

# SHULMAN ROGERS GANDAL PORDY & ECKER, P.A.

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December 20, 2005

## By Email

Mr. Jeffrey Zyontz  
Montgomery County Park and Planning  
The Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Fox Hill  
Special Exception Application No. S-2504, Approved July 1, 2002  
Preliminary Plan Application No. 1-02065, Approved July 18, 2002  
Record Plat, Recorded January 9, 2004, Plat No. 22775  
Amendment to Forest Conservation Plan

Dear Jeff:

Many thanks for your assistance with the forest conservation amendment. As the attorney for Sunrise, I am authorized to confirm that, pending the Planning Board's January 5, 2006 consideration and action concerning the proposed amendment to the approved Forest Conservation Plan, Sunrise voluntarily agrees to forbear from taking any actions in pursuit of its implementation of its sediment and erosion control permit, including without limitation, site disturbing activities for which a Forest Conservation Plan approval is required. More particularly, Sunrise will forbear from such activities as installing tree protection fencing and sediment control devices, root pruning, grading, and/or removing forest and trees.<sup>1</sup>

Sunrise will not conduct any clearing or grading in advance of the Planning Board's anticipated January 5, 2006 action concerning the Forest Conservation Plan amendment. Accordingly, Sunrise will not pursue any request for a final inspection or

<sup>1</sup> By providing this voluntary stand still letter, and except for its agreeing to "stand still," Sunrise is not waiving any of its legal or equitable rights, and the submission of this stand still letter is not an admission of any violation, if alleged.

"sign off" regarding the existing final Forest Conservation Plan in the interim, i.e., prior to the Planning Board's January 5, 2006 hearing date and their consideration and action. Sunrise further acknowledges that a necessary precondition to the implementation of Sunrise's existing Forest Conservation Plan is a final on-site inspection, which has not been conducted, and which Sunrise will not request in the interim.

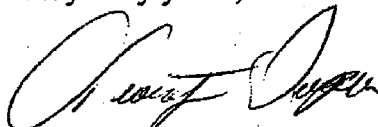
I would appreciate your checking to determine whether, provided the Planning Board approves the Forest Conservation Plan amendment on January 5, 2006, Sunrise will then be able to proceed immediately thereafter to duly comply with the Forest Conservation Plan, as amended, without awaiting a written Planning Board opinion.

Please be assured that Sunrise's engineers are sending the notices about the submission to M-NCPPC of the Forest Conservation Plan amendment. We understand that the Planning Staff is sending the notices regarding the January 5, 2006 hearing.

To evidence your receipt of this letter, please sign where indicated below and please fax a signed copy to me.

Thank you for your attention to the above matter. Please call with any comments, questions and instructions.

Very truly yours,



Timothy Dugan

RECEIVED:

 - PLEASE  
POST  
ORIGINAL

Jeffrey Zyontz  
Montgomery County Park and Planning

cc: Ms. Marion Clark  
Ms. Angela Brown  
Mr. Harley Cook  
Mr. Andy Coelho  
Mr. Jack Hinkle  
Mr. Kim McCary  
Mr. Dusty Rood

**NOTES:**

- 1. The proposed work is to be carried out as shown on the attached drawings.
- 2. The proposed work is to be carried out in accordance with the attached drawings.
- 3. The proposed work is to be carried out in accordance with the attached drawings.
- 4. The proposed work is to be carried out in accordance with the attached drawings.
- 5. The proposed work is to be carried out in accordance with the attached drawings.
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- 7. The proposed work is to be carried out in accordance with the attached drawings.
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- 13. The proposed work is to be carried out in accordance with the attached drawings.
- 14. The proposed work is to be carried out in accordance with the attached drawings.
- 15. The proposed work is to be carried out in accordance with the attached drawings.
- 16. The proposed work is to be carried out in accordance with the attached drawings.
- 17. The proposed work is to be carried out in accordance with the attached drawings.
- 18. The proposed work is to be carried out in accordance with the attached drawings.
- 19. The proposed work is to be carried out in accordance with the attached drawings.
- 20. The proposed work is to be carried out in accordance with the attached drawings.



### LEGEND:

- SITE BOUNDARY
- SPECIMEN TREE
- EXISTING UTILITY
- FOREST STAND & STAND MARKER
- EXISTING RETENTION, OR SUPPLEMENTAL STREAM
- EXISTING CLASSIFICATION
- EXISTING TOPOGRAPHY
- PROPOSED CONTOUR
- LIMITS OF RETENTION
- AMENDED DDT 1 FOREST CONSERVATION ETL
- TREE PROTECTION FENCE & ROWMARK ENCLOSURE
- FOREST CLEARING
- REFORESTATION
- REFORESTATION SCHEDULES A, B, C, D
- TREE PLANTING

SEE THE LOCATION OF THE CROWN TO THE TREE'S CENTER OF GRAVITY ON THE FOREST STAND & STAND MARKER FOR THE TREE'S CENTER OF GRAVITY. SEE CALCULATION OF OFFSET ON SHEET 3 OF 4.

**Qualified Professional Certificate**  
I, the undersigned, being duly sworn, depose and say that the above-stated information is true and correct to the best of my knowledge and belief, and I am a duly Licensed Professional Engineer in the State of Maryland. My commission expires on 01/01/2024.  
Dated and sworn to at Beltsville, Maryland, this 14th day of January, 2024.  
[Signature] [Name]  
Professional Engineer, No. 123456  
123 Main Street, Beltsville, MD 20814

NO.	DESCRIPTION	DATE	STATUS
1	CONCEPT PLAN	12/15/2023	ISSUED
2	FINAL PLAN	01/10/2024	ISSUED

**AMENDED FINAL FOREST CONSERVATION PLAN**

**RODRIK'S**  
1500 W. BELTSVILLE RD.  
BELTSVILLE, MD 20814  
TEL: 301-927-8888  
WWW.RODRIKS.COM

GREENING THE TABLE OF LAND SCAPES

LOT 1  
**FOX HILL**  
BETHESDA ELECTRICITY DISTRICT #63  
2075 W. BELTSVILLE RD., BETHESDA, MD 20814  
PROJECT: FOX HILL CONSERVATION PLAN

# AMENDED FINAL FOREST CONSERVATION PLAN

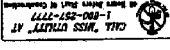
OWNER:  
FUNNISE DEVELOPMENT, INC.  
1903 WEST MAIN STREET  
BETHUNGA, PENNSYLVANIA 15002  
CONTACT: BOB HANLEY COO

NO.	DATE	DESCRIPTION
1	10/1/01	FINAL FOREST CONSERVATION PLAN
2	10/1/01	AMENDED FINAL FOREST CONSERVATION PLAN

## FOX HILL

BETHUNGA ELECTRIC DISTRICT, INC.  
NORTHWEST CORNER DISTRICT #1  
1011

DATE: 10/1/01  
DRAWN BY: [redacted]  
CHECKED BY: [redacted]  
SCALE: AS SHOWN  
SHEET NO. 2 OF 2  
PROJECT NO. [redacted]



**CONSULTING**  
FUNNISE DEVELOPMENT, INC.  
1903 WEST MAIN STREET  
BETHUNGA, PENNSYLVANIA 15002  
CONTACT: BOB HANLEY COO

**ON-SITE REFORESTATION SCHEDULE D**  
PLANT SCHEDULE AREA 0.05 ACRES  
1. The development project is located on the 100-acre parcel shown on the plan. The project area is approximately 0.05 acres in size and is located in the southeast corner of the parcel. The project area is currently in a wooded area and is to be planted with native tree and shrub species. The project area is to be planted with native tree and shrub species. The project area is to be planted with native tree and shrub species.

**ON-SITE REFORESTATION SCHEDULE B**  
PLANT SCHEDULE AREA 0.08 ACRES  
1. The development project is located on the 100-acre parcel shown on the plan. The project area is approximately 0.08 acres in size and is located in the southeast corner of the parcel. The project area is currently in a wooded area and is to be planted with native tree and shrub species. The project area is to be planted with native tree and shrub species. The project area is to be planted with native tree and shrub species.

**ON-SITE REFORESTATION SCHEDULE A**  
PLANT SCHEDULE AREA 0.29 ACRES  
1. The development project is located on the 100-acre parcel shown on the plan. The project area is approximately 0.29 acres in size and is located in the southeast corner of the parcel. The project area is currently in a wooded area and is to be planted with native tree and shrub species. The project area is to be planted with native tree and shrub species. The project area is to be planted with native tree and shrub species.

**PLANTING SPECIFICATIONS**  
1. All trees and shrubs shall be planted in accordance with the following specifications:  
a. All trees shall be planted in accordance with the following specifications:  
i. All trees shall be planted in accordance with the following specifications:  
ii. All trees shall be planted in accordance with the following specifications:  
iii. All trees shall be planted in accordance with the following specifications:  
iv. All trees shall be planted in accordance with the following specifications:  
v. All trees shall be planted in accordance with the following specifications:  
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xv. All trees shall be planted in accordance with the following specifications:  
xvi. All trees shall be planted in accordance with the following specifications:  
xvii. All trees shall be planted in accordance with the following specifications:  
xviii. All trees shall be planted in accordance with the following specifications:  
xix. All trees shall be planted in accordance with the following specifications:  
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COMMON NAME	QUANTITY	SIZE	REMARKS
White Pine	1	1 1/2" DBH	
Red Pine	1	1 1/2" DBH	
White Pine	1	1 1/2" DBH	
Red Pine	1	1 1/2" DBH	
White Pine	1	1 1/2" DBH	
Red Pine	1	1 1/2" DBH	

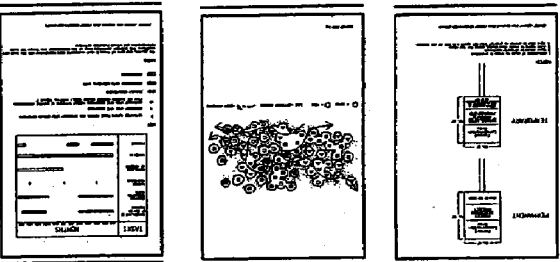
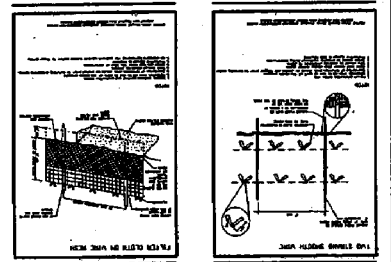
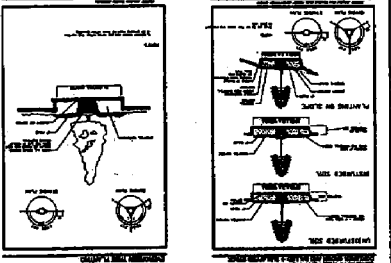
COMMON NAME	QUANTITY	SIZE	REMARKS
White Pine	1	1 1/2" DBH	
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PRELIMINARY NOT FOR CONSTRUCTION