



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



2425 Reedie Drive  
Floor 13  
Wheaton, MD 20902



MontgomeryPlanning.org

**January 27, 2025**

Eric Willis  
100 Edison Park Drive, 4<sup>th</sup> Floor  
Gaithersburg, Maryland 20878

Re: Forest Conservation Exemption: 42025104E Cheltenham Drive Bikeway  
Property Name: Cheltenham Drive Bikeway

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Dear Mr. Willis,

Based on the review by staff of the Montgomery County Planning Department, the exemption request submitted on December 13, 2024, for the plan identified above is **confirmed**. The project is exempt from Article II of the Montgomery County Code, Chapter 22A (Forest Conservation Law), under Section 22A-9 as a County and Municipal Highway Project per the following:

(a) General.

- (1) This Section applies to construction of a highway by the County or a municipality as part of an approved Capital Improvements Program project.
- (2) The construction should minimize forest removal, land disturbance, and loss of significant, specimen, or champion trees to the extent possible while balancing other design, construction, and environmental standards. The constructing agency must make a reasonable effort to minimize land disturbance to avoid the cutting or clearing of trees and other woody plants.

(b) If the forest to be cut or cleared for a County highway project equals or exceeds 20,000 square feet, the constructing agency must reforest a suitable area at the rate of one acre of protected reforestation for each acre of forest cleared.

(c) Reforestation for County highway projects must meet the standards in subsections 22A-12(e), (g) and (h).

(d) Any mitigation requirement for loss of significant, specimen, or champion trees must be based on the size and character of the tree.



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A pre-construction meeting is required after the limits of disturbance have been staked prior to clearing and grading to verify the limits of disturbance and tree protection measures are in place per the accompanying Tree Save Plan. The M-NCPPC forest conservation inspection staff may require additional tree protection measures.

Please contact Stephen Peck at 240-638-6681 or at [stephen.peck@montgomeryplanning.org](mailto:stephen.peck@montgomeryplanning.org) at least 7 days in advance to schedule your pre-construction meeting. The site supervisor, construction superintendent, forest conservation inspector, a private Maryland licensed tree expert, and the Montgomery County Department of Permitting Services sediment control inspector shall attend this pre-construction meeting.

Any changes from the approved exemption request may constitute grounds to rescind or amend any approval actions taken and to take appropriate enforcement actions. If there are any subsequent modifications planned to the approved plan, a new application must be submitted to M-NCPPC for review and confirmation prior to those activities occurring.

If you have any questions regarding these actions, please feel free to contact me at (301) 495-4509 or [Ariel.Zelaya@montgomeryplanning.org](mailto:Ariel.Zelaya@montgomeryplanning.org).

Sincerely,

A handwritten signature in black ink that reads "Ariel Zelaya".

Ariel Zelaya  
Planner II  
DownCounty Planning Division  
Montgomery County Planning Department