




MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION


MCPB
June 7, 2007
Item # _____


May 25, 2007

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Mary Dolan, Acting Chief 
Countywide Planning Division

Jorge A. Valladares, P.E., Chief 
Environmental Planning/CWP

FROM: Katherine Nelson for the Planning Department 
(301) 495-4622

SUBJECT: Proposed Amendments: Montgomery County Comprehensive Water
Supply and Sewerage Systems Plan - April 2007

RECOMMENDATION

Approve recommendations for each case and transmit to the County Council for final action.

DISCUSSION

This staff memorandum contains recommendations for category changes requiring action by the County Council this summer. The Department of Environmental Protection (DEP) staff has submitted the attached package of category change requests on behalf of the County Executive.

This staff report highlights only those cases where staff recommendations differ from the Executive's recommendation, or where significant comments should be brought to the attention of the Board (three cases described below). Since there are no significant differences between the agency recommendations for the other cases, the staff report

simply transmits the attached package, which describes those cases for consideration by the Planning Board. Planning staff's comments on all cases have been incorporated into DEP's packet along with the comments from other agencies.

Highlighted Cases

WSCCR 06A-CLO-04

Bryanshire Corp/Church of God

Bryants Nursery Road

Cloverly Master Plan

8.6 acres, RE-2

Recommendation: Deny S-1, Community Sewer Service

Approve W-3, Community Water Service

Page 2 and Circle pages 40 - 43

Staff recommendation for denial of community sewer service in the Norwood triangle has been consistent over the years due to the clarity of the master plan direction for this area:

M-NCPPC: The Cloverly Master Plan states (on page 90): "The RE-2 zoned area bordered by Norwood Road, Northwest Branch, Hampshire Greens, and New Hampshire Avenue is not recommended for sewer service. This recommendation is designed to maintain the rural character that results from low density residential development..."

The Master Plan goes on to state (page 91): "Provide community sewerage service with the following limitations. Provide sewerage service throughout Cloverly except in the RC and RE-2 zones to maintain a low-density, rural character. *The extension of sewer service to residential, institutional, and special exception uses in the RC and RE-2 area (except to relieve public health problems or to address other specific Comprehensive Water Supply and Sewerage Systems Plan policies) is not consistent with this Plan because of potential impacts on the low-density character of both areas.*"

The Executive has recommended deferral of this request subject to receipt of development proposal specific to the private institutional facility named as the co-applicant. The executive also suggests that more interagency discussions take place regarding the direction of the Cloverly master plan in this area. Although the staff recommendation for denial of community sewer service is not likely to change in any case, we agree that more interagency discussion regarding Norwood triangle and the master plan direction for this area would be useful.

WSCCR 07A-CLO-01

JDH Properties

2630 Spencerville Road

Cloverly Master Plan

8.7 acres, RE-1

Recommendation: Deny Community Sewer Service Retain S-6

Approve W-3, Community Water Service

Page 6 and Circle pages 48 - 50

This property, located within the Paint Branch special protection area just north of Spencerville Road (MD 198) would require a ¾ mile (4500 feet) sewer extension. Not only would this extension cross private open space, but it would run for 3000 feet along the right fork of Paint Branch. Although the Cloverly master generally recommends that RE-1 zoned properties be eligible for community sewer service, it is with the provision that the extension be logical, economical and environmentally acceptable. This not being the case, staff recommends denial of community sewer service to this property.

The Executive Branch has stated:

Executive Staff Report: The original intent for serving this area north of Rte. 198 was to extend sewer service from the residential subdivision (Peach Orchard Estates) that was to be built on the south side of Spencerville Rd. The development of the Peach Orchard Estates site is unlikely to occur; the property was acquired by the State for a possible northern ICC alignment. Although that alignment was not chosen for the ICC, the State has proposed using the site to offset environmental impacts and forest loss along the chosen alignment. Therefore, the extension of sewer service through the Peach Orchard Estates property, which is located in the Paint Branch Special Protection Area, appears unlikely. We recommend deferral of the application pending interagency discussion and agreement on a method for sewerage this area, if that is indeed a possible option.

Although we agree that the development potential in the general area has changed significantly since the master plan was published, it does not change the fact that cluster development of JDH property afforded by using community sewer service provides no particular environmental benefit. Given the current circumstances of the properties between JDH and the existing sewer line, this option should not be considered further.

Since there is an existing water main along the right-of-way of Spencerville Road in the vicinity of the JDH property, staff recommends approval of community water service for the JDH Property.

WSCCR 06A-TRV-13

Saxena Property

11604 River Road

Potomac Master Plan

2.9 acres, RE-2

Recommendation: **Defer**, pending a County Council decision on the Potomac Subregion peripheral service policy.

Page 14 and Circle pages 59 - 60

This is a lot in a low-density residential area at the periphery of the Potomac Sewer envelope. It is across River Road from properties that are inside the envelope and adjacent to a property that, although served by community sewer service, is outside the envelope – a situation not uncommon in the Potomac Subregion. The master plan recommends:

Allow for the limited provision of community sewer service for areas zoned RE-1 and RE-2 within and at the periphery of the proposed sewer service envelope. (See Foldout Map D.) Exclude from this peripheral service policy properties adjacent to and in the vicinity of the Palatine subdivision and the lower Greenbriar Branch properties, and all properties within the Piney Branch Subwatershed, the Darnestown Triangle, and the Glen Hills Area (until completion of the study described on page 24, which will evaluate whether this exclusion should continue in the future). Emphasize the construction of sewer extensions, if needed, along roads rather than through stream valleys.

This recommendation has been troublesome to implement on individual property requests since the adoption of the Potomac Subregion master plan. Therefore, while this case technically meets the peripheral sewer policy for Potomac, staff recommends deferral pending a County Council decision regarding interpretation of the Potomac Subregion peripheral service policy that will take place later this year.

Conclusion

The County Council has scheduled a public hearing for June 12, 2007. The Board's recommendations will be transmitted to the Council at that hearing. The Council will then take final action on the category changes.

In all cases except the ones described above, the Planning staff recommends that the Planning Board concur with the Executive and transmit these recommendations.

KN:ss
Attachment



**Proposed Amendments:
Montgomery County
Comprehensive Water
Supply and Sewerage
Systems Plan**

**County Executive's Amendment Transmittal
to the County Council – April 2007**

27 PROPOSED WATER AND SEWER PLAN AMENDMENTS



Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan

County Executive's Amendment Transmittal to the County Council – April 2007

27 PROPOSED WATER AND SEWER PLAN AMENDMENTS

- 24 Current Category Change Requests ▪
- 2 General Water/Sewer Map Amendments ▪
- 1 Public Health Problem Area Amendment ▪

Prepared by
The Department of Environmental Protection

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We acknowledge and appreciate the assistance of the following
municipalities and agencies in the preparation of this amendment packet:

Town of Laytonsville
Town of Poolesville
Washington Suburban Sanitary Commission
Maryland – National Capital Park and Planning Commission
Montgomery County Department of Permitting Services



**PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
COUNTY EXECUTIVE'S TRANSMITTAL PACKET – APRIL 2007**

SUMMARY OF THE COUNTY EXECUTIVE'S RECOMMENDATIONS

Plan Amendment	Applicant (Owner) Proposed Use	Zoning Acreage	Requested Change	Executive Recommendations Summary and Policy Highlights	Page Reference
More Controversial and Higher-Profile Amendments					
WSCCR 07A-CLO-01	JDH Properties – Use: proposed residential subdivision (<i>Patuxent Watershed P.A.</i>)	RE-1 8.7 ac.	W-6 to W-3 S-6 to S-3	Defer action on the request; resolution of sewer service extension issues for this area is needed. RE-1 sewer service in Upper Paint Branch.	Report: 6 Maps: 48 -50
WSCCR 06A-PLV-01*	Hernandez – Use: 4 residential units (1 existing).	R-3/4 5.61 ac.	W-6 to W-1 S-6 to S-1	Approve W-1 and S-1. Incorporating municipal water/sewer planning.	Report: 7 Maps: 51 – 52
WSCCR 07A-PLV-01*	Kettler Homes (Brightwell Crossing, LLC) – Use: 177 residential units.	R-3/4 cluster 5.61 ac.	W-6 to W-3 S-6 to S-3	Approve W-3 and S-3. Incorporating municipal water/sewer planning.	Report: 8 Maps: 51 & 53
GWSMA 06G-LYT-01*	Town of Laytonsville – Use: water service for existing and proposed development, in part to address existing and potential public health problems.	(see staff report)	W-6, W-5, & W-4 to W-3 (Keep S-6)	Endorse the Town's water system planning, adopting category W-3 as proposed, with one exception: maintain W-6 for the AG-zoned environmental resource area in SE quadrant. Public health problems; incorporating municipal water service planning.	Report: 23 Request: 68 – 71 Zones: 72 Maps: 73 – 77
<i>* Amendments highlighted in the County Executive's transmittal memorandum</i>					
Less Controversial Amendments					
WSCCR 06A-CLO-04	Bryanshire Corp. – Use: Church of God Glorified.	RE-2 8.6 ac.	W-5 to W-1 S-6 to S-1	Defer action on the request; 1) a site concept plan for the PIF use for interagency and Council review and 2) resolution of master plan issues with the State are needed. Private institutional facility (PIF) policy.	Report: 2 Maps: 40 – 43
WSCCR 07A-CLO-02	Lethbridge – Use: Bethel World Outreach Church (PIF) and another, as yet, unidentified PIF-type user	RE-2 35 ac.	W-5 to W-3 S-6 to S-3	Keep W-5 and S-6; deny the request for W-3 and S-3. PIF policy.	Report: 3 Maps: 40 & 44
WSCCR 07A-DAM-04	Rhodes – Use: 3-lot residential subdivision (1 house existing)	RC 17.7 ac.	W-6 to W-3 (Keep S-6)	Condition W-1 on an approved cluster-option subdivision plan. Correct to restricted W-1 for one water hookup only (existing house). Large-lot areas public water service.	Report: 4 Map: 45
WSCCR 06A-OLN-03	Tran & Ung – Use: 2 single-family houses	RE-2 1.23 ac.	(Keep W-1) S-6 to S-3	Keep S-6; deny the request for S-3. Inconsistent with the Water and Sewer Plan and the local master plan.	Report: 5 Map: 46
WSCCR 06A-OLN-04	Gangloff – Use: 1 proposed single-family house	RE-1 2.15 ac.	(Keep W-1) S-6 to S-1	Keep S-6; deny the request for S-1. Inconsistent with the Water and Sewer Plan and the local master plan.	Report: 5 Map: 47
WSCCR 07A-POT-01	Sylvia Biggar – Use: replacement of the existing house.	RE-2 2.39 ac.	(Keep W-1) S-6 to S-3	Approve S-3. Potomac Master Plan (peripheral sewer service rec.)	Report: 12 Maps: 55-56
WSCCR 03A-TRV-03	Margolis – Use: service for the existing house.	RE-1 0. ac.	(Keep W-1) S-6 to S-1	Approve S-1; one sewer hookup only. Abutting mains policy.	Report: 9 Map: 54
WSCCR 05A-TRV-05	Bazyluk – Use: service for the existing house.	RE-1 0.40 ac.	(Keep W-1) S-6 to S-1	Approve S-1; one sewer hookup only. Abutting mains policy in Piney Br.	Report: 9 Map: 54
WSCCR 06A-TRV-01	Adams – Use: relief of a public health problem (failed septic syst.)	RE-1 1.14 ac.	(Keep W-1) S-6 to S-3	Approve S-1; one sewer hookup only. Glen Hills health problem.	Report: 16 Maps: 62 - 63

**PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
COUNTY EXECUTIVE'S TRANSMITTAL PACKET – APRIL 2007**

SUMMARY OF THE COUNTY EXECUTIVE'S RECOMMENDATIONS

Plan Amendment	Applicant (Owner) Proposed Use	Zoning Acreage	Requested Change	Executive Recommendations Summary and Policy Highlights	Page Reference
WSCCR 06A-TRV-08*	Goodwin – Use: service for the existing single-family house	RE-1 1.03 ac.	(Keep W-1) S-6 to S-1	Keep S-6; deny the request for S-1. <i>Abutting mains policy in Glen Hills.</i>	Report: 17 Maps: 62 & 64
WSCCR 06A-TRV-09	Mohebbi – Use: service for an expansion of the existing house.	RE-2 2.89 ac.	(Keep W-1) S-6 to S-3	Deny the category request for S-3. <i>Inconsistent with the Water and Sewer Plan and the Potomac Master Plan (peripheral sewer service rec.).</i>	Report: 13 Maps: 57 - 58
WSCCR 06A-TRV-11	Bynaker – Use: service for the existing house.	RE-1 0.63 ac.	(Keep W-1) S-6 to S-1	Approve S-1; one sewer hookup only. <i>Abutting mains policy in Piney Br.</i>	Report: 10 Map: 54
WSSC 06A-TRV-12	Yakatis – Use: relief of a public health problem (failed septic syst.)	RE-1 2.98 ac.	(Keep W-1) S-6 to S-1	Keep S-6; deny the request for S-1. <i>Glen Hills health problem.</i>	Report: 18 Maps: 62 & 65-66
WSCCR 06A-TRV-13	Saxena – Use: service for a proposed single-family house.	RE-2 2.89 ac.	(Keep W-1) S-6 to S-3	Conditionally approve S-1, pending owner acquiring private sewer right-of-way easement. <i>Potomac Master Plan (peripheral sewer service rec.)</i>	Report: 14 Maps: 59 – 60
WSCCR 07A-TRV-01	Hodgkins – Use: service for the expansion of the existing house	RE-2 7.5 ac.	(Keep W-1) S-6 to S-3	Keep S-6; deny the request for S-3. <i>Inconsistent with the Water and Sewer Plan and the Potomac Master Plan (peripheral sewer service rec.).</i>	Report: 15 Map: 61
WSCCR 07A-TRV-02	Last – Use: 1 proposed single-family house	RE-1 0.99 ac.	(Keep W-1) S-6 to S-1	Keep S-6; deny the request for S-1. <i>Inconsistent with the Water and Sewer Plan and the local master plan; Glen Hills sewer service.</i>	Report: 19 Maps: 62 & 67
WSCCR 07A-TRV-03	Vilardo – Use: service for the existing single-family house	RE-1 0.95 ac.	(Keep W-1) S-6 to S-1	Keep S-6; deny the request for S-1. <i>Inconsistent with the Water and Sewer Plan and the local master plan; Glen Hills sewer service.</i>	Report: 19 Maps: 62 & 67
WSCCR 07A-TRV-04	Vilardo – Use: 1 proposed single-family house	RE-1 0.97 ac.	(Keep W-1) S-6 to S-1	Keep S-6; deny the request for S-1. <i>Inconsistent with the Water and Sewer Plan and the local master plan; Glen Hills sewer service.</i>	Report: 20 Maps: 62 & 67
WSCCR 07A-TRV-05	Cornfield – Use: service for an expansion of the existing single-family house	RE-1 0.99 ac.	(Keep W-1) S-6 to S-1	Keep S-6; deny the request for S-1. <i>Inconsistent with the Water and Sewer Plan and the local master plan; Glen Hills sewer service.</i>	Report: 20 Maps: 62 & 67
WSCCR 07A-TRV-06	Singer – Use: service for the existing single-family house	RE-1 1.18 ac.	(Keep W-1) S-6 to S-1	Keep S-6; deny the request for S-1. <i>Inconsistent with the Water and Sewer Plan and the local master plan; Glen Hills sewer service.</i>	Report: 20 Maps: 62 & 67
WSCCR 07A-TRV-07	Srivistava – Use: service for the existing house.	RE-2 0. ac.	(Keep W-1) S-6 to S-1	Approve S-1; one sewer hookup only. <i>Abutting mains policy in Piney Br.</i>	Report: 10 Map: 54
GWSMA 06G-BEN-01	Clarksburg Rd. - Kings Manor Sanitary Survey (Initiated by) Mont. Co. DEP	RDT (See the staff report)	W-6 to W-1 & W-6 (Keep S-6)	Establish public health problem area (water only) for the southern part of the study area. Approve W-1 or W-3 for properties in the health problem area; keep W-6 for the remainder. <i>Area-wide public health problems.</i>	Report: 28 Maps: 78 - 79

2003 Water & Sewer Plan Excerpts:

PIF Policy	pg. 34
Piney Br. Sewer Policy	pg. 36
Abutting Mains Policy	pg. 37

Issue Background Reports:

PIFs	pg. 1	Potomac Peripheral Sewer Service.....	pg. 12
Poolesville	pg. 7	Glen Hills Sewer Service.....	pg. 15
Piney Br. Abutting Mains...	pg. 9		

**PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
COUNTY EXECUTIVE'S TRANSMITTAL PACKET – APRIL 2007**

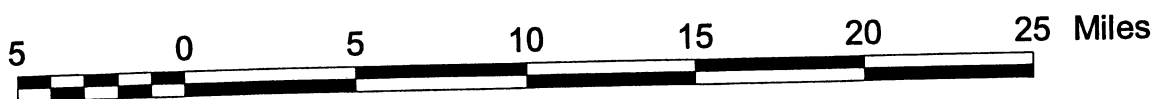
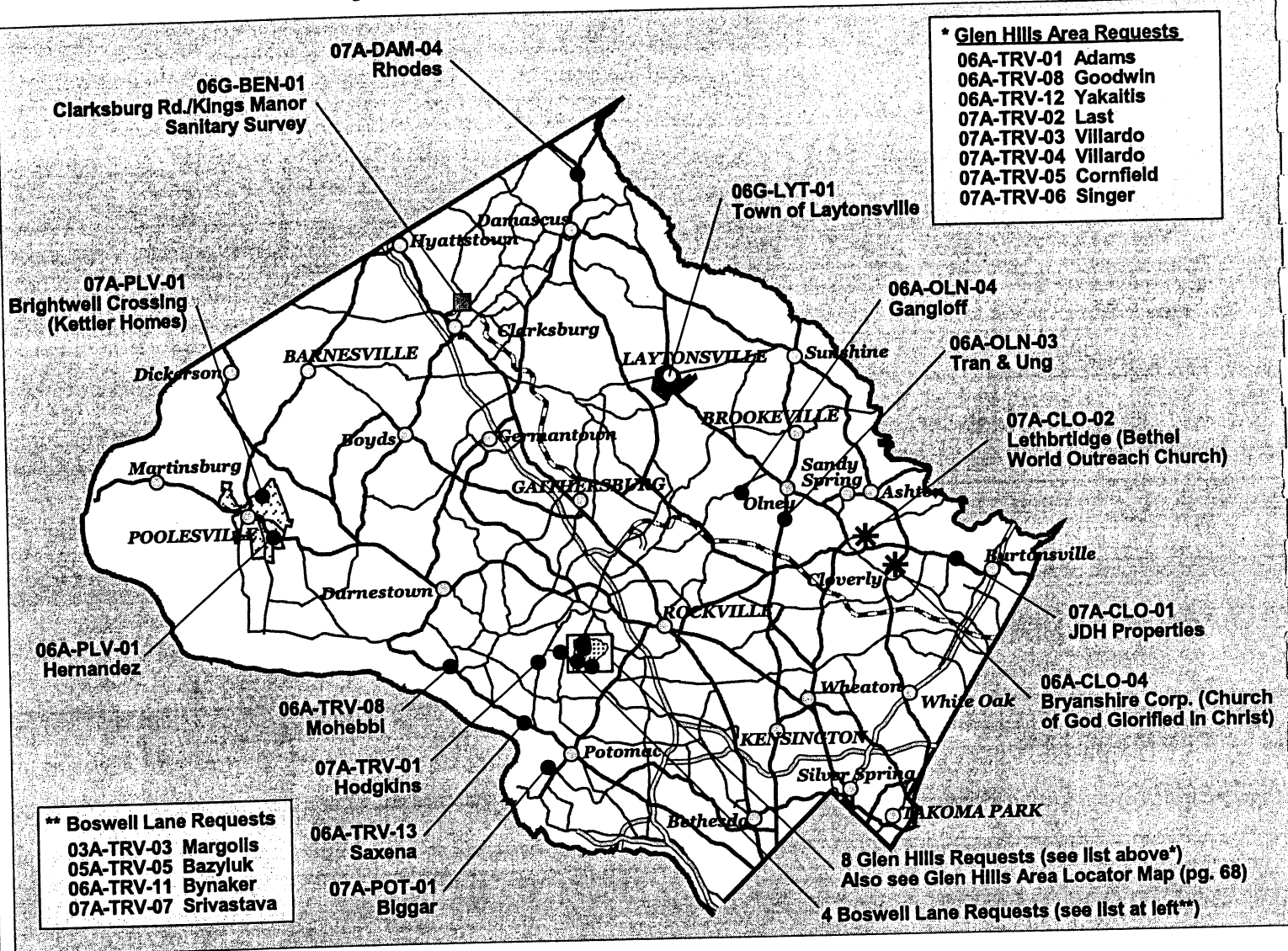
WATER/SEWER SERVICE AREA CATEGORIES INFORMATION

The Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan designates water and sewer service area categories for each property within the county. These service area categories determine a property's eligibility to receive public water and/or sewer service and indicate when the County and the sanitary utility (usually the Washington Suburban Sanitary Commission (WSSC)) should program water and sewerage facilities to serve those properties. (Although the actual provision of public service is often dependent on an applicant's own development schedule.) The Water and Sewer Plan is adopted and amended by the County Council; it is administered by the County Executive through the Department of Environmental Protection (DEP).

Water and Sewer Service Area Categories Table		
Service Area Categories	Category Definition and General Description	Service Comments
W-1 and S-1	Areas served by community (public) systems which are either existing or under construction. • This may include properties or areas for which community system mains are not immediately available or which have not yet connected to existing community service.	Properties designated as categories 1 and 3 are eligible for to receive public water and/or sewer service. New development and properties needing the replacement of existing wells or septic systems are generally required to use public service. Properties with wells or septic systems on interim permits are required to connect to public service within one year of its availability.
W-2 and S-2	<i>Categories W-2 and S-2 are not used in the Montgomery County Water and Sewer Plan.</i> (State's definition: Areas served by extensions of existing community and multi-use systems which are in the final planning stages.)	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for mains abutting these properties unless the property has a functioning well and/or septic system. WSSC provides public water and sewer service throughout the county, except where service is provided by systems owned by the City of Rockville or the Town of Poolesville.
W-3 and S-3	Areas where improvements to or construction of new community systems will be given immediate priority and service will generally be provided within two years or as development and requests for community service are planned and scheduled.	WSSC will not serve properties designated as categories 4 or 5, but will work to program water and/or sewer projects needed to serve these areas. Permits for new wells and/or septic systems for category 4 properties will be interim permits. (See above for further information.) MCDEP may require that development proceeding on interim wells and septic systems in category 4 areas also provide dry water and sewer mains and connections.
W-4 and S-4	Areas where improvements to or construction of new community systems will be programmed for the three- through six-year period. • This includes areas generally requiring the approval of CIP projects before service can be provided.	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for abutting properties designated as category 4 unless the property has a functioning well and/or septic system. WSSC will not assess front foot charges for properties designated as category 5.
W-5 and S-5	Areas where improvements to or construction of new community systems are planned for the seven- through ten-year period. • This category is frequently used to identify areas where land use plans recommend future service staged beyond the scope of the six-year CIP planning period.	WSSC will neither provide service to nor assess front foot benefit charges for properties designated as category 6. Development in category 6 areas is expected to use private, on-site systems, such as wells and septic systems.
W-6 and S-6	Areas where there is no planned community service either within the ten-year scope of this plan or beyond that time period. This includes all areas not designated as categories 1 through 5. • Category 6 includes areas that are planned or staged for community service beyond the scope of the plan's ten-year planning period, and areas that are not ever expected for community service on the basis of adopted plans.	

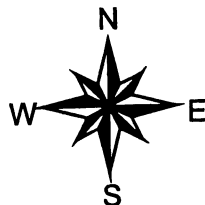
Please note that the County does not necessarily assign water and sewer categories in tandem (i.e. W-3 and S-3, or W-5 and S-5), due to differences in water and sewer service policies or to actual water or sewer service availability. Therefore, it is important to know *both* the water *and* sewer service area categories for a property.

Water/Sewer Map Amendment Locator County Executive's Transmittal -- April 2007



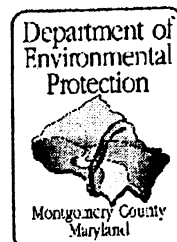
MAP LEGEND

- Proposed Map Amendments
- * Proposed PIF Map Amendments
- Sanitary Survey/Health Problem Area
- Localities
- ∕ County Roads
- ∕ State Roads
- ∕ US & Interstate Highways
- ∕ Proposed Highways
- Glen Hills Neighborhoods
- Town of Pooleville



Montgomery County, Maryland
2003 - 2012

Comprehensive Water Supply and Sewerage Systems Plan



Introduction

Montgomery County designates water and sewer service area categories, in part, to identify those properties that should use public water and/or sewer service versus those that should use on-site systems, usually wells and/or septic systems. These service area categories are formally approved in the County's Water and Sewer Plan, and are shown on water/sewer service area maps included as part of that Plan.

Categories W-1 and W-3 and categories S-1 and S-3 identify properties approved for public water and/or sewer service. Categories W-4 and W-5 and categories S-4 and S-5 identify properties that currently should use on-site systems, but are proposed for public service within the ten-year scope of the Water and Sewer Plan. Category W-6 and category S-6 identify properties that should use on-site systems, where public service is not planned for at least the next ten years. (A more detailed explanation of service area categories is included at pg. iii)

Property owners file category change map amendment requests, such as those cases that follow, in seeking to reclassify their property from one category to another. Category change requests are usually based on anticipated development plans, but may also address issues such as improvement to or replacement of existing structures, public health concerns related to failing on-site systems, or service opportunities presented by available water or sewer mains. As indicated below, these requests most often involve changes from categories 4, 5 or 6 to categories 1 or 3 in order to secure approval for public water and/or sewer service. This packet presents these individual requests organized by M-NCPPC planning area.

The County and municipal governments may also initiate category change proposals, usually to address either area-wide public health concerns or master plan service recommendations. This packet includes two such amendments. The first involves the provision of public water service initiated by and for the Town of Laytonsville based on both public health concerns and development proposed by the Town's new master plan. The second involves the provision of public water service and the designation of a public health problem area for properties located along Clarksburg Rd. just north of the Clarksburg Town Center.

CLOVERLY – NORWOOD PLANNING AREA

Private Institutional Facility (PIF) Policy Cases

The following two map amendments involve development proposals from non-profit groups for what the Water and Sewer Plan defines as private institutional facilities (PIFs). The PIF policy creates the *limited opportunity* for exceptions to the Plan's general public service policies. It allows for the provision of water and/or sewer for PIF uses outside the public service envelopes where other residential or commercial development could not normally qualify for such service. (See pgs. 34-36 for the policy text.) The Council's recent practice on PIF cases has been to require that the property owner specify a PIF user for the site, and that the user provide a site-specific development plan for the project in sufficient detail to allow consideration of potential site impacts and impervious surfaces. The Council has restricted approval actions to a specific PIF user, an approval that is not transferable to another PIF user.

Both PIF cases involve requests for public water and sewer service coincidentally located within the same RE-2-zoned area in Cloverly. The 1997 Cloverly Master Plan includes specific and restrictive public sewer service recommendations for this 2-acre-zoned area on the north side of Norwood Rd., reaching from New Hampshire Ave. west to the Northwest Branch mainstem. (See the M-NCPPC comments that follow; mapping is provided at starting at pg. 40.) Since the adoption of the master plan, the County Council has twice interpreted this recommendation to allow the provision of public sewer service for non-profit institutions (or PIFs), such as places of worship. These previous cases

involved the relocation of The Lutheran Church of St. Andrew and the proposed expansion of existing facilities for The People's Community Baptist Church, both at or near the intersection of New Hampshire Ave. and Norwood Rd.

The Maryland Department of the Environment (MDE) has endorsed the Council's actions in granting PIF-based sewer category change approvals for both the People's Community Baptist Church and The Lutheran Church of St. Andrew. MDE had initially disallowed the Council's category change action for the People's Community Baptist Church case, based on a finding by the Maryland Department of Planning (MDP) of inconsistency with the County's land use plans. However, MDE reversed that decision following an appeal from the County Council, finding that the action was consistent with both the Cloverly Master Plan and the Water and Sewer Plan. MDE did not oppose the Council's action on the approved category amendment for The Lutheran Church of St. Andrew.

Note that restrictions placed on the PIF policy by the County Council in November 2005 do not affect these category change cases. Those restrictions applied only to properties zoned RDT, not RE-2.

WSSCR 06A-CLO-04 (Bryanshire Corp – for God Glorified Church of God in Christ)

Owner's statement: Vacant property under contract to PIF (God Glorified Church of God in Christ). Intend to build a 29,000 SF building which will contain a sanctuary, classrooms, offices, and restrooms for 200 members.

Property information: (no premises address) Bryants Nursery Rd.: Snowden's Manor, Art Amendment, P760. 8.6 acres. 00252293. 221NE01. JS62. RE-2 Zone. *Note: The property is split into two non-contiguous parts (see pgs. 42-43).*

Master Plan Area & Watershed: Cloverly (1997). Northwest Branch.

Current and Requested Category/Categories: W-6 to **W-1**. S-6 to **S-1**.

WSSC: Water: A 10-inch water line in Bryants Nursery Road abuts the property (contract no. AW3678X03). **Sewer:** A 400-foot-long non-CIP-sized grinder system extension is required to serve the property. This extension would connect to an existing 8-inch diameter sewer in Snider Lane (contract no. 96-1638A). Rights-of-way may be required. A dedicated grinder system (i.e., serving only the church) will be required because of the church's non-residential status.

M-NCPPC: The Cloverly Master Plan states (on page 90): "The RE-2 zoned area bordered by Norwood Road, Northwest Branch, Hampshire Greens, and New Hampshire Avenue is not recommended for sewer service. This recommendation is designed to maintain the rural character that results from low density residential development..."

The Master Plan goes on to state (page 91): "Provide community sewerage service with the following limitations: Provide sewerage service throughout Cloverly except in the RC and RE-2 zones to maintain a low-density, rural character. *The extension of sewer service to residential, institutional, and special exception uses in the RC and RE-2 area (except to relieve public health problems or to address other specific Comprehensive Water Supply and Sewerage Systems Plan policies) is not consistent with this Plan because of potential impacts on the low-density character of both areas.*" (Emphasis added) There is no prohibition on water service in the master plan.

Recommendation: Deny S-1, Approve W-1.

DPS: DPS has no records of septic testing for this parcel. Site appears to have poor soils and probable shallow water table

Executive Recommendation: **Defer action on this category change request pending:**

- Receipt and interagency/Council review of plan clearly showing the intended use or uses, and
- Clarification and resolution of MDE's and MDP's concerns regarding consistency with respect to the master plan.

Note: Deferred amendments have time limitations for action; please see the note on page 21 of this packet.

Executive Staff Report: The applicant requests categories W-1 and S-1 to support development of a PIF use (church) on the site. Although the owner has cited the intended user as God Glorified Church of God in Christ, there is no plan yet available for the intended use. The PIF user has recently provided DEP with some initial information concerning the proposed site development, although the information provided does not include a site plan for the subject property*. (DEP will coordinate a review of this information with M-NCPPC, WSSC, etc.) Therefore, we have recommended deferral of the request for W-1 and S-1 pending receipt and review of a development plan for the site.

** Note: The church has provided a "typical" site layout for a building of the size they intend to construct on the subject site (see pg. 41). The figure provided is **not** a plan for the Bryanshire property. The site shown is approximately 10.7 acres in size; while both parts of the Bryanshire site total 8.6 acres.*

An existing water main abutting the property can provide water service. The provision of public water service to properties zoned RE-2 is consistent with master plan recommendations and with the Water and Sewer Plan service policies.

WSSC has advised that a sewer pressure extension to an existing gravity main at Snider Lane can provide sewer service. A pressure sewer extension would be dedicated exclusively to the church's use and would therefore not serve any other properties abutting pressure sewer. In this regard, sewer service could be provided in a manner consistent with the requirements of the PIF policy.

WSSCR 07A-CLO-02 (Richard Lethbridge – for Bethel World Outreach Church, etc.)

Owner's statement: Wish to sell property and have contract purchaser for house of worship. They are looking at subdivision of the property into 3 lots; two for churches and one for residence for use by the church leader.

Property information: 219 Ednor Rd., Silver Spring. Snowden's Manor, P477. 35 acres. 00266962. 223NW01. JS43. RE-2 Zone.

Master Plan Area & Watershed: Cloverly (1997). Northwest Branch.

Current and Requested Category/Categories: **W-5 to W-3. S-6 to S-3.**

General note: The owner has identified only one potential PIF user, Bethel World Outreach Church, for this property of two stated intended users. A second PIF use is proposed by the application but doesn't have a specified user.

WSSC: Water: A 550-foot-long non-CIP-sized water extension is required to serve the property. This extension would connect to an existing 12-inch diameter water in Alexander Manor Drive (contract no. 99-2667B) and would abut approximately 2 properties in addition to the applicant's. **Sewer:** A 10-inch sewer line traverses the property (contract no. 95-1346A).

M-NCPPC: County Master Plan Consistency Statement: The limited availability of water and sewerage service has been used since the 1964 General Plan to protect environmental resources and to control density and timing of development in Cloverly. The 1997 Cloverly Master Plan contains recommendations that continue to support previous efforts to maintain a rural character and protect the environment and existing watersheds. This application is inconsistent with this master plan. The Master Plan states (on page 90): "The RE-2 zoned area bordered by Norwood Road, Northwest Branch, Hampshire Greens, and New Hampshire Avenue is not recommended for sewer service. This recommendation is designed to maintain the rural character that results from low density residential development..." The Master Plan goes on to state (page 91): "Provide community sewerage service with the following limitations: Provide sewerage service throughout Cloverly except in the RC and RE-2 zones to maintain a low-density, rural character. The extension of sewer service to residential, institutional, and special exception uses in the RC and RE-2 area (except to relieve public health problems or to address other specific Comprehensive Water Supply and Sewerage Systems Plan policies) is not consistent with this Plan because of potential impacts on the low -density character of both areas." (Emphasis added). This issue was thoroughly discussed by both the Planning Board and the County Council during the work sessions that led to the adoption of the Cloverly Master Plan. In developing the master plan language, a deliberate decision was made to establish a guideline that would address the proliferation of higher density institutional development that was being built in the

low-density residential communities. Simply put, the Board and the Council did not want private institutional development to be used to introduce sewer in the large-lot zones in the Cloverly Master Plan area *except to relieve public health problems*. Recommendation: Deny.
DPS: No indication of prior septic tests.

Executive Recommendation: Approve W-3. Deny the request for category S-3; maintain S-6.
Note: Denied amendments have time restrictions for reapplication; please see the note on page 22 of this packet.

Executive Staff Report: The applicant requests W-3 and S-3 to support development of two PIF uses (in this case, churches) and one PIF-related residence on the site. Originally, the applicant had cited only one of two intended PIF users for the property: the Bethel World Outreach Church. That church has recently notified DEP that they no longer have an interest in purchasing this property. The applicant has not identified another potential PIF user for the site. The request is now purely speculative. Therefore, we have recommended denial of the request for categories W-3 and S-3.

DAMASCUS PLANNING AREA

WSSCR 07A-DAM-04 (Edmond & Joyce Rhodes)

Owner's statement: None. See 7-04029; new plan for public water only pending DRC review August 2006. **Proposed Use:** 3 single-family homes (1 existing will remain).

Property information: 28020 Ridge Rd., Damascus. Case 5642 Friendship, P 270. 17.7 acres. 00943043. 239NW09. FY42. RC Zone.

Master Plan Area & Watershed: Damascus (2006). Little Bennett Creek.

Current and Requested Category/Categories: W-6 to W-3. S-6 – no change.

WSSC: A 12-inch water line in Ridge Road abuts the property (contract no. 70-4527A).

M-NCPPC: County Master Plan Consistency Statement: From the Approved and Adopted Damascus Master Plan (2006), "The County's water and sewer policy allows for the provision of community water service throughout the majority of the Master Plan area except for the area zoned RDT." Master Plan recommends RC zoning for the property, staff supports the requested water category change as it consistent with the master plan recommendations. Recommendation: Approve W-3.

DPS: No active well failures known-although general area would have lower than typical yields; and existing public water line probably serves older homes that may have had well problems.

Executive Recommendation: Approval for W-1 as requested for the applicant's proposed 3-lot subdivision is conditioned on the Planning Board's approval of a preliminary plan that uses the cluster development option for the RC Zone. Pending that action, approve W-1 for one water hookup only for the existing house, which has been served since 1978, as per WSSC.

Executive Staff Report: The applicant is seeking category W-3 to support public water service for both an existing house and a proposed subdivision for two additional houses on the site. WSSC has confirmed that water service has been provided to the existing house since 1978, although this appears to be the result of a service error at the time. Master plan recommendations allow for the provision of water service to properties throughout the Damascus Master Plan area, except those zoned RDT. Water and Sewer Plan policies allow for the provision of public water service in areas zoned RC, provided that the development uses the cluster development option. Service is provided to the existing house from an abutting 12"-dia. water main along Ridge Road; this main can supply service to the houses on the two proposed lots as well.

OLNEY PLANNING AREA

WSCCR 06A-OLN-03 (Lien Tran & Hoa Ung)

Owner's statement: "Two vacant parcels have no current use and are planned to be used as residential areas. Each parcel will have a SFH [*single-family house*] served by public sewer and water."

Property information: 17031 Georgia Ave and 17001 Old Baltimore Rd, Olney: Charles & Benjamin. P530 (Ga Ave): 0.65 acre & P497 (Old Balt Rd): 0.58 acre. P530: 00702377 & P497: 00702366. 223NW03. HT51. RE-2 Zone.

Master Plan Area & Watershed: Olney (2005). Northwest Branch.

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-1.**

WSSC: A 750-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing 8-inch diameter sewer main on Menden Farm Drive (contract no. 84-6152C) and would abut approximately 11 properties in addition to the applicant's. Rights-of-way will be required. Construction of this extension may involve the removal of trees. This extension has been conceptually approved for service to the applicant (job no. DA4469Z06).

M-NCPPC: These two properties are zoned RE-2 in the 2005 Olney Master Plan. They are not currently in the community sewer envelope and the master plan does not recommend community sewer service to these properties in the RE-2 Zone. Also, no rezoning of these properties is recommended in the master plan. Recommendation: Deny S-3.

DPS: Preliminary approval was granted in 2004 for a chiropractic center and a 3 bedroom apartment. The proposal combined both properties and septic areas.

Executive Recommendation: Deny the request for category S-1; maintain S-6.

Note: Denied amendments have time restrictions for reapplication; please see the note on page 22 of this packet.

Executive Staff Report: Applicants seeking public sewer service in order to develop the two existing parcels for residential use. Neither Water and Sewer Plan policies nor master plan recommendations support the provision of public sewer service to these RE-2 zoned properties. Development, if feasible, will need to use on-site septic systems. The properties are in W-1 for public water service, and WSSC has prepared a letter of findings that confirms public water may be provided to both properties. This *may* assist in the siting of septic systems on the two properties.

WSCCR 06A-OLN-04 (William, Jr., and Lynn Gangloff)

Owner's statement (DEP Summary): Construction of a new single family home. Lot is currently approved for a sand mound system but due to cost and potential problems associated with same, would like to connect to public sewer. 20' private utility easement on Lot 7, Block A, Olney Acres (adjacent) would be used for connection of sewer line to Cashell Ed.

Property information: 4809 Bready Rd, Rockville. Olney Acres, Lot 45, Block A. 2.15 acres. 03248311. 224NW05. HT22. RE-1 Zone.

Master Plan Area & Watershed: Olney (2005). Upper Rock Creek.

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-1.**

WSSC: An 850-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing sewer in Cashell Rd (contract no. 68-3322-D) and would abut approximately 2 properties in addition to the applicant's. On-site pumping would be required. Rights-of-way in excess of 20 feet in width are likely to be required because of the deep sewer required for this alignment. One other property would be able to receive service through this extension.

M-NCPPC: The property is located in the 2005 Olney Master Plan. The master plan does not have any specific recommendations or comments about this property. The property is located within the recommended sewer service area. Provision of sewer service to the property would be consistent with the master plan. Recommendation: Approve S-1.

DPS: Property was (is) approved for a sand mound system with public water.

Executive Recommendation: Deny the request for S-1; maintain S-6.

Note: Denied amendments have time restrictions for reapplication; please see the note on page 22 of this packet.

Executive Staff Report: Applicants seeking public sewer service in order to develop an existing lot for residential use. Neither Water and Sewer Plan policies nor master plan recommendations support the provision of public sewer service to this RE-1 zoned property. Development, if feasible, will need to use the referenced on-site sand mound septic system, for which this property has already been approved. The property is in W-1 for public water service, providing some potential flexibility in siting the sand mound septic system.

The availability of a private easement by which the applicant desires to connect to public sewer service does not guarantee that the property itself is eligible for such service. Other nearby properties which are currently eligible for sewer service were approved under specific water and sewer plan policies for public health problems or for properties that abut and pre-date sewer mains. Although mapping shows a sewer line fronting the property along Bready Rd., it is a force-main serving the North Branch WWPS, located north of Bowie Mill Rd. Individual service connections cannot be made to force-mains.

PATUXENT RIVER WATERSHED (LOWER) CONSERVATION PLANNING AREA

WSSCR 07A-CLO-01 (JDH Properties)

Owner's statement (DEP Summary): For development in accordance with RE-1 zoning.

Property information: 2630 Spencerville Rd & P407 (no address), Spencerville. Res on James and Mary, P407 & P565. 8.7 acres. 0254771 & 0254760. KS42. RE-1 Zone. **Proposed development:** single-family residential subdivision (8 to 9 lots maximum yield).

Master Plan Area & Watershed: Cloverly (1997). Paint Branch.

Current and Requested Category/Categories: **W-6 to W-3. S-6 to S-3.**

WSSC: Water: A 12-inch water line in Spencerville Road abuts the property (contract no. 57-0267).

Sewer: A 4500-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing 15-inch sewer (contract no. 72-5535A) and would abut approximately many properties in addition to the applicant's. Rights-of-way would be required. Construction of this extension impacts a class III stream. Permits for work in Use III streams are extremely difficult to obtain. Feasibility of service depends on permission from state to construct the sewer line.

M-NCPPC: The Cloverly Master Plan states the following: "This Plan recommends RE-1 zoning for much of the headwaters of Paint Branch which is designated as a Special Protection Area. The County Council has previously concurred with the provision of service to the RE-1 areas in Cloverly provided the main extensions were logical, economical, and environmentally acceptable. This Plan further recommends that the approval of community sewer service to properties zoned RE-1 in the Upper Paint Branch SPA should be coordinated with the approval of subdivision plans which address the environmental concerns associated with development in these headwaters areas, and which further must demonstrate an environmental benefit resulting from development supported by community sewer service, rather than that supported by septic systems." This would require a 4500-foot extension of sewer abutting many properties. Since there are no environmental features on the site, there is no particular environmental benefit to clustering enabled by sewer service. Water service is adjacent to the site and should be extended to the development. Recommendation: Approve W-3, Retain S-6.

DPS: Probable high water table along Spencerville Road would preclude RE-1 max. lot yield with individual well and septic.

Executive Recommendation: Defer the category change request pending a review by DEP, WSSC, and M-NCPPC of possible sewer service extension alternatives for public sewer service to the area north of Spencerville Rd. (Rte. 198), instead of the gravity outfall through the former Peach Orchard Estates site as originally proposed. These alternatives may involve sewage pumping systems.

Note: Deferred amendments have time limitations for action; please see the note on page 21 of this packet.

Executive Staff Report: The original intent for serving this area north of Rte. 198 was to extend sewer service from the residential subdivision (Peach Orchard Estates) that was to be built on the south side of Spencerville Rd. The development of the Peach Orchard Estates site is unlikely to occur; the property was acquired by the State for a possible northern ICC alignment. Although that alignment was not chosen for the ICC, the State has proposed using the site to offset environmental impacts and forest loss along the chosen alignment. Therefore, the extension of sewer service through the Peach Orchard Estates property, which is located in the Paint Branch Special Protection Area, appears unlikely. We recommend deferral of the application pending interagency discussion and agreement on a method for sewerage this area, if that is indeed a possible option.

TOWN OF POOLESVILLE

Background: Requests to change water and sewer service area categories within the county's municipalities, including those such as Poolesville that maintain their own planning and zoning authority, are included in the county-wide Water and Sewer Plan. State law directs the County to incorporate the water and sewer planning accomplished by the municipalities into the County Plan. Poolesville also provides its own public water and sewer service, independent from WSSC's systems. In this regard, DEP's evaluation of category change requests filed for properties within the town must rely substantially on planning and utility recommendations provided by the Town government.

WSSCR 06A-PLV-01 (Nelson Hernandez)

Owner's statement (DEP Summary): MOU between Town of Poolesville and owner established that the town has approved water allocations for sewer connections for three lots subdivided from the subject property in exchange for an easement along the Budd Rd frontage for a variable width utility easement and easement for a municipal well/sell site. Water and sewer mains already exist along frontage of proposed lots. Approvals from Town of Poolesville already received re: future connections of proposed lots. **Proposed Use:** 4 single-family homes (1 existing home to remain.)

Property information: 19200 Fisher Ave, Poolesville. Williams Venture Etc, P835. 5.61 acres. 00042083. CT41. R-3/4 Zone.

Master Plan Area & Watershed: Town of Poolesville (2005). Dry Seneca Creek.

Current and Requested Category/Categories: **W-6 to W-1. S-6 to S-1.**

Poolesville: The Town of Poolesville is in receipt of your letter dated August 14, 2006, requesting comments regarding water and sewer category change for the Hernandez property. The Town submits the following:

- The Town has adopted a Master Plan that projects a growth not to exceed a population of 6,500 in the foreseeable future, which incorporates this subdivision.
- As part of the master plan, an appendix with a detailed Impact Fee schedule shows the build out of approximately 420 homes, possible beginning in 2007.
- The Town has adopted a Water and Sewer Allocation Plan in which this subdivision in number one on the four and under (parcels per subdivision) list.
- The Town has reviewed and conditionally approved [a] Preliminary Plan for this subdivision. The Town's Wastewater Treatment Plant has undergone an upgrade and expansions. The discharge permit has been increased from 625,000 GPD to 750,000 GPD to support this subdivision.

- The Town's continuing sewer relining campaign is dramatically decreasing in flow and infiltration into the sewer system and is adding to the available capacity at the Wastewater Treatment Plant.
- Wells located in the Town to support this development are under review by the Maryland Department of the Environment. Prior to allocation, the wells must be permitted, operating, and deeded to the Town.
- The Town is currently reviewing draft water and wastewater management plans in which this subdivision will receive allocation as early as 2007.

WSSC, M-NCPPC, & DPS: n/c

Executive Recommendation: Approve W-1 & S-1.

Executive Staff Report: (Please see the combined Staff Report provided for this case and for 07A-PLV-01 below.)

WSSCR 07A-PLV-01 (Brightwell Crossing, LLC – c/o Kettler Forlines Homes)

Owner's statement (DEP Summary): Cluster subdivision planned: Brightwell Crossing. **Proposed development:** 177 total residential units (79 units in Phase 1).

Property information: Jerusalem Rd, Poolesville. Mt. Pleasant, P182, P305, P606, Proposed P8. 174 acres. 03530786, 02522575, 00042711. CT22. R-2 Zone.

Master Plan Area & Watershed: Town of Poolesville (2005). Dry Seneca Creek.

Current and Requested Category/Categories: W-5 to W-3. S-5 to S-3.

Poolesville: The Town of Poolesville is in receipt of your letter dated August 14, 2006, requesting comments regarding water and sewer category change for Brightwell Crossing. The Town submits the following:

- The Town has adopted a Master Plan that projects a growth not to exceed a population of 6,500 in the foreseeable future, which incorporates this subdivision.
- As part of the master plan, an appendix with a detailed Impact Fee schedule shows the build out of approximately 420 homes, possible beginning in 2007.
- The Town has adopted a Water and Sewer Allocation Plan in which this subdivision in number two on the list.
- The Town has reviewed and conditionally approved [a] Preliminary Plan for this subdivision. The Town's Wastewater Treatment Plant has undergone an upgrade and expansions. The discharge permit has been increased from 625,000 GPD to 750,000 GPD to support this subdivision.
- The Town's continuing sewer relining campaign is dramatically decreasing in flow and infiltration into the sewer system and is adding to the available capacity at the Wastewater Treatment Plant.
- Wells located in the Town to support this development are under review by the Maryland Department of the Environment. Prior to allocation, the wells must be permitted, operating, and deeded to the Town.
- The Town is currently reviewing draft water and wastewater management plans in which this subdivision will receive allocation by 2008.

WSSC & M-NCPPC: n/c

DPS: Area of typically poor soils for on-site septic.

Executive Recommendation: Approve W-3 & S-3.

Executive Staff Report (for 06A-PLV-01 and 07A-PLV-01): In its comments to DEP, the Town has confirmed that these projects are part of the Town's development plans, and that the Town is pursuing the improvements and approvals needed to implement the projects. The County has a responsibility to incorporate Poolesville's water and sewer planning efforts into the county-wide plan. Given this

role and the Town's intentions as expressed to DEP, it is appropriate to recommend categories W-1 and S-1 for the Hernandez property, and W-3 and S-3 for the Brightwell Crossing property.

POTOMAC – CABIN JOHN PLANNING AREA

WSSCR 07A-POT-01 (Sylvia Biggar): *Note: This request is addressed along with other cases in the Travilah Planning Area involved with the issue of sewer service for properties at the edge of the Potomac Subregion Master Plan public sewer envelope. (Please refer to pg. 12.)*

TRAVILAH PLANNING AREA

Piney Branch Abutting Mains Cases – Boswell Lane & the R.A.M. Sewer Extension

The following four cases (03A-TRV-03, 05A-TRV-05, 06A-TRV-11, & 07A-TRV-07) involve amendments for properties that will abut an approved* low-pressure sewer extension in the Piney Branch watershed. These requests were deferred from administrative actions AD 2006-3 and AD 2007-1 because of concerns with regard to the specific language of the "abutting sewer" service conditions in the Piney Branch Sewer Restricted Access Policy. (Refer to the Plan excerpt included on pgs. 36-37.)

**Note: Please refer to the staff report (pg. 11) for information on the current status of the sewer main.*

WSSCR 03A-TRV-03 (Susan Margolis) *(deferred from AD 2007-1)*

Owner's statement & proposed use: Intend to add more than 25% to the existing house. Existing septic/perc does not allow this expansion.

Property Information: 10700 Boswell La., Potomac: Wickham & Pottinger, Parcel P512. 1.00 ac. 01734642. FR121. 217NW11. RE-2 Zone.

Master Plan Area & Watershed: Potomac Subregion (2002). Watts Branch (Piney Branch).

Current and Requested Category/Categories: **S-6 to S-1.**

WSSC: The R.A.M. sewer extension will abut this property.

M-NCPPC: Concur with the recommended approval of S-3 for one sewer hookup only.

DPS: Percolation testing was started in 1976. This testing did not fail, but was never completed. In order to add more than 25% to the existing house, the applicant would need to complete the testing or obtain public sewer. DPS has no record of a failing septic system.

<u>Executive Recommendation:</u> Approve S-1 for one sewer hookup only.

Executive Staff Report: *(Please see consolidated report for these four properties, pg. 11.)*

WSSCR 05A-TRV-05 (Janusz Bazyluk) *(deferred from AD 2006-3)*

Owner's statement: Well & Septic has no record of our septic system; it may not be functional. Public sewer may come in front of our property. **Proposed use:** service for the existing home.

Property information: 10509 Boswell La.; P530; Wickham & Pottinger. 217NW10; FR341. RE-1 Zone; 0.40 ac.

Master Plan Area & Watershed: Potomac. Watts Branch (Piney Branch).

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-1.**

WSSC: Service will require a 2,100-foot main extension along Boswell La. to the existing gravity main at Maplecrest Dr.; this pressure sewer (project #DA3769Z03) will be constructed to serve the R.A.M. project nearby. WSSC is prepared to provide a sewer service connection to this property from this main.

M-NCPPC: This property is outside the Master Plan sewer service envelope, is within the Piney Branch Special Protection Area, and is excluded from the peripheral service policy. (Page 23, Potomac Subregion Master Plan). The property will abut the pressure gravity sewer main to be constructed to serve the RAM Investments project approved by the County Council (even although it

was outside the envelope) after the Master Plan was adopted. Under the Piney Branch restricted sewer access policy, properties abutting the route of the new main along Boswell La. between the R.A.M. site and Maplecrest Dr. to the west will be eligible for a single hookup, but not subdivision or re-subdivision, if RAM Investments proceeds with the main extension. Approve single hookup, if it is technically feasible to serve the property, and if RAM Investments proceeds with the main extension. **DPS:** This office has no record of the existing septic system – the house was built in 1903. Well & Septic would be unable to approve any living space additions to the house without successful water table and percolation tests.

Executive Recommendation: Approve S-1 for one sewer hookup only.

Executive Staff Report: (Please see consolidated report for these four properties, pg. 11).

WSSCR 06A-TRV-11 (Claude and Patsy Bynaker) (deferred from AD 2006-3)

Owner's statement: A 2" pressure sewer will be constructed in front of our property; our septic field are over 60 years old. **Proposed use:** service for the existing home.

Property information: 10501 Boswell La.; Parcel P551, Wickham & Pottinger; 217NW10; FR31. RE-1 Zone; 0.63 ac.

Master Plan Area & Watershed: Potomac Subregion (2002). Watts Branch (Piney Branch).

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-3.**

WSSC: A 1400'-long non-CIP-sized sewer extension is required to serve the property; it would connect to the 8" sewer in Maplecrest Drive (89-8066E) and would abut many properties in addition to the applicant's. This extension has been conceptually approved for service to the Glen Mill Knolls subdivision (DA3769Z03).

M-NCPPC: This property is outside the Master Plan sewer service envelope, is within the Piney Branch Special Protection Area, and is excluded from the peripheral service policy. (Page 23, Potomac Subregion Master Plan). The property will abut the pressure gravity sewer main to be constructed to serve the RAM Investments project approved by the County Council (even although it was outside the envelope) after the Master Plan was adopted. Under the Piney Branch restricted sewer access policy, properties along the route of the new main along Boswell Lane between the RAM site and Maplecrest Drive to the west will be eligible for a single hookup, but not subdivision or re-subdivision, if RAM Investments proceeds with the main extension. **Recommendation:** Approve single hookup, if it is technically feasible to serve the property, and if RAM Investments proceeds with the main extension.

DPS: There are no records of any problems with the existing septic system.

Executive Recommendation: Approve S-1 for one sewer hookup only.

Executive Staff Report: (Please see consolidated report for these four properties, pg. 11).

07A-TRV-07 (Shiv and Meera Srivistava) (deferred from AD 2007-1)

Owner's statement: To have the public sewer and improve. **Proposed use:** service for the existing home.

Property information: 10520 Boswell La., Potomac: Glen Mill Knolls. Lot 31, Block B. 3.59 acres. 03318026. 217NW10. FR41. RE-2 Zone.

Master Plan Area & Watershed: Potomac Subregion (2002). Watts Branch (Piney Branch).

Current and Requested Category/Categories: S-6 to S-1.

WSSC: A 700-foot-long, non-CIP-sized, pressure sewer extension is required to serve the property. This extension would connect to the 8-inch sewer in Maplecrest Drive (89-8066E) and would abut approximately 10 properties in addition to the applicant's. This extension has been conceptually approved for service to the Glen Mill Knolls subdivision (DA3769Z03). Update 01/16/07: Per Email from Sue Alhambra, construction is underway.

M-NCPPC: This property is outside the Master Plan sewer service envelope, is within the Piney Branch Special Protection Area, and is excluded from the peripheral service policy. (Page 23, Potomac Subregion Master Plan). The property will abut the pressure gravity sewer main to be constructed to serve the RAM Investments project approved by the County Council (even although it was outside the envelope) after the Master Plan was adopted. Under the Piney Branch restricted sewer access policy, properties abutting the route of the new main along Boswell Lane between the RAM site and Maplecrest Drive to the west will be eligible for a single hookup, but not subdivision or re-subdivision, if RAM Investments proceeds with the main extension. Concur with Executive Staff recommendation.

DPS: A new septic system was installed on May 25, 2001, and the property has an approved septic reserve area.

Executive Recommendation: Approve S-1 for one sewer hookup only.

Executive Staff Report (for all four of the preceding cases: 03A-TRV-03, 05A-TRV-05, 06A-TRV-11, and 07A-TRV-07): The provision of public sewer service in these cases is consistent with Water and Sewer Plan policies and with master plan recommendations for public sewer service in the Piney Branch watershed. The Piney Branch Restricted Sewer Access policy (see pgs. 36-37) allows for a single sewer hookup for properties that abut and predate a sewer main. The sewer main in question, the R.A.M. project low-pressure main, will abut all four properties along its right-of-way between the R.A.M. site and Maplecrest Dr. where it will join an existing 8-inch-diameter gravity main.* Service provided from the low-pressure main will require the use of an on-site grinder pump for each property served.

** Status of the R.A.M. low-pressure sewer (as of Feb. 8, 2007): Although not yet under construction, the alignment of the new sewer main is laid out along Boswell La. One of the new houses on the R.A.M. site—a house that will require the new sewer main for service—is now under construction.*

Because the new sewer main that will abut and provide service to these properties is not yet built, the abutting properties and existing homes will clearly predate the main. The issue of whether the main must already exist before the County—and specifically DEP—may approve sewer service in the Piney Branch watershed for any abutting properties has become the point of contention with these cases. It has resulted in the deferral of these requests from earlier DEP administrative actions to consideration by the Council. The “abutting mains” policy in the Water and Sewer Plan (see pgs. 37-39) addresses the restricted approval of category changes for properties that abut both existing and approved water and sewer mains. The additional language addressing “abutting mains” cases in the restricted sewer access policy for Piney Branch is not as specific, referring only to, “Properties which abut sewer mains ...” The language in the Piney Branch sewer policy should match that provided in the original abutting mains policy. DEP expects to include a revision to this effect in the pending comprehensive update of the Water and Sewer Plan.

Water and Sewer Plan policies grant DEP the authority to act on connection requests from abutting properties for service from approved water and sewer mains. This authority allows WSSC to install service connections along new water and sewer mains at a substantially lower cost to owners of abutting properties. Typically, WSSC connection charges triple in cost after the new main is completed and in service. The approved main can be constructed only for the property for which the extension was originally requested, not for any intervening property along the right-of-way that is approved for service *only* under the abutting mains policy.

The provision of sewer service restricted to a single connection only is consistent with sewer service policies specifically addressing the Piney Branch sub-watershed. Given the size and zoning of the properties involved in the preceding category change cases, none alone have the potential for subdivision or resubdivision. Therefore, the condition for sewer service within Piney Branch that does not allow an abutting mains connection to support subdivision will be satisfied.

Sewer Service for Properties at the Periphery of the Recommended Sewer Envelope

The following four cases (07A-POT-01, 06A-TRV-09 & -13 and 07A-TRV-01) are considered under the guidance of the 2002 Potomac Subregion Master Plan, which recommends the use of a "peripheral sewer service policy" in evaluating service area change requests for properties located at the edge of that plan's recommended public sewer envelope. In this, the master plan recognized that the existing public sewer service area in the Potomac Subregion has grown on the basis of individual requests, rather than by comprehensive amendments, creating an irregular and sporadic envelope. The master plan proposes the use of the following criteria in evaluating these requests:

- The subject property should abut or confront the edge of the recommended public sewer envelope; and
- The main extensions needed to serve these properties should avoid streams, stream buffers, and other sensitive environmental features, preferably running within existing or proposed public rights-of-way.

In reviewing these cases, staff also considered these additional criteria which were considered as relevant to a comprehensive evaluation:

- The number of additional properties, developed and undeveloped, abutting the proposed sewer main extension;
- The extent to which other front-foot benefit assessment (FFBA) payers would subsidize the main extension costs for those abutting properties not required to pay assessments under WSSC's current policies;
- The extent to which the extension opens up service to other abutting properties not otherwise eligible for public sewer service; and
- The actual need for public sewer service.

Note that under the master plan's peripheral sewer service proposal, the approval of any of these amendments does **not** constitute an expansion of the recommended Potomac Subregion public sewer envelope.

Since the adoption of the master plan in 2002, the County has addressed sewer service issues for a number of properties in category S-6 under this recommendation. However, the master plan's direction is not clear, resulting in agency staff coming to opposite conclusions for some cases, particularly where the properties involved confront the sewer envelope across a road right-of-way. At the Council's request, M-NCPPC and DEP staff will reexamine this issue, with the intent of reaching agreement on the application of this public sewer service policy throughout the master plan area.

WSSCR 07A-POT-01 (Sylvia Biggar) *(deferred from AD 2007-1)*

Owner's statement (DEP summary): Lots nearby have had categories changed; we want to extend water and sewer jointly with neighbors; septic tests failed on this lot due to high water table and rock. Requesting extensions from lines 800' away at Belmart Rd. Email from engineer 8/16/06: Intend to demolish existing house and build new, larger home on property.

Property information: 10814 Alloway Dr, Potomac: Great Falls Estates, Lot 4, Block H. 2.39 acres. 00878341. 212NW11. FP22. RE-2 Zone.

Master Plan Area and Watershed: Potomac Subregion (2002). Rock Run.

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-3.**

WSSC: A 1200-foot-long non-CIP-sized sewer extension would provide standard gravity service to the property. This extension would connect to an existing 8-inch diameter sewer east of the property (80-4746A) and would abut approximately 7 properties in addition to the applicant's. Rights-of-way would be required, as well as the removal of some trees. Alternatively, the property could be served by an 800-foot-long, non-CIP-sized sewer extension. This extension would connect to an existing 8-inch sewer in Belmart Road (90-8890A) and would abut approximately 5 properties in addition to the applicant's. Extra-depth sewer and on-site pumping would be required.

M-NCPPC: This is a subdivided lot in a low-density residential area at the periphery of the Potomac Sewer Envelope. It is diagonally across the street from two properties that are inside the envelope and directly across from two properties that are outside the envelope. *(DEP note: See map at pg. 56.)* While this case technically meets the peripheral sewer policy for Potomac, the case deserves further discussion. In reviewing the proposed means of providing sewer to this property, staff is concerned that WSSC may choose to provide sewer to this property via a 1200-foot connection which traverses the stream valley across private property. Some of these properties have service, some do not.

Planning Staff recommends that this case be referred to the County Council for inclusion in the next packet of Council cases. This will provide additional time for public comment on the case and Planning Board discussion. At that time, the Board can discuss whether this case should be recommended for approval or be deferred and considered as part of the *10-Year Comprehensive Water Supply and Sewerage Systems Plan* amendment process that will address concerns with the application of the peripheral sewer policy in the Potomac Master Plan. *(DEP note: The preceding comments are from the M-NCPPC staff report to the Planning Board for AD 2007-1 on Jan. 18, 2007; at that time, the Board concurred with the staff recommendation to defer the request.)*

DPS: DPS has no record of a failing septic system – inspector Celmer did not observe a failure when he was on site April 12, 2005.

Executive Recommendation: Approve S-3; the required sewer extension must follow the right-of-way of Alloway Dr., *not* the stream valley to the east across Alloway Dr. (Potomac sewer envelope periphery restriction.)

Executive Staff Report: The provision of sewer service is consistent with water and sewer plan policies and with master plan recommendations. As noted in M-NCPPC's comments, the property confronts—at two corners—the master plan's recommended sewer service envelope across Alloway Dr. The County should consider the provision of public sewer service in accordance with the master plan's sewer service recommendations. In order to satisfy the conditions required for the approval of public sewer service, WSSC will need to construct the extension required to serve this property along the public right-of-way of Alloway Dr., *not* the option for a 1,200-foot sewer extension east of Alloway Dr. that would likely affect streams or stream buffer areas.

06A-TRV-09 (David Mohebbi)

Owner's statement: Our existing system has started to fail and we have plans to do an addition to this house. The builder put our neighbor's septic system in our property, which eliminates the possibility of moving our septic system.

Property information: 12600 Maidens Bower Dr. Esworthy Park, Lot 1. Block C. 2.89 acres, 216NW14. EQ23. RE-2 Zone

Master Plan Area & Watershed: Potomac Subregion (2002). Muddy Branch.

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-3.**

WSSC: A 450-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing sewer in River Road (contract no. 69-3435A) and would abut approximately 1 property in addition to the applicant's. Construction of this extension will involve construction work across River Road (MD 190).

M-NCPPC: This property is outside the sewer service envelope. It does not abut the envelope, but rather confronts the envelope, which is on the south side of River Road. A tributary to the Muddy Branch appears to run through the property, parallel to River Road. The property appears eligible for the provision of community sewer service for areas zoned RE-2 at the periphery of the sewer service envelope, if the sewer extension is constructed under Maidens Bower Drive, rather than through the stream valley. (Page 23, Potomac Subregion Master Plan) Recommendation: Approve extension of sewer if it can be accomplished without further disturbance to Muddy Branch tributary stream valley.

DPS: This office has no record of problems with the existing septic system. The existing septic system was installed in November 1984 and there is a recorded septic easement that has sufficient

area for 4 replacement septic systems. The septic easement for Lot 2-C, Esworthy Park is located on Mr. Mohebbi's property

Executive Recommendation: Deny the request for S-3; maintain S-6.

Note: Denied amendments have time restrictions for reapplication; please see the note on page 22 of this packet.

Executive Staff Report: The owner is seeking public sewer to support the expansion of existing single-family house; this site is constrained not only the owner's septic area, but also a septic easement for an adjacent lot. Sewer service for the property, which is zoned RE-2, could be considered only under the peripheral sewer service recommendations in the 2002 master plan. However, those recommendations require that any extension of sewer service not affect streams or stream buffers. Although the proposed extension would likely run along the right-of-way of Maidens Bower Dr., it would also need to cross a tributary of Muddy Branch close to River Rd. This invalidates the application of the peripheral sewer service recommendations in this circumstance. DPS could not confirm a failure of the existing septic system. Even in the event of such a failure, the provision of public sewer service to relieve the failure would have to be considered against suitability of the reserve septic area already identified for this property.

06A-TRV-013 (Ashok Saxena)

Owner's statement: DEP Summary: Vacant lot; want to build 9 BR SFH; max size of septic can support only 6 BR (ravine and steep slopes on lot). Neighbor has connected to sewer; WWSC told me there is an abutting main to which I can easily connect.

Property information: 11604 River Rd, Potomac. Potomac Hunt Acres, Lot 49. 2.03 acres. 03482918. 214NW11. FP82. RE-2 Zone.

Master Plan Area & Watershed: Travilah. Rock Run.

Current and Requested Category/Categories: W-1 – no change. S-6 to **S-1 or S-3.**

WSSC: This property qualifies for a non-abutting connection to an 8-inch sewer line in River Road about 300 feet east of the property (contract no. 89-8119A); its in-service date is February 3, 1992. On-site pumping will be required for sewer service. A right-of-way is required. A connection to the main across River Road is not acceptable. The property is too far from the sewer, requires a connection across a state highway, and requires the connection to be built across an important water transmission main.

M-NCPPC: This property, which to the west abuts Swains Lock Road, an exceptional rustic road, is outside the Master Plan sewer service envelope, but confronts it on the north side of River Road. Staff notes that the adjacent property to the east (11600 River Road) is also outside the envelope, but has an 8-inch sewer line passing through the northeast corner of the property, about 300 feet from the applicant's property. A direct connection to the sewer main would require crossing River Road and a water main and is not recommended. This application is similar to others where the County Council has requested clarification of the Potomac Subregion peripheral service policy (Potomac Subregion Master Plan, page 23) via the upcoming update of the Water and Sewer Master Plan.

Recommendation: Defer pending a County Council decision on the Potomac Subregion peripheral service policy early in 2007.

DPS: DPS agrees with the owner, the existing septic area can not be expanded to accommodate a 9 bedroom house.

Executive Recommendation: Maintain S-6, with advancement to S-1 conditioned upon the owner notifying DEP that he has obtained an easement from the adjacent property owner (at 11600 River Rd.) for access via a non-abutting sewer connection to the 8-inch dia. main located there. (Potomac sewer envelope periphery restriction.)

Executive Staff Report: The owner is seeking public sewer service so that he may to construct a single-family house that will be larger than the house the approved septic system can support. Sewer service in this case can be considered under the master plan's peripheral sewer service recommendations. WSSC has confirmed that the adjacent property to the east at 11600 River Rd.

has been receiving public sewer service since 1992. This adjacent property should therefore be included within the recommended sewer service envelope in the master plan. Given this, the owner's property should be considered at the periphery of the sewer envelope. WSSC has advised that service can be provided by a non-abutting connection to the existing sewer main located on the adjacent property located at 11600 River Rd. No main line extension is required; the owner will need to negotiate with the owner of 11600 River Rd. to obtain an appropriate easement for his non-abutting sewer connection and hookup.

07A-TRV-01 (Susana Hodgkins)

Owner's statement: Addition to an existing single family home.

Property information: 12720 Piney Meetinghouse Rd., Potomac. Piney Grove, P054. 7.5 acres. 00403744. 216NW11. FR21. RE-2 Zone.

Master Plan Area & Watershed: Potomac Subregion (2002). Watts Branch.

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-3.**

WSSC: Service will require a non-abutting sewer connection to an existing 3"-dia. low-pressure main along Palatine Dr. (#908410B), approximately 300 feet from the subject property. The applicant will need to obtain a private sewer easement from an intervening property owner for an off-site sewer hookup. Service will require a grinder pump unit; this unit will need to be located on the applicant's property at an elevation no higher than 370 feet in order to be compatible with the existing pressure sewer system. Gravity sewer service for this property would require a 2.7-mile-long non-CIP-sized sewer extension to an existing 10-inch diameter sewer near River Road and the Watts Branch Trunk Sewer (contract no. 96-1649). The extension would abut many, many properties addition to the applicant's. Rights-of-way would be required. Construction of this extension may involve the removal of trees and would impact wetland areas.

M-NCPPC: This property is outside the Master Plan sewer service envelope, with the east portion within the Piney Branch Special Protection Area, and is excluded from the peripheral service policy (Page 23, Potomac Subregion Master Plan). "Exclude from the peripheral service policy properties adjacent to the Palatine subdivision..... and all properties within the Piney Branch subwatershed.." Recommendation: Deny application for category change to S-3

DPS: This office has no record of the existing septic system – there has been no documented failure of the existing septic system

Executive Recommendation: Deny the request for S-3; maintain S-6.

Note: Denied amendments have time restrictions for reapplication; please see the note on page 22 of this packet.

Executive Staff Report: The owner is asking for public sewer service to enable expansion of the existing single family house. Although the provision of public sewer service may be technically feasible, that service is not consistent with either the Water and Sewer Plan's policies, or master plan sewer service recommendations. Water and Sewer Plan service policies generally do not support the use of public sewer service in areas zoned RE-2 for minimum two-acre lot development. The master plan's sewer service recommendations specifically restrict the use of the peripheral sewer service policy from properties located outside the public service envelope, but adjacent to the Palatine Subdivision. This recommendation arose from two primary concerns: 1) that additional sewer service connections into the Palatine pressure sewer system were not generally feasible; and 2) that due to anticipated severe environmental impacts, the master plan cautioned against expanding development on the serpentinite outcrop area that underlies the neighborhood.

Glen Hills Requests

The following category change requests are for properties located in the Glen Hills area, southwest of Rockville. The 2002 Potomac Subregion Master Plan specifically addresses sewer service recommendations in the Glen Hills area, calling for the provision of public sewer service only to relieve documented public health problems, pending a study of the area's septic systems to try to determine:

- The potential extent of septic problems in the area;
- The relief measures needed for areas with existing or anticipated health problems, from either public or private sewerage systems;
- The neighborhood's ability to sustain existing development using on-site septic systems.

Pending the completion of this study, the master plan does not support any other provision of public sewer service in the Glen Hills area, including properties qualifying under the Water and Sewer Plan's abutting mains service policy. DEP anticipates beginning work on the sanitary study with DPS by this summer. The completion of the study for the *entire* neighborhood is expected to approximately one to one and one-half years.

06A-TRV-01 (Katherine Adams Estate – c/o Douglas Adams) (*deferred from AD 2006-3*)

Owner's statement: Problems with existing septic. **Proposed use:** service for the existing home.

Property information: 12809 Spring Dr.; Lot 21, Block 2, Glen Hills, Sec. 3. 217NW10. FR41. RE-1 Zone. 1.14 ac.

Master Plan Area & Watershed: Potomac Subregion (2002). Watts Branch (Piney Branch.)

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-3.**

WSSC: A 300' long non-CIP sized extension is required to serve the property; it would connect to an 8" diameter sewer in Spring Dr. and would abut approximately 5 other properties. This extension has been conceptually approved and is under design to relieve a documented health hazard at the subject property (DA2976X04). (*DEP note: A field visit confirmed that the required sewer main is installed and that the house is receiving WSSC sewer service.*)

M-NCPPC: Proposal is not consistent with sewer service recommendations of the Potomac Subregion Master Plan (2002) as follows: "...Until a policy is developed, restrict further sewer service extensions in Glen Hills to properties with documented public health problems resulting from septic system failures." (page 24) Recommendation: Deny until completion of Glen Hills study as per Master Plan unless public health problem is documented.

DPS: DPS staff issued a health hazard letter for this property to DEP in March 2006 that explained, in part: "... A septic failure has been confirmed. Percolation tests conducted in an effort to repair the septic system have revealed poor soil conditions- indicating an Innovative (experimental) septic system would be required. Due to the increased risk of failure with such a system, connection to the public sewer system is clearly the preferred solution. The required extension of the main sewer line will no doubt benefit other area properties in the future as the soil conditions on this street are generally poor." In subsequent discussion with DEP staff, the DPS Well & Septic staff seriously questioned the viability of an innovative septic system for this property and, especially given the history of septic problems in this vicinity, again urged the provision of public sewer service.

Executive Recommendation: Approve S-1 for one sewer hookup only (public health problem).

Executive Staff Report: The extension of public sewer service to this property to relieve a failed septic system is authorized under the Water and Sewer Plan's policies addressing public health problems for individual properties. In particular, additional policy requirements are addressed by the Well and Septic Section's documentation of a health problem in this case. The property is located within the Piney Branch watershed where the Water and Sewer Plan requires that sewer service be provided consistent with a restricted sewer access policy. The existence of a health problem satisfies that policy requirement. The 2002 master plan calls for a general prohibition on additional public sewer service in the Glen Hills area until the County completes a survey of septic systems in the neighborhood. The only exception to this recommendation is to relieve documented public health problems.

On April 4, 2006, DEP directed WSSC to provide public sewer service to this property to relieve the public health problem documented by DPS, Well and Septic Section in March 2006. DEP's action was in accordance with policies in the Water and Sewer Plan addressing the relief of public health

problems. WSSC has completed a sewer main extension to the property, which is now connected to the public sewerage system.

Coordination between DEP and DPS on this septic problem extends back to December 2003, when DPS first raised concerns about the existing septic system. The DPS Well and septic Section's subsequent investigations, in part at DEP's urging, examined the *possibility* of using an innovative on-site replacement system. However, DPS found that the soil testing results for such a system were questionable, resulting in the March 2006 request from DPS to DEP for the provision of public sewer service.

06A-TRV-08 (David Goodwin)

Owner's statement: DEP summary: House has public water but not sewer. Septic field failed and was replaced with an innovative shallow drip system but produces odors; owner is aware of issues with Adams property (12809 Spring Dr., request above) and would like to also connect. **Proposed use:** service for the existing home.

Property information: 12805 Spring Dr.: Glen Hills, Sec 3. Lot 22, Block 2. 217NW10. 00078532. 1.03 ac. FR41. RE-1 Zone.

Master Plan Area & Watershed: Potomac Subregion (2002). Watts Branch (Piney Branch).

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-1.**

WSSC: A 130-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing 8-inch diameter sewer in Spring Drive (job no. DA3436Z02) and would abut approximately 4 properties in addition to the applicant's. This extension has been conceptually approved for service to the 12809 Spring Drive (job no. AS3976X04).

MNCPPC: Proposal is not consistent with sewer service recommendations of the Potomac Subregion Master Plan (2002) as follows: ".....Until a policy is developed, restrict further sewer service extensions in Glen Hills to properties with documented public health problems resulting from septic system failures." (page 24) Recommendation: Deny until completion of Glen Hills study as per Master Plan unless public health problem is documented.

DPS: A new septic system that meets all current standards for a conventional on-site septic system was installed in May, 2002. The replacement system consists of only one septic drainfield, with **no** reserve area identified. They do not have sufficient area for a conventional on-site repair in the future. There are septic trenches throughout the entire front yard, where groundwater is almost at the surface.

<u>Executive Recommendation:</u> Deny the request for category S-1, maintain S-6.
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<i>Note: Denied amendments have time restrictions for reapplication; please see the note on page 22 of this packet.</i>

Executive Staff Report: The owner is seeking S-1 for sewer service due to the construction of a sewer line abutting his property that provides relief for a failed septic system on the adjacent lot at 12809 Spring Dr. (see WSCCR 06A-TRV-01, above). In 2002, this owner replaced a failed septic system with a single conventional trench septic system, which he feels will be inadequate for his property in the long-term. DPS was not able to establish septic reserve field areas on the property, as is required under current regulations. The owner cites a concern about septic odors on his property, which he attributes to this system. Because of recommendations for the Glen Hills area in the 2002 master plan, the provision of public sewer service for this property cannot be considered at this time.

The recommendations for sewer service in Glen Hills in the 2002 master plan restrict new service *only* to properties with documented septic failures. They exclude all other properties in the neighborhood from sewer service, including any property that only abuts a sewer main, pending the completion of the Glen Hills Sanitary Study. Note that this restriction is unique within the County; no other neighborhood is similarly constrained from accessing public sewer in a manner consistent with the Water and Sewer Plan's long-standing "abutting mains" service policy.

06A-TRV-12 (John and Mary Yakaitis)

Owner's statement: Based on a May 22, 2006, septic field test performed by the Montgomery County Department of Permitting Services, Well and Septic Unit, the septic systems was certified to be a failed system and, consequently, a public health problem. Also, on that date, the Well and Septic Unit supervised the excavation of two percolation test holes, performed necessary water infiltration tests, and determined that the existing soil structure would not permit construction of a replacement drain field in compliance with county standards. ...

The history of this household—with its attendant septic field problems—demonstrates that either a sand mound or drip system would not be cost-effective in the long term owing to poor soil quality. Moreover, for the current homeowners both of whom are retired and living on a fixed income, the cost of either system is extremely prohibitive with beginning estimates ranging from \$30,000 to \$40,000. Consequently, we are requesting that MC DEP grant a sewer service area category change to at least allow us the opportunity to explore the feasibility of connecting to the closest available WSSC public sewer line.

It is our understanding that the nearest available WSSC line lies within the boundaries of Watts Branch Regional Park which is immediately adjacent to our property. We are prepared to work with MC DEP, WSSC, Montgomery County Park and Planning Commission, and other parties whom MC DEP determines necessary to resolve this matter as quickly as possible.

Property information: 9513 Overlea Dr, Rockville. Potomac Highland, Block C, Lot 30. 2.98 acres. 00088201. FQ63. RE-1 Zone.

Master Plan Area & Watershed: Potomac Subregion (2002). Watts Branch.

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-1.**

WSSC: A 300-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to the 27-inch diameter Watts Branch Trunk Sewer (contract no. 61-5423) and would abut approximately 1 property in addition to the applicant's. Rights-of-way would be required. Construction of this extension would involve the removal of trees, impact a wetland area, cross a stream and require work within a park. This extension was conceptually approved for another property (job no. AW/AS3786Z03), however, the applicant did not proceed with the project before the approval expired.

MNCPPC: Proposal is not consistent with sewer service recommendations of the Potomac Subregion Master Plan (2002) as follows: ".....Until a policy is developed, restrict further sewer service extensions in Glen Hills to properties with documented public health problems resulting from septic system failures." (page 24) A sewer extension to this property would entail damage to the Watts Branch stream valley park, a stream crossing, tree removal, and wetland impacts.
Recommendation: Deny until completion of Glen Hills study, as per Master Plan, unless public health problem is documented.

DPS: A Health Hazard letter was sent to DEP. A septic failure was confirmed. Any repair to this house would need to be an innovative septic system – if we permitted an innovative system, it would need to be less than 100 feet from the existing well and a stream. This property should be served by public sewer to protect the existing well and stream from possible contamination.

Executive Recommendation: Deny the request for category S-1; maintain S-6.

Note: Denied amendments have time restrictions for reapplication; please see the note on page 22 of this packet.

Executive Staff Report: The property owner is seeking S-1 for public sewer service in order to relieve a failing septic system, as documented by DPS in May 2006 and reported to DEP in June 2006. The logical route for a relief sewer will have potential impacts to Watts Branch and the associated stream valley park. Although this relief measure may ultimately be required, approval and construction of this new sewer main should await the results of the Glen Hills Sanitary Survey in order to have a better understanding of septic problems in this portion of the neighborhood. The applicants

have raised concerns about the cost of an innovative on-site septic system, and DPS has also raised concerns with regard to health impacts of a replacement system. However, only recently have the applicants' assumptions regarding the cost of obtaining public sewer service been realistically compared to the assumed costs of an innovative drip system. The cost of providing a relief sewer may only be feasible if a need exists for sewer service within this area of Glen Hills to address other existing and potential public health problems.

The remaining Glen Hills amendments (WSSCRs 07A-TRV-02 through -06) have a common staff report and recommendation provided at pg. 21.

07A-TRV-02 (Sandra Last Trust)

Owner's statement (DEP Summary): Lot is vacant; was tested for a conventional septic system but soil conditions not favorable. Prefer public sewer to mound, drip, or other system as others not esthetically pleasing to neighbors. **Proposed use:** one new single-family home.

Property information: 9708 Sunset Dr, Rockville. Sec 2, N. Glen Hills, P3, Block 9. 0.99 acre. 00077300. 217NW10. FR41. RE-1 Zone.

Master Plan Area & Watershed: Potomac Subregion (2002). Watts Branch.

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-1.**

WSSC: A 4000-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing 8-inch diameter sewer in Overlea Drive (contract no. 83-5793A) and would abut many properties in addition to the applicant's. Rights-of-way would be required. Construction of this extension will involve the removal of trees and the temporary disturbance of wetland areas. The extension is likely to cross a stream.

M-NCPPC: '.....Until a policy is developed, restrict further sewer service extensions in Glen Hills to properties with documented public health problems resulting from septic system failures.' (page 24) Recommendation: Deny until completion of Glen Hills study as per Master Plan unless public health problem is documented.

DPS: This lot has failed the percolation test for a conventional trench and a sand mound septic system. This lot is not non-buildable until public sewer is available.

07A-TRV-03 (Richard Vilardo)

Owner's statement (DEP summary): Current lot has a SFH; septic system is on an adjacent lot in low-lying area (see also 07A-TRV-04); major drainage swale is adjacent with culvert crossing. Most of the lots surrounding have had septic failures. Would feel more comfortable with sewer and less worried about environmental impacts of septic. **Proposed use:** service for the existing home.

Property information: 13127 Ridge Dr., Rockville. Sec 2, N. Glen Hills, Block 9, Lot 14. 0.95 acre. 00077630. FR41. RE-1 Zone.

Master Plan Area & Watershed: Potomac Subregion (2002). Watts Branch.

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-1.**

WSSC: A 3800-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing 8-inch diameter sewer in Overlea Drive (contract no. 83-5793A) and would abut many properties in addition to the applicant's. Rights-of-way would be required. Construction of this extension will involve the removal of trees and the temporary disturbance of wetland areas. The extension is likely to cross a stream.

M-NCPPC: Proposal is not consistent with sewer service recommendations of the Potomac Subregion Master Plan (2002) as follows: '.....Until a policy is developed, restrict further sewer service extensions in Glen Hills to properties with documented public health problems resulting from septic system failures.' (page 24) Recommendation: Deny until completion of Glen Hills study as per Master Plan unless public health problem is documented.

DPS: North Glen Hills, Lots 13 & 14, Block 9 was approved as one building lot in 1963. We have no record of a failing septic system

07A-TRV-04 (Richard Vilardo)

Owner's statement (DEP summary): Contains septic field for residence on adjacent lot (see also 07A-TRV-03). Want to build house on this lot. **Proposed use:** one new single-family home.

Property information: Ridge Dr, Rockville. Sec 2, N. Glen Hills, Block 9, Lot 13. 0.97 acre. 00077628. FR41. RE-1 Zone.

Master Plan Area & Watershed: Potomac Subregion (2002). Watts Branch.

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-1.**

WSSC: A 3400-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing 8-inch diameter sewer in Overlea Drive (contract no. 83-5793A) and would abut many properties in addition to the applicant's. Rights-of-way would be required. Construction of this extension will involve the removal of trees and the temporary disturbance of wetland areas. The extension is likely to cross a stream.

M-NCPPC: Proposal is not consistent with sewer service recommendations of the Potomac Subregion Master Plan (2002) as follows: ".....Until a policy is developed, restrict further sewer service extensions in Glen Hills to properties with documented public health problems resulting from septic system failures." (page 24) Recommendation: Deny until completion of Glen Hills study as per Master Plan unless public health problem is documented.

DPS: North Glen Hills, Lots 13 & 14, Block 9 was approved as one building lot in 1963. We have no record of a failing septic system on Lot 13, Block 9 – this septic system serves Lot 14, Block 9.

07A-TRV-05 (Alan Cornfield)

Owner's statement (DEP summary): Desire to put an addition on existing SFH; DPS advises no capacity in septic system. When purchasing house, was unaware of capacity issue w/ septic.

Property information: 13301 Ridge Dr, Rockville. Sec 1, N. Glen Hills, Block 3, Lot 12. 0.99 acre. 00078097. FR41. RE-1 Zone. **Proposed use:** service for an expansion of the existing home.

Master Plan Area & Watershed: Potomac Subregion (2002). Watts Branch.

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-1.**

WSSC: A 4200-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing 8-inch diameter sewer in Overlea Drive (contract no. 83-5793A) and would abut many properties in addition to the applicant's. Rights-of-way would be required. Construction of this extension will involve the removal of trees and the temporary disturbance of wetland areas. The extension is likely to cross a stream.

M-NCPPC: Proposal is not consistent with sewer service recommendations of the Potomac Subregion Master Plan (2002) as follows: ".....Until a policy is developed, restrict further sewer service extensions in Glen Hills to properties with documented public health problems resulting from septic system failures." (page 24) Recommendation: Deny until completion of Glen Hills study as per Master Plan unless public health problem is documented.

DPS: A new septic system was installed in 1997. This system did not meet the percolation requirements for a conventional septic system and a consent agreement was recorded in the land records. This consent agreement outlines the limitations of the septic system; this includes a restriction on future expansions to the house.

07A-TRV-06 (Richard & Vicki Singer)

Owner's statement (DEP summary): Problems with the septic: 1988 dug additional trenches; twice replaced septic pumps. Will consider sewer if less worrisome in terms of failing. **Proposed use:** service for the existing home.

Property information: 13309 Ridge Dr, Rockville. Sec 1, N. Glen Hills, Block 3, Lot 14. 1.18 acre. 00078100. FR41. RE-1 Zone.

Master Plan Area & Watershed: Potomac Subregion (2002). Watts Branch.

Current and Requested Category/Categories: W-1 – no change. **S-6 to S-1.**

WSSC: A 4400-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing 8-inch diameter sewer in Overlea Drive (contract no. 83-5793A) and would abut many properties in addition to the applicant's. Rights-of-way would be required. Construction of this extension will involve the removal of trees and the temporary disturbance of wetland areas. The extension is likely to cross a stream.

M-NCPPC: "Proposal is not consistent with sewer service recommendations of the Potomac Subregion Master Plan (2002) as follows:" ".....Until a policy is developed, restrict further sewer service extensions in Glen Hills to properties with documented public health problems resulting from septic system failures." (page 24) Recommendation: Deny until completion of Glen Hills study as per Master Plan unless public health problem is documented.

DPS: A repair septic system was installed in 1988. In 1999, the owner reported that the septic system was failing. This office did not confirm the failure.

Executive Recommendation (for all 5 preceding amendments): **Deny the requests for S-1; maintain S-6 for all five properties.**

Note: Denied amendments have time restrictions for reapplication; please see the note on page 22 of this packet.

Executive Staff Report (for the 5 preceding amendments): Applicants are seeking category changes to S-1 or S-3 in order to extend public sewer service either to existing single-family houses or to vacant lots. These properties are all located within the Glen Hills neighborhoods, as identified in the 2002 master plan. The master plan recommends that sewer service in this area be restricted to cases documented by DPS as public health problems, pending the completion of the Glen Hills Sanitary Study. We estimate that completing the project will take approximately 1 ½ years. To our knowledge, none of these five requests involves a documented public health problem. Therefore, category S-3 is not consistent with County policies for public sewer service at this time.

In addition, these properties are located within an area of Glen Hills that will not be readily served by public sewers. None of these properties abuts an existing or approved sewer main. WSSC reports that service will require sewer main extensions of 3,800 to 4,400 feet through the neighborhood from the Watts Branch trunk sewer. Given the gravity sewer construction impacts within the neighborhood, sewer service extensions for an area of Glen Hills such as this cannot be considered without input from an evaluation of a sanitary study. Nearby and adjacent properties currently served by public sewerage systems were approved for that service under the provisions of the 1980 Potomac Subregion Master Plan, not the current 2002 master plan, and are served by a sewerage system that pumps and/or drains into a separate subwatershed within the neighborhood.

Procedural Notes:

Sunset Note for Deferred Amendments: A deferral period for a proposed Water and Sewer Plan amendment is intended to last no more than one year from the date of the Council's resolution establishing the deferral, unless otherwise specified in the resolution. Before this date, an applicant may request that DEP consider a one-time, six-month extension of the deferral because of extenuating circumstances. If this deadline passes with neither a legislative nor an administrative action for the deferred amendment, DEP will issue an administrative denial of the amendment, due to inaction. (Also, refer to the following note which would also apply following an administrative denial.)

Amendment Withdrawal/Denial Note: Under the policies in the Water and Sewer Plan, DEP cannot accept, for a period of one year from the date of the Council's resolution, new applications for category change amendments either withdrawn by the applicant or denied by the Council's. (See withdrawn amendments for their specific filing restriction dates.) DEP staff may grant an exception if they determine that a substantive change has occurred in the circumstances involving such a request (i.e. rezoning, sanitary survey results, etc.).

**TOWN OF LAYTONSVILLE PUBLIC WATER SERVICE REQUEST:
GENERAL WATER/SEWER MAP AMENDMENT (GWSMA) 06G-LYT-01**

Introduction

The Town of Laytonsville provided DEP with water service area category updates for the majority of its incorporated area in December 2005 (see the attached letter at pg. 68). These updates reflect the progress of ongoing efforts of the Town, County, WSSC, M-NCPPC, and private development interests to bring WSSC water service to the town, which formally began with the Town's initial request in June 1997.

The currently-requested category update would change the existing W-4 category for most of the properties in the town to category W-3, making them eligible for public water service, should property owners request it. The Town's update also assigns category W-3 to several properties now designated as categories W-5 and W-6. The specifics of these proposed water category changes are discussed in more detail in the following sections of this report.

Background

In 1997, the Mayor and Town Council of Laytonsville formally requested that Montgomery County consider a category change request that would ultimately provide for the extension of public water service to the town. This service would be provided by the Washington Suburban Sanitary Commission (WSSC) from the nearby Airpark pressure zone. This request differed from previous inquiries for water service in that the request was essentially for the whole of the town, rather than a single user such as the elementary school or the fire station.

Several concerns were cited as part of the Town's water service request. These included:

- Elevated nitrate levels were present in some wells, including those serving Laytonsville Elementary School, possibly as a result of historic agricultural uses in the town. Nitrate levels in the school's water supply were sufficiently high to warrant a prohibition against consumption by pregnant women and infants. As a result, the school had been using bottled water for all of its potable water needs for many years.
- Contamination from petroleum products was present in the groundwater in the southwestern part of the town, possibly a result of leaking underground fuel tanks or surface spills of other petrochemicals. This affected residences and businesses primarily along or near Laytonsville Road (MD Rte. 108) south of Brink and Sundown Roads, including the Laytonsville Fire Station. Laytonsville Company No. 17 had been considering a move out of the town, in part, because of the limitations the well contamination placed on the use of their facilities.
- The impending residential development of the Fulks Property in the southwest quadrant of the town was also affected by the preceding hydrocarbon contamination. Test wells on parts of the project site revealed contamination levels that would require on-site treatment systems such as carbon filters. The developer, Natelli Associates, preferred to work with the Town on extending public water service, rather than market new homes with groundwater filter systems.
- Problems with replacing septic systems for the smaller-sized (less than 1-acre) properties located largely in the center of the town, because of the need to maintain the required 100-foot separation between wells and septic systems. The provision of public water service to these lots would relieve the need to maintain this well-to-septic separation and allow for more area of each lot to be tested and used for septic system replacements.

DEP staff worked with Town officials and planners to develop a priority plan for the provision of water service in the town (see page 74). The Town provided this water service plan to the County in January 1999, and DEP subsequently requested that WSSC initiate a preliminary facility study to investigate the feasibility of the Town's proposal for public water service.

Water Supply System Infrastructure

The preliminary facility study showed that a major obstacle to extending public water service to the town was related to the community's topography. Located along the basin divides between the Upper Rock Creek, Great Seneca Creek, and Hawlings River watersheds, the town sits at too high an elevation to be adequately served by WSSC's Airpark Pressure Zone to the south. Public water service for the community would require that

WSSC establish a new, higher water pressure zone to serve the town and its surroundings. Establishing the new pressure zone would require not only new water transmission main extensions between WSSC's existing water supply system and the town, but also a new water pumping station and water storage facility. DEP staff worked with WSSC to establish the limits of the new pressure zone based on topography and existing zoning and land uses, both in the town and in surrounding areas of the county.

In May 2001, the County Council incorporated the Town's proposal for public water service, including proposed water service areas, into the County's Water and Sewer Plan (resolution no. 14-857). The required capital water projects—the pumping station and storage tank—were first introduced as planning level projects into the WSSC CIP for FYs 2002-2007 (WSSC project no. W-153.00). Information recently provided by WSSC indicates that construction on these two projects will start in October 2007 and continue for approximately one year.

The current project proposal would locate the new water pumping station on the site of WSSC's existing Airpark Water Storage Tanks, near the intersection of Woodfield Rd. (Rte. 124) and Warfield Rd. A water transmission main* would extend along Warfield Rd. into the town feeding both the local service mains along the streets and the proposed water storage tank. The tank will be located on a high point on the Fulks Property (Natelli project site) west of Route 108. WSSC also anticipates constructing a water main from the town southeast along Route 108 to the existing main at Riggs Rd. A pressure reduction valve at this site will allow the new "Laytonsville" water pressure zone to provide additional storage capacity for the adjacent Airpark pressure zone.

**Note: The primary water transmission main for the town is designed as a 12-inch diameter pipe. Mains of this size are not included in the WSSC CIP.*

Proposed Water Service Area Categories

The Town's current proposal for water category updates is generally consistent with the water service staging plan originally provided to the County. That plan proposed a three-stage approach to providing water service in the town, from Stage 1, with the highest priority for service, to Stage 3, with the lowest priority. The current proposal would advance to category W-3 all properties originally assigned to Stage 1. The Stage 2- and Stage 3-designated properties north of Brink Rd. and Sundown Rd. would retain water categories W-5 and W-6, respectively. Two departures from the Town's original staging plan are highlighted as follows:

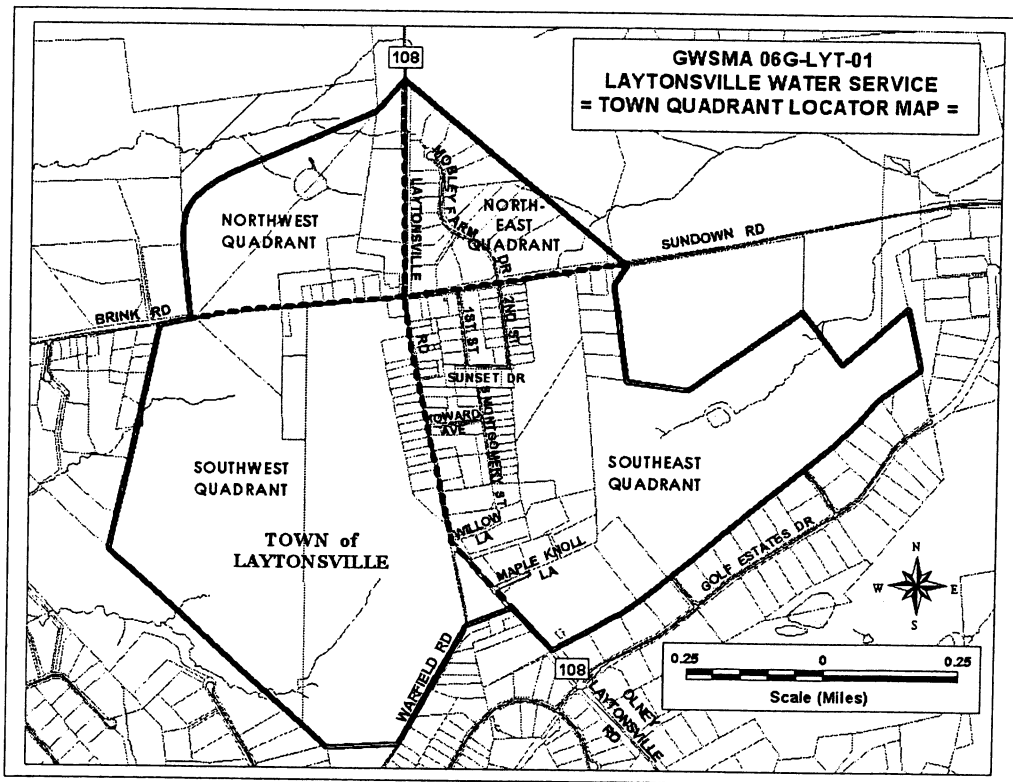
- The first is the Town's recommendation to assign category W-3 to approximately 120 acres of property on the western-most side of the town that was previously included in water Stage 2. The area has maintained its zoning: mostly R-1 with a small area of approximately 4 acres along Brink Rd. zoned R-H. The requested change is not significant except to the Town's own staging plan.
- The second is the Town's recommendation to assign category W-3 to approximately 141 acres of category S-6 property on the eastern side of the town that was previously included in Stage 3. The most significant difference observed in this case is that the town has rezoned approximately 103 acres in this area from AG to R-3; the remainder retains the AG Zone. (The site of the retail buildings for the Stadler Nursery, also zoned AG, the Town had originally included in Stage 1. The County's previous action assigned category W-4 to this property.) As part of their action in 2001, the County Council placed a future service restriction on this previously AG-zoned area of the town that was expected to prevent the extension of public water service. (Further discussion follows.)

The Town has annexed some county land along its northwest border, apparently to incorporate the northern portion of the proposed Route 108 bypass between Brink Rd. and Laytonsville Rd. The Town has zoned this property AG, consistent with the previous RDT zoning in the county. Currently, the Town proposes to maintain the existing W-6 water category for this site.

The Town's proposal for category W-3 on land formerly zoned AG raises an issue with regard to municipal water and sewer planning and its inclusion in the County's Water and Sewer Plan. Previously, the County Council had placed an additional restriction on category W-6 for properties in the town zoned AG and county properties adjacent to the town zoned RDT. This restriction was intended to ensure that public water service would not be provided to these agricultural-zoned properties in the future. In the interim however, the Town has proceeded with rezoning of a portion of its land from AG to the residential R-3 Zone, which is similar in terms of overall density to the County's RE-2 Zone. Under the R-3 Zone, the potential subdivision of this property would likely yield 40 to 45 lots.

State law requires the County to incorporate the water and sewer planning of its municipalities into the county-wide Water and Sewer Plan. The County may question—and has in the past questioned—the advisability of certain municipal water and sewer planning efforts from a policy or technical standpoint. However, experience has shown ultimately that water and sewer plans for incorporated municipalities are their own and not subject to the County's reinterpretation or restriction without the municipality's concurrence. In this regard, DEP staff accept the Town's category W-3 proposal for the land rezoned from AG to R-3, but recommend that the Town retain category W-6 for the portion of the property remaining under the AG Zone and identified in the Town's master plan as an

environmental resource area. DEP staff note that the Town may want to consider the appropriate water category status of other designated environmental resource areas identified in the master plan. DEP staff also accept the Town's requested removal of the "PIF-use only" restriction previously established for the category W-4 designation for the properties owned by St. Paul Methodist Church in the northwest quadrant of the town. This restriction was not consistent with the water category designations for other PIF uses in the town.



Executive Recommendation

- 1) Endorse the W-3 water service categories changes proposed by the Town of Laytonsville in Dec. 2005 (see the following table) with one exception: ***maintain category W-6 and restrict from any future public water service*** (as per the County Council's previous action under CR 14-857 in May 2001) for the 29-acre environmental resource area zoned AG on the existing Stadler property (Parcel P100) in the town's southeast quadrant.
- 2) The Water and Sewer Plan will specifically designate as "limited access" any water main constructed for service to the Town of Laytonsville that abuts or traverses an RDT-zoned property located in the unincorporated area of the county (outside the town's corporate limits), restricting these mains from providing public water service to RDT-zoned properties. This restriction is consistent with the County Council's prior concerns and actions with regard to water service affecting county RDT-zoned properties.

DEP will prepare text amendments addressing these changes and include them in the pending comprehensive update of the County's Water and Sewer Plan for 2007.

The following table (see pgs. 26-27) summarizes the changes to the water service area categories recommended for the Town of Laytonsville under GWSMA 06G-LYT-01. DEP has divided this general amendment into four quadrants, dividing the town north-south along Laytonsville Rd. and Olney Laytonsville Rd. (Route 108) and east-west along Sundown Rd. and Brink Rd. (see the figure above). The following summary table is organized by zoning within each quadrant:

TOWN OF LAYTONSVILLE			
GWSMA 06G-LYT-01: Water Service Area Category Change Amendments			
Quadrant Zoning ^A	Water Service Stage ^A & Watershed Approx. Acreage & No. of Properties	Existing Categories	Recommended Water Service Categories ^D
NORTHWEST QUADRANT: North of Brink Rd. and west of Laytonville Rd. (Route 108)			
R-1 Zone	Water Service Stage: 3 Upper Great Seneca Creek (Use I) 36 ac.: 5 properties (including 2 split-zoned R-1 & R-H)	W-4 ^B , W-5, & W-6 ^C S-6	<ul style="list-style-type: none"> • Maintain W-6 for Outlot A, Fulks North. • Maintain W-5 for Parcel P430 (Jones). • Approve W-3 for all R-1-zoned properties in this quadrant except those cited previously; remove the "PIF use only" restriction on Parcels P440 and P550 for St. Paul Methodist Church.
R-H Zone	Water Service Stage: 1 Upper Great Seneca Creek (Use I) 14 ac.: 8 properties (excluding 2 split-zoned R-H & R-1)	W-4, W-5, & W-6 ^C S-6	Approve W-3 for RH-zoned properties
AG Zone	Water Service Stage: (not Included) Upper Great Seneca Creek (Use I) 29 ac.: 1 property	W-6 ^C S-6	Maintain W-6 ^C for all AG-zoned properties.
NORTHEAST QUADRANT: North of Sundown Rd. and east of Laytonville Rd. (Route 108)			
R-1, R-H & R-2 Zones	Water Service Stage: 3 Upper Great Seneca Creek (Use I) and Hawlings River (Use IV) 49 ac.: 22 properties (19 zoned R-1; 2 split-zoned R-1 & R-H; and 1 split-zoned R-1 & R-2)	W-6 S-6	Maintain W-6 for all R-1- and R-H, and R-2- zoned properties in this quadrant.
SOUTHWEST QUADRANT: South of Brink Rd. and west of Laytonville Rd./Olney Laytonville Rd. (Route 108)			
R-1 Zone	Water Service Stages: 1 & 2 Upper Great Seneca Creek (Use I) 127 ac.: 3 properties (including 1 split-zoned R-1 & R-H)	W-4 S-6	Maintain W-6 for all R-1-zoned properties in this quadrant. Approve W-3
R-3 Zone	Water Service Stage: 1 Upper Great Seneca Creek (Use I) 115 ac.: 1 property (split-zoned R-3 & R-H)	W-3 & W-5 S-6	Approve W-3 for all R-3-zoned properties in this quadrant.
R-H Zone	Water Service Stage: 1 Upper Great Seneca Creek (Use I) 20 ac.: 14 properties (including 1 split-zoned R-H & R-1)	W-4 S-6	Approve W-3 for all R-H-zoned properties in this quadrant.
C-H Zone	Water Service Stage: 1 Upper Great Seneca Creek (Use I) 3 ac.: 5 properties	W-4 S-6	Approve W-3 for all C-H-zoned properties in this quadrant.
C-1 Zone	Water Service Stage: 1 Upper Great Seneca Creek (Use I) and Upper Rock Creek (Use III) 4 ac.: 1 property	W-4 S-6	Approve W-3 for all C-1-zoned properties in this quadrant.
SOUTHEAST QUADRANT: South of Sundown Rd. and east of Laytonville Rd./Olney Laytonville Rd. (Route 108)			
R-1 Zone	Water Service Stage: 3 Hawlings River (Use IV) 10 ac.: 7 properties (including 1 split-zoned R-1 & R-2)	W-6 S-6	Maintain W-6 for all R-1- zoned and R-1/R-2 split-zoned properties in this quadrant.
R-2 Zone	Water Service Stage: 1 Hawlings River (Use IV) 45 ac.: 59 properties (including 1 split-zoned R-2 & R-H)	W-4 S-6	Approve W-3 for all R-2-zoned properties in this quadrant.

TOWN OF LAYTONSVILLE GWSMA 06G-LYT-01: Water Service Area Category Change Amendments			
Quadrant Zoning ^A	Water Service Stage ^A & Watershed Approx. Acreage & No. of Properties	Existing Categories	Recommended Water Service Categories ^D
R-3 Zone	Water Service Stage: 3 Hawlings River (Use IV) 106 ac.: 3 properties (including 1 split-zoned R-3 and AG)	W-6 S-6	Approve W-3 for all R-3-zoned properties in this quadrant. <i>(Please refer to the AG Zone listing that follows for the category recommendation for the AG-zoned area of Parcel P100.)</i>
R-H Zone	Water Service Stage: 1 Hawlings River (Use IV) 10 ac.: 25 properties (including 3 split-zoned R-H & R-1)	W-4 S-6	Approve W-3 for all R-H-zoned properties in this quadrant.
C-1 Zone	Water Service Stage: 1 Hawlings River (Use IV) 4. ac.: 2 properties	W-4 S-6	Approve W-3 for all C-1-zoned properties in this quadrant.
AG Zone	Water Service Stages: 1 & 3 Hawlings River (Use IV) 53 ac.: 2 properties (including 1 split-zoned AG & R-3)	W-4, W-6 S-6	Approve W-3 for the two AG-zoned properties (Parcels P100 and P330) with the retail nursery. Maintain W-6 ^C for the environmental resource area zoned AG on Parcel P100. <i>(Note: Parcel P100 is split into two parts: the smaller part zoned AG (with the retail nursery use) with frontage on Route 108 and the larger part split-zoned R-3/AG north and east of Parcel P330.)</i>
^A For Laytonsville zoning basic requirements, refer to the attached summary zoning table (pg. 72). Maps showing the Town's zoning and water priority staging are included on pages 73 & 74. ^B Parcels P440 and P550 (St. Paul Methodist Church) restricted to PIF use only. ^C Restricted from public water service in the future. ^D The water categories recommended for GWSMA are shown on the map at pg. 77.			

**PUBLIC HEALTH PROBLEM AREA – KINGS MANOR/CLARKSBURG ROAD AREA
GWSMA 06G-BEN-01: BENNETT & LITTLE BENNETT WATERSHEDS PLANNING AREA**

Background

In late September 2002, DEP received requests from the Department of Permitting Services (DPS), Well and Septic Unit, for assistance in providing public water service to relieve failed wells. The three properties affected were located along Clarksburg Road, just north of Piedmont Road and the Clarksburg Town Center site. The wells in these cases had run dry: new relief wells drilled had also come up dry. These properties included 23905, 23906, and 24000 Clarksburg Rd. At the time of these requests, none of the properties in the neighborhood had access to public water or sewer service; all were dependent on wells and septic systems.

At DEP's request, the Washington Suburban Sanitary Commission (WSSC) evaluated the water service requirements for these properties and determined the need to construct an 8-inch-diameter water main along Piedmont and Clarksburg Roads. This extension became WSSC project no. AW3588X03. WSSC also advised that service via this new extension would depend on the construction of other water mains, including one capital water main project, related to the extension of service to and within the Clarksburg Town Center project to the south.

DEP subsequently directed WSSC to provide public water service to the three properties with failed wells, as soon as that service was feasible. Although adjacent to substantial new high-density development occurring in the Clarksburg area, the subject neighborhood immediately north of the Town Center is zoned RDT (Rural Density Transfer), and was therefore generally ineligible for public water service. However, under Water and Sewer Plan policies, the existence of documented public health problem for these properties provided sufficient justification for DEP to allow the pursuit of public water service for these properties. In addition, Water and Sewer Plan policies would also allow for properties abutting the needed water main and existing at the time of construction to connect to the public water service. In the case of both those properties with health problems and those connecting under the abutting mains policy, water service is restricted to one water hookup only for each property.

At the invitation of residents in the area, DEP, DPS, and WSSC staff met with them to discuss their existing well water supply problems. Residents raised concerns about:

- Existing wells going dry and the impact of nearby construction on their groundwater resources.
- Aging wells; many of the existing homes in the area were built during a period from the early 1950s to the mid 1960s.
- Their ability to eventually replace both aging wells and septic systems on lots as small as 0.6 acres.

Agency staff explained the processes involved with requesting the needed water service extension from WSSC and water category changes from the County via DEP. As a result of these talks, DEP and DPS staff expected that a sanitary survey of the neighborhood along Clarksburg Road would become necessary to address residents' well supply concerns and to better evaluate the potential public health problems in the area. DEP subsequently requested that the DPS Well and Septic Section conduct the sanitary survey which was coordinated with the construction of the new water mains that commenced in January 2006.

Executive Recommendation: Establish a public health problem area in the Water and Sewer Plan that includes the properties that front along Clarksburg Road from #29000 north to Parcel P182 (excluding #23910) on the west side and from #23901 north to #24105 on the east side of the road. Change category W-6 to W-1 or W-3 for these properties depending on the availability of existing public water service. Maintain category W-6 for all other properties in the sanitary study area.

Executive Staff Report

Survey Results and DEP Evaluation – The DPS Well and Septic Section performed a file search of existing septic permit records and conducted field surveys and inquiries with residents in the course of the survey. DEP staff evaluated the results of the sanitary survey conducted by the DPS. DEP staff assigned a "level of health concern" based factors such as survey results, property characteristics, and recently documented health problems (see the table at pgs. 30-33). Those properties identified as having a "high" priority concern have had recent well failures that have required the provision of public water service. Those identified as "moderate" have

some combination of factors that raise a concern about the feasibility of replacing the existing well water supply system. These include:

- Small property size—less than 0.9-acre (the 40,000 sq. ft. standard for the County's RE-1 Zone). Many of the properties in the Kings Manor subdivision were as small as 0.6 acres.
- Lack of existing well testing or permit records.
- Well testing that revealed low- or lower-flow yields; the State's current minimum requirement for an acceptable well is 2 gallons per minute (GPM).
- Close proximity to a recent, documented well failure that required public service relief.

Properties with a "low" level of concern generally lacked the preceding concerns, and had relatively larger acreage—in some cases substantially larger acreage—in which to locate a replacement well to meet current on-site system regulations. These issues are identified for each property in the survey area in the table starting at page 31.

DEP's interpretation of the survey results shows that 14 of the 30 surveyed properties, or approximately 46 percent, have a moderate or high level of health concern. Often, sanitary survey results show a mixture of health priorities scattered throughout a study area. However, in this case virtually all of the 14 high and moderate classified properties are clustered together in the southern part of the survey area. Properties to the north, which are on average larger than those to the south, showed a low level of health concern priority. Rather than assign a health problem concern to the entire neighborhood in this case, it is sufficient at this time to assign an area-wide public health problem designation to only those properties with high and moderate designations.

The existing water main extension provides public service for all three properties previously cited with public health problems from failed wells. Those properties abutting the right-of-way of the new main are recommended for category W-1**. The remaining properties within the public health problem area are recommended for category W-3, as these properties will need an additional water main extension (unless they can be served by non-abutting service connections) if they desire public service in the future.

*** Note: The property at 23910 Clarksburg Road (Conley) is neither included in the public health problem area, nor recommended for category W-1, although the "panhandle" access to the street for the parcel does about the new water main. As noted in the following table, the 5-acre size of this parcel lends itself to the possibility of potential new well sites should the existing well fail. Although it is adjacent to two properties with documented well failures and has a relatively low flow test (2 GPM), it has been assigned a "low" health priority primarily because of its larger acreage. However, public water service could be provided to this parcel should the owners encounter a public health problem that does require relief by public service, or if they chose to utilize the single water hookup to which the property is entitled under the Water and Sewer Plan's abutting mains policy.*

DEP staff take special note of the situation in the study area involving the property at 23900 Clarksburg Road, the Clarksburg Church of God. Last year, the County Council adopted a significant change to the private institutional facility (PIF) policy in the Water and Sewer Plan. This policy addresses special conditions under which public water and service may be provided to non-profit institutions—such as churches—in locations where other uses (residential, commercial) are not eligible to use public service. In an effort to support the integrity of land uses with the County's Agricultural Reserve, the Council voted to exclude properties located with areas zoned RDT from the new provision of public water and sewer service for PIF uses. Under this policy change, the church could not receive public water service from the abutting water main. The Council did allow an exception to this prohibition to address public health problems. The recommendation to change the water category for the church site from W-6 to W-1 is consistent with the inclusion of the property in the recommended Clarksburg Road – Kings Manor public health problem area.

The following table and the study area map at pg. 79 summarize the survey's findings:

Clarksburg Road – Kings Manor Area: DPS & DEP Sanitary Survey (GWSMA 06G-BEN-01)			
Premises Address Owner(s)/Property Description Use/Date Built - Acreage	Water/Sewer Categories	DPS–Well & Septic: Survey Results/ Comments/Immediate Concerns	DEP Comments: On-Site Well Service & Health Concern Priority
23900 Clarksburg Road Church of God at Clarksburg* Parcel P233, Old & New Laid Tomahawk Church/(date n/a) – 2.37 ac.	Existing: W-6 & S-6 Recommend: <u>W-1*</u> & S-6	<u>Well</u> : Drilled 3/31/67 – 6GPM <u>Septic</u> : Adequate area for septic repair. <u>General</u> : No response. DPS records indicate that this property has an adequate yielding well & adequate area for a septic repair.	Close proximity to two properties with well failures. The church may have a higher individual daily water demand than a single-family house. New water main abuts. WSCCR 06A-BEN-02** Priority: <i>Moderate</i>
<p><i>Note: *The use of public water service by private institutional facilities (PIFs) in the RDT Zone is restricted by the PIF policy; public water service is currently allowed only for the relief of public health problems. (Refer to the Plan policy excerpt on pgs. 34-35.)</i></p> <p><i>**Action on WSCCR 06A-BEN-02 was previously deferred under resolution no. 15-1851 pending the results of this sanitary survey.</i></p>			
23901 Clarksburg Road E. Allan Burdette, et al. Lot 11, Kings Manor Vacant – 0.87 ac.	Existing: W-6 & S-6 Recommend: <u>W-1</u> & S-6	<u>Well</u> : N/A <u>Septic</u> : N/A <u>General</u> : Vacant lot	Adjacent to lot with failed well; relatively small lot (< 1 ac.); new water main abuts. WSCCR 02A-BEN-08. Priority: <i>Moderate</i>
23905 Clarksburg Road Silvia Salas & Cesar Vicino Lot 10, Kings Manor SFH/1957 – 0.62 ac.	Existing: W-6 & S-6 Recommend: <u>W-1</u> & S-6	<u>Well</u> : DPS records indicate that this property has a low yield well and past drilling attempts resulted in dry holes. <u>Septic</u> : Adequate area for septic repair. <u>General</u> : Homeowner reported that well sometimes goes dry, no septic problems.	DPS reported prior well failure (9/19/02); new water main abuts; WSCCR 02A-BEN-05. Priority: <i>High</i>
23906 Clarksburg Road Carmela & David Stamper Parcel P197, Old & New Laid Tomahawk SFH/1956 – 1.28 ac.	Existing: W-6 & S-6 Recommend: <u>W-1</u> & S-6	<u>Well</u> : No information <u>Septic</u> : Adequate area for septic repair. <u>General</u> : No response. DPS does not have records for a well on this property. This property has adequate area for a septic repair.	DPS reported prior well failure (9/19/02); new water main abuts; WSCCR 02A-BEN-07. Priority: <i>High</i>
23909 Clarksburg Road Thomas Zwirecki, et al. Lot 9, Kings Manor Vacant – 0.62 ac.	Existing: W-6 & S-6 Recommend: <u>W-1</u> & S-6	<u>Well</u> : N/A <u>Septic</u> : N/A <u>General</u> : Vacant lot	Adjacent to lot with failed well; relatively small lot (< 1 ac.); new water main abuts; WSCCR 05A-BEN-04. Priority: <i>Moderate</i>
23910 Clarksburg Road Thomas Conley, et al Trust Parcel P125, Old & New Laid Tomahawk SFH/1965 – 5.00 ac.	Existing: W-6 & S-6 Recommend: <u>W-6</u> & S-6	<u>Well</u> : Drilled 9/2/65 – 2 GPM <u>Septic</u> : Adequate area for septic repair. <u>General</u> : No response. DPS records indicate that this property has an adequate yielding well and adequate area for a septic repair.	New water main abuts; adjacent to lot with well failure; has space to try other well sites if needed. Priority: <i>Low</i>
24000 Clarksburg Road Deborah & W.D. Westmoreland Parcel P128, Res on Content SFH/1998 – 1.58 ac.	Existing: W-6 & S-6 Recommend: <u>W-1</u> & S-6	<u>Well</u> : No Information <u>Septic</u> : Adequate area for septic repair. <u>General</u> : Homeowner reported that well that frequently runs dry. Well also tested positive for very low levels of fecal coliform.	DPS reported prior well failure (9/27/02); new water main abuts. WSCCR 02A-BEN-09. Priority: <i>High</i>
24001 Clarksburg Road Ali Mirarefi & Maryam Rahimi Lot 8, Kings Manor SFH/1964 – 0.62 ac.	Existing: W-6 & S-6 Recommend: <u>W-1</u> & S-6	<u>Well</u> : Drilled 12/15/65 – 12 GPM <u>Septic</u> : Adequate area for septic repair. <u>General</u> : Homeowner reported never having any problems with well or septic.	Relatively small lot (< 1 ac.); confronts lot with well failure; new water main abuts; WSCCR 05A-BEN-03. Priority: <i>Moderate</i>

County Council: April 2007 Requested/Proposed Water and Sewer Plan Amendments

Clarksburg Road – Kings Manor Area: DPS & DEP Sanitary Survey (GWSMA 06G-BEN-01)			
Premises Address Owner(s)/Property Description Use/Date Built - Acreage	Water/Sewer Categories	DPS–Well & Septic: Survey Results/ Comments/Immediate Concerns	DEP Comments: On-Site Well Service & Health Concern Priority
00000 Clarksburg Road Spirit Realty Parcel P182, Res on Content Vacant – 1.08 ac.	Existing: W-6 & S-6 Recommend: W-1 & S-6	<u>Well:</u> N/A <u>Septic:</u> N/A <u>General:</u> Vacant lot	Vacant property; no well records; new water main abuts; adjacent to prop. with failed well. WSCCR 02A-BEN-09. Priority: <i>Moderate</i>
24005 Clarksburg Road Michael & W.G. Cocita Lot 7, Kings Manor SFH/1962 – 0.62 ac.	Existing: W-6 & S-6 Recommend: W-1 & S-6	<u>Well:</u> No information <u>Septic:</u> Adequate area for septic repair. <u>General:</u> Homeowner reported well went dry several times during summer of 2005, & no septic problems.	New water main abuts; confronts lot with well failure. WSCCR 05A-BEN-04. Priority: <i>Moderate</i>
24009 Clarksburg Road Florence Sipes Tr Lot 6, Kings Manor SFH/1964 – 0.62 ac.	Existing: W-6 & S-6 Recommend: W-1 & S-6	<u>Well:</u> No information <u>Septic:</u> Adequate area for septic repair. <u>General:</u> Homeowner reported never having any problems with well or septic.	No records for existing well; relatively small lot (< 1 ac.). WSCCR 05A-BEN-01. Priority: <i>Moderate</i>
24017 Clarksburg Road Jo & D.R. Smith Lot 5, Kings Manor SFH/1961 – 0.62 ac,	Existing: W-6 & S-6 Recommend: W-3 & S-6	<u>Well:</u> No information <u>Septic:</u> Adequate area for septic repair. <u>General:</u> No response – DPS has no well records for this property.	No records for existing well; relatively small lot (< 1 ac.). Priority: <i>Moderate</i>
24021 Clarksburg Road James & J.L. Cox Lot 4, Kings Manor SFH/1956 – 0.62 ac.	Existing: W-6 & S-6 Recommend: W-3 & S-6	<u>Well:</u> No information <u>Septic:</u> No information <u>General:</u> No response – DPS has no well or septic records for this property	No records for existing well; relatively small lot (< 1 ac.). Priority: <i>Moderate</i>
24101 Clarksburg Road Forrest Fisanich Lot 3, Kings Manor SFH/1956 – 0.62 ac.	Existing: W-6 & S-6 Recommend: W-3 & S-6	<u>Well:</u> No information <u>Septic:</u> Not adequate area for septic repair. <u>General:</u> Not willing to participate in survey	No records for existing well; relatively small lot (< 1 ac.). Priority: <i>Moderate</i>
24105 Clarksburg Road James & S.A. Hawkins Lot 2, Kings Manor SFH/1956 – 0.62 ac.	Existing: W-6 & S-6 Recommend: W-3 & S-6	<u>Well:</u> No information <u>Septic:</u> Limited area for septic repair. Septic repair will require well to be relocated. <u>General:</u> No response – DPS has no well records. Septic repair will require well to be relocated.	No records for existing well; relatively small lot (< 1 ac.). Priority: <i>Moderate</i>
24109 Clarksburg Road Robert & D.E. King Lot 1, Kings Manor SFH/1956 – 1.02 ac.	Existing: W-6 & S-6 Recommend: W-6 & S-6	<u>Well:</u> No information <u>Septic:</u> Adequate area for septic repair. <u>General:</u> DPS has no well records or septic records for this property. Homeowner stated that they have never had any problems.	No records for existing well; lot size sufficient to allow well and septic service. Priority: <i>Low</i>
24110 Clarksburg Road Janice Jones Parcel P900, Old & New Laid Tomahawk SFH/1951 – 14.82 ac.	Existing: W-6 & S-6 Recommend: W-6 & S-6	<u>Well:</u> Drilled 10/15/96 – 0.7 GPM <u>Septic:</u> Adequate area for septic repair. <u>General:</u> DPS records indicate that this property has a low yield well; however, this property is 14.83 acres.	Low-yield well, but has space to try other well sites if needed. Priority: <i>Low</i>
24115 Clarksburg Road Roy Hopkins, et al. Parcel P949, New Laid Tomahawk SFH/1952 – 2.00 ac.	Existing: W-6 & S-6 Recommend: W-6 & S-6	<u>Well:</u> Drilled 12/30/99 – 1.5 GPM <u>Septic:</u> Adequate area for septic repair. <u>General:</u> Homeowner reported having multiple dry holes before obtaining a low (1.5 GPM) well, and no septic problems.	Low-yield well, but has space to try other well sites if needed; several dry holes drilled. Priority: <i>Low</i>

County Council: April 2007 Requested/Proposed Water and Sewer Plan Amendments

Clarksburg Road – Kings Manor Area: DPS & DEP Sanitary Survey (GWSMA 06G-BEN-01)			
Premises Address Owner(s)/Property Description Use/Date Built - Acreage	Water/Sewer Categories	DPS–Well & Septic: Survey Results/ Comments/Immediate Concerns	DEP Comments: On-Site Well Service & Health Concern Priority
00000 Clarksburg Road Mark & Youngkeun Jaffe Parcel P885, Old & New Land Tomahawk vacant – 0.80 ac.	Existing: W-6 & S-6 Recommend: W-6 & S-6	<u>Well:</u> N/A <u>Septic:</u> N/A <u>General:</u> Vacant lot	Vacant property; no well records. Priority: <i>Unknown</i>
24200 Clarksburg Road Mark & Youngkeun Jaffe Parcel P843, Old & New Laid Tomahawk SFH/1978 – 1.00 ac.	Existing: W-6 & S-6 Recommend: W-6 & S-6	<u>Well:</u> Drilled 11/13/78 – 1 GPM <u>Septic:</u> Adequate area for septic repair. <u>General:</u> Homeowner reported never having any problems with well or septic. Well has a low yield.	Low-yield well, lot size sufficient to allow well and septic service. Priority: Low
24201 Clarksburg Road Susan Hansen Lot 12, Kings Manor SFH/1974 – 6.78 ac.	Existing: W-6 & S-6 Recommend: W-6 & S-6	<u>Well:</u> Drilled 1/31/74 – 3 GPM <u>Septic:</u> Adequate area for septic repair. <u>General:</u> No response – DPS records indicate this property has an adequate yielding well & a functioning septic system with adequate repair area.	Lower-yield well, but has space to try other well sites if needed; several dry holes drilled. Priority: Low
24215 Clarksburg Road Regan Rockhill Pt. Lot 13, Kings Manor & Adj Par New Laid Tomahawk SFH/1974 – 5.46 ac.	Existing: W-6 & S-6 Recommend: W-6 & S-6	<u>Well:</u> Drilled 2/12/74 – 10 GPM <u>Septic:</u> Adequate area for septic repair. <u>General:</u> No response – DPS records indicate this property has an adequate yielding well & a functioning septic system with adequate repair area.	Well with adequate yield; has space to try other well sites if needed. Priority: Low
24300 Clarksburg Road Herbert Jr. & J.R. Alvord Parcel P788, Tomahawk SFH/1970 – 2.25 ac.	Existing: W-6 & S-6 Recommend: W-6 & S-6	<u>Well:</u> Drilled 10/16/70 – 2 GPM <u>Septic:</u> Adequate area for septic repair. <u>General:</u> Not willing to participate in this survey	Low-yield well, but has space to try other well sites if needed; several dry holes drilled. Priority: Low
24310 Clarksburg Road Susan Hansen, et al Parcel P770, Tomahawk SFH/1972 – 11.37 ac.	Existing: W-6 & S-6 Recommend: W-6 & S-6	<u>Well:</u> 2 wells on this property: 1- Drilled 3/9/72 – 3 GPM 2- Drilled 2/19/93 – 3 GPM (Ag. Well) <u>Septic:</u> Adequate area for septic repair. <u>General:</u> No response – DPS records indicate that this property has an adequate yielding well & a functioning septic system with adequate repair area.	Lower-yield wells, but has space to try other well sites if needed. Priority: Low
00000 Clarksburg Road Susan Hansen, et al Parcel P775, Tomahawk Vacant – 5.34 ac.	Existing: W-6 & S-6 Recommend: W-6 & S-6	<u>Well:</u> N/A <u>Septic:</u> N/A <u>General:</u> Vacant lot	Vacant property; no well records. Priority: <i>Unknown</i>
24320 Clarksburg Road Christopher Hammond, et al Parcel P726, Tomahawk SFH/1900 – 1.23 ac.	Existing: W-6 & S-6 Recommend: W-6 & S-6	<u>Well:</u> No Information <u>Septic:</u> No Information <u>General:</u> Not willing to participate in this survey	No well records. Priority: <i>Unknown</i>
24325 Clarksburg Road Benjamin & Maria Alvarez Parcel P764, New Laid Tomahawk SFH/1963 – 0.96 ac.	Existing: W-6 & S-6 Recommend: W-6 & S-6	<u>Well:</u> Drilled 1/10/63 – 12 GPM <u>Septic:</u> Adequate area for septic repair. <u>General:</u> No response – DPS records indicate that this property has an adequate yielding well & a functioning septic system with adequate repair area.	Well with adequate yield; has space to try other well sites if needed. Priority: Low

Clarksburg Road – Kings Manor Area: DPS & DEP Sanitary Survey (GWSMA 06G-BEN-01)			
Premises Address Owner(s)/Property Description Use/Date Built - Acreage	Water/Sewer Categories	DPS–Well & Septic: Survey Results/ Comments/Immediate Concerns	DEP Comments: On-Site Well Service & Health Concern Priority
24330 Clarksburg Road Alice Mae Hammond Parcel P670, Tomahawk SFH/1964 – 1.0 ac.	Existing: W-6 & S-6 Recommend: W-6 & S-6	<u>Well</u> : No information <u>Septic</u> : No information <u>General</u> : Not willing to participate in this survey	No well records, lot size sufficient to <i>allow</i> well and septic service. Priority: Unknown
General Property Notes: <ul style="list-style-type: none"> • All properties are zoned RDT. • All properties are within the Bennett & Little Bennett Watersheds Planning Area. • All properties are within the Little Bennett Creek watershed, although small portions of the properties at 23900, 23901, 23906, and 23910 Clarksburg Rd. are also within the Little Bennett watershed. 			

Prior Category Change Requests – Note that a number of the owners of properties included in the recommended public health problem area have previously filed individual water category change requests seeking approval public water service. The general category map amendment, GWSMA 06G-BEN-01, proposed for action under these recommendations addresses all of the individual category change requests noted in the preceding table. This includes the request for the Clarksburg Church of God (WSSCR 06A-BEN-02) on which the Council previously deferred action under resolution no. 15-1851, pending the results of this sanitary survey.

Septic System Issues – Although DEP requested that DPS also evaluate the septic systems for the properties in the sanitary study area, the major focus of the study was to address the potential for problems related to water supply. Septic failures have not to date been raised as concern within the study area by either the residents or DPS. DEP staff caution that the area will bear watching in the future, especially with regard to the smaller lots recommended for inclusion in the public health problem area. Their relatively smaller size raises concerns about their future ability to host replacement septic systems that satisfy County and State standards. DPS has noted that many of these properties have sufficient area for a replacement septic system, and the provision of public water service can assist in this by relieving the need to work around well sites. However, the survey results indicate that many of these properties also have no septic permit record, and therefore no accepted septic replacement area. Experience shows that locating a well and a septic system on lots less than 40,000 sq. ft. in size is difficult if not infeasible in most cases. The ability to site and construct replacement septic systems will likely be dependent on future septic testing, which is not guaranteed to provide satisfactory results, even if the space is available.

2003 – 2012 Comprehensive Water Supply and Sewerage Systems Plan Excerpt
Chapter 1: Objectives and Policies
Private Institutional Facilities Policies (Chapter 1, Section II.E.4.a.-d.)

Adopted by the County Council November 18, 2003 (CR 15-396)
Revised by the County Council November 29, 2005 (CR 15-1234)

II. POLICIES FOR THE PROVISION OF WATER AND SEWERAGE SERVICE

E. Special Policies for Water and Sewer Service -- In addition to the preceding general service policies, the County Council has adopted specific policies for the provision of community water and/or sewer service which create exceptions to the general service policies. The Council has also adopted service recommendations in local area master plans which create exceptions to the general service policies.

▶▶▶ **4. Community Service for Private Institutional Facilities** -- This Plan defines private institutional facilities (PIFs) as buildings constructed for an organization that qualifies for a federal tax exemption under the provisions of Section 501 of Title 26 of the United States Code (Internal Revenue Service). The provision of community water and/or sewer service to such facilities shall be addressed on a case-by-case basis by the following policies: *[emphasis added]*

a. Facilities Located Within the Community Service Envelopes -- For private institutional facilities located within the acknowledged water and/or sewer envelopes, service area category changes may be approved by DEP through the administrative delegation process (Section V.F.1.a.: Consistent with Existing Plans). For a specific site, the acknowledged water and sewer service envelopes may differ due to the general water and sewer service policies (Section II.D.) included in this Plan.

b. Facilities Located Outside the Community Service Envelopes -- For existing or proposed PIF uses located outside the acknowledged water and/or sewer envelopes, the County Council shall consider requests for the provision of community service for PIF uses according to the following criteria:

i. Sites Abutting Existing Water and/or Sewer Mains -- For cases where existing or approved water or sewer mains abut or will abut a property, service area category amendments may be approved for sites with an existing PIF use and for sites proposed for a new or relocating PIF use, excluding those zoned RDT (see subsection iii).

ii. Sites Requiring New Water and/or Sewer Mains Extensions -- For cases where the provision of community service for a PIF use requires new water and/or sewer mains, the following criteria shall apply:

- For existing PIF uses, service area category amendments may be approved for sites (excluding those zoned RDT, see subsection iii) only where required water and/or sewer main extensions do not threaten to open undeveloped land to development contrary to the intent of the relevant local area master plan.
- For new or relocating PIF uses, service area category amendments may be approved for sites (excluding those zoned RDT, see subsection iii) where required water and/or sewer main extensions will abut only properties which are otherwise eligible for community service under the general policies of this plan.

iii. Sites Zoned Rural Density Transfer -- To help preserve the integrity of the land-use plan for the County's agricultural reserve, neither community water nor sewer service shall be used to support existing or proposed PIF uses within the Rural Density Transfer (RDT) Zone. This prohibition shall apply to all PIF cases regardless of whether public service requires either new main extensions or only service connections to an existing, abutting main. The only exception allowed to this prohibition is to allow for community service to relieve health problems caused by the failure of on-site systems, as documented by the Department of Permitting Services (DPS). In the case of a public health problem, DEP and DPS staff will need to concur that the provision of community service is a more reasonable alternative to a replacement of the failed on-site

system, either by standard or alternative/innovative technologies. WSSC and DEP staff will need to concur that the provision of community service is technically feasible.

c. Main Extensions for PIF Uses -- Main extensions outside the acknowledged community service envelopes, where required, shall be designated "Limited Access" consistent with the Limited Access Water and Sewer Mains policy (see Section III.A.2). Where community sewer service for a PIF use will be provided by low-pressure mains, those mains shall be dedicated only to that PIF use and generally not eligible for additional service connections. The County and WSSC may make limited exceptions to this requirement to allow for the relief of failed septic systems, where such service is technically feasible.

PIF uses may receive service from limited-access water or sewer mains where the Council has specifically approved access to those mains. The provision of community service under this policy shall not be used as justification for the connection of intervening or nearby lots or parcels if they would not otherwise be entitled to connect to community systems.

Under its Systems Extension Permit (SEP) process, WSSC now requires that all commercial and institutional service applicants construct and pay for the community systems main extensions needed to serve their projects. In cases where more than one PIF use proposes to locate on a site requiring a pump and low-pressure main extension, WSSC requires that each institutional facility have a separate pump and pressure main system. The County and WSSC shall not support the provision of community sewer service for a PIF use where that service will require a WSSC-owned and operated wastewater pumping station which does not also support community sewer service for other non-PIF uses consistent with the service policies of this Plan.

d. PIF Uses in Existing Residential Structures -- The Council may deny service area category amendments for PIF uses located outside the acknowledged water and/or sewer envelopes where main extensions are required for private institutional facilities seeking community service for existing residential structures. This could result in the extension of community water and/or sewer service for structures which would not otherwise be eligible for such service, and which could return to residential use.

e. PIF Policy Directions -- The Council originally adopted a Water and Sewer Plan service policy addressing PIF uses with three primary goals in mind:

- To continue to support, where the provision of community service is reasonable, the county's private institutional facilities, which the Council recognized as having an important role in their communities and for their residents;
- To provide more objective and consistent criteria in evaluating PIF cases; and
- To limit the potential impact of water and sewer main extensions outside the community service envelopes to support PIF uses.

The PIF policy has accomplished the preceding goals, at least to some extent. However, it has also created unintended concerns, involving complex relationships between differing public policies and affecting private institutions needing space to locate and grow within an often fiercely competitive Real Estate market. This makes less costly land, usually located outside of the community water and sewer service envelopes and zoned for lower-density development, more attractive to institutional uses. Among the concerns which have come to the attention of both the County Council and County agency staff are the following:

- The policy has resulted in the clustering of PIF uses at the edge and outside of the acknowledged community water and/or sewer service envelopes.
- The policy has facilitated the siting of PIF uses on properties where the institutional use and its ancillary needs, especially parking, can create imperviousness far in excess of that normally resulting from residential uses, leaving little open space and creating water quality problems.
- The policy has facilitated the siting of PIF uses within the county's RDT-zoned agricultural reserve areas.

- The policy has promoted speculative interest in sites because of their potential ability to satisfy the PIF policy requirements, not because a specific private institution has a need for that site.
- The policy does not provide guidance concerning institutional subdivisions, where two or more PIF uses subdivide and locate on an existing property approved for community service.
- The policy can not address issues beyond the scope of the Water and Sewer Plan, such as community compatibility, traffic congestion, and alternate facility uses.

An interagency PIF policy working group has reviewed the PIF policy and other County regulations and ordinances, with particular attention to the preceding issues. The PIF policy as amended in this Water and Sewer Plan contains changes from the original PIF policy which address some of these concerns. Among these are a policy preventing publicly-funded support for community service to PIF uses where WSSC pumping facilities would be required, and a prohibition against providing community service to PIF uses in the Rural Density Transfer (RDT) Zone. In addition, the working group has recommended to the County Council impervious area limits for most land uses in lower-density rural and rural estate zones to help limit the environmental impacts often associated with institutional development within these zones.

The preceding policies focus on community water and sewer service for institutional uses. The working group also recognized that a prohibition on community service in the RDT Zone could result in an increase in PIF project proposals using multi-use on-site systems. The County needs to ensure that these on-site systems can provide long-term, sustainable service for their users in order to avoid the need to provide community service to relieve on-site system failures (see Section III.B.2.).

Water and Sewer Plan Recommendation

The County needs to recognize that the recommendations from the PIF Working Group represent the first efforts in addressing the community and environmental effects of large commercial and institutional land uses, especially those that locate with the rural part of the county. At the least, the working group will need to follow up periodically to consider 1) the effectiveness of these recommendations, 2) public and development industry concerns with regard to the County's policies, and 3) the need for additional or alternative actions.

2003 – 2012 Comprehensive Water Supply and Sewerage Systems Plan Excerpt
Chapter 1: Objectives and Policies
Piney Branch Restricted Sewer Access Policy (Chapter 1, Section II.E.12.b.)

Adopted by the County Council November 18, 2003 (CR 15-396)

II. POLICIES FOR THE PROVISION OF WATER AND SEWERAGE SERVICE

E. Special Policies for Water and Sewer Service -- In addition to the preceding general service policies, the County Council has adopted specific policies for the provision of community water and/or sewer service which create exceptions to the general service policies. The Council has also adopted service recommendations in local area master plans which create exceptions to the general service policies.

12. Special and Restricted Community Service Areas -- In addition to the preceding policies, the County may also designate specific areas for or restrict specific areas from community water and/or sewer service in order to achieve specific development goals, to promote environmental protection, or to address other special concerns. These areas are shown in Figure 1-F3 and are listed below:

▶▶▶▶▶ **b. Piney Branch Restricted Sewer Service Area** -- In 1991, the County Council established a policy to restrict the availability of community sewer service in the Piney Branch Watershed, which is designated as one of the county's Special Protection Area watersheds. Through the Piney Branch Sewer Restricted Access Policy, the Council sought to limit the growth of public sewer-dependent development within and near this environmentally-sensitive watershed, particularly within the areas of the watershed zoned for one- and two-

acre development. The Council subsequently amended the policy in March 1997 under CR 13-830 and again in October 2002 under CR 14-1481. By these actions, the Council has specifically designated the Piney Branch Trunk Sewer and its tributary mains as **Limited Access** mains (see Section III.A.2.). *[emphasis added]*

This restricted access policy was recently reexamined in the context of interrelated land use, zoning, and sewer service recommendations in the 2002 Potomac Subregion Master Plan; the following conditions reflect the policy changes recommended by the new master plan. In order to be eligible for community sewer service, properties within the Piney Branch watershed must satisfy at least one of the following conditions, i. through vi.:

- i. Properties designated as Sewer Stages I or II in the 1980 Potomac Subregion Master Plan;
- ii. Properties which the Piney Branch Trunk Sewer Right-of-Way either traverses or abuts, including properties adjacent to, and commonly owned with, these abutted or traversed properties as of December 3, 1991;
- iii. Properties with approval or conditional approval for sewer categories S-1 or S-3 as of December 3, 1991;
- iv. Properties with documented public health problems resulting from failed septic systems where the provision of public sewer service is logical, economical, and environmentally acceptable; or
- v. Properties which abut sewer mains and which satisfy the policy requirements for Section II.E.3.a.: Community Service for Properties Abutting Existing Mains -- Single Hookups Only. Applicants shall not use the provision of a single sewer hookup to support subdivision or resubdivision of these properties into more than one lot. (This condition does not restrict sewer service provided to properties satisfying condition ii., preceding.) *[highlight box added]*
- vi. The properties zoned RE-2C located in the southeast corner of the intersection of Boswell Lane and Piney Meetinghouse Road which develop using the cluster method.

All other properties within the Piney Branch watershed are restricted from community sewer service, whether from the Piney Branch sewerage system or from other adjacent sewerage systems.

2003 – 2012 Comprehensive Water Supply and Sewerage Systems Plan Excerpt
Chapter 1: Objectives and Policies
Properties Abutting Existing Mains Policies (Chapter 1, Section II.E.3)

Adopted by the County Council November 18, 2003 (CR 15-396)

II. POLICIES FOR THE PROVISION OF WATER AND SEWERAGE SERVICE

E. Special Policies for Water and Sewer Service -- In addition to the preceding general service policies, the County Council has adopted specific policies for the provision of community water and/or sewer service which create exceptions to the general service policies. The Council has also adopted service recommendations in local area master plans which create exceptions to the general service policies.

▶▶▶ **3. Community Service for Properties Abutting Existing Mains** -- Under specific and limited circumstances, community water and or sewer service may be provided to properties which abut an existing or approved water and/or sewer main. The provision of community service requires that the property, or a structure on the property must have been established prior to the extension of the abutting main. A residence, business, or institution (church, school, etc.) qualifies as an existing structure; a barn, garage, or other type of outbuilding does not qualify. The provisions of this policy do not include community service for private institutional facilities (PIFs), which must be addressed through the PIF policy (see Section II.E.4.). *[highlight box added]*

Community service must be technically feasible from the abutting main. Major water and sewer transmission mains and sewer force mains cannot support individual service connections and hookups, and therefore do not qualify abutting properties for community service under this policy.

This policy may be used in cases where a property is not otherwise eligible for such service under the general policies of this Plan. Under this policy, the provision of community service is allowed under the following circumstances:

a. Single Hookups Only -- A single water and/or sewer hookup only is allowed for an individual property or for a structure which abuts an **existing or approved** water and/or sewer main. The subject property or structure must predate the abutting main. A change in the property configuration due to the dedication of land for a public use such as a road right-of-way or park land shall not invalidate this allowed single hookup. Neither shall an exchange of land between adjacent, qualifying properties invalidate this allowed hookup, provided the overall number of qualifying lots—and therefore allowed hookups—remains the same. DEP may grant approval for this single hookup under the administrative delegation policies included in this chapter (Section V.F.2.b.: Properties Abutting Existing Mains). *[emphasis added]*

DEP may direct WSSC to provide an allowed single, residential water and/or sewer hookup upon 1) staff confirmation that the property qualifies for service under this policy, and 2) DEP's receipt a category change request for the property. Only in such cases may DEP approve service from an abutting main in advance of granting the actual service area category approval. Commercial and institutional uses must first receive the required service area change. *[highlight box added]*

b. Single Hookups for Residual Properties -- The allowed single-hookup may be assigned to an existing or proposed remainder or residual of a property provided that the following conditions are satisfied:

- i. the original property would have qualified for a single hookup under Section II.E.3.a. above, and the residual site still abuts the existing main; and
- ii. that the allowed hookup has not been used elsewhere on the property; community service provided elsewhere on the subject property consistent with both Water and Sewer Plan policies and master plan recommendations shall not be considered to have used this one allowed hookup.

DEP may grant approval for this single hookup under the administrative delegation policies included in this chapter (Section V.F.2.b.: Properties Abutting Existing Mains) provided that:

- all of the residual properties involved are still under common ownership, or
- none of the other residual properties from the original abutting property could qualify under this policy for the allowed hookup because they do not abut the subject water or sewer main.

In cases where the property receiving water and/or sewer hookup is part of a pending subdivision plan, DEP will condition the final category change approval on approval of the subdivision plan which specifies the lot receiving the allowed water and/or sewer hookup. DEP shall refer cases where the residual qualifying properties are under different ownership to the County Council. DEP shall make every reasonable attempt to notify the owners of those qualifying properties of the pending category change request amendment and of the Council's hearing for that amendment.

c. Single Hookups for Combined Properties -- A single allowed water and/or sewer service hookup for a qualifying property may be also applied to additional contiguous, commonly-owned properties if those properties are subdivided into a single qualifying property. Only one single water and/or sewer hookup for the entirety of the combined properties shall be approved in such cases, so that the provision of community service does not promote the further subdivision of additional lots. DEP will condition the final category change approval on approval of the subdivision plan combining the properties. DEP may grant approval for this single hookup under the administrative delegation policies included in this chapter (Section V.F.2.b.: Properties Abutting Existing Mains).

d. Multiple Sewer Hookups -- In order to protect and preserve sensitive environmental features on the site (e.g. stands of trees/forest, wetlands, etc.) that would be potentially harmed by the installation of septic systems, while also limiting the effects of sewer-supported development, community sewer service may be provided to a property abutting an existing sewer main provided all the following conditions are satisfied:

- i. The site would qualify for a single sewer hookup under section 3.a. above;
- ii. The site contains sensitive environmental features that DEP, in consultation with M-NCPPC, determines would be preserved to a greater extent by the provision of community sewer service rather than the construction of septic systems;
- iii. The number of sewer hookups allowed shall not exceed the number of lots which could have been approved for septic systems, based on a review of the site conditions (soils, groundwater conditions, local history, etc.) by DEP in consultation with DPS and M-NCPPC, and assuming that at least one sewer hookup is allowed;
- iv. That all the proposed sewer hookups can be provided from the abutting mains: no on-site main extensions are required, no off-site main extensions or hookups (special connections) are required, and no rights-of-way from other properties are required.










This policy cannot be applied in cases where the County Council has expressly restricted access to the abutting main as specified under the Limited Access Water and Sewer Mains policy (see Section III.A.2.). The provision of community service under this policy shall not be used as justification for the connection of intervening or nearby lots or parcels if they would not otherwise be entitled to connect to community systems.

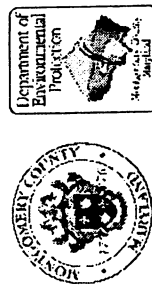
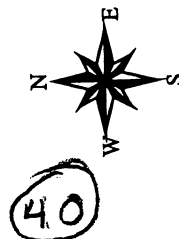
e. Abutting Mains Land Use Policy Issues – M-NCPPC staff and the Planning Board have raised concerns about the land use implications of the abutting mains policy, which can allow for the development of a property which would not have otherwise occurred without the provision of community service, especially community sewer service. Of particular concern are commercial and institutional uses which may have substantially more imperviousness than a single residential use. In this regard, the Board has recommended restrictions for this policy, including wastewater flow restrictions, with the intent that they function within this Plan as controls over commercial and institutional land uses. However, this is at odds with efforts initiated by DEP over the past decade, and approved by the County Council, to remove land use control functions from the abutting mains policy, preferring to allow that control to occur more appropriately in the County's zoning and subdivision regulations.

Water and Sewer Plan Recommendation
The Council recommends that M-NCPPC and County agency staff pursue appropriate land use restrictions, such as imperviousness limits, in the zoning ordinance and/or subdivision regulations, rather than use wastewater flow or other restrictions in the abutting mains policy as a means of controlling land use.

Cloverly RE-2 Zone: Included and Nearby Private Instnaitonal Facility (PIF) Sites

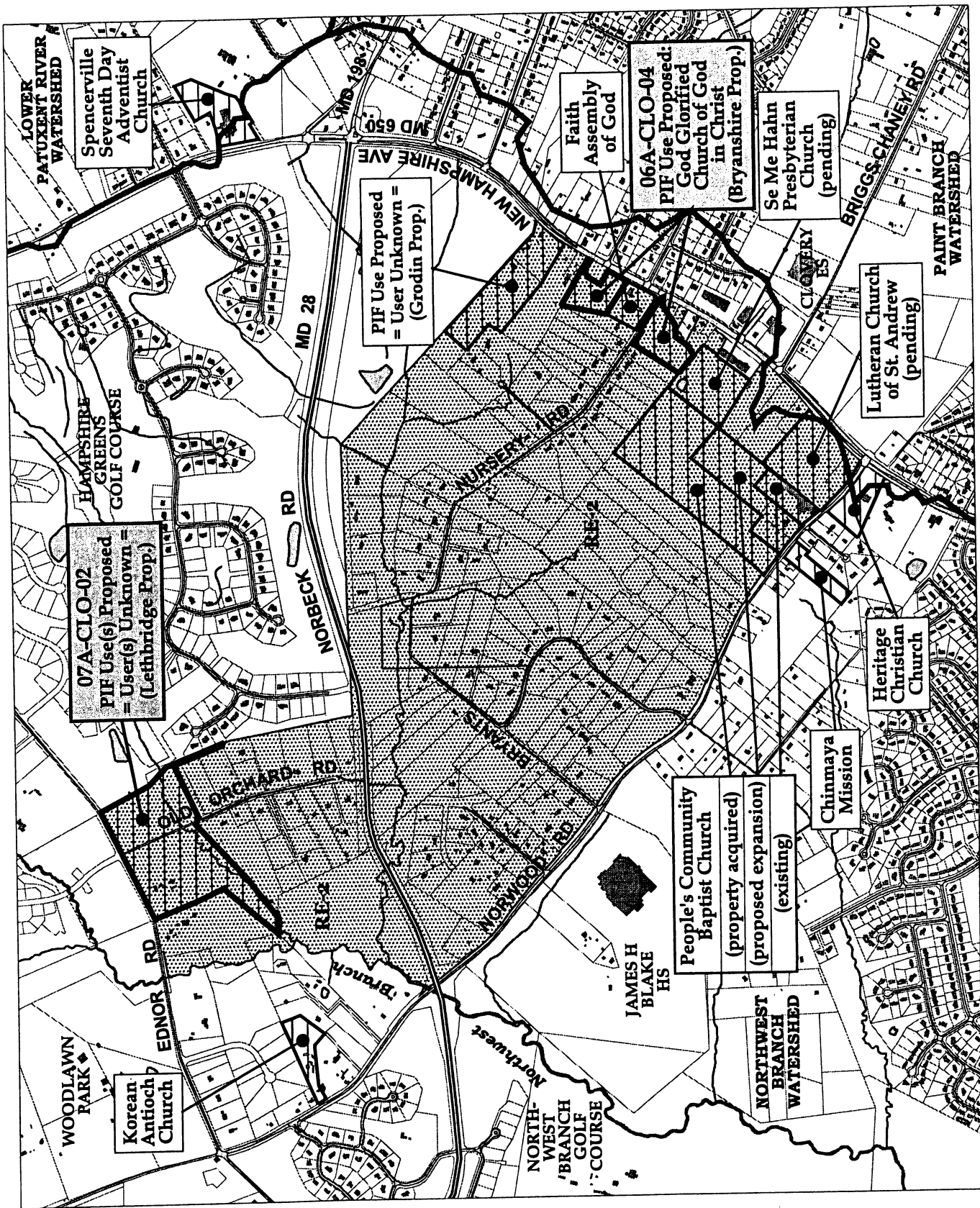
MAP LEGEND

-  Property
 Buildings
 Roads - Parking
 Watersheds
 Streams
 Ponds - Lakes
 PIF Sites
 Current PIF/
WSCCR Sites
 Area Zoned RE-



Water and Wastewater Policy Group

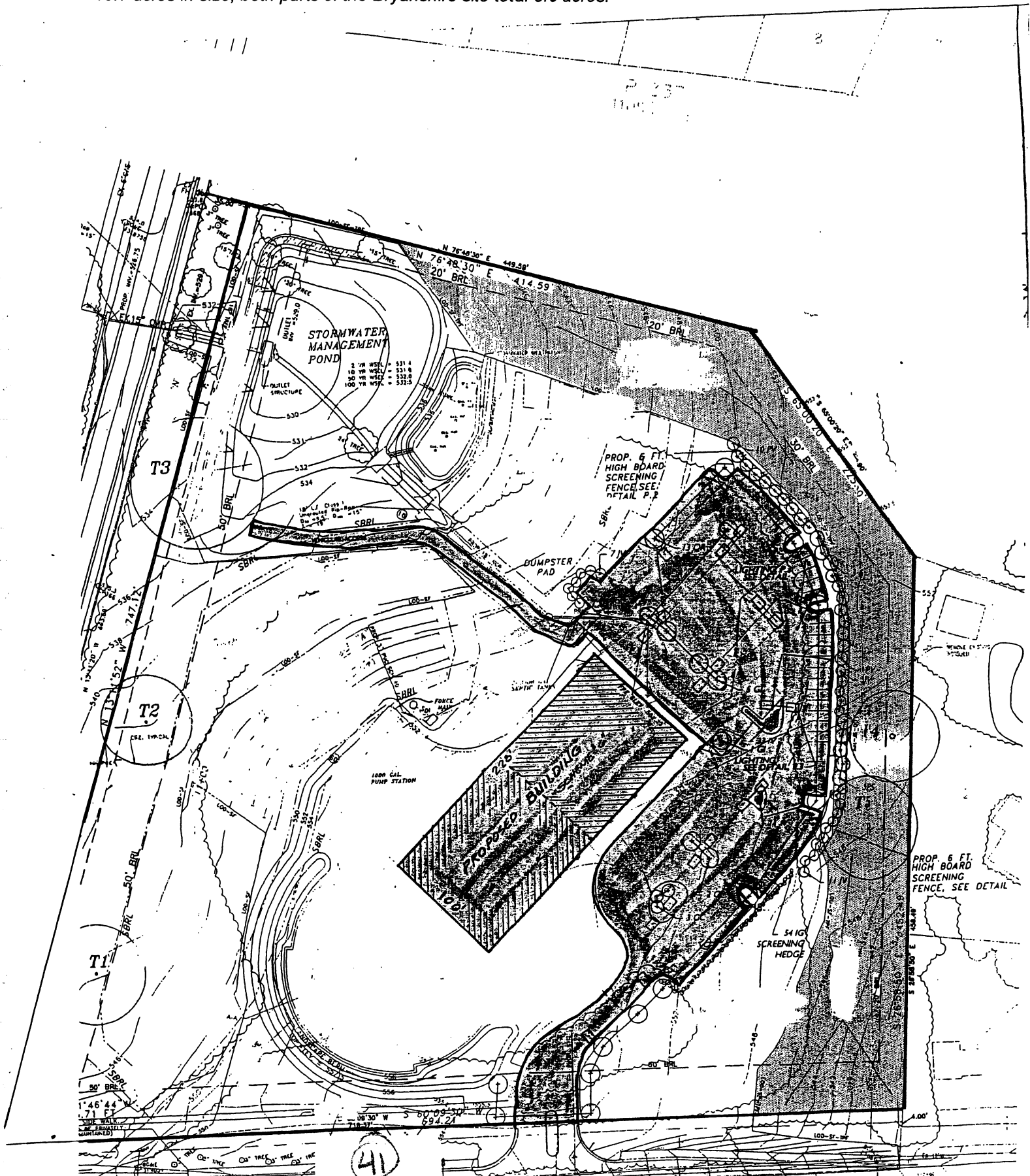
Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



WSCCR 06A-CLO-04

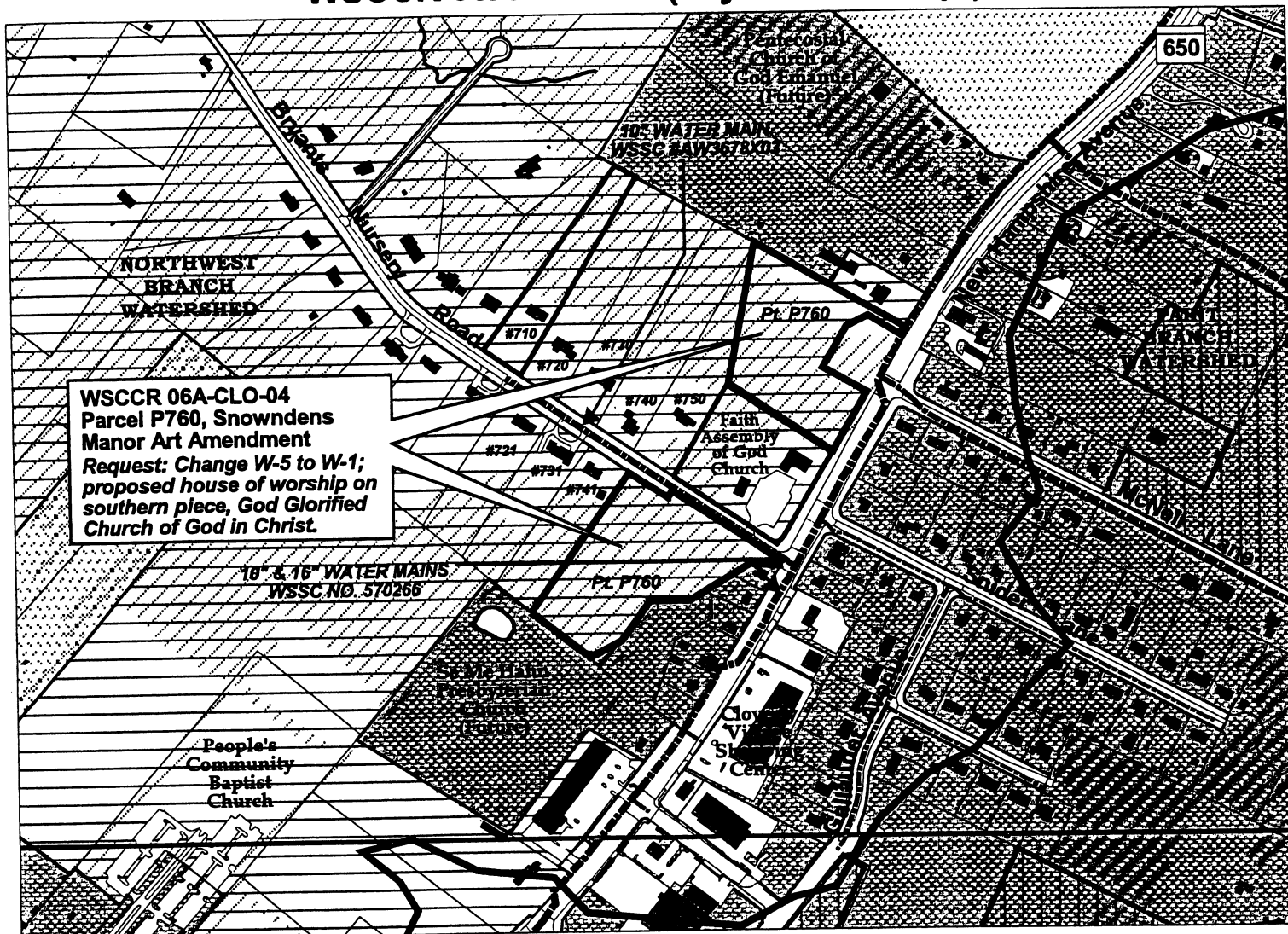
Bryanshire Corp – for God Glorified Church of God in Christ

The church has provided a "typical" site layout for a building of the size they intend to construct on the subject site. This is **not** a plan for the Bryanshire property. The site shown on this page is approximately 10.7 acres in size; both parts of the Bryanshire site total 8.6 acres.

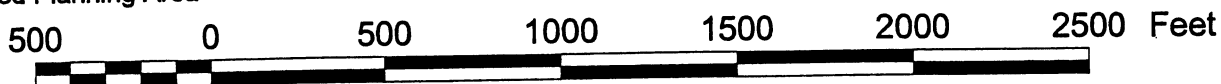


Water Service Area Categories Map






















WSSCR 06A-CLO-04 (Bryanshire Corp.)

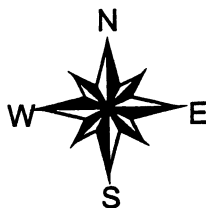


Cloverly - Norwood Planning Area








MAP LEGEND

-  Property
-  WSSC/GIS Tile Grid
- Water Mains**
-  8"- or Smaller-Dia. Mains
-  10" to 15"-Dia. Mains
-  16"- to 24"-Dia. (CIP) Mains
-  30",- to 42"-Dia. (CIP) Mains *
-  48"- or Larger-Dia. (CIP) Mains *
- * No Individual Connections
-  Buildings
-  Roads - Parking
-  Major Watersheds
-  Streams
-  Ponds - Lakes
-  Woodlands
-  Parks
- Water**
- 
- 
- 
- 
- 
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- 
- 

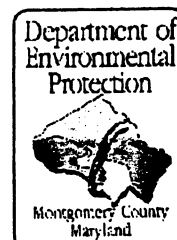
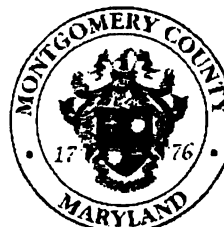


Water Service Area Categories (6/03)

-  W-1
 W-3
 W-4
 W-5
 W-6

June 2003 Interim Update Service Area Categories Map

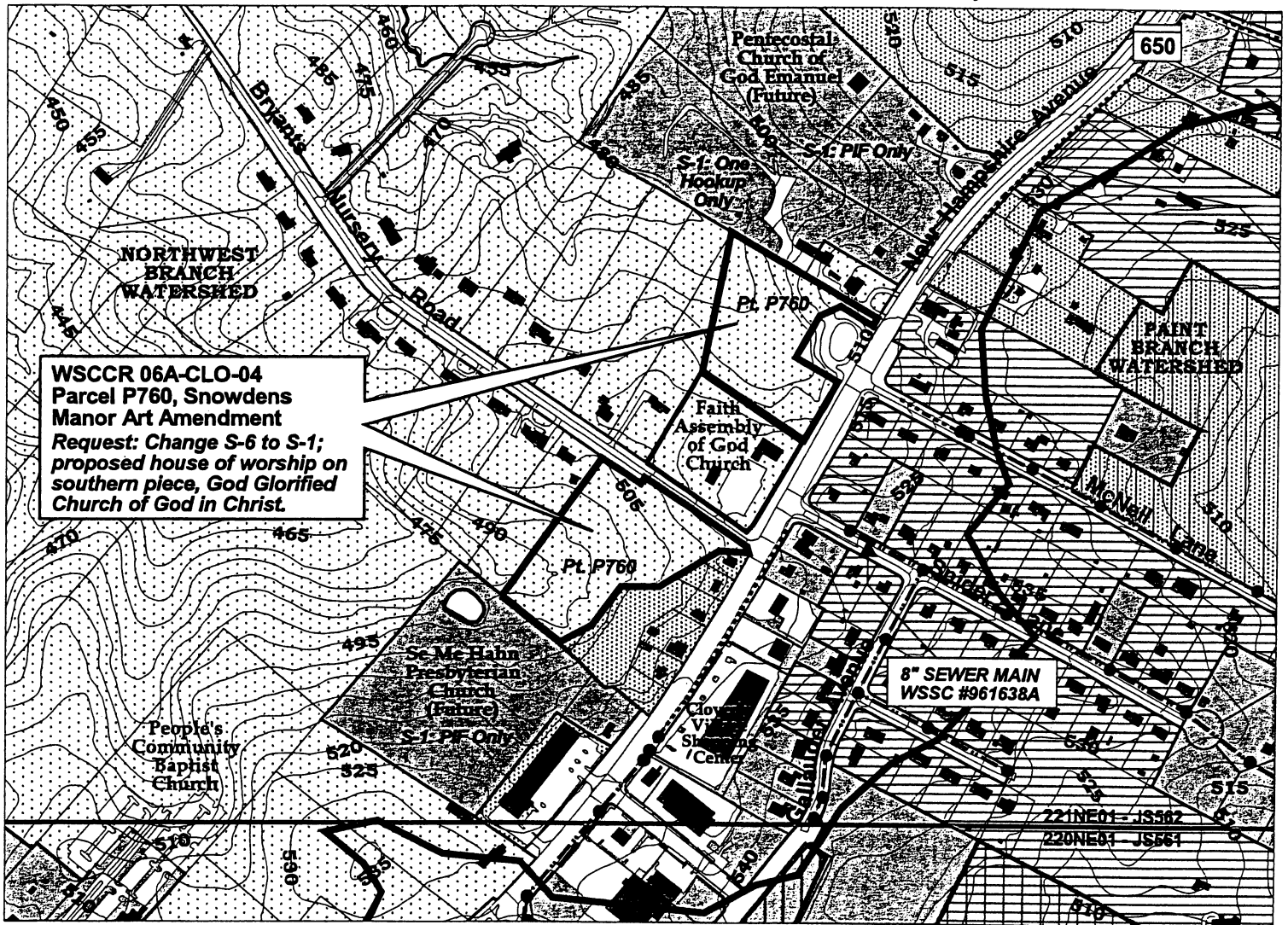
Montgomery County, Maryland Comprehensive Water Supply and Sewerage Systems Plan



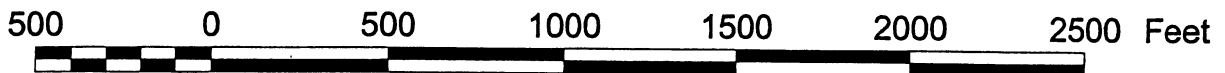
Water and Wastewater Policy Group
5/11/06 GIS Project File:
o:\wwteam\ccrs-pas\cloverly-norwood\
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42

Sewer Service Area Categories Map WSSCR 06A-CLO-04 (Bryanshire Corp.)

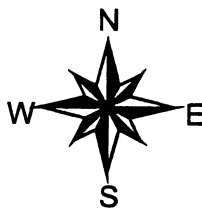


Cloverly - Norwood Planning Area



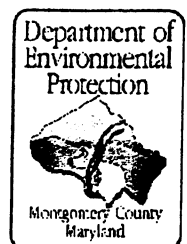
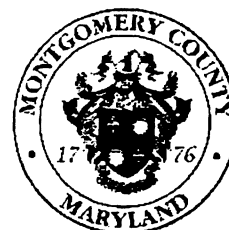
MAP LEGEND

- Property
- WSSC/GIS Tile Grid
- Sewer Manholes
- Sewer Mains**
 - Small-Diameter, Low-Pressure Mains
 - 6"- to 8"-Diameter Gravity Mains
 - 10"- to 14"-Diameter Gravity Mains
 - 15"- to 18"-Diameter (CIP) Trunk Mains
 - 20"- to 42"-Dia. (CIP) Mains *
 - 48"- or Larger-Diameter (CIP) Trunk Mains *
 - * No Individual Connections
- Buildings
- Roads - Parking
- Major Watersheds
- Streams
- Ponds - Lakes
- Woodlands
- Parks
- Topography (C.I. = 5 Feet)
- Sewer Service Area Categories (6/03)**
 - S-1
 - S-3
 - S-4
 - S-5
 - S-6



June 2003 Interim Update
Service Area Categories Map

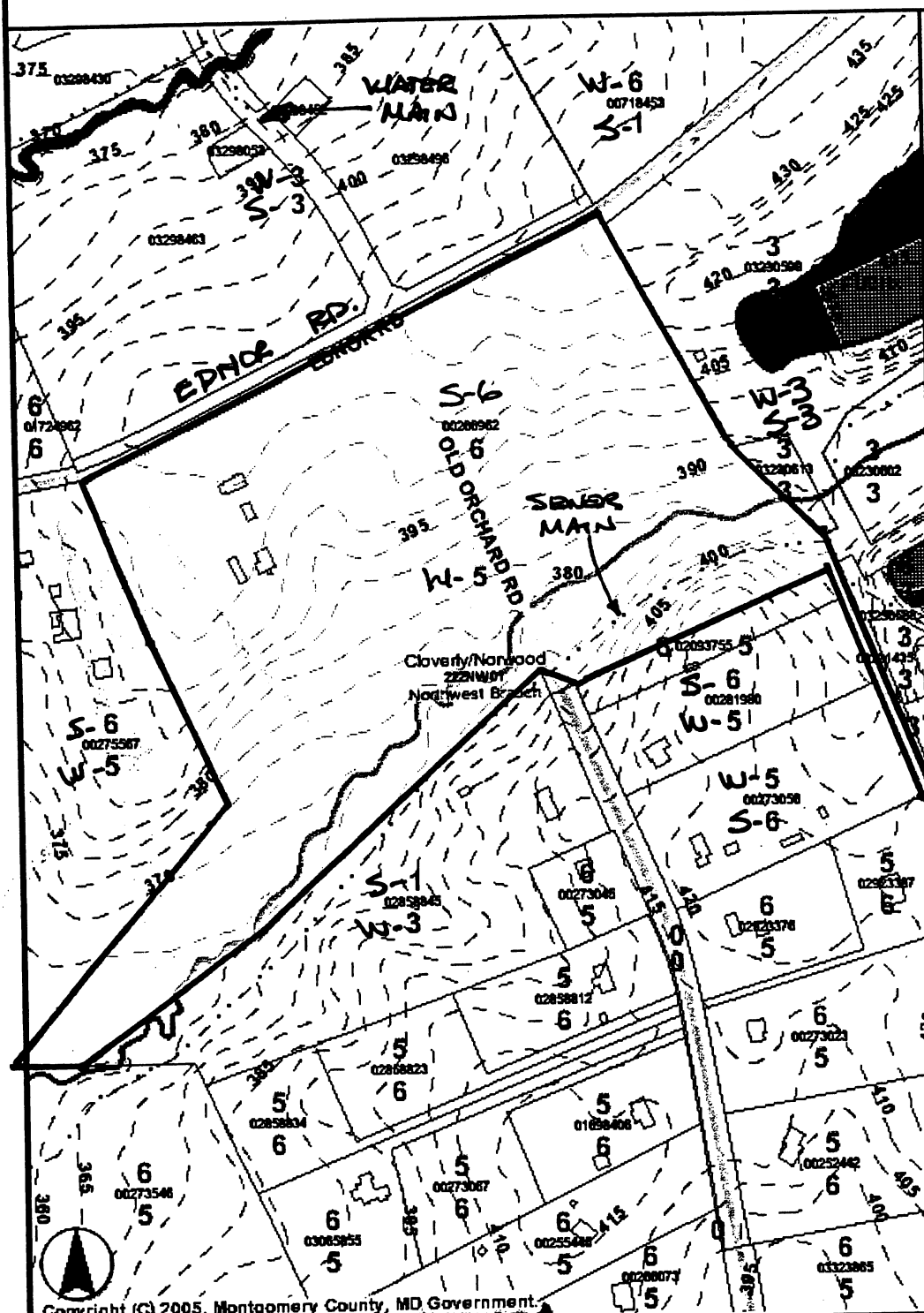
Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



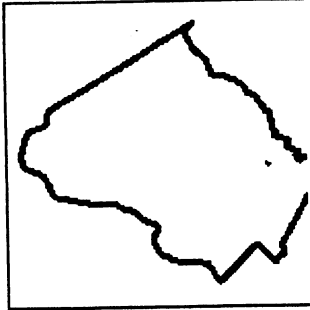
Water and Wastewater Policy Group
5/11/06 GIS Project File:
o:\wwteam\ccrs-pas\cloverly-norwood\
2006ccrs\06a-clo-04=bryanshire=ws.apr

43

07A-CLO-02: Lethbridge



Location Map



Map Legend

Selected Features

- County Boundary
- WSSC Map Tiles
- Planning Areas 2003
- Watersheds
- Street Names
- Property
- Sewer Category
- Water Category
- Water Segments
- Sewer Pipes
- Contours (5 foot)
- Buildings
- Roadways
- Streams and Rivers
- Wetlands (NWI 1997)
- Water Bodies
- Municipalities

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Map Source:
Montgomery County, Maryland
Department of Technology Services
Geographic Information Systems
Date: 8/3/2006
Scale: 1 Inch = 383 Feet



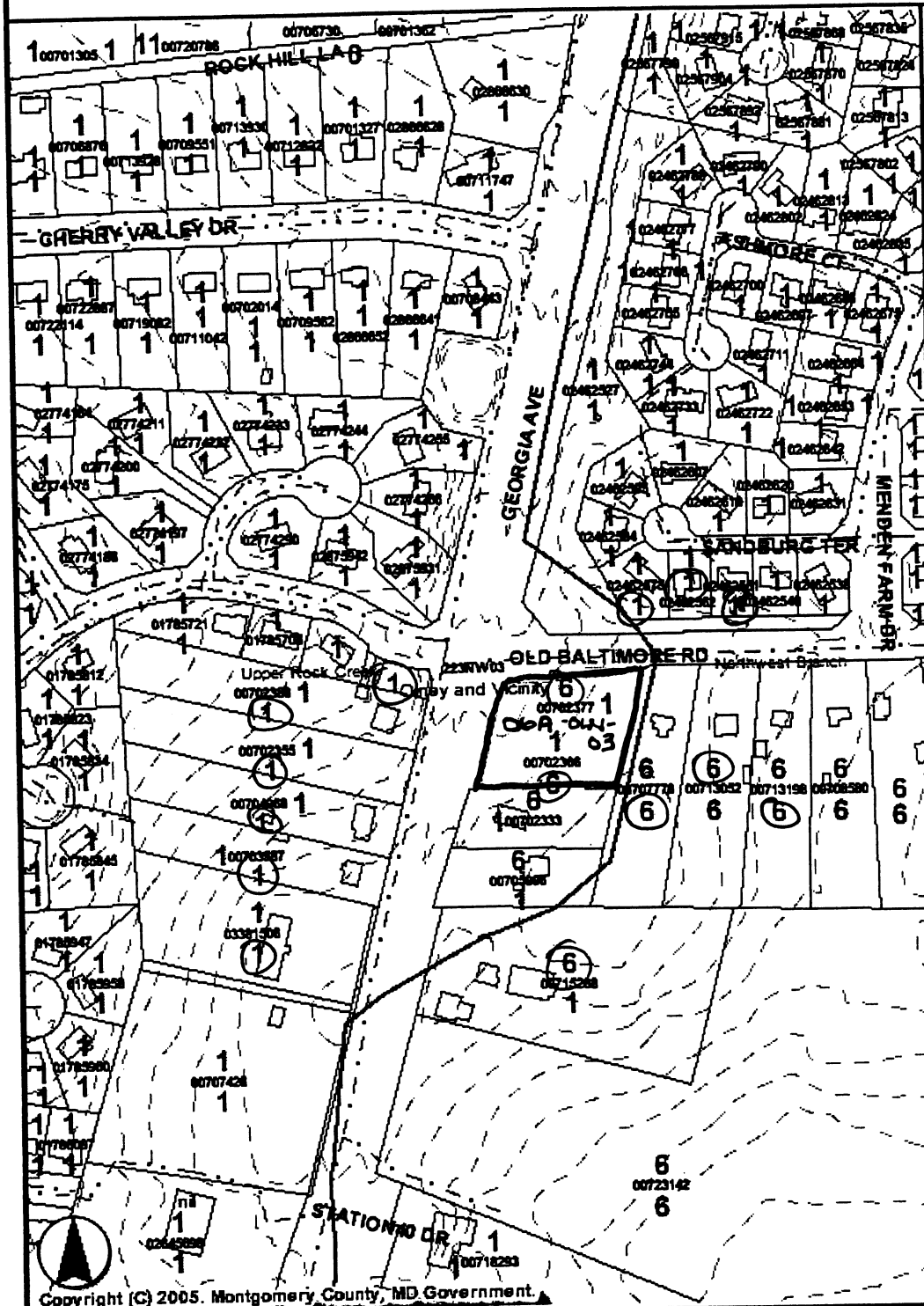
Data Sources: Montgomery County
DTS-GIS, Maryland National Capital
Park and Planning Commission, U.
Census Bureau, and Vargis, LLC.
(Orthophotos).

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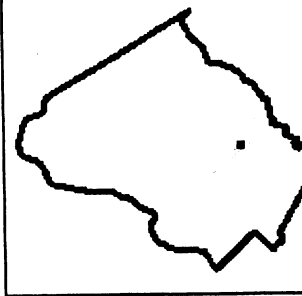
44



06A-OLN-03: Tran/Ung



Location Map



Map Legend

- Selected Features
- ☐ County Boundary
 - ☐ WSSC Map Tiles
 - ☐ Planning Areas 2003
 - ☐ Watersheds
 - ☐ Street Names
 - ☐ Property
 - ☐ Sewer Category **(6)**
 - ☐ Water Category
 - ☐ Water Segments
 - ☐ Sewer Pipes
 - ☐ Contours (5 foot)
 - ☐ Buildings
 - ☐ Municipalities

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Map Source:
Montgomery County, Maryland
Department of Technology Services
Geographic Information Systems
Date: 4/3/2006
Scale: 1 Inch = 315 Feet

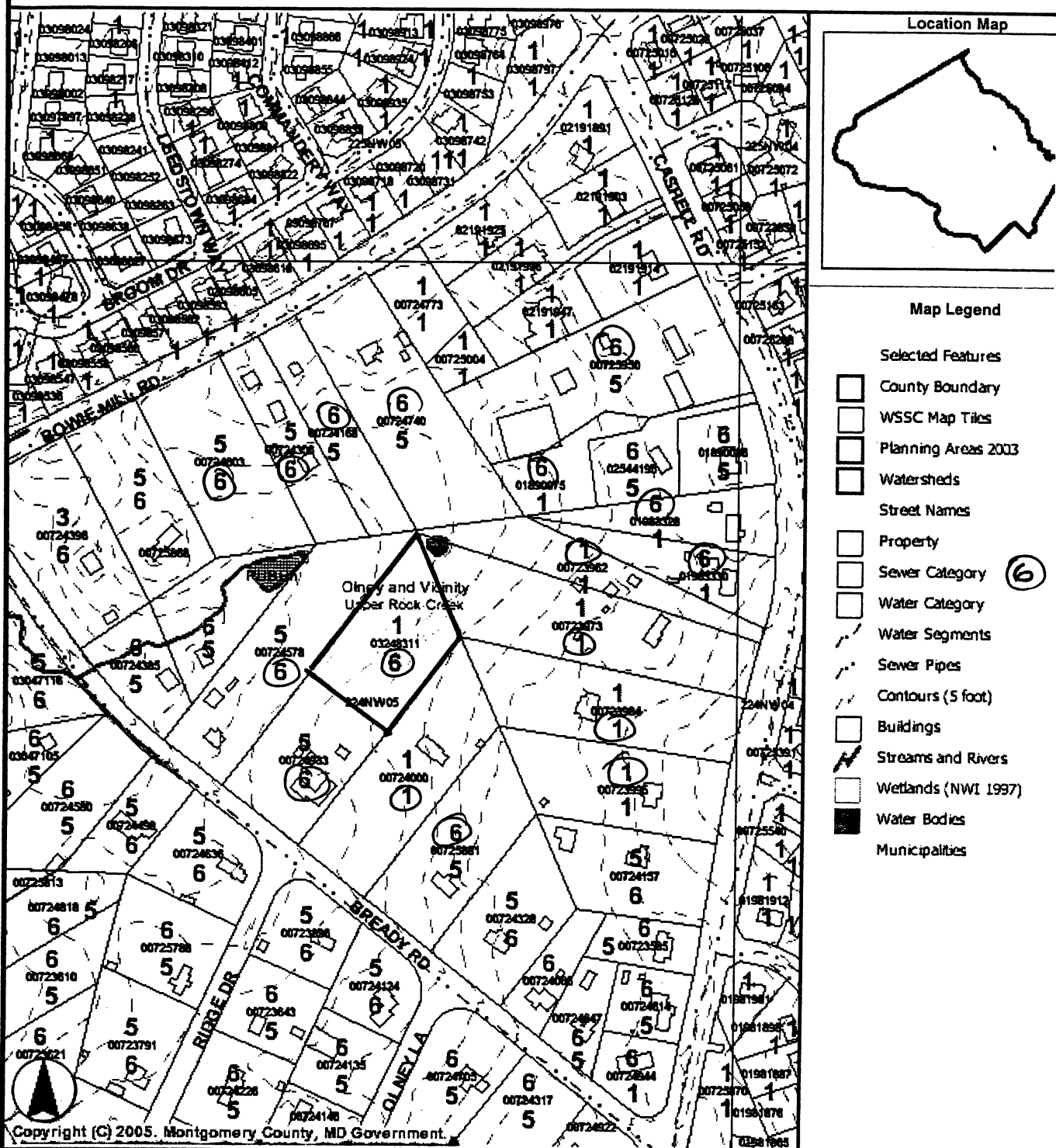


Data Sources: Montgomery County
DTS-GIS, Maryland National Capital
Park and Planning Commission, U.
Census Bureau, and Vargis, LLC.
(Orthophotos).

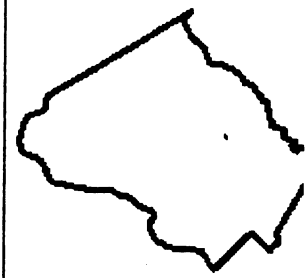
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06A-OLN-04: Gangloff



Location Map



Map Legend

Selected Features

- County Boundary
- WSSC Map Tiles
- Planning Areas 2003
- Watersheds
- Street Names
- Property
- Sewer Category (6)
- Water Category
- Water Segments
- Sewer Pipes
- Contours (5 foot)
- Buildings
- Streams and Rivers
- Wetlands (NWI 1997)
- Water Bodies
- Municipalities

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Map Source:
Montgomery County, Maryland
Department of Technology Services
Geographic Information Systems
Date: 7/3/2006
Scale: 1 Inch = 369 Feet

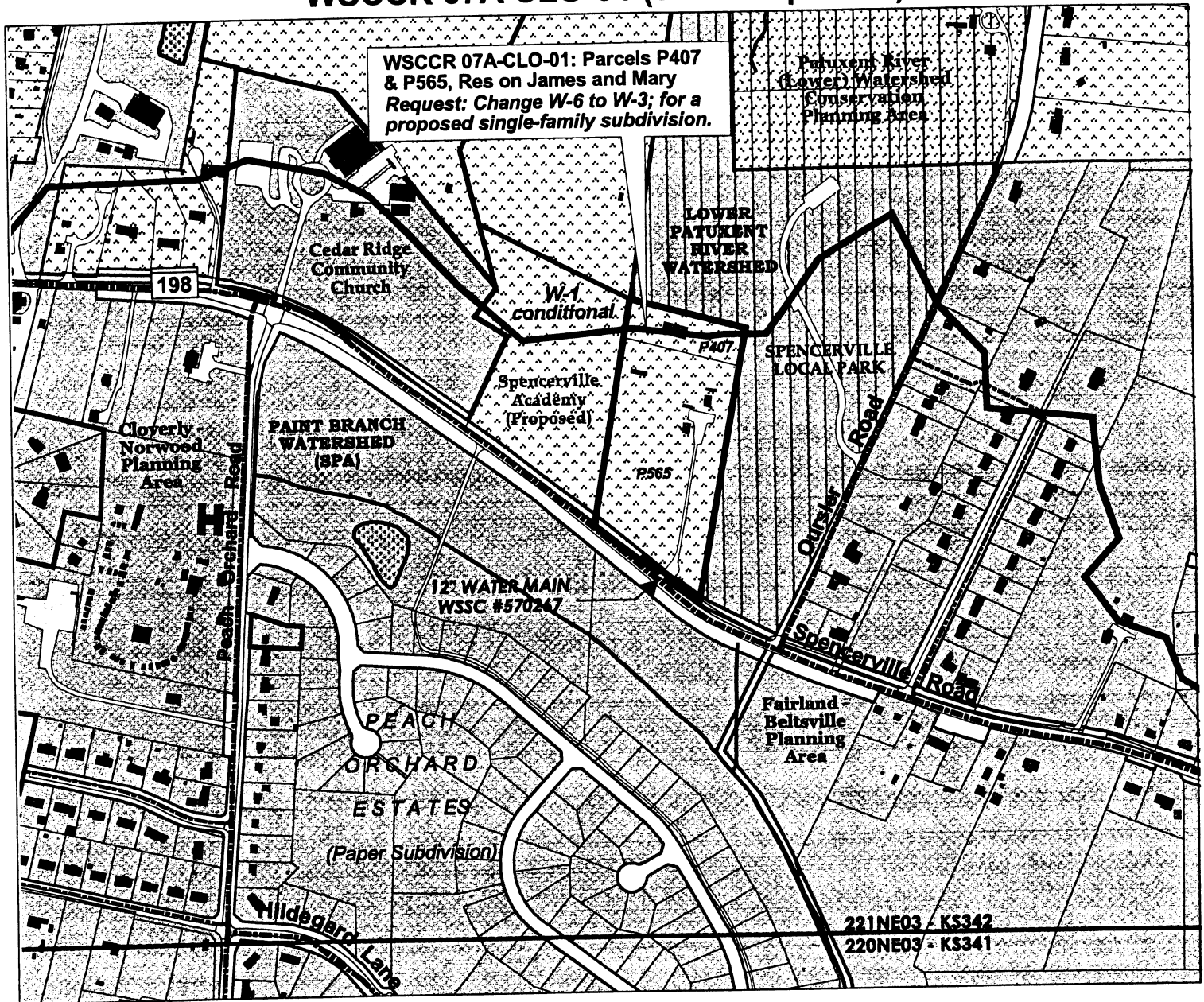


Data Sources: Montgomery County
DTS-GIS, Maryland National Capital
Park and Planning Commission, U.
Census Bureau, and Vargis, LLC.
(Orthophotos).

DISCLAIMER : This is a product of the Montgomery County Government. The data presented on this map are believed to be accurate. However, the Montgomery County Government and its data suppliers do not guarantee

47

Water Service Area Categories Map WSSCR 07A-CLO-01 (JDH Properties)

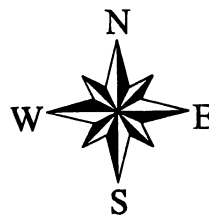


500 0 500 1000 1500 Feet

MAP LEGEND

- Property
- WSSC Map Tiles
- Water Mains**
 - 8" or Smaller-Dia. Mains
 - 10" to 15"-Dia. Mains
 - 16" to 24"-Dia. (CIP) Mains
- Buildings
- Roads
- Watersheds
- Streams
- Ponds - Lakes
- M-NCPPC Planning Areas
- County - State - Federal Parks

- WSSCR Inventory
- Water Service Area Categories**
 - W-1
 - W-3
 - W-4
 - W-5
 - W-6
 - W-6 Multi-Use System



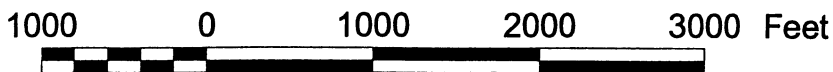
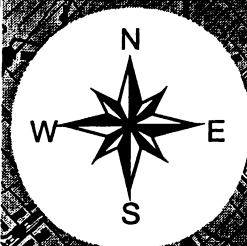
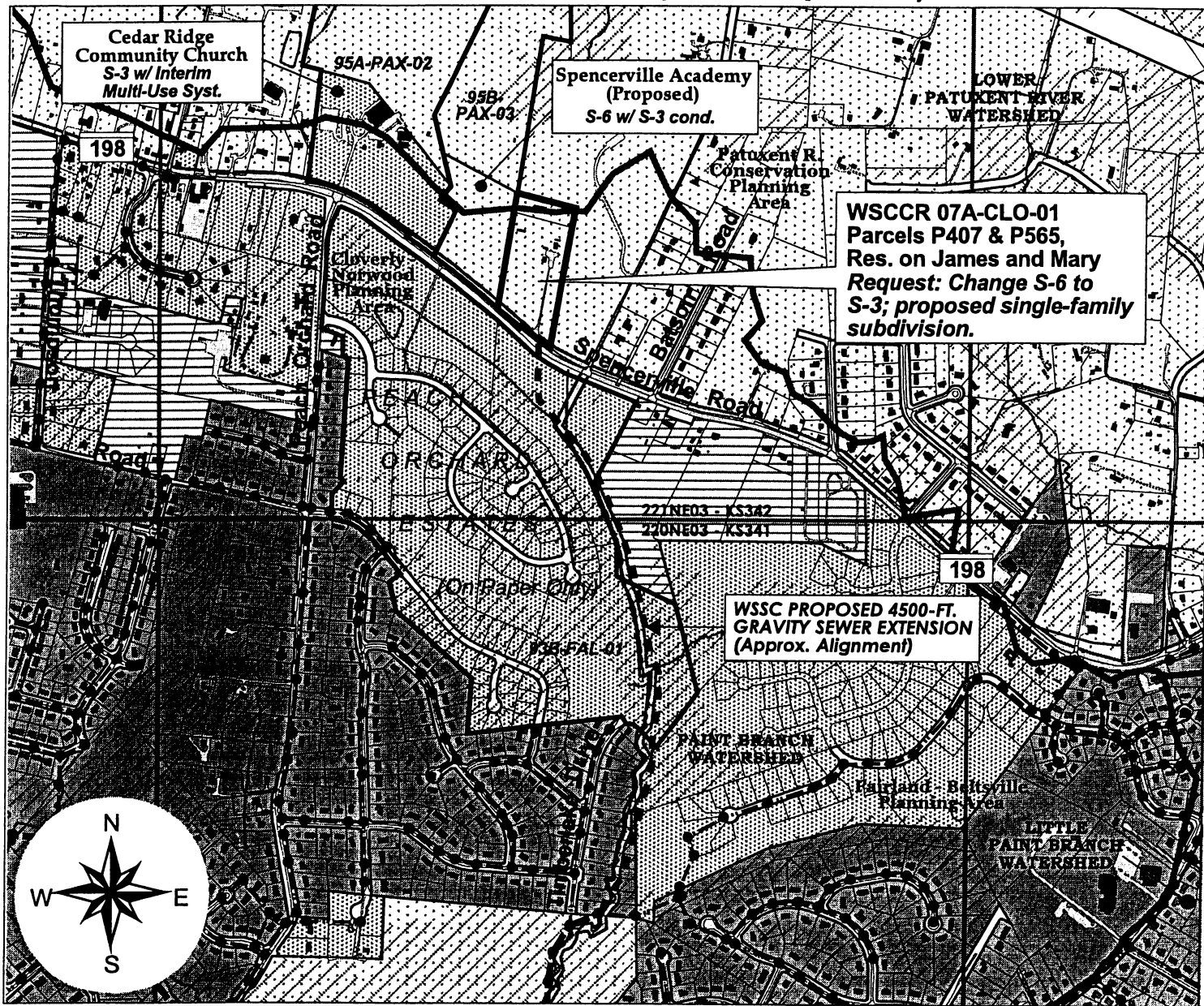
June 2003 Update
Service Area Categories Map

Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



Water and Wastewater Policy Group
11/30/06 - GIS Project File:
o:\wwteam\ccrs-pas\patuxent-lower\
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Sewer Service Area Categories Map WSSCR 07A-CLO-01 (JDH Properties)



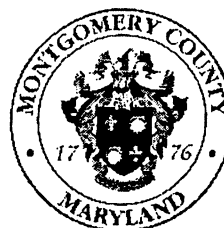
MAP LEGEND

- Property
- WSSC MapTiles
- Sewer Manholes
- Sewer Mains**
 - Small-Diameter, Low-Pressure Mains
 - 6"- to 8"-Diameter Gravity Mains
 - 10"- to 14"-Diameter Gravity Mains
 - 15"- to 42"-Diameter (CIP) Trunk Mains
 - 48"- or Larger-Diameter (CIP) Trunk Mains
- Buildings
- Roads - Parking

- Watersheds
- Streams
- Woodlands
- M-NCPPC Planning Areas
- Sewer Service Area Categories (6/03)**
 - S-1
 - S-3
 - S-4
 - S-5
 - S-6

June 2003 Update
Service Area Categories Map

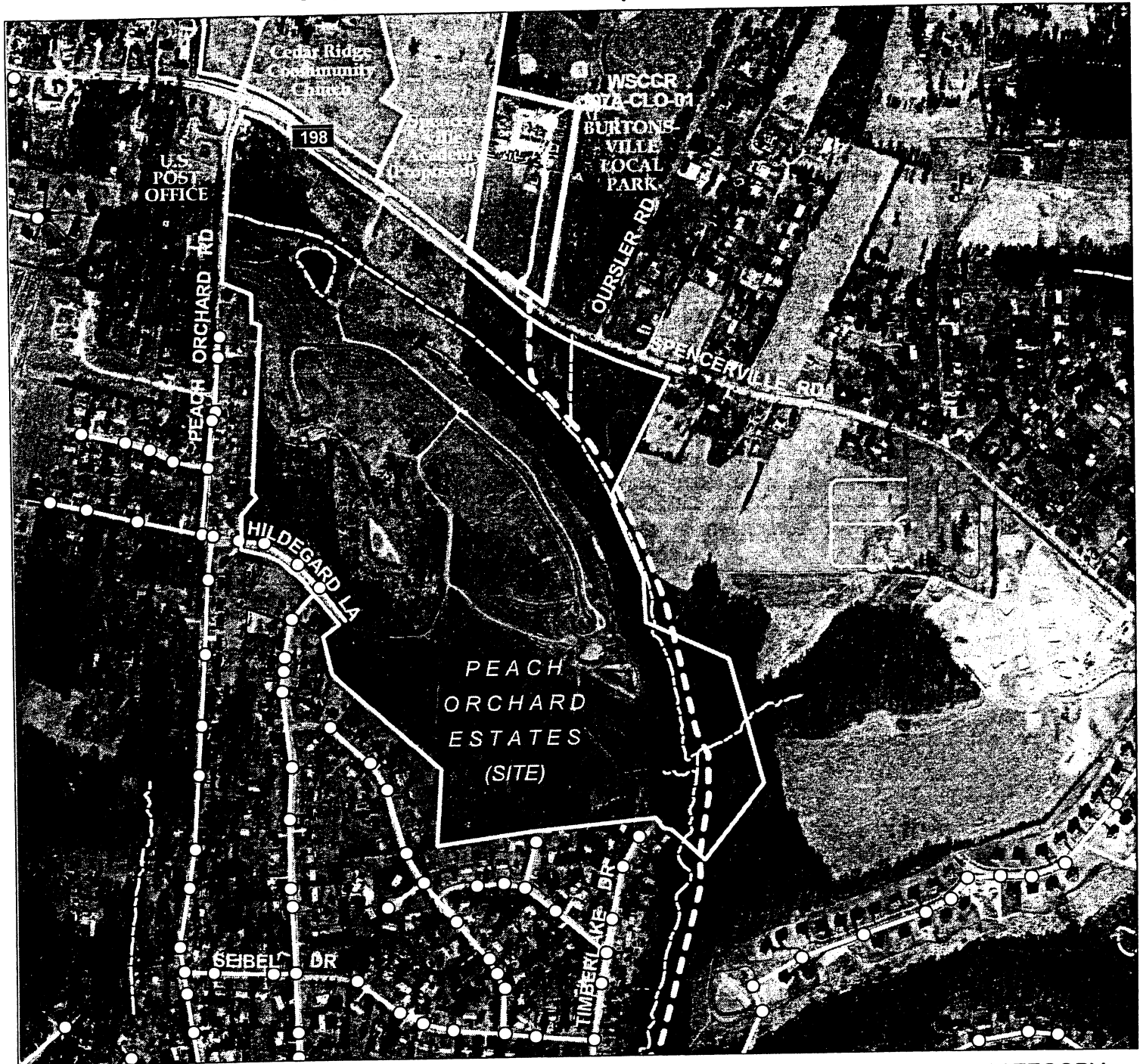
Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



Water and Wastewater Policy Group
5/11/06 -- GIS Project File:
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49

Aerial Orthophotography - 2002 WSSCR 06A-CLO-01 (JDH Properties)

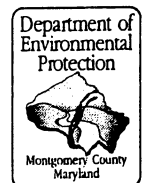
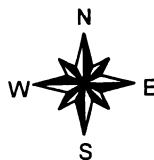


1000 0 1000 2000 Feet

**WATER/SEWER CATEGORY
CHANGE REQUEST**
Montgomery County, Maryland
2003 - 2012 Update
Comprehensive Water Supply
and Sewerage Systems Plan

MAP LEGEND

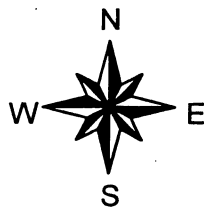
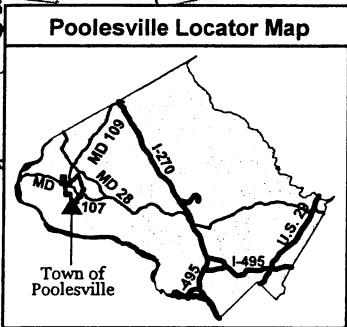
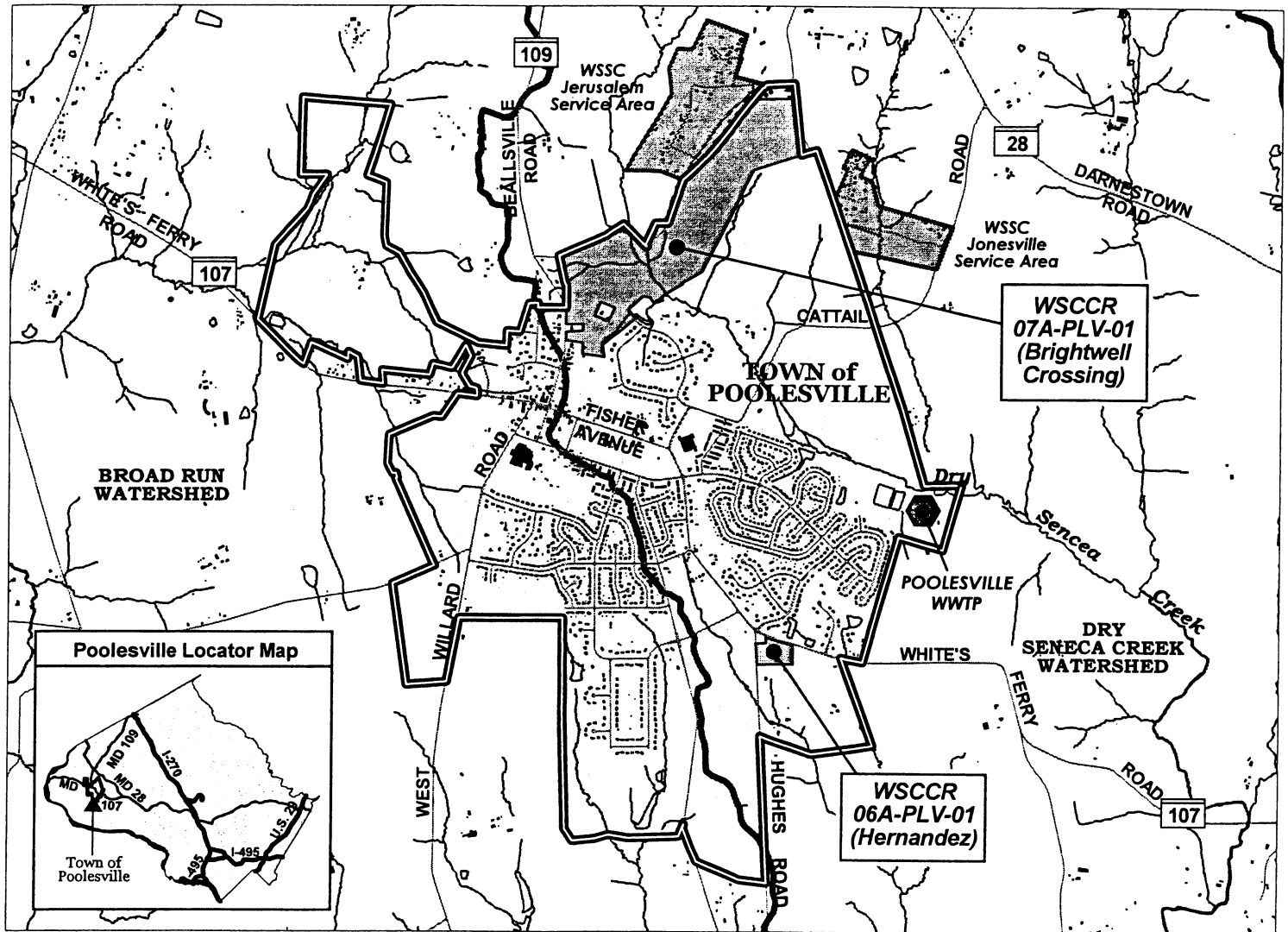
- Sewer Manholes
- Existing Sewer Mains
- - - Proposed Sewer Mains
- ~ Streams



Water & Wastewater Policy Group
11/27/06 -- GIS Project File: o:\wteam\ccrs-pas\
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Category Change Locator Map

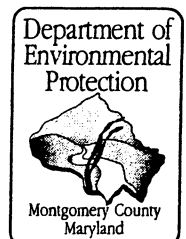
Poolesville: WSCCRs 06A-PLV-01 & 07A-PLV-01



MAP LEGEND

- Buildings
- Wastewater Treatment Plant
- Roads
- Major Watersheds
- Ponds - Lakes
- Streams
- Category Change Request Sites
- Town of Poolesville
- WSSC Jonesville & Jerusalem Sewer Service Areas

Montgomery County, Maryland
2003 - 2012
Comprehensive Water Supply
and Sewerage Systems Plan

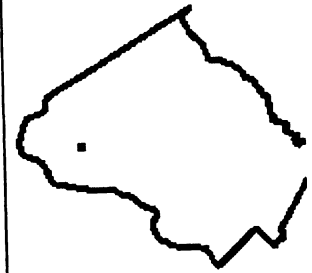


Watershed Management Division
11/17/06 -- GIS Project File:
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51

06A-PLV-01: Hernandez

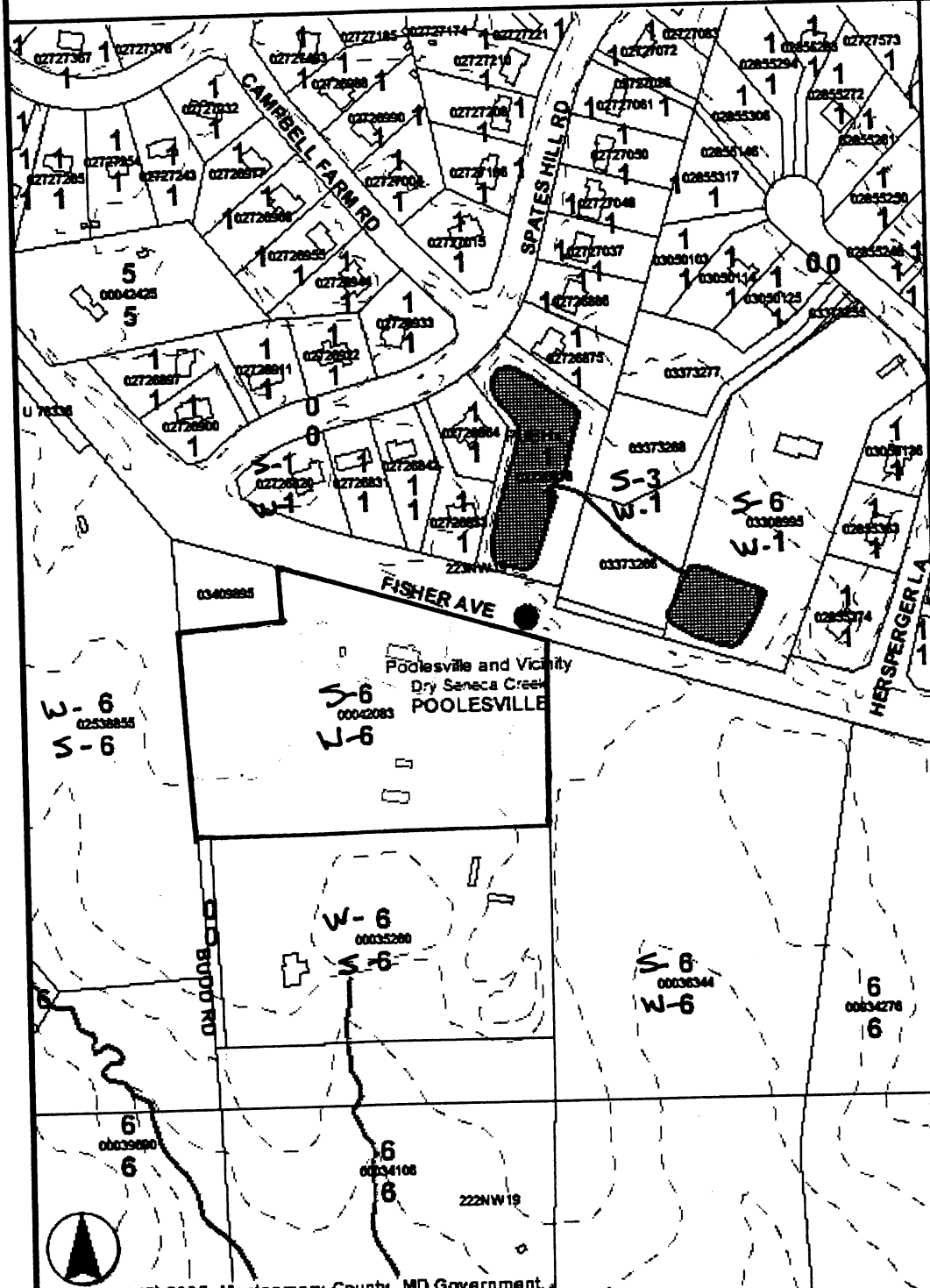
Location Map



Map Legend

Selected Features

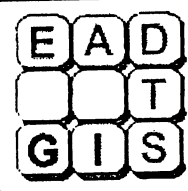
- County Boundary
- WSSC Map Tiles
- Planning Areas 2003
- Watersheds
- Street Names
- Property
- Sewer Category
- Water Category
- Water Segments
- Sewer Pipes
- Contours (5 foot)
- Buildings
- Streams and Rivers
- Wetlands (NWI 1997)
- Water Bodies
- Municipalities



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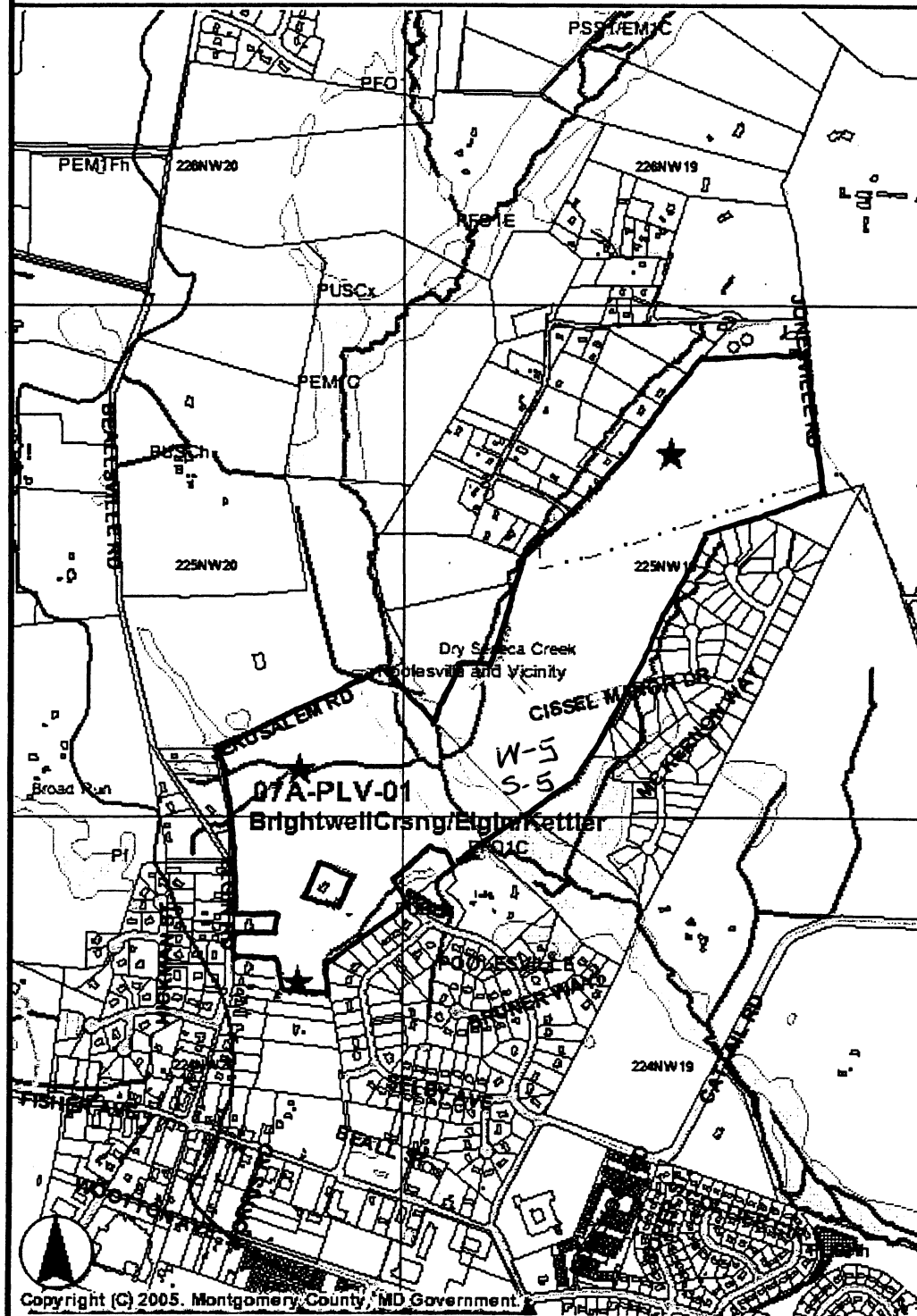
Map Source:
Montgomery County, Maryland
Department of Technology Services
Geographic Information Systems
Date: 7/5/2006
Scale: 1 Inch = 339 Feet



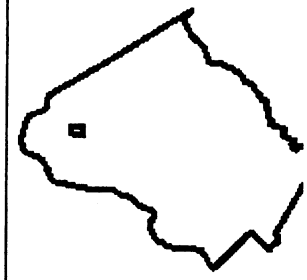
Data Sources: Montgomery County DTS-GIS, Maryland National Capital Park and Planning Commission, U. Census Bureau, and Vargis, LLC. (Orthophotos).

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07A-PLV-01:BrightwellCrsg/Elgin/Kettler



Location Map



Map Legend

Selected Features

- County Boundary
- WSSC Map Tiles
- Planning Areas 2003
- Watersheds
- Street Names
- Property
- Sewer Category
- Water Category
- Water Segments
- Sewer Pipes
- Buildings
- Roadways
- Streams and Rivers
- Wetlands (NWI 1997)
- Water Bodies
- Municipalities

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Map Source:
Montgomery County, Maryland
Department of Technology Services
Geographic Information Systems
Date: 7/20/2006
Scale: 1 Inch = 1337 Feet

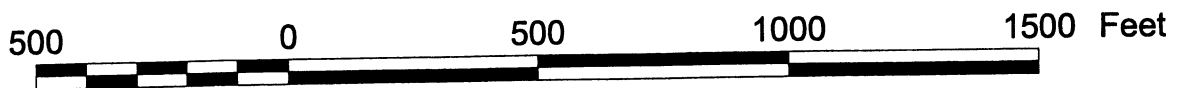
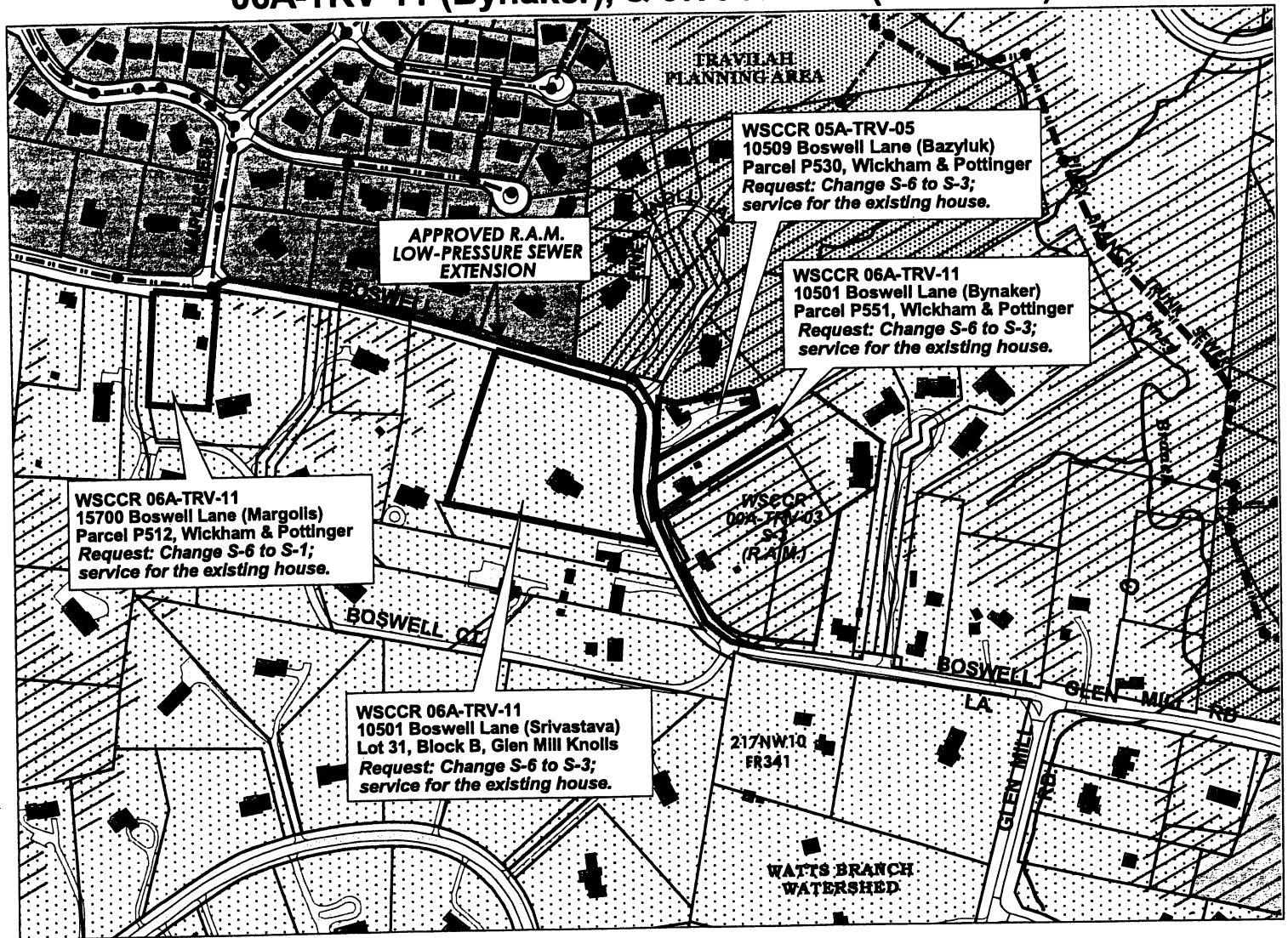


Data Sources: Montgomery County
DTS-GIS, Maryland National Capital
Park and Planning Commission, U.
Census Bureau, and Vargis, LLC.
(Orthophotos).

DISCLAIMER : This is a product of the Montgomery County Government. The data presented on this map are believed to be accurate. However, the Montgomery County Government and its data suppliers do not guarantee

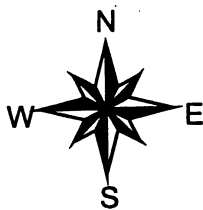
53

Sewer Service Area Categories Map: WSSCRs 03A-TRV-03 (Margolis), 05A-TRV-05 (Bazyluk), 06A-TRV-11 (Bynaker), & 07A-TRV-07 (Srivastaa)



MAP LEGEND

- Property (Sept. 2004)
- Sewer Mains**
 - Small-Diameter, Low-Pressure Mains
 - 6" - to 8"-Diameter Gravity Mains
 - 10" - to 14"-Diameter Gravity Mains
 - 15" - to 42"-Diameter (CIP) Trunk Mains
 - 48" - or Larger-Diameter (CIP) Trunk Mains
- Sewer Manholes
- WSSC/GIS Tile Grid
- Topography (C.I. = 5 Feet)
- Buildings
- Roads
- Streams
- Ponds - Lakes
- Woodlands
- WSSCR Inventory**
 - S-1
 - S-3
 - S-4
 - S-5
 - S-6
- Sewer Service Area Categories (6/03)**



June 2003 Update
Service Area Categories Map

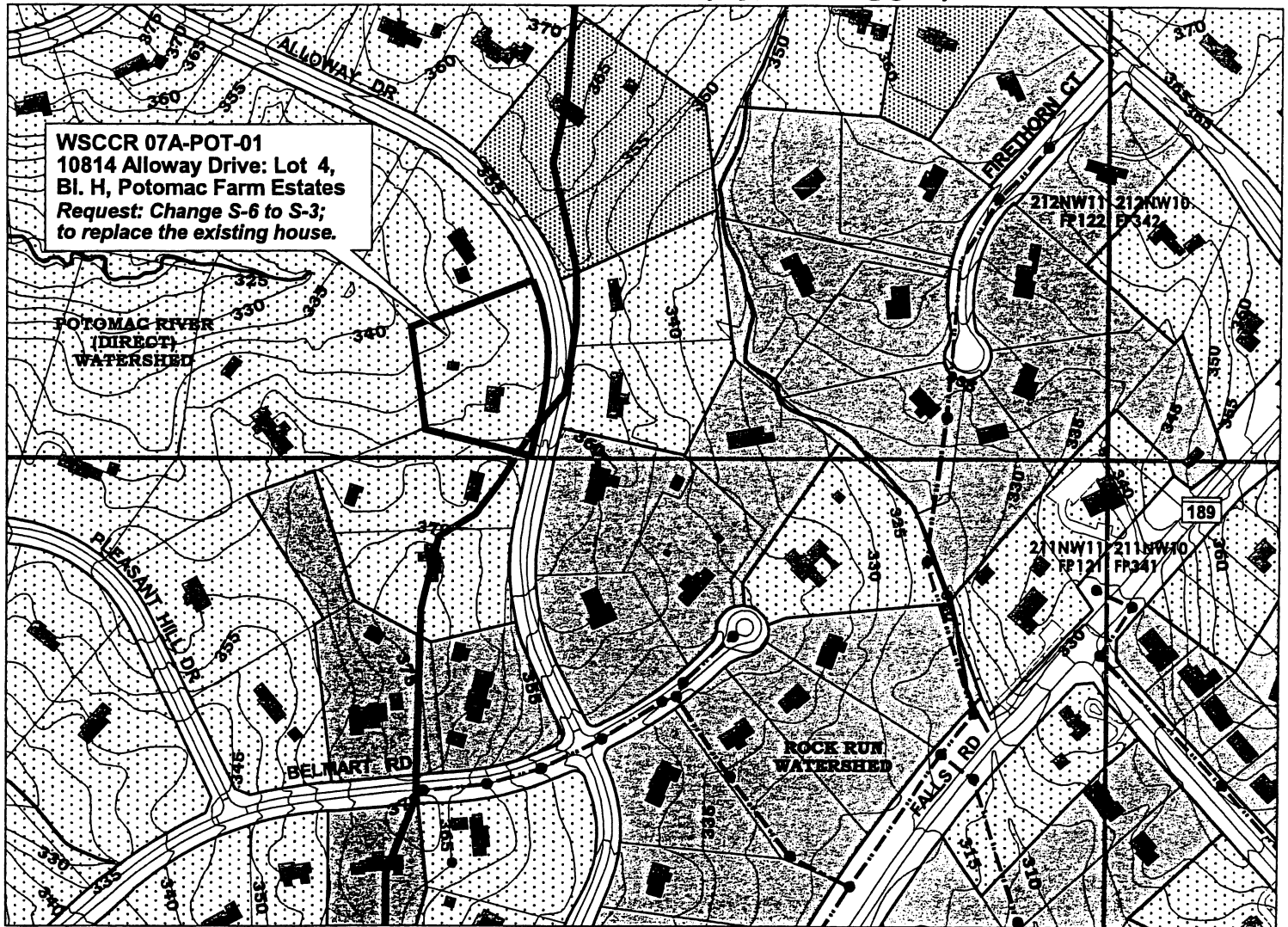
Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



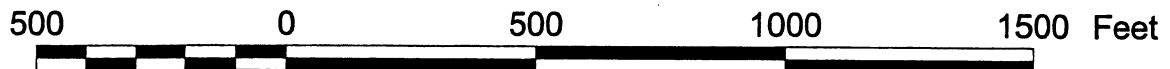
Water and Wastewater Policy Group
2/12/07 -- GIS Project File:
o:\wwteam\ccrs-pas\travilah\2007ccrs\4-boswell-la-ccrs=w-07a-trv-07=s.apr

54

Sewer Service Area Categories Map WSSCR 07A-POT-01 (Sylvia Biggar)



Potomac - Cabin John Planning Area

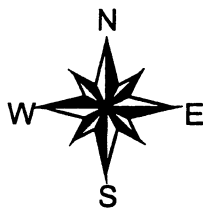


MAP LEGEND

- Property
- WSSC MapTiles
- Sewer Manholes
- Sewer Mains**
 - Small-Diameter, Low-Pressure Mains
 - 6\"- to 8\"-Diameter Gravity Mains
 - 10\"- to 14\"-Diameter Gravity Mains
 - 15\"- to 42\"-Diameter (CIP) Trunk Mains
 - 48\"- or Larger-Diameter (CIP) Trunk Mains
- Topography (C.I. = 5 Feet)
- Buildings
- Roads - Parking
- Watersheds
- Streams
- Ponds - Lakes

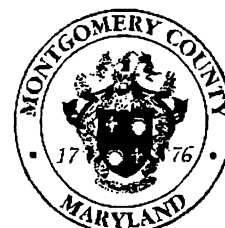
Sewer Service Area Categories (6/03)

- S-1
- S-3
- S-4
- S-5
- S-6



June 2003 Update
Service Area Categories Map

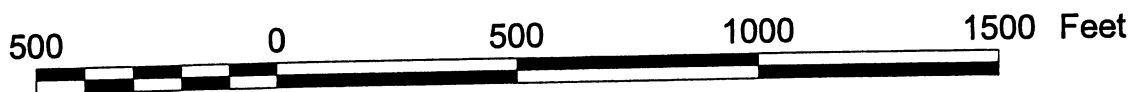
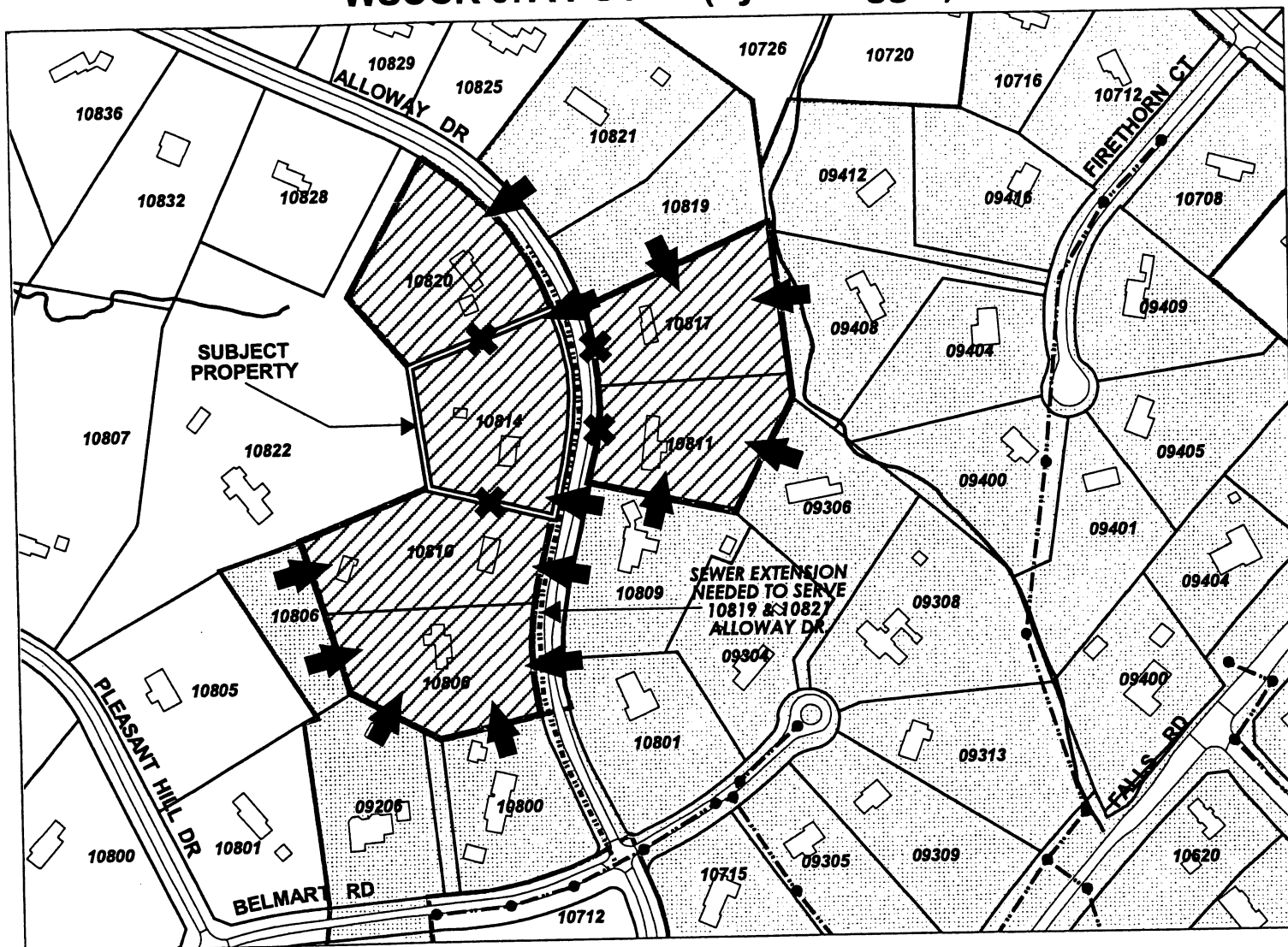
Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



Water and Wastewater Policy Group
2/7/07 - GIS Project File:
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2007ccrs\07a-pot-01=biggar=s.apr

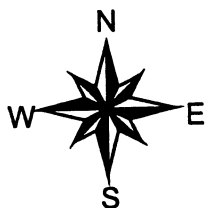
55

Potomac Subregion Master Plan Public Sewer Envelope WSSCR 07A-POT-01 (Sylvia Biggar)

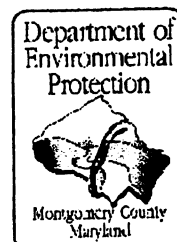
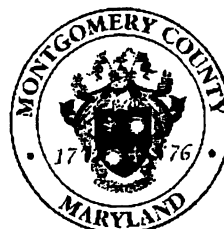


MAP LEGEND

- Sewer Mains
 - Small-Diameter, Low-Pressure Mains
 - 6"- to 8"-Diameter Gravity Mains
 - 10"- to 14"-Diameter Gravity Mains
 - 15"- to 42"-Diameter (CIP) Trunk Mains
- Sewer Manholes
- Abutting/Confronting Locations
- Non-Abutting/Confronting Locations
- Property
- Buildings
- Roads
- Streams
- Ponds - Lakes
- 2002 Master Plan Sewer Envelope
- Properties to Consider for Sewer Service at the Edge of the Sewer Envelope



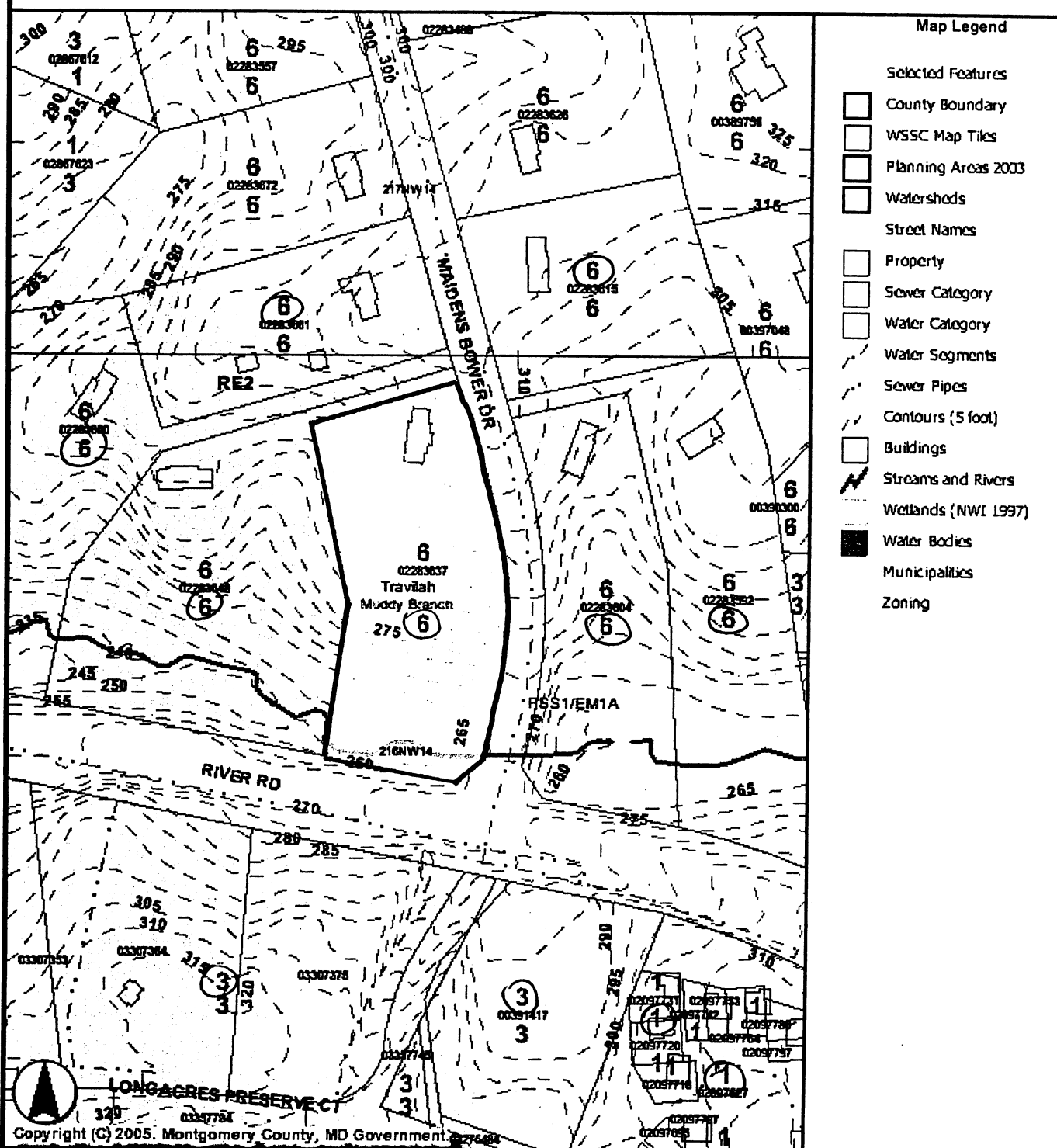
2003 Update
Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan




Water and Wastewater Policy Group
2/7/07 - GIS Project File:
o:\wwteam\ccrs-pas\potomac-cabinjohn\2007ccrs\07a-pot-01=biggar=s.apr


56

06A-TRV-09: Mohebbi





Map Source:
 Montgomery County, Maryland
 Department of Technology Services
 Geographic Information Systems
 Date: 11/2/2006
 Scale: 1 Inch = 219 Feet



Data Sources: Montgomery County DTS-GIS, Maryland National Capital Park and Planning Commission, U.S. Census Bureau, and Vargis, LLC. (Orthophotos).

DISCLAIMER : This is a product of the Montgomery County Government. The data presented on this map are believed to be accurate. However, the Montgomery County Government and its data suppliers do not guarantee and make no warranties for the accuracy of the data presented.

57

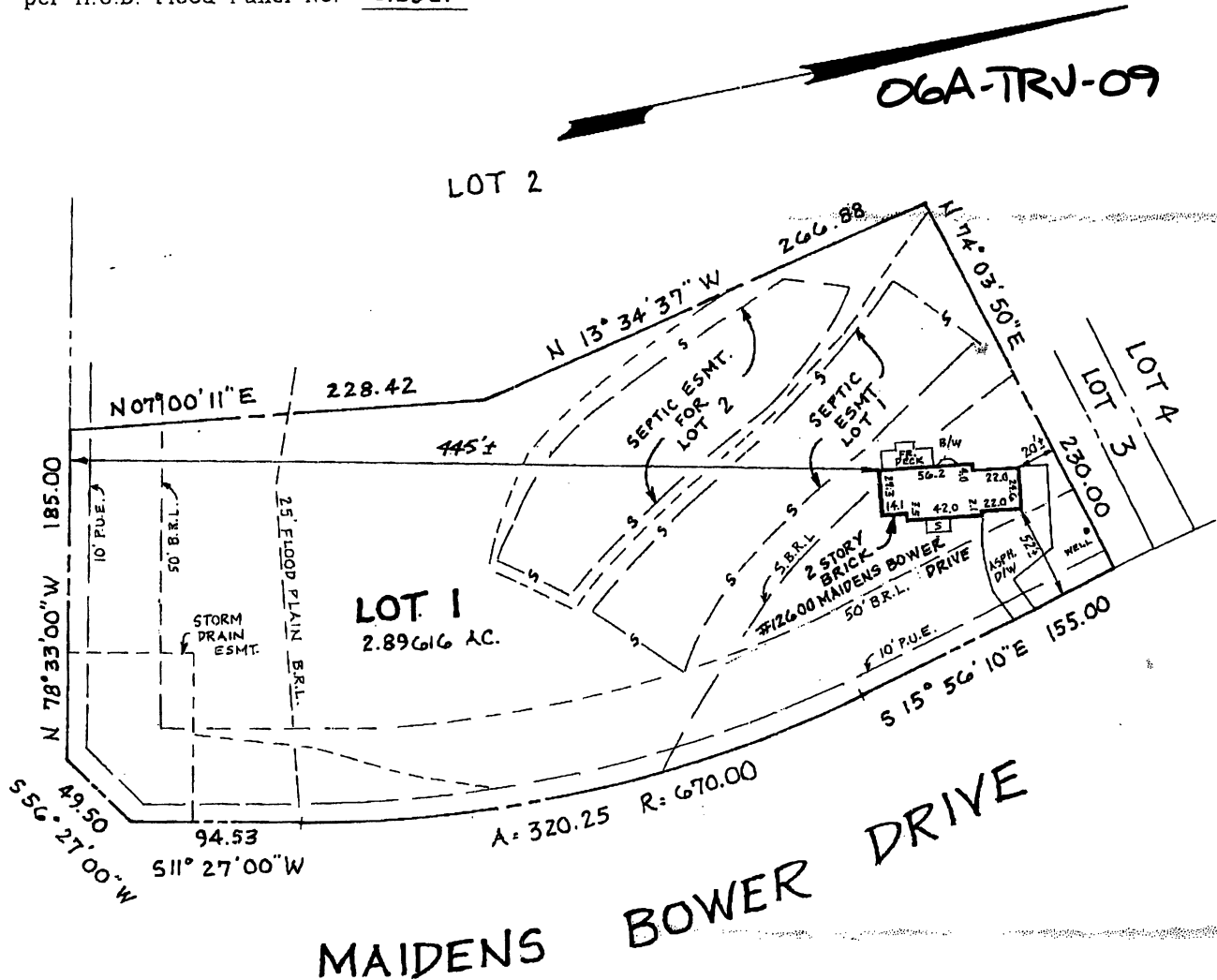
CONSUMER INFORMATION NOTES:

1. This plan is a benefit to a consumer insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. This plan does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
4. Building line and/or Flood Zone information is taken from available sources and is subject to interpretation of originator.

Setback distances as shown to the principal structure from property lines are approximate. The level of accuracy for this drawing should be taken to be no greater than plus or minus 2 FEET.

Flood Zone "C" per H.U.D. Flood Panel No. 0125C.

RIVER ROAD - MD. RTE 190



LOCATION DRAWING
LOT 1, BLOCK C
ESWORTHY PARK
MONTGOMERY COUNTY, MARYLAND

SURVEYOR'S CERTIFICATE

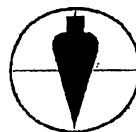
"THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. EXISTING STRUCTURES SHOWN HAVE BEEN FIELD LOCATED BASED UPON MEASUREMENTS FROM PROPERTY MARKERS FOUND OR FROM EVIDENCE OF LINES OF APPARENT OCCUPATION."

REFERENCES

PLAT BK. 121
PLAT NO. 14236

LIBER
FOLIO

58



SNIDER & ASSOCIATES
SURVEYORS - ENGINEERS
LAND PLANNING CONSULTANTS
2 Professional Drive, Suite 218
Gaithersburg, Maryland 20878
301/948-5100, Fax 301/948-1288

DATE OF LOCATIONS

SCALE: 1" = 100'

WALL CHECK:

DRAWN BY: M.A.S.

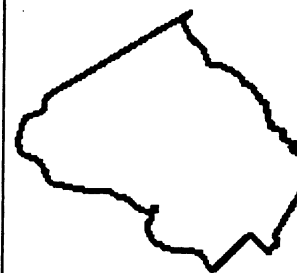
HSE. LOC.: 10-23-96

JOB NO.: 96-3311

Jeffrey A. Foster
MARYLAND PROPERTY LINE SURVEYOR REG. NO. 587

06A_TRV-13: Saxena

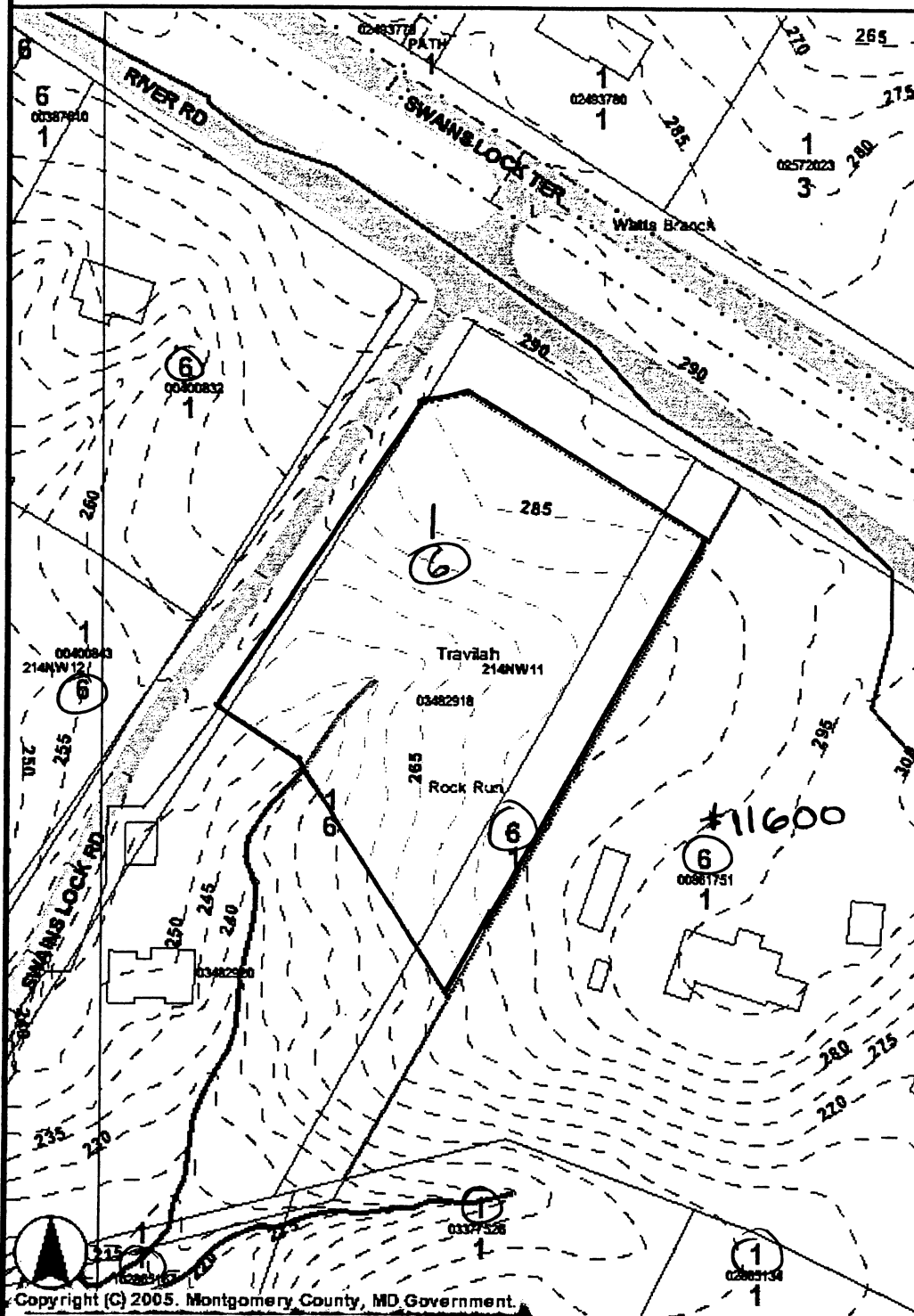
Location Map



Map Legend

Selected Features

- County Boundary
- WSSC Map Tiles
- Planning Areas 2003
- Watersheds
- Street Names
- Property
- Sewer Category
- Water Category
- Water Segments
- Sewer Pipes
- Contours (5 foot)
- Buildings
- Roadways
- Streams and Rivers
- Wetlands (NWI 1997)
- Water Bodies
- Municipalities



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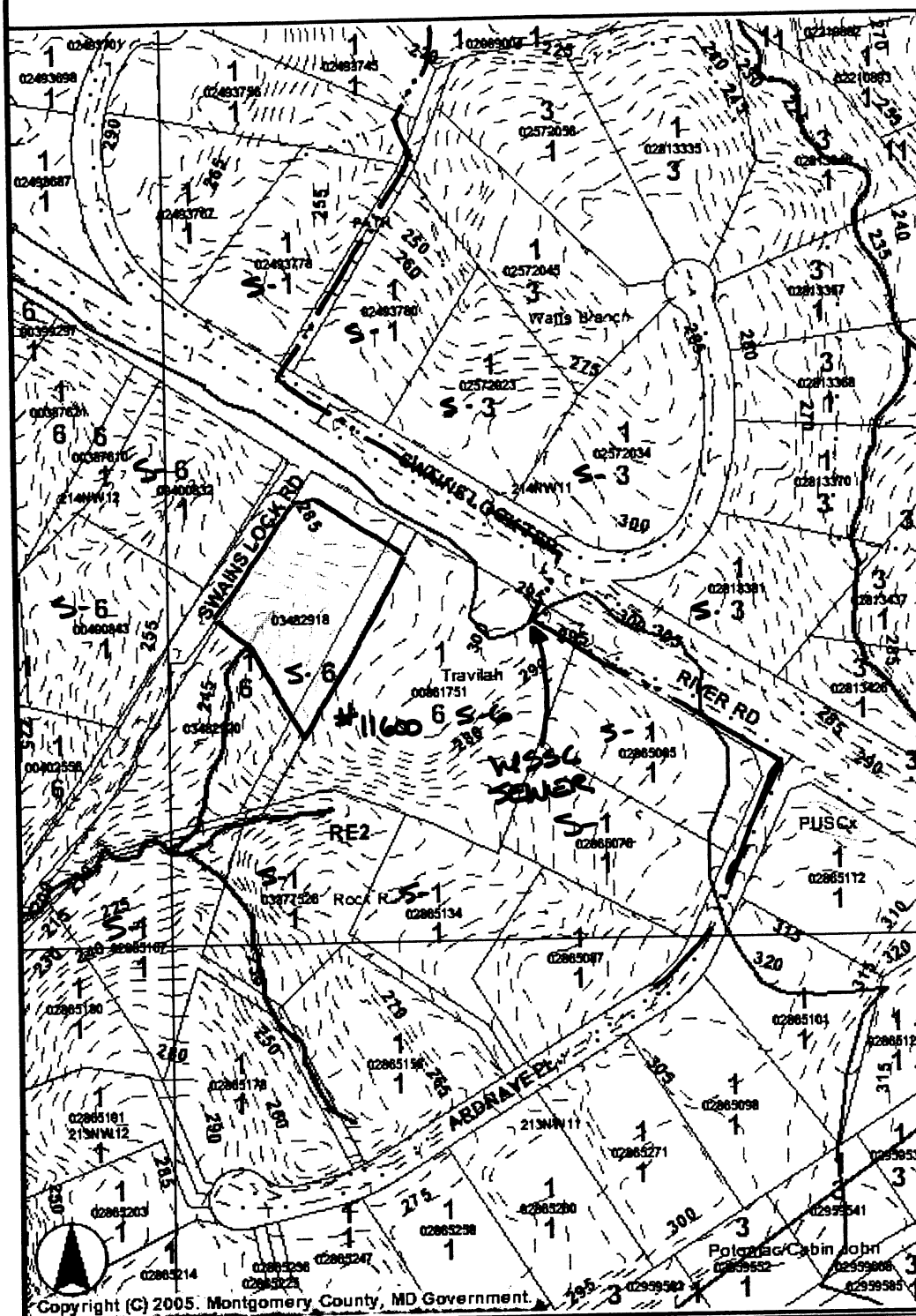
Map Source:
Montgomery County, Maryland
Department of Technology Services
Geographic Information Systems
Date: 8/3/2006
Scale: 1 Inch = 133 Feet



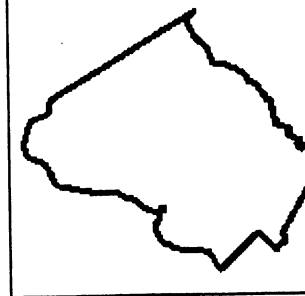
Data Sources: Montgomery County
DTS-GIS, Maryland National Capital
Park and Planning Commission, U.
S. Census Bureau, and Vargis, LLC.
(Orthophotos).

DISCLAIMER: This is a product of the Montgomery County Government. The data presented on this map are believed to be accurate. However, the Montgomery County Government and its data suppliers do not guarantee

06A-TRV-13: Saxena



Location Map



Map Legend

- Selected Features**
- County Boundary
 - WSSC Map Tiles
 - Planning Areas 2003
 - Watersheds
 - Storm Water Facilities
- Street Names**
- Property
 - Sewer Category
 - Water Category
 - Water Segments
 - Sewer Pipes
 - Contours (5 foot)
 - Streams and Rivers
 - Wetlands (NWI 1997)
 - Water Bodies
 - Municipalities
 - Zoning

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Map Source:
Montgomery County, Maryland
Department of Technology Services
Geographic Information Systems
Date: 11/22/2006
Scale: 1 Inch = 337 Feet



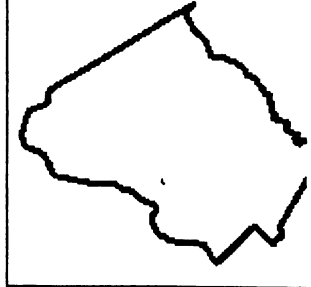
Data Sources: Montgomery County DTS-GIS, Maryland National Capital Park and Planning Commission, U.S. Census Bureau, and Vargis, LLC. (Orthophotos).

DISCLAIMER: This is a product of the Montgomery County Government. The data presented on this map are believed to be accurate. However, the Montgomery County Government and its data suppliers do not guarantee

60

07A-TRV-01 : HODGKINS

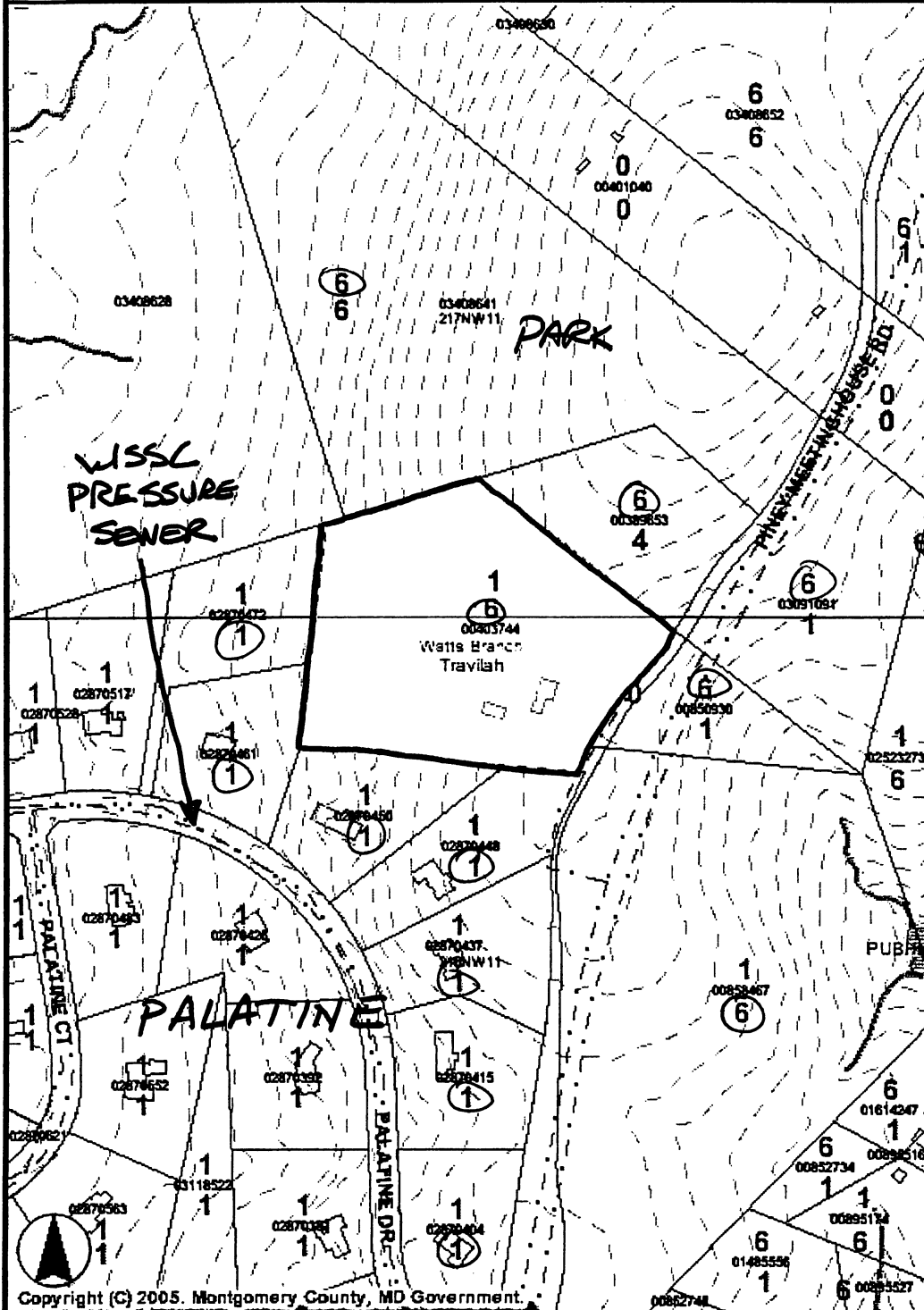
Location Map



Map Legend

Selected Features

- County Boundary
- WSSC Map Ticks
- Planning Areas 2003
- Watersheds
- Street Names
- Property
- Sewer Category 6
- Water Category
- Water Segments
- Sewer Pipes
- Contours (5 foot)
- Buildings
- Streams and Rivers
- Wetlands (NWI 1997)
- Water Bodies
- Municipalities



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Map Source:
Montgomery County, Maryland
Department of Technology Services
Geographic Information Systems
Date: 7/12/2006
Scale: 1 Inch = 360 Feet

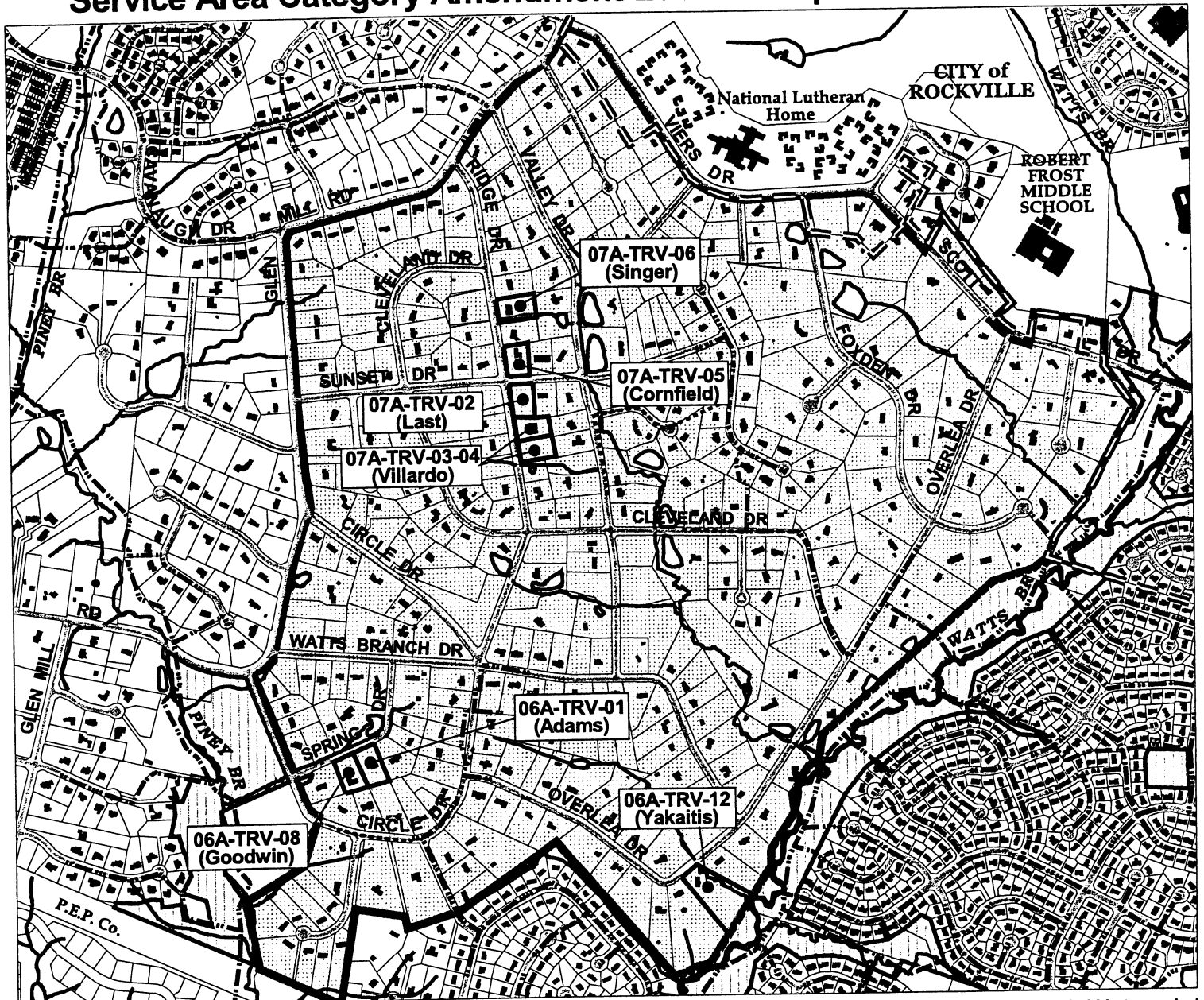


Data Sources: Montgomery County
DTS-GIS, Maryland National Capital
Park and Planning Commission, U.
S. Census Bureau, and Vargis, LLC.
(Orthophotos).

DISCLAIMER : This is a product of the Montgomery County Government. The data presented on this map are believed to be accurate. However, the Montgomery County Government and its data suppliers do not guarantee

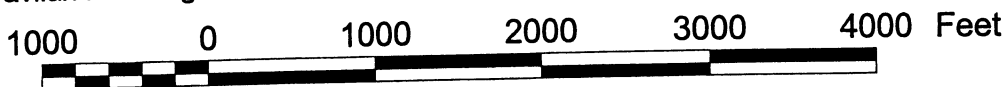
61

November 2006 Transmittal Service Area Category Amendment Locator Map - Glen Hills Area



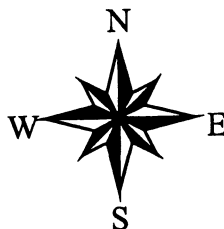
Travilah Planning Area

Watts Branch Watershed

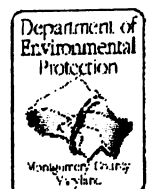


MAP LEGEND

- Property
- Gravity Sewer Mains
- Low-Pressure Sewer Mains
- Rockville Corporate Limits
- Glen Hills Study Area
- Buildings
- Roads
- Streams
- Lakes - Ponds - Larger Streams
- Parks



**SERVICE AREA CATEGORY
CHANGE REQUEST**
Montgomery County, Maryland
2003 - 2012 Comprehensive Water
Supply & Sewerage Systems Plan



Water & Wastewater Policy Group
11/24/06 -- GIS file:
o:\water_and_sewer\cwsp-amend\council\packets\11-06=glenhills-locator.apr

62

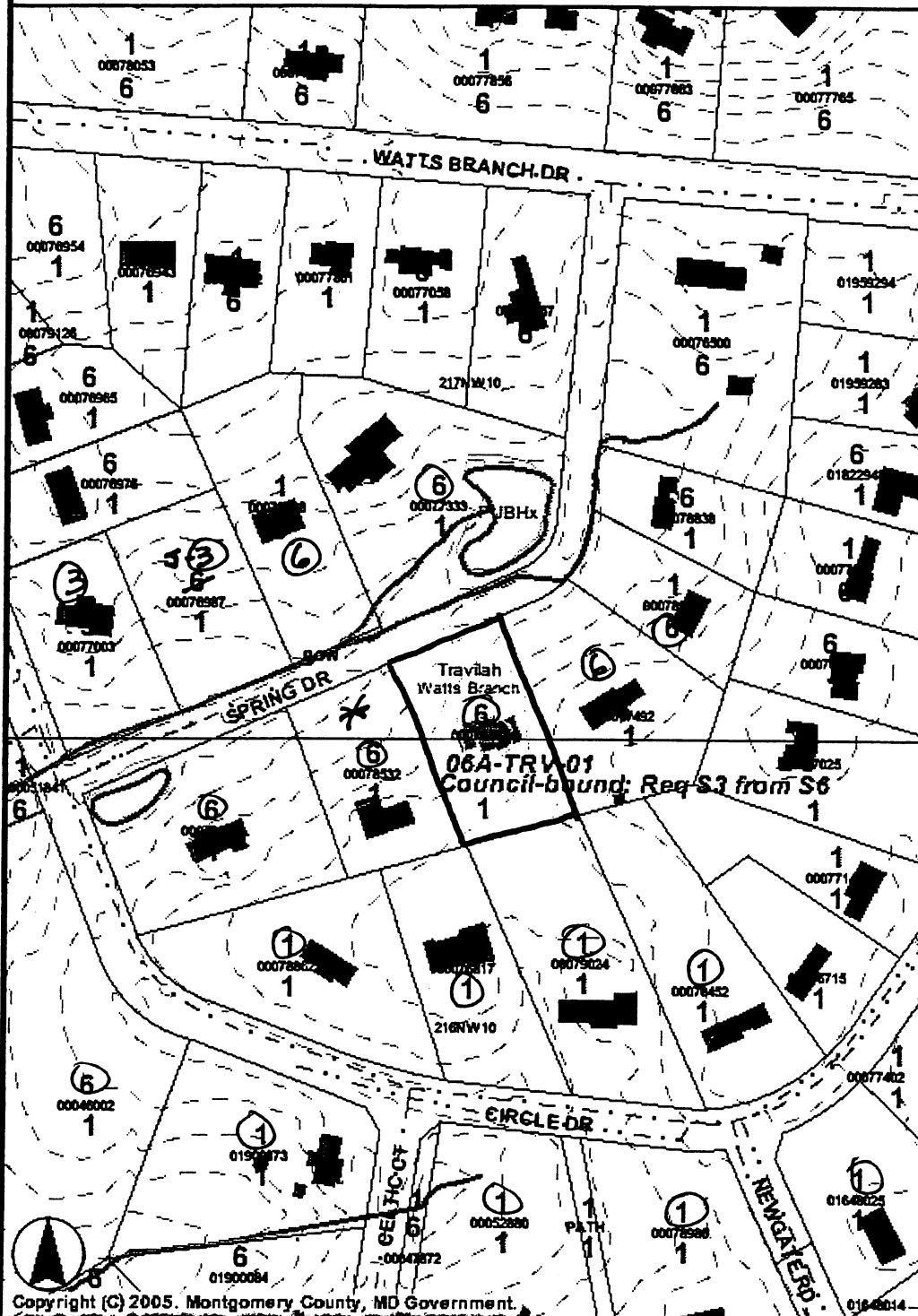
06A-TRV-01: Council-bound, req S3 from S6

Map Legend

Selected Features

- County Boundary
- WSSC Map Tiles
- Planning Areas 2003
- Watersheds
- Street Names
- Property
- Sewer Category
- Water Category
- Water Segments
- Sewer Pipes
- Contours (5 foot)
- Buildings
- Streams and Rivers
- Wetlands (NWI 1997)
- Municipalities

* WSSC
06A-TRV-08
(GOODWIN)



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Map Source:
Montgomery County, Maryland
Department of Technology Services
Geographic Information Systems
Date: 11/9/2005
Scale: 1 Inch = 247 Feet

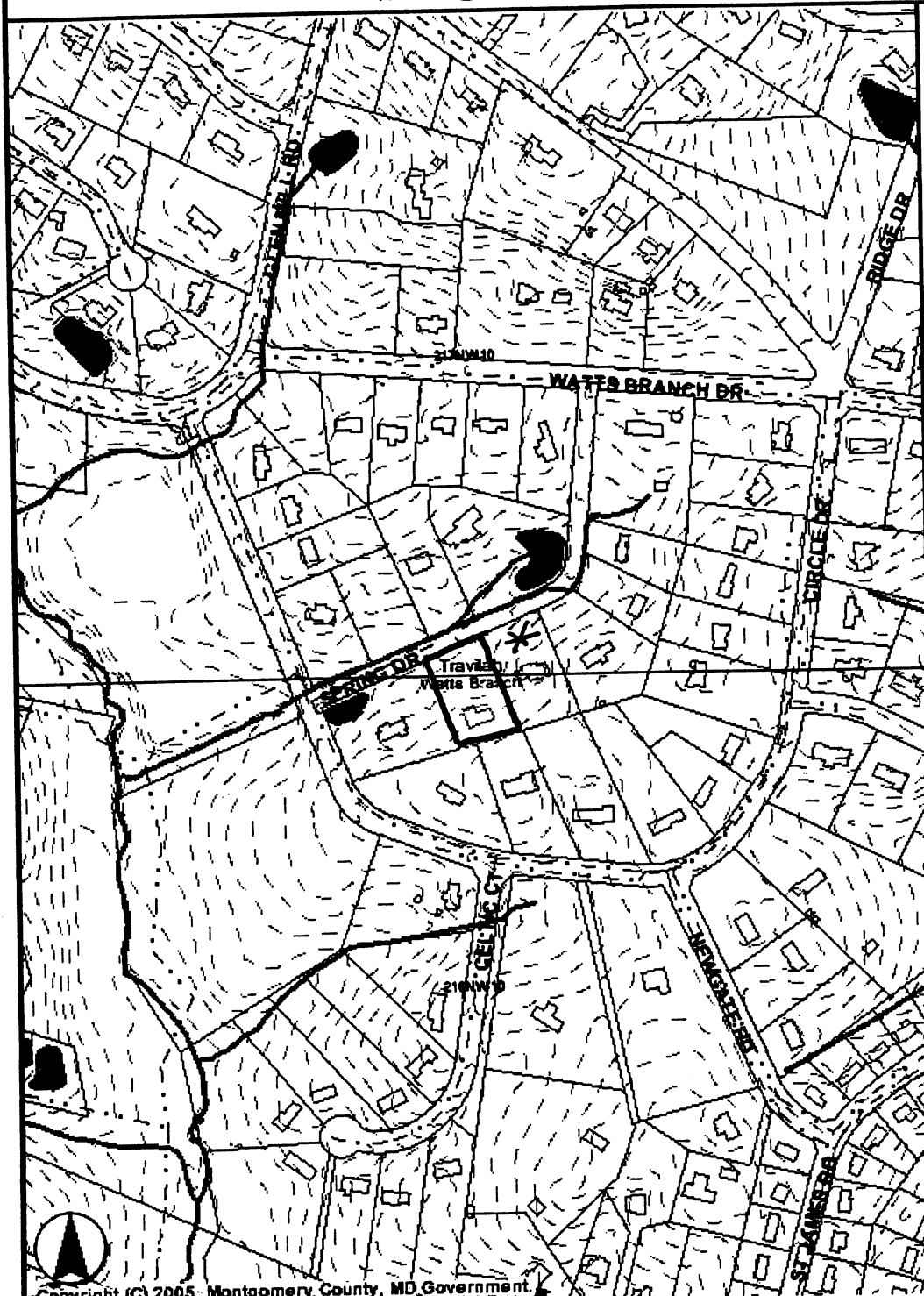


Data Sources: Montgomery County
DTS-GIS, Maryland National Capital
Park and Planning Commission, U.
Census Bureau, and Vargis, LLC.
(Orthophotos).

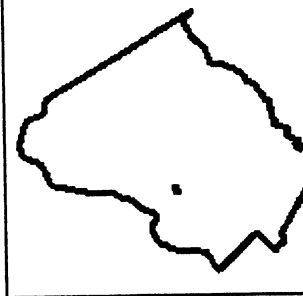
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63

06A-TRV-08 12805 Spring Dr: Goodwin



Location Map



Map Legend

- Selected Features**
- County Boundary
 - WSSC Map Tiles
 - Planning Areas 2003
 - Watersheds
 - Street Names
 - Property
 - Sewer Category
 - Water Category
 - Water Segments
 - Sewer Pipes
 - Contours (5 foot)
 - Buildings
 - Streams and Rivers
 - Water Bodies
 - Municipalities

* 06A-TRV-01
(ADAMS)

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Map Source:
Montgomery County, Maryland
Department of Technology Services
Geographic Information Systems
Date: 5/8/2006
Scale: 1 Inch = 463 Feet

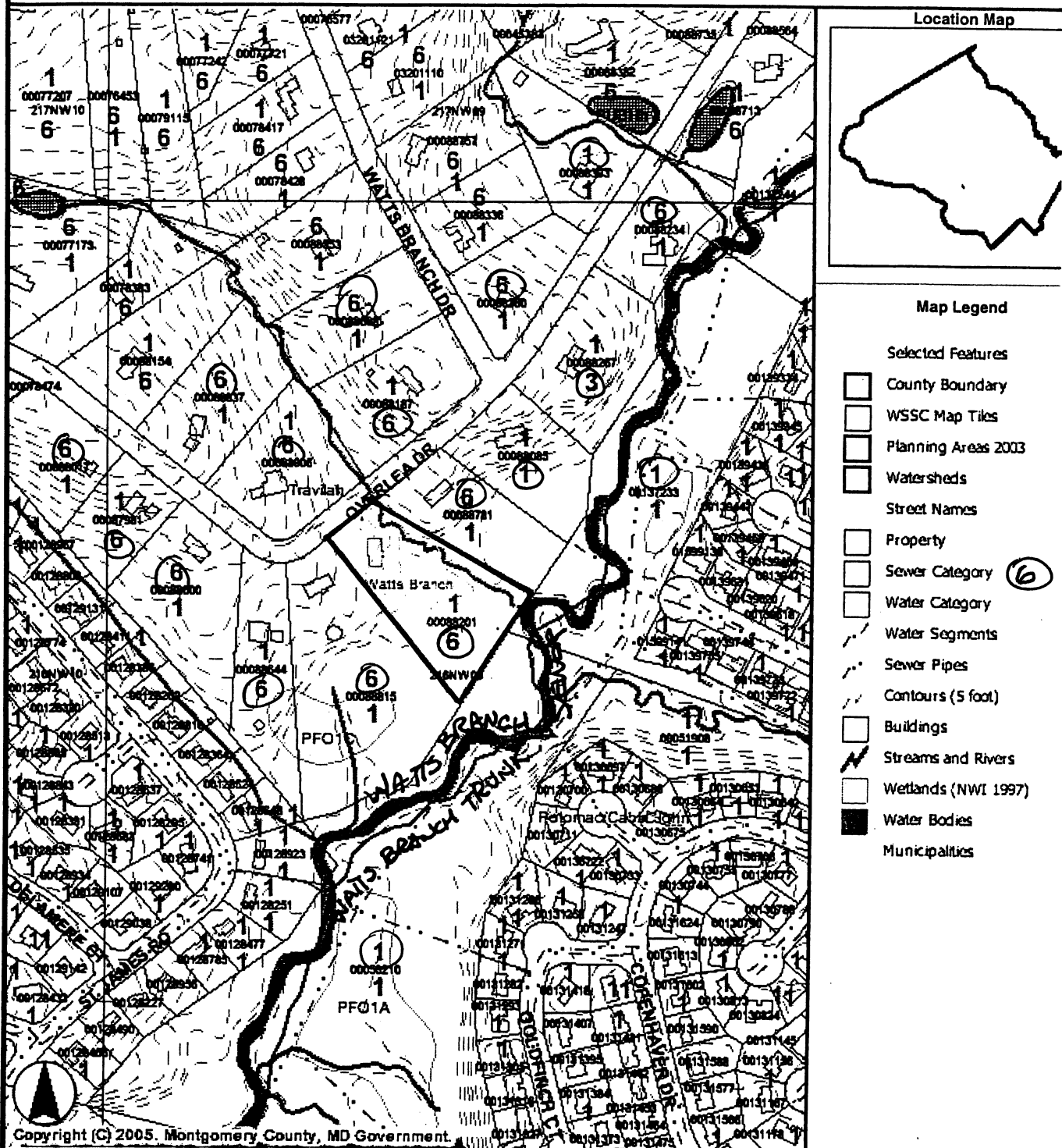


Data Sources: Montgomery Count
DTS-GIS, Maryland National Capit
Park and Planning Commission, U.
Census Bureau, and Vargis, LLC.
(Orthophotos).

DISCLAIMER : This is a product of the Montgomery County Government. The data presented on this map are believed to be accurate. However, the Montgomery County Government and its data suppliers do not guarantee

64

06A-TRV-12: Yakaitis



Map Source:
 Montgomery County, Maryland
 Department of Technology Services
 Geographic Information Systems
 Date: 7/3/2006
 Scale: 1 Inch = 394 Feet



Data Sources: Montgomery County DTS-GIS, Maryland National Capital Park and Planning Commission, U. Census Bureau, and Vargis, LLC. (Orthophotos).

DISCLAIMER: This is a product of the Montgomery County Government. The data presented on this map are believed to be accurate. However, the Montgomery County Government and its data suppliers do not guarantee

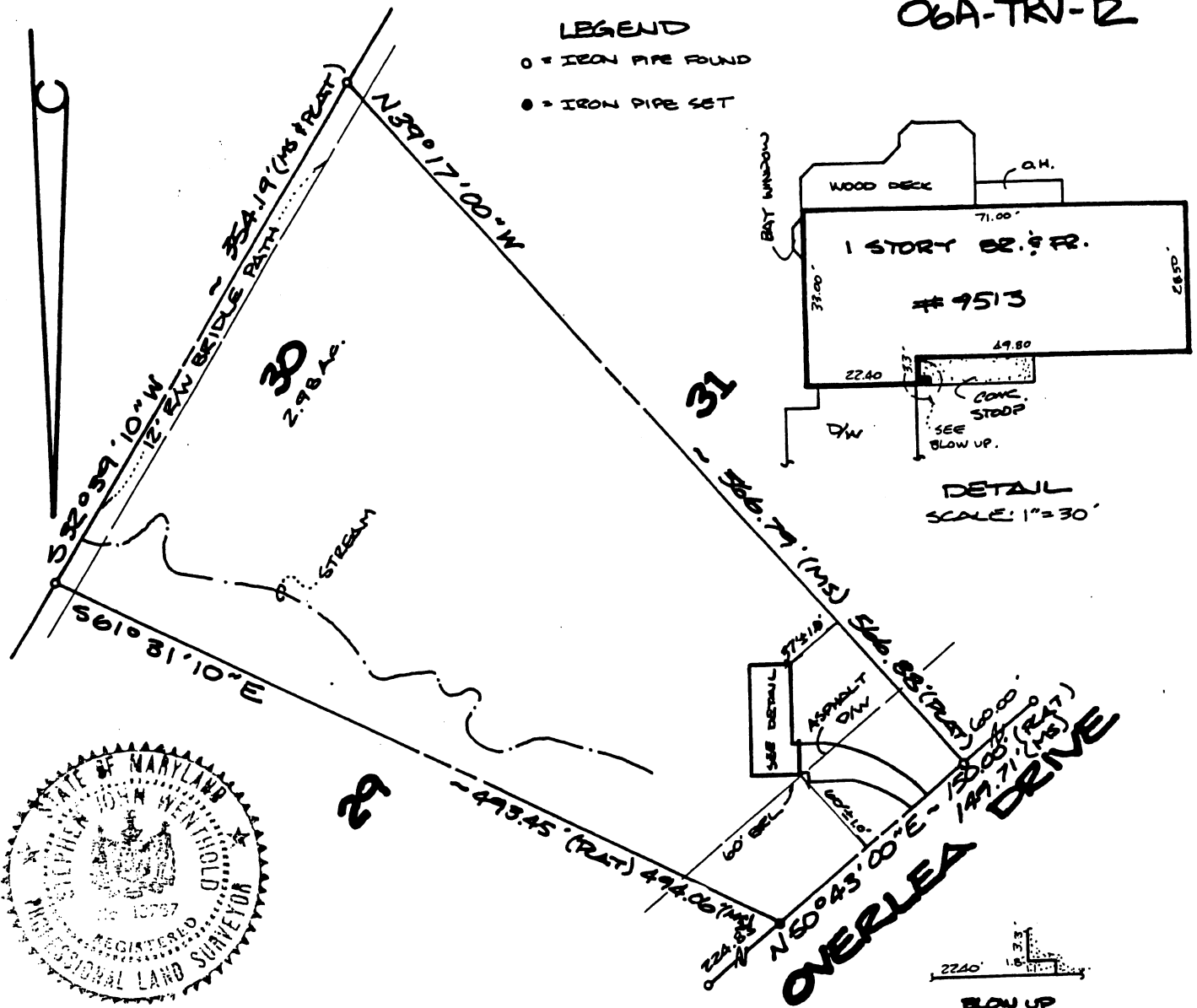
65

06A-TRV-12

LEGEND

○ = IRON PIPE FOUND

● = IRON PIPE SET



LOT 30 BLOCK C
POTOMAC HIGH LANDS

Surveyor's Certification

I hereby certify that the survey shown hereon is correct and that the location of the improvements shown hereon is correct and that there are no visible encroachments unless noted otherwise. This property does not lie within a 100 year flood plain according to FEMA insurance maps unless otherwise shown hereon. Building restriction lines shown as per available information.

Stephen J. Wenthold
Stephen J. Wenthold
Maryland RLS Reg. No. 10767

Date: 8-5-96
Scale: 1" = 100'
Plat Book: 41
Plat No.: 2954
Work Order: 96-1805



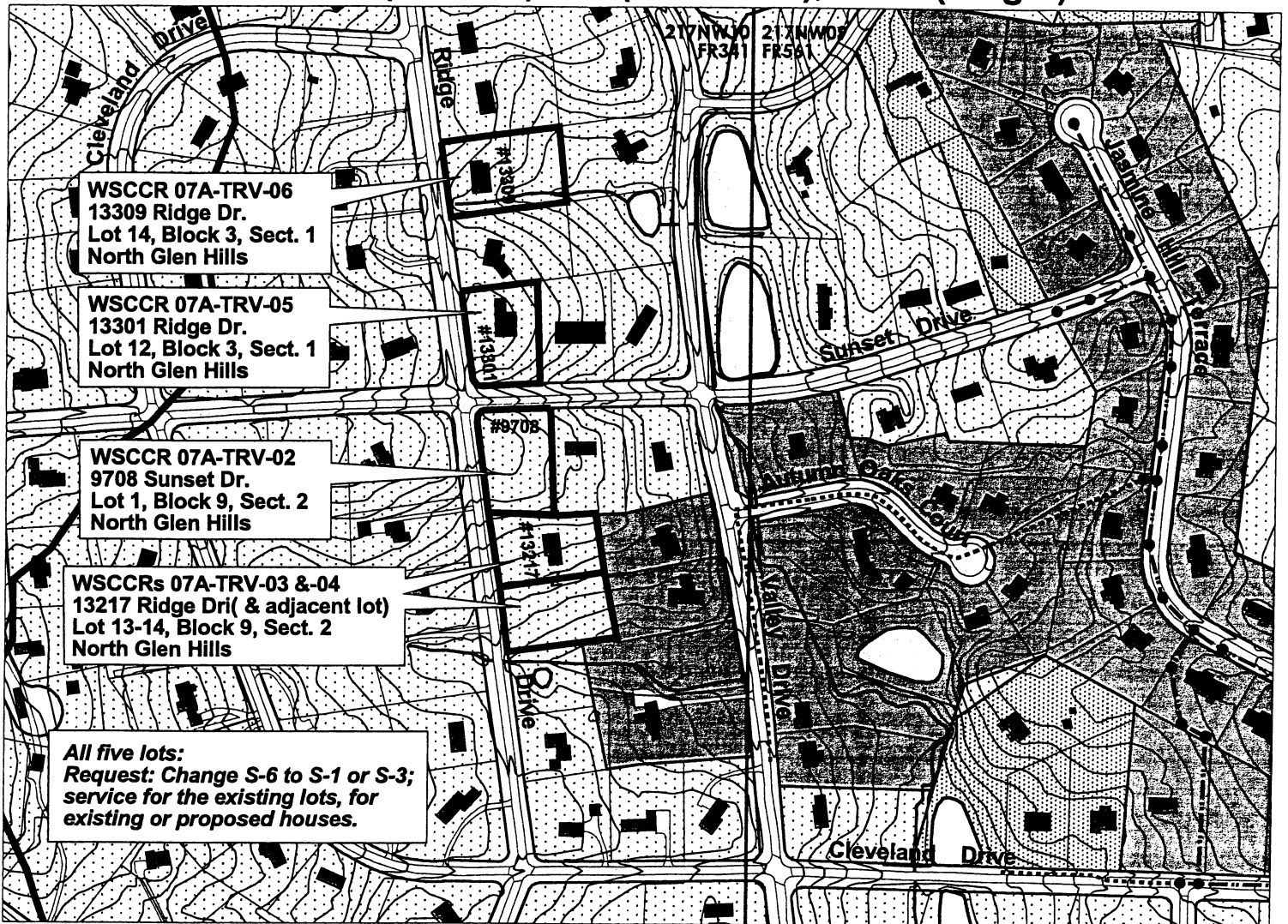
Meridian Surveys, Inc.
2401 Research Boulevard
Rockville, MD 20850
(301) 840-0025

Address: 9513 OVERLEA DRIVE
District: 4
Jurisdiction: MONTGOMERY COUNTY, MD.

66

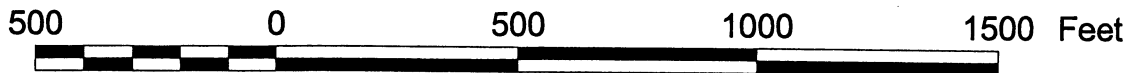
NO TITLE REPORT FURNISHED

Sewer Service Area Categories Map: WSCCRs 07A-TRV-02 (Last), -03 & -04 (Villardo), -05 (Corrnfield), & -06 (Singer)



Travilah Planning Area

Watts Branch Watersehd

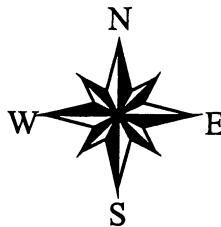


MAP LEGEND

- Property
- WSSC Tile Grid
- Sewer Manhole
- Sewer Mains**
 - Small-Diameter, Low-Pressure Mains
 - 6"- to 8"-Diameter Gravity Mains
 - 10"- to 14"-Diameter Gravity Mains
 - 15"- to 42"-Diameter (CIP) Trunk Mains
 - 48"- or Larger-Diameter (CIP) Trunk Mains
- Buildings - Structures
- Roads - Parking
- Piney Branch Subwatershed
- Streams
- Lakes - Ponds - Larger Streams
- Parks

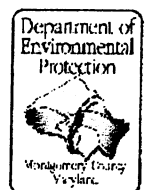
Sewer Categories (June 2003)

- S-1
- S-3
- S-4
- S-5
- S-6



SERVICE AREA CATEGORY CHANGE REQUEST

Montgomery County, Maryland
2003 - 2012 Comprehensive Water
Supply & Sewerage Systems Plan



Water & Wastewater Policy Group
11/24/06 -- GIS file:
o:\water_and_sewer\ccr-pas\travilah\
2007ccrs\07a-trv-02-06=glenhills=s.apr

67

TOWN OF LAYTONSVILLE

INCORPORATED 1892

Montgomery County, Maryland

CHARLES W. OLAND
Mayor

CATHRYN D. BUIT
Clerk

CHRISTINE WILKINSON
Treasurer

December 8, 2005

Mr. Alan D. Soukup
Senior Environmental Planner
Montgomery County
255 Rockville Pike, Suite 120
Rockville, MD 20850

Re: Town of Laytonsville
Water Service Category Change

Dear Mr. Soukup, *Alan*

On December 6, 2005 the Town Council of the Town of Laytonsville approved Resolution R-10-05 authorizing the Mayor to apply for and seek approval of water category changes. Attached is a copy of that approved Resolution.

Please let us know when the Montgomery County Council will consider this Resolution and as always, thank you for your assistance.

Best regards.

Sincerely,

Charles
Charles W. Oland
Mayor

CWO/cdb
Enclosure

68

RESOLUTION R-10-05

WATER SERVICE CATEGORY CHANGE

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF
LAYTONSVILLE, MARYLAND AUTHORIZING
THE MAYOR TO APPLY FOR AND SEEK APPROVAL OF
WATER CATEGORY CHANGES TO CATEGORY W-3 TO
THE MONTGOMERY COUNTY TEN-YEAR
COMPREHENSIVE WATER SUPPLY AND SEWERAGE
SYSTEMS PLAN FOR THOSE PROPERTIES IN THE
TOWN OF LAYTONSVILLE CURRENTLY IN
WATER SERVICE CATEGORY W-4;
THE LAYTONSVILLE NURSERIES CORPORATION,
THE LAYTONSVILLE PROPERTIES AND THE PROPERTIES
OF MR & MRS STADLER (COLLECTIVELY KNOWN AS
"THE STADLER PROPERTIES") AND THE PROPERTIES OWNED BY YCK
& CCMC LTD PARTNERSHIP TO CATEGORY W-3**

WHEREAS, on May 8, 2001, the Montgomery County Council adopted Resolution No. 14-857 regarding Amendments to the Montgomery County Comprehensive Water Supply and Sewerage Systems Plan ("the Plan") relating to the Town of Laytonsville Public Water Service Request; and

WHEREAS, the Plan approved public water category change requests placing certain properties in the Northwest Quadrant (North of Brink Road and west of Md. Rt. 108); Southwest Quadrant (South of Brink Road and west of Md. Rt. 108); and Southeast Quadrant (South of Sundown Road and east of Md. Rt. 108) in the W-4 category; and

WHEREAS, Montgomery County is in the process of considering category change requests for the Plan for 2003-2012 and the Mayor and Town Council desire to seek County Council approval to change the public water categories for those properties in the Northwest, Southwest and Southeast Quadrants currently in Water Category W-4 to Water Category W-3 in order to resolve certain concerns over groundwater contamination and septic failures and to economically and feasibly plan development consistent with the planning and zoning policies of the Town of Laytonsville; and

WHEREAS, the Town believes that such public water services can be economically and feasibly supplied to the portions of the Town described above consistent with studies undertaken by WSSC and a staging plan for the extension of water services to the Town.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Town Council of Laytonsville, Maryland, in public meeting assembled that:

1. The Mayor of Laytonsville is hereby authorized to apply to and seek approval of the Montgomery County Council to change the Water Category of the following properties from Category W-4 to Category W-3 in the Montgomery County Ten Year Comprehensive Water Supply & Sewerage Systems Plan.

Northwest Quadrant (North of Brink Road and West of Md. Rt. 108)

- All Stage 1 properties currently designated in Category W-4; and
- St. Paul's Methodist Church properties (Parcels P440 and P550)

Southwest Quadrant (South of Brink Road and west of Md. Rt. 108)

- All Stage 1 properties currently designated in Category W-4
- The properties of YCK & CCMC Ltd Partnership (Parcels P400 and P733) (122.22 acres)

Southeast Quadrant (South of Sundown Road and east of Md. Rt. 108)

- All Stage 1 properties currently designated in Category W-4
- The properties of Laytonsville Nurseries Corporation (120.59 ac.), Laytonsville Properties (31.47 ac.) and Mr. & Mrs. Peter Stadler (6.89 ac. & 3,443 sq. ft.) (collectively known as the "Stadler Properties") identified as Parcels P.100, P.330, P. 780, P. 030 and P. 270.

2. The Mayor is authorized to negotiate and execute such documents and take such actions as are necessary to receive said water category changes, provided that any costs associated with receiving public water services are first reviewed and approved by the Town Council.

ADOPTED by the Town Council this 16th day of Dec 2005
2005.

Charles W. Oland
Charles W. Oland, Mayor

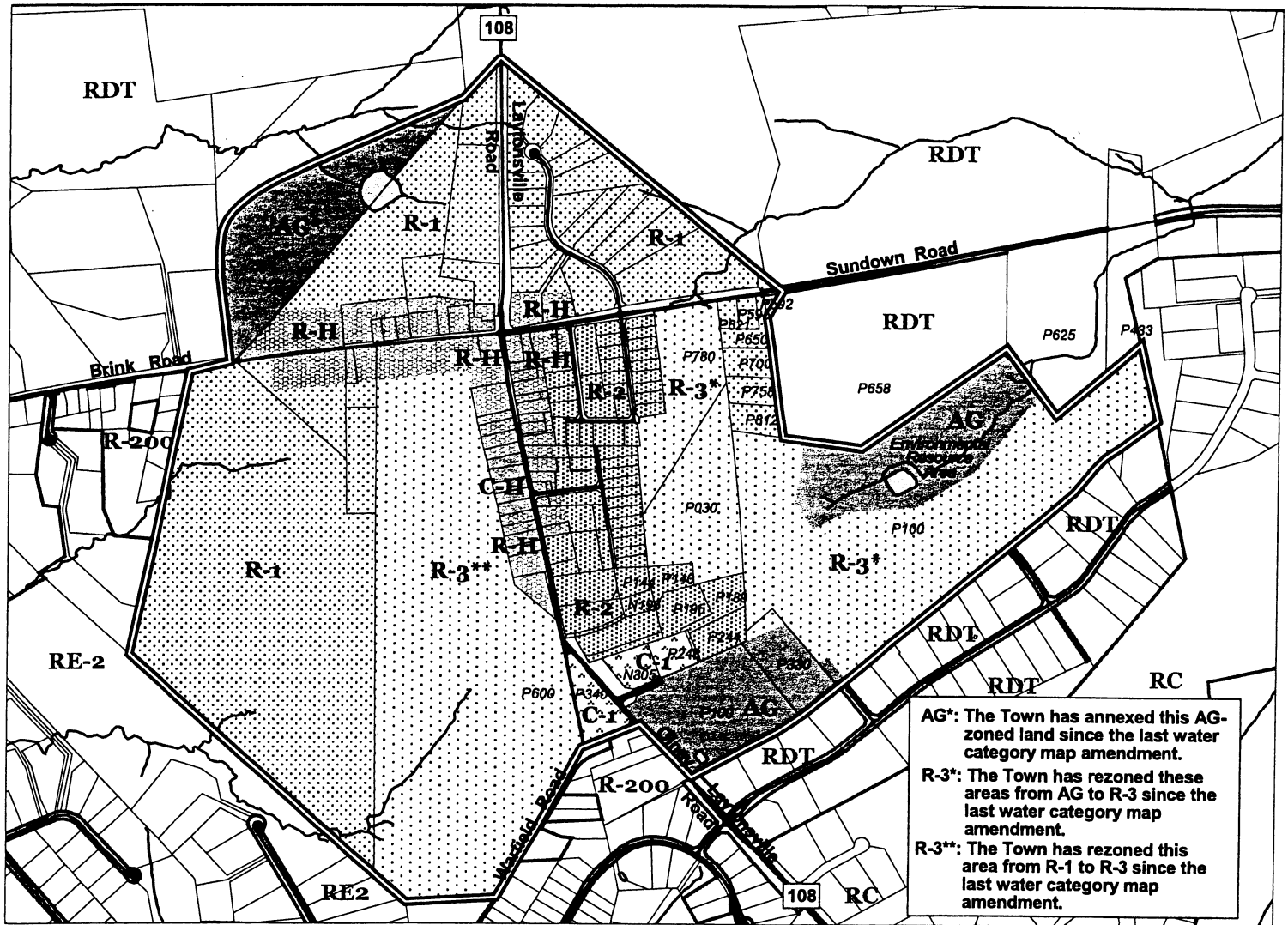
THIS IS TO CERTIFY that the foregoing
Resolution was adopted by the Town Council of
the Town of Laytonsville in public meeting
assembled on the 16th day of December,
2005 and that the same was approved by the
Mayor of the Town of Laytonsville on the
16th day of December, 2005.
This Resolution will become effective on
the 16th day of December, 2005.

Cathryn D. Buit
CATHRYN D. BUIT, TOWN CLERK

The Town of Laytonsville's zoning ordinance includes the zones summarized by DEP in the following table:

Town of Laytonsville - Zoning Summary Table		
Zone	Intent of Zone	Selected Zone Standards
Agriculture (AG)	To provide a zone for agricultural and farming uses including plant nurseries, with standards which provide for the conservation of these areas and recognize the difference between agricultural uses and more urban residential uses.	Min. lot area: 25 acres Max. density: One (1) dwelling unit per twenty-five (25) acres No Cluster Option
Residential One Acre (R-1)	To provide for single-family detached dwellings at a density not to exceed one (1) dwelling unit per acre and to allow certain other uses which are compatible with the low density residential character of this zone.	Min. lot area: 40,000 sq. ft. standard; 30,000 sq. ft. in cluster Max. density: One (1) dwelling unit per acre Cluster Option requires 20% of gross area as open space
Residential One-Half Acre (R-2)	To provide for single-family detached dwellings at a density not to exceed one (1) dwelling unit per one-half acre and to allow certain other uses as special exceptions when they are compatible with the low density residential character of this zone.	Min. lot area: 20,000 sq. ft. Max. density: One (1) single-family dwelling unit per half-acre No Cluster Option
Residential Two-Acres (R-3)	To provide for single-family detached dwellings at a density not to exceed one (1) dwelling unit per two acres. To provide flexibility in lot size and configuration to preserve and protect rural and scenic open spaces and environmentally sensitive areas, particularly those identified in the Town's master plan.	Min. lot area: 80,000 sq. ft. standard; 35,000 sq. ft. in cluster Max. density: One (1) dwelling unit per two acres Cluster Option requires 20% of gross area as open space
Residential Historic (RH)	The purpose and intent of this Zone is to provide for single-family detached dwellings at a density not to exceed one (1) dwelling unit per half acre and to allow certain other uses of a commercial nature when they are compatible with the low density residential character of the Zone and the historic and architectural structures therein.	Min. lot area: 20,000 sq. ft. Max. density: One (1) single-family dwelling unit per half-acre or two (2) dwelling units per acre No Cluster Option
Commercial (C-1)	The purpose and intent of this Zone is to provide a zone for the sale of goods and services.	Min. lot area: 20,000 sq. ft. Max. density: Floor area ratio: 0.30
Commercial Historic (C-H)	The purpose and intent of this Zone is to promote and preserve the historical character of the areas where historical structures are present, and to encourage re-use and revitalization of commercial properties within the historic area.	Min. lot area: 20,000 sq. ft. Max. density: Floor area ratio: 0.30
The preceding is summarized from the Town of Laytonsville Zoning Ordinance, as amended through Sept. 26, 2006.		

GWSMA 06G-LYT-01: Laytonsville Water Service Laytonsville & Nearby Montgomery County Zoning



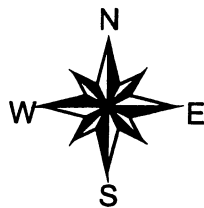
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MAP LEGEND

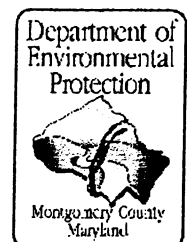
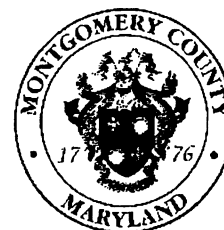
- Town's Corporate Limits
- Property
- Roads
- Streams
- Ponds

Laytonsville Zoning

- AG
- C-1
- C-H
- R-1
- R-2
- R-3
- R-H
- Mont. Co. Zoning



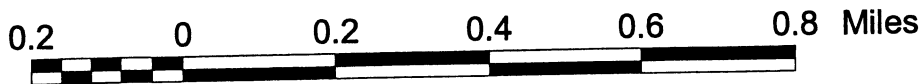
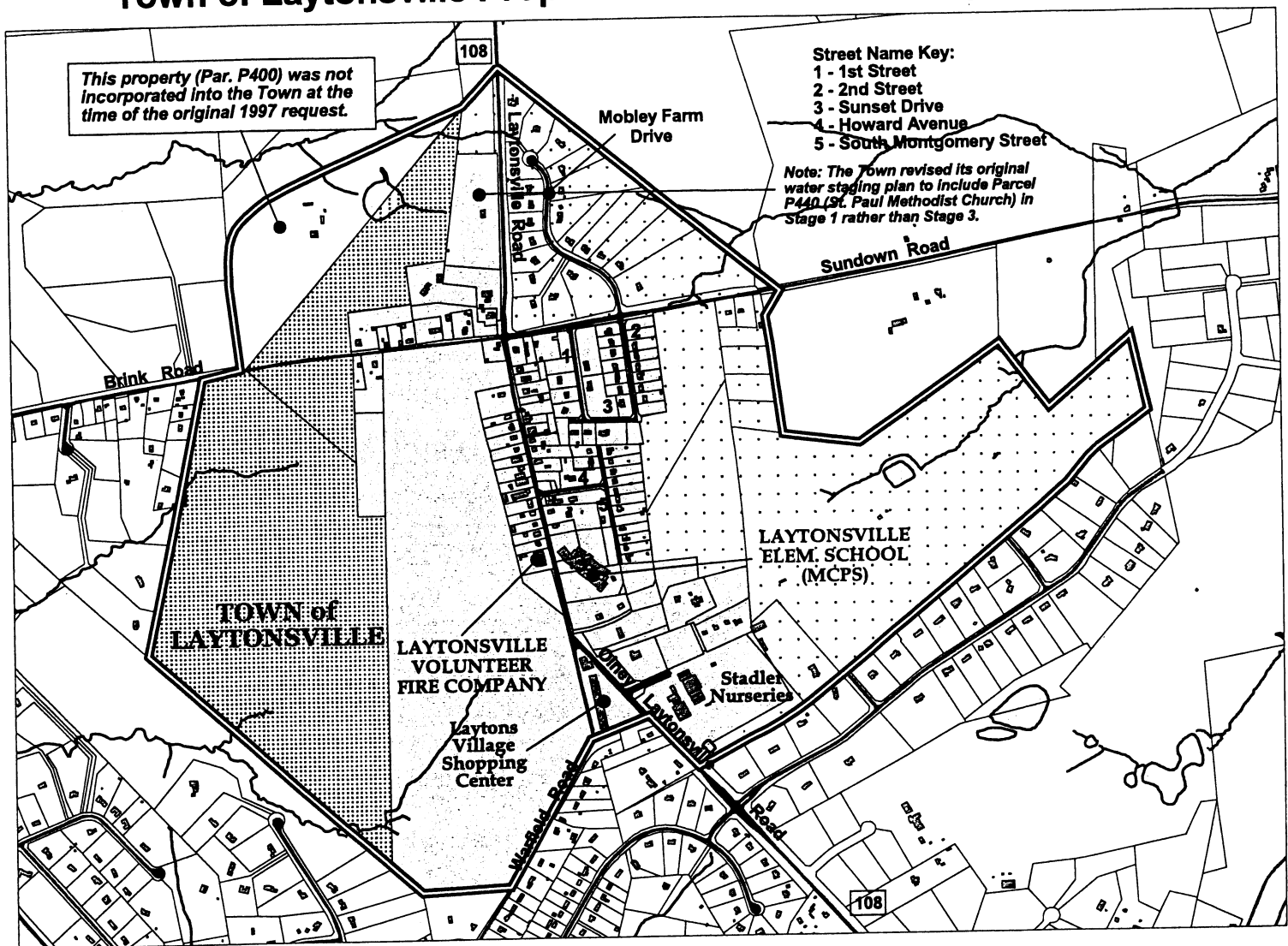
Montgomery County, Maryland
2003 - 2012
Comprehensive Water Supply
and Sewerage Systems Plan



Watershed Management Division
11/15/06 -- GIS Project File:
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GWSMA 06G-LYT-01: Laytonsville Water Service

Town of Laytonsville Proposed Water Service Stages (c. 1999)



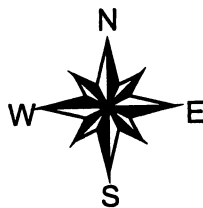
MAP LEGEND

- Laytonsville Corporate Limits
- Properties
- Roads
- Buildings
- Lakes - Ponds
- Streams

Laytonsville Water Service Stages

- Water Service Stage 1 - High Priority
- Water Service Stage 2 - Moderate Priority
- Water Service Stage 3 - Low Priority

Note: Laytonsville's water service stages were adapted for GIS presentation by DEP-WWPG staff from a map provided by Benning and Associates, Inc.



Montgomery County, Maryland
2003 - 2012
Comprehensive Water Supply
and Sewerage Systems Plan



Water and Wastewater Planning Group
11/23/06 -- GIS Project File: O:\wwteam\municipal\laytonsville\06g-lyt-01

GWSMA 06G-LYT-01

Laytonsville Water

Pressure Zone: Proposed Water Supply Facilities Map

MAP LEGEND

Laytonsville
Corp. Limits (2006)

Property

Buildings

Roads

Streams

Ponds

WSSC Map Grid
(6/03)

Existing Water Mains

Proposed Water
Pressure Zone/
Study Area

Existing WSSC
Airpark Water
Pressure Zone

General

Water/Sewer

Map Amendment

= Laytonsville

Water Service =

Montgomery County,

Maryland

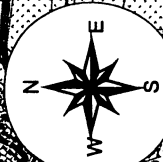
2003 - 2012

Comprehensive Water
Supply and Sewerage
Systems Plan



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Note: Proposed water facility locations
and main alignments shown on
this map are approximate only.



GWSMA 06G-LYT-01

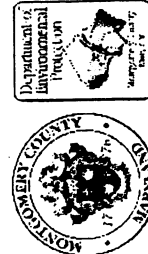
Town of Laytonsville: Existing Water Categories

MAP LEGEND

- Property
- Laytonsville Corporate Limits
- WSSC Map Grid
- Buildings
- Roads - Parking
- Watersheds
- Ponds
- Streams
- Existing Water Service Area Categories
- W-1
- W-3
- W-4
- W-4/PIF Use Only
- W-5
- W-6
- W-6/Multi-Use System
- W-6/RDT & AG:
- Future Water Service Restricted

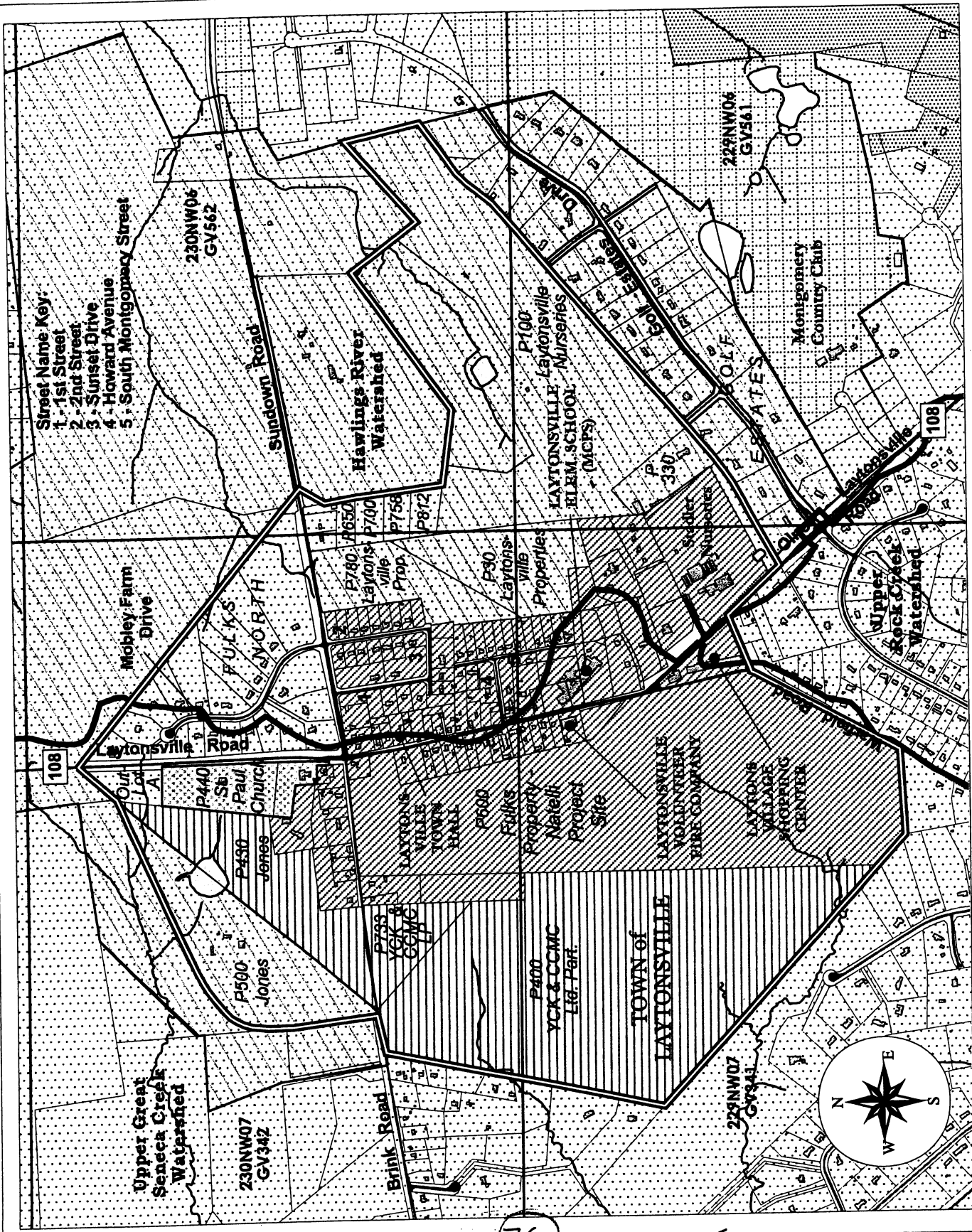
WATER SERVICE AREA CATEGORIES MAP

Montgomery County,
Maryland
2003 - 2012
Comprehensive Water
Supply and Sewerage
Systems Plan

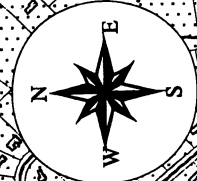


Prepared by the DEP
WATER & WASTEWATER
POLICY GROUP

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0.2 0 0.2 0.4 0.6 0.8 1 Miles



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Town of Laytonville: Recommended Water Categories

Property
 WSSC Map Grid
 Laytonville
 Corporate Limits
 Roads
Proposed
Water Categories
 W-1
 W-3
 W-4
 W-5
 W-6
 W-6/Multi-Use Sy
 W-6/RDT & AG:
 Future Water Ser
 Restricted

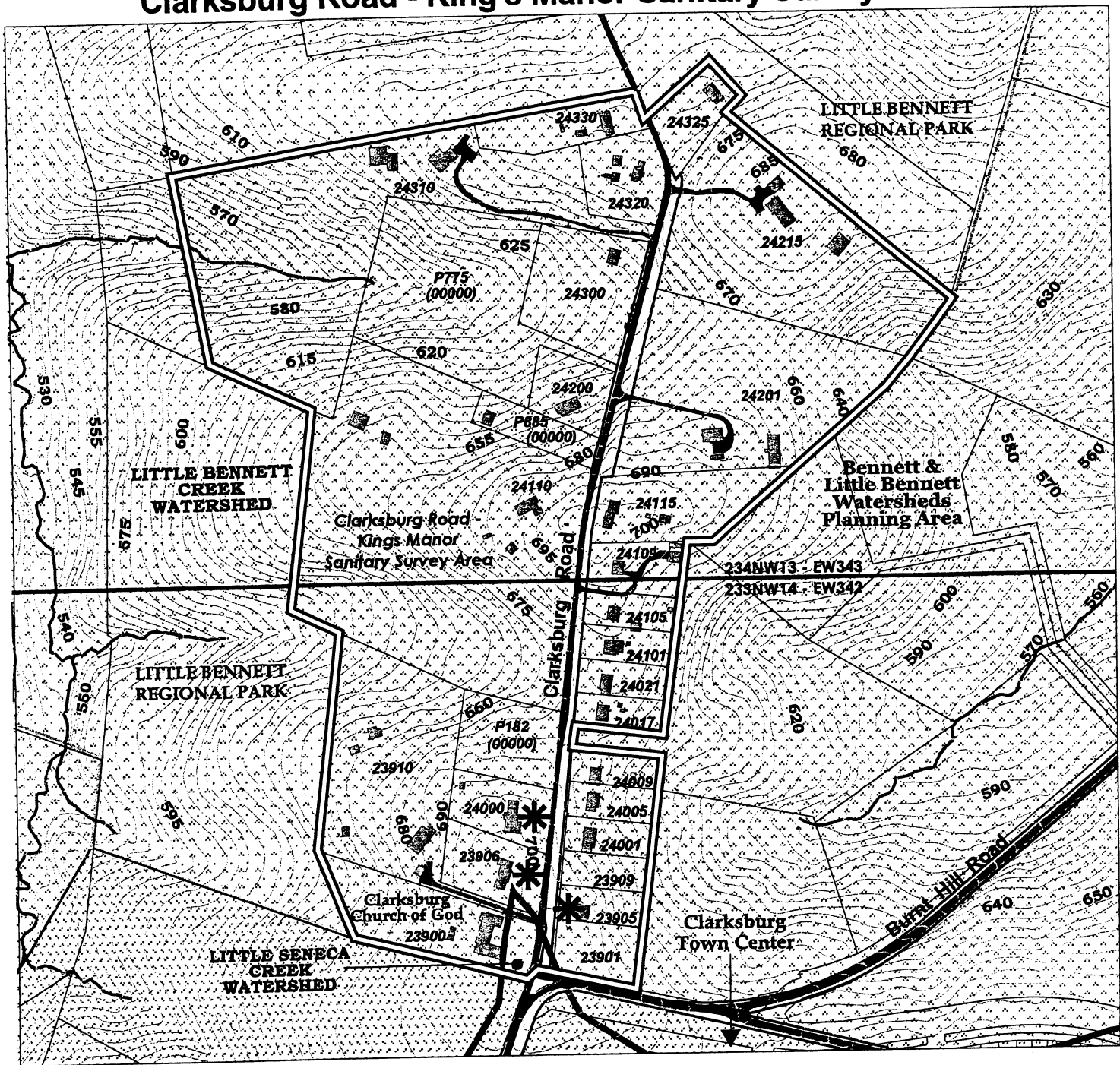
Montgomery County,
Maryland
2003 - 2012
Comprehensive Water
Supply and Sewerage
Systems Plan



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Water Service Area Categories Map Clarksburg Road - King's Manor Sanitary Survey Area



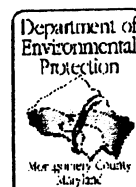
500 0 500 1000 Feet

MAP LEGEND

- Property
- WSSC Map Grid
- Watersheds
- Buildings
- Roads
- Streams
- Ponds
- Topography
- Parks
- Documented Well Failures
- Clarksburg Road - Kings Manor Health Survey Area
- Water Service Area Categories (06/03)**
 - W-1
 - W-3
 - W-4
 - W-5
 - W-6

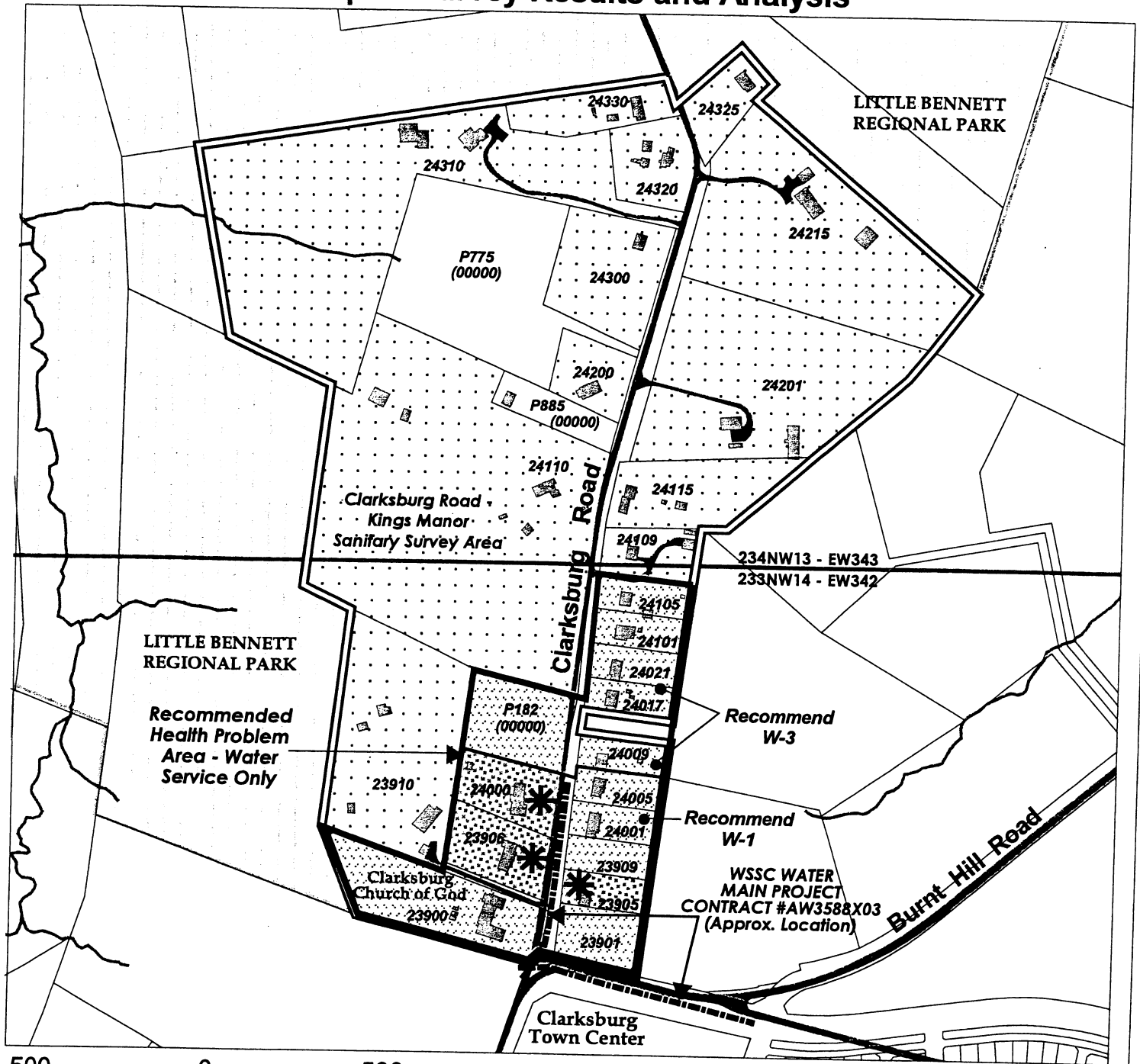
78

JUNE 2003 UPDATE
SERVICE AREA CATEGORIES MAP
Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



Water and Wastewater Planning Group
11/27/06 -- GIS Project File:
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Clarksburg Road - King's Manor Sanitary Survey Area Map of Survey Results and Analysis

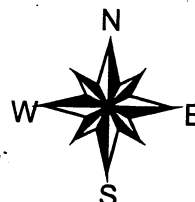


MAP LEGEND

- Clarksburg Road Health Survey Area
- Property
- WSSC Map Grid
- Buildings
- Roads
- Streams
- Ponds
- Parks

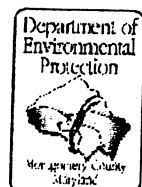
- Water Health Problem Priorities
- High
 - Moderate
 - Low
 - Unknown

* Well Failures (as per DPS) - Public Water Service Relief Provided



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PUBLIC HEALTH PROBLEM
Montgomery County, Maryland
2003 - 2012 Update
Comprehensive Water Supply
and Sewerage Systems Plan



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Abstract—The purpose of this study was to determine the effect of a 10-week training program on the heart rate (HR) and energy expenditure (EE) of sedentary, middle-aged women. The subjects were randomly assigned to a control group (CON) and an exercise group (EX). The EX group performed a 10-week training program consisting of three sessions per week of aerobic exercise. The HR and EE were measured at baseline and at the end of the 10-week training program. The EX group showed a significant decrease in HR and a significant increase in EE compared to the CON group. The results of this study suggest that a 10-week training program can improve the cardiovascular fitness and energy expenditure of sedentary, middle-aged women.

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