

## **ATTACHMENT H**

**Email and letter from Mr. Richard Watson, DPS Inspector,  
June 28, 2006**

**Bunnag, Candy**

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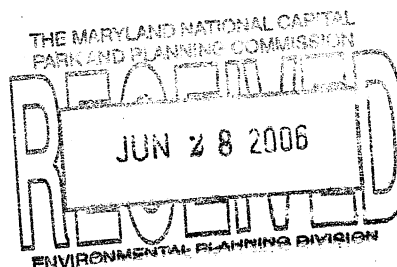
**From:** Watson, Richard [Richard.Watson@montgomerycountymd.gov]  
**Sent:** Wednesday, June 28, 2006 4:04 PM  
**To:** Bunnag, Candy  
**Subject:** RE: Testimony Letter

Let me know if you get this

*Richard A Watson*  
*Inspector*  
*Department of Permitting Services*  
*255 Rockville Pike*  
*Rockville Md. 20850*  
*richard.watson@montgomerycountymd.gov*

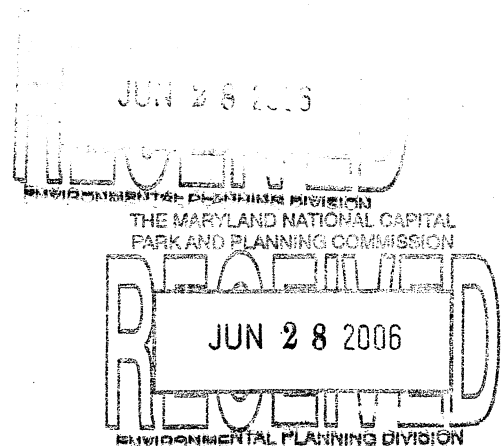
-----Original Message-----

**From:** Bunnag, Candy [mailto:Candy.Bunnag@mncppc-mc.org]  
**Sent:** Wednesday, June 28, 2006 3:46 PM  
**To:** Watson, Richard  
**Subject:** RE: Testimony Letter  
**Importance:** High



Candy Bunnag  
MNCP&PC  
8787 Georgia Ave.  
Silver Spring, Md. 20910

Richard A Watson  
Inspector II  
Montgomery County  
Department of Permitting Services  
255 Rockville Pike  
Rockville Md. 20850



Dear Candy:

I am writing this letter in response to the Planning Board hearing regarding the illegal forest clearing at 17900 Trundle Rd. site conducted on June 15, 2006. I was unable to testify at that hearing. However I do have some information that may be helpful to the Board. This information is in regard to the inspections that were carried out by me at the site during the time period from August 2005 to present.

I first visited the site as a result of a service request (complaint) from my office. I visited the site on August 29, 2005 and found that there had been about 2 acres cleared? of most of the trees. There were a few stumps and at least 1 to 3 trees still standing. I do not have the pictures that I took on that date. However I do have pictures on 9/16 & 9/20/2005 that show the remaining trees (see attached photo 1, 2, &3). I wrote Notice of Violation # 199924563.

At the hearing on June 15, 2006 the attorney for Mr. Mereos asked Mr. Johnson several questions.

- 1) Are you aware that MDE ordered Mr. Mereos to clean up the property? Mr. Johnson's answer was, "I believe after September 1<sup>st</sup>". I don't believe Mr. Mereos was ordered to clean up the property until about February or March 2006 at which time he was ordered to remove the cut trees and branches from the stream. I am still waiting on verification of the date of the first notification from the Maryland Department of the Environment?.
- 2) The attorney for Mr. Mereos asked if the equipment that was provided by United Rentals could be used to cut down trees. Mr. Johnson responded no, not to specifically cut the trees down. However having operated heavy equipment for 12 or so years, I can tell you that the equipment could be used to clear the trees. That is to uproot the trees and load them on a vehicle.
- 3) Another question asked by the attorney: Is there evidence of any other equipment that was rented or used by Mr. Mereos? Mr. Johnson responded no, just what is in the staff report. However my answer is yes, I do know of other equipment. When I first visited the site, there was a 951 or a 955 caterpillar Track loader and a skid loader on site. I have cleared trees with a caterpillar loader. The attorney or Mr. Mereos never mentioned that equipment.

- 4) Mr. Johnson was asked how long it would take to clear 1.9 acres. He answered unknown. I can tell you with the right equipment you could clear that much area on a matter of a few days. I would receive phone calls on Friday evening that equipment was being moved onto the site and again Monday morning that it was being removed. On one of my visits, I, in fact discovered the United Rental trucks leaving the site with equipment. If Mr. Mereos had enough men with chain saws and the right equipment he could uproot the trees, cut the logs up and load them on a truck or trailer.
- 5) Mr. Johnson was asked several questions regarding the previous owner. I, in fact, spoke to the previous owner, Mr. Houston (that's how I got the phone number for Mr. Mereos.) and he informed me that the property was wooded when Mr. Mereos took ownership.

On September 7, 2006 I met Mr. Mereos on site and issued the Notice of Violation, two Civil Citations and posted a Stop Work Order. Mr. Mereos at that time signed the Notice of Violation, but not only refused to sign the Civil Citations, but refused to accept them. I dropped the first citation at his feet and said "you're served". He then got into his vehicle and I placed the second citation at the window; he then started to drive off and I said "your served".

I re-inspected the site on September 12, 2005 and found that Mr. Mereos had not completed the corrective work required in the Notice of Violation. (See Site Inspection Report 199924563 Dated 9/12/05.

My Inspection on 9/16/05 found the site had been stabilized. However the silt fence and erosion control measures ? still had not been installed as directed.

Finally, sometime around the end of October or the first of November, the corrective work had been completed.

On December 20, 2005 the Citations I issued went to trial. Mr. Mereos was found guilty and fined \$100.00 Dollars per citation for a total of \$200.00. The Judge at that time issued an abatement order. Mr. Mereos was ordered to stop all work on the property except as directed and/or authorized by the County, MDE, and the Corp of Engineers.

On January 27, 2006 I re-visited the site because of a call I received regarding stone being hauled onto the property. I did in fact find not only stone being hauled onto the property but approximately 5 to 6 truck loads of dirt. (See attached photos 4 & 5) I asked the truck foreman on site at the time who told him to dump the dirt on the site and he told me Mr. Wojciechowski showed him where to dump the dirt. I then placed a call to Mr. Mereos and asked him if he knew anything about the dirt and he told me that he did not.

On March 21, 2006 I re-visited the site and found that Mr. Mereos had met with MDE and was directed to remove the brush tree limbs and other material from the stream area. The contractor doing the work was a registered forester in the state of Maryland. I believe Mr. Wojciechowski said he removed the material.

④

On May 15, 2006 I re-visited the site as a result of a phone call from Doug Johnson regarding trenches being dug across the property. I did in fact find trenches had been dug across the property. (See attached photos 6, 7, 8, & 9)

On May 25, 2006 I sent an email to the County Attorney requesting to invoke the abatement order because Mr. Mereos had from time to time conducted un-authorized work over the stop work order that I posted, the cease and desist order posted by Park and Planning, by MDE, the Corps of Engineers and the District Court of Md.

Sincerely



Richard A. Watson

# **ATTACHMENT I**

**RE/MAX Realty Group Listing for 17900 Trundle Road property,  
May 25, 2005**

**Courtesy of Toni Koerber**

Result 1 of 1.

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**Metropolitan Regional Information Systems, Inc.**

**MC5157026 - MONTGOMERY  
17900 TRUNDLE RD, DICKERSON, MD 20842**

**Short Listing  
Lot-Land**

**Status: EXPIRED**

Listing Type: Excl. Right

**List Price: \$69,000**

Adv Subdivision: Poolesville Outside

Map Coord: 15E7

Leg Subdivision: POOLESVILLE OUTSIDE

Area:

HOA Fee: /mo pd

Other Fees: /mo pd

Lot AC/SF: 1.790 / 77,972

TOTAL TAX: \$722

Tax ID #: 160300041421

Tax Year: 2004

Tax Map:

Lot/Block/Square:

Parcel: P120

Liber: 6579

Folio: 363

Road Frontage:

Roads:

Development Status: Raw Land

Building Permits: Unknown

Present Use: Other, Recreation

Potential Use: Hunting, Other, Recreation

Heat: None

Water: None

Cool:

Sewer/Septic: None

Perc Type:

# Perc Sites:

# Bedroom Perc:

**EXTERIOR:** Fenced - Partially Stream/creek, Trees/Wooded

**INTERNET REMARKS:** CONTRACT FELL APART -PICTUREST WOODED LOT NEXT TRUNDLE FARM. UNKNOWN IF LOT WILL PASS OR FAIL A PERK TEST - BUYER NEEDS TO INVESTIGATE IF BUILDABLE. MAKE US OFFER WITH NO CONTINGENCIES AND QUICK SETTLEMENT AND WE'LL TRY TO MAKE IT WORK.GO TO WEB FOR PLAT

**DIRECTIONS:** West On Rt 28 To West 107 Past Poolesville Continue On Whites Ferry Left On Trundle - Go To End Just Before Gate - Last Lot On Right

**Listing Broker:** RE/MAX Realty Group, RMX1

Original Price: \$130,000

List Date: 09-Feb-2005

DOM-MLS: 25

Prior Price: \$120,000

DOM-Prop: 53

**Disclosures:** None

Possession: Settlement

Current Finance Type:

1st Trust Balance:

P&I:

Rate:

Orig Date:

Yrs Left:

2nd Trust Balance:

P&I:

Rate:

Orig Date:

Yrs Left:

New Finance Type:

Owner Finance:

Rate:

Cash to Assume:

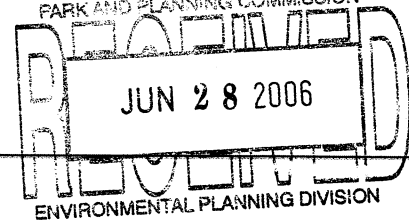
Years:

THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

**HOA Fee Includes:**

HOA Community Amenities:

HOA Rules:



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Toni Koerber

**MC5157026**  
17900 TRUNDLE RD

EXPIRED  
\$69,000



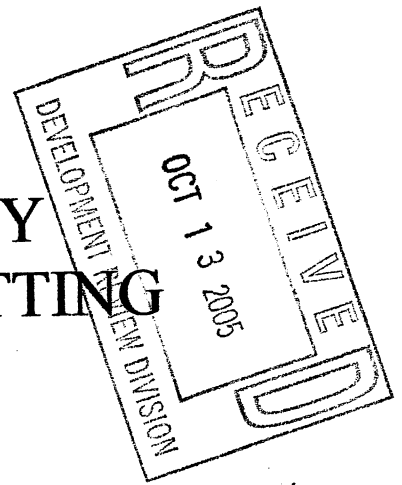
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION  
**RECEIVED**  
JUN 28 2006  
ENVIRONMENTAL PLANNING DIVISION



## **ATTACHMENT J**

**Complaint form from Concerned Citizens of Trundle Road, undated  
(received in M-NCPPC Development Review Division October 13, 2005)**

COMPLAINT FORM  
MONTGOMERY COUNTY  
DEPARTMENT OF PERMITTING  
SERVICES



WELL & SEPTIC

HOUSING

ZONING

PARK & PLANNING

**Please see attachment  
3 pages**

Concerned Citizens of Trundle Road



Montgomery County Department of Permitting Services  
 255 Rockville Pike  
 Rockville, MD 20850  
 240-777-6259 Fax: 240-777-6262  
 dps@montgomerycountymd.gov



**COMPLAINT FORM**

Building  Zoning  Sediment Control  Right-of-Way  Well & Septic

Date Complaint Received: \_\_\_\_\_ Time Complaint Received \_\_\_\_\_

How Complaint is Received: Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_ Director's office \_\_\_\_\_

Address of Complaint: 17900 Trundle Rd Suite \_\_\_\_\_

City Dickerson, MD Zip: 20842

Complainant Information: (Person making the complaint)

Wishes to Remain Anonymous Yes  No

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Complainant Comments:  
See attachment  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Staff Person Taking Complaint \_\_\_\_\_ Date: \_\_\_\_\_

Service Request # \_\_\_\_\_ Inspector \_\_\_\_\_

**Director of Department of Permitting Services  
Park and Planning  
Well & Septic Division  
Housing Division  
Zoning Division  
Complaint Form  
Attachment  
Marius  
17900 Trundle Road  
Dickerson, Md. 20842**

**This is a follow up to a complaint form sent on September 5, 2005. The owner of this property, Mr. Marius, at 17900 Trundle Road, Dickerson, Maryland 20842 does not have a permit to cut down trees on his 1.79 acres of woodland. According to the regulations if you have more than 5,000 square feet of land you need a permit from the county to do any kind of major excavating. Marius's 1.79 acres equals to around 76, 230 square feet. He has been clearing and working on the land in the afternoons and on weekends. He has never stopped working on the property since August 12, 2005 .He hires people from everywhere to run the bulldozers and machinery. This is not counting the damage to Trundle Road caused by his bulldozers and large machinery. The property was definitely a woodland before he purchased it and we have pictures to show the property before he purchased it in July 2005, and pictures to show Marius cutting down trees on August 12, 2005. These pictures will be sent under hard cover to the Montgomery County Department of Permitting Services. He rented bulldozers to fell the trees, a shredder to shred and mulch the wood and the bulldozer was used to up root the tree stumps, which are piled up near the tree line on the back of the property that have been covered with hay mulch. It is obvious that Marius will stop at nothing to do what he wants to do regardless of the county rules and regulations This is a serious situation that needs immediate attention from the Departments of Permitting Services, Well Septic, Housing & Zoning & Park & Planning .**

**Submitted by,  
Concerned Citizens of Trundle Road**

### EXPLANATION OF FIGURES

Figures 1, 2, and 3 show the 17900 Trundle Road property prior to its purchase by the present owner.

Figures 4-8 show the 19900 Trundle Road Property after its purchase by the present owner.



Fig 1



Fig 2



Fig 3



Fig 4



Fig 5



Fig 6





Fig 7

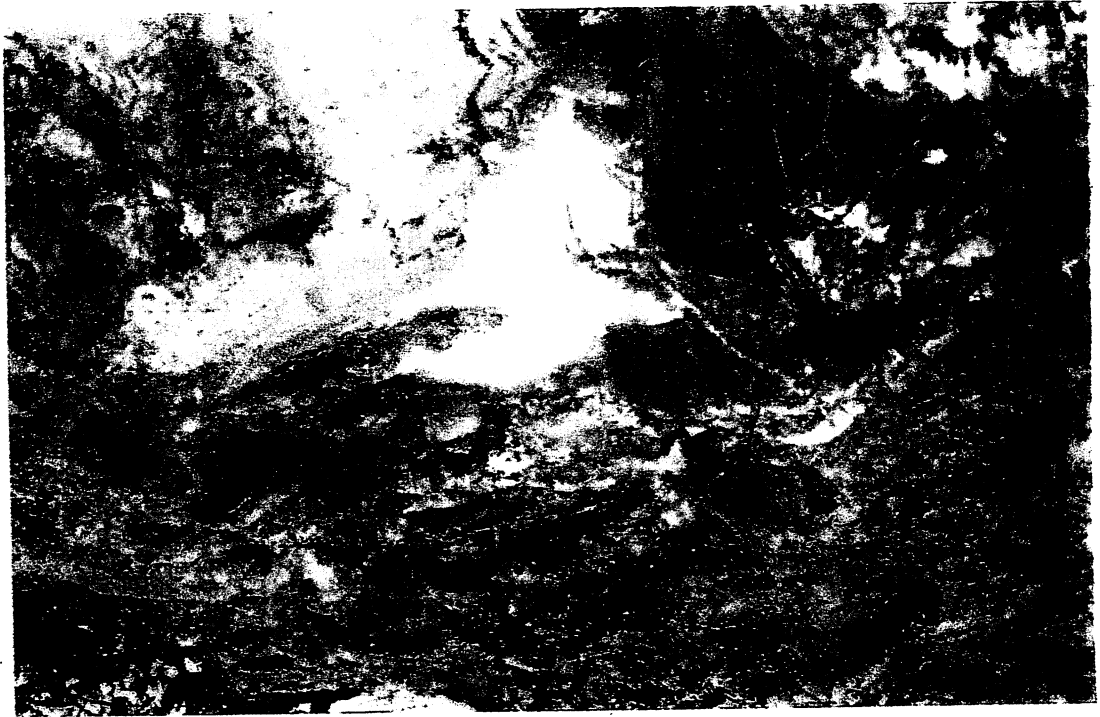


Fig 8.



# **ATTACHMENT K**

**Site aerial photograph and reference information, June 2005,  
USDA Database**

17900 Trundle Road  
(June, 2005 aerial photograph)  
USDA database



### Legend

-  Property.shp
-  Stream
-  Road.shp  
hydric soils
-  wetlands

1:2400



naip\_1-1\_1n\_s\_md031\_2005\_1.sid.txt

Identification\_Information:

Citation:

Citation\_Information:

Originator: USDA-FSA Aerial Photography Field Office  
Title: Montgomery County, MD CCM metadata - naip\_1-1\_1n\_s\_md031\_2005\_1  
Publication\_Date: 20051206  
Publication\_Information:  
Publication\_Place: Salt Lake City, Utah  
Publisher: USDA FSA Aerial Photography Field Office

Description:

Abstract:

This data set contains imagery from the National Agriculture Imagery Program (NAIP). NAIP acquires digital ortho imagery during the agricultural growing seasons in the continental U.S.. A primary goal of the NAIP program is to enable availability of ortho imagery within one year of acquisition. NAIP provides two main products: 1 meter ground sample distance (GSD) ortho imagery rectified to a horizontal accuracy of within +/- 3 meters of reference digital ortho quarter quads (DOQQ's) from the National Digital Ortho Program (NDOP); and, 2 meter GSD ortho imagery rectified to within +/- 10 meters of reference DOQQs. The tiling format of NAIP imagery is based on a 3.75' x 3.75' quarter quadrangle with a 300 meter buffer on all four sides. NAIP quarter quads are formatted to the UTM coordinate system using NAD83. NAIP imagery may contain as much as 10% cloud cover per tile.

This file was generated by compressing NAIP quarter quadrangle tiles that cover a county. MrSID compression generation 3, with mosaic option, was used. Target values for the compression ratio are (15:1) and the maximum compression levels are used.

Purpose:

NAIP imagery may be distributed on an interim basis to meet USDA program requirements. The interim product is a compressed county mosaic. Users should be aware that the interim compressed county mosaic may contain defects and have horizontal accuracy less than the specified tolerances. Defective imagery may be replaced within one year of image acquisition date.

Time\_Period\_of\_Content:

Time\_Period\_Information:

Single\_Date/Time:

Calendar\_Date: 20050608, 20050618, 20050625

Currentness\_Reference: Majority years of Photography Dates.

Status:

Progress: Complete

Maintenance\_and\_Update\_Frequency: Irregular

Spatial\_Domain:

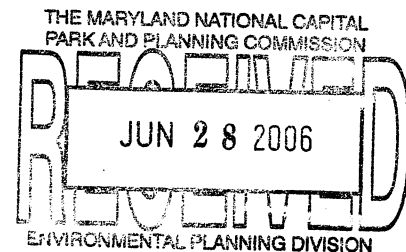
Bounding\_Coordinates:

West\_Bounding\_Coordinate: -77.5355  
East\_Bounding\_Coordinate: -76.8883  
North\_Bounding\_Coordinate: 39.3536  
South\_Bounding\_Coordinate: 38.9202

Keywords:

Theme:

Theme\_Keyword\_Thesaurus: None  
Theme\_Keyword: Digital Georectified Image  
Theme\_Keyword: Mosaic  
Theme\_Keyword: Georeferenced Image  
Theme\_Keyword: Quarter Quadrangle Centered  
Theme\_Keyword: Georectification  
Theme\_Keyword: compression  
Theme\_Keyword: MrSID  
Theme\_Keyword: NAIP



naip\_1-1\_1n\_s\_md031\_2005\_1.sid.txt

Theme\_Keyword: Compliance  
Theme\_Keyword: Aerial Compliance  
Theme\_Keyword: Farming

Place:

Place\_Keyword\_Thesaurus: Geographic Names Information System  
Place\_Keyword: Maryland  
Place\_Keyword: Montgomery  
Place\_Keyword: USDA  
Place\_Keyword: FSA

Access\_Constraints: None

Use\_Constraints:

Users should be aware that this is an interim release. The interim compressed county mosaic may contain defects and have horizontal accuracy less than the specified tolerances. Defective imagery may be replaced within one year of image acquisition date.

Point\_of\_Contact:

Contact\_Information:

Contact\_Organization\_Primary:  
Contact\_Organization: USDA-FSA Aerial Photography Field Office  
Contact\_Address:  
Address\_Type: mailing and physical address  
Address: 2222 West 2300 South  
City: Salt Lake City  
State\_or\_Province: Utah  
Postal\_Code: 84119-2020  
Country: USA  
Contact\_Voice\_Telephone: 801-973-3500  
Contact\_Facsimile\_Telephone: 801-975-3529

Browse\_Graphic:

Browse\_Graphic\_File\_Name: None  
Browse\_Graphic\_File\_Description: None  
Browse\_Graphic\_File\_Type: None

Native\_Data\_Set\_Environment: Photogrammetric film scanned to TIFF/JPEG format on a high-resolution photogrammetric scanner

Data\_Quality\_Information:

Logical\_Consistency\_Report:  
NAIP 3.75 minute tile file names are based on the USGS quadrangle naming convention.

Completeness\_Report: None

Positional\_Accuracy:

Horizontal\_Positional\_Accuracy:  
Horizontal\_Positional\_Accuracy\_Report: FSA Digital Orthophoto Specs.  
Vertical\_Positional\_Accuracy:  
Vertical\_Positional\_Accuracy\_Report: N/A 2d only

Lineage:

Source\_Information:

Source\_Citation:

Citation\_Information:  
Originator: Aerial Photography Field Office  
Title: naip\_1-1\_1n\_s\_md031\_2005\_1  
Publication\_Date: 20051206

Source\_Scale\_Denominator: 40000

Type\_of\_Source\_Media: CD

Source\_Time\_Period\_of\_Content:

Time\_Period\_Information:

Single\_Date/Time:

Calendar\_Date: 20050608, 20050618, 20050625

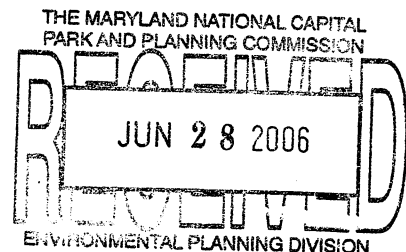
Source\_Currentness\_Reference: Majority Aerial Photography Date

Source\_Citation\_Abbreviation: MrSID compressed image

Source\_Contribution: Mosaicked County Image

Process\_Step:

Process\_Description: The following steps apply to the mosaicking process in



naip\_1-1\_1n\_s\_md031\_2005\_1.sid.txt

general. Image Tone Adjustment - The area of coverage that images are attached within are individual counties. Image tone adjustment is performed for two primary reasons: 1. To produce a well contrasted image so that users are not required to adjust the tone upon display or to create an enhancement lookup table upon delivery. 2. To reduce visible tone differences between mosaic seam lines. Methods of Image tone adjustment: Automatic Contrast Adjustment - Each input digital orthophoto quadrangle within a county is also run through an automatic tone or range adjustment that drives all input images toward a common value. The intention is to reduce vignetting and "hot spots" from the source photography, and to minimize tone differences along mosaic seam lines. Defining Mosaic Seam Lines: Automatic seam lines. Digital orthophoto quadrangles are edge matched, or seamed, across county boundaries. Mosaic Generation - Image 3.75 minute quad tiles are either generated individually and sequentially as work progresses through a project, or cut out from a larger mosaic after it is generated. Since the imagery is being resampled to the same coordinate system, nearest neighbor resampling is used.

Source\_Used\_Citation\_Abbreviation: NAIP

Process\_Date: 20051206

Spatial\_Data\_Organization\_Information:

Indirect\_Spatial\_Reference: DOQQ

Direct\_Spatial\_Reference\_Method: Raster

Raster\_Object\_Information:

Raster\_Object\_Type: Pixel

Spatial\_Reference\_Information:

Horizontal\_Coordinate\_System\_Definition:

Planar:

Grid\_Coordinate\_System:

Grid\_Coordinate\_System\_Name: Universal Transverse Mercator

Universal\_Transverse\_Mercator:

UTM\_Zone\_Number: 18

Transverse\_Mercator:

Scale\_Factor\_at\_Central\_Meridian: 0.9996

Longitude\_of\_Central\_Meridian: -75.0

Latitude\_of\_Projection\_Origin: 0.0

False\_Easting: 500000

False\_Northing: 0.0

Planar\_Coordinate\_Information:

Planar\_Coordinate\_Encoding\_Method: row and column

Coordinate\_Representation:

Abscissa\_Resolution: 1

Ordinate\_Resolution: 1

Planar\_Distance\_Units: meters

Geodetic\_Model:

Horizontal\_Datum\_Name: North American Datum of 1983

Ellipsoid\_Name: Geodetic Reference System 80

Semi-major\_Axis: 6378137

Denominator\_of\_Flattening\_Ratio: 298.257

Entity\_and\_Attribute\_Information:

Overview\_Description:

Entity\_and\_Attribute\_Overview: 24-bit pixels, 3 band color (RGB) represent brightness values 0 - 255

Entity\_and\_Attribute\_Detail\_Citation: None

Distribution\_Information:

Distributor:

Contact\_Information:

Contact\_Person\_Primary:

Contact\_Person: Supervisor Sales Services Branch

Contact\_Organization: USDA-FSA Aerial Photography Field Office

Contact\_Address:

Address\_Type: mailing and physical address

Address: 2222 West 2300 South

City: Salt Lake City

State\_or\_Province: Utah

Postal\_Code: 84119-2020

naip\_1-1\_1n\_s\_md031\_2005\_1.sid.txt

Country: USA

Contact\_Voice\_Telephone: 801-975-3500

Contact\_Facsimile\_Telephone: 801-975-3529

Distribution\_Liability:

In no event shall the creators, custodians, or distributors of this information be liable for any damages arising out of its use (or the inability to use it).

Standard\_Order\_Process:

Digital\_Form:

Digital\_Transfer\_Information:

Format\_Name: Compressed County Mosaic

Format\_Information\_Content: MrSID

Digital\_Transfer\_Option:

Online\_Option:

Computer\_Contact\_Information:

Network\_Address:

Network\_Resource\_Name: None

Offline\_Option:

Offline\_Media: CD-ROM

Recording\_Format: ISO 9660

Fees: Contact the Aerial Photography Field Office for more information

Resource\_Description: naip\_1-1\_1n\_s\_md031\_2005\_1

Metadata\_Reference\_Information:

Metadata\_Date: 20051206

Metadata\_Contact:

Contact\_Information:

Contact\_Organization\_Primary:

Contact\_Organization: USDA-FSA Aerial Photography Field Office

Contact\_Address:

Address\_Type: mailing and physical address

Address: 2222 West 2300 South

City: Salt Lake City

State\_or\_Province: Utah

Postal\_Code: 84119-2020

Country: USA

Contact\_Voice\_Telephone: 801-975-3500

Metadata\_Standard\_Name: Content Standard for Digital Geospatial Metadata

Metadata\_Standard\_Version: FGDC-STD-001-1998