



**Camberwell Property (a.k.a. Camotop) Lot 10, Block B: Limited Preliminary Plan Amendment No. 11995016C
(In Response to a Forest Conservation Law Violation)**



Stephen Peck, Senior Planner, DARC, Stephen.Peck@montgomeryplanning.org, 301-495-4564



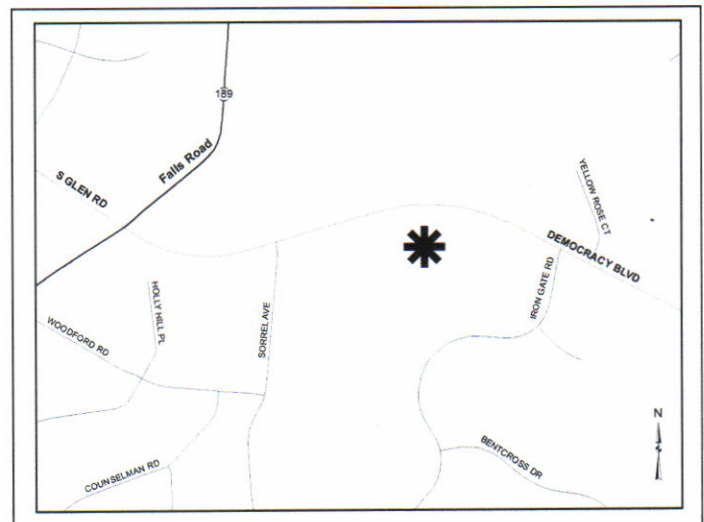
Mark Pfefferle, Chief, DARC, Mark.Pfefferle@montgomeryplanning.org, 301-495-4730

Completed: 4/13/18

Description

**Limited Amendment, Preliminary Plan No. 11995016C,
Camberwell Property (a.k.a. Camotop) Lot 10, Block B
(in response to a Forest Conservation Law violation)**

- 10216 Iron Gate Road
- RE2 Zone
- Potomac Subregion Master Plan
- Applicant: Amir Tofigh
- Submitted on October 2, 2017



Summary

Request to amend the Preliminary Plan of Subdivision for forest conservation purposes:

1. Proposal to release of 1.08 acres (47,045 square feet) of M-NCPPC Conservation Easement consisting of 0.92 acre (40,075 square feet) of Category I Conservation Easement and 0.16 acre (6,970 square feet) of Category II Conservation Easement from Lot 10 and provide:
 - a. Offsite mitigation with the acquisition of 2.1 acres (91,476 square feet) of forest mitigation bank credit to equal either 2.1 acres (91,476 square feet) of forest planting or 4.2 acres (182,952 square feet) of forest retention.
 - b. Onsite mitigation with the establishment of a new 0.52-acre (22,651 square feet) Category II Conservation Easement and planting six (6) additional 2-inch caliper swamp white oak trees within the new Category II Conservation Easement.

STAFF RECOMMENDATION AND CONDITIONS

All previous conditions of Preliminary Plan No. 119950160, as contained in the Montgomery County Planning Board's Opinion dated February 23, 1995, remain in full force and effect. Preliminary Plans 11995016A and 11995016B were previously approved limited amendments for conservation easement changes on other Lots. Preliminary Plan Amendment 11995016A and 11995016B do not apply to the Subject Property. Staff recommends approval of Preliminary Plan No. 11995016C for forest conservation easement changes on Lot 10 with the new conditions specified below.

1. Within sixty (60) days of the mailing of the Planning Board Resolution, the Applicant must submit a cost estimate for the new tree planting and two-year maintenance requirements of the Forest Conservation Plan for Staff review and approval.
2. Within sixty (60) days of the mailing date of the Planning Board Resolution, the Applicant must record in Land Records of Montgomery County, Maryland a Certificate of Compliance, approved by the M-NCPPC Office of General Counsel, to use an offsite forest mitigation bank. The Certificate of Compliance must certify the purchase of 91,476 square feet of mitigation credit equivalent to either 91,476 square feet of forest planting or 182,952 square feet of existing forest retention for the removal of all existing conservation easement from the Subject Property.
3. Within ninety (90) days of the mailing date of the Planning Board Resolution, the Applicant must submit financial security for the planting and maintenance requirements of the Forest Conservation Plan in an amount and form approved by Staff.
4. Within ninety (90) days of the mailing date of the Planning Board Resolution, the Applicant must record a Category II 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 all new Category II Conservation Easement area on the Subject Property.
5. Within ninety (90) days of the mailing date of the Planning Board Resolution, the Applicant must enter into 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.
6. After recordation of the Certificate of Compliance to use an offsite mitigation bank, recordation of the new Category II Conservation Easement and posting of financial security for the requirements of the approved Forest Conservation Plan, the Applicant must obtain and record in the Land Records of Montgomery County, Maryland a release of the Category I and Category II Conservation Easements existing on the Subject Property as of the date of the Planning Board Resolution, in a form approved by the M-NCPPC Office of the General Counsel. All existing conservation easements on the Subject Property 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 Planning Board Resolution, the Applicant must submit a complete Record Plat application for the Subject Property that delineates and references the new Category II Conservation Easement.
8. By April 15, 2019 the Applicant must complete the planting requirements in the Forest Conservation Plan and have the planting inspected and accepted by the M-NCPPC Inspector.

SITE DESCRIPTION

The Subject Property is known as Camberwell or Camotop Lot 10, Block B and is located at northwest corner of the Camberwell Property Subdivision. The Property is approximately 2.2 acres and consists of a single-family house surrounded by oak trees (Figure 1). Democracy Boulevard is at the rear of the

Property. Property access is from a shared private driveway with a gate at the entrance of Iron Gate Road and Democracy Boulevard.

Approximately 1.08 acres of the Property is within M-NCPPC conservation easement including 0.92 acres of Category I Conservation Easement and 0.16 acres of Category II Conservation Easement. The Property lies within the Cabin John Creek Watershed (a Use I-P stream).

Figure 1: Camotop Lot 10, Block B; 11995016C



BACKGROUND

The Montgomery County Planning Board approved Preliminary Plan No. 119950160 "Camberwell Property" by Opinion mailed on February 23, 1995 and approved establishment of eight lots including the Subject Property (Attachment 1). The Preliminary Forest Conservation Plan approved in 1995 and amended in 1999 shows the protection of existing forest and proposed forest planting as Category I Conservation Easements (Attachment 2). On June 22, 2011, the Planning Department approved the Final Forest Conservation Plan for Lot 10 including a 0.25- acre forest planting area (Attachment 3). On February 19, 199 a Category I Conservation Easement was granted to M-NCPPC for the forest retention and planting areas in the Subdivision pursuant to the Agreement recorded in Liber 16797 Folio 622 among the Land Records of Montgomery County, Maryland (Attachment 4). Record Plat No. 21390, recorded on April 4, 2000, delineates the Category I Conservation Easement and Category II Conservation Easement on the Subject Property (Attachment 5).

House Construction – Forest Conservation Inspections

The house construction on Lot 10 started in 2011 and was completed in 2014. M-NCPPC forest conservation inspections occurred before, during and after the construction. Administrative Citation No. EPD 000209 citation was issued on April 3, 2014 to the owner's representative for destroying vegetation within the Category I Conservation Easement while installing utility house connections (Attachment 6). The Property Owner implemented the required remedial actions listed on the Citation. The Property Owner conducted the necessary 0.25-acre planting and M-NCPPC Inspector accepted the forest planting in 2014 to start the required maintenance and management period. The M-NCPPC Inspector conducted a final planting inspection in November 2016 and approved release of the financial security.

Post Construction - Conservation Easement Encroachment – Administrative Citation No. EPD 000331

In July 2017 an inspection of the Property's Conservation Easements determined that there were three new and separate violations. Mowing of portions of the Category I Conservation Easement behind the house recently occurred and resulted in the cutting of naturally regenerating plants. Inspection of the location of the driveway revealed that portions of the driveway were constructed within the Category II Conservation Easement. (Figure 3, 4, 5 and 6). Also, a portion of roof drain drywell was installed within the Category I Conservation Easement. The approved Forest Conservation Plan did not permit these improvements to be built within the respective conservation easement areas. Cutting of naturally regenerating plants is prohibited within a Category I Conservation Easement.

Figure 3: Mowing in Category I Conservation Easement next to Democracy Boulevard (M-NCPPC Inspector picture taken 7/13/2017)



Figure 4: Mowing and Maintenance in 0.25-acre forest planting area (M-NCPPC Inspector picture taken 7/13/ 2017)



Figure 5: Portions of Brick Paver Driveway and Gate within Category II Conservation Easement



Figure 6: Portion of Brick Paver Driveway and Brick Monument and Lighting within Category II Conservation Easement



Administrative Citation No. EPD 000331 was issued to the Property Owner on July 19, 2017 for unauthorized structural improvements existing within the Category I and Category II Conservation Easements and for destroying naturally regenerating plants within the Category I Conservation Easement (Attachment 7). The Property Owner met with Planning Staff to discuss the conservation easement violations and the proposed garage and driveway project. Planning Staff determined that a Preliminary Plan Amendment for conservation easement changes could address the conservation easement violations and the proposed new development activity.

APPLICANTS PROPOSAL

On October 2, 2017, the Property Owner submitted Preliminary Plan Amendment 11995016C for forest conservation purposes, for Lot 10 only, to resolve the conservation easement violations and accommodate a proposed garage, a new driveway and stormwater management modifications (Figure 6). The Forest Conservation Plan submitted on February 20, 2018 for Planning Board approval proposes releasing all existing Category I and Category II Conservation Easements on Lot 10 to allow for a new garage, driveway and storm water management modifications and to allow continued mowing adjacent to the home (Attachment 8).

[illegible]

The Forest Conservation Plan proposes 2.62 acres of mitigation for the release of the 1.08 acres of the existing conservation easement. Offsite mitigation consists of 2.1 acres of forest conservation credit and is equal to 2.1 acres of forest planting or 4.2 acres of forest retention at an M-NCPPC approved forest bank. A new 0.52-acre Category II Conservation Easement is proposed onsite (Figure 8).

Figure 7: Existing Conservation Easements totaling 1.08 acres – to be released



Figure 8: Map of New 0.52-acre Category II Conservation Easement



The forest conservation plan submitted for Planning Board approval notes that the Property Owner, must secure M-NCPPC Executive Director approval of a Deed of Conservation Easement Release and record this Release among the land records of Montgomery County, Maryland, prior to the preconstruction meeting for the new garage and driveway. Any planting within the former 0.25-acre planting that may be impacted by the proposed garage and driveway construction will be transplanted into the new 0.52-acre Category II Conservation Easement. Also, six (6), new, two-inch caliper swamp white oak trees are to be planted within the new Category II Conservation Easement.

PLANNING BOARD REVIEW AUTHORITY

The Planning Board approved Preliminary Plan No. 119950160 "Camberwell 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 the release of 1.08 acres of conservation easement.

The Amendment addresses the forest conservation law violations on the Property and recognizes the decline of forest conditions on the Property. Unauthorized mowing of the retained forest areas has prevented forest regeneration. Regardless of the mowing, the number of live plants in the forest areas of the Property have been decreasing since the approved forest clearing allowed by the forest conservation plan was done in 2011. Root damage to trees growing at the edge of the conservation easement resulted in the recent death of few large oak trees. Also, Emerald Ash Borers, an insect pest of ash trees that is native to Asia have invaded the forest and are killing all the understory ash trees.

The total amount of mitigation is 2.62 acres. The amount of conservation easement released is 1.08 acres. Montgomery County Planning Board policy is for 2 acres of planting mitigation for every 1 acre of conservation easement released. In this case, Staff requested the Applicant provided additional mitigation for the release of the 0.25 acres forest planting area. The additional mitigation amounts to 0.46 acres of additional offsite planting. The overall mitigation rate for this amendment is 2.43 acres of mitigation for every acre of conservation easement released.

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 April 13, 2018, 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. 119950160 "Camberwell Property"
2. Approved Preliminary Forest Conservation Plan No. 119950160
3. Approved Final Forest Conservation Plan No. 119950160 for Camotop Lot 10, Block B
4. Category I Conservation Easement Agreement LF16797.622
5. Record Plat No. 21390
6. Administrative Citation No. EPD 000209
7. Administrative Citation No. EPD 000331
8. Forest Conservation Plan No. 11995016C "Camotop Lot 10 Block B" submitted for Montgomery County Planning Board approval of February 20, 2018

Date of Mailing: February 23, 1995



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Action: Approved Staff Recommendation with Conditions
(Motion of Comm. Aron, seconded by Comm. Holmes, with a vote of 4-0; Comms. Aron, Holmes, Baptiste, and Hussmann voting in favor, with Comm. Richardson absent).

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-95016

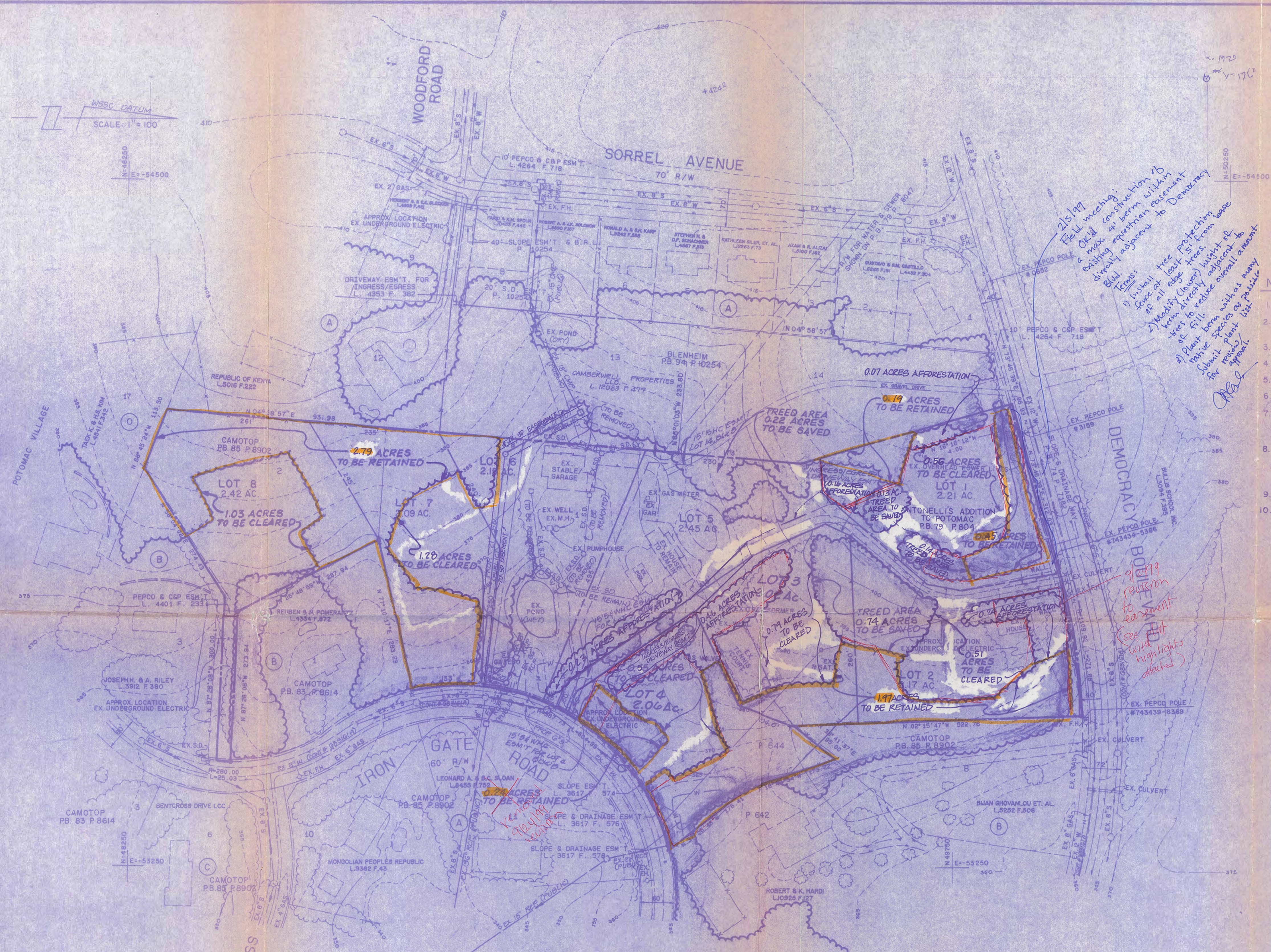
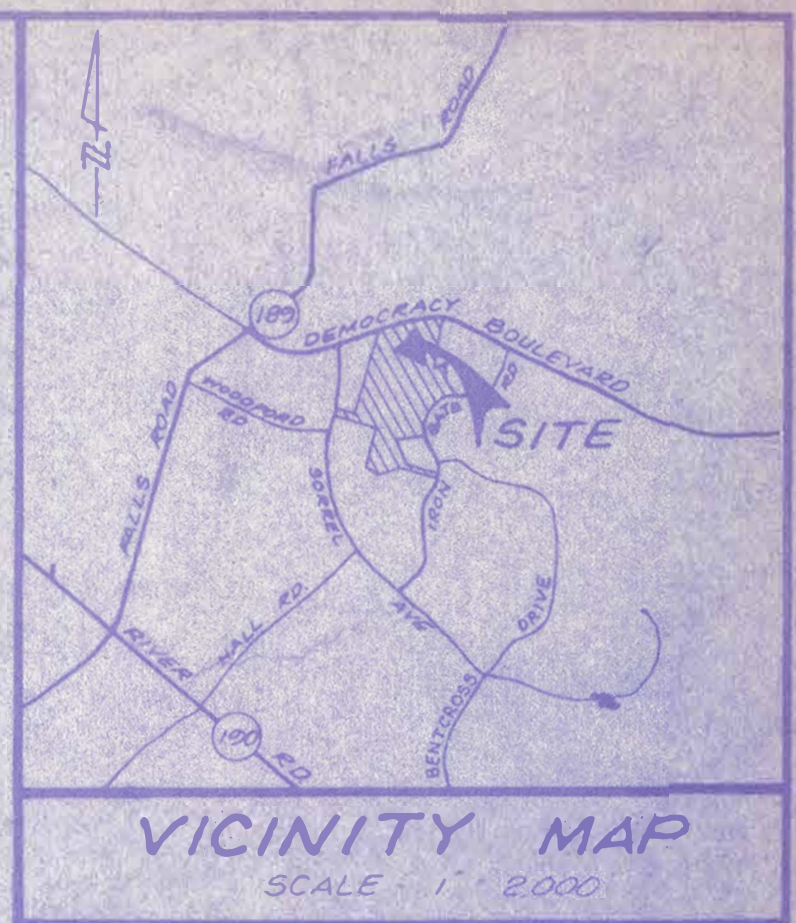
NAME OF PLAN: CAMBERWELL PROPERTY

On 08-19-94, IRONGATE PROPERTIES, submitted an application for the approval of a preliminary plan of subdivision of property in the RE2 zone. The application proposed to create 8 lots on 20.20 ACRES of land. The application was designated Preliminary Plan 1-95016. On 02-09-95, Preliminary Plan 1-95016 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-95016 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-95016, subject to the following conditions:

- 1) Compliance with Environmental Planning Division approval regarding the requirements of the forest conservation legislation (as part of the preliminary plan). Applicant shall satisfy all conditions prior to recording of plat(s) or MCDEP issuance of sediment and erosion control permit, as appropriate
- 2) Access and improvements as required and approved by MCDOT including access from existing driveways to Democracy Boulevard
- 3) Record plat(s) to reflect delineation of a conservation easement over the areas of tree preservation and wetland buffer
- 4) Conditions of MCDEP stormwater management approval dated 1-24-95
- 5) Dedication of Democracy Boulevard 40 feet off center line
- 6) Record plat(s) to reference common ingress/egress easements
- 7) Record plat to reference a 20 foot building restriction line/non-disturbance line on proposed lot 4 adjoining side line of parcel 642
- 8) Other necessary easements

- 9) This preliminary plan will remain valid until March 23, 1998. Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed.

WSSC DATUM
SCALE 1" = 100'
N=46250
E=54500



NOTES:

- EXISTING ZONING IS RE-2.
- BOUNDARY INFORMATION IS FROM A BOUNDARY SURVEY BY LOIEDERMAN ASSOCIATES, INC. DATED NOVEMBER, 1993.
- TOPOGRAPHY IS FROM MNCBP/C.
- TOTAL AREA = 17.54 ACRES.
- DEDICATION FOR DEMOCRACY BOULEVARD = 0.04 ACRES.
- NUMBER OF LOTS PROPOSED = 8.
- PROPOSED LOT LOCATIONS, SHAPES, DIMENSIONS AND SQUARE FOOTAGE ARE APPROXIMATIONS. FINAL COMPUTATIONS AND INFORMATION WILL BE PROVIDED ON THE RECORD PLAT.
- THIS PLAN IS A RESUBDIVISION OF LOT 1 ANTONELLI'S ADDITION TO POTOMAC (P.B. 79 P. 8047), LOT 14 BLOCK A-BLENHEIM (P.B. 94 P. 10254), LOTS 2, 4, AND 9 BLOCK B CAMOTOP (P.B. 85 P. 8902), AND PARCEL 644.
- WATER AND SEWER CATEGORIES ARE W-1 AND S-1.
- THE NATURAL RESOURCE INVENTORY MAP AND FOREST STAND DELINEATION PLAN # 4-94191 WAS APPROVED BY MNCBP/C ON MAY 24, 1994.

PRELIMINARY FOREST CONSERVATION WORKSHEET COMPUTATIONS

CAMBERWELL PROPERTY

Zone: RE-2, Conservation Threshold = 25%		
Afforestation Thresholds = 20%		
Land Use Category = MDR		
a.)	Total Tract Area:	17.54 Acres
b.)	Afforestation Threshold (20% of a):	3.51 Acres
c.)	Conservation Threshold (25% of a):	4.39 Acres
d.)	Existing Forest Cover:	12.23 Acres
e.)	Forest Cover Above Afforestation Threshold (d-b):	8.72 Acres
f.)	Forest Cover Above Conservation Threshold (d-c):	7.84 Acres
g.)	Since Existing Forest Cover is Less Than Afforestation Threshold (d < c), Afforestation Planting Is Required.	
h.)	Total Afforestation Requirement (b-d):	0.00 Acres
i.)	Forest Cover to be Retained:	5.62 Acres
j.)	Forest To Be Cleared:	4.72 Acres
k.)	Area of Forest Above Conservation Threshold To Be Cleared:	4.72 Acres
l.)	Area of Forest Below Conservation Threshold To Be Cleared:	0.00 Acres
m.)	Forest Above Conservation Threshold To Be Retained (i-c):	1.23 Acres
n.)	Reforestation Req'd For Clearing Above Threshold (k x 0.25):	1.18 Acres
o.)	Reforestation Req'd For Clearing Below Threshold (l x 2.0):	0.00 Acres
p.)	Credit For Forest Saved Above Threshold (m):	1.23 Acres
q.)	Total Reforestation Requirement (n+o-p):	0.00 Acres
r.)	Total Planting Requirement (h+q):	0.00 Acres

*Computations do not include individual significant trees outside forested areas.
**Existing forest includes only forest areas 1 & 2. Treed areas are not included in the existing Forest Conservation computations.

OWNER/DEVELOPER

IRONGATE PROPERTIES
9601 SEVEN LOCKS ROAD
P.O. BOX 34936
BETHESDA, MD. 20817
301-299-3632

THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION
ENVIRONMENTAL PLANNING DIVISION

CONDITIONAL APPROVAL

1-95016
2/9/95
3/1/95

LOIEDERMAN ASSOCIATES, INC.
CIVIL ENGINEERING LAND PLANNING LAND SURVEYING
ENVIRONMENTAL STUDIES

15200 Shady Grove Road Rockville, Maryland 20850 (301) 949-2750
4407 Forbes Boulevard Lanham, Maryland 20706 (301) 734-7555
258 West Patrick Street Frederick, Maryland 21704 (301) 831-4544

Designed KBB	REVISED FCP AREAS	MFW 2/12/94
Drafted JWN	Revise FCP Worksheet Per MNCBP/C	MFW 2/24/94
Checked KBB	REVISED FCP WORKSHEET	MFW 10/18/94
Proj. Eng. MFF	REVISED CIVIL/ENG. LOTS 1-14 & 15	MFW 7/97
	REVISED CLEARED & RETAINED AREAS	MFW 5/97
	REVISED LAYOUT LOTS 1-14	MFW 6/97
	PLAN REVISED PER MNCBP/C COMMENTS	MFW 11/95
	PLAN REVISED FROM LOTS 1-14 & 15	10/94
DATE AUGUST, 1994	NO. REVISIONS	BY DATE

PRELIMINARY FOREST CONSERVATION PLAN

CAMBERWELL PROPERTY
L. 10961 F. 484
POTOMAC (10TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

SCALE
1" = 100'
SHEET
1
OF 1 SHEETS
JOB NO.
653 - 00



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

June 22, 2011

Amir Tofigh
14048 Gorky Drive
Potomac, MD 20854

RE: Final Forest Conservation Plan
Project Name: Lot 10, Block B, Camotop
Plan Number: 119950160

Dear Mr. Tofigh:

The forest conservation plan for Lot 10 Block B Camotop, submitted to the Montgomery Planning Department on June 21, 2011 is consistent with final forest conservation plan 119950160 is approved with the following conditions:

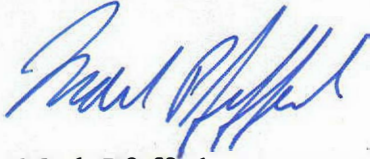
1. Inspections consistent with COMCOR 22A.00.01.10 of the Forest Conservation Regulations.
2. Financial security for the conservation easement planting must be submitted to Planning Department and accepted by the Associate General Counsel's office prior to any onsite clearing and grading. The required financial security is \$6,200.
3. The planting area is subject to a maintenance and management agreement, which must be approved by the Planning Department prior to the start of the 2 year maintenance period.
4. The permanent conservation easement markers are to be installed prior to completion of construction activities and before removal of the tree protection fencing.

Please note, this approval modifies the previously approved planting location on Lot 10, Block B but does not affect the recorded conservation easements and the tree save and protection areas shown on approved final forest conservation plan 119950160. In addition, the forest conservation worksheet shown on the submitted plan was not necessary for the planting requirements were established for the forest conservation plan submitted and approved for the entire subdivision.

Any changes from the approved final forest conservation plan may constitute grounds to rescind or amend any approval actions taken, and to re-evaluate the site for additional or amended plantings. If there are any subsequent additions or modification planned for this development, a separate amendment must be submitted to Planning Department for review and approval prior to those changes

occurring. If you have any questions regarding these actions, please feel free to contact Stephen Peck at stephen.peck@montgomeryplanning.org or (301) 495-4622- 4564

Sincerely,



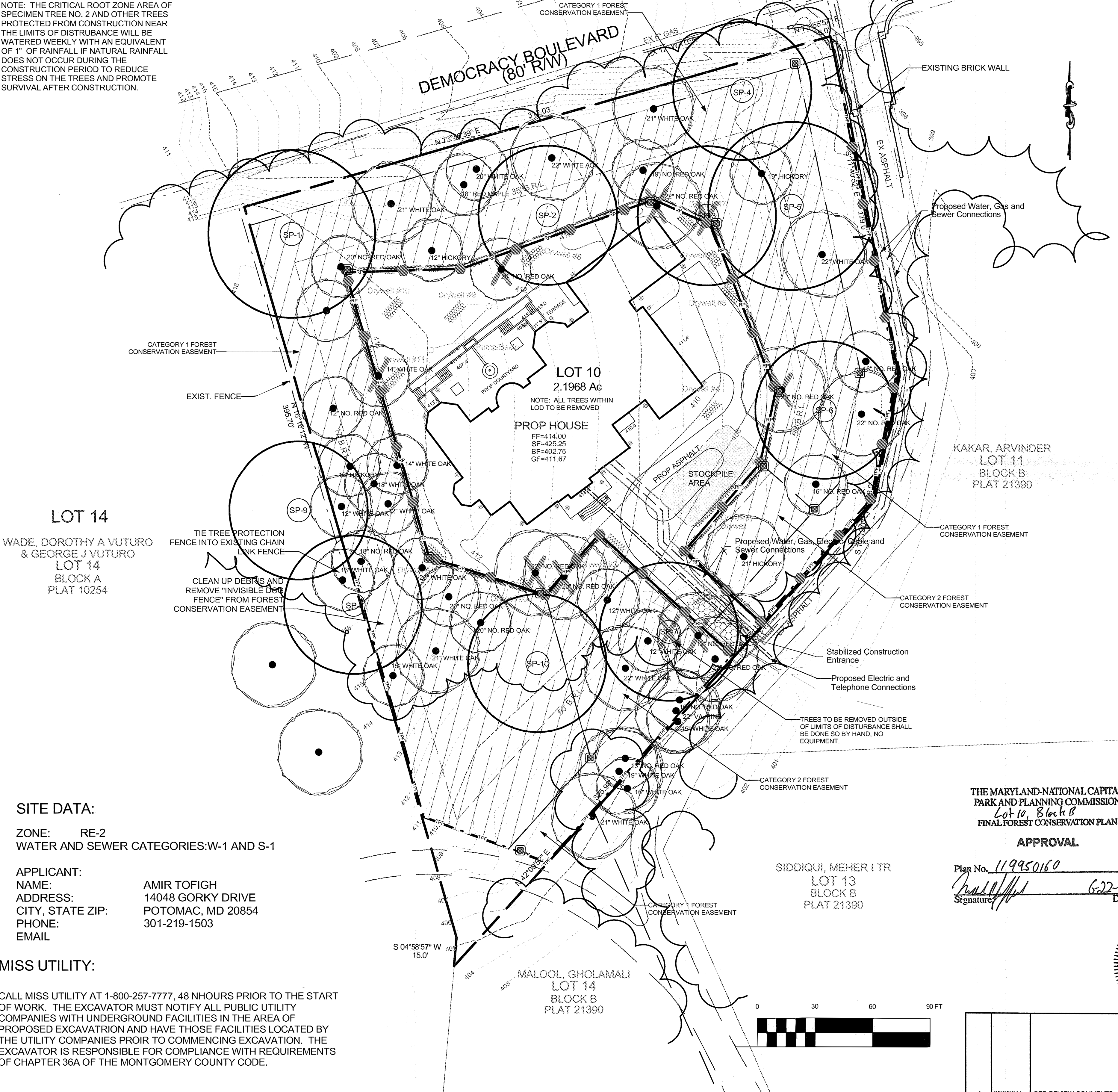
Mark Pfefferle
Forest Conservation Program Manager
Acting Chief Development Applications & Regulatory Coordination
Montgomery County Planning Department

CC: David Post 10725 Santa Anita Terrace Damascus, MD 20872

SPECIMEN TREE TABLE

TREE ID	BOTANICAL NAME	COMMON NAME	DBH	CONDITION	REMARKS	SAVE/REMOVE	DBH OF COUNTY CHAMPION	75% OF COUNTY CHAMPION DBH
1	Quercus alba	White Oak	28"	Good		Save	77"	58"
2	Quercus alba	White Oak	24"	Good	Near LOD	Save	77"	58"
3	Quercus rubra	Northern Red Oak	24"	Good	Near LOD	Remove	72"	54"
4	Quercus alba	White Oak	24"	Good		Save	77"	58"
5	Quercus rubra	Northern Red Oak	29"	Good	Measured at crotch	Save	72"	54"
6	Quercus rubra	Northern Red Oak	24"	Good		Save	77"	58"
7	Quercus rubra	Northern Red Oak	24"	Dead	Measured at crotch	Remove	77"	58"
8	Quercus rubra	Northern Red Oak	24"	Good	On Lot 14	Save	77"	58"
9	Quercus alba	White Oak	24"	Good	On Lot 14	Save	77"	58"
10	Quercus rubra	Northern Red Oak	24"	Good		Save	72"	54"

NOTE: THE CRITICAL ROOT ZONE AREA OF SPECIMEN TREE NO. 2 AND OTHER TREES PROTECTED FROM CONSTRUCTION NEAR THE LIMITS OF DISTURBANCE WILL BE WATERED WEEKLY WITH AN EQUIVALENT OF 1" OF RAINFALL IF NATURAL RAINFALL DOES NOT OCCUR DURING THE CONSTRUCTION PERIOD TO REDUCE STRESS ON THE TREES AND PROMOTE SURVIVAL AFTER CONSTRUCTION.



SITE DATA:

ZONE: RE-2
WATER AND SEWER CATEGORIES: W-1 AND S-1

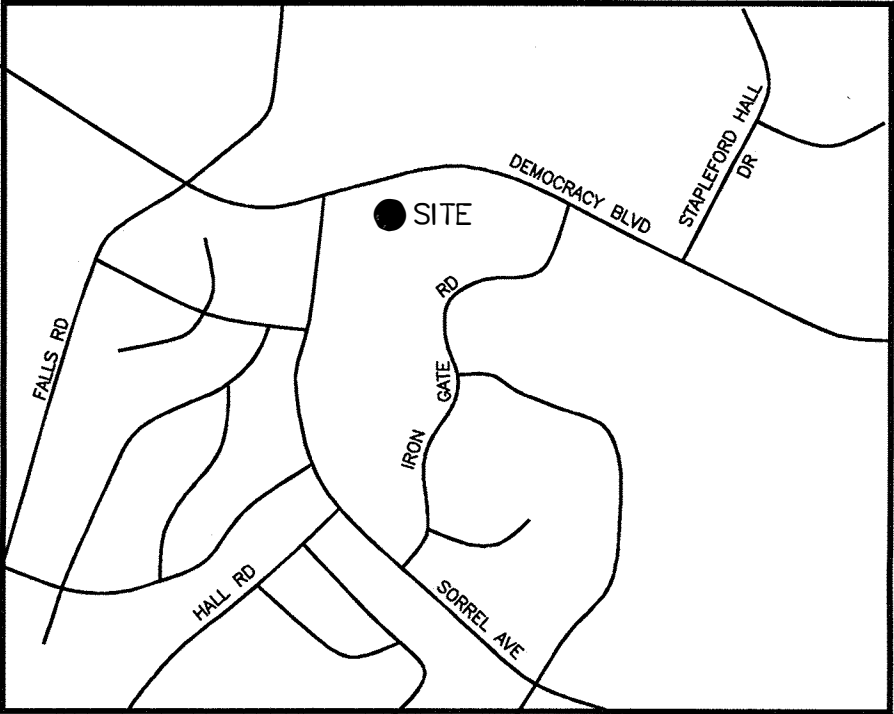
APPLICANT:
NAME: AMIR TOFIGH
ADDRESS: 14048 GORKY DRIVE
CITY, STATE ZIP: POTOMAC, MD 20854
PHONE: 301-219-1503
EMAIL

MISS UTILITY:

CALL MISS UTILITY AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF WORK. 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 36A OF THE MONTGOMERY COUNTY CODE.

NOTES:

- BOUNDARY AND TOPOGRAPHIC SURVEY DATED 1/5/2011 WAS PROVIDED BY: REAL ESTATE SURVEYORS 8325 CHERRY LANE LAUREL, MARYLAND 20707 TEL: (301)604-3105
- SITE PLAN WAS PROVIDED BY: LANDPLAN ASSOCIATES 12129 GEORGIA AVE. SILVER SPRING, MD 20902 301-279-9990
- PLAT NO. 21390 INDICATES TWO AREAS OF "T.C.II" ASSUMED TO MEAN CATEGORY 2 FOREST CONSERVATION EASEMENT WITH A TOTAL AREA OF 0.1509 ACRES. LIMITED DISTURBANCE IS PROPOSED IN THESE AREAS TO DEAD AND ONE TREE VERY CLOSE TO THE LIMIT OF DISTURBANCE LINE.
- THE PRELIMINARY FOREST CONSERVATION PLAN NO. 1-95016 WAS APPROVED ON 2/9/1995 AND REVISED ON 3/4/1999. THE NRI/FSD NO. 4-94191 WAS APPROVED ON 5/24/1994.
- ACCORDING TO THE APPROVED PRELIMINARY FOREST CONSERVATION PLAN, 0.07 ACRES OF THE WESTERN PORTION OF THE FOREST CONSERVATION EASEMENT IS TO BE AFFORESTED. FIELD VERIFICATION INDICATES THAT NUMEROUS TREES ARE GROWING IN THIS AREA PROVIDING A MIN. OF 100 TREES PER ACRE THEREFORE, AFFORESTATION IS NOT PROPOSED FOR THIS AREA.
- THE BERMS ALONG DEMOCRACY BLVD. WERE APPROVED BY THE 3/4/1999 REVISION TO THE PRELIMINARY FOREST CONSERVATION EASEMENT.
- THE 0.16 ACRE AREA OF THE SOUTHERN PORTION OF THE FOREST CONSERVATION EASEMENT WILL BE PLANTED WITH 1" CAL. AND 2" CAL. NATIVE TREES AND 3 GAL. CONTAINER GROWN NATIVE SHRUBS.
- CONSERVATION EASEMENT BOUNDARIES TO BE STAKED OUT AND FLAGGED FOR THE PRECONSTRUCTION MEETING.



VICINITY MAP

Scale: 1" = 1,200'

LEGEND:

- Existing and Proposed Sewer
- Existing Contour
- Proposed Contour
- Proposed Super Silt Fence with Tree Protection Signs
- Limits of Disturbance
- Proposed Spot Elevation

Specimen Tree (24" DBH Min.)

Tree Protection Sign

Permanent Forest Conservation Easement Sign

Tree Protection Fence

Root Pruning

Other Existing Tree

Existing Tree to be Removed

FOREST CONSERVATION DATA:

TRACT AREA: 2.1968 ACRES
AREA OF TRACT REMAINING IN AGRICULTURAL USE: 0.00 ACRES
AREA OF ROAD AND UTILITY ROW'S NOT IMPROVED: 0.00 ACRES
AREA OF STREAM VALLEY BUFFER: 0.00 ACRES
TOTAL EXISTING FOREST: 1.60 ACRES
TOTAL FOREST RETAINED: 1.14 ACRES
TOTAL FOREST CLEARED (REMOVED): 0.56 ACRES
LAND USE CATEGORY: MEDIUM DENSITY RESIDENTIAL
CONSERVATION THRESHOLD: 0.55 ACRES
AFFORESTATION THRESHOLD: 0.44 ACRES
FORESTED WETLANDS: 0.00 ACRES
FORESTED 100-YEAR FLOODPLAINS: 0.00 ACRES
FORESTED STREAM VALLEY BUFFER: 0.00 ACRES
EXISTING RETAINED: 0.00 ACRES
EXISTING CLEARED: 0.00 ACRES
PROPOSED PLANTED: 0.00 ACRES
PRIORITY FOREST: 1.14 ACRES
EXISTING RETAINED: 0.56 ACRES
EXISTING CLEARED: 0.23 ACRES
PROPOSED PLANTED: 0.23 ACRES
STREAM VALLEY BUFFER: 0 LIN. FT.
LENGTH: 0 LIN. FT.
AVERAGE WIDTH: 0 LIN. FT.

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 119950160 including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: AMIR TOFIGH

Contact Person or Owner: AMIR TOFIGH

Address: 14048 GORKY DRIVE, POTOMAC, MD 20854

Phone and Email: 301-219-1503 ATFIGH2000@YAHOO.COM

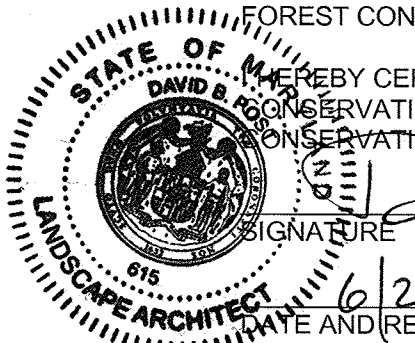
Signature: Amir Tofigh

THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Lot 10, Block B
FINAL FOREST CONSERVATION PLAN

APPROVAL

Plan No. 119950160

Signature: Amir Tofigh Date: 6-22-11



FOREST CONSERVATION PLANNER CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED ACCORDING TO THE MARYLAND FOREST CONSERVATION ACT (COMAR TITLE 08, SUBTITLE 19, FOREST CONSERVATION) AND CHAPTER 22A, FOREST CONSERVATION OF THE MONTGOMERY COUNTY CODE (COMAR 1-01AM)

Signature: David B. Post Date: 6/20/2011 License: 144615

PostModern

Landscape Architecture
Site Planning
Forest Conservation
New/Existing Garden Design
David B. Post
Registered Landscape Architect
10725 Santa Anita Terrace
Damasco, MD 20862
Phone: 301-910-7321
Email: dpost@postmodern.com
MD • VA • WV

Project Title: LOT 10, BLOCK B CAMOTOP 10216 IRON GATE ROAD POTOMAC, MD 20854 10TH ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND

Drawing Title: FINAL FOREST CONSERVATION PLAN

Drawn By: DBP Project ID: 2011-09

Scale: 1" = 30'

Drawing No. 1 of 3

Date: MAY 26, 2011

CAD File Name

AFFORESTATION PLANT SCHEDULE

ID	Quantity	Latin Name	Common Name	Scheduled Size	Notes
Ac	6	Amelanchier canadensis	Canadian Serviceberry	1" CAL.	B&B
Ar	3	Acer rubrum	Red Maple, Swamp Maple	1.5" CAL.	B&B
Cc	7	Cercis canadensis	Eastern Redbud	1" CAL.	B&B
Ns	3	Nyssa sylvatica	Black Gum	2" CAL.	B&B
Qr	5	Quercus rubra	Red Oak	2" CAL.	B&B, SPRING PLANTING
Vd	8	Viburnum dentatum	Arrowwood	3 GAL.	CONTAINER

FINANCIAL SECURITY CALCULATION:

8	2" CAL. TREES	x	\$250	=	\$2,000
16	1" CAL. TREES	x	\$125	=	\$2,000
8	3 GAL. SHRUBS	x	\$25	=	\$ 200
MAINTENANCE FOR 2 YEARS					\$2,000
TOTAL					\$6,200

NOTE: TOTAL FINANCIAL SECURITY WILL BE BONDED PRIOR TO THE PREPLANTING MEETING. THE 2 YEAR MAINTENANCE AND MANAGEMENT AGREEMENT WILL BE APPROVED PRIOR TO THE MNCPPC INSPECTOR'S ACCEPTANCE OF THE PLANTING AND START OF THE WARRANTY PERIOD.

LOT 14

WADE, DOROTHY A VUTURO & GEORGE J VUTURO
LOT 14
BLOCK A
PLAT 10254

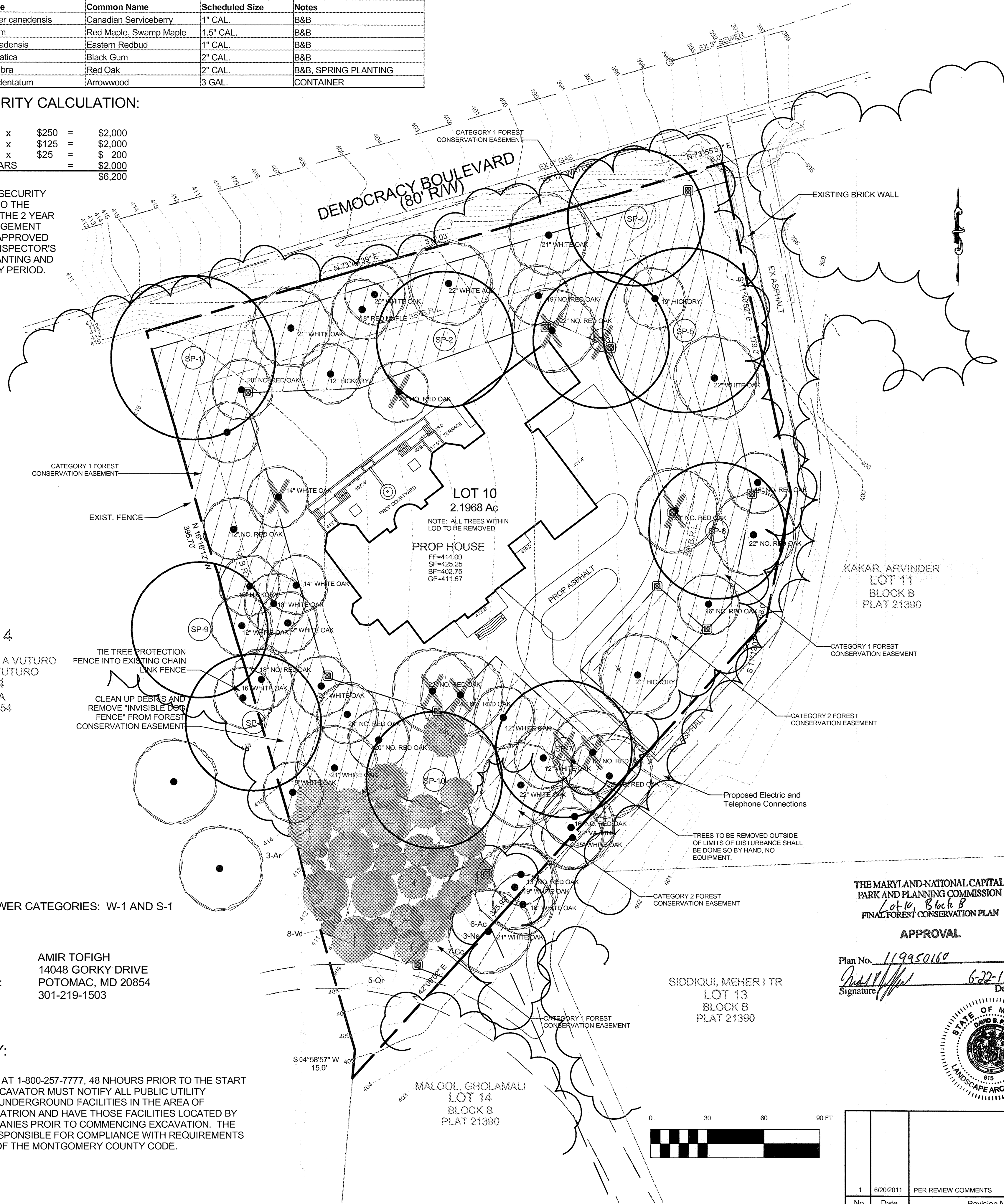
SITE DATA:

ZONE: RE-2
WATER AND SEWER CATEGORIES: W-1 AND S-1

APPLICANT:
NAME: AMIR TOFIGH
ADDRESS: 14048 GORKY DRIVE
CITY, STATE ZIP: POTOMAC, MD 20854
PHONE: 301-219-1503
EMAIL

MISS UTILITY:

CALL MISS UTILITY AT 1-800-257-7777. 48 HOURS PRIOR TO THE START OF WORK. 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 36A OF THE MONTGOMERY COUNTY CODE.

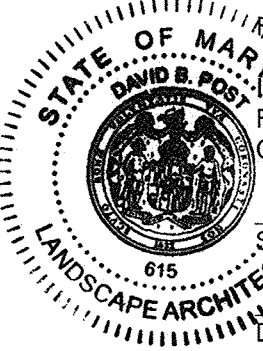


THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
Lot 10, Block B
FINAL FOREST CONSERVATION PLAN

APPROVAL

Plan No. 119950160

Signature: [Signature] Date: 6-22-11



FOREST CONSERVATION PLANNER CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED ACCORDING TO THE MARYLAND FOREST CONSERVATION ACT (COMAR TITLE 08, SUBTITLE 19, FOREST CONSERVATION) AND CHAPTER 22A, FOREST CONSERVATION OF THE MONTGOMERY COUNTY CODE (COMAR 1-01AM)

Signature: [Signature] Date: 6/20/2011 License: 015

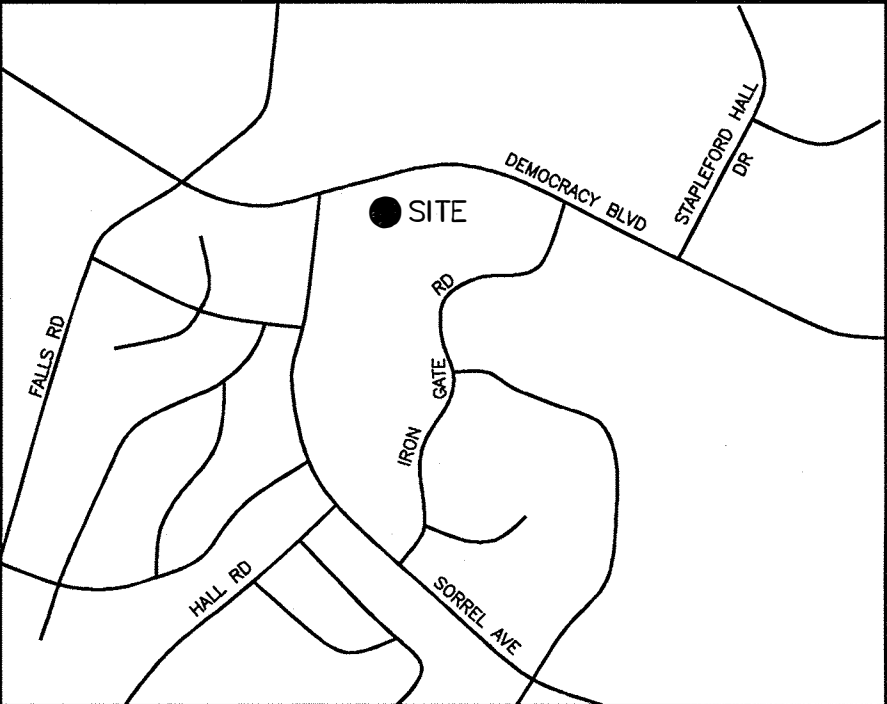
No.	Date	Revision Notes
1	6/20/2011	PER REVIEW COMMENTS

PostModern

Landscape Architecture
Site Planning
Forest Conservation
Neo-Eclectic Garden Design
David B. Post
Registered Landscape Architect
10725 Santa Anita Terrace
Damasco, MD 20882
Phone: 301-910-7321
E-mail: dpost@postmodern.com
MD - VLS - 015

Project Title: LOT 10, BLOCK B CAMOTOP 10216 IRON GATE ROAD POTOMAC, MD 20854 10TH ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND
Drawing Title: FINAL FOREST CONSERVATION PLANTING PLAN

VICINITY MAP
Scale: 1" = 1,200'



LEGEND:

- Existing and Proposed Gas Line
- Existing and Proposed Sewer
- Existing Contour
- Proposed Contour
- Proposed Super Silt Fence with Tree Protection Signs
- Limits of Disturbance
- Proposed Spot Elevation + 11.2
- Specimen Tree (24" DBH Min.)
- Tree Protection Sign
- Permanent Forest Conservation Easement Sign
- Tree Protection Fence
- Root Pruning
- Other Existing Tree
- Existing Tree to be Removed

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 119950160 including financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: AMIR TOFIGH
Contact Person or Owner: AMIR TOFIGH
Address: 14048 GORKY DRIVE, POTOMAC, MD 20854
Phone and Email: 301-219-1503 ATOTIGH2000@YAHOO.COM
Signature: [Signature]

Drawn By: DBP
Project ID: 2011-08
Scale: 1" = 30'
Drawing No. 2 of 3
Date: MAY 26, 2011
CAD File Name:

Sequence of Events for Property Owners Required to Comply With
Forest Conservation and/or Tree-Save Plans

Pre-Construction

1. An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged, but before any clearing or grading begins. The property owner should contact the Montgomery County Planning Department inspection staff before construction to verify the limits of disturbance and discuss tree protection and tree care measures. The developer's representative, construction superintendent, ISA certified arborist or Maryland-licensed tree expert that will implement the tree protection measures, forest conservation inspector, and Department of Permitting Services (DPS) sediment control inspector should attend this pre-construction meeting.

2. 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 matting

Measures not specified on the forest conservation plan may be required as determined by the forest conservation inspector in coordination with the arborist.

3. A 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 forest conservation inspector or sent to the inspector at 8787 Georgia Avenue, Silver Spring, MD 20910. The forest conservation inspector will determine the exact method to convey the stress reductions measures during the pre-construction meeting.

4. Temporary tree protection devices shall be installed per the Forest Conservation Plan/Tree Save Plan and prior to any construction activities. Tree protection fencing locations should be staked prior to the pre-construction meeting. The forest conservation inspector, in coordination with the DPS sediment control inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan. Temporary tree protect devices may include:

- Chain link fence (four feet high)
- Super silt fence with wire strung between support poles (minimum 4 feet high) with high visibility flagging.
- 14 gauge 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging.

5. Temporary protection devices shall be maintained and installed by the contractor for the duration of construction project and must not be altered without prior approval from the forest conservation inspector. 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 of forest conservation inspector.

6. Forest retention area signs shall be installed as required by the forest conservation inspector, or as shown on the approved plan.

7. Long-term protection devices will be installed per the Forest Conservation Plan/Tree Save 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.

During Construction

8. Periodic inspections by the forest conservation inspector will occur during the construction project. Corrections and repairs to all tree protection devices, as determined by the forest conservation inspector, must be made within the timeframe established by the inspector.

Post-Construction

9. After construction is completed, an inspection shall be requested. Corrective measures may include:

- Removal and replacement of dead and dying trees
- Pruning of dead or declining limbs
- Soil aeration
- Fertilization
- Watering
- Wound repair
- Clean up of retention areas

10. After inspection and completion of corrective measures have been undertaken, all temporary protection devices shall be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both the Department of Permitting Services and the forest conservation inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.

INSPECTIONS

All field inspections must be requested by the applicant. Inspections must be conducted as follows:

Tree Save Plans and Forest Conservation Plans without Planting Requirements

1. After the limits of disturbance have been staked and flagged, but before any clearing or grading begins

2. After necessary stress reduction measures have been completed and protection measures have been installed, but before any clearing and grading begin.

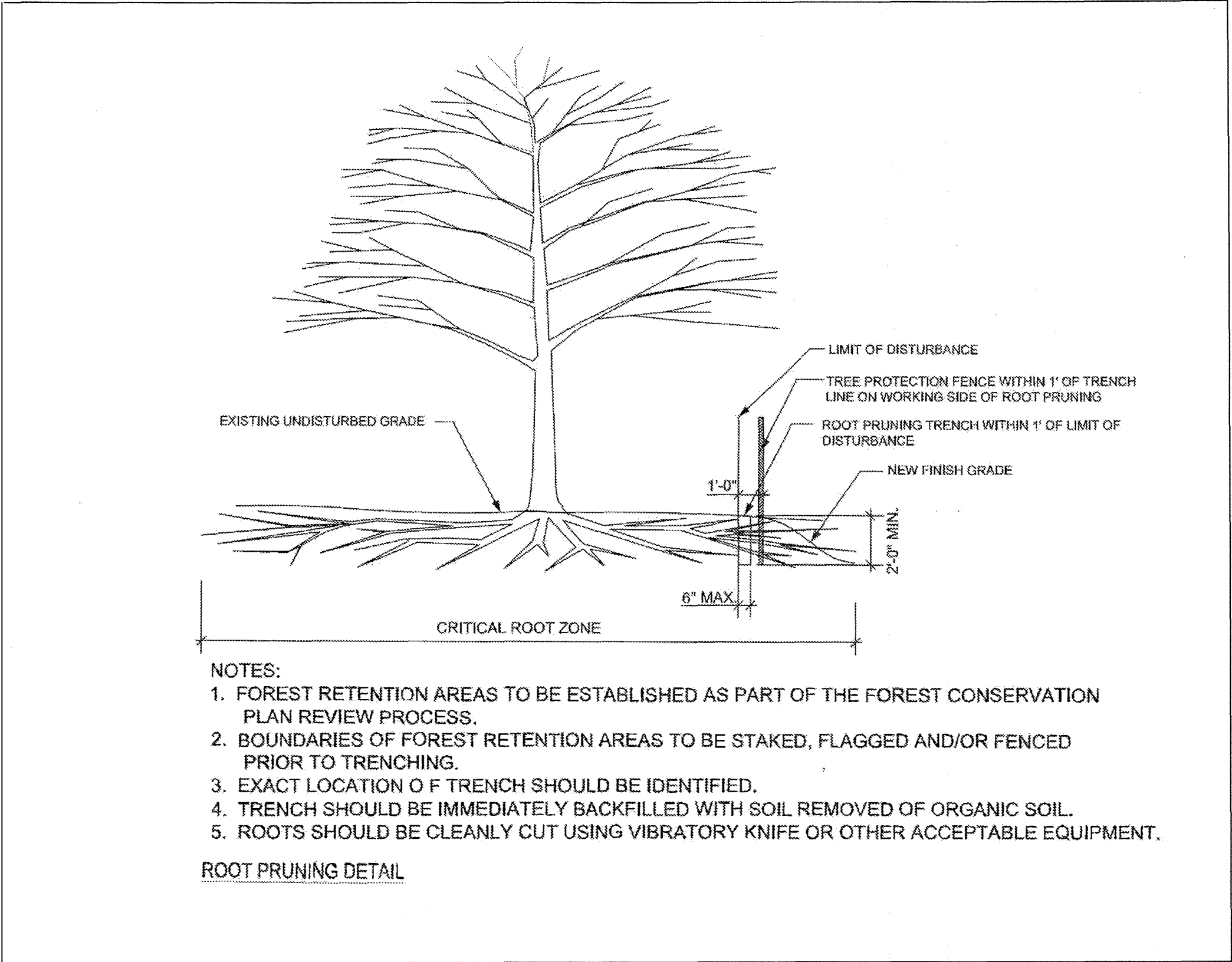
3. After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest conservation.

Additional Requirements for Plans with Planting Requirements

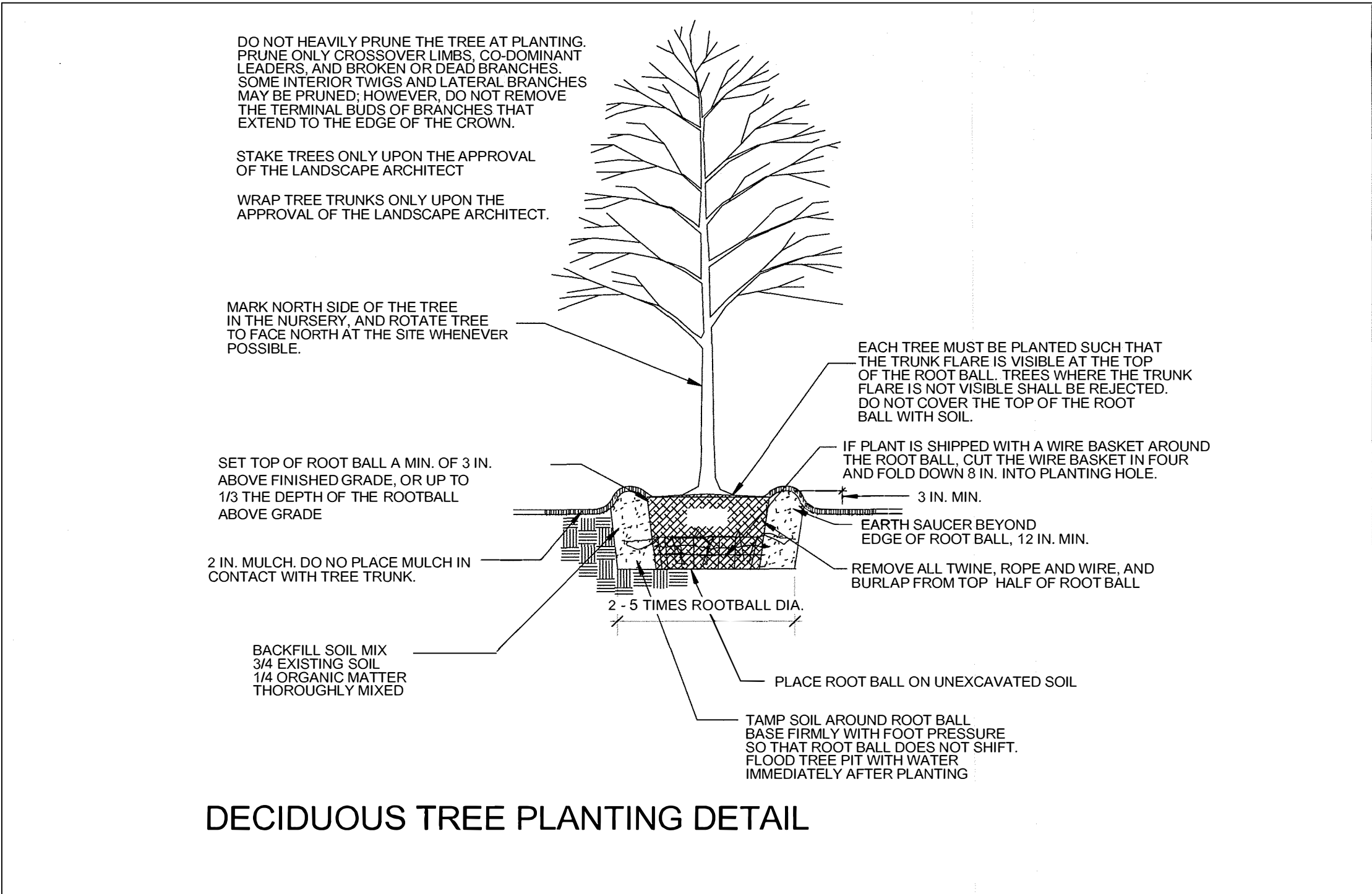
4. Before the start of any required reforestation and afforestation planting

5. After the required reforestation and afforestation planting has been completed to verify that the planting is acceptable and prior to the start the maintenance period.

6. At the end of the maintenance period to determine the level of compliance with the provisions of the planting plan, and if appropriate, release of the performance bond.

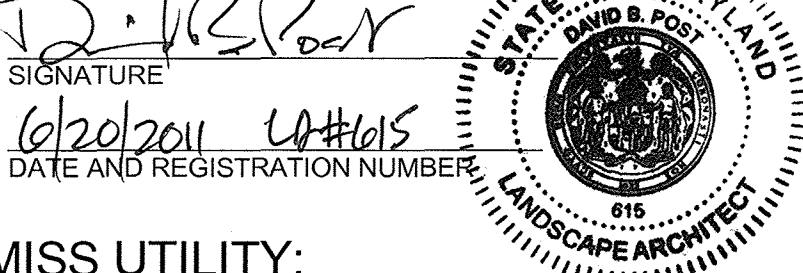


ROOT PRUNING DETAIL
NOT TO SCALE



FOREST CONSERVATION PLANNER CERTIFICATION:

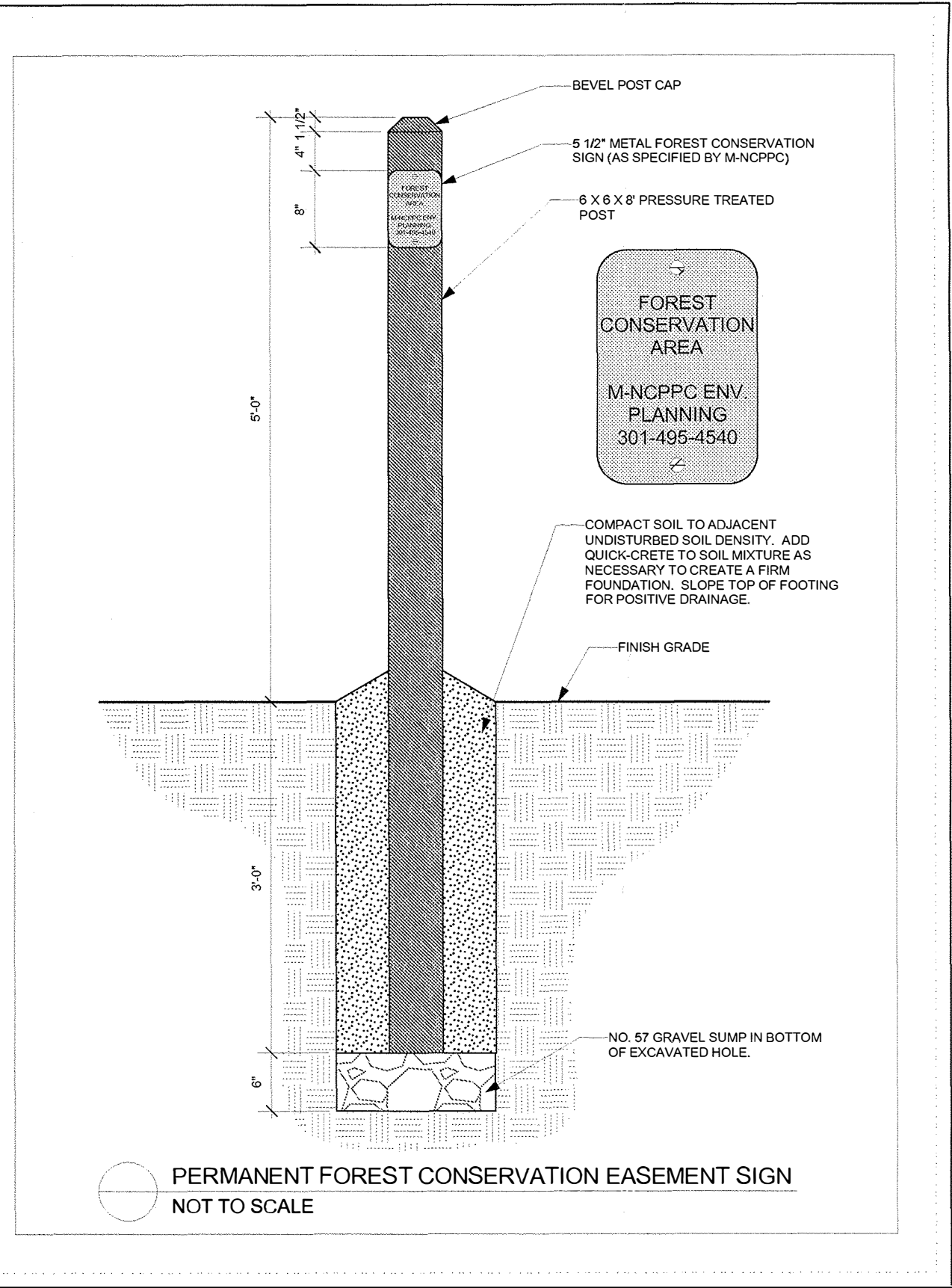
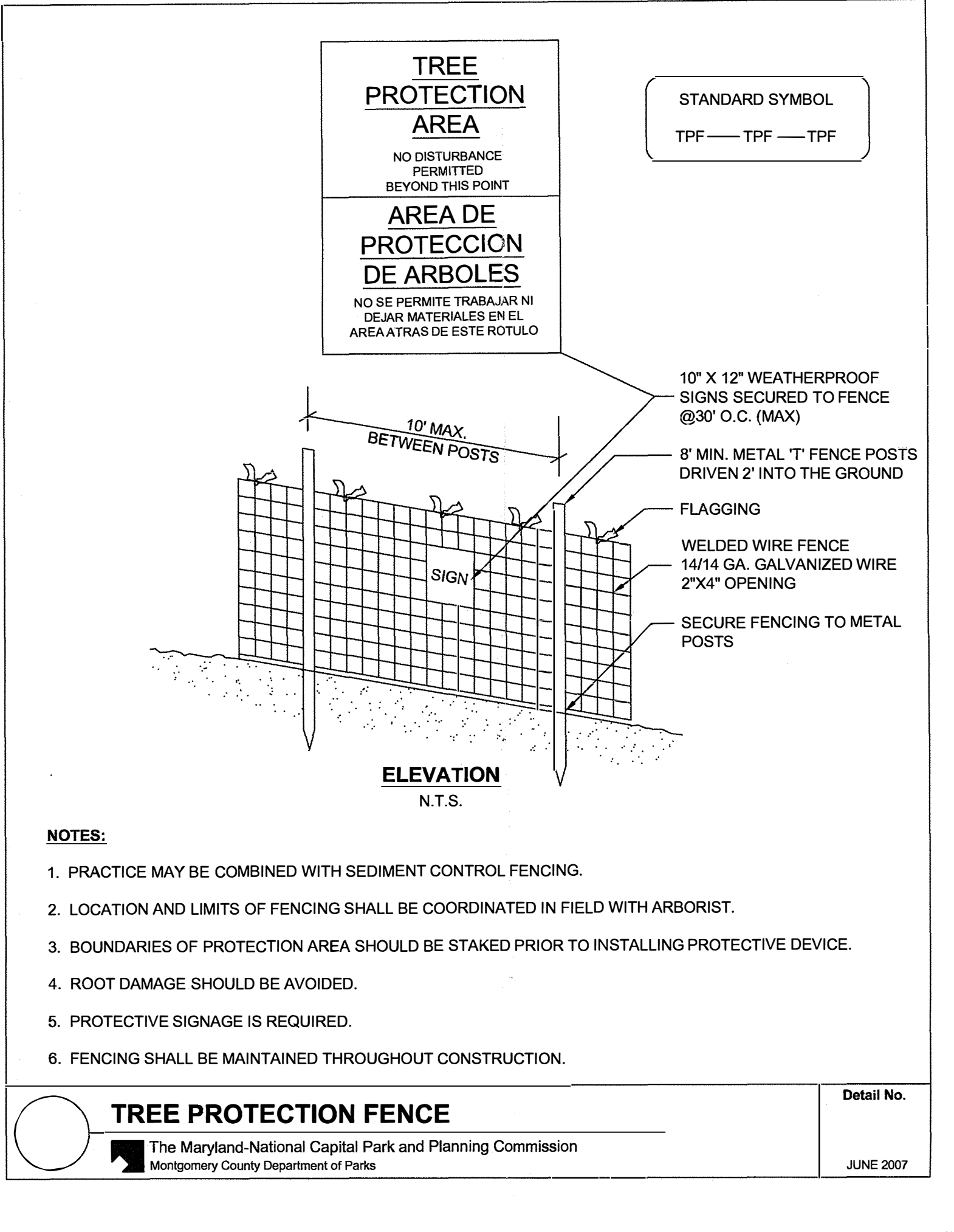
I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED ACCORDING TO THE MARYLAND FOREST CONSERVATION ACT (COMAR TITLE 08, SUBTITLE 16, FOREST CONSERVATION) AND CHAPTER 22A, FOREST CONSERVATION OF THE MONTGOMERY COUNTY, MARYLAND (COMAR 1-01AM)



MISS UTILITY:

CALL MISS UTILITY AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF WORK. 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 36A OF THE MONTGOMERY COUNTY CODE.

No.	Date	Revision Notes
1	6/20/2011	PER REVIEW COMMENTS



NOTE: 12 PERMANENT FOREST CONSERVATION SIGNS TO BE PROVIDED AND INSTALLED PER M-NCPPC STAFF.

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
Lot 10 Block B
FINAL FOREST CONSERVATION PLAN

APPROVAL

Plan No. 119950160
Signature: [Signature] Date: 6-22-11
Montgomery County
Planning Department

SITE DATA:

ZONE: RE-2
WATER AND SEWER CATEGORIES: W-1 AND S-1

APPLICANT:

NAME: AMIR TOFIGH
ADDRESS: 14048 GORKY DRIVE
CITY, STATE ZIP: POTOMAC, MD 20854
PHONE: 301-219-1503
EMAIL: 301-219-1503

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 119950160, including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: AMIR TOFIGH
Printed Company Name: AMIR TOFIGH
Contact Person or Owner: AMIR TOFIGH
Printed Name: AMIR TOFIGH
Address: 14048 GORKY DRIVE, POTOMAC, MD 20854
Phone and Email: 301-219-1503 ATOFIGH2000@YAHOO.COM
Signature: [Signature]

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Landscape Architecture
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David B. Post
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10725 Santa Anita Terrace
Damascus, MD 20882
Phone: 301-910-7321
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MD • VA • WV

Project Title	LOT 10, BLOCK B CAMOTOP 10216 IRON GATE ROAD POTOMAC, MD 20854 10TH ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND
Drawn By	DBP
Project ID	2011-09
Scale	1" = 30'
Drawing Title	FINAL FOREST CONSERVATION PLAN DETAILS
Date	MAY 26, 2011
CAD File Name	

Drawn By	DBP	Project ID	2011-09
Scale	1" = 30'	Drawing No.	3 of 3
Date	MAY 26, 2011		
CAD File Name			

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 review 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.

IMP FD SURE \$ 2.00
RECORDING FEE 75.00
TOTAL 77.00
Reg# M088 Rcr# 95283
MQR ANH BIK 5378
Feb 18 2009 09:18

99 FEB 19 A 9:15

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 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 a conservation easement ("Easement") pursuant to the provisions of Montgomery County Code Chapter 50 (Subdivision Regulations), and/or Chapter 59 (Zoning Ordinance); and

WHEREAS, the FCP includes 0.83 acres of forested area to be retained in excess of the amount required to achieve compliance with Chapter 22A, Montgomery County Code (the "Forestation Credit"); and

WHEREAS, Grantor intends to reserve the right to: 1) utilize the Forestation Credit for purposed of adjusting the amount of forested area provided on record plats for property governed by Preliminary Plan No. 1-95016 (the "Camberwell Property"), so long as said adjustments do not result in a reduction in forested area which exceeds the total area of the Forestation Credit; and 2) utilize areas identified as "treed areas to be saved" on the FCP to mitigate for the clearing of forested area designated for retention

(over and above the Forestation Credit) at a ration of 1 acre of trees saved per .25 acres cleared, or reforestation at a ratio of 2 acres planted for every acre removed; and

WHEREAS, the location of the area subject to the Easement, which area Grantor may reduce in Grantor's sole discretion, subject to the restrictions contained herein, is as described on Schedule "A" and shown on Exhibits "A", "B" and "C" (attached to and incorporated by reference into the terms of this Agreement) ("Easement Area"); and

WHEREAS, in the event that Grantor utilizes the Forestation Credit to achieve reduction the forested areas shown on the FCP and record plats for the Camberwell Property, Grantor shall record an amendment to this Agreement revising the Easement Area shown on Exhibit "A", "B" and "C".

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

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

WHEREAS, the purpose also includes the protection and preservation of natural features of the Easement Area 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 owner 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 Exhibits "A", "B" and "C" and further described on the applicable record plat(s), of the nature and character described herein, subject, however, to an adjustment of the forested area shown on Exhibits "A", "B" and "C", in accordance with the provisions of this Agreement, in the event that Grantor elects to apply all or a portion of the Forestation Credit toward a reduction in the forested area shown on one or more of the record plats for the Camberwell Property. In no event, however, may a reduction in the forested area subject to the Easement, as shown on Exhibits "A", "B" and "C", exceed, in the aggregate, the total area encompassed by the Forestation Credit, unless Grantor utilizes areas identified as "treed areas to be saved" on the FCP to mitigate the clearing of forested area designated for retention (over and above the area of the Forestation Credit) at a ration of 1 acre of trees saved for every .25 acres cleared, or provides reforestation at a ration of 2 acres planted for every acre cleared, in accordance with Chapter 22A of the Montgomery County Code. 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 Easement Area. Grantor, its heirs, successor and assigns covenant to abide by the following limitations on the use of land within the Easement Area:

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) in the Easement Area shall be cut down, removed or destroyed without prior written consent from the Planning Board or its designee. Diseased or hazardous trees or limbs may be removed to prevent personal injury or property damage after reasonable notice to the Planning Board or its designee, 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) in the Easement Area 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 those weeds defined as "noxious" under Maryland State or Montgomery County laws or regulations) may be removed as required by law or according to an approved forest management plan, but the method of removal must be consistent with the limitations contained within this Agreement. Vegetation removal shall be

limited to noxious weeds only, and protective measures must be taken to protect nearby trees and shrubs.

4. No mowing, agricultural activities, or cultivation in the Easement Area 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 the 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. Such activities may include care and maintenance by the developer's or builder's designees of trees and shrubs planted in the easement areas as part of an approved reforestation or afforestation plan.
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 current or stream flow).
- (e) Industrial or commercial activities.
- (f) Timber cutting, unless conducted pursuant to an approved forest management plan approved by DNR.
- (g) Location of any component of a septic system.
- (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. No dumping of unsightly or offensive material, including trash, ashes, sawdust or grass clippings shall occur within the Easement Area. 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.

8. Fences consistent with the purposes of the Easement may be erected within the Easement Area only after written approval from the Planning Director.
9. Unpaved paths or trails consistent with the purposes of the Easement may be created within the Easement Area only after written approval from the Planning Director.
10. 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 Area.
11. Upon prior written notice given by the Planning Board, Grantor authorizes Planning Board representatives to enter the Property and Easement Area at their own risks and at a reasonable hours for the purpose of making periodic inspections to ascertain whether the Grantor , its heirs, successor or assigns have complied with the limitations, conditions, and Easement established herein. This Easement does not convey to the general public the right to enter the Property or Easement Area for any purpose. The Easement does not restrict or enlarge 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.
12. 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.

13. 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 or provision herein shall waive the Planning Board's right to enforce any covenant within this agreement.
14. Upon finding a violation of any of the limitations, conditions, covenants and Easement 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 land within the Easement Area to its condition prior to the violation, and Grantor agrees to pay for court costs and reasonable attorney fees if the Planning Board successfully seeks judicial relief.
15. Grantor shall record an amendment to this Agreement among the land records for Montgomery County, Maryland if, pursuant to the provisions of this Agreement, Grantor revises Exhibit "A" for purposes of utilizing the Forestation Credit to reduce the forested area to be retained on one or more record plats for the Camberwell Property. The right to so amend this Agreement is, however, reserved solely to Grantor and may not be

exercised by Grantor's heirs, successors and assigns unless Grantor expressly assigns said right pursuant to a declaration, recorded among the land records of Montgomery County, which specifically references this Agreement.

16. All written notices required by this Agreement shall be sent to the Planning Director, M-NCPPC, 8787 Georgia Avenue, Silver Spring, Maryland 20910
17. 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.

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.

[SIGNATURE PAGE FOLLOWS]

WITNESS/ATTEST:

DECLARANT:

CAMBERWELL PROPERTIES, LLC, a
Maryland limited liability company

[Signature]

By: CAMBERWELL, INC., Manager

By: [Signature]
Louay Alwazir, President

* * *

COUNTY OF Montgomery
STATE OF Maryland

I HEREBY CERTIFY that on this 23rd day of December, 1998,
before me, a Notary Public in and for the jurisdiction aforesaid, personally appeared
Louay Alwazir, known to me (or satisfactorily proven) to be the person whose name is
subscribed to the within instrument as President of Camberwell, Inc., Manager of
Camberwell Properties, LLC, a Maryland limited liability company, and acknowledge
that he executed the foregoing and annexed instrument as the act and deed of the said
company for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]

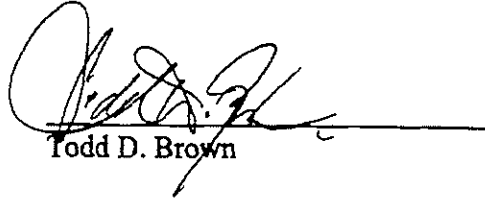
My Commission Expires:

1/1/02

[NOTARIAL SEAL]

ATTORNEY'S CERTIFICATION

I HEREBY CERTIFY that the foregoing document was prepared by or under the supervision of the undersigned, an attorney duly licensed to practice before the Court of Appeals of Maryland.


Todd D. Brown

Bengtson, DeBell & Elkin



a division of BURGESS & NIPLE

**DESCRIPTION OF A
CONSERVATION EASEMENT
ACROSS
PROPOSED CAMOTOP
L. 12083 F. 477
7.0204 ACRES**

*Bengtson, DeBell & Elkin
a division of
Burgess & Niple, Inc.*

170 Rollins Avenue
Rockville, MD 20852
301 468.9400
Fax 301 468.9669

Being five (5) pieces or parcels of land situate, lying and being in the Potomac (10th) Election District of Montgomery County, Maryland and being part of the land conveyed by United States Trust Company of New York, Trustees to Camberwell Properties LLC by deed dated November 26, 1993 and recorded among the Land Records of the aforesaid County in Liber 12083 at Folio 477, **Part One** also being part of Lots 15, 16 and 17, Block B, as shown on plats of subdivision entitled, "CAMOTOP" prepared by Loiederman Associates, Inc. of Rockville, Maryland; containing 2.9776 acres of land, and being amended as shown on the proposed plat of subdivision correction by Bengtson, DeBell & Elkin, Ltd. of Rockville, Maryland; also being part of Lots 18, 19 and 17, Block B containing 2.7896 acres of land, dated December 20, 1998, **Part Two** being part of Lot 12, Block B, as shown on a plat of subdivision entitled "CAMOTOP" prepared by Loiederman Associates, Inc. of Rockville, Maryland; containing 0.2343 of an acre of land, and being amended as shown on the proposed plat of subdivision correction by Bengtson, DeBell & Elkin, Ltd. of Rockville, Maryland; **Part Three** being part of Lots 11, 12 and 13,

Block B as shown on the said plat of subdivision; containing 2.6463 acres of land, and being amended as shown on the proposed plat of subdivision correction by Bengtson, DeBell & Elkin, Ltd. of Rockville, Maryland; **Part Four** being part of Lots 14, Block B, as shown on said plat of subdivision; containing 0.2530 acres of land, and being amended as shown on the proposed plat of subdivision correction by Bengtson, DeBell & Elkin, Ltd. of Rockville, Maryland; **Part Five** being part of Lot 10, Block B, as shown on the said plat of subdivision; containing 1.0978 acres of land, and being amended as shown on the proposed plat of subdivision correction by Bengtson, DeBell & Elkin, Ltd. of Rockville, Maryland. Parts 1 through 5 being more particularly described as shown on "Conservation Easement Plats, labeled "Exhibits A, B, and C" attached hereto and made a part hereof; containing a total area of 7.0204 acres of land.

Subject to any and all other easements, rights of way, and covenants of record.

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Tax ID NOS

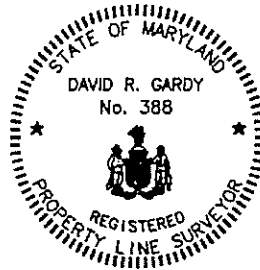
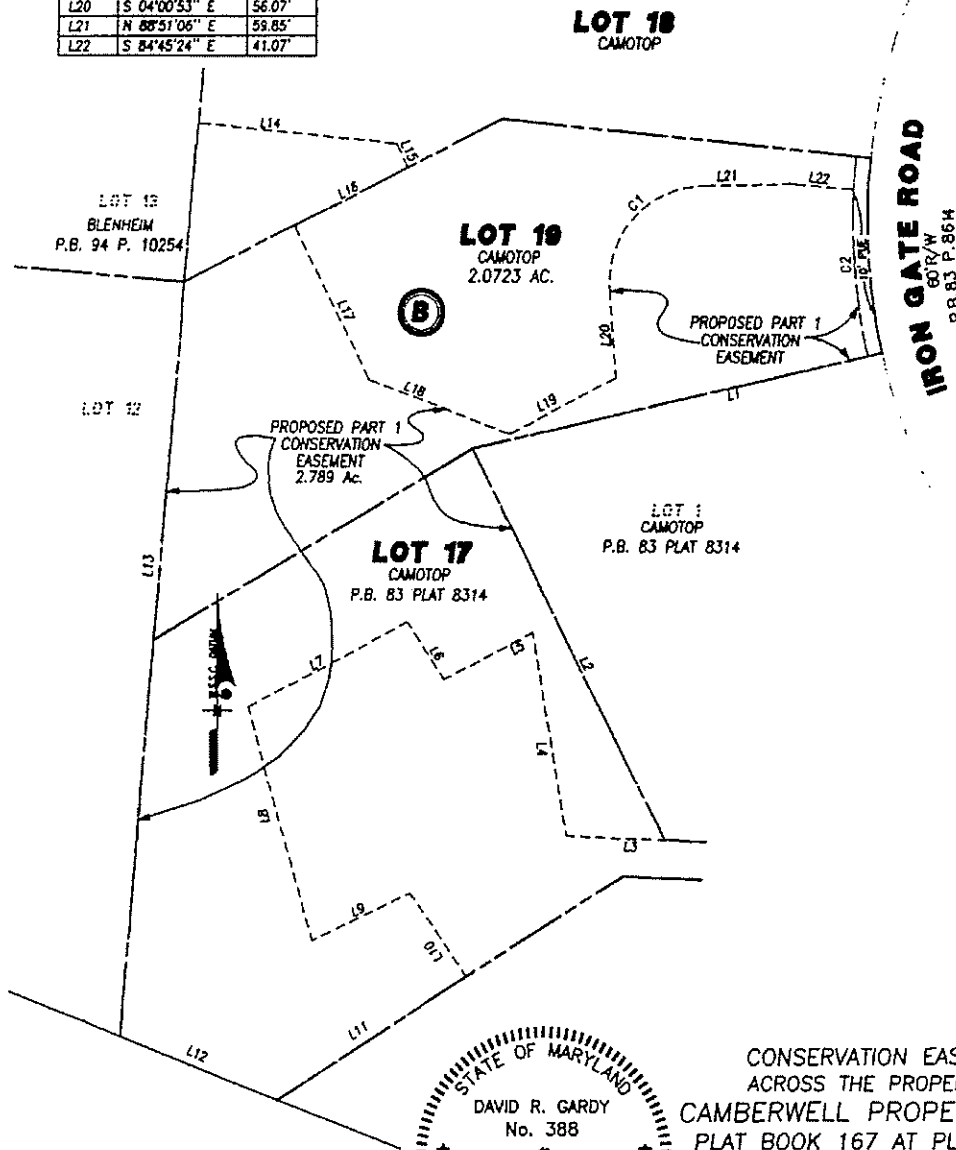
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 10-045-01531982
 10-045-01531927
 10-045-01531938
 10-001-02766882

LF 16797.636

EXHIBIT A

LINE DATA		
NUMBER	DIRECTION	DISTANCE
L1	S 77°10'17" W	273.23'
L2	S 28°48'59" E	287.94'
L3	S 87°28'08" E	66.14'
L4	N 09°50'13" W	135.43'
L5	S 63°11'01" W	67.23'
L6	S 33°30'00" E	44.94'
L7	S 62°30'41" W	120.13'
L8	S 15°27'23" E	159.82'
L9	N 64°37'28" E	72.99'
L10	S 34°48'47" E	66.85'
L11	S 58°04'02" W	150.00'
L12	N 68°45'24" W	113.50'
L13	N 04°58'57" E	600.64'
L14	S 84°06'27" E	134.28'
L15	S 23°02'26" E	17.32'
L16	N 63°39'12" E	84.78'
L17	S 26°23'11" E	112.31'
L18	S 69°09'07" E	101.90'
L19	N 62°25'20" E	80.32'
L20	S 04°00'53" E	56.07'
L21	N 88°51'06" E	59.85'
L22	S 84°45'24" E	41.07'

CURVE DATA				
NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION
C1	96°41'21"	63.04	106.37	N 42°25'06" E
C2	15°49'18"	397.73	109.83	N 05°05'24" W



CONSERVATION EASEMENT
ACROSS THE PROPERTY OF
CAMBERWELL PROPERTIES LLC
PLAT BOOK 167 AT PLAT No. 20651
CAMOTOP
POTOMAC (10th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE 1" = 100' DECEMBER, 1998

Bengtson, DeBell & Elkin, Ltd.

PLANNERS • ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

170 ROLLINS AVENUE ROCKVILLE, MARYLAND, 20852

PH. (301) 468-9400 FAX (301) 468-9669

MO CIRCUIT COURT (Land Records) [MSA CE 62-16752] MQR 16797-0636, Printed 03/24/2010, Online 06/16/2005 VIRGINIA BEACH, VA.

REVISIONS

DRAWN BY: SAS

CHECKED: DRG

FINAL:

SCALE: 1"=100'

DATE: 12/20/98

RECERT:

NO TITLE REPORT FURNISHED

OFFICE LOCATIONS

- ◆ CHESTERFIELD COUNTY, VA.
- ◆ FAIRFAX COUNTY, VA.
- ◆ PRINCE WILLIAM COUNTY, VA.
- ◆ VIRGINIA BEACH, VA.
- ◆ MONTGOMERY COUNTY, MD.
- ◆ LOUDOUN COUNTY, VA.



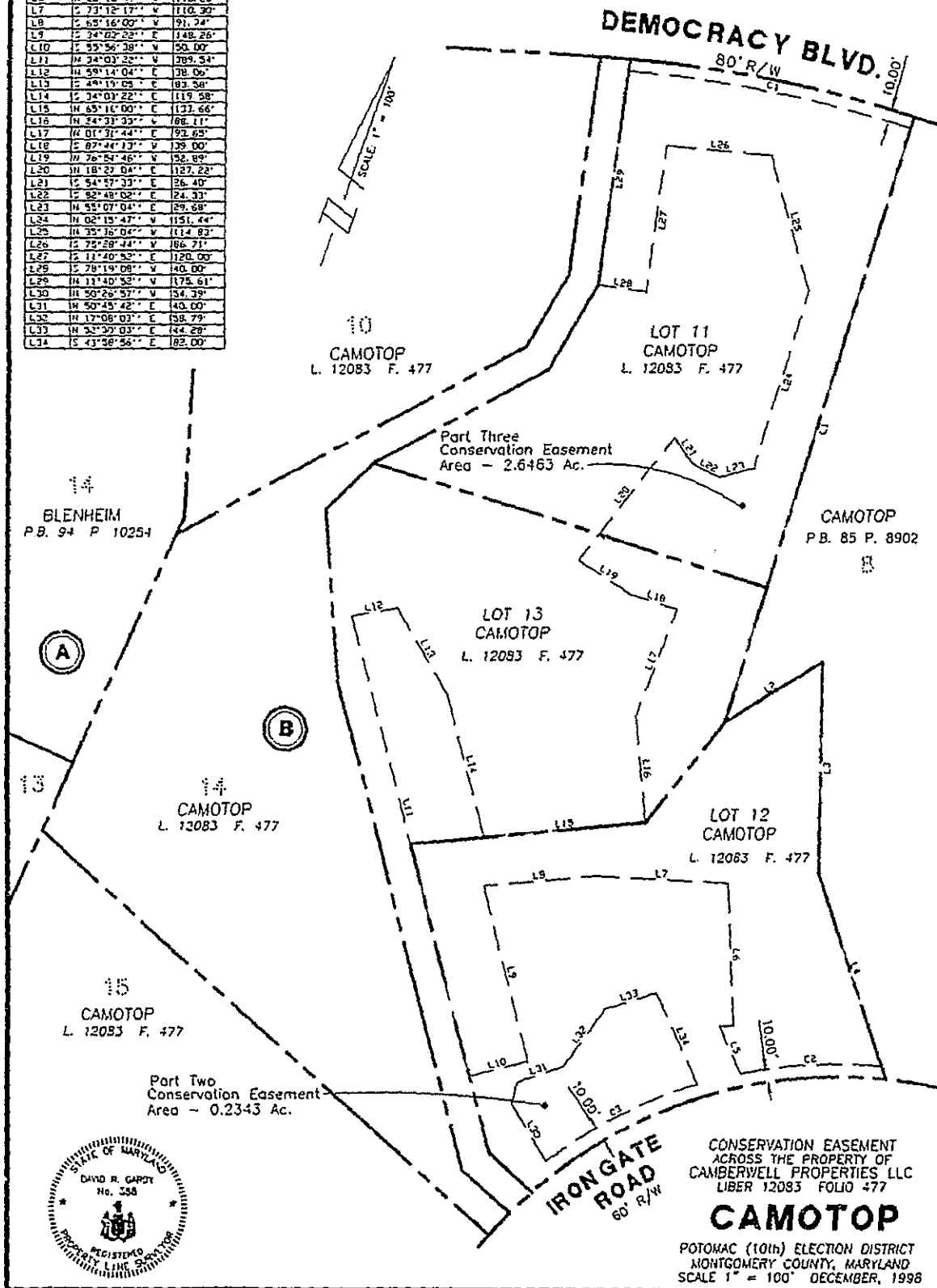
BDE

LINE	BEARING	DISTANCE
L1	S 00° 15' 43" E	508.75'
L2	N 38° 41' 37" E	175.00'
L3	S 18° 33' 34" E	173.72'
L4	S 37° 56' 45" E	165.47'
L5	S 44° 20' 15" E	142.08'
L6	N 22° 10' 49" W	116.80'
L7	S 73° 12' 17" W	110.30'
L8	S 65° 16' 00" W	91.24'
L9	S 34° 02' 22" E	148.26'
L10	S 55° 56' 38" W	50.00'
L11	N 34° 03' 22" W	389.54'
L12	N 59° 14' 04" E	38.06'
L13	S 44° 15' 05" E	83.58'
L14	S 34° 03' 22" E	119.58'
L15	N 65° 16' 00" E	133.66'
L16	N 24° 31' 33" W	186.11'
L17	N 01° 31' 44" E	93.65'
L18	S 87° 44' 13" W	35.00'
L19	N 28° 54' 46" W	52.89'
L20	N 18° 32' 04" E	123.22'
L21	S 54° 52' 37" E	26.40'
L22	S 82° 48' 02" E	24.33'
L23	N 55° 07' 04" E	29.68'
L24	N 02° 15' 47" W	115.14'
L25	N 35° 16' 04" W	114.82'
L26	S 22° 28' 44" W	186.71'
L27	S 11° 40' 53" E	120.00'
L28	S 78° 19' 08" W	40.00'
L29	N 11° 40' 53" W	175.61'
L30	N 50° 26' 57" W	34.39'
L31	N 50° 45' 42" E	40.00'
L32	N 17° 08' 03" E	58.79'
L33	N 52° 37' 03" E	44.28'
L34	S 43° 58' 56" E	82.00'

EXHIBIT B

CURVE DATA

NUMBER	BELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD	DIRECTION	CHORD LENGTH
C1	12° 27' 19"	1079.92	230.24	117.59	N 81° 39' 09" E		237.77
C2	16° 47' 13"	391.73	116.52	58.69	S 67° 21' 03" W		116.11
C3	20° 21' 22"	397.23	114.31	71.41	N 43° 27' 58" E		110.56



CONSERVATION EASEMENT
ACROSS THE PROPERTY OF
CAMBERWELL PROPERTIES LLC
LIBER 12083 FOLIO 477
CAMOTOP
POTOMAC (10th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE 1" = 100' DECEMBER, 1998

Bengtson, DeBell & Elkin, Ltd.

PLANNERS • ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS
170 ROLLS AVENUE, ROCKVILLE, MARYLAND 20852
PH (301) 468-9400 FAX (301) 468-9669

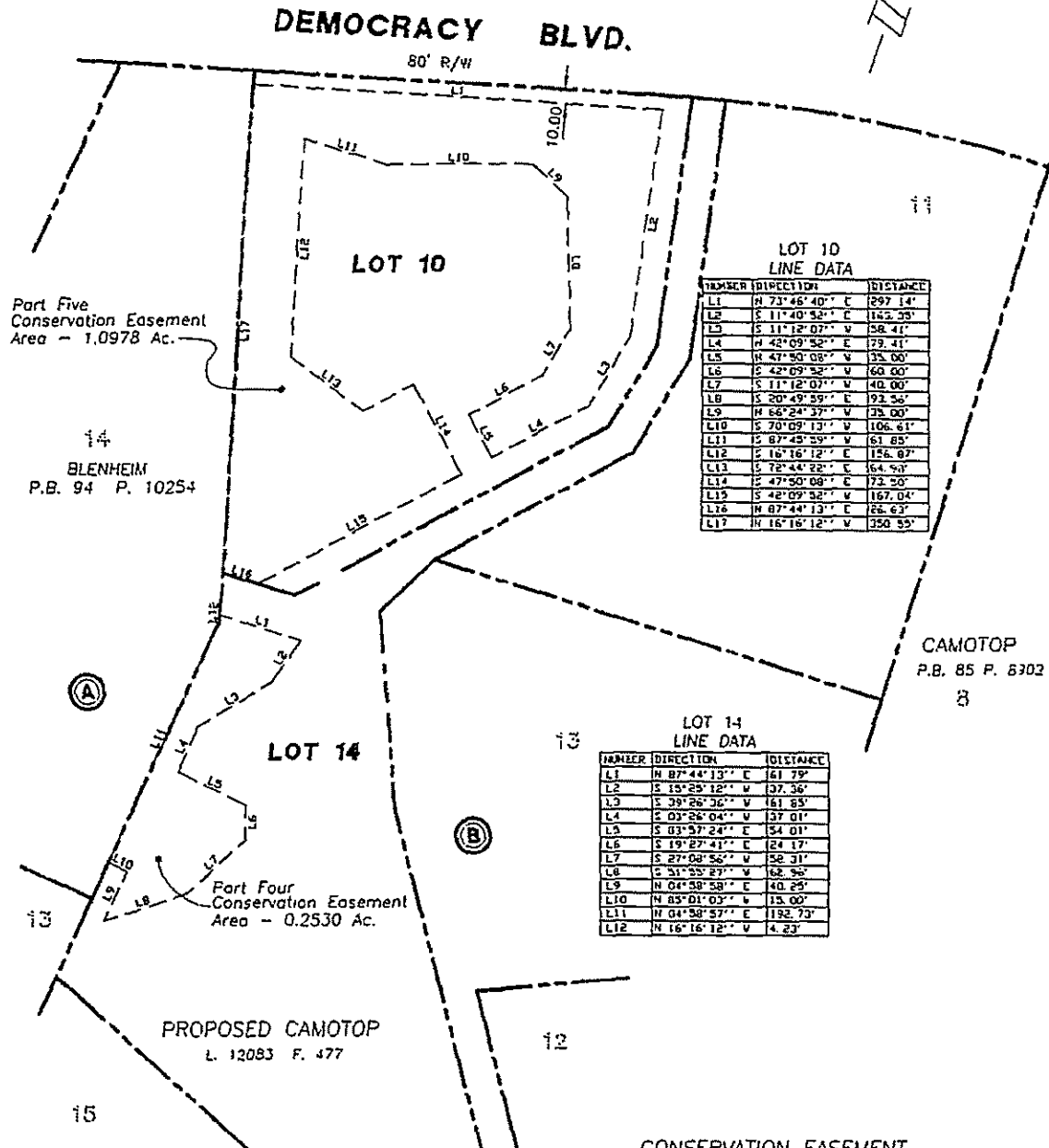
REVISIONS	DRAWN BY: SAC	CHECKED:
REVISED EASEMENT 2-15-99	SCALE: 1" = 100'	DATE: 12-20-98

OFFICE LOCATIONS

- CHESTERFIELD COUNTY, VA.
- FARRIS COUNTY, VA.
- PRINCE WILLIAM COUNTY, VA.
- VIRGINIA BEACH, VA.
- MONTGOMERY COUNTY, MD.
- LOUDOUN COUNTY, VA.

BDE

EXHIBIT C



CONSERVATION EASEMENT
ACROSS THE PROPERTY OF
CAMBERWELL PROPERTIES LLC
LIBER 12083 FOLIO 477

CAMOTOP

POTOMAC (10th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE 1" = 100' DECEMBER, 1998

Bengtson, DeBell & Elkin, Ltd.

PLANNERS • ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS
170 ROLLS AVENUE - ROCKVILLE, MARYLAND 20852
PH. (301) 468-9400 FAX (301) 468-9669

REVISIONS	DRAWN BY: SAS	CHECKED:
REVISED EASEMENT 2-17-99	SCALE: 1" = 100'	DATE: DEC. 1998

OFFICE LOCATIONS

- ♦ CHESTERFIELD COUNTY, VA.
- ♦ FORT MYERS COUNTY, VA.
- ♦ PRINCE WILLIAM COUNTY, VA.
- ♦ VIRGINIA BEACH, VA.
- ♦ MONTGOMERY COUNTY, MD.
- ♦ LOUDOUN COUNTY, VA.

BDE

OWNER'S DEDICATION

We, the undersigned, owner(s) of the property described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction lines and to Montgomery County, MD., slope easements 10 feet wide across all lots adjacent, contiguous and parallel to all street right of way lines as required by Montgomery County Ordinance No. 4-115. Said slope easement shall be extinguished at such time as the public improvements on the abutting rights-of-way have been completed and accepted for maintenance by Montgomery County, MD.

Further, we grant to the Washington Suburban Sanitary Commission (W.S.S.C.) such exclusive rights as necessary for the construction, reconstruction, operation, maintenance and repair of sanitary sewers and/or water mains and appurtenances within the water and/or sewer rights-of-way/easements shown hereon, subject to and together with the conditions contained in a right-of-way document from the grantor(s), their successors and assigns to the W.S.S.C. and to be recorded hereafter.

Further, we grant to the Potomac Electric Power Company (P.E.C.), Washington Gas Light and to their respective successors and assigns, an easement in, on and over the land hereon described as Public Utility Easement, designated hereon "P.U.E." with said terms and provision of such a grant being those set forth in a certain document entitled "Declaration of Terms and Provisions for Public Utility Easements" and recorded among the Land Records of Montgomery County, MD in Liber 3834 at Folio 457, said terms and provisions being incorporation herein by this reference.

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 the Montgomery County Planning Board are intended to survive and not be extinguished by the recordation of this plat, unless expressly contemplated by the plan as approved. The official public files for any such plan are maintained by the Planning Board and are available for the public review during normal business hours.

As owner of this subdivision, we, our successors and assigns, will cause all property corner markers and any other required monumentation to be set by registered Maryland, Surveyor in accordance with Section 50-24 (e)(2) of the Montgomery County Code.

There are no recorded suits, actions at law, liens, leases, mortgages or trusts affecting the property included in this plan of subdivision, except certain deeds of trust, and all parties in interest thereto, have below indicated their assent.

Camberwell Prop LLC
A Maryland Limited Liability Company

Witness

We hereby assent to this plan of subdivision

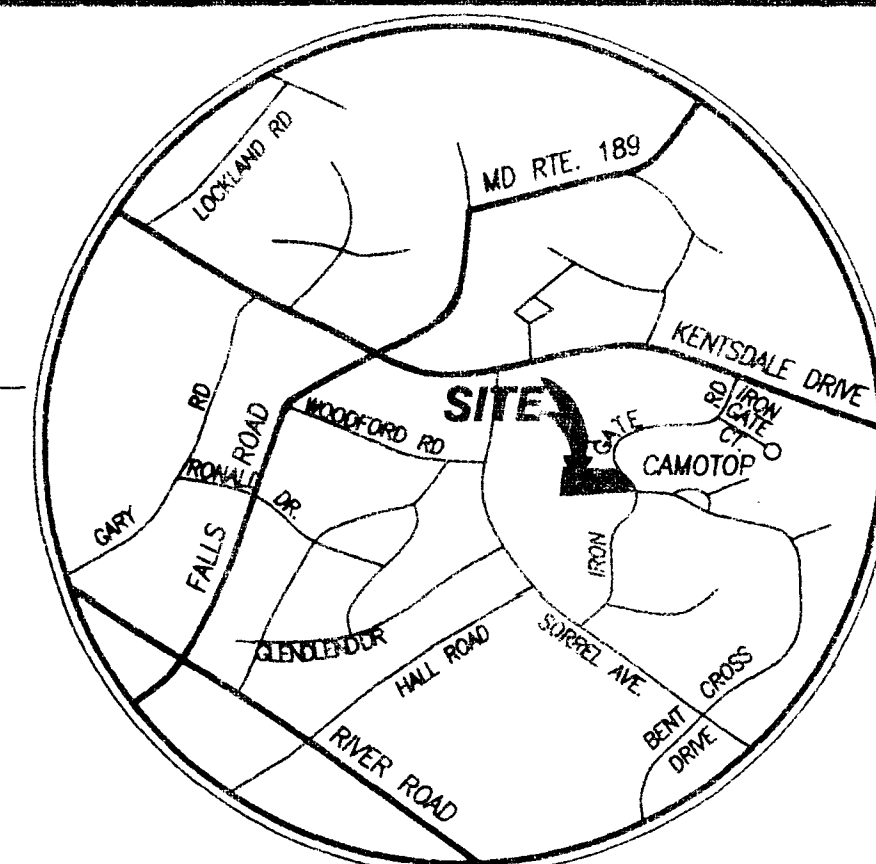
Sabo Holdings LTD.

Peter Baumbusch
Trustee

Date:

2-18-00

Louay Z. Alwazir
Vice President, Camberwell Inc. Manager



VICINITY MAP
SCALE: 1"=2000'

SURVEYOR'S CERTIFICATE:

I hereby certify that the information shown hereon is true to the best of my professional knowledge and belief, that it is a subdivision of part of the land conveyed by United States Trust Company of New York, trustee to Camberwell Properties LLC by deed dated November 26, 1993 and recorded among the Land Records of Montgomery County Maryland in Liber 12083 at Folio 477, and also being a resubdivision of part of Lot 1 as shown on a plat of subdivision entitled "LOT ONE, ANTONELLI'S ADDITION TO POTOMAC" recorded among the aforesaid Land Records in Plat Book 79 as Plat 8047 and also being a resubdivision of all of Lot 9, Block B as shown on a plat of subdivision entitled "PART OF BLOCKS A, B & C, CAMOTOP" recorded among said Land Records in Plat Book 85 as Plat 8902, and that once engaged as described in the Owner's Dedication hereon all property markers and other boundary markers shown thus will be set as delineated herein in accordance with the provisions of Section 50-24 (e)(2) of the Montgomery County Code.

The total STREET DEDICATION by this plat is 2.334 square feet or 0.0536 of an acre of land and the TOTAL AREA of this plat which includes 5 LOTS is 11.0109 Acres.

David R. Gady

MARYLAND REGISTERED PROPERTY LINE SURVEY NO. 388

3/07/00
Date:

GENERAL NOTES:

- The Conservation Easement shown hereon are to be recorded among the Land Records of Montgomery County, Maryland. Development is subject to the terms of an agreement between M.N.C.P. & P.C. and Camberwell Properties LLC recorded in Liber 15467, at Folio 632.
- This minor plat of correction is filed in accordance with Sec. 50-35A(a) 5 of the Montgomery County, Maryland Code.

CURVE DATA FOR T.C. I AREAS

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C10	12°27'19"	1095.92	238.24	N 81°36'09" E	237.77
C11	17°40'52"	397.73	122.74	S 66°54'16" W	122.25
C15	07°22'44"	397.73	81.22	S 34°34'07" W	81.19
C14	01°03'29"	436.85	18.07	S 58°41'08" W	8.07

CURVE DATA FOR T.C. II AREAS

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C12	04°25'11"	397.73	30.68	S 55°51'14" W	30.67
C13	05°11'57"	436.85	39.64	S 55°33'25" W	39.63
C16	02°09'41"	397.73	15.00	N 23°16'59" E	15.00

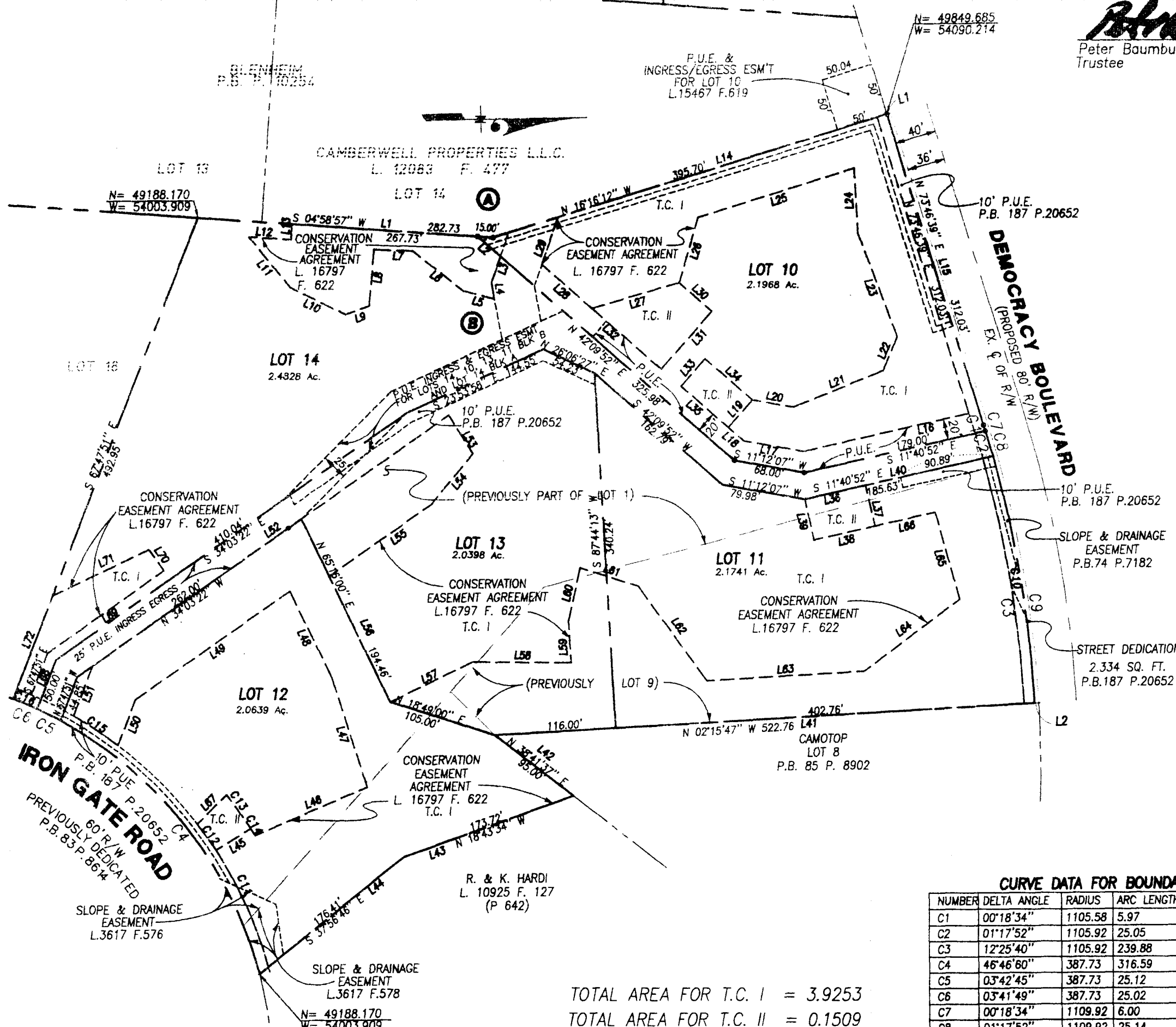
CURVE DATA FOR BOUNDARY/STREET DEDICATION

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD DIRECTION	CHORD LENGTH
C1	00°18'34"	1105.58	5.97	2.99	S 73°55'57" W	5.97
C2	01°17'52"	1105.92	25.05	12.53	N 74°44'10" E	25.05
C3	12°25'40"	1105.92	239.88	120.41	S 81°35'56" W	239.41
C4	46°46'80"	387.73	316.59	167.72	N 53°00'12" E	307.87
C5	03°42'45"	387.73	25.12	12.57	S 27°45'20" W	25.12
C6	03°41'49"	387.73	25.02	12.51	N 24°03'03" E	25.01
C7	00°18'34"	1109.92	6.00	3.00	N 73°55'57" E	6.00
C8	01°17'52"	1109.92	25.14	12.57	S 74°44'10" W	25.14
C9	12°25'40"	1109.92	240.75	120.85	S 81°35'56" W	240.28

LINE DATA FOR BOUNDARY/STREET DEDICATION

NUMBER	DIRECTION	DISTANCE
L1	N 16°13'21" W	4.00'
L2	N 02°11'14" W	4.00'

PLAT No 21390



TOTAL AREA FOR T.C. I = 3.9253
TOTAL AREA FOR T.C. II = 0.1509

* PUBLIC WATER SUPPLY AND SEWER SYSTEM ONLY

MONTGOMERY COUNTY, MARYLAND DEPARTMENT OF PERMITTING SERVICES

APPROVED

March 14, 2000

DIRECTOR

THE MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD

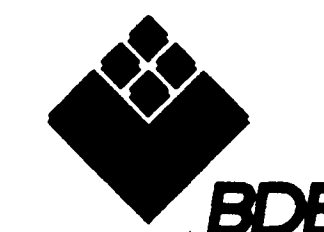
APPROVED

December 16, 1999

CHAIRMAN
M.N.C.P. & P.C. RECORD FILE NO. 611-78

ASST. SECRETARY/TREASURER

DRAWN _____
COMPUTED _____
CHECKED _____
RECORDED _____
PLAT BOOK _____
PLAT NO. _____



CHESTERFIELD COUNTY, VIRGINIA
FAIRFAX COUNTY, VIRGINIA

OFFICE LOCATIONS
PRINCE WILLIAM COUNTY, VIRGINIA
VIRGINIA BEACH, VIRGINIA

BENGTSON, DeBELL & ELKIN, LTD.
ENGINEERS • SURVEYORS • PLANNERS • LANDSCAPE ARCHITECTS
170 ROLLINS AVENUE ROCKVILLE, MARYLAND 20852
(301) 468-9400

MONTGOMERY COUNTY, MARYLAND
LOUDOUN COUNTY, VIRGINIA

MSA 55U1249-27293

611-75

Citation No. EPD 000209

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

Name: Amir First Property owner Middle Tofigh Last
Company/Position: _____
Address: 10216 Iron Gate Road Potomac, MD 20854
Phone Number: _____ Fax Number: _____ Email: _____

Location and Description of Violation:Address/location of site: 10216 Iron Gate Road Category I conservation easement

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 04/03/2014
(date) at the stated site location did commit the following: in violation of Category I conservation easement agreement

Using heavy machinery crushed existing regenerating trees & shrubs while dumping dirt within Category I Conservation easement also moved and cut regenerating trees from Category I Conservation easement

In violation of:

- ☒ Montgomery County Code, Chapter 22A
☒ Approval of Local Forest Conservation Plan Plan No. 119950160 Lot 10, Block B Camotop Other: _____

Civil Fine and Compliance:

1. (a) ☒ You shall pay a fine of \$ 1,000.00 by April 28, 2014 (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) STOP Cutting Plants from Category I Conservation Easement
☐ 2) Restore disturbed & cut areas of Category I conservation easement by - 1) without using machines rake over, spread mulch and leaves all areas of earth disturbance
2) replant 20 1 inch caliper trees to include 5 redbird, 5 viburnum 5 white oak and 5 black gum trees

#2 by: April 28, 2014 (date)
If remedial action is not completed by April 28, 2014 (date), you shall pay a daily fine of \$ \$50.00 a day until work is completed.

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

04/03/2014
301-495-4564

Issued with FAQs

Citation No. EPD 000331

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

Name:

Amir

First

Middle

Tofigh

Last

Company/Position:

Address: 10216 Iron Gate Road

Phone Number:

Fax Number:

Email:

Location and Description of Violation:

Address/location of site:

10216 Iron Gate Road Category I and Category II
Conservation Easement

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 7/13/17
(date) at the stated site location did commit the following:

Without prior M-NCPPC approval installed a roof top drywell and portions of a stone wall within a Category I Conservation Easement
Without prior M-NCPPC approval installed brick paver driveway and brick lighting monument within portions of Category II Conservation Easement

In violation of:

☒ Montgomery County Code Chapter 22A☐ Other:☒ Approval of Final Forest Conservation Plan No. 119950160**Civil Fine and Compliance:**

1. (a) ☐ You shall pay a fine of \$ \$1,000.00 by 8/4/17 (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) remove portions of driveway and any brick monuments from the Category II conservation Easement by 8/19/17
2) remove dry well and stone wall from Category I Conservation Easement by 8/19/17
3) Either complete Remedial Action 1 and Action 2 or by 8/19/17 attend meeting with staff to discuss other remedial actions to be implemented to resolve violation
- by: _____ (date)
If remedial action is not completed by _____ (date), you shall pay a daily fine of \$ _____ a day until work is completed.

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

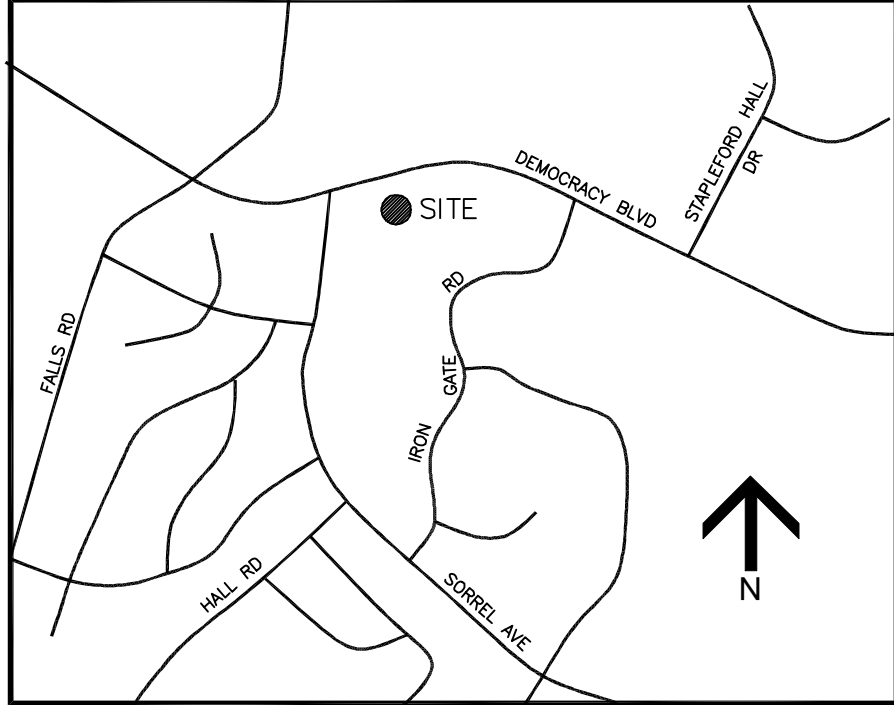
Date

Print Name:

Phone Number:

Stephen Leck
Stephen Leck

7/19/17
240-638-6681



VICINITY MAP
Scale: 1" = 1,200'

CAMBERWELL PROPERTY
LOT 10, BLOCK B
CAMOTOP
10216 IRON GATE DRIVE
POTOMAC, MARYLAND



SHEET INDEX:

- *F-1 COVER SHEET
- *F-1A APPROVALS PAGE
- *F-2 AMENDMENT KEY MAP
- F-3 CONDITIONAL APPROVAL PLAN 119950160
- F-3A FOREST CONSERVATION PLAN 119950160
- F-4 FOREST CONSERVATION PLAN 11995016A
- F-4A FOREST CONSERVATION PLAN 11995016A
- F-5 FOREST CONSERVAITON PLAN 11995016B
- F-5A FOREST CONSERVATION PLAN 11995016B
- F-5B FOREST CONSERVATION PLAN 11995016B
- *F-6 FOREST CONSERVATION PLAN 11995016C
- *F-6A FOREST CONSERVATION PLAN 11995016C

* NOTE: THIS PLAN IS AN AMENDMENT TO CAMBERWELL PROPERTY FINAL FOREST CONSERVATION PLAN 1-19950160 (NRI 4-11941910). REMOVAL OF 40,156 S.F. (0.92 AC.) CATEGORY 1 FOREST CONSERVATION EASEMENT AND 6,878 S.F. (0.16 AC.) OF CATEGORY II CONSERVATION EASEMENT PROPOSED BY THIS PLAN ON LOT 10, BLOCK B, CAMOTOP WILL BE REPLACED BY ON-SITE CATEGROY II CONSERVATION EASEMENT OF 22,699 S.F. (0.52 AC.) AND THE PURCHASE OF AN OFF-SITE FOREST CONSERVATION EASEMENT OF 2.1 ACRES PLANTED FOREST OR 4.2 ACRES OF RETAINED FOREST AND IS TO BE ACQUIRED AT THE AN M-NCPPC APPROVED FOREST CONSERVATION BANK.

SITE DATA:
ZONE: RE-2
WATER AND SEWER CATEGORIES: W-1 AND S-1

APPLICANT:
NAME: AMIR TOFIGH
ADDRESS: 10216 IRON GATE ROAD
CITY, STATE ZIP: POTOMAC, MD 20854
PHONE: 301-219-1503
EMAIL:

FOREST CONSERVATION PLANNER CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED ACCORDING TO THE MONTGOMERY COUNTY, MARYLAND FOREST CONSERVATION ACT (COMAR TITLE 08, SUBTITLE 19, FOREST CONSERVATION) AND CHAPTER 22A, FOREST CONSERVATION OF THE MONTGOMERY COUNTY, MARYLAND (COMAR TITLE 01AM).

SIGNATURE: *David B. Post* DATE: _____

David B. Post
Registered Landscape Architect No. 615

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 11995016C including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: AMIR TOFIGH
Printed Company Name

Contact Person or Owner: AMIR TOFIGH
Printed Name

Address: 10216 IRON GATE ROAD, POTOMAC, MD 20854

Phone and Email: 301-219-1503 ATFIGH2000@YAHOO.COM

Signature: _____

1.	02/20/2018	PER REVIEW COMMENTS	<div>PostModern Landscape Architecture, LLC 10725 SANTA ANITA TERRACE DAMASCUS, MD 20872</div> <div>301-968-7214 INFO@POSTMODERN-LA.COM</div>	<div>Project Title</div> <div>LOT 10, BLOCK B CAMOTOP 10216 IRON GATE ROAD POTOMAC, MD 20854 10TH ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND</div>	<div>Drawn By</div> <div>DBP</div>	<div>Project ID</div> <div>2011-09</div>
No. Date Revision Notes			AMENDED FOREST CONSERVATION PLAN		Date SEP 29, 2017	
					Scale	
					Drawing No.	
					1 of 4	

NEW FOREST PLANT SCHEDULE

TRANSPLANTED TREE PLANT SCHEDULE

Existing and Proposed Gas Line

Existing and Proposed Sewer

Existing Contour

Proposed Contour

AMENDMENT LIST:

1. Release entire Category I and Category II Conservation Easement from the property. Existing 0.16 acres of Category II Conservation Easement is to be released. Existing 0.92 acre of Category I Conservation Easement is to be released
2. Provide 2.62 acres of mitigation for the release of 1.08 acres of conservation easement. New onsite Category II Conservation Easement to be provided is 0.52 acres. Offsite forest bank mitigation credit in the amount of 2.1 acres is to be provided and to be satisfied at 2.1 acres of forest planting or 4.2 acres of forest retention at an approved forest bank.
3. Submit for review and approved a Category II Conservation Easement Agreement for the proposed 0.52 acres. After MNCPPC approval, record the Category II Conservation Easement among the land records of Montgomery County, MD.
4. Submit for M-NCPPC Executive Director review and approved a Deed of Release which documents mitigation provided and release of 1.08 acres of onsite conservation easement. Record this document among Land Records of Montgomery County, MD after approval.
5. Record Plat to be submitted for review and approval for the Lot and must document conservation easement changes approved by 11995016C.

INSPECTION SEQUENCE:

1. After approval of sediment control plan and stakeout of the limits of disturbance, contact DPS sediment control inspector and M-NCPPC inspector for a preconstruction meeting with the owner and/or owner's representative(s) and the owner's Maryland License Tree Expert.
2. Transplant of 16 trees from existing Category I Conservation Easement to new Category II Conservation Easement.
3. Install required tree protection and sediment control protection measures. Get written approval of the installation of these measures
4. Clear and grade as necessary for new driveway, building and stormwater management improvements.
5. Plant the 6 additional mitigation trees within the Category II Conservation Easement. Install permanent conservation easement markers as directed by M-NCPPC Inspector.

Limits of Disturbance — LOD —

Proposed Spot Elevation + 11.2

Specimen Tree (24" DBH Min.)

Tree Protection Sign

Permanent Forest Conservation Easement Sign

Tree Protection Fence TPF TPF TPF TPF

Root Pruning RP — RP — RP —

Other Existing Tree

Existing Tree to be Removed

SITE DATA:

ZONE: RE-2
WATER AND SEWER CATEGORIES: W-1 AND S-1

APPLICANT:
NAME: AMIR TOFIGH
ADDRESS: 10216 IRON GATE ROAD
CITY, STATE ZIP: POTOMAC, MD 20854
PHONE: 301-219-1503
EMAIL:

MISS UTILITY:

CALL MISS UTILITY AT 1-800-257-7777. 48 HOURS PRIOR TO THE START OF WORK, 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 38A OF THE MONTGOMERY COUNTY CODE.

KAKAR, SEEMA
LOT 13
BLOCK B
PLAT 21390

FOREST CONSERVATION PLANNER CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED ACCORDING TO THE MARYLAND FOREST CONSERVATION ACT (COMAR TITLE 08, SUBTITLE 19, FOREST CONSERVATION) AND CHAPTER 22A, FOREST CONSERVATION OF THE MONTGOMERY COUNTY CODES (COMAR 01AM) _____


SIGNATURE
David B. Post
Registered Landscape Architect No. 615

02-20-2018
DATE

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 11995016C including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: AMIR TOFIGH

Contact Person or Owner: **AMIR TOEIGH**

Phone and Email: 301-219-1503 ATOFIGH2000@YAHOO.COM

Signature: _____

Drawn By	Project ID
DBP	2011-09

	Scale 1" = 30'
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	Drawing No.
--	-------------

Date SEP 29 2017

CAD File Name	
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PostModern

Landscape Architecture, LLC

10725 SANTA ANITA TERRACE 301-968-7214
DAMASCUS, MD 20872 INFO@POSTMODERN-LA.COM

Project Title

**LOT 10, BLOCK B
CAMOTOP
10216 IRON GATE ROAD
POTOMAC, MD 20854
10TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND**

AMENDED FOREST CONSERVATION PLAN

Drawn By	Project ID
DBP	2011-09

	Scale 1" = 30'
--	-------------------

	Drawing No.
--	-------------

Date SEP 29 2017

CAD File Name	
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Sequence of Events for Properties Required to Comply with Forest Conservation Plans, Exemptions from Submitting Forest Conservation Plans, and Tree Save Plans

Pre-Construction

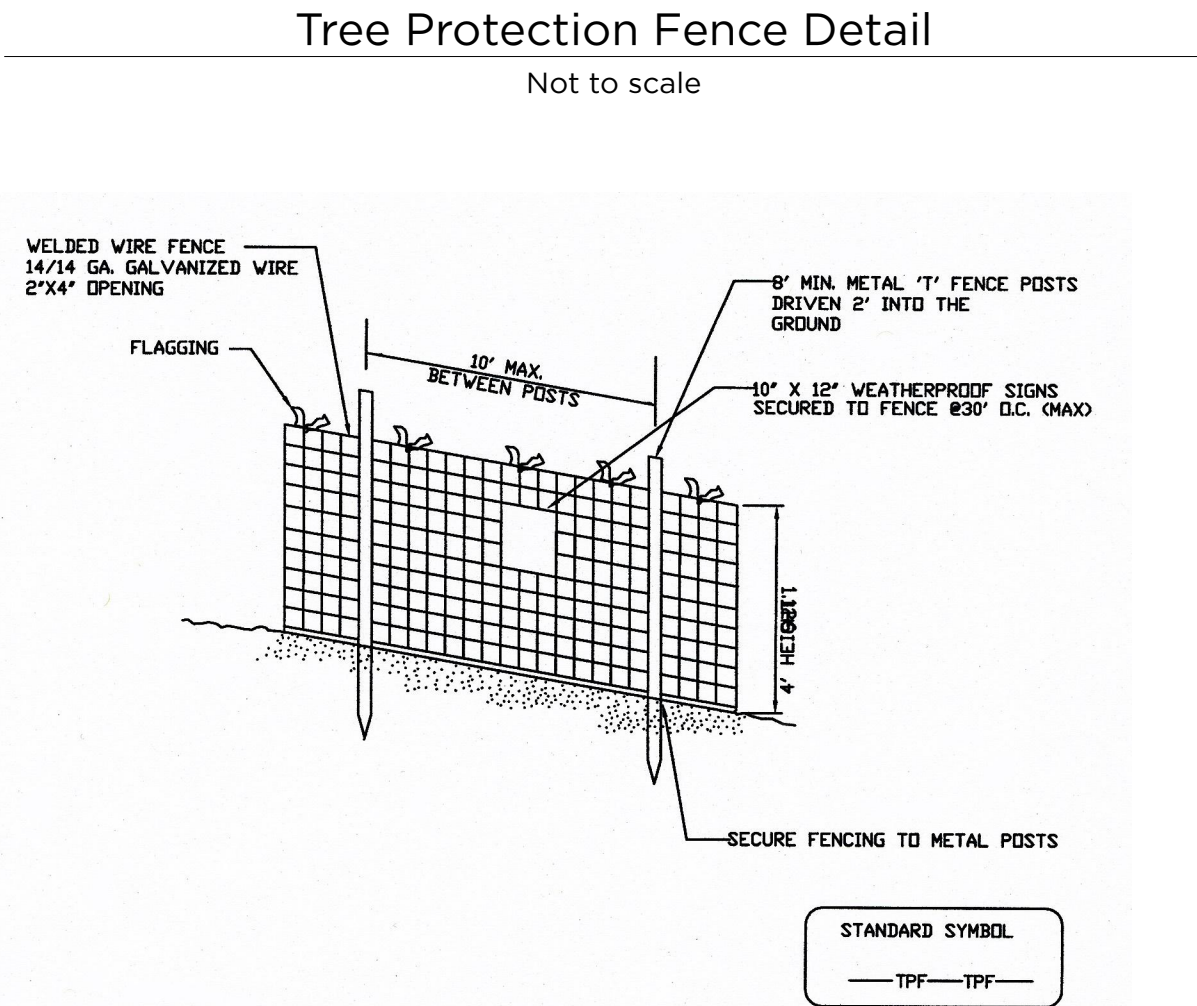
1. An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged and before any land disturbance. The property owner shall contact the Montgomery County Planning Department inspection staff before any land disturbing activities occur to verify the limits of disturbance and discuss tree protection and tree care measures. The property owner's representative, construction superintendent, International Society of Arboriculture (ISA) certified arborist or Maryland licensed tree expert that will implement the tree protection measures, Forest Conservation Inspector, and Montgomery County Department of Permitting Services (DPS) Sediment Control Inspector must attend this pre-construction meeting.
2. No land disturbance shall begin before stress-reduction measures have been implemented. Appropriate stress-reduction measures may include, but are not limited to:
 - a. Root pruning
 - b. Crown reduction or pruning
 - c. Watering
 - d. Fertilizing
 - e. Vertical mulching
 - f. Root aeration mattingMeasures not specified on the plan may be required as determined by the Forest Conservation Inspector in coordination with the property owner's arborist.
3. A Maryland licensed tree expert, or an ISA certified arborist must perform all stress reduction measures. Implementation of the stress reduction measures must be observed by the Forest Conservation Inspector or written documentation must be sent to the Forest Conservation Inspector at 8787 Georgia Avenue, Silver Spring, MD 20910. The Forest Conservation Inspector will determine the exact method to convey the implementation of all stress reductions measures during the pre-construction meeting.
4. Temporary tree protection devices shall be installed per the approved Forest Conservation Plan, exemption from submitting a Forest Conservation Plan, or Tree Save Plan and prior to any land disturbance. Tree protection fencing locations must be staked and flagged prior to the pre-construction meeting. The Forest Conservation Inspector, in coordination with the DPS Sediment Control Inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan. Temporary tree protect devices may include:
 - a. Chain link fence (four feet high)
 - b. Super silt fence with wire strung between the support poles (minimum 4 feet high) with high visibility flagging.
 - c. 14 gauge 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging.
5. Temporary protection devices must be maintained and installed by the property owner for the duration of construction project and must not be altered without prior approval from the Forest Conservation Inspector. 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 is permitted. Tree protection must not be removed without prior approval of Forest Conservation Inspector.
6. Forest retention area signs must be installed as required by the Forest Conservation Inspector, or as shown on the approved plan.
7. Long-term protection devices must be installed per the approved plan. Installation will occur at the appropriate time during the construction project. Refer to the approved plan drawing for the long-term protection measures to be installed.

During Construction

8. Periodic inspections by the Forest Conservation Inspector will occur during the construction project. Corrections and repairs to all tree protection devices, as determined by the Forest Conservation Inspector, must be made within the timeframe established by the Forest Conservation Inspector.
9. The property owner must immediately notify the Forest Conservation Inspector of any damage to trees, forests, understory, ground cover, and any other undisturbed areas shown on the approved plan. Remedial actions to restore these areas will be determined by the Forest Conservation Inspector and those corrective actions must be made within the timeframe established by the Forest Conservation Inspector.

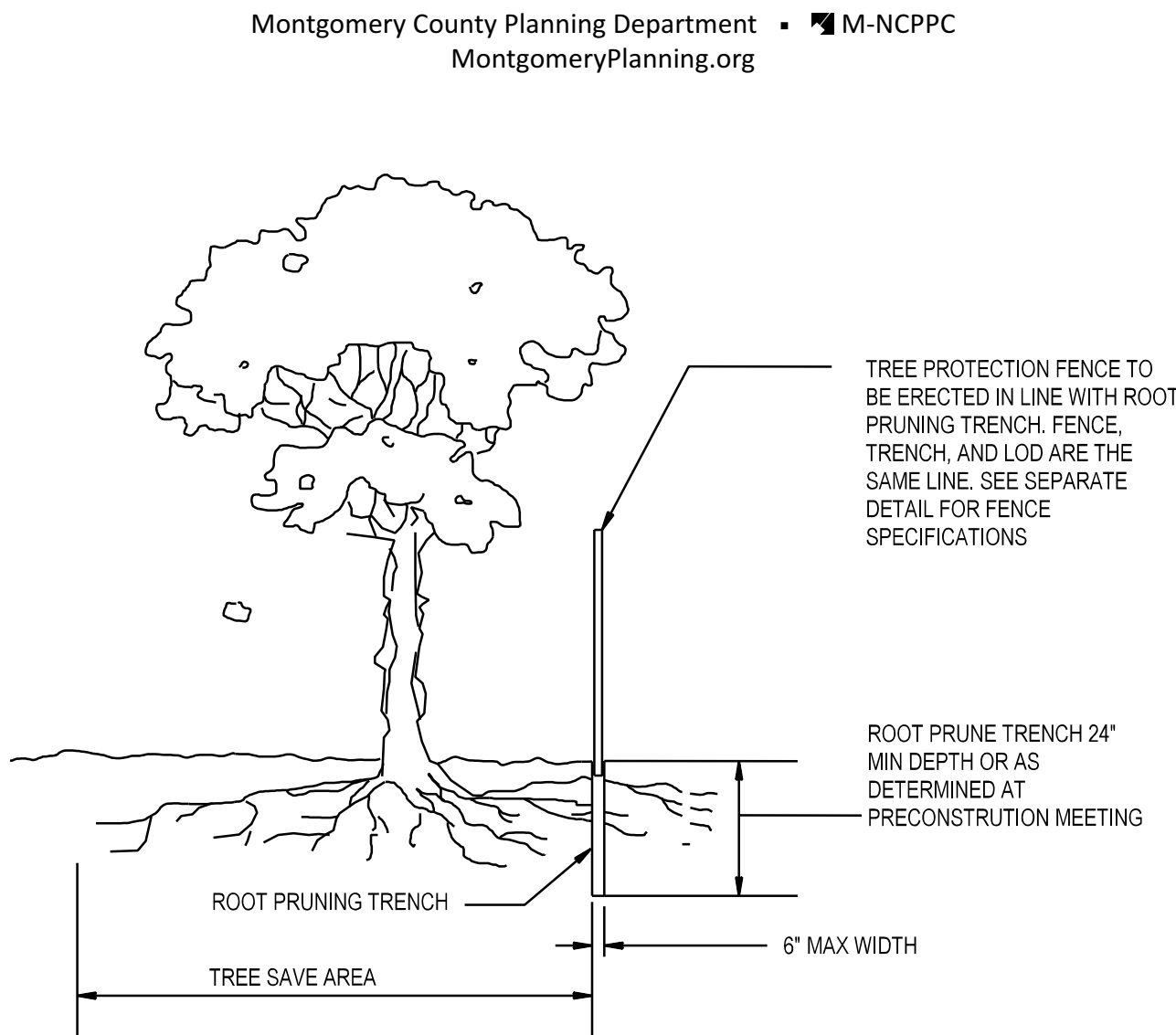
Post-Construction

10. After construction is completed, the property owner must request a final inspection with the Forest Conservation Inspector. At the final inspection, the Forest Conservation Inspector may require additional corrective measures, which may include:
 - a. Removal and replacement of dead and dying trees
 - b. Pruning of dead or declining limbs
 - c. Soil aeration
 - d. Fertilization
 - e. Watering
 - f. Wound repair
 - g. Clean up of retention areas including trash removal
11. After the final inspection and completion of all corrective measures the Forest Conservation Inspector will request all temporary tree and forest protection devices be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both DPS and the Forest Conservation Inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.



NOTES

1. Practice may be combined with sediment control fencing.
2. Location and limits of fencing should be coordinated in field with arborist.
3. Boundaries of protection area should be staked prior to installing protective device.
4. Root damage should be avoided.
5. Protection signage is required.
6. Fencing shall be maintained throughout construction.



NOTES:

1. RETENTION AREAS WILL BE SET AS PART OF THE REVIEW PROCESS AND PRECONSTRUCTION MEETING.
2. BOUNDARIES OF RETENTION AREAS MUST BE STAKED AT THE PRECONSTRUCTION MEETING AND FLAGGED PRIOR TO TRENCHING.
3. EXACT LOCATION OF TRENCH SHALL BE DETERMINED IN THE FIELD IN COORDINATION WITH THE FOREST CONSERVATION (FC) INSPECTOR.
4. TRENCH SHOULD BE IMMEDIATELY BACKFILLED WITH EXCAVATED SOIL OR OTHER ORGANIC SOIL AS SPECIFIED PER PLAN OR BY THE FC INSPECTOR.
5. ROOTS SHALL BE CLEANLY CUT USING VIBRATORY KNIFE OR OTHER ACCEPTABLE EQUIPMENT.
6. ALL PRUNING MUST BE EXECUTED WITH LOD SHOWN ON PLANS OR AS AUTHORIZED IN WRITING BY THE FC INSPECTOR.

ROOT PRUNING DETAIL

NTS

REMOVE THE WORD FOREST ON THE EXISTING SIGNS USING WHITE PLASTIC TAPE.

INSPECTIONS

All field inspections must be requested by the applicant.

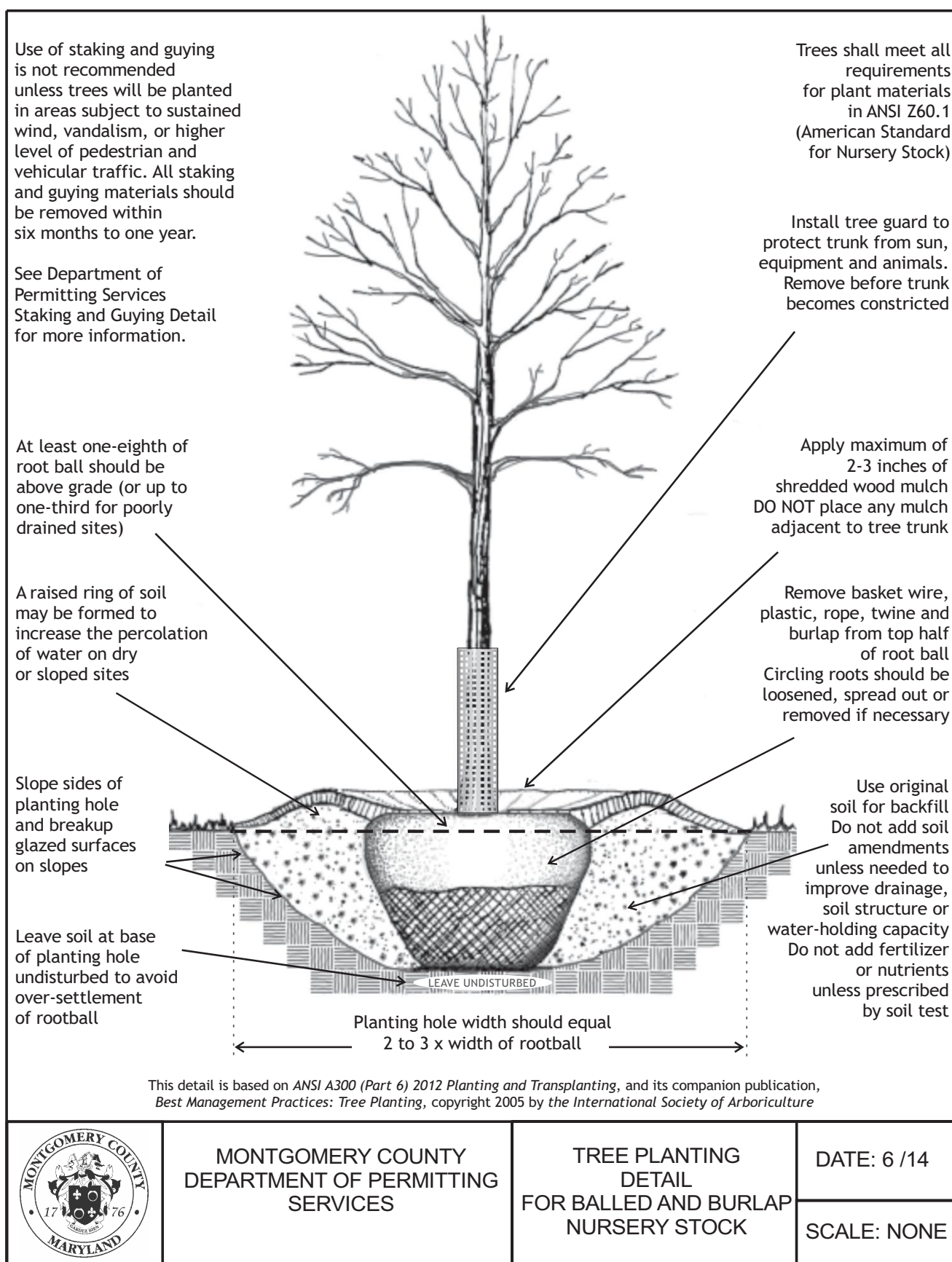
Field Inspections must be conducted as follows:

Plans without Planting Requirements

1. After the limits of disturbance have been staked and flagged, but before any clearing or grading begins.
2. After necessary stress reduction measures have been completed and protection measures have been installed, but before any clearing and grading begin and before release of the building permit.
3. After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest conservation.

Additional Requirements for Plans with Planting Requirements

4. Before the start of any required reforestation and afforestation planting.
5. After the required reforestation and afforestation planting has been completed to verify that the planting is acceptable and prior to the start the maintenance period.
6. At the end of the maintenance period to determine the level of compliance with the provisions of the planting plan, and if appropriate, release of the performance bond.



The Tree Company
20 N. Beaumont Ave.
Catonsville, MD 21228

Email: sales@thetreecompany.com

Phone: 410-788-7277

Specifications of Forest Planting

Soil Preparations: Each planting field may require one or all of the following:

- a. Soil test for nutrient content, organic matter, structure, pH, and cation exchange capacity
- b. Cultivation by subsoiling, plowing, disking, and tilling of the entire plating field (for compacted soils)
- c. Application of post-emergent herbicide (i.e. "Round Up") to control competing vegetation.

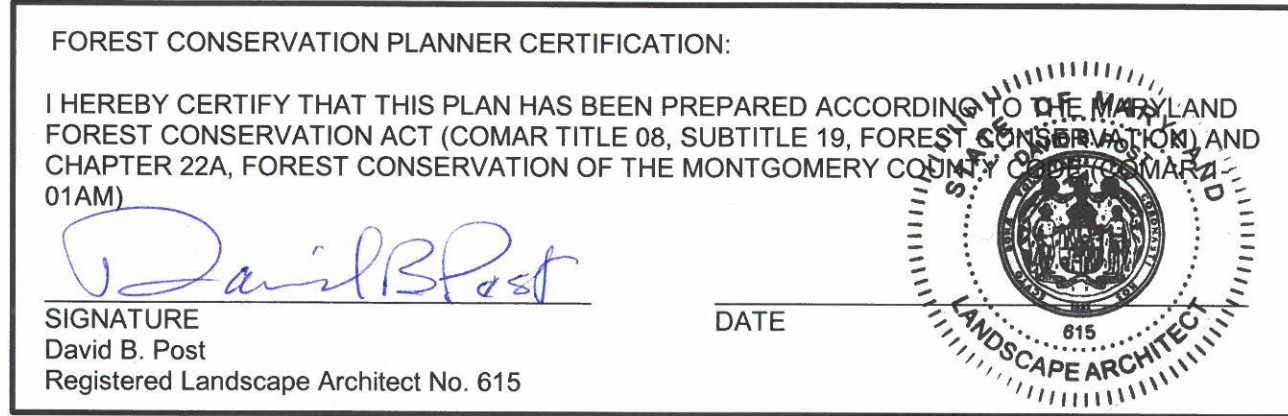
Plant Material: The contractor shall furnish and install all plants required to complete the work as shown on the drawings. Substitutions shall not be made without the written approval of the landscape architect. This contract will be based on the bidder having verified, prior to bidding, the availability of the required plant material as specified on the plant list. All trees and shrubs shall be dense and well grown, showing evidence of having been pruned regularly, and shall be vigorous, healthy and of good color. All plants shall be sound, free of plant disease or insect eggs and shall have a healthy normal root system. Balled and burlapped (B&B) plants shall be freshly dug and not heeded-in stock from cold storage. All plants shall be nursery grown. Plants shall not be pruned prior to delivery. The shape of the plant shall, in general, conform to its natural growth proportions unless otherwise specified. All plant, including container grown, shall conform to the branching, caliper, and height specifications of the American Association of Nurserymen's publication entitled American Standard for Nursery Stock, ANSI Z60.1-1986 or latest edition, and shall have a well-shaped, heavy-branched structure for the species. Plants of a given size shall not measure less than the minimum size as set forth in the American Standard for Nursery Stock, ANSI Z60.1-1986 or latest edition. Contain-grown trees and shrubs shall be grown in a compost mixture or one part leaves and one part grass clippings. Compost shall be mixed with pine bark or sand, and shall be at a ratio of two(2) cubic yards of compost to one (1) cubic yard of pine bark/sand. Local genetic stock, within 100 mile radius, is preferred because of hardiness and disease resistance.

Plant Spacing: All one (1) inch and two (2) inch caliper trees shall be located as shown on the plan. All other forestation trees and shrubs shall be randomly spaced within the planting field boundaries at the quantities indicated for each forest stands.

Planting Procedures: For B&B and container-grown trees, the tree pit wall shall be dug so that they are vertical and scarified. The tree pit width shall be a minimum of 2.5 times the diameter of the rootball or container and shall be one (1) inch shallower than the height of the rootball. Plants shall rest on undisturbed existing soil or well-compacted backfill. The trees shall be handled with care and shall not be picked up by the trunk or dropped. Set the tree straight and centered in the tree pit. Remove burlap and rope from top half (½) of B&B rootball. For container-grown tree, remove the container and butterfly the rootball. The pits shall be backfilled using stock-piled native topsoil or amended native soils. Amended native soil shall be 2/3 existing soil to 1/3 organic matter thoroughly homogenized. Do not stake trees unless instructed to do so by the landscape architect. Trees shall not be wrapped.

Soil Stabilization: Disturbed areas of 5,000 square feet or greater and any erodible slopes shall be stabilized with vegetation as specified.

Tree Protection: To prevent damage to planted areas, reforestation, and afforestation sites shall be posted with appropriate signs. See tree protection notes and details.

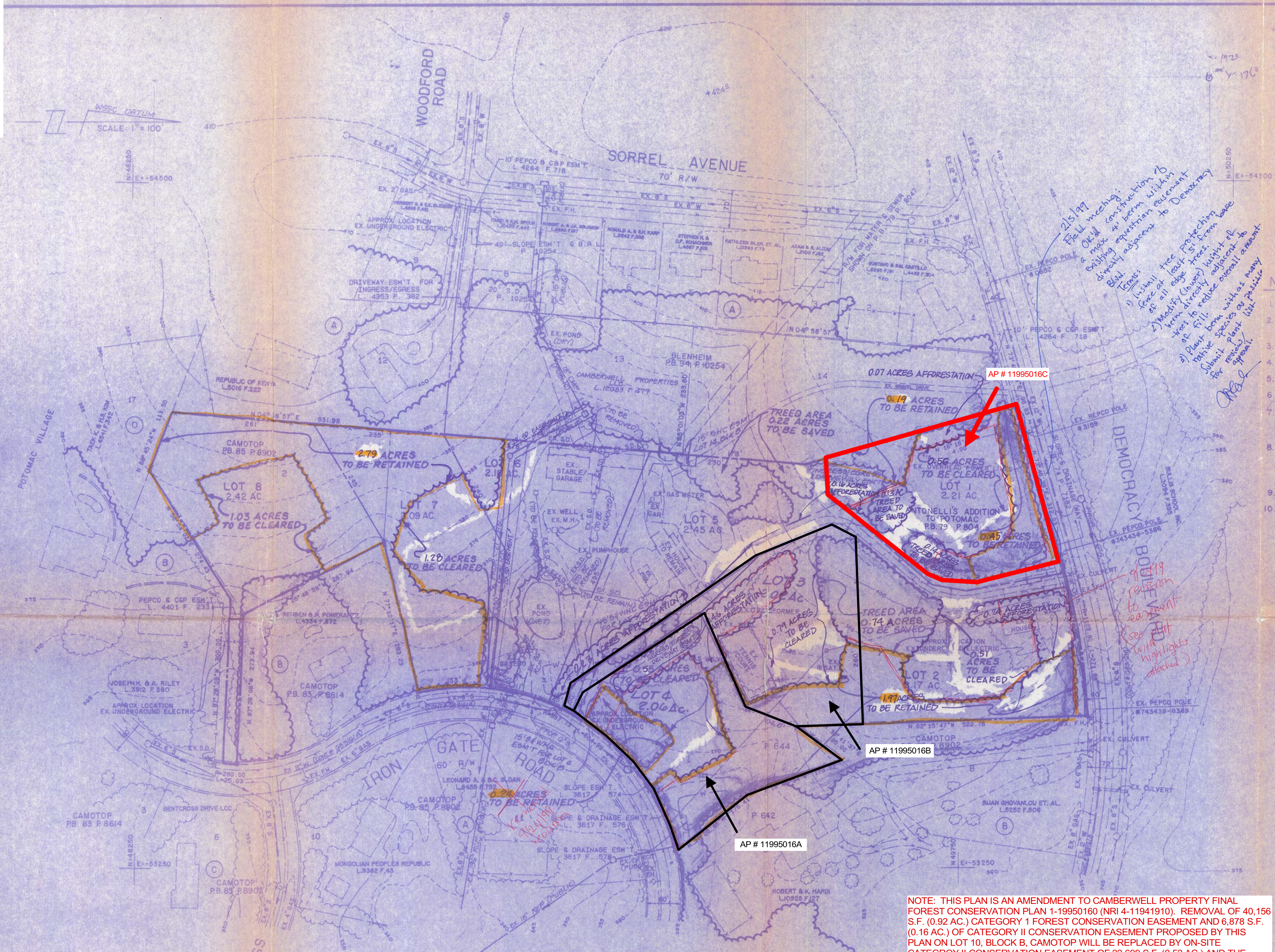


DEVELOPER'S CERTIFICATE	
The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. <u>11995016C</u> including, financial bonding, forest planting, maintenance, and all other applicable agreements.	
Developer's Name:	<u>AMIR TOFIGH</u>
Contact Person or Owner:	<u>AMIR TOFIGH</u>
Address:	<u>10216 IRON GATE ROAD, POTOMAC, MD 20854</u>
Phone and Email:	<u>301-219-1503 ATOFIGH2000@YAHOO.COM</u>
Signature:	

3.	02-20-17	PER MNCPPC REVIEW
2.	11-21-17	PER MNCPPC REVIEW
1.	10-6-17	PER MNCPPC INTAKE REVIEW
No.	Date	Revision Notes

PostModern
Landscape Architecture, LLC
10725 SANTA ANITA TERRACE
DAMASCUS, MD 20872
301-968-7214
INFO@POSTMODERN-LA.COM

Project Title	LOT 10, BLOCK B CAMOTOP 10216 IRON GATE ROAD POTOMAC, MD 20854 10TH ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND	Drawn By	DBP	Project ID	2011-09
Drawing Title	AMENDED FOREST CONSERVATION PLAN	Scale	AS SHOWN	Drawing No.	F-6A
Date	SEP 29, 2017	4	of	4	
CAD File Name					



NOTES:

1. EXISTING ZONING IS RE-2.
2. BOUNDARY INFORMATION IS FROM A BOUNDARY SURVEY BY LOIEDERMAN ASSOCIATES, INC. DATED NOVEMBER, 1993.
3. TOPOGRAPHY IS FROM MNCPPC.
4. TOTAL AREA = 17.54 ACRES.
5. DEDICATION FOR DEMOCRACY BOULEVARD = 0.04 ACRES.
6. NUMBER OF LOTS PROPOSED = 8.
7. PROPOSED LOT LOCATIONS, SHAPES, DIMENSIONS AND SQUARE FOOTAGE ARE APPROXIMATIONS. FINAL COMPUTATIONS AND INFORMATION WILL BE PROVIDED ON THE RECORD PLAT.
8. THIS PLAN IS A RESUBDIVISION OF LOT 1, ANTONELLI'S ADDITION TO POTOMAC (P.B. 79 P. 8047), LOT 14, BLOCK A, BLENHEIM (P.B. 94 P. 10254), LOTS 2, 4, AND 9, BLOCK B, CAMOTOP (P.B. 85 P. 8902), AND PARCEL 644.
9. WATER AND SEWER CATEGORIES ARE W-1 AND S-1.
10. THE NATURAL RESOURCE INVENTORY MAP AND FOREST STAND DELINEATION PLAN # 4-94/91 WAS APPROVED BY MNCPPC ON MAY 24, 1994.

PRELIMINARY FOREST CONSERVATION
WORKSHEET COMPUTATIONS
CAMBERWELL PROPERTY

Zone: RE-2, Conservation Threshold = 25% Afforestation Thresholds = 20% Land Use Category = MDR		
a.) Total Tract Area:	17.54 Acres	
b.) Afforestation Threshold (20% of a):	3.51 Acres	
c.) Conservation Threshold (25% of a):	4.39 Acres	
d.) Existing Forest Cover:	18.74 Acres	
e.) Forest Cover Above Afforestation Threshold (d-b):	15.23 Acres	
f.) Forest Cover Above Conservation Threshold (d-c):	14.35 Acres	
g.) Since Existing Forest Cover is Less Than Afforestation Threshold (d < b), Afforestation Planting Is Required.		
h.) Total Afforestation Requirement (b-d):	0.00 Acres	
i.) Forest Cover to be Retained:	5.62 Acres	5.38
j.) Forest To Be Cleared:	4.72 Acres	4.72
k.) Area of Forest Above Conservation Threshold To Be Cleared (j x 0.25):	1.18 Acres	1.18
l.) Area of Forest Below Conservation Threshold To Be Cleared (j x 0.75):	3.54 Acres	3.54
m.) Forest Above Conservation Threshold To Be Retained (i-c):	1.23 Acres	1.23
n.) Reforestation Req'd For Clearing Above Threshold (k x 0.25):	0.00 Acres	0.00
o.) Reforestation Req'd For Clearing Below Threshold (l x 2.0):	7.08 Acres	7.08
p.) Credit For Forest Saved Above Threshold (m):	1.23 Acres	1.23
q.) Total Reforestation Requirement (n + o - p):	5.85 Acres	5.85
r.) Total Planting Requirement (h + q):	0.00 Acres	0.00

*Computations do not include individual significant trees outside forested areas.

**Existing forest includes only forest areas 1 & 2. Treed areas are not included in the existing Forest Conservation computations.

NOTE: THIS PLAN IS AN AMENDMENT TO CAMBERWELL PROPERTY FINAL FOREST CONSERVATION PLAN 1-19950160 (NRI 4-11941910). REMOVAL OF 40,156 S.F. (0.92 AC.) CATEGORY I FOREST CONSERVATION EASEMENT AND 6,878 S.F. (0.16 AC.) OF CATEGORY II CONSERVATION EASEMENT PROPOSED BY THIS PLAN ON LOT 10, BLOCK B, CAMOTOP WILL BE REPLACED BY ON-SITE CATEGORY II CONSERVATION EASEMENT OF 22,699 S.F. (0.52 AC.) AND THE PURCHASE OF AN OFF-SITE FOREST CONSERVATION EASEMENT OF 2.1 ACRES PLANTED FOREST OR 4.2 ACRES OF RETAINED FOREST AND IS TO BE ACQUIRED AT THE AN MNCPPC APPROVED FOREST CONSERVATION BANK.

THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
ENVIRONMENTAL PLANNING DIVISION

CONDITIONAL
APPROVAL

Plan No. 1-95016
2/19/95
2/19/95
2/19/95

OWNER/DEVELOPER

IRONGATE PROPERTIES
9601 SEVEN LOCKS ROAD
P.O. BOX 34936
BETHESDA, MD. 20817
301-299-3632

LOT 10 BLOCK B
CAMBERWELL PROPERTY
CAMOTOP
MONTGOMERY COUNTY, MARYLAND
REDLINE MARK UP BY:

PostModern
Landscape Architecture, LLC
10725 SANTA ANITA TERRACE
DAMASCUS, MD 20882
301-968-7214
INFO@POSTMODERN-LLA.COM

SEPTEMBER 29, 2017

LOIEDERMAN ASSOCIATES, INC.
CIVIL ENGINEERING LAND PLANNING LAND SURVEYING
ENVIRONMENTAL STUDIES

15200 Shady Grove Road
Rockville, Maryland 20850
(301) 948-2750
4407 Forbes Boulevard
Lanham, Maryland 20706
(301) 794-7555
258 West Patrick Street
Frederick, Maryland 21701
(301) 696-1240
Metro (301) 831-4544

Designed KBB	REVISED FCP AREAS	MFW 2/12/99
Drafted JWM	REVISED FCP WORKSHEET PER MNCPPC	MFW 2/12/99
Checked KBB	REVISED FCP WORKSHEET	MFW 10/19/97
Proj. Eng. MIF	REVISED BY MNCPPC COMMITTING TO LOT 10 & LOT 11	MFW 7/2/97
OFFICE ROCKVILLE	REVISED CLEARED & RETAINED AREAS	MFW 5/2/97
DATE AUGUST, 1994	REVISED LAYOUT LOTS 3 & 4	MFW 6/9/97
	PLAN REVISED PER MNCPPC COMMENTS	MJK 1/1/95
	PLAN REVISED FROM LOTS TO A LOT	10/54
	REVISIONS	BY DATE

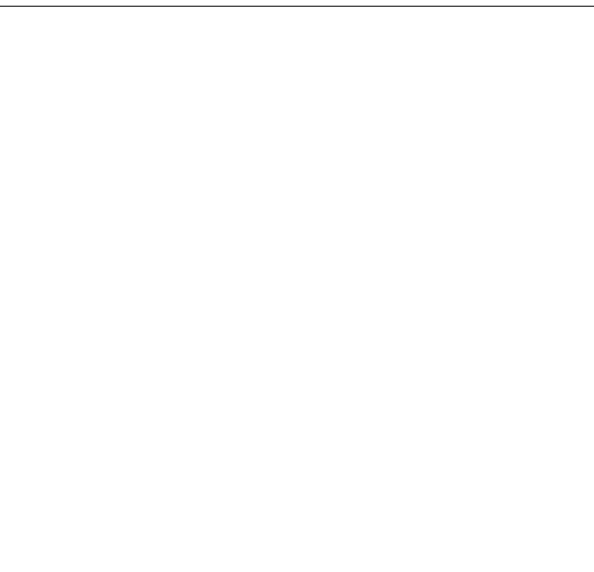
PRELIMINARY FOREST
CONSERVATION PLAN

CAMBERWELL PROPERTY
L. 10961 F. 484
POTOMAC (10TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

SPECIMEN TREE TABLE

TREE ID	BOTANICAL NAME	COMMON NAME	DBH	CONDITION	REMARKS	SAVE/REMOVE	DBH OF COUNTY CHAMPION	75% OF COUNTY CHAMPION DBH
1	Quercus alba	White Oak	28"	Good		Save	77"	58"
2	Quercus alba	White Oak	24"	Good	Near LOD	Save	77"	58"
3	Quercus rubra	Northern Red Oak	24"	Good	Near LOD	Remove	72"	54"
4	Quercus alba	White Oak	24"	Good		Save	77"	58"
5	Quercus rubra	Northern Red Oak	29"	Good	Measured at crotch	Save	72"	54"
6	Quercus rubra	Northern Red Oak	24"	Good		Save	77"	58"
7	Quercus rubra	Northern Red Oak	24"	Dead	Measured at crotch	Remove	77"	58"
8	Quercus rubra	Northern Red Oak	24"	Good	On Lot 14	Save	77"	58"
9	Quercus alba	White Oak	24"	Good	On Lot 14	Save	77"	58"
10	Quercus rubra	Northern Red Oak	24"	Good		Save	72"	54"

NOTE: THE CRITICAL ROOT ZONE AREA OF SPECIMEN TREE NO. 2 AND OTHER TREES PROTECTED FROM CONSTRUCTION NEAR THE LIMITS OF DISTURBANCE WILL BE WATERED WEEKLY WITH AN EQUIVALENT OF 1" OF RAINFALL IF NATURAL RAINFALL DOES NOT OCCUR DURING THE CONSTRUCTION PERIOD TO REDUCE STRESS ON THE TREES AND PROMOTE SURVIVAL AFTER CONSTRUCTION.



NOTE: THE CRITICAL ROOT ZONE AREA OF SPECIMEN TREE NO. 2 AND OTHER TREES PROTECTED FROM CONSTRUCTION NEAR THE LIMITS OF DISTURBANCE WILL BE WATERED WEEKLY WITH AN EQUIVALENT OF 1" OF RAINFALL IF NATURAL RAINFALL DOES NOT OCCUR DURING THE CONSTRUCTION PERIOD TO REDUCE STRESS ON THE TREES AND PROMOTE SURVIVAL AFTER CONSTRUCTION.

LOT 10 BLOCK B
CAMBERWELL PROPERTY
CAMOTOP
MONTGOMERY COUNTY, MARYLAND

REDLINE MARK UP BY:

PostModern
Landscape Architecture, LLC
10725 SANTA ANITA TERRACE
DAMASCUS, MD 20822
301-968-7214
INFO@POSTMODERN-LA.COM

SEPTEMBER 29, 2017

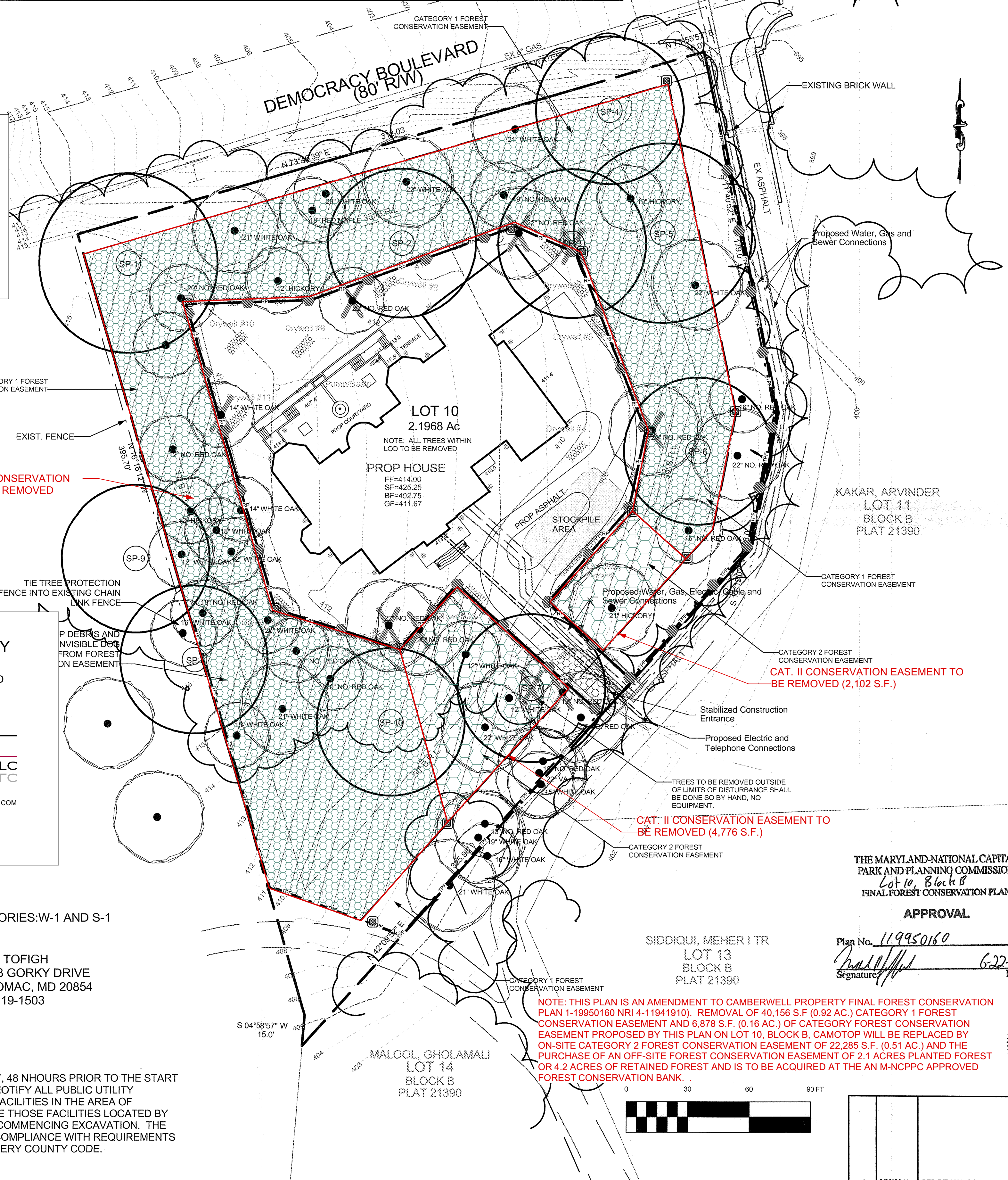
SITE DATA:

ZONE: RE-2
WATER AND SEWER CATEGORIES: W-1 AND S-1

APPLICANT:
NAME: AMIR TOFIGH
ADDRESS: 14048 GORKY DRIVE
CITY, STATE ZIP: POTOMAC, MD 20854
PHONE: 301-219-1503
EMAIL:

MISS UTILITY:

CALL MISS UTILITY AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF WORK. 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 36A OF THE MONTGOMERY COUNTY CODE.



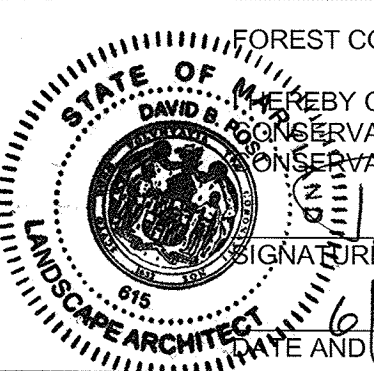
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
Lot 10, Block B
FINAL FOREST CONSERVATION PLAN

APPROVAL

Plan No. 119950160
Signature: [Signature] Date: 6-22-11

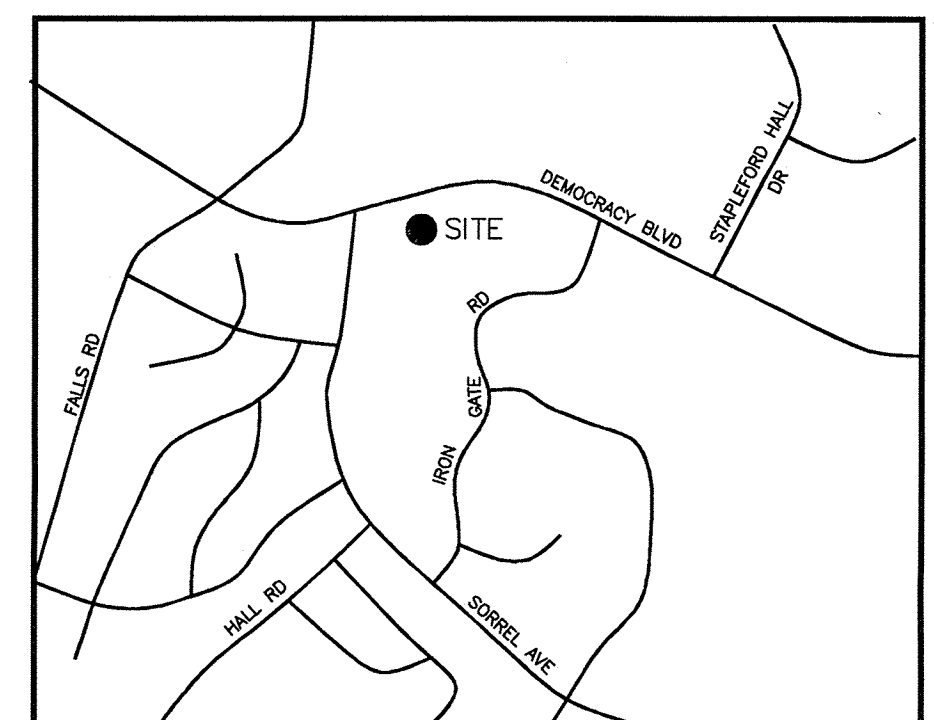
SIDDIQUI, MEHER I TR
LOT 13
BLOCK B
PLAT 21390

NOTE: THIS PLAN IS AN AMENDMENT TO CAMBERWELL PROPERTY FINAL FOREST CONSERVATION PLAN 1-19950160 NRI 4-11941910. REMOVAL OF 40,156 S.F. (0.92 AC.) CATEGORY 1 FOREST CONSERVATION EASEMENT AND 6,878 S.F. (0.16 AC.) OF CATEGORY 2 FOREST CONSERVATION EASEMENT PROPOSED BY THIS PLAN ON LOT 10, BLOCK B, CAMOTOP WILL BE REPLACED BY ON-SITE CATEGORY 2 FOREST CONSERVATION EASEMENT OF 22,285 S.F. (0.51 AC.) AND THE PURCHASE OF AN OFF-SITE FOREST CONSERVATION EASEMENT OF 2.1 ACRES PLANTED FOREST OR 4.2 ACRES OF RETAINED FOREST AND IS TO BE ACQUIRED AT THE AN-MNCPCC APPROVED FOREST CONSERVATION BANK.



NOTES:

- BOUNDARY AND TOPOGRAPHIC SURVEY DATED 1/5/2011 WAS PROVIDED BY: REAL ESTATE SURVEYORS 8325 CHERRY LANE LAUREL, MARYLAND 20707 TEL: (301)604-3105
- SITE PLAN WAS PROVIDED BY: LANDPLAN ASSOCIATES 12129 GEORGIA AVE. SILVER SPRING, MD 20902 301-279-9990
- PLAT NO. 21390 INDICATES TWO AREAS OF "T.C.I." ASSUMED TO MEAN CATEGORY 2 FOREST CONSERVATION EASEMENT WITH A TOTAL AREA OF 0.1509 ACRES. LIMITED DISTURBANCE IS PROPOSED IN THESE AREAS TO DEAD AND ONE TREE VERY CLOSE TO THE LIMIT OF DISTURBANCE LINE.
- THE PRELIMINARY FOREST CONSERVATION PLAN NO. 1-95016 WAS APPROVED ON 2/9/1995 AND REVISED ON 3/4/1999. THE NRI/FSD NO. 4-94191 WAS APPROVED ON 5/24/1994.
- ACCORDING TO THE APPROVED PRELIMINARY FOREST CONSERVATION PLAN, 0.07 ACRES OF THE WESTERN PORTION OF THE FOREST CONSERVATION EASEMENT IS TO BE AFFORESTED. FIELD VERIFICATION INDICATES THAT NUMEROUS TREES ARE GROWING IN THIS AREA PROVIDING A MIN. OF 100 TREES PER ACRE THEREFORE, AFFORESTATION IS NOT PROPOSED FOR THIS AREA.
- THE BERMS ALONG DEMOCRACY BLVD. WERE APPROVED BY THE 3/4/1999 REVISION TO THE PRELIMINARY FOREST CONSERVATION EASEMENT.
- THE 0.16 ACRE AREA OF THE SOUTHERN PORTION OF THE FOREST CONSERVATION EASEMENT WILL BE PLANTED WITH 1" CAL. AND 2" CAL. NATIVE TREES AND 3 GAL. CONTAINER GROWN NATIVE SHRUBS.
- CONSERVATION EASEMENT BOUNDARIES TO BE STAKED OUT AND FLAGGED FOR THE PRECONSTRUCTION MEETING.

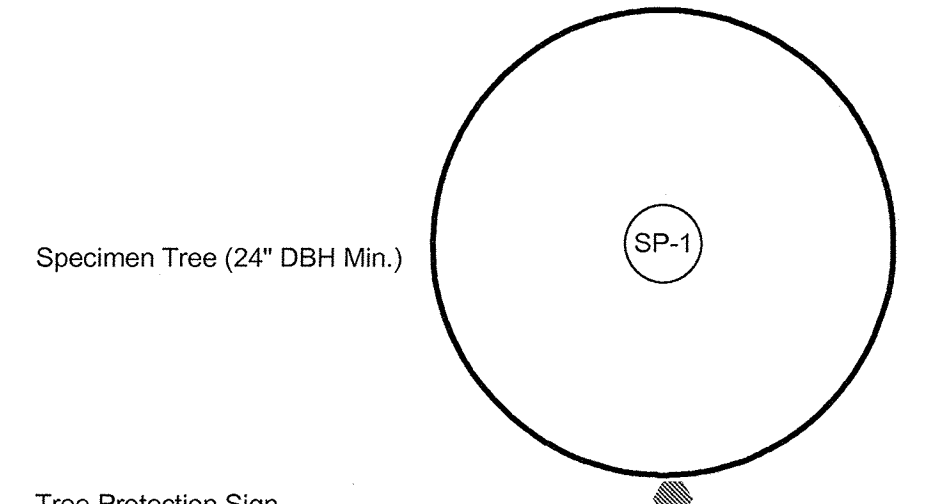


VICINITY MAP

Scale: 1" = 1,200'

LEGEND:

- Existing and Proposed Sewer
- Existing Contour
- Proposed Contour
- Proposed Super Silt Fence with Tree Protection Signs
- Limits of Disturbance
- Proposed Spot Elevation



- Tree Protection Sign
- Permanent Forest Conservation Easement Sign
- Tree Protection Fence
- Root Pruning
- Other Existing Tree
- Existing Tree to be Removed

FOREST CONSERVATION DATA:	
TRACT AREA:	2.1968 ACRES
AREA OF TRACT REMAINING IN AGRICULTURAL USE:	0.00 ACRES
AREA OF ROAD AND UTILITY ROWS NOT IMPROVED:	0.00 ACRES
AREA OF STREAM VALLEY BUFFER:	0.00 ACRES
TOTAL EXISTING FOREST:	1.60 ACRES
TOTAL FOREST RETAINED:	1.14 ACRES
TOTAL FOREST CLEARED (REMOVED):	0.56 ACRES
LAND USE CATEGORY: MEDIUM DENSITY RESIDENTIAL	
CONSERVATION THRESHOLD:	0.44 ACRES
AFFORESTATION THRESHOLD:	0.00 ACRES
FORESTED WETLANDS:	0.00 ACRES
FORESTED 100-YEAR FLOODPLAINS:	0.00 ACRES
FORESTED STREAM VALLEY BUFFER:	
EXISTING RETAINED:	0.00 ACRES
EXISTING CLEARED:	0.00 ACRES
PROPOSED PLANTED:	0.00 ACRES
PRIORITY FOREST:	
EXISTING RETAINED:	1.14 ACRES
EXISTING CLEARED:	0.56 ACRES
PROPOSED PLANTED:	0.23 ACRES
STREAM VALLEY BUFFER:	
LENGTH:	0 LIN. FT.
AVERAGE WIDTH:	0 LIN. FT.

DEVELOPER'S CERTIFICATE	
The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 119950160 including, financial bonding, forest planting, maintenance, and all other applicable agreements.	
Developer's Name:	AMIR TOFIGH <small>Printed Company Name</small>
Contact Person or Owner:	AMIR TOFIGH <small>Printed Name</small>
Address:	14048 GORKY DRIVE, POTOMAC, MD 20854
Phone and Email:	301-219-1503 ATOFIGH2000@YAHOO.COM
Signature:	[Signature]

Project Title		LOT 10, BLOCK B CAMOTOP 10216 IRON GATE ROAD POTOMAC, MD 20854 10TH ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND	
Drawing Title		FINAL FOREST CONSERVATION PLAN	
Date		MAY 26, 2011	
CAD File Name			
Project ID		2011-09	
Scale		1" = 30'	
Drawing No.		1 of 3	