

Forest Glen Station Homeowners Association

September 20, 2011

Dear Forest Glen Station Residents,

The Forest Glen Station (FGS) Homeowners Association (HOA) Executive Board of Directors would like to advise all the residents and owners of homes in the community about five (5) issues of importance. Because the first topic described below includes a requirement that the Association notify all residents, the Board is using this letter to cover some other important issues as well.

First: On July 12, 2011, the Montgomery County Council adopted a new Board of Health Regulation that prohibits smoking in certain common areas of multiple-family residential dwellings and in playground areas. The website http://www.montgomerycountymd.gov/content/council/pdf/res/2011/20110712_17-210.pdf shows the text of the regulation. The portion of the regulation which prohibits smoking "in any common area in a multiple-family residential dwelling" does not apply to our community because none of our dwellings contains an indoor "common area" as defined in the regulation. However, the regulation does contain a provision that does affect our community. Specifically, **the regulation prohibits smoking "within 25 feet of a playground area** on privately owned property that has a primary purpose to serve the residents of more than 1 dwelling unit." Because our Tot Lot playground is on privately owned property (HOA) and serves all of the children in FGS, the regulation requires that the HOA post at least 1 sign that states "No Smoking" in the playground area. Further, the regulation requires that the HOA notify each unit in the community that smoking is prohibited in the playground area. This letter meets that requirement. The HOA Board requests that residents follow the new regulation and not smoke within 25 feet of the Tot Lot.

Second: Last year the Board approved the issuance of new parking permits (hang tags) for the residents of Clark Court, Darcy Green Place, and Darcy Green Court. Our management company (COMSOURCE) has been issuing such passes this spring and summer. COMSOURCE has informed the Board that all of the homes without garages have requested and have received hang tags. Because all residents in those homes now have permits for 1 or 2 cars, the Board wishes to notify all residents that **enforcement of our parking regulations on the 3 streets mentioned will begin on Monday, October 17, 2011.**

In brief, those regulations require that any car parked in a space on FGS private streets (Clark Court, Darcy Green Place, and Darcy Green Court) must display one of the newly-issued hang tags. This requirement applies to the 20 spaces in the parking lot off Darcy Green Court, the 12 spaces along the curb of Darcy Green Place, and the 8 spaces in the parking area on Clark Court. Any car without a hang tag that is parked in one of those spaces is subject to **towing** by Henry's towing company. Old parking permits from past years will no longer be valid. **Cars must display the new hang tags.**

Because the number of parking spaces on our private streets is actually smaller than the number of hang tags that have been issued, the Board requests that homes with 2-car garages on Darcy Green Place use their permits sparingly. Garage owners should use their garages and driveways as much as possible. Residents are reminded that the Declaration of Covenants, Conditions and Restrictions states, in Section 7.2.(z), that "No garage or outbuilding property erected on a Lot shall at any time be used for human habitation, temporarily or permanently, nor shall any structure of a temporary character be used for human habitation. **No garage may be altered, modified or changed in any manner which would inhibit or in any way limit its function as a parking area for vehicles.**"

Third: The HOA relies upon the voluntary participation of Members to serve as Directors on the Executive Board and as Chairpersons and members of the HOA's five (5) committees. Over the last year or so, the number of Members serving on our committees has declined because of relocation, reduced availability of time due to work or family, or illness. **In this letter, the Board is requesting that Member residents of our community volunteer to serve on our committees.** As the number of committee members increases, the necessary time commitment of each individual member is reduced through the sharing of responsibilities and effort. Committees' efforts in support of the HOA Executive Board are very valuable in sharing the work. Having five (5) committees spreads the responsibilities enough that each committee has a small number of issues but the committees can concentrate on particular areas of importance to our community. That focus permits them to advise the Executive Board in a thoughtful way. If you can spare the time to serve as a committee member on behalf of our community, we can all benefit and the Board will be very appreciative. The five (5) committees are: Covenants, Finance, Parking and Safety, Social, and Grounds and Landscaping. **If you are willing to serve, please contact the President of the Board at fodonnell2@gmail.com**

Fourth: Please be advised that **the Maryland-National Capital Park and Planning Commission (MNCPPC) sent the FGS HOA a Notice of Violation (NOV)** asserting that the HOA has not properly maintained the Forest Conservation Area behind the single family homes. The MNCPPC has also verbally alerted the FGS HOA that there are other Forest Conservation Areas within the HOA property that are in violation and will need remedial attention/maintenance. The Board of Directors has asked our lawyer to investigate this matter and to obtain the relevant records from MNCPPC and from the developer, Centex. It remains unclear how much of the responsibility for resolving this issue rests with the developer and what was the state of the conservation area when the MNCPPC gave its final approval of the development site to Centex. The Board's intentions are to make a good-faith effort to comply with the original purpose of the conservation areas in our community, to plan and carry out any necessary work to maintain those areas, and to avoid being fined by the MNCPPC for violations. Because the NOV came as a surprise to the Board, this effort has already entailed, and will entail in the future, some costs not provided for in the 2011 HOA Budget. Further costs are expected and are therefore being programmed into the 2012 Budget currently under development. These expenses are for legal assistance and for needed modifications to the conservation area.

Fifth: The Chair of the Social Committee has announced that the Committee will be meeting in September and October to plan for the **annual social events for Halloween**. Those events will be a block party on the afternoon of Saturday, October 29 from 12 to 4 PM and the Halloween parade for children on Monday, October 31 from 6 to 7 PM. Please look for notices about the Committee meetings and these events on the Forest Glen Station listserve, web site, bulletin board, and in flyers left at your front door. Residents are invited to contact the Social Committee Chair to offer assistance in staging these events. If the Committee can get many volunteer helpers, there will be relatively little work for each person who pitches in to help.

Sincerely,

Francis L. O'Donnell
President, Executive Board of Directors
FGS Homeowners Association