



NOTICE OF HEARING

December 4, 2009

[BY CERTIFIED MAIL]

Mr. Earnest Sahady
21533 Ripplemead Drive
Gaithersburg, MD 20882

Re: Notice of Hearing for Violation of Forest Conservation Plan #119960710 rescheduled for Monday, January 11, 2010 at 7:00 pm

Dear Mr. Sahady:

This Notice of Hearing is being issued to you in accordance with Montgomery County Code §22A-20-(d)(1) for alleged violations of the Forest Conservation Law. Specifically, the following violations are noted:

1. Grass cutting in a Category I Forest Conservation Easement and natural regeneration area.
2. Fence installed in a Category I Forest Conservation Easement and natural regeneration area without approval.
3. Equestrian riding ring has been installed in a Category I Forest Conservation Easement and natural regeneration area.

The Planning Board has granted the Montgomery County Planning Department's Request for Continuance. The hearing in the above-referenced matter has been rescheduled from December 7, 2009, to Monday January 11, 2010 at 7:00PM to consider appropriate administrative enforcement action. In the event the Planning Board finds that you are in violation of the terms of your Conservation Easement, the Planning Board may:

1. Impose an administrative civil penalty in accordance with Montgomery County Code §22A-16(d);
2. Order appropriate corrective actions in accordance with Montgomery County Code §22A-17;
3. Suspend or revoke your forest conservation plan, if applicable;
4. Impose other remedies as provided in the Forest Conservation Law; or
5. Require any combination of these actions.



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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Please be prepared to appear at the hearing in front of the Planning Board to respond to the alleged violations. **This is an adjudicatory proceeding governed by State Government §10-201 et. seq. (the Administrative Procedures Act). Accordingly, you will have the opportunity to present evidence and have witnesses testify on your behalf, as well as cross-examine the Planning Board's witnesses. You are responsible for securing the attendance of your witnesses, and you must bring with you any evidence you wish the Board to consider.**

You are encouraged to schedule a meeting with Commission staff in advance of the hearing to discuss whether a compliance program would be appropriate in this case by contacting Mark Pfefferle, Acting Chief, Environmental Planning at 301-495-4730.

Sincerely,

A handwritten signature in black ink, appearing to read "Rollin Stanley".

Rollin Stanley, Director of Planning

cc: Mark Pfefferle, Environmental Planning
Carol S. Rubin, Office of General Counsel
Josh Kaye, Development Review