



October 24, 2009

Mr. Charles Wilson  
Director, Department of Natural Resources  
9400 Peppercorn Place  
Largo, Maryland 20774

Dear Mr. Wilson,

In a recent Zoning Hearing Examiner meeting, regarding Special Exception 4618, an apparent zoning violation at a neighboring property came to light surprising everyone in attendance. An industrial operation located at 1500 Marblewood Road and owned by Julio & Adelina Pessoa has crossed the paper street of Kindlewood Avenue and expanded onto residentially zoned property owned by Fayetteville Properties Inc. Fayetteville Properties also has a mailing address of 1500 Marblewood Road.

On the following page are images and zoning maps from PGATLAS that clearly show the gradual clearing, grading and encroachment that has occurred over the last 7 years. During this time, the industrial property between the paper streets of Laurelwood and Kindlewood Avenues nearly doubled by utilizing the residential property in Plat-A18-1292, Block 6, Lots 1 – 12. The residential lots have been completely cleared of all trees, and the surface appears to be gravel. This is also true for much of the paper streets of Laurelwood, Palmwood and Huskwood that have been incorporated into this property.

Cheverly was approached on this matter by the residents of the area concerned about the encroachment, and how it has eliminated the natural buffers between industrial and residential property. The encroachment is particularly troublesome since it is a visual and noise nuisance to the neighbors. The operation typically begins prior to 6:00am and awakens the neighbors.

Clearing these lots has caused duress on the stream bed that runs along the paper street of Laurelwood Avenue. This stream bed contains silt that is moving into the protected watershed at North Englewood Road and eventually to the Anacostia River.

The Town is seeking your department's assistance in our effort to address citizen's concerns related to the above noted activity.

- Have clearing and grading permits been issued, in the past seven, for the noted properties?
- If so, have inspections been made to ensure the proper silt fence installation to prevent runoff from entering the Lower Beaver Dam Creek?
- Has the property owner received some type of Special Exception and/or Variance to use the over 1.5 acres that is zoned residential for industrial use?
- Have storm water management permits been applied for and/or issued for the newly graded site?

- Since the area exceeds 1 acre, has a woodland conservation plan been submitted and/or approved?
- Have the paper streets been vacated, and is the business allowed to use them for their purpose?

If the company responsible does not have the required permits, what can be done to reverse the actions that have been taken to restore the property to its residential nature? The Town of Cheverly stands ready to work with you and your staff to investigate what may be a violation of a variety of county requirements.

Please review the attached pictures from PGATLAS and determine what can be done.

Sincerely,

Julia Mosley  
Mayor

Zoning Map (PGATLAS)