



**Butz Property (a.k.a. The Reserve at Black Rock) Lot 17, Block A: Limited Preliminary Plan Amendment No. 12006123A
(In Response to a Forest Conservation Law Violation)**



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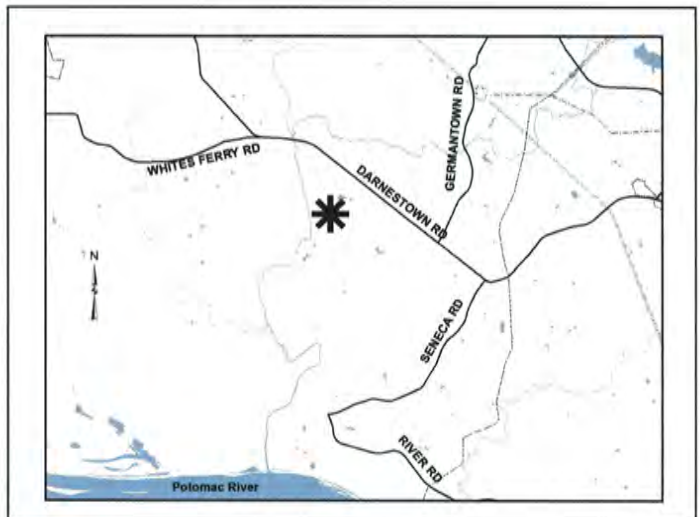
Mark Pfefferle, Chief, DARC, Mark.Pfefferle@montgomeryplanning.org, 301-495-4730

Completed: 9/15/17

Description

**Limited Amendment, Preliminary Plan No. 12006123A,
Butz Property (a.k.a. The Reserve at Black Rock) Lot
17, Block A (in response to a forest conservation law
violation)**

- 15818 Seneca Run Court
- RE2 Zone
- Within Potomac Subregion Master Plan
- Applicant: Jeremy F. Butz
- Submitted on July 17, 2015



Summary

Request to approve release of 1.40 acres of Category I Conservation Easement from Lot 17 that is subject to United States Department of Agriculture, Natural Resource Conservation Service, Maryland Pond Code 378 maintenance activities. No additional mitigation provided for this release.

Request to approve release of an additional 1.43 acres of Category I Conservation Easement from Lot 17 and provide 1.60 acres of onsite mitigation. Onsite mitigation includes establishment of 0.90 acres of new forest retention over an area of existing unprotected forest and the planting of 0.70 acres within an existing unplanted Category I Conservation Easement.

Request to approve release 0.05 acres of Category I Conservation Easement from Lot 17 which is a portion of a paved driveway installed for fire department pond access. Onsite mitigation includes 0.05 acres of additional forest planting to be done by developer within existing unplanted conservation easement.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends approval of the limited amendment to the Preliminary Plan for forest conservation easement changes on Lot 17 with the new conditions specified below. All previous conditions of Preliminary Plan No. 120061230, as contained in the Montgomery County Planning Board's Opinion dated June 27, 2007, remain in full force and effect.

1. Within sixty (60) days of the mailing of the Planning Board Resolution approving plan number 12006123A, the Property Owner must submit a cost estimate for the 0.70 acres of additional onsite forest planting and two-year maintenance requirements of the Forest Conservation Plan for staff review and approval.
2. Within ninety (90) days of the mailing date of the Planning Board Resolution, the Property Owner must submit financial security for the 0.70-acre planting and maintenance requirements of the Forest Conservation Plan in an amount and form approved by Staff.
3. Within ninety (90) days of the mailing date of the Planning Board Resolution, the Property Owner must enter a Maintenance and Management Agreement in a form approved by the M-NCPPC Office of General Counsel to ensure compliance with the conditions of the Forest Conservation Plan
4. Within ninety (90) days of the mailing date of the Planning Board Resolution, the Applicant must record a Category I Conservation Easement by deed, in a form approved by the M-NCPPC Office of the General Counsel, in the Land Records of Montgomery County, Maryland for the existing and new conservation easement areas on the Subject Property.
5. By December 31, 2017 the Property Owner must plant the 0.70 new planting area and have the plantings approved by the M-NCPPC forest conservation inspector.
6. After recordation of the Category I Conservation Easement and posting of financial security for the requirements of the approved Forest Conservation Plan, the Property Owner must obtain and record a Release of the existing Category I Conservation Easement, in a form approved by the M-NCPPC Office of the General Counsel, in the Land Records of Montgomery County, Maryland. All existing conservation easements remain in full force and effect until this deed of release is recorded.
7. Within one hundred and fifty (150) days of the mailing date of the Resolution for this Amendment, the Property Owner must submit a complete Record Plat application for the subject property that delineates and references the new Category I Conservation Easement.

SITE DESCRIPTION

The Reserve at Black Rock Lot 17, Block A, is 72.68 acres and consists of a farm house, outbuildings, two farm ponds, forest, stream buffer and farm fields (subject property and property) (Figure 1). The Property is situated between the Route 28 right-of-way and Seneca Creek State Park.

Approximately 43 acres of the Property is within Category I Conservation Easement and environmental buffers including forested and non-forested stream buffers; ponds and buffers around the ponds; and wetlands and wetland buffer. A tributary of Seneca Creek flows from the northeast to the southwest through the Property. The Property lies within the Seneca Creek Watershed (a Use I-P stream).

The area of the Property subject to the Amendment is focused on the ponds, the land adjacent to the ponds and an area of forest near Route 28.

Figure 1: The Reserve at Black Rock Lot 17, Block A; 12006123A



BACKGROUND

The Montgomery County Planning Board approved Preliminary Plan No. 120061230 "Butz Property" by Opinion mailed on June 27, 2007 and approved establishment of 45 lots of which the subject property is Lot 17 (Attachment 1). The Final Forest Conservation Plan approved on September 21, 2009 shows the protection of existing environmental buffers as Category I Conservation Easements (Attachment 2). Record Plat No. 24027 delineates the Category I Conservation Easements on the Subject Property (Attachment 3). The Record Plat granted the Category I Conservation Easement on The Reserve at Black Rock Lot 17, Block A to M-NCPPC pursuant to the Agreement recorded in Liber 13178 Folio 412 among the Land Records of Montgomery County, Maryland (Attachment 4).

In April 2014, while conducting an inspection nearby, the M-NCPPC Inspector (Inspector) noticed an extensive forest clearing and pond construction project underway at Subject Property.

Category I Conservation Easement forest clearing and grading violation – Pond Reclamation Project – Citation issued

On April 21, 2014, the Inspector issued Administrative Citation No. EPD 000213 to the Property Owner for cutting, clearing, grading, excavating and altering stream flow within an existing Category I Conservation Easement Figure 2, Figure 3, and Attachment 5). The Citation included a fine and remedial actions. The extensive forest clearing, grading and disturbance was done without prior permission from M-NCPPC in violation of the Category I Conservation Easement Agreement.

Figure 2: Timber from Category I Conservation Easement (M-NCPPC Inspector picture)



Figure 3: Slash and Saw Logs Cut from Category I Conservation Easement (M-NCPPC Inspector picture)



Figure 4: Picture of Failing Dam (Picture from Lot 17 Property Owner)

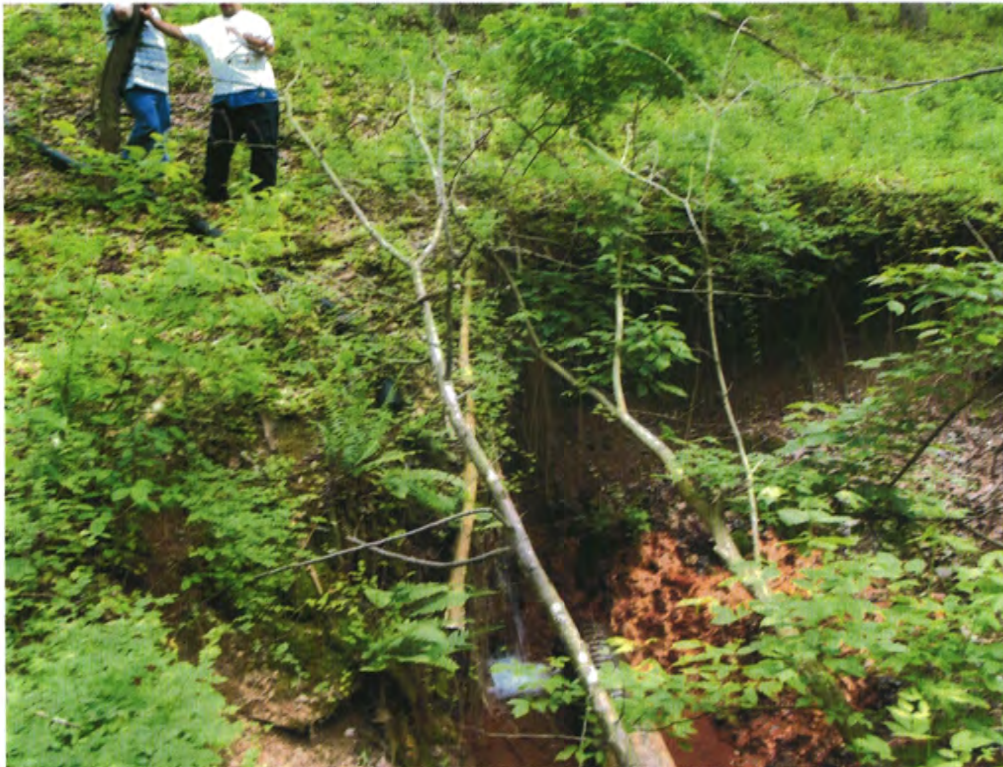


Figure 5: Dam Embankment – Cave In (Picture from Lot 17 Property Owner)



Figure 6: New Dam Embankment (M-NCPPC Inspector picture)



Figure 7: New Dam Slope, area of Category I Conservation Easement Release (M-NCPPC Inspector picture)



The Property Owner met with Planning Staff and Montgomery County Soil Conservation Service District (MCSCSD) Staff. Planning Staff learned that the pond is still being used by the Property Owner for farming and irrigation purposes, the pond dam was failing (Figure 4 and Figure 5) and to prevent a catastrophic dam failure, the pond was being rebuilt. The disturbance was done as part of Natural Resource Conservation Service-approved Pond Rebuild project (Figure 6, Figure 7 and Attachment 6). MCSCSD Staff gave the Inspector a copy of the Maryland Conservation Practice Standard for Ponds, Code 378. In this Code, trees and shrubs are not allowed within any embankment, within 15 feet from the toe of the dam and within a 25-foot radius around the inlet structure.

However, when the Forest Conservation Plan was approved, the dam was not classified as hazardous, nor did any County Agency object to the placement of a conservation easement on the embankment or within the toe of the dam slope. The conservation easement was placed around the entire pond and pond buffer.

After the violation occurred, meetings with the Property Owner and the District Manager of the Montgomery County Soil Conservation Service (MCSCD), resulted in the Property Owner planting 40 mitigation trees within an un-forested area of protected stream buffer.

In a subsequent meeting with the Property Owner, the Inspector discussed the long-term requirements of the Category I Conservation Easement and the requirement that mowing was not permissible in a Category I Conservation Easement. The Property Owner expressed a desire to maintain lawn between portions of the house and pond and part of this application addresses this request.

Also, it was discovered that portions of the fire access road were built within the Category I Conservation Easement.

In summary, there were three violations on this property: 1) clearing and removing of forest within a Category I Conservation Easement to repair the dam of the larger pond; 2) mowing of vegetation within a Category I Conservation Easement between the existing house and the larger pond; and 3) construction of a paved fire access road to the smaller pond to allow fire trucks to use the pond as a water resource when necessary. None of these activities were shown on the approved Forest Conservation Plan. To resolve the incompatibility of fire access road and pond maintenance activities with the restrictions of a forest conservation easement, Staff agreed the Property Owner could submit a Preliminary Plan amendment for conservation easement changes for review and Planning Board decision.

APPLICANTS PROPOSAL

On July 17, 2015, the Property Owner submitted Preliminary Plan Amendment 12006123A for forest conservation purposes, for Lot 17 only, to resolve the conservation easement violations. The Forest Conservation Plan submitted on May 26, 2017 and revised in June 2017 proposes releasing conservation easement to allow for pond maintenance and releasing conservation easement to maintain an existing environmental buffer area as grass and not planted forest (Attachment 7). Onsite mitigation is provided.

Pond Maintenance Area

The Property Owner proposes maintaining the ponds, both the larger and smaller ponds, per Maryland Pond Code 378 standards. A total of 1.4 acres of pond dam embankment, dam buffer and dam access is proposed to be released from Category I Conservation Easement. The Property Owner, as partial mitigation for all the forest clearing for the pond rebuild project, planted approximately 40 trees in a 0.40-acre unforested area of conservation easement above the smaller pond. This planting of native hardwood trees and few American hollies was installed in 2014 and maintained for 2 years. This planted area of conservation easement is to remain within Category I Conservation Easement. No additional mitigation is proposed for this Category I Conservation Easement release. The water of the ponds is shown to remain within Category I Conservation Easement.

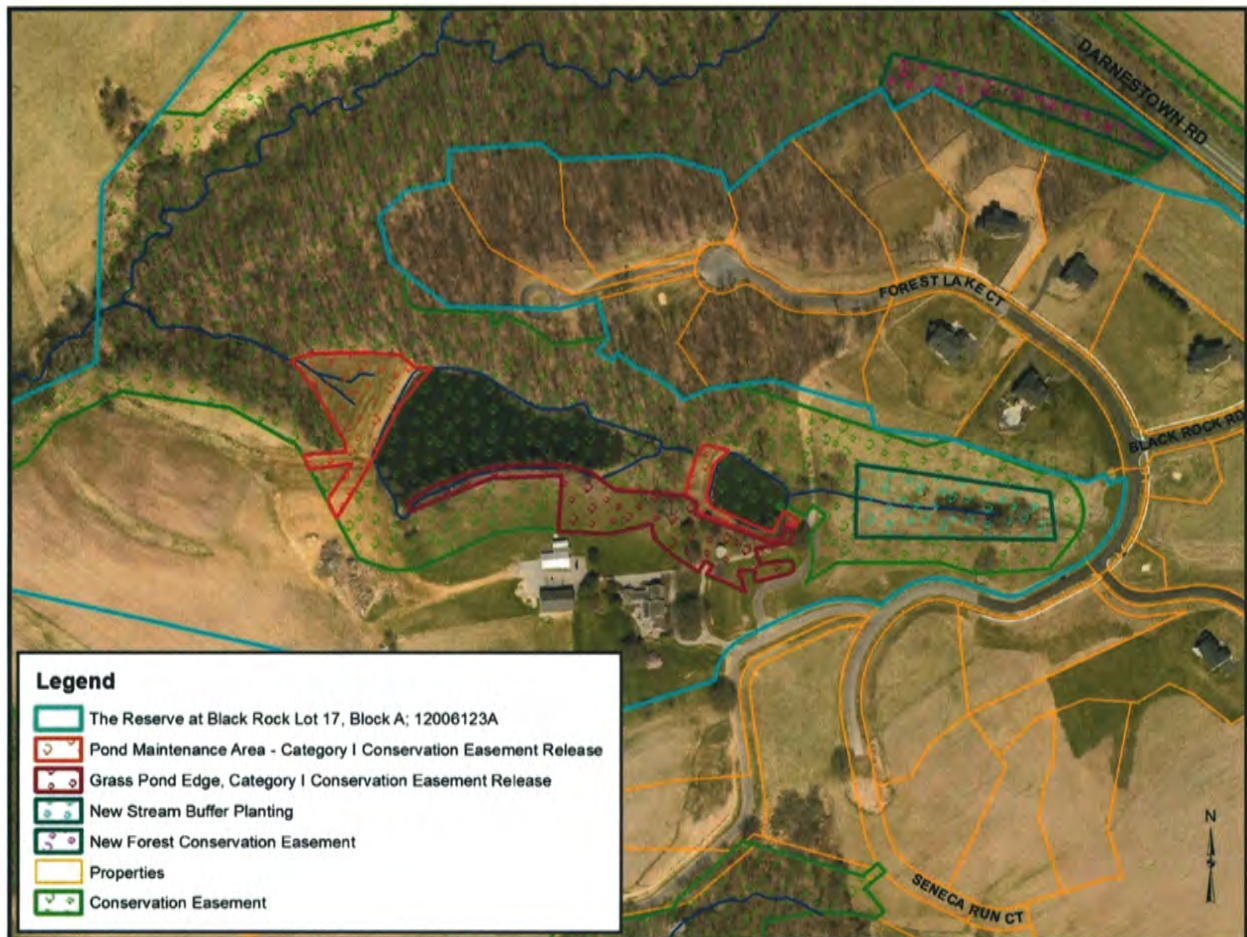
Mowed Grass Area and portions of Driveways within Category I Conservation Easement

Between the ponds and the house and the upper pond and the fire access road, the Property Owner proposes release of 1.43 acres of unforested, non-wetland Category I Conservation Easement and proposes to provide 1.60 acres of mitigation onsite. Currently, 1.43 acres of this area is mowed yard.

Approved Forest Conservation Plan No. 120061230 does not require any planting within this 1.43-acre area of Category I Conservation Easement because the Forest Conservation Plan requirements were met through the protection of existing forest elsewhere on the land subject to the subdivision. The conservation easement was placed on unforested stream buffers consistent with Section 22A-12(b) of the Montgomery County code. The proposal is to release this area from Category I Conservation Easement to allow for continued mowing. The Property Owner will plant 0.70-acres of currently unforested wetland buffer and stream buffer above the ponds. Also, the proposal includes permanently protecting 0.90 acres of existing forest which was shown to be cleared but can be permanently retained for was not needed to build the subdivision.

A 0.05-acre area of paved fire access road encroachment into the conservation easement is proposed to be released and mitigated with planting in an unforested area of existing conservation easement. This 0.05 acre of planting is to be done by the developer.

Figure 6: Map of Proposed Category I Conservation Easement Changes



PLANNING BOARD REVIEW AUTHORITY

The Planning Board approved Preliminary Plan 120061230 "Butz Property" and required the establishment of conservation easements in the subdivision. The Planning Board has authority under Subdivision Regulations (Chapter 50 of the Montgomery County Code) to hear an amendment that proposes changes to the conservation easements.

In addition, the Planning Board has directed Staff to bring all requests for modifications to conservation easements before them to be considered in a public forum.

STAFF REVIEW

In response to a Citation and meeting with Staff, the Applicant submitted this Amendment proposing release of 2.88 acres of Category I Conservation Easement.

The Amendment formalizes the Property Owner's intent to maintain the pond per Maryland Pond Code 378 best management practices and recognizes it was an error to include portions of existing, maintained farm ponds within Category I Conservation Easement. The Amendment removes areas of the ponds which require tree clearing and mowing as part of maintenance activities. No additional mitigation is provided for this 1.4 acres of Category I Conservation Easement, other than the 40 trees that were previously planted and accepted by the forest conservation inspector.

The proposed release of 1.43 acres of mowed pond buffer from Category I Conservation Easement will be mitigated onsite. The mitigation consists of a new Category I Conservation Easement over an 0.90-acre oak-hickory forest. This 0.90-acre forest area was shown as swale to be constructed as part of the road improvements but was retained. This new Category I Conservation Easement will connect a small piece of Category I Conservation Easement and will protect all remaining forest on the Property. In addition, 140 trees will be planted as part of a 0.70-acre area of supplemental wetland buffer and stream buffer planting. This planting area is in the environmental buffer above the two ponds. Existing wetland and the water of the ponds are to remain within Category I Conservation Easement.

To account for 0.05 acres of pavement encroachment for the fire access turnaround, the developer will plant 0.05 acres of additional planting within the approved planting area.

The Amendment resolves the forest clearing violation and does not alter the minimum forest planting requirements of the subdivision.

NOTIFICATION and OUTREACH

The Subject Property was properly signed with notification of the upcoming Preliminary Plan Amendment prior to the acceptance of the application. Staff has not received correspondence from community groups or citizens as of the date of the staff report. As of September 15, 2017, all adjoining

and confronting property owners, civic associations, and other registered interested parties will be notified of the upcoming public hearing on the proposed amendment.

RECOMMENDATION

Staff recommends that the Planning Board approve this Amendment with the conditions specified at the beginning of this report.

ATTACHMENTS

1. Montgomery County Planning Board Opinion, Preliminary Plan No. 120061230 "The Butz Property"
2. Final Forest Conservation Plan No. 120061230 approved on September 21, 2009
3. Record Plat No. 24027
4. Category I Conservation Easement Agreement LF13178.412
5. Administrative Citation No. EPD 000213
6. NRCS-Approved Butz Pond Rebuild Plan (not to scale)
7. Forest Conservation Plan No. 12006123A "The Reserve at Block Rock Lot 17, Block A" submitted for approval



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

JUN 27 2007

MCPB No. MCPB 07- 49
Preliminary Plan No. 120061230
Butz Property
Date of Hearing: April 26, 2007

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION¹

WHEREAS, pursuant to Montgomery County Code Chapter 50, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review preliminary plan applications; and

WHEREAS, on June 5, 2006, Michael Harris Homeplace, L.L.C. ("Applicant"), filed an application for approval of a preliminary plan of subdivision of property that would create 43 lots on 258 acres of land located in the southwest corner of the intersection of Berryville Road and Darnestown Road (MD 28) ("Property" or "Subject Property"), in the Potomac master plan area ("Master Plan"); and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120061230, Butz Property ("Preliminary Plan" or "Application"); and

WHEREAS, Staff issued a memorandum to the Planning Board, dated April 13, 2007, setting forth its analysis, and recommendation for approval, of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on April 26, 2007, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

¹ This Resolution constitutes the written opinion of the Board in this matter and satisfies any requirement under the Montgomery County Code for a written opinion.

Approved as to
Legal Sufficiency:

David P. R.

M-NCPPC Legal Department
www.MCParkandPlanning.org

Chairman's Office: 301.495.4605 Fax: 301.495.1320
E-Mail: mcp-chairman@mncppc.org

WHEREAS, on April 26, 2007, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Bryant; seconded by Commissioner Perdue; with a vote of 4-0, Commissioners Bryant, Hanson, Perdue and Wellington voting in favor; Commissioner Robinson absent.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board approved Preliminary Plan No. 120061230 to create 43 lots on 258.26 acres of land located in the southwest corner of the intersection of Berryville Road and Darnestown Road (MD 28)("Property" or "Subject Property"), in the Potomac master plan area, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 43 lots for forty-three (43) one-family detached dwelling units.
- 2) The Applicant must comply with the conditions of approval of the preliminary forest conservation plan prior to issuance of building permits or sediment and erosion control permits
- 3) All Environmental Buffers must be placed in a Category I Conservation Easement, except for areas required to meet Fire and Rescue access requirements, or necessary utilities.
- 4) The record plat shall show dedications of all road rights-of-way as shown on the approved preliminary plan.
- 5) The Applicant shall construct all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition.
- 6) In addition to the transportation impact tax, the Applicant shall make an additional payment equivalent to 50% of the applicable transportation impact tax for the area to the Montgomery County Department of Permitting Services (DPS), prior to release of any building permit for the proposed new dwelling units, to mitigate traffic impact related to the subject development.
- 7) Record Plat to contain the following notes:
 - ξ "Access denied" along Berryville Road.
 - ξ "Access denied except at approved location(s)" along Darnestown Road.
 - ξ "The land contained hereon is within an approved cluster development and subdivision or resubdivision is not permitted after the property is developed."
- 8) The Applicant shall comply with the conditions of the MCDPWT approval letter dated July 19, 2006, unless otherwise amended.
- 9) The Applicant shall comply with the conditions of the MCDPS (Health Dept.) septic approval letter dated September 21, 2006.

- 10) The Applicant shall comply with the conditions of the MCDPS stormwater management approval letter dated January 3, 2007.
- 11) The Applicant shall comply with the recommendations of the SHA letter dated August 4, 2006, prior to issuance of access permits.
- 12) The certified preliminary plan drawing and record plat must reflect a 25 ft. public access easement along Berryville Road and to the State Park as shown on the preliminary plan.
- 13) Record plat to reflect all areas included as Rural Open Space.
- 14) Record plat to reflect common ingress/egress and utility easements over any shared driveways.
- 15) Record plat to reflect a 50-foot wide building restriction line parallel and contiguous to MD 28 along property frontage.
- 16) Record plat to reference the Common Open Space Covenant recorded at Liber 28045, Folio 578 ("Covenant"). Applicant shall provide verification to Commission staff prior to release of final building permit that Applicant's recorded HOA Documents incorporate by reference the Covenant.
- 17) Record Plat shall reflect all parcels under Homeowners Association control, and separately designate stormwater management parcels.
- 18) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 19) Other necessary easements shall be shown on the record plat.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The Preliminary Plan substantially conforms to the master plan.*

The 2004 Potomac Master Plan does not specifically address the subject property but does provide general guidance and recommendations for development patterns and density. The 2004 Plan reconfirms the RC zoning for low-density residential communities that can accomplish the goals of protecting agriculture and open space. The Preliminary Plan conforms to the Master Plan goals in that it proposes a one-family, residential development that also provides for three farm properties and other open space.

2. *Public facilities will be adequate to support and service the area of the proposed subdivision.*

The Preliminary Plan was approved by all appropriate agencies involved with the review of public facilities including, the Montgomery County Public Schools, the Montgomery County Department of Public Works and Transportation, the Montgomery County Department of Permitting Services and the Montgomery County Department of Fire and Rescue Services. Each agency found the proposed subdivision to be adequately served by the public facilities under its jurisdiction.

3. *The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.*

The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan (see Attachment E for referenced agency correspondence).

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

To meet this requirement, the plan proposes to retain all forest on the agriculturally exempt portion of the property, which reduces the planting requirement to 10.03 acres. This required planting will be done within stream buffers on the exempt portion of the site. The preliminary forest conservation plan satisfies the requirements of section 22A of the Montgomery County Code, including section 22A-12(f).

5. *The Application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan approval dated January 3, 2007, meets MCDPS's standards.*
6. *The Planning Board grants a waiver pursuant to Section 49-34(f) and 50-26(h) of the County Code and recommends a sidewalk on one side only of the internal tertiary public street network with a determination that in this low density zone (RC) pedestrian safety can be accommodated with sidewalks only on one side of the street. The Board also supported a MCDPWT waiver that would allow the use of a two-foot wide culvert bottom for the roadway side ditches.*

The Board was asked to support a waiver of the typical cross section for a tertiary street that would allow for a reduction in the standard culvert bottom width and allow a two-foot wide culvert bottom. The Board was not opposed to the request and recommended that the resolution express support for the Montgomery County

Department of Public Works and Transportation to waive the minimum culvert width to allow for the requested waiver.

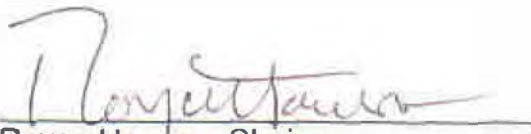
BE IT FURTHER RESOLVED, that this Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended) and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed; and

BE IT FURTHER RESOLVED, that the date of this Resolution is ~~JUN 27 2007~~ (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

At its regular meeting, held on Thursday June 14, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission ADOPTED the above Resolution, on motion of Vice Chair Perdue, seconded by Commissioner Wellington, with Chairman Hanson, Vice Chair Perdue, and Commissioners Wellington, and Robinson present and voting in favor. Commissioner Bryant was absent. This Resolution constitutes the final decision of the Planning Board, and memorializes the Board's findings of fact and conclusions of law for Preliminary Plan No. 120061230, Butz Property.


Royce Hanson, Chairman
Montgomery County Planning Board

THE RESERVE AT BLACK ROCK FINAL FOREST CONSERVATION PLAN

FOREST COVER SUMMARY:

93.00 ACRES - PER NRI/FSI BASED ON TAX MAPS
92.70 ACRES - PER FINAL BOUNDARY SURVEY, TRULAND OUTLOT & FORESTED R/W
DEDUCTION

EXISTING FOREST COVER = 92.70 ACRES

FOREST CONSERVATION WORKSHEET
Butz Property MDR Option

5-Aug-02

NET TRACT AREA:

A. Total tract area	257.86
B. Land dedication acres (parks, county facility, etc.)	0.00
C. Land dedication for roads or utilities (not being constructed by this plan)	2.87
D. Area to remain in commercial agricultural production/use	138.71
E. Other deductions (specify)	0.00
F. Net Tract Area	116.28

LAND USE CATEGORY: (from Trees Technical Manual)

(Input the number "1" under the appropriate land use, limit to only one entry.)

ARA	MDR	IDA	HDR	MPD	CIA
0	1	0	0	0	0
G. Afforestation Threshold	20%	x F =	23.26		
H. Conservation Threshold	25%	x F =	29.07		

EXISTING FOREST COVER:

I. Existing forest cover	22.85
J. Area of forest above afforestation threshold	0.00
K. Area of forest above conservation threshold	0.00

BREAK EVEN POINT:

L. Forest retention above threshold with no mitigation	0.00
M. Clearing permitted without mitigation	0.00

PROPOSED FOREST CLEARING:

N. Total area of forest to be cleared	22.30
O. Total area of forest to be retained	0.55

PLANTING REQUIREMENTS:

P. Reforestation for clearing above conservation threshold	0.00
Q. Reforestation for clearing below conservation threshold	44.60
R. Credit for retention above conservation threshold	0.00
S. Total reforestation required	44.60
T. Total afforestation required	0.41
U. Credit for landscaping (may not exceed 20% of "S")	0.00
V. Total reforestation and afforestation required	45.01

MDR PLANTING REQUIREMENT: 45.01 ACRES

AG-EXEMPT EXISTING FOREST CREDIT (69.85 / 2): 34.92 ACRES

TOTAL PROJECT PLANTING REQUIREMENT: 10.09 ACRES

* SEE FOREST CONSERVATION LAND USE CATEGORY EXHIBIT (LOCATED ON PRELIMINARY FCP) FOR LAND USE CATEGORY DELINEATION.

** THE GROSS PROPERTY EXISTING FOREST IS 92.7 ACRES OF WHICH 69.85 ACRES IS WITHIN THE AG-EXEMPT LOTS. THUS, FOR PURPOSES OF THE WORKSHEET, THE EXISTING FOREST INCLUDES THE DIFFERENCE.

Calculations - Site

Forest Conservation #1-06123 Butz Property

Total Tract Acreage 257.86 ac.

Net Tract Acreage 116.28 ac.

Road & Utility R.O.W. Acreage 2.87 ac.

Stream Valley Buffer Acreage 62.6 ac.

Existing Forest Acreage (Minus R/W Deduction) 92.7 ac.

Forest Retention Acreage 70.4 ac.

Forest Cleared Acreage 22.3 ac.

Wetlands Acreage 0.37 ac.
Forest Cover 0.07 ac.
Forest Retained 0.07 ac.
Forest Cleared n/a ac.
Reforestation 0.52

100 yr. Floodplain Acreage 22.16 ac.
Forest Cover 18.22 ac.
Forest Retained 17.38 ac.
Forest Cleared n/a ac.
Reforestation 2.38 ac.

Stream Valley Buffer/ Priority Areas Acreage 62.60 ac.
Forest Cover 42.79 ac.
Forest Retained 42.62 ac.
Forest Cleared n/a ac.
Reforestation 10.09 ac.

Stream Valley Buffer Acreage 62.37 ac.
Linear Feet 18,596 ft.
Average Width 350 ft.

Forest Conservation Plan Notes:

- This plan is for forest conservation purposes only.
- The plan indicates final tree retention areas and final tree protection for the subject site.
- The plan indicates final tree retention areas and final tree protection for the subject site.
- Trees to be retained will be protected with signage and fencing prior to construction, as indicated on the plan.
- Limits of disturbance to be field-adjusted based on inspector evaluation of trees at or near the Limits of Disturbance.
- Forest clearing for septic areas shall be limited to the initial trench area until such time as the MDCPS declares in writing that the additional septic area is needed.

SHEET INDEX

- FINAL FOREST CONSERVATION PLAN COMPOSITE
- FINAL FOREST CONSERVATION PLAN
- FINAL FOREST CONSERVATION PLAN
- FINAL FOREST CONSERVATION PLAN
- FINAL FOREST CONSERVATION PLAN
- NOTES AND DETAILS

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
FINAL FOREST CONSERVATION PLAN

APPROVAL

Plan No. 120061230
Signature: *John J. Sullivan* 9/21/09
Date

CALL "MISS UTILITY" AT
1-800-257-7777
48 Hours Before Start Of Construction

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter

FOREST CONSERVATION NOTES:

- An on-site pre-construction meeting shall be required after the limits of disturbance have been staked and flagged, but before any clearing or grading begins. The owner / contractor shall contact the MNCPPC inspection staff prior to commencing construction to verify the limits of disturbance and discuss tree protection and tree care measures. The attendees at this meeting should include the developer's representative, construction superintendent, ISA certified arborist (if required), MNCPPC inspector and DPS sediment control inspector.
- No clearing or grading shall begin before tree stress-reduction measures have been implemented. Appropriate measures may include 1. root pruning, 2. crown reduction / pruning, 3. watering, 4. fertilizing, 5. vertical mulching, 6. root aeration matting. Measures not specified on this forest conservation plan may be required as determined by the MNCPPC inspector in coordination with the arborist and developer.
- A State of MD licensed tree expert or an ISA certified arborist must perform or oversee all stress reduction measures. Documentation of stress reduction measures must either be observed by the MNCPPC inspector or sent to the MNCPPC inspector. The MNCPPC inspector will determine the exact method to convey the documentation during the pre-construction meeting.

- Temporary tree protection devices shall be installed per the Forest Conservation Plan and prior to any construction activities. Tree protection fencing locations should be staked prior to the pre-construction meeting. MNCPPC inspector, in coordination with the DPS inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan. Temporary tree protection devices may include: 1. chain link fence (4' ht), 2. snow fence (4' ht), or 3. super silt fence.
- Temporary protection devices shall be maintained and installed by the contractor for the duration of the construction project and must not be altered without prior approval from MNCPPC. No equipment, trucks, materials, or debris may be stored within the tree protection fence areas during the construction period. No vehicle or equipment access to the fenced area will be permitted. Tree protection shall not be removed without prior approval of MNCPPC inspector. Tree protection devices to be coordinated with erosion and sediment control devices as indicated on the approved Erosion and Sediment Control Plan.
- Forest retention area signs shall be installed as required by the MNCPPC inspector, or as shown on the plan.
- Long-term protection devices will be installed per the Forest Conservation Plan and attached details. Installation will occur at the appropriate time during the construction project. Refer to the plan drawing for long-term protection measures.

- Periodic inspections by MNCPPC will occur during the construction project. Corrections and repairs to all tree protection devices, as determined by the MNCPPC inspector, must be made within the time frame established by the inspector.
- After construction is completed, an inspection shall be requested by the developer or developer's representative. Corrective measures that may be required include: 1. removal and replacement of dead and dying trees, 2. pruning of dead or declining limbs, 3. soil aeration, 4. fertilization, 5. watering, 6. wound repair, and/or 7. clean up of retention areas.
- After inspection and completion of corrective measures have been undertaken, all temporary protection devices shall be removed from the site. No additional grading, sodding, or burial may take place.

Qualified Professional Certificate

9/10/09
Date

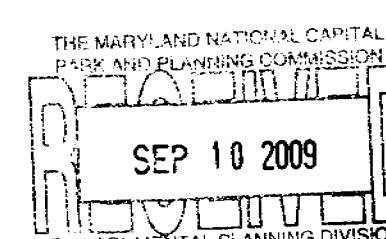
Michael J. Sullivan
Betsy Root
Qualified Professional
CDMAR 08/19/06/01

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301.948.6256 (fax)
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BASE DATA	BY	DATE
DESIGNED	CADD	05/06
DRAWN	ROW	05/06
REVIEWED	LBT	05/06
RODGERS CONTACT	DR	01/07
RELEASE FOR		
BID SET		
BY	DATE	06/07



LOTS 1 THRU 43, BLOCK "A"

THE RESERVE AT BLACK ROCK

6TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

SCALE: 1" = 400'
JOB No. 713B
DATE: JULY 2007
FCP-1
SHEET No. 1 OF 6

LEGEND	
— LOD —	INTERIM LIMITS OF DISTURBANCE
— LOD —	ULTIMATE LIMITS OF DISTURBANCE
— SITE BOUNDARY —	SITE BOUNDARY
— STREAM VALLEY BUFFER —	STREAM VALLEY BUFFER
— WETLAND —	WETLAND
— WETLAND BUFFER —	WETLAND BUFFER
— FLOODPLAIN —	FLOODPLAIN
— FLOODPLAIN B.R.L. —	FLOODPLAIN B.R.L.
— SPECIMEN TREE —	SPECIMEN TREE
— FOREST STAND —	FOREST STAND
— EXISTING PERENNIAL OR INTERMITTENT STREAM —	EXISTING PERENNIAL OR INTERMITTENT STREAM
— EXISTING TOPOGRAPHY —	EXISTING TOPOGRAPHY
— PROPOSED CONTOUR —	PROPOSED CONTOUR
— APPLICATION LIMITS —	APPLICATION LIMITS
— PROPOSED CATEGORY I FC EASEMENT —	PROPOSED CATEGORY I FC EASEMENT
— 100' spacing —	PERMANENT PROTECTION FENCE AND SIGNAGE
— TPF — 100' spacing —	TEMPORARY PROTECTION FENCE AND SIGNAGE
— FOREST CLEARING —	FOREST CLEARING
— FOREST RETENTION —	FOREST RETENTION
— REFORESTATION —	REFORESTATION
— PROPOSED TREELINE —	PROPOSED TREELINE
— PROPOSED SEPTIC FIELD —	PROPOSED SEPTIC FIELD
— CRITICAL ROOT ZONE —	CRITICAL ROOT ZONE

General Notes:

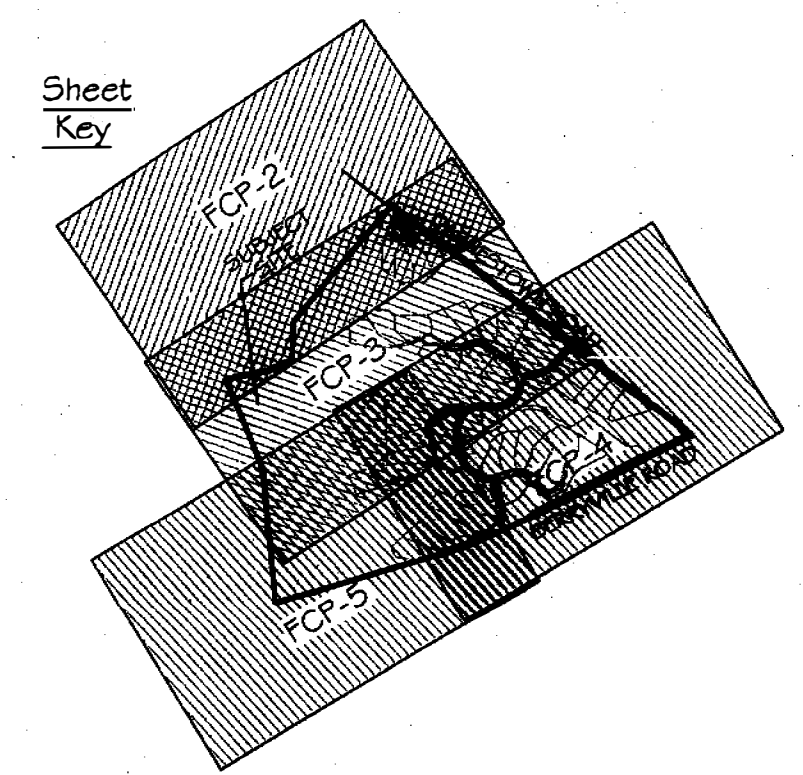
- Subject property is approximately 257.86± acres, per Tax records, and is zoned RC, developed as the cluster optional method.
- The subject property is located on Montgomery County, MD tax map DS43, DS52 and DS53 and is comprised of parcels P912, P606 and P315.
- The subject site is bounded to the north by Darnestown Road (Route 28) and on the East by Berryville Road.
- Topographic information shown was provided by Potomac Aerial Survey, Inc., dated April, 2002 & from digital files 221MW15, 221NW16, 222NW15 & 222NW16, purchased from MNC&PC. NOTE: DIGITAL MAP COMPILED BY: Analytical Surveys, Inc. Colorado Springs, Colorado Under Contract to Maryland National Capital Park and Planning Commission, Montgomery County Park and Planning Department. G P S Control Provided by Analytical Surveys, Inc. Stereo Aerial Photography Provided by Analytical Surveys, Inc. Colorado Springs, Colorado to Montgomery County Department of Information Systems & Telecommunications. This map has been prepared using 1:14400 scale aerial photography from which topography was compiled using stereo photogrammetric methods. The aerial photography was flown on April 7, 1994; the contour interval is 5'-0". Use of this map, other than for general planning purposes, is not recommended. Please report any errors or omissions to the Research & Information Systems Division of the Maryland National Capital Park and Planning Commission, Montgomery County Park and Planning Department, (301) 495-4700. Copyright 1996. All rights reserved.
- This plan is subject to an approved NRI/FSI, filed by Rodgers Consulting Incorporated, MNC&PC file number 4-02202, Recertification, approved and signed 3-9-05.
- The soils shown on this map have been digitized from the July 1995 issue of the Montgomery County Soils Survey, map panel #18.
- Wetlands were delineated by Rodgers Consulting, Inc. (Spring 2003). Only wetlands in areas of proposed development and stream valley buffer impacts were delineated. The delineation utilized the United States Army Corps of Engineers 1987 Wetlands Manual.
- Streams on the site are Use Class I-P and are part of the Seneca Creek and its tributaries.
- There were no Rare, Threatened, or Endangered Species observed during the visits to the subject property.
- There are no FEMA mapped 100 year floodplains for the subject property. The 100 year floodplain used in this plan is based on the MHG approved NRI/FSI.
- The subject site is located within the Seneca Creek Watershed.
- The location of individual trees and wetlands is by Global Positioning System (GPS) use with sub-meter accuracy.
- Site visits for purposes of conducting this inventory occurred in December 2004.

REVISION	DATE	REVISION	DATE	REVISION	DATE
1. Per MNCPPC 7/19/07 comments	8/07				

APPLICANT:
MICHAEL HARRIS DEVELOPMENT, INC.
1420 SPRING HILL ROAD
SUITE 550
McLEAN, VIRGINIA 22102
PHONE: (703) 848-4923
CONTACT: MR. MICHAEL SCHWALB

AMENDED FINAL FOREST CONSERVATION PLAN COMPOSITE

LEGEND	
— LOD	INTERIM LIMITS OF DISTURBANCE
— LOD	ULTIMATE LIMITS OF DISTURBANCE
—	SITE BOUNDARY
—	STREAM VALLEY BUFFER
—	WETLAND
—	WETLAND BUFFER
—	FLOODPLAIN
—	FLOODPLAIN B.R.L.
⊗	SPECIMEN TREE
—	FOREST STAND
—	EXISTING PERENNIAL OR INTERMITTENT STREAM
—	EXISTING TOPOGRAPHY
—	PROPOSED CONTOUR
—	APPLICATION LIMITS
—	PROPOSED CATEGORY I FC EASEMENT
— 100' spacing	PERMANENT PROTECTION FENCE AND SIGNAGE
— TPF 100' spacing	TEMPORARY PROTECTION FENCE AND SIGNAGE
—	FOREST CLEARING
—	FOREST RETENTION
—	REFORESTATION
—	PROPOSED TREELINE
—	PROPOSED SEPTIC FIELD
⊗	CRITICAL ROOT ZONE



All the numbers indicated for the areas shown on this plan include areas shown on adjacent sheets. See the adjacent sheets for graphical depiction of Forest Conservation Measures.

All areas proposed as forest retention or forest planting are to be protected by a recorded Category I Forest Conservation Easement.

Qualified Professional Certificate

9/10/09
Date
M. Dusty
Dusty Road
Qualified Professional
CDMAR 0819.06.01

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OR LOG ON TO
<http://www.missutility.net/Use/>
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SEP 10 2009
ENVIRONMENTAL PLANNING DIVISION

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
FINAL FOREST CONSERVATION PLAN
APPROVAL
Plan No. 120061230
Signature: [Signature]
Date: 9/10/09

REVISION	DATE	REVISION	DATE	REVISION	DATE

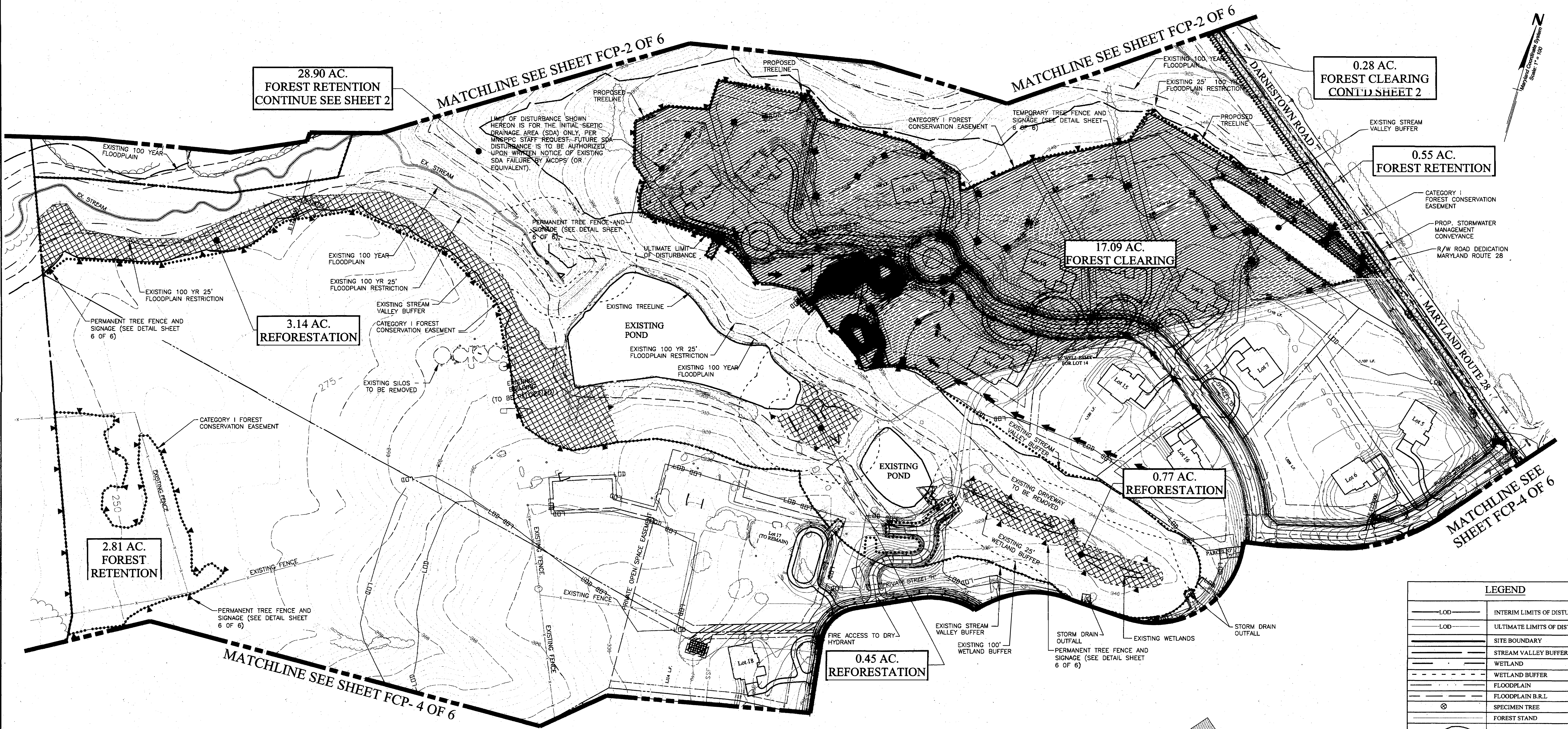
APPLICANT:
MICHAEL HARRIS DEVELOPMENT, INC.
140 S RING HILL ROAD
SUITE 550
MCLEAN, VIRGINIA 22102
PHONE: (703) 848-4923
CONTACT: MR MICHAEL SCHWALB

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19847 Century Blvd., Suite 200
Germantown, MD 20874
301.948.4700
301.948.6256 (fax)
301.253.6609
www.rodgers.com

BY	DATE
BASE DATA	CADD 01/07
DESIGNED	RDW 01/07
DRAWN	LBT 01/07
REVIEWED	DR 01/07
RODGERS CONTACT:	
RELEASE FOR BID SET	
BY:	DATE: 06/07

LOTS 1 THRU 43, BLOCK "A"
THE RESERVE AT BLACK ROCK
6TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1"=100'
JOB No. 713B
DATE: JULY 2007
FCP-2
SHEET No. 2 OF 6



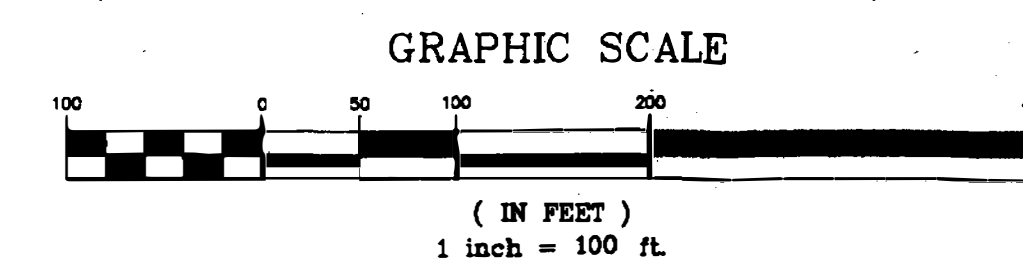
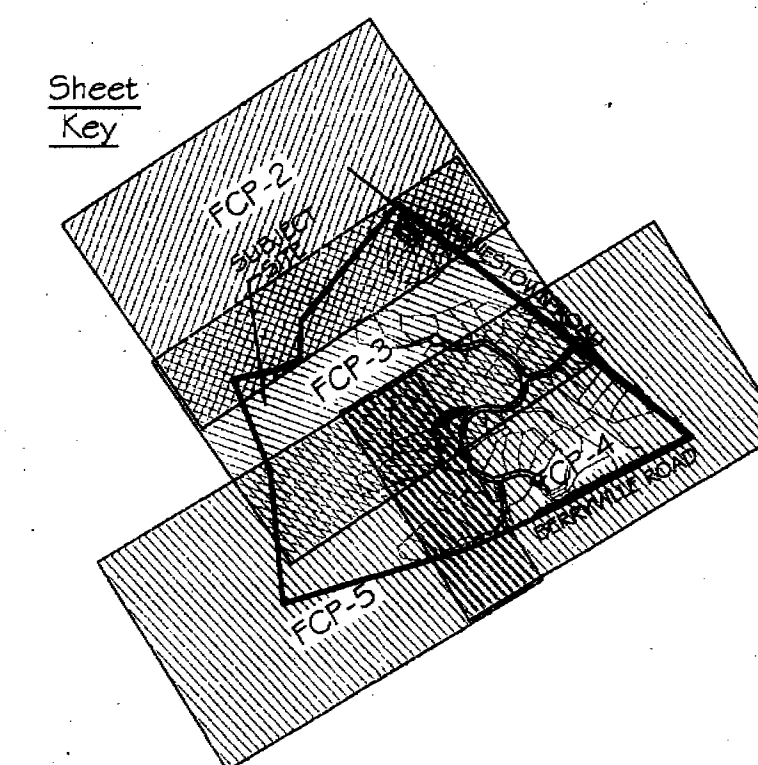
LEGEND	
---	INTERIM LIMITS OF DISTURBANCE
---	ULTIMATE LIMITS OF DISTURBANCE
---	SITE BOUNDARY
---	STREAM VALLEY BUFFER
---	WETLAND
---	WETLAND BUFFER
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---	SPECIMEN TREE
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---	EXISTING TOPOGRAPHY
---	PROPOSED CONTOUR
---	APPLICATION LIMITS
---	PROPOSED CATEGORY I FOREST EASEMENT
---	100' spacing
---	PERMANENT PROTECTION FENCE AND SIGNAGE
---	TEMPORARY PROTECTION FENCE AND SIGNAGE
---	FOREST CLEARING
---	FOREST RETENTION
---	REFORESTATION
---	PROPOSED TREELINE
---	PROPOSED SEPTIC FIELD
---	CRITICAL ROOT ZONE

Qualified Professional Certificate

9/10/09
 Date
 M. Dusty Rod
 Dusty Rod
 Qualified Professional
 COMAR 08.19.06.01

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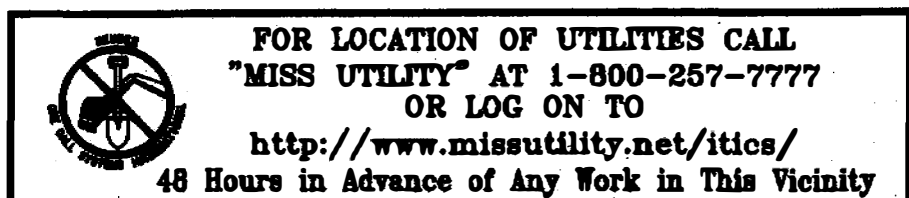
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THE MARYLAND-NATIONAL CAPITAL
 PARK AND PLANNING COMMISSION
 FINAL FOREST CONSERVATION PLAN

APPROVAL

Plan No. 120061230
 Signature: *Stephen F. Levine* 9/10/09
 Date



The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter

REVISION	DATE	REVISION	DATE	REVISION	DATE
1. Amended to revise amount of bond required	9/09				

APPLICANT:
 MICHAEL HARRIS DEVELOPMENT, INC.
 1420 SPRING HILL ROAD
 SUITE 550
 McLEAN, VIRGINIA 22102
 PHONE: (703) 848-4923
 CONTACT: MR. MICHAEL SCHWALB

AMENDED FINAL FOREST CONSERVATION PLAN

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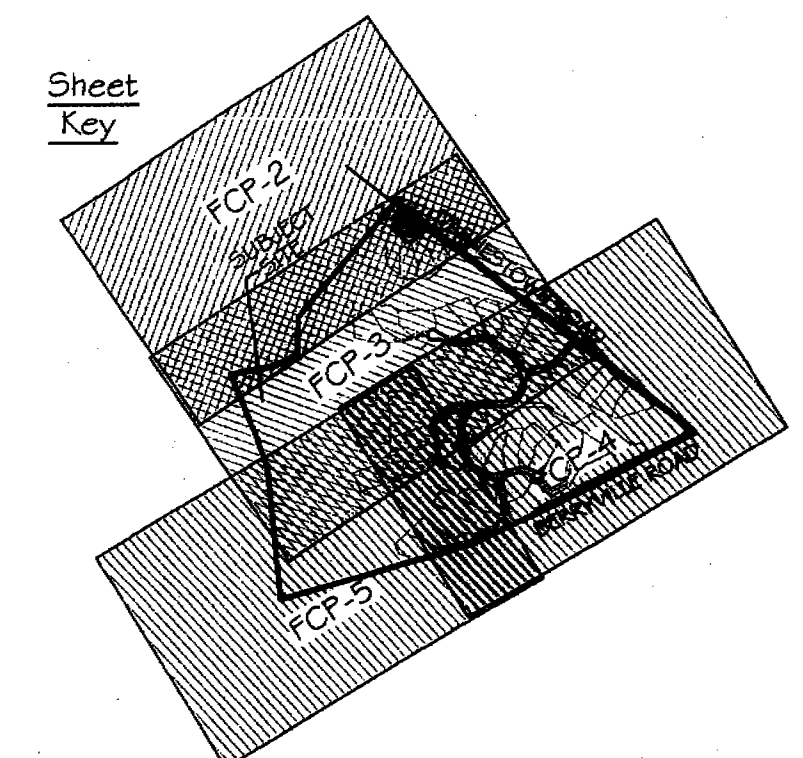
BY	DATE
BASE DATA	CADD 05/08
DESIGNED	RDW 01/07
DRAWN	LBT 01/07
REVIEWED	DR 01/07
RODGERS CONTACT:	
RELEASE FOR	
BID SET	
BY	DATE 06/07

THE RESERVE AT BLACK ROCK

6TH ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

JOB No. 713B
 DATE JULY 2007
 FCP-3
 SHEET No. 3 OF 6

LEGEND	
---	INTERIM LIMITS OF DISTURBANCE
---	ULTIMATE LIMITS OF DISTURBANCE
---	SITE BOUNDARY
---	STREAM VALLEY BUFFER
---	WETLAND
---	WETLAND BUFFER
---	FLOODPLAIN
---	FLOODPLAIN B.R.L.
---	SPECIMEN TREE
---	FOREST STAND
---	EXISTING PERENNIAL OR INTERMITTENT STREAM
---	EXISTING TOPOGRAPHY
---	PROPOSED CONTOUR
---	APPLICATION LIMITS
---	PROPOSED CATEGORY I FC EASEMENT
---	PERMANENT PROTECTION FENCE AND SIGNAGE
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---	FOREST CLEARING
---	FOREST RETENTION
---	REFORESTATION
---	PROPOSED TREELINE
---	PROPOSED SEPTIC FIELD
---	CRITICAL ROOT ZONE



THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
FINAL FOREST CONSERVATION PLAN

APPROVAL

Plan No. 120061230
Signature: *[Signature]* Date: 9/10/09

FOR LOCATION OF UTILITIES CALL
"MISS UTILITY" AT 1-800-257-7777
OR LOG ON TO
<http://www.missutility.net/titles/>
48 Hours in Advance of Any Work in This Vicinity

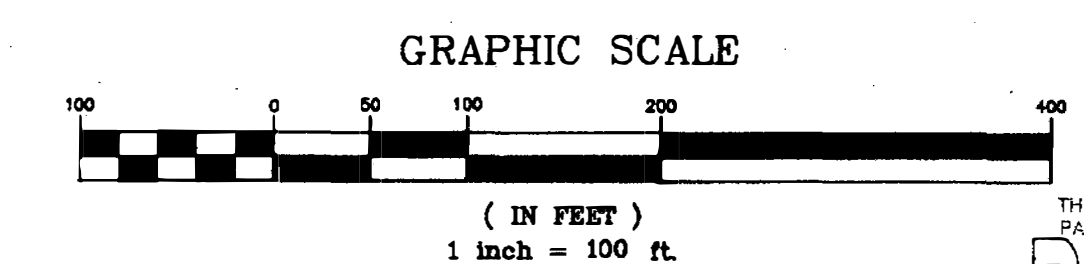
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underground facilities in the area of proposed excavation
and have those facilities located by the utility companies
prior to commencing excavation. The excavator is
responsible for compliance with requirements of Chapter

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See the adjacent sheets for graphical depiction of
Forest Conservation Measures.

All areas proposed as forest retention or forest
planting are to be protected by a recorded
Category I Forest Conservation Easement.

Qualified Professional Certificate

9/10/09
Date
[Signature]
Dusty Road
Qualified Professional
CDMAR 081906.01



THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
SEP 10 2009

REVISION	DATE	REVISION	DATE	REVISION	DATE
REVISED PER MNCPPC COMMENTS	3/9/07				

APPLICANT:
MICHAEL HARRIS DEVELOPMENT, INC.
1420 SPRING HILL ROAD
SUITE 550
MCLEAN, VIRGINIA 22102
PHONE: (703) 848-4923
CONTACT: MR. MICHAEL SCHWALB

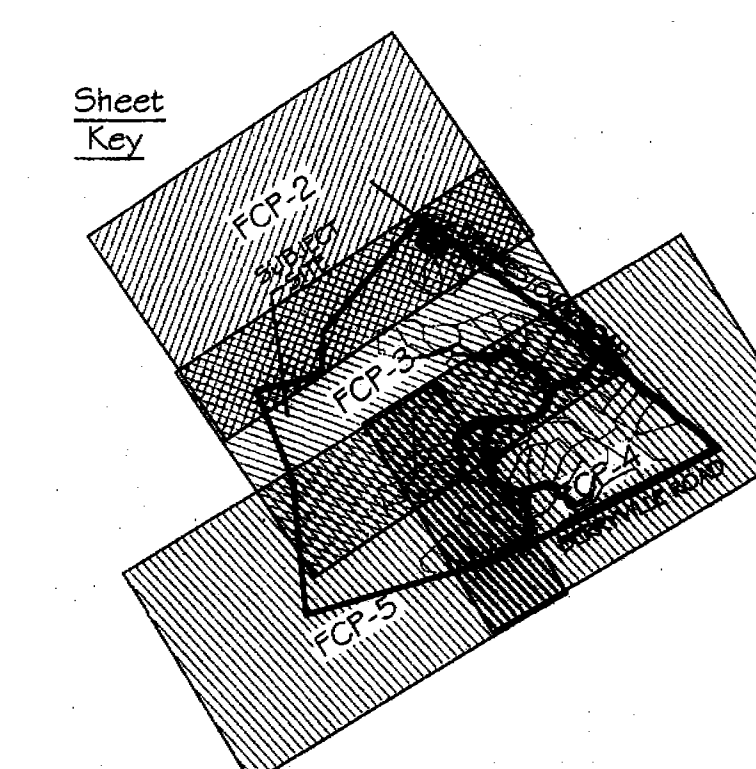
AMENDED FINAL FOREST CONSERVATION PLAN

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Cermantown, MD 20874
301.948.4700
301.948.6256 (fax)
301.253.6609
www.rogers.com

BY	DATE
BASE DATA	CADD 05/06
DESIGNED	RDW 05/06
DRAWN	LBT 05/06
REVIEWED	RKM 05/06
RODGERS CONTACT:	
RELEASE FOR BID SET	
BY	DATE 06/07

LOSS 1 THRU 43, BLOCK "A"
THE RESERVE AT BLACK ROCK
6TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
JOB No. 713B
DATE: JAN. 2007
FCP-4
SHEET No. 4 OF 6

LEGEND	
---	INTERIM LIMITS OF DISTURBANCE
---	ULTIMATE LIMITS OF DISTURBANCE
---	SITE BOUNDARY
---	STREAM VALLEY BUFFER
---	WETLAND
---	WETLAND BUFFER
---	FLOODPLAIN
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---	PROPOSED SEPTIC FIELD
---	CRITICAL ROOT ZONE

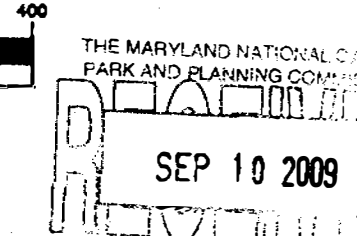
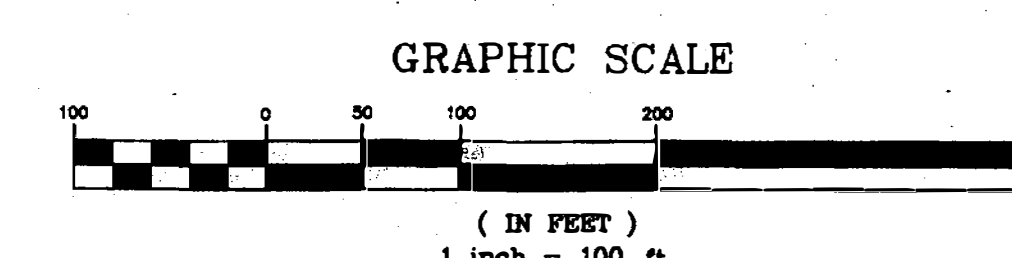


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All areas proposed as forest retention or forest planting are to be protected by a recorded Category I Forest Conservation Easement.

Qualified Professional Certificate

9/10/09
Date
M. Dwyer
Dusty Road
Qualified Professional
CDMAR 0819.06.01

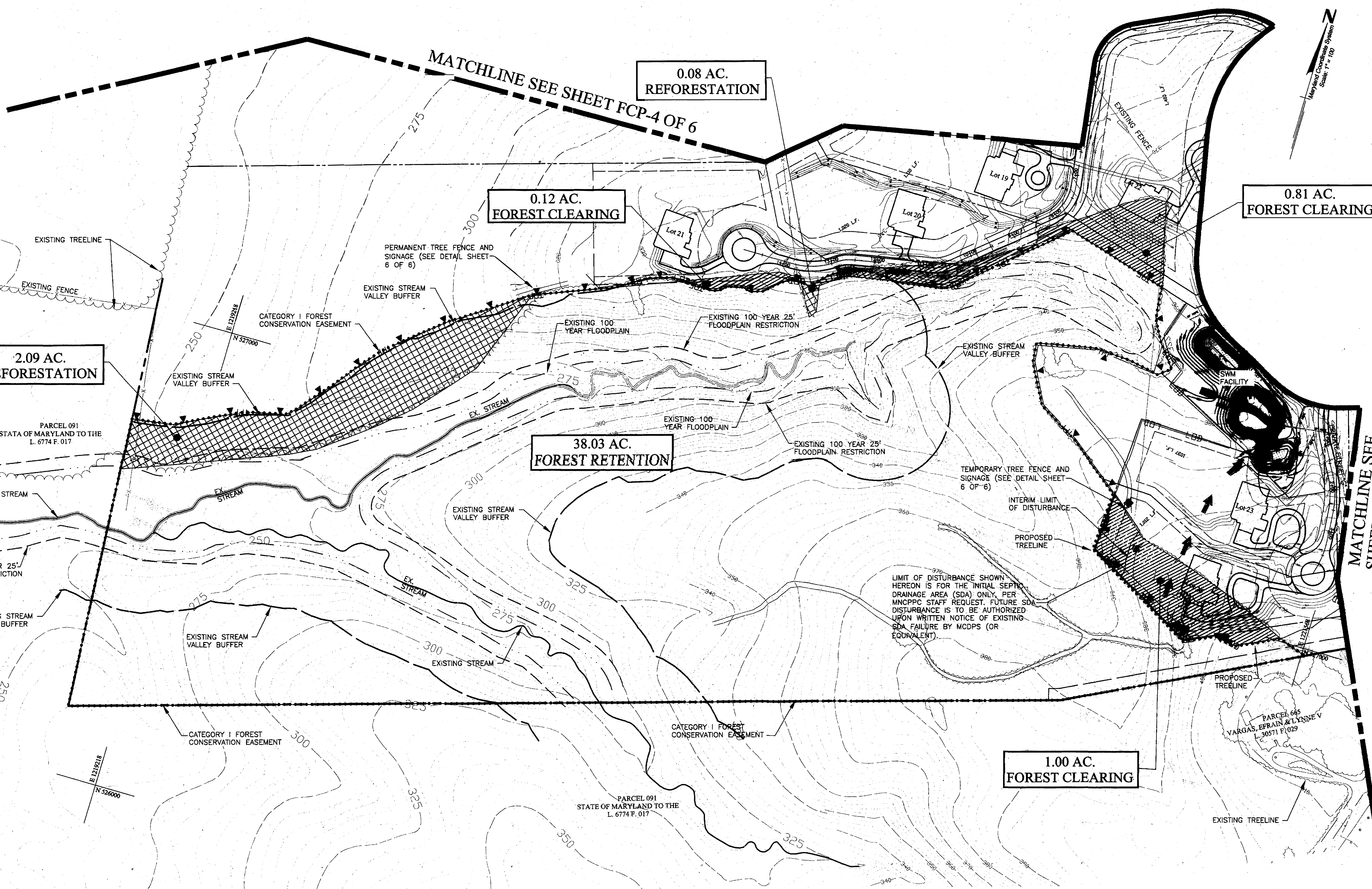


LOTS 1 THRU 43, BLOCK "A"

THE RESERVE AT BLACK ROCK

6TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

SCALE
1"=100'
JOB No.
7138
DATE:
JAN. 2007
FCP-5
SHEET No.
5 of 6



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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
FINAL FOREST CONSERVATION PLAN

APPROVAL

Plan No. 120061230
Signature: [Signature]
Date: 9/10/09

APPLICANT:
MICHAEL HARRIS DEVELOPMENT, INC.
1420 SPRING HILL ROAD
SUITE 550
MCLEAN, VIRGINIA 22102
PHONE: (703) 848-4923
CONTACT: MR. MICHAEL SCHWALB

AMENDED FINAL FOREST
CONSERVATION PLAN

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BY	DATE
BASE DATA	CADD 05/06
DESIGNED	RDW 05/06
DRAWN	LBT 05/06
REVIEWED	RKM 05/06
RODGERS CONTACT:	
RELEASE FOR	
BID SET	
BY	DATE 06/07

GENERAL NOTES:

- An on-site pre-construction meeting shall be required after the limits of disturbance have been staked and flagged, but before any clearing or grading begins. The owner shall contact the Maryland National Capital Park and Planning Commission inspection staff prior to commencing construction to verify the limits of disturbance and discuss tree protection and tree care measures. The attendees at this meeting should include: developer's representative, construction superintendent, ISA certified arborist or MD licensed tree expert that will implement the tree protection measures, MNCPPC inspector, MNCPPC-Parks Inspector/Arborist (301-650-2634) and DPS sediment control inspector.
- No clearing or grading shall begin before stress-reduction measures have been implemented. Appropriate measures may include, but are not limited to:
 - Root pruning
 - Crown reduction or pruning
 - Watering
 - Fertilizing
 - Vertical mulching
 - Root aeration mattingMeasures not specified on the forest conservation plan may be required as determined by the MNCPPC inspector in coordination with the arborist.
- A State of Maryland licensed tree expert, or an International Society of Arboriculture certified arborist must perform all stress reduction measures. Documentation of stress reduction measures must be either observed by the MNCPPC inspector or sent to the MNCPPC inspector at 6787 Georgia Avenue, Silver Spring, Maryland 20910. The MNCPPC inspector will determine the exact method to convey the stress reduction measures during the pre-construction meeting.
- Temporary tree protection devices shall be installed per the Forest Conservation Plan and prior to any construction activities. Tree protection fencing location should be stake prior to the pre-construction meeting. MNCPPC inspector, in coordination with DPS sediment control inspector, may make field adjustments to increase the survivability of trees and forests shown as saved on the approved plan. Temporary tree protection devices may include:
 - Chain link fence (four feet high)
 - Snow fence (four feet high)
 - Super silt fence
 - 14 gauge 2 inch by 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with visibility flagging.Temporary protection devices shall be maintained and installed by the contractor for the duration of construction projects and must not be altered without prior approval from MNCPPC. No equipment, trucks, materials, or debris may be stored within the tree protection fence areas during the entire construction project. No vehicle or equipment access to the fenced area will be permitted. Tree protection shall not be removed without prior approval from MNCPPC. Tree protection device to be coordinated with erosion and sediment control devices as indicated on the approved Erosion and Sediment Control plan approved by the Department of Permitting Services.
- Forest retention areas signs shall be installed as required by the MNCPPC inspector, or as shown approved plan.
- Long-term protection devices will be installed per the Forest Conservation Plan and attached details. Installation will occur at the appropriate time during the construction project. Refer to the plan drawing for long-term protection measures to be installed.
- Periodic inspection by MNCPPC will occur during the construction project. Corrections and repairs to all tree protection devices, as determined by the MNCPPC inspector, must be made within the timeframe established by the MNCPPC inspector.
- After construction is completed, an inspection shall be requested. Corrective measures which may be required include:
 - Removal and replacement of dead and dying trees
 - Pruning of dead or declining limbs
 - Soil aeration
 - Fertilizer
 - Watering
 - Wound repair
 - Clean up of retention areas
- After inspection and completion of corrective measures have been undertaken, all temporary protective devices shall be removed from the site. No additional grading, sodding, or burial may take place.

QUALITY ASSURANCE:

- Names of plant material listed conform generally with names accepted by the nursery trade. The contractor is to provide stock true botanical name.
- All plant material shall conform to the current issue of American Standard for Nursery Stock published by the American Association of Nurserymen.
- Hardwood stock shall meet the following standards:
 - Trees shall have a solid root mass with the soil in place. The roots shall appear clean and white in coloration.
 - If growing, the trees shall appear healthy with no foliage spots, discoloration, wilting or other evidence of the presence of disease or insects.
- If specified material is not obtainable submit in writing to Rodgers Consulting, Inc. for the evaluation and approval of equivalent material. Only native material as defined by the Montgomery County Trees Technical Manual will be acceptable for afforestation/reforestation plantings.
- All substitutions must be approved by the MNCPPC prior to their installation.

PRODUCT SPECIFICATIONS

- FERTILIZER:** All fertilizer shall be granular, packet or pellet with 35 to 80% to the total nitrogen in a slow release form. For trees and shrubs, fertilizer be a complete fertilizer with a minimum analysis of 10% nitrogen, 6% phosphorus, and 4% potassium. For use on a specimen or significant trees, the fertilizer shall be high in phosphorus and low in nitrogen to promote root growth. A water-insoluble nitrogen, 2-year release fertilizer with a ratio of 20% nitrogen, 10% phosphorus, 5% potassium shall be used wetland and riparian backfill mixtures. Fertilizers shall be added depending on the size of the plant and manufacturer's recommended rate.
 - ORGANIC MATTER:**
 - Peatmoss - Type 1 sphagnum peatmoss, finely divided with pH 3.1-5.0; or
 - Sedge Peat - Decomposed peat containing no identifiable fibers; or
 - Composted
 - BACK-FILL MIXTURE:** Back-fill mixture for containerized trees shall be 1/2 existing soil mixed with 1/2 organic material, plus granular fertilizer.
 - MULCH:** Material shall be well aged, fine shredded hardwood, dark brown in color, or approved equal. Material shall be mulching grade, uniform in size and free of foreign matter.
- PRE-PLANTING SPECIFICATIONS**
- Allow six (6) months in advance to order materials and plants.
 - Acceptable planting time for container grown material (trees, shrubs, and seedlings) is from March - June 15 and September - December. Planting shall take place in such, when the ground is frozen, or when the soil is too wet or dry or otherwise in a condition not generally accepted as satisfactory for planting and may adversely affect plant materials.
 - All planting areas shall be in a stabilized condition so as to minimize soil erosion. Seeding is NOT a part of these plan documents. Refer to the Sediment and Erosion Control Plans for seeding specifications.
 - The landscape contractor shall notify Rodgers Consulting, Inc. (301-948-4700) at least 48 hours prior to the start of construction to arrange a pre-planting meeting.
 - Planting should occur within 24 hours of plant material delivery to the site. Plant materials left unplanted for more than 24 hours shall be protected from direct sun and weather and kept moist. Nursery stock shall not be left unplanted for more than 2 weeks.
 - When conditions detrimental to plant growth are encountered, such as rubble fill, adverse drainage conditions, or obstructions, notify Rodgers Consulting, Inc. (301-948-4700) before planting.
 - The Landscape Contractor is responsible for the location of all existing underground utilities. The repair of utilities damaged during plantings shall be at the Landscapes Contractor's expense.
 - The Landscape Contractor is responsible for coordinating access to the site with the owner.

PLANTING SPECIFICATIONS

- Refer to the planting plan and plant schedule for plant material size, location, and spacing.
- All plant material shall be planted by manual methods of planting using shovels, dibble bars, and/or mattocks.
- De-compact the soil within the afforestation/reforestation areas 12" by digging or plowing, except in areas identified as wetlands on the plan. All planting in the wetland area will be done manually, with minimal disturbances to the area.
- Back-fill mixture for containerized trees shall be 1/2 existing soil mixed with 1/2 organic material or if planted on fill material 12" of native stockpiled topsoil or other approved equal. Remove the tree from the container and gently loosen the roots from the soil. During the back-filling procedure, thoroughly water and soil around the root mass while tamping the back-filled mixture to eliminate any air-pockets. After back-filling is complete, and the top of the root mass and planting area is mulched, water on the interior of the root mass until it is thoroughly saturated, even if it is raining.
- Only the number of trees that can be planted in one day shall be taken to the field.
- Trees shall be planted in an aggregate distribution pattern over the entire planting area. Plant according to the details on this sheet. Planting of trees shall be accomplished using manual methods of installation. The root collar should be set within 1" above the ground.
- Trees shall not receive an amended back-fill mixture but shall be fertilized at the manufacturer's recommended rate. Remove the trees from the container and gently loosen the roots from the soil. After back-filling tamp the back-fill to eliminate any air pockets. After back-filling is complete, and the top of the root mass and planting area is mulched, water on the interior of the root mass until it is thoroughly saturated, even if it is raining.
- Areas planted with trees shall be mulched after planting, as identified in the details on this sheet.
- Remove all tags, labels, string, and wire from the planting material after planting.

GUARANTEE AND REPLACEMENT

- All plant material shall be guaranteed by the landscape contractor to remain alive and in a healthy, vigorous condition for a period of one year following the planting.
- At the end of the warranty period, inspection of the plant material will be made by the Owner's representative. Plant material which is dead or in an unhealthy condition shall be removed from the site and replaced at the expense of the landscape contractor.
- A tree shall be considered dead when the main leader has died back, or 25% of the crown is dead.
- Plant material replacements shall be of the same type, size, and variety as specified in the plant legend or as accepted in writing as substitutes before original planting. Plants shall be furnished, planted, and mulched as specified herein and at the expense of the landscape contractor.

DEVELOPMENT PROGRAM

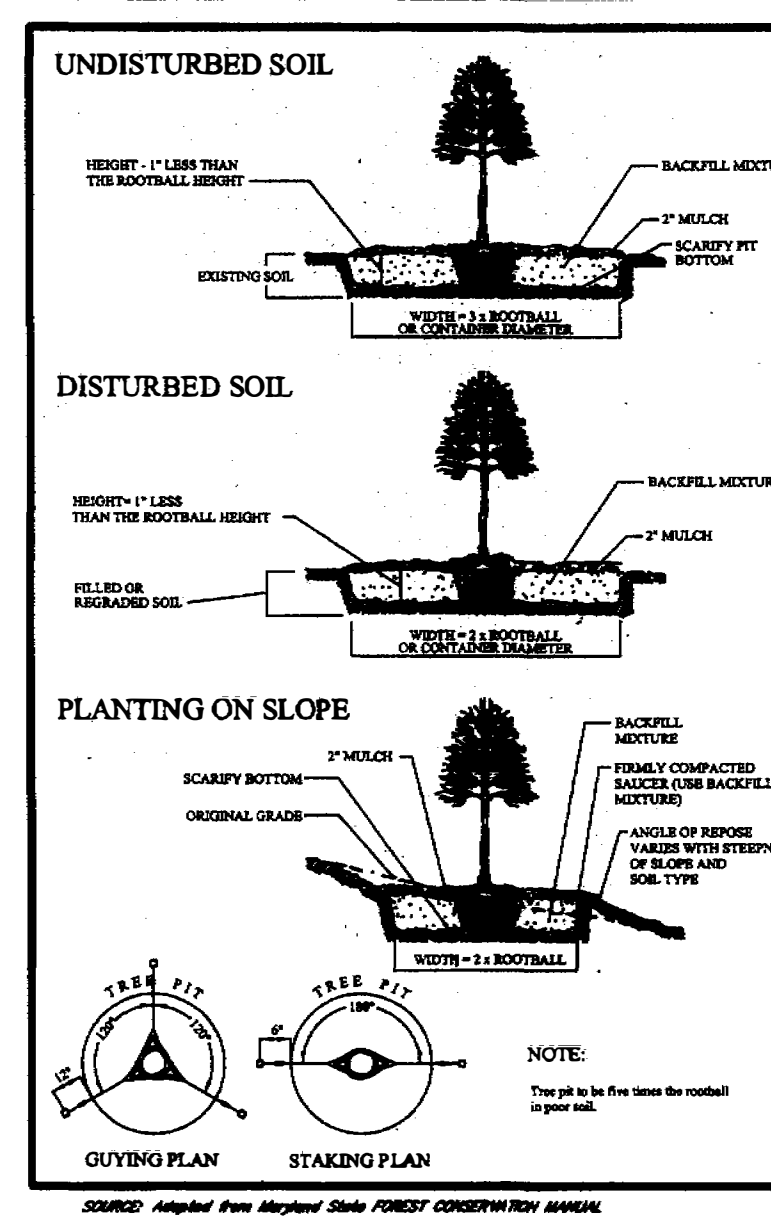
- The development process for conservation areas within this project are as follows:
 - Installation of afforestation/reforestation areas and permanent signing. Afforestation/reforestation areas must be accomplished no later than 1 year after the completion of the development project.
 - Maintain the afforestation/reforestation areas for a period of 2 years to guarantee the required survival rates; and
 - Final inspection and release of financial security.
- Financial security must be provided before MNCPPC inspection Staff authorize clearing and grading activities to begin.
- The amount of financial security is determined with the approved cost estimate.
- The financial security will be in force until all measures for afforestation/reforestation and maintenance requirements have been fulfilled to the satisfaction of the MNCPPC inspection Staff.
- Partial release of the financial security may be authorized by MNCPPC inspection Staff after planting has been completed. If staff is satisfied that the planting plan has been followed and the plant material is properly planted and in good condition, up to one half of the financial security will be released.
- Full release of the financial security will be provided by the Montgomery County at the end of the two-year maintenance and monitoring period provided the conservation areas pass inspection.

MISCELLANEOUS

- No unauthorized activities are to occur within the tree protection areas (those areas within the tree protection fence). Unauthorized activities include, but are not limited to, concrete washout, soil stockpile area, equipment storage, fuel storage, and refueling procedures or any type of storage area.
- Tree protection fencing is to be located at the edge of the critical root zone or at the edge of unimproved area.

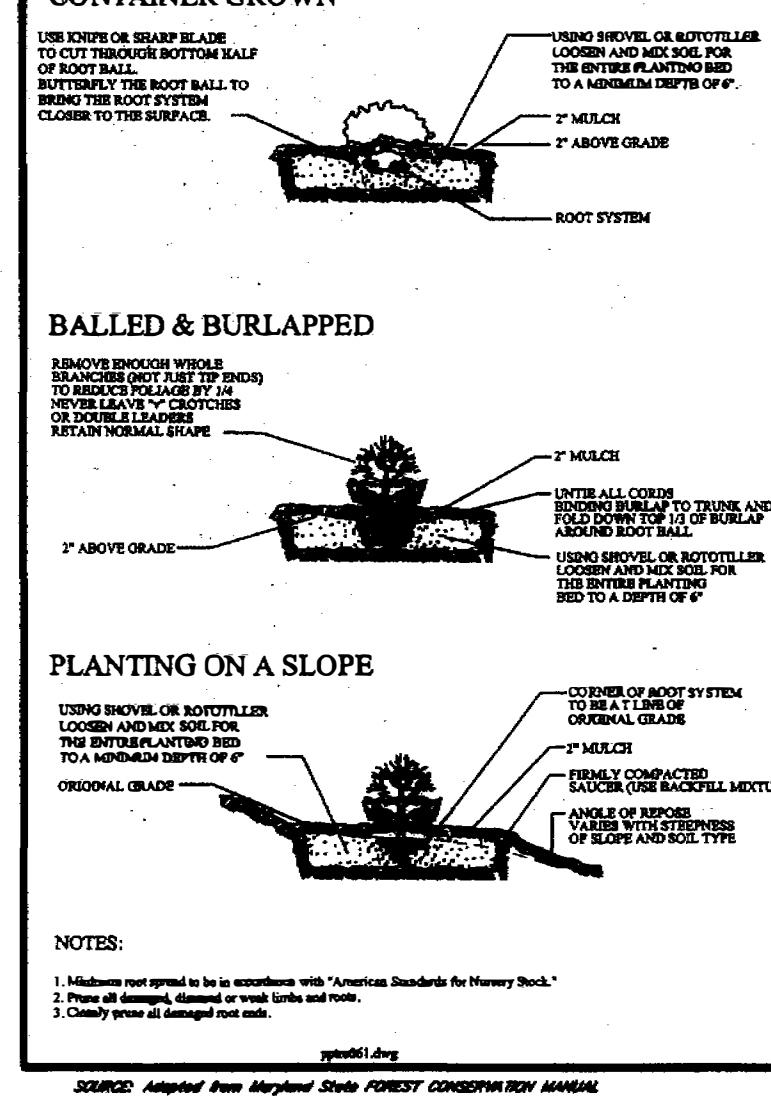
DECIDUOUS TREE PLANTING

CONTAINER GROWN AND BALLED & BURLAPPED STOCK



SHRUB PLANTING

CONTAINER GROWN

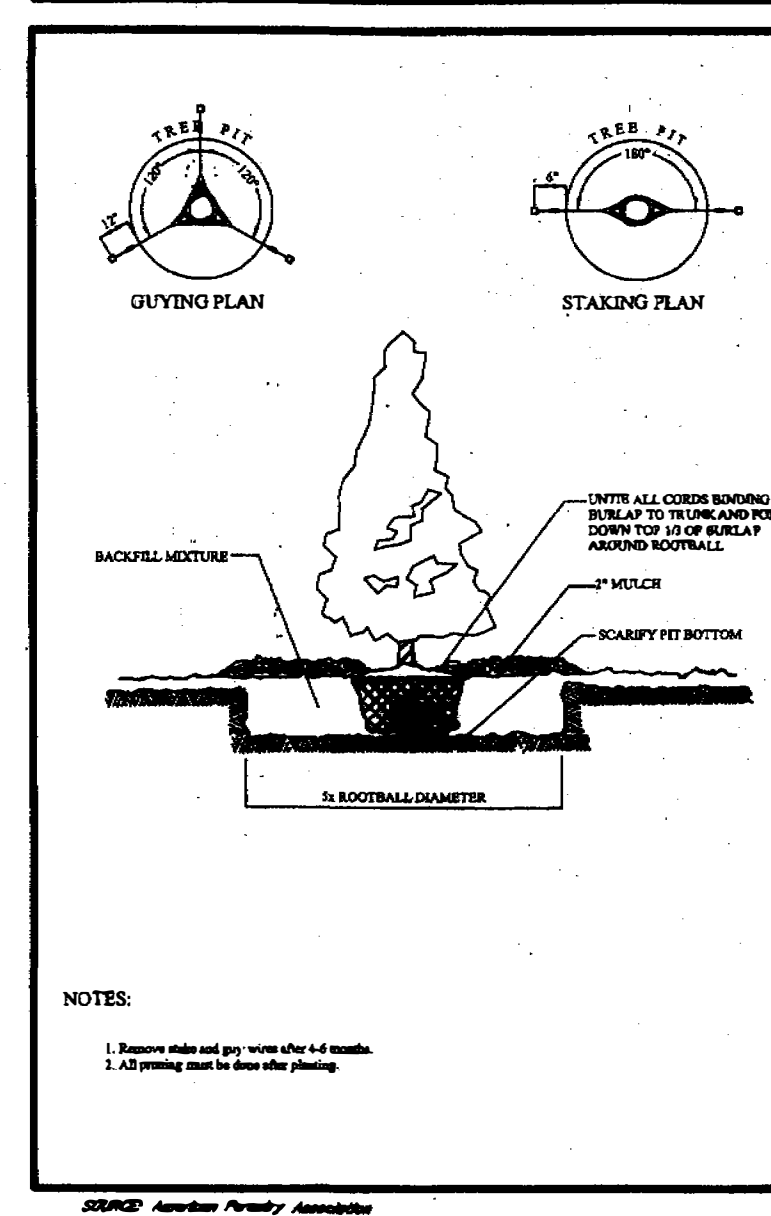


TREE PLANTING AND MAINTENANCE CALENDAR

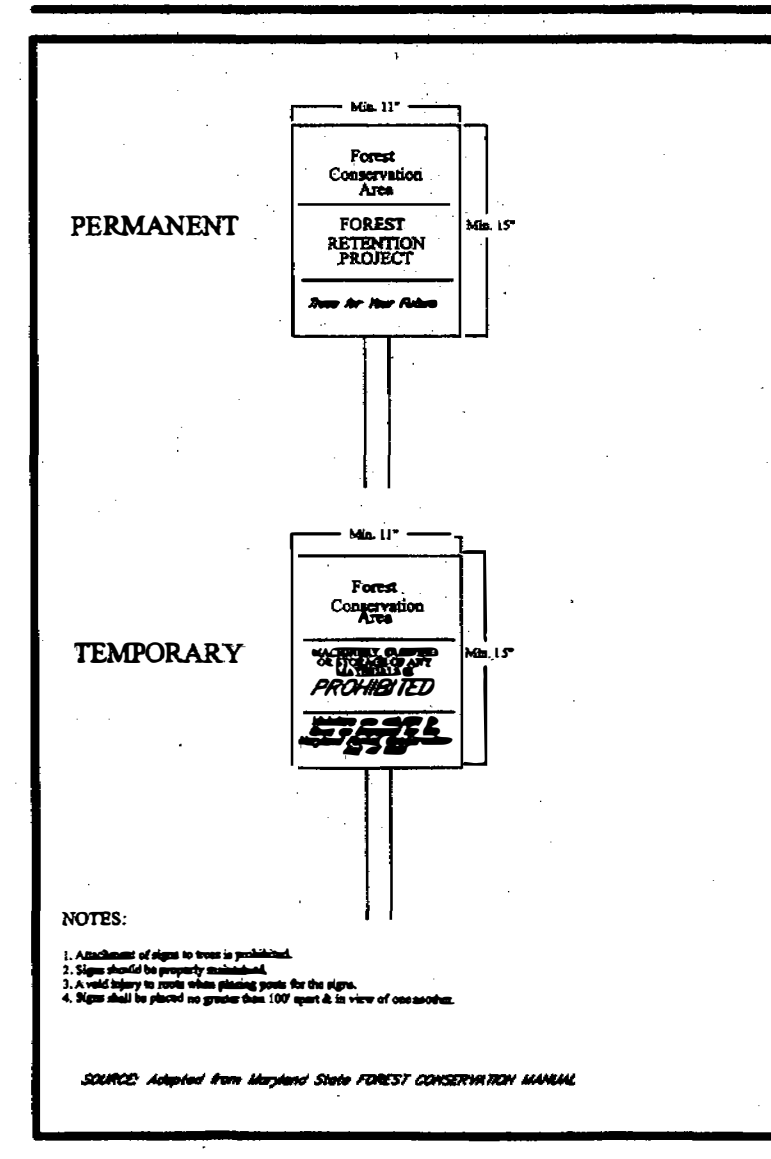
TASKS	MONTHS											
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
TRANSPLANT OF PLANTED TREES												
WATERING												
FERTILIZING												
PRUNING												
WEEDING												
SOIL AERATION												
SOIL MULCHING												
WATERING												
PRUNING												

NOTE: The planting and care of trees is a continuous process and should be carried out throughout the year. The calendar summarizes the major activities to be carried out during the year.

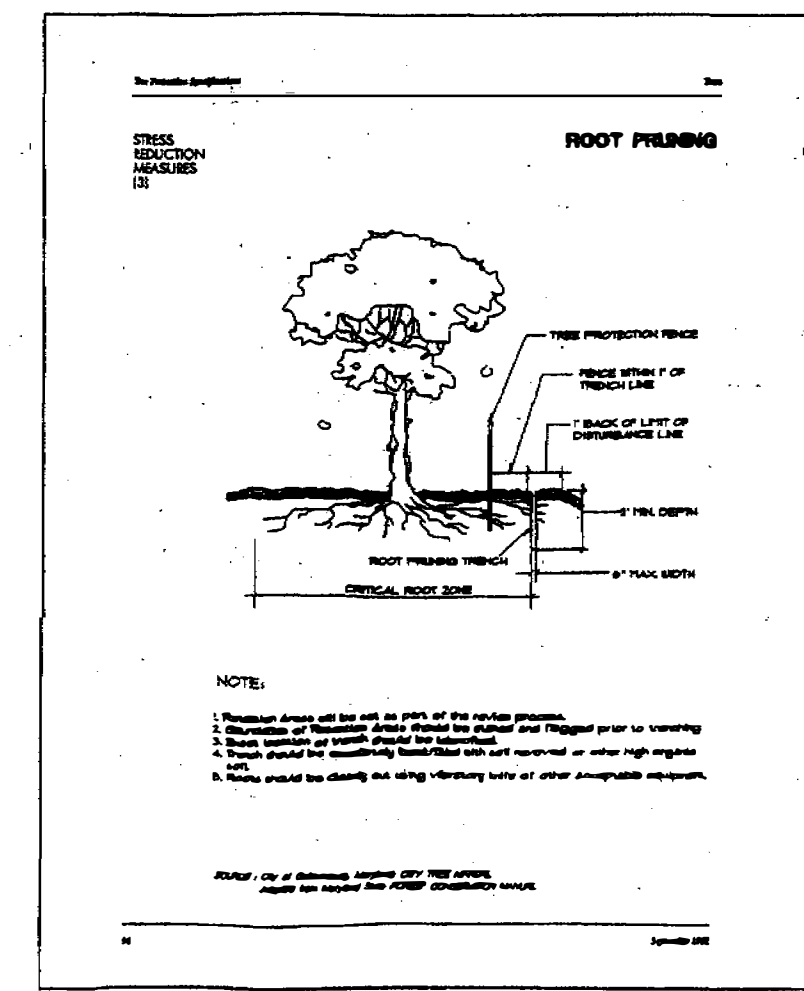
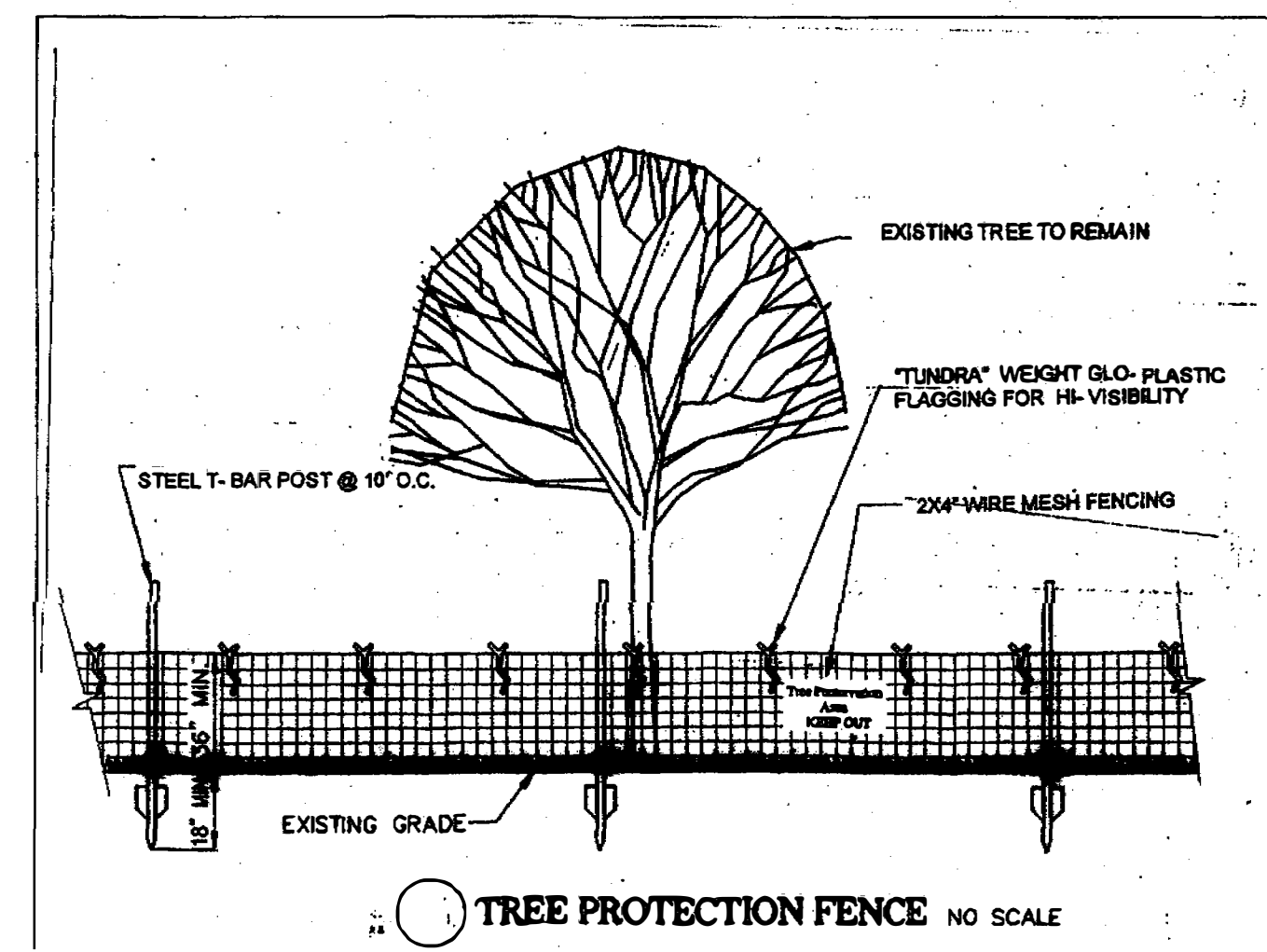
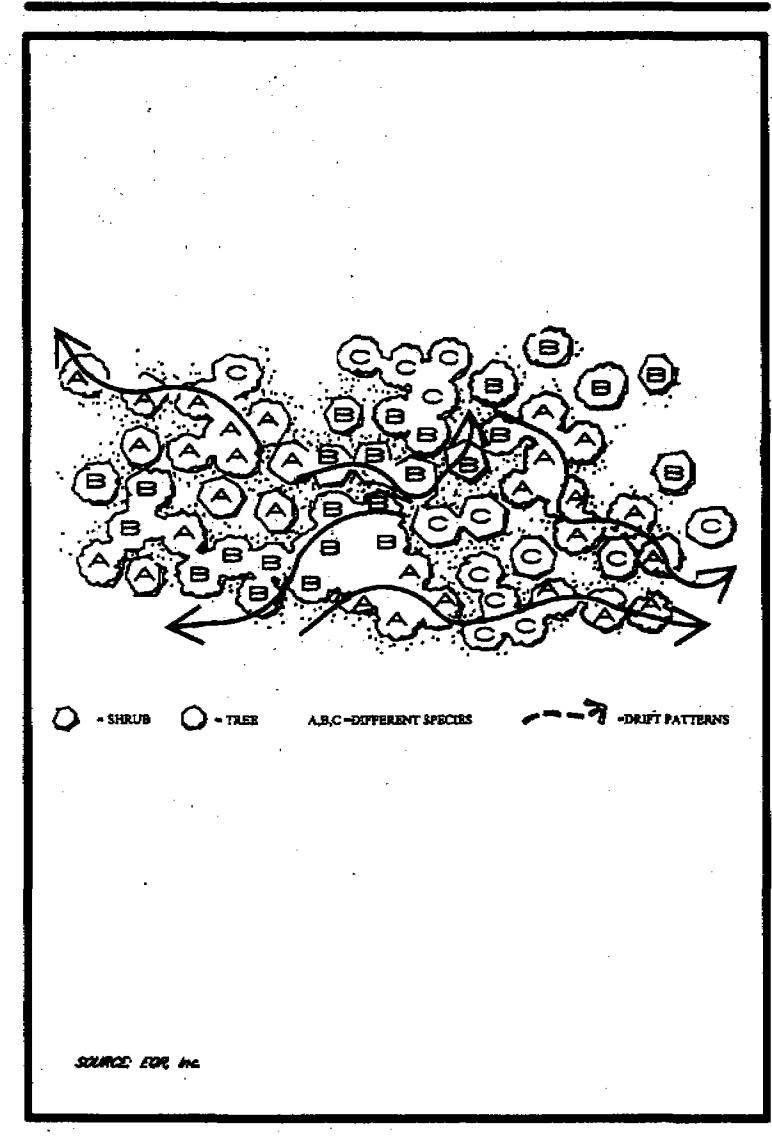
EVERGREEN TREE PLANTING



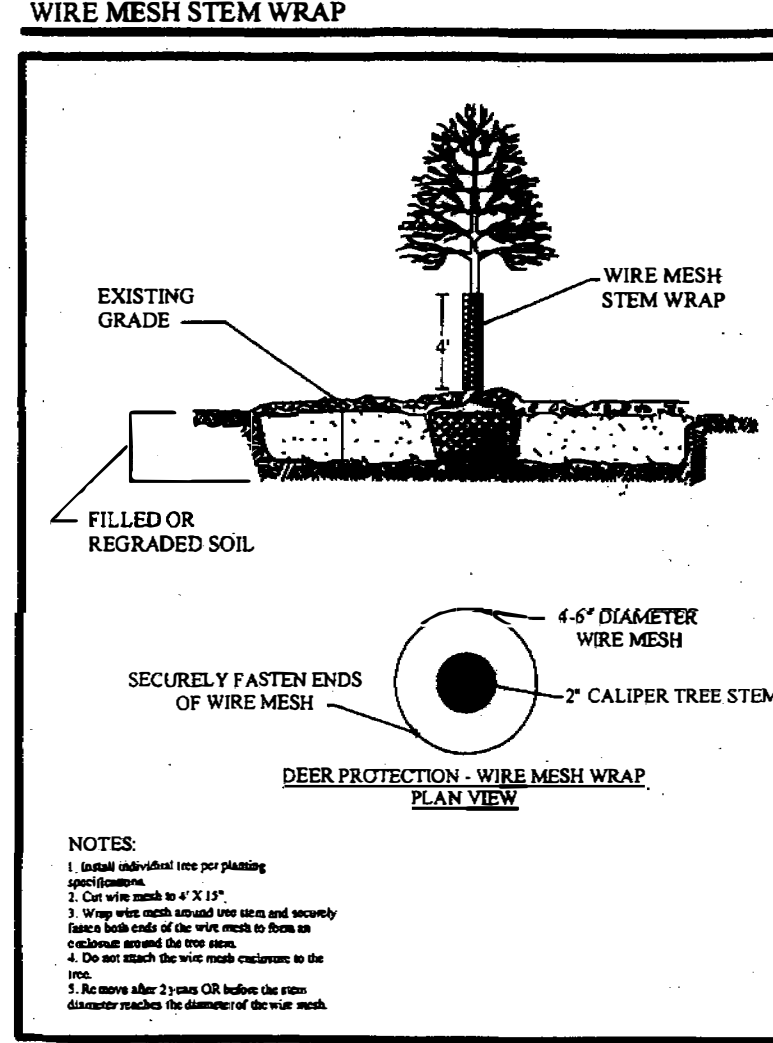
SIGNAGE



PLANTING DISTRIBUTION DETAIL



DEER PROTECTION FENCING: WIRE MESH STEM WRAP



PLANT SCHEDULE:

QTY.	LATIN/COMMON NAME	CALIPER/HEIGHT	SPACING	COMMENT
337	QUERCUS ALBA WHITE OAK	1\" CAL.	15\"x15\"	B & B
337	PLATANUS OCCIDENTALIS EASTERN SYCAMORE	1\" CAL.	15\"x15\"	B & B
337	ACER RUBRUM RED MAPLE	1\" CAL.	15\"x15\"	B & B
337	QUERCUS PALSTRIS PIN OAK	1\" CAL.	15\"x15\"	B & B
337	LIRIODENDRON TULIPIFERA TULIP POPLAR	1\" CAL.	15\"x15\"	B & B
337	JUNIPERUS VIRGINIANA EASTERN RED CEDAR	1\" CAL.	15\"x15\"	B & B
225	ILEX OPACA AMERICAN HOLLY	1-3 GAL.	15\"x15\"	B & B
225	CERCIS CANADENSIS EASTERN RED BUD	1-3 GAL.	15\"x15\"	B & B
225	CORNUS FLORIDA FLOWERING DOGWOOD	1-3 GAL.	15\"x15\"	B & B
	SASSAPARILLA ALBIDUM SASSAPARILLA			B & B
	QUERCUS RUBRA RED OAK			B & B
	SAUX MEDIA BLACK WILLOW			B & B
	ULMUS RUBRA SLIPPERY ELM			B & B
	AMELANCHIER ALBOEA DOWNY SERVICEBERRY			B & B
	HAMAMELIS VIRGINIANA WITCH HAZEL			B & B

FIELD MODIFICATIONS / ADJUSTMENTS
FIELD - BASED MODIFICATIONS TO SPECIES
TYPE AND ALLOCATION MAY BE MADE IN
CONJUNCTION WITH MNCPPC INSPECTOR'S
PERMISSION.

Qualified Professional Certificate

9/10/07
Date

M. D. D. D.
Dusty Road
Qualified Professional
COMAR 08.19.06.01

CALL "MISS UTILITY" AT
1-800-257-7777
48 Hours Before Start of Construction

The excavator must notify all public utility companies with
underground facilities in the area of proposed excavation
and have those facilities located by the utility companies
prior to commencing excavation. The excavator is the MARYLAND NATIONAL CAPITAL
responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.

LOTS 1 THRU 43, BLOCK "A"

THE RESERVE AT BLACK ROCK

6TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

AMENDED FINAL FOREST CONSERVATION NOTES AND DETAILS

APPLICANT:
MICHAEL HARRIS DEVELOPMENT, INC.
1420 SPRING HILL ROAD
SUITE 550
MCLEAN, VIRGINIA 22102
PHONE: (703) 848-4923
CONTACT: MR. MICHAEL SCHWALB

RODGERS
CONSULTING

Enhancing the value of land assets

Rodgers Consulting, Inc.
19847 Century Blvd., Suite 200
Germantown, MD 20874
301.948.4700
301.948.6256 (fax)
301.253.6609
www.roddgers.com

BY	DATE
BASE DATA	CADD 05/06
DESIGNED	RDW 04/07
DRAWN	LBT 04/07
REVIEWED	DR 04/07
RODGERS CONTACT:	KIM MCCARY
RELEASE FOR	
BID SET	
DATE	08/07

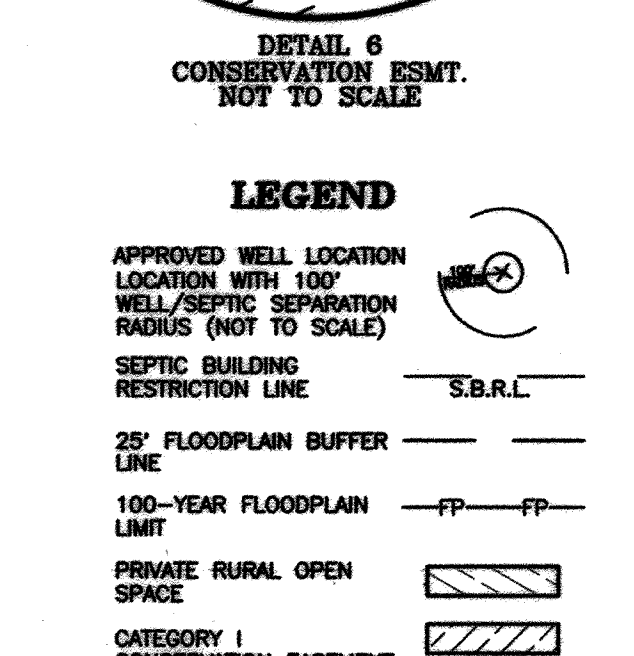
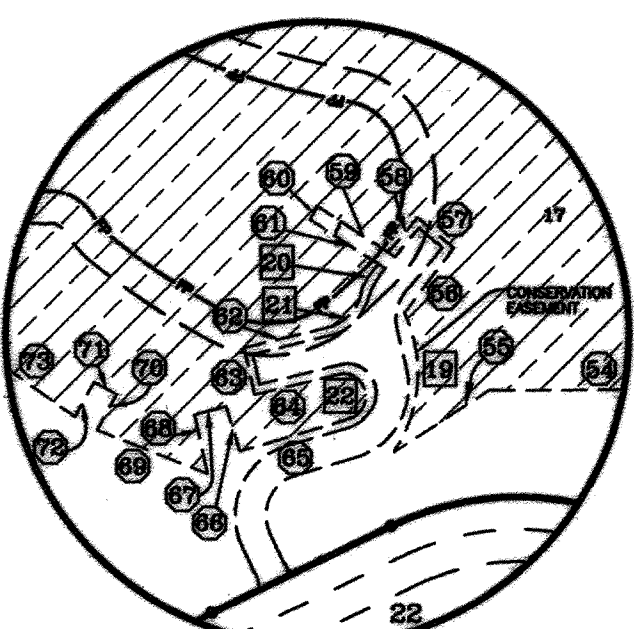
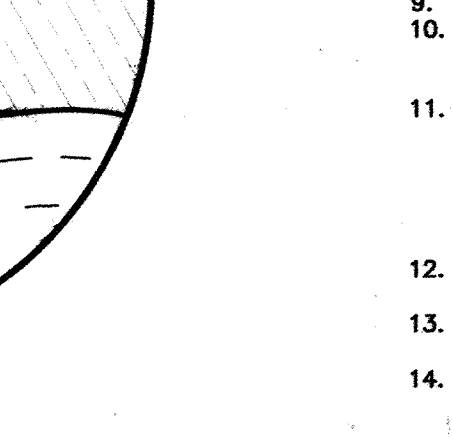
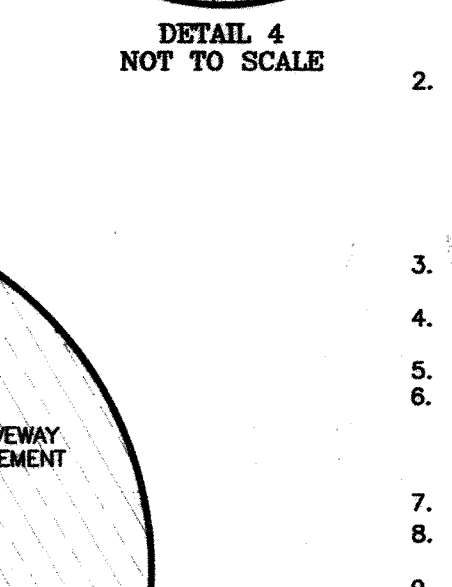
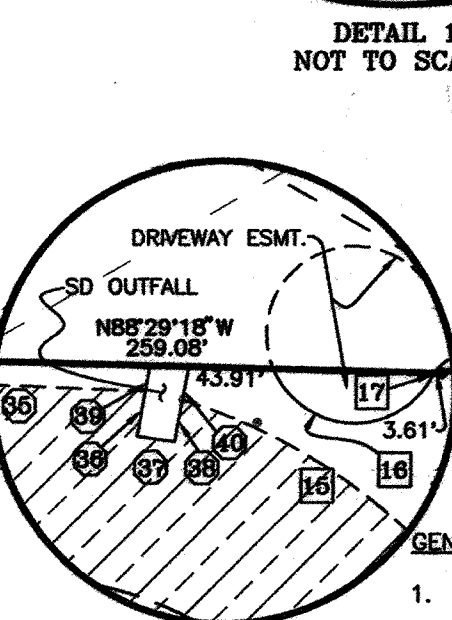
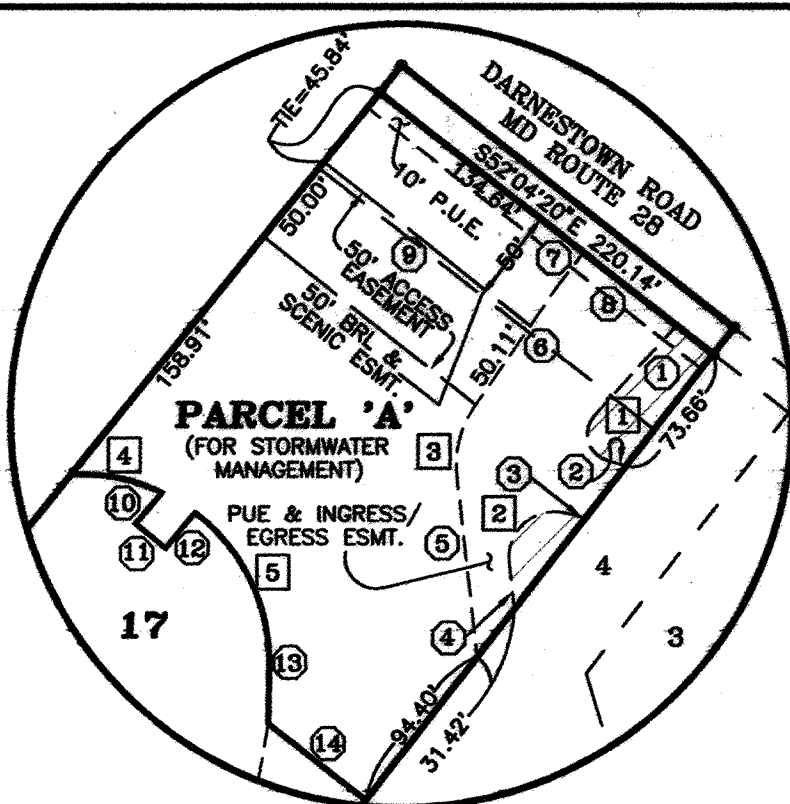
SEP 10 2009
JOB No. 713B
DATE JULY 2007
FCP-6
SHEET No. 6 OF 6

P 1169755 NWA SSW 1249 630-125 2627-1

LINE	BEARING	LENGTH
1	N42°08'26"E	63.70'
2	N74°05'43"W	10.33'
3	N74°05'43"W	9.42'
4	N06°31'03"W	24.09'
5	N06°31'03"W	04.35'
6	N34°30'45"E	78.38'
7	N38°18'36"E	20.13'
8	N52°04'20"W	81.40'
9	N51°40'24"W	136.98'
10	N40°43'10"E	21.38'
11	N51°04'39"W	20.26'
12	N39°28'38"E	24.02'
13	N00°54'26"E	38.69'
14	N51°53'00"W	64.48'
15	N07°07'01"W	35.64'
16	N34°48'26"E	19.01'
17	N34°23'57"E	16.68'
18	N53°59'57"W	17.39'
19	N16°21'56"E	18.82'
20	N66°33'07"W	96.71'
21	N47°16'41"E	216.18'
22	N75°18'59"E	294.47'
23	N06°44'39"E	532.00'
24	N10°02'06"E	136.48'
25	N60°31'24"E	8.43'
26	N57°50'50"W	152.18'
27	N72°15'30"W	258.27'
28	N75°25'38"W	278.35'
29	N17°33'42"E	89.55'
30	N62°01'28"E	130.15'
31	N72°13'34"W	102.63'
32	N64°13'55"E	155.45'
33	N51°38'34"W	46.80'
34	N00°56'27"E	51.21'
35	N87°39'06"W	165.53'
36	N10°08'22"E	23.80'
37	N82°10'21"W	19.73'
38	N10°34'35"E	21.99'
39	N10°08'22"E	37.24'
40	N10°34'35"E	39.48'
41	N82°58'38"E	130.88'
42	N36°35'40"E	40.87'
43	N57°25'46"W	40.06'
44	N32°13'31"E	23.24'
45	N53°38'30"W	187.83'
46	N65°50'35"E	88.88'
47	N81°55'05"E	69.70'
48	N71°37'53"W	458.22'
49	N75°19'04"E	66.72'
50	N69°34'06"W	222.48'
51	N38°32'55"E	105.43'
52	N85°43'27"E	170.54'
53	N72°46'30"W	91.24'
54	N89°41'14"E	236.56'
55	N57°02'11"E	88.48'
56	N36°52'59"E	63.77'
57	N50°20'40"W	36.80'
58	N40°12'01"E	35.20'
59	N57°14'56"W	65.82'
60	N30°49'49"E	11.67'
61	N56°56'56"E	63.77'
62	N76°23'59"E	70.60'
63	N13°17'07"W	37.32'
64	N76°36'26"E	70.10'
65	N73°27'52"E	66.15'
66	N17°08'12"W	36.75'
67	N75°09'14"E	25.39'
68	N12°14'04"W	47.45'
69	N66°20'56"E	92.65'
70	N26°48'53"E	31.51'
71	N61°13'07"W	20.00'
72	N26°48'53"E	30.89'
73	N54°52'56"W	65.03'
74	N45°13'51"W	62.18'
75	N18°18'11"W	33.12'
76	N78°35'16"E	113.93'
77	N25°46'05"W	25.77'
78	N73°44'28"E	48.35'
79	N13°35'13"W	32.98'
80	N39°38'58"E	44.85'
81	N50°23'02"W	24.00'
82	N39°38'58"E	28.12'
83	N57°04'28"W	50.57'
84	N22°21'09"E	12.10'
85	N56°56'21"W	46.95'
86	N76°24'47"E	63.32'
87	N13°35'13"W	24.00'
88	N78°24'47"E	64.80'
89	N73°44'28"E	48.35'
90	N25°46'05"W	25.77'
91	N37°14'28"E	33.17'
92	N15°04'47"E	95.06'
93	N51°55'28"W	54.53'

LINE	BEARING	LENGTH
99	N87°28'44"W	34.67'
100	N64°45'21"W	72.66'
101	N37°02'55"W	12.60'
102	N26°30'03"W	53.08'
103	N62°49'51"E	20.24'
104	N27°48'58"W	56.28'
105	N64°01'44"E	12.49'
106	N25°10'11"W	37.91'
107	N65°08'56"E	20.94'
108	N26°28'28"W	47.50'
109	N84°13'55"E	12.32'
110	N66°55'18"E	30.23'
111	N24°55'30"W	25.50'
112	N65°40'40"E	55.54'
113	N61°51'22"W	83.89'
114	N06°39'53"W	36.98'
115	N62°05'03"W	63.72'
116	N46°18'29"W	56.72'
117	N48°07'10"E	20.00'
118	N42°28'45"W	58.30'
119	N72°13'34"W	30.65'
120	N07°00'57"W	40.74'
121	N85°43'27"E	20.02'
122	N07°00'57"W	32.48'
123	N72°13'34"W	49.95'
124	N59°28'19"W	88.18'
125	N04°48'18"W	112.95'
126	N26°50'15"E	49.73'
127	N61°13'07"W	20.00'
128	N26°48'44"E	11.54'
129	N67°05'40"W	175.71'
130	N83°09'25"E	76.88'
131	N84°54'40"E	206.85'
132	N88°28'38"W	62.90'
133	N71°07'33"W	74.62'
134	N26°34'47"W	303.60'
135	N80°44'00"W	178.45'
136	N81°15'39"W	255.96'
137	N84°28'43"E	169.01'
138	N39°05'19"E	111.57'
139	N61°52'06"E	211.75'
140	N76°38'31"E	240.53'
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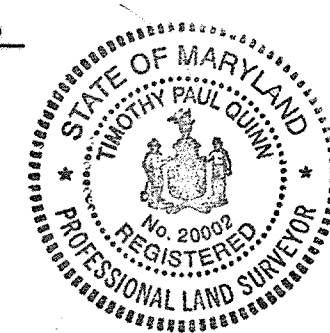
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
1	14.00'	28.40'	22.51'	23.78'	N15°58'39"W	116°14'10"
2	24.00'	47.09'	35.87'	39.89'	N49°41'37"E	112°25'19"
3	52.43'	37.55'	19.62'	36.75'	N13°59'51"E	41°01'47"
4	98.12'	48.79'	24.91'	48.29'	N78°48'23"W	28°29'28"
5	98.12'	88.11'	47.27'	85.18'	N27°05'58"W	51°27'03"
6	375.00'	5.28'	2.62'	5.23'	N08°15'37"W	04°47'59"
7	225.00'	274.44'	157.21'	257.74'	N27°04'55"E	89°53'05"
8	75.00'	59.89'	31.64'	58.31'	N84°53'57"E	45°44'59"
9	150.00'	120.08'	63.48'	116.88'	N84°50'37"E	45°51'38"
10	300.00'	81.10'	40.80'	80.85'	N54°10'10"E	15°29'17"
11	75.00'	30.23'	15.32'	30.02'	N66°10'20"W	23°05'30"
12	230.00'	152.74'	79.31'	149.95'	N83°15'25"E	38°03'00"
13	125.00'	130.00'	71.57'	124.22'	N34°28'14"E	59°35'22"
14	44.09'	80.84'	38.47'	58.21'	N47°22'44"W	79°11'36"
15	301.16'	137.29'	69.66'	136.11'	N59°49'07"W	26°07'13"
16	48.00'	103.28'	65.67'	82.91'	N87°12'01"W	128°38'23"
17	24.00'	2.14'	1.07'	2.14'	N31°02'15"E	5°06'55"
18	92.58'	204.19'	182.15'	185.48'	N30°18'17"W	125°58'01"
19	109.43'	113.42'	62.40'	108.41'	N04°09'42"E	59°23'00"
20	74.76'	22.38'	11.27'	22.29'	N33°42'13"E	17°09'04"
21	34.59'	40.54'	22.96'	38.28'	N38°14'05"E	67°08'58"
22	18.11'	54.99'	342.23'	36.18'	N04°43'08"W	173°56'27"
23	24.00'	10.31'	5.24'	10.24'	N38°04'49"W	24°37'28"
24	33.00'	57.31'	38.98'	50.38'	N23°59'11"E	99°30'34"
25	57.00'	88.88'	54.40'	78.71'	N30°04'38"E	87°19'42"
26	33.00'	30.84'	16.53'	29.55'	N13°00'53"E	53°12'12"
27	68.78'	27.89'	14.21'	27.63'	N29°01'14"E	27°11'24"
28	39.00'	41.64'	23.05'	39.69'	N45°49'38"E	61°10'21"
29	23.00'	53.17'	62.23'	42.10'	N37°21'16"W	132°27'53"
30	33.00'	25.84'	13.62'	25.18'	N51°18'34"E	44°51'48"
31	57.00'	99.00'	67.34'	87.01'	N23°59'11"E	99°30'34"
32	24.00'	10.31'	5.24'	10.24'	N13°27'22"W	24°37'28"
33	60.00'	49.57'	26.30'	48.17'	N36°30'29"W	47°20'01"



SURVEYOR'S CERTIFICATE

See sheet 1 of 2 for certificate.

4-23-09
DATE



TIMOTHY PAUL QUINN
PROFESSIONAL LAND SURVEYOR
MD REGISTRATION NO. 20002

GENERAL NOTES:

- This Subdivision Record Plat is not intended to show every matter affecting the ownership and use, nor every matter restricting the ownership and use of this property. The Subdivision Record Plat is not intended to replace an examination of title or to depict or note all matters affecting title.
- All terms, conditions, agreements, limitations and requirements associated with any preliminary plan, site plan, project plan or other plan allowing development of this property, approved by Montgomery County Planning Board are intended to survive unless expressly contemplated by the plan as approved. The official public files for any such plan are maintained by the Planning Board and available for public review during normal business hours.
- Septic building restriction lines are subject to change, with Montgomery County Department of Permitting Services Well and Septic approval.
- The septic area shown on this plat for Lot 17 is designed for a six-bedroom house using a sand mound septic system only.
- For private septic systems and well systems only.
- The property shown hereon is subject to the requirements of the Montgomery County Forest Conservation Law, including approval of a Final Forest Conservation Plan and appropriate agreements prior to the issuance of a Sediment Control Permit.
- This property is zoned RC.
- This plat is limited to the uses and conditions of the Preliminary Plan No. 120061230, entitled "Butz Property".
- This property is shown on Tax Map Grid DS53.
- Uses within the Rural Open Space must be in accordance with approved Preliminary Plan 120061230 and with the provisions of Section 59-C-9.5 of the Montgomery County, Maryland Zoning Ordinance.
- There are no FEMA mapped 100-year Floodplains for the subject property. The 100-year Floodplain shown hereon is taken from the Macris, Hendricks and Glascock NRI/FSI approved in 2001. The 100 year floodplain shown hereon is fully contained within the Category I Conservation Easement and as such no DPS Floodplain Study was required under SWM Concept No. 226544 issued 7-13-2006.
- Access is denied except at approved locations along Darnestown Road (Maryland Route 28).
- The land contained hereon is within an approved cluster development and subdivision or resubdivision is not permitted after the property is developed.
- This survey is in the Maryland Coordinate System (NAD83), based on Real Time Kinematic GPS observations and conventional traversing methods. Controlling station is WSSC NAD 83 Traverse Station #20302.
- #20302 NORTHING: 526912.775 SFT EASTING: 1224936.235 SFT
- See Lot and Parcel layout on Sheet 1 of 2.
- Parcels A, G, and H, Block A are subject to a Common Open Space Covenant as recorded in Liber 28045 at Folio 578 among the Land Records of Montgomery County, Maryland.
- Parcels A, G, and H, Block A are to be conveyed to the HOA.
- The property shown hereon is subject to a "Declaration of Covenants" for Private Open Space recorded in Liber 26248 at Folio 472 among the Land Records of Montgomery County, Maryland.
- Parcels A, G, and H are subject to a Common Open Space Covenant as recorded in Liber 28045 at Folio 578 among the Land Records of Montgomery County, Maryland.

SAND MOUND NOTES:

The sand mound septic area(s) shown on this plat are intended for the initial and future use of the dwelling to be served. It is imperative that all the sand mound sites be protected from physical damage until such time, if ever, that the property is served by a public sewer system. There must be no disturbance of the native soil, including but not limited to compaction, grading, cut or fill, etc., for the area of the mounds and the area within 25 feet of each mound. Any such disturbance may render the septic approval of the lot void; or may revoke the property owner's ability to expand the use of the property. Each sand mound site must be maintained with an approved vegetative cover such as grass, wild flowers, or a leafy groundcover. No trees or shrubs are allowed. (In cases where sand mounds have been approved on wooded sites, the trees must remain undisturbed until such time that the sand mound needs to be constructed. At that time, the trees must be cut flush with the ground surface and the stumps allowed to remain.) Vehicle traffic over the mound sites is to be limited to mowing equipment only.

LEGEND

- APPROVED WELL LOCATION WITH 100' WELL/SEPTIC SEPARATION RADIUS (NOT TO SCALE)
- SEPTIC BUILDING RESTRICTION LINE
- 25' FLOODPLAIN BUFFER LINE
- 100-YEAR FLOODPLAIN LIMIT
- PRIVATE RURAL OPEN SPACE
- CATEGORY I CONSERVATION EASEMENT

FOR PRIVATE WELL AND SEPTIC ONLY

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD
Approved May 21, 2009
CHAIRMAN ASST. SECRETARY-TREASURER
MNCPC&P Record File No. 630-126

MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES
Approved 09/23/2009
DIRECTOR

DRAWN MNB
COMPUTED MNB
CHECKED TPQ
RECORDED
PLAT BOOK
PLAT NO.



19847 Century Boulevard
Suite 200
Germantown, Maryland 20874
Ph: 301.948.4700 (Main)
Ph: 301.253.6609 (Frederick)
Fax: 301.948.6256
www.rodgers.com

RECEIVED

NOV 20 2009

Clerk of the Circuit Court
Montgomery County, Md.

THE RESERVE AT BLACK ROCK
DARNESTOWN (6th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 200' NOVEMBER, 2007

SHEET 2 OF 2
PLAT NO.: 11
JOB NO.: 082544

2-08092106123072710(12)RC

630-126
MSA SSc 1249 29627-2

LF 13178.412

CONSERVATION EASEMENT AGREEMENT

Category I

DEFINITIONS

Grantor: Fee simple owner of real property subject to a:
 (i) Plan approval conditioned on compliance with a FCP; or
 (ii) Plan approval conditioned on compliance with a conservation easement agreement (issued pursuant to Chapter 50 or 59, Montgomery County Code).

Grantee: Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission ("Commission").

Planning Board: Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission.

Planning Director: Director of the Montgomery County Planning Department of the Maryland-National Capital Park and Planning Commission, Montgomery County, or the Director's designee.

Plan: Sediment control permit approved pursuant to Montgomery County Code Chapter 19; preliminary plan approved under Montgomery County Code Chapter 50; site plan, development plan, planned unit development or special exception application approved under Montgomery County Code Chapter 59; mandatory referral reviewed pursuant to Article 28 of Maryland State Code Annotated; approved major utility construction (as defined by Washington Suburban Sanitary Commission's regulations).

Forest Conservation Plan ("FCP"): Forest Conservation Plan approved by the Planning Board or Planning Director pursuant to Chapter 22A, Montgomery County Code.

Exhibit A:

- (i) FCP approved as a condition of receiving any of the approvals noted above; or
 (ii) Approved and signed Plan referencing this Agreement.

DEED 905 9 8.00
 RECORDING FEE 8.00
 TOTAL 16.00
 REC'D JAN 11 1994
 DEC 30, 1994 12:24 PM

WITNESSETH

This Agreement reflects a grant of easement by Grantor to the Grantee.

WHEREAS Grantor (or Grantor's agent) has obtained authority to develop pursuant to a Plan in accordance with Montgomery County, Maryland laws; and

WHEREAS, the Planning Board or other approving authority approved Grantor's Plan conditioned upon a requirement that development occur in strict accordance with a FCP approved by the Planning Board after full review of the FCP pursuant to the

94 DEC 30 P 12:27.1

FILED
MOLLY O. RUHL
CLERK OF COURT
MONTGOMERY COUNTY, MD

provisions of Montgomery County Code Chapter 22A (Forest Conservation); Chapter 50 (Subdivision Regulations); and/or Chapter 59 (Zoning Ordinance); and/or

the Planning Board approved Grantor's Plan conditioned upon Grantor subjecting the property to be developed ("Property") or a portion of the property to be developed to a conservation easement pursuant to the provisions of Montgomery County Code Chapter 50 (Subdivision Regulations), and/or Chapter 59 (Zoning Ordinance); and

WHEREAS, the location of this easement ("Easement") is as shown on Exhibit A (incorporated by reference into the terms of this Agreement); and

WHEREAS, the purpose of this Easement is to protect existing and future forest cover; individual trees; streams and adjacent buffer areas, wetlands and other sensitive natural features; and to maintain existing natural conditions to protect plant habitats, water quality and wildlife; and

WHEREAS, the purpose includes preservation of the natural beauty of the property subject to the Easement and prevention of any alteration, construction or destruction that will tend to mar or detract from such natural beauty; and

WHEREAS, the purpose also includes the protection and preservation of natural features within the area of the Easement which efforts are consistent with the terms and conditions of the approved plan and applicable law; and

WHEREAS, the Parties intend for the conditions and covenants contained in this Easement Agreement to run with the land in perpetuity and to be binding on all subsequent owners and occupants of the Property; and

WHEREAS, the Parties intend that a servitude be placed upon the Property to create a conservation benefit in favor of the Planning Board.

NOW, THEREFORE, the Grantor has executed this agreement for no monetary consideration but for the purpose of ensuring compliance with development standards imposed in accordance with Montgomery County law as a condition of development approval. The Grantor does hereby grant and convey unto the Planning Board, in perpetuity, an Easement on the Property of the size and location described in Exhibit A, and further described on the applicable record plat(s), of the nature and character described herein. This Easement constitutes a covenant real running with the title of the land, and is granted to preserve, protect and maintain the general topography and natural character of the land. Grantor, its heirs, successors and assigns covenant to abide by the following restrictions within the Easement:

1. The foregoing recitals are agreed to and incorporated herein and shall be binding upon the parties.

2. No living trees or shrubs (of any size or type) shall be cut down, removed or destroyed without prior written consent from the Planning Board. Diseased or hazardous trees or limbs may be removed to prevent personal injury or property damage after reasonable notice to the Planning Board, unless such notice is not practical in an emergency situation or is undertaken pursuant to a forest management plan approved by the Planning Director or Maryland's Department of Natural Resources ("DNR").

3. No plant materials (including, but not limited to brush, saplings, undergrowth, or non-woody vegetation) shall be mowed or cut down, dug up removed or destroyed unless removed pursuant to the terms and conditions of an approved forest management plan. Noxious weeds (limited to weeds defined as "noxious" under Maryland State or Montgomery County laws or regulations and "exotic or invasive plants" in the Montgomery County Trees Technical Manual) may be removed as required by law or according to an approved management plan, but the method of removal must be consistent with the limitations contained within this Agreement. Vegetation removal shall be limited to noxious, exotic or invasive weeds only, and protective measures must be taken to protect nearby trees and shrubs.

4. No mowing, agricultural activities, or cultivation shall occur. Grantor may replace dead trees or undergrowth provided that new plantings are characteristic of trees or undergrowth native to Maryland.

5. Nothing in this Agreement precludes activities necessary to implement or maintain afforestation or reforestation efforts pursued pursuant to an approved forest conservation plan or maintenance agreement implemented under Chapters 19 or 22A of the Montgomery County Code.

6. The following activities may not occur at any time within the Easement Area:

- a. Construction, excavation or grading (except for afforestation and reforestation efforts conducted in compliance with an approved forest conservation plan).
- b. Erection of any building or structural improvements on or above ground, including (but not limited to) sheds, dog pens, play equipment and retaining walls.
- c. Construction of any roadway or private drive.
- d. Activities which in any way could alter or interfere with the natural ground cover or drainage

(including alteration of stream channels, stream currents or stream flow).

- e. Industrial or commercial activities.
- f. Timber cutting, unless conducted pursuant to a forest management plan approved by DNR.
- g. Location of any component of a septic system or wells.
- h. Excavation, dredging, or removal of loam, gravel, soil, rock, sand and other materials.
- i. Diking, dredging, filling or removal of wetlands.
- j. Pasturing of livestock (including horses) and storage of manure or any other suit.
- k. Alteration of stream.

7. Nothing in this Agreement shall prevent construction or maintenance of stormwater structures and/or facilities or other utilities, including, but not limited to water and sewer lines, on, over, or under the Easement Area, if said structures, facilities or utilities are (i) required to implement the Plan, (ii) shown on the approved FCP, and (iii) approved by the appropriate governing bodies or agencies in accordance with applicable laws and regulations.

8. No dumping of unsightly or offensive material, including trash, ashes, sawdust or grass clippings shall occur. Natural biodegradable materials may be allowed in a properly located, designed, managed and maintained compost pile, provided the activity does not damage adjacent trees. Upon prior written approval of the Planning Director, suitable heavy fill and other stabilization measures may be placed to control and prevent erosion, provided that the fill is covered by arable soil or humus and properly stabilized.

9. Fences consistent with the purposes of the Easement may be erected within the Easement Area only after written approval from the Planning Director

10. Unpaved paths or trails consistent with the purposes of the Easement may be created within the Easement Area if shown on the FCP or with prior written approval from the Planning Director.

11. All rights reserved by or not prohibited to Grantor shall be exercised so as to prevent or minimize damage to the forest and trees, streams and water quality, plant and wildlife habitats, and the natural topographic character of the land within the Easement.

12. Grantor authorizes Planning Board representatives to

enter the Property and Easement at their own risk and at reasonable hours for the purpose of making periodic inspections to ascertain whether the Grantor, its heirs, successors or assigns have complied with the restrictions, conditions, and easements established herein. This Easement does not convey to the general public the right to enter the Property or Easement for any purpose. The Easement does not restrict or enlarge access to the general public in common open space held under community or homeowner association control beyond any access rights created by applicable community or homeowner association covenants and by-laws.

13. Grantor further agrees to make specific reference to this Easement in a separate paragraph of any subsequent deed, sales contract, mortgage, lease or other legal instrument by which any interest in the Property is conveyed.

14. No failure on the part of the Planning Board to enforce any covenant or provision herein shall waive the Planning Board's right to enforce any covenant within this agreement.

15. Upon finding a violation of any of the restrictions, conditions, covenants and easements established by this Agreement, the Planning Board shall have the right to enforce such provisions in accordance with any statutory authority (including, if applicable, the imposition of civil monetary fines or penalties in amounts and by such means as may be promulgated from time to time). The Planning Board also may seek injunctive or other appropriate relief in any court of competent jurisdiction, including the right to recover damages in an amount sufficient to restore the property to its original natural state, and Grantor agrees to pay for court costs and reasonable attorney fees if the Planning Board successfully seeks judicial relief.

16. All written notices required by this Agreement shall be sent to the Planning Director, M-NCPPC, 8787 Georgia Avenue, Silver Spring, Maryland 20910.

TO HAVE AND TO HOLD unto the Planning Board, its successors and assigns forever, this Grant shall be binding upon the heirs, successors and assigns of the Grantor in perpetuity and shall constitute a covenant real running with the title of the Property.

* * * * *

This is to certify that the within instrument has been prepared under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

Michele Rosenfeld

Michele Rosenfeld
Associate General Counsel
M-NCPPC

LF 13178.417



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks, Montgomery County, Maryland
8500 Brunetz Avenue • Silver Spring, Maryland 20801

December 30, 1994

Clerk of the Circuit Court
Judicial Center
50 Courthouse Square
Rockville, Maryland 20850

Dear Clerk:

Please record among the Land Records of Montgomery County, Maryland the attached conservation easement on behalf of The Maryland-National Capital Park and Planning Commission. The Commission is a state-created agency authorized to buy, sell and otherwise dispose of real property interests pursuant to Article 28 of the Annotated Code of Maryland and therefore is exempt from transfer and recording fees.

Your cooperation in this regard is appreciated.

Sincerely,

William E. Gries
Land Acquisition Specialist

WG/kb
/clerk.ltr/

MONTGOMERY COUNTY PARKS

Issued FAQs

Citation No. EPD 000213

Administrative Citation
Forest Conservation
The Maryland-National Capital Park and Planning Commission
vs.

Name: Jeremy F. Butz
First Middle Last
Company/Position: Property owner
Address: 15818 Seneca Run Court Germantown, MD 20874 (Lot 17 Block A Reserve at Black Rock)
Phone Number: _____ Fax Number: _____ Email: _____

Location and Description of Violation:

Address/location of site: Category 1 Conservation Easement on Lot 17, Block A Reserve at Black Rock

Pursuant of the M-NCPPC's authority under Chapter 22A of the Montgomery County Code, it is formally charged that the above named defendant on 04/11/2014 (date) at the stated site location did commit the following:
Cut, cleared and removed approximately 24,000 square feet of forest from Category 1 Conservation easement; grading, excavating stumps, altering stream flow within a Category 1 conservation easement

In violation of:

- ☒ Montgomery County Code, Chapter 22A
☒ Approval of Forest Conservation Plan No. 120061230 ☐ Other: _____

Civil Fine and Compliance:

1. (a) ☒ You shall pay a fine of \$ \$1,000.00 by 05/09/14 (date) and complete the remedial action listed below
(b) ☐ You shall pay a daily fine of \$ _____ if the original fine has not been paid, by _____ (date). The daily fine shall accrue (until the original fine is paid).
2. ☐ You shall pay a daily fine of \$ _____ until the remedial action listed below is completed. This fine shall be paid within 15 days of completion of all remedial action.

Checks should be made payable to M-NCPPC and shall be paid during normal business hours at the information Counter of M-NCPPC's Montgomery Regional Office located at 8787 Georgia Avenue, 2nd Floor, Silver Spring, MD 20910, 301-495-4610. Failure to comply with this citation may result in further enforcement proceedings and/or issuance of additional citations including additional fines. You may also request a hearing before the Planning Board or the Board's designee. If you elect to request a hearing, you must notify the M-NCPPC Office of the General Counsel, in writing, at 8787 Georgia Avenue, Suite 205, Silver Spring, MD 20910, within 15 days of the citation.

Remedial Action:

1. ☒ 1) Stop cutting trees from Category 1 conservation easement
2) Submit to the Planning Department for review and approval an amended final forest conservation plan that: (1) shows the activities done within the Category 1 conservation easement (2) shows areas of Category 1 conservation easement requiring pond maintenance (3) shows replanting plan for all areas of Category 1 conservation easement where planting is permitted.
by: _____ (date) _____
If remedial action is not completed by _____ (date), you shall pay a daily fine of \$ _____ a day until work is completed.
2. ☒ Remedial Action #2 to be done by May 22, 2014
2. ☐ You have violated Chapter 22A of the Montgomery County Code, and may be subject to an Administrative Civil Penalty and additional corrective measures.

Acknowledgment:

I sign my name as a receipt of a copy of this Citation and not as an admission of guilt. I will comply with the requirements set forth in this Citation. I have a right to request a hearing for the offense(s) charged. If I do not exercise my right to a hearing, I agree to entry by the court judgment on affidavit for the amount of the fine.

Defendant's Signature

Date

Affirmation:

I solemnly affirm under the penalties of perjury, and upon personal knowledge or based on the affidavit, that the contents of this citation are true to the best of my knowledge, information and belief and that I am competent to testify on these matters.

Inspector's Signature

Date

Print Name:

Phone Number:

Stephen Peck
Stephen Peck

04/21/2014
301-495-4564

CONSTRUCTION SEQUENCE

1. Notify the Montgomery Soil Conservation District 48 hours prior to starting construction. Cal 301-590-2855 Ext 3
2. Install sediment controls as shown on plan.
3. Remove all trees and vegetation from embankment area and 15' beyond proposed toe of slope including stumps and roots larger than 2". Voids shall be backfilled with suitable material and compacted with tracked equipment or hand tampers.
4. Remove any remaining organic material and topsoil from embankment and borrow area. Salvage for future use on new dam.
5. Lower water level in pond by means of a 4"-6" siphon or pump. More than one siphon may be required. Water level will need to be lowered to elevation 96.0 to facilitate installation of new pipe system.
6. Dewater work area by pumping onto a grassed area a minimum of 25' from stream or ditch channels. No work in flowing water is permitted.
7. Install pipe system as shown on plans. A representative from the Soil Conservation District must be present during pipe installation. Backfill and compact area in required lifts. Install rock outlet.
8. Fill embankment area to required grades as shown and compact. Grade emergency spillway to required dimensions and grades. Place 4" topsoil on all areas to be seeded.
9. Immediately seed and mulch all disturbed areas.

CRITICAL INSPECTION ITEMS
(Pond)

1. The landowner will arrange for a pre-construction meeting between the contractor, NRCS and landowner to review the plans, standards and specifications prior to the start of construction.
2. There will be no changes in specifications, dimensions, or materials unless approved by the engineer responsible for this drawing.
3. The drawings are prepared cooperatively by the Natural Resources Conservation Service for named owner/operator. Construction found not in accordance with these drawings and specifications shall violate the cooperative agreement and all drawings, specifications, and Quantities Estimate shall immediately be returned to the local NRCS office.
4. The following is a list of items that must be inspected by the Technician-in-Charge. If cost share is involved, payment may be forfeited if the Technician-in-Charge does not inspect all of the below:

• Preconstruction Meeting

• Verify layouts:

• Verify all subgrades:

• Lowering of pond water level:

• Removal of trees from Dam:

• Barrel Pipe:

Material:

Date:Initials:

Size

Date:Initials:

Placement

Date:Initials:

Backfill:

Date:Initials:

• Anti-Seep Collars:

Material:

Date:Initials:

Size

Date:Initials:

Placement

Date:Initials:

• Riser Pipe:

Material:

Date:Initials:

Size

Date:Initials:

Placement

Date:Initials:

Backfill:

Date:Initials:

• Trash Rack:

Material:

Date:Initials:

Size

Date:Initials:

Placement

Date:Initials:

• Emergency Spillway:

Control section elevation and size:

Date:Initials:

Exit channel slope and grading:

Date:Initials:

• Installation of riprap outlet

Riprap size and gradation:

Date:Initials:

Outlet size and elevation:

Date:Initials:

• Other items as shown on the plan:

Date:Initials:

• Final Grading

Date:Initials:

• All disturbed areas seeded and mulched:

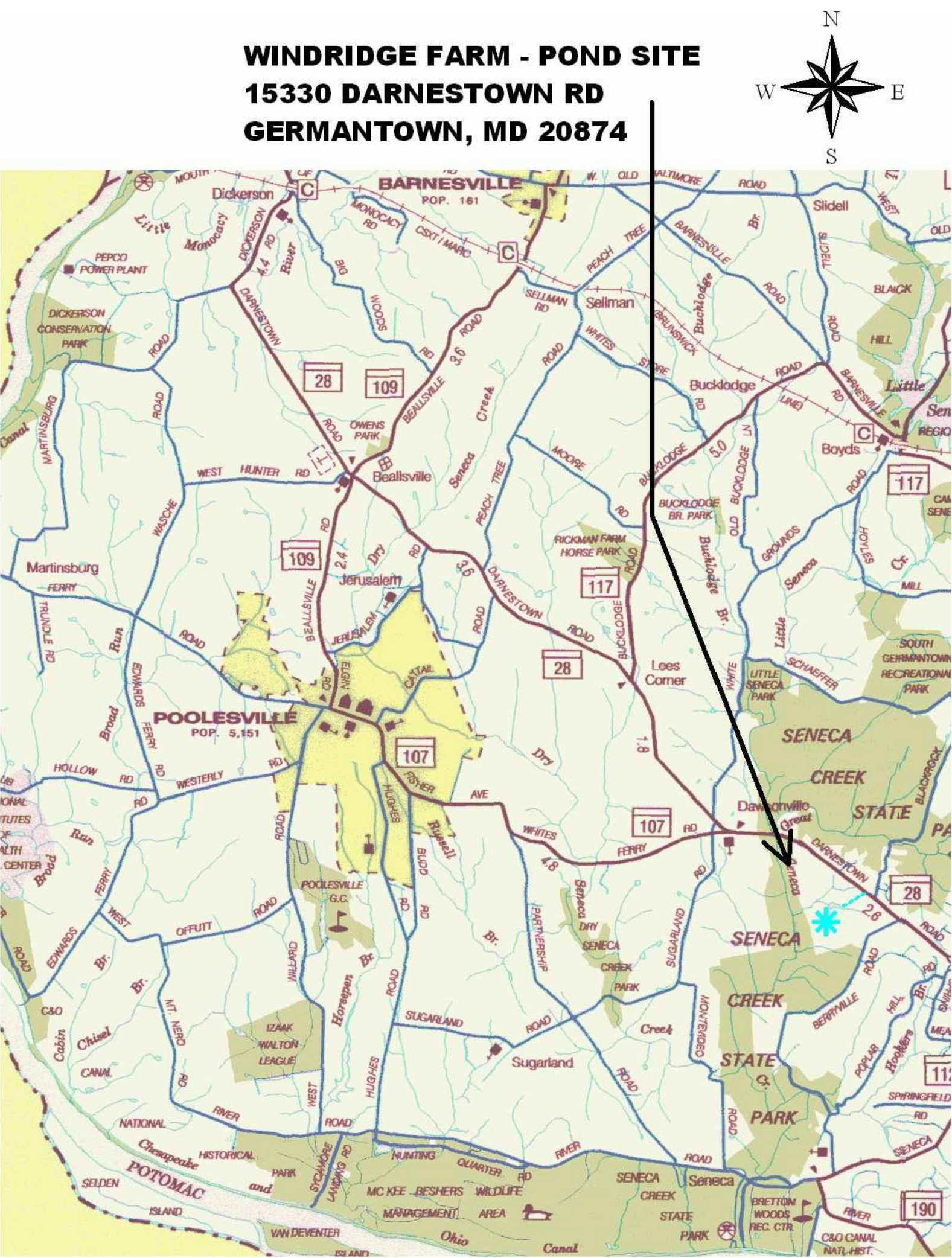
Date:Initials:

All disturbed areas to be stabilized within 14 days of completion, using the following recommendations:

Seeding Recommendations		
Turf Type Tall Fescue, three cultivars blend	100 lb./ac.	
Rye Grass	25 lb./ac.	
10-10-10 Fertilizer	1000 lb./ac.	
Ground Lime 50% Oxides	2 ton/ac.	
Straw Mulch	2 ton/ac.	

Seeding Dates
March 15 thru May 15
August 15 thru October 15

It is the landowners responsibility to obtain all county, state, federal permits that may be needed, and to maintain this structure according to those regulations.



THERE WILL BE NO CHANGES IN SPECIFICATION, DIMENSIONS OR MATERIALS UNLESS APPROVED BY THE ENGINEER RESPONSIBLE FOR THIS DRAWING. THE DRAWINGS ARE PREPARED COOPERATIVELY BY THE NATURAL RESOURCES CONSERVATION SERVICE FOR THE NAMED OWNER. CONSTRUCTION FOUND NOT IN ACCORDANCE WITH THESE DRAWINGS AND SPECIFICATION SHALL VIOLATE THE COOPERATIVE AGREEMENT AND ALL DRAWINGS, SPECIFICATIONS AND QUANTITIES ESTIMATE SHALL IMMEDIATELY BE RETURNED TO THE LOCAL NRCS OFFICE.

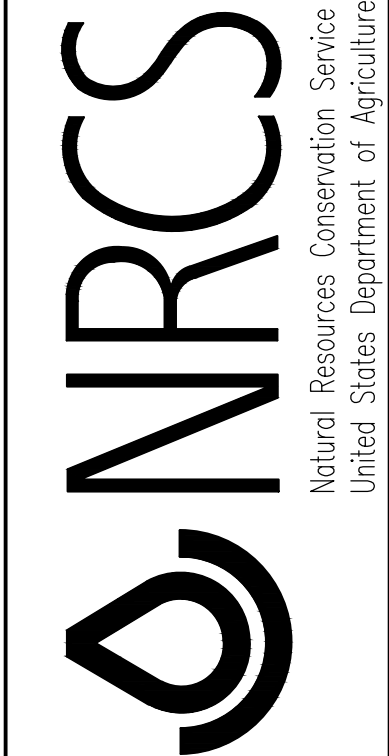
AS-BUILT STATEMENT
PRACTICE MEETS OR EXCEEDS NRCS STANDARDS AND SPECIFICATIONS.
SIGNATURE CONSTRUCTION DATE
SIGNATURE INSPECTED BY DATE
REPORTED AMOUNT



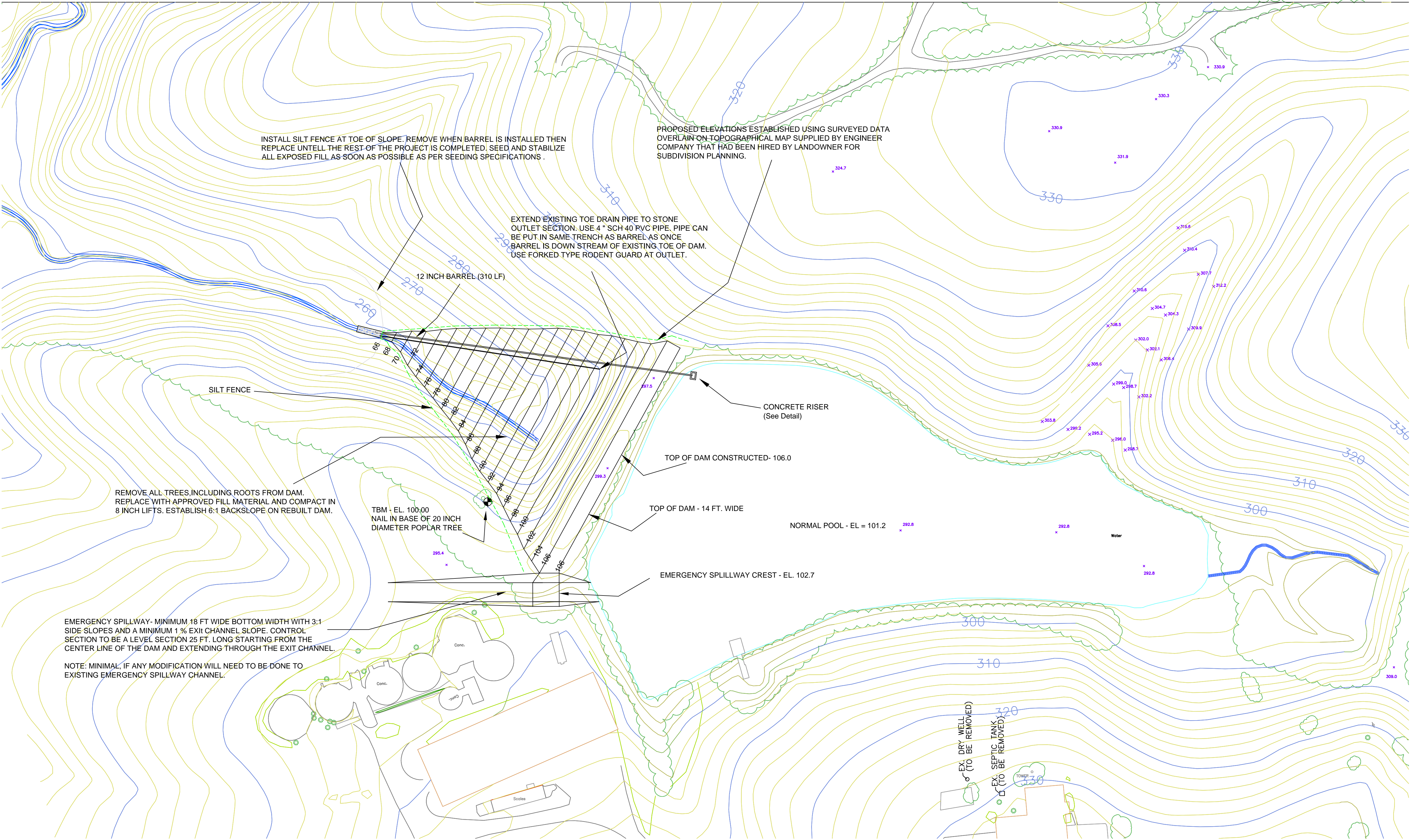
Know what's below.
Call before you dig.

"The Soil Conservation District makes no representation as to the existence or Non-existence of any utilities at the construction site. Shown on these construction drawings are those utilities which have been identified. It is the responsibility of the landowners or operators and contractors to assure themselves that no hazard exists or damage will occur to utilities"

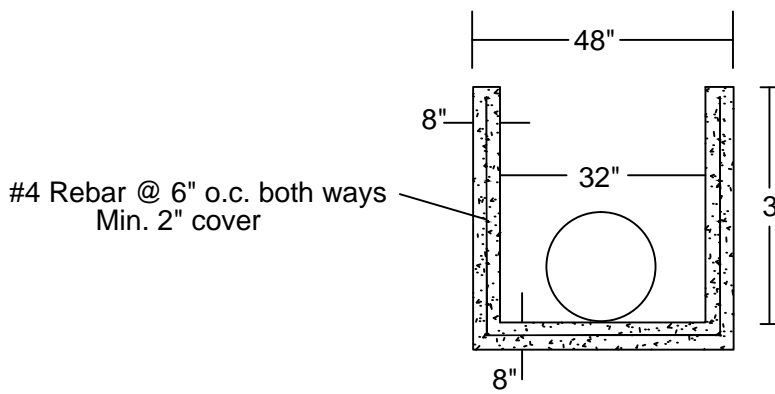
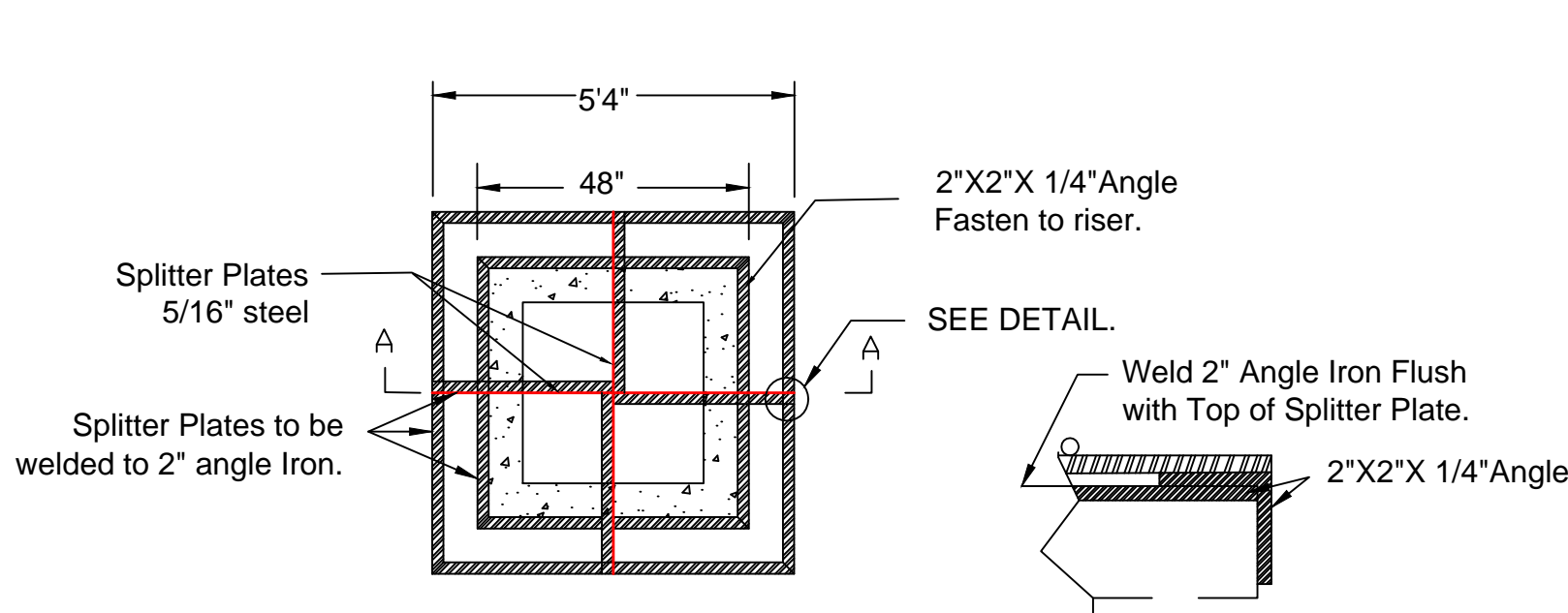
Designed PM 07/13		Drawn PM 07/13		Checked	
Approved		Date 11/13		Title	
Civil Engineer		Job Class III			
Jeremy Butz		Pond Rebuild		Gaithersburg, Maryland	
Maryland Department of Agriculture		Montgomery Soil Conservation District			
REVIEWS		Description		Date	
Approved					
File No. *.DWG					
Drawing No.					
Sheet 1 of 5					



PLAN VIEW
SCALE - 1" = 50'



TRASH RACK ANTI-VORTEX DEVICE
N.T.S.



TRASH RACK DETAIL
NOT TO SCALE

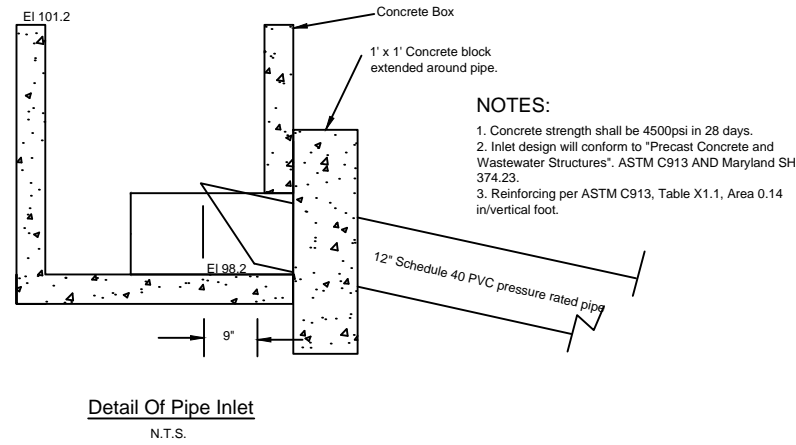
5/8" L-bar spaced @ 6" On center to run around Top of Structure. Weld to inside of 2" angle iron.

5/8" Rebar @ 6" spacing both ways.

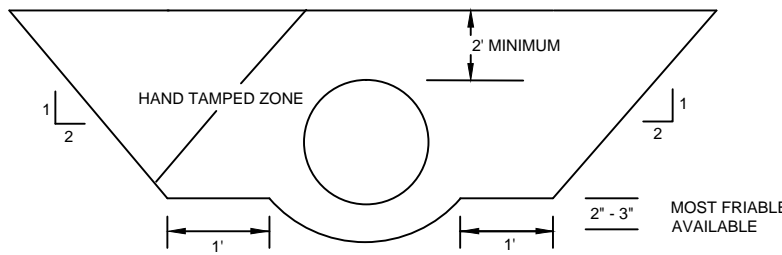
5/8" Rebar to be placed 7" from Top of Riser and run horiz. around trashrack.

Notes:
1. Trashrack Assembly to be Hot Dipped Galvanized.
2. Fasten Assembly to Riser Using Tapcon Conc. Screws or some suitable method.

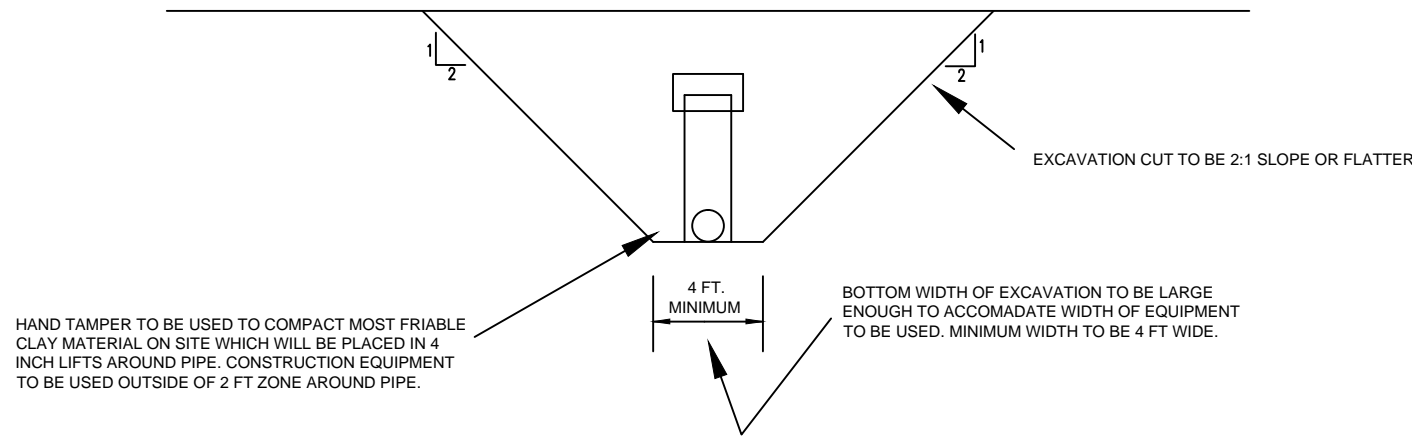
SECTION AA



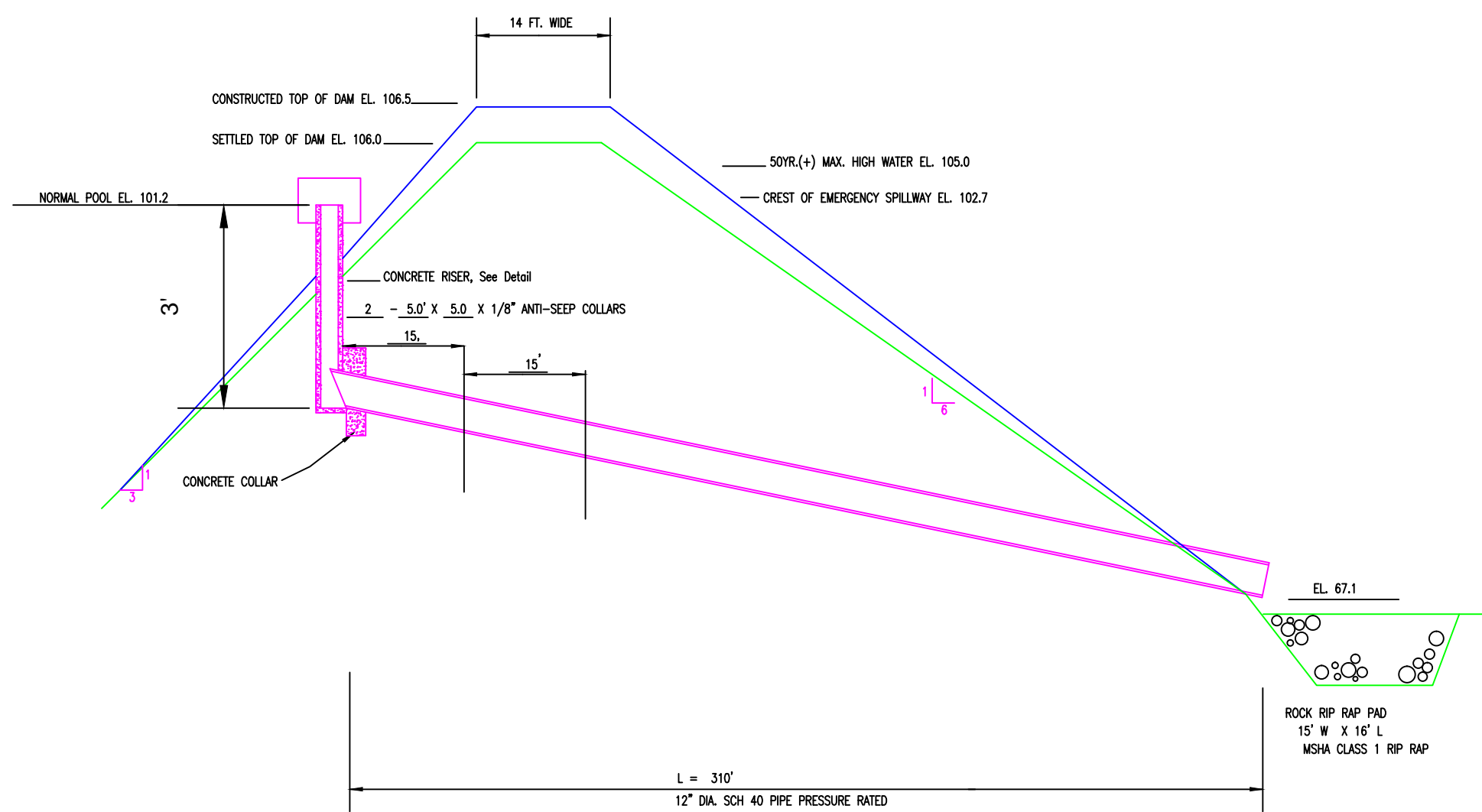
Detail Of Pipe Inlet
N.T.S.



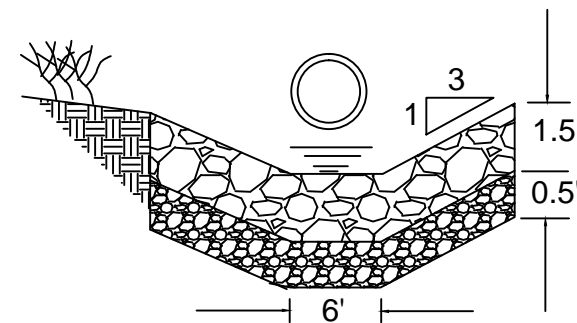
PIPE LAYING DETAIL
NOT TO SCALE



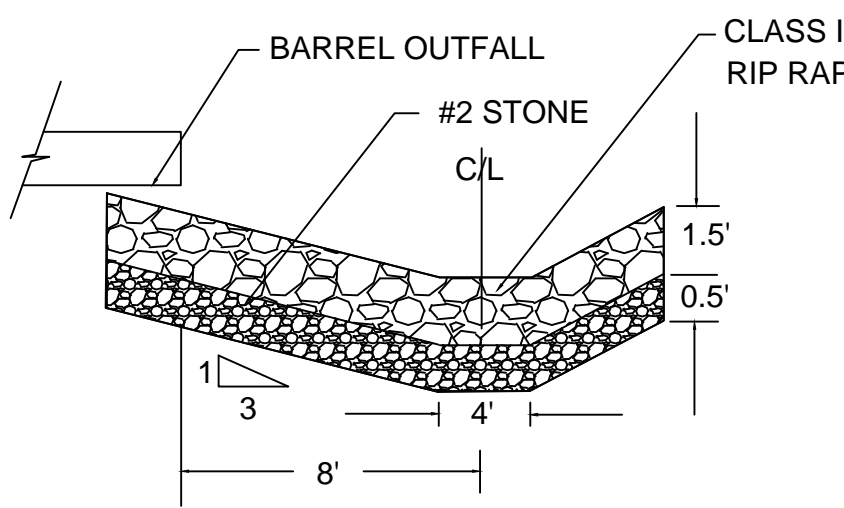
CROSS SECTION OF NEW PIPE EXCAVATION THROUGH DAM
NOT TO SCALE



PROFILE OF PIPE SPILLWAY
NOT TO SCALE

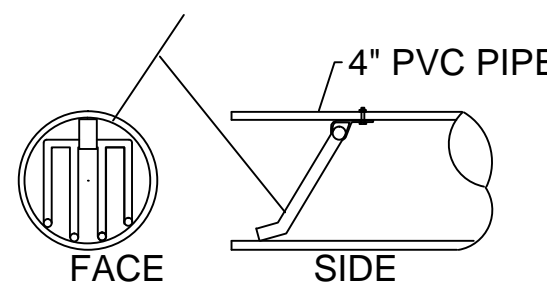


PLUNGE POOL CROSS SECTION
NTS

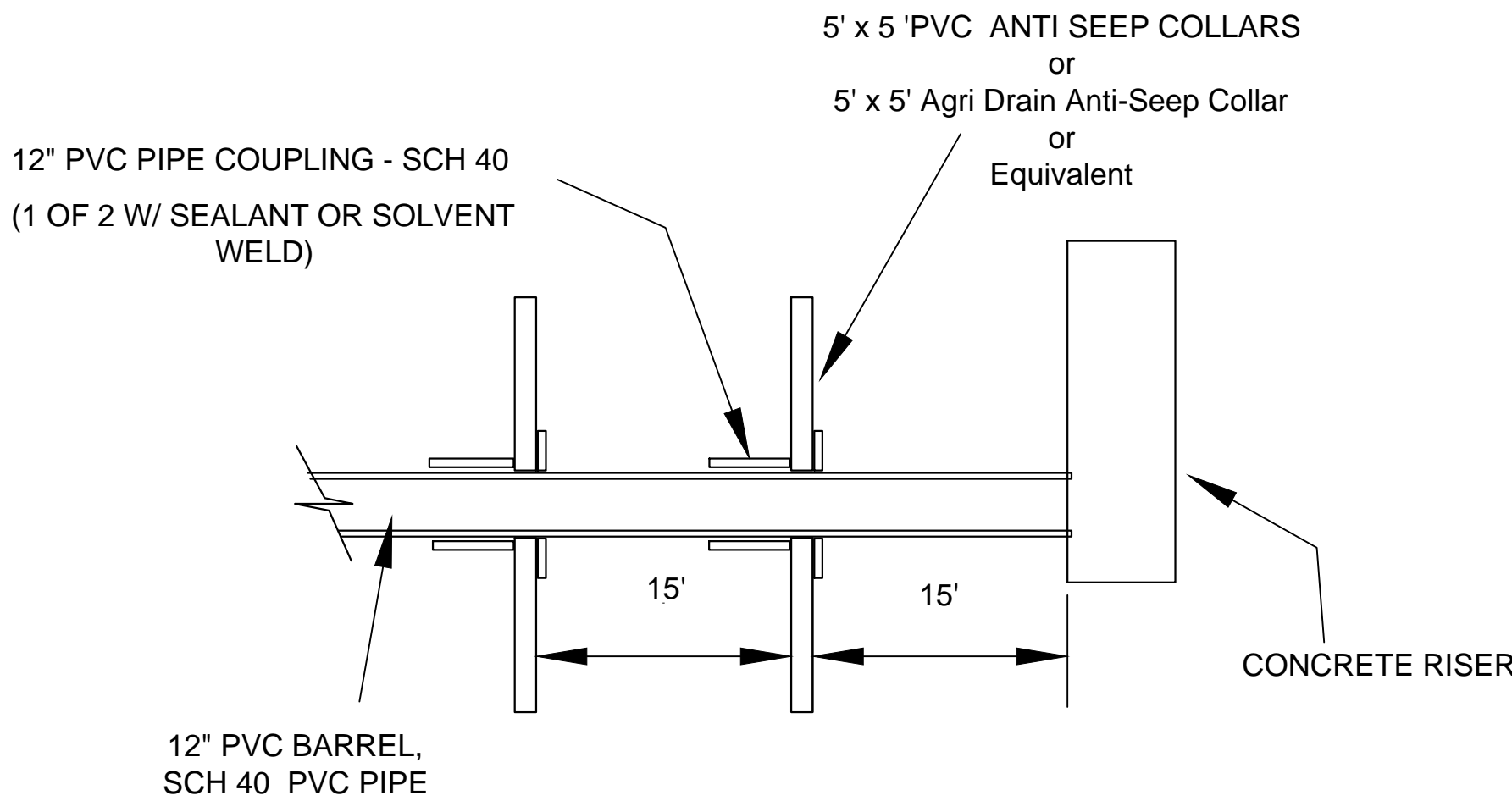


PLUNGE POOL PROFILE
NTS

SWING GATE RODENT GUARD



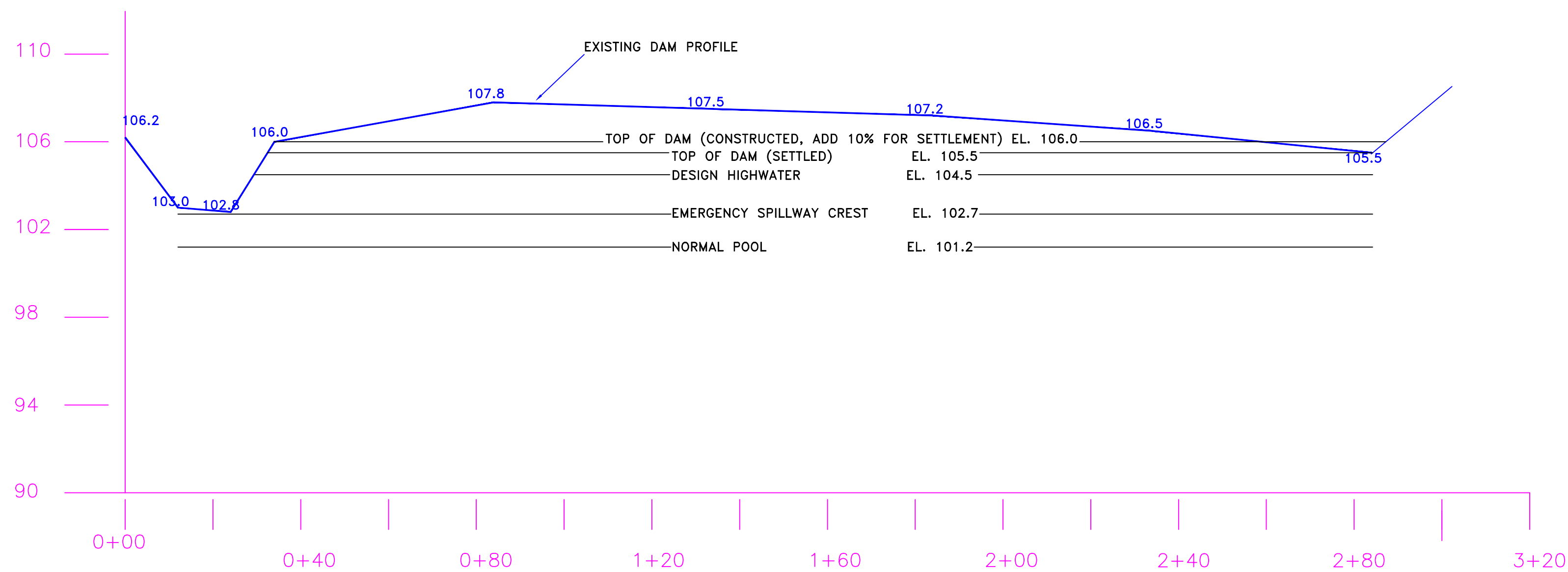
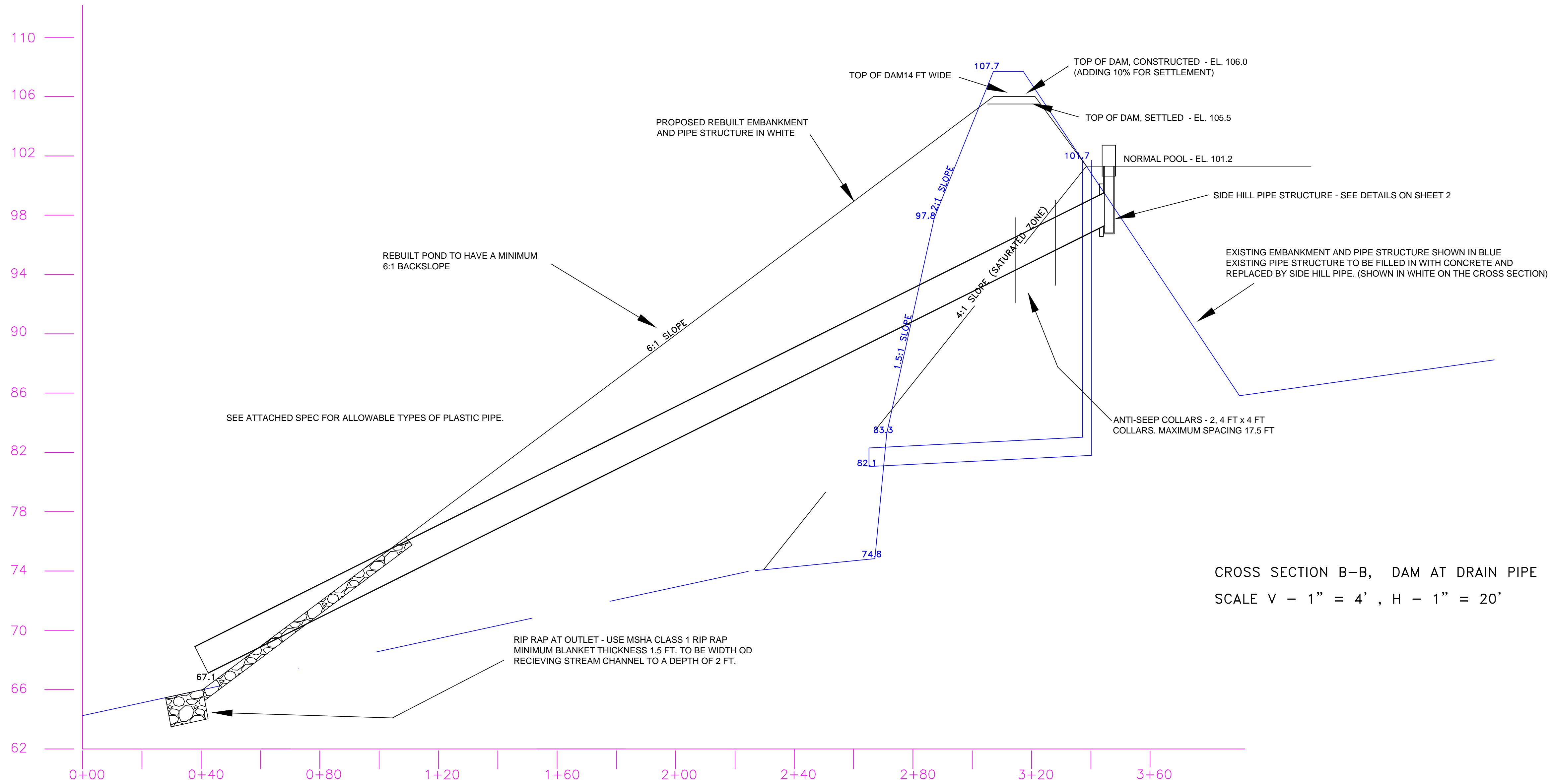
FORKED TYPE RODENT GUARD
NTS
TO BE USED AT TOE DRAIN OUTLET

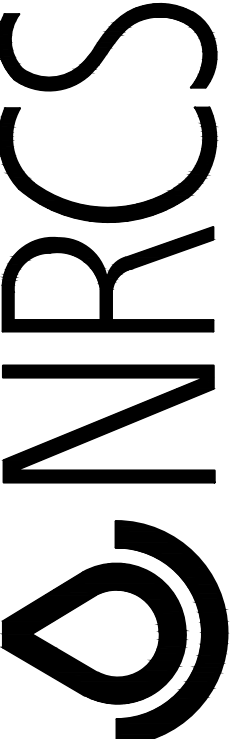


ANTI SEEP COLLAR DETAIL
NOT TO SCALE

REVISIONS	Approved	
	Description	
	Date	
	File No. *.DWG	
Drawing No.		
Sheet 3 of 5		
Designed PM 07/13		
Drawn PM 07/13		
Checked		
Approved <i>Jeremy Butz</i> Date 11/1/13		
Title Civil Engineer Job Class III		
Jeremy Butz Pond Rebuild Gaithersburg, Maryland		
Darnestown Road		
Maryland Department of Agriculture		
Montgomery Soil Conservation District		





Designed PM		07/13
Drawn PM		07/13
Checked		
Approved <i>Jeremy Butz</i>		Date 11/1/13
Title Civil Engineer		Job Class III
Jeremy Butz Pond Rebuild Gaithersburg, Maryland		
Maryland Department of Agriculture Montgomery Soil Conservation District		
 Natural Resources Conservation Service United States Department of Agriculture		
REVISIONS	Approved	
	Description	
Date		
File No. *.DWG		
Drawing No.		
Sheet 4 of 5		

[illegible]

MATERIAL. - THE FILL MATERIAL SHALL BE TAKEN FROM APPROVED DESIGNATED BORROW AREAS. IT SHALL BE FREE OF ROOTS, STUMPS, WOOD, RUBBISH, STONES GREATER THAN 6", FROZEN OR OTHER OBJECTIONABLE MATERIALS. FILL MATERIAL FOR THE CENTER OF THE EMBANKMENT, AND CUT OFF TRENCH SHALL CONFORM TO UNITED SOIL CLASSIFICATION GC, SC, CL, OR CL AND MUST BE AT LEAST 10% SILT AND CLAY. SUBMIT A PROPOSED LIST OF BORROW AREAS TO THE GEOTECHNICAL SPECIALISTS IN THE EMBANKMENT. IF DESIRED, A GEOTECHNICAL ENGINEER, OR OTHER SPECIAL DESIGNS MUST HAVE CONSTRUCTION SUPERVISED BY A GEOTECHNICAL ENGINEER. MATERIALS USED IN THE OUTER SHELL OF THE EMBANKMENT MUST HAVE THE CAPABILITY TO SUPPORT VEGETATION OF THE QUALITY REQUIRED TO PREVENT EROSION OF THE EMBANKMENT.

COMPACTION: THE MOVEMENT OF THE HAULING AND SPREADING EQUIPMENT OVER THE FILL MATERIAL SHALL BE SUFFICIENT TO COMPACT THE FILL MATERIAL TO A DENSITY OF NOT LESS THAN ONE TRACKED TRACK OF HEAVY EQUIPMENT OR COMPACTION SHALL BE ACHIEVED BY A MINIMUM OF FOUR COMPLETE PASSES OF A SHEEPSFOOT, RUBBER Tired OR VIBRATORY ROLLER. FILL MATERIAL SHALL CONTAIN SUFFICIENT MOISTURE SUCH THAT THE REQUIRED DEGREE OF COMPACTION WILL BE OBTAINED WITH THE EQUIPMENT USED. THE FILL MATERIAL SHALL BE MOISTENED SUFFICIENTLY TO ACHIEVE THE REQUIRED DENSITY. IF THE REMAINING WATER CONTENT IS LESS THAN THAT REQUIRED, WATER SHALL BE ADDED TO THE FILL. THE FILLING SHALL NOT BE SO WET THAT WATER CAN BE SQUEEZED OUT, WHEN REQUIRED BY THE TRIMMING AGENCY THE MINIMUM REQUIRED DENSITY SHALL NOT BE LESS THAN 95% OF MAXIMUM DRY DENSITY WITH A MOISTURE CONTENT WITHIN ±2% OF THE OPTIMUM. EACH LAYER OF FILL SHALL BE MOISTENED TO THE REQUIRED DENSITY AND DENSITY, AND IS TO BE CERTIFIED BY TRIMMING ENGINEER AT THE TIME OF CONSTRUCTION. ALL COMPACTION IS TO BE DETERMINED BY AASHTO METHOD T-99 (STANDARD PROCTOR).

EMBANKMENT CORE - THE CORE SHALL BE PARALLEL TO THE CENTERLINE OF THE EMBANKMENT AS SHOWN ON THE PLANS. THE TOP WIDTH OF THE CORE SHALL BE A MINIMUM OF FOUR FEET. THE HEIGHT SHALL EXTEND UP TO AT LEAST THE 10 YEAR WATER ELEVATION OR AS SHOWN ON THE PLANS. THE SIDE SLOPES SHALL BE 1 TO 1 OR FLATTER. THE CORE SHALL BE COMPACTED WITH CONSTRUCTION EQUIPMENT, ROLLERS, OR HAND TAMPERS TO ASSURE MAXIMUM DENSITY AND MINIMUM PERMEABILITY. IN ADDITION, THE CORE SHALL BE PLACED CONCURRENTLY WITH THE

PIPE CONDUITS
ALL PIPES SHALL BE CIRCULAR IN CROSS SECTION.
CORRUGATED METAL PIPE - ALL OF THE FOLLOWING CRITERIA SHALL APPLY FOR CORRUGATED

1. MATERIALS - (POLYMER COATED STEEL PIPE) - STEEL PIPES WITH POLYMERIC COATINGS SHALL HAVE A MINIMUM COATING THICKNESS OF 0.01 INCH (10 MIL) ON BOTH SIDES OF THE PIPE. THIS PIPE AND ITS APPURTENANCES SHALL CONFORM TO THE REQUIREMENTS OF AASHTO SPECIFICATIONS M 245 & M 246 WITH WATERTIGHT COUPLING BANDS OR FLANGES.

MATERIALS - (ALUMINUM COATED STEEL PIPE) - THIS PIPE AND ITS APPURTENANCES SHALL CONFORM TO THE REQUIREMENTS OF AASHTO SPECIFICATION M-274 WITH W TIGHTRIGT COUPLING BENDS OR FLANGES. ALUMINUM COATED STEEL PIPE, WHEN USED WITH FLOWABLE FILL OR WHEN SOIL, AROUND PRIMER OR CONDITION WARRANTS THE NEED FOR INCREASED DURABILITY, SHALL BE OF THE BUTT WELD TYPE. PRIMER SHALL BE OF THE ZINC CHROMATE TYPE SPECIFIED IN A. ANY ALUMINUM COATING DAMAGED OR OTHERWISE REMOVED SHALL BE REPLACED WITH COLD APPLIED BUTYRINOUS COATING COMPOUND. ALUMINUM SURFACES THAT ARE TO BE IN CONTACT WITH CONCRETE SHALL BE PAINTED.

WITH TWO COATS OF ASPHALT. PRIMER OR TWO COATS OF ASPHALT.

MATERIALS - (ALUMINUM PIPE) - THIS PIPE AND ITS APPURTENANCES SHALL CONFORM TO THE REQUIREMENTS OF AASHTO SPECIFICATION M-196 OR M-211 WITH W TIGHTRIGT COUPLING BENDS OR FLANGES. ALUMINUM PIPE, WHEN USED WITH FLOWABLE FILL OR WHEN SOIL, AROUND WATER OR WHEN SOIL, AROUND PRIMER OR CONDITION WARRANTS THE NEED FOR INCREASED DURABILITY, SHALL BE OF THE BUTT WELD TYPE. PRIMER SHALL BE OF THE ZINC CHROMATE TYPE SPECIFIED IN A. ANY ALUMINUM COATING DAMAGED OR OTHERWISE REMOVED SHALL BE REPLACED WITH COLD APPLIED BUTYRINOUS COATING COMPOUND. ALUMINUM SURFACES THAT ARE TO BE IN CONTACT WITH CONCRETE SHALL BE PAINTED WITH ONE COAT OF ZINC CHROMATE PRIMER OR TWO COATS OF ASPHALT. HOT DIP GALVANIZED BOLTS MAY BE USED FOR CONNECTIONS. THE PII OF THE SURROUNDING SOILS SHALL BE BETWEEN 4 AND 9.

COUPLERS - COUPLERS SHALL BE OF THE BUTT WELD TYPE. COUPLERS SHALL BE COMPOSED OF THE SAME MATERIAL AND COATINGS AS THE PIPE. METALS MUST BE INSULATED FROM DISSIMILAR MATERIALS WITH USE OF RUBBER OR PLASTIC INSULATING MATERIALS AT LEAST 24 MILS IN THICKNESS.

THE BANDWIDTH, THE FOLLOWING TYPE CONNECTIONS ARE ACCEPTABLE FOR PIPES LESS THAN 24 INCHES IN DIAMETER: FLANGES ON BOTH ENDS OF THE PIPE WITH A CIRCULAR 3/8 INCH CLOSED CELL NEOPRENE GASKET, PREPUNCHED TO THE FLANGE BOLT CIRCLE, SANDWICHED BETWEEN ADJACENT FLANGES; A 12-INCH WIDE STANDARD LAP TYPE BAND WITH 12-INCH WIDE BY 3/8-INCH THICK CLOSED CELL CIRCULAR NEOPRENE GASKET; AND A 12-INCH WIDE HUGGER TYPE BAND WITH O-RING GASKETS

4. BEDDING – THE PIPE SHALL BE FIRMLY AND UNIFORMLY BEDDED THROUGHOUT ITS ENTIRE LENGTH. WHERE ROCK OR SOFT, SPONGY OR OTHER UNSTABLE SOIL IS ENCOUNTERED, ALL SUCH MATERIAL SHALL BE REMOVED AND REPLACED WITH SUITABLE EARTH COMPACTED TO PROVIDE ADEQUATE SUPPORT.

1. MATERIALS - REINFORCED CONCRETE PIPE SHALL HAVE BELL AND SPIGOT JOINTS WITH RUBBER GASKETS AND SHALL EQUAL OR EXCEED ASTM C-361.

3. LAYING PIPE - BELL AND SPIGOT PIPE SHALL BE PLACED WITH THE BELL END UPSTREAM. JOINTS SHALL BE MADE IN ACCORDANCE WITH RECOMMENDATIONS OF THE MANUFACTURER OF THE MATERIAL. AFTER THE JOINTS ARE SEALED FOR THE ENTIRE LINE, THE BEDDING SHALL BE PLACED SO THAT ALL SPACES UNDER THE PIPE ARE FILLED. CARE SHALL BE EXERCISED TO PREVENT ANY DEVIATION FROM THE ORIGINAL LINE AND GRADE OF THE PIPE. THE FIRST JOINT MUST BE LOCATED

CONCRETE SHALL MEET THE REQUIREMENTS OF MARYLAND DEPARTMENT OF TRANSPORTATION, STATE HIGHWAY ADMINISTRATION STANDARD SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS, SECTION 414, MIX NO. 3.

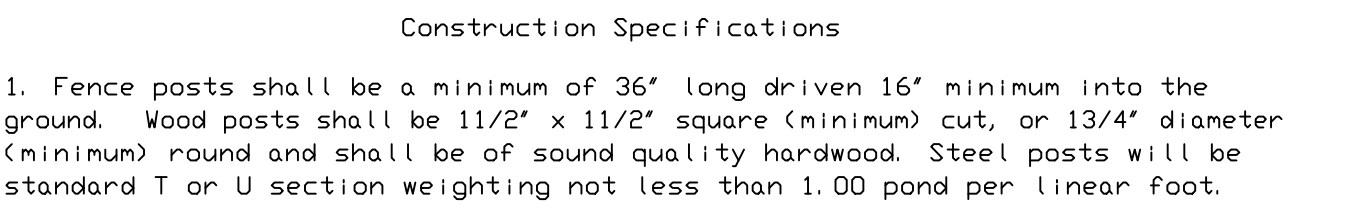
ROCK RIPRAP SHALL MEET THE REQUIREMENTS OF MARYLAND DEPARTMENT OF TRANSPORTATION, STATE HIGHWAY ADMINISTRATION STANDARD SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS, SECTION 311. GEOTEXTILE SHALL BE PLACED UNDER ALL RIPRAP

CARE OF WATER DURING CONSTRUCTION
ALL WORK ON PERMANENT STRUCTURES SHALL BE CARRIED OUT IN AREAS FREE FROM WATER.
THE CONTRACTOR SHALL CONSTRUCT AND MAINTAIN ALL TEMPORARY DIKES, LEVEES,

FOR REMOVAL OF WATER FROM VARIOUS PARTS OF THE WORK AND FOR MAINTAINING THE EXCAVATIONS, FOUNDATION, AND OTHER PARTS OF THE WORK FREE FROM WATER AS REQUIRED OR DIRECTED BY THE ENGINEER FOR CONSTRUCTING EACH PART OF THE WORK, AFTER HAVING BEEN ADVISED BY THE ENGINEER OF THE NECESSITY THEREOF, THE CONTRACTOR SHALL MAINTAIN THE EXCAVATIONS, FOUNDATION, AND OTHER PARTS OF THE WORK AT ALL TIMES AT A LEVELLED AND GRADED TO THE EXTENT REQUIRED TO PREVENT OBSTRUCTION IN ANY DEGREE WHATSOEVER OF THE FLOW OF WATER TO THE SPILLWAY OR OUTLET WORKS AND SO AS NOT TO INTERFERE WITH THE OPERATION OR MAINTENANCE OF THE STRUCTURE. STREAM DRAINAGE SHALL BE MAINTAINED UNTIL THE FLOW OF WATER HAS PASSED THE POINT OF THE PERMANENT WORKS. THE REMOVAL OF WATER FROM THE REQUIRED EXCAVATION AND THE FOUNDATION SHALL BE ACCOMPLISHED IN A MANNER AND TO THE EXTENT THAT WILL MAINTAIN THE EXCAVATIONS, FOUNDATION, AND OTHER PARTS OF THE WORK AT ALL TIMES AT A LEVELLED AND GRADED TO THE EXTENT REQUIRED TO PREVENT OBSTRUCTION IN ANY DEGREE WHATSOEVER OF THE FLOW OF WATER TO THE SPILLWAY OR OUTLET WORKS. SATISFACTORY PERFORMANCE OF ALL CONSTRUCTION OPERATIONS, DURING THE PLACING AND COMPACTING OF MATERIAL IN REQUIRED EXCAVATIONS, THE WATER LEVEL AT THE LOCATION OF THE SPILLWAY SHALL BE MAINTAINED ABOVE THE BOTTOM OF THE EXCAVATION AT EACH LOCATION WHICH MAY REQUIRE DRAINING THE MATERIALS FROM WHICH THE WATER SHALL BE PUMPED.

ALL BORROW AREAS SHALL BE GRADED TO PROVIDE PROPER DRAINAGE AND LEFT IN A SLIGHTLY CONDITION. ALL EXPOSED SURFACES OF THE EMBANKMENT, SPILLWAY, SPOIL, AND BORROW AREAS, AND BERMS SHALL BE STABILIZED BY SEEDING, LIMING, FERTILIZING AND MULCHING IN ACCORDANCE WITH THE NATURAL RESOURCES CONSERVATION SERVICE STANDARDS AND SPECIFICATIONS FOR CRITICAL AREA PLANTING (MD-342) OR AS SHOWN ON THE ACCOMPANYING DRAWINGS.

CONSTRUCTION OPERATIONS WILL BE CARRIED OUT IN SUCH A MANNER THAT EROSION WILL BE CONTROLLED AND WATER AND AIR POLLUTION MINIMIZED. STATE AND LOCAL LAWS CONCERNING POLLUTION ABATEMENT WILL BE FOLLOWED. CONSTRUCTION PLANS SHALL DETAIL EROSION AND SEDIMENT CONTROL MEASURES.



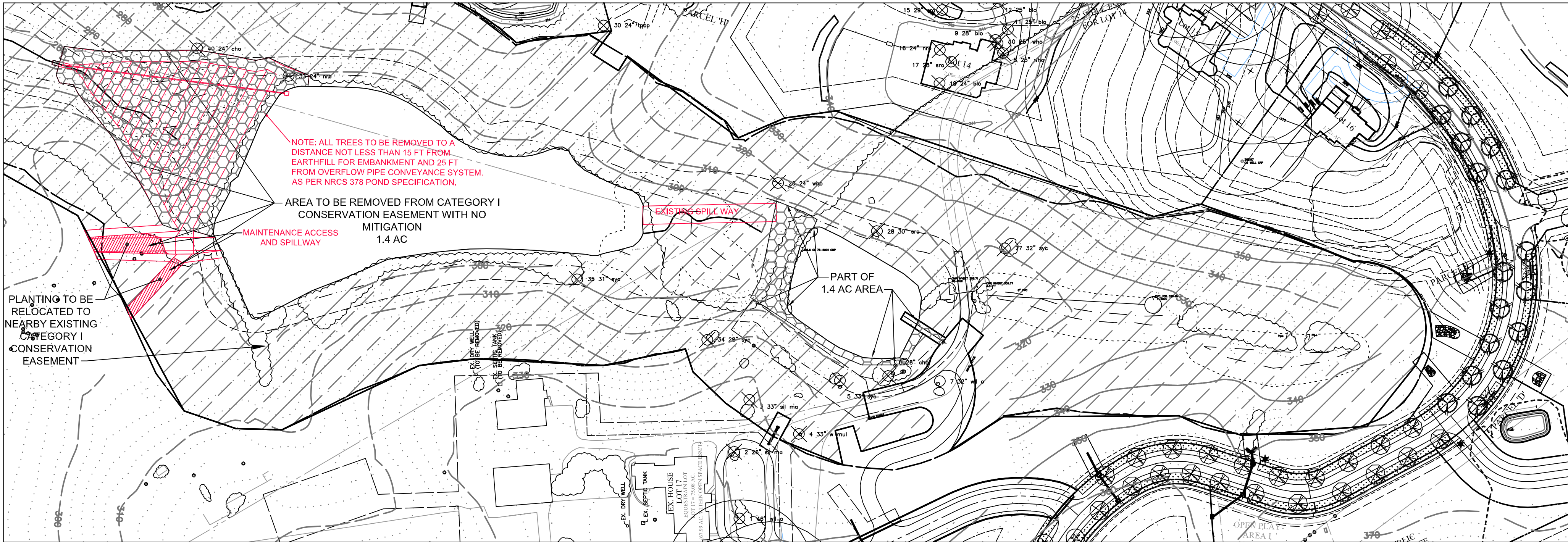
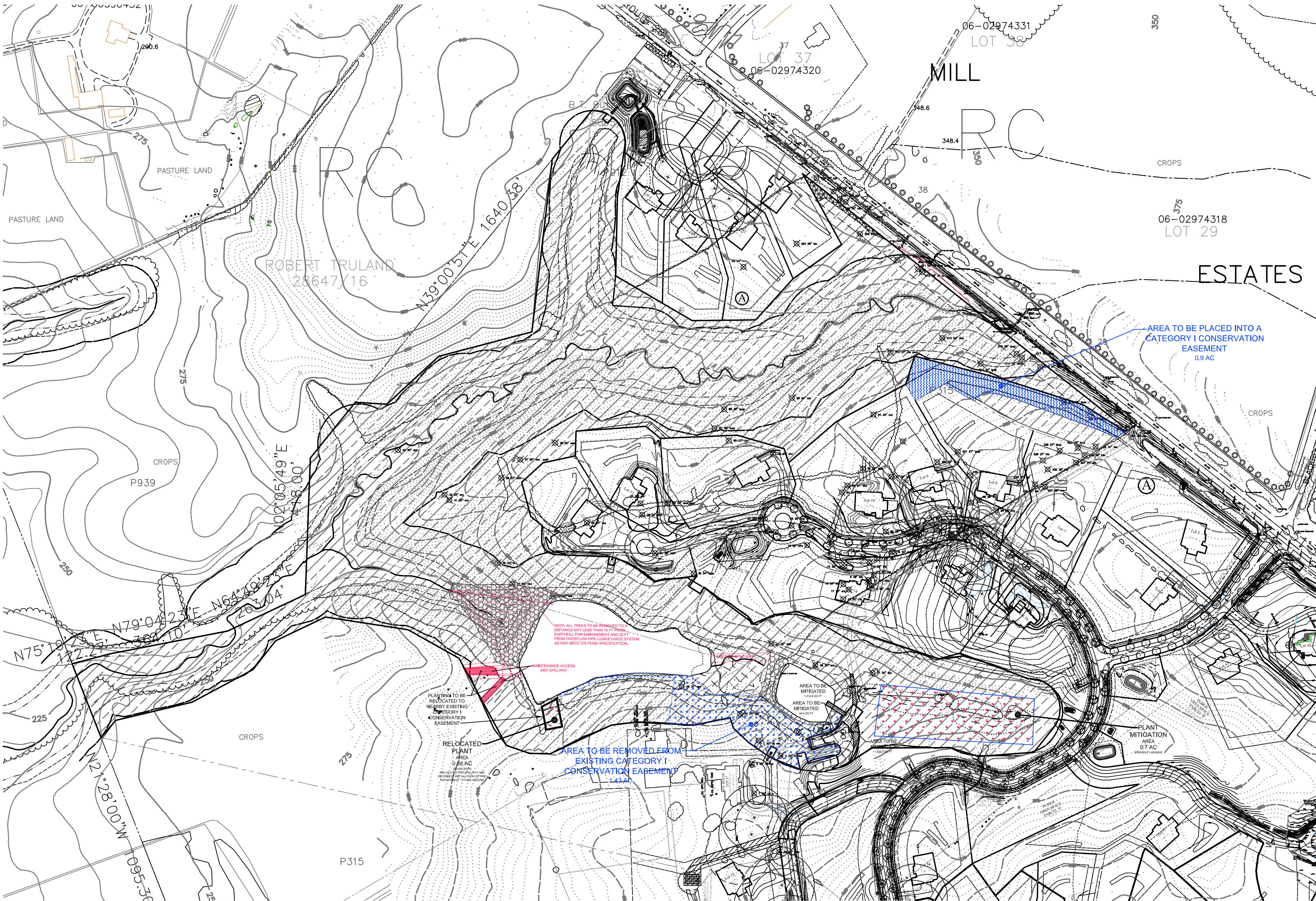
2. Geotextile shall be fastened securely to each fence post with wire ties or staples at top and mid-section and shall meet the following requirements for Geotextile Class F:

- | | | |
|----------------------|-----------------------------------------|----------------|
| Tensile Strength | 50 lbs/in (min.) | Test: MSMT 509 |
| Tensile Modulus | 20 lbs/in (min.) | Test: MSMT 509 |
| Flow Rate | 0.3 gal ft ² / minute (max.) | Test: MSMT 322 |
| Filtering Efficiency | 75% (min.) | Test: MSMT 322 |

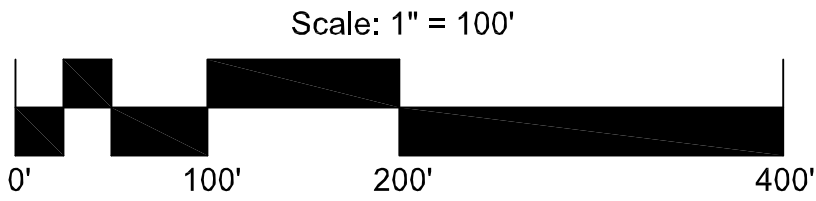
3. Where ends of geotextile fabric come together, they shall be overlapped, folded and stapled to prevent sediment bypass.

4. Silt Fence shall be inspected after each rainfall event and maintained when bulges occur or when sediment accumulation reached 50% of the fabric height.

U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE	PAGE E - 15 - 3	MARYLAND DEPARTMENT OF ENVIRONMENT WATER MANAGEMENT ADMINISTRATION
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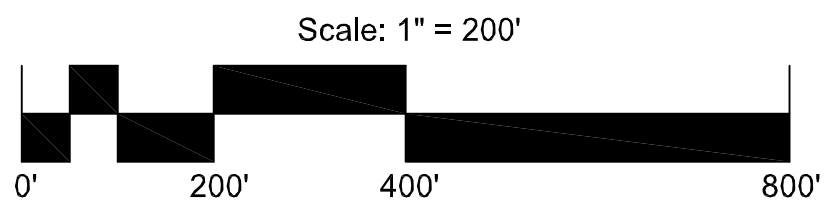


DETAIL VIEW-AREA NOT REQUIRING MITIGATION PLANTING:
SCALE: 1" = 100'



THIS PLAN IS AN AMENDMENT TO APPROVED PRELIMINARY PLAN / FINAL FOREST CONSERVATION PLAN #120061230
REMOVE EXISTING CONSERVATION EASEMENT AREA AND CREATE NEW CATEGORY I CONSERVATION EASEMENT

NOTE: AMENDMENT IS FOR LOT 17 ONLY



LEGEND:

- 0.9 ACRE AREA TO BE PLACED INTO A CATEGORY I CONSERVATION EASEMENT
- 1.43 ACRE AREA TO BE RELEASED FROM EXISTING CONSERVATION EASEMENT WITH ON-SITE MITIGATION
- 1.4 ACRES EXISTING CATEGORY I CONSERVATION EASEMENT FOR POND AND DAMN TO BE RELEASED WITH NO MITIGATION
- 0.7 ACRES PROPOSED MITIGATION PLANTING ON-SITE WITHIN EXISTING CATEGORY I CONSERVATION EASEMENT
- 0.05 ACRES OF MITIGATION PLANTING FOR INSTALLATION OF FIRE DEPARTMENT TURN AROUND
- AREA CANOPY COVERAGE
- EXISTING CATEGORY I CONSERVATION EASEMENT
- PROPERTY LINE
- STREAM BUFFER

LIST OF AMENDMENT ITEMS:

- ALL TREES TO BE REMOVED TO A DISTANCE NOT LESS THAN 15 FT FROM EARTHFILL FOR EMBANKMENT AND 25 FT FROM OVERFLOW PIPE CONVEYANCE SYSTEM. AS PER NRCS 378 POND SPECIFICATION. REMOVAL OF 1.4 ACRES OF EXISTING CATEGORY I CONSERVATION EASEMENT WITH NO ADDITIONAL MITIGATION OFFERED AS PART OF THIS AMENDMENT.
- RELEASE OF 1.48 ACRES OF EXISTING CATEGORY I CONSERVATION EASEMENT. THE AREA TO BE RELEASED IS NOT WETLAND AND IS NOT FORESTED. ON-SITE MITIGATION OFFERED (SEE TABLE).
 - 1.43 ACRES OF EXISTING CATEGORY I CONSERVATION EASEMENT BETWEEN THE POND AND THE HOUSE AND THE POND AND DRIVEWAY.
 - 0.05 ACRES FOR THE INSTALLATION OF THE FIRE ACCESS ROAD AND TURN AROUND.
- TOTAL ON-SITE MITIGATION 1.6 ACRES
- TOTAL MITIGATION (1.6 AC) FROM PROPERTY OWNER:
 - AREA TO BE PLANTED BY PROPERTY OWNER 0.7 ACRES
 - 0.9 ACRES OF EXISTING FOREST TO BE PLACED INTO A CATEGORY I CONSERVATION EASEMENT.
- PLANTING AREA TO BE RELOCATED AND PLANTED BY THE DEVELOPER 0.08 AC. USE PLANT SCHEDULE FROM ORIGINALLY APPROVED FINAL FOREST CONSERVATION PLAN.

MITIGATION SCHEDULE			
AREA	ACREAGE	MITIGATION PROVIDED	COMMENTS
TOTAL AREA TO BE RELEASED FOR PONDS AND DAMS	1.4 AC	NO ADDITIONAL MITIGATION REQUIRED	SEE NOTE 1 & 2 BELOW
TOTAL AREA TO BE RELEASED BETWEEN DRIVEWAY/HOUSE AND POND	1.43 AC	0.9 AC OF EXISTING FOREST TO BE PLACED INTO CATEGORY I CONSERVATION AND PLANTING WILL OCCUR AT A RATE OF 2:1 FOR ANY AREA ABOVE 0.9 AC OF EXISTING FOREST. 0.7 AC OF FOREST WILL NEED TO BE PLANTED ON-SITE AS MITIGATION IN AN EXISTING CATEGORY I CONSERVATION EASEMENT.	THIS AREA IS EXISTING LAWN WITH A ENVIRONMENTAL BUFFER, NO EXISTING FOREST OR WETLAND AND NO CONSTRUCTION CAN OCCUR IN THIS AREA. PROPOSED MITIGATION 0.8 AC OF EXISTING MODERATE TO HIGH PRIORITY FOREST AND PLANTING OF 0.7 AC OF FOREST. THIS PLANTING WILL OCCUR IN AN EXISTING ENVIRONMENTAL BUFFER. A TOTAL OF 1.6 AC OF NEW FOREST WILL BE PROTECTED. THIS PLANTING WILL BE COMPLETED BY THE PROPERTY OWNER.
AREA TO BE MITIGATED FOR THE INSTALLATION OF THE FIRE DEPARTMENT "T" TURN AROUND	0.05 AC	AREA TO BE RELOCATED. SEE PLAN.	AREA TO BE PLANTED BY SUBDIVISION DEVELOPER

FINAL FOREST CONSERVATION PLAN NOTES:

- MITIGATION PLANTING FOR DAM RECLAMATION PLANTING WAS COMPLETED IN AN EXISTING CATEGORY I CONSERVATION EASEMENT(0.4 ac).
- THIS AREA HAD ITS FINAL TWO-YEAR MAINTENANCE PERIOD INSPECTION AND WAS APPROVED BY STEPHEN PECK ON SEPTEMBER 23, 2016
- 0.9 ACRES OF EXISTING FOREST TO BE PLACED INTO A CATEGORY I CONSERVATION EASEMENT.
- THE PURPOSE OF THIS PLAN IS TO REMOVE AREA FROM THE EXISTING CATEGORY I CONSERVATION EASEMENT DUE TO REQUIRED MAINTENANCE OF THE PONDS CONFLICTS WITH CATEGORY I CONSERVATION EASEMENT AGREEMENT AND WITH THE CONDITION OF APPROVAL #3 ON THE APPROVED PRELIMINARY PLAN OPINION. ALL ENVIRONMENTAL BUFFERS CAN NOT BE PROTECTED BECAUSE OF COMPLIANCE WITH MARYLAND POND REGULATIONS(USDA NRCS-MARYLAND CONSERVATION PRACTICE STANDARD CODE 378.
- AREA TO BE RELEASED WITH NO MITIGATION AROUND TWO ARMY CORPS OF ENGINEERS EXISTING PONDS-1.4 AC
- AREA TO BE RELEASED WITH MITIGATION-1.43 AC
- 1.43 AC AREA RELEASED WILL BE MITIGATED BY PLACING 0.9 AC OF EXISTING FOREST INTO CATEGORY I CONSERVATION EASEMENT. 0.35 ACRE DIFFERENCE WILL BE MITIGATED AT 2:1 (0.7 AC) PLANTING ON-SITE.
- 0.05 AC MITIGATION AREA FOR REMOVAL OF ACCESS TO DAM AND INCORRECTLY INSTALLED FIRE DEPARTMENT TURNAROUND
- TOTAL MITIGATION PLANTING REQUIRED - 0.75 ACRES (0.7ac Property Owner + 0.05 ac Developer)
- DEVELOPER MUST PLANT THE 0.05 AC AREA USING THE APPROVED PLANT SCHEDULE FOR THE ORIGINALLY APPROVED PLAN.
- THE 45.01 ACRES OF TOTAL "REFORESTATION AND AFFORESTATION" REQUIREMENT BY 120061230 IS NOT CHANGED BY THIS AMENDMENT. ONLY THE LOCATION OF 0.08 ACRES OF PLANTING IS RELOCATED AS SHOWN ON THIS AMENDMENT.
- FOR 0.7 AC MITIGATION AREA PLANT LOCATIONS ARE TO BE FIELD LOCATED WITHIN THE EXISTING CATEGORY I CONSERVATION EASEMENT.
- TRAIL AND/OR PATHS MAYBE MOWED IN PLANTING AREAS TO CONTROL WEEDS.
- NO PART OF EXISTING WETLAND IS TO BE REMOVED.
- MITIGATION TREE PLANTING TO BE PLANTED PURSUANT TO THE ANSI PLANTING STANDARDS.
- MNCP&PC INSPECTOR IS TO BE CONTACTED FOR AN INSPECTION OF MITIGATION TREE PLANTING PRIOR TO COMPLETION OF THE PROJECT.
- THE PROPOSED TREE PLANTING LOCATIONS AND SPECIES SHOWN ON THIS PLAN CAN BE REVISED WITH APPROVAL FROM THE FOREST CONSERVATION INSPECTOR.
- PROTECTION FROM DEER DAMAGE IS REQUIRED TO BE INSTALLED ON EACH TREE BEFORE M-NCPPC ACCEPTANCE OF TREE PLANTING. SEE SHEET 3 OF 3 FOR DETAIL.



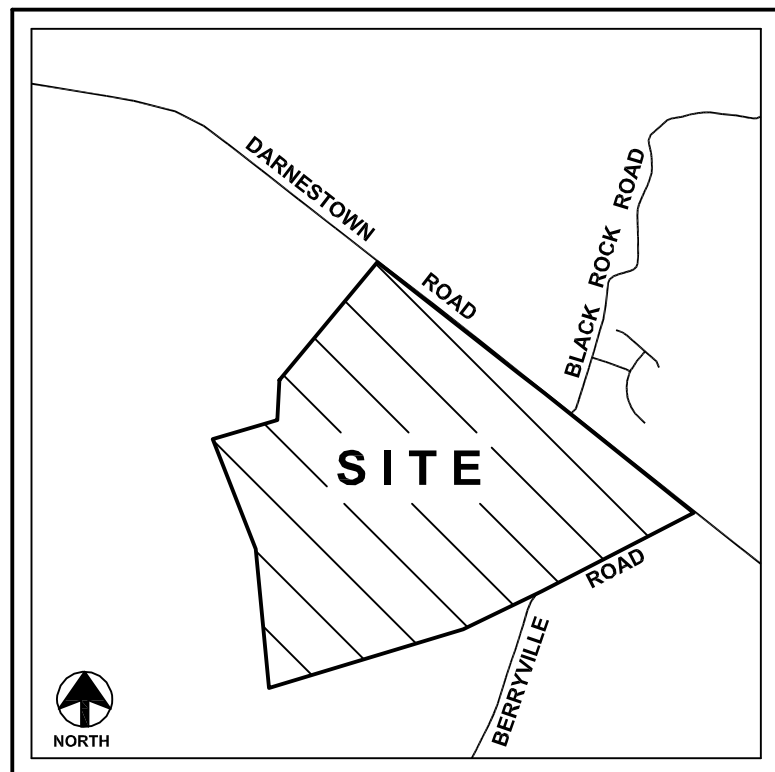
DEVELOPER'S CERTIFICATE - LOT 17

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 120061230, including, financial bonding, forest planting, maintenance and all other application agreements.

Developer's Name: _____
Print Company Name
Contact Person or Owner: _____
Jeremy F. Butz
Print Name
Address: _____
15818 Seneca Run Court Germantown, MD 20874
Phone # and Email: _____
301-607-4399
Signature: _____

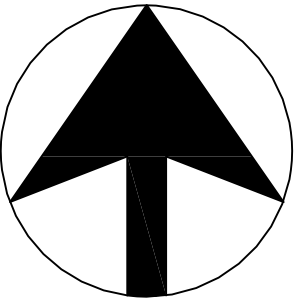
Prepared for:
Jeremy F. Butz
15818 Seneca Run Ct
Germantown, Maryland 20874
(301) 607-4399

VICINITY MAP
SCALE: 1" = 2,000'



Sheet PP-001A /
FCP-001A
Revisions

09/15/2016
09/29/2016
02/01/2017
02/07/2017
02/21/2017
03/28/2017
05/19/2017
06/02/2017



date: 07/16/2015

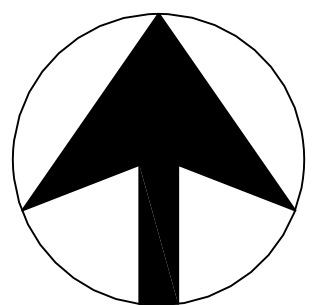
scale: 1" = 200'

Benning & Associates, Inc.
Land Planning Consultants
8933 Study Grove Court
Gaithersburg, MD 20878
(301) 944-0240



PRELIMINARY PLAN / FINAL FOREST CONSERVATION PLAN (AMENDMENT)
THE RESERVE AT BLACK ROCK; LOT 17, BLOCK A
(a.k.a. Butz Property)
Montgomery County, Maryland

Revisions
06/21/2016
09/15/2016
09/29/2016
02/01/2017
02/07/2017
02/21/2017
03/28/2017
05/19/2017



date: 07/16/2015

scale: 1" = 100'

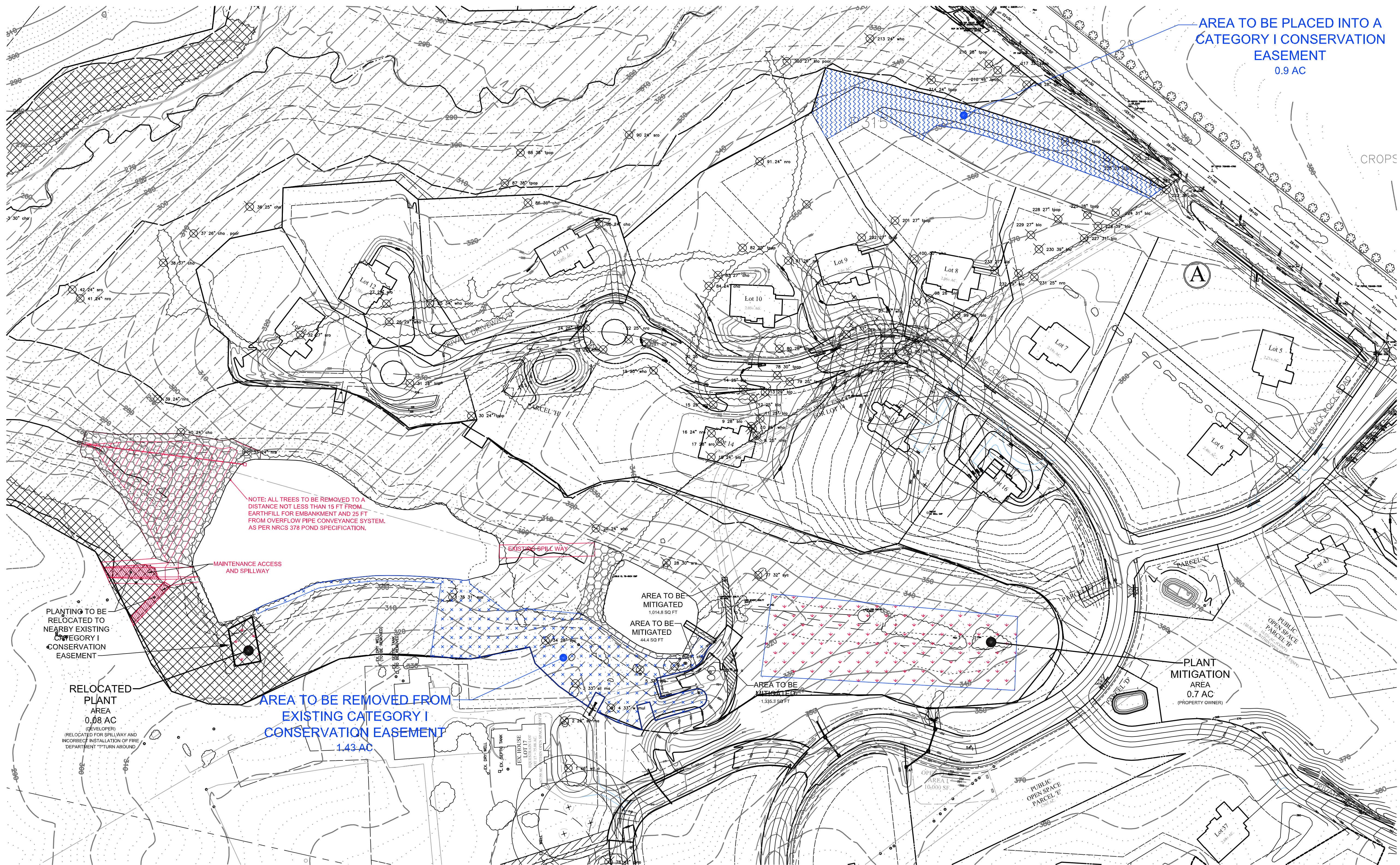
Benning & Associates, Inc.
10000 Greenway Commons
8933 Shady Grove Court
Gaithersburg, MD 20877
(301) 948-0240



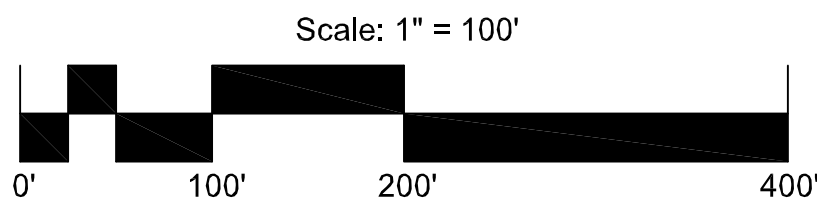
PRELIMINARY PLAN / FINAL FOREST CONSERVATION PLAN (AMENDMENT)
THE RESERVE AT BLACK ROCK; LOT 17, BLOCK A
(a.k.a. Butz Property)
Montgomery County, Maryland

LEGEND:

- 0.9 ACRE AREA TO BE PLACED INTO A CATEGORY I CONSERVATION EASEMENT
- 1.43 ACRE AREA TO BE RELEASED FROM EXISTING CONSERVATION EASEMENT WITH ON-SITE MITIGATION
- 1.4 ACRES EXISTING CATEGORY I CONSERVATION EASEMENT FOR POND AND DAMN TO BE RELEASED WITH NO MITIGATION
- 0.7 ACRES PROPOSED MITIGATION PLANTING ON-SITE WITHIN EXISTING CATEGORY I CONSERVATION EASEMENT
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- EXISTING CATEGORY I CONSERVATION EASEMENT
- PROPERTY LINE
- STREAM BUFFER



MITIGATION AREA DETAIL VIEW:
SCALE: 1" = 100'



FINAL FOREST CONSERVATION PLAN NOTES:

- MITIGATION PLANTING FOR DAM RECLAMATION PLANTING WAS COMPLETED IN AN EXISTING CATEGORY I CONSERVATION EASEMENT (0.4 ac).
- THIS AREA HAD ITS FINAL TWO-YEAR MAINTENANCE PERIOD INSPECTION AND WAS APPROVED BY STEPHEN PECK ON SEPTEMBER 23, 2016
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- AREA TO BE RELEASED WITH NO MITIGATION AROUND TWO ARMY CORPS OF ENGINEERS EXISTING PONDS-1.4 AC
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- 1.43 AC AREA RELEASED WILL BE MITIGATED BY PLACING 0.9 AC OF EXISTING FOREST INTO CATEGORY I CONSERVATION EASEMENT. 0.35 ACRE DIFFERENCE WILL BE MITIGATED AT 2:1 (0.7 AC) PLANTING ON-SITE.
- 0.05 AC MITIGATION AREA FOR REMOVAL OF ACCESS TO DAM AND INCORRECTLY INSTALLED FIRE DEPARTMENT TURNAROUND
- TOTAL MITIGATION PLANTING REQUIRED - 0.75 ACRES (0.7ac Property Owner + 0.05 ac Developer)
- DEVELOPER MUST PLANT THE 0.05 AC AREA USING THE APPROVED PLANT SCHEDULE FOR THE ORIGINALLY APPROVED PLAN.
- THE 45.01 ACRES OF TOTAL "REFORESTATION AND AFFORESTATION" REQUIREMENT BY 120061230 IS NOT CHANGED BY THIS AMENDMENT. ONLY THE LOCATION OF 0.08 ACRES OF PLANTING IS RELOCATED AS SHOWN ON THIS AMENDMENT.
- FOR 0.7 AC MITIGATION AREA PLANT LOCATIONS ARE TO BE FIELD LOCATED WITHIN THE EXISTING CATEGORY I CONSERVATION EASEMENT.
- TRAIL AND/OR PATHS MAYBE MOWED IN PLANTING AREAS TO CONTROL WEEDS.
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- MNCP&PC INSPECTOR IS TO BE CONTACTED FOR AN INSPECTION OF MITIGATION TREE PLANTING PRIOR TO COMPLETION OF THE PROJECT.
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- PROTECTION FROM DEER DAMAGE IS REQUIRED TO BE INSTALLED ON EACH TREE BEFORE M-NCPPC ACCEPTANCE OF TREE PLANTING. SEE SHEET 3 OF 3 FOR DETAIL.

LIST OF AMENDMENT ITEMS:

- ALL TREES TO BE REMOVED TO A DISTANCE NOT LESS THAN 15 FT FROM EARTHFILL FOR EMBANKMENT AND 25 FT FROM OVERFLOW PIPE CONVEYANCE SYSTEM, AS PER NRCS 378 POND SPECIFICATION. REMOVAL OF 1.4 ACRES OF EXISTING CATEGORY I CONSERVATION EASEMENT WITH NO ADDITIONAL MITIGATION OFFERED AS PART OF THIS AMENDMENT.
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- TOTAL ON-SITE MITIGATION 1.6 ACRES
- TOTAL MITIGATION (1.6 AC) FROM PROPERTY OWNER;
 - AREA TO BE PLANTED BY PROPERTY OWNER 0.7 ACRES
 - 0.9 ACRES OF EXISTING FOREST TO BE PLACED INTO A CATEGORY I CONSERVATION EASEMENT.
- PLANTING AREA TO BE RELOCATED AND PLANTED BY THE DEVELOPER 0.08 AC. USE PLANT SCHEDULE FROM ORIGINALLY APPROVED FINAL FOREST CONSERVATION PLAN.

THIS PLAN IS AN AMENDMENT TO APPROVED PRELIMINARY PLAN / FINAL FOREST CONSERVATION PLAN #120061230
REMOVE EXISTING CONSERVATION EASEMENT AREA AND CREATE NEW CATEGORY I CONSERVATION EASEMENT

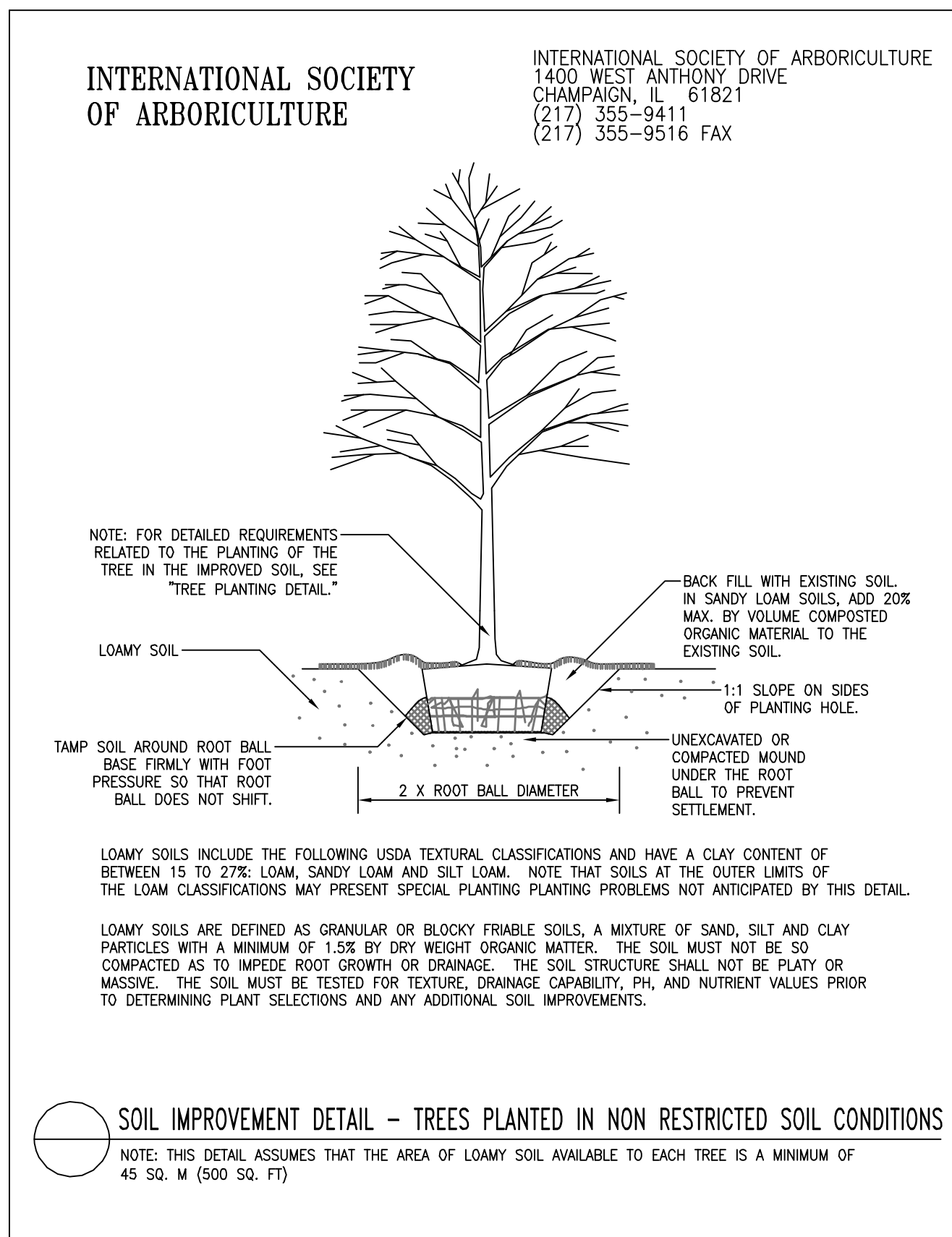
NOTE: AMENDMENT IS FOR LOT 17 ONLY

DEVELOPER'S CERTIFICATE - LOT 17

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 120061230, including, financial bonding, forest planting, maintenance and all other application agreements.

Developer's Name: _____
Contact Person or Owner: _____
Print Name: _____
Address: 15818 Seneca Run Court Germantown, MD 20874
Phone # and Email: 301-607-4399
Signature: _____

Signature: _____



SHRUBS: 25					
QUANTITY	SIZE	SCIENTIFIC NAME	COMMON NAME	SPACING	COMMENTS
13	3 Gal.	<i>Lindera benzoin</i>	Common Spicebush		Container
12	3 Gal.	<i>Viburnum prunifolium</i>	Blackhaw Viburnum		Container