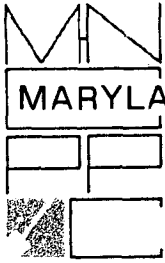


774 Takoma Avenue, Takoma Park
(HPC Case # 37/03-08V)
Takoma Park Historic District



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: Lorraine Pearsall FAX NUMBER: 301.585.2117

FROM: Josh Silver

DATE: 6/13/08

NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 8

NOTE:

Lorraine,
As promised here are the regulations you requested.
Josh

**DEPARTMENT OF HUMAN RESOURCES
CHILD CARE ADMINISTRATION
311 WEST SARATOGA STREET
BALTIMORE, MARYLAND 21201**

DATE: June 11, 1997

CIRCULAR LETTER #: 97-06 Child Care Administration
Replaces Circular Letter #97-01 – Barriers for Swimming Pools and Spas in Child Care Facilities

TO: Regional Managers, Licensing Supervisors, Licensing Specialists, Maryland State Child Care Association Maryland State Family Day Care Association, Maryland Federation of Church Schools

FROM: Linda Heisner, Executive Director
Child Care Administration

RE: Barriers to Protect Children from Life-Threatening Safety Hazards

PROGRAMS AFFECTED: Child Care Centers Family Day Care Homes

ORIGINATING OFFICE: Child Care Administration
Office of Licensing

PURPOSE: Establish a barrier policy to ensure the safety of children in child care facilities.

AUTHORITY: Child Care Center Licensing Regulations
(COMAR 07.04.02.40)
Letters of Compliance Regulations
(COMAR 07.04.05.30)
Family Day Care Regulations
(COMAR 07.04.01.18B and 07.04.01.21C)

ACTION REQUIRED OF: Regional Licensing Staff

REQUIRED ACTION: Discuss requirements for barriers to ensure the safety of children, and inspect for compliance.

EFFECTIVE DATE: July 1, 1997

TECHNICAL ASSISTANCE: Director, Office of Licensing
Child Care Administration
410-767-7805

BACKGROUND:

Supervision of children is the most important element in maintaining the safety of children. However, children often do the unexpected, catching their supervisors off guard. Effective barriers prevent or delay children's access to hazards. There may be many hazards near child care facilities from which children need to be protected.

Swimming pools, spas, and hot tubs located in close proximity to child care facilities are potential sources of injuries and drownings. According to the U.S. Consumer Product Safety Commission (CPSC), an estimated 300 children under five years of age drown each year in residential swimming pools and spas. CPSC estimates that another 2,000 children under five are treated in emergency rooms after submersion accidents yearly. Some of these accidents result in permanent brain damage. According to CPSC, 69% of the children found submerged in water were not expected to be anywhere near the pool or spa.

Swimming pools, spas, and hot tubs are not the only hazards which may be in the vicinity of a child care facility. Other hazards such as high cliffs, bodies of water, heavy machinery, heavy vehicular traffic, train tracks (currently in use), etc. are also life-threatening hazards from which children require protection.

The Model Barrier Code for Residential Swimming Pools, Spa, and Hot Tubs was developed by the National Spa and Pool Institute and is used as the basis for this barrier policy. When the Child Care Administration began to develop a policy to protect children in care from life-threatening hazards other than swimming pools, spas, and hot tubs, a mechanical engineer with CPSC was consulted. It was recommended that the Child Care Administration use the Model Barrier Code for Residential Swimming Pools, Spa, and Hot Tubs as a guide for barriers to protect children from all significant hazards located at or near child care facilities.

PROCEDURES:

With the child care provider, inspect the premises of the child care facility and adjacent areas for potentially life-threatening hazards such as high cliff, bodies of water, swimming pools, hot tubs, spas, heavy vehicular traffic, heavy machinery, train tracks (currently in use), and other hazards. Discuss the seriousness of the hazard, type of barrier needed, and safety precautions. Life-threatening safety hazards must have barriers making them inaccessible to children. Inform child care providers of the following requirements contained in this policy:

- I. **Walls of Fences for Protection From Life-Threatening Hazards** (see Page 5 for illustrations)
If the barrier is a wall or fence, it must make the safety hazard inaccessible to children by completely enclosing the hazard or the children. The wall or fence must meet the following specifications:
 - A. Height - at least 4 feet high.
 - B. Foot- and Hand-Holds - The barrier may not have foot-holds or hand-holds a child could climb.
 1. If the barrier is a chain-link fence, the opening should be no larger than 2¼ inches between parallel sides of the link. (See Figure 3.)
 2. If the barrier is a picket or ornamental fence, it must meet the following specifications:
 - a. Fences with horizontal and vertical members:

Circular Letter CCA #97-06

Page 3 of 5

- (1) Horizontal members must be located on the hazard side of the fence if the distance between the tops of the horizontal members is less than 45 inches. Space between vertical members shall not exceed 1¾ inches. (See Figure 1.)
 - (2) Where the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed 4 inches. (See Figure 2.)
- b. Decorative cutouts shall not exceed 1¾ inches in width.
- C. **Ground Clearance** - The bottom edge of the wall or fence must not be more than 4 inches from the ground.
- D. **Gates and Latches** - The gates in the wall or fence must be self-closing and self-latching. The latches must be inaccessible to young children.
- E. The area against the wall or fence must be kept free of items a child could use to climb over the fence and into the hazard area such as, but not limited to, picnic tables and outdoor furniture.
- F. If the walls of the building housing the child care facility are part of the barrier:
1. Doors which open to the hazard must be equipped with alarms. Alarm must be audible and sound continuously for at least 30 seconds when the doors are opened. If the doors are not used as fire exits, they must be locked.
 2. Windows which open to the hazard must be evaluated to ensure the protection of children.

NOTE: All windows in child care facilities should be evaluated by providers to ensure child safety.

II. Other Barriers for Pools, Spas, or Hot Tubs

- A. **Above-Ground Pools**
1. If not made inaccessible by another type of barrier, a pool with sides less than 4 feet above the walking surface must have:
 - a. A barrier mounted on the pool structure bringing the total height of the structure to at least 4 feet above the walking surface, and
 - b. Vertical clearance between the top of the pool and the bottom of the barrier not more than 4 inches.
 2. Pool walls 4 feet or higher above the walking surface at all points need no additional barriers but must have the following safeguards:
 - a. All retractable ladders locked in the upright position during child care hours.

Circular Letter CCA #97-06

Page 4 of 5

- b. All removable ladders stored away from the pool.
 - c. Any permanent steps to the pool made inaccessible to children with childproof gates (at least 4 feet high) with locks or inaccessible latches.
3. Pool areas must be kept free of items children could use to climb into the pool such as, but not limited to, picnic tables and outdoor furniture. Pool water filters may need barriers to prevent children from using them to climb into pools.
- B. In-Ground Pools - A power safety cover over the pool may be used as an alternate barrier. A power safety cover must meet the requirements of the American Society for Testing and Materials (ASTM) F1346 1991 (Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spa, and Hot Tubs) which addresses labeling requirements and performance. The power safety cover must be closed when the pool is not being used.
- C. Spas and Hot Tubs - A cover that complies with ASTM F1346 1991 may be used. The cover must be locked.

III. Additional Safety Precautions for Pools

- A. A child should never be left unsupervised near a pool or spa.
- B. Providers should check the pool or spa first if a child is missing. Standing at the edge of the pool, providers should scan the pool bottom, surface, and the entire pool area.
- C. Rescue equipment should be kept by the pool. A reaching pole with a shepherd's hook is the best rescue equipment to use for children. A ring buoy with a rope may also be used.
- D. A poolside telephone with emergency numbers posted nearby is recommended.
- E. Providers are encouraged to have CPR training.
- F. Toys should be removed from in and around the pool when it is not in use to avoid attracting children to the pool.
- G. Gates in the pool barrier should never be propped open.

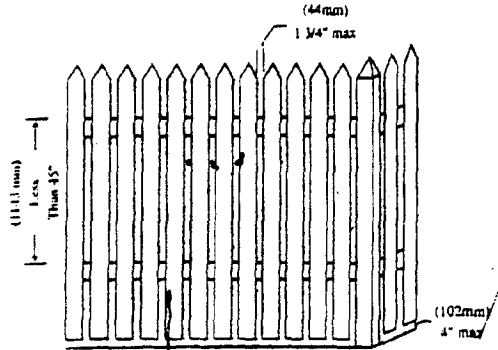


FIG. 1 IF HORIZONTAL MEMBERS ARE LESS THAN 45" (1143mm) APART, THE SPACE BETWEEN VERTICAL MEMBERS SHALL NOT EXCEED 1-3/4" (44mm).

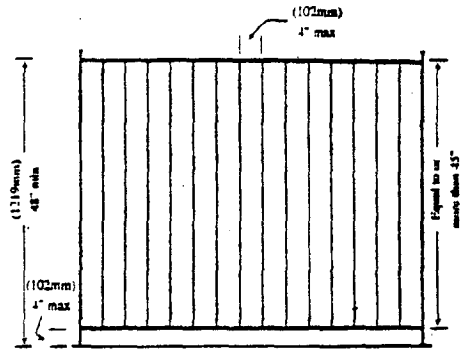


FIG. 2 IF HORIZONTAL MEMBERS ARE EQUAL TO OR MORE THAN 48" (1219mm) APART, THE SPACE BETWEEN VERTICAL MEMBERS SHALL NOT EXCEED 4" (102mm).

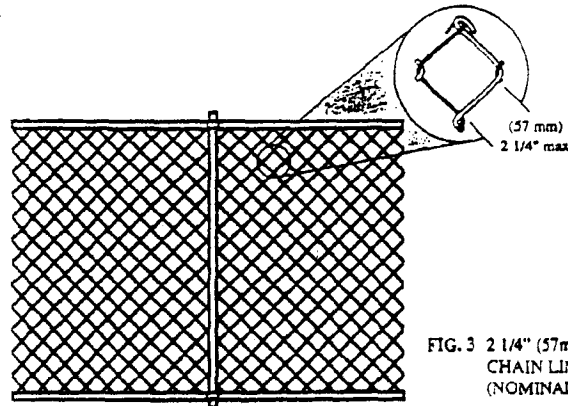
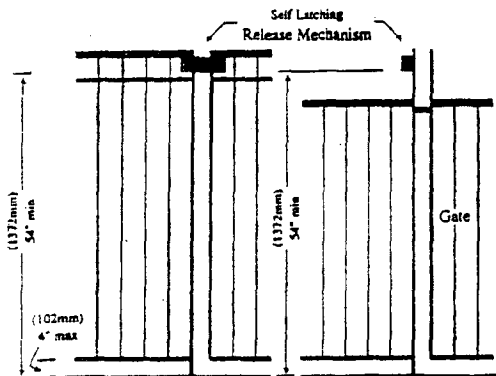
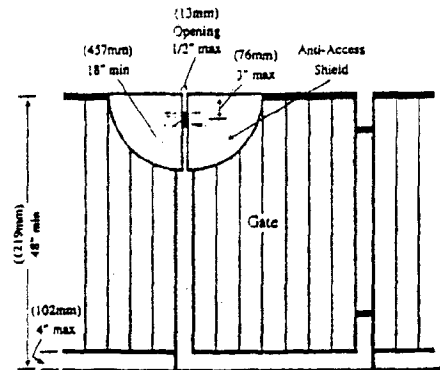


FIG. 3 2 1/4" (57mm) SQUARE CHAIN LINK MESH. (NOMINAL)



RELEASE MECHANISM LOCATED AT 54" (1372mm) OR HIGHER FROM THE BOTTOM OF THE GATE.



RELEASE MECHANISM LOCATED LESS THAN 54" (1372mm) FROM THE BOTTOM OF THE GATE.

FIG. 4 LATCH RELEASE MECHANISM.

Sec. 51-15. Enclosure of swimming pool.

(a) During construction. A swimming pool over 18 inches deep, or the property on which the pool is constructed, must be enclosed by a temporary or permanent fence or wall while the swimming pool is under construction. The fence or wall must be at least 42 inches high and must be of a type which will warn of potential danger.

(b) Permanent enclosure.

(1) Private Swimming Pool. An outdoor swimming pool over 18 inches deep must be:

(A) completely enclosed by an approved fence or wall; or

(B) the property on which the pool is constructed must be completely enclosed by an approved fence or wall; and

(i) each door leading from the house to the pool must be equipped with an audible alarm; or

(ii) the pool must be equipped with an automatic pool cover.

(2) Public Swimming Pool. A public pool must be enclosed as required by the manual of public swimming pool construction. (1971 L.M.C., ch. 45, § 1; 1990 L.M.C., ch. 1, § 1; FY 1991 L.M.C., ch. 1, § 1.)

Editor's note--In *Osterman v. Peters*, 260 Md. 313, 272 A.2d 21 (1971) it was held that failure to fence a swimming pool as required by § 105-2 of the 1965 Code (now repealed) was not negligence per se.

Section 3 of FY 1991 L.M.C., ch. 1, reads as follows:

"Sections 51-15(b)(1) and 51-16 apply only to a pool for which the building permit application is submitted after the effective date of this law [July 13, 1990]. Any other private swimming pool must be:

(a) enclosed by an approved 42 inch fence or wall, and any latch or lock must be no less than 3 feet from the ground; or

(b) the pool must be equipped with an automatic pool cover in lieu of a fence, and the automatic pool cover must be closed whenever the pool is not attended."

Sec. 51-16. Swimming pool fences, gates, and locks.

(a) Fence requirements. The fence or wall enclosing a private swimming pool must be:

- (1) at least 5 feet high;
- (2) securely anchored in the ground;
- (3) not easy to climb or penetrate; and
- (4) maintained in good condition.

(b) Gates and locks. Any gate or door in a fence or wall enclosing a private swimming pool must have a self-closing and self-latching lock or latch on the pool side of the gate or door at a height of not less than 4 feet from the ground. Any gate or door must be closed and latched when the pool is not attended. (1971 L.M.C., ch. 45, § 1; FY 1991 L.M.C., ch. 1, § 1.)

Note—See the editor's note to § 51-15.
Sec. 51-17. Penalties.

Any person violating any provision of this chapter shall be subject to punishment for a class A violation as set forth in section 1-19 of chapter 1 of the County Code. Any such swimming pool installed, operated or maintained in violation of the provisions of this chapter shall constitute a nuisance; and the approving authority may, in addition to the penalties hereinbefore set forth, maintain any proper action for the abatement of such nuisance. Each day a violation of the provisions of this chapter continues to exist shall constitute a separate offense. (1971 L.M.C., ch. 45, § 1; 1983 L.M.C., ch. 22, § 55; 1985 L.M.C., ch. 48, § 2.)



HISTORIC PRESERVATION COMMISSION

F

Isiah Leggett
County Executive

Jef Fuller
Chairperson

Date: May 15, 2008

MEMORANDUM

TO: Carla Reid, Director
Department of Permitting Services

FROM: Josh Silver, Senior Planner *JDS*
Historic Preservation Section
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #481756, fence installation

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was **Approved with Conditions** at the May 14, 2008 meeting.

1. *The proposed 5' high aluminum fence is not approved.*
2. *The applicant will install a 4' high open style wooden picket fence along all property boundaries; expect the south and southeast property boundaries. A 5' high open style wooden picket fence and two 54" high wooden gates will be installed in these locations. (See attached site plan).*
3. *A 5' high fence will only be permitted so long as the property is utilized as a childcare facility by Montgomery College.*

The HPC staff has reviewed and stamped the attached construction drawings.

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

Applicant: Montgomery Community College

Address: 7714 Takoma Avenue, Takoma Park

This HAWP approval is subject to the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made.





RETURN TO DEPARTMENT OF PERMITTING SERVICES
265 ROCKVILLE FIVE FLOOR ROCKVILLE MD 20850
240-777-6270

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

481756

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: Chahnaz McRae, Sr. Project Mgr.

Daytime Phone No.: 240-567-1602
240-567-7374

Tax Account No.: Not Applicable

Name of Property Owner: Montgomery Community College Daytime Phone No.: 240-567-7369

Address: 40 W. Gude Drive, Suite 200, Rockville, MD 20850-1166
Street Number City State Zip Code

Contractor: TO BE DETERMINED Phone No.: _____

Contractor Registration No.: _____

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

LOCATION OF BUILDING/PREMISE

House Number: 7714 Street: Takoma Avenue

Town/City: Takoma Park Nearest Cross Street: Philadelphia Avenue

Lot: 13 Block: 69 Subdivision: TPL&T Companies Subdivision of Takoma Park
Liber: 4448 Folio: 49 (Part of Lot 13) Parcel Plat Book B @ Plat 23
3924 64

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

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

CHECK ALL APPLICABLE:

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

1B. Construction cost estimate: \$60,000

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. Type of sewage disposal: 01 WSSC 02 Septic 03 Other: _____

2B. Type of water supply: 01 WSSC 02 Well 03 Other: _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height 5' feet _____ inches

3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:

- On party line/property line
- Entirely on land of owner
- On public right of way/easement

APPROVED *[Signature]*
DATE 6/10/08
Chairperson: *[Signature]*

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.

**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:

The existing chain link fence is to be removed and replaced with a new 5' high aluminum picket fence & new 5' high 10' wide gate.

The existing chain link fence is 4' high and does not meet code. The function of the fence is to contain the children from leaving the play ground area.

The new fence will provide improved safety for the children.

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

2. SITE PLAN

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

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

3. PLANS AND ELEVATIONS

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

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

4. MATERIALS SPECIFICATIONS

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

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.

**DEPARTMENT OF HUMAN RESOURCES
CHILD CARE ADMINISTRATION
311 WEST SARATOGA STREET
BALTIMORE, MARYLAND 21201**

DATE: June 11, 1997

CIRCULAR LETTER #: 97-06 Child Care Administration
Replaces Circular Letter #97-01 – Barriers for Swimming Pools and Spas in Child Care Facilities

TO: Regional Managers, Licensing Supervisors, Licensing Specialists, Maryland State Child Care Association Maryland State Family Day Care Association, Maryland Federation of Church Schools

FROM: Linda Heisner, Executive Director
Child Care Administration

RE: Barriers to Protect Children from Life-Threatening Safety Hazards

PROGRAMS AFFECTED: Child Care Centers Family Day Care Homes

ORIGINATING OFFICE: Child Care Administration
Office of Licensing

PURPOSE: Establish a barrier policy to ensure the safety of children in child care facilities.

AUTHORITY: Child Care Center Licensing Regulations
(COMAR 07.04.02.40)
Letters of Compliance Regulations
(COMAR 07.04.05.30)
Family Day Care Regulations
(COMAR 07.04.01.18B and 07.04.01.21C)

ACTION REQUIRED OF: Regional Licensing Staff

REQUIRED ACTION: Discuss requirements for barriers to ensure the safety of children, and inspect for compliance.

EFFECTIVE DATE: July 1, 1997

TECHNICAL ASSISTANCE: Director, Office of Licensing
Child Care Administration
410-767-7805

Circular Letter CCA #97-06
Page 2 of 5

BACKGROUND:

Supervision of children is the most important element in maintaining the safety of children. However, children often do the unexpected, catching their supervisors off guard. Effective barriers prevent or delay children's access to hazards. There may be many hazards near child care facilities from which children need to be protected.

Swimming pools, spas, and hot tubs located in close proximity to child care facilities are potential sources of injuries and drownings. According to the U.S. Consumer Product Safety Commission (CPSC), an estimated 300 children under five years of age drown each year in residential swimming pools and spas. CPSC estimates that another 2,000 children under five are treated in emergency rooms after submersion accidents yearly. Some of these accidents result in permanent brain damage. According to CPSC, 69% of the children found submerged in water were not expected to be anywhere near the pool or spa.

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The Model Barrier Code for Residential Swimming Pools, Spa, and Hot Tubs was developed by the National Spa and Pool Institute and is used as the basis for this barrier policy. When the Child Care Administration began to develop a policy to protect children in care from life-threatening hazards other than swimming pools, spas, and hot tubs, a mechanical engineer with CPSC was consulted. It was recommended that the Child Care Administration use the Model Barrier Code for Residential Swimming Pools, Spa, and Hot Tubs as a guide for barriers to protect children from all significant hazards located at or near child care facilities.

PROCEDURES:

With the child care provider, inspect the premises of the child care facility and adjacent areas for potentially life-threatening hazards such as high cliff, bodies of water, swimming pools, hot tubs, spas, heavy vehicular traffic, heavy machinery, train tracks (currently in use), and other hazards. Discuss the seriousness of the hazard, type of barrier needed, and safety precautions. Life-threatening safety hazards must have barriers making them inaccessible to children. Inform child care providers of the following requirements contained in this policy:

I. Walls of Fences for Protection From Life-Threatening Hazards (see Page 5 for illustrations)

If the barrier is a wall or fence, it must make the safety hazard inaccessible to children by completely enclosing the hazard or the children. The wall or fence must meet the following specifications:

- A. Height - at least 4 feet high.
- B. Foot- and Hand-Holds - The barrier may not have foot-holds or hand-holds a child could climb.
 - 1. If the barrier is a chain-link fence, the opening should be no larger than 2¼ inches between parallel sides of the link. (See Figure 3.)
 - 2. If the barrier is a picket or ornamental fence, it must meet the following specifications:
 - a. Fences with horizontal and vertical members:

Circular Letter CCA #97-06
Page 3 of 5

- (1) Horizontal members must be located on the hazard side of the fence if the distance between the tops of the horizontal members is less than 45 inches. Space between vertical members shall not exceed 1¾ inches. (See Figure 1.)
 - (2) Where the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed 4 inches. (See Figure 2.)
- b. Decorative cutouts shall not exceed 1¾ inches in width.
- C. Ground Clearance - The bottom edge of the wall or fence must not be more than 4 inches from the ground.
- D. Gates and Latches - The gates in the wall or fence must be self-closing and self-latching. The latches must be inaccessible to young children.
- E. The area against the wall or fence must be kept free of items a child could use to climb over the fence and into the hazard area such as, but not limited to, picnic tables and outdoor furniture.
- F. If the walls of the building housing the child care facility are part of the barrier:
- 1. Doors which open to the hazard must be equipped with alarms. Alarm must be audible and sound continuously for at least 30 seconds when the doors are opened. If the doors are not used as fire exits, they must be locked.
 - 2. Windows which open to the hazard must be evaluated to ensure the protection of children.

NOTE: All windows in child care facilities should be evaluated by providers to ensure child safety.

II. Other Barriers for Pools, Spas, or Hot Tubs

- A. Above-Ground Pools
- 1. If not made inaccessible by another type of barrier, a pool with sides less than 4 feet above the walking surface must have:
 - a. A barrier mounted on the pool structure bringing the total height of the structure to at least 4 feet above the walking surface, and
 - b. Vertical clearance between the top of the pool and the bottom of the barrier not more than 4 inches.
 - 2. Pool walls 4 feet or higher above the walking surface at all points need no additional barriers but must have the following safeguards:
 - a. All retractable ladders locked in the upright position during child care hours.

Circular Letter CCA #97-06

Page 4 of 5

- b. All removable ladders stored away from the pool.
 - c. Any permanent steps to the pool made inaccessible to children with childproof gates (at least 4 feet high) with locks or inaccessible latches.
3. Pool areas must be kept free of items children could use to climb into the pool such as, but not limited to, picnic tables and outdoor furniture. Pool water filters may need barriers to prevent children from using them to climb into pools.
- B. In-Ground Pools - A power safety cover over the pool may be used as an alternate barrier. A power safety cover must meet the requirements of the American Society for Testing and Materials (ASTM) F1346 1991 (Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spa, and Hot Tubs) which addresses labeling requirements and performance. The power safety cover must be closed when the pool is not being used.
- C. Spas and Hot Tubs - A cover that complies with ASTM F1346 1991 may be used. The cover must be locked.

III. Additional Safety Precautions for Pools

- A. A child should never be left unsupervised near a pool or spa.
- B. Providers should check the pool or spa first if a child is missing. Standing at the edge of the pool, providers should scan the pool bottom, surface, and the entire pool area.
- C. Rescue equipment should be kept by the pool. A reaching pole with a shepherd's hook is the best rescue equipment to use for children. A ring buoy with a rope may also be used.
- D. A poolside telephone with emergency numbers posted nearby is recommended.
- E. Providers are encouraged to have CPR training.
- F. Toys should be removed from in and around the pool when it is not in use to avoid attracting children to the pool.
- G. Gates in the pool barrier should never be propped open.

Sec. 51-15. Enclosure of swimming pool.

(a) During construction. A swimming pool over 18 inches deep, or the property on which the pool is constructed, must be enclosed by a temporary or permanent fence or wall while the swimming pool is under construction. The fence or wall must be at least 42 inches high and must be of a type which will warn of potential danger.

(b) Permanent enclosure.

(1) Private Swimming Pool. An outdoor swimming pool over 18 inches deep must be:

(A) completely enclosed by an approved fence or wall; or

(B) the property on which the pool is constructed must be completely enclosed by an approved fence or wall; and

(i) each door leading from the house to the pool must be equipped with an audible alarm; or

(ii) the pool must be equipped with an automatic pool cover.

(2) Public Swimming Pool. A public pool must be enclosed as required by the manual of public swimming pool construction. (1971 L.M.C., ch. 45, § 1; 1990 L.M.C., ch. 1, § 1; FY 1991 L.M.C., ch. 1, § 1.)

Editor's note—In *Osterman v. Peters*, 260 Md. 313, 272 A.2d 21 (1971) it was held that failure to fence a swimming pool as required by § 105-2 of the 1965 Code (now repealed) was not negligence per se.

Section 3 of FY 1991 L.M.C., ch. 1, reads as follows:

"Sections 51-15(b)(1) and 51-16 apply only to a pool for which the building permit application is submitted after the effective date of this law [July 13, 1990]. Any other private swimming pool must be:

(a) enclosed by an approved 42 inch fence or wall, and any latch or lock must be no less than 3 feet from the ground; or

(b) the pool must be equipped with an automatic pool cover in lieu of a fence, and the automatic pool cover must be closed whenever the pool is not attended."

Sec. 51-16. Swimming pool fences, gates, and locks.

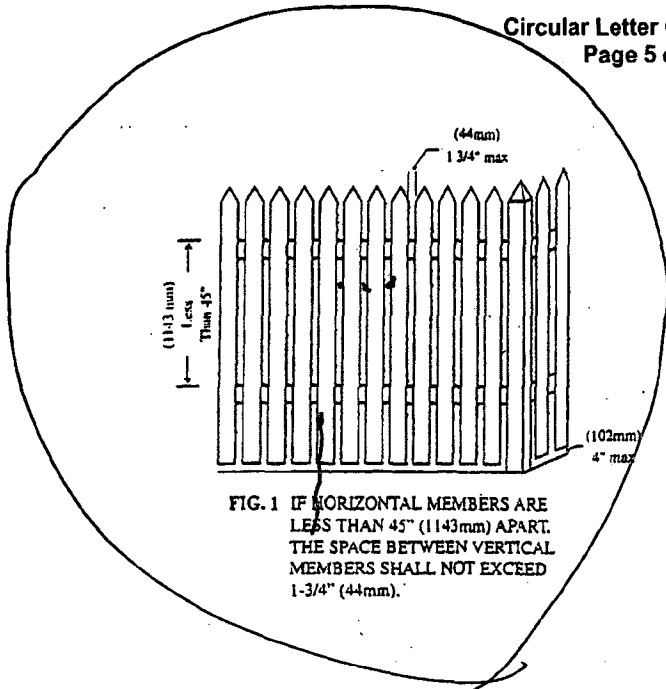


FIG. 1 IF HORIZONTAL MEMBERS ARE LESS THAN 45" (1143mm) APART, THE SPACE BETWEEN VERTICAL MEMBERS SHALL NOT EXCEED 1-3/4" (44mm).

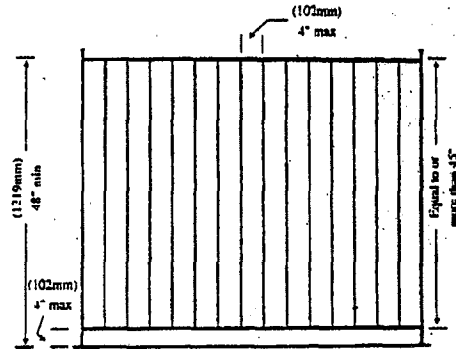


FIG. 2 IF HORIZONTAL MEMBERS ARE EQUAL TO OR MORE THAN 48" (1219mm) APART, THE SPACE BETWEEN VERTICAL MEMBERS SHALL NOT EXCEED 4" (102mm).

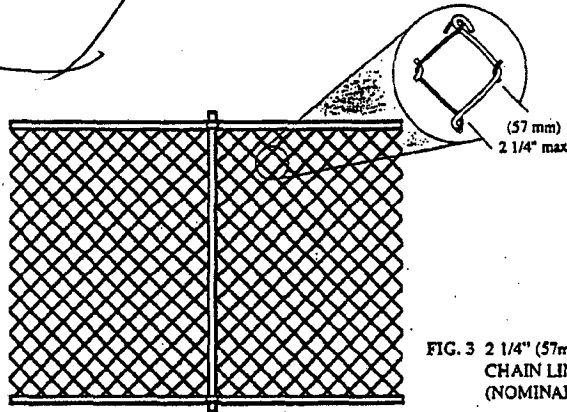
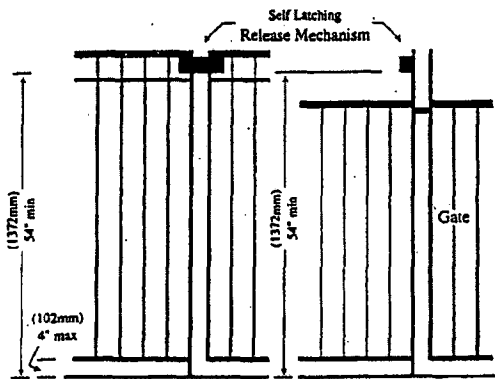
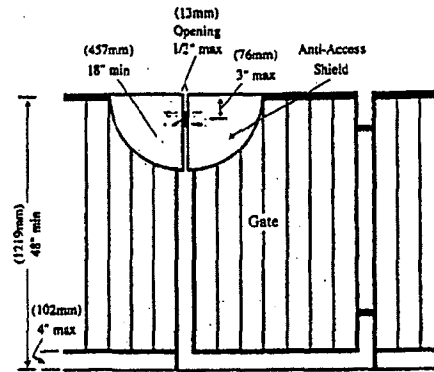


FIG. 3 2 1/4" (57mm) SQUARE CHAIN LINK MESH. (NOMINAL)

2" x 4" wood open picket style



RELEASE MECHANISM LOCATED AT 54" (1372mm) OR HIGHER FROM THE BOTTOM OF THE GATE.



RELEASE MECHANISM LOCATED LESS THAN 54" (1372mm) FROM THE BOTTOM OF THE GATE.

FIG. 4 LATCH RELEASE MECHANISM.

(a) Fence requirements. The fence or wall enclosing a private swimming pool must be:

- (1) at least 5 feet high;
- (2) securely anchored in the ground;
- (3) not easy to climb or penetrate; and
- (4) maintained in good condition.

(b) Gates and locks. Any gate or door in a fence or wall enclosing a private swimming pool must have a self-closing and self-latching lock or latch on the pool side of the gate or door at a height of not less than 4 feet from the ground. Any gate or door must be closed and latched when the pool is not attended. (1971 L.M.C., ch. 45, § 1; FY 1991 L.M.C., ch. 1, § 1.)

Note—See the editor's note to § 51-15.
Sec. 51-17. Penalties.

Any person violating any provision of this chapter shall be subject to punishment for a class A violation as set forth in section 1-19 of chapter 1 of the County Code. Any such swimming pool installed, operated or maintained in violation of the provisions of this chapter shall constitute a nuisance; and the approving authority may, in addition to the penalties hereinbefore set forth, maintain any proper action for the abatement of such nuisance. Each day a violation of the provisions of this chapter continues to exist shall constitute a separate offense. (1971 L.M.C., ch. 45, § 1; 1983 L.M.C., ch. 22, § 55; 1985 L.M.C., ch. 48, § 2.)

Silver, Joshua

From: McRae, Chahnaz [Chahnaz.McRae@montgomerycollege.edu]
Sent: Monday, June 02, 2008 3:36 PM
To: Silver, Joshua
Subject: Montgomery College Takoma Park Child Care Center Fence

Dear Josh,

The requirement to replace the existing fence at the Child Care Center surfaced when the neighbor at property on 7710 Takoma Avenue installed a water feature that is more than 18" deep. By code 5' high fence is required. We can step it down from 5' to 4' once the fence clears that neighbor's property. We prefer to continue with the 5' height for child care and safety reasons.

Section 51 Enclosure of Swimming pools – enacted under public health law applies throughout the County. (see attached). Contact information for the adjacent pool is as follows:

Ms. Anita Chawla
7710 Takoma Avenue
Takoma Park, MD 20912
anita@global-change.us
301-589-8987

I would like to meet with you in the next day or two to review fence options (again, please refer to options listed on the attached). Please let me know what would work for you.

Chahnaz McRae | Senior Project Manager
Montgomery College
40 W. Gude Drive, Suite 200 | Rockville, MD 20850
T Rockville 240-567-7374 | T Takoma Park 240-567-1602
M 301-580-8516 | F 240-567-7379
chahnaz.mcrae@montgomerycollege.edu

Does the adjacent property w/ the pool already have a permanent enclosure?

Wood fence 4'


EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	7714 Takoma Avenue, Takoma Park	Meeting Date:	5/14/2008
Resource:	Outstanding Resource Takoma Park Historic District	Report Date:	5/7/2008
Applicant:	Montgomery College (Chahnaz McRae, Agent)	Public Notice:	4/30/2008
Review:	HAWP	Tax Credit:	No
Case Number:	37/03-08V	Staff:	Josh Silver
PROPOSAL:	Fencing installation		

STAFF RECOMMENDATION:

Approval

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource Within The Takoma Park Historic District
STYLE: Craftsman
DATE: c1922

PROPOSAL:

The applicant is proposing to remove approximately 500 -linear feet of 4' high, metal chain-link fence from the perimeter of the property and install a 5' high, aluminum open style picket fence in the same location. The proposed work also includes the installation of one 4' and 5' high aluminum access gate on the eastern section of the proposed fence.

APPLICABLE GUIDELINES:

Approval is based on the following criteria from Chapter 24A of the Montgomery County Code, Section 8(b): The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:

- 1. The proposal will not substantially alter the exterior features of an historic site, or historic resource within an historic district; or
- 2. The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site, or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or

III-A

- 3. The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site, or historic resource located within an historic district, in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located, or
- 4. The proposal is necessary in order that unsafe conditions or health hazards be remedied; or
- 5. The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
- 6. In balancing the interests of the public in preserving the historic site, or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.

and with the general condition that the applicant shall present the **3 permit sets of drawings – if applicable – to Historic Preservation Commission (HPC) staff for review and stamping** prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits.



RETURN TO: DEPARTMENT OF PERMITTING SERVICES
200 ROCKVILLE PIKE, SUITE 200, ROCKVILLE, MD 20850-2000
240-773-2100

DPS - #8

5' fence exp.
(corner)

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

481756

Contact Person: Chahnaz McRae, Sr. Project Mgr.

Daytime Phone No.: 240-567-1602
240-567-7374

Tax Account No.: Not Applicable

Name of Property Owner: Montgomery Community College Daytime Phone No.: 240-567-7369

Address: 40 W. Gude Drive, Suite 200, Rockville, MD 20850-1166
Street Number City State Zip Code

Contractor: TO BE DETERMINED Phone No.: _____

Contractor Registration No.: _____

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

LOCATION OF BUILDING/PREMISE

House Number: 7714 Street: Takoma Avenue

Town/City: Takoma Park Nearest Cross Street: Philadelphia Avenue

Lot: 13 Block: 69 Subdivision: TPL&T Companies Subdivision of Takoma Park

Liber: 4448 Folio: 49 (Part of Lot 13) Plat Book B @ Plat 23

3924 64

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

CHECK ALL APPLICABLE:

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

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

1B. Construction cost estimate: \$60,000

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. Type of sewage disposal: 01 WSSC 02 Septic 03 Other: _____

2B. Type of water supply: 01 WSSC 02 Well 03 Other: _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height 5' feet _____ inches

3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:

- On party line/property line
- Entirely on land of owner
- On public right of way/easement

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

3

**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:

The existing chain link fence is to be removed and replaced with a new 5' high aluminum picket fence + new 5' high 10' wide gate.

The existing chain link fence is 4' high and does not meet code. The function of the fence is to contain the children from leaving the play ground area. The new fence will provide improved safety for the children.

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

2. SITE PLAN

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

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

3. PLANS AND ELEVATIONS

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

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

4. MATERIALS SPECIFICATIONS

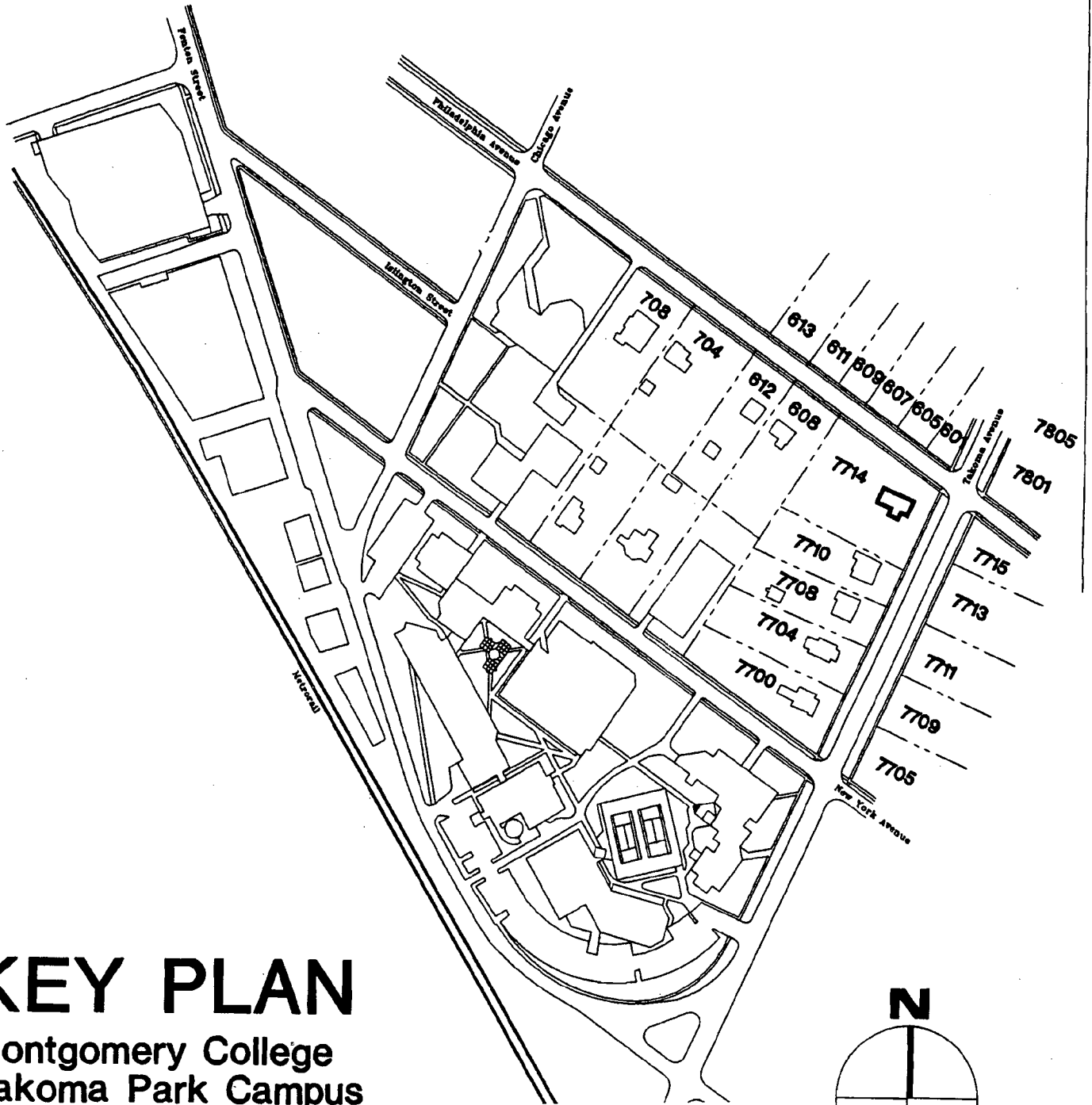
General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings. PLEASE SEE ATTACHED SITE IMPROVEMENTS PLAN

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.

**Montgomery College Takoma Park / Silver Spring Campus Child Care Center
7714 Takoma Avenue, Takoma Park, MD 20912
Address of Adjacent Property owners**

1	Name	Ms. Anita Chawla
	Address	7710 Takoma Avenue
	City / Zip	Takoma Park, MD 20912
2	Name	Mr. Paul C. Crostowcki & Ms. Lorraine J. Pearsall
	Address	7708 Takoma Avenue
	City / Zip	Takoma Park, MD 20912
3	Name	Mr. Harvey Zeisman
	Address	7711 Takoma Avenue
	City / Zip	Takoma Park, MD 20912
4	Name	Mr. & Mrs. Lawrence Hershman
	Address	7713 Takoma Avenue
	City / Zip	Takoma Park, MD 20912
5	Name	Mrs. Candida Deluis
	Address	7715 Takoma Avenue
	City / Zip	Takoma Park, MD 20912
6	Name	Mr. Bernard Fagan
	Address	608 Philadelphia Avenue
	City / Zip	Takoma Park, MD 20912
7	Name	Mr. & Mrs. Stephen Anderson
	Address	601 Philadelphia Avenue
	City / Zip	Takoma Park, MD 20912
8	Name	Mr. Jay Sokolovisky
	Address	609 Philadelphia Avenue
	City / Zip	Takoma Park, MD 20912



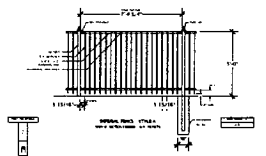
KEY PLAN

Montgomery College
Takoma Park Campus

Removal of Existing Fence /
Installation of New Fence

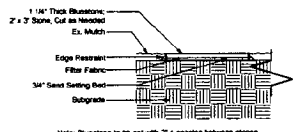
7714 Takoma Avenue, Takoma Park, MD 20912

Qty	Symbol	Botanical Name	Common Name	Scheduled Size
Trees				
1	CC	Cercis canadensis	Eastern Redbud	3-10' hgt.
8	DAA	Thuja occidentalis 'Nigra'	Dark Arborescens Arborvitae	7-8' hgt.
Shrubs				
5	RTD	Cornus sericea 'Cardinal'	Cardinal Red-bay Dogwood	14-20'
5	HV	Hemamelis virginiana	Common Witchhazel	6-8'
3	HYO	Hydrangea quercifolia	Oak-Leaved Hydrangea	18-24'
8	NAN	Nandina domestica	Heavenly Bamboo	3-4'
8	VR	Viburnum x thibaultii 'Alopecurus'	Allegheny Leatherleaf Viburnum	4-2-4'
Perennials				
18	HF	Dennstaedtia punctilobula	May scented Fern	1 gal. cont.
25	WH	Galium aparine	Winged Woodruff, sweet-scented bedstraw	1 gal. cont.
100	LIR	Liriodendron 'Big Blue'	Big Blue Lily Turf	1 gal.
18	OCJ	Damundia cinnamomea	Cinnamon Fern	1 gal. cont.
3	FG	Pennisetum setaceum	Fountain Grass	2 gal. cont.



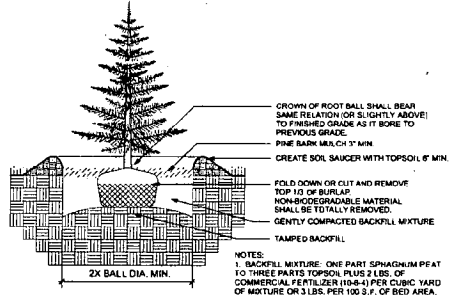
1 Aluminum Picket Fence
Not To Scale

NOTE: FENCE TO BE 2' Ht HEIGHT WITH FLAT POST TOPS.



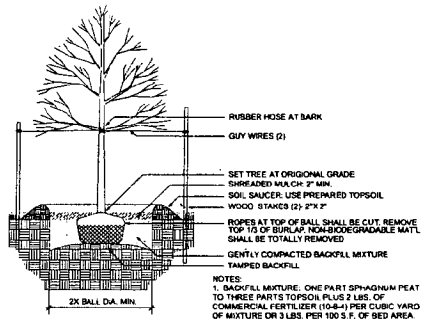
2 Bluestone Stepping Stones
Scale: 3/4" = 1'-0"

Note: Bluestone to be set with 2" spacing between stones. Spacing to be filled with mulch.



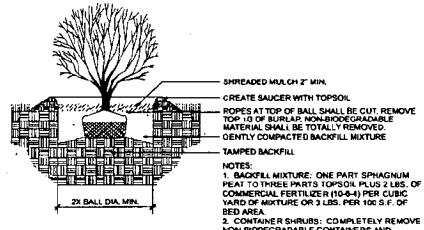
3 Coniferous Tree Planting
Not To Scale

NOTES:
1. BACKFILL MIXTURE: ONE PART SPHAGNUM PEAT TO THREE PARTS TOPSOIL PLUS 2 LBS. OF COMMERCIAL FERTILIZER (10-4-4) PER CUBIC YARD OF MIXTURE OR 3 LBS. PER 100 S.F. OF BED AREA.



4 Deciduous Tree Planting
Not To Scale

NOTES:
1. BACKFILL MIXTURE: ONE PART SPHAGNUM PEAT TO THREE PARTS TOPSOIL PLUS 2 LBS. OF COMMERCIAL FERTILIZER (10-4-4) PER CUBIC YARD OF MIXTURE OR 3 LBS. PER 100 S.F. OF BED AREA.



5 Shrub Planting
Not To Scale

NOTES:
1. BACKFILL MIXTURE: ONE PART SPHAGNUM PEAT TO THREE PARTS TOPSOIL PLUS 2 LBS. OF COMMERCIAL FERTILIZER (10-4-4) PER CUBIC YARD OF MIXTURE OR 3 LBS. PER 100 S.F. OF BED AREA.
2. CONTAINER SHRUBS: COMPLETELY REMOVE NON-BIODEGRADABLE CONTAINERS AND SCARIFY ROOTBALL USING SHARP BLADE.

SLATER ASSOCIATES, INC.
Landscape Architecture • Site Planning • Land Planning

5560 Summit Pl., Suite 302
Columbia, MD 21044
Cell: 410.992.2001
410.992.2001 - phone
www.slaterassociates.com

**MC Takoma Park Campus
Child Care Center Site Improvements**

7714 Takoma Ave. • Takoma Park, MD 20912

DATE	REVISIONS	BY	CHKD

MISC. DETAILS

SCALE: 1/8" = 1'-0"

DATE: 5/10/07

DESIGN: A/JB/NHC

DRAWN: A/JB

8



CALL "MISS UTILITY" AT
1-800-257-7777
48 Hours Before Start Of Construction



Front Elevation

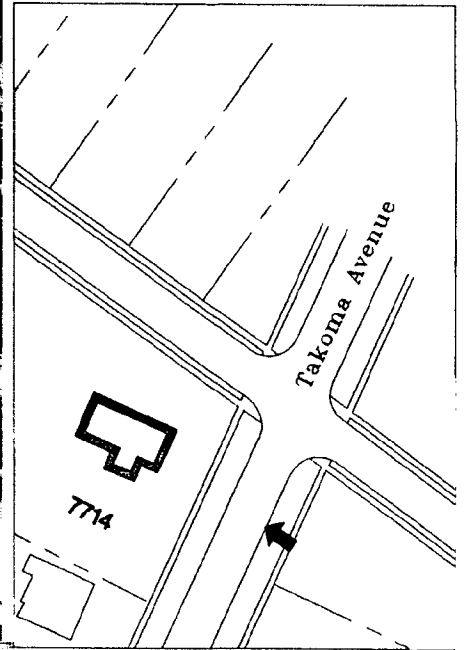


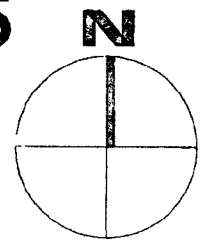
PHOTO OF RESOURCES

Montgomery College Takoma Park Campus

Removal of Existing Fence /

Installation of New Fence

7714 Takoma Avenue, Takoma Park, MD 20912





View from Takoma & Philadelphia Avenues

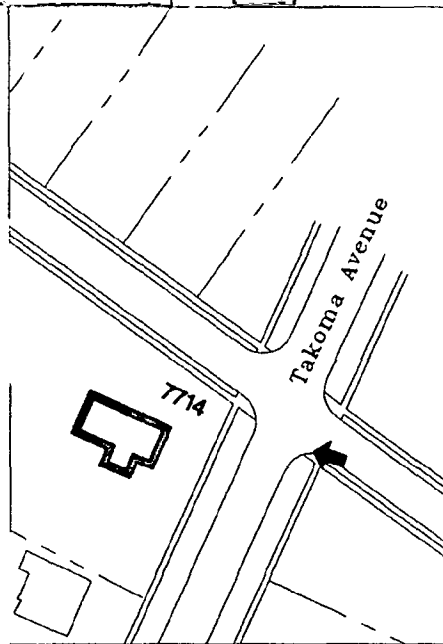
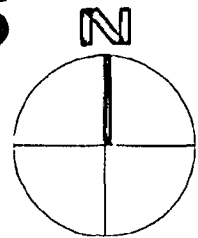


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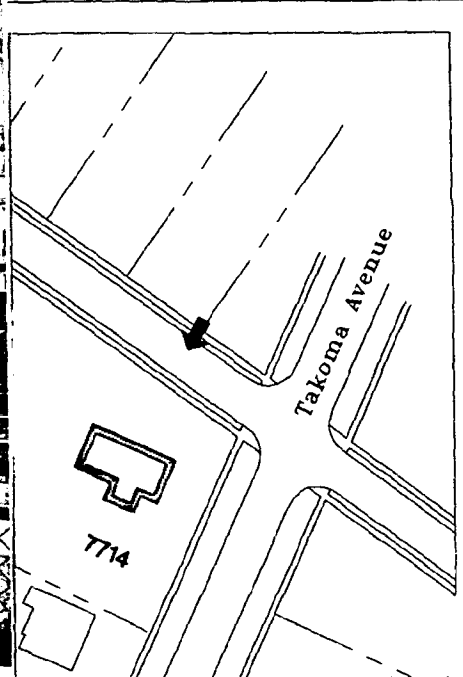


Montgomery College Takoma Park Campus
Removal of Existing Fence /
Installation of New Fence

7714 Takoma Avenue, Takoma Park, MD 20912



North Elevation



View of Back Yard from Philadelphia Avenue

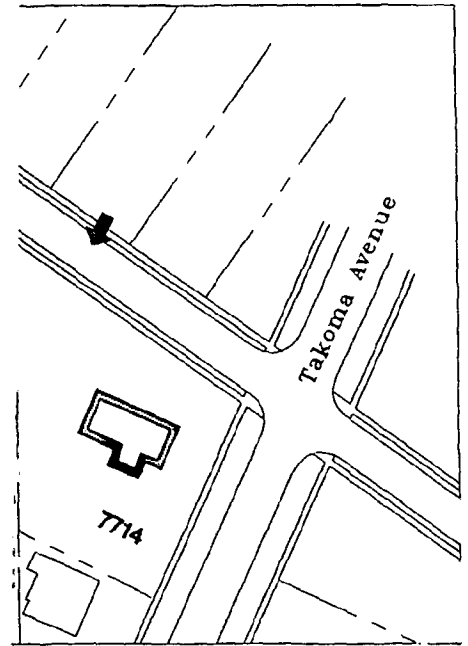
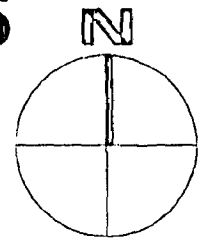
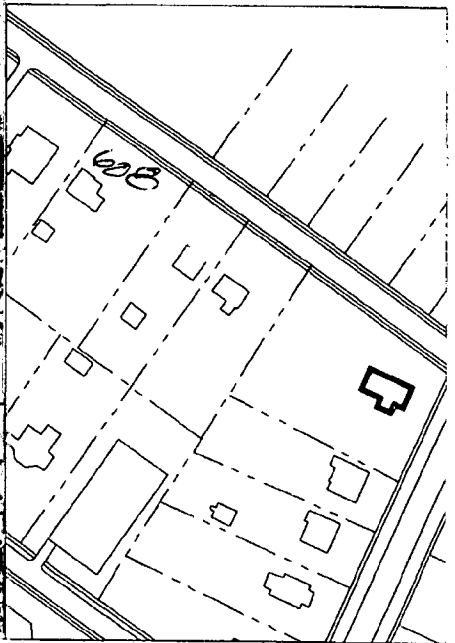
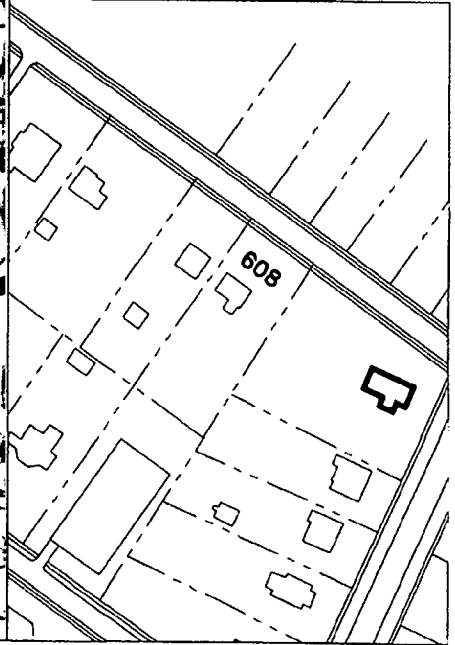


PHOTO OF RESOURCES

Removal of Existing Fence /
Installation of New Fence



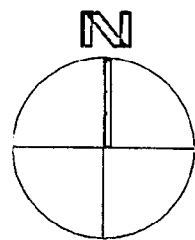
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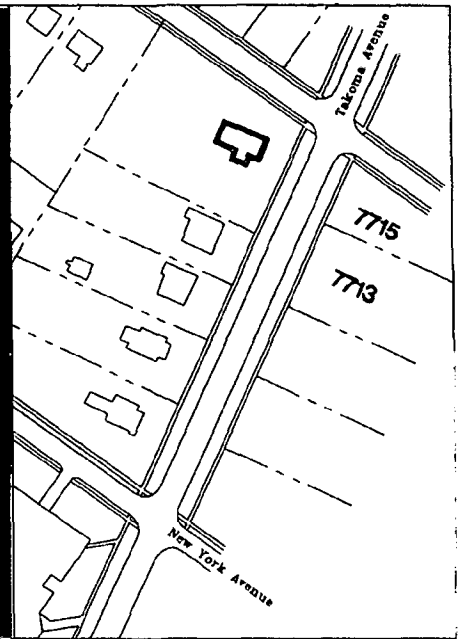
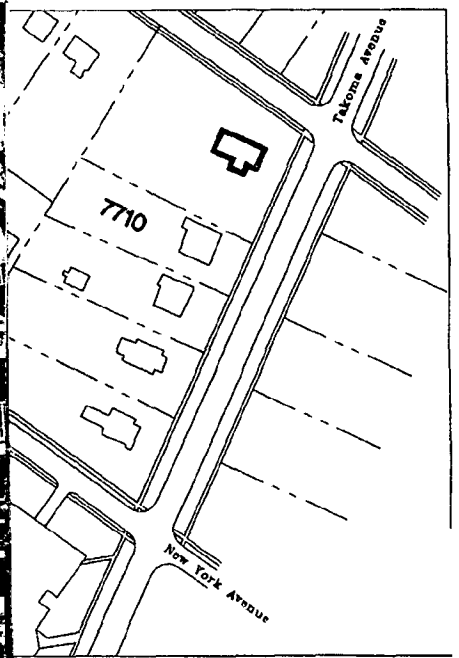


PHOTOS OF CONTEXT

Montgomery College Takoma Park Campus
Removal of Existing Fence /
Installation of New Fence

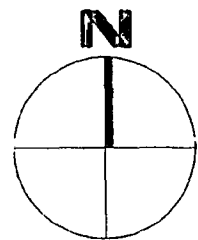
7714 Takoma Avenue, Takoma Park, MD 20912





PHOTOS OF CONTEXT

Montgomery College Takoma Park Campus
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7714 Takoma Avenue, Takoma Park, MD 20912



Chahnaz McRae

Senior Project Manager

Office of Central Facilities



Montgomery College

40 West Gude Drive, Suite 200

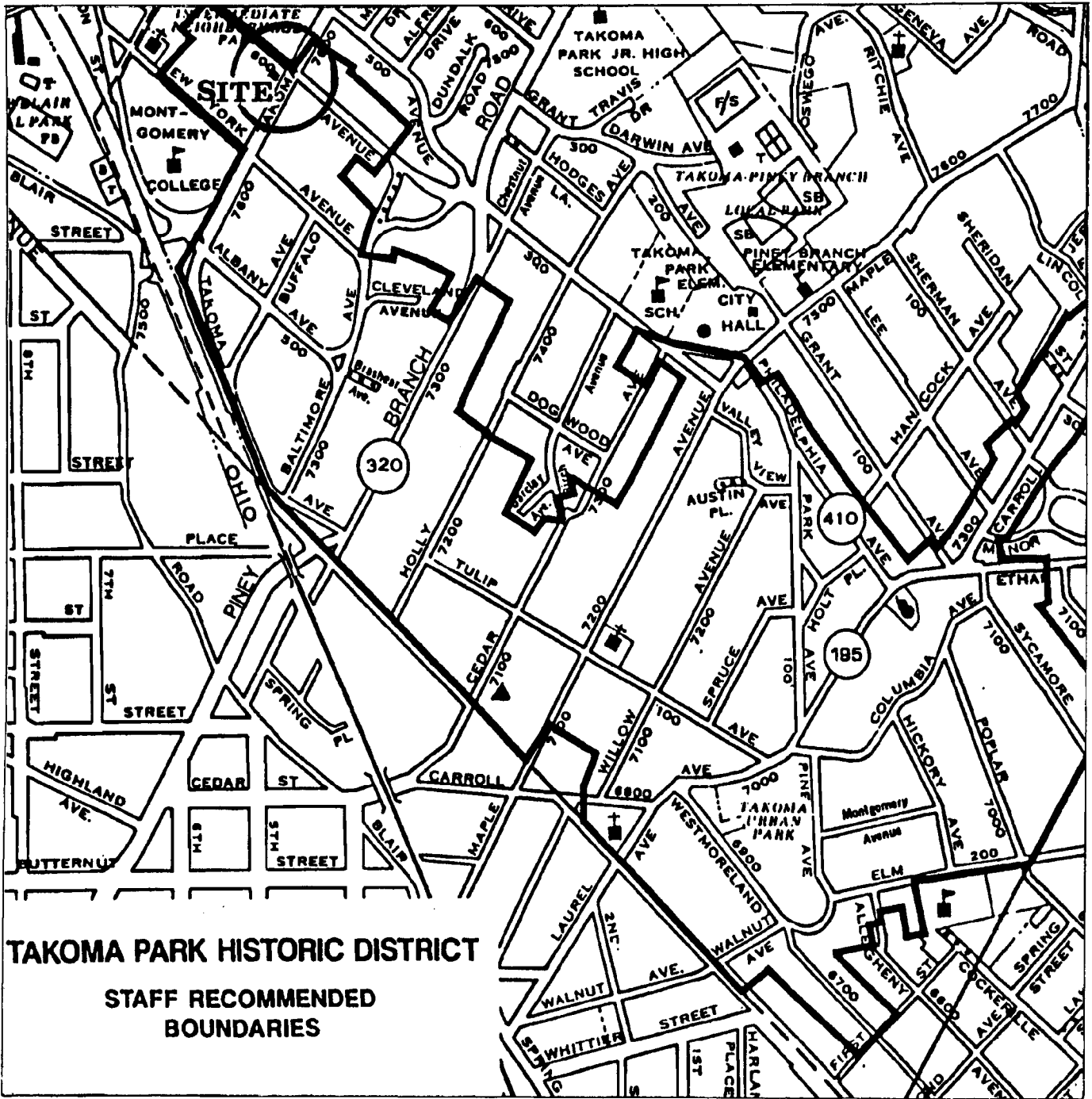
Rockville, Maryland 20850-1166

240-567-7374 (Office) 240-567-1602 (TP Office)

301-580-8516 (Cell) 240-567-7379 (Fax)

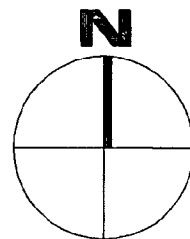
chahnaz.mcrae@montgomerycollege.edu

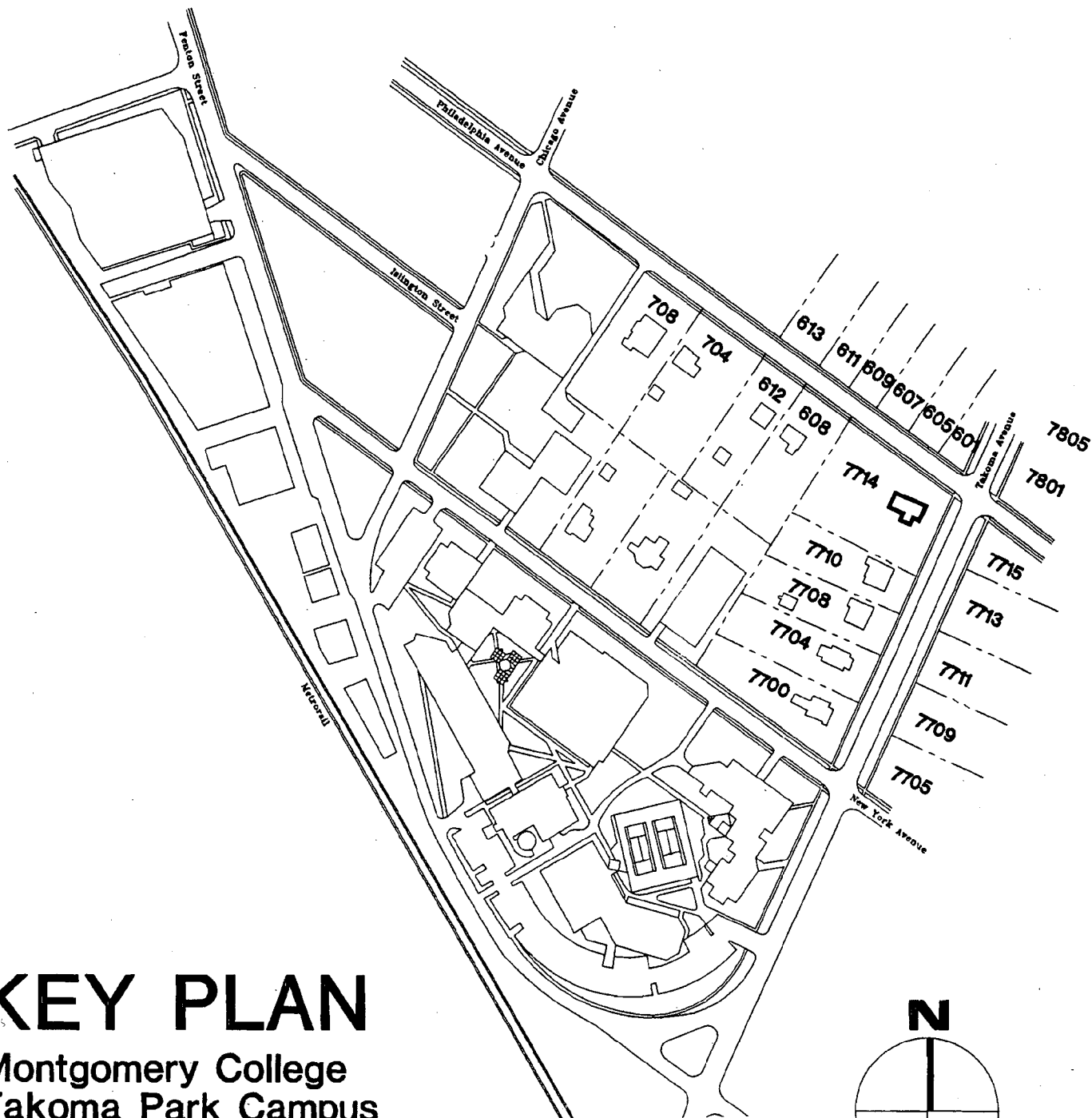
www.montgomerycollege.edu



LOCATION PLAN

Montgomery College Takoma Park Campus
 Removal of Existing Fence /
 Installation of New Fence
 7714 Takoma Avenue, Takoma Park, MD 20912





KEY PLAN

Montgomery College
Takoma Park Campus

Removal of Existing Fence /
Installation of New Fence

7714 Takoma Avenue, Takoma Park, MD 20912



Front Elevation

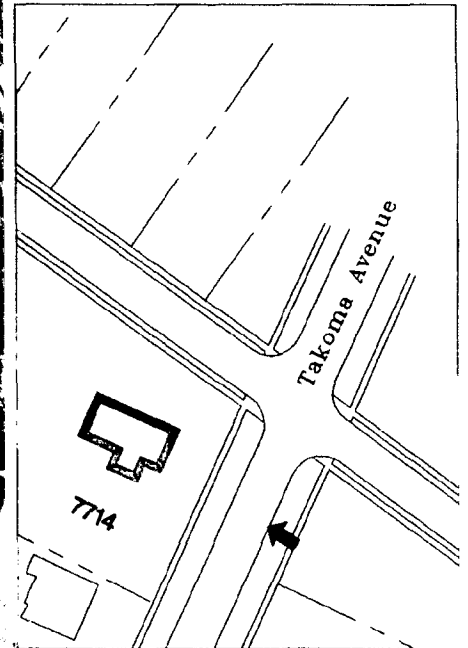


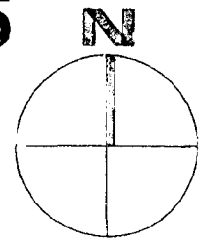
PHOTO OF RESOURCES

Montgomery College Takoma Park Campus

Removal of Existing Fence /

Installation of New Fence

7714 Takoma Avenue, Takoma Park, MD 20912





View from Takoma & Philadelphia Avenues

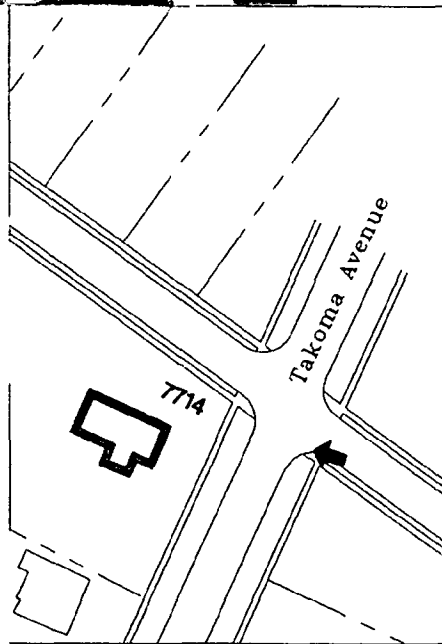
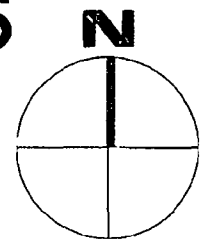


PHOTO OF RESOURCES

Montgomery College Takoma Park Campus
Removal of Existing Fence /
Installation of New Fence

7714 Takoma Avenue, Takoma Park, MD 20912





North Elevation

View of Back Yard from Philadelphia Avenue

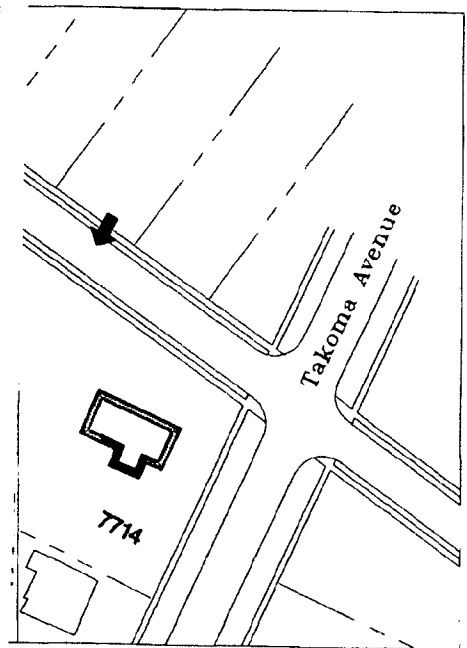
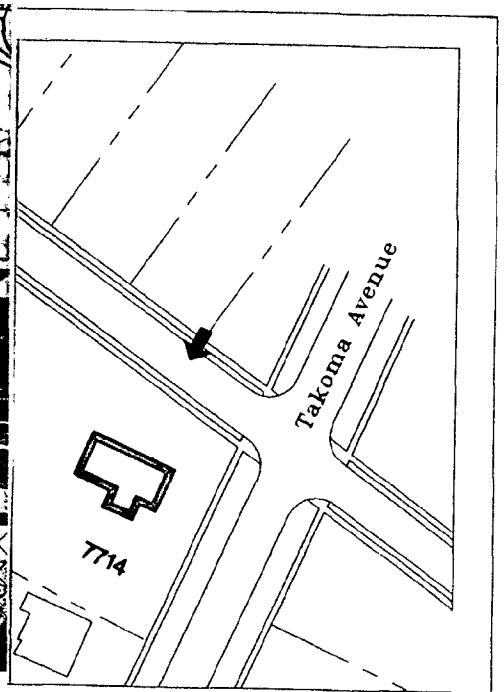
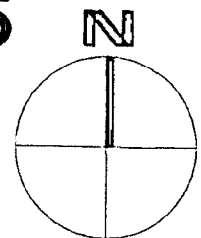
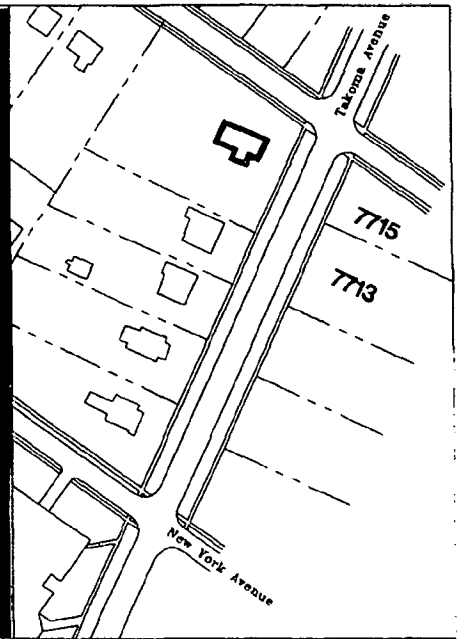
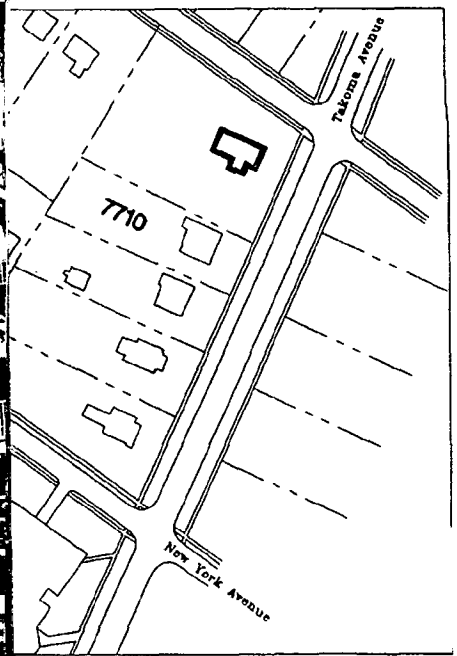


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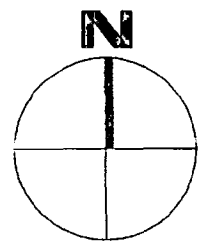


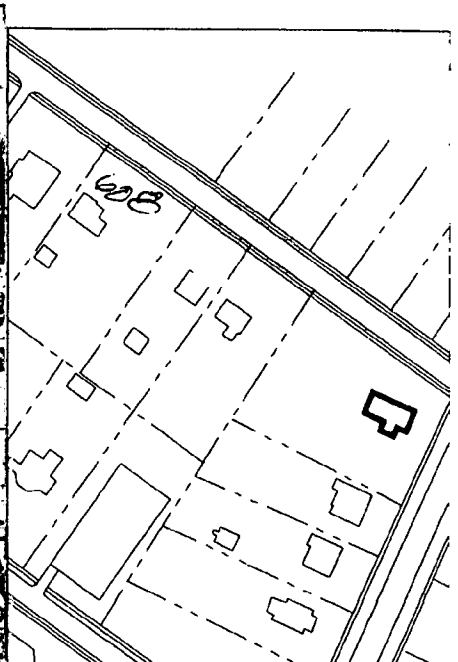
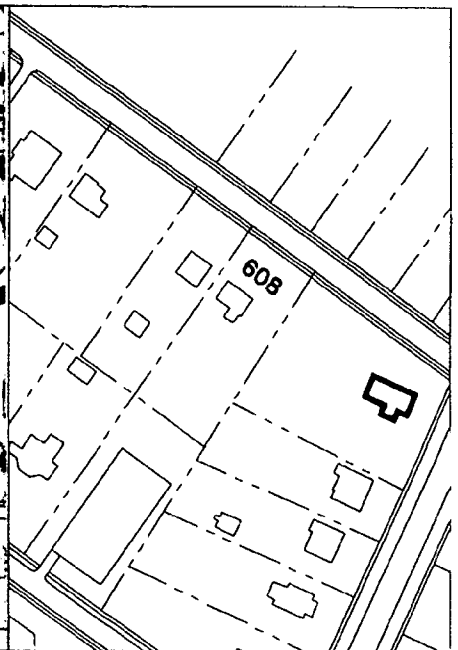
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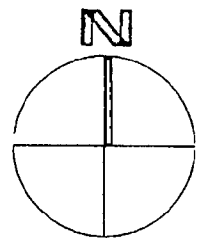
PHOTOS OF CONTEXT

Montgomery College Takoma Park Campus
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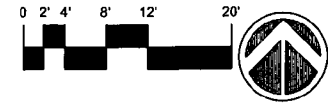
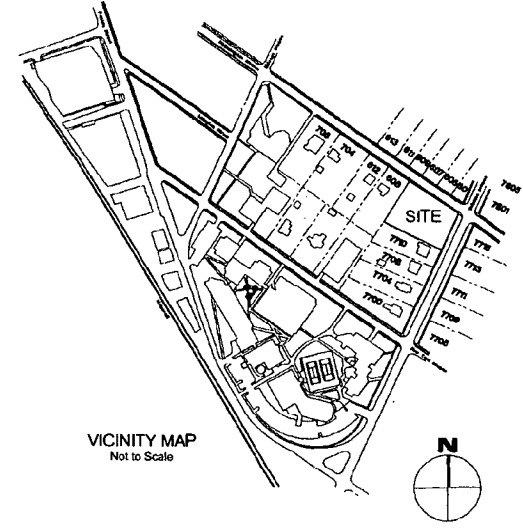
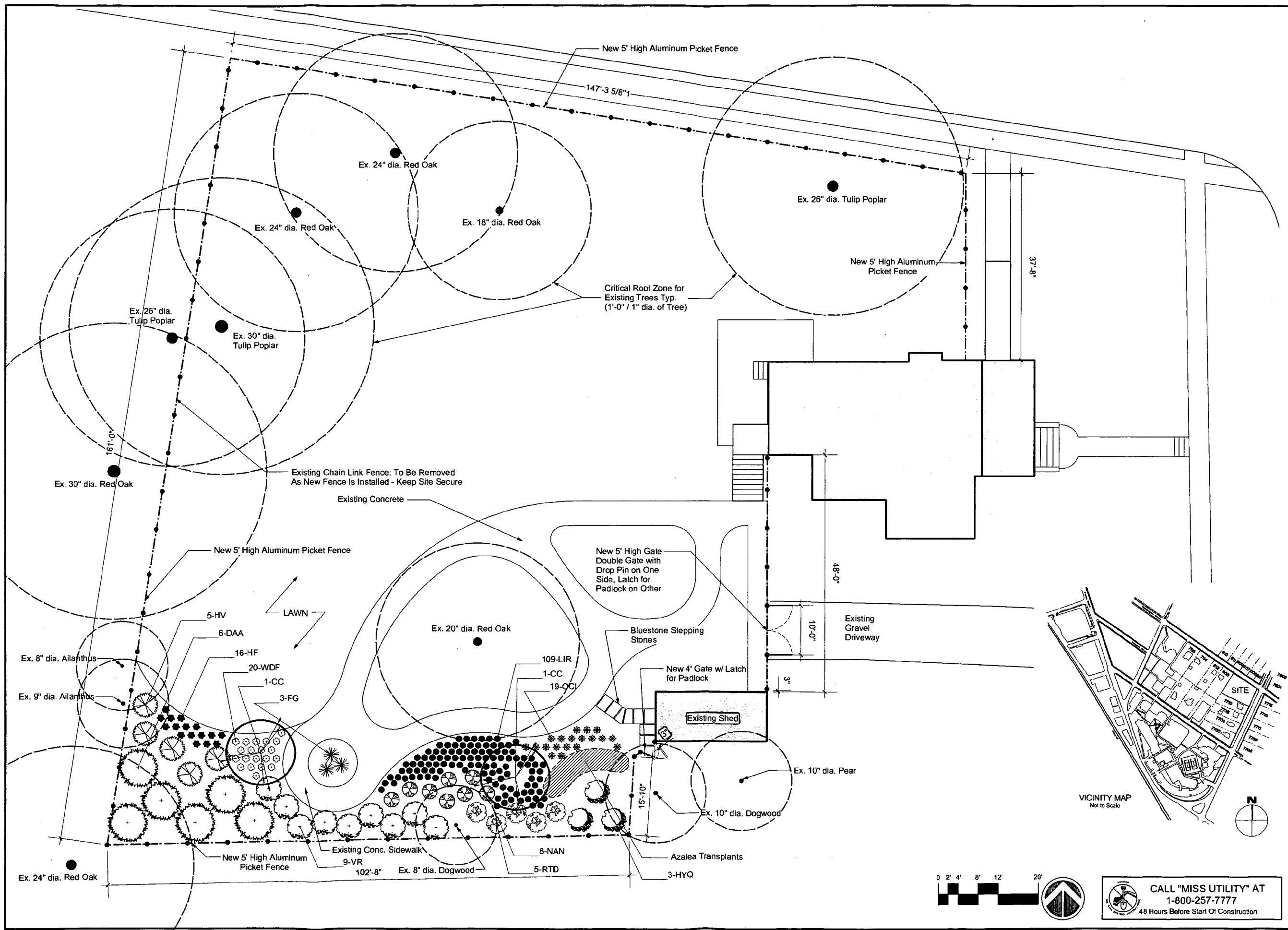




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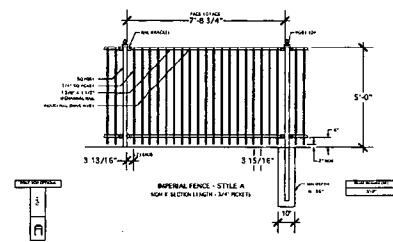
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DATE	REVISIONS	BY
1/11/08	Extend Fencing Limits	MS
4/04/08	Inventory Existing Trees	RS

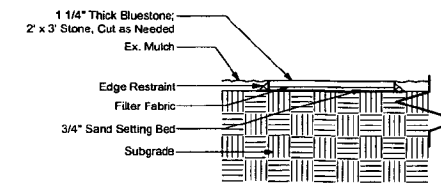
LAYOUT AND LANDSCAPE PLAN
 SCALE: 1/8" = 1'-0"
 DATE: 5/10/07
 DESIGN: AJB/ NHC
 DRAWN: AJB

Plant List				
Qty	Symbol	Botanical Name	Common Name	Scheduled Size
Trees				
2	CC	Cercis canadensis	Eastern Redbud	8-10' hgt.
6	DAA	Thuja occidentalis 'Nigra'	Dark American Arborvitae	7-8' hgt.
Shrubs				
5	RTD	Cornus sericea 'Cardinal'	Cardinal Red-twig Dogwood	24-30"
5	HV	Hamamelis virginiana	Common Witchhazel	5-6'
3	HYO	Hydrangea quercifolia	Oak-Leaved Hydrangea	18-24"
8	NAN	Nandina domestica	Heavenly Bamboo	3-4'
9	VR	Viburnum x rhytidophyloides 'Alleghany'	Alleghany Laatherleaf Viburnum	42-48"
Perennials				
16	HF	Dennstaedtia punctilobula	Hay-scented Fern	1 gal. cont.
20	WDF	Gallium odoratum	Sweet Woodruff, sweetscented bedstraw	1 gal. cont.
100	LIR	Liriope muscari 'Big Blue'	Big Blue Lily Turf	4" pot
19	OCl	Osmunda cinnamomea	Cinnamon Fern	1 gal. cont.
3	FG	Pennisetum alopecuroides	Fountain Grass	2 gal. cont.



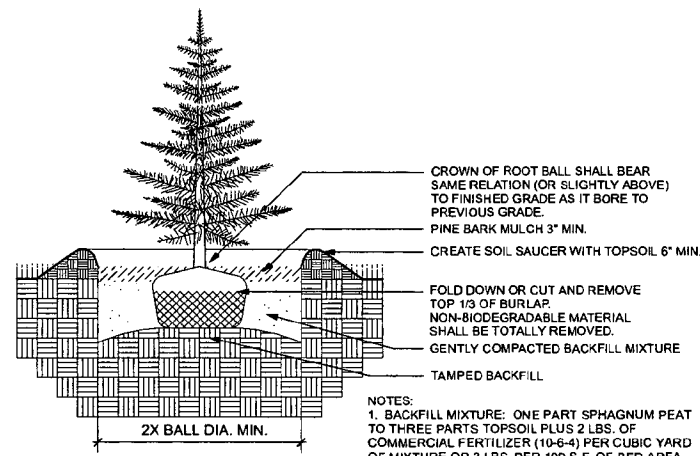
1 Aluminum Picket Fence
Not To Scale

NOTE: FENCE TO BE 5' IN HEIGHT WITH FLAT POST TOPS.

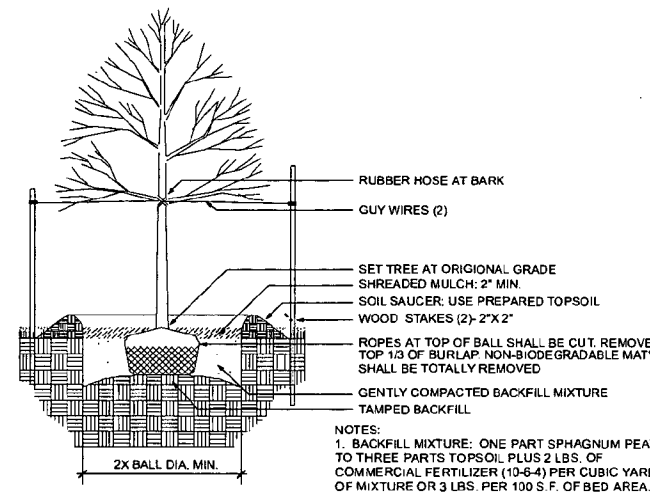


Note: Bluestone to be cut with 2" ± spacing between stones. Spaces to be filled with mulch.

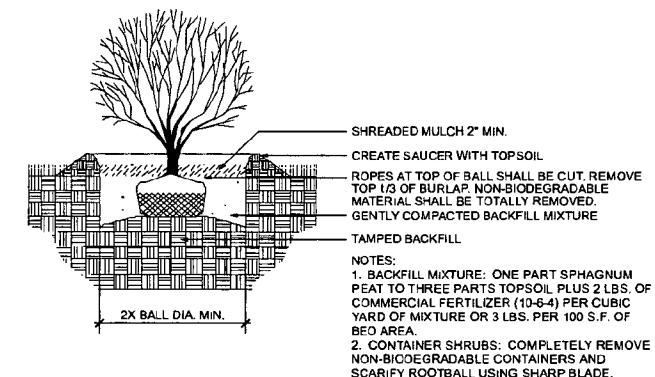
2 Bluestone Stepping Stones
Scale: 3/4" = 1'-0"



3 Coniferous Tree Planting
Not To Scale



4 Deciduous Tree Planting
Not To Scale



5 Shrub Planting
Not To Scale

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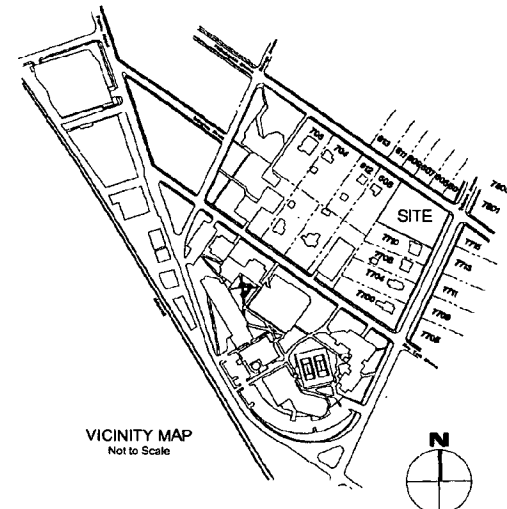
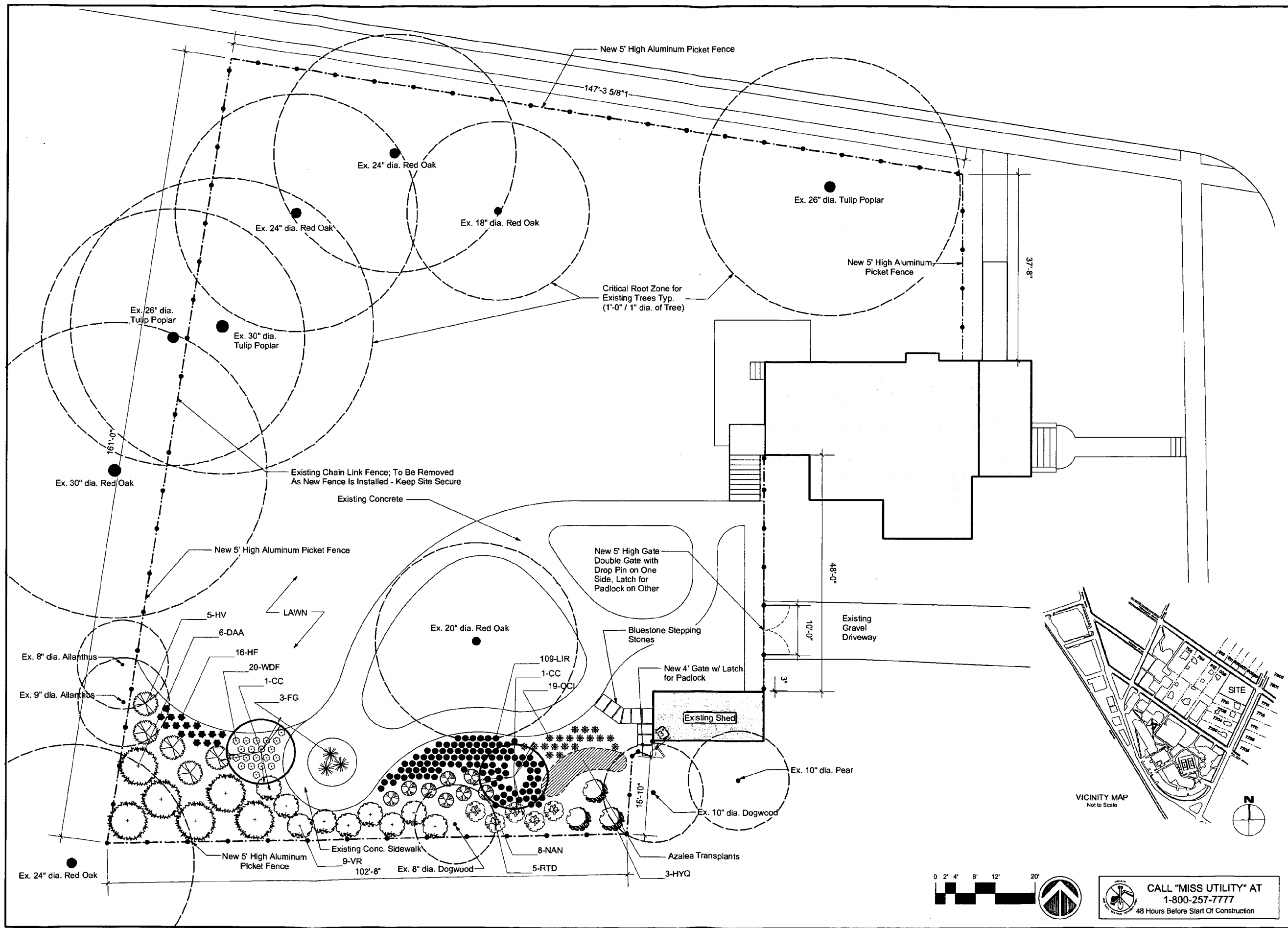
DATE	REVISIONS	BY	MS	RS
11/11/08	Extend Fencing Limits			
4/28/08	Inventory Existing Trees			

MISC. DETAILS

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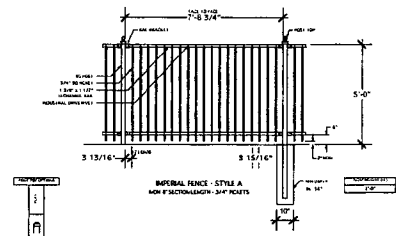
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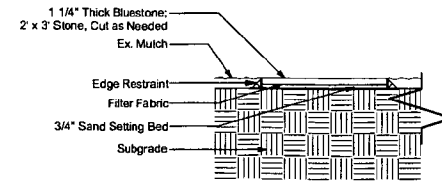
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9	VR	<i>Viburnum x rhytidophylloides 'Alleghany'</i>	Alleghany' Leatherleaf Viburnum	42-48"
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20	WDF	<i>Galium odoratum</i>	'Sweet Woodruff, sweet-scented bedstraw'	1 gal. cont.
109	LIR	<i>Liriope muscari 'Big Blue'</i>	Big Blue Lily Turf	4" pot
19	OCI	<i>Osmunda cinnamomea</i>	Cinnamon Fern	1 gal. cont.
3	FG	<i>Pennisetum alopecuroides</i>	Fountain Grass	2 gal. cont.



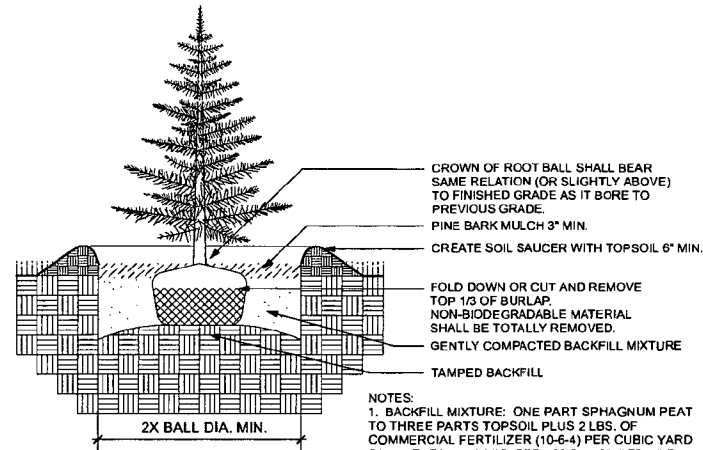
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NOTE: FENCE TO BE 5' IN HEIGHT WITH FLAT POST TOPS.



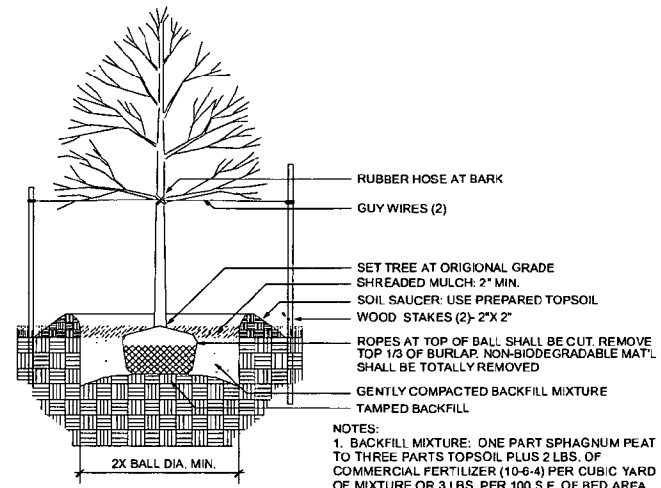
2 Bluestone Stepping Stones
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Note: Bluestone to be set with 2" ± spacing between stones. Spaces to be filled with mulch.



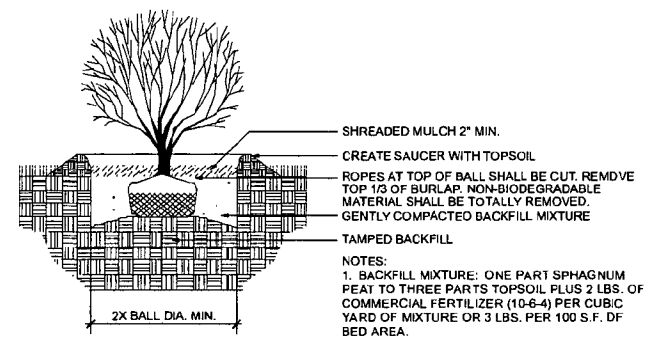
3 Coniferous Tree Planting
Not To Scale

NOTES:
1. BACKFILL MIXTURE: ONE PART SPHAGNUM PEAT TO THREE PARTS TOPSOIL PLUS 2 LBS. OF COMMERCIAL FERTILIZER (10-6-4) PER CUBIC YARD OF MIXTURE OR 3 LBS. PER 100 S.F. OF BED AREA.



4 Deciduous Tree Planting
Not To Scale

NOTES:
1. BACKFILL MIXTURE: ONE PART SPHAGNUM PEAT TO THREE PARTS TOPSOIL PLUS 2 LBS. OF COMMERCIAL FERTILIZER (10-6-4) PER CUBIC YARD OF MIXTURE OR 3 LBS. PER 100 S.F. OF BED AREA.



5 Shrub Planting
Not To Scale

NOTES:
1. BACKFILL MIXTURE: ONE PART SPHAGNUM PEAT TO THREE PARTS TOPSOIL PLUS 2 LBS. OF COMMERCIAL FERTILIZER (10-6-4) PER CUBIC YARD OF MIXTURE OR 3 LBS. PER 100 S.F. OF BED AREA.
2. CONTAINER SHRUBS: COMPLETELY REMOVE NON-BIODEGRADABLE CONTAINERS AND SCARIFY ROOTBALL USING SHARP BLADE.

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DATE	REVISIONS	BY	MS	RS
1/11/09	Extend Fencing Limits			
4/04/09	Inventory Existing Trees			

MISC. DETAILS

SCALE: 1/8" = 1'-0"
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DESIGN: AJB/NHC
DRAWN: AJB

L2 OF 2



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1 we're passed the question/answer stage. Is there a second?

2 MS. MILES: I will second, but I believe that you
3 also intended to add the caveat that the five foot fence
4 will be permitted only so long as there is a use as a child
5 care center.

6 MS. ALDERSON: Yes, I wanted to add that. I'm
7 acknowledging that once it's there, its subsequent sequent
8 owner is not going to be required to take it down, but that
9 there would be no approvals for extensions or modifications
10 to it if that is not a continued use.

11 MR. FULLER: I'm assuming that what we are looking
12 for is somebody to cite a code section to staff that it
13 would not be coming back to us, but they would be defining
14 it to staff?

15 MS. ALDERSON: Yes. So we are allowing that to be
16 handled at staff level if we can receive that confirmation.
17 And I'll just, this is outside of the motion but just for
18 the record, the County agencies usually suggest metal first,
19 but all are able to rise to the challenge of maintaining
20 their historic properties out of the in kind materials when
21 we, they accept it. The County does it just like all the
22 homeowners do.

23 MR. FULLER: All right. We have a motion on the
24 table. We have it seconded.

25 MS. MILES: No. Now I will say second. I don't
26 think I did.

1 MS. ALDERSON: For a picket style fence.

2 MS. McRAE: It's a picket fence, yes.

3 MS. ALDERSON: At four feet height.

4 MS. McRAE: No, I mean to confirm the distance
5 between the pickets.

6 MS. ALDERSON: I don't think there's a problem
7 with the picket fence, the pickets.

8 MS. McRAE: Yes. It appears like two inches.

9 MR. FULLER: Since we have not had the motion
10 seconded, can we please restate the motion for the record?

11 MS. ALDERSON: Yes. Yes. I'd like to make the
12 motion that we approve the request for a picket style open
13 fence estimated with the additional conditions that it
14 should be a wooden fence to blend with the historic
15 neighborhood, and that a height of four feet would be
16 approved, and permitting the modification to allow a five
17 foot height if we receive confirmation that this is required
18 for a child care center use.

19 MS. McRAE: There may be, I'm sure there was a
20 reason to go with the aluminum painted fence, rather than
21 wood fence. I'm not exactly -- one I'm sure is that we're a
22 public agency and maintenance is an issue. And also with a
23 fence that is not actually --

24 MR. FULLER: At this point we are -- not to cut
25 you off, but at this point a motion has been made. I need
26 to hear a second and then we're in deliberations. I think

1 revision that it would be a wooden fence, rather than
2 aluminum, and that it would be, allow approval for four
3 feet, and that a modification to accept a height of five
4 feet would be accepted, only upon confirmation that this is
5 required as mandatory for its use as a child care center;
6 and that this approval is contingent upon the child care
7 use.

8 MR. FULLER: Is there a second?

9 MR. ROTENSTEIN: Before we move into the voting, I
10 need to mention that I'm on the faculty of Montgomery
11 College, and will be recusing myself from deliberations and
12 the vote.

13 MR. FULLER: Thank you.

14 MR. JESTER: Let me ask for a clarification on
15 your motion. Are you, does your motion include a
16 requirement that it be a wood fence, and not the aluminum
17 fence as in the application?

18 MS. ALDERSON: I'm adding two conditions.

19 MR. JESTER: What about the spacing part?

20 MS. ALDERSON: I'm okay with the two-inch spacing,
21 but -- and if, I would entertain modifying that if others
22 want to, but the additional condition would be the fence,
23 approving the wood rather than aluminum, and approving four
24 feet unless we receive confirmation that five feet is
25 mandatory for its use as a child care center.

26 MS. McRAE: Actually, let me confirm the spacing.

1 MS. ALDERSON: That's why I want that in the
2 record.

3 MS. McRAE: Okay.

4 MS. ALDERSON: That if we are going to approve
5 five feet, it's conditioned on this being a mandatory
6 requirement, and that it would be approved only for its use,
7 you know, as a child care center.

8 MS. McRAE: Okay.

9 MR. DUFFY: What organization is it that requires
10 the five-foot height?

11 MS. McRAE: I believe it is the day care
12 playground environment that requires that. As I said, I
13 really didn't come here to quote the exact code
14 requirements.

15 MS. ALDERSON: I will, I guess, get verification
16 of that. The automatic approval would be for four feet. To
17 get an additional foot, we would require confirmation that
18 this is legally required.

19 MS. McRAE: Okay.

20 MS. ALDERSON: Because it does obscure. It
21 obscures the property from view, which is not the norm in
22 the historic district.

23 MS. McRAE: Okay.

24 MR. FULLER: Other questions?

25 MS. ALDERSON: I'm going to go ahead and make a
26 motion, then, that we approve the application with a

1 it's my understanding that the four foot fence actually came
2 with the property when the college bought it, existed
3 already. And this is sort of to upgrade it to five feet to
4 meet the requirements of a playground space, including the
5 distances between the pickets. So the fence, as designed,
6 meets the requirement of a playground.

7 MS. ALDERSON: And what's the distance between
8 those pickets?

9 MS. McRAE: I believe they are like two inches.

10 MS. ALDERSON: Okay. So at least a space.

11 MS. McRAE: Yes. Yes.

12 MS. ALDERSON: Okay. Okay. So what we may be
13 doing is stating a conditional approval with some additional
14 conditions that go beyond the staff recommendations.

15 MS. McRAE: I'm sorry, what?

16 MS. ALDERSON: We may be discussing a conditional
17 approval, adding some conditions that go beyond the staff
18 recommendations, then. And then may consider the
19 possibility of working out the height in cooperation with
20 the staff based on what is actually mandatory to comply with
21 the law, I guess, because -- I say that because we would
22 need to put in the record that if there is a modification,
23 why that would be happening, since the other residents all
24 around you would be required to limit their height to four
25 feet.

26 MS. McRAE: Are they child playgrounds?

1 So this project proposes to extend the fence to
2 five feet to avoid some of those issues, as well as
3 providing landscaping between the playground and the
4 adjacent property.

5 MS. ALDERSON: I see. The reason, I'll state the
6 reason I asked the question about, and I presumed that the
7 climb-ability of the chain link was the main concern, I had
8 raised the issue and I will be raising it again here. The
9 material, we have given, although it has not been a very
10 persuasive substitute for what would be the traditional
11 vernacular neighborhood residential material, which is wood.

12 The metal that's been used has been the
13 traditional metal, the iron. And the aluminum, I have not
14 found it successful at creating that traditional historic
15 look. So I don't imagine that was a problem, that wood has
16 not been raised.

17 But I was specifically concerned about the height,
18 because we have limited the height of the picket fences in
19 the residential areas to four feet. And presuming that it's
20 difficult for a small child to scale a picket fence, we
21 would want it, or urge the school to consider other ways to
22 prevent the children from throwing rocks over the fence.

23 MS. MCRAE: I believe there are also requirements
24 by, we're accredited by certain entities. I'm sorry that
25 I'm not part of the child care center staff. And I'm not
26 skilled enough in exactly what the requirements are. But

1 gate on the eastern section of the proposed fence. The
2 staff is recommending that the HPC approve this historic
3 area work permit.

4 MR. FULLER: Are there questions for staff? Does
5 the applicant want to make a statement?

6 MS. McRAE: No.

7 MR. FULLER: Thank you. Is there any discussion?

8 MS. ALDERSON: I have a question for the
9 applicant. Thank you. Okay, the application mentions that
10 the existing fence doesn't meet code and that's one reason
11 to be replacing it. I presume part of that is the climb-
12 ability of a chain link, and we are always pleased to see a
13 chain link replaced with something more sympathetic. Was
14 the height an issue, a code issue?

15 MS. McRAE: The height was one --

16 (Discussion off the record.)

17 MS. McRAE: The height -- one of the children --

18 MR. FULLER: I'm sorry. Could you also introduce
19 yourself for the record?

20 MS. McRAE: Yes. I'm sorry. I'm Chahnaz McRae.
21 I'm the senior project manager at Montgomery College, the
22 facilities office. It's my understanding that one of the
23 children actually climbed the fence and got out on the on
24 the avenue. And after that, the certainly -- and also one
25 of our adjacent neighbors to the west was, had problems with
26 children kind of throwing stones and bothering her.

1 in Clarksburg; case number 37/03-08Y at 7007 Carroll Avenue
2 in Takoma Park; case number 37/03-08Z at 7102 through 7104
3 Maple Avenue in Takoma Park; case number 35/13-08K at 15
4 Magnolia Parkway in Chevy Chase; case number 19 -- sorry,
5 case 35/13-08L at 19 Quincy Street in Chevy Chase; case
6 number 23/65-08B at 1 South Street in Brookeville.

7 MR. FULLER: Is there a second?

8 MS. MILES: Second.

9 MR. FULLER: Any discussion? All in favor? Thank
10 you. Those pass unanimously. If one of those is your
11 historic area work application, please see staff after the
12 hearing and they can direct you on how to proceed. We
13 appreciate you for your efforts in putting together thorough
14 applications.

15 The first case we're going to hear tonight is case
16 A at 7714 Takoma Avenue, Takoma Park. Is there a staff
17 report?

18 MR. SILVER: Yes. It will be very brief staff
19 report. 7714 Takoma Avenue is a contributing resource
20 located within the Takoma Park historic district. The
21 applicant is proposing to remove approximately 500 linear
22 feet of a four-foot high metal chain link fence from the
23 perimeter of the property, and install a five-foot high
24 aluminum open style picket fence in the same location.

25 The proposed work also includes the installation
26 of one four-foot high and five-foot high aluminum access

1 nomination.

2 MR. BURSTYN: Second.

3 MR. FULLER: Is there any further discussion? All
4 in favor? It passes unanimously. Thank you very much for
5 your efforts.

6 MS. SHANNON: We want to thank you very much, too.

7 MR. FULLER: Okay, next on our agenda this evening
8 are the historic area work permits. Okay. We're going to
9 start by running through the work permits that we believe we
10 can expedite.

11 If you are here to speak in opposition to any of
12 the cases we list, please make sure you let us know, because
13 otherwise, we are going to be expediting approval. Is there
14 anybody here to speak in opposition to case B at 7704 Takoma
15 Avenue? Anybody to speak in opposition to case C at 23365
16 Frederick Road? Is there anybody here to speak in
17 opposition to case E at 7007 Carroll Avenue. Anybody to
18 speak in opposition to case F at 7102 and 04 Maple Avenue?
19 Is there anybody to speak in opposition to case G at 15
20 Magnolia Parkway? Case H at 19 Quincy Street? Case I at 1
21 South Street, Brookeville?

22 MR. ROTENSTEIN: Mr. Chair, hearing none, I move
23 that we approve the following historic area work permits
24 based on the staff reports.

25 Case number 37/03-08W at 7704 Takoma Avenue in
26 Takoma Park; case number 13/10-08A at 23365 Frederick Road

1 Carderock Springs. I did work landscaping on several of the
2 houses over the last 20-year period. So I've had an
3 opportunity to be quite familiar with them.

4 Probably, appreciation of it grew out of the fact
5 that in the neighborhood I grew up in are two custom
6 designed Charles Goodman houses, as well as others that are
7 sort of what have been referred to as knock-offs of that
8 style. So I've been very exposed to that architecture
9 growing up, not knowing what it was, but just experiencing
10 it.

11 So I've always appreciated the distinctiveness of
12 Carderock Springs and the identity established through both
13 the architecture and the environmental setting of the
14 houses.

15 So I hope that the Historic Preservation
16 Commission will agree with the others who have looked at
17 this and support placement of Carderock Springs as a
18 historic district on the master plan, excuse me, the
19 national register of historic places.

20 MR. FULLER: Are there any questions for any of
21 the speakers or for staff? Is there any deliberation?
22 Would somebody like to make a motion to recommend inclusion
23 on the national register, or some other motion?

24 MS. ALDERSON: I'd like to make a motion in
25 support based on recommendation to recommend Maryland
26 listing on the national register of the Carderock

1 was the last section that Ed Bennett built. I believe he
2 originally wanted to put townhouses there, and the community
3 fought it. So he clustered the homes even more than in the
4 first section. There was a total of seven sections. And
5 these homes have their own covenants. They have a mandatory
6 homeowner association with a nominal fee. They have their
7 own four-acre park. So it is a bit separate.

8 They are part of our community in terms of the
9 social network. We have swim club in the community, and
10 they are certainly a part of that. And those models, those
11 models were very similar to what Ed Bennett did in the
12 Commons. So they are modifications of the first Carderock
13 homes.

14 MR. FULLER: Thank you. Why don't we go through
15 other speaks, and we'll wrap this up. Wayne? And you were
16 Sandra, right?

17 MS. DEMBSKI: I'm Sandra.

18 MS. SHANNON: And Mary Lou.

19 MR. FULLER: I just have a speakers form. I just
20 wanted to make sure I got it.

21 MR. GOLDSTEIN: I'm Wayne Goldstein, president of
22 Montgomery Preservation Inc. I'm here tonight to support
23 the staff report, and to support my colleagues from
24 Carderock Springs.

25 I have had the opportunity as both a landscape
26 contractor and historic preservationist to be involved in

1 have the nomination in front of me and haven't counted, but
2 it's probably less than 5 percent.

3 Many, I won't say many, but some of the houses
4 have had small, little bump outs that don't really affect
5 the basic format of the house. They may be a push out in
6 the back or something like that. But that the houses are
7 still recognizable and clearly visible as being, you know,
8 Valleyview, and Overlook, a Glenmore. But you are talking
9 about a foot or two here or there, making a small room big.

10 As I said it's probably roughly about maybe 5
11 percent of the houses where there was more extensive work
12 done. And those are listed as noncontributing.

13 MR. BURSTYN: The other question with respect to
14 the boundaries, aren't there wood frame contemporaries on
15 the other side of Persimmontree?

16 MS. DEMBSKI: In --

17 MS. SHANNON: Yes.

18 MR. BURSTYN: And did they come later?

19 MS. SHANNON: They came later, in the seventies.

20 MS. MILES: These are the ones in Carderock South,
21 the other side of the Beltway?

22 MS. SHANNON: On the south side of Persimmontree
23 Road there is a community called Persimmontree, a legal
24 subdivision, Congressional Country Club Estates, I believe.
25 And those were built in the seventies.

26 Now, there is a section south of the Beltway, it

1 unanimous support, and concern about whether it's historic
2 designation, which would be controversial in the community.

3 But as people have learned that this is the
4 national register, which is, you know, frankly an honorific,
5 it has been very widely supported.

6 MS. SHANNON: We also had an education process
7 when the professors who do the studies, Bill Gournay and
8 Mary Sies presented the project at a celebration,
9 anniversary meeting that we had in 2004. And Edmond
10 Bennett, our developer, was able to return for that. So we
11 had a couple of the other builders that worked with him. We
12 have about 200 come to that presentation.

13 MR. JESTER: Just one more item. This is not a
14 question but a comment. I don't know if anyone is aware,
15 but Mr. Lethbridge passed away --

16 MS. DEMBSKI: Yes, we saw that.

17 MR. JESTER: -- and there was an extensive
18 obituary in the Post.

19 MS. DEMBSKI: Yes. Yes.

20 MR. BURSTYN: Just a couple of questions. Do you
21 have any idea how many homes in the neighborhood have been
22 altered by renovations?

23 MS. DEMBSKI: I think we have, we don't have the
24 exact number here, but in there you will see the ones that
25 are noncontributing. And those are the ones that have been
26 extensively altered. I would say, I mean, and then I don't

1 MS. MILES: Thank you. I guess my only other
2 question would be then, every single house within this
3 district has the original integrity of the original plans?
4 That's just astonishing.

5 MS. KELLY: Yes. If you look in the national
6 register form, there are some that are noncontributing.
7 They all date from the time period, but some have been
8 altered. So there are some noncontributing. But the vast
9 majority of them are contributing.

10 MR. JESTER: I'm curious, what percentage of the
11 residents supported the nomination, and how many were
12 opposed to it? I mean, I realize this is only a national
13 register nomination but --

14 MS. DEMBSKI: Well, if you go over the history, we
15 were fortunate, Peter Kurtze from the Maryland Historic
16 District came to one of the annual association meetings in
17 the spring of 2006 and explained the national register
18 process. And certainly everyone at that meeting unanimously
19 supported it.

20 In the period which is basically now two years
21 since then, we have been doing a continuous series of, you
22 know, informing the community on the progress of the
23 nomination. And certainly, as you are right, it's been a
24 little bit of a learning process for the community as well,
25 as people have been learning the difference between the
26 national register nomination, for which I think there is

1 out which button to use. This property right here is
2 actually a master plan historic site. It's Glenmore, which
3 is Lilly Moore Stone's house. And that house was subdivided
4 in recent years. And so a number of those houses in there
5 are only, you know, built within the last 10 years or so.
6 And the same goes for the other houses that are outside the
7 boundary.

8 MS. MILES: And it looks very, I'm just going to
9 make sure that I understand. It's true even of the ones
10 that are at the very top of this map, where there just seems
11 to be one house next to each other and it just seems to --

12 MS. KELLY: Yes, are you saying the ones at the
13 top of Fenway Road, up at very top of the map?

14 MS. MILES: Yes.

15 MS. KELLY: Yes, those houses are later. They are
16 not the 1965 -- if you would like to, could you come up to
17 the microphone.

18 MS. DEMBSKI: Okay. Well -- I'm Sandy Dembski.

19 MS. KELLY: If you could speak at the microphone,
20 it would be great.

21 MS. DEMBSKI: Yes. I'm Sandy Dembski.

22 MS. SHANNON: Mary Lou Shannon.

23 MS. DEMBSKI: The houses at the top of Fenway Road
24 were built in the fifties. They are called Congressional
25 Manor. And the first models were at the very top of Fenway
26 Road. Some of the pictures you saw were the first models.

1 of the nomination. No further action can be taken on the
2 nomination until the Commission and the County Executive
3 review it. The HPC and the County Executive make
4 recommendations to the Maryland Historical Trust which
5 administers the national register program as the State
6 Historic Preservation Office for Maryland.

7 Are there any questions?

8 MS. MILES: Yes. The outlines of the district
9 appear to be a little bit arbitrary in places. I mean,
10 there are some areas at the edges, if you could put the map
11 back up.

12 MS. KELLY: Sure. Let me get the better map,
13 actually.

14 MS. MILES: Yes. I, of course, don't have a way
15 to -- there are some houses along Persimmontree Road that
16 are excluded, and then there is like the Comanche Court area
17 that is excluded and --

18 MS. KELLY: The areas that are included are the
19 houses and maybe someone who works on the nomination, if you
20 want to speak to this as well, but the boundary includes the
21 houses from the time period that were designed and built by
22 Bennett and KLC. The ones that are outside are from outside
23 the period and were not, were built later or by someone
24 else.

25 Especially the Comanche Court, I would note that
26 the, let me use the mouse but -- oops. Okay. Let me figure

1 main Charles Goodman context.

2 The community plan called for clustering of
3 houses. An innovative street plan employs knobs which had a
4 triad or quad of houses with the same shared access drive.
5 And these are located throughout the community.

6 Carderock Springs also is noteworthy for the
7 design quality of the clubhouse complex. The clubhouse
8 completed in 1965 received a Washington Board of Trade
9 design award the same year. The club complex included three
10 pools, tennis courts, and nature trails. And the location
11 of it is shown on the map on the right.

12 Staff recommends that the HPC find the proposed
13 Carderock Springs historic district nomination eligible for
14 listing on the national register of historic places. And it
15 meets criterion A, for its suburban development
16 characterized by modernist house design in a natural
17 landscape setting; criterion C, significant architecture,
18 including the works that embody the characteristic of
19 modernist architecture; and criterion consideration G, which
20 is exceptional consideration due to its relatively recent
21 origin.

22 The proposed district is a testament to the
23 significance of modernist planning and architectural ideals
24 of the post-war period.

25 The Governor's consulting committee reviewed this
26 nomination in February 2007, and voted to recommend in favor

1 with balconies on the front and a rear dining balcony.

2 And the Atrium is a model which appears one story
3 from the front, and as you can see the plan, the left is a
4 formal garden or atrium at the center of the building. And
5 it includes a breezeway patio and balcony on the back.

6 The landscape plans were one of the amenities that
7 were offered to new residents. Bennett and KLC were
8 marketing communities that were aimed at rising
9 professionals with rising incomes and growing families.

10 Right after World War II developers had been
11 gearing houses for young couples and veterans who were
12 looking for modest affordable housing in modern
13 architectural design.

14 Carderock Springs represents a second phase of
15 modernist housing in this region. These residences were
16 larger. They offered greater amenities. And they were
17 available at greater cost than the post-war houses.

18 The earlier phase of houses were pioneered in this
19 area by Charles Goodman, and there are three Goodman
20 historic districts on the national register that the HPC
21 recommended back in 2003.

22 I also want to note that that also was a multiple
23 property submission in the sense that there was one main
24 form which provided all the historic context and then the
25 three individual Charles Goodman districts each had their
26 own separate forms that all tied into that context of the

1 it's roughly bounded by River Road to the north, Seven Locks
2 Road on the East, I-495 on the south, and Persimmontree Lane
3 and the Congressional Country Club on the west. It includes
4 275 houses and a recreation complex.

5 Of the Bennett and KLC projects, there are several
6 noteworthy features that Carderock Springs has. One is its
7 modern architecture presented in a variety of designs.
8 Another is how the houses are designed to fit into the
9 sloping land.

10 Common features of the houses are window wall
11 framing, horizontal emphasis, the indoor/outdoor
12 relationship, and the absence of superfluous design or
13 decoration.

14 In contrast to earlier projects, the houses in
15 Carderock Springs have balconies and patios instead of
16 porches. The houses were built in a range of modern design
17 models, designed to fit various types of sloping lots.

18 Here we have the Overlook, which is an uphill
19 model. It has two stories on the front and one story in the
20 back. The living area opens onto a balcony, and on the back
21 there is the dining and kitchen open onto a patio.

22 The Valley View model is also an uphill model with
23 a front balcony and a rear patio. This has an inset front
24 door with an optional attached garage with a breezeway.

25 The Hillcrest is built on a lateral slope. The
26 ground slopes to the side. And it has a central split foyer

1 University of Maryland Professors Isabelle Gournay and Mary
2 Corbin Sies.

3 The nomination is two parts: the national register
4 district form which you received, and the multiple property
5 documentation form, which you've also gotten a copy of.

6 The community of Carderock Springs is located in
7 the Bethesda district. The Cabin John Branch runs through
8 the area. Cabin John was a fertile ground for modern
9 architecture. To the north of Carderock Springs is the
10 single Frank Lloyd Wright house in Montgomery County. And
11 to the southeast of Carderock Springs is the Marcel Brewer
12 House, which the Commission recently reviewed both for local
13 designation and for the national register.

14 Cabin John, it appears the combination of the
15 topography and land that was available at that time in the
16 late fifties, early sixties, so there is some great modern
17 architecture there.

18 Edmonds Bennett was a savvy merchant builder. He
19 collaborated with Keyes, Lethbridge and Condon, a team of
20 top modernist architects, on several projects, all of which
21 are located in Montgomery County. Carderock Springs is
22 representative of the modernist communities built and
23 designed by this team. Their subdivisions are noted for
24 clustered housing, modern architect, landscape preservation,
25 and recreation facilities.

26 The proposed district boundary is shown here, and

1 followup with the rest of them as they go through the
2 adoption process. But actually doing the sheet for the
3 imbedding is a small part of the process of installing these
4 signs. So I think that's not a problem.

5 MR. FULLER: Thank you. Are there other questions
6 for any of the participants? We thank you for your efforts
7 and look forward to seeing them up in Silver Spring shortly.
8 Thank you.

9 MS. SICKLE: Thank you.

10 MR. FULLER: The second item on our agenda this
11 evening is a national register evaluation for Carderock
12 Springs historic district, River Road, Seven Locks Road,
13 I-495. Is there a staff report?

14 MS. KELLY: Yes. The Commission has received the
15 national register nomination for the Carderock Springs
16 historic district. This nomination was completed by Peter
17 Kurtze of the Maryland Historical Trust with Carderock
18 Springs residents Sandra Dembski, Mary Lou Shannon, and
19 Brenda Bell.

20 Developed between 1962 and 1966, Carderock Springs
21 is comprised of modernist houses and a community center in a
22 naturalistic design that benefits from existing landscape
23 and topography. The district is part of a multiple-property
24 submission called subdivisions built by Edmond Bennett and
25 design by Keyes, Lethbridge and Condon, 1956 to 1973.

26 That multiple property submission was prepared by

1 enthusiasm. We appreciate your assistance in trying to pull
2 this together because it was not fun to lose the Armory, and
3 obviously, whatever we can do to try to educate people about
4 it.

5 MS. SICKLE: We have provided names of companies
6 to Mel and Gary to explore. We've already gathered names.

7 MR. FULLER: We'll ask those questions. Are there
8 questions for anybody from Silver Spring right now? Mel,
9 can you come back up for a few seconds?

10 MR. PAUL: Sure.

11 MR. FULLER: I think the one question that really,
12 that I had even before it was asked by the advocates from
13 Silver Spring is really, if we are so close to the end of
14 the fiscal year, what is the time line to sort of take us
15 through the next six weeks to go from where we are today to
16 being able to have a contract in place?

17 MR. PAUL: Oh, I think we have a process to get a
18 contract in place.

19 MR. FULLER: All right. Okay. So I'm assuming
20 then we're going to get a contract without necessarily
21 having all the final text. It's simply going to be buying X
22 number of signs for now, and then the artwork can be
23 provided after the fact?

24 MR. PAUL: I think we'll have -- we're making
25 enough progress on the text and images, that we'll have
26 enough for the contractor to see what we're after, and we'll

1 do.

2 MS. PEARSALL: I just want to jump in here and
3 say, Silver Spring Historical Society has been working
4 really hard on the content. It's really great. And as what
5 Marcy is saying to you, we envision this as a project that
6 will hopefully have several phases.

7 And I think it was great to come up with the idea
8 to have a walking tour on Georgia, that stretch of Georgia
9 Avenue, which is a very walkable street. And we're getting
10 these wonderful mom and pop businesses in there. And it
11 just will help enliven the area and really add a lot to it.

12 I think I can say Montgomery Preservation's
13 concern at this point is that we have six more weeks, and
14 that the bidding gets done, the administrative part gets
15 done, and that we don't run out of time. It's very
16 important that we have the specs in, the bids out, the money
17 is secured, and I'd like to hear what the County has to say
18 about that. I didn't hear them quite say what state it was
19 in with respect to that. If they could clarify that, that
20 would be great.

21 MR. FULLER: Can you summarize your statements,
22 and we'll go on to further questions? Is there anything
23 else you have to say?

24 MS. SICKLE: I just -- ask questions. I'm just
25 very excited about this. Thanks for writing a letter.

26 MR. FULLER: Thank you. We appreciate your

1 our tour. We want the 20 signs to go from Wayne Avenue all
2 the way down to Eastern Avenue on both sides.

3 So I do have a draft letter. The Silver Spring
4 Citizens Advisory Board enthusiastically agreed to send a
5 letter to the County Council to ask them to please, please
6 give us the \$45,000 second installment so we can -- this has
7 been 10 years. We lost the Armory in 1998. It's 2008. And
8 Ike was good enough to remember to get the \$45,000 in for
9 fiscal year 2008, but we really do need the other \$45,000.
10 And Valerie was great to get us the \$15,000 more.

11 So I do have the draft letter that I can pass out.
12 If you all are willing to send it in right now, because they
13 are working on the budget, and we could get our second
14 \$45,000, that would be incredibly helpful.

15 MR. FULLER: Staff has actually prepared a letter
16 that I signed this evening to the County Exec and the County
17 Council recommending that they proceed with the second
18 \$45,000 installment.

19 MS. SICKLE: Fantastic. Thank you so much. And
20 this is our map that, you know, corresponds to the Clay
21 maps, locator maps. But basically, we're on the way. And
22 we're very, very excited about. We think it's going to
23 educate everybody.

24 And it's also about heritage tourism. We are so
25 lucky. We have magical and unique ingredients for heritage
26 tourism here in Silver Spring. Not many places can say they

1 very excited. And to partner with the historic preservation
2 office and Scott, and with the Silver Spring Municipal
3 Services Center, this is really a dream come true.

4 And we are very far along. We've already
5 identified all the sites. And Jerry is working with Scott
6 to put text and pictures together. And it's just a very
7 exciting project.

8 And we are so lucky. I have a copy of the 1927
9 map, which is only a portion of our vast CBD. We go from
10 green to green. Falklands is green. Blair Park is green.
11 And we are so lucky to have our original main streets of
12 Georgia Avenue and Colesville Road, and all the layers of
13 history.

14 So we want to celebrate those who came before us,
15 and educate people, you know, that you can enjoy history.
16 This is our history. So I do have the Clay map which
17 corresponds to many of our agreed upon list of sites and
18 structures. We try to tell a story as they do in D.C. So I
19 do have this list if anybody wants to see it.

20 And actually, \$45,000 was given, was assigned to
21 us by the County Executive. And luckily, Valerie Erwin, she
22 responded to our request for \$15,000 more, so we could get
23 the larger, better quality signs. And so I have her letter.

24 So one of our major concerns is that we get the
25 second installment, so we can complete our tour. We're only
26 able to do 10 signs now, double sided. We want to complete

1 of the questions, we can let the partners from Silver Spring
2 come forward and give their presentation, and then maybe
3 answer some questions or we'll see where we go from there.

4 MR. PAUL: Thank you.

5 MR. FULLER: Thank you. Good evening. Do you
6 want to state your names, for the record?

7 MS. SICKLE: Marcy Sickle, advocacy chair of the
8 Silver Spring Historical Society, and my colleague --

9 MS. PEARSALL: I'm Lorraine Pearsall. I'm with
10 Montgomery Preservation.

11 MR. GOLDSTEIN: Wayne Goldstein, Montgomery
12 Preservation.

13 MR. FRENCH: George French, Silver Spring
14 Historical Society.

15 MS. SICKLE: And Jerry McCoy, who is the
16 mastermind working tonight at the Martin Luther King
17 Library, otherwise he would be here.

18 I just want to -- I do have materials that I can
19 pass out if there's some interest. But this is a dream come
20 true for us. I mean, we lost the Armory, so as an amenity
21 for the loss of the Armory, this is a dream come true that
22 we're going to have this heritage trail in Silver Spring
23 like the ones they have in D.C. and across the country.

24 And we are going to educate and celebrate those
25 cavalcade of people who came before us, the fathers, the
26 mothers, the kids, and laid our foundation. So we're very,

1 how far have you gotten in terms of identifying the
2 contractors, fabricators who actually get these things built
3 and put in place for you?

4 MR. PAUL: Fortunately, the D.C. group has been
5 doing this for years, and has worked with at least two
6 different contractors. So we know there are sources out
7 there.

8 MR. FULLER: Go ahead.

9 MR. BURSTYN: I was wondering what, do you know
10 the font size of the narrative on there? Because what I
11 remember at this instance is in reading some of the D.C.
12 signs, that you have to get, well, you have to kind of get
13 close anyway, because it is a paragraph to read.

14 MR. PAUL: Right.

15 MR. BURSTYN: But it just seems like if anyone was
16 even a little bit impaired in sight, I was just wondering if
17 you've taken that into consideration, to make sure that the
18 fonts are large enough?

19 MR. PAUL: Well, that was why we had one, that's
20 why we had one made at full size, so we could see it and use
21 it. We looked at these, and while there's a lot of feeling
22 that the greenish-blue background is very dramatic, a white
23 type seems to be more visible to read. But I'm very
24 conscious of what you're talking about, because I wear
25 bifocals.

26 MR. FULLER: I think before we go through too much

1 height where it's readable, visible to, I hate to say,
2 people in a wheelchair or younger people.

3 MS. MILES: Do you know what the height off the
4 ground is of the D.C. signage?

5 MR. PAUL: Some people tell me it's a bit higher
6 than that.

7 MS. MILES: Yes, it is higher, and it's rather
8 low, but it's certainly higher than 33 inches. That strikes
9 me as being very low.

10 MR. PAUL: I'll take a look.

11 MR. WHIPPLE: I believe that the D.C. signs differ
12 in height according to the context that they are set in, and
13 so there isn't a standard height for the D.C. signs.

14 MS. MILES: I don't believe any are as low as 33
15 inches off the ground, though.

16 MR. WHIPPLE: That may be true.

17 MR. ROTENSTEIN: Can you tell us where you are in
18 this whole process?

19 MR. PAUL: You pretty much see where we are. We
20 have designed the template, and I have been taking it around
21 to show various concepts of the design to see if we get an
22 overwhelming feeling one way or the other, and at the same
23 time the Silver Spring Historical Society is working on
24 bringing together the images and the text that we will put
25 into it.

26 MR. ROTENSTEIN: And working with these partners,

1 that's really what we're looking at. We could go up to 20
2 signs, and extend it further. The concept that we've been
3 working on would have gone on down past the railroad tracks
4 to the District line, but we don't think we've got the
5 wherewithal to do all that right now.

6 MR. JESTER: The other question I had was about
7 how the signs mounted.

8 MR. PAUL: Oh --

9 MR. JESTER: Because it's a rather large sign.

10 MR. PAUL: It is, but it's smaller than the ones
11 that the D.C. heritage tourism trails use, and we want to
12 use basically the same concept they have, a single pole with
13 the sign in two fabricated fiberglass encased panels, and
14 locked together. So it's a system that D.C. has used, and
15 it looks like it works pretty well.

16 MS. MILES: Question. The height at which you
17 propose to hang them looks a little low to me in terms of
18 blocking visibility for traffic and pedestrians. Is that
19 something you've considered, or have you conferred with DPWT
20 about it?

21 MR. PAUL: Well, we plan to put them in that space
22 between the curb and the sidewalk that's occupied by the
23 tree pits and the light poles. So that they will be out of
24 the walking area, and you can just step aside, take a look
25 at it and step back in, but highly visible.

26 We've been planning to put it down at that 33-inch

1 section.

2 To give you an idea of the size of it, this is --
3 this is set at about the height it would be for street, and
4 this is the full size. We've used this to judge the height
5 and how readable it is from a little bit of a distance.

6 It's probably not as readable as it should be from that
7 distance, but we do want you to be a little closer to it.

8 And this is downtown Silver Spring, and the image
9 -- please hold on for a minute. It doesn't like the way I'm
10 doing this. This gives you an idea of the locations. Thank
11 you. This gives you an idea of the locations that we're
12 working on for the tour, starting at the Armory site, and
13 down Georgia Avenue and back up, basically describing block
14 by block what the historic context was in that area.

15 That's a very quick overview. Any questions?

16 MR. FULLER: Are there questions for the County at
17 this time?

18 MR. JESTER: So can you just tell me how many
19 signs we're talking about? Just tell me about how many dots
20 there are?

21 MR. PAUL: Oh, this shows --

22 MR. JESTER: It looks like quite a few signs in a
23 number of blocks.

24 MR. PAUL: Well, it does. It shows about a dozen
25 signs. We're not sure what the price, the cost is going to
26 be, and how many we'll produce in the first year. But

1 MR. PAUL: Good evening. I'm Mel Paul. I'm with
2 Montgomery County Silver Spring Regional Center. Scott has
3 done an excellent introduction of the background of what
4 we're doing.

5 Working with the Historic Preservation Commission
6 staff and the Silver Spring Historic Society, we are putting
7 together text and images to go into historic markers that
8 will create a trail, in effect, through part of downtown
9 Silver Spring.

10 What we have come up with and want to show you is
11 the basic idea for this sign. We laid it out so that there
12 are some identifying characteristics, a space for images,
13 the amount of text, so that there is a uniformity from one
14 sign to another throughout the area.

15 We've come up with two different concepts. One,
16 and keeping in mind that these are two-sided signs, just so
17 you get the image. People can come up from one side, read
18 it, the rest of the family looking at it from the other
19 side.

20 The other concept, different color concept, and a
21 little bit different concept of the beautifying features.
22 But using the same images, we give you the idea that this is
23 not just two different places in Silver Spring, that this is
24 the sign concept throughout the trail. And as you see, it
25 would have a map of the trail area, have images and text
26 describing that part of the street, and the history of that

1 sign design, and are handling administrative logistics
2 including identifying a company to fabricate and install the
3 signage.

4 The Silver Spring Historical Society, Montgomery
5 Preservation, Inc., and others have played an important role
6 advocating for the project at all stages of the process, as
7 well as helping to identify sites and develop content for
8 the signage.

9 Tonight the HPC will receive a briefing on the
10 status of this project from the project partners. I would
11 like to stress that this is an update. The HPC will not
12 take public testimony, and the HPC does not need to take any
13 formal action tonight for the project to move forward.

14 The HPC does not have a regulatory role in this
15 project, rather, the HPC's interest tonight is in hearing
16 from the project partners regarding their efforts to satisfy
17 this condition of approval related to the Armory's
18 demolition a decade ago. Thank you.

19 MR. FULLER: Thank you. Are there questions for
20 staff? Staff has worked with the applicant, and basically
21 we've agreed there will be a five minute presentation from
22 Montgomery County and then a five minute summary from the
23 groups from Silver Spring. Please, come forward and state
24 your name, for the record.

25 MR. PAUL: I'm Melvin Paul, I'm with the --
26 (Discussion off the record.)

1 MR. FULLER: Thank you. I'd like to remind
2 anybody in the audience, if you are here to speak in
3 opposition to any of the cases that are in front of us
4 tonight to please fill out a speaker's form at the back of
5 the room and turn it in to staff.

6 The first item on the agenda this evening is an
7 HPC briefing on the Georgia Avenue marker project. There is
8 no public testimony being taken on this issue tonight.
9 Scott, is there a staff report?

10 MR. WHIPPLE: Yes, there is. I'd like to provide
11 a brief context and background on this project. The Silver
12 Spring Armory master plan site number 3614 was listed on the
13 master plan for historic preservation in 1986. In 1998,
14 after much deliberation, the HPC approved the armory
15 demolition with conditions.

16 Among the conditions was a provision that the site
17 specific interpretative signage would be developed for sites
18 within the central business district. The County Council
19 provided \$60,000 in the current fiscal year in support of
20 this project. The County Executive had planned for a second
21 installment of \$45,000 for the coming fiscal year, but in
22 light of the budget situation, the Executive did not include
23 this funding request in his budget.

24 The appropriation is through the Silver Spring
25 Regional Center and Regional Center staff is managing these
26 funds. The regional center staff have taken the lead in

P R O C E E D I N G S

1
2 MR. FULLER: Good evening, and welcome to the May
3 14th meeting Montgomery County Historic Preservation
4 Commission meeting. My name is Jeff Fuller. I'm chair.
5 I'd like the Commissioners and staff to introduce themselves
6 starting on my left.

7 MR. DUFFY: Timothy Duffy, Potomac.

8 MS. MILES: Leslie Miles, Bethesda.

9 MR. JESTER: Tom Jester, Chevy Chase.

10 MR. ROTENSTEIN: David Rotenstein, Silver Spring.

11 MS. ALDERSON: Caroline Alderson, Takoma Park.

12 MR. BURSTYN: Lee Burstyn, Rockville.

13 MS. KENNEDY: Rachel Kennedy, preservation
14 planner.

15 MR. WHIPPLE: Scott Whipple, historic preservation
16 supervisor.

17 MS. KELLY: Clare Kelly, historic preservation
18 planner.

19 MR. SILVER: Joshua Silver, historic preservation
20 planner, and Anne Fothergill, historic preservation planner,
21 is outside right now.

22 MR. FULLER: Thank you. Has tonight's agenda been
23 duly advertised?

24 MR. SILVER: Yes, the historic area work permits
25 were advertised in the April 30th, 2008, edition of the
26 Washington Examiner.

COMMITTEE MEMBERS

Timothy Duffy
David Rotenstein
Leslie Miles
Caroline Alderson
Thomas Jester
Lee Burstyn

ALSO PRESENT:

Joshua Silver
Clare Kelly, Staff
Rachel Kennedy, Staff
Scott Whipple
Anne Fothergill, Staff

APPEARANCES

STATEMENT OF:

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Melvin Paul	5
Marcy Sickle	11
Wayne Goldstein	11
Lorraine Pearsall	14
George French	11
Mary Lou Shannon	23
Sandy Dembski	23
Wayne Goldstein	27
Chahnaz McRae	31
Maraline Trager	42
Tracy Furman	52
Susan Gallagher	58
Michael Williams	58
Anne Decker	63
Marina Krapiva	78
Donald Frost	91

1 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
HISTORIC PRESERVATION COMMISSION

2
3 - - - - - X
4 HISTORIC AREA WORK PERMIT - : HPC Case No. 37/03-08V
7714 Takoma Avenue : Takoma Park
: Historic District
5 - - - - - X
6 HISTORIC AREA WORK PERMIT - : HPC Case No. 37/03-08X
1 Columbia Avenue : Takoma Park
: Historic District
7 - - - - - X
8 HISTORIC AREA WORK PERMIT - : HPC Case No. 31/06-08F
10401 Armory Avenue : Kensington
: Historic District
10 - - - - - X
11 HISTORIC AREA WORK PERMIT - : HPC Case No. 35/13-08M
21 East Melrose Street : Chevy Chase Village
: Historic District
12 - - - - - X
13 HISTORIC AREA WORK PERMIT - : HPC Case No. 35/129-08A
4103 Stanford Street : Master Plan Site #35/129
: Davidson House
15 - - - - - X
16 HISTORIC AREA WORK PERMIT - : HPC Case No. 10/59-08A
PRELIMINARY CONSULTATION : Hyattstown
17 25911 Frederick Road : Historic District
: X
18 - - - - - X

19 A meeting in the above-entitled matter was held on
20 May 14, 2008, commencing at 7:34 p.m., in the MRO Auditorium
21 at 8787 Georgia Avenue, Silver Spring, Maryland 20910,
22
23 before:

24 COMMITTEE CHAIRMAN
25 Jeff Fuller

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1 MR. FULLER: Okay. And we have one member of the
2 Commission who has recused themselves because of their
3 association with Montgomery College. Is there any further
4 discussion? All in favor? All opposed? It passes
5 unanimously for those people that voted. Thank you.

6 Next on the agenda is case D, at 1 Columbia
7 Avenue, Takoma Park.

8 MR. SILVER: There is a staff report for 1
9 Columbia. 1 Columbia Avenue is a contributing resource
10 located in the Takoma Park Historic District. I wanted to
11 point out that the Commission received the staff report with
12 a recommendation of continuation.

13 And since the staff reports were submitted or sent
14 in the mail, there was a revised plans have been submitted
15 to staff and given to the Commission at the worksession
16 upstairs. So please make sure that you guys are looking at
17 the correct version, the one that was handed out today.

18 The applicant is proposing to add an internal
19 wooden staircase on the south end of the existing rear porch
20 of the property to provide first and second story egress to
21 the rear of the house.

22 The first story of the porch will be accessed by
23 an inset staircase from ground level. The proposed
24 staircase will match the existing stairs and railings on the
25 house. These stairs -- I wanted to point out, too, that
26 these stairs are being requested to accommodate the

1 conversion of this property. While it's presently used for
2 businesses, it is going to be put into a retail commercial
3 use. And perhaps the applicant can speak to that after the
4 staff report.

5 The second element of the proposal is to install a
6 new concrete landing at the rear of the house, install a new
7 four-foot wide concrete sidewalk at the front of the house,
8 and remove an existing metal sign from the right side, which
9 is the north of the property, and replace it with a new
10 wooden sign at a new location on the same side of the house,
11 and installation of precast stone pavers within the limits
12 of the existing gravel parking area at the rear and side of
13 the house.

14 Staff recognizes the desirability of locating
15 additions so as to reduce their visibility from the public
16 right-of-way, and understands this is the applicant's intent
17 by proposing to install an internal staircase unit, rather
18 than an external staircase unit that would be clearly more
19 visible from the public right-of-way.

20 Staff supports the proposed installation of
21 internal staircase unit at this property. Revised proposal
22 locates the staircase on the south end of the porch, which
23 is the least visible from the public right-of-way, and this
24 is a corner lot.

25 Although the historic fenestration pattern of the
26 rear elevation is unclear, it appears some elevations have

1 occurred, locating the staircase on the south of the porch
2 retains the existing nonhistoric first story door and window
3 in the same location. And the Takoma Park guidelines state
4 that the original size and shape of windows and door
5 openings should be maintained where feasible.

6 Staff also supports the proposed wooden sign
7 installation project at the property. Staff recommends the
8 applicant contact the Department of Permitting Services to
9 ensure the proposed sign complies with the Montgomery County
10 zoning ordinance for permanent sign installations. And I
11 realize that they, or their agent, has already initiated
12 this process to ensure that it is consistent with the
13 ordinance.

14 Staff also supports the installation of the four-
15 foot wide sidewalk at the property. However, staff is
16 recommending the applicant use an exposed aggregate concrete
17 or similar treatment in this location as more historically
18 appropriate.

19 Staff's only concern with the proposal is with the
20 proposed parking area modification. Although it is not
21 uncommon for the HPC to approve the installation of pavers
22 within the limits of an existing driveway, staff does not
23 support the proposed installation of precast pavers at this
24 property.

25 The existing gravel driveway currently covers
26 approximately 75 percent of the existing lot. The

1 installation of the precast pavers in this location would
2 have a major impact on the streetscape of the historic
3 district and/or property that is already undergoing several
4 noticeable modifications.

5 Staff understands the applicant intends to use the
6 property for commercial purposes, and that a more permanent
7 driveway surface is desirable. Staff is not opposed to a
8 more permanent surface, driveway surface at this property;
9 however, the introduction of a more permanent parking area
10 surface should be reduced to mitigate any potential impact
11 to the streetscape of the historic district.

12 Staff recommends the applicant submit a new site
13 plan and landscape plan to the HPC for review and approval
14 after the required number of parking spaces is determined
15 for the proposed commercial use. Any future parking at the
16 property shall not exceed the minimal allowable standard for
17 the size and use of the property.

18 Staff also encourages the applicant to consider a
19 parking program that is confined to the rear of the
20 building, and utilize landscaping to buffer the impact of
21 the parking on the streetscape of the historic district and
22 adjacent properties.

23 I do have a few slides that I can share with you.
24 So this area right in here is the area that we are talking
25 about for the proposed internal staircase. So to start,
26 this is an existing area way down into the basement level

1 or below the first story porch into the basement. And these
2 are just some general streetscape shots. And those are all
3 the photos I have.

4 MS. MILES: I have a question, Josh. Is there any
5 reason that gravel would be inconsistent with accessibility
6 requirements?

7 MR. SILVER: Not to my knowledge. I don't think
8 so. I think the gravel could remain at the property.

9 MR. FULLER: Are there any other questions for
10 staff? If you would like to state your name for the record?
11 Welcome.

12 MS. TRAGER: Thank you. My name is Maraline
13 Trager, and I own the property at 1 Columbia Avenue.

14 MR. FULLER: Do you have any comments on the staff
15 report, or would you like to make a presentation, or are you
16 available for questions?

17 MS. TRAGER: I would like to make a comment in
18 reference to the parking area. I think the gravel is not
19 attractive. 75-100 years ago cobblestone streets were quite
20 common. I am suggesting that I be allowed to consider
21 putting precast stone pavers. I think they are consistent
22 with the period of the house, and I think they would be more
23 attractive than gravel. That's all. I'm open to questions.

24 MR. FULLER: Are there questions for the
25 applicant? Question, Josh. You made a comment about that
26 you want to see the parking kept to a minimum. This

1 property being in Takoma Park probably has several different
2 ways you could look at minimal parking. Are you saying you
3 want them to take advantage of all mixed use reductions and
4 reductions for being close to Metro? Or are you saying that
5 you want them to look at the basic parking by use and
6 straight out of the zoning ordinance?

7 MR. SILVER: The second, basic parking by use. I
8 mean, it's currently a C-1. It's zoned commercial 1 right
9 now. But as it stands right now, having gone out to the
10 property, you know, I like the fact that there are no
11 defined parking spaces there right now, but if the intended
12 use of this is a commercial or retail property, is that
13 correct, Ms. Trager?

14 MS. TRAGER: Correct. Yes.

15 MR. SILVER: Right. I mean, perhaps some
16 consideration needs to be given to parking, if the
17 Commission is willing to entertain the possibility of a more
18 permanent surface.

19 And my comment is just rather than as the proposal
20 indicates, as the proposal indicates that, you know, it
21 shows about almost 75 percent of that would be precast stone
22 pavers. And what staff would like is just maybe a more
23 reduced area or a combination of precast stone pavers with
24 some level of landscaping so we don't have an entirely paved
25 area back there.

26 MR. FULLER: I guess all I was getting to is,

1 within the County code you have basic parking requirements.
2 And in an urban area with a mixed use scenario, you can
3 almost reduce the parking required by almost 40 to 50
4 percent, depending on exactly the distance from Metro. And
5 if your objective is to really maximize the amount of green
6 area, you go that way. Obviously, most people want to have
7 as much parking as is possibly available for their tenants.
8 What's the objective?

9 MS. ALDERSON: I can also some comments. It's a
10 local property. This property has actually had either an
11 institutional or commercial function for many, many years.
12 It was the city hall for a little while in the fifties. And
13 it was a cache that I used to go to. And I think the
14 neighborhood is pretty well set on this being a commercial/
15 institutional property.

16 So I can speak in support of the community's
17 general acceptance that they don't expect it to look like a
18 residential property.

19 I think there is an opportunity here, though -- I
20 think one of the particular challenges at this one that may
21 be argued against completely eliminating the parking, and
22 that is that this particular location is a very challenging
23 traffic location. It's the one that the city is
24 considering. It's going round about.

25 And actually on the preservation perspective, we
26 are not real strong on that, because it will wipe out,

1 protection will wipe out some properties. But this location
2 near Carroll, close to Carroll can be difficult to get in
3 and out of. And so I think your parking plan right now
4 allows you more than one way to get in and out, is that
5 correct?

6 MS. TRAGER: Oh, definitely.

7 MS. ALDERSON: So I know that's probably going to
8 be a continuing concern is to make sure there is more than
9 one way to get in and out of the lot.

10 But what I do think, and what I would like to see
11 you take a moment to represent, and I'd like to encourage a
12 continuance, is that there is -- I would entertain a more
13 permanent surface than gravel, and knowing that it can be
14 hard to maintain attractively. It really can. But I would
15 like to encourage an earthen color, whether it's brick or
16 it's paver.

17 We do have other historic properties that have
18 beautiful brick driveways, and some have, I'd say, the
19 quarry tile or earthen color pavers, something that gets
20 closer to brick, rather than gray. I think an earthen color
21 paver may look, actually, more natural and sympathetic than
22 the gravel does, which is actually pretty harsh right now.
23 It looks kind of harsh and kind of industrial.

24 And what I would like to do is see you take an
25 opportunity to think about where you can get a little green
26 in along the edge, because it would just terrifically

1 beautify it. Because right now, it's not really a rustic
2 look. It's a little more industrial look. And I think you
3 are taking the lead on finding a way to accept that it has
4 parking and beautify that, is a great idea.

5 MS. TRAGER: I would like to add one other
6 comment, and that is, unfortunately my lot tends to share
7 parking with the Savory Café. People who come to Savory and
8 don't want to drive all the way to the back of that building
9 pull right into my building and will park along there.

10 And so I need all the parking spaces I can get,
11 because I would say, this goes on on a daily basis, seven
12 days a week. And it is one of the, you know, there is
13 nothing you can do about it. It's one of the existing
14 situations with a commercial property. But because of that,
15 I really need all the existing parking that I can eke out of
16 that lot.

17 MS. ALDERSON: I can say, as someone that is very
18 familiar with the area, that is a reality of this area. The
19 Savory has activities that do spill over. And it's a
20 problem, actually, with all of these businesses right here,
21 because theoretically they are near Metro, but the way
22 people in the neighborhood use them is driving up and
23 parking. And so that's probably a reality we just need to
24 be aware of.

25 MS. TRAGER: Well, their parking is in the back,
26 and mine is so obviously in the front, and so it is very

1 easy to pull into mine and just walk around the fence and go
2 right into the neighboring. And I can't blame them.

3 MR. FULLER: Are there any additional questions
4 for the applicant or staff?

5 MS. MILES: I have a comment.

6 MR. FULLER: Then let's move into deliberations.
7 Thank you.

8 MS. MILES: I would just like to say, I would also
9 support changing the gravel out for a more easily maintained
10 and hopefully attractive surface. I agree with Commissioner
11 Alderson in terms of the color, but I would also suggest
12 that it be permeable and not be just a giant runoff area.

13 MS. ALDERSON: I agree.

14 MS. MILES: But I do think that in return for
15 that, I would expect there to be some landscaping. I mean,
16 this is a very stark looking site. I wouldn't want you to
17 lose your double ingress/egress. There is a way, though, to
18 keep other people from parking on your property, which is to
19 post signage saying that parking is limited to the use of
20 this business and others will be ticketed or towed.

21 MS. TRAGER: Not really.

22 MS. ALDERSON: Not in Takoma Park.

23 MS. MILES: Okay. that's fine. I will defer to
24 the Takoma Park residents. But I would really like to see
25 landscaping in return for that. This is a very, as you
26 said, Commissioner Alderson, a very industrial looking site,

1 this one. And I have no objections to any of the other
2 stairs or any of the other recommendations of staff.

3 MR. DUFFY: I have a comment. I do, I tend to
4 agree with both Commissioners as spoken. I think there are
5 opportunities for a little bit of green space. For example,
6 at the two curb cuts where the vehicles enter the parking
7 lot, I think on either side of the curb cut you could have a
8 few feet of planting that would be enough in which to put
9 some trees and shrubs.

10 And that alone, even if you didn't do any other
11 green space in the rest of the parking area, that would just
12 take a couple percentage of the parking area, and enough to
13 get a tree at the street on either side, and some shrubs at
14 the entry to the parking would screen that lot from the
15 public right-of-way. I think you can get a pretty big bang
16 for your buck without losing parking, or maybe losing two
17 spots.

18 So I would encourage you to look at that and plan
19 and try to work with staff to achieve that.

20 MR. FULLER: Is there, are there any other
21 comments? I would just echo the comments of the other
22 Commissioners. I tend to believe that I would accept a
23 paver type of an approach. And I also tend to believe that
24 if the parking lot is designed and it goes through DPS, the
25 permit or landscaping requirements, the internal parking lot
26 landscaping requirements, and if we do take the parking down

1 to even the County minimum parking, I think we're going to
2 see a lot more landscaping on the site than is currently
3 there right now. And I do encourage that.

4 At this point, I've heard words of continuance.
5 I've heard words of approval. And there is a slightly a
6 difference of opinion as to materials for the paving. But
7 could we hear a motion and see how it stacks up?

8 MS. ALDERSON: What I'd like to ask is if the
9 applicant is willing to continue it? That's an easier way
10 to pursue modifications than going through a vote.

11 MR. SILVER: Can the Commission consider approval
12 of everything less than the driveway, as the staff report
13 indicates? The condition is to submit a new site plan and
14 landscape plan to the HPC for review and approval?

15 MS. ALDERSON: Absolutely. I'm happy to move
16 that. I'll make a motion that we approve all of the
17 construction with the exception of the paving on which we
18 understand the applicant will seek a continuance to
19 integrate some landscaping with the paving plan, and chose a
20 product that will blend with the area.

21 MR. FULLER: Is there a second?

22 MS. MILES: Second.

23 MR. FULLER: Any further discussion? For the site
24 plan are we saying it comes back to staff or comes back to
25 the Commission?

26 MS. ALDERSON: For a continuance, so that we could

1 discuss it here, but with a continuance you are on a shorter
2 time frame.

3 MR. FULLER: All in favor? It passes unanimously.
4 Thank you very much.

5 MS. TRAGER: Thank you, too.

6 MR. FULLER: The next case this evening is case J
7 at 10401 Armory Avenue, Kensington. Is there a staff
8 report?

9 MR. SILVER: Yes, there is. I do have a very
10 brief staff report. 10401 Armory Avenue is a secondary
11 resource located within the Kensington historic district.

12 The applicant is proposing to remove 71
13 nonhistoric metal windows from the subject property and
14 install new vinyl casement windows in the same openings.
15 Staff supports the proposed window replacement project.

16 The subject property is a secondary resource, and
17 it contains nonhistoric windows. The removal of these
18 windows and the installation of casement windows will have
19 no adverse impact on the structure or the streetscape of the
20 historic district.

21 Staff is recommending that the Commission approve
22 this historic area work permit application.

23 MR. FULLER: Are there questions for staff? Does
24 the applicant want to make a presentation?

25 MS. FURMAN: No thank you.

26 MR. FULLER: Okay. Are there questions or