



# ATTACHMENT O

Letter from Dr. Lee and Mrs. Eleanor Leak, June 27, 2006

P.O.Box 959 Poolesville, Maryland 20837 June 27, 2006

THE MARYLAND NATIONAL CAPITAL

JUN 28 2006

Attention: Candy Bunnag
Environmental planning Div.
Mr. Douglas Johnson
Maryland National Capital Park and Planning Commission
8787 Georgia Ave.
Silver Spring, Maryland 20910

Reference: Addendum to letter of June21,2006

Dear Mr. Johnson:

This is to advise and confirm that on numerous occasions we saw Anthony Mercos supervise and take an active role in the felling of trees on the property at 17900 Trundle Rd, Dickerson, Maryland 20842 as follows:

active role in cutting down trees and supervising a number of laborers by cutting down the big trees with chain saws and the smaller trees with a backhoe and bobcat which he rented from Rental Unlimited, United Rental and subsequently from other rental companies. Initially he had the heavy equipment parked on our property as he did not have enough room to keep it off of Trundle Road. In the process our mail box was destroyed. When I apprised him of this matter, he said that he would replace it. The mail box has not been replace as of this date. During the first few days of work a tire was ruptured on one of the machines and Mereos had to have the tire repaired. He also complained to me that some of his laborers had stolen his chain saws that he used to cut down the trees. This activity began on Fridays and continued throughout the weekends.

We observed Mereos continue working on this property as follows:
August 19-21, 2005 continued to cut down trees for three days
<ul> <li>August 26-28, 2005—continued to cut down trees for three days</li> <li>September 1, 2005—A backhoe with tree and earth moving equipment were delivered to be used starting on Friday and continue over the long Labor Day weekend.</li> <li>September 2-5, 2005— Mereos cut down trees for three days and hired several workers to help operate the equipment. Many times the equipment was parked on our property because there was not enough space along the</li> </ul>
side of his property to keep the equipment off of Trundle Road.
October, November & December 2005— In mid October one of the workers

drove the bull dozer into a very wet area and got stuck and Mereos had to call a

wrecker to pull it out with a steel cable. In the process of pulling our the bull dozer a deep rut was dug in the road blocking traffic from passing this area on Trundle Road. During October and November Mereos had laborers with a backhoe and lawn equipment to move the large tree stumps to the back of the property and to cover up the large tree stumps with mulch and to plant grass seed. This process continued throughout the fall of 2005.

Anthony Mereos had large thick plastic sheets spread over two long sections of the property on 17900 Trundle Road. He also had 8-10 large truck loads of large size gravel and several truck loads of dirt delivered to this site. After the dirt was spread over the very wet areas, the plastic was spread from Trundle Road to about 250 feet into the property and he had workers to operate a backhoe and a bobcat to spread the gravel over the plastic sheets to make it possible to drive the heavy equipment onto this water soaked swampy property. The spreading of the gravel took place on weekends when county permitting services and other government officials would not be working to monitor this activity that was taking place on this site.

------March & April 2006---- Workers with a backhoe began to scrape and put the gravel into a big mound on the property.

-----May 2006--- During the weekends and through out the week Anthony Mereos hired 6-8 workers to dig trenches throughout the property in an effort to drain off of the water that was standing on the swampy land. There was usually a foreman that was supervising the operation.

When the property was purchased by Anthony Mereos the middle of July 2006, this 1.79 acres was fully wooded as stated in the Metropolitan Regional Information Systems, Inc. March 2004. Since the property has been owned by Anthony Mereos all of the trees on this wooded lot as described in the Metropolitan Regional Information Systems has been eliminated.

A . Leak

Eleanor M. Leak

# **ATTACHMENT P**

Email from Mr. William Davis, June 26, 2006

#### **Bunnag, Candy**

From: J

Johnsen, Douglas

Sent:

Monday, June 26, 2006 9:47 AM

To:

Bunnag, Candy

Subject: FW: Mereos, Trundle Rd

----Original Message-----

From: Whyduh@aol.com [mailto:Whyduh@aol.com]

Sent: Fri 6/23/2006 1:59 PM To: Johnsen, Douglas

Cc:

Subject: Mereos, Trundle Rd

Mr. Johnsen

In late August into September I observed Anthony Mereos and 3 other persons clearing all of the Mereos property on Trundle Rd. Work would begin on Friday evenings after a Backhoe and a Skidloader were dropped off by an equipment rental company and continue thru Sunday afternoon. The equipment would be picked up Monday morning. This would repeat the next weekend. Mr. Mereos and an associate would operate the Backhoe and Skidloader and 2 (what appeared to be Hispanic men 22-30years) would operate the chainsaws.

The clearing also included property that was not theirs due to lack of survey, which belongs to Bernie Mimms on Elmer School Rd. He also came to the property and observed the work. I believe that some video was also taken at that time.

I don't know why you didn't mention it to the Board. But I understand that you have been in touch with the previous owner Steve Houston instead of letting the Board think he hadn't been contacted.

Shortly before Steve Houston left the property County Animal Control was there along with other County agencies because of a large collection of cats (80-90) that were being kept in large wire enclosures on the fully wooded lot and I know that they took pictures.

The Real Estate agent that listed the Property listed it as a Wooded Lot and Displayed the Photos. The listing and the photos were sent to you by another resident on Trundle Rd.

Other than you actually standing there and watching (thats why work was done Fri - Sun) I don't know what else you need.

As far as Threats by Mr. Meros I have not directly received one but a few neighbors have.

I do not deal with threats and retribution well and fully expect your office to let Mr.Mereos know that you are aware of them and they will be dealt with accordingly.

I will also be sending a copy of this to some other Board members so that it will not get lost, ignored or misplaced.

Thank You, William Davis Trundle Rd

# ATTACHMENT Q

Letter from Mr. Rick Thorne, Branch Manager of United Rentals store in Gaithersburg, MD., June 28, 2006



June 28, 2006

#### **United Rentals**

8301 Beechcraft Ave. Gaithersburg, MD 20879

www.unitedrentals.com

Tel: 301 869-1717 Fax: 301 869-5750

Candy Bunnag
Environmental Planner
M-NCPPC
8787 Georgia Ave
Silver Spring, MD 20910

As per your request in a letter dated June 28, 2006, I can provide you with the following information:

- 8/19/05 -- At the request of Authory A. Mcreos, delivered backhoe and skid steer loader to 17800 Trundel Road, Poolesville, MD. Picked up by United Rentals on 8/22/05.
- 8/25/05 At the request of Anthony A. Mereos, delivered a 555G John Deere track loader to 17800 Trundel Road, Poolesville, MD. Picked up by United Rentals on 8/30/05.
- 9/01/05 At the request of Anthony A. Mereos, delivered 310 John Deere backhoe and 3 chain saws to 17800 Trundel Road, Poolesville, MD. Picked up by United Rentals on 9/06/05.

Sincerely,

Rick Thorne Branch Manager

United Rentals (North America), Inc.

JUN 2 8 2006

ENVIRONMENTAL PLANNING DIVISION

# ATTACHMENT R

Letter from Mr. Bernard Mihm, June 23, 2006



# FINE EARTH LANDSCAPE INC.

16815 Budd Road, Poolesville, MD 20837 www.fineearth.com MD/DC (301) 972-8810 VA (703) 893-3040 Fax: (301) 972-7285

June 23, 2006

JUN 2 3 2008

**MNCPPC** 

ATTN: Doug Johnson/Candy Burns

8787 Georgia Ave.

Silver Spring, MD 20910

My wife and I live at 18015 Elmer School Road. The property extends back to Trundle Road and encircles the property of Mr. Anthony Mereos.

My wife and I frequently run or bike through our property to Trundle Road and turn right to the gate that is the entrance of the property of Mr. & Mrs. Leek.

Sometime in August 2005, my wife and I noticed that the lot owned by Mr. Mereos was being cleared of trees. I visited the site and observed Mr. Mereos along with several others cutting up timber and clearing the area with machines.

My main concern was that Mr. Mereos was infringing upon my property and cutting down my trees. I spoke with Mr. Mereos and we agreed that he would not clear or cut any further than he had already done. At that time he did comply with my request.

I can say unequivocally that he and others were engaged in the clearing and cutting of trees with power equipment and machines. I cannot say with absolute certainty that I saw Mr. Mereos cut a live tree while I was on the site.

Later, Mr. Mereos did continue work on my property, which I frankly am not happy with. However, as long as he refrains from doing so in the future I am not going to pursue this.

One other note is that I have spoken with Mr. Mereos several times and I even confronted Mr. Mereos and several men who were digging a ditch on my property and at no time was Mr. Mereos anything but cordial. This was true even though I told him that I intended to give this exact testimony.

Sincerely,

Bernard A. Mihm, Jr.

## **ATTACHMENT S**

Letter from Mr. Mark Etheridge, Senior Permitting Services Specialist, DPS Water Resources Section, June 22, 2006



#### DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan County Executive

June 22, 2006

Robert C. Hubbard Director

Ms. Candy Bunnag The Maryland National Capital Park and Planning Commission 8787 Georgia Avenue Silver Spring, MD 20910-3760

Re:

17900 Trundle Road Dickerson, MD 20842

Dear Ms. Bunnag:

You asked me to briefly summarize my recent involvement with the above referenced property.

On Tuesday, June 28, 2005 I spoke with Mr. Anthony Mereos by phone. He called me to ask about floodplain or other known environmental impacts to a piece of property he was considering purchasing at 17900 Trundle Road in Dickerson, MD. I looked up the property on our GIS and informed Mr. Mereos that according to my information the entire property was mapped as a forested wetland. I also informed Mr. Mereos that there appeared to be floodplain on the property. He asked me what he would be required to do in order to develop the property, and I informed him that to my knowledge he would not be allowed to develop it, largely due to the wetland issue. Mr. Mereos said to me that there must be something he could do to make the property not a wetland. I informed him that any such modification would require State and Federal permits and they would be very unlikely to issue such permits. I suggested that if his goal was to construct a house, he should look for another property and not purchase this one.

On October 21, 2005 I reviewed a sediment control permit application for 17900 Trundle Road. The application had been submitted by Mr. Mereos because our sediment control inspector had written him a Notice of Violation for grading without a permit. I denied the application and informed the manager of our sediment control inspection section of my previous conversations with Mr. Mereos.

On Thursday, June 15 2006 I attended a Montgomery County Planning Board hearing on the Mereos case and briefly recounted my telephone conversation with Mr. Mereos. In addition I told the Board that Mr. Mereos' sediment control permit application had been denied, contrary to Mr. Meros' attorneys statement that a permit had been issued. I also questioned Mr. Mereos' attorney's assertion that he had spoken to someone at DPS about the reliability of dating USDA aerial photographs.

Sincerely,

Mark Etheridge, CPESC, CPSWQ Senior Permitting Services Specialist

Montgomery County Department of Permitting Services

Water Resources Section 255 Rockville Pike, 2<sup>nd</sup> Fl.

Rockville, MD 20850-4166

240-777-6338

240-777-6339 (FAX)



# **ATTACHMENT T**

Application for sediment control permit completed by Mr. Anthony Mereos, October 21, 2005

Denied

Hood plain checked.



Montgomery County Maryland Department of Pormitting Services 255 Rockvillo Pike, 2<sup>rd</sup> Floor Rockvillo, Maryland 2050-4153 (240) 777-6300 Fax (240) 777-6262 http://permits.emontgomary.gov



#### **Application for Sediment Control Permit**

Stormwater Concept #: Prenamoury Plan w: Seament Condition Condition
Project information:
Project Information:  Subdivision/Project Name: MEREOS HOME/Williams Require  Property Size/Area: 1,79 77,972.  Property Address/Location: 17900 Trundle Road  Property Address/Location: 17900 Trundle Road
Property Size/Area:Square Feet (Acres for Forest Harvest Pormits)
Property Address/Location: 17900 Trundle Road
Lot(s):Block(s):Parcel(s):_P/2_0 Watershed:
Property Owner Information:
Name
Mailing Address P.O. Box 206 Poolesville, MD 20837-0206  City State Zip Code
Telephone #:3015/8-4735 Fax #:Email:
Engineer Information:
NameContact ID #
Mailing Address City State Zip Code
Telephone #: Fax #: Email:
Type of Application (Please Check Item that applies to desired permit)
Rough Grade Only Squaro Feet.    Small Land Disturbance Total Disturbed Area:
Small Land Disturbance Total Disturbed Area:Squaro Feet.
Note: A copy of an approved stormwater management Concept letter must be submitted with this application. If this site does not have an approved stormwater management concept, the Department of Permitting Services will determine if one is needed during the review of this application
Engineered Sediment Control Total Disturbed Area:Square Feet.
☐ Rough Grading Only ☐ Full Construction For Plans requiring Stermwater Management - Estimated Stermwater Mgmt Costs: \$
Builders Sediment Control/Ownership Transfer
Note: Department of Permitting Services' Transfer Form must be provided.
Forest Harvest  Stormwater Maintenance  Park already Lone, His is for a NOV
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#### Conditions of approval:

- 1. All sediment control work must comply with written requirements, the approved Sediment Control Plan, "Standards and Specifications for Soil Erosion and Sediment Control" and /or all violation notices, which may be issued by the Department.
- 2. The site, work, materials, plans, and specifications shall be available at all times for inspection by the Department.
- 3. The sediment control permit is subject to revocation or suspension whenever determination is made and after notice is given that the applicant is in violation of State and County sediment control laws or any rules and regulations promulgated under those laws. This includes conditions specified on the approved plan.
- 4. If the Department finds that the original sediment control plans are inadequate or inappropriate, then additional plans or modifications thereof will be required.
- 5. A grading permit must be obtained prior to start of any earthwork, construction, etc., within dedicated street right-of-ways.
- 6. Any temporary sediment basin or trap which will pond water in a pool greater than 9 feet in diameter and 18 inches in depth must be surrounded by permanent, semi-permanent or portable fences not less than 42 inches in height with openings not greater than three inches in width. This fence must be firmly anchored and constructed in a manner to prevent sagging and maintained in good condition.

# **ATTACHMENT U**

M-NCPPC letter regarding an exception to platting requirements, July 5, 2005

# M-NCPPC

#### MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue Silver Spring, Maryland 20910-3760 301-495-4500, www.mncppc.org

July 5, 2005

Mr. Anthony Merios P.O. Box 541 Beltsville, MD 20705-0541

Re: Parcel 120, Tax Map BT

Dear Mr. Merios:

The Development Review Division staff has reviewed the information supplied by you with regards to the above referenced property. The deed history provided indicates that this parcel existed in its present size and shape prior to June 1, 1958. It is our finding that Parcel 120 does qualify for an exception to the platting requirements pursuant to the Subdivision Regulations under section 50-9(f). This property is eligible for construction of one (1) single-family residential dwelling as provided for under Section 59 -B-5.1 of the Montgomery County Zoning Ordinance.

This exception does not waive any other legal requirements imposed by other governmental review agencies. You may wish to contact the Department of Permitting service to clearly understand any other limitation associated with building permit reviews for this property. If you have any questions regarding this transmittal, please contact me at 301/495-4623.

Sincerely,

Taslima Alam

cc: W. Cornelius, DRD

# **ATTACHMENT V**

Trial summaries and bench warrants for sediment control violation citations

Page: 1

Date: 12/20/2005

Time: 10:27 AM

Room: 4



Case No. 3Z33935422

# DISTRICT COURT OF MARYLAND FOR MONTGOMERY COUNTY

Located at 8552 SECOND AVENUE, SILVER SPRING, MD 20910

## STATE OF MARYLAND VS. MEREOS, ANTHONY

P O BOX 206 POOLESVILLE MD 208370000

CC #:

SID:

LocID:

Eyes:

Hair:

Height: 0"

Weight: 0 lb.

Race:

Sex: DOB:

DL #:

#### DEFENDANT TRIAL SUMMARY

The above case was heard today, 12/20/2005 by Judge VAUGHEY, CORNELIUS J. The Court's finding is as follows:

001 FAIL OBTAIN SEDIMENT CON PERMI Plea - NOT GUILTY Verdict - GUILTY Fine \$100.00 \$0.00 suspended.

DEFENDANT ORDER TO ABATE THE INFRACTION **IMMEDIATELY** Costs \$7.50.

Total fines and costs \$107.50, \$107.50 due today.

The defendant is ordered to abate the above infraction.



12/20/2005 Defendant (MEREOS, ANTHONY)

You may be entitled to expunge the record relating to the charge or charges against you if you meet certain conditions. Further information on expungement is contained in a brochure available at the Clerk's Office or on our website at http://www.courts.state.md.us/district.

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Page: 1 Room: 4

Date: 12/20/2005

Time: 10:28 AM



Case No. 5Z33935424

# DISTRICT COURT OF MARYLAND FOR MONTGOMERY COUNTY

Located at 8552 SECOND AVENUE, SILVER SPRING, MD 20910

STATE OF MARYLAND VS. MEREOS, ANTHONY

P O BOX 206 POOLESVILLE MD 208370000

CC #:

SID:

LocID:

Eyes:

Hair:

Height: 0"'

Weight: 0 lb.

Race:

Sex: DOB:

DL #:

#### **DEFENDANT TRIAL SUMMARY**

The above case was heard today, 12/20/2005 by Judge VAUGHEY, CORNELIUS J. The Court's finding is as follows:

001 PEMITTED SOIL DEPOSITS Plea - NOT GUILTY Verdict - GUILTY Fine \$100.00 \$0.00 suspended.

DEFENDANT ORDER TO ABATE THE. INFRACTION IMMEDIATLELY Costs \$7.50.

Total fines and costs \$107.50, \$107.50 due today.

The defendant is ordered to abate the above infraction.



12/20/2005	Defendant	(MEREOS	ANTHONY
			ANNIBINY

You may be entitled to expunge the record relating to the charge or charges against you if you meet certain conditions. Further information on expungement is contained in a brochure available at the Clerk's Office or on our website at http://www.courts.state.md.us/district.

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# DISTRICT COURT OF MARYLAND FOR M

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TRACKING NO: 051002031721 TRIAL:

06/01/04

06/01/23

06/02/07

CASE DISP:

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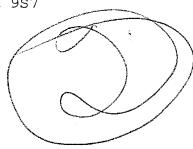
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#### IN THE DISTRICT COURT OF MARYLAND FOR MONTGOMERY COUNTY

MONTGOMERY COUNTY, MARYLAND

Plaintiff \*\*

٧.

ANTHONY MEREOS

Defendant

Citation Nos: 3Z33935422,

5Z33935424

THE MARYLAND NATIONAL CAPITAL PARKAND PLANNING COMMISSION

JUN 2 8 2006

JUN 2 8 2006

#### ORDER FOR ABATEMENT

Upon consideration of the verified citation filed herein and any evidence presented at trial in this case, the Court finds that Defendant has committed the violation of Montgomery County law stated in the above-referenced citation and that the Plaintiff, Montgomery County, Maryland, is entitled to this Order of Abatement pursuant to Montgomery County Code, Section 1-18(e), and it is thereupon, this 20<sup>th</sup> day of December, 2005, by the District Court of Maryland for Montgomery County

ORDERED that the Defendant shall refrain from further violations of Montgomery County Code, Sections 19-2-A and 19-16-a; and it is further

ORDERED that the Defendant shall immediately, except as otherwise provided herein, take the following actions to correct the conditions which constitute a continuing violation of County law:

- Cease and desist from any movement of soil or land disturbance or attempt at improvements at 17900 Trundle Road, Dickerson, Maryland without first obtaining a sediment control permit and without required authorization; and
- 2. Cease and desist and refrain from allowing soil deposits to be deposited in a water course occurring at the property located at 17900 Trundle Road Dickerson, Marylandos DEC 20

DISTRICT COULS "

without first obtaining a sediment control permit and without required authorization; and it is further

ORDERED that a representative of Montgomery County shall be permitted to inspect the premises to verify that the terms of this Order have been complied with; and it is further

ORDERED that if the Defendant fails to abide by this Order immediately as of the date of this Order by failing to abate the violations and/or refrain from future violations as required by this Order, the Plaintiff, Montgomery County, has permission to enter the premises and abate the violations as may be necessary to assure compliance with the Montgomery County Code; and it is further

ORDERED that if the Defendant fails to abate the violations and/or refrain from future violations as required by this Order and Plaintiff, Montgomery County, Maryland, abates the violations pursuant to Maryland Rule 3-648, the Plaintiff, Montgomery County, shall send the Defendant a bill for the cost of correction by regular mail to the Defendant's last known address or by any other means that is reasonably calculated to bring the bill to the Defendant's attention. If the Defendant does not pay the bill within 30 days after it is presented, the Plaintiff may file a verified statement of the costs of correcting violations with the Court; and it is further

ORDERED, that once the Court has entered the judgment against the Defendant for the cost of correcting violations, the Plaintiff may enforce a judgment in the same manner as any other civil judgment for money, or collect the judgment in the same manner as it collects real property taxes.

FAILURE TO COMPLY WITH THIS ORDER IS PUNISHABLE BY

CONTEMPT.

Judge, Sixth District Court for

Montgomery County, Maryland

I:\RS\Savagi\code\2005 code dockets\12-20-2005 code docket\mereos, anthony=abatement order.wpd





# DISTRICT COURT OF MARYLAND FOR Montgomery County

Located at 8552 Second Ave, Silver Spring, Maryland 20910

Case No.: 003Z33935422

STATE OF MARYLAND

VS

MEREOS, ANTHONY

POBOX 206

POOLESVILLE, MD

20837-0000

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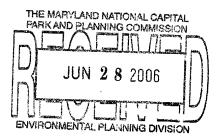
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#### SHOW CAUSE

It is hereby ORDERED by the District Court of Maryland for Montgomery County that the above named Defendant be and hereby is directed to appear before the District Court shown above on 08/08/2006 at 12:30 PM in Courtroom 402 to show cause why this Court should not find him/her to have Failed to follow the conditions of a Court Order, to wit:

Failing to follow the conditions of a court order, to wit; \_alleging: Anthony Mereos voilated the abatement order of this court of 12/20/2005 issued by Judge C. J. Vaughey



#### ADVICE TO DEFENDANT

You have the right to have a lawyer. A lawyer can be helpful to you by explaining the charges, telling you the possible penalties, helping you at the hearing, helping you protect your constitutional rights, and by helping you get a fair penalty. Do not wait until the date of your hearing to get a lawyer.





DISTRICT COURT OF MARYLAND FOR Montgomery County

Located at 8552 Second Ave, Silver Spring, Maryland 20910

Case No.: 005Z33935424

STATE OF MARYLAND

VS

MEREOS, ANTHONY

**POBOX 206** 

POOLESVILLE, MD

20837-0000

CC#

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Sex:

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#### SHOW CAUSE

is hereby ORDERED by the District Court of Maryland for Montgomery County that the above named efendant be and hereby is directed to appear before the District Court shown above on 3/08/2006 at 12:30 PM in Courtroom 402

show cause why this Court should not find him/her to have ailed to follow the conditions of a Court Order, to wit:

Failing to follow the conditions of a court order, to wit; alleging: Anthony Mereos voilated the abatement order of this court of 12/20/2005 issued by Judge C. J. Vaughey



#### ADVICE TO DEFENDANT

You have the right to have a lawyer. A lawyer can be helpful to you by explaining the charges, telling you the possible penalties, helping you at the hearing, helping you protect your constitutional rights, and by helping you get a fair penalty. Do not wait until the date of your hearing to get a lawyer.



# IN THE DISTRICT COURT OF MARYLAND FOR MONTGOMERY COUNTY

MONTGOMERY COUNTY, MARYLAND

Citation Nos: 3Z33935422,

Plaintiff 5Z33935424

٧.

ANTHONY MEREOS

Defendant

MECEIVED JUN V 6 2008

#### PETITION FOR CONTEMPT AND ORDER TO SHOW CAUSE

Montgomery County, Maryland, by its undersigned attorneys, respectfully requests this Honorable Court to hold **Anthony Mereos**, at P.O. Box 206, Poolesville, Maryland, 20837 ("Defendant"), in contempt for failing to abide by this Court's Order of Abatement issued on, and for reasons states the following:

- 1. Montgomery County, Maryland (the "County") is a body corporate and politic of the State of Maryland and is the local legislative body for the unincorporated areas of the County and is authorized by various laws and statutes to exercise the police power within the County and to enforce its laws and those of the State of Maryland.
- 2. On or about September 07, 2005, Inspector Richard Watson, issued two citations to the Defendant. Specifically, the Defendant had (1)"Failed to obtain the sediment control permit." and (2)"Permitted soil deposits." These are violations of the Montgomery County Codes, §19-2-A, and 19-16-A.



- 3. A hearing was held on December 20, 2005, and an Abatement Order was issued by the Court ordering the defendant to: (1)" Cease and desist from any movement of soil or land disturbance or attempt improvements at 17900 Trundle Road, Dickerson, Maryland, without first obtaining a sediment control permit and without required authorization, and (2)"Cease and desist and refrain from allowing soil deposits to be deposited in a water course occurring at the property located at 17900 Trundle Road, Dickerson, Maryland, without first obtaining a sediment control permit and without required authorization, no later than thirty (30) days after the service of a copy of this Order upon the Defendant."
- 4. Inspector Richard Watson, served the Order for Abatement on Defendant, on December 20, 2005.
- 5. Defendant has failed to comply with all of the provisions of this Court's Order for Abatement of December 20, 2005. This violation of the Order of Abatement is willful and constitutes contempt of Court.
- 6. The Defendant is ordered to show cause why he/she should not be held in contempt for failure to abide by this Court's Order.

WHEREFORE, the Plaintiff prays:

- 1. That **Anthoney Mereos** shows cause as to why he/she is not in contempt of Court for failure to abide by this Court's oral Order of December 20, 2005.
- 2. That the Office of the County Attorney be appointed to prosecute this contempt proceeding,

- 3. That this Honorable Court find **Anthony Mereos** in contempt and impose sanctions against him/her as this case may demand:
- 4. And for such other and further relief as the nature of this cause may require.

Respectfully submitted, CHARLES W. THOMPSON, JR. COUNTY ATTORNEY

James C. Savage Associate County Attorney

Associate County Attorney 101 Monroe Street, Third Floor Rockville, Maryland 20850 4. POINT: In a narrow sense, a contempt has been defined as a despising of the authority, justice, or dignity of the court; in a more general sense, a person whose conduct tends to bring the authority and administration of the law into disrespect or disregard, interferes with or prejudices parties or their witnesses during litigation, or otherwise tends to impede, embarrass, or obstruct the court in the discharge of its duties, has committed a contempt.

AUTHORITY: Goldsborough v. State, 12 Md. App. 346, 355, 278 A.2d 623 (1971).

James C. Savage

Associate County Attorney

# CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31<sup>st</sup> day of May, 2006, a copy of the foregoing Petition for Contempt, Points and Authorities, and Show Cause Order was mailed, first-class, postage prepaid to:

Anthony Mereos PO Box 206 Poolesville, MD 20837

James C. Savage

Associate County Attorney

# **ATTACHMENT W**

U.S. Army Corps of Engineers field report and letter, January 2006 and May 24, 2006



#### DEEPARTMENT OF THE ARMY

BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1715
BALTIMORE, MD 21203-1715

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# DEPARTMENT OF THE ARMY BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS P.O. BOX 1716 BALTIMORE, MD 21203-1715

JAN 2 7 2006

Operations Division

Mr. Anthony Mereos Post Office Box 206 Poolesville, Maryland 20837

Dear Mr. Mercos:

This is in reference to CENAB-OP-RMS(MEREOS, ANTHONY)06-00909-19. A recent field investigation disclosed that you have cleared approximately 1.8 acres of forested, nontidal wetlands adjacent to an unnamed tributary to Broad Run, waters of the United States, channelized approximately 300 linear feet of the unnamed tributary to Broad Run and deposited woody debris in an additional 200 linear feet of the same tributary. The work is located on your property at 17900 Trundle Road, Dickerson, Montgomery County, Maryland.

Records in this office indicate that neither a Department of the Army permit nor a letter of permission authorizing this work was issued by this office. The placement of fill material in waters of the United States or in adjacent wetlands without prior approval of plans by the Department constitutes a violation of Section 404 of the Clean Water Act.

No further work is to be performed at this or any other location in a navigable waterway or in wetlands without compliance with the law. Violations of Section 10 are subject to prosecution by the Attorney General of the United States.

If you have any questions concerning this matter, you may call Ms. Tracy McCleaf of this office at (410) 962-6029.

Sincerely,

Sandra A. Zelen

Enforcement Program Manager

cc:

Rich Wolters, MDE Hagerstown Office

USEPA, Attn: Jeff Lapp

USFWS DNR

CERTIFIED MAIL
RETURN RECEIPT REQUESTED



# DEPARTMENT OF THE ARMY BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS P.O. BOX 1715 BALTIMORE, MD 21203-1715

MAY 2 4 2006

Operations Division

Mr. Anthony Mereos
Post Office Box 206
Poolesville, Maryland 20837

Dear Mr. Mereos:

This is in reference to CENAB-OP-RMS(MEREOS, ANTHONY)06-00909-19 and a letter you received from this office dated January 27, 2006, detailing unauthorized work in waters of the United States, including adjacent wetlands, on your property at 17900 Trundle Road, Poolesville, Montgomery County, Maryland.

In response to a report that ditches had been recently dug on the property, we inspected the site on May 22, 2006. During this inspection, we noted at least two new ditches on the property. These ditches should be filled back in immediately.

In order to continue moving towards resolution of the violations on-site you are required to:

- 1. Submit a restoration plan detailing and sequencing fill removal, grading, stream channel restoration, site stabilization and plantings no later than June 30, 2006.
- 2. All on-site restoration work, including planting, is to be completed by November 30, 2006.

Your cooperation in providing the restoration plan and performing the restoration work will be considered in the final determination of action on this matter. You are requested to indicate your acceptance of the conditions by signing and dating the statement below and returning it to us in the enclosed postage paid envelope within 15 calendar days of the date of this letter. An additional copy of this letter is also enclosed for retention in your records. If we do not receive your response within this time, we will assume you do not intend to perform the restorative work and we will proceed to resolve the violation through alternate enforcement procedures.

If you have any questions concerning this matter, please call Ms. Tracy McCleaf of this office at (410) 962-6029.

Sincerely,

A. M. Cyl.
A. Sandra A. Zelen

Enforcement Program Manager

**Enclosures** 

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

I have read and understand the conditions in this letter. I agree to provide the information and perform the work as required.

# **ATTACHMENT X**

Table summarizing civil administrative penalties or similar monetary penalties imposed in other Forest Conservation Law violation cases

Montgomery County Forest Conservation Law Violation Cases In Which Administrative Civil Penalties or Similar Monetary
Penalties Have Been Applied
(as of June 2006)

Case	Forest Cleared (acres)	Civil Fine	Administrative Civil Penalty or Equivalent Payment	Reforestation Required	Other Notes
Kazerouni/Shahabadi (Potomac Farm Estates)	3.78 acres of total forest clearing (1.24 acres of complete clearing; 2.54 acres of understory clearing)	\$1000	\$0.40 per square foot of 1.24 acres of complete clearing/\$21,606	Yes – replant understory onsite and place in conservation easement.	Settlement agreement. All upland forest. Use penalty to buy offsite reforestation or forest bank credits; buy 1.7 acres or \$21,606 worth of credits, whichever is greater.
Ahmadiyya Movement in Islam, Inc., USA	1.15 acres (50, 287 s.f.)	\$1000	\$0.60 per square foot/ \$30,172	No property owner agreed to pay for cost of reforesting as part of cash settlement	Total cash settlement of \$49,327 paid (civil penalty + reforestation cost + civil fine). Site in SPA; large area of forest clearing; area slopes down into environmental buffer; no previous FCL violation.
Harkins Builders, Inc.	0.36 acre (15,531 s.f.)	\$1000 + \$500	\$0.90 per square foot/ \$13,978 with subtraction for reforestation cost	Yes	Site in SPA; site already covered by approved FCP; forest clearing outside approved LOD, but

	Forest Cleared	Civil Fine	Administrative Civil	Reforestation	Other Notes
	(acres)		Penalty or Equivalent Payment	Required	
			(\$6700)		not large or near or in environmental buffer.
Snyder	1.26 acres (55,000 s.f.)	\$1000 (not identified as fine)	\$0.80 per square foot/ \$44,000 with subtraction for enhancement/understory planting for 1+ acres (\$8000).	Yes in addition to the 1+ acres of enhancement/under story planting	Settlement agreement. Clearing in environmental buffer, steep slopes. National Park Service gave permission for clearing in its scenic easement. Payment of \$37,000 to buy offsite reforestation or forest bank credits, or 3 acres of credits, whichever

# **ATTACHMENT Y**

Other citizen correspondence received after June 15, 2006 hearing until the close of the public record at the close of business on June 28, 2006

#### MCP-CTRACK

To:

Wright, Gwen

Cc: Sam

Sampson, Sheila; Hamer, Faroll; Daring, Marcia; MCP-CTRACK

Subject: CTRACK #2006-0884 - Mereos

#### CTRACK ROUTING SLIP MONTGOMERY COUNTY PLANNING BOARD CHAIRMAN'S OFFICE

File Number:	2006-0884	Date Received:	6/22/2006						
Correspondence Type:	Email	Date Of Letter:	6/22/2006						
Agenda Date:	6/15/2006								
То:	Derick Berla	age							
From:	Dami Hunte	er							
<b>Description:</b> Corresponder Dickerson	nce regardin	g Mereos clear cu	tting case in						
Transmitted To: Director and Chairman									
Action For:	tion For: Wright, G								
Copies To:	Sampson, S								
Date Due:	Date Due: N/A								
Remarks From Chairman'	s Office:								
For staff action	<del></del>								

#### **MCP-Chairman**

From:

Dami Hunter [dami13@comcast.net]

Sent:

June 22, 2006 10:35 AM

To: Subject: MCP-Chairman

Mereos clear cutting case in Dickerson



OFFICE OF THE CHAIRMAN THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

#### Dear Chairman Berlage,

I am writing to to you regarding the Anthony Mereos clear cutting case in Dickerson. I am a life long resident of Montgomery County and have lived within the Agricultural Reserve for the past 4 years. I am concerned that if this man is allowed to walk away without being fined for his actions others will follow. I think this poses a serious threat to the reserve, the watershed and wildlife. If you cannot abide by the county forest conservation laws you should not by forested property. I beg you, please don't let this man go un-fined, please send a message that we are serious about the reserve and forest conservation and these types of activities will not be tolerated.

Thank you for your time, Dami Hunter Barnesville, MD

# **ATTACHMENT Z**

M-NCPPC Inspection staff entries into Hansen System related to Mr. Mereos' property on Greencastle Road

#### M-NCPPC

8787 Georgia Avenue Silver Spring, MD 20910 (301)495-4595 Fax (301)495-1306

### Project/Planning Inspection Detail

Report Date	06/2	9/2006 04:52	PM		Submitte	d By						Page 1
Inspection #	8959	A/	P# 1	19991060	Insp Type	COMPLAIN	NCOMPL	AINT			# 2	
Property Inform	nation											
		CASTLE RD. 3	300 F W (	OF WEXHAI	LL DRIVE		•					
		0,101111111										
Application Info									· · · · · · · · · · · · · · · · · · ·			
Type PREL Size/Area	IM	PRELIMIN 0.9		N CRE		Prio Size	rity Descrip	otion				
Declared Val	uation	0.0		·O(\L					ERWOOD TWO	ò		
Type of Work						Dep	t of Com	nmerce				
Desc of Proje	ect										···	
Initial Inspectio	on				<del></del>							····
Call Date/Tin	ne				-	em Genera				ssigned To	•	
Schedule Da	te/Time				Order/Gr	oup	0		ı	Preference		
☐ Waived Location												
Location												
Inspection Res	uits	<u></u>										
Inspected By	•	KRA01 04/18/2003 07:	20		Same Tr Odomete	ip as Insp f er Start	<b>‡</b> 0			Partial Insp	ection	
Start Date/Ti		04/18/2003 07:			Odomet		0		State	•		
Inspection # Inspected By Location	7765	inspection Ty Order/Grou	pe COM	PLAINT CO Schedule	OMPLAINT				# :00 Completed	1 Statu	s Passed	☐ Waived
	mplaint of	clearing with no	SF or TP.	Trees rece	ntly cleared w	ith no pre c	onstructi	ion meeting. N	o SF or TP in pl	ace. DPS n	otified. Will c	ontact
applicant.  Inspection # Inspected By Location Comments	7783 NWC01	Inspection Ty Order/Grou		EARCH PI Schedule		CH S	Started	02/20/2002 08	# 3:00 Completed		us Passed 02 08:45	☐ Waived
	. No save	areas on site.	Need bond	for off site	reforestation.							
Inspection # Inspected By Location	7 <b>78</b> 6 NWC01	Inspection Ty Order/Grou		LOD P Scheduk	RECONST LI				# 3:30 Complete		us Passed 02 09:30	☐ Waived
Comments  Meeting on sit bond.	te with DP	S, DPWT and de	eveloper.	Stop work is	sued by DPS	until plans	appd. Si	te required to t	pe fenced and s	tabilized. No	otified develo	per to submit
Inspection # Inspected By Location Comments		Order/Gro	<b>up</b> 0	Schedul		;	Started	04/14/2003 14	# 4:15 Complete	d 04/14/20		
Mtg w/Tom W property and	/hithouse ( dumped tro	DPS 301 370-3 ees in forest are	632) and ( a. Need t	Charlie (Silve o contact he	erwood HOA) omeowner for	to review o	learing o	on lot 214 on G nd replanting. /	reencastle. Ho Also, need to co	meowner ck ntact devel	eared lot and oper for tpf o	adjacent HOA n edge of
easement.									+,42 × 2,5		TONE LAND B. COLVES TIME OF	

JUN 3 0 2006

ENVIRONMENTAL PLANNING DIVISION

orgia Avenue pring, MD 20910 195-4595 Fax (301)495-1306

#### Project/Planning Inspection Detail

Page 2 06/29/2006 04:52 PM **Submitted By** ort Date Status Passed Waived 2 Inspection Type COMPLAINT COMPLAINT Inspection # Started 04/18/2003 07:20 Completed 04/18/2003 08:30 Order/Group Scheduled Inspected By KRA01 Location Comments Mtg w/Anthony Mereos and wife at site to review clearing. Clearing on adjacent Silverwood HOA property. Anthony agreed to clean up debris on his side and plant six trees. Adjacent property not a forest conservation easement. Will release building permit and let HOA and property owner deal with each other on civil matter. ■ Waived 8964 Inspection Type FCPEAS FCP EASEMENT INSPECTION Status Passed Inspection # Started 04/21/2003 13:15 Completed 04/21/2003 13:45 Scheduled Order/Group Inspected By KRA01 Location Comments Mtg w/Jim Ailucci at site to discuss clearing on adjacent lot and placement of signs in rear. Sent him order forms for signs. Will place soon. 9183 Inspection Type COMPLAINT COMPLAINT Status Passed ■ Waived Inspection # Started 08/04/2003 12:00 Completed 08/04/2003 12:30 Scheduled Inspected By KRA01 Order/Group Location Comments Inspection of Mereos site and surrounding area. Pile of trees not removed from within Silverwood HOA area. Mereos did remove debris on his lot. Need to talk to

Carol Allen (410 747-6634 or [o] 410 997-7767 x 141) about appropriate action. No letter written to Mereos.

nspection Details

No Inspection Details