



# MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue, Silver Spring, Maryland 20910

Environmental Planning Division 301.495.4540 Fax: 301.495.1303

www.MontgomeryPlanning.Org

## NOTICE OF VIOLATION

**FOR MONTGOMERY COUNTY, MARYLAND, the undersigned issuer, being duly authorized, states that:**

On, 2/19/10 the recipient of this NOTICE, Chris Pirtle  
Date Recipient's Name

who represents the property owner, (SAME AS ABOVE)  
Property Owner's Name

is notified that a violation of the Montgomery County Forest Conservation Law (Chapter 22-A) exists at the following location: 1020 Heartfields Dr. Silver Spring, MD 20882

Plan No. 119980960	Explanation: Category I Forest Conservation Easement Encroachments
<b>VIOLATION:</b>	
	Failure to hold a required pre-construction meeting.
	Failure to have tree protection measures inspected prior to starting work.
	Failure to install or maintain tree protection measures per the approved Forest Conservation or Tree Save plan.
X	Failure to comply with terms, conditions and/or specifications of an approved Forest Conservation plan or Tree Save plan, or as directed by Forest Conservation Inspector.
	Failure to obtain an approved Forest Conservation plan or Tree Save plan prior to cutting, clearing, or grading 5,000 square feet on a property of 40,000 square feet or greater.
	Failure to comply with reforestation or afforestation requirements of a Forest Conservation Plan.
	Failure to obtain written approval for a fence permit prior to installing a fence that passes through or around a conservation easement.
X	Other: Failure to comply with easement agreement: Violations include continual grass cutting and installation of a 6x6 timber post boarder and swing-set in a category I forest conservation easement.
<b>Failure to comply with this NOV by <u>3/31/10</u> may result in i) issuance of a citation, ii) issuance of a Stop Work Order, and/or iii) issuance of a Notice of Hearing to appear before the Planning Board for appropriate Administrative Action. Recipient is to call the inspector at <u>301-495-4658</u> when the corrective action is complete. The following corrective action(s) must be performed as directed and within any timeframes specified below:</b>	
	Stake out limits of disturbance (LOD) and contact Forest Conservation Inspector for a pre-construction meeting:
	Install tree protection measures and/or tree care as directed by Forest Conservation Inspector.
	Submit required application for compliance with Chapter 22A of the County Code. Contact Environmental Planning at 301-495-4540.
	Cease all cutting, clearing, or grading and/or land disturbing activity. Approval from Forest Conservation Inspector is required to resume work.
	Schedule a pre-planting meeting with the Forest Conservation Inspector prior to the reforestation of afforestation planting.
X	Schedule and attend a meeting with staff to determine appropriate corrective action to be performed by a date certain. Failure to complete the corrective action by the date assigned may result in i) issuance of a citation, ii) issuance of a Stop Work Order, and/or iii) issuance of a Notice of Hearing to appear before the Planning Board for appropriate Administrative Action.
X	Other: Remove the <b>swing-set</b> and timber boarder from the easement area. <b>Remove the grass</b> from the easement area and add bark mulch throughout. Install (2) 2" caliper shade trees and (1) 1" caliper deciduous tree within the easement.

MNCPPC  
Inspector

Josh Kaye

Printed Name

Signature

2/19/10

Date

RECEIVED BY:

Chris Pirtle

Printed Name

SENT VIA CERT MAIL

Signature

Date