FC SEQUENCE OF EVENTS

Sequence of Events for Properties Required to Comply With Forest Conservation Plans, Exemptions from Submitting Forest Conservation Plans, and Tree Save Plans

The property owner is responsible for ensuring all tree protection measures are performed in accordance with the approved final forest conservation plan or tree save plan, and as modified in the field by a Planning Department Forest Conservation Inspector. The measures must meet or exceed the most recent standards published by the American National Standards Institute (ANSI

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.
- 2. The property owner must arrange for the meeting and following people should must participate at the pre-construction meeting: the property owner or their representative, construction superintendent, International Society of Arboriculture (ISA) certified arborist/Maryland Licensed Tree Expert (representing owner) that will implement the tree protection measures, The Planning Department Forest Conservation Inspector, and Montgomery County Department of Permitting Services (DPS) Sediment Control Inspector. The purpose of this meeting is verify the limits of disturbance and discuss specific tree protection and tree care measures shown on the approved plan. No land disturbance shall begin before tree protection and stress-reduction measures have been implemented and approved by the Planning Department's Forest Conservation Inspector.
 - a. Typical tree protection devices include: i. Chain link fence (four feet high)
 - ii. Super silt fence with wire strung between the support poles (minimum 4
 - feet high) with high visibility flagging. iii. 14 gauge, 2 inch x 4 inch welded wire fencing supported by steel T-bar
 - posts (minimum 4 feet high) with high visibility flagging. b. Typical stress reduction measures may include, but are not limited to:
 - i. Root pruning with a root cutter or vibratory plow designed for that purpose. Trenchers are not allowed, unless approved by the Forest
 - Conservation Inspector ii. Crown Reduction or pruning
 - iii. Watering
 - iv. Fertilizing
 - v. Vertical mulching vi. Root aeration systems

Measures not specified on the Forest Conservation 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 must perform, or directly supervise, the implementation of all stress reduction measures. Documentation of the process (including

Page 1 of 3 February 2017 photographs) may be required by the Forest Conservation Inspector, and will be determined at the pre-construction meeting.

- 4. Temporary tree protection devices must be installed per the approved Forest Conservation Plan, Exemption Plan, or Tree Save Plan and prior to any land disturbance. 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.
- 5. Tree protection fencing must be installed and maintained by the property owner for the duration of construction project and must not be altered without prior approval from the Forest Conservation Inspector. All construction activity within protected tree and forest areas is prohibited. This includes the following activities:
- a. Parking or driving of equipment, machinery or vehicles of any type.
- b. Storage of any construction materials, equipment, stockpiling, fill, debris, etc. c. Dumping of any chemicals (i.e., paint thinner), mortar or concrete remainder,
- trash, garbage, or debris of any kind. d. Felling of trees into a protected area.
- e. Trenching or grading for utilities, irrigation, drainage, etc.
- 6. Forest and tree protection signs must be installed as required by the Forest Conservation Inspector. The signs must be waterproof and wording provided in both English and

During Construction

- 7. Periodic inspections will be made by the Forest Conservation Inspector. Corrections and repairs to tree protection devices must be completed within the timeframe given by the Inspector.
- 8. 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, and the relative timeframes to restore these areas, will be determined by the Forest Conservation Inspector.

Post-Construction

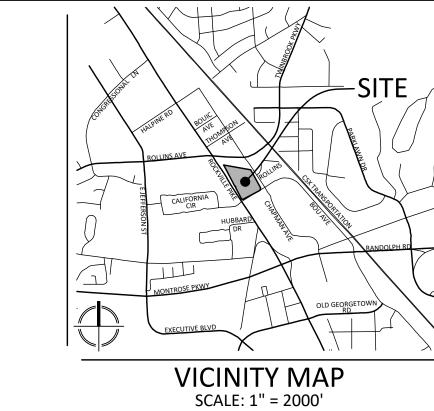
- 9. After construction is completed, but before tree protection devices have been removed, the property owner must request a final inspection with the Forest Conservation Inspector. At the final inspection, the Forest Conservation Inspector may require additional corrective measures, which may include:
 - a. Removal, and possible replacement, of dead, dying, or hazardous trees
 - b. Pruning of dead or declining limbs
 - c. Soil aeration d. Fertilization
- e. Watering
- f. Wound repair

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g. Clean up of retention areas, including trash removal

- 10. 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 and cannot be removed without permission of the Forest Conservation Inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.
- 11. Long-term protection measures, including permanent signage, 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



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Our Site Set on the Future.

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ARCHITECT & LANDSCAPE ARCHITECT HORD COPLAN MACHT MIGUEL IRAOLA

ENVIRONMENTAL PLANNER VIKA MARYLAND, LLC JOSHUA SLOAN

WELLS + ASSOCIATES MICHAEL J. WORKOSKY

FIELD INSPECTION SCHEDULE

INSPECTIONS

All field inspections must be requested by the applicant.

Field Inspections must be conducted as follows:

Plans without Planting Requirements

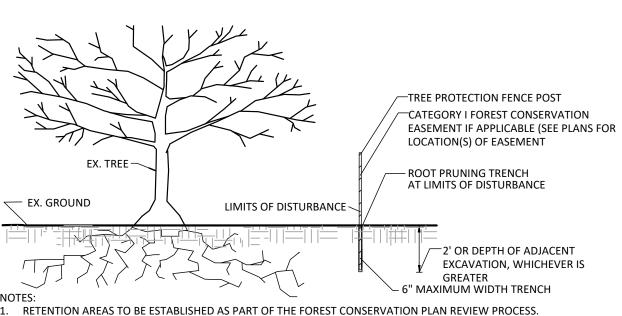
- 1. After the limits of disturbance have been staked and flagged, but before any clearing or
- 2. After necessary stress reduction measures have been completed and protection measures have been installed, but before any clearing and grading begin and before release of the building permit.
- 3. After 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. 2 years after reforestation and afforestation have been completed, to determine survival

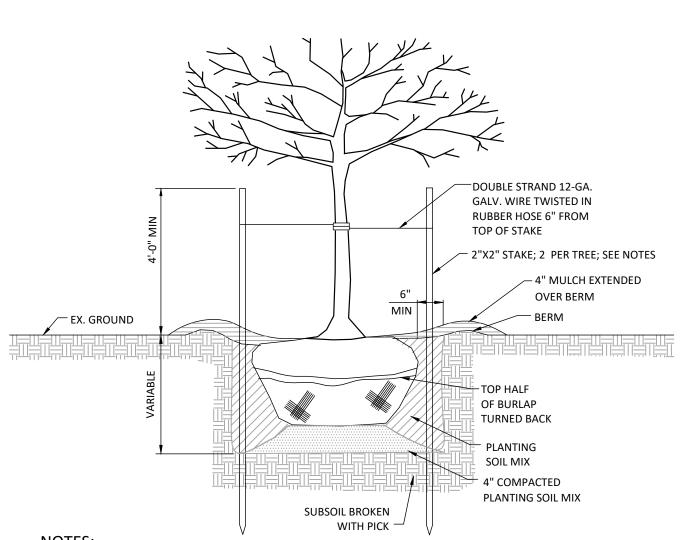
provisions of the planting plan, and if appropriate, release of the performance bond.

and assess necessary maintenance activities for the remaining duration of the maintenance and management period. 7. At the end of the maintenance period to determine the level of compliance with the

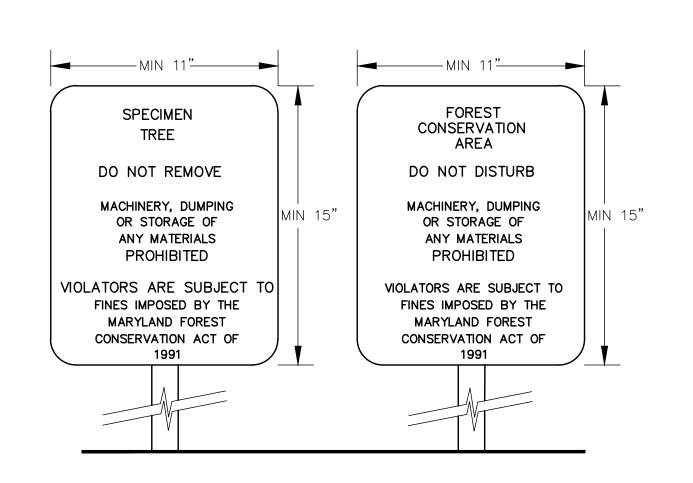


- BOUNDARIES OF RETENTION AREAS TO BE STAKED, FLAGGED, PRIOR TO TRENCHING AND FENCING. EXACT LOCATION OF TRENCH SHOULD BE IDENTIFIED.
- TRENCH SHOULD BE IMMEDIATELY BACKFILLED WITH SOIL REMOVED OR ORGANIC SOIL. ROOTS SHOULD BE CLEANLY CUT USING VIBRATORY KNIFE OR OTHER ACCEPTABLE EQUIPMENT. 6. ALL ROOT PRUNING MUST BE PERFORMED BY A MARYLAND LICENSED ARBORIST.
- 7. SEE TREE PROTECTION FENCING DETAILS THIS SHEET. NOTE THAT FENCING MATERIAL IS BURIED ONLY WHEN THE SUPER SILT FENCE IS ALSO THE TREE PROTECTION FENCING.

ROOT PRUNING DETAIL NOT TO SCALE



- 1. STAKE TREES ONLY IN AREAS OF HIGH WIND. REMOVE STAKING AFTER FIRST GROWING SEASON.
- STAKING OF STREET TREES NOT REQUIRED. CONTRACTOR RESPONSIBLE FOR KEEPING STREET TREES 3. STAKING SHOWN ON THIS DETAIL IS FOR DECIDUOUS AND EVERGREEN TREES UNDER 4" CALIPER AND 6

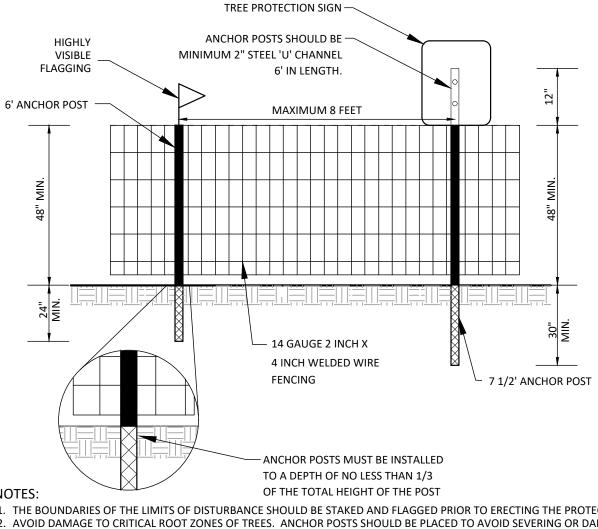


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1. BOTTOM OF SIGNS TO BE HIGHER THAN TOP OF TREE PROTECTION FENCE. 2. SIGNS TO BE PLACED APPROXIMATELY 50' APART. CONDITIONS ON SITE AFFECTING VISIBILITY MAY WARRANT PLACING SIGNS CLOSER OR FARTHER APART. 3. ATTACHMENT OF SIGNS TO TREES IS PROHIBITED.

SOURCE: ADAPTED FROM FOREST CONSERVATION MANUAL, 1991

TREE PROTECTION CONSTRUCTION SIGNS

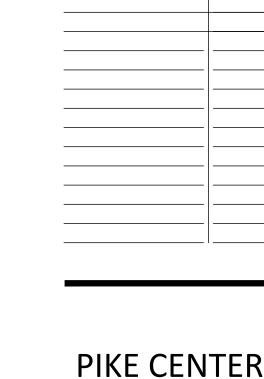


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1. THE BOUNDARIES OF THE LIMITS OF DISTURBANCE SHOULD BE STAKED AND FLAGGED PRIOR TO ERECTING THE PROTECTIVE DEVICE. 2. AVOID DAMAGE TO CRITICAL ROOT ZONES OF TREES. ANCHOR POSTS SHOULD BE PLACED TO AVOID SEVERING OR DAMAGING LARGE TREE ROOTS.

3. FENCING MATERIAL SHOULD BE FASTENED SECURELY TO THE ANCHOR POSTS WITH FENCE WIRE. 4. FENCE SIGNS, AND THEREFORE, THE TALLER 7 1/2' POSTS, MUST BE PLACED A MINIMUM OF 50' APART AND AT FENCE CORNERS. CONDITIONS ON SITE AFFECTING VISIBILITY MAY WARRANT PLACING SIGNS CLOSER OR FURTHER APART. ATTACHING SIGNS TO 5. DEVICE SHOULD BE MAINTAINED THROUGHOUT CONSTRUCTION.

3 CONSTRUCTION TREE PROTECTION FENCE
NOT TO SCALF



4TH ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND WSSC GRID: 216NW06 TAX MAP:GQ63

PRELIMINARY FOREST CONSERVATION PLAN **NOTES**



I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME,
AND THAT I AM A DULY LICENSED
REGISTERED LANDSCAPE ARCHITECT UNDER
THE LAWS OF THE STATE OF MARYLAND.

JOSHUA SLOAN LICENSE No. <u>3776</u> EXPIRATION DATE: MAY 13, 2026 DRAWINGS OR DOCUMENTS ARE PROPRIETARY TO V MARYLAND, LLC AND CONSTITUTE ITS PROPRIETARY INTELLECTUAL PROPERTY. THESE DRAWINGS AND/O DOCUMENTS MUST NOT BE FORWARDED, SHARED WRITTEN AUTHORIZATION FROM VIKA MARYLAND. L /IOLATIONS MAY RESULT IN PROSECUTION. ONLY APPROVED, SIGNED AND SEALED PLANS OR DRAWING MAY BE UTILIZED FOR CONSTRUCTION PURPOSES

© 2019 VIKA MARYLAND, LLC DRAWN BY: DESIGNED BY:

DATE ISSUED: <u>08/08/2024</u>

PROJECT VM50594B DRAWING

SHEET NO.

Exhibit 39 H-155

Developer's Name: KIMCO REALTY CORPORATION Contact Person: <u>2080 YORK RD. SUITE 285, TIMO</u>NIUM, MD 21093 Address: 443-257-9589 AOKLAK@KIMCOREALTY.COM Phone and Email: Signature

DEVELOPER'S CERTIFICATE

The undersigned agrees to execute all the features of the Approved

as may be modified by the final forest conservation plan.

Preliminary Forest Conservation Plan No. F20240990, including financial bonding, forest planting, maintenance, and all other applicable agreements

FOR LOCATION OF UTILITIES CALL

8-1-1 or 1-800-257-7777 OR LOG ON TO

www.call811.com or http://www.missutility.n

48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY"

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.