



31/06-05K 10234 Carroll Place
Kensington Historic District



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THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

Date: July 14, 2005

MEMORANDUM

TO: Jay & Judy Hanks-Henn
10234 Carroll Place, Kensington

FROM: Tania Tully, Senior Planner *TGT*
Historic Preservation Section

SUBJECT: Historic Area Work Permit Application #387194

Your Historic Area Work Permit application for tree removal was **Approved with Conditions** by the Historic Preservation Commission at its July 13, 2005 meeting. Enclosed is a transmittal memorandum stating conditions (if any) of approval.

When you file for your building permit at DPS, you must take with you the enclosed forms. These forms are proof that the Historic Preservation Commission has reviewed your project. For further information about filing procedures or materials for your county building permit review, please call DPS at 240-777-6370.

If your project changes in any way from the approved plans, either before you apply for your building permit or even after the work has begun, please contact the Historic Preservation Commission staff at 301-563-3400.

Please also note that you must arrange for a field inspection for conformance with your approved HAWP plans. Please inform DPS/Field Services at 240-777-6210 or online at <http://permits.emontgomery.org> of your anticipated work schedule.

Thank you very much for your patience and good luck with your project!



THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

Date: July 14, 2005

MEMORANDUM

TO: Robert Hubbard, Director

FROM: Tania Tully, Senior Planner ^{TGT}
Historic Preservation Section

SUBJECT: Historic Area Work Permit #387194

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.**

1. Within one year of removal of the Tulip Poplar, a tree appropriate to the historic setting will be planted in the same general area of the yard.

The HPC staff will review and stamp the construction drawings prior to the applicant's applying for a building permit with DPS.

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

Applicant: Jay & Judy Hanks-Henn

Address: 10234 Carroll Place, Kensington

This HAWP approval is subject to the general condition that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant arrange for a field inspection by calling the Montgomery County DPS Field Services Office at 240-777-6210 or online at <http://permits.emontgomery.org> prior to commencement of work and not more than two weeks following completion of work



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

DPS - #8

T

HISTORIC PRESERVATION COMMISSION
 301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: JUDY HANKS-HENN
 Daytime Phone No.: 301-942-0963

Tax Account No.: _____
 Name of Property Owner: JAY HENN & JUDY HANKS-HENN Daytime Phone No.: _____ same
 Address: 10234 CARROLL PLACE, KENSINGTON 20895
Street Number City Street Zip Code
 Contractor: TO BE DECIDED - estimates on going Phone No.: _____
 Contractor Registration No.: _____
 Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: _____ Street: CARROLL PLACE
 Town/City: _____ Nearest Cross Street: MONTGOMERY AVE
 Lot: 16 Block: 2 Subdivision: KENSINGTON PARK
 Liber: 8280 Folio: 13 Parcel: _____

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: AC Stab Room Addition Porch Deck Shed Solar Fireplace Woodburning Stove Single Family Fence/Wall (complete Section 4) Other: _____

1B. Construction cost estimate: \$ 8,500 - 9,500

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.

Signature of owner or authorized agent: Judy Hanks-Henn Date: 6/18/05

Approved: with condition For Chairperson, Historic Preservation Commission
 Disapproved: _____ Signature: Julia O'Malley Date: 7/13/05
 Application/Permit No.: 387194 Date Filed: 6.19.05 Issued: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

Edit: 6/21/95

**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:

Removal of Tulip Poplar in decline

(Tulip Poplar struck by lightning on 9/10/01 - also caused damage to roof - and has been in decline each year)

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

In JULY severe wind storms, uprooted tree can cause damage to neighboring properties.

PLEASE EXPIDITE THIS HAWP FOR SAFETY ISSUES

2. SITE PLAN

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

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

(Bartlett Tree Arborist recommendation is enclosed.)

3. PLANS AND ELEVATIONS

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

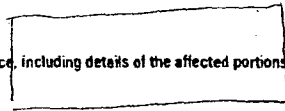
- a. Schematic construction plans, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (facades), with marked dimensions, clearly indicating proposed work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

4. MATERIALS SPECIFICATIONS

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

5. PHOTOGRAPHS

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



6. TREE SURVEY

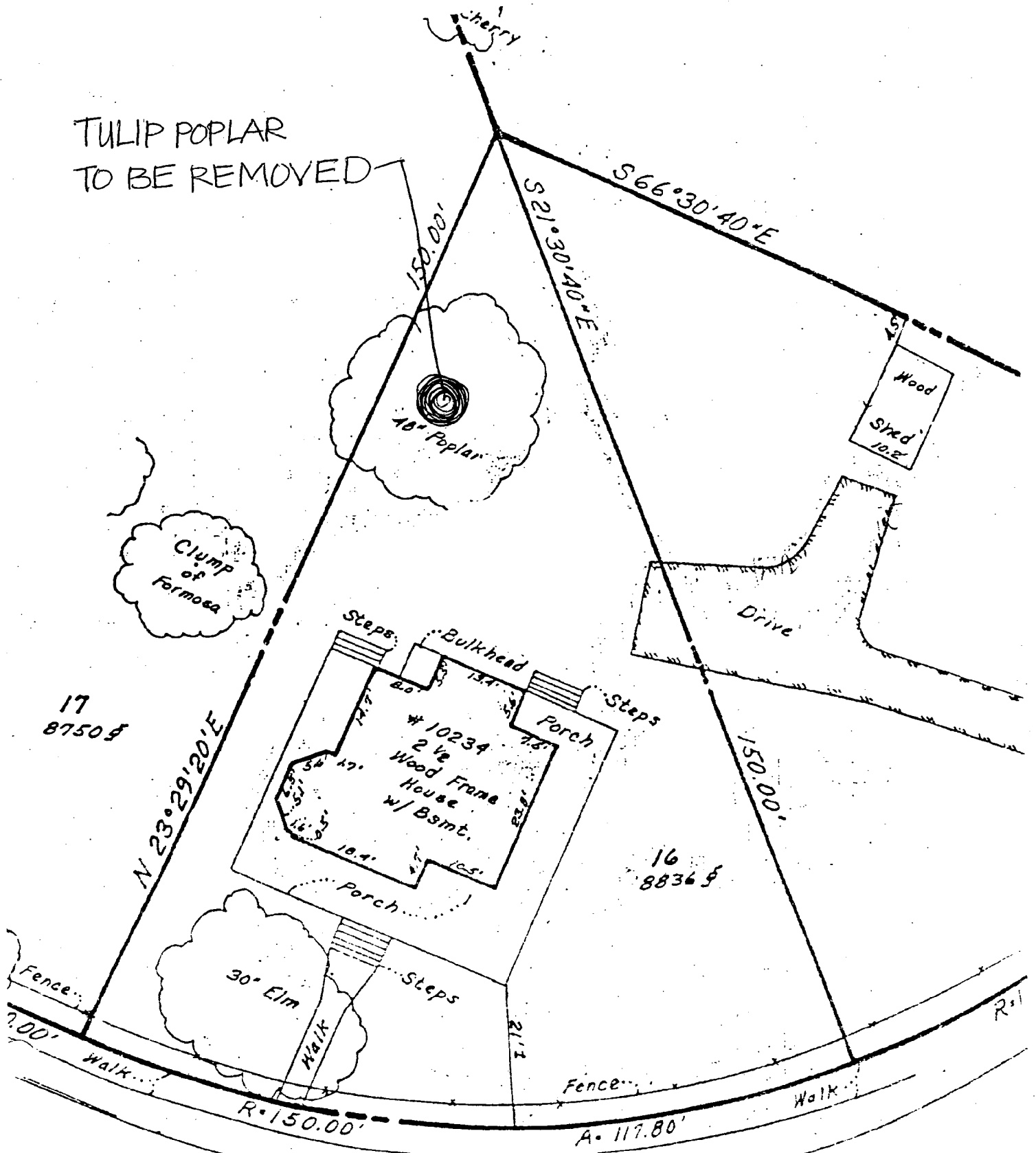
If you are proposing construction adjacent to or within the decline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

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

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.

TULIP POPLAR
TO BE REMOVED



LOT 16 BLK 2 KENSINGTON PARK

APPROVED
Montgomery County
Historic Preservation Commission
[Signature] 7/14/05

Tully, Tania

From: Judy Hanks-Henn [jhankshenn@earthlink.net]
Sent: Thursday, July 14, 2005 2:59 PM
To: Tully, Tania
Subject: HAWP addendum enclosed

Tania,

The enclosed is a belated letter from Barlett's regarding the Tulip Polplar's demise in my HAWP request for the tree's removal. Please use it as an addendum.

Thank you

Judy Hanks-Henn

10234 Carroll Place
Kensington

Begin forwarded message:

From: Kim Actis <kactis@Bartlett.com>
Date: Thu Jul 14, 2005 02:42:59 PM US/Eastern
To: "jhankshenn@earthlink.net" <jhankshenn@earthlink.net>
Subject: 10234 Carroll Place, Kensington

<<Hanks Henn Residence. 7-05.doc>>

Kimberly Actis
Rockville Office
301-881-8550
301-881-9063 (fax)



**BARTLETT
TREE EXPERTS**

SCIENTIFIC TREE CARE SINCE 1907

RE: Hanks Henn Residence, 10234 Carroll Place, Kensington, MD

To Whom It May Concern:

The large Tulip Poplar in question is dying as a result of a significant lightning strike in September 1, 2001. I mentioned during our initial discussion that I could not determine the full damage for 2 to 3 years after the lightning strike.

This lightning strike resulted in significant damage to the water conducting vessels in portions of the upper crown. Fine root hair death likely occurred due to this event.

The construction activity occurred in an area that would have been acceptable from a tree preservation perspective. The decline of this tree occurred far too rapidly to be a direct result of the construction activity which occurred in December 2004 thru May 2005.

Please call with any questions.

Thank you,

Mark Eppard
ISA Certified Arborist

HISTORIC PRESERVATION COMMISSION STAFF REPORT

| | | | |
|---------------------|---|------------------------|-------------------------|
| Address: | 10234 Carroll Place, Kensington | Meeting Date: | 07/13/05 |
| Applicant: | Jay M. Henn & Judy Hanks-Henn | Report Date: | 06/30/05 |
| Resource: | Primary 1 Resource Kensington Historic District | Public Notice: | 06/29/05 |
| Review: | HAWP | Tax Credit: | None |
| Case Number: | 31/06-05K | Staff: | Tania Tully |
| PROPOSAL: | Tree removal | RECOMMENDATION: | Approval with condition |

STAFF RECOMMENDATION:

Staff is recommending approval with the following condition:

- Within one year of removal of the Tulip Poplar, a tree appropriate to the historic setting will be planted in the same general area of the yard.

PROPERTY DESCRIPTION

SIGNIFICANCE: Primary 1 Resource within the **Kensington Historic District**

DATE, STYLE: 1904, Queen Anne

This property consists of three lots owned by the applicants for a total of .546 acres. The house and west side lot front Carroll Place with the east side yard wrapping towards Montgomery Avenue. The Noyes Library is directly south of the property. The parcel contains a mix of open space and treed areas, including several large deciduous trees. A mix of trees and shrubbery creates a sense of privacy for the applicants.

PROPOSAL:

The applicants propose to remove the 48” Tulip Poplar located in the rear yard. See Circle 5.

APPLICABLE GUIDELINES:

When reviewing alterations and new construction within the Kensington Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the *Vision of Kensington: A Long-Range Preservation Plan (Vision)*, *Montgomery County Code Chapter 24A (Chapter 24A)*, and the *Secretary of the Interior’s Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

Vision of Kensington: A Long-Range Preservation Plan

The HPC formally adopted the planning study, *Vision of Kensington: A Long-Range Preservation Plan*, and is directed by the Executive Regulations, which were approved by the County Council, to use this plan when considering changes and alterations to the Kensington Historic District. The goal of this preservation plan "was to establish a sound database of information from, which to produce a document that would serve the HPC, M-NCPPC, their staff and the community in wrestling with the protection of historic districts amidst the pressures of life in the 21st century." (page 1). The plan provides a specific physical description of the district as it is; an analysis of character-defining features of the district; a discussion of the challenges facing the district; and a discussion of proposed strategies for maintaining the character of the district while allowing for appropriate growth and change.

Montgomery County Code; Chapter 24A

- A HAWP permit should be issued if the Commission finds that:
 1. The proposal will not substantially alter the exterior features of a historic site or historic resource within a historic district.
 2. The proposal is compatible in character and nature with the historical archaeological, architectural or cultural features of the historic site or the historic district in which a historic resource is located and would not be detrimental thereto of to the achievement of the purposes of this chapter.
 4. The proposal is necessary in order that unsafe conditions or health hazards be remedied.

Secretary of the Interior's Standards for Rehabilitation:

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

STAFF DISCUSSION

The Commission is well aware of the importance of trees in each of the County's Historic Districts. They provide a large part of the character and feeling that make up the setting of the district and its individual resources. As such, removal of a tree such as this 100-foot tall 48" dbh Tulip Poplar should be considered carefully.

The letter from the arborist and photographs provided with the application indicate the current state of the tree. In 2001 the tree was struck by lightning on its north side. The applicant contracted with Bartlett Tree Experts soon after the strike in order to assess the damage and determine a course of action that would increase the chances of its long-term survival. As seen in Circles 5 and 7, the tree has neared the end of its life.

At staff's request, the applicant provided additional information that helped allay staff's concerns. It is important to note that the portion of the tree that is dying is opposite the new driveway approved by the Commission October 27, 2004. Appropriate tree protection measures were used and the new construction did not hasten the tree's decline. Additionally, a large portion of the root system is dying, which decreases its stability. A second letter from the arborist will be provided at the Worksession.

The applicant has expressed an interest in planting a large evergreen tree in the yard that would fit within the historic period of the house. Staff is supportive of this and recommends allowing the applicant at least one year from the date of the tree removal to plant the new tree. The memo on Circles 8 and 9, provides a thorough and impassioned explanation of the request. Staff has full confidence in the applicant's intentions and is recommending approval with the condition discussed above.

STAFF RECOMMENDATION:

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

and with the *Secretary of the Interior's Standards for Rehabilitation*.

and with the condition stated on Circle 1;

and with the general condition applicable to all Historic Area Work Permits that **the applicant will present 3 permit sets of drawings to HPC staff for review and stamping prior to submission for permits (if applicable)**. After issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant will arrange for a field inspection by calling the DPS Field Services Office at 240-777-6370 prior to commencement of work and not more than two weeks following completion of work.



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

DPS - #8

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HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: JUDY HANKS-HENN
Daytime Phone No.: 301.942.0963

Tax Account No.: _____
Name of Property Owner: JAY HENN & JUDY HANKS-HENN Daytime Phone No.: same
Address: 10234 CARROLL PLACE, KENSINGTON 20855
Street Number City State Zip Code
Contractor: TO BE DECIDED - estimates on going Phone No.: _____
Contractor Registration No.: _____
Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: _____ Street: CARROLL PLACE
Town/City: _____ Nearest Cross Street: MONTGOMERY AVE
Lot: 10 Block: 2 Subdivision: KENSINGTON PARK
Label: 8280 Folio: 13 Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE: Construct Extend Alter/Renovate Wreck/Reze Revision Repair Revocable
CHECK ALL APPLICABLE: AC Slab Room Addition Porch Deck Shed Solar Fireplace Woodburning Stove Single Family Fence/Wall (complete Section 4) Other: _____
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I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Judy Hanks-Henn
Signature of owner or authorized agent

6/18/05
Date

Approved: _____ For Chairperson, Historic Preservation Commission
Disapproved: _____ Signature: _____ Date: _____
Application/Permit No.: 387194 Date Filed: 6.14.05 Date Issued: _____

Edit 6/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

3

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE
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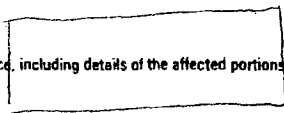
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BARTLETT TREE EXPERTS

12200 NEBEL STREET, ROCKVILLE, MD 20852-2687 • (301) 881-8550 • FAX (301) 881-9063

June 7, 2005

Ms. Judy Hanks – Henn
10234 Carroll Place
Kensington, MD 20895

Dear Judy,

As you know, we have attempted to stabilize the health of the large lightning damaged Tulip Poplar in your back yard for approximately 3 years. This Tulip Poplar, damaged in September 2001, has continued to decline to a degree that its' removal should be considered.

The removal of this tree will require the use of a small crane (to reduce damage to driveway) and several days during which the driveway will not be useable.

Depending upon the crane set up and weight capacity, this removal (to a low stump) should cost between \$8,500 and \$9,500.

Please call with any questions.

Thank you,

Mark Eppard
ISA Certified Arborist

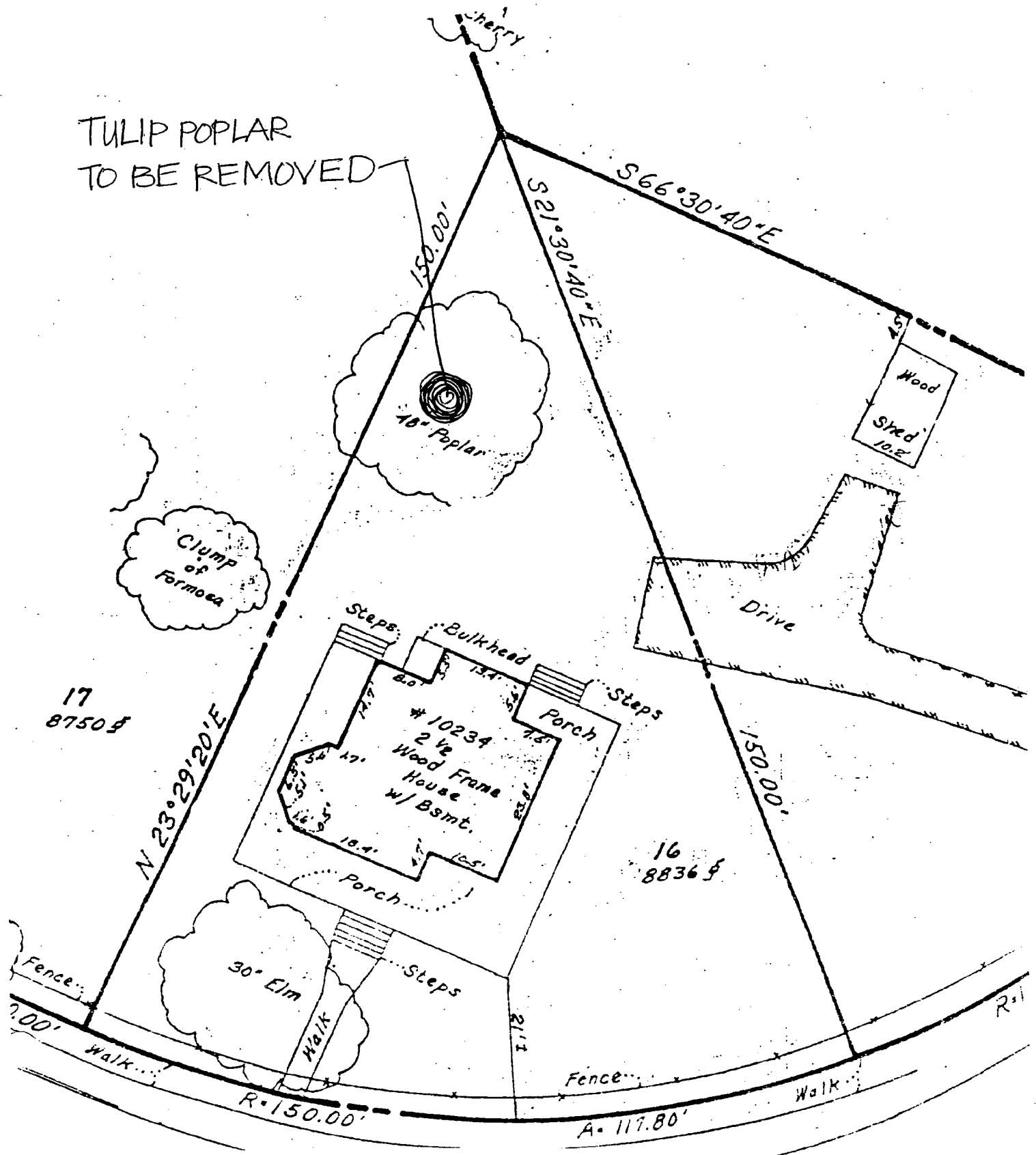
GUARDIAN
TREE EXPERTS

THE F.A. BARTLETT TREE EXPERT COMPANY
SCIENTIFIC TREE CARE SINCE 1907

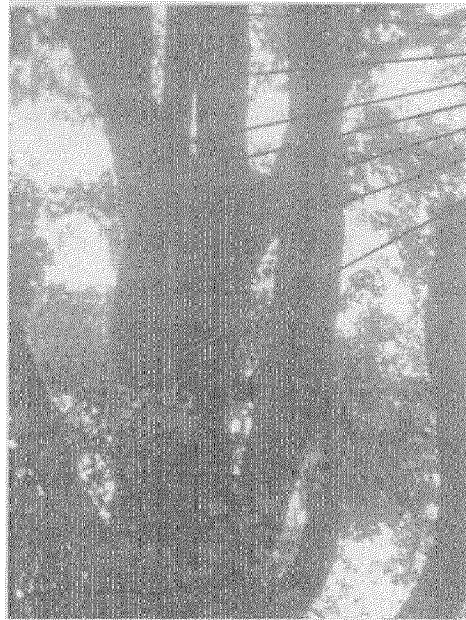
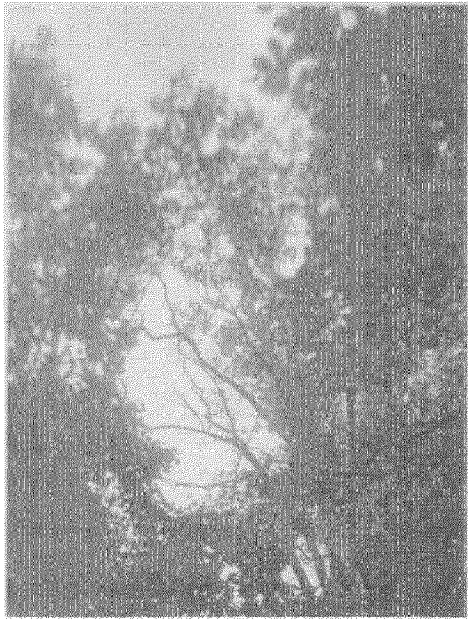
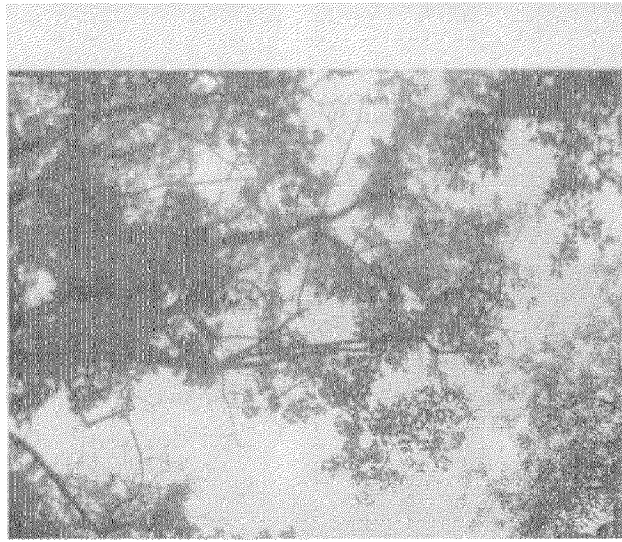


Corporate Office: P.O. Box 3067, Stamford, Connecticut 06905-0067 • (203) 323-1131, FAX (203) 323-1129
www.bartlett.com

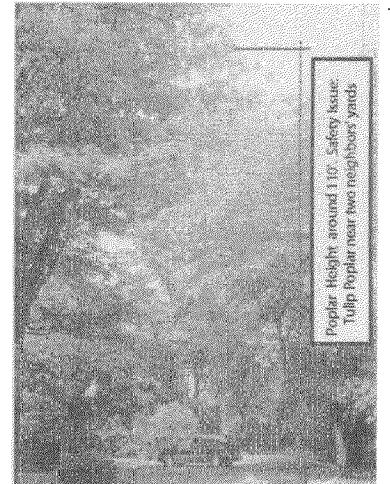
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LOT 16 BLK 2 KENSINGTON PARK



Lighting strike
along
major leader
of
110'-0"
Tulip Poplar
in
Rear Yard



Jay M. Henn and Judy Hanks-Henn 10234 Carroll Place, Kensington, MD 20895

Tully, Tania

To: Judy Hanks-Henn
Subject: RE: 100' Tree HAWP MEMO

MEMORANDUM

TO: Tania Tully, Senior Planner
Historic Preservation Section

FROM: *Judy Hanks-Henn*
10234 Carroll Place, Kensington, MD 20895

SUBJECT: PERMIT REQUEST. HAWP application for 100' Tulip Poplar Tree Removal

The subject of the Tulip Poplar's decline has not been adequately recorded and the HPC staff has requested more background information on the matter.

The primary concern is the suspicious time frame of the driveway improvement (installed in Dec 2004 - May 2005), approved by the HPC (with conditions for a construction fence to protect the Tulip Poplar) and the decline of the Tulip Poplar (spring of 2005).

The additional information provided will assure the HPC that the tree's decline was not a result of the driveway construction.

- The tree decline is on the opposite side of the driveway improvement, from the lightning strike to the tree in September 2001.

Documentation of the lightning strike can be supplied upon request via the insurance claim for roof repair cause by the lightening strike.

- The root system on the opposite side of the driveway improvement has died (as diagnosed by tree arborist Mark Eppard upon examining the tree) as a result of the lightning strike. The root system on the driveway side appears healthy.
- Visual documentation of that condition is verified by the lack of leaves on the tree on the opposite side of the driveway - while from the driveway entry, the tree seems healthy.
- The main leaders struck by the lightning appeared in decline the following years of 2002 and more in 2003. During the summer of 2004, the tree seemed to stabilize. Consequently, the owners believed the tree has escaped death by lightening strike and began postponed plans for a badly needed driveway improvement.

Note, a tree this size does not show stress immediately. Any damage to the Tulip Poplar done by the driveway improvement would not show up until the following year - 2006.

The current concern

The hundred foot tree get the high winds that shorter trees do not. With the tree being supported by a root system on half of its circumference, the tree's stability is in question. Our neighborhood has had tornados or 60-100 mph winds on a regular basis during the late summer months.

ADDENDUM

The owner's background and attitude toward trees and historical landscaping

A replacement tree for the Tulip Poplar would be a large species of evergreen to reinforce the disappearing "Picturesque Movement" landscaping around the Circle Manor estates. This tree would be quite expensive and the owners would like to defer its implementation until they financially recover from the expense of removing the Tulip Tree. The placement of the tree would be such that it enhances the Victorian house and driveway and placed

6/30/2005

8

off to one side of the original location of the Tulip Poplar.

Tania, I have two degrees in landscape architecture - one a masters degree from Harvard University. Professionally, my particular specialty is in turn-of-the-century design. My support of the HPC's role as a guardian of the historic tree environment is total and also my priority.

We have a history of financial care and concern for our mature trees:

For almost a decade, the Elm tree in front of the house was fertilized by Guardian Tree (now Bartletts) while it went through a decline. It has recovered. The Hemlock has been treated several times for its disease and its decline. It still remains in danger.

Mark Eppard and I have had discussions on a suitable species to replace it. Consequently, while my husband is pruning the tree to help its vigor, I have been thinking about a suitable evergreen replacement for that tree for several years now as well as improved landscaping around it - it is front of the house near Noyes Library.

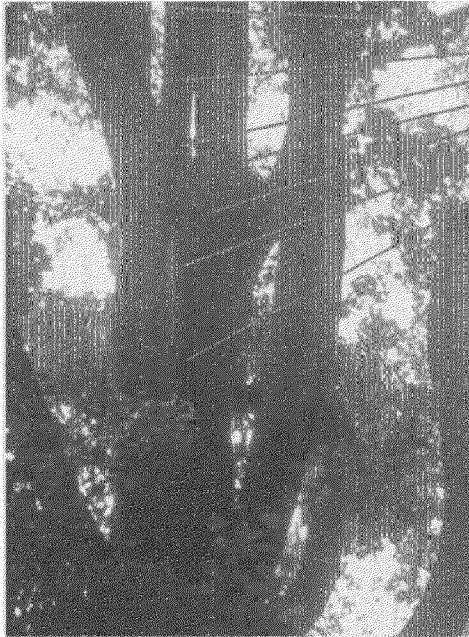
Respectfully submitted,

Judy Hanks-Henn
phone: 301-942-0963
jhankshenn@earthlink.net

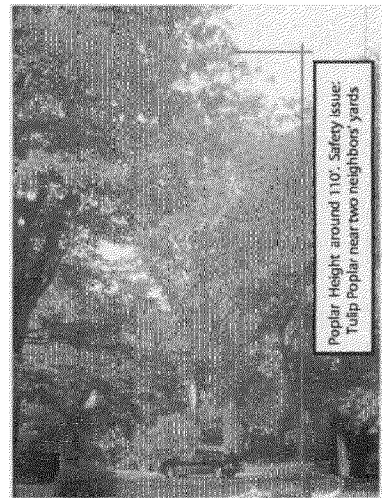
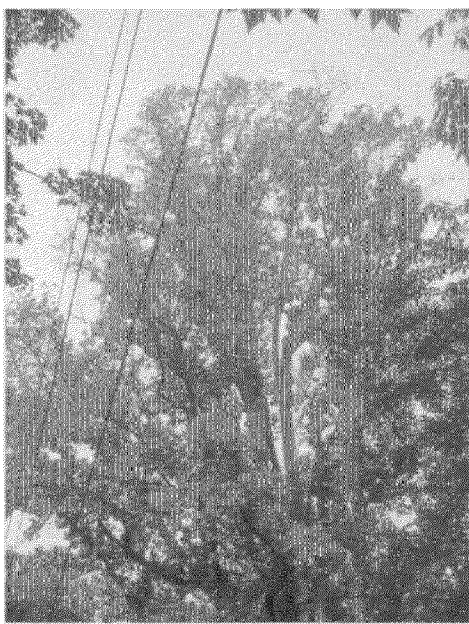








Lighting strike
 along
 major leader
 of
 110'-0"
 Tulip Poplar
 in
 Rear Yard



Jay M. Henn and Judy Hanks-Henn 10234 Carroll Place, Kensington, MD 20895

HISTORIC PRESERVATION COMMISSION STAFF REPORT

| | | | |
|---------------------|---|------------------------|-------------------------|
| Address: | 10234 Carroll Place, Kensington | Meeting Date: | 07/13/05 |
| Applicant: | Jay M. Henn & Judy Hanks-Henn | Report Date: | 06/30/05 |
| Resource: | Primary 1 Resource Kensington Historic District | Public Notice: | 06/29/05 |
| Review: | HAWP | Tax Credit: | None |
| Case Number: | 31/06-05K | Staff: | Tania Tully |
| PROPOSAL: | Tree removal | RECOMMENDATION: | Approval with condition |

STAFF RECOMMENDATION:

Staff is recommending approval with the following condition:

- Within one year of removal of the Tulip Poplar, a tree appropriate to the historic setting will be planted in the same general area of the yard.

PROPERTY DESCRIPTION

SIGNIFICANCE: Primary 1 Resource within the **Kensington Historic District**
DATE, STYLE: 1904, Queen Anne

This property consists of three lots owned by the applicants for a total of .546 acres. The house and west side lot front Carroll Place with the east side yard wrapping towards Montgomery Avenue. The Noyes Library is directly south of the property. The parcel contains a mix of open space and treed areas, including several large deciduous trees. A mix of trees and shrubbery creates a sense of privacy for the applicants.

PROPOSAL:

The applicants propose to remove the 48" Tulip Poplar located in the rear yard. See Circle 5.

APPLICABLE GUIDELINES:

When reviewing alterations and new construction within the Kensington Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the *Vision of Kensington: A Long-Range Preservation Plan (Vision)*, *Montgomery County Code Chapter 24A (Chapter 24A)*, and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

Vision of Kensington: A Long-Range Preservation Plan

The HPC formally adopted the planning study, *Vision of Kensington: A Long-Range Preservation Plan*, and is directed by the Executive Regulations, which were approved by the County Council, to use this plan when considering changes and alterations to the Kensington Historic District. The goal of this preservation plan "was to establish a sound database of information from, which to produce a document that would serve the HPC, M-NCPPC, their staff and the community in wrestling with the protection of historic districts amidst the pressures of life in the 21st century." (page 1). The plan provides a specific physical description of the district as it is; an analysis of character-defining features of the district; a discussion of the challenges facing the district; and a discussion of proposed strategies for maintaining the character of the district while allowing for appropriate growth and change.

Montgomery County Code; Chapter 24A

- A HAWP permit should be issued if the Commission finds that:
 1. The proposal will not substantially alter the exterior features of a historic site or historic resource within a historic district.
 2. The proposal is compatible in character and nature with the historical archaeological, architectural or cultural features of the historic site or the historic district in which a historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter.
 4. The proposal is necessary in order that unsafe conditions or health hazards be remedied.

Secretary of the Interior's Standards for Rehabilitation:

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

STAFF DISCUSSION

The Commission is well aware of the importance of trees in each of the County's Historic Districts. They provide a large part of the character and feeling that make up the setting of the district and its individual resources. As such, removal of a tree such as this 100-foot tall 48" dbh Tulip Poplar should be considered carefully.

The letter from the arborist and photographs provided with the application indicate the current state of the tree. In 2001 the tree was struck by lightning on its north side. The applicant contracted with Bartlett Tree Experts soon after the strike in order to assess the damage and determine a course of action that would increase the chances of its long-term survival. As seen in Circles 5 and 7, the tree has neared the end of its life.

At staff's request, the applicant provided additional information that helped allay staff's concerns. It is important to note that the portion of the tree that is dying is opposite the new driveway approved by the Commission October 27, 2004. Appropriate tree protection measures were used and the new construction did not hasten the tree's decline. Additionally, a large portion of the root system is dying, which decreases its stability. A second letter from the arborist will be provided at the Worksession.

The applicant has expressed an interest in planting a large evergreen tree in the yard that would fit within the historic period of the house. Staff is supportive of this and recommends allowing the applicant at least one year from the date of the tree removal to plant the new tree. The memo on Circles 8 and 9, provides a thorough and impassioned explanation of the request. Staff has full confidence in the applicant's intentions and is recommending approval with the condition discussed above.

STAFF RECOMMENDATION:

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

and with the *Secretary of the Interior's Standards for Rehabilitation*.

and with the condition stated on Circle 1;

and with the general condition applicable to all Historic Area Work Permits that **the applicant will present 3 permit sets of drawings to HPC staff for review and stamping prior to submission for permits (if applicable)**. After issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant will arrange for a field inspection by calling the DPS Field Services Office at 240-777-6370 prior to commencement of work and not more than two weeks following completion of work.



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

DPS - #8

T

HISTORIC PRESERVATION COMMISSION
 301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: JUDY HANKS-HENN
 Daytime Phone No.: 301.942.0963

Tax Account No.: _____
 Name of Property Owner: JAY HENN & JUDY HANKS-HENN Daytime Phone No.: same
 Address: 10234 CARROLL PLACE, KENSINGTON 20895
Street Number City State Zip Code
 Contractor: TO BE DECIDED - estimates on going Phone No.: _____
 Contractor Registration No.: _____
 Agent for Owners: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: _____ Street: CARROLL PLACE
 Town/City: _____ Nearest Cross Street: MONTGOMERY AVE
 Lot: 16 Block: 2 Subdivision: KENSINGTON PARK
 Liber: 8280 Folio: 13 Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE: Construct Extend Alter/Renovate A/C Slab Room Addition Porch Deck Shed
 Move Install Wreck/Raze Solar Fireplace Woodburning Stove Single Family
 Revision Repair Revocable Fence/Wall (complete Section 4) Other: _____
 1B. Construction cost estimate: \$ 8,500 - 9,500
 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 Hanks-Henn
 Signature of owner or authorized agent

6/18/05
 Date

Approved: _____ For Chairperson, Historic Preservation Commission
 Disapproved: _____ Signature: _____ Date: _____
 Application/Permit No.: 367194 Date Filed: 6.14.05 Date Issued: _____

(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:

Removal of Tulip Poplar in decline

(Tulip Poplar struck by lightning on 9/10/01 - also caused damage to roof - and has been in decline each year)

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

In JULY severe wind storms, uprooted tree can cause damage to neighboring properties.

PLEASE EXPIDITE THIS HAWP FOR SAFETY ISSUES

(Bartlett Tree Arborist recommendation is enclosed.)

2. SITE PLAN

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.

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.

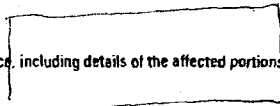
- Schematic construction plans**, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- Elevations (facades)**, with marked dimensions, clearly indicating proposed work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

4. MATERIALS SPECIFICATIONS

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

5. PHOTOGRAPHS

- 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.
- 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 decline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

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

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.



BARTLETT TREE EXPERTS

12200 NEBEL STREET, ROCKVILLE, MD 20852-2687 • (301) 881-8550 • FAX (301) 881-9063

June 7, 2005

Ms. Judy Hanks – Henn
10234 Carroll Place
Kensington, MD 20895

Dear Judy,

As you know, we have attempted to stabilize the health of the large lightning damaged Tulip Poplar in your back yard for approximately 3 years. This Tulip Poplar, damaged in September 2001, has continued to decline to a degree that its' removal should be considered.

The removal of this tree will require the use of a small crane (to reduce damage to driveway) and several days during which the driveway will not be useable.

Depending upon the crane set up and weight capacity, this removal (to a low stump) should cost between \$8,500 and \$9,500.

Please call with any questions.

Thank you,

Mark Eppard
ISA Certified Arborist

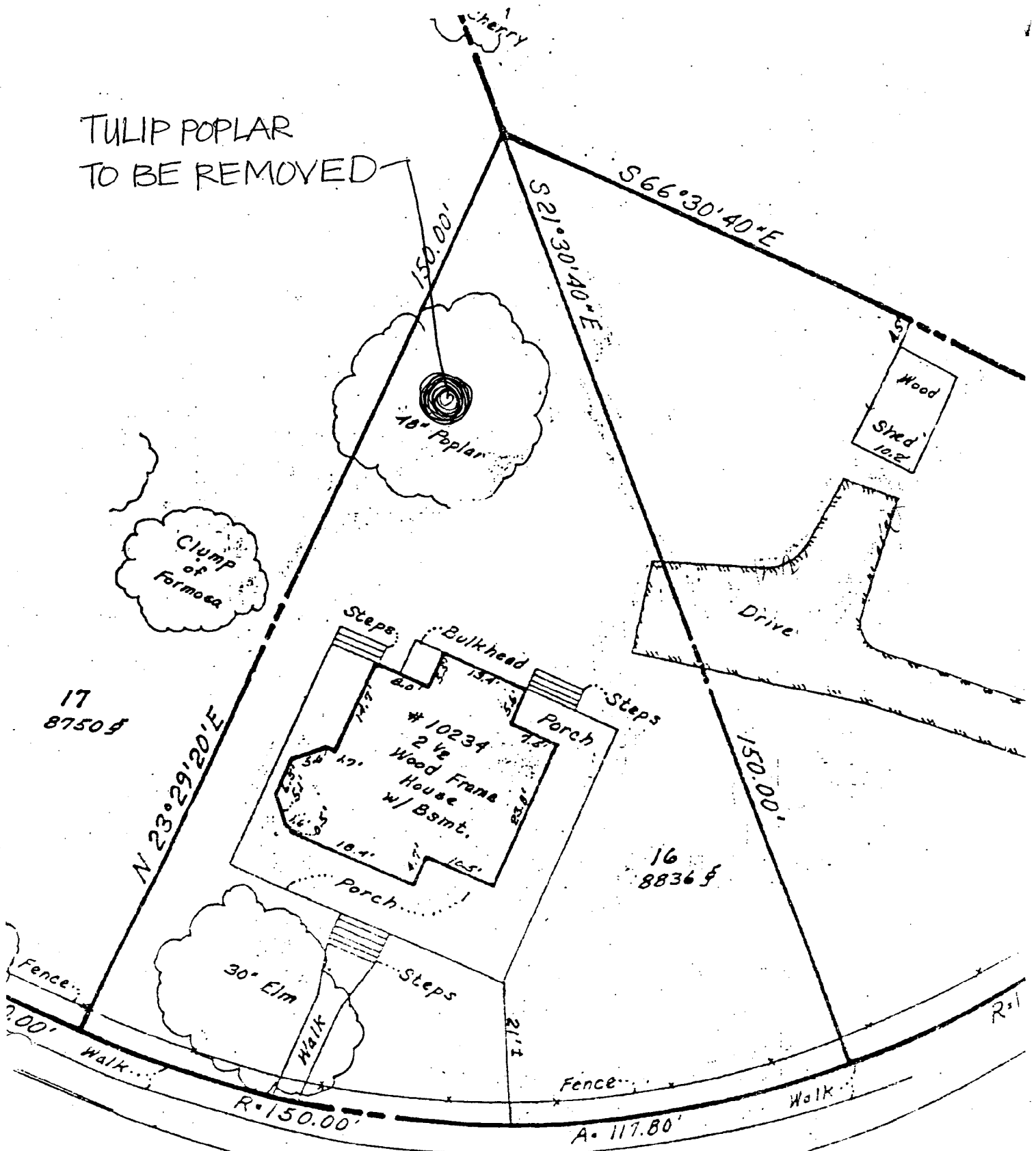
GUARDIAN
TREE EXPERTS

THE F.A. BARTLETT TREE EXPERT COMPANY
SCIENTIFIC TREE CARE SINCE 1907



Corporate Office: P.O. Box 3067, Stamford, Connecticut 06905-0067 • (203) 323-1131, FAX (203) 323-1129
www.bartlett.com

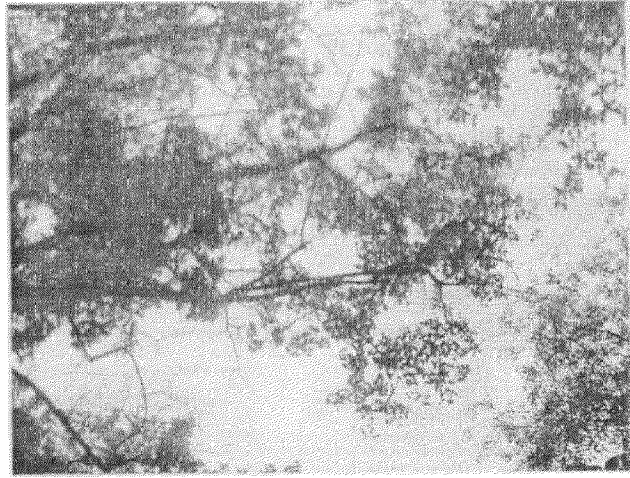
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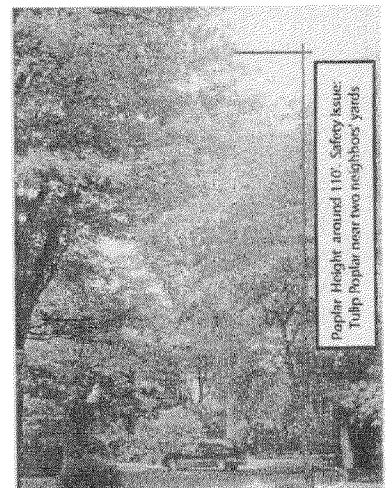
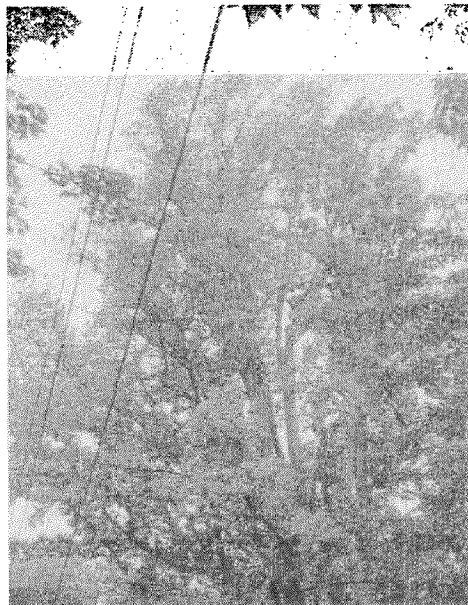
17
8750 \$

16
8836 \$

LOT 16 BLK 2 KENSINGTON PARK



Lighting strike
 along
 major leader
 of
 110'-0"
 Tulip Poplar
 in
 Rear Yard



Poplar Height around 110'. Safety Issue:
 Tulip Poplar near two neighbors yards

Tully, Tania

To: Judy Hanks-Henn

Subject: RE: 100' Tree HAWP MEMO

MEMORANDUM

TO: Tania Tully, Senior Planner
Historic Preservation Section

FROM: *Judy Hanks-Henn*
10234 Carroll Place, Kensington, MD 20895

SUBJECT: PERMIT REQUEST. HAWP application for 100' Tulip Poplar Tree Removal

The subject of the Tulip Poplar's decline has not been adequately recorded and the HPC staff has requested more background information on the matter.

The primary concern is the suspicious time frame of the driveway improvement (installed in Dec 2004 - May 2005), approved by the HPC (with conditions for a construction fence to protect the Tulip Poplar) and the decline of the Tulip Poplar (spring of 2005).

The additional information provided will assure the HPC that the tree's decline was not a result of the driveway construction.

- The tree decline is on the opposite side of the driveway improvement, from the lightning strike to the tree in September 2001.

Documentation of the lightning strike can be supplied upon request via the insurance claim for roof repair cause by the lightening strike.

- The root system on the opposite side of the driveway improvement has died (as diagnosed by tree arborist Mark Eppard upon examining the tree) as a result of the lightning strike. The root system on the driveway side appears healthy.
- Visual documentation of that condition is verified by the lack of leaves on the tree on the opposite side of the driveway - while from the driveway entry, the tree seems healthy.
- The main leaders struck by the lightning appeared in decline the following years of 2002 and more in 2003. During the summer of 2004, the tree seemed to stabilize. Consequently, the owners believed the tree has escaped death by lightening strike and began postponed plans for a badly needed driveway improvement.

Note, a tree this size does not show stress immediately. Any damage to the Tulip Poplar done by the driveway improvement would not show up until the following year - 2006.

The current concern

The hundred foot tree get the high winds that shorter trees do not. With the tree being supported by a root system on half of its circumference, the tree's stability is in question. Our neighborhood has had tornados or 60-100 mph winds on a regular basis during the late summer months.

ADDENDUM

The owner's background and attitude toward trees and historical landscaping

A replacement tree for the Tulip Poplar would be a large species of evergreen to reinforce the disappearing "Picturesque Movement" landscaping around the Circle Manor estates. This tree would be quite expensive and the owners would like to defer its implementation until they financially recover from the expense of removing the Tulip Tree. The placement of the tree would be such that it enhances the Victorian house and driveway and placed

off to one side of the original location of the Tulip Poplar.

Tania, I have two degrees in landscape architecture - one a masters degree from Harvard University. Professionally, my particular specialty is in turn-of-the-century design. My support of the HPC's role as a guardian of the historic tree environment is total and also my priority.

We have a history of financial care and concern for our mature trees:

For almost a decade, the Elm tree in front of the house was fertilized by Guardian Tree (now Bartletts) while it went through a decline. It has recovered. The Hemlock has been treated several times for its disease and its decline. It still remains in danger.

Mark Eppard and I have had discussions on a suitable species to replace it. Consequently, while my husband is pruning the tree to help its vigor, I have been thinking about a suitable evergreen replacement for that tree for several years now as well as improved landscaping around it - it is front of the house near Noyes Library.

Respectfully submitted,

Judy Hanks-Henn
phone: 301-942-0963
jhankshenn@earthlink.net

