

# MAYOR & COUNCIL AGENDA COVER SHEET

**MEETING DATE:**

**November 19, 2007**

**CALL TO PODIUM:**

**Jacqueline Marsh**

**RESPONSIBLE STAFF:**

**Jacqueline Marsh, Planner**

**AGENDA ITEM:**

(please check one)

|          |  |
|----------|--|
|          | Presentation                                 |
|          | Proclamation/Certificate                     |
|          | Appointment                                  |
|          | Public Hearing                               |
| <b>x</b> | Historic District Commission<br>Consent Item |
|          | Ordinance                                    |
|          | Resolution                                   |
|          | Policy Discussion                            |
|          | Work Session Discussion Item                 |
| <b>x</b> | Other: Certificate of Approval               |

**PUBLIC HEARING HISTORY:**

(Please complete this section if agenda item is a public hearing)

|                   |  |
|-------------------|--|
| Introduced        |  |
| Advertised        |  |
|                   |  |
|                   |  |
|                   |  |
|                   |  |
| Hearing Date      |  |
| Record Held Open  |  |
| Policy Discussion |  |

**TITLE: CERTIFICATE OF APPROVAL OF HAWP-29F**

**HISTORIC DISTRICT COMMISSION**

Applicant: Beverly Stalker, Request for tree removal at 11 Brookes Avenue

**SUPPORTING BACKGROUND:**

The applicant is requesting approval to remove two ailanthus trees from the rear yard.

At their meeting of November 1, 2007, the Historic Preservation Advisory Committee (HPAC) held a public hearing on this request. There was no public testimony for or against the application.

The HPAC unanimously recommended approval, finding the proposed alteration in compliance with the Brookes, Russell, Walker Historic District Design Guidelines and with the Secretary of Interior Standard Two, which states: "The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided." "The removal of two undesirable trees will promote the growth of longer-living, more substantial trees which will continue the heavily treed character of the neighborhood and be beneficial to the overall environment."

Staff and the HPAC recommend the HDC make the following motion: **Grant approval of HAWP-29F and issue the Certificate of Approval, finding, based on the record before HPAC and for the reasons articulated by HPAC, that the application meets the Secretary of Interior Standards Two and the Brookes, Russell, Walker Historic District Design Guidelines.**

**DESIRED OUTCOME:**

**Vote to approve or deny the issuance of the Certificate of Approval.**

HPAC Public Hearing – November 1, 2007  
HDC Review – November 19, 2007

**INDEX OF MEMORANDA  
HAWP-29F**

**Applicant: Beverly Stalker  
11 Brookes Avenue  
Tree Removal**

| <b>Number</b> | <b>Exhibit</b>  |
|---------------|---|
| 1.            | Application   |
| 2.            | House location plan showing location of trees to be removed   |
| 3.            | Photographs of tree to be removed   |
| 4.            | Tree Inventory Data for 11 Brookes Avenue   |
| 5.            | Notice to include legal ad for public hearing in the October 24, 2007,<br><i>Gaithersburg Gazette</i> |
| 6.            | Public hearing notice, sent out October 22, 2007, to the required parties                             |
| 7.            | By Reference: Brookes, Russell, Walker Historic District Guidelines                                   |
| 8.            | By Reference: Annotated Code of Maryland, Article 66B, Historic Resources                             |
| 9.            | By Reference: Secretary of Interior Standards for Rehabilitation                                      |
| 10.           | By Reference: HD-14 Designation Documents   |
| 11.           | By Reference: Qualifications of HPAC, HDC, and staff  |
| 12.           | By Reference: Historic Preservation Ordinance   |

# HISTORIC AREA WORK PERMIT APPLICATION

In accordance with Chapter 24, Article XII of the City Code.

|                       |                 |
|-----------------------|-----------------|
| Application Number    | <u>HAWP-29F</u> |
| Date Filed            | <u>9-25-07</u>  |
| Application Completed | <u>10-22-07</u> |
| HPAC Hearing/Review   | <u>11-1-07</u>  |
| HDC Hearing/Review    | <u>11-19-07</u> |
| Decision              | _____           |
| Date of Decision      | _____           |

**1. SUBJECT PROPERTY**

Address 11 Brookes Ave

Lot 6 Block 1 Subdivision \_\_\_\_\_

Tax Account Number \_\_\_\_\_

**2. APPLICANT/OWNER/AUTHORIZED AGENT**

Name Beverly Stalber Telephone 301 963 0155

Address 11 Brookes Ave

**3. OWNER OF RECORD (IF NOT APPLICANT)**

Name \_\_\_\_\_ Telephone \_\_\_\_\_

Address \_\_\_\_\_

**2. TYPE OF WORK (CHECK APPROPRIATE)**

- Visible from public way
- Not visible from public way
  
- Fence
- Signage
- Parking
- Landscape
- Windows
- Siding
- Roofing
- Accessory Building
- Additions
- Relocation
- Restoration
- Demolition
- New Construction
- In-kind Replacement
- Utilities (meters, cables, etc.)
- Miscellaneous

**4. DESCRIPTION OF PROPOSED WORK** removal of 2 trees (Ailanthus) from backyard.

**5. HISTORIC AREA WORK PERMIT PROCESS AND APPLICATION SUBMISSION REQUIREMENTS (SEE PAGES 2-7)**

I have read and understand the attached information regarding process and requirements in obtaining a Historic Area Work Permit.

Signature Beverly Stalber Date 9/14/07



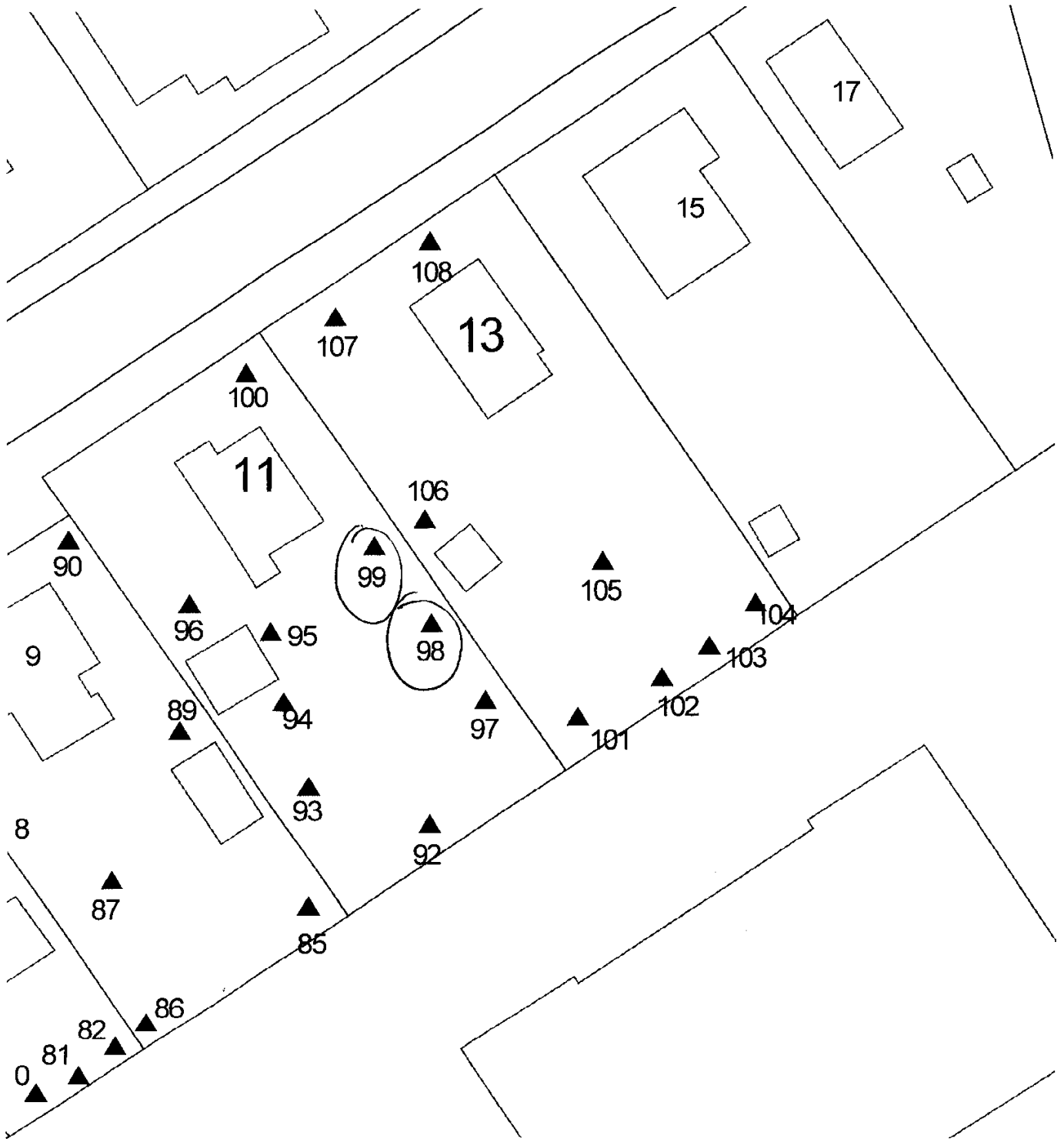




SEMOU 065-321-0088  
HAWP 99F  
#3  
11-1-07



# Tree Inventory for Brookes, Russell, Walker Historic District



11 and 13 Brookes Avenue

| INV# | Location         | Street          | MHO | PB | APS | No. | of total | Species          | dbh         | cond | PR | RM | CB | HE | IPM | Wires | SW | Comments                          |
|------|------------------|-----------------|-----|----|-----|-----|----------|------------------|-------------|------|----|----|----|----|-----|-------|----|-----------------------------------|
| 88   | Back Right side  | "               |     |    |     | 4   | 7        | Black walnut     | 24          | 3    | 2  |    |    |    |     |       |    | Deadwood, remove vines            |
| 89   | Back left side   | "               |     |    |     | 5   | 7        | Red maple        | multi stems | 2    | 2  |    | X  |    |     |       |    | Thin 20%                          |
| 90   | Front left side  | "               |     |    |     | 6   | 7        | Silver maple     | 41          | 1    | 2  |    | X  | X  |     |       |    | Resistograph, air spade           |
| 91   | Front Right side | "               |     |    |     | 7   | 7        | Silver maple     | 27          | 2-1  |    |    | X  |    |     | X     |    | Storm damage, deadwood            |
| 92   | Back center      | 11 Brookes Ave. | No  |    |     | 1   | 9        | Silver maple     | 47          | 2    | 3  |    |    | X  |     |       |    | Deadwood                          |
| 93   | Back Right side  | "               |     |    |     | 2   | 9        | American dogwood | 12          | 3    |    |    |    |    |     | X     |    |                                   |
| 94   | Back Right side  | "               |     |    |     | 3   | 9        | Fire cherry      | multi stems | 3    | 3  |    |    |    |     |       |    | Thin                              |
| 95   | Center rear      | "               |     |    |     | 4   | 9        | American dogwood | 14          | 2    |    |    |    |    | 2   |       |    | Basal decay                       |
| 96   | Right side       | "               |     |    |     | 5   | 9        | Pin oak          | 28          | 2    | 2  |    |    |    | 1   |       |    | Scale, frost crack                |
| 97   | Rear Right side  | "               |     |    |     | 6   | 9        | Norway maple     | 11          | 3    | 2  |    |    |    |     |       |    | Thin                              |
| 98   | Rear Right side  | "               |     |    |     | 7   | 9        | Ailanthus        | 14          | 2    |    |    |    |    |     |       |    |                                   |
| 99   | Rear Right side  | "               |     |    |     | 8   | 9        | Ailanthus        | 14          | 2    |    |    |    |    |     |       |    |                                   |
| 100  | Front Right side | "               |     |    |     | 9   | 9        | Norway spruce    | 29          | 3-2  |    |    | X  |    |     |       |    |                                   |
| 101  | Back Right side  | 13 Brookes Ave. | No  |    |     | 1   | 8        | Silver maple     | 36/38       | 2    | 2  |    |    | X  |     |       |    | Remove right half                 |
| 102  | Back center      | "               |     |    |     | 2   | 8        | Ailanthus        | 15          | 2    |    |    |    |    |     |       |    | Vines                             |
| 103  | Back center      | "               |     |    |     | 3   | 8        | Norway maple     | 12          | 2    |    |    |    |    |     |       |    |                                   |
| 104  | Back center      | "               |     |    |     | 4   | 8        | Red mulberry     | 24          | 1    |    |    |    |    |     |       |    | Split trunk                       |
| 105  | Back center      | "               |     |    |     | 5   | 8        | Black cherry     | 30          | 2    |    |    |    |    |     |       |    |                                   |
| 106  | Right side       | "               |     |    |     | 6   | 8        | Southern red oak | 26          | 4    |    |    |    |    |     |       |    | Leaning                           |
| 107  | Front Right side | "               |     |    | ?   | 7   | 8        | Northern catalpa | 14          | 3    | 3  |    |    |    |     |       |    | Remove lower limb                 |
| 108  | Front center     | "               |     |    | ?   | 8   | 8        | Norway maple     | 18          | 2    | 2  |    |    |    |     |       |    | Girdling roots, deadwood, elevate |

Key: MHO=met homeowner, PB=public tree; APS=avail planting space; PR=prune; RM=remove; CB=cable; HE=hazard eval; IPM=plant health care priority level: 1=urgent; 2=medium; 3=low  
Condition Key: 5=excellent; 4=very good; 3=good; 2=fair; 1=poor D=dead/dying



**Gaithersburg**  
A CHARACTER COUNTS! CITY

October 19, 2007

Ashby Tanner, Law Section  
The Gaithersburg Gazette  
P.O. Caller 6006  
Gaithersburg, Maryland 20884

Dear Ashby:

Please publish the following legal advertisement in the **October 24, 2007**. issue of the *Gaithersburg Gazette*.

Sincerely,

*Jacqueline Marsh*

Jacqueline Marsh, Planner  
Planning and Code Administration

ASSIGN CODE: **HAWP-29F**

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### NOTICE OF PUBLIC HEARING

The Historic Preservation Advisory Committee of the City of Gaithersburg will conduct a public hearing on HAWP-29F, filed by Beverly Stalker, on

**THURSDAY  
NOVEMBER 1, 2007  
AT 7:30 P.M.**

or as soon thereafter as this matter can be heard in the Council Chambers at 31 South Summit Avenue, Gaithersburg, Maryland.

The application requests a certificate of approval from the City's Historic District Commission for a tree removal request at **11 Brookes Avenue**. §24-228 of the City Code (Zoning Ordinance) requires a historic area work permit for altering exterior features of a historic resource. The subject property, located on Lot 6, Block 1, of the Russell and Brookes Addition to Gaithersburg, is a contributing resource to the Brookes, Russell, Walker Historic District.

Further information may be obtained from the Planning and Code Administration Department at City Hall, 31 South Summit Avenue, between the hours of 8 a.m. and 5 p.m., Monday through Friday.

Jacqueline Marsh, Planner  
Planning and Code Administration  
**Acct# 133649**

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City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098  
301-258-6300 • FAX 301-948-6149 • TTY 301-258-6430 • cityhall@gaitthersburgmd.gov • www.gaithersburgmd.gov

MAYOR  
Sidney A. Katz

COUNCIL MEMBERS  
Stanley E. Alster  
Geraldine E. Edens  
Henry F. Manaffa, Jr.  
John B. Schlichting  
Michael A. Sesma

CITY MANAGER  
David B. Hampton





*Gaithersburg*

A CHARACTER COUNTS! CITY

CITY OF GAITHERSBURG  
31 South Summit Avenue  
Gaithersburg, Maryland 20877  
Telephone: 301-258-6330

**NOTICE OF PUBLIC HEARING**

The City of Gaithersburg Historic Preservation Advisory Committee will conduct a public hearing at the time and place noted below.

*Meeting:* **Historic Preservation Advisory Committee**  
*Application Type:* **Historic Area Work Permit Request**  
*File Number:* **HAWP-29F**  
*Location:* **11 Brookes Avenue**  
**Lot 6, Block 1, of the Russell and Brookes Addition to Gaithersburg**  
*Applicant:* **Beverly Stalker**  
*Development:* **Brookes, Russell, Walker Historic District**  
*Day/ Date/Time:* **Thursday, November 1, 2007, 7:30 p.m.**  
*Place:* **COUNCIL CHAMBERS, GAITHERSBURG CITY HALL**  
**31 SOUTH SUMMIT AVENUE**

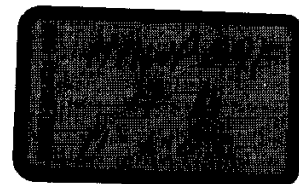
**\*\*\*IMPORTANT\*\*\***

The application requests a certificate of approval from the City's Historic District Commission for a tree removal request **11 Brookes Avenue**. Section 24-228 of the City Code (Zoning Ordinance) requires a historic area work permit for altering exterior features of a historic resource. The subject property, located on Lot 6, Block 1, of the Russell and Brookes Addition to Gaithersburg, is a contributing resource to the Brookes, Russell, Walker Historic District. Contact the Planning and Code Administration City Planner (listed below) at (301) 258-6330 if you should have any questions and/or to learn more about this process and your ability to offer testimony and input.

CITY OF GAITHERSBURG

By: Jacqueline Marsh  
Jacqueline Marsh, Planner  
Planning and Code Administration

**SEE LOCATION MAP ON REVERSE SIDE**



# NOTICES SENT THIS 22<sup>nd</sup> DAY OF OCTOBER, 2007, TO:

## APPLICANT AND INTERESTED PARTIES

(A list of interested parties and agencies is available in the file in the Planning and Code Administration.)

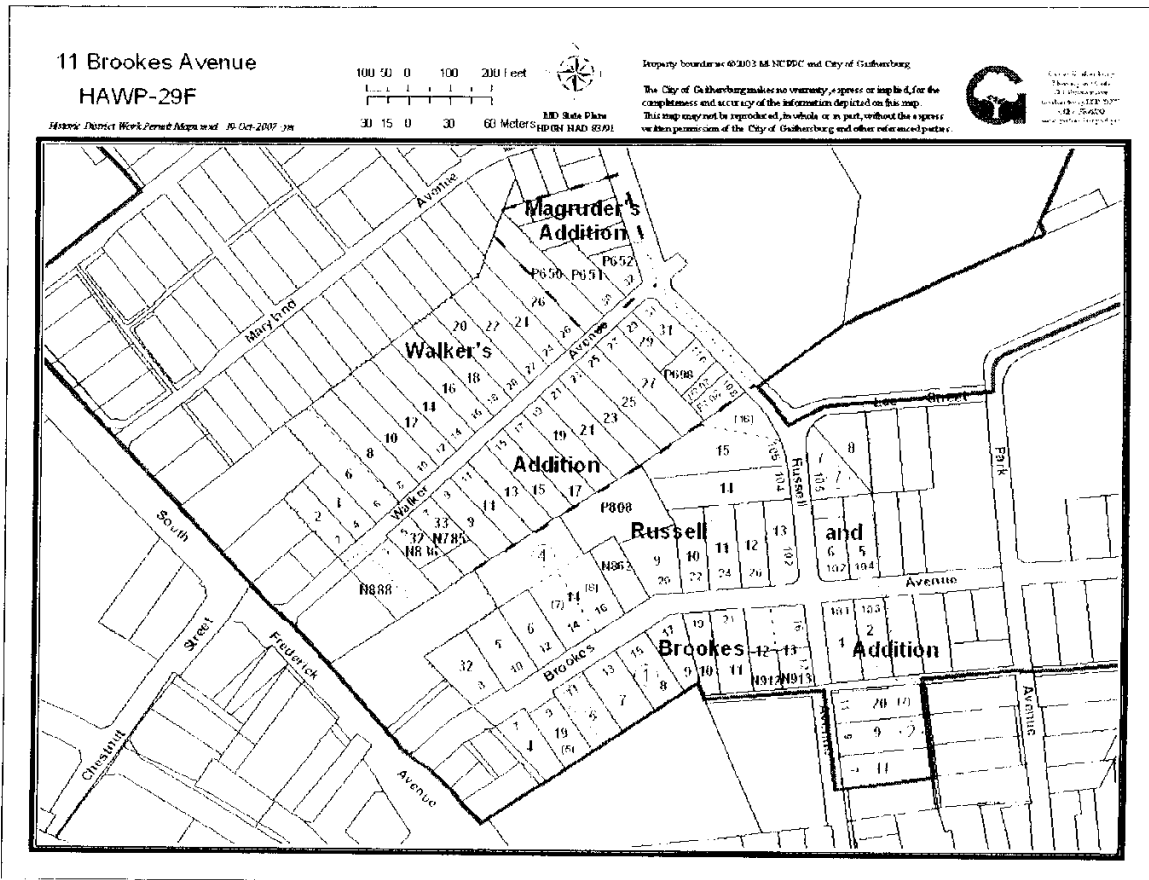
## HISTORIC PRESERVATION ADVISORY COMMITTEE

## HISTORIC DISTRICT COMMISSION

## CITY STAFF

David B. Humpton, City Manager  
Frederick J. Felton, Assistant City Manager  
Tony Tomasello, Assistant City Manager  
Britta Monaco, Public Information Director  
Doris Stokes, Administrative Assistant  
Jeff Baldwin, City Web Administrator (via email)

## LOCATION MAP



HAWP-29F

sent 10.22.07

OCCUPANT  
8 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
101 N FREDERICK AVE  
GAITHERSBURG MD 20877

OCCUPANT  
5 N FREDERICK AVE  
GAITHERSBURG MD 20877

OCCUPANT  
11 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
13 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
10 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
12 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
16 BROOKES AVE  
GAITHERSBURG MD 20877

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15 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
17 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
14 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
7 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
5 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
9 N FREDERICK AVE  
GAITHERSBURG MD 20877

J DANIEL RAWLINGS  
9 BROOKES AVE  
GAITHERSBURG MD 20877

VERIZON MARYLAND INC  
PO BOX 152206  
IRVING TX 75015

M & A VENTURE  
% THOMAS P MEEHAN  
1900 M ST N W STE 601  
WASHINGTON DC 20036

WAL LI CHAN  
16613 HARBOUR TOWN DR  
SILVER SPRING MD 20905

OJB/101 NORTH FREDERICK LC  
C/O RECYCLAND LLC  
7819 NORFOLK AVE FL 2  
BETHESDA MD 20814

GEORGE R WALLRODT  
20 BROOKES AVE  
GAITHERSBURG MD 20877

RODNEY MTRUST THOMPSON  
9706 ECLIPSE PL  
MONTGOMERY VILLAGE MD 20886