

10/59-03A 15019 Hyattstown Mill Rd
(Hyattstown Historic District)

115

HISTORIC PRESERVATION COMMISSION

of

MONTGOMERY COUNTY

**8787 Georgia Avenue
Silver Spring, Maryland 20910**

301-563-3400

Case No. 10/59-03A (Retroactive) Received August 29, 2003

Public Appearance September 24, 2003

Before the Montgomery County Historic Preservation Commission

Application of Hyatt Recreation Inc.
15019 Hyattstown Mill Road, Clarksburg

DECISION AND OPINION OF THE COMMISSION

Decision of the Commission: DENY the Applicant's proposal to enlarge the size of their existing parking lot.

Commission Motion: At the September 24, 2003 meeting of the Historic Preservation Commission, Commissioner Harbit presented a motion to deny a proposed Retroactive Historic Area Work Permit application to enlarge the size of the existing parking lot behind the Hyattstown Volunteer Fire Department building. Commissioner O'Malley seconded the motion. Commissioners Velasquez, Harbit, Breslin, O'Malley, Anahtar, Fuller, and Burstyn voted in favor of the motion. Commissioner Williams and Watkins voted against the motion. The motion passed 7-2.

BACKGROUND:

The following terms are defined in Section 24A-2 of the Code:

Appurtenances and environmental setting: The entire parcel, as of the date on which the historic resource is designated on the master plan, and structures thereon, on which is located an historic resource, unless reduced by the District Council or the commission, and to which it relates physically and/or visually. Appurtenances and environmental settings shall include, but not be limited to, walkways and driveways (whether paved or not), vegetation (including trees, gardens, lawns), rocks, pasture, cropland and waterways.

Commission: The historic preservation commission of Montgomery County, Maryland.

Director: The director of the department of permitting services of Montgomery County, Maryland or his designee.

Exterior features: The architectural style, design and general arrangement of the exterior of an historic resource, including the color, nature and texture of building materials, and the type and style of all windows, doors, light fixtures, signs or other similar items found on or related to the exterior of an historic resource.

Historic District: A group of historic resources which are significant as a cohesive unit and contribute to the historical, architectural, archeological or cultural values within the Maryland-Washington Regional District and which has been so designated in the master plan for historic preservation.

Historic Resource: A district, site, building, structure or object, including its appurtenances and environmental setting, which is significant in national, state or local history, architecture, archeology or culture.

Retroactive: Work completed before being considered by the Commission and/or before receiving a Historic Area Work Permit.

On August 29, 2003 Hyatt Recreation Inc., with Jeff Gross as their agent, completed a retroactive application for a Historic Area Work Permit (HAWP) to enlarge the size of their existing parking lot.

The parking lot expansion was completed prior to August 25, 2003 and before being reviewed by the Commission. A stop work order and notice of violation was issued to the contractor on site by Department of Permitting Services inspector, Pete Hrycak, on August 25, 2003.

15019 Hyattstown Mill Road is an Out-of-Period Resource within the Commercial Core of the Hyattstown Historic District designated on the Master Plan For Historic Preservation in Montgomery County in 1986.

EVIDENCE IN THE RECORD:

A written staff recommendation on this case was prepared and sent to the Commission on September 17, 2003. At the September 24, 2003 HPC meeting, staff person, Michele Naru, showed a PowerPoint presentation with photographs of the site illustrating the before and after construction conditions and presented an oral report on the staff recommendation. Staff recommended the parking lot expansion be denied.

The staff's specific concerns were:

1. The increase in the size of the parking lot negatively impacts the environmental

setting and landscape of the historic district. The introduction of paving in this existing green space, directly contradicts the “rear-lot greenspace” model identified as a goal in both the “Vision of Hyattstown, A Long Range Preservation Plan” document and the Clarksburg Master Plan/Hyattstown Special Study Area Plan. These documents give a high priority to retention of back lot open space and green space, as this gives the community its integrity as a unique late 18th and early 19th century linear town.

2. The massive amount of lot coverage the parking lot utilizes is out of character with the Hyattstown Historic District. The proposed parking lot adds an additional 3,240 square feet of paving onto an already large, paved lot.
3. The site, at the entrance to both the Hyattstown Historic District and Little Bennett Regional Park, is an important visual gateway. Paving over the entire property in asphalt is an inappropriate treatment for the rural historic area.

The applicant’s agent, Jeff Gross, attended the meeting.

Jeff Gross testified that the Hyattstown Fire Department and its corporation, Hyatt Recreation Inc., have been doing business in Hyattstown since 1929. Mr. Gross indicated that the corporation’s charter from the State allows for fire and rescue services, the operation of fundraising events, and the improvement of their property and buildings as needed to provide these services. Mr. Gross further explained that State of Maryland Delegate Jean Cryor, Maryland Department of Transportation, Montgomery County Board of Elections, Councilmember Mike Knapp, and former Councilmember Nancy Dacek have all regularly used the firehouse’s facilities for their community meetings and functions. Additionally, Mr. Gross explained, several non-profit organizations such as Timber Ridge HOA, Maryland Search Teams Task Force, and the Clarksburg Community Association hold their meetings and functions in the subject facilities. Mr. Gross also noted that the Fire Department is required to do training exercises on a regular basis. He explained that the asphalt area being proposed would provide a location not only for event parking, but also for driver training, and set-up and checkouts for the rescue vehicles.

Commissioner Harbit questioned the applicant on the reasons the subject HAWP application was being presented as a retroactive, given that the agent, Mr. Gross, has come to the Commission on several occasions in the past and had knowledge that a HAWP was required.

Mr. Gross testified that he was not involved with this project due to his work schedule this past summer.

Commissioner Harbit further stated that the Commission’s task when reviewing retroactive HAWP applications is to examine them as if the work had not already been completed. If the work is determined to not be consistent with the historic district, then the applicant would be required to undo the work that was completed without prior review.

Commissioner Fuller added that he concurred with Commissioner Harbit’s statements. He also expressed frustration with this case where the applicant has been through the HAWP application process before and knew that they should have come to the Commission prior to the commencement of work on the subject project. Additionally, Commissioner Fuller noted that not only did the

applicant fail to receive a HAWP application, they also failed to get a County building permit or waivers for sediment control and storm water management. Finally, Commissioner Fuller questioned the intended use of the parking lot for heavy-duty fire trucks. He noted that the six inches asphalt and six inches of aggregate base is not sufficient to withstand the load of heavy trucks. Commissioner Fuller expressed his desire for the applicant to return to the Commission with an application for a proposed parking lot, which retained more greenspace.

Mr. Gross responded to Commissioner Fuller's comments by reminding the Commission that the fire station is located within the Commercial Core of the Historic District. He also stated that there are other commercial properties within this Core that have asphalt from front to back on their lots. He further noted that his contractor has guaranteed that the existing asphalt to aggregate ratio is sufficient for carrying the weight of over 63,000 pound trucks.

Commissioner Watkins testified that the fire station serves an important function in the community. She expressed that the Commission should look at the functions of the community over greenspace. She noted that landscape features could be provided to help mitigate the visual impact of the needed pavement. She further expressed that the Commission should take into consideration that the parking lot proposal is not for a restaurant or a shopping center, but for a fire station, an important part of the community.

Commissioner Burstyn expressed concern over the applicant's use of public money for this project. He additionally wanted information on the contractor's contract with the owner, questioning whether the contract specified that the contractor would be required to obtain all necessary permits for the project.

Mr. Gross replied that the contractor was not required to obtain the needed permits as part of his contract with the applicants.

Commissioner Harbit made the motion to deny the Historic Area Work Permit for Case 10/59-03A. Commissioner O'Malley seconded the motion. Commissioners Velasquez, Harbit, Breslin, O'Malley, Anahtar, Fuller, and Burstyn voted in favor of the motion. Commissioner Williams and Watkins voted against the motion. The motion passed 7-2.

The commission did agree that they would like the applicant to work with staff to develop a new HAWP application focusing on mitigating the visual impact of current proposal through the use of landscaping.

CRITERIA FOR APPROVAL AND FINDINGS OF THE COMMISSION:

The work in question in this case needed a Historic Area Work Permit under the following sections of the law:

Section 24A-6(a)2 provides that:

Performing any grading, excavating, construction or substantially modifying, changing or altering the environmental setting of a historic site or a historic resource located within a

historic district.

Section 24A-6(c)2 provides that:

Any person who shall undertake any work as stated in subsection (a) of this section without first obtaining a historic area work permit shall be subject to the penalties established in section 24A-11.

Section 24A-11 provides that:

Any person who violates a provision of this chapter, or fails to comply with any of the requirements thereof, or disobeys or disregards a decision of the Commission, or fails to abide by the conditions of a permit, shall be subject to punishment for a class A violation as set forth in section 1-19 of chapter 1 of the County Code. Each day a violation continues to exist shall constitute a separate offense. (Ord. No. 9-4, 1; 1983 L.M.C., ch. 22 28; Ord. No. 11-59.)

The criteria which the Commission must evaluate in determining whether to deny a Historic Area Work Permit application are found in Section 24A-8(a) of the Montgomery County Code, 1984, as amended.

Section 24A-8(a) provides that:

The Commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate or inconsistent with, or detrimental to the preservation enhancement or ultimate protection of the historic site, or historic resource within an historic district, and to the purposes of this chapter.

In analyzing whether the criteria for issuance of a Historic Area Work Permit have been met, the Commission also evaluates the evidence in the record in light of the Amendment to the Approved and Adopted Master Plan for Historic Preservation in Montgomery County, Maryland - Hyattstown Historic District and the "Vision of Hyattstown, A Long Range Preservation Plan" document .

The Commission also evaluates the evidence in light of generally accepted principles of historic preservation, including the Secretary of the Interior's Standards for Rehabilitation and Guidelines, adopted in the Commission's Executive Regulations on November 4, 1997. In particular Standards #2, and #9 are applicable in this case:

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

Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be

compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Based on this, the Commission finds that:

1. The proposed asphalt parking lot is inconsistent with the environmental setting and historic character of the Hyattstown Historic District.
2. The amount of and the nature of paving proposed in this application, with no landscaping or buffering, is out of character with the rural nature of the Hyattstown area and Little Bennett Regional Park.
3. The proposal for the enlargement of the existing parking lot constitutes changes that specifically impair the existing environmental settings, streetscape and patterns of open space that contribute to the historic character of the Hyattstown Historic District as a whole.

CONCLUSION:

The Commission was guided in its decision by Chapter 24A, by the Amendment to the Approved and Adopted Master Plan for Historic Preservation in Montgomery County, Maryland, - Hyattstown Historic District, by the "Vision of Hyattstown, A Long Range Preservation Plan" document, and by the Secretary of the Interior's Standards for Rehabilitation.

Based on the evidence in the record and the Commission's findings, as required by Section 24A-8(a) of the Montgomery County Code, 1984, as amended, the Commission must **deny** the application of Hyatt Recreation Inc. for a Retroactive Historic Area Work Permit (HAWP) to enlarge their existing parking lot at 15019 Hyattstown Mill Road in the Hyattstown Historic District.

If any party is aggrieved by the decision of the Commission, pursuant to Section 24A-7(h) of the Montgomery County Code, an appeal may be filed within thirty (30) days with the Board of Appeals, which will review the Commission's decision de novo. The Board of Appeals has full and exclusive authority to hear and decide all appeals taken from the decision of the Commission. The Board of Appeals has the authority to affirm, modify, or reverse the order or decision of the Commission.



Susan Velasquez, Chairperson
Montgomery County
Historic Preservation Commission

11/3/03
Date

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 15019 Hyattstown Mill Road, Clarksburg **Meeting Date:** 09/24/03
Resource: Hyattstown Historic District **Report Date:** 09/17/03
Review: HAWP **Public Notice:** 09/10/03
Case Number: 10/59-03A **RETROACTIVE** **Tax Credit:** None
Applicant: Hyatt Recreation Inc. (Jeff Gross, Agent) **Staff:** Michele Naru
PROPOSAL: Parking Lot Expansion **RECOMMEND:** Denial

PROJECT HISTORY

The applicant began construction of the parking lot expansion in early August without an approved HAWP application. A stop work order and violation was issued to the contractor on site by the HPC's inspector, Pete Hrycak, on August 25, 2003.

PROJECT DESCRIPTION

SIGNIFICANCE: Contemporary Resource in Hyattstown Historic District.
STYLE: Twentieth Century Brick Firehouse
DATE: 1945

This two-story brick fire station is located within the Commercial Core of the historic district. The building is set upon a concrete foundation, is covered with a hanger type roof featuring end walls with stepped parapets. The walls are CMU block with a brick veneer. The HPC reviewed and approved in September of 1999, the constructions of an exterior elevator tower and machine room at the rear of the fire station.

The Hyattstown Fire Department occupies Lots P1 and P3 within the historic district. The aforementioned building and existing parking lot are located on P1, and a Morton building with a concrete driveway measuring 24' wide by 135' long is located on P3 (approved by HPC March 1996).

PROPOSAL:

The applicant proposes to expand the existing fire station parking lot. The applicants desire to fill in the space between the existing side/rear fire station lot and the existing 135' long by 24' wide concrete driveway, which fronts the Morton building (See circles **8 - 11**).

STAFF INFORMATION

The Hyattstown Historic District was established in March 1986 when the County Council adopted an Amendment to the *Montgomery County Master Plan for Historic Preservation*. This district is architecturally significant as one of the largest cohesive concentrations of late 18th and early 19th century buildings in the County.

Critical elements, or character-defining features, of the district were identified by the approved adopted *Vision of Hyattstown: A Long-Range Preservation Plan*. The *Vision* is directed by the Executive Regulations, which were approved by the County Council, to use this plan when considering changes and alterations to the Kensington Historic District. These character-defining features include: 1) **building setbacks**, 2) **rhythm of spacing between buildings**, 3) **geographic and landscape features**, 4) scale and building height, 5) directional expression of buildings, 4) roof forms and materials, 5) porches, 6) dominant building material, 7) integrity of form, building condition and threats, 8) outbuildings, 9) architectural style.

The Hyattstown Historic District has elements beyond individual historic buildings, which contribute to the historic setting of the district. In particular, the intimate town-like character along Frederick Road is the result of the relatively short setback distances of houses and commercial buildings from the road, the relatively close spacing of buildings from each other, the significant rear “greenspace” and the tree canopy established by mature trees on either side of the street.

STAFF DISCUSSION

This application for a HAWP is coming to the Commission retroactively. Staff notes that the potential expenses being incurred due to the stop work order could have been eliminated if the applicant would have followed the law and applied for this permit prior to installing the proposed pavement.

The HPC considers alterations to contemporary resources for their impact on the overall streetscape and environmental setting of the historic district. Although the building is not a primary or secondary resource, the property does contribute to the landscape of the historic district.

Staff's objections to this proposal are as follows:

1. The installation of approximately 3,240 sq ft of paving onto an already “maxed-out” lot.
2. The introduction of paving in this green space, directly contradicts the “ rear-lot greenspace” model which gives the town its integrity as a unique late 18th and early 19th century linear town, with significant back lot open space.

Staff is asking the Commission to look at this project as if it is not a retroactive case. Staff generally feels that the proposal creates a major impact to the environmental setting of the historic district. The firehouse and its associated buildings are located at the gateway of the

historic district. Driving northward into the historic district on Frederick Road, these two lots are the first lots one views as they cross the bridge over the river and into the historic district. The removal of 3, 240 SF of greenspace on this property will create a significant impact to the environmental setting of the historic district, since it eliminates most of the open space on both of these lots. The new firehouse (Morton) building was approved by the HPC in 1996, has in staff's opinion, already stretched the limits of maintaining the cohesiveness of the setbacks and rear open-space.

Staff is recommending that the applicant be required to remove the proposed parking lot in its entirety.

The Friends of Hyattstown have not responded to this HAWP application at the time this report was being prepared.

STAFF RECOMMENDATION

Staff recommends that the Commission deny the HAWP application as it is not being consistent with Chapter 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,

nor with the Secretary of the Interior Guidelines #2 and #9:

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.

New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.



DPS - #11

JCT

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

RECEIVED

AUG 29 2003

Division of
Casework Management

Contact Person: Jeff Gross
Daytime Phone No.: 443-250-0020

Tax Account No.: 52-1768572

Name of Property Owner: Hyatt Recreation, Inc Daytime Phone No.: 301-831-8248

Address: 15019 Hyattstown Mill Rd Clarksburg MD 20871
Street Number City Street Zip Code

Contractor: Richard F Kline, Inc Phone No.: 301-667-8211

Contractor Registration No.: unknown

Agent for Owner: N/A Daytime Phone No.: _____

Address: _____

LOCATION OF BUILDING/PREMISE

House Number: 25801 Street: Frederick Rd

Town/City: Clarksburg Nearest Cross Street: Hyattstown Mill Rd

Lot: _____ Block: _____ Subdivision: _____

Lot: 10246 Folio: .241 Parcel: 3

PART ONE: TYPE OF PERMIT ACTION AND USE

IA. CHECK ALL APPLICABLE:

- Construct
- Extend
- Alter/renovate
- Move
- Install
- Wreck/tear
- Revision
- Repair
- Revocable

CHECK ALL APPLICABLE:

- A/C
- Slat
- Room Addition
- Porch
- Deck
- Shed
- Solar
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Wall (complete Section 4)
- Other: Parking Lot

1B. Construction cost estimate: \$ 35,000

1C. If this is a revision of a previously approved active permit, see Permit # N/A

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

7A. Type of sewage disposal: 01 WSSC 02 Septic 03 Other: _____

7D. Type of water supply: 01 WSSC 02 Well 03 Other: _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ feet _____ inches N/A

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.

Jeff Gross Signature of owner or authorized agent Date: 8-28-03

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: 317197 Date Filed: 8-29-03 Date Issued: _____

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

1. WRITTEN DESCRIPTION OF PROJECT

- a. Description of existing structure(s) and environmental setting, including their historical features and significance:
2 Story brick firehouse, circa 1945, existing black top parking lot on the south + east sides (rear) New firehouse on rear lot circa 1996, with concrete driveway to Hyattstown Mill Rd
- b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:
Black top to be extended from existing lot to concrete driveway. Grass is to be removed. No trees on site.

2. SITE PLAN

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

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

3. PLANS AND ELEVATIONS

Not required for this work

You must submit 2 copies of plans and elevations in a folder 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

6" asphalt on top of 6" aggregate base

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

None on site

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

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

For ALL projects, provide an accurate list of adjacent and adjoining 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. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301)779-1355).

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

HAWP APPLICATION: MAILING ADDRESSES FOR NOTICING [Owner, Owner's Agent, Adjacent and Confronting Property Owners]	
Owner's mailing address	Owner's Agent's mailing address
Hyatt Recreation, Inc 15019 Hyattstown Mill Rd Clarksburg, MD 20871	
Adjacent and confronting Property Owners mailing addresses	
Hot Springs 25811 Frederick Rd Clarksburg, MD 20871 owner: Joe Mahoney	Hyattstown VFD 25801 Frederick Rd Clarksburg, MD 20871
MNCPPC - Little Bennett Regional Park 23701 Frederick Rd Clarksburg, MD 20871	Cliff Hill 15015 Hyattstown Mill Rd Clarksburg, MD 20871

g:addresses: noticing table



HYATTSTOWN VOLUNTEER FIRE DEPARTMENT, INC.

Serving our Community since 1929

(301) 972-3398, (301) 831-8248

FAX: (301) 831-8901

E-Mail: hvfd@accessa.net

25801 Frederick Road

Clarksburg, Maryland 20871

Public Meetings Scheduled at the HVFD Banquet Hall

11/02/04 – Montgomery County Board of Elections
Presidential General Election

03/02/04 – Montgomery County Board of Elections
Presidential Primary Election

10/14/03 – Councilmember Mike Knapp hosting town hall

Past Meetings Held at the HVFD Banquet Hall

Delegate Jean Cryor – Public Road Safety Meeting

Montgomery County Board of Elections – Public Polling Facility

Clarksburg Civic Association – Monthly Public Meetings

Timber Ridge Homeowner's Association – Association Meetings

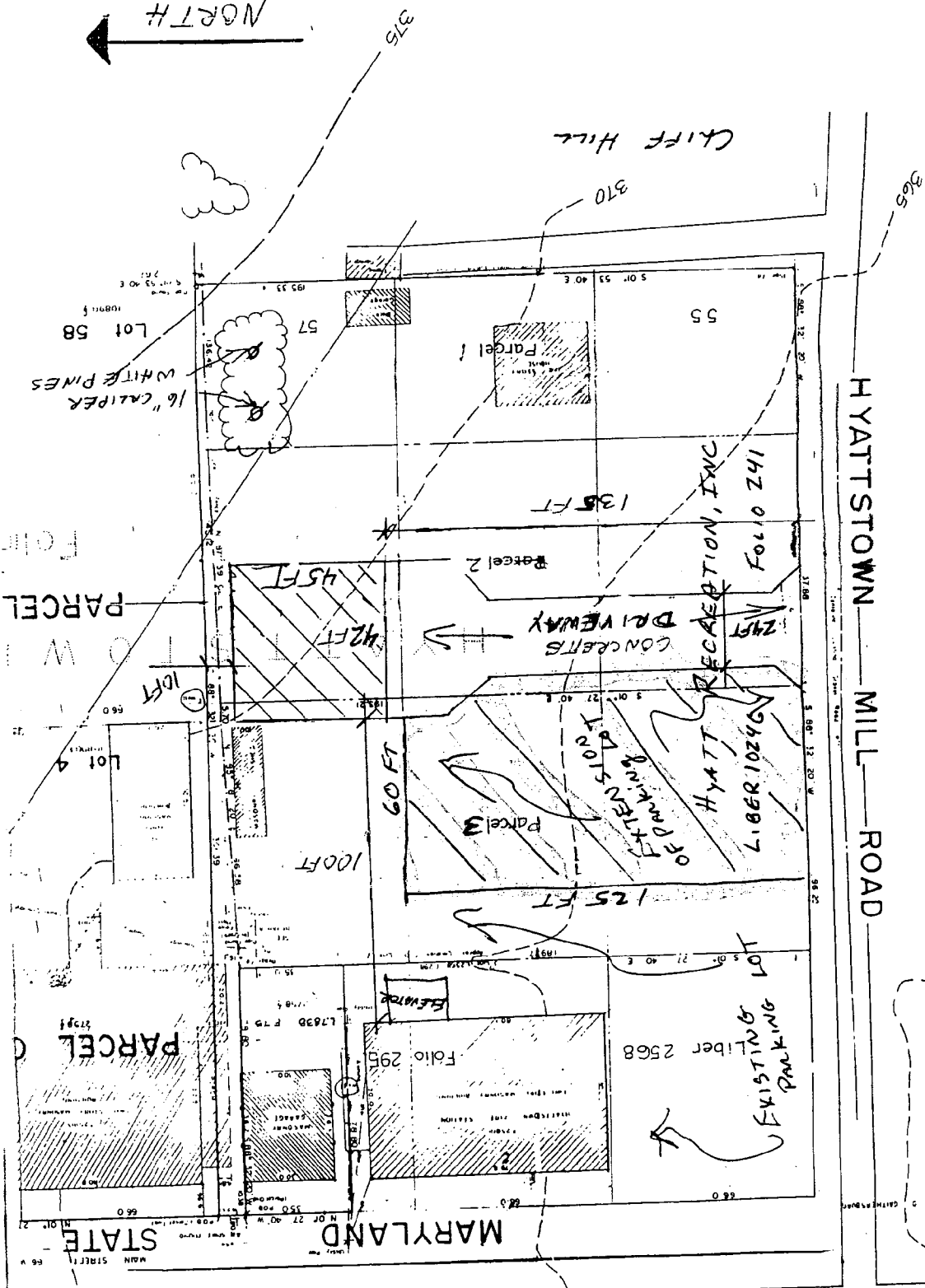
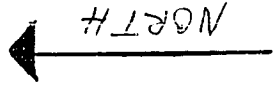
Maryland Search Teams Task Force – Annual SAR Exercise

Welch Company, Inc. – Annual Employee Insurance Meetings
Annual Employee CPR Training

Weekly Bingo Fundraiser – Appx 95 players per week

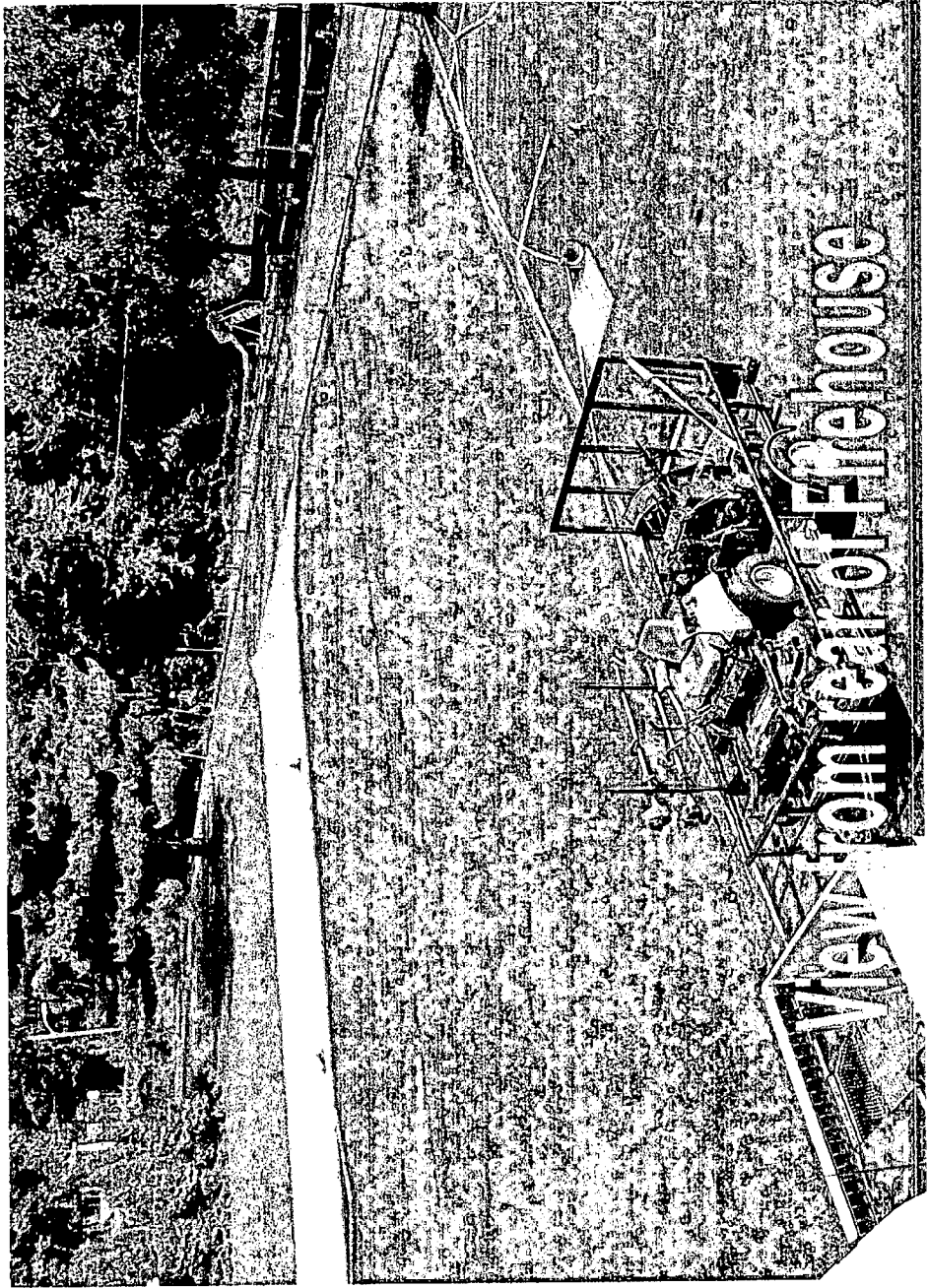
2/20/96

SCALE: 1" = 30'

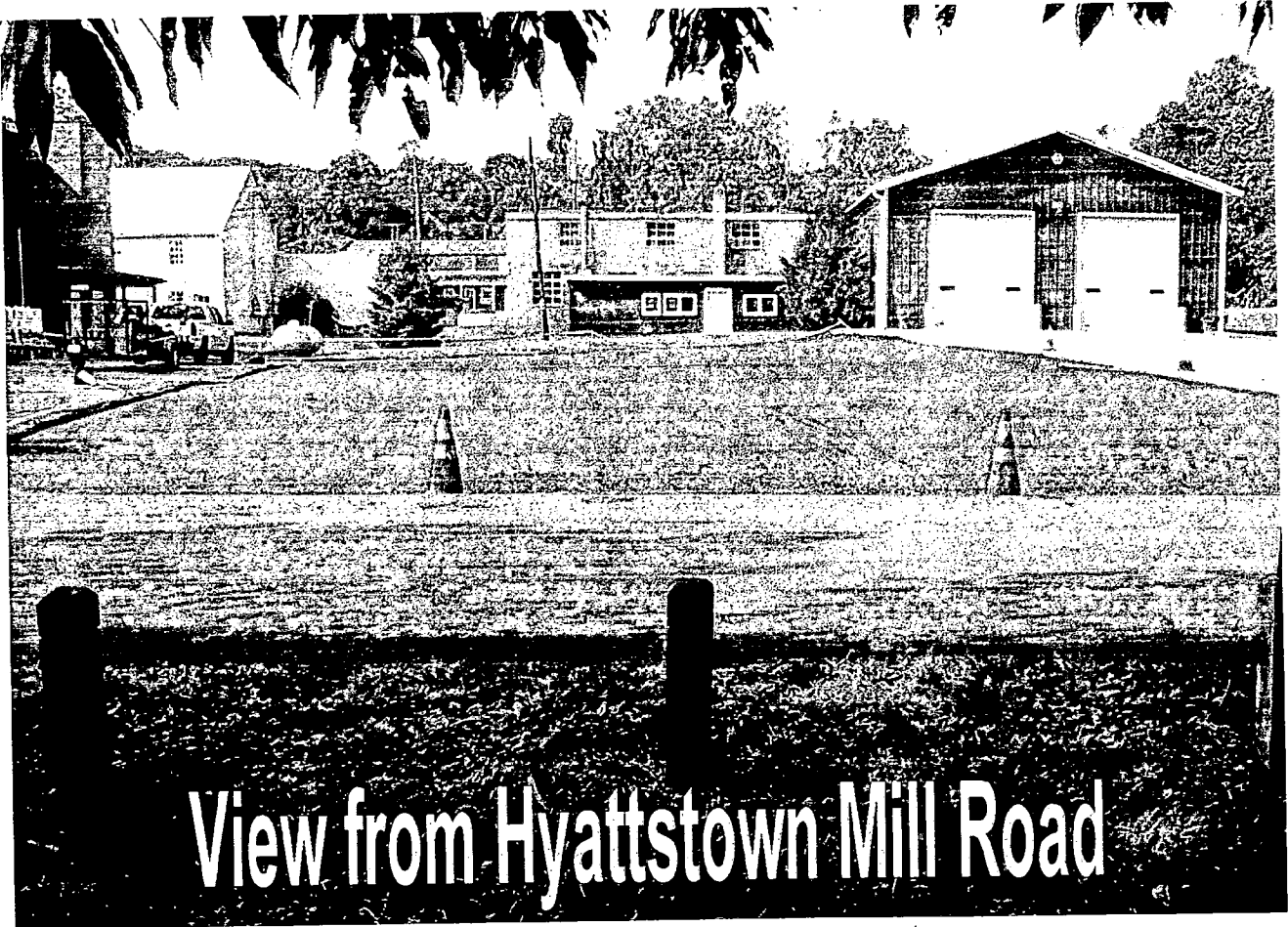


HYATTSTOWN MILL ROAD

LITTLE BENNETT REGIONAL PARK



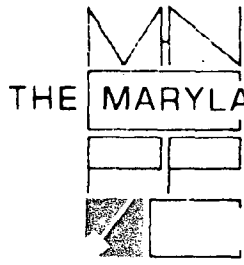
View from rear of Fishhouse



View from Hyattstown Mill Road



View from apron of the New Firehouse



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

MEMORANDUM – September 8, 2003

TO: Historic Area Work Permit Applicant

FROM: Michele Naru, Historic Preservation Planner
Corri Jimenez, Historic Preservation Planner
Anne Fothergill, Historic Preservation Planner
Historic Preservation Section
M-NCPPC

SUBJECT: Historic Preservation Commission Review

Your Historic Area Work Permit (HAWP) has been scheduled for the next meeting of the Montgomery County Historic Preservation Commission, as noted on the enclosed agenda. The agenda is also mailed to the adjacent property owners you listed in your application and is published as a legal notice in the Montgomery County Journal. Some historic districts have established Local Advisory Panels. LAPs receive a copy of your entire application and may comment on it.

During the coming week, we will review your application and may call you or your representative for additional information, if necessary. We will also be visiting your property to study it and to take slide photographs for the Commission's meeting. The slides would illustrate the portion of your property that you propose to alter. If you would like us to make arrangements with you prior to our photographing the exterior of your property, please call our office as soon as possible at 301-563-3400.

You will receive a copy of the staff report in the mail. The HPC votes on each HAWP application at its public meeting. Your signed application and drawings are returned to the Department of Permitting Services (DPS) in Rockville within two business days. You will receive two pieces of paper in the mail: a signed copy of your HAWP application from this office, and a computer-generated Historic Area Work Permit from DPS. The Historic Area Work Permit is proof that your plans have been approved by the HPC and must be presented at DPS in order to proceed with obtaining a county building permit. For further information on DPS application requirements for a county building permit, please call the building permit office in Rockville directly at 240-777-6200.

If you have questions regarding either the HPC's review procedures for your pending case or historic preservation matters in general, please call our office at 301-563-3400.

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION

301-563-3400

WEDNESDAY

September 24, 2003

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MRO AUDITORIUM

8787 GEORGIA AVENUE

SILVER SPRING, MARYLAND 20910

PLEASE NOTE: The HPC agenda is subject to change any time after printing or during the commission meeting. Please contact the Historic Preservation Commission at the number above to obtain current information. If your application is included on this agenda, you or your representative is expected to attend.

- I. HPC WORKSESSION - 7:00 p.m. in Third Floor Conference Room
- II. MASTER PLAN FOR HISTORIC PRESERVATION EVALUATION - 7:30 p.m. in MRO Auditorium.
 - A. Public hearing and worksession to formulate recommendations to the Planning Board on the potential addition of the **Francis C. Brown House at 5004 River Road, Bethesda**, to the *Locational Atlas* - sponsored by the Green Acres/ Glen Cove Citizens Association.
 - B. Public hearing and worksession to formulate recommendations to the Planning Board on the potential addition of the house at **8501 Woodhaven Blvd, Bethesda**, to the *Locational Atlas* - sponsored by Jackie Sincore and Jamie Donelan.

PLEASE NOTE: PUBLIC TESTIMONY WILL BE LIMITED TO ONE HOUR FOR THE ABOVE ITEMS, WITH A MAXIMUM OF 30 MINUTES ALLOCATED PER ITEM.
- III. HISTORIC AREA WORK PERMITS - 8:45 p.m. in MRO Auditorium.
 - A. Peter and Gene Asmuth for rehabilitation of existing front stoop at 5810 Cedar Parkway, Chevy Chase (HPC Case No. 35/13-03S)(Chevy Chase Village Historic District).
 - B. Al Carr for door and shutter replacement at 3904 Washington Street, Kensington (HPC Case No. 31/06-03J)(Kensington Historic District).
 - C. Constance Mayer for shed addition at 7311 Piney Branch Road, Takoma Park (HPC Case No. 37/03-03II)(Takoma Park Historic District).
 - D. Matt Zimmer for repair and restoration to existing front porch at 7213 Holly Avenue, Takoma Park (HPC Case No. 37/03-03JJ)(Takoma Park Historic District).

- E. Raymond and Lois Weisman for small, front facade addition at 3926 Prospect Street, Kensington (HPC Case No. 31/06-03K)(Kensington Historic District).
- F. Frederick Millhiser and Jane Lawrence for tree removal at 7704 Takoma Avenue, Takoma Park (HPC Case No. 37/03-03KK)(Takoma Park Historic District).
- G. Stewart Bainum for basketball court installation at 12 Primrose Street, Chevy Chase (HPC Case No. 35/13-03T)(Chevy Chase Village Historic District).
- H. Michael Fistere for garage demolition and reconstruction at 12 W. Irving Street, Chevy Chase (HPC Case No. 35/13-03O **REVISION/RETROACTIVE**)(Chevy Chase Village Historic District).
- I. Renata Gould for an addition at 9904 Colesville Road, Silver Spring (HPC Case No. 32/05-03A) (Polychrome Historic District).
- J. Hyatt Recreation Inc. (Jeff Gross, Agent) for parking lot expansion at 15019 Hyattstown Mill Road, Hyattstown (HPC Case No. 10/59-03A **RETROACTIVE**)(Hyattstown Historic District).
- K. Soraya Karmand (Jesse Sese, AIA) for alterations at 12312 Riding Fields Road, Rockville (HPC Case No. 25/08-03A **RETROACTIVE**) (Master Plan Site #25/08, **Mount Prospect**).

IV. MINUTES

- A. August 13, 2003

V. OTHER BUSINESS

- A. Commission Items
- B. Staff Items

VI. ADJOURNMENT

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IV. MINUTES

- A. August 13, 2003

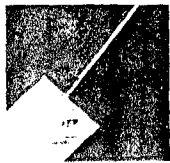
V. OTHER BUSINESS

- A. Commission Items
- B. Staff Items

VI. ADJOURNMENT

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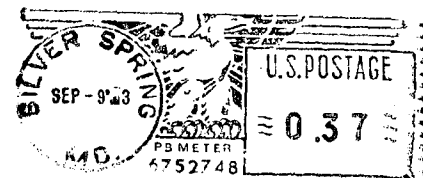
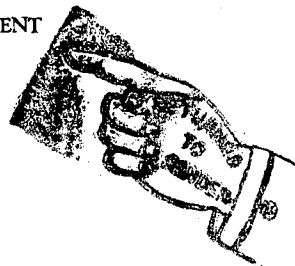
M-NCPPC



MONTGOMERY COUNTY DEPARTMENT
OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760



II. J. Hyatt Recreation, Inc
15019 Hyattstown Mill Road
Clarksburg, MD 20871

Handwritten: m m m
NO MAIL BOX



HISTORIC PRESERVATION COMMISSION

of

MONTGOMERY COUNTY

**8787 Georgia Avenue
Silver Spring, Maryland 20910**

301-563-3400

Case No. 10/59-03A (Retroactive) Received August 29, 2003

Public Appearance September 24, 2003

Before the Montgomery County Historic Preservation Commission

Application of Hyatt Recreation Inc.
15019 Hyattstown Mill Road, Clarksburg

DECISION AND OPINION OF THE COMMISSION

Decision of the Commission: DENY the Applicant's proposal to enlarge the size of their existing parking lot.

Commission Motion: At the September 24, 2003 meeting of the Historic Preservation Commission, Commissioner Harbit presented a motion to deny a proposed Retroactive Historic Area Work Permit application to enlarge the size of the existing parking lot behind the Hyattstown Volunteer Fire Department building. Commissioner O'Malley seconded the motion. Commissioners Velasquez, Harbit, Breslin, O'Malley, Anahtar, Fuller, and Burstyn voted in favor of the motion. Commissioner Williams and Watkins voted against the motion. The motion passed 7-2.

BACKGROUND:

The following terms are defined in Section 24A-2 of the Code:

Appurtenances and environmental setting: The entire parcel, as of the date on which the historic resource is designated on the master plan, and structures thereon, on which is located an historic resource, unless reduced by the District Council or the commission, and to which it relates physically and/or visually. Appurtenances and environmental settings shall include, but not be limited to, walkways and driveways (whether paved or not), vegetation (including trees, gardens, lawns), rocks, pasture, cropland and waterways.

Commission: The historic preservation commission of Montgomery County, Maryland.

Director: The director of the department of permitting services of Montgomery County, Maryland or his designee.

Exterior features: The architectural style, design and general arrangement of the exterior of an historic resource, including the color, nature and texture of building materials, and the type and style of all windows, doors, light fixtures, signs or other similar items found on or related to the exterior of an historic resource.

Historic District: A group of historic resources which are significant as a cohesive unit and contribute to the historical, architectural, archeological or cultural values within the Maryland-Washington Regional District and which has been so designated in the master plan for historic preservation.

Historic Resource: A district, site, building, structure or object, including its appurtenances and environmental setting, which is significant in national, state or local history, architecture, archeology or culture.

Retroactive: Work completed before being considered by the Commission and/or before receiving a Historic Area Work Permit.

On August 29, 2003 Hyatt Recreation Inc., with Jeff Gross as their agent, completed a retroactive application for a Historic Area Work Permit (HAWP) to enlarge the size of their existing parking lot.

The parking lot expansion was completed prior to August 25, 2003 and before being reviewed by the Commission. A stop work order and notice of violation was issued to the contractor on site by Department of Permitting Services inspector, Pete Hrycak, on August 25, 2003.

15019 Hyattstown Mill Road is an Out-of-Period Resource within the Commercial Core of the Hyattstown Historic District designated on the Master Plan For Historic Preservation in Montgomery County in 1986.

EVIDENCE IN THE RECORD:

A written staff recommendation on this case was prepared and sent to the Commission on September 17, 2003. At the September 24, 2003 HPC meeting, staff person, Michele Naru, showed a PowerPoint presentation with photographs of the site illustrating the before and after construction conditions and presented an oral report on the staff recommendation. Staff recommended the parking lot expansion be denied.

The staff's specific concerns were:

1. The increase in the size of the parking lot negatively impacts the environmental

setting and landscape of the historic district. The introduction of paving in this existing green space, directly contradicts the “rear-lot greenspace” model identified as a goal in both the “Vision of Hyattstown, A Long Range Preservation Plan” document and the Clarksburg Master Plan/Hyattstown Special Study Area Plan. These documents give a high priority to retention of back lot open space and green space, as this gives the community its integrity as a unique late 18th and early 19th century linear town.

2. The massive amount of lot coverage the parking lot utilizes is out of character with the Hyattstown Historic District. The proposed parking lot adds an additional 3,240 square feet of paving onto an already large, paved lot.
3. The site, at the entrance to both the Hyattstown Historic District and Little Bennett Regional Park, is an important visual gateway. Paving over the entire property in asphalt is an inappropriate treatment for the rural historic area.

The applicant’s agent, Jeff Gross, attended the meeting.

Jeff Gross testified that the Hyattstown Fire Department and its corporation, Hyatt Recreation Inc., have been doing business in Hyattstown since 1929. Mr. Gross indicated that the corporation’s charter from the State allows for fire and rescue services, the operation of fundraising events, and the improvement of their property and buildings as needed to provide these services. Mr. Gross further explained that State of Maryland Delegate Jean Cryor, Maryland Department of Transportation, Montgomery County Board of Elections, Councilmember Mike Knapp, and former Councilmember Nancy Dacek have all regularly used the firehouse’s facilities for their community meetings and functions. Additionally, Mr. Gross explained, several non-profit organizations such as Timber Ridge HOA, Maryland Search Teams Task Force, and the Clarksburg Community Association hold their meetings and functions in the subject facilities. Mr. Gross also noted that the Fire Department is required to do training exercises on a regular basis. He explained that the asphalt area being proposed would provide a location not only for event parking, but also for driver training, and set-up and checkouts for the rescue vehicles.

Commissioner Harbit questioned the applicant on the reasons the subject HAWP application was being presented as a retroactive, given that the agent, Mr. Gross, has come to the Commission on several occasions in the past and had knowledge that a HAWP was required.

Mr. Gross testified that he was not involved with this project due to his work schedule this past summer.

Commissioner Harbit further stated that the Commission’s task when reviewing retroactive HAWP applications is to examine them as if the work had not already been completed. If the work is determined to not be consistent with the historic district, then the applicant would be required to undo the work that was completed without prior review.

Commissioner Fuller added that he concurred with Commissioner Harbit’s statements. He also expressed frustration with this case where the applicant has been through the HAWP application process before and knew that they should have come to the Commission prior to the commencement of work on the subject project. Additionally, Commissioner Fuller noted that not only did the

applicant fail to receive a HAWP application, they also failed to get a County building permit or waivers for sediment control and storm water management. Finally, Commissioner Fuller questioned the intended use of the parking lot for heavy-duty fire trucks. He noted that the six inches asphalt and six inches of aggregate base is not sufficient to withstand the load of heavy trucks. Commissioner Fuller expressed his desire for the applicant to return to the Commission with an application for a proposed parking lot, which retained more greenspace.

Mr. Gross responded to Commissioner Fuller's comments by reminding the Commission that the fire station is located within the Commercial Core of the Historic District. He also stated that there are other commercial properties within this Core that have asphalt from front to back on their lots. He further noted that his contractor has guaranteed that the existing asphalt to aggregate ratio is sufficient for carrying the weight of over 63,000 pound trucks.

Commissioner Watkins testified that the fire station serves an important function in the community. She expressed that the Commission should look at the functions of the community over greenspace. She noted that landscape features could be provided to help mitigate the visual impact of the needed pavement. She further expressed that the Commission should take into consideration that the parking lot proposal is not for a restaurant or a shopping center, but for a fire station, an important part of the community.

Commissioner Burstyn expressed concern over the applicant's use of public money for this project. He additionally wanted information on the contractor's contract with the owner, questioning whether the contract specified that the contractor would be required to obtain all necessary permits for the project.

Mr. Gross replied that the contractor was not required to obtain the needed permits as part of his contract with the applicants.

Commissioner Harbit made the motion to deny the Historic Area Work Permit for Case 10/59-03A. Commissioner O'Malley seconded the motion. Commissioners Velasquez, Harbit, Breslin, O'Malley, Anahtar, Fuller, and Burstyn voted in favor of the motion. Commissioner Williams and Watkins voted against the motion. The motion passed 7-2.

The commission did agree that they would like the applicant to work with staff to develop a new HAWP application focusing on mitigating the visual impact of current proposal through the use of landscaping.

CRITERIA FOR APPROVAL AND FINDINGS OF THE COMMISSION:

The work in question in this case needed a Historic Area Work Permit under the following sections of the law:

Section 24A-6(a)2 provides that:

Performing any grading, excavating, construction or substantially modifying, changing or altering the environmental setting of a historic site or a historic resource located within a

historic district.

Section 24A-6(c)2 provides that:

Any person who shall undertake any work as stated in subsection (a) of this section without first obtaining a historic area work permit shall be subject to the penalties established in section 24A-11.

Section 24A-11 provides that:

Any person who violates a provision of this chapter, or fails to comply with any of the requirements thereof, or disobeys or disregards a decision of the Commission, or fails to abide by the conditions of a permit, shall be subject to punishment for a class A violation as set forth in section 1-19 of chapter 1 of the County Code. Each day a violation continues to exist shall constitute a separate offense. (Ord. No. 9-4, 1; 1983 L.M.C., ch. 22 28; Ord. No. 11-59.)

The criteria which the Commission must evaluate in determining whether to deny a Historic Area Work Permit application are found in Section 24A-8(a) of the Montgomery County Code, 1984, as amended.

Section 24A-8(a) provides that:

The Commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate or inconsistent with, or detrimental to the preservation enhancement or ultimate protection of the historic site, or historic resource within an historic district, and to the purposes of this chapter.

In analyzing whether the criteria for issuance of a Historic Area Work Permit have been met, the Commission also evaluates the evidence in the record in light of the Amendment to the Approved and Adopted Master Plan for Historic Preservation in Montgomery County, Maryland - Hyattstown Historic District and the "Vision of Hyattstown, A Long Range Preservation Plan" document .

The Commission also evaluates the evidence in light of generally accepted principles of historic preservation, including the Secretary of the Interior's Standards for Rehabilitation and Guidelines, adopted in the Commission's Executive Regulations on November 4, 1997. In particular Standards #2, and #9 are applicable in this case:

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

Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be

compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Based on this, the Commission finds that:

1. The proposed asphalt parking lot is inconsistent with the environmental setting and historic character of the Hyattstown Historic District.
2. The amount of and the nature of paving proposed in this application, with no landscaping or buffering, is out of character with the rural nature of the Hyattstown area and Little Bennett Regional Park.
3. The proposal for the enlargement of the existing parking lot constitutes changes that specifically impair the existing environmental settings, streetscape and patterns of open space that contribute to the historic character of the Hyattstown Historic District as a whole.

CONCLUSION:

The Commission was guided in its decision by Chapter 24A, by the Amendment to the Approved and Adopted Master Plan for Historic Preservation in Montgomery County, Maryland, - Hyattstown Historic District, by the "Vision of Hyattstown, A Long Range Preservation Plan" document, and by the Secretary of the Interior's Standards for Rehabilitation.

\ Based on the evidence in the record and the Commission's findings, as required by Section 24A-8(a) of the Montgomery County Code, 1984, as amended, the Commission must **deny** the application of Hyatt Recreation Inc. for a Retroactive Historic Area Work Permit (HAWP) to enlarge their existing parking lot at 15019 Hyattstown Mill Road in the Hyattstown Historic District.

If any party is aggrieved by the decision of the Commission, pursuant to Section 24A-7(h) of the Montgomery County Code, an appeal may be filed within thirty (30) days with the Board of Appeals, which will review the Commission's decision de novo. The Board of Appeals has full and exclusive authority to hear and decide all appeals taken from the decision of the Commission. The Board of Appeals has the authority to affirm, modify, or reverse the order or decision of the Commission.



Susan Velasquez, Chairperson
Montgomery County
Historic Preservation Commission

11/3/03
Date



RETURN TO: DEPARTMENT OF PERMITTING SERVICES
288 ROCKVILLE PIKE, 2ND FLOOR, ROCKVILLE, MD 20850
202/777-9370

DPS - #0

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

RECEIVED

AUG 29 2003

Division of
Casework Management

Contact Person: Jeff Gross
Daytime Phone No.: 443-250-0020

Tax Account No.: 52-1768572

Name of Property Owner: Hyatt Recreation, Inc Daytime Phone No.: 301-831-8248

Address: 15019 Hyattstown Mill Rd Clarksburg MD 20871
Street Number City State Zip Code

Contractor: Richard F Kline, Inc Phone No.: 301-667-8211

Contractor Registration No.: unknown

Agent for Owner: N/A Daytime Phone No.: _____

Address: _____

LOCATION OF BUILDING/PREMISE

House Number: 25801 Street: Frederick Rd

Town/City: Clarksburg Nearest Cross Street: Hyattstown Mill Rd

Lot: _____ Block: _____ Subdivision: _____

Libert: 10246 Folio: .241 Parcel: 3

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- Construct
- Extend
- Alter/renovate
- Move
- Install
- Wreck/flare
- Revision
- Repair
- Revocable

CHECK ALL APPLICABLE:

- A/C
- Stair
- Room Addition
- Porch
- Deck
- Shed
- Solar
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Wall (complete Section 4)
- Other: Parking Lot

1B. Construction cost estimate: \$ 35,000

1C. If this is a revision of a previously approved active permit, see Permit # N/A

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 N/A

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.

Jeff Gross
Signature of owner or authorized agent

8-28-03
Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: 317197 Date Filed: 8-29-03 Date Issued: _____

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

1. WRITTEN DESCRIPTION OF PROJECT

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

2 Story brick firehouse, circa 1945, existing black top parking lot on the south + east sides (rear) New firehouse on rear lot circa 1996, with concrete driveway to Hyattstown Mill Rd

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

Black top to be extended from existing lot to concrete driveway Grass is to be removed. No trees on site.

2. SITE PLAN

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

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

3. PLANS AND ELEVATIONS

Not required for this work

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on B (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

6" Asphalt on top of 6" aggregate base

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

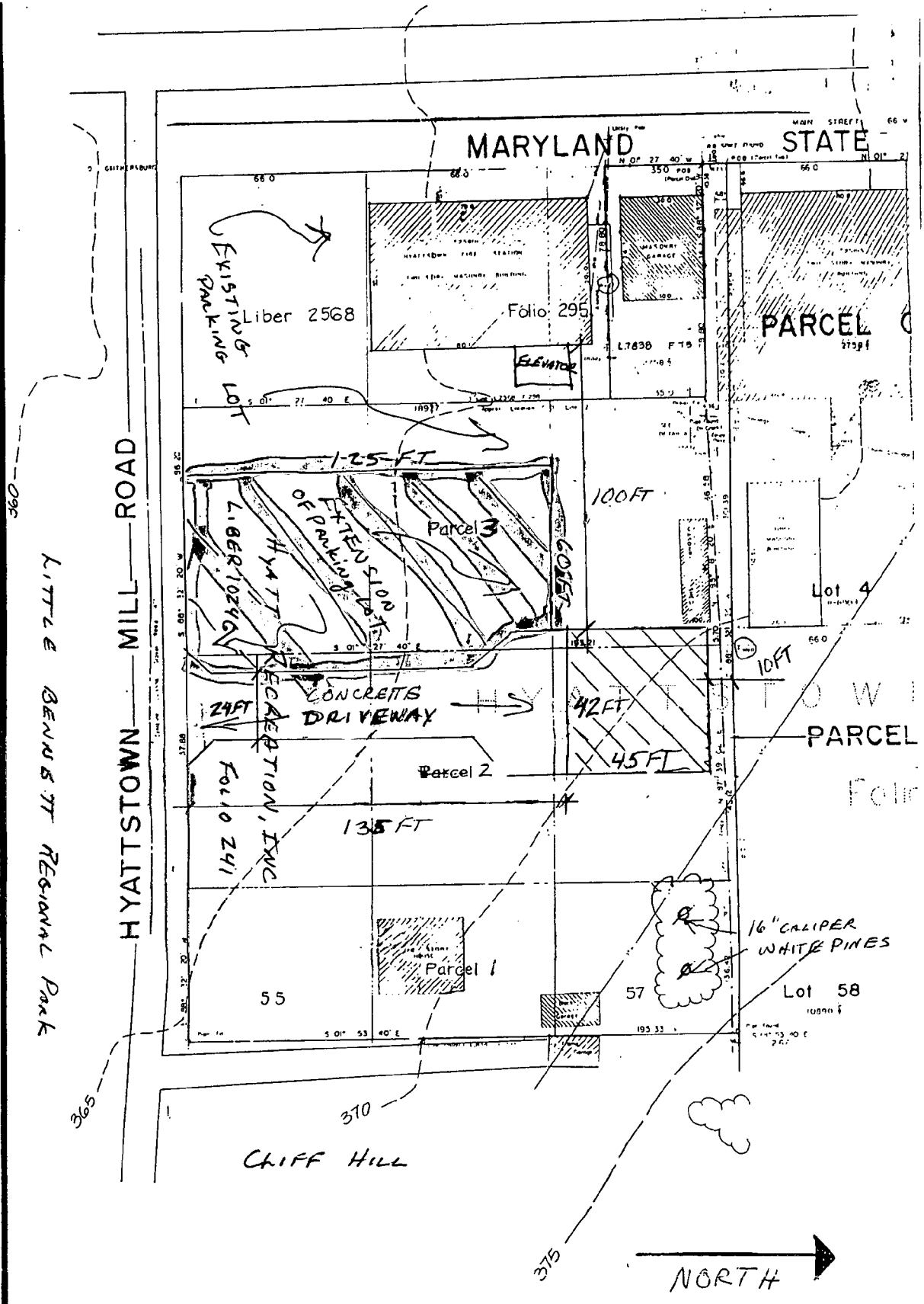
None on site

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

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301)770-1355).

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



MARYLAND STATE

HYATTSTOWN MILL ROAD

LITTLE DENNIS TOWN REGIONAL PARK

EXISTING PARKING LOT

Liber 2568

Folio 295

PARCEL 4

EXTENSION OF PARKING LOT

Parcel 3

100 FT

Lot 4

CONCRETE DRIVEWAY

Parcel 2

42 FT

45 FT

TOWN PARCEL

Folio

Folio 241

HYATT RECEPTION, INC

135 FT

Parcel 1

16" CALIPER WHITE PINES

55

57

Lot 58

CHIFF HILL

NORTH

SCALE: 1" = 30'

2/20/96

HAWP APPLICATION: MAILING ADDRESSES FOR NOTICING [Owner, Owner's Agent, Adjacent and Confronting Property Owners]	
Owner's mailing address Hyatt Recreation, Inc 15019 Hyattstown Mill Rd Clarksburg, MD 20871	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	
Hot Springs 25811 Frederick Rd Clarksburg, MD 20871 Owner: Joe Mahoney	Hyattstown VFD 25801 Frederick Rd Clarksburg, MD 20871
MNCPPC - Little Bennett Regional Park 23701 Frederick Rd Clarksburg, MD 20871	Cliff Hill 15015 Hyattstown Mill Rd Clarksburg, MD 20871

g:\addresses\noticing table



HYATTSTOWN VOLUNTEER FIRE DEPARTMENT, INC.

Serving our Community since 1929

(301) 972-3398, (301) 831-8248

FAX: (301) 831-8901

E-Mail: hvfd@accessa.net

25801 Frederick Road

Clarksburg, Maryland 20871

Public Meetings Scheduled at the HVFD Banquet Hall

11/02/04 – Montgomery County Board of Elections
Presidential General Election

03/02/04 – Montgomery County Board of Elections
Presidential Primary Election

10/14/03 – Councilmember Mike Knapp hosting town hall

Past Meetings Held at the HVFD Banquet Hall

Delegate Jean Cryor – Public Road Safety Meeting

Montgomery County Board of Elections – Public Polling Facility

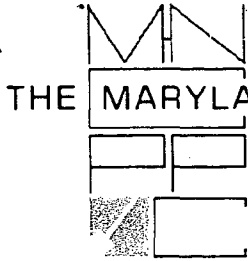
Clarksburg Civic Association – Monthly Public Meetings

Timber Ridge Homeowner's Association – Association Meetings

Maryland Search Teams Task Force – Annual SAR Exercise

Welch Company, Inc. – Annual Employee Insurance Meetings
Annual Employee CPR Training

Weekly Bingo Fundraiser – Appx 95 players per week



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

FAX TRANSMITTAL SHEET

Historic Preservation Office
Department of Park & Planning

Telephone Number: (301) 563-3400

Fax Number: (301)-563-3412

TO: Jeff Jones FAX NUMBER: 301 831 8901

FROM: Michele Nam

DATE: 8/26/03

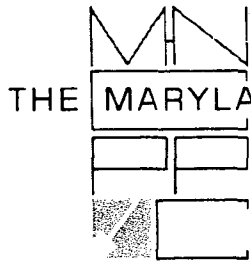
NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 6

NOTE:

Historic Area Work Permit Application -
Please Fill out & return to DPS
(address @ top of application) before
Sept 3rd - to be included on
the HPC's Sept 24th agenda -

Thanks -

Michele



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

FAX TRANSMITTAL SHEET

Historic Preservation Office
Department of Park & Planning

Telephone Number: (301) 563-3400

Fax Number: (301)-563-3412

TO: Jeff Groues FAX NUMBER: 301 831 890
FROM: M. Nam
DATE: 9/23/03
NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 12

NOTE:

Staff report was returned
to office -
Please ensure that
a rep from ~~the office~~ ^{fire station} is at
tomorrow eve's public
hearing -
Thanks

Vote - 7/2 Watkins
Williams

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 15019 Hyattstown Mill Road, Clarksburg **Meeting Date:** 09/24/03
Resource: Hyattstown Historic District **Report Date:** 09/17/03
Review: HAWP **Public Notice:** 09/10/03
Case Number: 10/59-03A RETROACTIVE **Tax Credit:** None
Applicant: Hyatt Recreation Inc. (Jeff Gross, Agent) **Staff:** Michele Naru

PROPOSAL: Parking Lot Expansion **RECOMMEND:** Denial

~~ENGINEERING?~~
~~LANDSCAPING?~~ ~~BUILDING~~
~~WATER RUN OFF?~~ ~~PERMITS? WAIVER?~~
~~NOT DESIGNED FOR FIRE TRUCKS?~~

PROJECT HISTORY

The applicant began construction of the parking lot expansion in early August without an approved HAWP application. A stop work order and violation was issued to the contractor on site by the HPC's inspector, Pete Hrycak, on August 25, 2003.

PROJECT DESCRIPTION

SIGNIFICANCE: Contemporary Resource in Hyattstown Historic District.
STYLE: Twentieth Century Brick Firehouse
DATE: 1945

This two-story brick fire station is located within the Commercial Core of the historic district. The building is set upon a concrete foundation, is covered with a hanger type roof featuring end walls with stepped parapets. The walls are CMU block with a brick veneer. The HPC reviewed and approved in September of 1999, the constructions of an exterior elevator tower and machine room at the rear of the fire station.

The Hyattstown Fire Department occupies Lots P1 and P3 within the historic district. The aforementioned building and existing parking lot are located on P1, and a Morton building with a concrete driveway measuring 24' wide by 135' long is located on P3 (approved by HPC March 1996).

PROPOSAL:

The applicant proposes to expand the existing fire station parking lot. The applicants desire to fill in the space between the existing side/rear fire station lot and the existing 135' long by 24' wide concrete driveway, which fronts the Morton building (See circles 8 - 11).

STAFF INFORMATION

The Hyattstown Historic District was established in March 1986 when the County Council adopted an Amendment to the *Montgomery County Master Plan for Historic Preservation*. This district is architecturally significant as one of the largest cohesive concentrations of late 18th and early 19th century buildings in the County.

Critical elements, or character-defining features, of the district were identified by the approved an adopted *Vision of Hyattstown: A Long-Range Preservation Plan*. The *Vision* is directed by the Executive Regulations, which were approved by the County Council, to use this plan when considering changes and alterations to the Kensington Historic District. These character-defining features include: 1) **building setbacks**, 2) **rhythm of spacing between buildings**, 3) **geographic and landscape features**, 4) scale and building height, 5) directional expression of buildings, 4) roof forms and materials, 5) porches, 6) dominant building material, 7) integrity of form, building condition and threats, 8) outbuildings, 9) architectural style.

The Hyattstown Historic District has elements beyond individual historic buildings, which contribute to the historic setting of the district. In particular, the intimate town-like character along Frederick Road is the result of the relatively short setback distances of houses and commercial buildings from the road, the relatively close spacing of buildings from each other, the significant rear “greenspace” and the tree canopy established by mature trees on either side of the street.

STAFF DISCUSSION

This application for a HAWP is coming to the Commission retroactively. Staff notes that the potential expenses being incurred due to the stop work order could have been eliminated if the applicant would have followed the law and applied for this permit prior to installing the proposed pavement.

The HPC considers alterations to contemporary resources for their impact on the overall streetscape and environmental setting of the historic district. Although the building is not a primary or secondary resource, the property does contribute to the landscape of the historic district.

Staff’s objections to this proposal are as follows:

1. The installation of approximately 3,240 sq ft of paving onto an already “maxed-out” lot.
2. The introduction of paving in this green space, directly contradicts the “rear-lot greenspace” model which gives the town its integrity as a unique late 18th and early 19th century linear town, with significant back lot open space.

Staff is asking the Commission to look at this project as if it is not a retroactive case. Staff generally feels that the proposal creates a major impact to the environmental setting of the historic district. The firehouse and its associated buildings are located at the gateway of the

historic district. Driving northward into the historic district on Frederick Road, these two lots are the first lots one views as they cross the bridge over the river and into the historic district. The removal of 3, 240 SF of greenspace on this property will create a significant impact to the environmental setting of the historic district, since it eliminates most of the open space on both of these lots. The new firehouse (Morton) building was approved by the HPC in 1996, has in staff's opinion, already stretched the limits of maintaining the cohesiveness of the setbacks and rear open-space.

Staff is recommending that the applicant be required to remove the proposed parking lot in its entirety.

The Friends of Hyattstown have not responded to this HAWP application at the time this report was being prepared.

STAFF RECOMMENDATION

Staff recommends that the Commission deny the HAWP application as it is not being consistent with Chapter 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,

nor with the Secretary of the Interior Guidelines #2 and #9:

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.

New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.



DPS - #0

JIT

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

RECEIVED

1009 29 2003

Division of
Casework Management

Contact Person: Jeff Gross
Daytime Phone No.: 443-250-0020

Tax Account No.: 52-1768572

Name of Property Owner: Hyatt Recreation, Inc Daytime Phone No.: 301-831-8248

Address: 15019 Hyattstown Mill Rd Clarksburg MD 20871

Contractor: Richard F Kline, Inc Phone No.: 301-667-8211

Contractor Registration No.: Unknown

Agent for Owner: N/A Daytime Phone No.: _____

Address: _____

LOCATION OF BUILDING/PREMISE

House Number: 25801 Street: Frederick Rd

Town/City: Clarksburg Nearest Cross Street: Hyattstown Mill Rd

Lot: _____ Block: _____ Subdivision: _____

Lot: 10246 Folio: .241 Parcel: 3

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- Construct
- Extend
- Alter/Reconstruct
- Move
- Install
- Wreck/Plaze
- Revision
- Repair
- Revocable

CHECK ALL APPLICABLE:

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

1B. Construction cost estimate: \$ 35,000.00

1C. If this is a revision of a previously approved active permit, see Permit # N/A

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 N/A

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.

Jeff Gross
Signature of owner or authorized agent

8-28-03
Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: 317197 Date Filed: 8-29-03 Date Issued: _____

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

1. WRITTEN DESCRIPTION OF PROJECT

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

A 1 story brick firehouse, circa 1945, existing black top parking lot on the south + east sides (rear). New firehouse on rear lot circa 1994, with concrete driveway to Hyattstown Mill Rd

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

Black top to be extended from existing lot to concrete driveway. Grass is to be removed. No trees on site.

2. SITE PLAN

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

- a. the scale, north arrow, and date;
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3. PLANS AND ELEVATIONS

Not required for this work

You must submit 2 copies of plans and elevations in a legible format. Plans on 8 1/2" x 11" paper are preferred.

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4. MATERIALS SPECIFICATIONS

6" asphalt on top of 6" aggregate base

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.

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None on site

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7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301)779-1355.

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

HAWP APPLICATION: MAILING ADDRESSES FOR NOTICING [Owner, Owner's Agent, Adjacent and Confronting Property Owners]	
Owner's mailing address Hyatt Recreation, Inc 15019 Hyattstown Mill Rd Clarksburg, MD 20871	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	
Hot Springs 25811 Frederick Rd Clarksburg, MD 20871 owner: Joe Mahoney	Hyattstown VFD 25801 Frederick Rd Clarksburg, MD 20871
MNCPRC - Little Bennett Regional Park 23701 Frederick Rd Clarksburg, MD 20871	Cliff Hill 15015 Hyattstown Mill Rd Clarksburg, MD 20871

g:\addresses\noticing table



HYATTSTOWN VOLUNTEER FIRE DEPARTMENT, INC.

Serving our Community since 1929

(301) 972-3398, (301) 831-8248

FAX: (301) 831-8901

E-Mail: hvfd@accessa.net

25801 Frederick Road

Clarksburg, Maryland 20871

Public Meetings Scheduled at the HVFD Banquet Hall

11/02/04 – Montgomery County Board of Elections
Presidential General Election

03/02/04 – Montgomery County Board of Elections
Presidential Primary Election

10/14/03 – Councilmember Mike Knapp hosting town hall

Past Meetings Held at the HVFD Banquet Hall

Delegate Jean Cryor – Public Road Safety Meeting

Montgomery County Board of Elections – Public Polling Facility

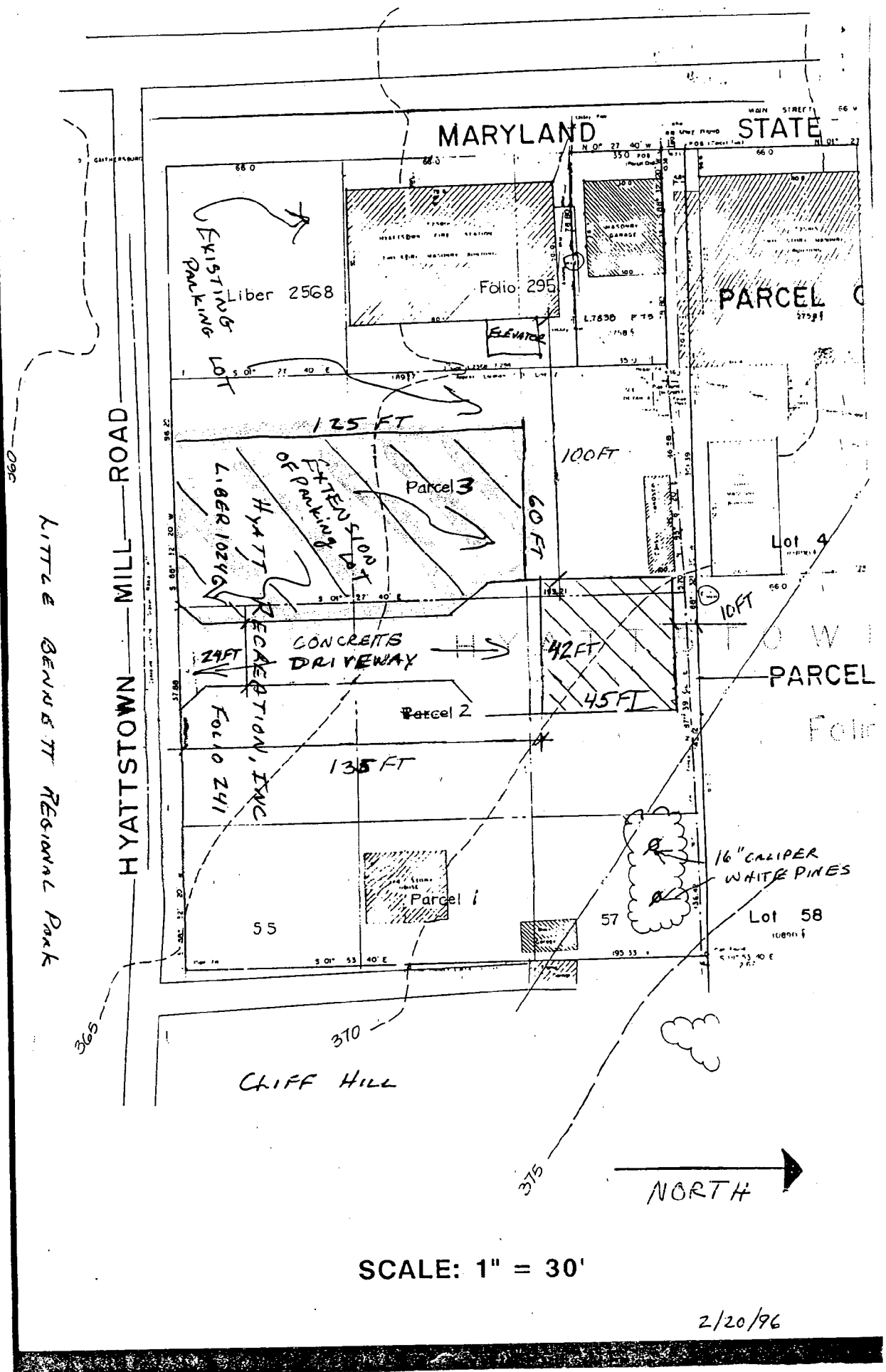
Clarksburg Civic Association – Monthly Public Meetings

Timber Ridge Homeowner's Association – Association Meetings

Maryland Search Teams Task Force – Annual SAR Exercise

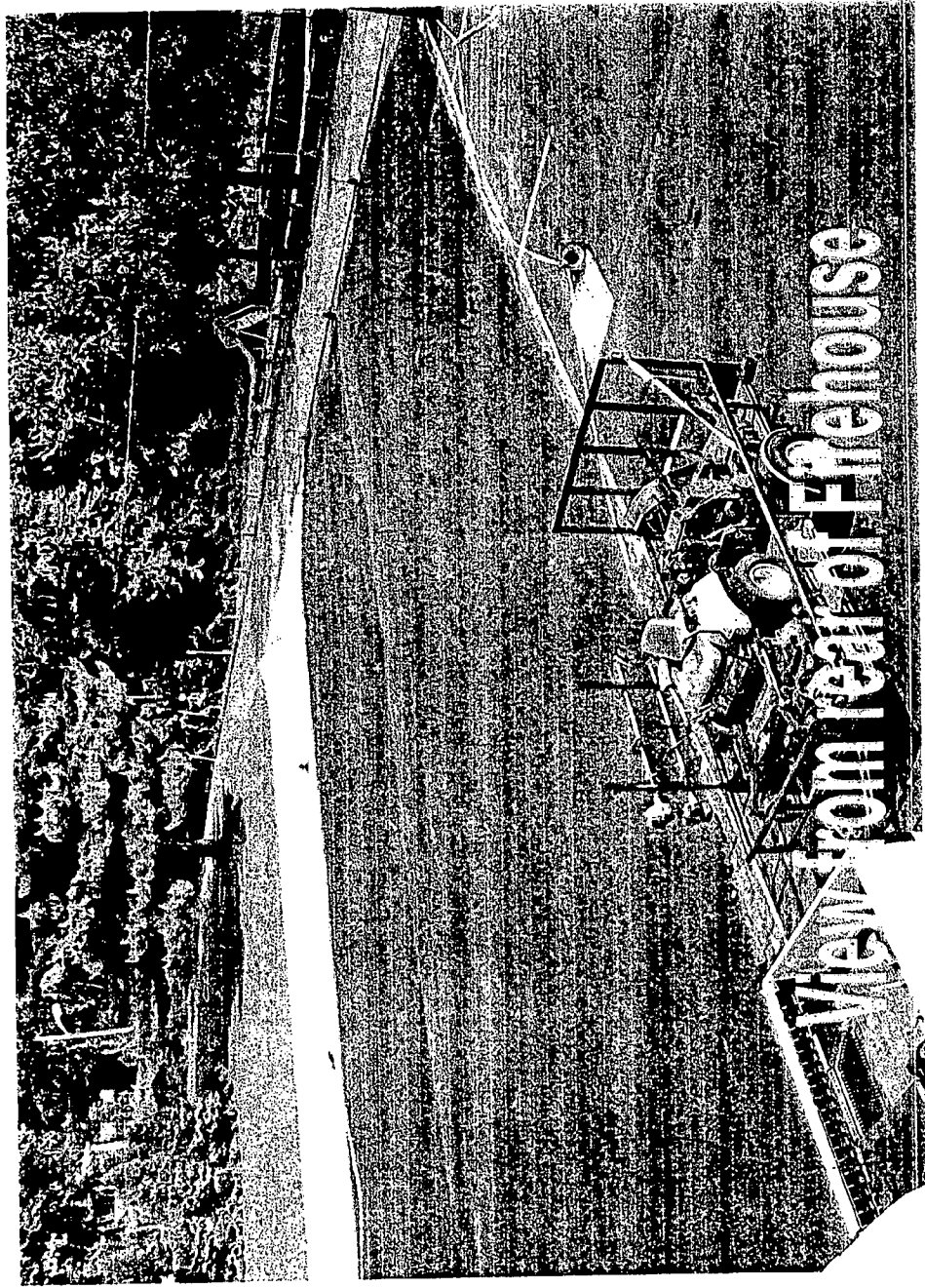
Welch Company, Inc. – Annual Employee Insurance Meetings
Annual Employee CPR Training

Weekly Bingo Fundraiser – Appx 95 players per week

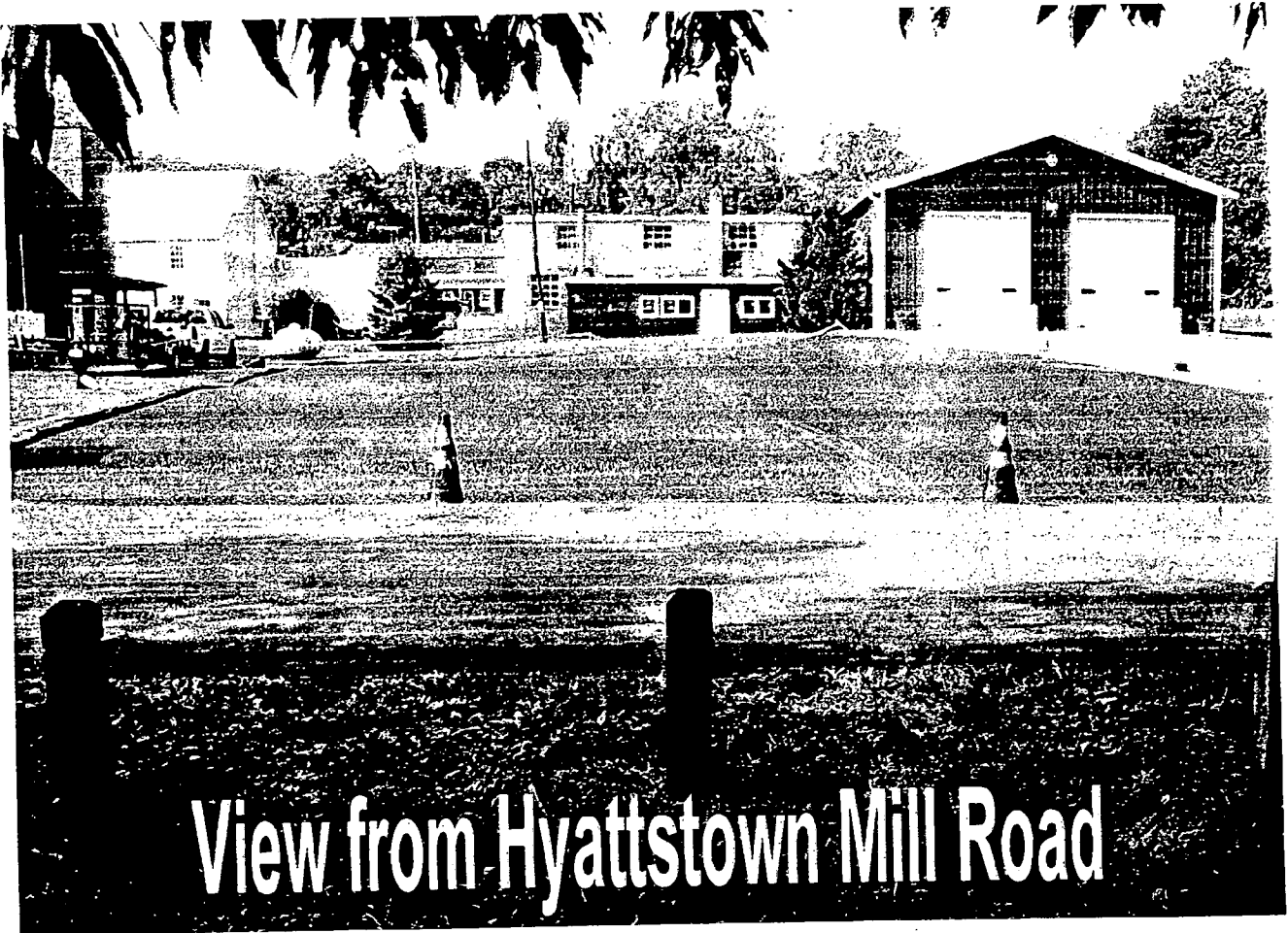


SCALE: 1" = 30'

2/20/96



View from rear of Firehouse



View from Hyattstown Mill Road



View from apron of the New Firehouse

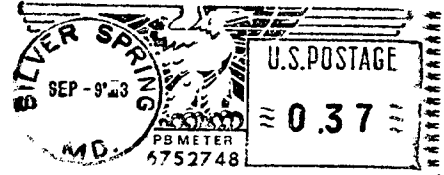
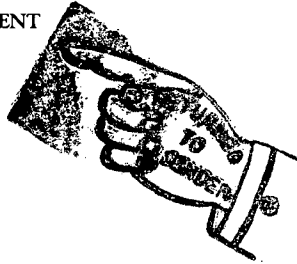
M-NCPPC



MONTGOMERY COUNTY DEPARTMENT
OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

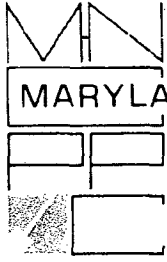
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760



II. J Hyatt Recreation, Inc
15019 Hyattstown Mill Road
Clarksburg, MD 20871

mm
~~NO MAIL BOX~~

20871-3604



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

FAX TRANSMITTAL SHEET

Historic Preservation Office
Department of Park & Planning

Telephone Number: (301) 563-3400

Fax Number: (301)-563-3412

TO: Jeff Jones FAX NUMBER: 301 831 8901
FROM: Michele Narni
DATE: 9-15-03

NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 4

NOTE:

This agenda was returned
to our office due to no
mail box - -
please have a rep. from
the purchase attend mtg.
Thanks

June 22nd, 2005

rear addition

@ 15019 H. Meerd.

& landscaping @
parking lot.

10/59-05C
Retno.

Oaks, Michele

From: Oaks, Michele
Sent: Monday, October 16, 2006 1:14 PM
To: 'cmahady@lsassociates.net'
Subject: Hyattstown Fire Station Info

Carole,

After you left I found the information you needed on my computer. See attached.



062205_HY_REGHy15019HyattstownMi HPC June 22
attstownMillRd.... llRd.HY.HAWPD... 05.doc

Michele

Michele Oaks, Senior Planner
Historic Preservation Section
Montgomery County Department of Planning
Maryland-National Capital Park and Planning Commission
1109 Spring Street, Suite 801
Silver Spring, MD 20910
(301) 563-3400 (phone)
(301) 563-3412 (fax)
michele.oaks@mncppc-mc.org
www.mc-mncppc.org

Carole Mahady
Loiderman Soltesz & Assoc
2 Research Pl
#100
Rockville, MD 20850

T 301-948-2750

F 301-948-9067

Cmahady@

lsassociates.net

per net

6/22/05

staff report
approval

& transcript

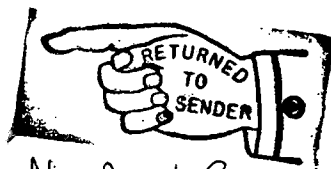
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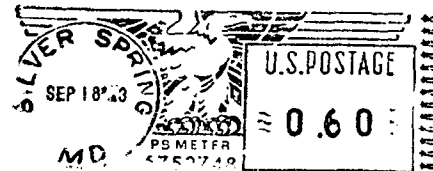
MONTGOMERY COUNTY DEPARTMENT
OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
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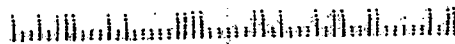
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II. J Hyatt Recreation, Inc
5019 Hyattstown Mill Road
Clarksburg, MD 20871

W M R

20910/3760



MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION

301-563-3400

**WEDNESDAY
September 24, 2003**

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MRO AUDITORIUM
8787 GEORGIA AVENUE
SILVER SPRING, MARYLAND 20910

PLEASE NOTE: The HPC agenda is subject to change any time after printing or during the commission meeting. Please contact the Historic Preservation Commission at the number above to obtain current information. If your application is included on this agenda, you or your representative is expected to attend.

- I. HPC WORKSESSION - 7:00 p.m. in Third Floor Conference Room
- II. MASTER PLAN FOR HISTORIC PRESERVATION EVALUATION – 7:30 p.m. in MRO Auditorium.
 - A. Public hearing and worksession to formulate recommendations to the Planning Board on the potential addition of the **Francis C. Brown House at 5004 River Road, Bethesda**, to the *Locational Atlas* - sponsored by the Green Acres/ Glen Cove Citizens Association.
 - B. Public hearing and worksession to formulate recommendations to the Planning Board on the potential addition of the house at **8501 Woodhaven Blvd, Bethesda**, to the *Locational Atlas* – sponsored by Jackie Sincore and Jamie Donelan.

PLEASE NOTE: PUBLIC TESTIMONY WILL BE LIMITED TO ONE HOUR FOR THE ABOVE ITEMS, WITH A MAXIMUM OF 30 MINUTES ALLOCATED PER ITEM.
- III. HISTORIC AREA WORK PERMITS - 8:45 p.m. in MRO Auditorium.
 - A. Peter and Gene Asmuth for rehabilitation of existing front stoop at 5810 Cedar Parkway, Chevy Chase (HPC Case No. 35/13-03S)(Chevy Chase Village Historic District).
 - B. Al Carr for door and shutter replacement at 3904 Washington Street, Kensington (HPC Case No. 31/06-03J)(Kensington Historic District).
 - C. Constance Mayer for shed addition at 7311 Piney Branch Road, Takoma Park (HPC Case No. 37/03-03II)(Takoma Park Historic District).
 - D. Matt Zimmer for repair and restoration to existing front porch at 7213 Holly Avenue, Takoma Park (HPC Case No. 37/03-03JJ)(Takoma Park Historic District).

- E. Raymond and Lois Weisman for small, front facade addition at 3926 Prospect Street, Kensington (HPC Case No. 31/06-03K)(Kensington Historic District).
- F. Frederick Millhiser and Jane Lawrence for tree removal at 7704 Takoma Avenue, Takoma Park (HPC Case No. 37/03-03KK)(Takoma Park Historic District).
- G. Stewart Bainum for basketball court installation at 12 Primrose Street, Chevy Chase (HPC Case No. 35/13-03T)(Chevy Chase Village Historic District).
- H. Michael Fistere for garage demolition and reconstruction at 12 W. Irving Street, Chevy Chase (HPC Case No. 35/13-03O **REVISION/RETROACTIVE**)(Chevy Chase Village Historic District).
- I. Renata Gould for an addition at 9904 Colesville Road, Silver Spring (HPC Case No. 32/05-03A) (Polychrome Historic District).
- J. Hyatt Recreation Inc. (Jeff Gross, Agent) for parking lot expansion at 15019 Hyattstown Mill Road, Hyattstown (HPC Case No. 10/59-03A **RETROACTIVE**)(Hyattstown Historic District).
- K. Soraya Karmand (Jesse Sese, AIA) for alterations at 12312 Riding Fields Road, Rockville (HPC Case No. 25/08-03A **RETROACTIVE**) (Master Plan Site #25/08, **Mount Prospect**).

IV. MINUTES

- A. August 13, 2003

V. OTHER BUSINESS

- A. Commission Items
- B. Staff Items

VI. ADJOURNMENT

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HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:	15019 Hyattstown Mill Road, Clarksburg	Meeting Date:	09/24/03
Resource:	Hyattstown Historic District	Report Date:	09/17/03
Review:	HAWP	Public Notice:	09/10/03
Case Number:	10/59-03A RETROACTIVE	Tax Credit:	None
Applicant:	Hyatt Recreation Inc. (Jeff Gross, Agent)	Staff:	Michele Naru
PROPOSAL:	Parking Lot Expansion	RECOMMEND:	Denial

PROJECT HISTORY

The applicant began construction of the parking lot expansion in early August without an approved HAWP application. A stop work order and violation was issued to the contractor on site by the HPC's inspector, Pete Hrycak, on August 25, 2003.

PROJECT DESCRIPTION

SIGNIFICANCE: Contemporary Resource in Hyattstown Historic District.
STYLE: Twentieth Century Brick Firehouse
DATE: 1945

This two-story brick fire station is located within the Commercial Core of the historic district. The building is set upon a concrete foundation, is covered with a hanger type roof featuring end walls with stepped parapets. The walls are CMU block with a brick veneer. The HPC reviewed and approved in September of 1999, the constructions of an exterior elevator tower and machine room at the rear of the fire station.

The Hyattstown Fire Department occupies Lots P1 and P3 within the historic district. The aforementioned building and existing parking lot are located on P1, and a Morton building with a concrete driveway measuring 24' wide by 135' long is located on P3 (approved by HPC March 1996).

PROPOSAL:

The applicant proposes to expand the existing fire station parking lot. The applicants desire to fill in the space between the existing side/rear fire station lot and the existing 135' long by 24' wide concrete driveway, which fronts the Morton building (See circles **8 - 11**).

STAFF INFORMATION

The Hyattstown Historic District was established in March 1986 when the County Council adopted an Amendment to the *Montgomery County Master Plan for Historic Preservation*. This district is architecturally significant as one of the largest cohesive concentrations of late 18th and early 19th century buildings in the County.

Critical elements, or character-defining features, of the district were identified by the approved an adopted *Vision of Hyattstown: A Long-Range Preservation Plan*. The *Vision* is directed by the Executive Regulations, which were approved by the County Council, to use this plan when considering changes and alterations to the Kensington Historic District. These character-defining features include: 1) **building setbacks**, 2) **rhythm of spacing between buildings**, 3) **geographic and landscape features**, 4) scale and building height, 5) directional expression of buildings, 4) roof forms and materials, 5) porches, 6) dominant building material, 7) integrity of form, building condition and threats, 8) outbuildings, 9) architectural style.

The Hyattstown Historic District has elements beyond individual historic buildings, which contribute to the historic setting of the district. In particular, the intimate town-like character along Frederick Road is the result of the relatively short setback distances of houses and commercial buildings from the road, the relatively close spacing of buildings from each other, the significant rear “greenspace” and the tree canopy established by mature trees on either side of the street.

STAFF DISCUSSION

This application for a HAWP is coming to the Commission retroactively. Staff notes that the potential expenses being incurred due to the stop work order could have been eliminated if the applicant would have followed the law and applied for this permit prior to installing the proposed pavement.

The HPC considers alterations to contemporary resources for their impact on the overall streetscape and environmental setting of the historic district. Although the building is not a primary or secondary resource, the property does contribute to the landscape of the historic district.

Staff’s objections to this proposal are as follows:

1. The installation of approximately 3,240 sq ft of paving onto an already “maxed-out” lot.
2. The introduction of paving in this green space, directly contradicts the “ rear-lot greenspace” model which gives the town its integrity as a unique late 18th and early 19th century linear town, with significant back lot open space.

Staff is asking the Commission to look at this project as if it is not a retroactive case. Staff generally feels that the proposal creates a major impact to the environmental setting of the historic district. The firehouse and its associated buildings are located at the gateway of the

historic district. Driving northward into the historic district on Frederick Road, these two lots are the first lots one views as they cross the bridge over the river and into the historic district. The removal of 3, 240 SF of greenspace on this property will create a significant impact to the environmental setting of the historic district, since it eliminates most of the open space on both of these lots. The new firehouse (Morton) building was approved by the HPC in 1996, has in staff's opinion, already stretched the limits of maintaining the cohesiveness of the setbacks and rear open-space.

Staff is recommending that the applicant be required to remove the proposed parking lot in its entirety.

The Friends of Hyattstown have not responded to this HAWP application at the time this report was being prepared.

STAFF RECOMMENDATION

Staff recommends that the Commission deny the HAWP application as it is not being consistent with Chapter 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,

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DPS - #1

JIT

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

RECEIVED

2003

Division of Casework Management

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Tax Account No.: 52-1768572

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 - Solar
 - Fireplace
 - Woodturning Stove
 - Single Family
 - Fence/Wall (complete Section 4)
 - Other: Parking Lot

1B. Construction cost estimate: \$ 35,000

1C. If this is a revision of a previously approved active permit, see Permit # N/A

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- 3A. Height _____ feet _____ inches N/A
- 3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
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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 of owner or authorized agent: [Signature] Date: 8-28-03

Approved: _____ for Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: 317197 Date Filed: 8-29-03 Date Issued: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

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- c. site features such as walkways, driveways, fences, ponds, screens, trash dumpsters, mechanical equipment, and landscaping.

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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. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301)770-1355.

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

HAWP APPLICATION: MAILING ADDRESSES FOR NOTICING [Owner, Owner's Agent, Adjacent and Confronting Property Owners]	
Owner's mailing address Hyatt Recreation, Inc 15019 Hyattstown Mill Rd Clarksburg, MD 20871	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	
Hot Springs 25811 Frederick Rd Clarksburg, MD 20871 owner: Joe Mahoney	Hyattstown VFD 25801 Frederick Rd Clarksburg, MD 20871
MNCPPC - Little Bennett Regional Park 23701 Frederick Rd Clarksburg, MD 20871	Cliff Hill 15015 Hyattstown Mill Rd Clarksburg, MD 20871

g:addresses: noticing table



HYATTSTOWN VOLUNTEER FIRE DEPARTMENT, INC.

Serving our Community since 1929

(301) 972-3398, (301) 831-8248

FAX: (301) 831-8901

E-Mail: hvfd@accessa.net

25801 Frederick Road

Clarksburg, Maryland 20871

Public Meetings Scheduled at the HVFD Banquet Hall

11/02/04 – Montgomery County Board of Elections
Presidential General Election

03/02/04 – Montgomery County Board of Elections
Presidential Primary Election

10/14/03 – Councilmember Mike Knapp hosting town hall

Past Meetings Held at the HVFD Banquet Hall

Delegate Jean Cryor – Public Road Safety Meeting

Montgomery County Board of Elections – Public Polling Facility

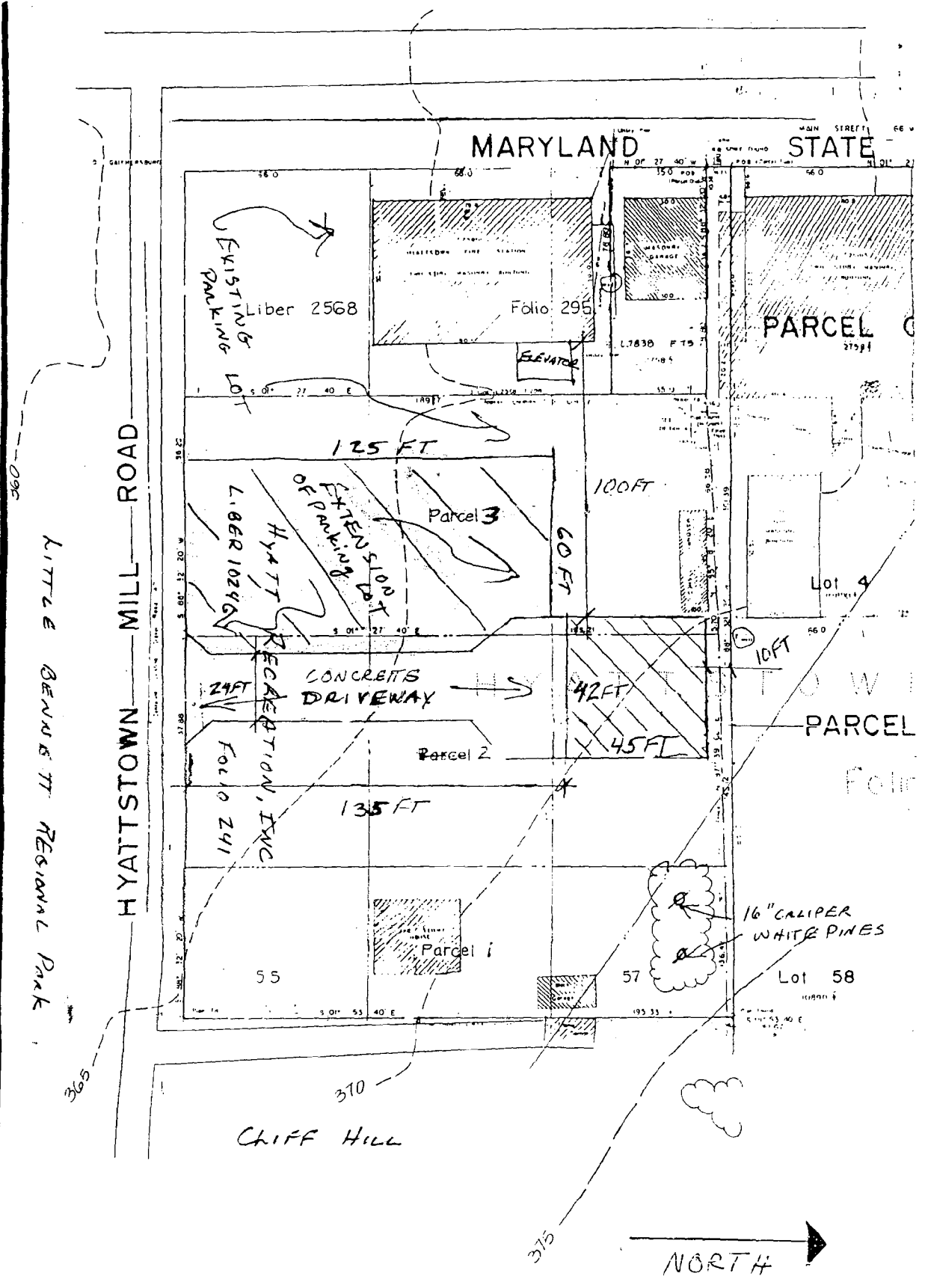
Clarksburg Civic Association – Monthly Public Meetings

Timber Ridge Homeowner's Association – Association Meetings

Maryland Search Teams Task Force – Annual SAR Exercise

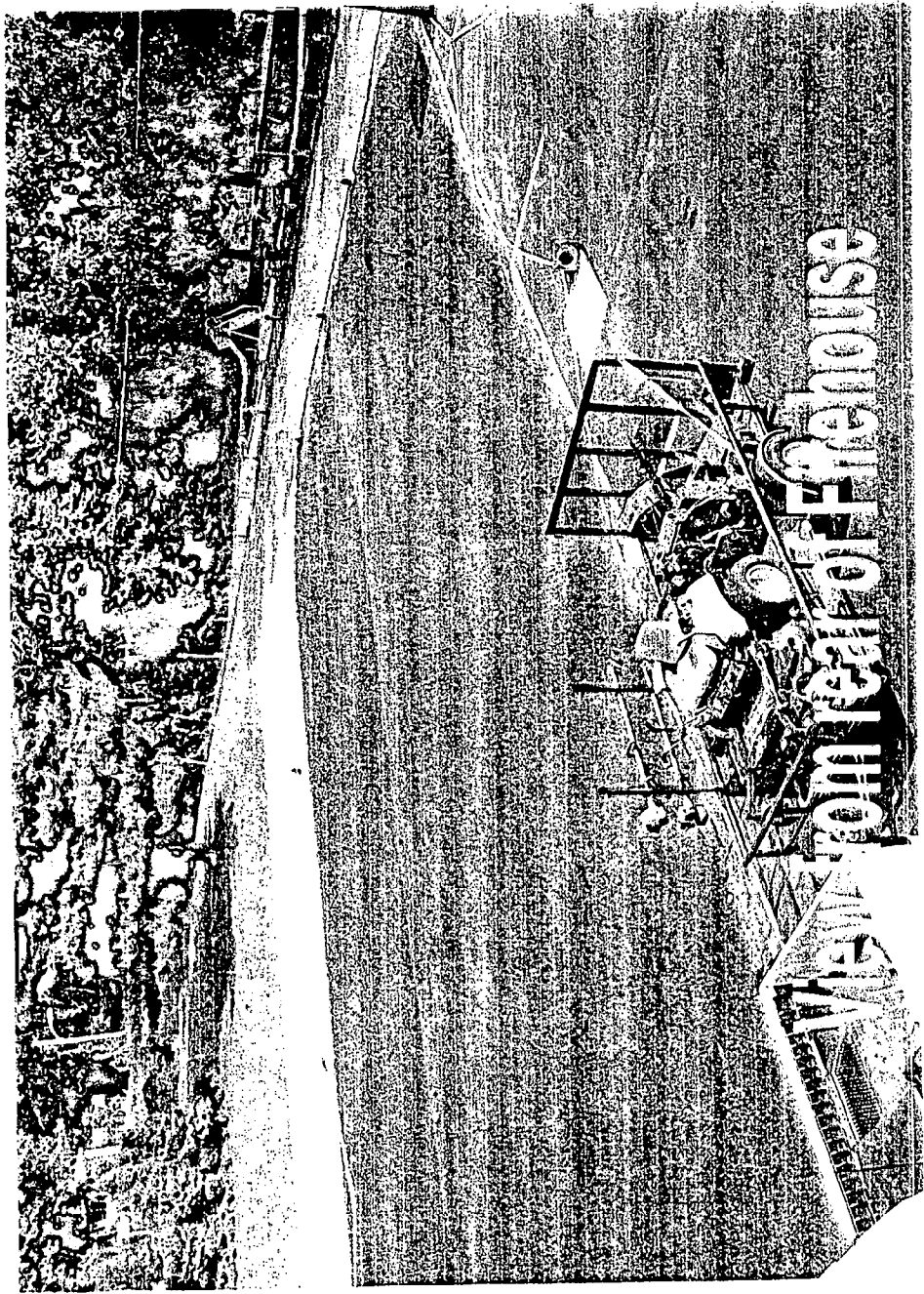
Welch Company, Inc. – Annual Employee Insurance Meetings
Annual Employee CPR Training

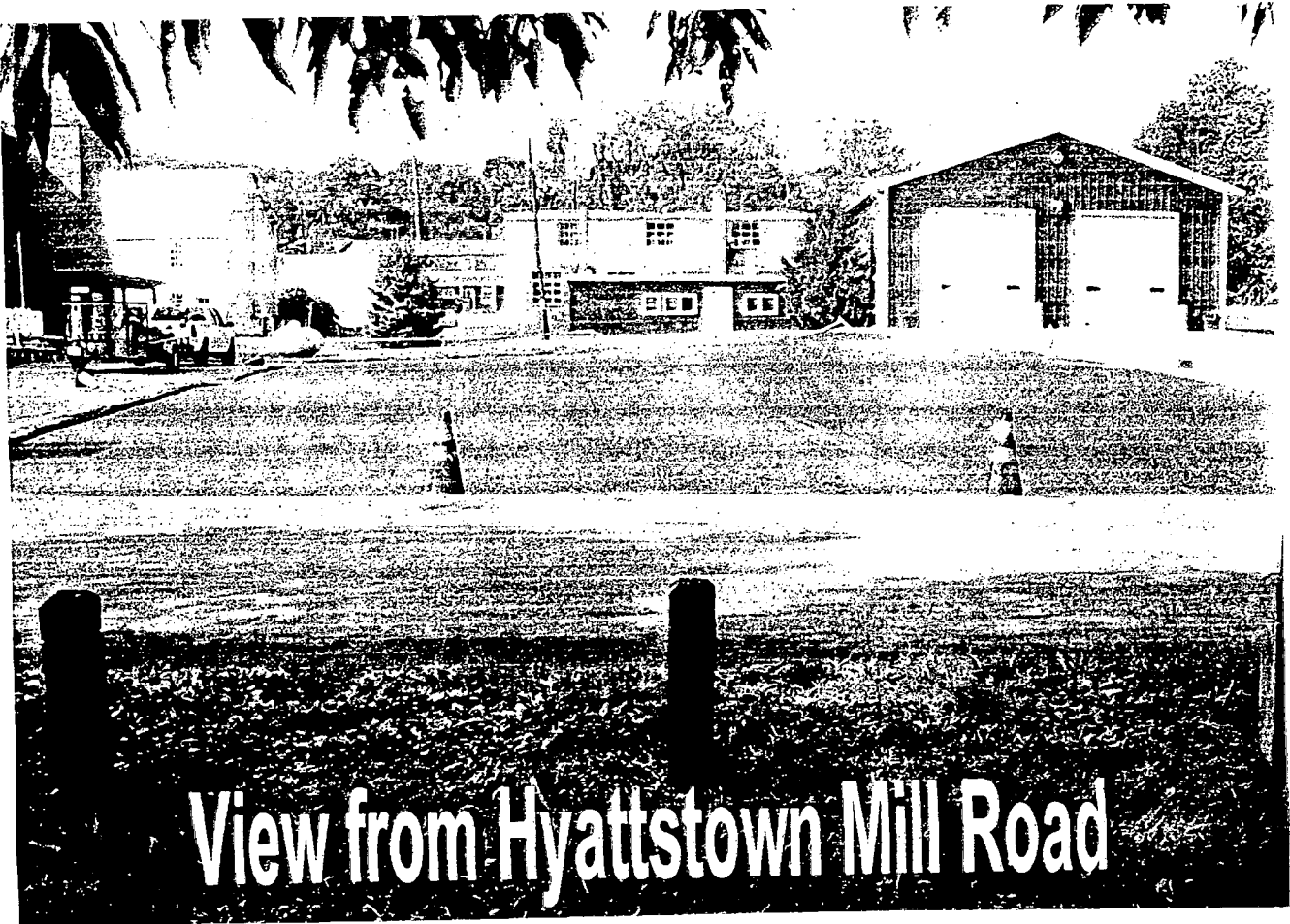
Weekly Bingo Fundraiser – Appx 95 players per week



SCALE: 1" = 30'

2/20/96





View from Hyattstown Mill Road



View from apron of the New Firehouse