



Isiah Leggett
County Executive

CONSTRUCTIVE COMMENTS

MONTGOMERY COUNTY DEPARTMENT OF
PERMITTING SERVICES
OCTOBER 2010

Carla Reid
Director

REID THIS!

Montgomery County is a great place to live and work and do business. It is rich in diverse interests. The Department of Permitting Services has many stakeholders including: the County's residents, environmentalists, civic activists, engineers, developers, architects, builders, electricians, elected officials and their constituents, permit facilitators, the faith community, farmers, doctors, lawyers, and Indian chiefs. With many stakeholders, we are reminded that this richness is often accompanied by an intensity which comes from the differences in the respective needs of individual stakeholders.



Simply put, everyone cares about something different. We respect that. Our desire is to create a satisfactory experience for everyone. We want to be connected to you and fully understand your needs. The permitting process can be a complex process, but it does not have to be an unmanageable or a miserable process.

Let's face it. DPS has long been saddled with a reputation of catering to or favoring certain customer segments, those segments that require our services the most. It has been a real challenge to dispel this notion. The fact is that we care about all of our customers, and we know that one size does not fit all.

Through our on-going surveys we are constantly learning what is important to specific segments of DPS customers. We customize our public education and outreach efforts to resonate with the issues that concern specific customer segments the most. We have amplified our case (project) management program to accommodate all types of customers, from first time users to all-the-time users.

I hope that you will find that this edition of Constructive Comments contains some helpful information. The topics in this edition are generally about environmental issues, our enforcement processes, and neighborhood interest articles. Thank you for taking the time to **REID THIS!**

Carla Reid, Director
Department of Permitting Services

TABLE OF CONTENTS

REID THIS.....	1
ENVIRONMENTAL PROTECTION FOR THE BUILT ENVIRONMENT	2
PLACES OF WORSHIP.....	3
DPS COMPLAINT PROCESS	6
EVERYTHING YOU WANTED TO KNOW ABOUT POLITICAL SIGNS	8
PORTABLE STORAGE CONTAINERS	10
TREE PROTECTION QUIDELINES	12
ASK NANCY.....	13
DPS STEPS UP ENFORCEMENT OF FINAL INSPECTIONS.....	15

ENVIRONMENTAL PROTECTION FOR THE BUILT ENVIRONMENT Energy Saving Home Improvements

The following are energy saving home improvements requiring permits from the Department of Permitting Services. Individuals who own and occupy a single family dwelling may be eligible for a property tax credit for installation of solar panels and geothermal heat pumps.



Photovoltaic Systems (Solar Panels)

1. Building permit needed. *Submittal*

materials: Site plan. Copy of product manufacturer’s design and installation specifications. Scale drawing(s) of the proposed installation showing the structural elements of the supporting structure and methods of attachment. This must include information on the roof truss or rafter sizing (if roof mounted), weight of the equipment being installed, type of roof covering and engineering details of the installation.

2. Electrical permit needed. *Submittal materials:* Copy of product manufacturer’s design and installation

specifications. Scale drawing(s) of the proposed installation showing field installed electrical components, wire identification and sizing and grounding.



Ground Source Heat Exchange (Geothermal heat pumps)

1. Mechanical permit needed. *Submittal materials:* Site plan. Completion of mechanical permit identifying type and size of proposed equipment and appropriate load calculations.
2. Well permit needed. *Submittal materials:* Site plan/scale engineered plan identifying site topography, building locations and existing/proposed well and septic locations.
3. Sediment Control permit may be required if a trench is used instead of a well for heat exchange.
4. Electrical permit may be needed for new feeders/circuits associated with the proposed installation.

Wind Tubines/Generators.

1. Building permit needed. *Submittal*



materials: Site plan. Scale plans showing engineering details of the proposed installation. This may require details of existing structures when used to support the turbine. Storage battery location may need to be considered for purposes of proper ventilation.

2. Electrical permit needed. Wiring and equipment supplied by batteries or power generating equipment must meet the provisions of the 2008 NEC (National Electrical Code).

For additional information on “Renewable Energy Tax Credit” go to the following site:

<http://www.montgomerycountymd.gov/mcgtmpl.asp?url=/content/finance/index.asp>

For additional information on “Energy Wise Homes” go to the Department of Environmental Protection web site at the following site:

<http://www.montgomerycountymd.gov/dectmpl.asp?url=/content/dep/energy/EnergyWise.asp>



Our Job Is to Help You Do Your Project Right

Energy Saving Home Improvements

Contact the Department of Permitting Services about the permit application process, plan review and inspection of

- Solar Panels
- Geothermal Heat Pumps
- Wind Turbines/Generators

Individuals who own and occupy a single family dwelling may be eligible for a **PROPERTY TAX CREDIT** for installation of solar panels and geothermal heat pumps.



Montgomery County
Department of Permitting Services
In Montgomery Co., call 311
Outside Montgomery Co.: 240-777-0311
TTY: 240-773-3556
www.montgomerycountymd.gov/311

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Rate our Customer Service!**

**Complete Our Survey At
<http://www.surveymonkey.com/s/SX555H8>**

PLACES OF WORSHIP TAKING THE MYSTERY OUT OF THE PERMITTING PROCESS

The Department of Permitting Services (DPS) and Maryland National Capital Park and Planning Commission (MNCPPC), Montgomery County Planning Department are committed to reaching out to places of worship in Montgomery County to get help early in the development and building process. We can help you understand the issues most frequently encountered by places of worship that could significantly impact your plans to build or expand. Meeting with us ahead of time will enable you to make informed decisions about your future development plans and could save you considerable time and money.

A DPS Facilitator will be assigned to every permit for a place of worship. The Case Management Program is designed to educate places of worship about the permit process for their specific project before they begin. The Case Management Program strategically guides places of worship from the preliminary design concept to the issuance of permits to final inspection. The goal is to take the mystery out of the permitting process for the place of worship and to give the DPS staff an application that can be approved the first time around. This program is a win-win situation for places of worship and DPS staff.



Bethel World Outreach Church,



Karen Stephenson,
Case Facilitator



Marjorie Yoe,
Case Facilitator



Clifton Park Baptist Church
Silver Spring

Two examples of cases on the right track are Bethel World Outreach Church in Montgomery Village, Karen Stephenson, Case Facilitator and Clifton Park Baptist Church, Silver Spring, Marjorie Yoe, Case Facilitator.

Avoid Common Pitfalls

Understanding the MNCPPC Development Process and the DPS Building Process

Some churches rely on their members who are design professionals to submit building applications and to oversee the construction project. Sometime these professionals are working in Montgomery County for the first time and may not be familiar with County codes or the permitting process. As a result, the review period and the construction period are prolonged. Needless to say, this drive costs up.

Solution: Get help early in the process. Schedule a meeting with MNCPPC and DPS prior to deciding to build or expand.

Selecting the Site

Before signing a lease or purchasing a property, ask these questions and schedule a meeting with MNCPPC and DPS to get answers.

1. Are all the uses being proposed permitted in the zone?
2. Is the property on a previously recorded lot or will you be required to go through the subdivision process?
3. Are there environmental constraints on the property, such as streams, wetlands, steep slopes or trees that need to be preserved?
4. Is the property within a Special Protection Area?
5. Are there easements on the property that could affect your ability to develop?
6. Will right-of-way improvements be required for your project?
7. Are you adjacent to residential neighborhoods? If so, have you thought about how you can buffer your use from your neighbors?
8. Have you determined the impact your facility will have on traffic capacity in the area?
9. Have you considered how you will employ environmentally sensitive design to help obtain approval of your stormwater management concept plan?
10. Will the property be served by public water and sewer? If it is it to be served by well and septic can the proposed uses be accommodated?
11. Will you need to extend utilities to the site?

Avoid Common Pitfalls – The DPS Building and Land Development Permitting Process

Be a good neighbor! Discuss your plans with the community early in the development and building process and regularly throughout the construction process. When places of worship submit an application to add to or alter an existing building, they must have a set of as-built drawings for DPS to review the existing structure and the proposed changes. Many places of worship do not have drawings of the existing space. The cost of getting an engineer to develop a set of “as built drawings” can be expensive, but it is necessary. Include this cost in your construction budget.

DPS receives many requests to convert single family dwellings to places of worship. Commercial building standards are required for all places of worship because the building must be designed for public use. Sometimes it is difficult for places of worship in single family homes to meet commercial building standards and parking standards. Determine if all code requirements can be met for your project as a first step in your process.

Accessibility: Places of worship must be accessible and in compliance with Federal Law – 28 CFR Part 36 Nondiscrimination on the Basis of disability by Public Accommodations and in Commercial Facilities. Understand if this is possible for your project and the associated costs.

Places of worship have many varied programs and services for church members and individuals outside of the church. It is often difficult to identify if the use is considered “place of worship” or something else (wedding chapel for profit) for zoning, building code review, and impact tax assessments. Not knowing this information early in the process can impact the permit process and amount of impact taxes to be paid.

A day care center in a place of worship must comply with State of Maryland, Fire Marshal, DPS, and Department of Health and Human Services (DHHS) requirements. Coordination and compliance with all of these requirements is often cumbersome without the assistance of a DPS Case Facilitator.

Solution: Get help early in the process. Schedule a meeting with DPS and MNCPPC prior to deciding to build or expand.

Montgomery County, Department of Permitting Services

In Montgomery County, call 311
Outside of Montgomery County, Call 240 777-0311

TTY number is 240-773-3556

Website:

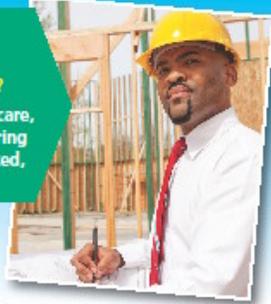
www.montgomerycountymd.gov/311

Maryland National Capital Park and Planning Commission (MNCPPC)

Montgomery County Planning Department, Development Review Division
301 495-4610

Building or Expanding a Place of Worship In Montgomery County?

- Looking for a new location?
- Constructing a new building?
- Adding to an existing building?
- Adding a new use such as: daycare, clinic, recreational facility, catering facility, social facility to be rented, dwelling units?



Information You Need to Know Before You Start

Before you purchase property or start your design, schedule a free consultation with the Department of Permitting Services and/or the Maryland National Capital Park and Planning Commission, Planning Department. **Call us today!**



Montgomery County Department of Permitting Services
In Montgomery Co., call 311, Outside Montgomery Co.: 240-777-0311
TTY: 240-773-3556
www.montgomerycountymd.gov/311
Maryland National Capital Park and Planning Commission
Montgomery County Planning Department
301-495-4610

DPS COMPLAINT PROCESS

DPS Responds To a Variety Of Complaints such as:

Building/Electrical Work Without a Permit

Building permits are required for all new construction and additions to existing structures. Other projects requiring a permit include: bay windows, garages, sun rooms, decks and dormers; alterations, such as kitchen or bathroom remodeling, finishing an attic or basement, or reconfiguring a floor plan; minor structural repairs; and fence, retaining wall, shed and pool construction.

An Electrical Permit is required for work that involves installing, repairing, or maintaining any electrical wiring or device designed for conducting, consuming or converting electrical current.

A Historic Area Work Permit is required for any work that changes the exterior features of any historic site or any historic building located within any Historic District, or designated in the Historic Atlas as an historic site.

Right of Way Construction Without a Permit

Right of way violations typically involve non-standard driveway aprons, illegal curb cuts, illegal monumental mail boxes, and construction debris or construction in the right of way.

Sign Installation Without a Permit

There are three types of signs permitted in Montgomery County: permanent, limited duration and temporary signs. All signs are regulated by their type, the general zoning classification where they are located and their size and placement on the property.

A sign permit is required for any permanent sign posted on private property for more than 30 days and any limited duration sign in the public right-of-way. Temporary signs and limited duration signs are permitted on private property without a permit

Certain signs are prohibited. Examples include: roof signs, obstructive signs, unsafe signs, signs that move such as banners, pennants, streamers, balloons, etc., signs attached to traffic devices or utility poles, and signs placed unlawfully in the public right-of-way.

Sediment Control Violations

Sediment control complaints typically involve construction and earth moving activities. Normally, these complaints involve concerns about earth moving of 5,000sq feet without proper permits or sediment run-off onto private property, streams, public roads and right-of-ways.

Zoning Violations (Illegal Uses/Activities & Occupancy Limits)

Zoning complaints typically involve allegations of improper uses/activities in residential, business, and other zones and violations of building restrictions such as setbacks, lot coverage, and height limits. In addition, the Zoning Ordinance restricts the number of unrelated persons who may reside in a residential dwelling.

HOW TO FILE A COMPLAINT

There are two ways you can file a complaint.



You can file a complaint online at the DPS web site. <http://www.montgomerycountymd.gov/permittingservices>

Go to the bottom of the page and click on "Submit an Online Complaint"

Or

You can file a complaint by calling:

- In Montgomery County, call 311
- Outside of Montgomery County, call 240-777-0311
- The TTY number is 240-773-3556

WHAT YOU CAN EXPECT FROM DPS WHEN YOU FILE A COMPLAINT

Any person who calls in a complaint, about any of the issues noted above, should expect to receive prompt and courteous treatment from 311 staff or DPS staff.

Complaint Intake

When taking a complaint, staff will ask you several questions in order to obtain the information necessary to process and investigate a complaint. This includes but may not be limited to the following information: address where the violation is occurring, what time of day or what days of the week the violation exists, your name and telephone number. You can ask to be a confidential complainant (your name will not be released unless we are ordered to do so by a Court of Law), or you can leave your name and phone number without asking to be confidential so that we can contact you to advise you what we have done about your complaint.

Some things you may think are violations are not. For example, any number of related persons living in a house is permitted provided there is enough room for them and no safety hazards are present; there is no law that requires a certain side of a fence to face outward.

Complaint Investigation

The targeted time for DPS to make the first site visit is three business days from receipt of the complaint for sediment control, right of way and well and septic complaints. The targeted time for DPS to make the first site visit for building, electrical, and zoning complaints is five

days from receipt of the complaint. You can expect that the staff member who investigates your concerns will advise you of the findings of the investigation, explain the process to correct the violation and provide you with timeframe for the correction. If the violation is not corrected during the timeframe given to the violator, a civil citation (ticket) will be issued which requires the violator to go to court where a Judge will hear the violator's reasons for not correcting the violation. If the violator is found guilty, the Judge may issue a Court order prescribing corrections the violator must make within a given period of time. The targeted time to resolve a complaint is four business days from receipt of the complaint for sediment control, right of way and well and septic complaints. The targeted time for DPS to resolve building, electrical and zoning complaints is fifteen days from receipt of the complaint.

View Complaint Status Online

You can also view the complaint status online. Go to the DPS web site <http://www.montgomerycountymd.gov/permittingservices>, click on "property address" and enter the complaint location. Select the address then select "service request" under Permit Type. A description of the complaint, the inspector's name and the complaint resolution will be provided.

DPS is committed to providing courteous, complete, and efficient investigation of violations and prompt responses to complainant's questions.



EVERYTHING YOU WANTED TO KNOW ABOUT POLITICAL SIGNS



The purpose of the Sign Ordinance, Article 59-F of the Montgomery County Code, is to regulate the size, location, height, and construction of all signs placed for public view.

HOW ARE POLITICAL SIGNS REGULATED IN MONTGOMERY COUNTY?

A political sign generally can be classified as either a temporary sign (to be located only on private property) or a limited duration sign (to be located either on private property or in the public right-of-way).

WHAT IS A TEMPORARY SIGN?

- A temporary sign does not require a permit provided the sign is displayed for no more than 30 days. The date of installation must be written on the sign.
- A temporary sign must be displayed only on private property with the permission of the property owner.
- The size, height and location of the sign is determined by the general zoning category in which the sign is placed (i.e., residential, commercial/industrial, agricultural).

Temporary Sign in a Residential Zone

- The number of signs is not limited, however the total sign area must not exceed 10 square feet. (Example: 3' x 3' sign = 9 square feet)
- A temporary sign must not exceed 5 feet in height (measured from ground to top edge of the sign) for a freestanding or wall sign.
- A temporary sign must be set back at least 5 feet from the property line.
- No illumination is allowed.

Temporary Sign in a Commercial Zone

- The number of signs is not limited, however the total sign area must not exceed 100 square feet.
- The maximum sign area of each sign must not exceed 50 square feet.
- The sign must not exceed 26 feet in height for a freestanding or wall sign. A freestanding or wall sign. A freestanding sign must not exceed the height of the tallest building on the property.
- The sign must be set back at least $\frac{1}{4}$ of the distance required for the building restriction setback. Generally, the setback for a sign in a commercial zone is a minimum $2\frac{1}{2}$ feet from the property line.
- No illumination is allowed.

CAN A SIGN BE DISPLAYED ON PRIVATE PROPERTY FOR MORE THAN 30 DAYS?

Yes, but it will be classified as a limited duration sign. A permit is not required for a limited duration sign on private property. The size, height, and location standards are the same as those for a temporary sign. Limited duration signs may be displayed on private property for

up to one year.

IS A PERMIT REQUIRED TO PLACE A SIGN IN THE PUBLIC RIGHT-OF-WAY?

Yes, each sign to be placed in the public right-of-way requires a limited duration sign permit. A maximum of four signs are allowed per applicant. Note: State law does not allow signs in the state right-of-way. A state road is identified by a route number (Example: Route 355).



WHAT ARE THE REQUIREMENTS FOR A LIMITED DURATION SIGN IN THE PUBLIC RIGHT-OF-WAY?

- The sign must be displayed only on weekends or for 14 consecutive days.
- The sign area for each sign must not exceed 5 square feet. (Example: $2\frac{1}{2}$ ' x 2' sign = 5 square feet)
- The sign must not exceed 30 inches in height.
- The sign must be placed at least 100 feet from any intersection, and 50 feet from any driveway.
- The sign must be set back at least 2 feet from a curb or if no curb exists, then at least 6 feet from edge of the roadway.
- No signs are allowed in a highway median.

WHERE CAN I OBTAIN A LIMITED DURATION SIGN PERMIT?

Sign permits are issued by the Department of Permitting Services, 255 Rockville Pike, Second Floor, Rockville, Maryland 20850. Call 311 for additional information.

WHAT IS THE FEE FOR A LIMITED DURATION SIGN PERMIT?

The cost of a limited duration sign permit is listed in the Department of Permitting Services fee schedule.

WHAT ARE THE PENALTIES FOR NOT COMPLYING WITH THE SIGN REGULATIONS?

Non-compliance can result in the issuance of a \$500 civil citation for each sign in violation and removal of illegal signs in the public right-of-way. A political candidate and the sign installer can be held jointly responsible for compliance with the sign regulations. Sign regulations are strictly enforced.

ARE THERE SIGNS, WHICH ARE NOT PERMITTED AND CANNOT BE ERECTED OR RETAINED?

Yes, they include the following:

- Signs in the public right-of-way unless placed in accordance with limited duration sign requirements.
- Signs which move in the wind including banners, pennants, balloons, etc.
- Signs attached to utility poles, traffic signs, traffic signal devices, and trees in the public right-of-way.
- Roof signs.

DO I HAVE TO REMOVE MY SIGNS?

Yes, candidates must remove their signs from polling sites immediately upon

closure of the sites. Political signs at all other locations must be removed in compliance with the sign regulations. When notified that signs are not in compliance with the sign ordinance, DPS will investigate and take appropriate enforcement action.

PORTABLE STORAGE CONTAINERS

ON PRIVATE PROPERTY

Building permits will not be required for Portable on Demand Storage (PODS) installed on residentially zoned property for seven days or less. Building permits only are required for all PODS installed on residentially zoned property for eight days or more as an accessory structure, used as or in place of a storage shed, except those structures used exclusively for agricultural purposes on land used exclusively for agriculture. Minimum setback and location requirements apply to all installations which require building permits.

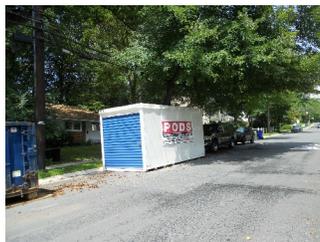


Use and Occupancy Certificates are required for all PODS containers installed and used for storage purposes on commercial or industrial zoned property. In zones where "Storage, outdoor" is a permitted use, and empty containers are being stored, neither

Building nor Use and Occupancy Certificates are required for the container. Minimum setback and location requirements apply to all other installations.

IN THE COUNTY RIGHT-OF-WAY AND ON COUNTY ROADS

Permanent Portable on Demand Storage (PODS) containers are not permitted in the right-of-way.



The Department of Permitting Services (DPS) requires a Right of Way permit for the temporary placement PODS within the right-of-way or on a County road. This permit is very similar to the permit required for the placement of construction dumpsters on roadways. A right-of-way permit for PODS ensures that the container will be placed in an acceptable location that does not endanger or interfere with pedestrian and vehicular traffic.

Sediment Control Permit Extensions What Do I Need To do To Extend My Sediment Control Permit?

Sediment Control permits are valid for a period of two years from the issue date of the permit. Permittees can request an extension of the permit by sending a written letter of request prior to expiration date of the original permit to:

Montgomery County Department of
Permitting Services
Division of Land Development
Land Development Permitting Processing
Section
255 Rockville Pike, 2nd Floor
Rockville, MD 20850

Also, Permittees can email their requests to dps@montgomerycountymd.gov. Please be sure to include the Sediment Control Permit number on the written request and in the subject of the email.

Once the extension request is received, a Land Development Permit Technician will contact you to provide you with the required fee. Sediment Control Permit Extensions are valid for **one year**. As per Executive Regulation 12-08 (Schedule of Fees for Permits Licenses and Inspections – Method 3), the fee to extend the Sediment Control Permit after written request and prior to expiration of the original permit is \$0.0062 per square foot of disturbed area as per the approved Sediment Control Plan. The minimum fee for extension of a Sediment Control Permit is \$210.00. Additionally, payment of the 10 percent automation fee in accordance with Executive Regulation 5-98 is also required for all permit extensions.

For permits that have already expired, the Permittee must call 311 to place a Service Request for a Land Development Permit Technician to contact the permittee to verify the fee required and arrange immediate payment. Permittees who allow the Sediment Control permit to expire are subject to enforcement actions by the DPS Sediment Control Inspector which include issuance of Notice of Violation, Civil Citation and Stop Work Order.

Please be sure to always coordinate with your DPS Sediment Control Inspector (listed on your permit) and should your permit be near expiration, contact the Land Development Permitting Processing Section prior to expiration of your Sediment Control Permit to request an extension as noted above.

Tree Protection Guidelines Effective October 1, 2010

The following guidelines for tree protection in the Montgomery County Right-of-Way are to save County street trees from

construction related damage. These guidelines will be distributed effective October 1, 2010 with building permits for demolition, addition, new construction, deck construction and public right of way driveway permits.



Because street trees in the urban and suburban environment almost always grow in close proximity to residential and commercial structures and therefore, construction work activities, measures to successfully protect the trees are necessary. Usually the greatest impact to trees on construction sites is from soil compaction and root cutting. The following simple procedures can greatly reduce most of the construction damage to trees in the right of way:

Protective Plastic Fencing

- Delineates where construction traffic and materials are permitted and where they are not permitted.

- Plastic construction fencing should be at least 4 feet in height, staked and taut throughout.
- Installation of fencing should **precede any construction** activity and remain in place throughout the entire construction process.
- Fencing should create a square or rectangle shape around the tree with one side as close as possible to the curb, another side as close as possible to the sidewalk (or edge of right-of-way), and the other two sides should be at least 5 feet from

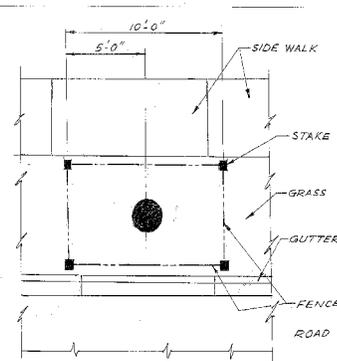


FIGURE - 1

the base of the tree perpendicular to the other two sides. An example is shown below.

- If **silt fences** are shown for installation within the root zone, the Sediment Control Inspector should be contacted for a re-evaluation **prior to installation.**

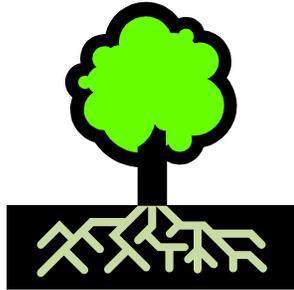
Trenching/Excavating

- The root zone of a tree extends out even past the drip line (canopy) of the tree. Alternate methods should be explored before trenching or excavating are considered.
- If trenching or excavating are necessary, the disturbance should occur as far away from the base of the tree as possible.

- **Prior to excavation or trenching**, roots should be pruned at the point of disturbance. Any exposed roots should be cut cleanly at the edge of the trench.

Minimizing Soil Compaction

- Equipment, tools, or building materials are not allowed in the lawn panel or grass right of way area. In certain circumstance if staging areas are permitted by the Right of Way Inspector, sheets of ¾ inch plywood should be laid down beneath the materials to displace the weight and minimize soil compaction.
- Only a permitted temporary construction entrance or an existing driveway may be used for vehicular ingress to and egress from a site. However, if temporary access across the right of way occurs, plywood should be used.
- **Plywood must not obstruct the sidewalk or create a pedestrian hazard.**
- Staging areas and ingress/egress areas should be thought out well before construction begins with consideration to minimize impact to the public trees.



ASK NANCY



Dear Nancy

I have the following questions about trees on private property and trees in the right of way:

Yours Truly
Concerned About the Environment

Question: Can I remove, plant, prune, or maintain a tree(s) on my property?

Answer: If the tree is wholly on your property, you do not currently need a permit or other authorization from Montgomery County or the State of Maryland as long as the lot is smaller than 40,000 square feet (about 1 acre). We recommend that you consult a State of Maryland, Department of Natural Resources Licensed Tree Expert prior to pruning a tree to ensure the tree will not die as a result of the pruning. The Montgomery County Planning Department, Forest Conservation law will apply if your property is larger than 40,000 square feet, includes a champion tree and/or you plan to disturb more than 5,000 square feet. Call the Montgomery County Planning Department, Environmental Planning Division 301 495-4540 for more information on the Forest Conservation Law.

If you have any questions, please contact the Montgomery County Department of Transportation, Tree Maintenance Section at 240-777-6000. For more information on tree care and planting go to the following link <http://www.trees.maryland.gov/>

Question: Can I prune the branches of a tree or cut the roots of a tree that is planted on my next door neighbor's property and extend into my yard?

Answer: Yes, you can prune the branches of a tree hanging over your property. However, be cautious and consult a State of Maryland, Department of Natural Resources Licensed Tree Expert prior to pruning to ensure the tree will not die as a result of the pruning. If the branches are dead, you should file a complaint with 311 because they may fall and damage property.

Question: When do I need a permit to remove trees from my property?

Answer: Any person who expects to cut, clear, or grade more than 5,000 square feet of forest or any champion tree may need approval from MNCPPC. Please contact the Maryland National Capital Park and Planning Commission at 301 495-4540 for further information.

Question: Can I remove, plant, prune, or maintain a tree(s) in the right of way?

Answer: No, Montgomery County homeowners/residents should not remove, plant, prune or maintain trees in the right of way.

Tree removal, planting, pruning or maintenance is the responsibility of the Montgomery County, Department of Transportation for County owned right of way and the State Of Maryland Highway Administration for State owned right of way. You should contact 311 to request tree removal, planting, pruning or maintenance.

Question: When is a permit required to remove trees from the right of way?

Answer: Before a roadside tree is trimmed or cared for in any way including removal, a Tree Care Permit must be obtained from the Maryland Department of Natural Resources, Forest Services (301 854-6060). To obtain a permit go to the following link: <http://dnr.maryland.gov/forests/program/apps/newrtpq.asp>



In addition to the above permit, any construction activity in the County right of way will require a Public Right of Way Permit from the Department of Permitting Services. No tree removal is permitted until obtaining a Public Right of Way Permit.

Dear Nancy

Really like receiving and reading Constructive Comments and want to print it to be able to easily refer to it, but all the colors, especially that dark black border that runs along the side of each page uses up all the black ink in my printer. Although it might not be as attractive, would it be possible to get an ink-friendly AND environmentally friendly version emailed out? Thank you!

Stay cool!
Empty Ink Cartridge



Dear Empty Ink Cartridge

Thank you for pointing out one more way to save the environment. DPS is very conscious about the resources we use and reuse. DPS has actually reduced the amount of paper it uses by 50% by making conscious efforts to reduce printing and printing on both sides of the paper. We will look into your suggestion to see how we can make an ink-friendly and environmentally friendly version and at the same time maintain our branding. I searched the web for "ink friendly fonts" and was impressed with the alternatives available. In the mean time, I advocate not printing at all, but when you absolutely must print, I would suggest printing in draft mode (see your printer instructions) which uses significantly less ink than a regular document. Also, you could copy the newsletter article text and paste it into a word processing document to print the text only.

Nancy

DPS STEPS UP ENFORCEMENT OF FINAL INSPECTIONS

Keep your eyes open for a new inspection procedure that will monitor final inspections and ensure that they are conducted and approved in the designated time frame.

More to come on the implementation of this procedure in our next issue.

AN APPROVED FINAL INSPECTION IS LIKE CROSSING THE FINISH



**CONSTRUCTIVE COMMENTS IS
PUBLISHED QUARTERLY**

LOOK FOR OUR NEXT ISSUE

JANUARY 2011

If you have questions or comments regarding
Constructive Comments
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