



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

MCPB
01/22/09
Item # 12

January 16, 2009

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Mark Pfefferle, Acting Chief *SAI for MP*
Environmental Planning Division

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

SUBJECT: Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan—Administrative Cases AD 2009-1

RECOMMENDATION

Approve service as noted for the cases listed in the attached packet.
Transmit recommendations to the County Executive for final action.

DISCUSSION

This staff package contains recommendations for category changes requiring action by the County Executive (CE). Planning staff's comments on all cases have been incorporated into DEP's packet along with the comments of other agencies. Administrative cases are generally well within established policies and guidelines for community water and sewer service and therefore do not go before the County Council for action. This package contains an abutting main sewer request and a failed septic system sewer request. The third item is a general sewer map amendment for a neighborhood of 27 properties in Damascus. Although staff recognizes the physical and financial obstacles associated with parts of this general sewer map amendment, the 2006 Damascus Master Plan shows this entire area within the sewer service envelope.

The staff recommendation for approval as noted in the package is in agreement with the Executive's recommendations on all cases. It has been determined that these requests for service within this package are in accordance with the relevant master plans.

CONCLUSION

If the Planning Board believes that any of these cases requires County Council action, such action should be requested at this time. The Department of Environmental Protection will hold a public hearing on January 27, 2009 at 2:30 pm. The Board's recommendations will be transmitted to the Executive during the period of open record. The County Executive will take final action on the category change requests.

KN:ss
Attachment

**DEP Interagency Water/Sewer Map Amendment Review
E-Mail Transmittal**

January 9, 2009

TO: David Shen and Kathy Maholtz, Development Services Group
Washington Suburban Sanitary Commission

Katherine Nelson, Environmental Planning Unit, County-Wide Planning
Maryland – National Capital Park and Planning Commission

Gene von Gunten, Well and Septic Section
Department of Permitting Services

FROM: Alicia Youmans, Planner
Water and Wastewater Policy Group, Department of Environmental Protection

SUBJECT: WATER/SEWER CATEGORY CHANGE REQUEST REVIEW – 2009-1 REVIEW GROUP

Posted to www.montgomerycountymd.gov/waterworks is a PDF that includes 2 individual water/sewer service area category change requests and one general water/sewer service area category change amendment which, after agency review, are planned to be considered by the DEP administrative delegation action of 2009-1 on January 27, 2009. These requests will be considered as proposed amendments to the County's Comprehensive Water Supply and Sewerage Systems Plan. In this review period, three other category change requests were reviewed; these requests will be included in the Spring 2009 County Council packet, and are listed on page 5 of the PDF.

Requests being considered for DEP administrative delegation action:

Administrative hearing AD 2009-1 will be held January 27, 2009, at DEP's offices at 255 Rockville Pk., Rockville.

WSSCR 09A-POT-02: Dr. Yameen & Sabiha Zubairi											
DEP Staff Recommendation: Approve S-3. Policy V.F.1.a Consistent with Existing Plans.											
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification										
<ul style="list-style-type: none"> ▪ 10911 Chandler Road, Potomac 20854 ▪ Lot 9, Block 1 , Fawsett Farms – acct no: 10 00867030 ▪ Map tile: WSSC – 210NW11; MD – FN23 ▪ Located near Rock Run Drive and Chandler Rd ▪ Potomac MP (2002) ▪ Rock Run Watershed (MDE Use I) ▪ R200 Zone; 1.0 acres ▪ <u>Existing use:</u> Residential ▪ <u>Proposed use:</u> Residential 	<table border="0"> <tr> <td colspan="2"><u>Existing – Requested – Service Area Categories</u></td> </tr> <tr> <td>W-6</td> <td>W-6(No change)</td> </tr> <tr> <td>S-6</td> <td>S-1</td> </tr> <tr> <td colspan="2"><u>Applicant's Explanation.</u></td> </tr> <tr> <td colspan="2">"Unknown to us and extension is being laid for the sewerage and water lines on Chandler Road. WSSC would consider us to hook-up to these lines after the category change. Until such connection is obtained we will continue with our present septic/well system."</td> </tr> </table>	<u>Existing – Requested – Service Area Categories</u>		W-6	W-6(No change)	S-6	S-1	<u>Applicant's Explanation.</u>		"Unknown to us and extension is being laid for the sewerage and water lines on Chandler Road. WSSC would consider us to hook-up to these lines after the category change. Until such connection is obtained we will continue with our present septic/well system."	
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W-6	W-6(No change)										
S-6	S-1										
<u>Applicant's Explanation.</u>											
"Unknown to us and extension is being laid for the sewerage and water lines on Chandler Road. WSSC would consider us to hook-up to these lines after the category change. Until such connection is obtained we will continue with our present septic/well system."											

Agency Review Comments

M-NCPPC: This single lot connection may be approved under the abutting mains policy. Within approved Potomac sewer envelope, 2002 Potomac Subregion master plan.
Approve S-3.

WSSC: A 1,400-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing 8-inch sewer on Rock Run Drive (contract no. 94-1018A) and would abut approximately 21 properties in addition to the applicant's. This extension has been conceptually approved for service to the Schultz Tract lot 9 (job no. DA4175Z05). The status of this project is unknown. WSSC cannot guarantee the completion of this project.

DPS: The original well and septic systems were permitted in 1964. The septic system was repaired in 1978 with the addition of 3 trenches.

DEP Staff Report: Approval of S-3 is consistent with the Potomac sub-region master plan and the county

and water sewer plan. A memo was sent to WSSC with a request to expedite service 09/26/08 (memo attached). The property qualifies under the abutting mains policy as well as consistent with existing plans.

WSSCR 09A-TRV-01: Robert Carter DEP Staff Recommendation: Approve S-3. Policy V.F.2.a Public Health Problems, restricted to single sewer hookup only.											
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification										
<ul style="list-style-type: none"> ▪ 13120 Cleveland Dr, Rockville 20850 ▪ Lot 8, Bl. 11, North Glen Hills – acct. no. 04-00076726 ▪ Map tile: WSSC – 217NW09; MD – FR51 ▪ Located on the corner of Cleveland Ct and Cleveland Dr ▪ Potomac MP (2002) ▪ Watts Branch Watershed (MDE Use I) ▪ RE-1 Zone; 0.92 acres ▪ <u>Existing use:</u> Residential ▪ <u>Proposed use:</u> Residential 	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left; border-bottom: 1px solid black;">Existing – Requested – Service Area Categories</th> </tr> <tr> <td style="width: 50%;">W-1</td> <td style="width: 50%;">W-1(No change)</td> </tr> <tr> <td>S-6</td> <td>S-1</td> </tr> <tr> <th colspan="2" style="text-align: left; border-bottom: 1px solid black;">Applicant's Explanation</th> </tr> <tr> <td colspan="2"> "Septic system has failed and conventional on-site correction is not possible. Since a sewer mainline abuts the property we are requesting a category change to allow connection to the sewer." </td> </tr> </table>	Existing – Requested – Service Area Categories		W-1	W-1(No change)	S-6	S-1	Applicant's Explanation		"Septic system has failed and conventional on-site correction is not possible. Since a sewer mainline abuts the property we are requesting a category change to allow connection to the sewer."	
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S-6	S-1										
Applicant's Explanation											
"Septic system has failed and conventional on-site correction is not possible. Since a sewer mainline abuts the property we are requesting a category change to allow connection to the sewer."											

Agency Review Comments

M-NCPPC: Verified Septic Failure
Approve S-3

WSSC: An 8-inch sewer in Cleveland Drive abuts the property (contract no. 89-8206A). On-site sewage pumping may be required in order to pump wastewater to the abutting existing gravity sewer in Cleveland Drive.

DPS: I concur with the DEP note; public sewer is recommended.

DEP Staff Report: Department of Permitting Services confirmed the septic failure on 09/30/2008 (see attached memo) and DEP sent memo to WSSC with an expedite service request 10/30/2008 (see attached). This property also abuts an existing sewer main.

General Water and Sewer Map Amendment: GWSMA 09G-DAM-01

Initiated by DEP-Water and Wastewater Policy Group (WWPG): November 6, 2008

Purpose: DEP-WWPG staff proposes this water/sewer category map amendment to address sewer service area categories in a portion of the Oak Drive & Kingstead Road neighborhood in Damascus, and the John Haines Park off of Damascus Rd. (A map showing the neighborhood study area and its existing water/sewer service area categories is attached.) DEP has previously addressed sewer category changes for several properties in this area. The residential lot sizes of these properties, with few exceptions, are less than one acre which may pose problems when it is time to replace existing septic systems with ones that meet current standards. This proposed general map amendment places the proposed properties in the correct sewer category to receive public service in preparation of future need, eliminating the need for up to 27 future individual category change requests.

Background: According to the County Water and Sewer Plan as well as the 2006 Damascus Master Plan, page 105, this area is intended to receive public water and sewer service. The proposed properties listed in the table below already receive public water service or are in the correct category to do so.

Proposal: This sewer category map amendment proposes to change the sewer category for twenty five properties on Oak Drive and Kingstead Road, along with the two others which comprise John Haines Park off of

Damascus Rd. All of the subject properties have frontage directly along the street. Seven of the properties along Oak Drive abut a sewer main already and are recommended to be changed to S-1. The remaining Oak Drive and Kingstead Rd properties are recommended to be changed to S-3 as sewer main extensions are needed to serve these properties. At this time there is no actual plan or time projection for the sewer main extension.

The properties listed in the following table are included in this proposed general water/sewer category map amendment. The table shows both the existing water and sewer service area categories and those proposed by DEP for the following 27 properties:

GWSMA 09G-DAM-01					
DEP STAFF REPORT: Approve S-1 and S-3 as appropriate. Policy V.F.1.a Consistent with Existing Plans.					
Address Legal Description (dist & tax acct. #)	Owner	Zoning Size	Categories Exist. Prop.		Notes/Comments
25314 Oak Drive 12 00925820	Elizabeth Cain	RC 1.06 acres	W-1 S-6	W-1 S-3	This property, though zoned RC, is in the master plan's recommended sewer envelope
Oak Drive 12 00939108	Potomac Edison Company	R-200 0.67 acres	W-1 S-6	W-1 S-3	
Oak Drive 12 00939110	Potomac Edison Company	R-200 0.67 acres	W-1 S-6	W-1 S-3	
25300 Oak Drive 12 00932632	Catherine Kate	R-200 0.62 acres	W-1 S-6	W-1 S-3	
25224 Oak Drive 12 00936446	James Mulvehill	R-200 0.69 acres	W-1 S-6	W-1 S-3	
25220 Oak Drive 12 00929350	Maria Schooley	R-200 0.66 acres	W-1 S-6	W-1 S-3	
25204 Oak Drive 12 00939985	Rhian Clode	R-200 0.472 acres	W-1 S-6	W-1 S-3	
25200 Oak Drive 12 00933636	Theresa Caherty	R-200 0.462 acres	W-1 S-6	W-1 S-3	
25124 Oak Drive 12 00939440	William Ray	R-200 0.459 acres	W-1 S-6	W-1 S-3	
25116 Oak Drive 12 00940107	Paul Rose	R-200 0.509 acres	W-1 S-6	W-1 S-3	
25120 Oak Drive 12 00924574	David Speck	R-200 0.459 acres	W-1 S-6	W-1 S-1	
25106 Oak Drive 12 00929805	Boriz Benitez	R-200 0.471 acres	W-1 S-6	W-1 S-1	
25104 Oak Drive 12 00939074	Lynn Williams	R-200 0.574 acres	W-1 S-6	W-1 S-3	
25020 Oak Drive 12 00939427	Paul Ray/ Trouble Enough Indeed	R-200 0.5 acres	W-1 S-6	W-1 S-1	
25016 Oak Drive 12 00939405	Manual Bonilla Henriquez	R-200 0.537 acres	W-1 S-6	W-1 S-1	
25012 Oak Drive 12 00928457	John Dupont	R-200 0.491 acres	W-1 S-6	W-1 S-1	
Oak Drive 12 00939393	Charles T Jr. & P A Linthicum	R-200 0.517 acres	W-1 S-6	W-1 S-1	
25006 Oak Drive 12 01780648	Samual Brake	R-200 0.73 acres	W-1 S-6	W-1 S-1	

GWSMA 09G-DAM-01					
DEP STAFF REPORT: Approve S-1 and S-3 as appropriate. Policy V.F.1.a Consistent with Existing Plans.					
Address Legal Description (dist & tax acct. #)	Owner	Zoning Size	Categories Exist. Prop.		Notes/Comments
Damascus Road 12 00939850	MNCCPC – John Haines Park	R-200 10.46 acres	W-1 S-6	W-1 S-1	Although the park may have no facilities needing sewer service, we typically assign category S-1 to park properties within the sewer envelope where existing service predominates.
Damascus Road 12 00939883	MNCCPC – John Haines Park	R-200 3.14 acres	W-1 S-6	W-1 S-1	
10831 Kingstead Rd 12 00938285	Glen and Brenda Chapman	R-200 1.04 acres	W-1 S-6	W-1 S-3	
10825 Kingstead Rd 12 00926458	Norbet Butler	R-200 1.14 acres	W-1 S-6	W-1 S-3	
10815 Kingstead Rd 12 00925545	Mark England	R-200 0.459 acres	W-1 S-6	W-1 S-3	
0000 Kingstead Rd 12 00925556	Nathan and BL Bickford	R-200 0.459 acres	W-1 S-6	W-1 S-3	
10809 Kingstead Rd 12 00931843	Mary Raguso	R-200 0.918 acres	W-1 S-6	W-1 S-3	
10807 Kingstead Rd 12 00937598	Gregory Smith	R-200 0.467 acres	W-1 S-6	W-1 S-3	
10801 Kingstead Rd 12 00926378	Neil Greenberger	R-200 0.997 acres	W-1 S-6	W-1 S-3	
Master Plan: Damascus (2006) Watershed: Little Bennett Creek (MDE Use III) DEP will address category changes from S-3 to S-1 for the properties at 25000 and 25002 through the upcoming general update of the service area maps.					

Agency Review Comments

M-NCPPC: Although staff recognizes the physical and financial obstacles associated with parts of this general water and sewer map amendment, the 2006 Damascus Master Plan shows this entire area within the sewer service envelope. **Approve S-1** for properties abutting existing sewer mains **Approver S-3** for remaining properties

WSSC: A 600-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing 8” sewer in Oak Drive (contract no. 90-8784A) and would abut approximately 8 properties in addition to the applicant’s. Please note onsite pumping may be required depending on grading and site plan.

SEWER INFORMATION FOR LOTS 25104, 25106, 25120, 25116, 25124, 25200, & 25204 OAK DRIVE & 10801 Kingstead Road: A 900 -foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing 8” sewer in Oak Drive (contract no. DA2786A00) and would abut approximately 8 properties in addition to the applicant’s. Please note onsite pumping may be required depending on grading and site plan.

SEWER INFORMATION FOR LOTS 25020,25016,25012,00000, 25006,00000,00000, OAK DRIVE: An 8-inch sewer line in Oak Drive (contract no. 951358A) abuts the property.

SEWER INFORMATION FOR LOTS 10831, 10825, 10815, 00000 , 10809, 10807 KINGSTEAD ROAD: Approximately 3700-foot-long non-CIP-sized water extension is required to serve the property. This extension would connect to the existing 8-inch sewer main (contract no.887682A) and would abut approximately 16 properties in addition to the applicant’s.

Rights-of-way would be required. Construction of this extension may involve the removal of trees.

DPS: The majority of these properties cannot meet today’s standards for septic reserve areas. These homes are served by septic systems that are typically a septic tank and one or more seepage pits. As these systems fail

due to age, on-site replacement will be difficult. Some of these systems are constructed in marginal soil conditions (fractured bedrock) and may be discharging poorly treated effluent into the underlying aquifer. A connection to public sewer is certainly advisable.

DEP Staff Report: The provision of public sewer service is consistent with County Water and Sewer Plan policies and with Damascus Master Plan service recommendations. In addition, these properties, given their relatively small size, are likely to have difficulty replacing existing septic systems with new systems that meet current standards, making public sewer service a necessity. WSSC's report calls for a 3000-plus foot gravity main extension to serve properties along the north side of Kingstead Rd. While we acknowledge WSSC's policy preference for gravity sewers instead of pressure systems, excessive extension costs and end environmental constraints may exclude the use of gravity sewers. When the properties along Kingstead Drive need the sewer extension, we may need to evaluate other options, including the use of pressure sewer systems.

Residential properties on the south side of Kingstead Rd. (confronting some of those included in this amendment) also lack access to existing sewer mains. DEP will address a general category change from S-1 to S-3 for these lots as part of the pending triennial Plan update.

Requests being considered for County Council review and action:

The following requests will be included in the Spring 2009 transmittal of plan amendments to the Council.

- WSSCR 09A-PAX-01: Eglise De Dieu Silver Spring Inc and Joseph Berluche
- WSSCR 09A-TRV-02: Ted and Roxanne Smart
- WSSCR 09A-TRV-03: Ted and Roxanne Smart

If you have any questions concerning the category change requests in this packet, please contact me via e-mail at alicia.youmans@montgomerycountymd.gov, or by calling 240-777-7738.

Attachments

cc: Peg Robinson, Development Services Group, WSSC
Keith Levchenko, County Council

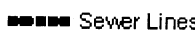







cc/fyi: Property owners and interested parties
Civic and environmental groups

Sewer Services Area Category Map 09A-POT-02 (Zubairi)

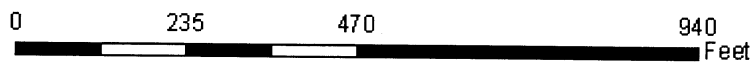


10911 Chandler Rd
Potomac, 20854
Request: S-6 to S-1
There is active construction of
sewer main that will abut the property

Legend Sewer Categories

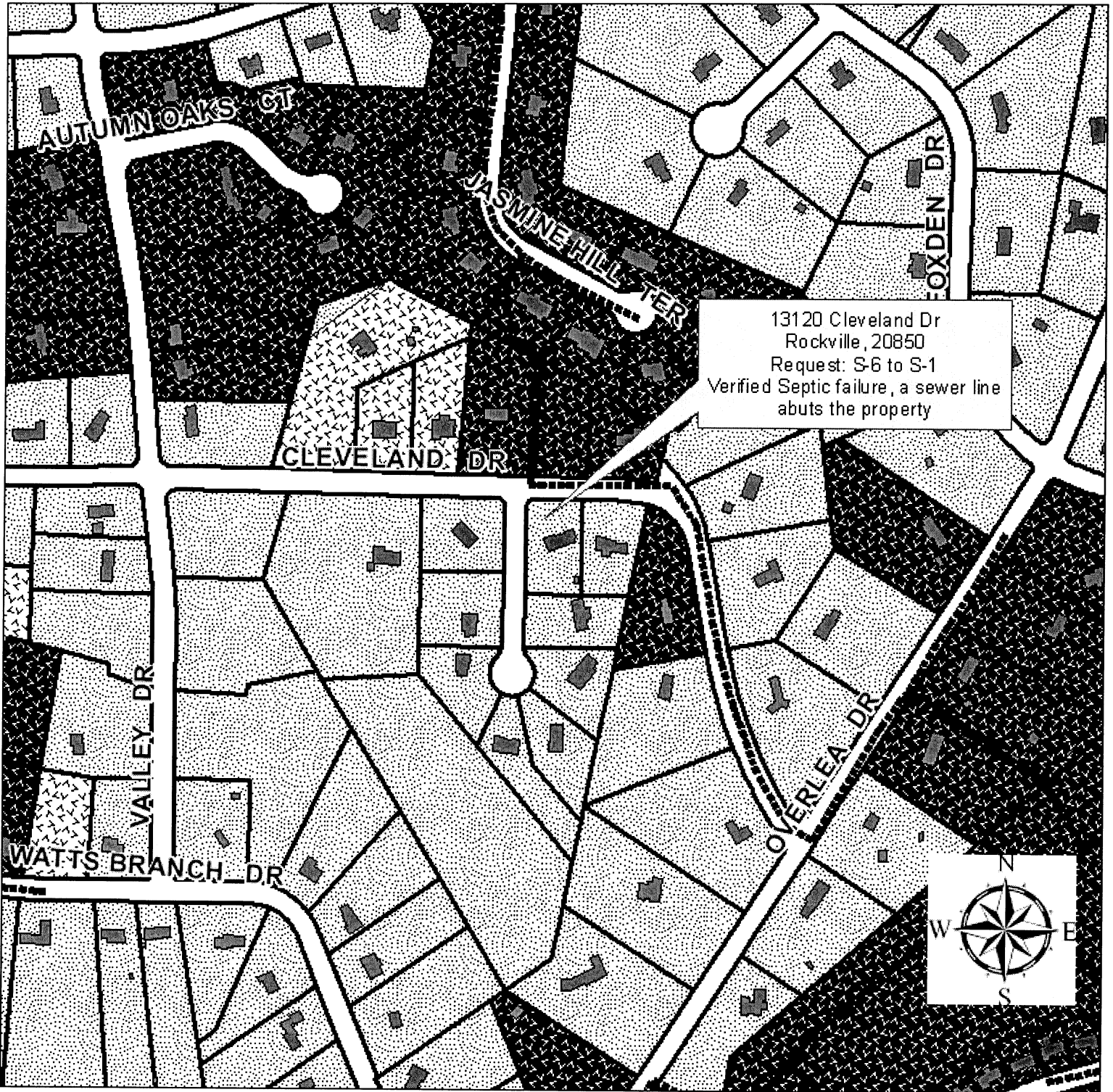
-  Sewer Lines  1
-  Properties  3
-  Buildings  4
-  5
-  6

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











DEP
Water and Wastewater
Policy Group

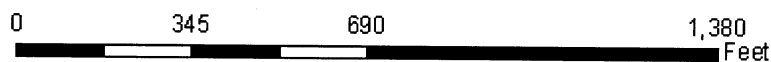
Sewer Services Area Category Map 09A-TRV-01 (Carter)



Legend Sewer Categories

-  Sewer Lines
-  Properties
-  Buildings
-  1
-  3
-  4
-  5
-  6

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



DEP
Water and Wastewater
Policy Group

MEMORANDUM

September 26, 2008

TO: Luis Tapia, Acting Manager, Permit Services Unit
Washington Suburban Sanitary Commission

FROM: Alicia Youmans, Environmental Planner, Water and Wastewater Policy Group
Department of Environmental Protection

SUBJECT: Request to Provide a Single Sewer Service Connection



This is to request that WSSC accept and act on an application to provide public water/sewer service for the following property:

Property Address & Identification	Owner - Est. Date	Abutting Main - 200' Tile	WSSCR No.
10911 Chandler Rd. Potomac, 20854	Yameen & SQ Zubairi	210NW11	09A-POT-02

Our records show that the home on the subject property was built in 1964, when it appeared on the State tax map. The abutting sewer main to the above property is or will soon be under construction. Given this, the property is eligible for a single sewer service connection under the abutting mains service policy in the County's Water and Sewer Plan.

DEP will address the service area category change amendment cited above, which seeks to change the existing category S-6 to S-1, allowing the provision of public sewer service. However, it will take our office a couple months to process and approve this request, and the owner has indicated a need to expedite the service to this site.

WSSC may approve and install the requested sewer service connection/hookup in advance of DEP's approval of the associated service area change. The County's approved Water and Sewer Plan allows DEP to direct WSSC to provide public service for cases which clearly satisfy the abutting mains policy.

If you have any questions concerning this request, please contact either me at 240-777-7738 or Alan Soukup at 240-777-7716.

AMY:amy/R:\Programs\Water_and_Sewer\Projects\WSSC\connections\connectdocs-alpha\C\10911_Chandler_Rd_Zubairi.doc

cc: Lisa Sine, Development Services Group/Permit Services, WSSC
Kathy Maholtz, Development Services Group, WSSC
Katherine Nelson, County-Wide Planning/Environmental, M-NCPPC
Amy Hart, Well and Septic Section, DPS
Keith Levchenko, County Council
Dr. Zubairi



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid Joyner
Director

MEMORANDUM

September 30, 2008

TO: Alicia Youmans
Water and Waste Management
Montgomery County Environmental Protection

FROM: John Hancock
Well and Septic Section
Montgomery County Permitting Services

SUBJECT: Request for Sewer Connection
13120 Cleveland Drive
Tax Map Grid FR 51
WSSC Grid 217 NW 09

Mary Jean Carter and Robert E. Carter, the owners of the structure at the location noted above, have requested our assistance in obtaining an expedited sewer connection due to a failing system. A septic failure has been confirmed and a conventional on-site correction is not possible. A non conventional repair may not be possible. A sewer mainline abuts the property. The sewer category is S-6 and a category change is needed. If I can be of further assistance please call me at 240-777-6318.

Cc: Alan Soukup, Montgomery County D.E.P., Luis Tapia WSSC, Mary & Robert Carter

MEMORANDUM

September 2, 2008

TO: Peg Robinson, Acting Group Leader, Development Services Group
Washington Suburban Sanitary Commission

FROM: Alicia Youmans, Environmental Planner, Water and Wastewater Policy Group
Department of Environmental Protection

SUBJECT: Public Health Problems



We request WSSC's assistance in expediting the provision of public [water/sewer] service to the following property:

Sewer Service: 13120 Cleveland Rd, Rockville 20850

Property I.D.: North Glen Hills	SDAT tax map: FR51
Owner: Robert Carter	Service Areas: S-6
WSSC grid: 217NW09	Zoning/Size: RE1/ 0.92 Acres
Planning Area: Travilah	Watershed: Watts Branch

The Department of Permitting Services (DPS), Well and Septic Section, has advised this office of a public health problem, a septic system failure, at the subject property (see the attached memorandum). DPS recommended relief of this problem by connecting the site to public sewer service, due to a sewer main abutting the property.

Although this property is designated as category S-6 in the County's Water and Sewer Plan, DPS acknowledgment of a public health problem is sufficient justification to warrant the expedited provision of public sewer service, regardless of the existing service area category. DEP will initiate the process to have the property owner file a request for a service area change from S-6 to S-1.

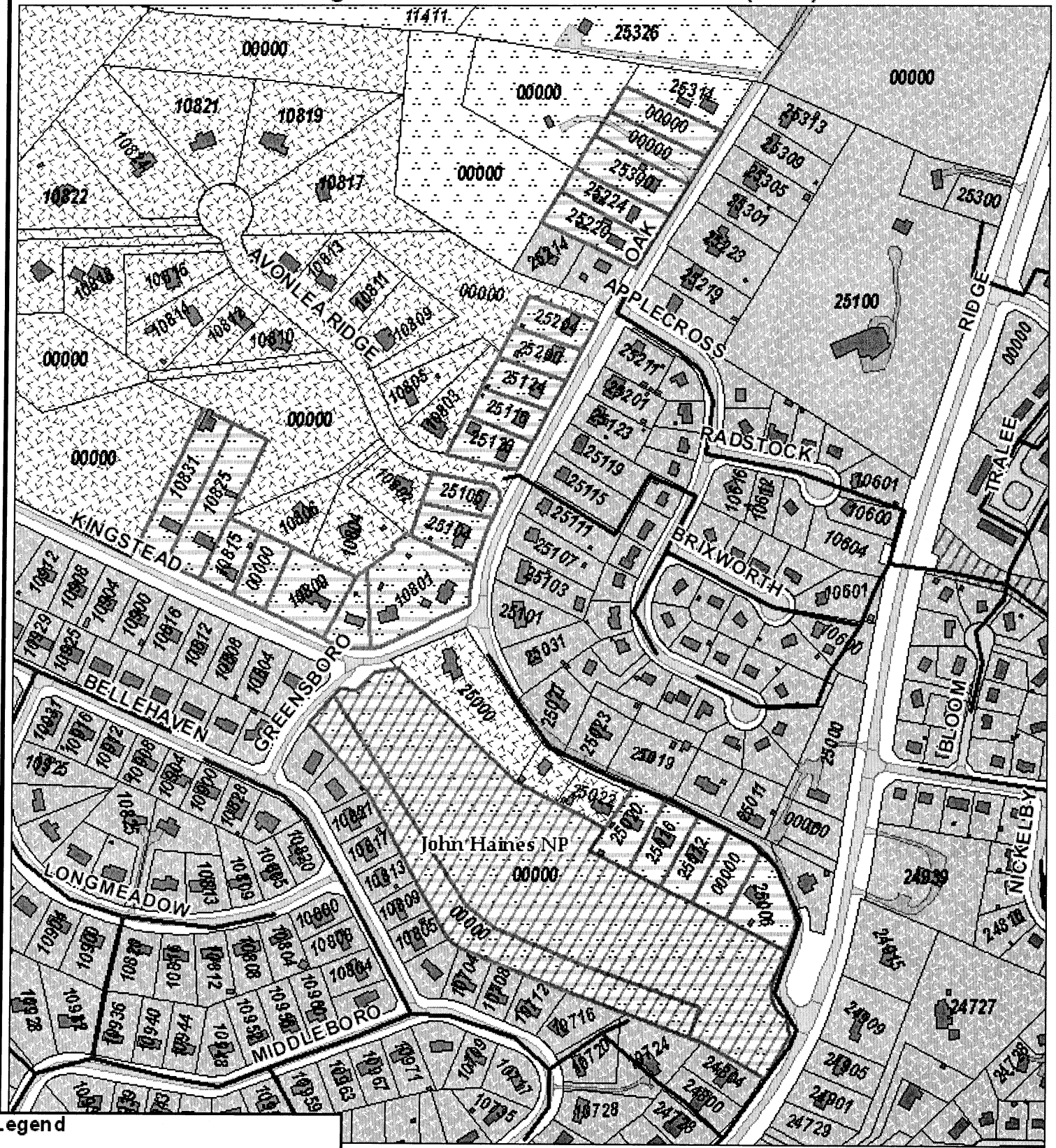
Given these conditions, it is reasonable to relieve this public health hazard by expediting the provision of public sewer service. **WSSC should not wait for the approval of a Water and Sewer Plan amendment to provide public service; public sewer service via the WSSC's system should be provided as soon as possible.** We would appreciate your assistance in this matter.

If you have any questions, or if there are significant problems related to provision of sewer service, please contact me at alicia.youmans@montgomerycountymd.gov or 240-777-7738.

Attachments

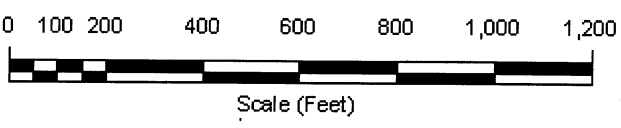
cc: Luis Tapia, Acting Unit Leader, Permit Services Unit, WSSC
Kathy Maholtz, Development Services Group, WSSC
David Lake, Manager, Water and Wastewater Policy Group, DEP
Alan Soukup, Water and Wastewater Policy Group, DEP
Amy Hart and John Hancock, Well and Septic Section, DPS
Katherine Nelson, Community-Based Planning/Environmental Unit, M-NCPPC
Mary & Robert Carter

Sewer Service Area Categories Map: Proposed GWSMA Kingstead Rd. & Oak Dr. - Damascus (DAM)



Legend

Property Lines		S-1
Property Lines		S-3
WSSC Sewer Mains		S-4
Buildings		S-5
Parks		S-6
Roads		S-6/Multi-Use
Potential S-GMA Sites		



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

