I might feel differently,
10 but we've got evidence in front of us that it is possible to
11 do that. And in fact, with a certain amount of pride, this
12 Commission has a created the first in three continents.

13 MR. MCCOLLUM: Could I ask a question sir? What's
14 going to happen when it snows?

15 MR. RANDALL: What's going to happen when it
16 snows?

17 MR. MCCOLLUM: Yes, sir. I'm looking at a picture
18 that apparently somebody took, it shows a Jeep Cherokee
19 sitting there with a few inches of spare room on each side
20 of its wheel, that's fine right now. What happens when it
21 snows though and he can't see where that roads is and you
22 try to go in there? He's going to be off to one side and
23 stuck.

24 MR. RANDALL: If it snows, he's not going to be
25 able -- he's going to be off one end of the road possibly

1 anyway. I mean how are you going to get your orientation if
2 it's all covered with snow?

3 MR. MCCOLLUM: The wider it is the less important
4 it is. You got some room to play with, but if you build it
5 -- if you leave it like that, it's easy enough to get right
6 off the edge of it.

7 ACTING CHAIRMAN KOUSOULAS: If I could maybe
8 clarify something? It seems to be we're mixing maybe an
9 issue of construction and appearance. The two pictures on
10 my left is the existing two strip driveway, on my right is
11 the 10-foot gravel road. A driveway paved like this picture
12 on my right will look like the picture on my left in three
13 years. Right?

14 Basically, the center will have a hidden layer of
15 gravel there. The picture on my right unless somebody
16 bothers to maintain the crown the way they would on a road,
17 will end up looking like the picture on the left. The
18 picture on the left if it's built like that from the
19 beginning really will not be a functional driveway over
20 time.

21 MR. BROCKETT: Then he would still have the gravel
22 and still have -- give the vehicle a basis to go over it.
23 Yes, you're going to have the grass in the middle. But I
24 think you're also -- I don't think there's any precedence
25 that I know of for requiring a two lane gravel driveway as

1 you have here. You've got the problem that it is going to
2 be difficult to drive on if it's inclement or you got snow
3 covering it.

4 ACTING CHAIRMAN KOUSOULAS: Well I guess that's my
5 point that -- this is the appearance you may want -- the
6 picture on the left, but this is not how you build it unless
7 you're Disney or somebody and you want it to look like this
8 from opening day -- that you build it like the picture on
9 the right. Is that the --

10 MR. MCCOLLUM: That's exactly what I'm saying.
11 Yes, sir.

12 ACTING CHAIRMAN KOUSOULAS: Okay.

13 MS. LANIGAN: But it's already built like -- it
14 already looks like that. I don't see any evidence why we
15 should reconsider this case at all. I haven't seen any
16 reason -- it's access to an unimproved lot. I believe the
17 original application was that it's temporary access to an
18 unimproved lot. It's infrequently used. I don't see any
19 reason for us to reconsider our decision.

20 MR. BROCKETT: It's unimproved now, but as the
21 Staff pictures indicate, they're trying to actively sell it.
22 As soon as it is sold -- and they've worked with architects
23 as to acceptable plans for building. So while it may be
24 used minimally now, the whole purpose of it is, is to create
25 a driveway or an access through a residential piece of

1 property.

2 MS. SODERBERG: In your reasons here for asking
3 for reconsideration, you have given four reasons. The first
4 one about time, we're not concerned with. The last one, I
5 think also is not in our bailiwick. Number two, the fact
6 that you found no driveways that look like this, I think we
7 can counter that.

8 Number three, "the approved driveway does not
9 accommodate our three vehicles and discussions with road
10 experts indicate that the precise measurements of the
11 specifications for our driveway cannot be applied to gravel"
12 -- seems to be -- I mean, you've already built it -- you've
13 already put the gravel down so how can it not be applied to
14 gravel, if it's already done?

15 MR. BROCKETT: You're placing that restriction
16 that -- or you have placed that restriction that there be no
17 gravel in the middle and we're trying to indicate to you
18 that the gravel is going to spread -- and you put that
19 restriction in there.

20 MS. SODERBERG: I don't think we put any
21 restrictions that the gravel didn't spread. We said that we
22 wanted a grassy strip in the middle, it doesn't have to be
23 precise. You don't have to put little barriers on either
24 side to make sure the gravel doesn't go anywhere. You've
25 got 25-feet to work with there of right-of-way and I don't

1 think that we made specifications that the gravel must stay
2 in two little 3-foot wide ruts. We just said we wanted it
3 to have a grassy strip in the middle.

4 MS. ALBRECHT: We have three cars. We have a
5 Toyota and for a Toyota to cross the gravel it needs at
6 least 6-feet to allow 6 inches of gravel on each side of the
7 wheels. We have a truck that requires 7-feet in order to
8 keep 6 inches of gravel on both sides of the wheels and we
9 have a horse trailer that requires at least 9-feet in order
10 to have a little bit of gravel on each side of the wheels.

11 The center with no gravel starts to get a lot
12 smaller when you think about the center between -- in the
13 middle of a 6-foot, 2-foot strip drive for a Toyota. So the
14 strip in the middle gets a lot smaller because you just
15 can't -- you've got to allow enough gravel on each side of
16 the wheels so that you can in fact travel down the road
17 without having to worry about falling off the edge onto the
18 grass.

19 We did look at dozens of historic driveways. We
20 did not find any in the vicinity of the Hopkins-Frey House
21 that was in fact two strips. I'm not going to say there
22 aren't driveways that have two strips of gravel. I will say
23 though that after measuring and taking pictures of dozens of
24 driveways that we came out with an average graveled driveway
25 of 11-feet 4 inches, and an average hard top driveway of 10-

1 feet 3 inches.

2 MS. SODERBERG: Are these from historic houses of
3 the same period?

4 MS. ALBRECHT: These are historic Master Plan
5 houses and they're all within 8 to 10 miles of the Hopkins-
6 Frey House. I did not overlook any because they had two
7 strips of gravel, I just randomly picked ones in the area of
8 this house and we did not find any. In fact, the driveway
9 to the Hopkins-Frey House is much wider and is a solid
10 graveled driveway.

11 For us to have this restriction is very limiting
12 in terms of getting in and out of our right-of-way.

13 MR. RANDALL: You said you found a number that
14 were graveled but not two strips?

15 MS. ALBRECHT: I did not find any that were two
16 strips and I probably looked --

17 MR. RANDALL: Then I'd like to go back to your
18 construction expert and ask him why they don't have grass
19 going down the strips after three years?

20 MS. ALBRECHT: There's always grass growing in
21 them.

22 MR. MCCOLLUM: I'm not sure what the question is?

23 MR. RANDALL: I know the fellow that -- a moment
24 again in three years we're going to have what appears to be
25 two strips going down here.

1 MS. ALBRECHT: A lot of these houses that have
2 gravel do have grass growing in the middle, but it's gravel
3 the whole way across. In fact, we have pictures too of all
4 the examples that were provided in pictures from Mr.
5 Schillerstrom at the last hearing showing you two strips of
6 gravel.

7 All these driveways with two strips of gravel, all
8 of those driveways are in fact full driveways of gravel with
9 just grass growing in the middle. In measuring, I did not
10 find any driveway that was only 8-foot wide.

11 MR. CLEMMER: Let me give you some exceptions now.
12 You've had your properties that you selected from around
13 where you live. I'm going to choose properties that I know
14 something about that we've been considering tonight and
15 there are two that I'm familiar with. Go to Montanverde, it
16 was built in 1804 -- 1806 and they didn't have dump trucks
17 back then, all they had were wagons and carts and horses.

18 And the road up there today, is an unimproved
19 sunken lane from just years of these carts turning up dust,
20 digging a little deeper down in the ground -- there's
21 gravel. There's gravel in the right lane. There's gravel
22 in the left lane and there's a big clod of dirt that goes up
23 the center that you can bottom out a couple of times if you
24 go up to see Diana Validedas and her horses.

25 It doesn't take a rocket scientist to figure out

1 what the old farmers were doing back in those days. If they
2 had a muddy hole, they went down dug some gravel out of the
3 bank and threw it in the mud hole, and that's how these
4 roads evolved. There are hundreds of roads like that around
5 the country. They're back off the back sections of the
6 county now, but they exist.

7 Same thing happens at Pleasant Hills -- another
8 property that was on here. Tom Kelly didn't take gravel, he
9 took cinders. And he'd go out and he'd throw cinders in the
10 mud hole right down the front line access road -- right down
11 -- you saw a sight of it earlier tonight. It since been
12 changed since the house has been bought. But when I knew
13 Tom when he was living in there in the 80's, he would go out
14 every winter and take cinders and throw that down the alley
15 and that's the way it was.

16 ACTING CHAIRMAN KOUSOULAS: Yeah, I think if we
17 could get back on track here. There seems to be some clear
18 opinions about the nature of this driveway and if -- unless
19 anybody that hasn't spoken would like to comment briefly --
20 if there's a motion?

21 MS. MARCUS: And the question you have before you
22 is whether to reconsider your previous approval. This is
23 not a new hearing, you're just deciding whether to
24 reconsider your previous approval.

25 MS. LANIGAN: I move that the previous approval

1 not be reconsidered.

2 MR. RANDALL: Second.

3 ACTING CHAIRMAN KOUSOULAS: There being a motion
4 and a second, is there any discussion?

5 MR. RANDALL: The only discussion that I would
6 offer is that from my perspective, I'd be willing to
7 stipulate that I expect there to be some movement of the
8 gravel, that we're not talking an absolute 2-foot. What I
9 don't expect is somebody come in and start trying to fill-in
10 a lot of the gravel up to 3 or 4-feet or something like
11 that.

12 But, you know, trying to keep the replacement
13 gravel but that there be an expectation that when we say the
14 strips running down there that there is going to be some
15 movement of the gravel and that's not troublesome to me and
16 it's an expectation on my part. That's all I would offer.

17 MS. ALBRECHT: Could I say one more thing on this.
18 We put the driveway down on September 1st or August
19 something -- on a Monday. We came back on a Friday and Mr.
20 Schillerstrom had started digging up the driveway.

21 MR. BROCKETT: I don't believe that's before the
22 Commission.

23 MS. ALBRECHT: Well my point is that he decided to
24 move and dumped the whole driveway onto our lot. We have
25 now got this very thin strip of gravel which is totally

1 inadequate for the winter. It's not wide enough and --

2 ACTING CHAIRMAN KOUSOULAS: Well, we need to
3 address the motion here.

4 MR. BROCKETT: We're also and understanding that
5 it is going to expand more than 8-feet the original
6 requirement and -- you have the problem dealing with how
7 much gravel can you put down because the more gravel you put
8 down to a point, the more it may tend to spread. Is there a
9 criteria on the amount of the gravel?

10 MS. LANIGAN: The motion was that we not
11 reconsider.

12 ACTING CHAIRMAN KOUSOULAS: Okay. Is there any
13 other discussion?

14 MR. RANDALL: With that respond and to that -- let
15 me just say that when the Commission rules one way or
16 another as we're probably about to, we don't expect kind of
17 fraudulent compliance. I mean obviously there's not an
18 expectation that somebody puts down a 2-foot strip that's 4-
19 feet high that all of a sudden we know -- well it's going to
20 spread out now to 12-feet -- common sense has got to come
21 into that.

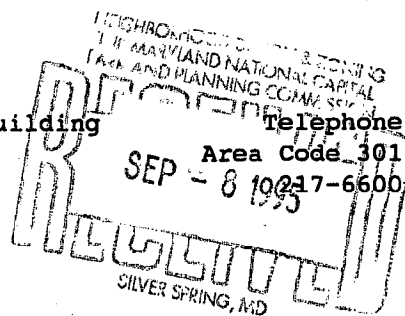
22 If gravel needs to be replaced, it needs to be
23 replaced, but not in a way that's intentionally going to
24 violate, I think, the spirit of what the Commission is going
25 to do. It's just common sense.

BOARD OF APPEALS
for
MONTGOMERY COUNTY

Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850

Case No. A-4407

APPEAL OF THOMAS ALBRECHT



Notice is hereby given that a public hearing will be held by the Board of Appeals for Montgomery County, Maryland, in the Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland, in the Second Floor Davidson Memorial Hearing Room, on the 11th day of October, 1995, at 1:30 p.m., or as soon thereafter as this matter can be heard, on the application filed pursuant to Section 2-112 of the Montgomery County Code.

The appellant charges administrative error on the part of the Historic Preservation Commission in its imposition of conditions in its approval of a historic area work permit pertaining to driveway construction, dated July 26, 1995. In accordance with Chapter 2A, Administrative Procedures Act, a copy of the "charging document" (appeal) is attached to this notice.

The subject property is Lot 1, Block D, Rawls Springs Subdivision, located at 202 Heil Road, Silver Spring, Maryland.

Notices forwarded this 1st day of September, 1995, to:

Thomas Albrecht
County Attorney
Alan M. Wright, Senior Assistant County Attorney
Director, Department of Environmental Protection
Hal Phipps, Environmental Manager,
Department of Environmental Protection
Robert Hubbard, Chief, Division of Development Services
and Regulation, Department of Environmental Protection
Walter Booth, Chairperson, Historic Preservation Commission
Gwen Marcus, Historic Preservation Coordinator,
Historic Preservation Commission
Members, Board of Appeals
Contiguous and confronting property owners
Stonegate Citizens Association
Greater Colesville Citizens Association

County Board of Appeals

By Tedi S. Osias
Tedi S. Osias
Executive Secretary to the Board

**APPEAL CHARGING ERROR
IN ADMINISTRATIVE RULING OR ACTION**
Please note instructions on reverse side.
Attach additional sheets if required for answers.

Appeal is hereby made pursuant to Section 2-112 of the Montgomery County Code 1984, as amended, from the decision or other action of an official or agency of Montgomery County specified below which Appellant contends was erroneous.

Official or agency from whose ruling or action this appeal is made: THE MONTGOMERY COUNTY HISTORIC Preservation Commission (HPC)

Brief description of ruling or action from which this appeal is made (attach duplicate copy of ruling or document indicating such action): DENIAL OF REQUEST TO CONSTRUCT 10 FEET WIDE GRAVEL DRIVEWAY AND APPROVAL OF TWO PARALLEL 2 FEET WIDE GRAVEL STRIPS WITH GRASS STRIP BETWEEN, NTE EIGHT FEET.

Date of that ruling or action: July 26, 1995 at approximately 9:30 pm.

Brief description of what, in appellant's view, the ruling or action should have been: APPROVAL OF (Gravel) Driveway AS Submitted in application For HISTORIC AREA WORK PERMIT AND AS RECOMMENDED by HPC STAFF REPORT.

Number of section, and subsection if any, of the Montgomery County Code 1984, as amended, or citation or other statutory provision, which appellant contends was misinterpreted: _____

Error of fact, if any, involved in the ruling or action from which this appeal is made: Failure to adopt HPC staff recommendation, + IMPOSING UNPRECEDENTED + UNNECESSARY Additional Requirements.

Error of law, if any, involved in the ruling or action from which this appeal is made: HPC ABUSED ITS DISCRETION WITH REGARD TO DRIVEWAY REQUIREMENTS.

Question(s) of fact, if any, presented to the Board by this appeal: THE UNPRECEDENTED REQUIREMENTS that WERE IMPOSED ON APPLICANTS REQUEST TO CONSTRUCT A DRIVEWAY.

Question(s) of law, if any, presented to the Board by this appeal: WHETHER THE HPC HAS THE AUTHORITY TO IMPOSE ARBITRARY, UNPRECEDENTED + UNFOUNDED REQUIREMENTS ON DRIVEWAY.

Description of real property, if any, involved in this appeal: Lot 1, Block D
Parcel _____, Subdivision Rawls Springs, Street and Number 202 Heil Road
Town _____, Zone _____

Appellant's present legal interest in above property, if any: Owner (including joint ownership). _____ Lessee. _____ Contract to lease or rent. _____ Contract to purchase. _____ Other (describe) _____

Statement of appellant's interest, i.e., manner in which appellant is aggrieved by the ruling or action complained of (as property owner or otherwise): Ruling places undue restrictions on the construction of a driveway; will require additional expenditures and has caused undue delay due to inability to find Gravel Truck capable of spreading as required.

Further comments, if any: THE RULING OF 2 parallel 2 feet wide gravel strips with grass between results in an undue restriction on my ability to USE AND ACCESS my property. I want a normal driveway like everyone else has.

I hereby affirm that all of the statements and information contained in or filed with this appeal are true and correct. EXHIBIT NO. _____

Signature of Attorney

Address of Attorney

RECEIVED

AUG 28 1995

BOARD OF APPEALS
MONTGOMERY COUNTY, MD.

Thomas Albrecht
Signature of Appellant(s)

Address of Appellant(s)
P.O. Box 248
HIGHLAND, MD., 20777
1701 204-2588

P+P

Case No. A-4407
Date Filed 8/28/95
Hearing Date 10/11/95
Hearing Time 1:30 PM

APPEAL CHARGING ERROR

IN ADMINISTRATIVE RULING OR ACTION

Please note instructions on reverse side.

Attach additional sheets if required for answers.

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Town _____, Zone _____

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Further comments, if any: THE RULING OF 2 parallel 2 Feet wide gravel strips with grass between results in an undue restriction on my ability to USE AND Access my property. I want a normal driveway like everyone else has.

I hereby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

RECEIVED

Thomas Albrecht

Signature of Attorney

Signature of Appellant(s)

AUG 28 1995

Address of Attorney

BOARD OF APPEALS
MONTGOMERY COUNTY, MD.

Address of Appellant(s)
P.O. Box 248

HIGHLAND, MD., 20777

(201) 854-2588

**INSTRUCTION FOR FILING APPEAL CHARGING ERROR
IN ADMINISTRATIVE RULING OR ACTION**

1. Address all correspondence to the County Board of Appeals, Stella B. Werner Council Office Building, 100 Maryland Avenue, Room 217, Rockville, Maryland 20850. Phone (301) 217-6600.
2. Send with the appeal a check or money order made payable to MONTGOMERY COUNTY, MARYLAND, to cover filing fee. Cash cannot be accepted.

\$ 150.00* - individual

\$ 500.00* - commercial property

* Refundable if appeal is granted.

INFORMATION TO ACCOMPANY APPEAL

1. 4 copies of Appeal Application (Form 3).
2. 4 copies of list of adjoining and confronting property owners (Form 5).
3. 4 copies of ruling or other document indicating official or agency action from which this appeal is made.
4. 4 copies of plats, plans, other exhibits, transcript of testimony, etc. which constituted the record of information and evidence before the official or agency in question in this matter at the time of the alleged erroneous ruling or action.

SUGGESTION FOR APPELLANTS

It is suggested that appellants consult the Montgomery County Code 1984, as amended, and that they direct any argument at the public hearing to the question of whether there was error of fact or law in the administrative decision from which the appeal is taken, on a basis of the facts before the administrative official or agency at the time of that decision.

BOARD OF APPEALS FOR MONTGOMERY COUNTY, MARYLAND

LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS
(PLEASE SEE INFORMATION ON REVERSE SIDE)

NAME	ADDRESS (PLEASE ADD ZIP CODE)	LOT	BLOCK
	Harry P. Ridenour Jr. 15208 Water Oak Drive Gaithersburg, MD 20878		
	Noel M. and M.E. Gregos 112 Heil Road Silver Spring, MD 20905		
	Lewis D. and S. Watson 14 Stonegate Drive Silver Spring, MD 20905		
	Adrian W. and E. S. Sybor 18 Stonegate Drive Silver Spring, MD 20905		
	Wm L. Jr. and M. M. Morris 22 Stonegate Drive Silver Spring, MD 20905		
	Marita N. Turner et al 26 Stonegate Drive Silver Spring, MD 20905		
	Om P. and M. Arora 115 Heil Road Silver Spring, MD 20905		
	Wm Schillerstrom and L. Powalski 204 Heil Road Silver Spring, MD 20905		



RETURN TO: Department of Environmental Protection
 Division of Development Services and Regulation
 250 Hungerford Drive, Rockville, Maryland 20850
 (301) 217-6370

Historic Preservation Commission
 (301) 495-4570

**APPLICATION FOR
 HISTORIC AREA WORK PERMIT**

CONTACT PERSON Thomas Albrecht
 DAYTIME TELEPHONE NO. (202) 514-6236
 TAX ACCOUNT # 16 05 03096812
 NAME OF PROPERTY OWNER Thomas + Nancy Albrecht DAYTIME TELEPHONE NO. tom (202) 514-6236
PO BOX 248 DAYTIME TELEPHONE NO. N - 301-294-5583
 ADDRESS 13020 Wainwright Rd Highland MD 20727
CITY STATE ZIP CODE
 CONTRACTOR _____ TELEPHONE NO. () _____
 CONTRACTOR REGISTRATION NUMBER _____
 AGENT FOR OWNER _____ DAYTIME TELEPHONE NO. () _____

LOCATION OF BUILDING/PREMISE

HOUSE NUMBER 202 STREET Heil Road
 TOWN/CITY Silver Spring NEAREST CROSS STREET N.H. Ave.
 LOT 1 BLOCK D SUBDIVISION Rawls Springs
 LIBER _____ FOLIO _____ PARCEL _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CIRCLE ALL APPLICABLE: Construct Extend Alter/Renovate Repair Move Porch Deck Fireplace Shed Solar Woodburning Stove
 Wreck/Raze Install Revocable Revision Fence/Wall (complete Section 4) Single Family Other gravel driveway
 1B. CONSTRUCTION COST ESTIMATE \$ 150 - 350.-
 1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # _____

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

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 _____

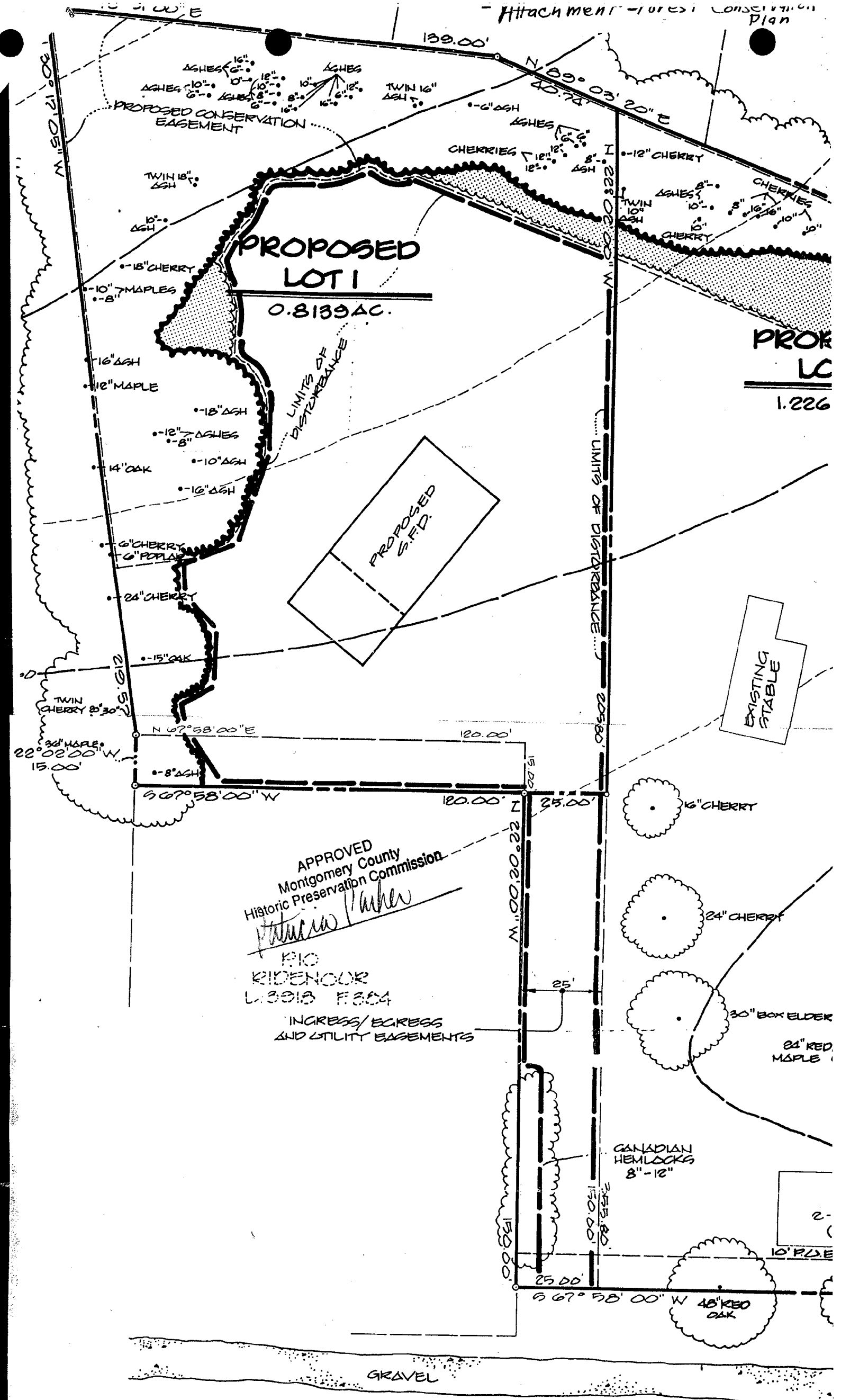
I HEREBY CERTIFY THAT I HAVE THE AUTHORITY TO MAKE THE FOREGOING APPLICATION, THAT THE APPLICATION IS CORRECT, AND THAT THE CONSTRUCTION WILL COMPLY WITH PLANS APPROVED BY ALL AGENCIES LISTED AND I HEREBY ACKNOWLEDGE AND ACCEPT THIS TO BE A CONDITION FOR THE ISSUANCE OF THIS PERMIT.

Thomas Albrecht July 10, 1995
Signature of owner or authorized agent Date

APPROVED X-w/conditions For Chairperson [Signature]
 DISAPPROVED _____ Signature _____ Date July 26, 1995

APPLICATION/PERMIT NO: 9507130140 DATE FILED: _____ DATE ISSUED: _____

SEE REVERSE SIDE FOR INSTRUCTIONS



PROJ
LC
1.226

APPROVED
Montgomery County
Historic Preservation Commission
Patricia Parker
K10
RIDENOUR
L3918 F364
INGRESS/EGRESS
AND UTILITY EASEMENTS

HEIL R
EXISTING 60' R

Historic Area Work Permit Application
Thomas and Nancy Albrecht
Lot 1, Block D, Rawls Spring
Residential Building Lot
202 Heil Road
Silver spring , MD 20905

List of Attachments

- 1) Written Description: The work to be completed under this HAWP application consists of spreading a strip of 3/4 inch bluestone gravel approximately 4 inches deep, 10 feet wide and 150 feet long to establish a driveway. This driveway will be located within an easement established in a sub-division plan approved by the Maryland National Capital Park and Planning Commission and the Montgomery County Planning Board and recorded by the applicants in April, 1995.
- 2) Site Plan: See attached plat.
- 3) Material Specifications: The materials will consist of 3/4 inch bluestone gravel as supplied by Rockville Crushed Stone.
- 4) Photographs: To be supplied.
- 5) Tree Survey: A forest conservation plan was completed during the sub-division process. The plan identified a treerow consisting of 8-12 inch Canadian Hemlocks, approximately 60 feet long, located along the west side of the driveway and beginning at the entrance along Heil Road.
- 6) Adjacent and Confronting Property Owners Addresses:

Harry P. Ridenour Jr.
15208 Water Oak Drive
Gaithersburg, MD 20878

Noel M. and M.E. Gregos
112 Heil Road
Silver Spring, MD 20905

Lewis D. and S. Watson
14 Stonegate Drive
Silver Spring, MD 20905

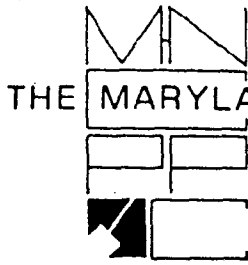
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22 Stonegate Drive
Silver Spring, MD 20905

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26 Stonegate Drive
Silver Spring, MD 20905

Om P. and M. Arora
115 Heil Road
Silver Spring, MD 20905

Wm Schillerstrom and L. Powalski
204 Heil Road
Silver Spring, MD 20905



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

DATE: July 26, 1995

MEMORANDUM

TO: Robert Hubbard, Chief
Division of Development Services and Regulation
Department of Environmental Protection (DEP)

FROM: Gwen Marcus, Historic Preservation Coordinator
Design, Zoning, and Preservation Division
M-NCPPC

SUBJECT: Historic Area Work Permit

The Montgomery Historic Preservation Commission has reviewed the attached application for a Historic Area Work Permit. The application was:

Approved Denied

Approved with Conditions:

- 1.) The driveway shall be composed of 2- 2' wide bluestone or quartz gravel strips with grass in between. The driveway shall be no wider than 8'.
- 2.) After the allee of trees, the proposed driveway shall move closer to the existing fencing at the property line and continue parallel for access to Lot 1.

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERANCE TO THE APPROVED HISTORIC AREA WORK PERMIT(HAWP).

Applicant: Thomas & Nancy Albert

Address: P.O. Box 240; 13020 Winnick Rd.; Highland, Md. 20777

***THE APPLICANT MUST ARRANGE FOR A FIELD INSPECTION BY CALLING DEP/FIELD SERVICES (217-6240) FIVE DAYS PRIOR TO COMMENCEMENT OF WORK AND WITHIN TWO WEEKS FOLLOWING COMPLETION OF WORK.

Project Address: 202/204 Heil Rd.
Silver Spring, Md.

MONTGOMERY COUNTY, MARYLAND

Department of Environmental Protection

Rockville Metro Center

BUILDING PERMIT

PERMIT NO 9507130140

AUGUST 04, 1995

EXPIRES: 08/04/96

THIS IS TO CERTIFY THAT:

THOMAS & NANCY ALBRECHT
13020 WAINWRIGHT RD
HIGHLAND MD 20888
1 (202)514-6236

HAS PERMISSION TO: CONSTRUCT 0000 HISTORIC SITE

REGARDLESS OF SET BACK SHOWN.

THIS BUILDING MUST NOT EXTEND BEYOND ESTABLISHED BUILDING LINE.

**HISTORIC APPROVAL ONLY
BUILDING PERMIT REQUIRED**

PREMISE ADDRESS 00202 HEIL RD SILVER SPRING

LOT 1 BLOCK D ZONE SUBDIVISION RAWLS SPRINGS
LIBER FOLIO PARCEL PLATE GRID
ELECTION DISTRICT 13 TAX ACCOUNT NO 00000000

PERMIT FEE: \$ 00,000.01

IMPACT FEE: \$ 0,000,000

ESTIMATED COST: \$00,000,350