





September 9, 2010

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Mary Dolan, Planner Supervisor 
Environmental Planning Division

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

SUBJECT: Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan - May 2010 County Council Group

RECOMMENDATION

Transmit recommendations to the County Council for final action.

DISCUSSION

This staff report contains current staff recommendations for category changes requiring action by the County Council. Comments from other agencies have been incorporated into the Department of Environmental Protection's (DEP) packet (See Attachment 2). Three of these four requests have previously come before the Planning Board; as a category change request, a pre-preliminary plan, a rezoning case or within the context of a master plan. Staff believes it is appropriate for the Planning Board to revisit these requests due to the lengthy deferrals and changes in land use policies since the Planning Board first acted.

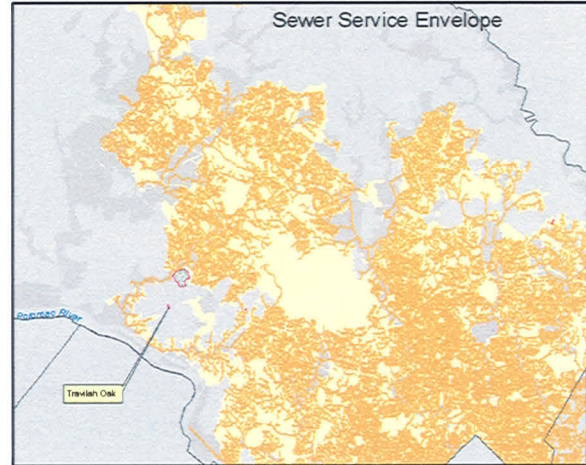
07A-TRV-10: Travilah Oak LLC

This 5.02 acre site is located at the corner of Glen and Travilah Roads, within the *Approved and Adopted Potomac Subregion Master Plan (2002)*. The plan clearly shows this area as outside the proposed sewer envelope. This property was zoned for commercial use in the 1968 Potomac master plan. A septic system currently supports the existing uses. According to the Department of Permitting Services this system has had a number of failures due to "the high strength nature of the waste generated by the food service facilities."



In 2007 the applicant requested a sewer and water category change in order to expand the center to include an office building and a greater variety of uses, for a total of 40,000 square feet of commercial space. The Planning Board reviewed this category change request on February 1, 2008. Although staff recommended denial because of inconsistency with the master plan, after lengthy discussion among the three Board members present, the Planning Board recommended approval with a vote of 2-1 as follows:

“The Planning Board recommended approval (Chairman Hanson dissenting) for community sewer and water service. Although this area is not recommended for service in the master plan, the two other Board members present felt that further development of the Travilah Oaks shopping center to provide community-serving uses would support the surrounding community and reduce the need for lengthy car trips in this area of Potomac.”



This recommendation was sent to the County Council where there was significant testimony and further debate on the issue. The DEP maintained a recommendation of denial based on inconsistency with the Potomac master plan. Due to the public outcry over this proposal, the category change request was deferred at the applicant’s request. They wished to work with the community to further refine their plans for development of this site.

The applicant’s proposal has remained substantially unchanged since 2007 and although modest expansion is possible under current conditions due to recent septic field upgrades, public sewer service is necessary for the proposed expansion. We understand that several meetings with the surrounding community have taken place since the case was considered.

Staff maintains that provision of public sewer service to this property is materially inconsistent with the *Approved and Adopted Potomac Subregion Master Plan (2002)*. In addition, the State of Maryland, the Planning Board and the County Council have taken much stronger positions on smart growth to concentrate new development around existing infrastructure. Staff urges the Planning Board to reconsider this category change request for the following reasons:

1. The emphasis on smart growth planning has been strengthened. In 2009, a number of “Smart, Green and Growing” legislative items were signed into Maryland law. In particular, The Smart and Sustainable growth Act of 2009 strengthens Maryland’s requirement that the actions of local jurisdictions be consistent with comprehensive plans, including the extension of water and sewer infrastructure (See Attachment 1). While one of the arguments made before the Planning Board was that the project would reduce the length of trips for some residents, it is just as likely to encourage travel from areas of population concentration to this site which could increase total vehicle miles traveled.
2. Approval of sewer service at this location would jeopardize the entire Potomac sewer service policy, which was debated at length by the County Council during the 2004 Master Plan work sessions. This policy was recommended by the Executive, the Planning Board, County Council and unanimously by the Master Plan Advisory Committee.

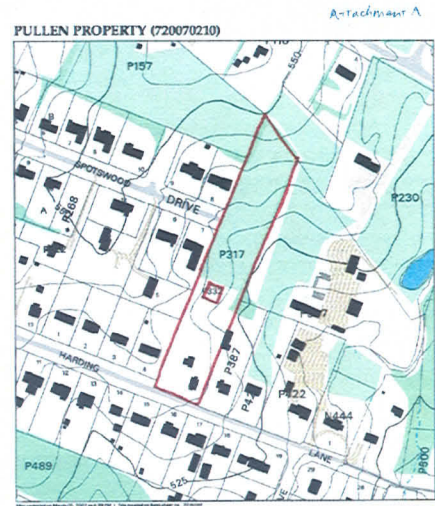
3. The site is located over half a mile from the edge of the approved sewer envelope and at the epicenter of the non-sewer service area of the Potomac Subregion. Approval of the sewer category change application would set an undesirable precedent and would conceivably lead to similar applications from the Darnestown commercial area at the intersection of MD28 and Seneca Road. Extension of water service to this site is also problematic, requiring a 3000-foot main extension.
4. Provision of public service to this property would require a 5000-foot pressure system extension and require additional right-of-way. Odors associated with pressure systems may have to be addressed by further infrastructure extensions.
5. Approval of this sewer category change application would conceivably resuscitate new determined efforts to provide sewer to properties west of the Muddy Branch stream valley park, particularly the Turkey Foot property. In the latter case, the County Council has twice denied sewer service, most recently in 2004, and has previously withstood a court challenge regarding this determination.

Staff believes that provision of public water and sewer service to this property would be such a departure from existing policy that a master plan amendment would be needed to allow this type of infrastructure extension. Therefore within the context of a sewer and water category change request, and in agreement with the County Executive, staff recommends denial of this application.

Recommendation: Deny W-3, Deny S-3

07A-CLO-09: Neil & Laura Pullen

The subject property consists of an unplatted parcel of land measuring 3.67 acres in size in the RE-1 zone. A separate parcel measuring 2,601 square feet- an existing cemetery - is entirely contained within the subject property and is not part of this category change request. The property has frontage on Harding Lane and at the current terminus of Spotswood Drive. The subject property is developed with a one-family detached residence on the Harding Lane frontage. The remainder of the property is undeveloped. Surrounding properties are primarily developed with one-family detached residences in the RE-1 zone. A sod farm is located on an adjacent property immediately east of the site.



The property is located within the Paint Branch watershed. No stream, floodplains, or environmental buffers exist on the subject property. The property is located within the Upper Paint Branch Special Protection Area (SPA) and is subject to an 8% imperviousness limit under the SPA environmental overlay requirement.

The proposed three-lot subdivision came before the Development Review Committee as pre-preliminary plan 720070210 on April 4, 2007. Among the various agency comments were those from DEP requiring a sewer category change “prior to preliminary plan”. The applicant subsequently applied for a category change request which came before the Planning Board on February 21, 2008. The Planning Board directed the applicant to complete the pre-application process with the Planning Department because of specific language within the master plan:

The Cloverly Master Plan 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.

However, the Planning Board did recommend that a by-right single lot hookup from an existing sewer line in Harding Lane be approved at that time. This recommendation was confirmed by the County Council.

On July 10, 2009 the pre-preliminary plan came before the Planning Board that assumed unlimited sewer service and although many issues were discussed, and the overall conclusion was that “The proposed subdivision layout is appropriate to the site.” No environmental benefit was demonstrated due to the extension of sewer service.

Environmental benefit is generally demonstrated when sewer extension enables the clustering of residential lots in order to protect sensitive resources. The site constraints of this long narrow property, the location of the cemetery and the lack of significant environmental resources to avoid, do not permit a lot arrangement that provides a “clear environmental benefit” if sewer service is extended. Indeed the applicants’ sewer and septic site layouts are identical. The applicant has stated that without sewer service it may only be possible to provide septic systems for a two-lot subdivision. Nevertheless, in the absence of a clear environmental benefit, the master plan standard cannot be met and community sewer service should not be extended.

The County Executive wishes to make an exception to this master plan recommendation in order to bring sewer infrastructure closer to existing homes in the same neighborhood. Although no septic failures have yet been documented, they would like to be prepared for that eventuality. We understand the desire to make provisions for potential failures in the future, but the master plan’s intent is the protection of this sensitive headwater area, which should take precedence over maximizing development on the Pullen property.

Recommendation: Deny unlimited S-3

WSSCR 09A-TRV-05: Jamshidi & Vafai

The 2002 Potomac Subregion Master Plan specifically recommends an inter-agency study to comprehensively address and recommend sewer solutions within the Glen Hills neighborhood. The only exception is for failing systems that are considered health problems. There is no documented health problem with this property. Pending completion of the Glen Hills study, staff, in agreement with the County Executive, recommends denial of this category change request.

Recommendation: Deny S-3

09A-TRV-06: Hanson Family

In accordance with The *Approved and Adopted Potomac Subregion Master Plan (2002)* this property was rezoned from RE-2 to PD-2 on June 15, 2010. The master plan allows public sewer service to be provided if developed according to master plan guidance. The plan also states that sewer extension into the adjacent Muddy Branch Stream Valley Park should be done in an environmentally sensitive way that minimizes impacts. While the original staff comments included in the DEP packet recommends only one sewer connection, WSSC indicated as part of the development plan that two connections would be needed, along with relief of downstream sewers. These environmental and park impact issues including the location of the sewer connections and the need for downstream trunk sewer relief will be addressed at the time of subdivision. Staff agrees with the County Executive's recommendation to approve this application.

Recommendation: Approve W-3. Approve S-3

NEXT STEPS

The Planning Board's recommendations will be transmitted to County Council during a public hearing on September 21, 2010. The County Council T&E Committee will discuss these cases on September 30th.

Attachments

2009 Smart, Green, and Growing Legislation

The Smart and Sustainable Growth Act of 2009

(SB 280/HB 297)



The Smart and Sustainable growth Act of 2009 clarifies the link between local comprehensive plans and local land use ordinances. The bill defines the current requirement of "consistency". Actions that are "consistent with" or have "consistency with" a comprehensive plan are actions that further, and are not contrary to, the following items in the plan:

- policies;
- timing of implementation of the plan;
- timing of development;
- timing of rezoning;
- development patterns;
- land uses; and
- densities or intensities.

This definition applies to special exceptions and the adoption of local ordinances and regulations. It also applies to other sections of state law when an action is required to be "consistent with" or have "consistency with" a local plan. These include municipal annexations, water and sewer amendments and Critical Area growth allocation.

In Priority Funding Areas (PFA), consistency, for the purpose of adoption of local ordinances and regulations, does not include land uses and densities or intensities. The General Assembly excluded those terms in PFAs to encourage, and not interfere with, ordinances and regulations that allow for mixed uses and bonus densities beyond those specified in the local comprehensive plan .

The bill requires members of planning commissions and boards of appeal to complete an education course before July 1, 2010. The Task Force on the Future for Growth and Development is required to develop recommendations on the educational course for local jurisdictions, and the Maryland Department of Planning (MDP) is required to develop an online planning education course for local jurisdictions and make it available by January 1, 2010. Local jurisdictions are authorized to develop their own educational course.

Finally, the bill expresses legislative intent to overturn the Court of Appeals ruling in *David Trail, et al. v. Terrapin Run, LLC et al.*, 403 Md. 523 (2008).

The bill takes effect **July 1, 2009**.

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Richard Eberhart Hall
Secretary

Matthew J. Power
Deputy Secretary

AGENDA ITEM #5E
July 20, 2010

Introduction

MEMORANDUM

July 16, 2010

TO: County Council

FROM: *KL* Keith Levchenko, Senior Legislative Analyst

SUBJECT: **Introduction:** Amendments to the Comprehensive Water Supply and Sewerage Systems Plan: Water and Sewer Category Change Requests

On June 24, 2010 the County Council received a package of 4 Water and Sewer Category Change requests from the County Executive (transmittal memorandum and Executive Staff report for each request attached beginning on ©C). A draft resolution is attached on ©A-B.

- **07A-CLO-09 (Neil & Laura Pullen, 1300 Harding Lane, Cloverly)**
Requesting removal of single sewer hookup restriction
- **07A-TRV-10 (Travilah Oak, LLC; Han & J. Jan, 12940 – 12960 Travilah Road, Potomac)**
Requesting category changes (from W-6 & S-6 to W-3 & S-3)
- **09A-TRV-05 (Ahmad Jamshidi & Guita Vafai, 12500 Circle Drive, Potomac)**
Requesting category change (from S-6 to S-3)
- **09A-TRV-06 (Hanson Family, 14100 & 14200 Quince Orchard Road, Potomac)**
Requesting category changes (from W-6 & S-6 to W-3 & S-3)

More details regarding the requests (including Washington Suburban Sanitary Commission (WSSC) and Planning Board Staff comments as well as County Executive recommendations) are attached beginning on ©C.

A public hearing has been scheduled for September 21, 2010 at 7:30 pm. The Transportation, Infrastructure, Energy and Environment Committee is tentatively scheduled to review this package of requests on September 30 at 9:30 am.

Attachments

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Resolution No.: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

Subject: Amendments to the Comprehensive Water Supply and Sewerage Systems Plan

Background

1. Section 9-501 et seq. of the Environmental Article of the Maryland Code, requires the governing body of each County to adopt and submit to the State Department of the Environment a comprehensive County Plan, and from time to time amend or revise that Plan for the provision of adequate water supply systems and sewerage systems throughout the County.
2. Section 9-507 of the Environmental Article of the Maryland Code provides that the Maryland Department of the Environment (MDE) has 90 days to review a county governing body's action to amend the County's Water and Sewer Plan. Upon notice to the County, MDE may extend that review period for another 90 days, if necessary. At the conclusion of this review, MDE must either approve or reject the Council's action on each of these amendments, or the action is confirmed by default. Any action approved or taken by this resolution is not final until that action is approved by the MDE or the period for final MDE action has expired.
3. In accordance with the State law on December 30, 1969, by Resolution No. 6-2563, the County Council adopted a Comprehensive Ten-Year Water Supply and Sewerage Systems Plan which was approved by the State Department of the Environment.
4. The County Council has from time to time amended the Plan.
5. On June 24, 2010, the County Council received recommendations from the County Executive regarding 4 Water and Sewer Plan amendments.
6. Recommendations on this amendment were solicited from the Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission Staff, and affected municipalities.
7. A public hearing was held on September 21, 2010.

8. The Transportation, Infrastructure, Energy & Environment Committee discussed this amendment on September 30, 2010 and made recommendations to the Council.

Action

The County Council for Montgomery County, Maryland approves the following amendment to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan as shown in the attachments to this resolution.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

**PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
COUNTY EXECUTIVE'S MAY 2010 TRANSMITTAL PACKET**

EXECUTIVE SUMMARY: PROPOSED AMENDMENTS AND RECOMMENDATIONS

Plan Amendment No. & Applicant Location - Zoning - Acreage - Proposed Use	Requested Change	Executive Recommendation & Policy Summary	Packet Page No.
CLOVERLY - NORWOOD PLANNING AREA			
WSSCR 07A-CLO-09 Neil & Laura Pullen 1300 Harding La., Cloverly RE-1 Zone; 3.67 ac. Use: 3-lot residential subdivision (replace one existing house) <i>07A-CLO-09 deferred: CR 16-500 (4/8/08)</i>	(W-1: no change) S-1 ^A to S-1 ^A 1 hookup only (abutting mains)	Approve S-1; remove single hookup restriction. Exception to Cloverly MP (SPA & RE-1) requirements. Size and configuration of the existing parcel make a cluster plan, supporting master plan environmental conditions for sewer, unlikely. Sewer extension for two additional lots could also serve Spotswood Dr. where old septic systems on small lots will likely require future sewer service.	Report: Pg. 1 Maps: Pgs. 4 & 9
TRAVILAH PLANNING AREA			
WSSCR 07A-TRV-10 Travilah Oak, LLC; Han & J. Jan 12940 - 12960 Travilah Rd., Potomac RE-2 Zone; 5.02 ac. Use: Water/sewer service to allow changing commercial uses at the existing Potomac Oak Center. <i>07A-TRV-10 deferred: CR 16-500 (4/8/08)</i>	W-6 to W-3 S-6 to S-3	Deny W-3, S-3; retain W-6, S-6. Still inconsistent with master plan and Water & Sewer Plan (CWSP). If the Council wants to consider public service and other related issues via a master plan amendment process, then make CWSP decision, Co. Executive would support deferral.	Report: Pg. 10 Maps: Pgs. 12-14
WSSCR 09A-TRV-05 Ahmad Jamshidi & Guita Vafai 12500 Circle Dr., Potomac RE-1 Zone; 0.92 ac. Use: sewer service for existing house; septic problems cited. <i>06A-TRV-06 denied: CR 15-1588 (8/1/06)</i>	(W-1: no change) S-6 to S-3	Deny S-3; retain S-6. Glen Hills Area & Piney Br. Subwatershed. History of failed and damaged septic systems, prior CCR denials. DPS advises that the applicant's adjacent vacant lot could serve as a site for a replacement septic system.	Report: Pg. 22 Maps: Pgs. 27-28
WSSCR 09A-TRV-06 Hanson Family 14100 & 14200 Quince Orchard Rd., Potomac RE-2 Zone; 96.94 ac. Use: 187-lot mixed-residential subdivision (replacing existing farm)	W-6 to W-3 S-6 to S-3	Condition W-3, S-3 on Council approval of rezoning request from RE-2 to PD-2. Request cannot be approved under the existing RE-2 zoning. Rezoning to PD-2 is recommended by the master plan, which also supports sewer service for the higher density development. Rezoning request for PD-2 is already in progress.	Report: Pg. 33 Maps: Pgs. 36-37

Other Packet Items:

Master Plan Excerpt - Cloverly (1997): Sewer Service Recommendations..... Pgs. 5-6
 Master Plan Excerpt - Potomac Subregion (2002): Glen Hills Sewer Service Recommendations Pgs. 24-25
 Water & Sewer Plan Excerpt (2003): Piney Branch Restricted Sewer Service Area Policy..... Pg. 26
 Master Plan Excerpt - Potomac Subregion (2002): Hanson Farms Sewer Service Recommendations Pg. 35
 Status Update: Category Change Requests Recently Deferred by the County Council Pg. 42



**PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
COUNTY EXECUTIVE'S MAY 2010 TRANSMITTAL PACKET**

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

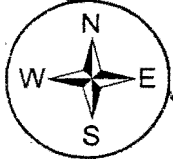
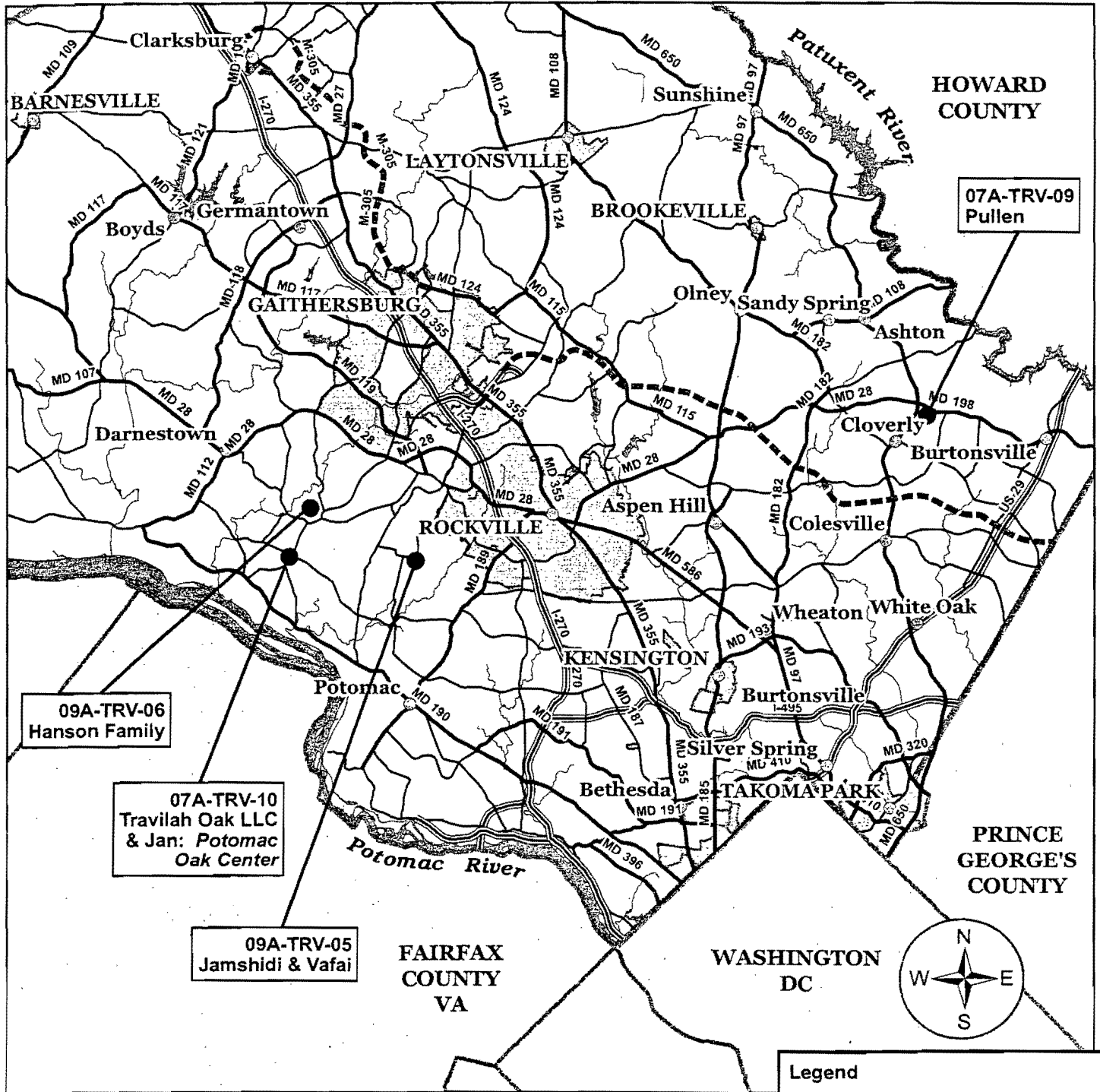
Service Area Categories	Category Definition and General Description	Service Comments
W-1 and S-1	Areas served by community (public) systems which are either existing or under construction. • This may include properties or areas for which community system mains are not immediately available or which have 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	Categories W-2 and S-2 are not used in the Montgomery County Water and Sewer Plan. (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.



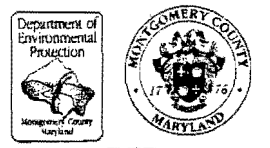
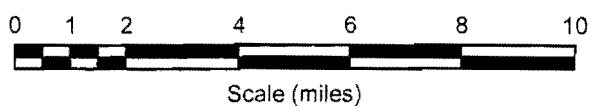
Water and Sewer Plan Map

May 2010 Transmittal: Amendment Locator



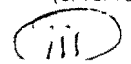
Legend

- Map Amendment Request Sites
- Localities
- ▭ Municipalities
- Major Roads & Highways
- County Roads
- State Roads & Highways
- US Highways & Interstates
- Proposed Roads



DEP
Water and Wastewater
Policy Group

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



**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's May 2010 Transmittal Packet**

CLOVERLY PLANNING AREA MAP AMENDMENTS

CONDITIONS FOR PUBLIC SEWER SERVICE IN THE UPPER PAINT BRANCH SPA

The 1997 Cloverly Master Plan recommends specific conditions for the provision of public sewer service to properties zoned RE-1 in the Upper Paint Branch SPA (see pgs. 5-6). Generally, Water and Sewer Plan policies do not support public sewer service for lower-density projects typical of the RE-1 Zone. However, the master plan recommends that projects in this area can be considered for public sewer if the applicant can demonstrate an environmental advantage resulting from the use of public sewer service as opposed to the use of septic systems. Experience with this recommendation indicates that the environmental advantages most often include reduced impervious surfaces, dedicated open space areas, and better forest conservation resulting from the use of the RE-1 cluster option. Significant clustering is difficult if not impossible to achieve using septic systems.

WSSCR 07A-CLO-09: Neil and Laura Pullen

Previously deferred under CR 16-500 (4/8/08).

County Executive's Recommendation: Approve S-1 without condition, removing the existing single hookup restriction.

Notes:

- *This action is accepted as an exception to the master plan's recommended requirements for public sewer service in the Upper Paint Branch SPA, acknowledging the constraints resulting from the property's relatively small size, unusual geometry, and location with respect to public roads.*
- *WSSC will require that the applicant dedicate a public sewer right-of-way easement from Harding La. to Spotswood Dr. (as is proposed by the applicant's draft preliminary plan).*
- *The applicant and WSSC need to consider the design of the proposed sewer extension so that it maximizes, as is feasible, the potential for gravity sewer service for other existing homes on Spotswood Dr.*

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> • 1300 Harding La., Cloverly • Parcels P317, Snowdens Manor Enl (dist.-acct. no. 05-00252203) and P332, Family Cemetery (no. 05-00280484) ^B • Map tile – MD: KS22; WSSC: 221NE02 • North side of Harding La., west of Pamela Dr.; either side of Spotswood Dr. at east end • Cloverly Master Plan (1997) • Paint Branch Watershed (MDE Use III, Mont. Co. Special Protection Area (SPA)) • RE-1 Zone; 3.67 ac. • <u>Existing use:</u> 1 single-family house (c. 1933). <u>Proposed use:</u> 3-lot residential subdivision (existing house to be replaced); pre-appl. plan no. 720070210 "Pullen Property". <p>^B <i>The project site includes a 2,600 sq. ft. parcel (enclosed by the Pullen's parcel), owned by Edith Turner and containing a cemetery. DEP has included it with this request for general sewer planning purposes. No development is anticipated on this property.</i></p>	<p>Applicant's Request: Service Area Categories & Justification</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 50%;"><u>Existing -</u></td> <td style="border-bottom: 1px solid black; width: 50%;"><u>Requested - Service Area Categories</u></td> </tr> <tr> <td>W-1</td> <td>No Change</td> </tr> <tr> <td>S-1 ^A</td> <td>S-1</td> </tr> </table> <p>^A <i>One sewer hookup only (abutting mains); not allowed for a PIF use.</i></p> <p><u>Applicant's Explanation</u></p> <p>"There is currently a [single-family] home fronting on Harding Lane, on septic. The property is only 165 ft. wide but 1,014 ft. deep. The back of the property will be bisected by Spotswood Drive extended. The proposed [subdivision] will consist of 1 lot fronting Harding and 2 lots fronting on opposite sides of Spotswood Drive. There is an existing 8" sewer line in Harding Lane. Propose to connect all 3 houses to Harding La. sewer. Septic system is not reasonable or practical because of environmental and design limitations imposed by the cemetery (separate ownership and parcel not included in this application. Access easement will be provided.) Septic fields would adversely impact trees on site and raise environmental issues due to Environmental Overlay Zone on property because of Special Protection Area related to the Upper Paint Branch drainage area."</p>	<u>Existing -</u>	<u>Requested - Service Area Categories</u>	W-1	No Change	S-1 ^A	S-1
<u>Existing -</u>	<u>Requested - Service Area Categories</u>						
W-1	No Change						
S-1 ^A	S-1						



COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's May 2010 Transmittal Packet

CLOVERLY PLANNING AREA MAP AMENDMENTS

WSSCR 07A-CLO-09: Neil and Laura Pullen

Previously deferred under CR 16-500 (4/8/08).

Agency Review Comments

M-NCPPC Staff

Initial review: The Cloverly Master Plan 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. Water and Sewer Category Recommendation: **Approve S-3 conditioned on Planning Board approval of a preliminary plan which demonstrates environmental benefit from the use of public sewer service over the use of individual septic systems.**

12/3/09 follow up provided by M-NCPPC staff (In response to a DEP inquiry about an exception for this site from the master plan's sewer service recommendation): Environmental benefit is generally demonstrated when sewer allows clustering of lots away from sensitive resources. Because of site constraints of the long narrow property and the cemetery in the middle of the property we have concluded that it will not be possible to arrange the lots in a way that provides a clear environmental benefit if sewer service is extended. In the absence of a clear environmental benefit, the master plan standard cannot be met and community sewer service should not be extended. We understand the desire to make provisions for potential failures in the future, but the master plan's intent is the protection of this sensitive headwaters area, which should take precedence over maximizing development on this property. We are not opposed to a single hook-up for one of the new lots.

WSSC - Water

(Note: WSSC main extensions are non-CIP size unless otherwise specified.)

Water service to the 2 proposed dwelling units fronting on Spotswood Dr. will require either an extension from Harding La. or reconstruction of the existing 6" main in Spotswood Dr. The existing Spotswood Dr. water distribution system does not meet current fire flow requirements. The use of non-abutting connections will not be allowed. (DEP Note: The property is already designated as W-1 and does not require a water category change.)

WSSC - Sewer

(Note: WSSC main extensions are non-CIP size unless otherwise specified.)

The 8" sewer main in Harding La. (no. 735876A) abuts the southern end of the site and could provide service to the lot fronting the street. Service for the two lots fronting Spotswood Dr. will require a 600' on-site extension north from Harding La. to Spotswood Dr. Non-abutting sewer connections for these two lots will not be allowed. Sewage transmission and treatment capacity are adequate.

DPS-Well & Septic

DPS has no well or septic system records for this property.

Executive Staff Report

The applicant requests the approval of category S-1, without restriction, in support of a proposed, three-lot residential subdivision on a 3.67-acre parcel. The property has an existing house that will be replaced as part of the development plan. The property qualifies for and has received S-1 approval restricted to a single sewer service hookup from the abutting sewer main along Harding La. The applicant's current three-lot subdivision plan depends on the removal of the single hookup only restriction to allow sewer service for all three proposed lots.

As noted previously, the master plan recommends specific conditions for the use of public sewer for properties zoned RE-1 within the Upper Paint Branch Special Protection Area (SPA). In this case, however, the property's size, orientation, and development constraints make it difficult to satisfy this requirement.

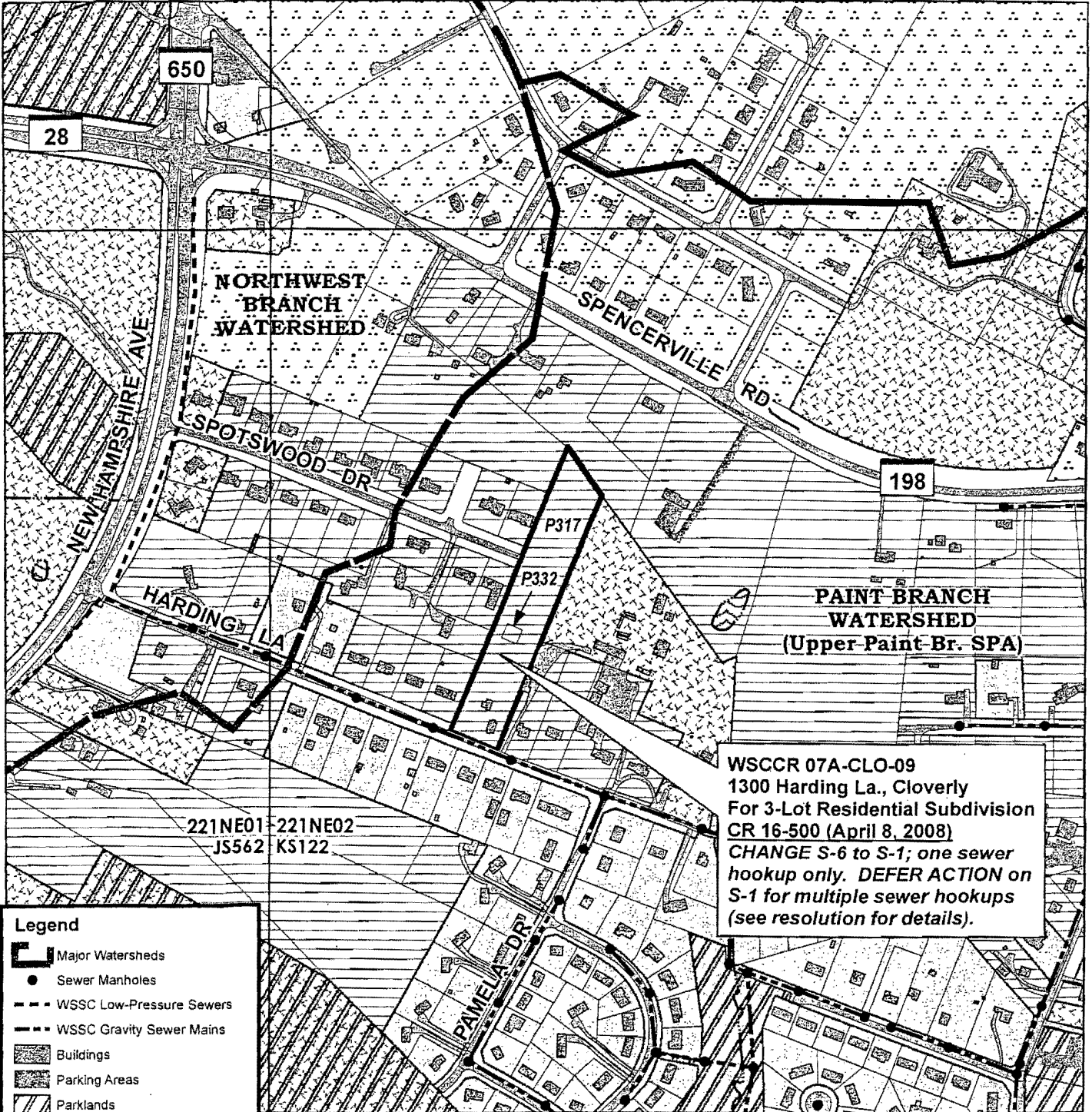
- At 3.67 acres in size, the property cannot support more than three lots under the RE-1 development standards (0.9 d.u./acre, min 40,000 sq. ft. lot).
-

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN
January 2008 Amendment Transmittal: Water/Sewer Category Map Amendments

Montgomery County uses 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. Categories 1 and 3 identify properties approved for public service. Categories 4 and 5 identify properties that currently should use on-site systems, but are proposed for public service in the future. Category 6 identifies properties that should use on-site systems, where public service is not planned for at least the next ten years. Property owners file category change map amendment requests in seeking to move their property from one category to another, usually based on anticipated development plans. The following chart presents the County Council's actions on water/sewer category map amendment requests filed with DEP and transmitted to the Council for consideration in January 2008.

Cloverly - Norwood Planning Area	
Property Information and Location Property Development	Applicant's Request County Council Action
WSSCR 07A-CLO-05: Julian Patton, et al. (Proposed PIF User: Sts. Constantine & Helen Greek Orthodox Church)	
<ul style="list-style-type: none"> 701 Norwood Rd., Cloverly. Pt. Parcel P915, Snowdens Manor Enlarged (dist.-acct. no. 05-00273546) Map tile – MD: JS42; WSSC: 222NW01 North side of Norbeck Rd. (MD 28) east of Norwood Rd. Cloverly Master Plan (1997) Northwest Branch Watershed (MDE Use IV) RE-2 Zone; approx. 27 ac. Existing use: vacant Proposed use: place of worship, Sts. Constantine & Helen Greek Orthodox Church relocating to Mont. Co. from Wash., DC 	<p>Existing – Requested – Service Area Categories</p> <p>W-3 W-3 (no change) S-6 S-3</p> <p>County Council Action</p> <p><u>Defer action on the request for S-1</u>, pending interagency and County Council review of a development plan for this specific site provided by the church.</p> <p><i>Note: The Council intends that deferred amendments reach a resolution of the cited issues and return for further Council consideration within approximately one year.</i></p>
WSSCR 07A-CLO-07: Marc Schrecengost & Spring Lawn Farm Homeowners' Association	
<ul style="list-style-type: none"> 17518 Country View Way, Ashton Lot 22, Ashton Manor (dist.-acct. no. 08-03134305) – owner: M. Schrecengost; and Outlot F, Ashton Manor (dist.-acct. no. 08-03129536) – owner: Spring Lawn Farm HOA Map tile – MD: JT41; WSSC: 223NW01 South side of Country View Way opposite Country View Ct. Sandy Spring – Ashton Master Plan (1998) Northwest Branch Watershed (MDE Use IV) RE-2 Zone; 4.00 ac. Existing use: one single-family house (c. 1997) & vacant outlot. Proposed use: two single-family houses (existing house to remain) 	<p>Existing - Requested – Service Area Categories</p> <p>W-1 No Change S-1* S-1: allow two (2) sewer hookups</p> <p>* Restricted to one (1) sewer hookup only</p> <p>County Council Action</p> <p><u>Deny the request for an additional sewer hookup; maintain S-1 for one sewer hookup only.</u></p> <p><i>Note: The applicant may not file a new request for this property before April 8, 2009, without prior approval from DEP.</i></p> <p>2 tax IDs.</p>
WSSCR 07A-CLO-09: Neil and Laura Pullen	
<ul style="list-style-type: none"> 1300 Harding La., Cloverly Parcels P317, Snowdens Manor Enl (dist./acct. no. 05-00252203) and P332, Family Cemetery (no. 05-00280484) Map file: MD – KS22; WSSC – 221NE02 North side of Harding La., west of Pamela Dr.; either side of Spotswood Dr. at east end Cloverly Master Plan (1997) Paint Branch Watershed (MDE Use III, Mont. Co. Special Protection Area (SPA)) RE-1 Zone; 3.67 ac. Existing use: 1 single-family house (c. 1933). Proposed use: 3-lot residential subdivision (existing house to be replaced); preappl. plan no. 7-20070210 "Pullen Property". <p>¹ This 2,600 sq. ft. parcel, owned by Edith Turner, contains a cemetery enclosed by the Pullen's parcel. DEP has included it with this request for general sewer planning purposes. No new development is expected on this property.</p>	<p>Existing - Requested - Service Area Categories</p> <p>W-1 No Change S-6 S-3</p> <p>2 tax IDs.</p> <p>County Council Action</p> <p><u>Approve S-1 for one sewer hookup only.</u> ² Defer action on unrestricted approval for S-1 pending further M-NCPPC and DEP evaluation of the applicants' subdivision plans in light of the master plan's sewer service recommendations.</p> <p><i>Note: The Council intends that deferred amendments reach a resolution of the cited issues and return for further Council consideration within approximately one year. Subsequent administrative delegation action is possible upon agency agreement on a revised plan</i></p> <p>² This connection/hookup cannot be used for a private institutional facility without subsequent review and approval by the County Council.</p>

Sewer Service Area Categories Map WSSCR 07A-CLO-09 (Neil & Laura Pullen)



WSSCR 07A-CLO-09
 1300 Harding La., Cloverly
 For 3-Lot Residential Subdivision
 CR 16-500 (April 8, 2008)
 CHANGE S-6 to S-1; one sewer
 hookup only. DEFER ACTION on
 S-1 for multiple sewer hookups
 (see resolution for details).

Legend

- Major Watersheds
- Sewer Manholes
- WSSC Low-Pressure Sewers
- WSSC Gravity Sewer Mains
- Buildings
- Parking Areas
- Parklands
- Subject Site

Sewer Categories

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

0 200 400 800 1,200 1,600

 Feet

N

 W E
 S

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

Department of Environmental Protection
 Montgomery County Maryland

DEP Water and Wastewater
 Policy Group

health problems. Development in Cloverly in conformance with this Plan is relatively small and would not be the determining factor in the need for relief sewers downstream of Cloverly.

OBJECTIVE: Provide appropriate public sewer and water facilities with minimal impact on natural resources to reinforce land use management policies.

RECOMMENDATIONS:

- Extend community water and sewerage service in an environmentally sensitive manner. When feasible, water and sewer lines should be located outside stream buffers, especially wooded stream buffers. Where extensions or major improvements would be too damaging, alternatives such as pump-over systems and force mains should be considered, along with their fiscal impact.

- Provide community water service to all areas in Cloverly with the following limitations:

- Extend water service in the RC zone on a case-by-case basis to residential properties that meet the recommendations of this Plan and use the cluster option of development or to properties with insufficient acreage to use the cluster option. The *Comprehensive Water Supply and Sewerage Systems Plan* was amended in April, 1995 to include specific language regarding the provision of water to cluster subdivisions in the Rural Cluster (RC) zone. The Water and Sewer Plan states that "the decision to extend or restrict water service should focus on conformance with master plan land-use and development recommendations, rather than on generalized water service areas."

This Plan recognizes that development on individual properties in the RC Zone may be limited due to the lack of water service. This limitation on development supports efforts to maintain the low-density character of these areas.

- Extend water service to RE-2 zoned land on a case-by-case basis following the guidance of the *Comprehensive Water Supply and Sewerage Systems Plan*. Water service will improve fire protection and provide residents with the opportunity for individual hook-ups.

- 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 and conflict with the long standing recommendation not to provide sewer service in the Patuxent watershed in order to control water quality in the reservoir. The presence of public water service does not justify the extension of sewer service in the RE-2 and RC zones. An exception is a part of the Gum Springs neighborhood zoned RE-2. This area is included in the existing community sewer envelope. Sewer service was extended throughout the area prior to adoption of the 1981 Plan.

- Sewer service, where provided within the RE-1 zoned areas of the Patuxent watershed, should be extended from existing mains within the Northwest Branch and Paint Branch watersheds. New capital-size sewerage facilities, including pumping stations, should be avoided in the Patuxent watershed, except where necessary to relieve public health problems. There are small areas north of Spencerville Road that are in the Patuxent watershed but were zoned RE-1 as a result of the 1981 Plan.

- Water and Sewer Plan policies generally do not provide for the extension of community sewer service to areas zoned RE-1, except as recommended by local area master plans. This Plan recommends such an exception, conditionally confirming the recommended sewer service area proposed in the 1981 Plan. Community sewer service is readily available to much of the RE-1 zoned areas in Cloverly due to:

Service extended to adjacent, more densely-zoned areas, including service to PD-2 zoned properties (this floating zone option for the RE-1 Zone was removed by the 1990 Trip Reduction Amendment);

Service extended to RE-1 cluster development which requires public sewer service in order to implement the cluster option;

Service extended to areas zoned R-200 and rezoned to RE-1 as a result of the land use and zoning recommendations included in the 1981 Plan.

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.

The provision of community sewer service to areas zoned RE-2C is usually required to implement the cluster development option. Many of the RE-2C zoned areas of Cloverly—particularly along Norwood and Briggs Chaney Roads—include a mix of large parcels suitable for cluster development and smaller properties with minimal potential for subdivision and/or cluster development. Sewer service extensions provided to serve cluster development, or to serve adjacent higher-density development, are often in close proximity to these smaller properties. Where the provision of community sewer service is found to be logical, economical, and environmentally acceptable, the County Council has concurred with the provision of sewer service to these properties. This Plan endorses this policy, again confirming the recommended sewer service area proposed in the 1981 Plan.

WSSCR 07A-660-09
Neil & Laura Pullen

2) Property/Site Description and Development:

Address 1300 Harding Lane
Property's TAX ID # (please provide, if known) 00252203
Property/Site Size 3.67 acres Identification (ie, Parcel #) P317 @ KS12
Location/Closest cross-street Pamela Drive
Current Use 1 house Proposed Use 3 houses
Subdivision Plan No. & Status 720070210 Pending

(Note: Please attach an 8.5"x 11" copy of the state tax map with the property(ies) highlighted; this map is available at www.dat.state.md.us; click on "Real Property Data Search" and proceed from that point. If you don't have access to the Internet, and/or don't have some of the information requested above, please note that you request that DEP provide this information.)

3) Water and Sewer Service Area Categories (if you don't know, we will verify for you):

Current Water Category: W-1 Requested Water Category: W-__ OR No Change Multi-Use Shared
Current Sewer Category: S-5 Requested Sewer Category: S-3 OR No Change Multi-Use Shared

4) Reason for request; state current use of site and intended change in usage, if any:

There is currently one SFD home fronting on Harding Lane, on septic. The property is only 165 ft. wide but 1,034 feet deep. The back of the property will be bisected by Spotswood Drive extended. The proposed subd. will consist of 1 lot fronting on Harding and 2 lots fronting on opposite sides of Spotswood Drive. There is an existing 8" sewer line in Harding Lane. Propose to connect all 3 houses to Harding La. sewer. Septic system is not reasonable or practical because of environmental and design limitations imposed by cemetery (separate ownership and parcel not included in this application. Access easement will be provided.) Septic fields would adversely impact trees on site and raise environmental issues due to Environmental Overlay Zone on property because of Special Protection Area related to Upper Paint Branch drainage area.

Note: Continue on a separate page, if necessary

DEP Staff Use Only

Receipt Acknowledged: _____ Email OR _____ US Mail
Water _____ Sewer LINE 02
WSSC Tile _____
Tax Map KS22
Plan No. 720070210
Process Council
Master Plan clarity
Planning Area _____
Zoning RE1
Zoning Activity _____
Watershed Paint Br.
CSPS Subwatershed _____
State Watershed Use Class III
GIS File _____

Snawden Manor Ent.
Paint Br.
Ch O
Dist 05-
Snawdens Manor Ent.
40. bu. H. - 1933
(7)

September 12, 2008

Mr. Alan Soukup
Mont. Co. Dept. of Environmental Protection
255 Rockville Pike, Suite 120
Rockville, Md. 20850

Re: Pullen Property
Harding Lane, Cloverly Area
Montgomery County, Maryland

Dear Mr. Soukup:

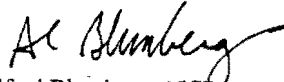
As discussed in your office a week or so ago, we have designed a typical septic field for the two lots abutting Spotswood Drive. Three copies of that plan are attached to this correspondence. As you can see, the small Turner Family cemetery on Lot 2 makes the septic field much more difficult to accomplish and leaves only a small usable back yard area for that lot. Of course there have been no water table tests or perc tests conducted, so we are only assuming that this configuration for the septic field will work. It represents a "best case scenario".

Lot 3 north of Spotswood Drive is not impacted by a cemetery and is quite a bit larger and can therefore accommodate a septic field more readily. Assuming that there will be a water table testing period early next year, we can conduct the appropriate tests for a septic system on Lot 3. However, we are very concerned about Lot 2.

We therefore reiterate our request to allow the extension of the public sewer envelope to include Lot 2, that is contiguous to Lot 1, and which is already eligible to connect to the existing sewer line in Harding Lane. Certainly, we would like to extend service to Lot 3, but if that is not feasible or reasonable, we request that both Lots 1 and 2 be permitted to connect to the sewer main in Harding Lane.

Please review our request and coordinate with Park & Planning on this matter. We will wait to hear from you before proceeding further. Thank you for your time and consideration on this matter. We greatly appreciate your attention and assistance with this request.

Very truly yours,
Site Solutions Inc. by

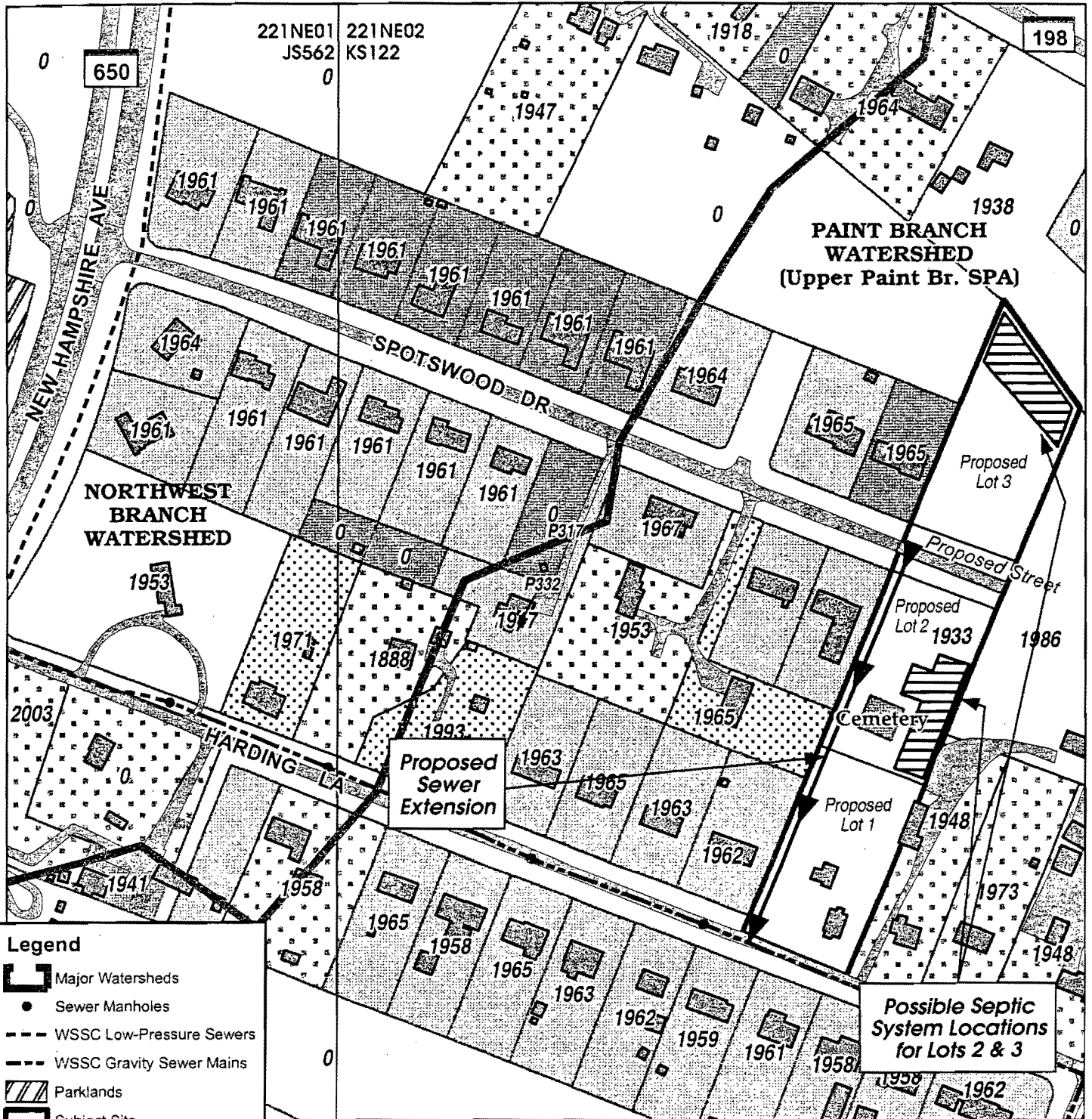

Alfred Blumberg, AICP
Principal

Enclosures

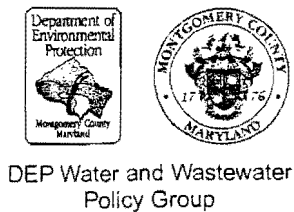
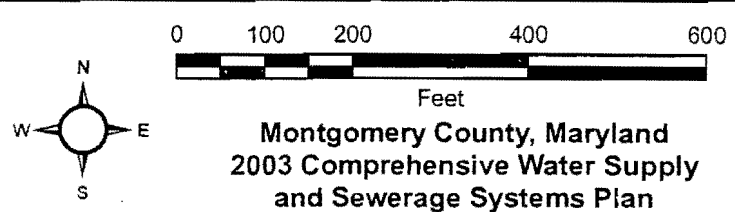
cc: Mr. Neil Pullen (w/ encl.)



Sewer Category Change Request Map WSSCR 07A-CLO-09 (Neil & Laura Pullen)



- Legend**
- Major Watersheds
 - Sewer Manholes
 - WSSC Low-Pressure Sewers
 - WSSC Gravity Sewer Mains
 - Parklands
 - Subject Site
- Properties - Area**
- < 20,000 sq. ft. (R-200)
 - < 30,000 sq. ft.
 - < 40,000 sq. ft. (RE-1)
 - < 87,120 sq. ft. (RE-2)
 - < 217,800 sq. ft. (Rural)



COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's March 2010 Transmittal Packet

TRAVILAH PLANNING AREA MAP AMENDMENTS

Potomac Oak Center

The water/sewer category change request for the Potomac Oak Center was previously transmitted to the County Council for consideration by the County Executive in January 2008. During the Council's consideration of the request, the applicants requested deferral to allow for their additional outreach and discussion with neighboring communities and civic groups.

WSSCR 07A-TRV-10: Travilah Oak, LLC; Han & J. Jan
Previously deferred under CR 16-500 (4/8/08).

County Executive's Recommendation:
Deny the request for categories W-3 and S-3; retain categories W-6 and S-6.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"> • 12940 – 12960 Travilah Rd., Potomac: Potomac Oak Shopping Center • *Lots 1/2, 3^A, & 4 (N780, N726, & N679), Boylestons Discovery (dist.-acct.# 06-00397857, 06-02232731, & 06-03063708) • Map tile - WSSC: 217NW13; MD: ER41 • Southwest corner, intersection of Glen and Travilah Rds. • Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • C-1 Zone; 5.02 ac. • <u>Existing use:</u> commercial retail shopping center. • <u>Proposed use:</u> service for the existing shopping center and proposed commercial office space. 	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Existing</th> <th style="text-align: left;">Requested – Service Area Categories</th> </tr> </thead> <tbody> <tr> <td>W-1</td> <td>W-3</td> </tr> <tr> <td>S-6</td> <td>S-3</td> </tr> </tbody> </table> <p><u>Applicant's Explanation (in summary^B)</u></p> <p>The existing commercial retail center consists 5.08 acres zoned C-1; an additional, contiguous 5 acres zoned RE-2 provides area for septic systems and stormwater management. Only the area zoned C-1 is requested for this category change. Existing tenants include a Chinese restaurant, convenience store, offices, and service retail totaling 23,600 sq. ft. The owner has approval for an additional 4,500 sq. ft. of commercial office space. This case is unique and its approval would not set a public water/sewer service precedent for other rural commercial uses.</p> <p>^A <i>The Jans own only Lot 3; all other properties involved are owned by Travilah Oak, LLC</i></p> <p>^B <i>Refer to pages 16-21 for the applicants' original statement and another statement submitted recently.</i></p>	Existing	Requested – Service Area Categories	W-1	W-3	S-6	S-3
Existing	Requested – Service Area Categories						
W-1	W-3						
S-6	S-3						

Agency Review Comments

M-NCPPC Staff - from Jan, 2008 Executive's transmittal

Provision of public sewer service to this property is inconsistent with the *Approved and Adopted Potomac Subregion Master Plan (2002)*. It is located over half a mile from the approved sewer envelope.
Recommendation: Deny W-3 and S-3.

Planning Board - from Feb. 21, 2008, Board worksession

Although this area is not recommended for service in the master plan, [two of three] Board members present felt that further development of the Travilah Oaks shopping center to provide community-serving uses would support the surrounding community and reduce the need for lengthy car trips in this area of Potomac.
Recommendation: Approve community sewer and water service. (Chairman Hanson dissenting)

WSSC – Water (from Jan. 2008 Executive's transmittal)

(Note: WSSC main extensions are non-CIP sized unless otherwise specified.)

Service will require a 3,000-foot, CIP-sized main extension east and north along Travilah Rd. from an existing 16" main (#898406A) near Bacall La. The extension would abut many additional properties.

WSSC – Sewer (from Jan. 2008 Executive's transmittal)

(Note: WSSC main extensions are non-CIP sized unless otherwise specified.)

Service will require a 5,000-foot low-pressure main extension east and north along Bissell La. and Travilah Rd.

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's March 2010 Transmittal Packet**

TRAVILAH PLANNING AREA MAP AMENDMENTS

WSSCR 07A-TRV-10: Travilah Oak, LLC; Han & J. Jan

Previously deferred under CR 16-500 (4/8/08).

and an on-site grinder pump. The proposed main extension would tie into an existing 8" sewer main (#898406A) near the cul-de-sac end of Bissell La. Rights-of-way may be required. Odor problems can be a concern with grinder/pressure sewer systems. Odor controls measures may be required, such as constructing an additional length of dedicated gravity sewer downstream of the transition manhole, parallel to the existing gravity sewer along Bissell La. Gravity sewer service for this site is not practical; a main extension several miles long would be required.

DPS-Well & Septic - from Jan. 2008 Executive's transmittal

This property has had several of failing septic systems over the past 5 years. While reserve septic fields are established for all the properties, it would be best served by public water and sewer. This is due to the high strength nature of the waste generated by the food service facilities located in the shopping center.

Executive Staff Report

The applicants request water and sewer category changes to W-3 and S-3 to allow for the extension of public water and sewer service for the Potomac Oak Center, a neighborhood-based shopping center at the corner of Glen and Travilah Roads. The applicants assert that public service is needed to allow for a greater variety of commercial uses at the center (coffee shop, convenience store, etc.) sought by neighboring residents.

Public Water Service: The provision of water service within this area generally zoned RE-2 could be considered under the master plan's water service recommendations and the Water and Sewer Plan's general water service policies for large lot development. However, the required 3,000-foot, capital-size water main extension for this proposed use alone cannot be considered a logical extension of the County's public water infrastructure. At present, this water extension is not supported either by residential demand or by general water supply system needs (such as system redundancy).

Public Sewer Service: The 2002 master plan clearly set a new direction with regard to limiting public sewer service in the lower-density areas of Potomac. The shopping center sits in the midst of a region zoned for lower-density, 2-acre development and served exclusively by on-site septic systems. Public sewer service is inconsistent with both the master plan's service recommendations and the Water and Sewer Plan's sewer service policies. We acknowledge that the center has had difficulties with septic system use over the years. However, in that regard, we also understand that the applicants and DPS have spent considerable time and effort on the design of replacement septic systems that will allow the center to continue to function and even to add some additional commercial office space. That the center cannot offer all of the amenities and services desired by local residents is unfortunate, but not cause for creating an exception to the County's sewer service policy. The applicants need to work within the constraints inherent in the state of septic system technology and the acreage limitations at this site.

Community Positions: Executive staff have received numerous letters and e-mails from individual local residents in support of the applicants' request for public water and sewer service. Mostly, these cite their preference for a wider variety of uses at the shopping center. This would reduce residents' need to make longer trips to other commercial centers such as those in Potomac Village, Rockville, and Darnestown, reducing road congestion and vehicle miles traveled while potentially improving energy conservation and pollutant emissions. These thoughts were also behind the Planning Board's support of the request, as cited previously. Meanwhile, the West Montgomery Co. Citizens Association (WMCCA) remains opposed to the request on the grounds that it will violate the 2002 master plan and set a potentially damaging precedent for commercial uses in rural areas.

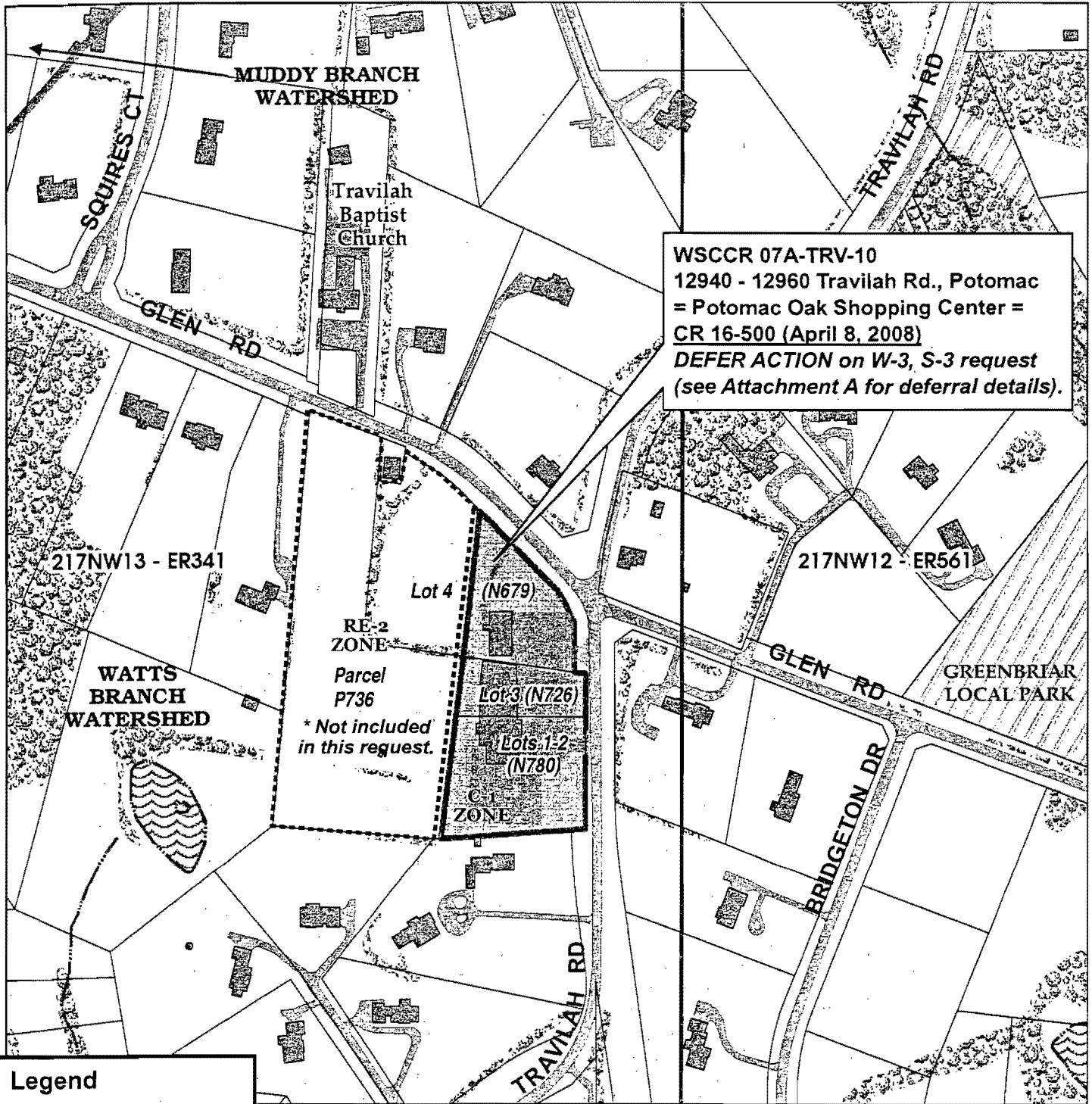
Master Plan Issues: The Water and Sewer Plan does not provide a suitable arena in which to debate the conflicting interests involved in this proposed category change. Neither a single policy exception for this request nor a new sewer exception policy for commercial uses (as for private institutional facilities) should be pursued in this context. Those who seek to support this request need to recognize that how commercial centers support local neighborhoods will have an affect a variety of interconnected issues (transportation, environmental quality, utilities, etc.) A public debate within the context of the General Plan and/or local area master plans, not the Water and Sewer Plan, will provide for a more inclusive discussion of all issues affecting such a policy change.

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN
January 2008 Amendment Transmittal: Water/Sewer Category Map Amendments

Travilah - Cabin John Planning Area							
Property Information and Location Property Development	Applicant's Request: County Council Action						
WSSCR 07A-TRV-10: Travilah Oak, LLC; Han & J. Jan							
<ul style="list-style-type: none"> • 12940 – 12960 Travilah Rd., Potomac: Potomac Oak Shopping Center • *Lots 1/2, 3, & 4 (N780, N726, & N679), Boylestons Discovery (dist.-acct # 06-00397857, 06-02232731, & 06-03063708) ⁵ • Map tile - WSSC: 217NW13; MD: ER41 • Southwest corner, intersection of Glen and Travilah Rds. • Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • C-1 Zone; 5.02 ac. • <u>Existing use</u>: commercial retail shopping center. • <u>Proposed use</u>: service for the existing shopping center and proposed commercial office space <p><i>Note: ⁵ The Jans own only Lot 3; all other properties involved are owned by Travilah Oak, LLC.</i></p>	<table border="1"> <thead> <tr> <th>Existing</th> <th>Requested – Service Area Categories</th> </tr> </thead> <tbody> <tr> <td>W-1</td> <td>W-3</td> </tr> <tr> <td>S-6</td> <td>S-3</td> </tr> </tbody> </table> <p>County Council Action</p> <p>Defer action, at the applicant's request, pending additional discussions between the applicant and the neighboring community.</p> <p><i>Note: The Council intends that deferred amendments reach a resolution of the cited issues and return for further Council consideration within approximately one year.</i></p>	Existing	Requested – Service Area Categories	W-1	W-3	S-6	S-3
Existing	Requested – Service Area Categories						
W-1	W-3						
S-6	S-3						
WSSCR 08A-TRV-01: Reynaldo & Zorayda Lee-Llacer							
<ul style="list-style-type: none"> • 12009 Piney Meetinghouse Rd , Potomac • Lot 36, Piney Glen Farm (dist.-acct # 10-01814620) • Map tile - WSSC: 215NW11; MD: FQ122 • East side of Piney Meetinghouse Rd., south of Greenbriar Preserve Dr. • Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) – Piney Branch subwatershed (Mont. Co. SPA) • RE-2 Zone; 2.54 ac. • <u>Existing use</u>: single-family house (c. 1980) and guest/caregiver's cottage. • <u>Proposed use</u>: service for the existing residences; special exception (S-2674) pending for continuance of the guest house. 	<table border="1"> <thead> <tr> <th>Existing</th> <th>Requested – Service Area Categories</th> </tr> </thead> <tbody> <tr> <td>W-1</td> <td>No Change</td> </tr> <tr> <td>S-6</td> <td>S-3</td> </tr> </tbody> </table> <p>County Council Action</p> <p>Defer action on the request for S-1 pending a resolution of the special exception case (S-2674) for the accessory house on the property.</p> <p><i>Note: The Council intends that deferred amendments reach a resolution of the cited issues and return for further Council consideration within approximately one year.</i></p>	Existing	Requested – Service Area Categories	W-1	No Change	S-6	S-3
Existing	Requested – Service Area Categories						
W-1	No Change						
S-6	S-3						
WSSCR 08A-TRV-03: Sprigg and Christina Lynn							
<ul style="list-style-type: none"> • 11621 Glen Rd., Potomac • Parcel P156, Piney Grove Etc (dist.-acct.# 06-00405218) • Map tile - WSSC: 215NW11; MD: FQ122 • Northeast side of Glen Rd , west of Partridge Run La • Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • RE-2 Zone; 2.34 ac. • <u>Existing use</u>: single-family house (c. 1910). • <u>Proposed use</u>: service for the expansion of the existing single-family house; replace aging septic system. 	<table border="1"> <thead> <tr> <th>Existing</th> <th>Requested – Service Area Categories</th> </tr> </thead> <tbody> <tr> <td>W-1</td> <td>No Change</td> </tr> <tr> <td>S-6</td> <td>S-1</td> </tr> </tbody> </table> <p>County Council Action</p> <p>Approve S-3 (for service at the edge of the Potomac Master Plan public sewer envelope.)</p> <p><i>Note: Approval of this request does not extend or alter the public sewer envelope recommended in the Potomac Subregion Master Plan.</i></p>	Existing	Requested – Service Area Categories	W-1	No Change	S-6	S-1
Existing	Requested – Service Area Categories						
W-1	No Change						
S-6	S-1						

*

Service Area Category Change Request Map
WSSCR 07A-TRV-10 (Travilah Oak, LLC; Han & J. Jan)

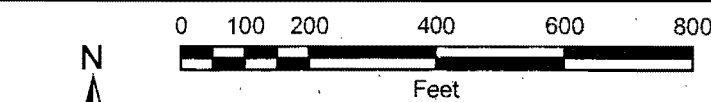


WSSCR 07A-TRV-10
 12940 - 12960 Travilah Rd., Potomac
 = Potomac Oak Shopping Center =
 CR 16-500 (April 8, 2008)
 DEFER ACTION on W-3, S-3 request
 (see Attachment A for deferral details).

Legend

- WSSC Tile Grid
- Major Watersheds
- Buildings
- Parking Lots
- Woodlands
- Parklands

Travilah Planning Area

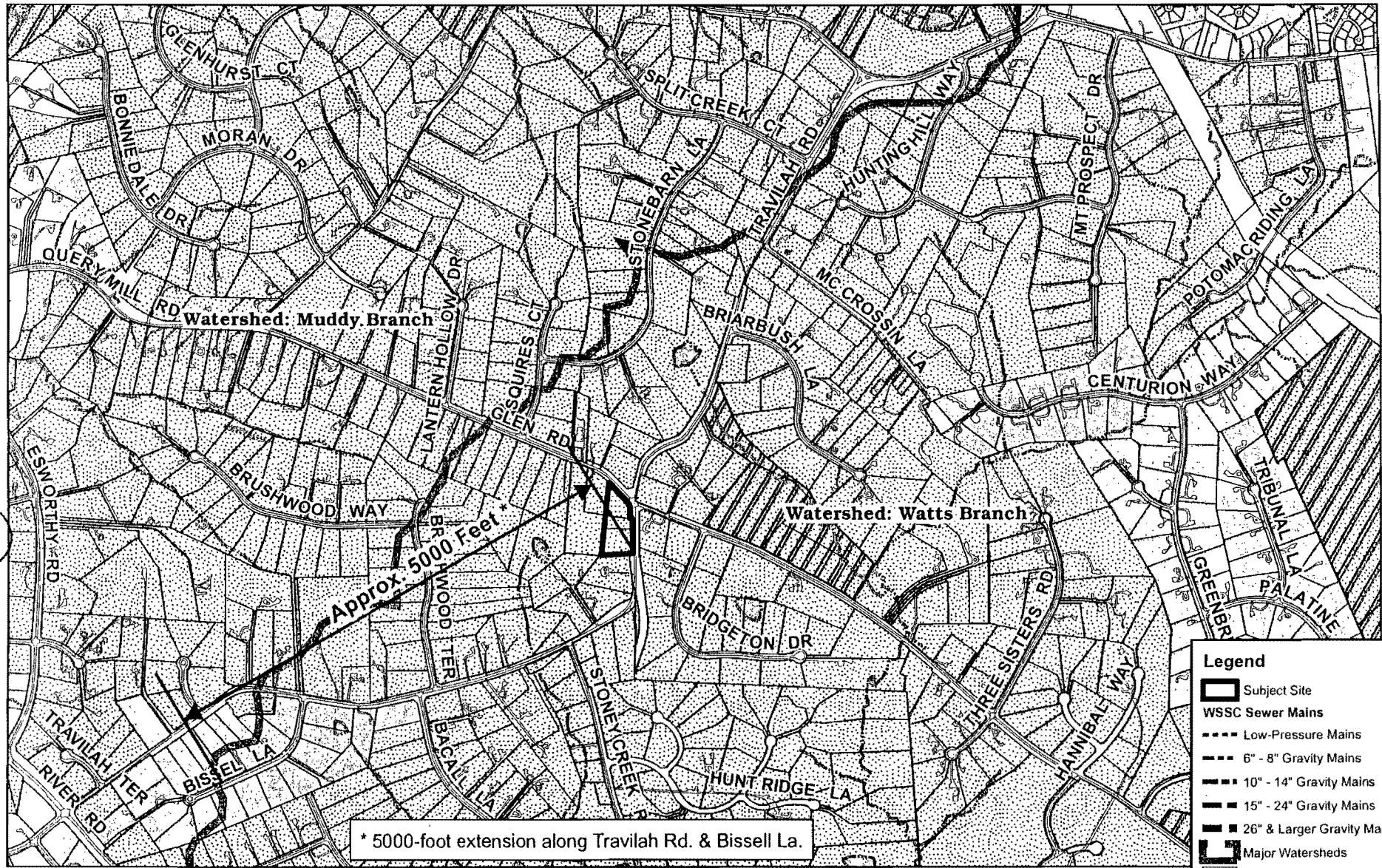


Montgomery County, Maryland
2003 Comprehensive Water Supply
and Sewerage Systems Plan



DEP Water and Wastewater
Policy Group

Sewer Service Area Category Map: WSCCR 07A-TRV-10 (Potomac Oak Shopping Center)



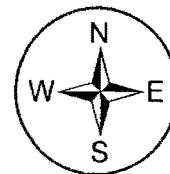
171

Legend

- Subject Site
- WSSC Sewer Mains**
- Low-Pressure Mains
- 6" - 8" Gravity Mains
- 10" - 14" Gravity Mains
- 15" - 24" Gravity Mains
- 26" & Larger Gravity Mains
- Major Watersheds
- Buildings
- Roads
- Parks
- Sewer Categories**
- S-1
- S-3
- S-6

0 500 1,000 2,000 3,000 4,000 5,000 6,000

Scale (Feet)



DEP
Water and Wastewater
Policy Group

Montgomery County, Maryland
Draft 2010 Comprehensive Water Supply
and Sewerage Systems Plan

WSSCR 07A-TRV-10

07A-TRV-10
TRAVILAH OAK ? JAN

2) Property/Site Description and Development:

Address: 12940 - 12960 Travilah Road
Property's TAX ID #'s: 06-00397857, 06-03063708, 06-02232731
Property/Site Size: 5.02 acres Identification: N780, N679, N726
Location/Closest cross-street: Travilah Road at Glen Road
Current Use: Commercial Shopping Center Proposed Use: Same
Subdivision Plan No. & Status: None on file.

(Note: Please attach an 8.5"x 11" copy of the state tax map with the property(ies) highlighted; this map is available at www.dat.state.md.us; click on "Real Property Data Search" and proceed from that point. If you don't have access to the Internet, and/or don't have some of the information requested above, please note that you request that DEP provide this information.)

3) Water and Sewer Service Area Categories (if you don't know, we will verify for you):

Current Water Category: W-6 Requested Water Category: W - 3 OR No Change Multi-Use Shared
Current Sewer Category: S-6 Requested Sewer Category: S - 3 OR No Change Multi-Use Shared

4) Reason for request; state current use of site and intended change in usage, if any:

See Attached Description.

Note: Continue on a separate page, if necessary

DEP Staff Use Only

Receipt Acknowledged: _____ Email OR _____ US Mail

- Water _____ Sewer _____
- WSSC Tile _____
- Tax Map _____
- Plan No. _____
- Process _____
- Master Plan _____
- Planning Area _____
- Zoning _____
- Zoning Activity _____
- Watershed _____
- CSPS Subwatershed _____
- State Watershed Use Class _____
- GIS File _____

TRV
WATTS C-1

ER41

217NW3

**POTOMAC OAKS CENTER
Water /Sewer Service Area Category Change Request**

The subject property is located in the southwest quadrant of Travilah Road and Glen Road. The property is currently in use as a commercial retail center comprised of four lots totaling approximately 5.08 acres of land. The property is zoned C-1 along the front portion of the property along Travilah Road. The existing retail center is located on the C-1 zone. The remaining area is zoned RE-2. A contiguous outlot consisting of approximately 5.02 acres zoned RE-2 is reserved for septic systems and stormwater management. The attached exhibit outlines the area of the C-1 zone of the subject request.

The existing retail area totals approximately 23,600 square feet of floor area, including a Chinese restaurant, convenience store, offices and service retail. The owner of the property has approval to add an additional 4500 square feet of offices to the center. The proposed office building would bring the Retail Center to 28,100 square feet gross floor area.

The purpose of the C-1 commercial zone is defined in the Zoning Ordinance as follows:

59-C-4.340. Purpose.

It is the purpose of the C-1 zone to provide locations for convenience shopping facilities in which are found retail commercial uses which have a neighborhood orientation and which supply necessities usually requiring frequent purchasing with a minimum of consumer travel. Such facilities should be located so that their frequency and distributional pattern reflect their neighborhood orientation. In addition, such facilities should not be so large or so broad in scope of services as to attract substantial amounts of trade from outside the neighborhood. It is further the intent of this zone that, in order to restrict the size of such facilities, the convenience commercial zone should not be located in close proximity to other commercial areas; and it shall not be applied to land which is located within a central business district as defined in section 59-A-2.1.

As evidenced by the attached land use plan there are no commercial facilities near the existing center. The size and location of the retail center are in conformance with the intent of the Zoning Ordinance and the Master Plan. The retail center has a neighborhood orientation and minimizes consumer travel. Continuation of this use is consistent with the Master Plan.

Due to the age of the septic system and the loading on the system some previous maintenance and rehabilitation work has been performed on the drainfield area under the guidance of the County Health Department. Preliminary engineering of an aerobic bioreactor prior to the drainfield area has been

investigated. However, the installation of the bioreactor system would entail the continued operation of the drainfield. Connection to a public system would ensure a more reliable long term environmentally sound system. The extension of public water to the property would improve the fire protection for the retail center and the surrounding area. The construction of the water and sewer services would be along public right of ways. There will be no encroachment along stream valleys.

The Master Plan is specific in its intent not to provide public water and sewer to the RE-2 zones. The owner is seeking a Category service change **only** for the area currently zoned **C-1**. This is the only C-1 zoned property in the immediate area. The C-1 zone has a higher density than RE-2 zone, which makes it more suitable for public water and sewer service. The existing stormwater management easement would remain in the RE-2 zone.

As indicated on the exhibit in the Master Plan, "Potomac Sewer Service Envelope 2002", there are currently several non contiguous sewer envelopes designated in the region. Establishing an envelope around the C-1 zone would be consistent with previous designations that are not contiguous with current service envelopes.

The owner is willing to agree to the following conditions if the Category Change is granted:

- 1) Category service change will be for the C-1 zoned area only
- 2) Restrict development of the C-1 zoned land to 40,000 Square Feet
- 3) Maintain uses that are provided by the C-1 zone.
- 4) Renovate the exterior of the existing Retail Center
- 5) Preserve the Historic 72 inch Oak tree on the property.
- 6) Provide sewer service via pressure system rather than by gravity.
- 7) The water and sewer extensions will be funded by the owner and meet WSSC requirements.

Granting of the category change will provide environmental benefits while maintaining and enhancing an existing use.

POTOMAC OAK CENTER

"Right in Your Own Backyard"

April 8, 2010

RATIONALE FOR PUBLIC SEWER FOR POTOMAC OAKS (07A-TRV-10)

Existing Situation

The Potomac Oaks Shopping Center on C-1 zoned land at the intersection of Travilah and Glen Roads in Potomac is currently served by private well water and private septic system. This septic system, along with the required reserve area, is located west of the Center on RE-2 zoned property. The Center includes, among other uses, a small restaurant that is experiencing sewer disposal problems that can be remedied only through installation of an expensive pre-treatment facility that treats sewage before it enters the septic system. This would not be a permanent solution; the pre-treatment facility has a limited life. The County DPS Well and Septic Section has restricted the water usage rates of uses it permits to be located within the Center in order to remain within septic treatment limits. This has had the effect of limiting uses within the Center to "low-flow" uses, including a convenience store with very limited food service, a wine store with very limited food service, and the existing, small sit-down restaurant; future, potential uses are limited to uses such as banks, insurance offices, and real estate offices. Alternatively, "higher-flow" uses that use greater amounts of water, such as sit-down restaurants, a small grocery store, hair salon, exercise gym, and ice cream shop, are not permitted to be located within the Center, due to the septic treatment constraints.

Purpose of Public Sewer Request

Sewer Service Category 3 was requested for the Center in June, 2007. The purpose of the request is to permit higher water flow uses within the Center, with no increase in the existing and approved size of commercial space. This would permit uses of greater utility to the community to be located within the Center, in closer proximity to nearby residents. This would in turn reduce auto travel for commercial goods and services with the environmental benefits of reduced carbon emissions and other pollutants, reduction of excessive gas consumption, reduced road congestion, and reduced road wear. There would be positive environmental and community benefits from reducing some trips and trip lengths, by offering more useful commercial goods and services closer to home.

The Center is comprised of 24,000 square feet of existing commercial space, and has a site plan and/or septic facilities approved for approximately 40,000 square feet of commercial space. As previously stated, uses in the Center are restricted to low-flow type uses. If this sewer service category request is granted the Applicant will not develop the Center beyond the approximately 40,000 square feet scale of development.

History of 07A-TRV-10, Potomac Oak Category Request

This application was filed in June, 2007. The County Executive referred it to various agencies for comment and submitted a recommendation to the County Council on January 17, 2008. The DPS Well and Septic Section expressed a preference for public sewer service for the property, the WSSC provided technical comments regarding how public sewer service could be provided to the property, and the Planning Board recommended approval of the application on February 21, 2008. On March 13, 2008 the Council's T&E Committee recommended deferral at the request of the applicant for the purpose of

4/8/10

further discussion between the applicant and the community, and the Council concurred with that deferral on April 8, 2008. Four community events were held at the Center during the summer of 2008, which provided an opportunity for the applicant to describe the application, and for community members to ask questions and comment on the application. On July 13, 2009, the County Executive expressed support for deferral of the application pending a master plan amendment to the 2000 Potomac Master Plan. The application is now being forwarded by the County Executive for the Council's consideration.

216.500

Master Plan History of Site

The 1966 Potomac Master Plan included the Potomac Oak property as a commercial site classified in the C-1 zone. The 1980 Master Plan down-zoned the property from C-1 to RE-2, without discussion of the property. The 2002 Master Plan included the property as a commercial site classified in the C-1 zone, which is the current status.

The Center is not a non-conforming use; it is a legal, local commercial use located in the C-1 zone. Nor is it an anomaly. Historically, commercial activity has occurred on this property over the course of many decades. The crossroads of Travilah and Glen Roads has long supported local convenience commercial uses.

In discussing commercial facilities, all three of the previously mentioned Master Plans, 1966, 1980, and 2002, indicate that not all of the commercial demand by residents of this area is to be satisfied within the planning area and sub-region. The Plans include such language as:

- There is no need for large retail centers; these are available in the nearby I-270 corridor; (1960 Potomac Master Plan, pp. 14 & 15);
- This area is also served by centers just outside of the boundaries, including Rockshire, Seven Locks Plaza, Georgetown Square, and Wildwood; (1980 Potomac Subregion Master Plan, p. 127); and
- Commercial areas beyond Travilah are expected to accommodate the shopping needs of the community. (2002 Potomac Subregion Master Plan, p.80)

While relying on commercial centers 8 to 10 miles or more from the community may have made some sense during the second half of the 20th century, the effects of excessive driving and long trip distance are now becoming apparent. The environmental benefits of reduced carbon emissions and other pollutants, reduction of excessive gas consumption, reduced road congestion, and reduced road wear all indicate that there are positive environmental and community benefits from reducing some of the trips, and trip lengths, by offering convenience commercial goods and services closer to home.

In addition, the 2002 Master Plan included some design principles in order to create a cohesive, attractive, efficient commercial Center, providing needed goods and services and creating an enduring community image. This Center, though small, has the capacity to be of greater utility to the immediate neighborhood; it could become more efficient,

attractive, and community-friendly. With a wider range of commercial services offered, it could function as a more community useful, but not larger, community center.

Proposed Sewer Service

This property can be provided public sewer service by extending a small, dedicated, grinder system sewer line 5,000 feet down Travilah Road to connect to an existing 8-inch public, gravity sewer in Bisell Lane. This sewer line would be located entirely within the public right of way of Travilah Road, and would be paid for entirely by the applicant; it can serve no other property owner than the Potomac Oak Center.

According to WSSC Standard Procedures, while a "Grinder System" can serve single-family residences or townhouses, other uses (commercial) are served by a Dedicated Grinder System. WSSC Standard Procedures also indicate, at Section 3.4, that "A dedicated grinder system will be designed to serve the subject property only." It further states that, "Once the extent of the property or area to be served is defined, and the system is built and operational, *additional customers will not be permitted to connect to any dedicated grinder system.*" (emphasis added)

Thus, if category S-3 were granted to the property, and a dedicated grinder system were to be designed and approved to serve the property, the dedicated grinder system could not physically be utilized by any intervening residential property due to its design and WSSC regulations. In addition, even if there were other non-residential uses in the area (and there are not), they would not be permitted to connect to the dedicated grinder system under WSSC policies.

Master Plan Sewer Service

The 2002 Master Plan discusses the concern of damage to the environment and water resources associated with the provision of public sewer service. It notes the following potential consequences:

- Public sewer can facilitate development to the maximum zoning density;
- Extension of sewer along a stream valley can create habitat disturbance, threaten species survival, and adversely affect the natural hydrologic system due to wetlands fragmentation; and
- If sewer lines leak they can further disturb the eco system

This proposal does not permit development to the maximum density; it is restricted to the amount of development associated with the septic approval. The sewer line would not extend down a stream valley buffer disturbing wetlands or habitat. In stead, it would extend down the Travilah Road right of way, an existing road.

Not a Precedent

Granting this application would not be a precedent for other areas to receive public sewer service.

- 1) The Potomac Oak Center is a long-standing commercial area with the current buildings dating to 1980.
- 2) The property conforms to the Master Plan land use recommendation and its current zoning classification.
- 3) The commercial area at this location is comprised of only one property.
- 4) The sewer line providing service would not extend down a stream valley, rather would be located entirely within a road right of way.
- 5) The provision of public sewer to Potomac Oak Center would not permit the expansion of the current existing and approved commercial space there.

Alternatively, in an area such as Darnestown, the septic and pre-treatment facilities are all in place and were all planned and sized to accommodate the food store currently in place. There is no retrofitting required and the Darnestown system has the capacity to accommodate the current uses there. There is no need for public sewer service. The Darnestown commercial center also is comprised of multiple properties. In addition, whereas public sewer service is with one-half mile of the Potomac Oak Center, public sewer is located significantly farther away from the Darnestown area, within the Turkey Branch stream valley one and one-half miles away. A sewer line would have to be extended down a tributary stream valley, with the commensurate disruption, unlike the sewer extension within the Travilah Road right of way to serve Potomac Oak Center.

Similarly, the Laytonsville commercial area is comprised of more than one property and could not be served by a single, dedicated grinder system in accordance with WSSC policies.

Planning Board and DEP Well and Septic Preference

The DEP Well & Septic Section noted in their original review of this application that "While reserve septic fields are established for all the properties, it would be best served by public water and sewer. This is due to the high strength nature of the waste generated by the food service facilities located in the Shopping Center." The DEP Well & Septic Section prefers the property to be served by public sewer.

The Planning Board, in their original review, recommended approval of the category change, expressing a preference for:

- The environmental benefits of reduced travel for commercial goods and services;
- Creation of a commercial community center of greater utility to the immediate community; and
- No conversion of undeveloped, or residential, ground to commercial activity, merely the improved utility of a commercial center to serve the community.

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's May 2010 Transmittal Packet

TRAVILAH PLANNING AREA MAP AMENDMENTS

JAMSHIDI-VAFAI PROPERTY – GLEN HILLS & PINEY BRANCH

The following category change request is for a property 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 (see pg. 24-25). It calls for the provision of public sewer service *only* to relieve documented public health problems, pending a study of the area's septic systems. The proposed study would determine the potential extent of septic problems and how to continue to support the neighborhood with on-site systems. Pending the completion of the septic system 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. At present, DEP has placed the Glen Hills septic study on hold, pending:

- An ongoing county-wide evaluation of potential health problem areas.
- An ongoing re-examination of water and sewer main extension costs, which currently prohibit most individual public service extensions, including those needed to relieve health problems.
- A concept plan for actively promoting long-term operation and maintenance of on-site systems.

The request is also located within the Piney Branch Subwatershed, where the Water and Sewer Plan further restricts the provision of public sewer service (see pg. 26).

WSSCR 09A-TRV-05: Ahmad Jamshidi & Guita Vafai

Previously denied under CR 15-1588, 8/1/06 (WSSCR 06A-TRV-06).

County Executive's Recommendation: Deny the request for S-3; retain S-6.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification				
<ul style="list-style-type: none"> • 12500 Circle Dr., Rockville • Lot 27, Block 2, Glen Hills Sect. 3 • Map tile: 217NW10; FR341 • Southeast corner – intersection of Glen Mill Rd. and Circle Dr. (adjacent to WSSCR 06A-TRV-05) • Potomac Subregion Master Plan (2002) • Watts Branch Watershed; Piney Branch subwatershed (MDE Use I; Mont. Co. SPA) • RE-1 Zone; 0.92 ac. • Existing and proposed use: residential – one single-family house 	<table style="width: 100%; border-collapse: collapse;"> <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-3</td> </tr> </table> <p>Applicant's Explanation: "High ground water table; existing septic system was installed in ground water and thus failed."</p>	W-1	W-1/no change	S-6	S-3
W-1	W-1/no change				
S-6	S-3				

Agency Review Comments

M-NCPPC Staff

The 2002 Potomac Subregion Master Plan specifically recommends an inter-agency study to comprehensively address and recommend sewer solutions for the Glen Hills area. The only exception is for failing systems that are considered health problems. There is no documented health problem with this property. Pending completion of the Glen Hills study, staff recommends denial of these category change requests. Recommendation: **Deny S-3**

WSSC - Sewer

(WSSC main extensions are non-CIP size unless otherwise specified.)

Service will require a 500-foot main extension from the existing 8-inch main at Circle Dr. and Spring Dr. (#023436Z). The extension would abut four additional properties.^A This project received conceptual approval in 2006 under job #AS4448X06. Sewage transmission and treatment capacity are adequate.

^A *DEP notes: A review of the proposed extension revealed the following: one S-1 residential lot with existing service, two S-6 residential lots without service, and a single parcel of parkland. Under the current sewer service recommendations for the Glen Hills Area, neither of the two properties without sewer service would be*

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's May 2010 Transmittal Packet

TRAVILAH PLANNING AREA MAP AMENDMENTS

WSSCR 09A-TRV-05: Ahmad Jamshidi & Guita Vafai

Previously denied under CR 15-1588, 8/1/06 (WSSCR 06A-TRV-06).

eligible for public sewer service without DPS confirmation of a health problem. (The Piney Branch sewer policy would allow for single restricted sewer hookups for these two abutting properties from the proposed sewer main. However, the Glen Hills policy, as the more restrictive, would supercede in this case.)

DPS-Well & Septic

Although we do not consider the property to be a health hazard, we would support a category change because of the site history and the lack of septic replacement area.

(DEP Note: DPS has confirmed that an alternative replacement septic system for the existing house has received permit approval. The replacement system will be located on an easement on the adjacent lot, which is also owned by the applicants. The septic system will include an aerobic pretreatment system and a drip distribution system within a sand mound.)

Executive Staff Report

The applicant has requested approval for category S-3 for a lot with an existing house in order to switch from septic service to public sewer to address damage to the existing septic system. The property is located within both the Glen Hills neighborhood and the Piney Branch Subwatershed (see the preceding page) where the provision of public sewer service is strictly limited under the recommendations of the 2002 Potomac Subregion Master Plan. DPS has advised that a replacement alternative septic system has been permitted for an adjacent lot—9840 Watts Branch Dr.—also owned by the applicants. The use of this replacement system will place limitations on the use and size of the existing house. An alternative septic system such as this cannot be used for new construction on the adjacent property. Although DPS staff have indicated a preference for the extension of public sewer service to the property, the Well and Septic Section does not currently identify the property as having a public health problem. Given the lack of a health problem, the property does not qualify for sewer service under any of the options that allow for such service in the Piney Branch Subwatershed.

Note that the applicant's explanation for this request, which cites groundwater problems, apparently refers to the original septic system constructed to serve a house that was previously demolished. The existing house was to be served by an on-site alternative septic system. DPS has advised that this new septic system was damaged during construction on the property, necessitating the use of a septic easement on the adjacent lot.

A sewer category change request for the applicants' adjacent lot, 9840 Watts Branch Dr., was also denied under CR 15-588 In August 2006.

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envelope is irregular, established by demand rather than by plan. Voids within the envelope and irregular boundaries along its perimeter abound. Although this Master Plan generally recommends against the continued provision of community sewer service to low-density (RE-1 and RE-2) areas, it does support limited approvals for community sewer service for the low-density areas within the envelope and along its currently-established edge. The focus of this limited service and expansion should be on properties which already abut existing or proposed mains and on properties which can be served by sewer extensions within public rights-of-way. Main extensions that would disrupt streams and their undisturbed buffer areas should be avoided. Any approvals granted along the currently-established edge should not be cited as justification for expanding the sewer service envelope beyond the limits recommended in this Plan.

Sewer Service Recommendations

- Provide community sewer service in the Subregion generally in conformance with *Water and Sewer Plan* service policies. This will generally exclude areas zoned for low-density development (RE-1, RE-2, and RC) not already approved for service from further extension of community service.
- 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.
- Help to protect water quality in the Stoney Creek subwatershed of Watts Branch by requiring that sewer main extensions to serve the few properties approved for community service be located along River and Stoney Creek Roads, rather than along the stream valley.
- Deny the provision of community sewer service to the areas zoned R-200 near the intersection of River and Seneca Roads.

* Glen Hills Area

The Glen Hills area consists of several established subdivisions with lots generally at least one acre in size. Most of the lots were established in the 1950's and 60's using septic systems. At that time, septic standards did not include septic buffers, water table testing, multiple depth testing, and the consideration of fractured rock. The Department of Permitting Services (MCDPS) has raised concerns about the periodic septic failures which occur in the neighborhood because subsurface conditions often do not allow for replacement systems which satisfy current septic regulations. This Plan supports a study of the septic failures in Glen Hills to develop the measures necessary to ensure

the long-term sustainability of septic service for new home construction and existing home renovations, and to address the need for limited sewer extensions if needed. This study, conducted in conjunction with the citizens of this area and the appropriate public agencies, shall include the following elements:

- Delineation and possible reasons for known septic failures.
- Groundwater testing if needed.
- Preparation of a logical and systematic plan for providing community sewer service if needed.
- Emphasis on extension of sewer mains within public right-of-way rather than within stream valleys.
- An evaluation and recommendation of the abutting mains policy for this area.
- Exclusion of properties that are environmentally sensitive and cannot be developed in conformance with established environmental guidelines.

This Plan recommends restricting further sewer extensions in Glen Hills to those needed to relieve documented public health problems resulting from failed septic systems. New sewer main extensions needed to relieve public health problems will be evaluated on a case-by-case basis for logical, economical, and environmentally sensitive extensions of service, with an emphasis on locating main extensions along public right-of-way, rather than stream valleys. Because of the concern that the sewer envelope will expand inappropriately, the abutting mains policy should be deferred subject to the results of the Glen Hills study.



Glen Hills Recommendation

- **Conduct a study described above of the Glen Hills area. Based on the results of that study develop a policy outlining the measures needed to ensure the long-term sustainability of septic service for new home construction and existing home renovations, minimizing the need for future sewer service extensions. Under this policy the sole basis for providing new sewer service would be well-documented septic failures where extension could be provided consistent with results of the study and in a logical, economical, and environmentally acceptable manner. 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.**

Piney Branch Subwatershed

The Piney Branch subwatershed presents a specific sewer service issue. Shallow bedrock and poor percolation rates severely limit development potential in the Piney Branch, Sandy Branch, and Greenbriar Branch basins unless sewer service is provided. However, these areas tend to have fragile or rare plant and animal communities as well as good water quality. The Piney Branch Trunk Sewer was constructed to serve development generated by TDRs in the upper subwatershed in North Potomac. Concerned over the potential environmental damage that could result from increased development density due to the availability of community sewer service along the rest of Piney Branch, the Council adopted a restricted sewer access policy for the subwatershed. This restricted

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

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:

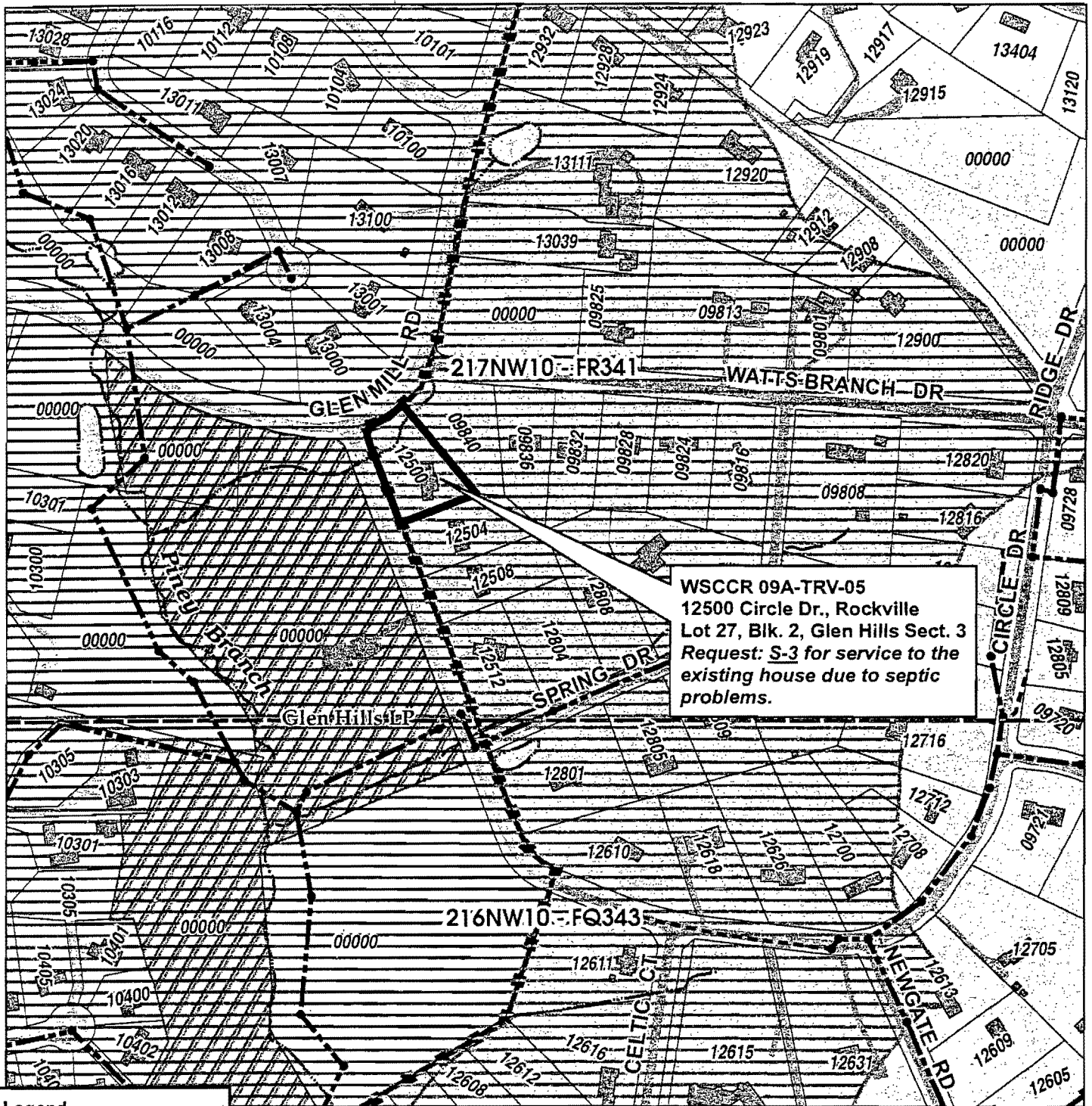
* **b. Piney Branch Restricted Sewer Service Area** -- In 1991, the County Council established a policy to restrict the availability of community sewer service in the Piney Branch Watershed, which is designated as one of the county's Special Protection Area watersheds. Through the Piney Branch Sewer 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.).

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.)
- 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.

Sewer Category Change Map - Glen Hills & Piney Branch Policy Service Areas WSSCR 09A-TRV-05 (Ahmad Jamshidi & Guita Vafai)

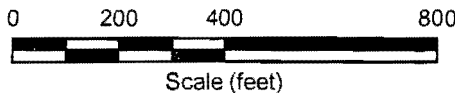
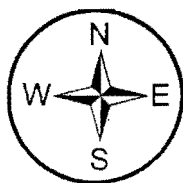


Legend

- WSSC Tile Grid
- Sewer Manholes
- Gravity Sewers
- Low-Pressure Sewers
- Parks
- Piney Branch Subwatershed
- Glen Hills Neighborhoods

Travilah Planning Area

Watts Branch Watershed



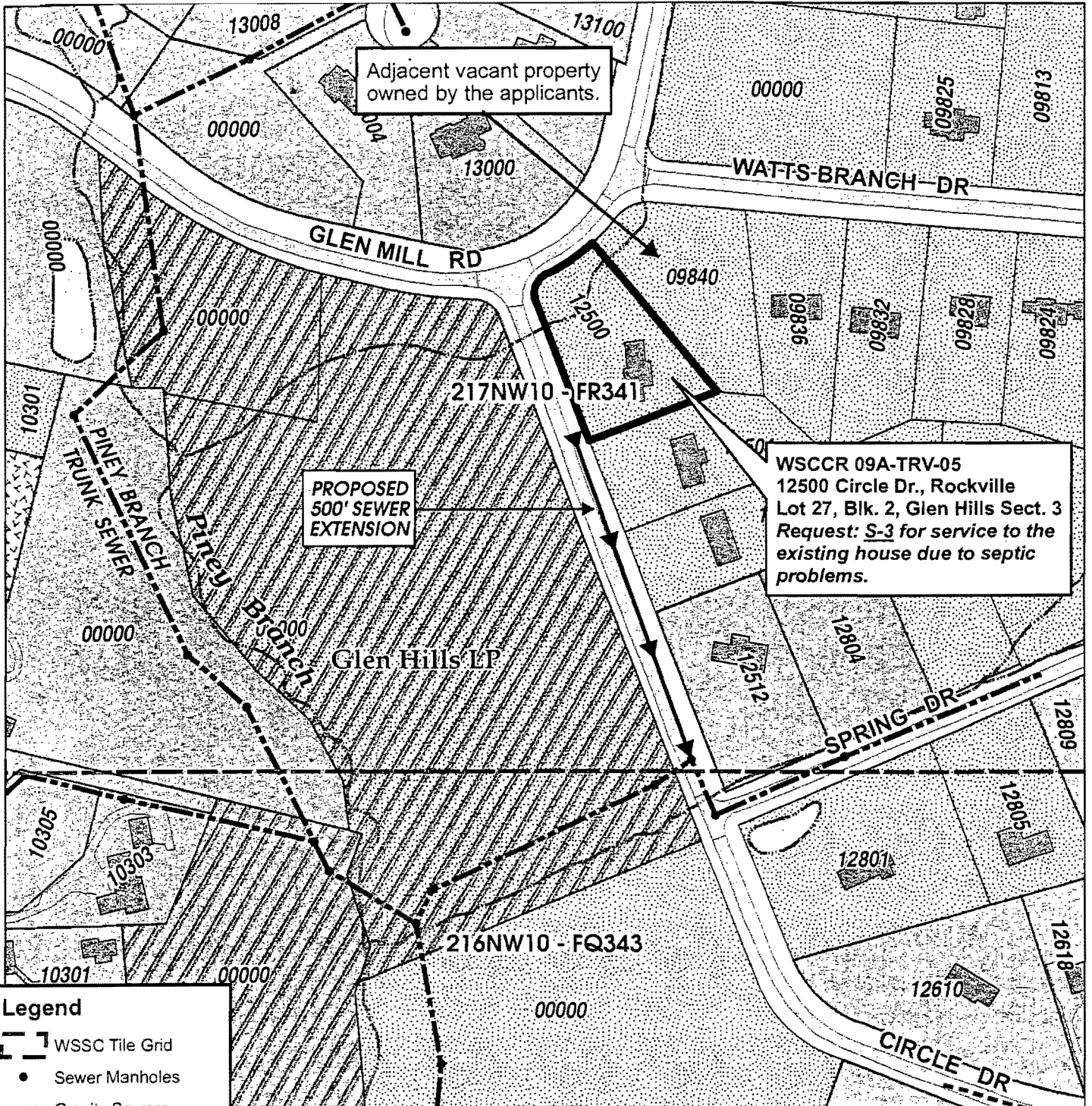
Montgomery County, Maryland
 2003 Comprehensive Water Supply
 and Sewerage Systems Plan



DEP
 Water and Wastewater
 Policy Group

Sewer Service Area Categories Map

WSSCR 09A-TRV-05 (Ahmad Jamshidi & Guita Vafai)



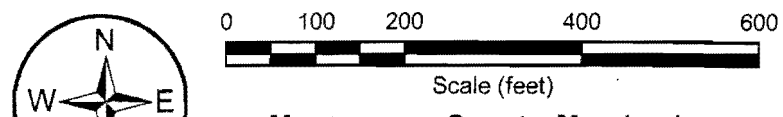
Legend

- WSSC Tile Grid
- Sewer Manholes
- Gravity Sewers
- Low-Pressure Sewers
- Parks

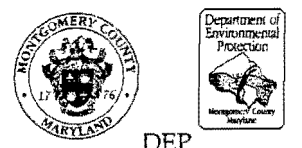
Sewer Categories

- S-1
- S-3
- S-6

Travilah Planning Area
Watts Branch Watershed



Montgomery County, Maryland
Draft 2010 Comprehensive Water Supply and Sewerage Systems Plan



DEP
Water and Wastewater
Policy Group



09A-TRV-05

DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

MEMORANDUM

~~WSSCR 09A-TRV-06~~

October 27, 2005

TO: Alan Soukup
Water and Waste Management
Montgomery County Environmental Protection

From: John Hancock *JH*
Well and Septic Section
Montgomery County permitting Services

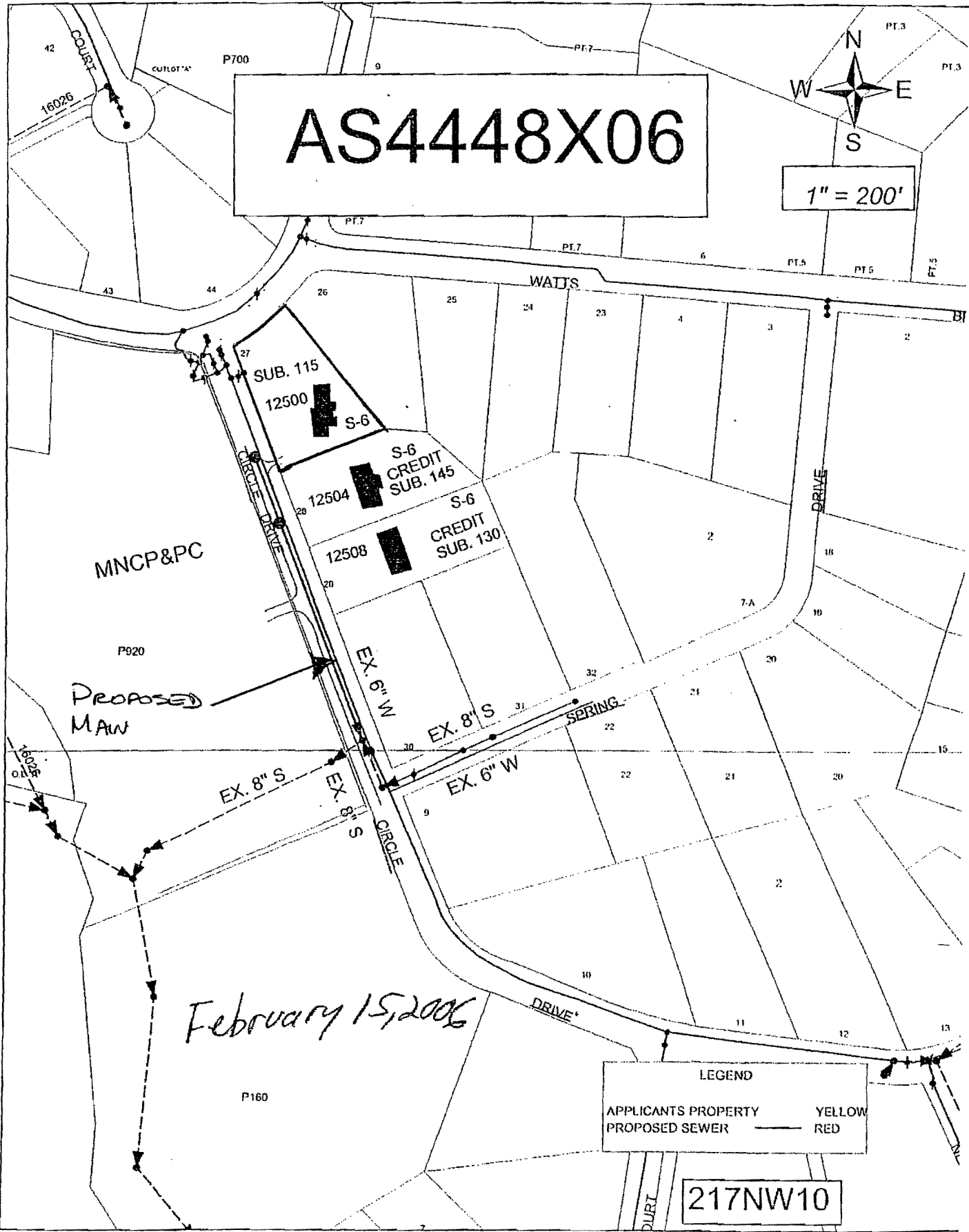
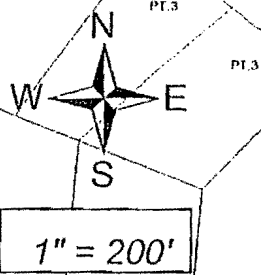
Subject: Request for Sewer Connection
12500 Circle Drive
Tax Map Grid FR41
WSSC Grid 217 NW 10

Ahmad Jamshidi, one of the owners of the structure at the location noted above, has requested our assistance in obtaining an expedited sewer connection. Soil testing has confirmed that the existing septic system is installed in groundwater and thus failing. The property is S-6 Sewer Category and a sewer mainline extension will be necessary. If I can be of further assistance please contact me at 240-777-6318.

Cc: Ahmad Jamshidi

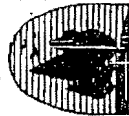


AS4448X06



1. All tankage must be certified as watertight to the satisfaction of the Approving Authorities.
2. Gravity piping to tanks shall be 4" Schedule 40 PVC. Pressure supply lines shall be 1 1/4" Schedule 40 PVC unless noted on plans. Manifolds and Flush Return lines shall be 3/4" Polyethylene and properly bedded.
3. Piping that may be subjected to crossing by heavy vehicles must be properly sleeved and bedded.
4. Field adjustment of tankage placement may be required for proper inlet fall.

JMR ENVIRONMENTAL SYSTEMS DESIGNS
 4138 Rinehart Road - Westminster, MD 21158
 Phone/Fax: 410-346-7386

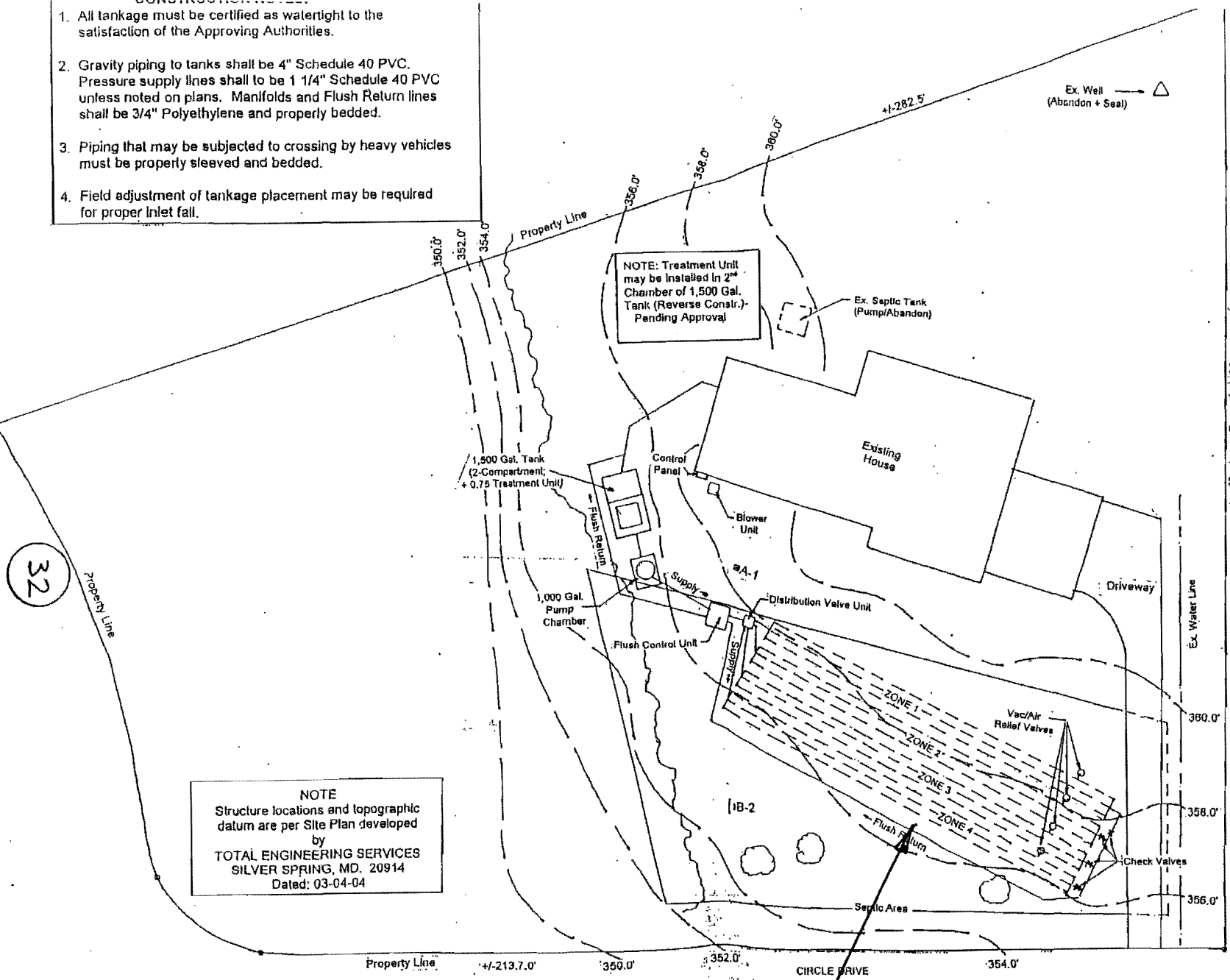


Waste Water System Design Plan
 INNOVATIVE DRIPLINE SYSTEM
 with Advanced Pre-Treatment
 for
 Mr. Ahmad Jamshidi
 12500 Circle Drive
 Rockville, MD 20850

32

NOTE
 Structure locations and topographic datum are per Site Plan developed by
 TOTAL ENGINEERING SERVICES
 SILVER SPRING, MD. 20914
 Dated: 03-04-04

NOTE: Treatment Unit may be installed in 2nd Chamber of 1,500 Gal. Tank (Reverse Constr.) - Pending Approval



DAMAGED SEPTIC SYST. VISOR ~~06A-TRV-06~~
 09A-TRV-05

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's May 2010 Transmittal Packet
TRAVILAH PLANNING AREA MAP AMENDMENTS

WSSCR 09A-TRV-06: The Hanson Family

County Executive's Recommendation: Approve W-3. Maintain S-6, with advancement to S-3 conditioned on the District Council's approval of a rezoning request for the site from RE-2 to PD-2, as recommended in the 2002 Potomac Subregion Master Plan.

Notes:

- *The applicant proposes to use septic systems for a few larger residential lots that will have difficulties connecting to public sewer service. DEP will retain category S-6 for these lots when they are established in the MC:MAPS property layer.*
- *The applicant will work with M-NCPPC and WSSC staff to determine the fewest needed and least disruptive sewer extension alignments possible to the Muddy Branch Trunk Sewers through the Muddy Branch Stream Valley Park.*

<p>Property Information and Location Property Development —</p>	<p>Applicant's Request: Service Area Categories & Justification</p>						
<ul style="list-style-type: none"> • 14100 and 14200 Quince Orchard Rd, Gaithersburg 20878 • Property ID: 03132818, 00393952, 03136510 • Map tile: WSSC - 218NW12; MD - ER562 • Northwest quadrant, intersection of Dufeif Mill, Travilah, and Quince Orchard Rds. Frontage on Travilah and Quince Orchard Rds. • Potomac Subregion Master Plan (2002) • Muddy Branch Watershed • RE-2 Zone; 170 acres • <u>Existing use:</u> Residential, agriculture <u>Proposed use:</u> Rezone to PD-2 for 187 mixed residential units; a few units would use septic systems. 	<table border="1"> <thead> <tr> <th colspan="2">Existing – Requested – Service Area Categories</th> </tr> </thead> <tbody> <tr> <td>W-6</td> <td>W-3</td> </tr> <tr> <td>S-6</td> <td>S-3</td> </tr> </tbody> </table> <p>Applicant's Explanation</p> <p>The request is to implement the Potomac MP and is filed in concert with a local zoning map amendment application for PD-2. Under the PD-2 Zone, the project will consist of up to 187 dwelling units and associated infrastructure. Sewer service will be by gravity to the Muddy Br. trunk mains with outfalls designed to avoid/minimize impacts to sensitive areas in the adjacent park. Water mains will connect to existing lines in Dufeif Mill Rd. (summarized by DEP – see attached pgs. 39 40 for full text)</p>	Existing – Requested – Service Area Categories		W-6	W-3	S-6	S-3
Existing – Requested – Service Area Categories							
W-6	W-3						
S-6	S-3						

Agency Review Comments

M-NCPPC

The Potomac Subregion master plan recommends a zoning change for this property which will be served by public sewer. It directs that sewer extension into the adjacent Muddy Branch Stream Valley Park should be done in an environmentally sensitive way that minimizes impacts. The May 1, 1996, Memorandum of Understanding between M-NCPPC and WSSC state that, "Under Permitting Guidelines the WSSC is directed to select parkland site for projects, only after first avoiding parkland. If parkland cannot be avoided impacts are to be minimized or mitigated. When impacts cannot be mitigated, M-NCPPC will seek compensation." If sewer is granted the connection should be made in only one location so as to minimize the impact to the forested stream valley and buffers in parks.

WSSC - Water

(Note: WSSC main extensions are non-CIP size unless otherwise specified.)

Water service will require an 800-foot main extension from the existing 16-inch main at Quince Orchard Rd. (#835785A). The extension would abut one additional property and may need to be CIP-sized. Local service is adequate. An alternative alignment would require a 1,000-foot main extension to an existing 16-inch main in Travilah Rd. (#654143). This extension would abut seven additional properties and would need to be CIP-sized.

DEP Note: Although the preceding water main extensions may require CIP-sized pipes, at lengths of less than 2,000 feet they will not necessarily need to be approved in the WSSC CIP budget.

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's May 2010 Transmittal Packet

TRAVILAH PLANNING AREA MAP AMENDMENTS

WSSCC 09A-TRV-06: The Hanson Family

WSSC - Sewer

(Note: WSSC main extensions are non-CIP size unless otherwise specified.)

Sewer service for the project site will require two main extensions from the Muddy Branch Trunk Sewers; one 800 feet long and the other 300 feet long. Both extensions will require rights-of-way, will need to cross the Muddy Branch Stream Valley Park, and will most likely require the removal of mature trees. Interceptor capacity is deficient and may require the relief of existing program-sized mains downstream of the project. Therefore, CIP-sized sewer mains may be needed for service. Treatment capacity is adequate (Blue Plains WWTP).

DPS-Well & Septic

Percolation tests in the general area are typically marginal at best. We would support sewer extension.

Executive Staff Report

The applicant requests approval of categories W-3 and S-3 in support of a proposed mixed-residential project of approximately 190 lots on a 170-acre site. The applicant is also seeking rezoning of the project site from the existing RE-2 to PD-2 as recommended in the 2002 Potomac Subregion Master Plan (zoning case G-884).

The provision of public water and sewer service will require off-site water and sewer main extensions (see WSSC's comments preceding). WSSC notes that new main construction may involve capital-sized water and/or sewer mains. [Financing] M-NCPPC staff called for a single sewer service extension to provide service to the project. The current development plan proposes two sewer extensions due to topography, lot and open space layout, and use of a gravity sewerage system. The final number and alignment of sewer extensions through County parkland will be subject to agreement between M-NCPPC, WSSC, and the applicant. It is in the public interest to determine the minimum number of extensions needed, and the alignments for those extensions that will minimize disruption to the stream valley park, while providing optimal use of gravity sewer service.

The provision of public water service for the project is consistent with Waster and Sewer plan policies and master plan recommendation for either the RE-2 or PD-2 Zones. However, the approval of the PD-2 Zone is essential for the use of public sewer service for this project. Under the existing RE-2 Zone, public sewer service is consistent with Waster and Sewer Plan policies. The 2002 master plan does recommend a zoning change to PD-2 and supports the provision of public sewer to implement a residential subdivision under that zoning. Therefore, the advancement of the project site from S-6 to S-3 needs to be conditioned on the zoning change to PD-2.

Usually in the past, any water/sewer category request that has a related rezoning request pending has been recommended for deferral pending the outcome of the zoning case. In this particular case though, the proposed rezoning is recommended in the current master plan, as adopted by the County Council. The rezoning request (case no. G-883 filed on June 1, 2009) was filed concurrently with this category change request. This request and the rezoning application are proceeding along a parallel tracks towards a decision by the Council. Our expectation is to have the Council to first grant the conditional category change approval. That action will allow DEP to, if appropriate, quickly grant a final category change approval following the Council's action on the zoning change.

R:\Programs\Water_and_Sewer\Projects\actions-COUNCIL\packets\2010feb\CEpacket\cc2010-03=tbl-TRV-hanson.doc

Darnestown Triangle Recommendation

- **Public sewer service should not be extended to this area except as is technically and economically feasible to relieve any public health threat due to failing septic systems.**

Hanson Farms

To support opportunities for environmental protection in the Muddy Branch watershed, this Plan recommends rezoning the Hanson Farms site for the planned development, PD-2 Zone, instead of the current RE-2, (see Land Use recommendations). Cluster development for this site will necessitate the provision of community sewer service. The provision of community sewer service to this site is not intended to open up service to nearby areas zoned for standard two-acre development.

Hanson Farms Recommendation

- **Provide community sewer service on the Hanson Farm only if development is clustered away from environmentally sensitive features and if an emphasis is placed on minimizing wetland disturbance caused by sewer main construction.**

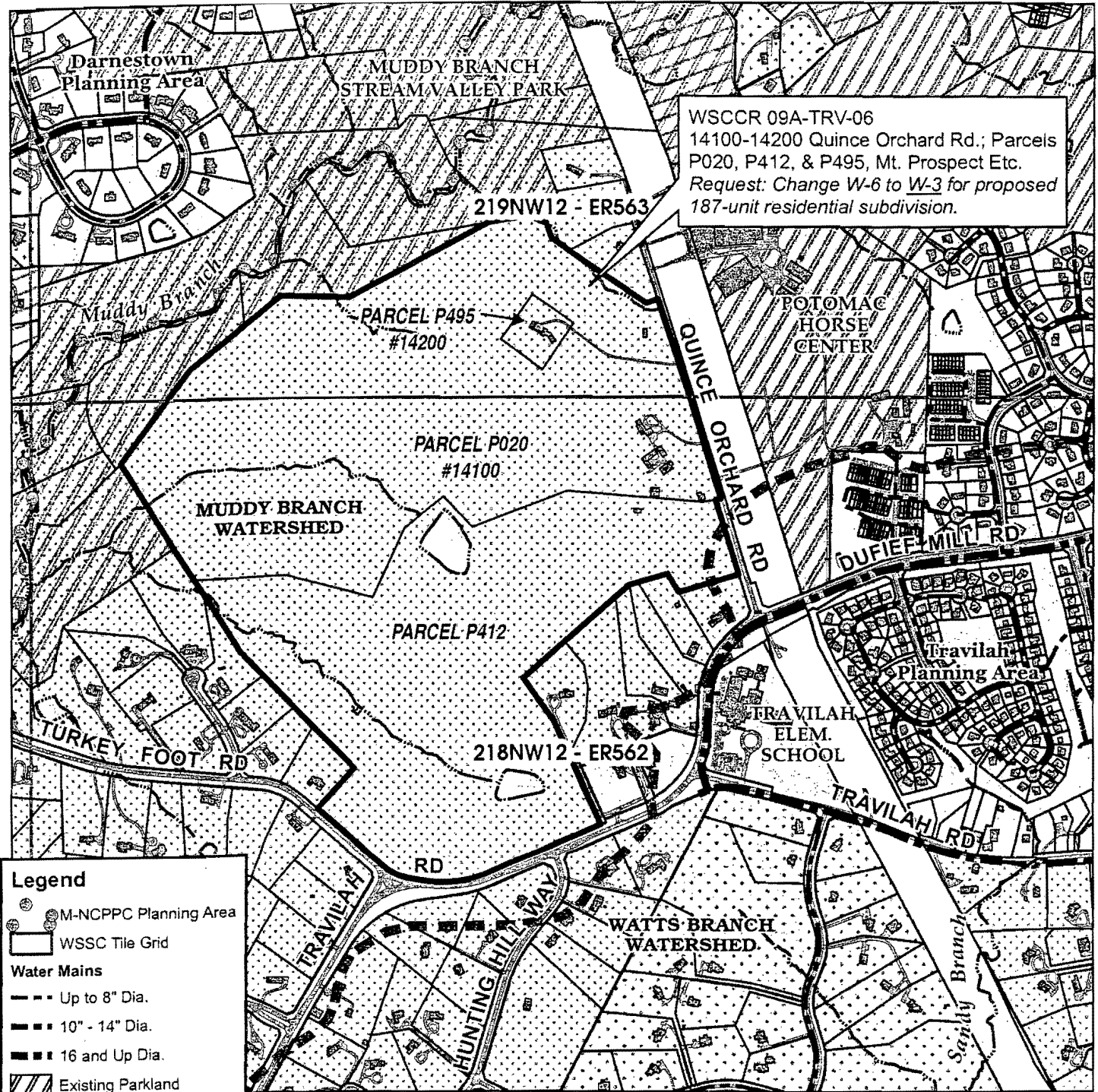
Sewage Transmission and Treatment Facilities

The Rock Run Waste Water Treatment Plant was planned in the 1970s to accommodate projected growth in the central and western parts of the County. It was intended to withdraw and treat approximately 20 million gallons per day (mgd) of sewage from the Potomac Interceptor, and discharge the effluent to the Potomac River below Little Falls. This would avoid exceeding agreed transmission capacity limits in the Potomac Interceptor and treatment capacity limits at the Blue Plains Treatment Plant. Since then, the County has planned for the expansion of the Seneca Creek Wastewater Treatment Plant, which will treat much of the effluent that the Rock Run facility would have treated, thus postponing the need for the treatment plant. At the request of the County, the WSSC will perform an update of the *1993-94 Strategic Sewerage Study* to better evaluate the effect of recent sewage transmission and treatment decisions and trends, such as the expansion of the Seneca plant, to better evaluate the need for and timing of additional facilities such as the Rock Run plant.

The Seneca Waste Water Treatment Plant's capacity is being expanded from five mgd to 20 mgd with potential for expansion to 26 mgd. The higher discharge rate to Seneca Creek (upstream of the Potomac Subregion) of this modernized treatment plant is expected to generate treated effluent that meets or exceeds federal and State NPDES requirements.

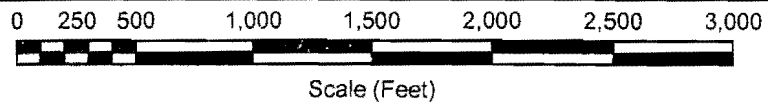
The WSSC projects that two of the Subregion's major sewer trunk lines in the Muddy Branch and Cabin John watersheds will reach capacity during the life of this Plan. Although the WSSC will need upgrades to these trunk sewers to accommodate increased flows, it is not expected to involve work beyond what would be undertaken as part of routine maintenance.

Water Service Area Categories Map: WSCCR 09A-TRV-06 (Hanson Family)

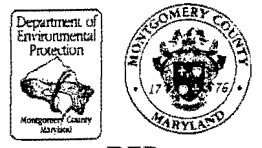


Legend

- M-NCPPC Planning Area
- WSSC Tile Grid
- Water Mains**
- Up to 8" Dia.
- 10" - 14" Dia.
- 16 and Up Dia.
- Existing Parkland
- Major Watersheds
- Water Categories**
- W-1
- W-3
- W-4
- W-5
- W-6

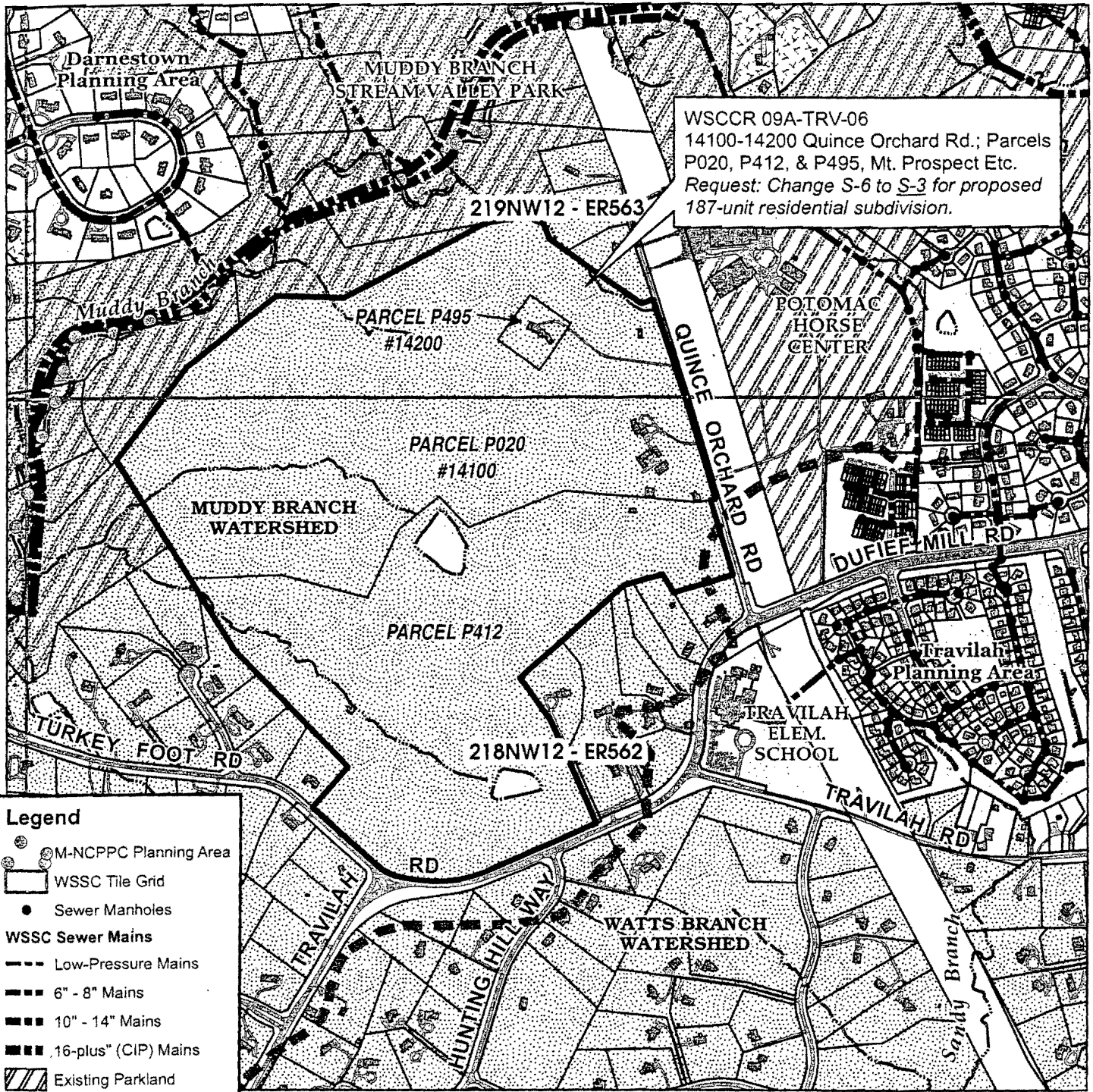


Montgomery County, Maryland
 2003 Comprehensive Water Supply
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 Water and Wastewater
 Policy Group

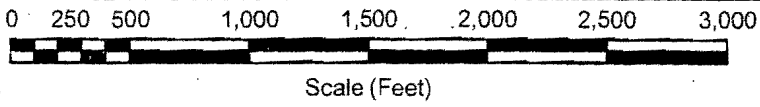
Sewer Service Area Categories Map: WSCCR 09A-TRV-06 (Hanson Family)



WSCCR 09A-TRV-06
 14100-14200 Quince Orchard Rd.; Parcels P020, P412, & P495, Mt. Prospect Etc.
 Request: Change S-6 to S-3 for proposed 187-unit residential subdivision.

Legend

- M-NCPCC Planning Area
- WSSC Tile Grid
- Sewer Manholes
- WSSC Sewer Mains**
- Low-Pressure Mains
- 6" - 8" Mains
- 10" - 14" Mains
- 16-plus" (CIP) Mains
- Existing Parkland
- Major Watersheds
- Sewer Categories**
- S-1
- S-3
- S-4
- S-5
- S-6



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

Department of Environmental Protection
 Montgomery County Maryland

MONTGOMERY COUNTY
 MARYLAND
 1776

DEP
 Water and Wastewater
 Policy Group

2) Property/Site Description and Development:

Address: 14100 and 14200 Quince Orchard Road, Turkey Foot Road, North Potomac, MD 20878
Property's TAX ID # (please provide, if known 03132818, 00393952, 03136510.

Property/Site Size: 170+/- Ac. **Identification (ie, Parcel #):** P020, P412, P945.

Location/Closest cross-street: The subject property is generally located in the northwest quadrant of the intersection of Quince Orchard Road, Dufief Mill Road and Travilah Road, in the North Potomac community.

Current Use: Agriculture, **Residential Proposed Use:** Residential with up to 187 dwelling units

Subdivision Plan No. & Status: A Local Map Amendment has been filed concurrent with this request for a water and sewer category change.

(Note: Please attach an 8.5"x 11" copy of the state tax map with the property(ies) highlighted; this map is available at www.dat.state.md.us; click on "Real Property Data Search" and proceed from that point. If you don't have access to the Internet, and/or don't have some of the information requested above, please note that you request that DEP provide this information.)

3) Water and Sewer Service Area Categories (if you don't know, we will verify for you):

Current Water Category: W-5 **Requested Water Category:** W-3 OR No Change Multi-Use Shared

Current Sewer Category: S-5 **Requested Sewer Category:** S-3 OR No Change Multi-Use Shared

4) Reason for request; state current use of site and intended change in usage, if any:

This category change request is to implement a portion of the Potomac Subregion Master Plan and is in concert with a concurrent application for a Local Map Amendment. The subject property consists of three (3) properties as noted above. There are two (2) residences on the subject property and the remainder consists of meadow, pasture, fields and forest. The Local Map Amendment is to rezone the property from RE-2 to PD-2 consisting of up to 187 residential dwelling units and associated infrastructure as recommended in the Master Plan.

Future sewer service is planned as a gravity connection to an existing trunk "XX" sewer line adjacent to the property. The sewer outfall has been designed to avoid and/or minimize impacts to environmentally sensitive resources. Future water service is planned to connect to existing "XX" water lines located along Dufief Mill Road.

See the enclosed Water & Sewer Service Exhibit and the as-submitted Development Plan for additional information.

DEP Staff Use Only

Receipt Acknowledged: _____ **Email OR** _____ **US Mail**

Water _____ **Sewer** _____

WSSC Tile 218 NW/2 & 219 NW/2
ER56 & ER563

Tax Map

Plan No.

Process

Master Plan

Planning Area

Zoning RE2

Zoning Activity

Watershed Muddy Branch

CSPS Subwatershed

State Watershed Use Class

GIS File

CCRFomJuly05.doc

14100 = 94.94 acres
14200 = 75.34 acres

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May 20, 2009

Montgomery County Department of
Environmental Protection
Attn: Alan Soukup
255 Rockville Pike, Suite 120
Rockville, MD. 20850

Re: Hanson Property
Water / Sewer Category Change Request
RCI Project No.: 1048A

Dear Mr. Soukup:

Enclosed please find an application and supporting materials for a water and sewer category change for the Hanson Property located near the intersection of Quince Orchard Road and Travilah Road in North Potomac. We are requesting reclassification to S-3, W-3 for this property. This category change request is made in concert with an application for a Local Map Amendment consistent with the Potomac Subregion Master Plan.

The Potomac Subregion Master Plan thoroughly explored and plans for the development of the Hanson Property and includes a series of recommendations to implement the Master Plan vision for this property and community. Among the recommendations, the master plan recommends rezoning the property to PD-2 with a cap of 170 residential units (plus 10% if using a TDR option for a total of 187 units) with the extension of public water and sewer service in an environmentally sensitive manner.

Over the past several years, on behalf of the Hanson family, we have worked closely with the community and thoroughly explored the most appropriate manner to implement the master plan vision for this property. This has included detailed mapping of natural resources, compilation of accurate 2' topography, site visits with neighbors, coordination with Master Plan Advisory Group members and detailed floodplain, forestry and wetland studies. The Development Plan proposes a clustered yet open space-oriented community that is sensitive to natural resources, character of the community and the recommendations of the master plan.

Consistent with this approach, the conceptual sewer design, although preliminary at this time, is sensitive to environmental resources. The property is proposed to be served through a lateral gravity connection to the existing trunk sewer line located in the adjacent Muddy Branch stream valley. In order to minimize impacts to natural resources, two (2) connections to the existing trunk sewer are required and proposed. The northern connection will generally serve the northern half of the Hanson Property. All of the proposed units that will drain to this point will do so using a gravity system. The location of this alignment has been selected based on the relative absence of larger trees and ability to tie in to the existing sewer with as little off-site disturbance as possible. The existing sewer line is located 250' from the Hanson Property on the opposite side of the main stem of the Muddy Branch stream. Therefore, a crossing of the stream to access the existing sewer line is necessary. The southern connection will generally serve the southern half of the Hanson Property. Most of the proposed units will be able to drain via gravity to this point. However, it may be possible that grinder pumps are required for proposed units near and along Travilah Road. At this location, the existing sewer line is

approximately 650' from the Hanson Property. The preliminary alignment, while conceptually intended to be as direct as possible, includes a few additional manholes to provide additional bends in the sewer line to avoid larger and specimen trees. We believe this slight increase in total parkland disturbed is justified in light of the avoidance and protection of mature trees. While the existing sewer is located on the same side of the Muddy Branch main stem the Hanson Property, a crossing of a first order tributary is necessary in order to access the existing sewer line. As the project moves through the Preliminary Plan, Site Plan and Engineering Phases, we will continue to refine the alignment, design and construction specifications to ensure sensitivity to environmental resources.

The existing and closest water line is located approximately 250' from the Hanson Property. An existing water stub off this existing 16" water line is located within the public right of way of Dufief Mill Road and will likely be extended within the right of way of Dufief Mill Road and Quince Orchard Road.

The size and approximate locations of the connections to the existing sewer and water infrastructure will be determined in conjunction with the WSSC SEP Phase 1 process.

We recognize the need to obtain the Local Map Amendment approval in advance of the category change and we are committed to working with you to ensure that this occurs in a sequential and timely manner.

Please do not hesitate to contact me if you have any questions or require additional information. I can be reached at (301) 948-4700 or droad@rodgers.com.

Sincerely,
Rodgers Consulting, Inc.



Dusty Rood, AICP, LEED AP
Principal

Encl. Water/Sewer Service Area Category Change Request Application
Application Fee (\$10,000)
Land Use Plan of the Development Plan
Water & Sewer Exhibit

Cc: Callum Murray, MNCPPC
Katherine Nelson, MNCPPC
John Hanson, Applicant
Harry Lerch, Lerch, Early & Brewer
Stuart Barr, Lerch, Early & Brewer
Potomac Subregion Master Plan Advisory Group
West Montgomery Community Citizens Association
North Potomac Citizens Association



LEGEND

- EXISTING INFRASTRUCTURE
- EXHAUST
- STREAM VALLEY SERVICE
- EXISTING PUBLIC SEWER
- EXISTING TRUNK SEWER
- PROPOSED TRUNK SEWER

NOTES:

Environmentally-Sensitive Sewer Design Summary

As recommended in the Potomac Master Plan, the Hanson Property is proposed to be served by public sewer by connecting to an existing and adjacent 36" trunk sewer line in an environmentally sensitive stream. The existing trunk sewer line is located within forested park property, which necessitates at least some impact to park property and forest. Considering the topography of the property, presence of on-site and off-site environmental resources including streams, wetlands, floodplains and forests, the two (2) connection points are the minimum number of connection points required to provide public sewer to the Hanson Property. This exhibit identifies the approximate locations of the two (2) sewer connection points from the subject property to the existing trunk sewer line.

These connection points facilitate the preservation of riparian forests and trees, the minimization of grading and the avoidance of stream valley impacts associated with the development of the Hanson Property. The alignment of both connection points were "reverse-engineered", meaning that the alignments were determined in the field by a team of Environmental Scientists and Civil Engineers based on the absence of or ability to minimize impacts to significant environmental resources.

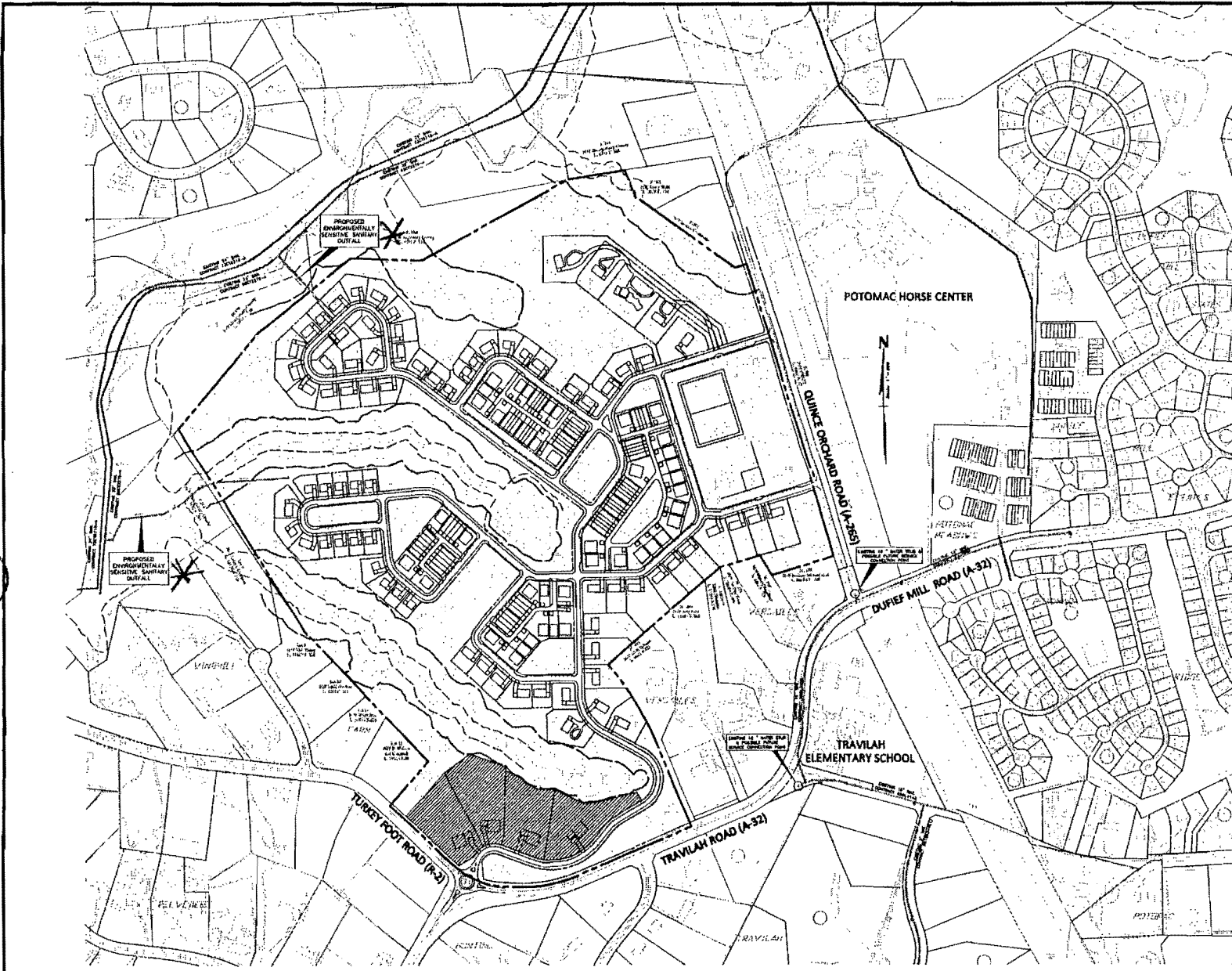
The alignment of the northern-most connection point was established based on the presence of a 30-40' wide direct corridor within the forest and adjacent park property that does not contain significant or specimen trees. This direct corridor allows total pipe impacts to be at a minimum and avoids impacting significant and specimen trees. This connection point is conceptual with a proposed soft-surface pathway as recommended by the Master Plan to further minimize environmental impacts. This connection point allows the northern portion of the Hanson Property to be served by gravity sewer.

The alignment of the southern-most connection point, while conceptually intended to be as direct as possible, was established to avoid impacts to significant and specimen trees and wetland resources. A few additional measures are proposed in order to allow the sewer line to be installed and further avoid environmental resources. This connection point is also conceptual with a proposed soft-surface pathway as recommended by the Master Plan, which further minimizes environmental impacts. This connection point generally allows the southern portion of the Hanson Property to be served by gravity sewer. Grinder pumps will be required in order to provide sewer service to the units near and along Travilah Road, as indicated on this plan.

- SUBJECT PROPERTY
- PORTION OF SUBJECT PROPERTY TO BE SERVED BY SEPTIC SYSTEMS

NOTE: THIS PLAN PROPOSES THE SUBJECT PROPERTY TO UTILIZE PUBLIC WATER AND PUBLIC SEWER SYSTEMS. THE WATER AND SEWER CLASSIFICATION IS PROPOSED TO BE AMENDED FROM W-6/5-4 TO W-4/5-2.

IF IT IS DETERMINED THAT THE PORTION OF THE SITE SHOWN IN LAND BAY C BEHINDS THE LOT OF PRIVATE SEPTIC SYSTEMS, THE SEWER CLASSIFICATION FOR THESE LOTS SHALL AUTOMATICALLY REVERT BACK TO 3-6 WITH THE RECOGNITION OF THESE LOTS.



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* Proposed extensions to the Muddy Branch Trunk Sewers.

HANSON PROPERTY
 Darnestown (6th) Election District
 Montgomery County, Maryland
 November 24, 2009

Owner/Applicant:
 The Hanson Family
 c/o John Hanson
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 Gaithersburg, MD 20878

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WATER & SEWER SERVICE EXHIBIT			
REVISION	DATE	REVISION	DATE
1. ISSUED TO REFLECT PLANNED STREET A & POSSIBLE SEPTIC SYSTEMS IN LAND BAY C	11/21/09		

09A-TRV-06