

TAX # 61074877
01077338

7209 Willow Avenue, Takoma Park
[HPC Case # 37/03-09B]
Takoma Park Historic District

Pendaflex
Esselte



HISTORIC PRESERVATION COMMISSION


Isiah Leggett
County Executive

Jef Fuller
Chairperson

Date: January 15, 2009

MEMORANDUM

TO: Carla Reid, Director
Department of Permitting Services

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

SUBJECT: Historic Area Work Permit #502717, tree removal

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was **approved** at the January 14, 2009 meeting.

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: Judith Appelbaum & Elizabeth Cohn

Address: 7209 Willow 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. Once the work is complete the applicant will contact the staff person assigned to this application at 301-563-3400 or joshua.silver@mncppc-mc.org to schedule a follow-up site visit.





RETURN TO: DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE, 2nd FLOOR, ROCKVILLE, MD 20850
240-777-6370

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

**APPLICATION FOR
HISTORIC AREA WORK PERMIT**

Contact Person: Judy Appelbaum
 Daytime Phone No.: 202-393-6181
202-393-1170 direct

Tax Account No.: 01077338

Name of Property Owner: JUDITH APPELBAUM + ELIZABETH COHN
 Daytime Phone No.: _____

Address: 7209 WILLOW AVE TAKOMA PARK MD 20912
Street Number City Street Zip Code

Contractor: N/A Phone No.: _____

Contractor Registration No.: N/A

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

LOCATION OF BUILDING/PREMISE

House Number: 7209 Willow Ave Street: Willow Ave
 Town/City: Takoma Park Nearest Cross Street: Tulip
 Lot: 9 Block: 8 Subdivision: 025
 Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

<input type="checkbox"/> Construct	<input type="checkbox"/> Extend	<input type="checkbox"/> Alter/Renovate	<input type="checkbox"/> A/C	<input type="checkbox"/> Slab	<input type="checkbox"/> Room Addition	<input type="checkbox"/> Porch	<input type="checkbox"/> Deck	<input type="checkbox"/> Shed
<input type="checkbox"/> Move	<input type="checkbox"/> Install	<input type="checkbox"/> Wreck/Raze	<input type="checkbox"/> Solar	<input type="checkbox"/> Fireplace	<input type="checkbox"/> Woodburning Stove	<input type="checkbox"/> Single Family		
<input type="checkbox"/> Revision	<input type="checkbox"/> Repair	<input type="checkbox"/> Revocable	<input type="checkbox"/> Fence/Wall (complete Section 4)		<input checked="" type="checkbox"/> Other: <u>Tree Removal</u>			

1B. Construction cost estimate: \$ _____

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

N/A

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENS/OADDITIONS

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

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

N/A

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ feet _____ inches

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

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

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

Judy Appelbaum Elizabeth Cohn 12/15/08
Signature of owner or authorized agent Date

Approved: X For Chairperson, Historic Preservation Commission
 Disapproved: _____ Signature: _____ Date: 1/22/2009
 Application/Permit No.: 302747 Date Filed: 12/15/08 Date Issued: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

Handwritten note: "New Log 247315"

**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 "project" is simply to remove a
diseased tree from our back yard.

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

The "project" is to remove a diseased
oak tree from our back yard.
See attached description.

2. SITE PLAN

N/A

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

N/A

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

N/A

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

5. PHOTOGRAPHS

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

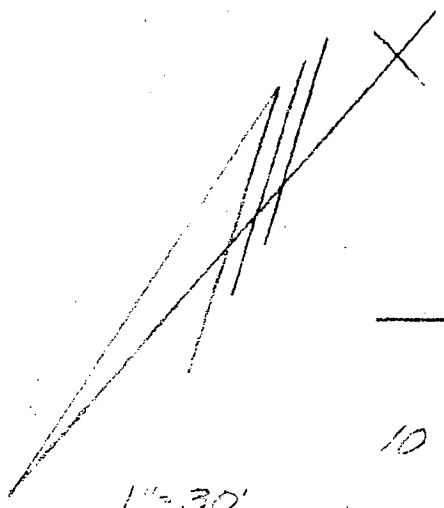
6. TREE SURVEY

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

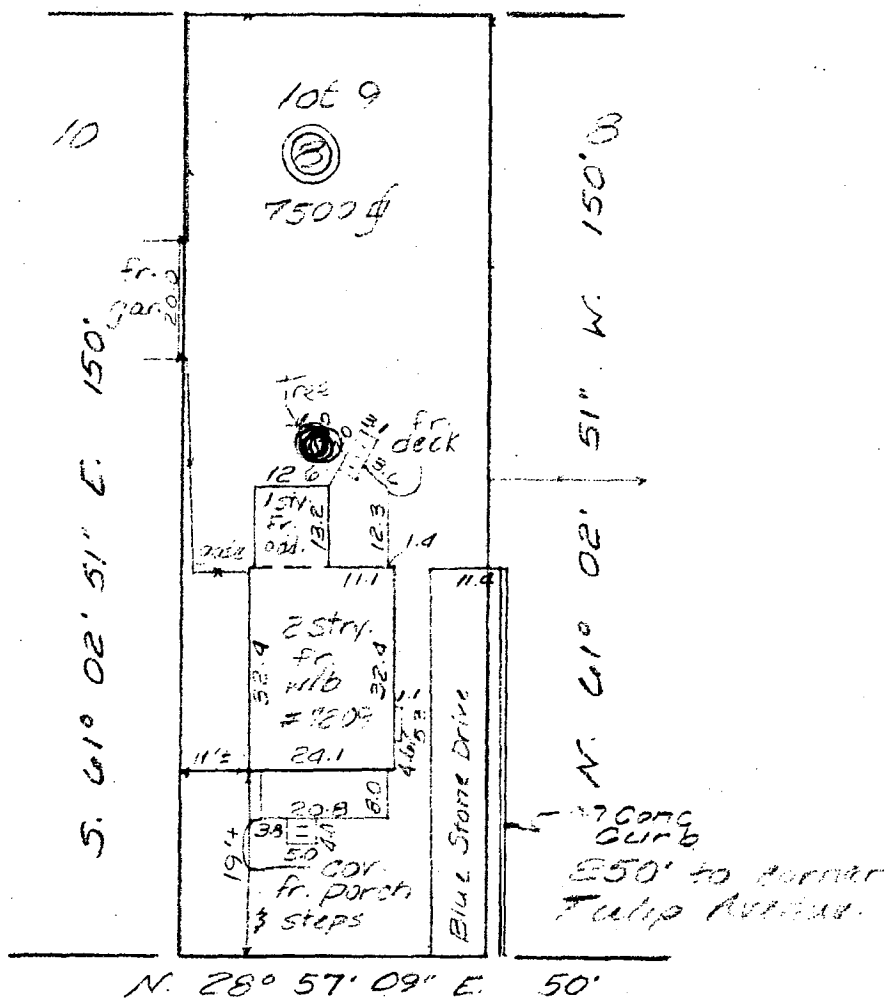
See attached

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

For **ALL** projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301)279-1355).

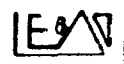


36
 S. 28° 57' 09" W. 50'
 Capital Survey 1/22/09



WILLOW (50') AVENUE

NOTES: Not in flood plain as per 240049 0200B
 Not to be used for construction.
 Lot corners have not been set by this survey unless otherwise indicated.



I hereby certify that I have carefully located the improvements as shown here on in accordance with recorded property description, and that there are no encroachments except as indicated.

7-10-89
 Date

[Signature]
 Registered Professional Land Surveyor Maryland 18144

LIGHT, ELLIOTT & ASSOCIATES
 ENGINEERS, PLANNERS, SURVEYORS
 6008 ADELPHI ROAD
 ADELPHI, MARYLAND 20783
 422-6080

Book 2294-11
 Job no. L-399
 Dwg. by CSU

Ck. by
 Case no.

HOUSE LOCATION SURVEY
 7209 Willow Avenue
 Lot 9 Block B Section -
 Lipscomb & Earnest Trustees
 Addition To
TAKOMA PARK
 Wheaton
 Montgomery Election District
 County, Maryland

Plat Book 1
 Plat 46

File no. SH 68187

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	7209 Willow Avenue, Takoma Park	Meeting Date:	1/14/2009
Resource:	Outstanding Resource Takoma Park Historic District	Report Date:	1/7/2009
Applicant:	Judith Appelbaum & Elizabeth Cohn	Public Notice:	12/31/2008
Review:	HAWP	Tax Credit:	No
Case Number:	37/03-09B	Staff:	Josh Silver
PROPOSAL:	Tree removal		

STAFF RECOMMENDATION:

Approve

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Outstanding Resource Within the Takoma Park Historic District
STYLE: Craftsman/2 story
DATE: c1910s

PROPOSAL:

The applicants are proposing to remove one diseased 32" dbh white oak tree from the rear yard of the subject property.

Note: The City of Takoma Park arborist has granted preliminary approval for the removal of the tree pending the applicants agree to replant three 1 ½" caliper over story trees or contribute \$525.00 to the city tree fund program. The subject tree has also been determined by a state certified arborist to have a lifespan of no more than a few years as a result of a chronic infection located at or near the base of the tree. [See attached documentation]

APPLICABLE GUIDELINES:**Montgomery County Code; Chapter 24A-8**

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

- (b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:
- (1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or
 - (2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or
 - (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or
 - (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or
 - (5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
 - (6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.
 - (d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. (Ord. No. 9-4, § 1; Ord. No. 11-59.)

STAFF RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application as being consistent with Chapter 24A-8(b), (1) and (2):

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

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or joshua.silver@mncppe-mc.org to schedule a follow-up site visit.



RETURN TO: DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE, 2nd FLOOR, ROCKVILLE, MD 20850
240.777-6370

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

RECEIVED
DEC 19 2008
MONTGOMERY COUNTY

Contact Person: Judy Appelbaum
 Daytime Phone No.: 302-393-6181
302 393-1170 direct

Tax Account No.: 0107733V

Name of Property Owner: JUDITH APPELBAUM + ELIZABETH COHN
 Daytime Phone No.: _____

Address: 7209 WILLOW AVE TAKOMA PARK MD 20912
Street Number City State Zip Code

Contractor: N/A Phone No.: _____

Contractor Registration No.: N/A

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

LOCATION OF BUILDING/PREMISE

House Number: 7209 Willow Ave Street: Willow Ave
 Town/City: Takoma Park Nearest Cross Street: Tulip
 Lot: 9 Block: 8 Subdivision: 025
 Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

<input type="checkbox"/> Construct	<input type="checkbox"/> Extend	<input type="checkbox"/> Alter/Renovate	<input type="checkbox"/> A/C	<input type="checkbox"/> Slab	<input type="checkbox"/> Room Addition	<input type="checkbox"/> Porch	<input type="checkbox"/> Deck	<input type="checkbox"/> Shed
<input type="checkbox"/> Move	<input type="checkbox"/> Install	<input type="checkbox"/> Wreck/Raze	<input type="checkbox"/> Solar	<input type="checkbox"/> Fireplace	<input type="checkbox"/> Woodburning Stove	<input type="checkbox"/> Single Family		
<input type="checkbox"/> Revision	<input type="checkbox"/> Repair	<input type="checkbox"/> Revocable	<input type="checkbox"/> Fence/Wall (complete Section 4)	<input checked="" type="checkbox"/> Other: <u>Tree Removal</u>				

1B. Construction cost estimate: \$ _____

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

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

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

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ feet _____ inches

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

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

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

Judy Appelbaum Elizabeth Cohn 12/15/08
Signature of owner or authorized agent Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: 502717 Date Filed: 12/15/08 Date Issued: _____

Edit 6/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

3

1
Main Log 247315

**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 "project" is simply to remove a diseased tree from our back yard.

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

The "project" is to remove a diseased oak tree from our backyard. See attached description.

2. SITE PLAN

N/A

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

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

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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.

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See attached

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For **ALL** projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301/279-1355).

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



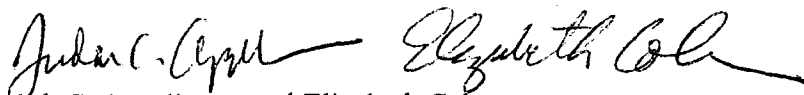
Attachment to Application for Historic Area Work Permit for 7209 Willow Ave, Takoma Park, MD (Judith Appelbaum and Elizabeth Cohn).

The reason we are applying for this permit is to take down a diseased 32-inch white oak tree in our back yard, which partially overhangs our house and could pose a danger to our house and property. We plan no construction of any kind; all that is at issue is the removal of this tree. The reason we have decided to take down the tree is that it is infected by one or more diseases, and we have been advised by certified arborists that although it probably is not in immediate danger of toppling over, it has a chronic infection and could become a danger to the house in the next year or two. See the attached report of Barb Neal, an ISA Board Certified Master Arborist, who concluded from her inspection last month that the tree "has a limited life span (perhaps a few years)" and that "the wiser thing to do is to remove the tree in the near future" Based on her advice, we have contracted with Mulheron Tree Experts, of Kensington, MD (MD Tree License #715), to take down the tree after the necessary permits are granted.

Please understand that the removal of this tree is not something we have decided to do lightly. Our oak tree is a major feature of our landscape and provides shade for the deck and house, and we did not want to lose it. Indeed, for the past several years, we have invested in repeated consultations with professional arborists as the disease has become more apparent and worrisome, and paid for numerous treatments to try to control the problem and save the tree. It is with great sadness that we have reached the point of deciding that the tree has to come down.

The City of Takoma Park has granted preliminary approval for us to remove the tree, pending our signing of the City's tree replacement agreement and approval by the Historic Preservation Commission. A copy of the letter from the City Arborist is attached. Based on discussions with the City Arborist, it is my understanding that he is not granting a waiver because he does not believe the tree is in imminent danger of falling over, but in light of the tree's disease and location, he is granting the permit for its removal. We request that the Historic Preservation Commission grant a permit as well.

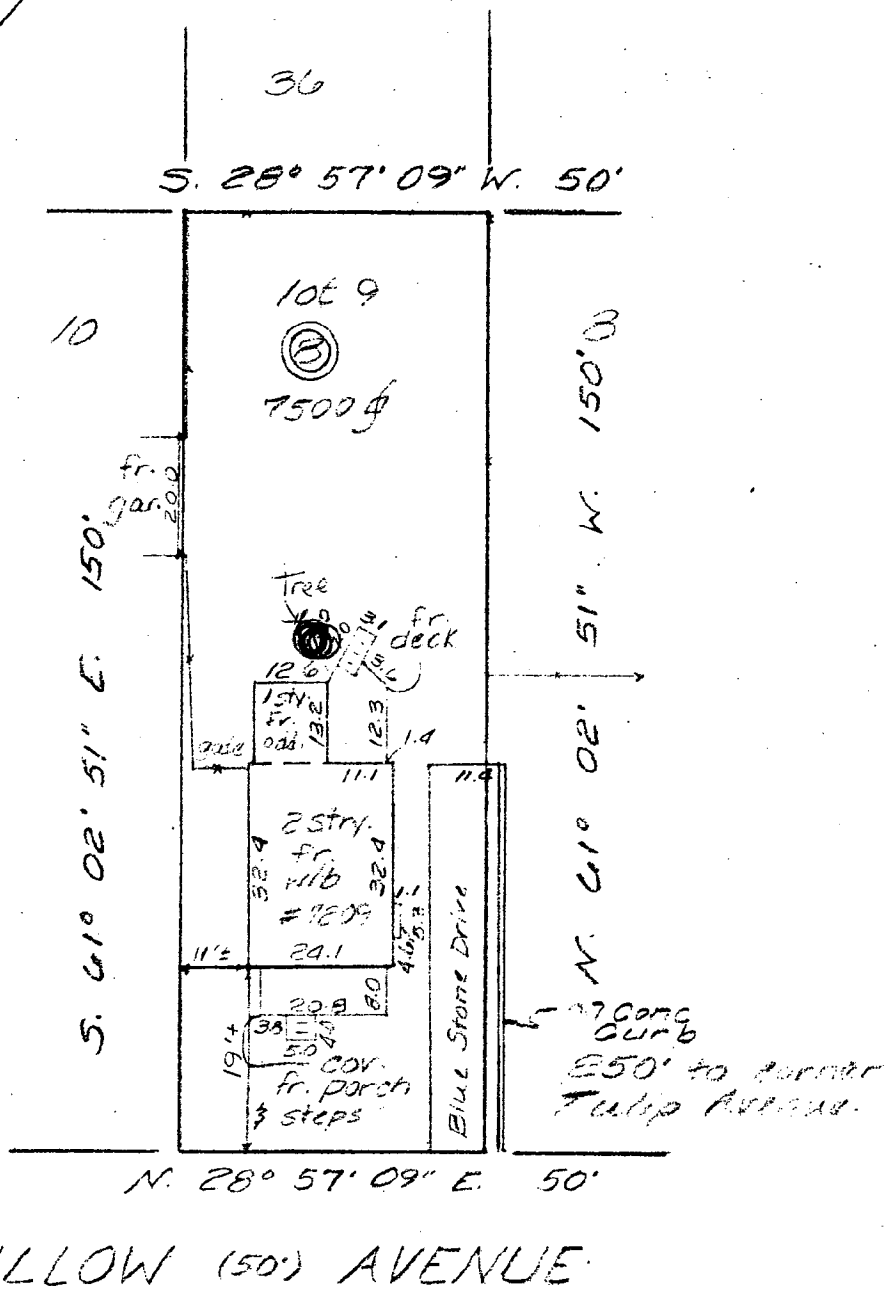
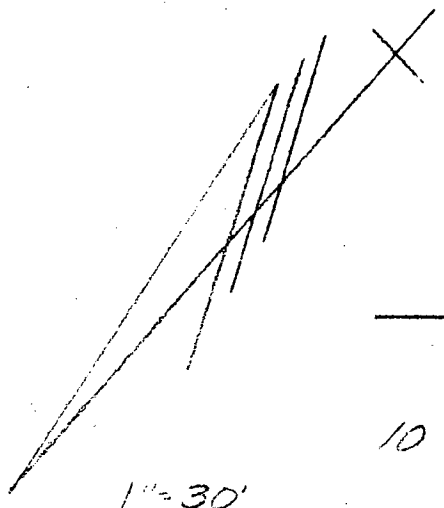
Thank you.


Judith C. Appelbaum and Elizabeth Cohn

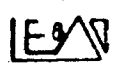
HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING

[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	
Vivian Fong + Wendy Bell 7211 Willow Ave Takoma Park, MD 20912	
Diane Hedges + Wilbur Hedges 7207 Willow Ave Takoma Park, MD 20912	
+ Anna Yuri Zelinsky 7212 Spruce St Takoma Park, MD 20912	
Peter Ann / Helen Spencer 7212 Willow Ave Takoma Park, MD 20912	



NOTES: Not in flood plain as per 240009 0200B
 Not to be used for construction.
 Lot corners have not been set by this survey unless otherwise indicated.



I hereby certify that I have carefully located the improvements as shown here on in accordance with recorded property description, and that there are no encroachments except as indicated.

7-10-89
 Date
 Registered Professional Land Surveyor
 144

LIGHT, ELLIOTT & ASSOCIATES
 ENGINEERS, PLANNERS, SURVEYORS
 6508 ADELPHI ROAD
 ADELPHI, MARYLAND 20783
 422-6080

Book 2294-11
 Job no. L-399
 Dwg. by CSM

Ck. by
 Case no.

HOUSE LOCATION SURVEY
 7209 Willow Avenue
 Lot 9 Block B Section -
 Lipscomb & Earnest Trustees
 Addition To
TAKOMA PARK
 Wheaton Election District
 Montgomery County, Maryland

Plat Book 1
 Plat 46

File no. SH 68187

Green Legacy Tree Consultants, Inc.

Barb Neal, Arborist

ISA Board Certified Master Arborist MA-4283B

ASCA Registered Consulting Arborist # 428

Maryland Tree Expert License # 812

P.O. Box 558 Glen Echo, MD 20812

(301) 320-0053

www.greenlegacytrees.com

November 25, 2008

Judy Appelbaum
Betsy Cohn
7209 Willow Ave
Takoma Park, MD

Dear Ms. Appelbaum and Cohn,

On Thursday, November 20, 2008, I inspected a large white oak located in the back yard of your property, just off the patio. The canopy of the tree appears to be in good condition, and the scaffold limbs appear strong with no visible decay or cavities. There is some amount of tip dieback, and you indicated that you had had the tree pruned to remove the deadwood a few years ago, in 2006.

The concern you had was with the significant amount of bleeding cankers located at or near the base of the tree. Previous inspections of the tree by the town arborist and others led to the removal of dead bark tissue that covers about 1/3rd of the base of the tree. One other small area of dead bark was found by using a sounding mallet. The sounding mallet indicated that the wood is reasonably sound, and a 2006 resistograph testing also confirmed that the base of the tree and the roots appear to be sound. You showed me a picture taken earlier in the fall of a cluster of armillaria mushrooms growing at the base of the area of the tree that has been damaged by the cankers. I dug around parts of the base of the tree and found no other signs of the armillaria fungus, specifically, I found no significantly decayed wood or rhizomorphs. I did see a sign of an ambrosia beetle: frass from the boring into the tree.

With some trees, it is easy to give advice as to the continued maintenance or removal of a tree. With this tree, however, the choice is not so easy. I believe this tree has a limited life span (perhaps a few years) due to the loss of cambial area due to the cankers. My bet is that the tree is infected with a Phytophthora disease. This disease is a chronic infection of either the sapwood or the roots (depending on the type of Phytophthora). There are a



few chemicals that can limit this disease's spread. My biggest concern is not the disease, however, but the likelihood that the tree, which will remain stressed due to the disease, will be attacked by borers such as the ambrosia beetle. So, if you wish to keep the tree, the tree would have to have a regime of spraying: at least twice a year for borers (the typical chemicals used are Onyx or Astro), and applications of a fungicide for the phytophthora. Note: we would have to test for the positive ID of the phytophthora species, and then I would give you advice about the proper fungicide for treatment. But that still leaves the armillaria untreated, and there is no treatment for it.

When I met with you, both of you expressed that you were nervous about the tree's stability, and worried every time the wind blew or an ice storm occurred. No one can guarantee the stability of a tree, especially one with a known armillaria infection. It seems to me, if you are worried about the tree's stability, and to keep the tree means annual applications of chemicals for a tree whose lifespan is probably measured in years, not decades, perhaps the wiser thing to do is to remove the tree in the near future and replant at least one good new shade tree on the property. I do feel that the lower left part of your backyard would be a great place for a shade tree, especially a wet soil-loving tree, as that area appears to be a bit low. Choosing a native species will enhance the food and habitat for the other creatures that inhabit our yards.

You indicated that the town arborist had given you a provisional approval for a permit, providing you either plant three new trees or donate \$525 to the tree fund. You may wish to discuss with him the option of planting one tree, and donating the value of the other two trees to the fund, or replanting with one shade tree and two native understory trees.

If you have any questions, please do not hesitate to call or email me.

Sincerely,

Barb Neal

City of Takoma Park, Maryland

DEPARTMENT OF PUBLIC WORKS
TELEPHONE: (301) 891-7633
FAX: (301) 585-2405



31 OSWEGO AVENUE
TAKOMA PARK, MD 20912

October 31, 2008

Judith Appelbaum
7209 Willow Avenue
Takoma Park, Maryland 20912

Dear Ms. Applebaum:

The City of Takoma Park has granted preliminary permit approval for you to remove the 32 inch dbh white oak tree from the center rear of your property.

Preliminary approval means that the City will post your property for a 15 day period beginning October 31, 2008 and ending November 15, 2008 for public comment. **If no objections are filed by the community, you will be issued a permit to remove the tree(s) pending the City's receipt of your signed agreement to adhere to the City's replacement requirements.**

Tree replacement agreement:

The tree replacement agreement is enclosed, the terms of which require you to replant three 1 ½ inch caliper overstory trees or contribute \$525.00 to the City's tree fund.

Since the tree address is located in the Historic District, the City has notified the Maryland National Capital Park and Planning's Historic Preservation Commission (HPC) on your behalf. To inquire about the HPC requirements, phone 301-563-3400.

Please contact me if you have any questions.

Sincerely,

Todd M. Bolton
City Arborist

Enclosure

City of Takoma Park, Maryland

DEPARTMENT OF PUBLIC WORKS
TELEPHONE: (301) 891-7633
FAX: (301) 585-2405



31 OSWEGO AVENUE
TAKOMA PARK, MD 20912

October 31, 2008

Judith Appelbaum
7209 Willow Avenue
Takoma Park, Maryland 20912

Dear Ms. Applebaum:

In order to receive a permit to remove an urban forest tree within the City of Takoma Park you must agree to replant or contribute an equivalent amount to the City's Tree Fund as per Ordinance No. 1995-5. Replacement trees shall be nursery stock trees with a minimum size of 1 1/2 inches in caliper for deciduous trees, or 10 feet in height for evergreen trees and guaranteed for one (1) year. You are required to provide the City with the species and location(s) where you wish to plant the tree(s), as approval is necessary prior to planting. Tree(s) must be planted within six (6) months of the date this agreement is signed. The City will conduct a site visit to confirm the planting.

Where it is not feasible or desirable to replace trees on site, the replacement requirement may be satisfied by planting trees at another location within the City or by a contribution equivalent to the installed market value of the required replacement trees to the City's tree planting fund.

The tree replacement requirements based on the City of Takoma Park Tree Ordinance are stated below:

Number of 1 1/2 inch caliper trees:

2
~~Three~~ overstory + \$175
contribution

Judith C. Appelbaum 12/5/08
Signature Date

OR

Tree Fund Contribution of:

\$525.00

Signature Date

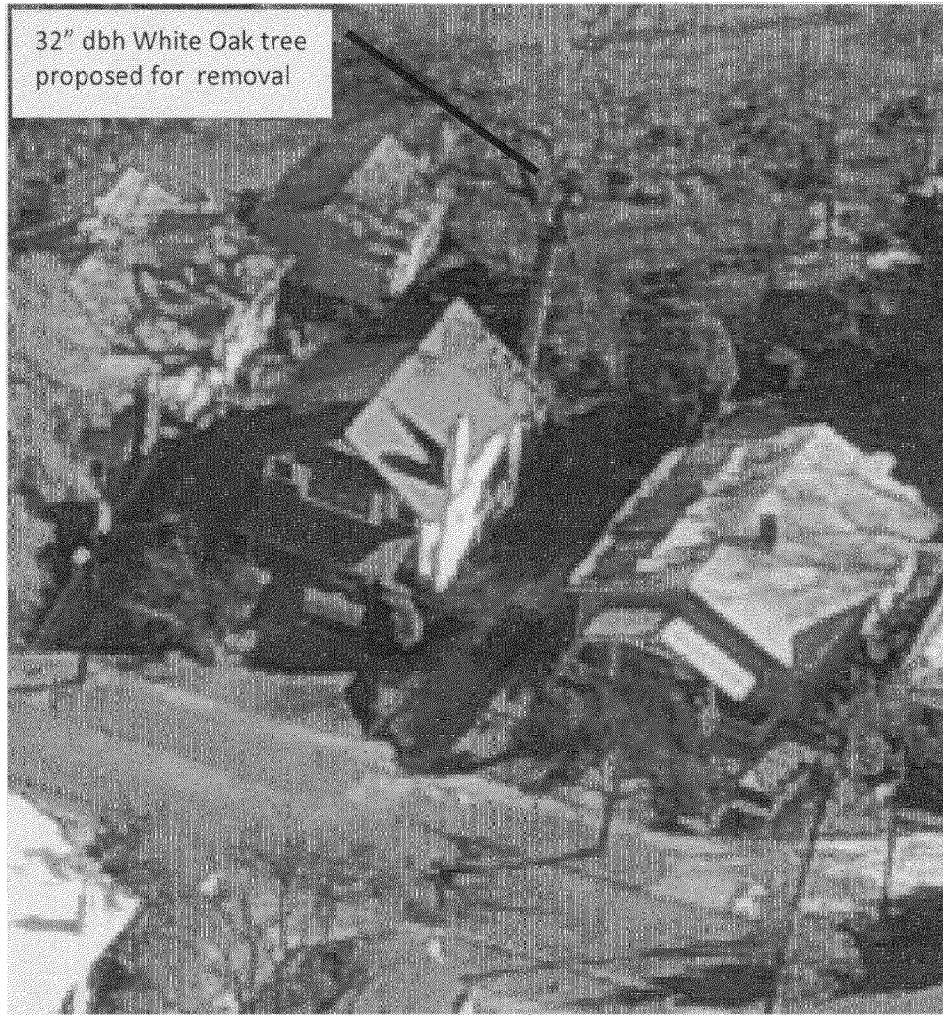
If no appeals are filed in opposition to your permit request, the permit will be issued after completion of the 15 -day posting period, receipt of this signed tree planting agreement or payment of replacement tree cost and approval from the Historic Preservation Commission. You must apply to the Historic Preservation Commission directly. HPC can be reached at 301-563-3400.

Sincerely,

Todd M. Bolton
City Arborist

RETURN THIS LETTER TO THE PUBLIC WORKS DEPARTMENT WITH YOUR SIGNATURE NEXT TO YOUR DECISION. IF YOU DECIDE NOT TO REMOVE THE TREE(S), PLEASE SO STATE AND RETURN THIS LETTER. THANK YOU.

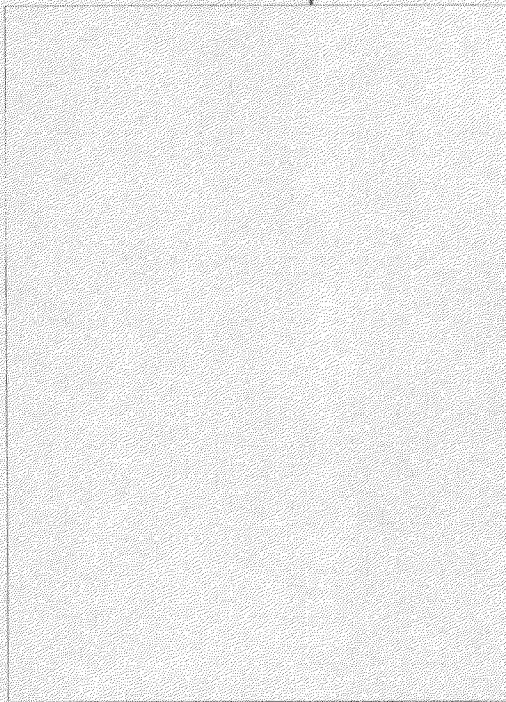
**7209 Willow Avenue, Takoma Park
Takoma Park Historic District**



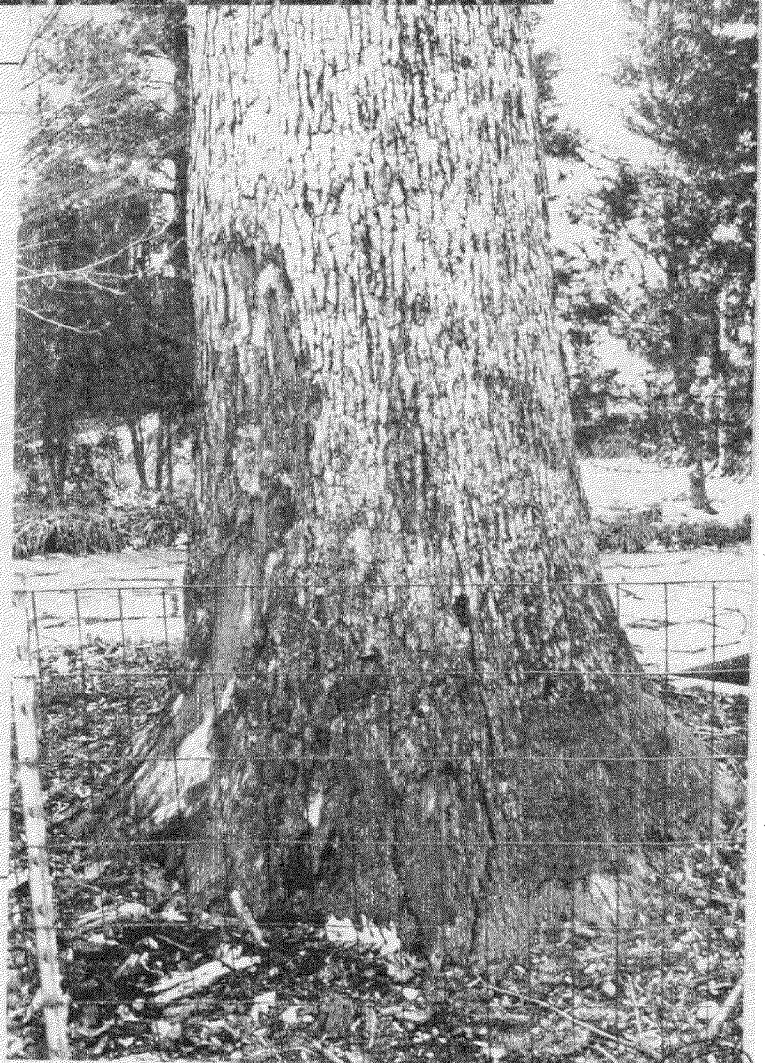
Existing Property Condition Photographs (duplicate as needed)



Detail: Diseased tree
close-up

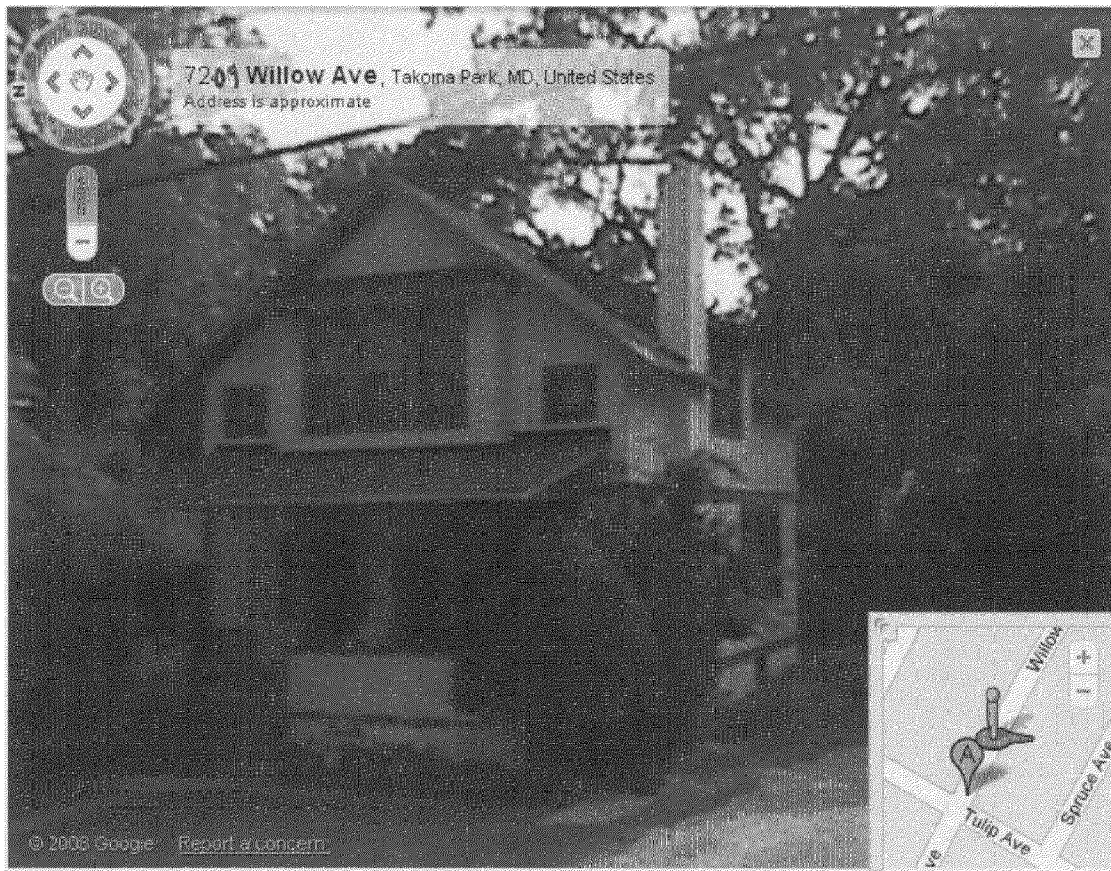


Detail: Diseased tree



Applicant: Appelbaum / Cohn

**7209 Willow Avenue, Takoma Park
Takoma Park Historic District**

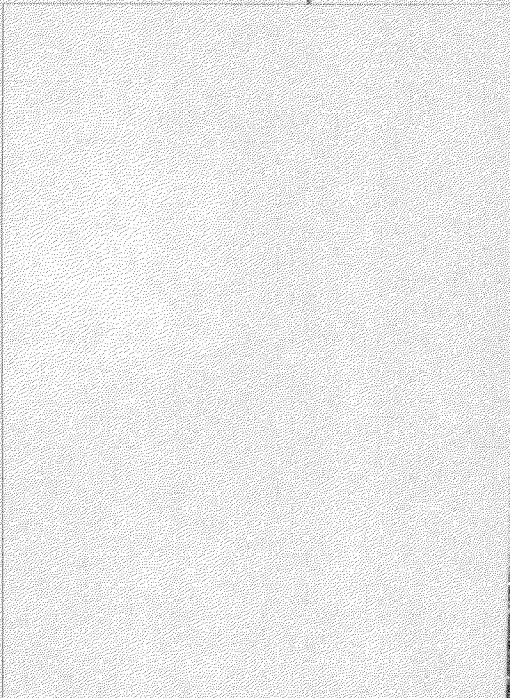


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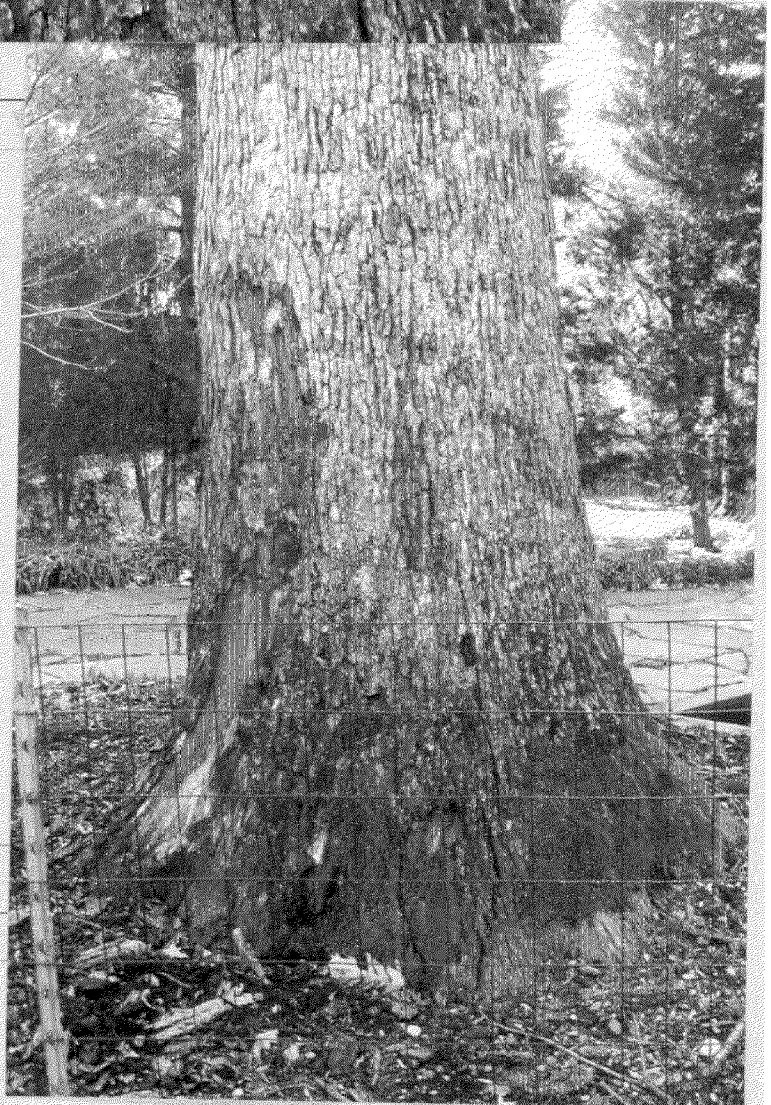
Existing Property Condition Photographs (duplicate as needed)



Detail: Disced tree
close-up



Detail: Disced tree



Applicant: Appelbaum / Cohn