




OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

April 12, 2011

TO: Valerie Ervin, President
Montgomery County Council

FROM: Isiah Leggett 
Montgomery County Executive

SUBJECT: Transmittal of and Recommendations on Proposed Amendments to the Ten-Year
Comprehensive Water Supply and Sewerage Systems Plan

Pursuant to the requirements of the Environmental Article, Sections 9-503 through 9-506 and 9-515 through 9-516, of the Annotated Code of Maryland, I am transmitting my recommendations for nine proposed amendments to the County's *Comprehensive Water Supply and Sewerage Systems Plan*. Recommendations and supporting documentation addressing these amendments are included in the attached staff report. All nine proposed amendments are requests for individual water/sewer service area category changes.

The recommendations for these amendments are consistent with the adopted policies and guidelines included in the Water and Sewer Plan and are consistent with local area master plan service recommendations. Nevertheless, I expect that the following case will likely generate significant public testimony and worksession discussions.

Ross Boddy Community Center

In this case, **WSCCR 10G-CLO-01 (Montgomery Co. DGS)**, the applicant has requested category changes to allow the extension of public water and sewer service to an existing County community center in Sandy Spring. The County's approved FY 2010 capital budget includes a project for the proposed expansion and renovation of this facility. DPS has determined that the project cannot proceed using the facility's existing septic system; neither can the site support a suitable replacement septic system. The provision of at least public sewer service is needed to implement the approved expansion and renovation of this facility. The extension of public water and sewer service is consistent with the Water and Sewer Plan's public facilities policy; therefore the request for categories W-3 and S-3 is recommended for approval.

The neighborhood around the Ross Boddy Center has long been identified in the Water and Sewer Plan as one having a history of septic system problems. The 1998 Sandy Spring –Ashton Master Plan recommends a study of the neighborhood to determine the appropriate measures needed to address this public health problem. In this matter we will need to solve the usual technical and financial issues in confronting a health problem area such as this. However, the County must also consider the potential long-term effects of providing public utility service to this neighborhood, a historic African-American community in Sandy Spring. The extension of water and sewer service may ultimately be

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necessary to protect public and environmental health. However, the availability of public service could increase property values, promoting a makeover of the community and the eventual loss of its historic character and population.

North Burtonsville Projects: Burtonsville Crossing Senior Housing and New Hope Korean Church

WSCCRs 09A-PAX-05 (Burtonsville Crossing) and 09A-PAX-06 (Burtonsville Associates) both request categories W-3 and S-3 to allow the extension of public water and sewer service to properties east of Old Columbia Pike and north of the Burtonsville Crossing Shopping Center. The area, which we refer to as "North Burtonsville," is sandwiched between the relocated U.S. 29 and the old U.S. 29 alignment (now Old Columbia Pike) in the Patuxent River watershed. The area is zoned Rural Cluster (RC), where public water service can be considered on a case-by-case basis. However, the provision of public sewer service is generally inconsistent with this zoning.

The Burtonsville Crossing senior housing project site (09A-PAX-05) is located just north of the shopping center. M-NCPPC staff has determined that the 1997 Fairland Master Plan specifically recommends low-density uses for this property, without providing public sewer service. The size of the proposed project makes it unlikely that it could move forward using public water service and a septic system. Given the specific guidance of the master plan for this site, I have recommended denial of the request for categories W-3 and S-3.

The New Hope Korean Church site (09A-PAX-06) is located on the single property in North Burtonsville for which the master plan does provide an option for the use of public sewer service. The master plan suggests the provision of water and sewer service in support of an appropriate special exception use. A house of worship is an allowed use in the RC Zone, although the size and nature of such a facility is generally more in keeping with a special exception use, especially given the size of the proposed facility, which is proposed to accommodate 1,700 seats. As a result, a significant concern in this case is the amount of impervious surface proposed by the applicant's current concept plan, approximately 40 percent of the site, which is located in the Patuxent River watershed


I find it necessary to recuse myself from providing the Council with a recommendation for this proposed amendment. I own property in the nearby Patuxent Heights neighborhood.

Staff from DEP will be available to discuss these and other amendments at worksessions with the Transportation, Infrastructure, Energy, and Environment Committee and with the full Council.

IL:as

Attachment

cc: Jay Sakai, Director, Water Management Administration, Maryland Department of the Environment
Richard Eberhart Hall, Secretary, Maryland Department of Planning
Françoise Carrier, Chair, Montgomery County Planning Board
Jerry Johnson, General Manager, Washington Suburban Sanitary Commission
Robert G. Hoyt, Director, Department of Environmental Protection
Jennifer Hughes, Acting Director, Department of Permitting Services

The seal of Montgomery County, Maryland, is a circular emblem. It features a central shield with a plow, a sheaf of wheat, and a bundle of arrows. Above the shield is a crest with a figure holding a staff. The shield is surrounded by a wreath. The outer ring of the seal contains the text "MONTGOMERY COUNTY MARYLAND" and the date "1776".

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

**County Executive's
March 2011 Amendment Transmittal
to the County Council**

**9 PROPOSED WATER/SEWER
CATEGORY CHANGE REQUESTS**

Montgomery County Comprehensive Water Supply and Sewerage Systems Plan

Proposed Category Map Amendments

County Executive's March 2011 Amendment Transmittal to the County Council

- **7 Current Category Change Requests**
- 2 Previously Deferred Category Change Requests**

**Prepared by
The Department of Environmental Protection**

Robert G. Hoyt, Director

David Lake, Manager, Water and Wastewater Policy Group

Alan Soukup, Senior Planner, Water and Wastewater Policy Group

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

Washington Suburban Sanitary Commission

Maryland – National Capital Park and Planning Commission

Montgomery County Department of Permitting Services

**PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
COUNTY EXECUTIVE'S MARCH 2011 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.
CLARKSBURG PLANNING AREA			
WSSCR 09A-CKB-01 Orchard Run 21901 Ridge Rd., Clarksburg RE-2 Zone; 54.35 ac. Use: Senior housing/retirement village; RE-2 to PRC zoning change requested (G-881).	W-1 (no change) Remove "PIF use only" restriction from the existing S-3	Defer action pending the outcome of the rezoning request for PRC. Consideration of a category change should not precede the pending zoning change request. Ideally, the sewer extension issue should be addressed in concert with the zoning.	Report: Pgs. 1-3 Maps: Pgs. 4-6
CLOVERLY – NORWOOD PLANNING AREA			
WSSCR 10G-CLO-01 Montgomery Co. MD (Dept. of General Services) 18529 Brooke Rd., Sandy Spring RMH-200 Zone; 8.39 ac. Use: Expansion & renovation of the Ross Boddy Community Center <i>10G-CLO-01 deferred: AD 2010-4 (11/22/10)</i>	W-6 to W-3 S-6 to S-3	Approve W-3 and S-3; sewer service is restricted to a public facility only. Water and sewer service is consistent with the Water & Sewer Plan's public facilities policy. A health issue also involved with the existing septic system.	Report: Pg. 12-14 Maps: Pgs. 15-17
PATUXENT WATERSHED CONSERVATION PLANNING AREA			
WSSCR 09A-PAX-01 Eglise De Dieu De Silver Spring, Joseph Berluce, Pastor 4800 Sandy Spring Rd., Burtonsville RC Zone: 4.55 ac. Use: proposed house of worship for Eglise De Dieu de Silver Spring (existing single-family house will remain) <i>09A-PAX-01 consideration tabled (12/8/09)</i>	W-1 (no change) S-6 to S-3	Conditionally approve S-3; final action will require Planning Board plan approval. Approval limited to this PIF use only. <i>Application is consistent with PIF policy requirements. The applicant has returned with a revised concept plan that reduces</i>	Report: Pgs. 20-22 Maps: Pg. 26
WSSCR 09A-PAX-04 Sunny Varkey 16301 New Hampshire Ave., Cloverly RE-1 & RC Zones; 28.84 acres Use: private school	W-6 to W-3 S-6 to S-3	Correct Parcel P600 to W-1. Otherwise deny W-3 and S-3; maintain W-6 and S-6. Sewer service is neither consistent with master plan recommendations nor Water and Sewer Plan policies. The proposed use is for-profit and not eligible for consideration under the PIF policy.	Report: Pgs. 40-41 Maps: Pgs. 42-43
WSSCR 09A-PAX-05 Burtonsville Crossing LLC 15800 Block, Old Columbia Pike, Burtonsville RC Zone; 11.14 acres Use: senior housing project	W-6 to W-3 S-6 to S-3	Deny W-3 and S-3; maintain W-6 and S-6. Sewer service is not consistent with master plan recommendations or Water & Sewer Plan general service policies. The applicant has not indicated that water service alone would allow the project to proceed.	Report: Pgs. 45-46 Maps: Pgs. 49-51
WSSCR 09A-PAX-06 Burtonsville Associates 16100 Block, Old Columbia Pike, Burtonsville RC Zone; 9.52 acres Use: house of worship – New Hope Korean Church to relocate	W-6 to W-3 S-6 to S-3	<i>The County Executive has recused himself from making a recommendation for this request; he owns property in the nearby Patuxent Heights subdivision.</i>	Report: Pgs. 47-48 Maps: Pgs. 49-51
TRAVILAH PLANNING AREA			
WSSCR 09A-TRV-02 & -03 Ted & Roxanne Smart 13000 Block, Valley Dr., Rockville RE-1 Zone; 3.81 acres total Use: two single-family houses (one on each of two existing parcels)	(W-3 & W-1: no change) S-6 to S-3	Deny S-3; maintain S-6. Sewer service is not consistent with master plan recommendations for Glen Hills or with Water & Sewer Plan general service policies.	Report: Pgs. 57-58 Map: Pg. 61

**PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
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Plan Amendment No. & Applicant Location - Zoning - Acreage - Proposed Use	Requested Change	Executive Recommendation & Policy Summary	Packet Page No.
TRAVILAH PLANNING AREA (CONTINUED)			
WSSCR 11A-TRV-01 Christopher & Christina Marshall 12805 Spring Dr., Rockville RE-1 Zone; 1.03 ac. Use: sewer service for the existing house.	W-1 (no change) S-6 to S-1	Deny S-1; maintain S-6. Sewer service is not currently consistent with master plan recommendations for Glen Hills and the Piney Branch Watershed or with Water & Sewer Plan general service policies.	Report: Pgs. 65-66 Map: Pg. 69

Additional Packet Items:

Water/Sewer Service Area Category Information	Pg. iii
Map Amendment Locator	Pg. iv
Status Update: Category Change Requests Recently Deferred by the County Council	Pg. v
Deferred Map Amendment Locator	Pg. vi
Water & Sewer Plan Excerpt (2003): Private Institutional Facilities Policy	Pgs. 23-25
Master Plan Excerpt - Potomac Subregion (2002): Glen Hills Sewer Service Recommendations	Pgs. 59-60
Water & Sewer Plan Excerpt (2003): Piney Branch Restricted Sewer Service Area Policy.....	Pgs. 67-68

**PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
 COUNTY EXECUTIVE'S MARCH 2011 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).

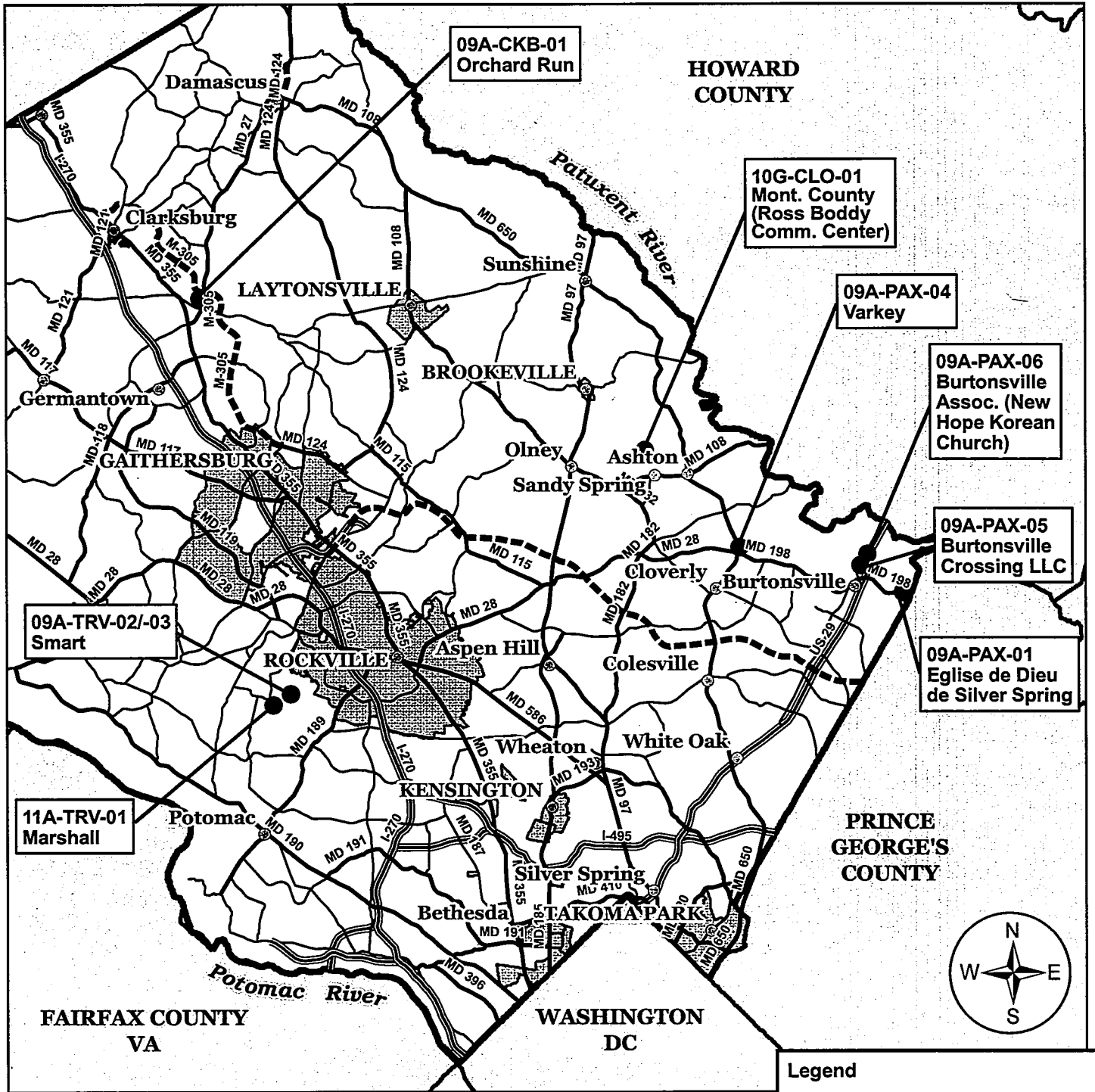
Water and Sewer Service Area Categories Table

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. <ul style="list-style-type: none"> 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. <ul style="list-style-type: none"> 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. <ul style="list-style-type: none"> 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. <ul style="list-style-type: none"> 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

March 2011 Transmittal: Map Amendment Locator



Legend

- Map Amendment Request Sites
- ⊙ Localities
- Major Roads & Highways**
- County Roads
- State Roads & Highways
- == US Highways & Interstates
- - - Proposed Roads
- ▨ Municipalities

0 1 2 4 6 8 10



Scale (miles)



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
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Status of Category Change Requests Previously Deferred by the County Council

The Water and Sewer Plan generally intends that a deferred category change request or other Plan amendment should return to the Council for a decision within approximately one year of the deferral action.

Plan Amendment No. & Owner Location – Zoning – Acreage - Proposed Use	Category Change Request	Resolution & Reason for Deferral Status of Deferred Plan Amendment
WSSCR 06A-BEN-03 Maurice Gladhill Bethesda Church Rd., Damascus RDT Zone: 41.44 ac. Use: water service for approved child lots	W-6 to W-1 (Keep S-6)	CR 15-1588 (8/1/06): Deferred pending recommendations on child lots from the Ad Hoc Agriculture Working Group. Status: Awaiting Council consideration and decision on child-lot policy issues, including a proposed amendment on water service policy to the Water and Sewer Plan.
WSSCR 06A-TRV-07 Carole & Donald Dell Stoney Creek Rd. opposite Wetherfield La. RE-2 Zone: 17.29 ac. Use: proposed 8-lot single-family subdivision	W-3 (no change) S-6 to S-3	CR 15-1588 (8/1/06): Deferred pending the Council's review of the Potomac peripheral sewer service policy in the next update of the Water and Sewer Plan. Status: Water & Sewer Plan update is underway; staff draft for interagency review expected this summer.
WSSCR 07A-CLO-05 Julian Patton Norwood Rd. at Norbeck Rd. (MD 28) RE-2 Zone: 27 ac. Use: proposed place of worship for the Sts. Constantine and Helen Greek Orthodox Church (on an unimproved site)	(Keep W-3) S-6 to S-1	CR 16-500 (4/8/08): Deferred for submittal and review of the church's site development plan. Status: The church has proposed to locate on the RE-2C portion of the property, which is already approved for public water and sewer service. If the Planning Board approves the church's draft preliminary plan (120100240), the applicant should withdraw this request for the area zoned RE-2.
WSSCR 07A-DAM-08^C Bethel World Outreach Ministries Brink Rd., Germantown RDT Zone: 119.4 ac. Use: proposed house of worship for the owner (existing farm house may remain). ^C Goshen – Woodfield – Cedar Grove Planning Area	W-6 to W-6 ^D S-6 to S-6 ^D ^D multi-use system	CR 16-500 (4/8/08): Deferred for a development proposal that conforms with RDT Zone requirements for properties with agricultural preservation easements. Status: Awaiting the applicant's submittal of a revised development plan. (Note: Litigation^E in federal court between the applicant and the County continues over zoning and multi-use sewer system issues. ^E The church's prior suit over denial of public water and sewer service is resolved in favor of the County.
WSSCR 09A-PAX-01 Eglise de Dieu de Silver Spring Sandy Spring Rd. (MD 198) & Riding Stable Rd., Burtonsville RC Zone: ac. Use: place of worship.	(Keep W-1) S-6 to S-3	12/8/09: Council endorsed the T&E Committee's recommendation to defer consideration pending the applicant's work to: <ul style="list-style-type: none"> • Reduce imperviousness on the proposed development plan, and • Conduct additional outreach and coordination with local civic organizations. Status: Included in this packet of Plan amendments (see pg. 20).

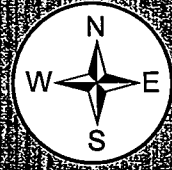
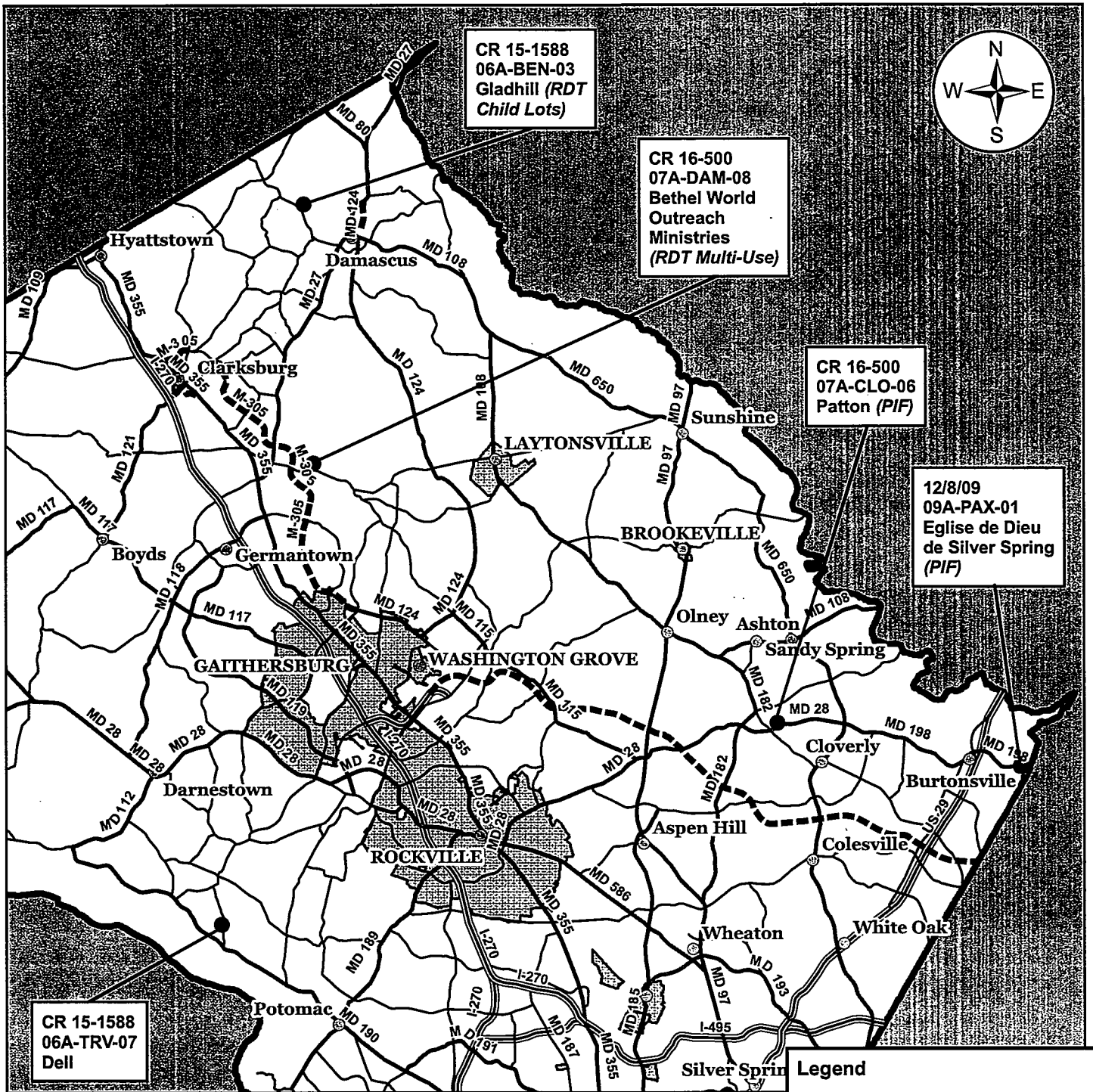
Deferrals resolved since the last update (January 2010 Packet)

WSSCR 07A-CLO-09 – Neil & Laura Pullen.....	Unrestricted S-1 denied under CR 16-1519 (10/19/10); restricted S-1, for one hookup only, maintained.
WSSCR 07A-TRV-10 – Travilah Oak LLC, Han & J. Jan.....	W-3 and S-3 denied under CR 16-1519 (10/19/10).

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Water and Sewer Plan Map

March 2011 Transmittal: Deferred Amendment Locator



CR 15-1588
06A-TRV-07
Dell

CR 15-1588
06A-BEN-03
Gladhill (RDT
Child Lots)

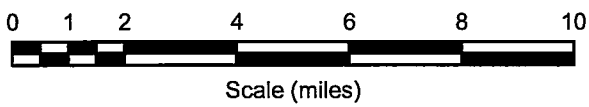
CR 16-500
07A-DAM-08
Bethel World
Outreach
Ministries
(RDT Multi-Use)

CR 16-500
07A-CLO-06
Patton (PIF)

12/8/09
09A-PAX-01
Eglise de Dieu
de Silver Spring
(PIF)

Legend

- Previously Deferred Requests
- ⊙ Localities
- Major Roads & Highways**
- County Roads
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2003 Comprehensive Water Supply
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CLARKSBURG PLANNING AREA MAP AMENDMENTS

WSSCC 09A-CKB-01: Pg. 1

WSSCC 09A-CKB-01: Windridge Farm, LLC (for Orchard Run)

County Executive's Recommendation: Defer action on the request for S-3 (without restriction) pending a decision on the PRC zoning request.

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> ▪ 21901 Ridge Road, Germantown ▪ Parcel P429, Brooke Grove • Property ID: 02-0030041 ▪ Map tile: WSSC – 230NW11; MD – FV122 ▪ Northwest quadrant, intersection of Ridge Rd (Rte. 27) and Brink Rd. ▪ RE-2 Zone (PRC Zone proposed; case #G-881); 54.37 acres ▪ Clarksburg MP (1994) ▪ Little Seneca Creek Watershed (MDE use IV, Mont. Co. SPA) ▪ <u>Existing use:</u> Vacant ▪ <u>Proposed use:</u> Retirement Community for 225 units and a community center (under the proposed PRC Zone) ^A 	<p>Applicant's Request: Service Area Categories & Justification</p> <p><u>Existing – Requested – Service Area Categories</u></p> <p>W-1 W-1(No change) S-3 (PIF only) S-3 without PIF restriction</p> <p><u>Applicant's Explanation</u></p> <p>"Request that the PIF Restriction be removed, so that a Planned 225 unit Retirement Community and a Community Center may be built." (Also see the project engineer's letter, pg. <u>8</u>)</p> <p>^A <i>DEP Notes:</i></p> <ul style="list-style-type: none"> • <i>The applicant's proposed senior housing project will not qualify as non-profit institution and therefore cannot use the existing, PIF-restricted S-3 approval.</i> • <i>The applicant is preparing a revised development plan (for the rezoning request) that reduces density on the site and responds to other concerns raised by M-NCPPC. The zoning change process is suspended pending the filing of this revised plan.</i>
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Executive Staff Report: The applicant has proposed the construction of a 225-unit retirement community which will require rezoning of the property from RE-2 to PRC. The project as proposed will need public water and sewer service. The site is currently designated as categories W-1 and S-3; however, the S-3 has a restriction for a private institutional facility (PIF) use only, which this for-profit project cannot use. The applicant is seeking the removal of the PIF-use only restriction for category S-3. The unrestricted provision of public sewer service to this site under the existing RE-2 zoning is not consistent with either the master plan's recommendations or the Water and Sewer Plan's general service policies. The Water and Sewer Plan does call for the deferral of category change requests where a zoning change request is pending. A deferral of the category change request at this time will prevent the appearance of prejudice in the zoning case the Council will consider later.

The applicant has proposed using a wastewater pumping station (WWPS) and force main to direct sewage flows from the site north into gravity sewer mains proposed for the Clarksburg Village project. (Upon completion, these facilities would be dedicated to WSSC for operation and maintenance.) WSSC has proposed three alternative gravity sewer extensions from the site, one of which would depend on the construction of the proposed Tapestry WWPS and force main. The M-NCPPC Parks Department opposes WSSC's option no. 1 which would require an easement and construction across Ridge Road Recreational Park. WSSC has confirmed that adequate system capacity exists for these alternatives. Because the requested zoning change to PRC proposes development density that will require public sewer service, the sewer extension issue should be considered as part of the zoning decision.

Agency Review Comments

M-NCPPC – Area 3 Planning Team: The subject site and immediate vicinity is in the designated Clarksburg Special Protection Area (MP, pg. 207) and is not included in the four Master Plan implementation areas shown for the Staging of Development (MP, pg. 215).

The site is also not included within the plan categories for Recommended Sewer and Water Staging for Clarksburg (MP, pg. 202). The site and the immediate vicinity is included among the areas with no future service

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CLARKSBURG PLANNING AREA MAP AMENDMENTS

WSSCR 09A-CKB-01: Pg. 2

areas anticipated. Land not included in the sewer and water service areas is designated S-6 and W-6 (MP, pg. 201). The master plan states –

- subsequent water and sewer plan amendments (should) be of a comprehensive area wide nature only and consistent with master plan staging principles and recommendations
- subsequent amendments should not take place until all of the triggers for each stage of development have been met (MP, pgs. 192-199)
- County Council determines that category changes are consistent with policies of the Comprehensive Water Supply and Sewerage Systems Plan, and
- The Recommended Sewer and Water Staging for Clarksburg should be used as guidance for future amendments to the existing water and sewer plans

In the description of Service Area A (MP, pgs.202-203) the Little Seneca Trunk sewer is referenced for serving the nearby Newcut Road subarea and a portion of the Brink Road Transition subarea, however the subject site is outside of service Area A.

A water/sewer category change for the pending amendment and use application, as currently proposed, is not in conformance with the Approved and Adopted 1994 Clarksburg Master Plan. The category change request is premature if the zone has not been changed.

M-NCPPC – Parks Planning: The subject property for the proposed category change 09A-CKB-01 is located across Brink Rd. from the Ridge Road Recreational Park. Alternative proposal #1 cites a possible sewer extension crossing the park to an existing main at Frederick Rd. Alternative #1 would also require disruption of Parks operations and require a Park Permit for construction. Alternative #2 would connect to an existing line to the east at Brink Road and Seneca Crossing Drive and have no park impacts. Given the potential impact to the park site for Alternative #1, the Department strongly supports Alternative #2 which would totally avoid impacts to the park and rejects Alternative #1.

WSSC - Sewer: Three potential alignments can serve this property:

1. An approximately 1500-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to (contract no. 99-2434A) and would abut approximately four properties in addition to the applicant's. *Supplemental comments (2/24/11):* Requires grading on some areas of the northeast side for the outfall sewer to carry the flow to southeast side for Alignment #1. This alignment connects to existing sewers not a proposed one.
2. An approximately 774-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to (contract no. 01-2975A) and would abut approximately three properties in addition to the applicant's. This extension drains to Wexford WWPS. Currently, there are no capacity constraints at the station. Rights-of-way would be required. Construction of this extension may involve the removal of trees. *Supplemental comments (2/24/11):* In addition to grading on the northeast side, this requires extensive grading on the southwest side of the property to reach alignment # 2. This alignment connects to existing sewers not a proposed one.
3. *Supplemental comments (2/24/11):* An approximately 3500-foot-long non-CIP-sized gravity sewer extension is required to serve the property. All flows from the property can drain to the northwest side of the property; then the flow is conveyed through a gravity sewer to either the proposed sewer (contract no. DA 3993Z04) or another proposed sewer (contract no. AW/AS4748Z08) whichever comes first. A WWPS is already planned for the area (contract no. DA3993Z04), the Tapestry Property, and can serve the applicant's property. Some grading is needed. Rights-of-way would be required. Construction of this extension may involve the removal of trees. *DEP Note: This extension would traverse as many as ten properties in addition to the applicant's, most zoned RE-2. The alignment would follow a tributary of Little Seneca Creek. Construction would likely affect the stream and stream buffers. WSSC proposed this alignment in response to the applicant's proposal for a WWPS and force main that would direct flows north along (proposed) Snowden Farm Parkway into the sewerage system to be built for the Clarksburg Village project.*

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
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CLARKSBURG PLANNING AREA MAP AMENDMENTS

WSSCR 09A-CKB-01: Pg. 3

Supplemental comments (2/24/11): WSSC is opposed to the Rodgers Consulting [applicant's] option. The option proposes a pumping station that is in an area where a WWPS is already planned. The applicant shows flow pumping to an area where there is a dry sewer under contract 96-9302 not connected to anything and also a **proposed sewer** under DA4321Z09. This means that WSSC would have to maintain a second WWPS just for this property in addition to the one for Tapestry located in same and nearby service area.

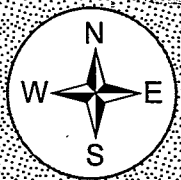
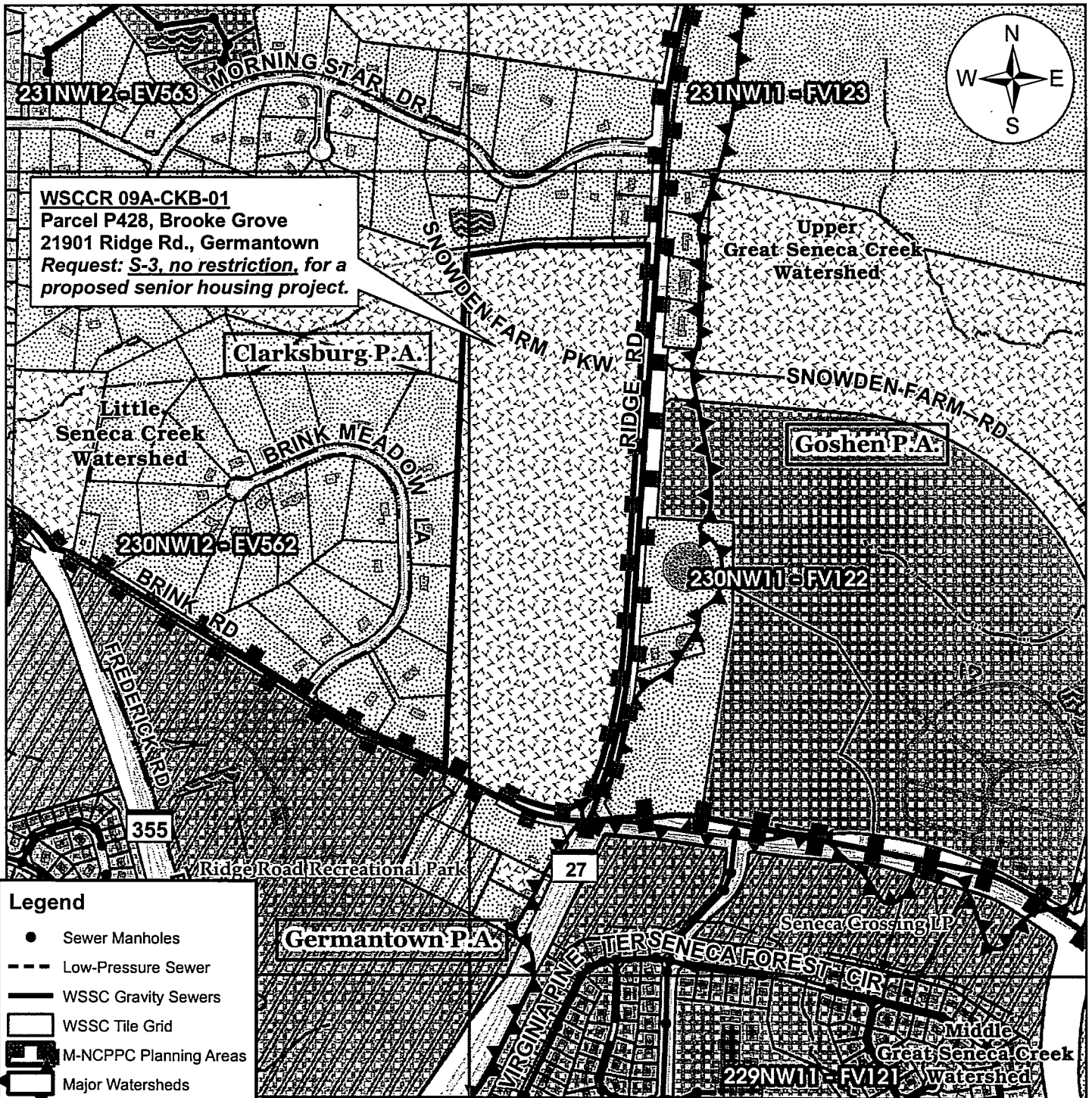
Average Wastewater Flow from the proposed development: 96,293 GPD. Interceptor and treatment capacity are adequate.

DPS – Well & Septic: No comment.

ADS:ads/

R:\Programs\Water_and_Sewer\Projects\actions-COUNCIL\packets\2011jan\ce-pckt\draft-review\draft-staff-rpt=09a-ckb-01=final-draft.doc

Sewer Service Area Categories Map: WSSCR 09A-CKB-01 (Windridge Farms - for Orchard Run)



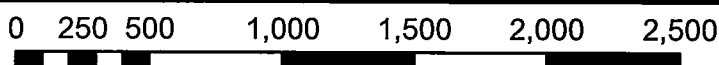
WSSCR 09A-CKB-01
Parcel P428, Brooke Grove
21901 Ridge Rd., Germantown
Request: S-3, no restriction, for a proposed senior housing project.

Legend

- Sewer Manholes
- Low-Pressure Sewer
- WSSC Gravity Sewers
- ▭ WSSC Tile Grid
- ▭ M-NCPPC Planning Areas
- ▭ Major Watersheds
- ▨ Existing Parkland

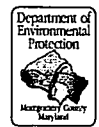
Sewer Categories

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



SCALE (Feet)

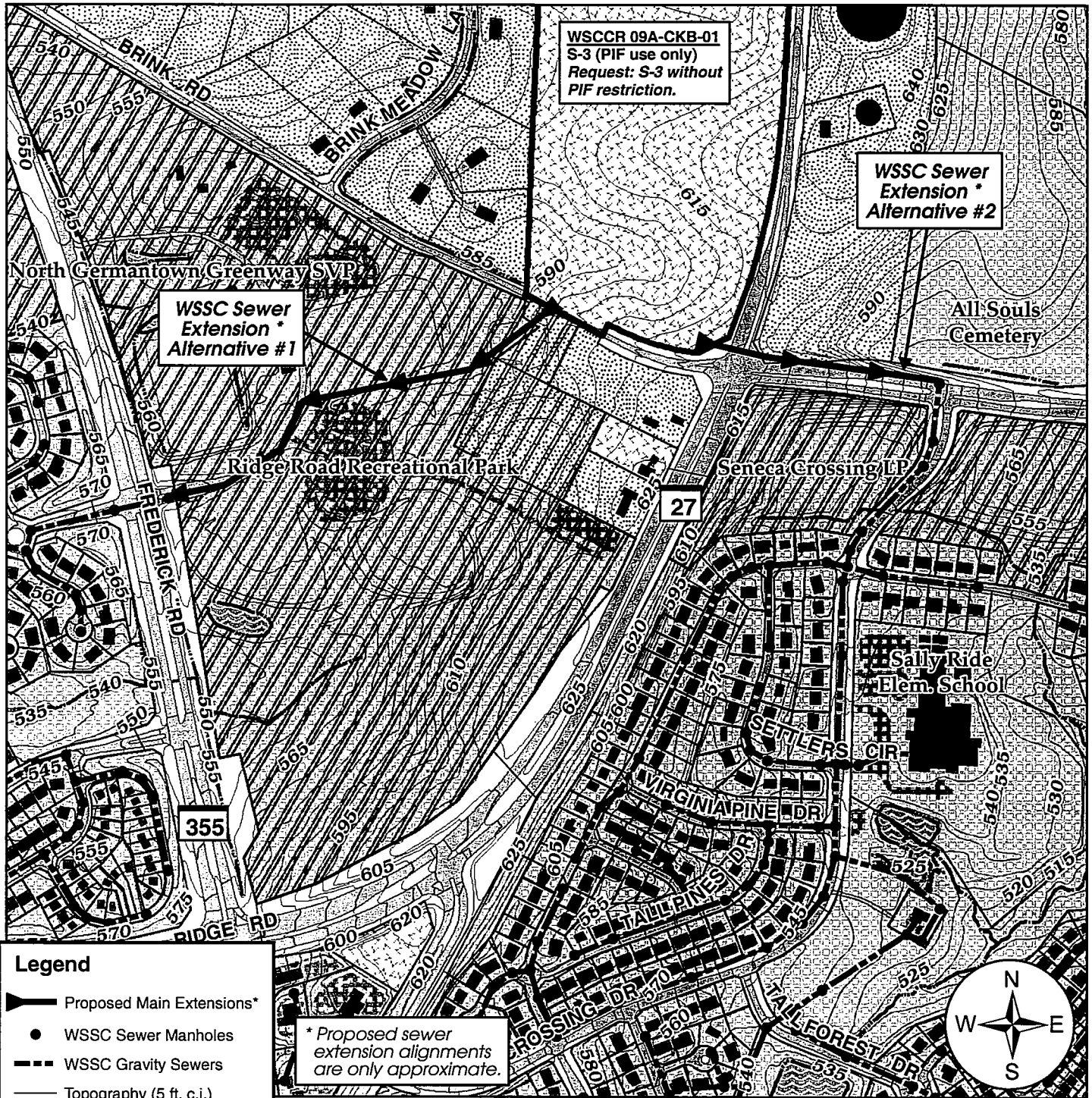
Montgomery County, Maryland
Draft 2010 Comprehensive Water Supply
and Sewerage Systems Plan



DEP
Water and Wastewater
Policy Group

Water and Sewer Plan Category Change Request Map

WSSCR 09A-CKB-01: Sewer Extension Alternatives - South



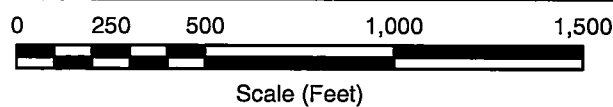
Legend

- Proposed Main Extensions*
- WSSC Sewer Manholes
- WSSC Gravity Sewers
- Topography (5 ft. c.i.)
- WSSCR Subject Site
- Parking Areas
- Existing Parkland

Sewer Categories

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

* Proposed sewer extension alignments are only approximate.



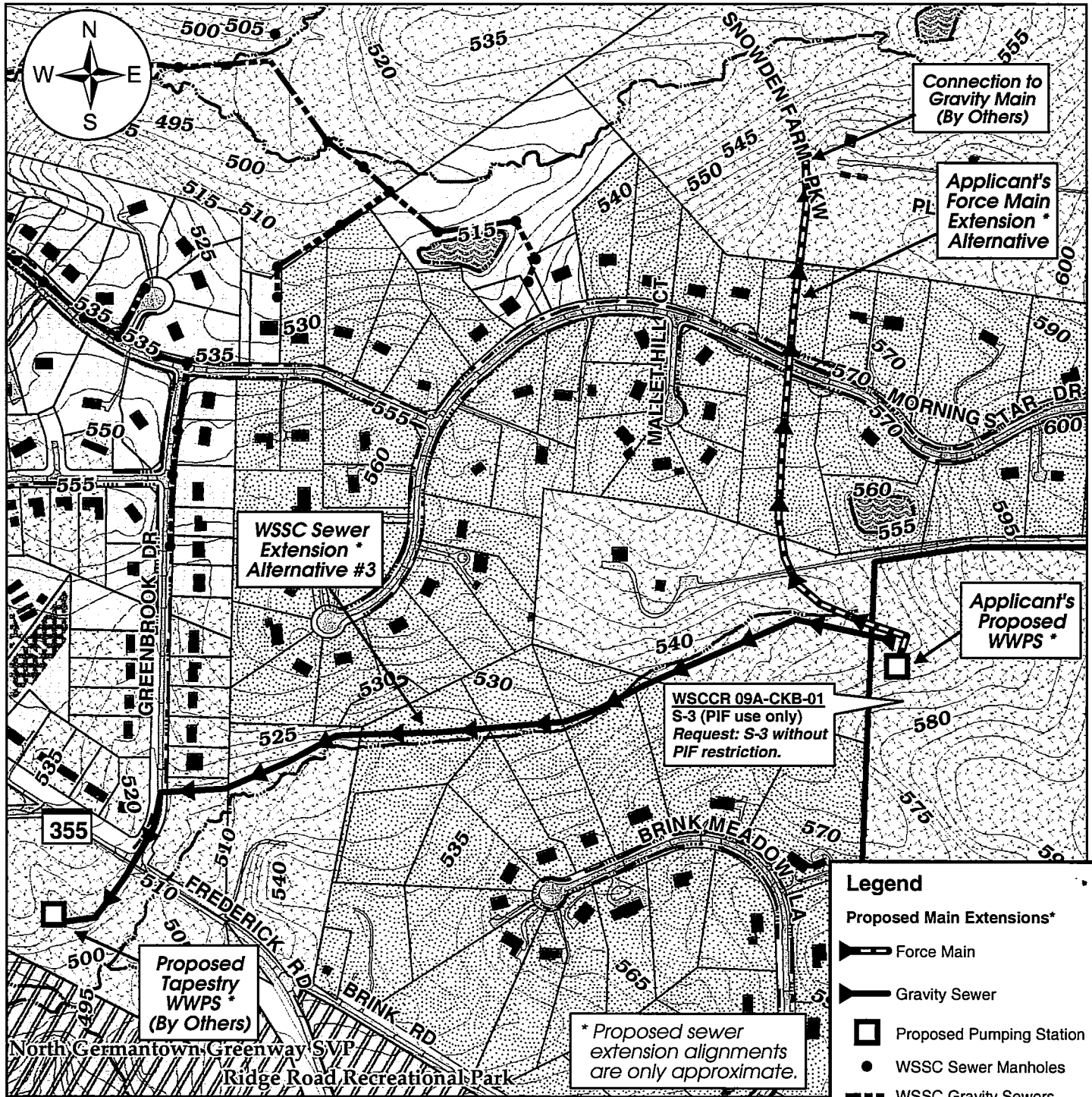
Montgomery County, Maryland
 2003 Comprehensive Water Supply
 and Sewerage Systems Plan



DEP
 Water and Wastewater
 Policy Group

5

**Water and Sewer Plan Category Change Request Map
WSSCR 09A-CKB-01: Sewer Extension Alternatives - North**



Legend


Proposed Main Extensions*

- Force Main
- Gravity Sewer
- Proposed Pumping Station
- WSSC Sewer Manholes
- WSSC Gravity Sewers
- Topography (5 ft. c.i.)
- WSSCR Subject Site
- Existing Parkland


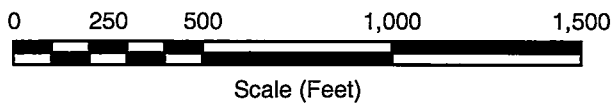
Sewer Categories

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

* Proposed sewer extension alignments are only approximate.



DEP
Water and Wastewater
Policy Group

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

2) Property/Site Description and Development:

Address 21901 Ridge Road, Germantown, MD 20876
Property's TAX ID # (please provide, if known) 02-00030041
Property/Site Size 54.35 Acres Identification (ie, Parcel #) P429
Location/Closest cross-street Brink Road and Ridge Road; MD Rte 27
Current Use RE-2 Proposed Use PRC
Subdivision Plan No. & Status Rezoning Case G881 : 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-3 Requested Sewer Category: S-3 OR No Change Multi-Use Shared
(PIF)

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

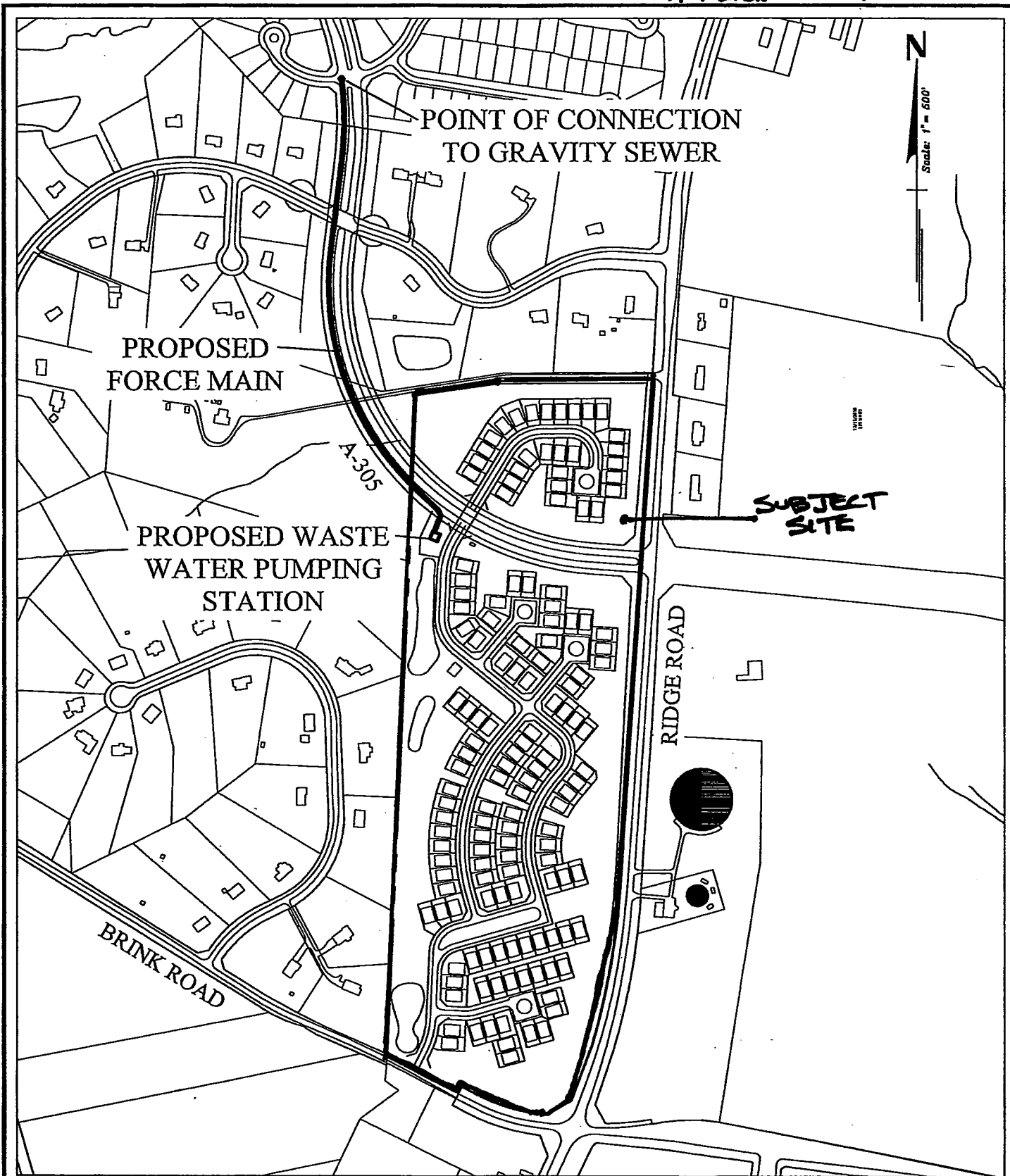
Request that the Sewer Category S-3, Private Institutional Facility restriction be removed to serve the 225-unit Planned Retirement Community and one (1) Community Center

(ALSO SEE ATTACHED LETTER)

Note: Continue on a separate page, if necessary

DEP Staff Use Only

Receipt Acknowledged: _____ Email OR _____ US Mail
Water | Sewer 3 w/ PIF attached (was A'd under CR 14-819 CCR# 00A-CKB-0.
WSSC Tile 230 NW 11
Tax Map FV122
Plan No.
Process
Master Plan Clarksburg
Planning Area Clarksburg
Zoning RE-2
Zoning Activity currently rezoning from RE-2 to PRC (planned retirement community)
Watershed Little Seneca Creek
CSPS Subwatershed
State Watershed Use Class
GIS File
CCRFomJuly05.doc



**THE COURTS AT
 CLARKSBURG**
 FORCE MAIN EXHIBIT



19847 Century Boulevard
 Suite 200
 Germantown, Maryland 20874
 Pk: 301.548.4700 (Main)
 Pk: 301.253.6609 (Frederick)
 Fx: 301.548.6256
 www.rodgers.com

Knowledge • Creativity • Enduring Values

	BY	DATE	SCALE: 1" = 500'
BASE DATA			JOB No.
DESIGNED			DATE:
DRAWN			FEB., 2011
REVIEWED			
RELEASE FOR			SHEET No.
BY		DATE	1 OF 1

RODGERS
CONSULTING*Enhancing the value of land assets*

August 4, 2009

Ms. Alicia Youmans
Environmental Planner
Montgomery County Department of Environmental Protection
Water and Wastewater Policy Group
255 Rockville Pike, Suite 120
Rockville, Maryland 20850

Re: Orchard Run
Rezoning Case Number G-881
Sewer Restriction Release Request
RCI Project No.: 825-B2

Dear Ms. Youmans:

On behalf of our client, Orchard Run c/o Windridge Farm, LLC, we are submitting the Sewer Category Change Request Application to remove the S-3 Private Institutional Facility (PIF) restriction. The property is located at the northeast corner of Brink Road and Ridge Road/ Maryland Route 27. The property is known as Parcel P429 (54.35 Acres) within the Maryland State Tax Assessment records. The current Water and Sewer Categories for this project are W-1 and S-3 with the sewer restriction of a PIF. Our client is currently in the process of rezoning the property from Residential 2 Acre (RE-2) to a Planned Retirement Community (PRC). We are requesting that the PIF restriction be removed from the S-3 Sewer Category.

The Montgomery County Council adopted the Water and Sewer Category on March 27, 2001 (Resolution #14-819) from W-6, S-6 to W-1, and S-3 with the PIF sewer restriction. Several advisory notes were included in reference to sewer access and capacity: 1) The sewer extension alternative crossing the M-NCP&PC park site south of Brink Road will require coordination with and approval from the M-NCP&PC. 2) Only the proposed sewer extensions to Milestone and Seneca Crossing appear to be viable extension options at this time. The MCDEP will require that the sewer extension chosen satisfies the provisions of the Water and Sewer Plan PIF Policy. 3) The site would be served by the Seneca Creek Wastewater Treatment Plant sewerage system, where WSSC projects that transmission and treatment capacity will be inadequate. Service may become dependent on one or more of the following projects being in service: the Crystal Rock Wastewater Pumping Station (S-84.50), the Crystal Rock Wastewater Pumping Station Force Main (S-84.51/.52), and the Seneca Creek Wastewater Treatment Plant Expansion (S-53.18).

Since 2001, all of the Capital Improvement Projects (CIP) have been completed and the advisory notes no longer apply. The proposed development will serve a maximum of 225 (Age

8

Orchard Run, Rezoning Case Number G-881
Sewer Restriction Release Request
RCI Project No.: 825-B2
August 4, 2009

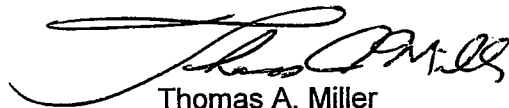
Page 2

50+ Restricted) Units and Community Facilities. The entire site will be served by a Gravity Sewer system to a Proposed Wastewater Pumping Station and a Proposed Force Main. The Proposed Force Main will transition back to a Gravity Sewer system near the intersection of Brink Road and Ridge Road/Maryland Route 27 prior to connecting to an off-site Existing Sewer Main near the intersection of Seneca Crossing Drive and Brink Road.

To facilitate the review of the Sewer Category Change Request Application, we have provided one copy of the Rezoning Report, one copy of Resolution #14-819, one copy of the Water and Sewer Concept Plan, one copy of the State Tax Assessment Office Tax Identification Map (showing the location of the site), one copy of the Montgomery County Tax Map, and the original Water and Sewer Category Change Request Application Form. Per our meeting with Alan Soukup on July 30, 2009, there is no fee since this will be a Senior Adult Community. This application will be tracked with the PRC Zoning Application and subject to approval once the Montgomery County Council acts on the zoning.

Should you have any questions or need additional information, please feel free to call me at (240) 912-2173.

Sincerely,
Rodgers Consulting, Inc.



Thomas A. Miller
Project Manager/Associate

Enclosures

cc: Renee Miller – M-NCP&PC
Alan Soukup - MCDEP
Tom Butz – Windridge Farm, LLC
Jody Kline – Miller, Miller and Canby
Gary Unterberg – RCI

LAW OFFICES



MILLER, MILLER & CANBY

CHARTERED

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SOO LEE CHO (CA)
AMY C. GRASSO

** All attorneys admitted in Maryland and where indicated*

JSKLINE@MMCANBY.COM

November 1, 2010

RECEIVED

NOV 04 2010

Environmental
Protection

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

RE: Category Change Request 09A-CKB-01,
Application of "Orchard Run" c/o Windridge Farm, LLC;
(Zoning Application No. G-881)

Dear Mr. Soukup:

I am pleased to provide you with the following status report on Zoning Application No. G-881 and its relationship with Sewer Category Change Request 09A-CKB-01.

Zoning Application No. G-881, filed with Montgomery County in early March, 2009, sought Planned Retirement Community (PRC) zoning for 54.34 acres of land currently zoned RE-2. The application sought zoning approval to develop a community of active seniors for up to 225 dwelling units.

As I mentioned during our brief telephone conversation last week, after filing the application, numerous and substantial discussions occurred between the Applicant, its representatives and Staff of M-NCPPC. As a result of a meeting conducted with Staff on October 22nd, the Applicant is revisiting its original proposal and intends to revise the application, and reduce the number of proposed dwelling units, with the goal of securing Staff support for the rezoning application.

The Applicant has already embarked on revision of its plans. I expect that such revision would take four to six weeks.

Upon submission of revised plans to the Office of Zoning and Administrative Hearings and to Maryland-National Capital Park & Planning Commission, a public hearing will be scheduled approximately four and a half months after the date of the submission. As I believe you know, the public hearing conducted by the Hearing Examiner results in publication of a Hearing Examiner's Report and Recommendation within forty-five days after the public hearing. The County Council then will consider and act on the application within sixty days (although this action normally occurs within a month of the publication of the Hearing Examiner's Report). Accordingly, today, we are approximately eight months away from Zoning Application No. G-881 being reviewed and acted on by the County Council.

Notwithstanding this lengthy zoning review about to occur, we ask that Sewer Category Change Request 09A-CKB-01 remain open and under consideration by your office. One of the critical issues in the review of Zoning Application No. G-881 is its conformance with the staging and implementation mechanisms of the Comprehensive Water Supply and Sewer Systems Plan as they relate to the 1994 Clarksburg Master Plan. Unfortunately, at the present time, the master plan does not identify the subject property for future sewer service. Indeed, your office, in a transmittal dated September 23, 2009, noted that the application to change sewer from S-3 with a PIF limitation to an unrestricted sewer service classification is not consistent with either water and sewer plan policies or recommendations.

After last Friday's meeting with Staff, we are optimistic that revisions to the zoning application will address Staff's reservations with the original proposal for the "Orchard Run" development. However, if Category Change Request 09-CKB-01 does not remain pending, we are concerned that there will be a "chicken and egg" situation in the review of the zoning application. That is, without some indication that the sewer category change request is pending and could be acted on by the County Council reasonably contemporaneously with the approval of amended Zoning Application No. G-881, Staff at M-NCPPC may find it difficult to advance the rezoning application with a positive recommendation.

For the reasons set forth above, we ask that your office retain Sewer Category Change Request 09A-CKB-01 as an open application in light of the Applicant's desire to reactivate, revise and re-submit its zoning application. Of course, we would be pleased to provide you with regular reports or updates on the amended rezoning application so that you can verify that the rezoning application is moving forward in the manner described above.

Please contact me if there is any further information which you need in order to accommodate this request by the Applicant.

Sincerely yours,

MILLER, MILLER & CANBY



Jody S. Kline

JSK/dlt

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

County Executive's March 2011 Transmittal Packet

CLOVERLY – NORWOOD PLANNING AREA MAP AMENDMENTS

WSCCR 10G-CLO-01: Pg. 1

WSCCR 10G-CLO-01: Montgomery County MD (Dept. of General Services)

Ross Boddy Community Center

County Executive's Recommendation: Approve W-3 and S-3, with sewer service restricted to a public facility only.

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> ▪ 18529 Brooke Rd., Sandy Spring ▪ Property ID: Parcel P571, Lot Near Sandy Spring; district 08, acct. no. 00702047 ▪ Map tile: WSSC – 213NW10; MD – JT23 ▪ South side of Brooke Rd., west of and opposite Chandlee Mill Rd. ▪ RMH-200 Zone; 8.39 acres ▪ Cloverly – Norwood Planning Area Sandy Spring – Ashton Master Plan (1998) ▪ Hawlings River Watershed (MDE Use IV) ▪ <u>Existing use:</u> Ross Boddy Community Center. <u>Proposed use:</u> renovation and expansion of the existing community center. <p><i>Deferred from AD 2010-4 at the direction of the Planning Board. (11/22/10)</i></p>	<p>Applicant's Request: Service Area Categories & Justification</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;"><u>Existing – Requested – Service Area Categories</u></th> </tr> <tr> <td style="width: 50%;">W-6</td> <td style="width: 50%; text-align: center;">W-3</td> </tr> <tr> <td>S-6</td> <td style="text-align: center;">S-3</td> </tr> </table> <p><u>Applicant's Explanation</u></p> <p>"The site is currently owned by Montgomery County, Maryland and used as a neighborhood recreation center. This facility has been designated by the County Council to be renovated under Capital Improvements Program No. 720919. As part of the proposed renovation, a new gymnasium will be added to the existing facility along with associated toilet facilities and showers. The existing well and septic systems will not have the capacity for these added facilities."</p>	<u>Existing – Requested – Service Area Categories</u>		W-6	W-3	S-6	S-3
<u>Existing – Requested – Service Area Categories</u>							
W-6	W-3						
S-6	S-3						

Executive Staff Report: DGS has requested service area category changes from W-6 and S-6 to W-3 and S-3 in order to provide public water and sewer service for renovation and expansion of the Ross Boddy Community Center in Sandy Spring. This project was first approved in the County's FY2009-2014 capital budget. The project was programmed into the CIP in response to the community's requested need for an improved facility. The extension of public sewer service is needed as the site is not suited for a replacement septic system. Public water service should be provided in tandem with public sewer, depending on the project's budget. Approval of this request is consistent with the Water and Sewer Plan's public facilities policy.

The neighborhood around the community center is part of a public health problem area identified as far back as the 1986 Water and Sewer Plan. The 1986 Plan includes within the health problem area (see pg. 17):

- Portions of Brooke Rd. and Chandlee Mill Rd. around the community center;
- The eastern end of Brooke Rd. and nearby portions of New Hampshire Ave.; and
- Most of Chandlee Mill Rd., going north towards Gold Mine Rd.

The 1998 Sandy Spring – Ashton Master Plan calls for a study of the health problem area to address the provision of public water and sewer service to mitigate these problems (see M-NCPPC's comments below). This master plan recommendation was made with the underlying assumption that, absent an unidentified outside funding source, neighborhood residents would have to pay for the needed main extensions. This scenario has become increasingly unlikely over the past 12 years as the cost of new water and sewer mains has risen dramatically.

The DGS proposal to provide public water and sewer service to the community center addresses the main extension issues the master plan's recommended study would have examined for the neighborhood immediately around the community center. It is not necessary to defer this category change request for a study of water and sewer extension options, at least for the part of the health problem area in the immediate vicinity of the community center. Health problem areas along the northern half of Chandlee Mill Rd. and the easternmost part of Brooke Rd. will still require further study, as recommended in the master plan. Note that the alternate sewer extension under consideration by DGS, to the proposed Orchards of Sandy Spring development, would

likely not provide a practical means of providing sewer service to other properties in the neighborhood around the community center.

The 1998 master plan does caution that the extension of water and sewer service into the neighborhoods identified as health problem areas could inadvertently change the character of those communities. In the absence of well and septic system restrictions, public service could allow the redevelopment of these long-established communities for larger homes, as is more typical in the surrounding Rural and Rural Cluster Zones. Other than special access restrictions, such as those designated for the Piney Branch subwatershed in Potomac, the Water and Sewer Plan does not contain service policies that would deter the possible property-by-property redevelopment of properties within the Brooke Rd./Chandlee Mill Rd. health problem areas once public water and sewer service are provided.

However, under this proposed action, the County-owned community center site is the *only* property proposed for a service area category change at this time. The neighborhood around the community center is still designated as sewer category S-6. It is not within the recommended sewer envelope in the 1998 master plan and therefore is not recommended for unlimited public sewer access. Although the proposed water and sewer main extensions will have the potential to provide public service to many of the abutting health area properties along the western end of Brooke Road, service connections—if sought by property owners—would be limited to one per existing property, as applied under either the health problem or abutting mains policies. Beyond the proposed main extensions, water main extensions and gravity and low-pressure sewer extensions further east and south along Brooke Road and north up Chandlee Mill Road could expand the public service area, if needed and approved through the Water and Sewer Plan.

Agency Review Comments

M-NCPPC – Environmental Planning (now Area 3 Planning Team): The 1998 Sandy Spring Ashton Master Plan states that a study should be done to assess the potential for provision of water and sewer service to the Chandlee Mill Road/Brooke Road Area. Sewerage disposal and water supply problems were identified in the 1980 Plan and a renewed effort should be made to find funding and strategies to address them. The Planning Department, WSSC, DEP, DPS and HOC need to address this issue an amendment to the Ten Year Water and Sewer Plan.

Even though this is a public use that should be granted sewer service, this category change request should not be considered in isolation from seeking a comprehensive solution to the problems in this area. We recommend that this decision be deferred until the study is completed.

M-NCPPC – Parks Planning: No existing Park impact. Extension along roads.

WSSC - Water: An approximately 3,400-foot-long, non-CIP-sized water extension is required to serve the property. This extension would connect to the existing 10-inch water mains in Meadowsweet Drive and Brook Road (contract #s 03-3725A and 00-2778A, respectively) and would abut approximately 33 properties in addition to the applicant's property. Rights-of-way may be required. Construction of the extension may involve the removal of trees. For this property, a System Planning Forecast was conducted by WSSC on April 6, 2010, (job no. DA5115Z01), providing similar information. Local service is adequate.

WSSC - Sewer: An approximately 2,700-foot long, non-CIP-sized sewer extension is required to serve the property. This extension would connect to the existing 18-inch sewer [northwest] of Brook Road [along James Creek] (contract #81-1031B) and would abut approximately 24 properties in addition to the applicant's property. Rights-of-way may be required. Construction of the extension may involve the removal of trees. For this property, a System Planning Forecast was conducted by WSSC on April 6, 2010, (job no. DA5115Z01), providing similar information. Interceptor and treatment capacity are adequate.

DEP note: DGS is also exploring the possibility of a shorter, 1,100-foot sewer extension south from the community center site to the sewerage system to be constructed for the Danshes property project. This extension may require some low-pressure sewer main and therefore an on-site grinder pump. Rights-of-way from at least one intervening property will be required. Sewer service would depend on development of the Danshes residential subdivision project, the Orchards of Sandy Spring.

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's March 2011 Transmittal Packet**

CLOVERLY – NORWOOD PLANNING AREA MAP AMENDMENTS

WSSCR 10G-CLO-01: Pg. 3

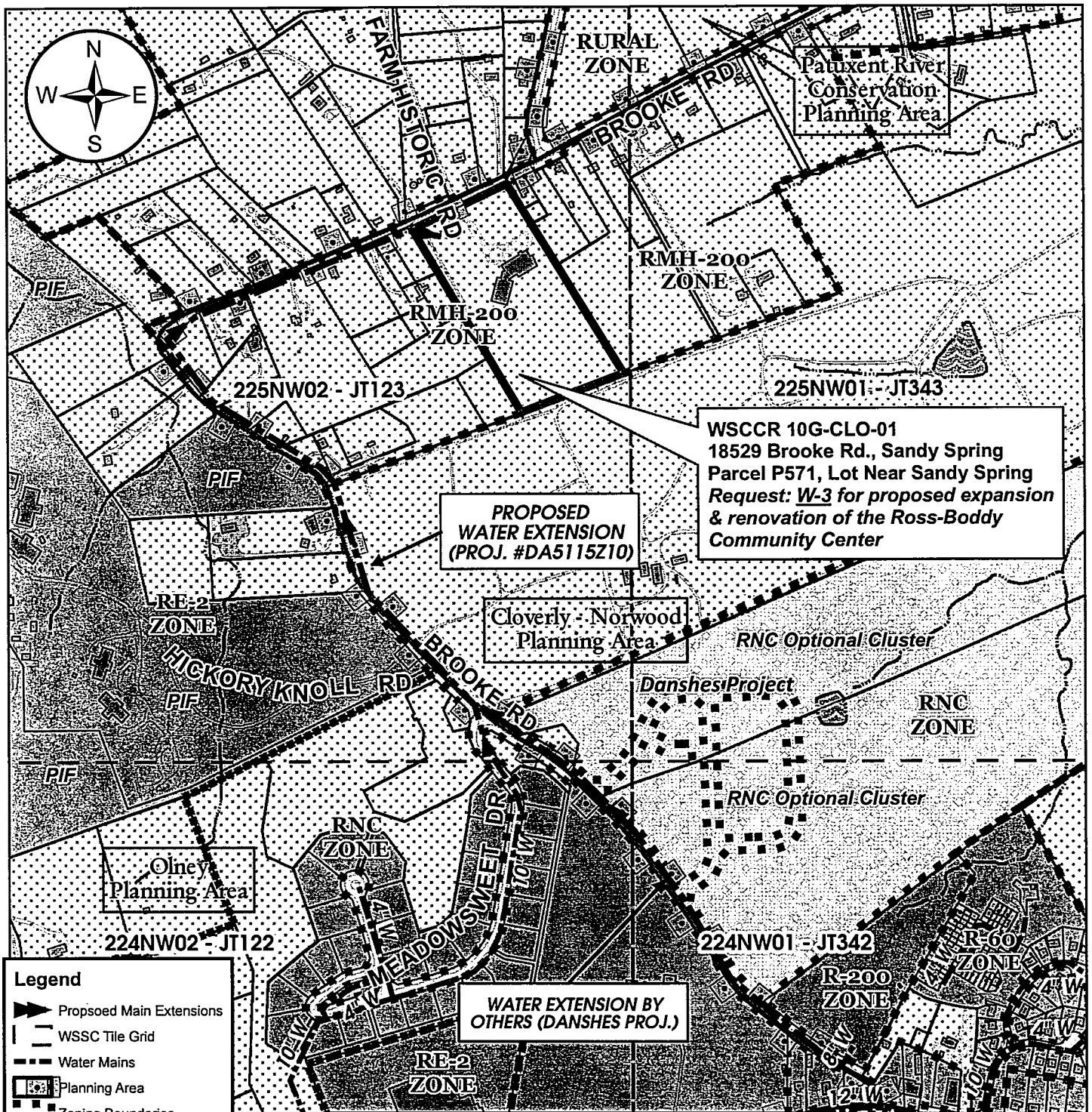
DPS: The soil tests conducted this year indicate the property has a shallow "perched" water table; and is therefore unsuitable for an expanded on-site sewage disposal system. Extension of public sewer will eliminate an inevitable problem with sewage disposal for this facility.

ADS:ads/

R:\Programs\Water_and_Sewer\Projects\actions-COUNCIL\packets\2011mar\ce-pckt\final\draft-staff-rpt=10g-clo-01=final.doc

Water Service Area Categories Map

WSSCR 10G-CL0-01 (Montgomery Co. MD - Ross-Boddy Community Center)



WSSCR 10G-CLO-01
 18529 Brooke Rd., Sandy Spring
 Parcel P571, Lot Near Sandy Spring
 Request: W-3 for proposed expansion
 & renovation of the Ross-Boddy
 Community Center

**PROPOSED
 WATER EXTENSION
 (PROJ. #DA5115Z10)**

Cloverly - Norwood
 Planning Area

Olney
 Planning Area

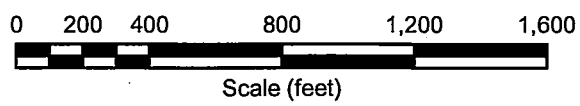
**WATER EXTENSION BY
 OTHERS (DANSHES PROJ.)**

Legend

- Proposed Main Extensions
- WSSC Tile Grid
- Water Mains
- Planning Area
- Zoning Boundaries
- Parks

2010 Water Categories

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



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

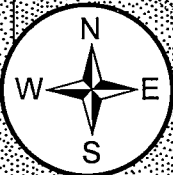
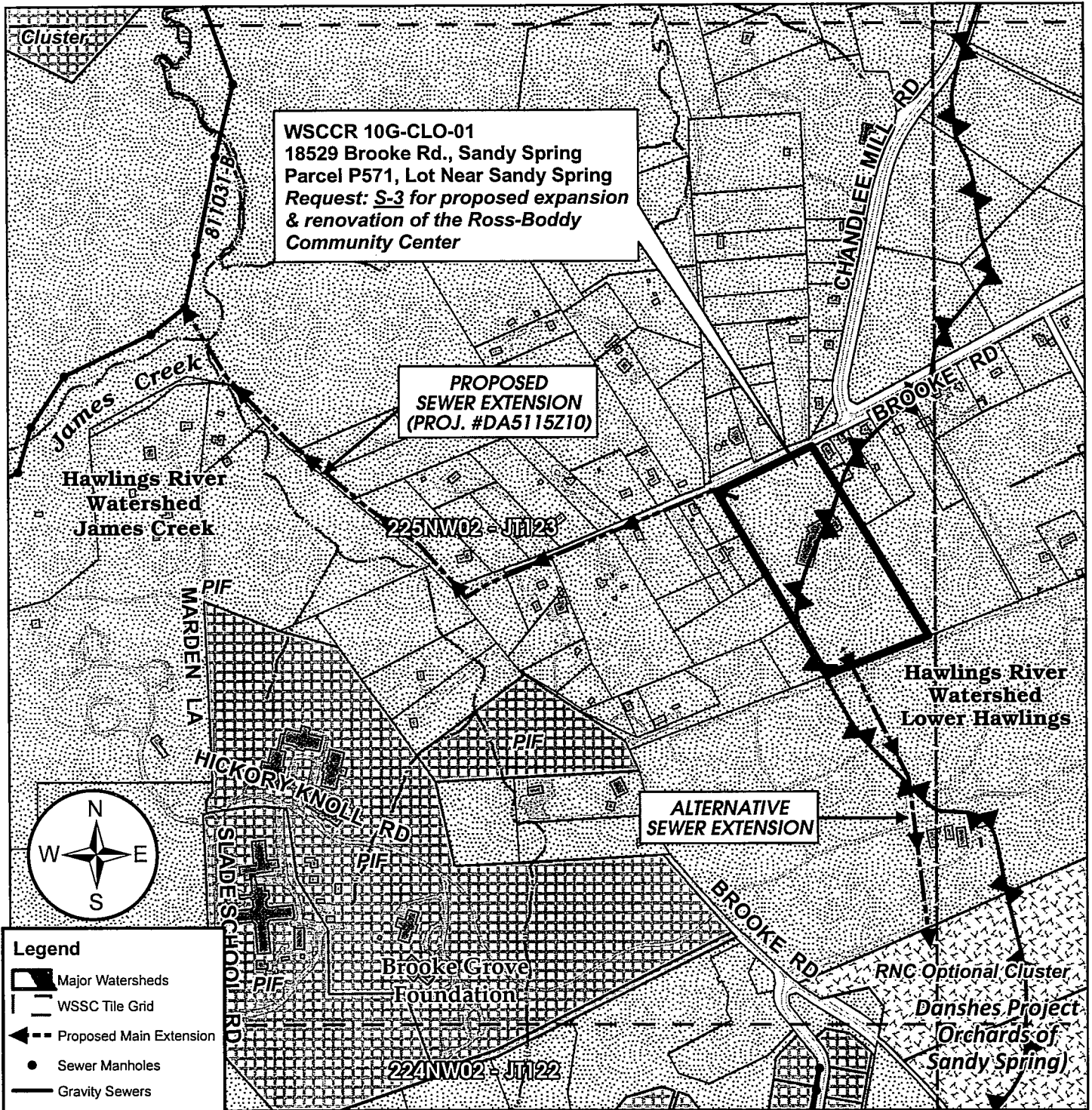
MONTGOMERY COUNTY
 MARYLAND

DEP
 Department of
 Environmental
 Protection
 Montgomery County
 Maryland

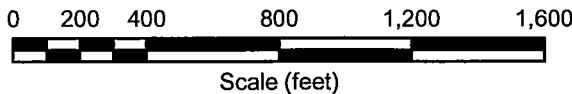
**Water and Wastewater
 Policy Group**

Sewer Service Area Categories Map

WSSCR 10G-CL0-01 (Montgomery Co. MD - Ross-Boddy Community Center)



- Legend**
- Major Watersheds
 - WSSC Tile Grid
 - Proposed Main Extension
 - Sewer Manholes
 - Gravity Sewers
 - Sewer Force Mains
 - Parks
- 2010 Sewer Categories**
- S-1
 - S-3
 - S-4
 - S-5
 - S-6

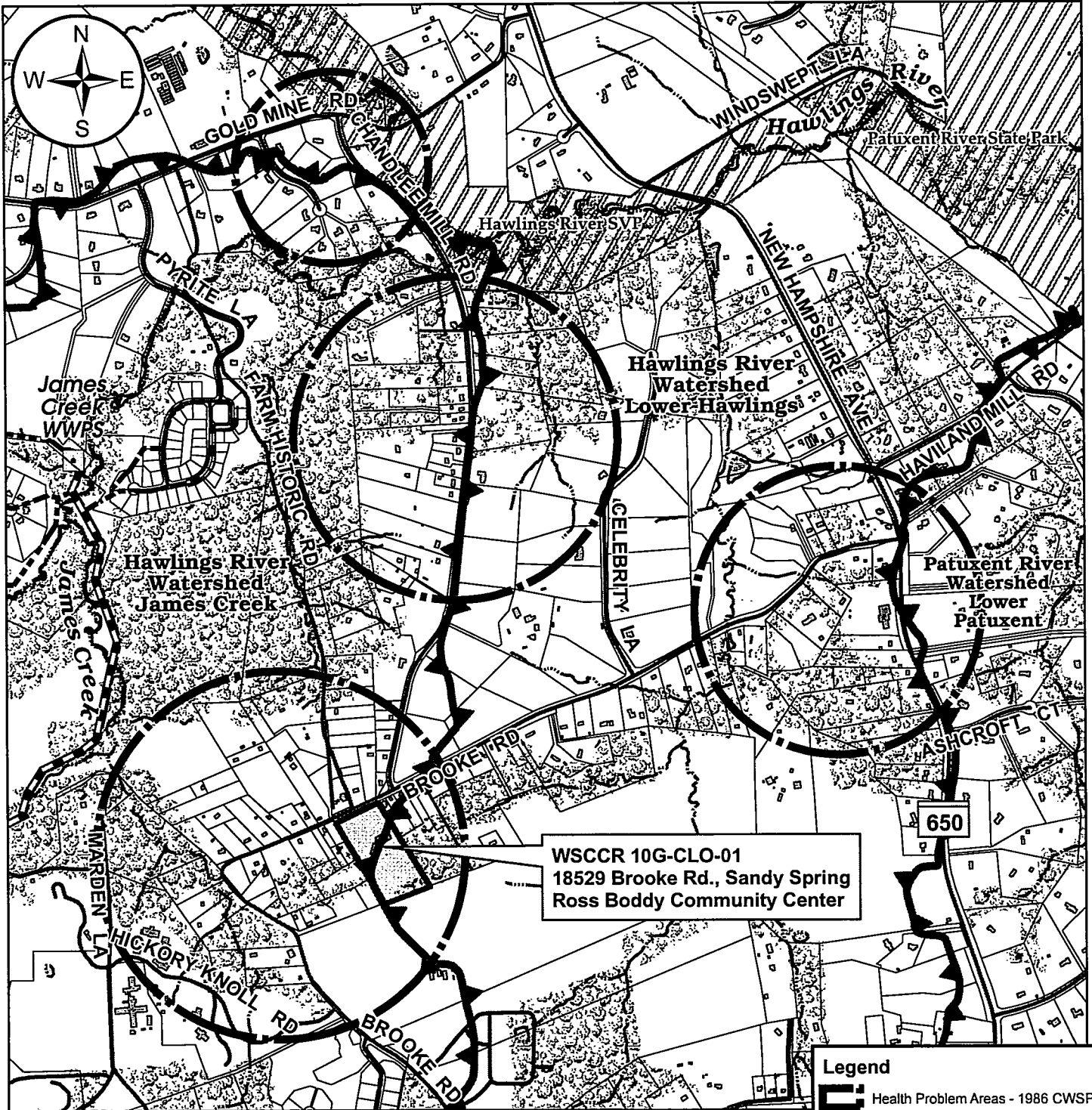


Montgomery County, Maryland
 2003 Comprehensive Water Supply
 and Sewerage Systems Plan



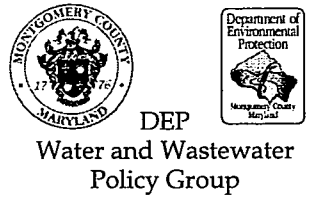
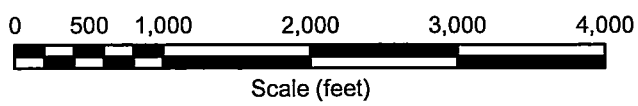
DEP
 Water and Wastewater
 Policy Group

Water/Sewer Category Change Request Map: WSCCR 10G-CL0-01
Brooke Rd./Chandlee Mill Rd. Health Problem Areas: Sandy Spring - Ashton Vicinity



WSCCR 10G-CLO-01
 18529 Brooke Rd., Sandy Spring
 Ross Boddy Community Center

- Legend**
- Health Problem Areas - 1986 CWSP
 - Watersheds
 - Wastewater Pumping Station
 - Low-Pressure Sewer
 - Force Main
 - Gravity Sewers
 - Forests
 - Parks



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

106-CLO-01
MONT. CO.
ROSS-BODDY COMM. CNTR

2) Property/Site Description and Development:

Address 18529 Brooke Road, Sandy Spring, MD 20860
Property's TAX ID # (please provide, if known) 08-00702047
Property/Site Size 8.39 Ac. Identification (ie, Parcel #) Tax Map JT23, P571
Location/Closest cross-street Closest cross-street Chandlee Mill Road
Current Use Community Center Proposed Use Community Center
Subdivision Plan No. & Status _____

(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:

The site is currently owned by Montgomery County, Maryland and is used as a Neighborhood Recreation Center. This facility has been designated by the County Council to be renovated under the Capital Improvements Program, No. 720919. As part of the proposed renovation, a new gymnasium will be added to the existing facility along with associated toilet facilities and showers. The existing well and septic systems will not have the capacity for these added facilities.

Note: Continue on a separate page, if necessary

DEP Staff Use Only

Receipt Acknowledged: _____ Email OR _____ US Mail

Water W-6 Sewer S-6

WSSC Tile 225 NW02

Tax Map JT123

Plan No. _____

Process AD

Master Plan Sandy Spring/Ashton

Planning Area ~~225 NW02~~ Cloverly

Zoning RMH-200

Zoning Activity _____

Watershed Hawlings

CSPS Subwatershed _____

State Watershed Use Class IV

GIS File _____

CCRFormJuly05.doc

Ross Boddy Neighborhood Recreation Center -- No. 720919

Category
Subcategory
Administering Agency
Planning Area

Culture and Recreation
Recreation
General Services
Olney

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

January 09, 2010
No
None.
Planning Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY09	Est. FY10	Total 6 Years	FY11	FY12	FY13	FY14	FY15	FY16	Beyond 6 Years
Planning, Design, and Supervision	1,157	0	116	1,041	861	180	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	1,157	0	116	1,041	861	180	0	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	1,157	0	116	1,041	861	180	0	0	0	0	0
Total	1,157	0	116	1,041	861	180	0	0	0	0	0

DESCRIPTION

This project will encompass renovation, basic repairs, reconfiguration, and a modest expansion, to include the construction of a gymnasium and storage space (13,250 gross square feet), and site improvements including water and septic service and additional parking. A key component of the site and building infrastructure renovation is to upgrade the facility to conform to the Montgomery County Manual for Planning, Design, and Construction of Sustainable Buildings, including meeting green building/sustainability goals, Montgomery County Energy Design Guidelines, and the Americans with Disabilities Act (ADA). The project will be designed to comply with Leadership in Energy and Environmental Design (LEED) guidelines for eventual certification.

ESTIMATED SCHEDULE

The design phase commenced during the Fall of 2009.

JUSTIFICATION

In 2005, the Montgomery County Department of Recreation (MCRD), working with the then Department of Public Works and Transportation (DPWT), received approval in the Facility Planning: MCG project to proceed with master planning of five Neighborhood Recreation Centers, two Community Recreation Centers, and one Senior Center. A Program of Requirements was completed in September 2006.

OTHER

The project provides for only the design phase. Final construction costs will be determined during the design development stage.

FISCAL NOTE

Designated funding set-aside for preliminary construction estimates are found in the Neighborhood Recreation Center Construction No. 720921 project description form.

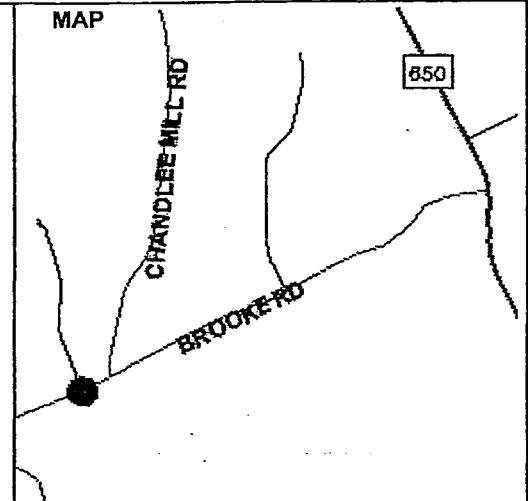
APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY09	(\$000)
First Cost Estimate	FY09	1,157
Current Scope		
Last FY's Cost Estimate		1,157
Appropriation Request	FY11	0
Appropriation Request Est.	FY12	0
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		1,157
Expenditures / Encumbrances		3
Unencumbered Balance		1,154
Partial Closeout Thru	FY08	0
New Partial Closeout	FY09	0
Total Partial Closeout		0

COORDINATION

Department of General Services
Department of Technology Services
Department of Recreation
WSSC
PEPCO
Department of Permitting Services

MAP



PATUXENT WATERSHED CONSERVATION PLANNING AREA MAP AMENDMENTS

Private Institutional Facility (PIF) Policy Case

The following map amendment involves a development proposal from a non-profit group for what the Water and Sewer Plan defines as private institutional facilities (PIFs). The PIF policy (pgs. 23-26) creates the *limited opportunity* for exceptions to the Plan's general public service policies. It allows for the provision of water and/or sewer for PIF uses outside the public service envelopes where other residential or commercial development could not normally qualify for such service. The Council's recent practice on PIF cases has been to require that the property owner specify a PIF user for the site, and that the user provide a site-specific development plan for the project in sufficient detail to allow consideration of potential site impacts and impervious surfaces. The Council has restricted approval actions to a specific PIF user, an approval that is not transferable to another PIF user.

WSSCR 09A-PAX-01: Eglise De Dieu De Silver Spring, Inc.; Joseph Berluce, Pastor (PIF)

County Executive's Recommendation: Maintain S-6, with advancement to S-3 conditioned on Planning Board approval of a preliminary plan that conforms substantially with the draft development plan submitted by the church and reviewed by the County Council. The major conformance issue is impervious area which the draft plan places at between 16.5 and 18 percent of the site area. (Patuxent watershed imperviousness is between 11.8 and 14.1 percent.) S-3 approval will be restricted to use only by the Eglise De Dieu De Silver Spring. The proposed sewer main extension from Huckburn Ct. complies with the requirements of the PIF policy.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification				
<ul style="list-style-type: none"> ▪ 4800 Sandy Spring Rd., Burtonsville ▪ Parcel P277, Snowdens New Birmingham Manor; dist & acct no.: 05-00267512 ▪ Map tile – MD: LS12; WSSC: 220NE05 ▪ Northwest quadrant, corner of Sandy Spring Rd. (MD 198) & Riding Stable Rd. ▪ Fairland Master Plan (1997) ▪ Lower Patuxent River Watershed (MDE Use I) ▪ RC Zone; 4.55 acres ▪ <u>Existing use:</u> single-family house (built: 1948), used as church office, will remain ▪ <u>Proposed use:</u> 200-seat place of worship 	<p><u>Existing – Requested Service Area Categories</u></p> <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><u>Applicants' Explanation</u></p> <p>"Would like to apply to connect to the WSSC sewer and build a worship facility for 200 people."</p> <p><i>The Council previously tabled action on this request to allow the applicant time to:</i></p> <ul style="list-style-type: none"> • <i>Revise the concept plan to move closer to the 10 percent maximum impervious area recommended by the master plan.</i> • <i>Better coordinate its site development plans with local civic, homeowner, and environmental groups (including but not necessarily limited to the West Laurel Civic Assoc. and the Patuxent Watershed Protective Assoc.).</i> 	W-1	W-1 (no change)	S-6	S-3
W-1	W-1 (no change)				
S-6	S-3				

Executive Staff Report: The applicants have requested a category change from S-6 to S-3 in order to allow the extension of public sewer service for a proposed 200-seat church. The site is outside the acknowledged public sewer service envelope, as noted by M-NCPPC staff. However, the request can be considered under the provisions of the Water and Sewer Plan's Private Institutional Facilities (PIF) policy for non-profit uses. The proposed project satisfies the PIF policy requirements for the provision of public sewer service. The draft development plan exhibits impervious limits (approx. 25 percent) that are compatible with other recent PIF cases that have received the Council's support. Approval of category S-3 will:

- Require the Planning Board's approval of subdivision plan in keeping with the draft development plan, especially in terms of impervious area^A, and
- Become void unless used by this applicant only; no other PIF user may qualify for public sewer service for this site without itself having first applied and then received approval for a sewer category change.

The sewer main extension proposed by the applicant and WSSC will satisfy the policy requirements for main extensions for new PIF uses. With the exception of the subject property, the extension will abut only properties

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's March 2011 Transmittal Packet

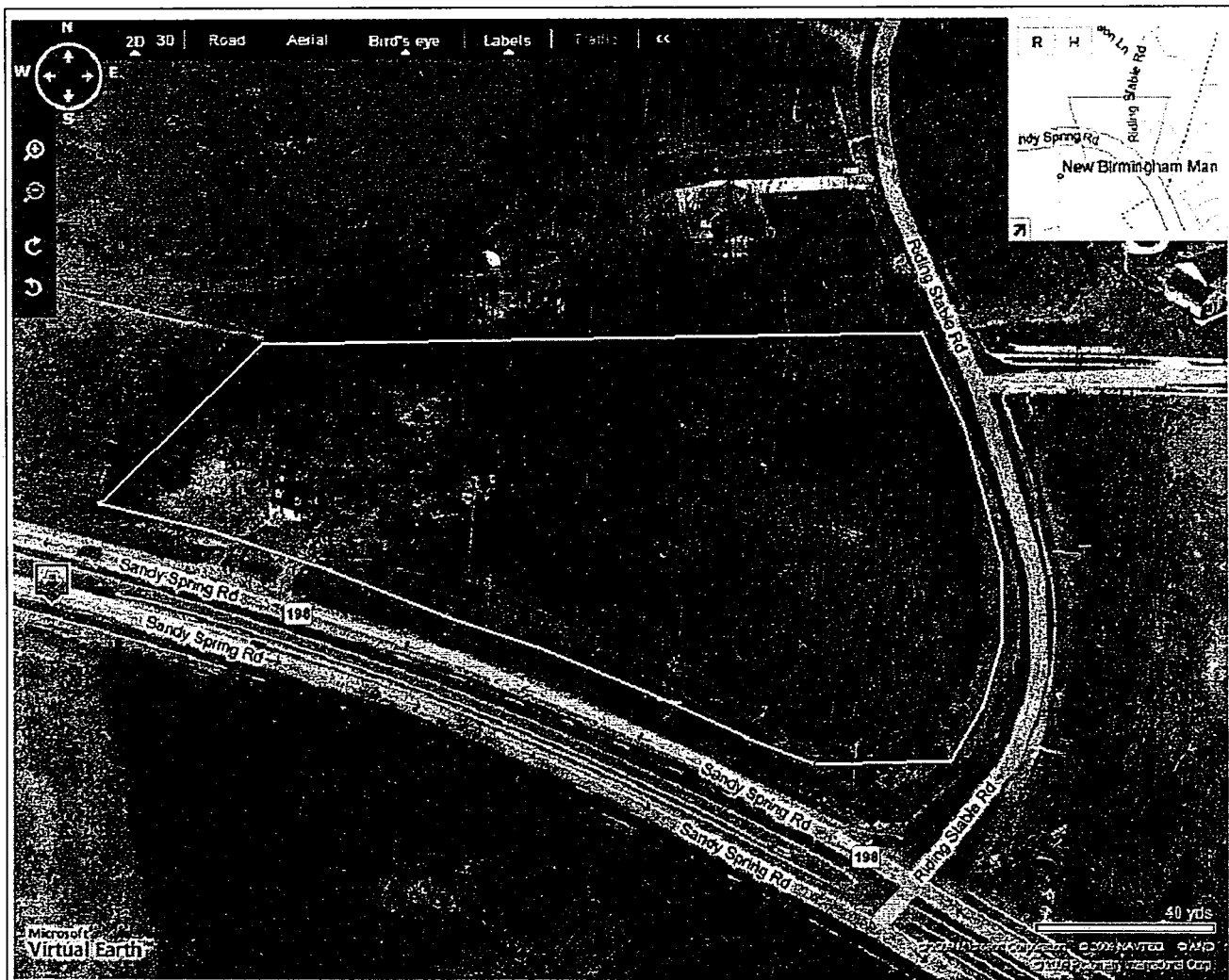
PATUXENT WATERSHED CONSERVATION PLANNING AREA MAP AMENDMENTS

already approved for public service. PIF service restrictions adopted for RDT-zoned properties do not apply in this case. The site is zoned RC.

Conformance with the 10 percent impervious limit recommended by M-NCPPC's environmental guidelines for the Patuxent River watershed is always desirable. However, the Council has been willing to accept somewhat higher imperviousness percentages, usually limited to 25 percent, in support of cases involving non-profit uses. The 25-percent imperviousness limit is a guideline only, not a policy requirement of the Water and Sewer Plan. Under the Council's previous review of this case, the applicant indicated a desire to rework their concept plan to try to reduce impervious area closer to 10 percent. A revised plan is included with this packet.

The property is grandfathered under 2-acre zoning that predates the current RC Zone. At 4.55 acres in size, the parcel is slightly smaller than the minimum size of 5 acres for a lot zoned RC. Provided all of the other usual subdivision issues (setbacks, environmental requirements, water/sewer, access, etc.) are resolved, the property could be recorded as a building lot for a place of worship.

DPS has noted that the site has sufficient room for a septic system that could support the church's proposed development. Confirmation for the use of an on-site sewerage system, possible a multi-use septic system, would require testing which would require approximately one year to complete. The site partially is wooded; septic system construction would likely require clearing some wooded areas that might otherwise be conserved.



An aerial view of the subject property from the south; the existing single-family house/church office is at the left. (Property lines, shown in white, are approximated.)

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

County Executive's March 2011 Transmittal Packet

PATUXENT WATERSHED CONSERVATION PLANNING AREA MAP AMENDMENTS

WSSCR 09A-PAX-01: Pg. 3

Executive Staff Report Addendum (Feb. 2011): In October 2009, the Council tabled discussion of this request in part at the request of the applicant. The applicant understood the Council's concern regarding the amount of impervious area on the proposed site concept plan and offered to work on revising the plan to reduce impervious area in the Patuxent drainage area closer to 10 percent. The applicant also offered to conduct outreach meetings with local civic groups, some of which had raised concerns about the project at the Council's public hearing.

The applicant has provided a revised the site concept plan (see pgs. 30-33). The new plan reduces overall impervious area on the site to between 16.5 to 18 percent from the original plan's 25 percent. Within the Patuxent River Watershed, the revised plan calls for between 11.8 and 14.1 percent impervious area. (Impervious area ranges on the revised plan result from two options for the entrance/exit driveway.) Although it is not clear from the revised concept plan, the discussion with the West Laurel Civic Association indicates that the applicant will remove the existing house on the site. A copy of the original concept plan is provided for comparison (see pg. 24).

The applicant has also provided summaries of outreach meetings held in March and April 2010 with the West Laurel Civic Association and the Patuxent Watershed Protective Association (see pgs.37-39).

Agency Review Comments

M-NCPPC – Environmental Planning (now Area 3 Planning Team): The proposed site is located within the 1997 Fairland Master Plan and is zoned RC north of MD 198. The Fairland Master Plan recommends "community water service only for areas north of MD 198 zoned Rural Cluster (RC) consistent with the Water and Sewer Plan policies regarding water service without sewer. No planned sewer service for areas zoned RC north of MD, except to support special exception uses recommended in this Plan." (p-151)

Under Patuxent Watershed, on page 61, it recommends: "Do not allow uses that result in more than ten percent imperviousness...Do not extend sewer service to RC zoned properties; water service to RC zone considered on a case by case basis."

The proposed application is not consistent with the goals and recommendation of the Fairland Master Plan. Deny S-3.

DEP note: Additional comments dated July 2010 from the M-NCPPC Planning Dept. to the project engineer are included at pgs. 35-36. These comments primarily refer to M-NCPPC's evaluation of the applicant's revised site concept plan.

WSSC - Sewer: Basin: Parkway. An approximately 300-foot-long non-CIP-sized gravity sewer extension is required to serve this property. Based on the proposed alignment, some grading is required to avoid deep sewers. This extension would connect to an existing 8" sewer (contract no.97-1859A along Huckburn Ct) and would abut approximately two properties in addition to the applicant's property. Rights-of-way may be required. Average Wastewater Flow from the proposed development: 1152 GPD. Program-sized sewer mains are not required to serve the property. Interceptors and treatment capacities are adequate. (Updated 8/20/10)

DPS – Well & Septic: DPS has no records for the existing structure, built in 1948 as per tax records; and there are no records of any percolation tests. The size of the property would be adequate for an on-site sewage disposal system providing percolation tests would be passing.

^A Two recent examples of PIF cases receiving a category change approval conditioned on preliminary plan approval include:

- Parker Memorial Baptist Church on Norbeck Rd. (CR 15-1410, 4/25/06) – see pg. 27.
- First Baptist Church of Wheaton on Emory Church Rd. (CR 16-500, 4/8/08) – see pg. 28.

In both of the preceding PIF cases, the proposed users provided conceptual development plans to the County Council that showed planned impervious area from building roofs, parking spaces, and driveways.

ADS:ads/

R:\Programs\Water_and_Sewer\Projects\actions-COUNCIL\packets\2011mar\ce-pckt\final\draft-staff-rpt=09a-pax-01=final.doc

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

II. POLICIES FOR THE PROVISION OF WATER AND SEWERAGE SERVICE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Water and Sewer Plan Recommendation

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

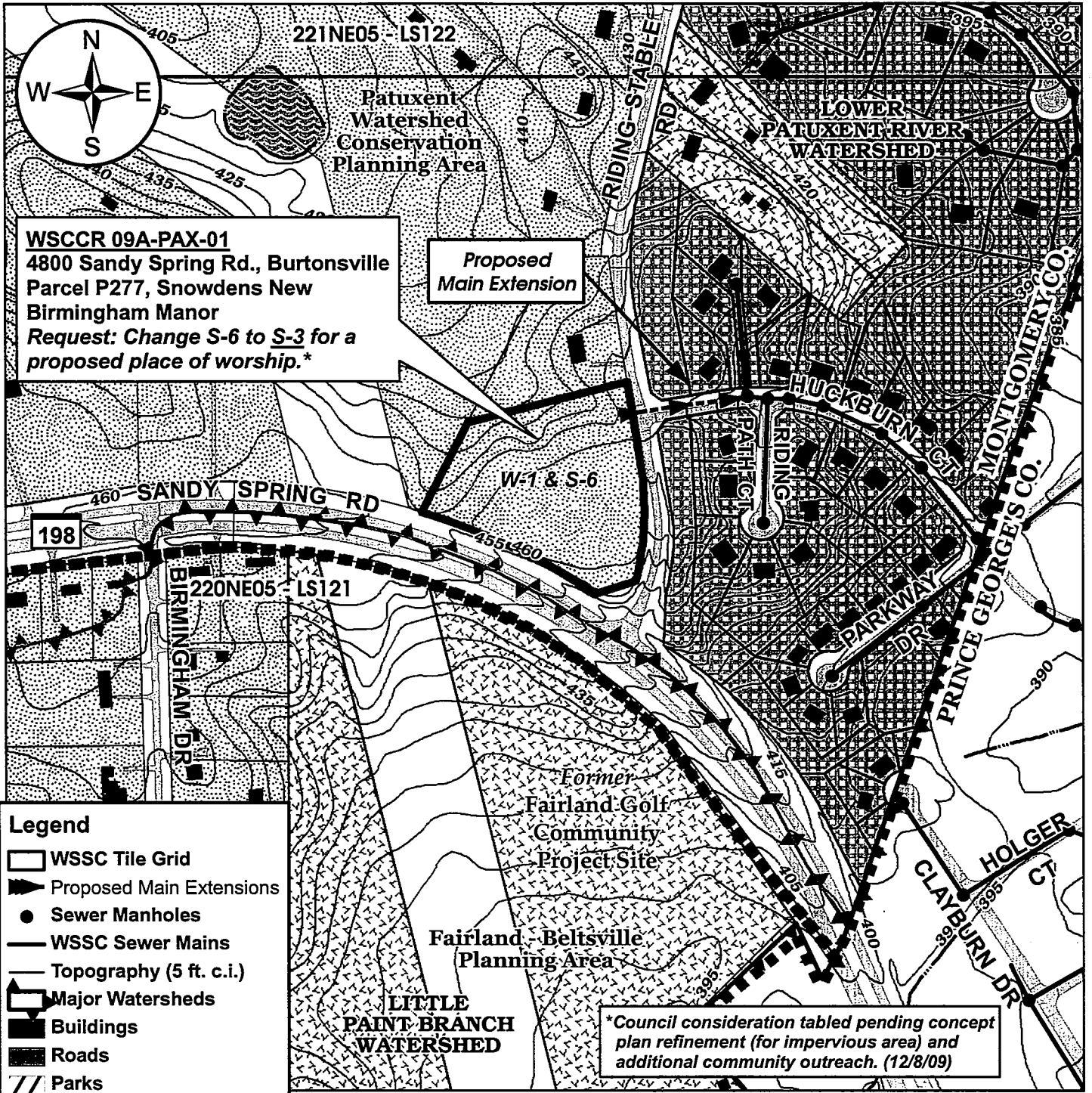
V. PROCEDURES FOR ADOPTING AND AMENDING THE WATER AND SEWER PLAN

D. Filing Individual Service Area Category Change Requests

2. Application Requirements for PIF Category Change Requests – In cases involving service area category amendments for private institutional facilities (PIFs – see Section II.C.4.), the institution seeking to use the property must act as the category change applicant. If a site is proposed for two or more PIF uses, then at least one of the proposed institutions must act as the applicant. PIF applicants need to include a confirmation of their tax-exempt status as part of their category change request.

Sewer Category Change Request Map

WSSCR 09A-PAX-01 (Eglise De Dieu De Silver Spring/Joseph Berluche)

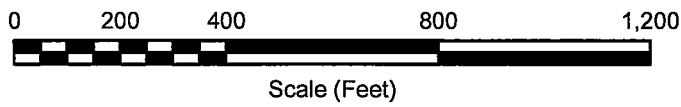


Legend

- WSSC Tile Grid
- Proposed Main Extensions
- Sewer Manholes
- WSSC Sewer Mains
- Topography (5 ft. c.i.)
- Major Watersheds
- Buildings
- Roads
- Parks
- Planning Areas

Sewer Categories

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



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

MONTGOMERY COUNTY
MARYLAND
1790-1976

Department of
Environmental
Protection
Montgomery County
Maryland

DEP
Water and Wastewater
Policy Group

January 2006 Amendment Transmittal

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.

Comprehensive Water Supply and Sewerage Systems Plan: Water/Sewer Category Map Amendments

Map Amendment No. Applicant (Owner) Description & Location	Master Plan & Watershed Zoning & Acreage Site Development	Map Amendment Request Service Area Categories		County Council Action (See Attachment B for mapping of all except the denied map amendments.)
		Existing	Requested	
Lower Seneca Basin Watershed Planning Area				
WSSCR 04A-LSN-01 Toll Brothers, Inc. (for Stephen Barmakian) • Parcel P592, Friend in Need • Tax maps EW121/122; WSSC grids 232/233NW14 • Southwest corner, intersection of Schaeffer Rd. and Burdette Rd., opposite South German-town Recreational Park/ Soccerplex	<ul style="list-style-type: none"> • Preservation of Agriculture and Rural Open Space Master Plan (1980) • Lower Great Seneca Creek Watershed (MDE Use I) • R-200 Zone: 20.91 acres • Existing use: agricultural • Proposed use: 41-lot single-family subdivision *Note: Natelli Communities had replaced Toll Brothers, Inc. as the applicant.	W-6 S-6	W-3 S-3	No action required; the property owner has withdrawn the request. Note: Consistent with Water and Sewer Plan policies, DEP will not accept a new category change application for this site for one year, or until Mar. 10, 2007. (See the amendment withdrawal/denial note on page 2.)
Olney Planning Area				
WSSCR 05A-OLN-02 Parker Memorial Baptist Church (for R. Jones Estate) • 1601 Norbeck Rd. – Parcels P905, P907, & P909, Batchellors Forest Etc • Map file: 222NW02; JS123 • North side of Norbeck Rd. (MD 28) west of Layhill Rd. (MD 182)	<ul style="list-style-type: none"> • Olney Master Plan (2004) • Northwest Branch Watershed (MDE Use IV) • RC Zone; 8.8 ac. • Existing use: existing single-family house and two vacant parcels • Proposed use: house of worship; Plan 7-20060410 "Parker Memorial Baptist Church" 	W-6 S-6	W-3 S-3	Maintain W-6 and S-6, with approval of W-3 and S-3 conditioned upon Planning Board approval of a preliminary plan that is in conformance with the applicant's pre-application submission (M-NCPPC file no. 7-20060410). Public water and sewer service is restricted to a private institutional use only, specifically, the Parker Memorial Baptist Church. Note: This action is restricted to the named applicant, Parker Memorial Baptist Church. Should this applicant not proceed to development of the site, any subsequent user, including another private institutional facility, would need to file a new request with the Department of Environmental Protection, Water and Wastewater Policy Group, for service area category changes.
Patuxent Watershed Conservation Planning Area				
WSSCR 05A-PAX-04 Steve Saffron (for Howard Wootten, Jr.) • Outlot B (N909), Wootten Subdivision • Map file: LS122; 221NE05 • North side of Sandy Spring Rd. (MD 198) east of Dino Dr.	<ul style="list-style-type: none"> • Fairland Master Plan (1997) • Lower Patuxent River Watershed (MDE Use I) • RC Zone; 8.61 ac. • Existing use: farmland (not improved) • Proposed use: one 5-acre lot for a single-family house and a residual outlot 	W-6 S-6	W-1 No Change	No action required; the applicant has withdrawn the request. Note: Consistent with Water and Sewer Plan policies, DEP will not accept a new category change application for this site for one year, or until Feb. 8, 2007. (See the amendment withdrawal/denial note on page 2.)

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

Goshen – Woodfield – Cedar Grove Planning Area

Property Information and Location Property Development	Applicant's Request County Council Action
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WSSCR 07A-DAM-08: Bethel World Outreach Ministries

<ul style="list-style-type: none"> • 10725 Brink Rd., Clarksburg • Parcel P999, Thomas Hog Pasture Case (dist.-acct. #02-00028903) • Map tile – MD: FV122; WSSC: 230NW11 • North side of Brink Rd., opposite Glendevon Ct. • Preservation of Agriculture and Rural Open Space Master Plan (1980) • Middle & Upper Great Seneca Creek Watersheds (MDE Uses I & III³) • RDT Zone; 119.37 ac. • <u>Existing use:</u> farm. <u>Proposed use:</u> 800-seat place of worship; Bethel World Outreach Church, relocating from downtown Silver Spring; plan no. 7-20070240 "Bethel World Outreach Center". <p>³ A 10.3-acre portion of the northwest corner of the site lies within the Wildcat Branch subwatershed (MDE Use III) of Upper Great Seneca Creek.</p>	<table border="1"> <thead> <tr> <th>Existing</th> <th>Requested – Service Area Categories</th> </tr> </thead> <tbody> <tr> <td>W-6</td> <td>W-6 w/multi-use water system approval</td> </tr> <tr> <td>S-6</td> <td>S-6 w/multi-use sewerage system approval</td> </tr> </tbody> </table>	Existing	Requested – Service Area Categories	W-6	W-6 w/multi-use water system approval	S-6	S-6 w/multi-use sewerage system approval
	Existing	Requested – Service Area Categories					
W-6	W-6 w/multi-use water system approval						
S-6	S-6 w/multi-use sewerage system approval						
<p>County Council Action</p> <p>Defer action on the request for multi-use water and sewer system approval, pending the applicant's submittal of a proposed use that is consistent with ZTA 07-07.</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 08A-GWC-01: Kirk Canaday

<ul style="list-style-type: none"> • 8300 Block⁴, Warfield Rd., Gaithersburg • Parcel P554, Williams Range Near Goshen (dist.-acct. #01-00010841) • Map tile – MD: GU123; WSSC: 228NW08 • North side of Warfield Rd., west of Doubleland Rd. • Preservation of Agriculture and Rural Open Space Master Plan (1980) • Middle Great Seneca Creek Watersheds (MDE Use I) • RE-2 Zone; 2.71 ac. • <u>Existing use:</u> vacant <u>Proposed use:</u> one new single-family house <p>⁴ The applicant's reported street address, 8333 Warfield Rd., does not yet appear in the State's property tax account records.</p>	<table border="1"> <thead> <tr> <th>Existing</th> <th>Requested – Service Area Categories</th> </tr> </thead> <tbody> <tr> <td>W-3</td> <td>W-3 (no change)</td> </tr> <tr> <td>S-6</td> <td>S-3</td> </tr> </tbody> </table>	Existing	Requested – Service Area Categories	W-3	W-3 (no change)	S-6	S-3
	Existing	Requested – Service Area Categories					
W-3	W-3 (no change)						
S-6	S-3						
<p>County Council Action</p> <p>Deny the request for category S-3; maintain S-6. DEP and DPS need to consider a sewer sanitary survey for this area to determine the extent of septic problems.</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>							

Olney Planning Area

Property Information and Location Property Development	Applicant's Request County Council Action
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WSSCR 07A-OLN-02: The First Baptist Church of Wheaton*

<ul style="list-style-type: none"> • 3110 Emory Church Rd., Olney • Parcel P077, Chas & William (dist./acct. #08-00705848) • Map tile: WSSC - 223NW03; MD - HS563 • North side of Emory Church Rd., west of Norbrook Dr. • Olney Master Plan (2005) • Northwest Branch Watershed (MDE Use IV) • RNC Zone; 15.0 ac. • <u>Existing use:</u> single-family residence. <u>Proposed use:</u> place of worship (500-seat sanctuary, fellowship hall, classrooms, offices); First Baptist Church of Wheaton, relocating from its existing site on Georgia Ave. in Wheaton <p>* Original owner/applicant: Frances Doherty Estate. The church acquired the property on 7/1/07.</p>	<table border="1"> <thead> <tr> <th>Existing –</th> <th>Requested – Service Area Categories</th> </tr> </thead> <tbody> <tr> <td>W-6</td> <td>W-1</td> </tr> <tr> <td>S-6</td> <td>S-1</td> </tr> </tbody> </table>	Existing –	Requested – Service Area Categories	W-6	W-1	S-6	S-1
	Existing –	Requested – Service Area Categories					
W-6	W-1						
S-6	S-1						
<p>County Council Action</p> <p>Maintain W-6 and S-6, with advancement to W-3 and S-3 conditioned on the Planning Board's approval of a preliminary plan that conforms to the intent of the Olney Master Plan.</p> <p><i>Note: In its review of the applicant's preliminary plan, the Planning Board is asked to ensure that potential road improvements (such as to Emory Road) are minimized as are any deleterious environmental impacts (such as reductions in ground water quality).</i></p>							

Eglise de Dieu de Silver Spring (Joseph Berluch, pastor)

2) Property/Site Description and Development:

Address 4800 Sandy Spring Rd, Spencerville, MD 20868
Property's TAX ID # (please provide, if known) 05-00267512
Property/Site Size 4.55 Acre Identification (ie, Parcel #) P-P277 MAP L521
Location/Closest cross-street Route 198 + Riding Stable
Current Use Church Office Proposed Use New worship Assemble
Subdivision Plan No. & Status _____

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

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

Would like to apply to connect to the WSSC Sewer and then build a worship facility for 200 people.

Note: Continue on a separate page, if necessary

DEP Staff Use Only

Receipt Acknowledged: _____ Email OR _____ US Mail

Water 1 Sewer _____
WSSC Tile 220 NE056

Tax Map

Plan No.

Process

Master Plan

Planning Area Damascus & Vicinity

Zoning RC

Zoning Activity

Watershed Lower Patuxent River

CSPS Subwatershed

State Watershed Use Class

GIS File

**ENGINEERING**

A Division of CAS Enterprises, Inc.

civil engineering • surveying • land planning

108 West Ridgeville Boulevard, Suite 101 • Mount Airy, Maryland 21771
phone 301/607-8031 • fax 301/607-8045 • www.casengineering.com

July 16, 2010

Montgomery County Council Staff
100 Maryland Avenue, 5th floor
Rockville, Maryland 20850

Attn: Keith Levchenko

Re: WSCCR – 09A-PAX-01 – Eglise de Dieu de Silver Spring

Dear Mr. Levchenko:

On the advice of Mr. Alan Soukup we are hereby transmitting the revised Concept Plan for your review and recommendation to the County Council for a new hearing date. You may recall that the Council deferred action pending the following:

- The applicant's submittal and interagency review of a revised concept development plan that reduces impervious surface area closer to the 10 percent recommended by the 1997 Fairland Master Plan.
- The applicant's coordination of its proposed site development and use plans with local civic, homeowner, and environmental groups

Meetings with the West Laurel Civic Association and the Patuxent Watershed Protective Association were held on March 11 and April 12, 2010, respectively. Meeting minutes from each are attached hereto. Additionally, on May 20, 2010 a meeting with MNCPPC staff (including Katherine Nelson) was held. Written response from Ms. Nelson is also included hereto.

As a result of all three meetings, the Concept Plan, attached hereto, has been revised and updated to reflect and address many of those expressed concerns. Site investigations have been performed to delineate a more accurate drainage divide between the Lower Patuxent River and Little Paint Branch Watershed. The subject property effectively lies in both watersheds. Approximately 143,060 square feet of the site drains to the Lower Patuxent River Watershed.

The previous Concept Plan provided for two entrances to serve the proposed church. It has been determined that only one of these entrances will be necessary. However, whether that entrance is located along Sandy Spring Road or Riding Stable Road has yet to be determined. A more detailed

review of entrance locations by MNCPPC staff, MDSHA staff and MCDPW&T staff will be performed during Preliminary Plan review. Current impervious area computations have been provided based on each entrance scenario. Should the entrance be located along Sandy Spring Road the impervious area draining to the Lower Patuxent has been determined to be 20,124 square feet or 14% of the site's drainage area. An entrance located along Riding Stable Road would further reduce the impervious area within the Lower Patuxent to 16, 820 square feet or 11.8%. An 8.5" x 11" sketch depicting this information is included herein.

In conclusion, the following information is included:

- Revised Concept Plan
- Meeting Minutes; March 11 and April 12 meetings
- July 1, 2010 Letter from Katherine Nelson
- 8.5" x 11" sketch depicting impervious areas

Please let us know if you have any questions, comments or concerns and when we might expect our next County Council hearing. We will look forward to hearing from you.

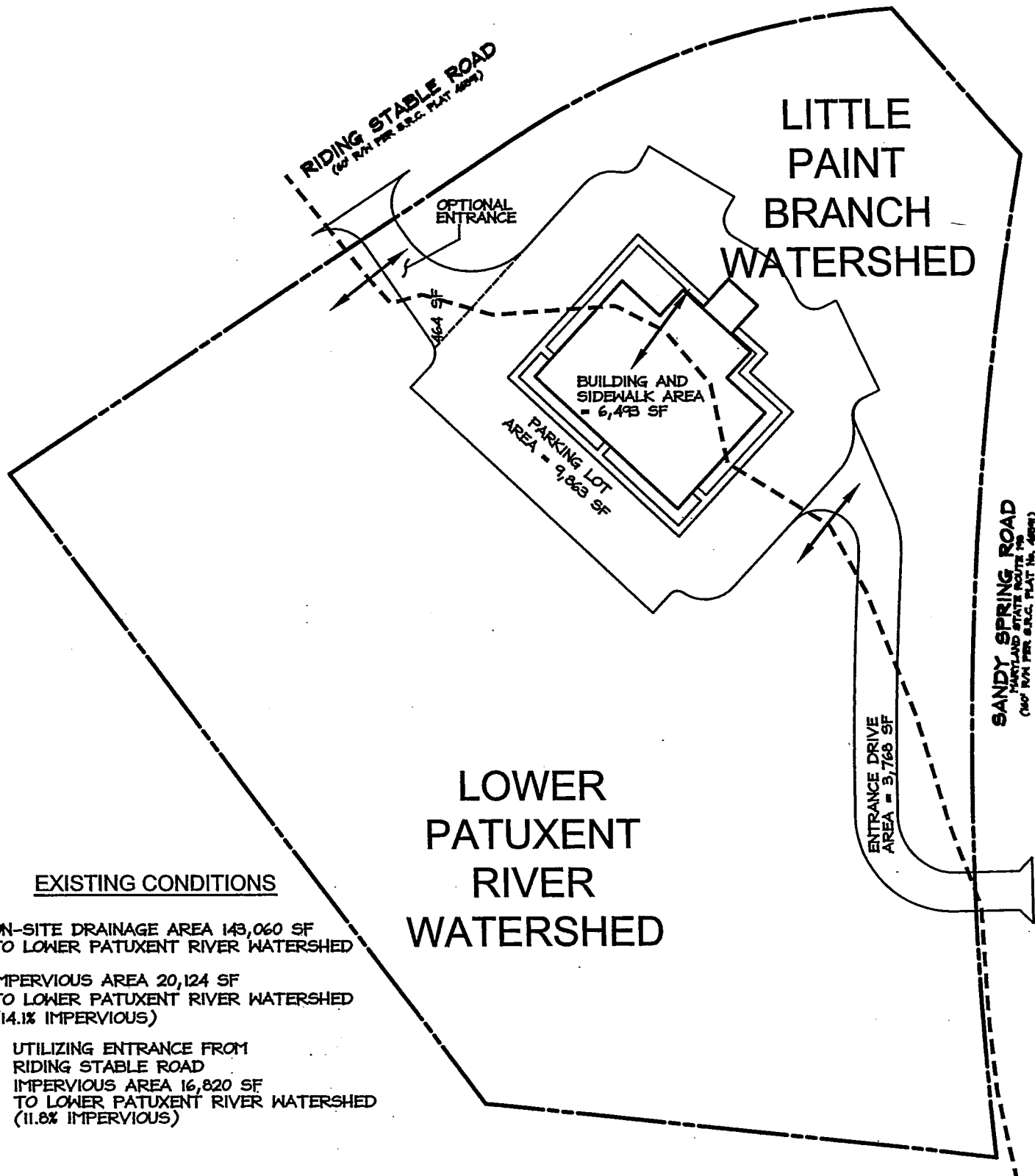
Sincerely,



Jeffrey A. Robertson
Senior Project Manager

cc: Alan Soukup (MCDEP)
Katherine Nelson (MNCPPC)
David Shen (WSSC)
Shari Djourshari (WSSC)
Himinna Jackson-Lucas
Joseph Berluche

IMPERVIOUS AREA SKETCH



EXISTING CONDITIONS

ON-SITE DRAINAGE AREA 143,060 SF
TO LOWER PATUXENT RIVER WATERSHED

IMPERVIOUS AREA 20,124 SF
TO LOWER PATUXENT RIVER WATERSHED
(14.1% IMPERVIOUS)

UTILIZING ENTRANCE FROM
RIDING STABLE ROAD
IMPERVIOUS AREA 16,820 SF
TO LOWER PATUXENT RIVER WATERSHED
(11.8% IMPERVIOUS)

PRELIMINARY NOT FOR DESIGN PURPOSES

NOTE: ALL DIMENSIONS SHOWN ON THIS PLAN ARE BASED UPON AVAILABLE RECORDS AND ARE SHOWN TO THE BEST OF OUR ABILITY. NO FIELD WORK HAS BEEN PERFORMED.

- GENERAL NOTES**
- 1) WATER CONTINUED - 1.5" HATCH, CONTINUED - 4'
 - 2) ALL DIMENSIONS SHOWN ON THIS PLAN ARE BASED ON A SURVEY BY ENGINEER & ASSOCIATES, DATED MARCH 2011.
 - 3) TOPOGRAPHY DATA BASED ON A SURVEY BY SITE DEVELOPMENT CONSULTANTS, LLC.
 - 4) TOTAL LOT AREA - 4.80 ACRES
 - 5) IMPROVED FRONT YARD (I.F.Y.) FROM THE MP L.S. ON PARCELS 277, 278 AND 279, INDICATES THE PROPERTY BOUNDARY ON PARCELS 277 AND 279.
 - 6) PROPERTY BOUNDARY ON PARCELS 277 AND 279 IS SHOWN ON THE I.F.Y. LINE.
 - 7) SOIL THROUGH THE I.F.Y. IS "A".
 - 8) FLOOD ZONE OF THE FULTON, FORT HAYS, CUMMINGS PARK, NEVADA, SIOUX AND TULLY TRACTS IS SHOWN ON THE I.F.Y. LINE.
 - 9) SITE IS LOCATED IN THE LOWER PATENTED RIVER AND THE UPPER PATENT WATERSHED.
 - 10) LOCAL UTILITY LOCATIONS ARE SHOWN ON THE I.F.Y. LINE.
 - 11) LOCAL UTILITY LOCATIONS ARE SHOWN ON THE I.F.Y. LINE.

ZONING DATA

2011 ZONING MAP
 THE LOT AREA - 4.80 AC.
 THE LOT WIDTH AT THE FRONT - 100 FT.
 THE LOT WIDTH AT THE REAR - 100 FT.
 SIDE YARD - 5 FT. AT EACH SIDE

LEGEND

EXISTING FEATURES	
(Symbol)	EXISTING LOT LINE
(Symbol)	EXISTING UTILITY PATH (WATER, GAS, SEWER, ETC.)
(Symbol)	EXISTING DRIVEWAY
(Symbol)	EXISTING DRIVEWAY
(Symbol)	EXISTING DRIVEWAY
(Symbol)	EXISTING DRIVEWAY
(Symbol)	EXISTING DRIVEWAY
(Symbol)	EXISTING DRIVEWAY
(Symbol)	EXISTING DRIVEWAY
(Symbol)	EXISTING DRIVEWAY
(Symbol)	EXISTING DRIVEWAY

PROPOSED FEATURES

(Symbol)	PROPOSED DRIVEWAY
(Symbol)	PROPOSED DRIVEWAY
(Symbol)	PROPOSED DRIVEWAY
(Symbol)	PROPOSED DRIVEWAY
(Symbol)	PROPOSED DRIVEWAY
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(Symbol)	PROPOSED DRIVEWAY
(Symbol)	PROPOSED DRIVEWAY
(Symbol)	PROPOSED DRIVEWAY

PARKING TABULATION

REQUIREMENT PER SECTION 20-3-11
 1.00 PER 1,000 SF OF FLOOR AREA FOR HOIST STAGING IN
 PROVIDED IN THE PLAN INDICATED

SPACE TYPE	COUNT
HOIST STAGING	1
TOTAL	1

IMPERVIOUS AREA TABULATION

TYPE	AREA (SQ. FT.)
TOTAL ON-SITE IMPERVIOUS AREA	10,000 SF
PERMITTED IMPERVIOUS AREA	10,000 SF
EXCESS IMPERVIOUS AREA	0 SF

SOILS

PER LOCALITY MAP, NOT HATCH
 THE LOCALITY MAP SHOWS THE SOILS IN THE PROJECT AREA.
 THE LOCALITY MAP IS BASED ON A SURVEY BY THE STATE OF MISSISSIPPI.
 THE LOCALITY MAP IS BASED ON A SURVEY BY THE STATE OF MISSISSIPPI.
 THE LOCALITY MAP IS BASED ON A SURVEY BY THE STATE OF MISSISSIPPI.

CLIENT

CLIENT
 THE CLIENT HAS PROVIDED THE NECESSARY INFORMATION FOR THIS PROJECT.
 THE CLIENT HAS PROVIDED THE NECESSARY INFORMATION FOR THIS PROJECT.
 THE CLIENT HAS PROVIDED THE NECESSARY INFORMATION FOR THIS PROJECT.

CONCEPT PLAN

CONCEPT PLAN
 THE CONCEPT PLAN SHOWS THE PROPOSED LAYOUT FOR THE PROJECT.
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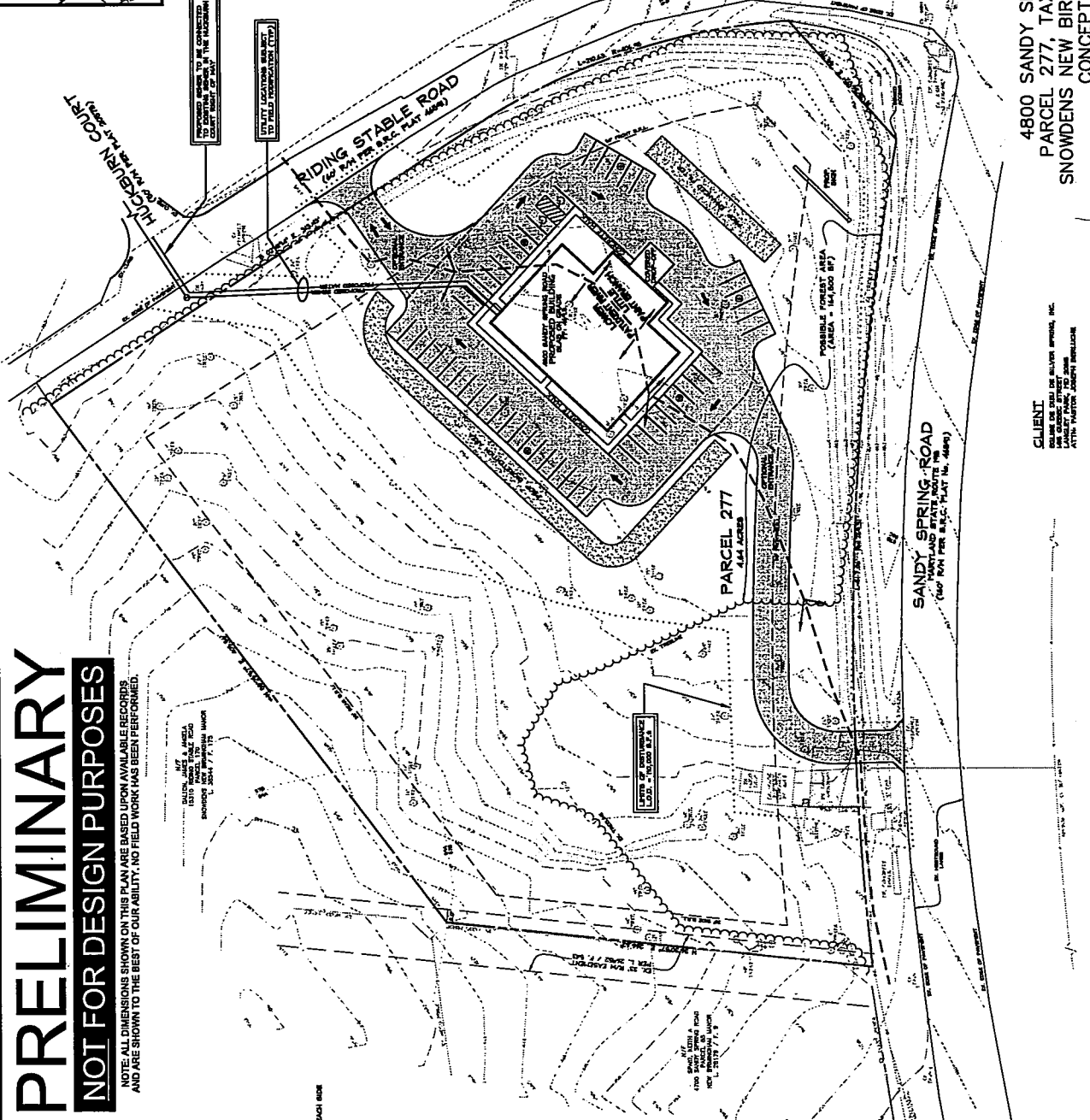
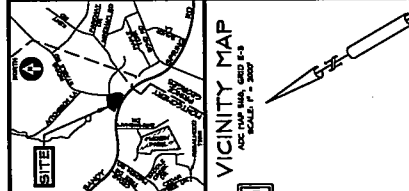
VICINITY MAP

VICINITY MAP
 THE VICINITY MAP SHOWS THE LOCATION OF THE PROJECT IN THE AREA.
 THE VICINITY MAP SHOWS THE LOCATION OF THE PROJECT IN THE AREA.
 THE VICINITY MAP SHOWS THE LOCATION OF THE PROJECT IN THE AREA.

4800 SANDY SPRING ROAD
PARCEL 277, TAX MAP LS 121
SNOWDEN'S NEW BIRMINGHAM MANOR
CONCEPT PLAN

ENGINEERING
ENGINEERING - LAND PLANNING
100 West Loop East, Suite 101, Houston, Texas 77060-4803
HOUSTON, TEXAS

DATE 01/20/10
PROJECT SNOWDEN'S NEW BIRMINGHAM MANOR
REVISION
BY
DATE
CHECKED
DATE
SCALE
BY
DATE



09A-PAX-01
Applicant's Raised Plan

09A-PAX-01
 Applicant's Original Plan

PROJECT ADDRESS:
 4000 SANDY SPRING ROAD
 SPRINGVILLE, MARYLAND
 PARCEL 277
 20060
 LIBER 34623 P 1
 INSTRUMENT NO. BIRMINGHAM MANOR
 SCALE 1" = 20'
 DATE 2/21/08

PROPOSED SITE PLAN
 GRAPHIC SCALE
 1" = 30'
 0' 30' 60' 90'

SITE DEVELOPMENT CONSULTANTS LLC
 SURVEYING-ENGINEERING-CONSTRUCTION
 4221 PETERS BOULEVARD, SUITE L
 LA MARY, MARYLAND 20706
 TEL: (301) 59-2380 FAX: (301) 59-2381
 EMAIL: info@site-dev.com
 WWW.SITEDEVELOPMENTCONSULTANTS.COM

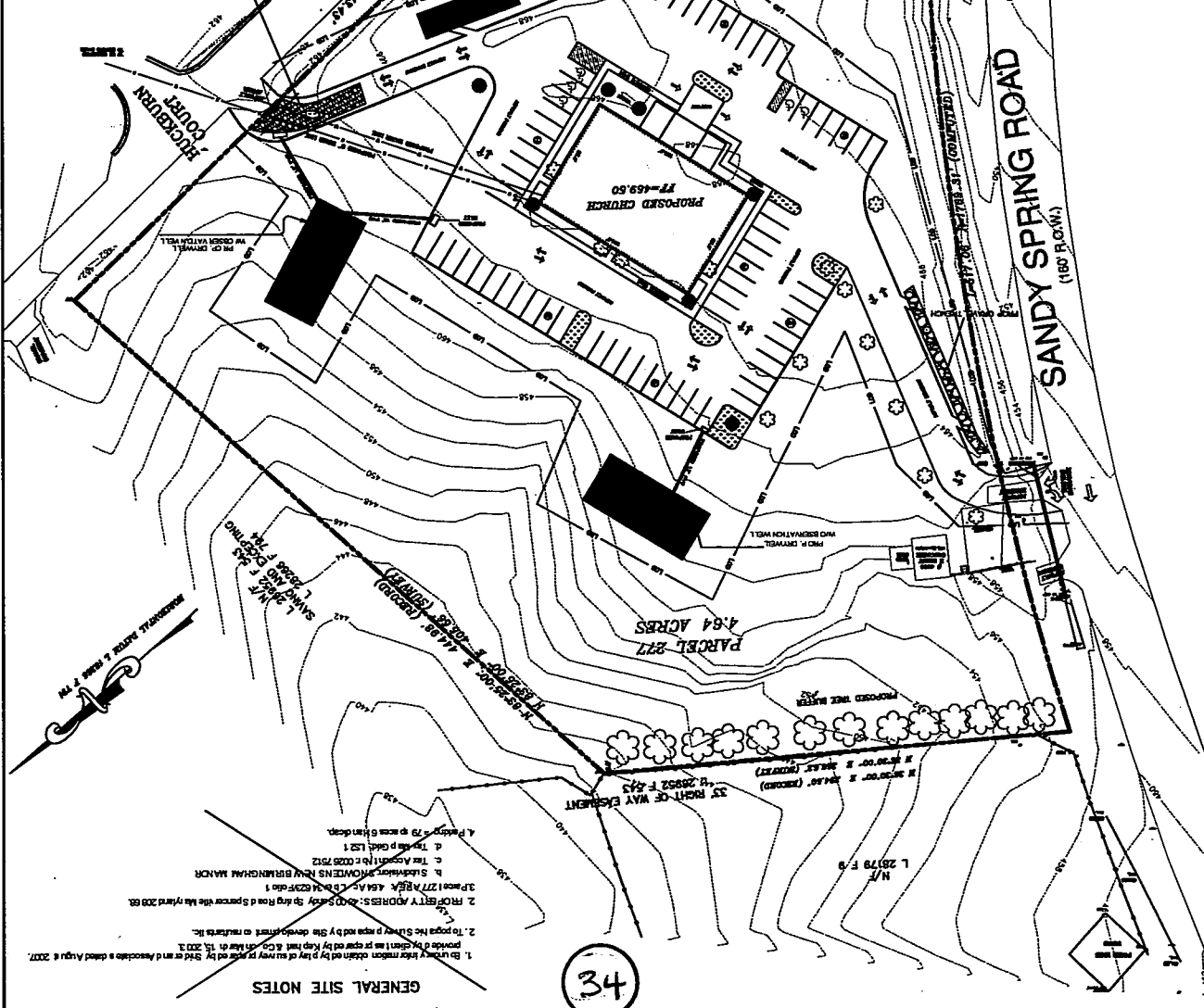
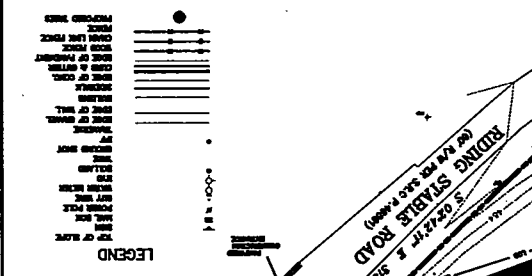
NOTES
 1. THIS PLAN WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND MAY NOT REFLECT ALL EASEMENTS OR ENCUMBRANCES.
 2. TYPED CONTOUR INTERVAL.
 3. BOUNDARY INFORMATION OBTAINED BY PLAT OF SURVEY PREPARED BY SHORER AND ASSOCIATES DATED AUGUST 2007.

PARKING SCHEDULE

1	REPAIRS	1	1
2	STORAGE	2	2
3	OFFICE	3	3
4	GENERAL	4	4
5	TRUCKS	5	5
6	TRUCKS	6	6
7	TRUCKS	7	7
8	TRUCKS	8	8
9	TRUCKS	9	9
10	TRUCKS	10	10
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97	TRUCKS	97	97
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100	TRUCKS	100	100

LOT DESCRIPTION

1	LOT AREA	1	1
2	LOT AREA	2	2
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69	LOT AREA	69	69
70	LOT AREA	70	70
71	LOT AREA	71	71
72	LOT AREA	72 </tr	



GENERAL SITE NOTES
 1. This plan was prepared by the Surveyor and Associates a dated August 6, 2007.
 2. The plan was prepared by the Surveyor and Associates a dated August 6, 2007.
 3. The plan was prepared by the Surveyor and Associates a dated August 6, 2007.
 4. The plan was prepared by the Surveyor and Associates a dated August 6, 2007.



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

July 1, 2010

Jeffrey A. Robertson
 Project Manager
 CAS Engineering
 108 W. Ridgeville Boulevard
 Suite 101
 Mt. Airy, MD 21771

Dear Mr. Robertson,

On Thursday, November 05, 2009 the Montgomery County Planning Board considered the water and sewer service area category change application for Eglise De Dieu Silver Spring (WISCCR 09A-PAX-01).

The proposed site is located within the 1997 Fairland Master Plan and is zoned RC north of MD 198. The Fairland Master Plan recommends "community water service only for areas north of MD 198 zoned Rural Cluster (RC) consistent with the Water and Sewer Plan policies regarding water service without sewer. No planned sewer service for areas zoned RC north of MD 198, except to support special exception uses recommended in this Plan."

The Plan further recommends within the Patuxent River watershed: "Do not allow uses that result in more than ten percent imperviousness...Do not extend sewer service to RC zoned properties; water service to RC zone considered on a case by case basis." Therefore the Planning Board recommended denial of sewer service to this property based on inconsistency with the Fairland Master Plan.

However, before the County Council this case was deferred. The Council asked the applicant to explore with the community and with Planning Department staff options that would make this development plan more acceptable to existing policies and to the surrounding community.

Our staff met with you and representatives of the church on May 20 to discuss the proposed site design. You subsequently sent us a revised site design. In response to this most recent iteration, staff has the following comments:

1. If this was considered as a preliminary plan, it seems likely to staff that two entrances to the church would be required. This would be consistent with other similar developments. Making arrangements for off-site parking for parishioners might make a case for a single entrance -- preferably Riding Stable Road.
2. Staff suggests that the church set up a meeting with the surrounding community to re-open the discussion of a possible access driveway on Riding Stable Road, directly across from Huckburn Court. Impervious surface considerations within the Patuxent River watershed should also be discussed at the meeting.
3. The issue of road improvement is a concern. We do not know what kind of road improvements for driveway access will be required for either MD 198 (a state road) or Riding Stable (a County road).

35

However other examples throughout the County indicate that a significant acceleration/deceleration lane will be needed. These do not yet appear on the site design. You should explore this issue with State SHA and County DOT.

- 4. Right-of-way dedication will be required along Riding Stable Road. The full extent of 70 feet or a minimum of 35 feet from the roadway right-of-way centerline applicant will be dedicated. The property across from the site is already subdivided and dedicated right-of-way for Riding Stable Rd. Previous dedication for MD 198 appears to be adequate.
- 5. The watershed line between the Patuxent River and Little Paint Branch should be established through the Natural Resource Inventory. This line will be used for impervious calculations throughout the development process. The impervious level for development within the Patuxent River watershed remains 10%. Although percentage points between your proposed development and the policy threshold might seem minimal, studies have proven that the significant changes in water quality occur at this level. Moving more of the parking to the southwest part of the site could make this possible.
- 6. If this was considered as a preliminary plan, it is likely that more extensive stormwater management efforts than shown on the drawing will be required. This should be explored with Montgomery County's Department of Permitting Services.

Please contact any of our staff if you would like to discuss any of these comments in further detail. These comments do not constitute staff approval of any specific proposal but our best summary of issues that would be a part of any future consideration of this proposal.

Sincerely,



Katherine Nelson
Planner Coordinator
Montgomery County Planning Department



MINUTES
WEST LAUREL CIVIC ASSOCIATION (WLCA)

Meeting Date: March 11, 2010
 Time: 7:30pm
 Attendees: Pastor Joseph Berluche, Pastor of Eglise De Dieu De Silver Spring, Inc Jeffrey A. Robertson, Project Manager from CAS Engineering, Himinna Lucas, Consultant for Church, 10 members of the West Laurel Civic Association (at the request of the President of WLCA only the President is to be listed) and Melissa G. Daston, President of West Laurel Civic Association.

The Pastor was introduced to the board by Melissa Daston, President at which time the Pastor introduced Jeff A Robertson and Himinna Lucas.

Questions were as follows:

Driveway issue- Would like drive to exist from 198 only
 Answer - That will be fine with the Church

How many days will the church be used?
 Answer - Three days

Answer - If parking lot is full, where would the overflow go?
 Around the building

What is the seating capacity of the church?
 Answer - 200 seats is the current proposal

Time of service on Sunday?
 Answer - 11am – 1 pm is the standard time unless special events

When would construction start?
 Answer - Per Jeff after permit could be one to two years away.

Will the exit be a right turn only out of the Church?
 Answer - Per Jeff yes

Melissa had concerns about the traffic. She advised that there was a person killed either crossing the street or in a traffic accident. This statement was not confirmed. Also Melissa wanted to know if there would be any rezoning.
 Answer - Per Jeff there will be a traffic study performed as part of the preliminary plan process. The property will not be rezoned.

Judy asked about the setting up of high of the church and wanted to know about the lighting? Melissa requested a copy of the lighting plans when they are completed.

Answer - Per Jeff and Pastor when the Church gets to this point someone will contact Melissa.

Snyder asked what the watershed limits are if any

Answer – Jeff discussed general SWM requirements but indicated that new State Regulations go into effect on May 4, 2010. A SWM Concept Plan will be required at the Preliminary Plan Stage and a Final SWM Plan will be required at permit stage. State and County requirements will be addressed.

Melissa – this property backs into the drinking water for Prince George’s County? Have you considered alternative paving systems? Most of the current houses in the community have septic, will the change to the water sewer category effect others?

Answers – per Jeff, we will consider alternate paving materials during SWM concept stage. Pervious paving (i.e. concrete or pavers) is acceptable to Montgomery County. Changing the Sewer category for this particular property will not likely set a precedent for additional connections. The proposed mainline extension will be designed to serve the subject property only. Other properties would need to file for similar category changes should they wish to connect.

Several members would like for the traffic at Bond Mill vs. Riding Stable they would like a no left turn sign. They advised that they have tried to get Maryland State Highway to make this change.

Answer - Jeff state that this would not be in the Churches authority to make this change. Let’s see what the traffic study reveals.

Melissa gave an over view of (WLCA) issues – Traffic safety, Quality of water, signage of the Church and Storm Water Control (NO PONDS). Melissa will inform church by email of the out come of the meeting once she speaks private with the committee.

One other question came up as the Pastor, Jeff and Himinna was leaving.

Will the current house be removed?

Answer - Jeff yes

What will happen to the ditch?

Answer – Jeff - It will depend on the design.

Jeff please make a list of any additional concerns and he will answer them through Melissa.

Minutes by Himinna Jackson-Lucas



MINUTES
PATUXENT WATERSHED PROTECTIVE ASSOCIATION, INC. (PWPA)

Meeting Date: April 12, 2010
 Time: 10:30am
 Attendees: Dr. A. C. Brown, President of Patuxent Watershed Protective Association, Inc., James Hughes, Vice President, (PWPA), James Putman, Treasurer, Director (PWPA), Pastor Joseph Berluche, Pastor of Eglise De Dieu De Silver Spring, Inc Jeffrey A. Robertson, Project Manager from CAS Engineering, Himinna Lucas, Consultant for

The Pastor and Jeff were introduced to the board by Himinna Lucas.

Questions were as follows:

Mr. Hughes what is the current impervious coverage. Dr. Brown is it in compliance to the Master Plan Answer – Jeff 19.2 is the current impervious area proposed.

Hughes- Concerns about Sewage and Impervious area which contributes to runoff into the reservoir. The watershed is defined as an entire area in which water flows down toward the reservoir. It includes that area north of 198. Additionally, in this area below the surface there is a fractured crystal and rocks below the surface. Water runs down hill and through the fractured rock. This is a concern because it's the primary source to 90 houses on 29 that have wells. This is a direct pass into some ones well. We have a policy to oppose to any public sewer that flows within the watershed limits. The reservoir is the back-up water source for the pumping station for Montgomery County, MD. We can't defer the source of sewage. Pumps fail and pipelines break, and we don't want to take that health risk. Mr. Hughes will fight any recommendation for public sewer connections. They have (and will) taken legal action to support this position.

Dr. Brown The reservoir is the sole source for over 80 peoples. There are two reservoirs, we are opposed to a public sewer system but not opposed to a private septic system with gravity, if it breaks it will not flow back into the watershed. We have a concern in dealing with the reservoir system; reservoir has to last for centuries.

Final – Supporting a public sewer extension will not happen due to the potential for failure in the system and drainage impacting the reservoir.

Minutes by Himinna Lucas

WSSCR 09A-PAX-04: Sunny Varkey

County Executive's Recommendation: Correct Parcel P600 from W-6 to W-1. Deny the request for W-3 for Parcel P809; maintain W-6. Deny the request for S-3 for both properties;; maintain S-6.

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> ▪ 16301 New Hampshire Avenue ▪ Parcels P600 & P809, Snowdens Manor Enl ▪ Property ID: 05-02216547 & 05-00261548 ▪ Map file: WSSC – 222NE02; MD KS123 ▪ Located on the east side of New Hampshire Ave. (MD 650) north of Spencerville Rd. (MD 198) ▪ Patuxent Watershed Conservation Planning Area Cloverly Master Plan (1997) ▪ Patuxent River Watershed (MDE Use I) & Northwest Branch Watershed (MDE Use IV) ▪ RE-1 & RC Zones; 28.84 acres ▪ <u>Existing use</u>: Residential with boarding of horses ▪ <u>Proposed use</u>: Private Educational Facility 	<p>Applicant's Request: Service Area Categories & Justification</p> <hr/> <p>Existing – Requested Service Area Categories</p> <p>W-6 W-3 S-6 S-3</p> <hr/> <p>Applicant's Explanation</p> <p>"Change usage from a residential (with boarding for horses) to a private educational facility for profit."</p> <hr/> <p><u>DEP Notes:</u></p> <ul style="list-style-type: none"> • This request is <u>not</u> being considered under the PIF policy, as the school is for profit. • The applicant has apparently put plans for this project on hold for the time being, although he has not chosen to withdraw this category change request.
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Executive Staff Report: The applicant is seeking to construct a private school for which he will need both public water and sewer service. WSSC has confirmed that the larger of the two parcels, at 16301 New Hampshire Ave., has existing water service; the account dates back to at least 1966. The water category for Parcel P600 needs to be corrected to W-1. The smaller parcel, P809, is unimproved and should remain as W-6 for now. Public sewer service is not consistent with master plan recommendations for this split-zoned site or with Water and Sewer Plan general sewer service policies. This specific institutional project will not qualify as a private institutional facility (PIF) under the policies of the Water and Sewer Plan. The applicant has advised DEP that the proposed school will be a for-profit venture. The request for S-3 should be denied; the entire project site should remain as category S-6.

The alignment of the proposed sewer extension as shown on the accompanying sewer category map is approximate only. Likewise, the exact extent of gravity sewer versus low-pressure sewer is also approximate. This project has the potential to open public sewer service to properties along the east side of New Hampshire Ave. that are not intended to use that service. Only a detailed engineering study will provide sufficient detail to allow for a more certain understanding of the impact of the needed sewer extension.

Agency Review Comments

M-NCPPC – Area 3 Planning Team: The 1997 Cloverly Master Plan states "The extension of sewer service to residential, institutional, and special exception uses in the RC and RE-2 area is not consistent with this Plan because of potential impacts on the low-density character of both areas and conflicts with the long standing recommendation not to provide sewer service in the Patuxent watershed in order to control water quality in the reservoir.

The master plan states that community water service within the Patuxent watershed may be considered on a case-by-case basis consistent with current policies in the *Comprehensive Water Supply and Sewerage Systems Plan*.

WSSC - Water: There is a 12-inch water line in New Hampshire Ave and a 3-inch water on Timber Ridge Drive abuts the property (contract nos. 60-4227 and 76-2790A respectively).

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's March 2011 Transmittal Packet

PATUXENT WATERSHED CONSERVATION PLANNING AREA MAP AMENDMENTS

WSSCR 09A-PAX-04: Pg. 2

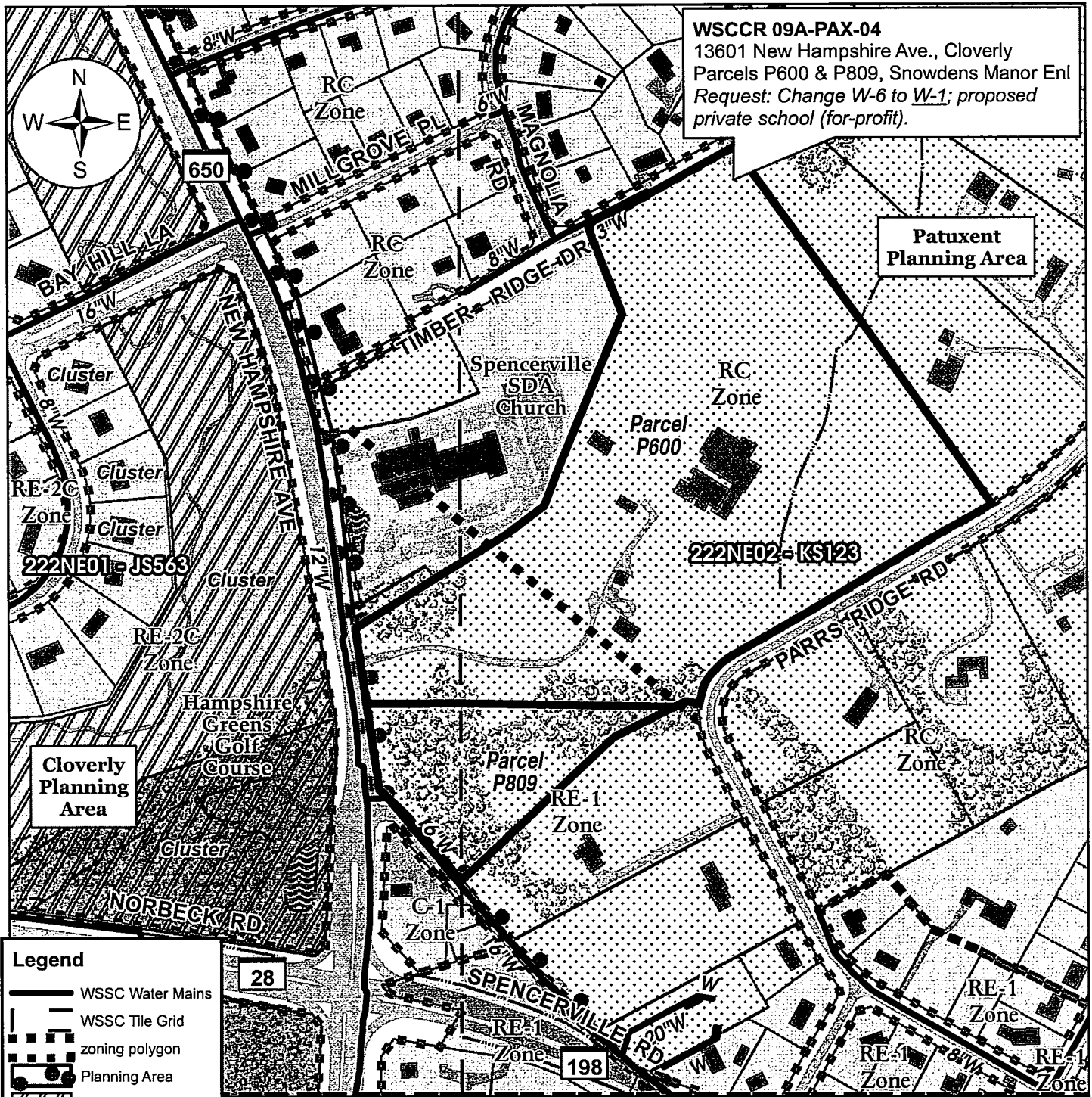
WSSC - Sewer: A 1,700 -foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to existing 8-inch sewer on Harbour Town Drive (contract no. 95-1347B) and would abut approximately 3 properties in addition to the applicant's. Some form of pumping may be needed depending on the alignment of the sewer extension. Flow from the proposed development: 12,500 GPD Interceptor and treatment capacity are adequate.

DPS – Well & Septic: Our files indicate the property is currently connected to public water. There is a septic system, but due to its apparent age-we have no records. We make routine inspections for a permitted youth camp; and have noted no septic failure.

ADS:ads/

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Water Service Area Categories Map: WSCCR 09A-PAX-04 (Sunny Varkey)



WSCCR 09A-PAX-04
 13601 New Hampshire Ave., Cloverly
 Parcels P600 & P809, Snowdens Manor Enl
 Request: Change W-6 to W-1; proposed
 private school (for-profit).

**Patuxent
 Planning Area**

**Cloverly
 Planning Area**

Legend

- WSSC Water Mains
- WSSC Tile Grid
- zoning polygon
- Planning Area
- Existing Parkland
- woodlands

Water Categories

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



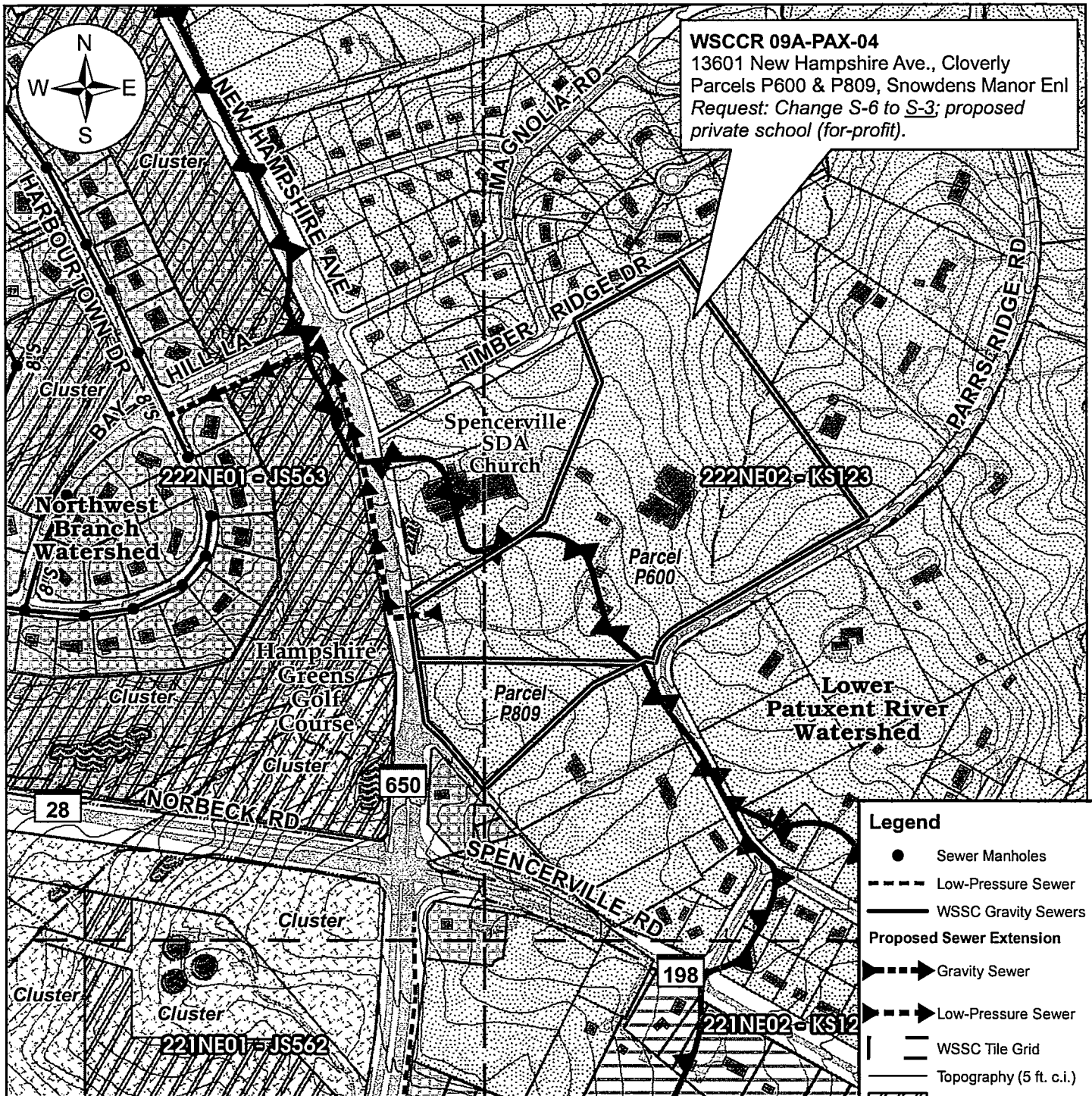
SCALE (Feet)

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



DEP
 Water and Wastewater
 Policy Group

Sewer Service Area Categories Map: WSCCR 09A-PAX-04 (Sunny Varkey)



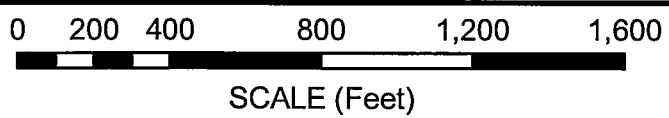
WSCCR 09A-PAX-04
 13601 New Hampshire Ave., Cloverly
 Parcels P600 & P809, Snowdens Manor Enl
 Request: Change S-6 to S-3; proposed
 private school (for-profit).

Legend

- Sewer Manholes
- Low-Pressure Sewer
- WSSC Gravity Sewers
- Proposed Sewer Extension
- ▶▶▶ Gravity Sewer
- ▶▶▶ Low-Pressure Sewer
- WSSC Tile Grid
- Topography (5 ft. c.i.)
- Existing Parkland
- Major Watersheds

Sewer Categories

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



DEP
 Water and Wastewater
 Policy Group

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

2) Property/Site Description and Development:

Address 16301 New Hampshire Avenue, Silver Spring, MD 20905; Parrs Ridge Road
Property's TAX ID # (please provide, if known) 05-02216547; 05-00261548
Property/Site Size +/- 28.84 Acres Identification (ie, Parcel #) Parcels Nos. 600 & 809
Location/Closest cross-street New Hampshire Ave (Rt. 650) At Spencerville Rd. Tax Map KS13
Current Use Residential/Boarding of Horses Proposed Use Private Educational Institution (for profit)
Subdivision Plan No. & Status N/A

(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-1 OR No Change Multi-Use Shared
Current Sewer Category: S-6 Requested Sewer Category: S-1 OR No Change Multi-Use Shared

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

Change in usage from residential (with boarding for horses) to private educational institution.

Note: Continue on a separate page, if necessary

DEP Staff Use Only

Receipt Acknowledged: _____ Email OR _____ US Mail

Water 6 Sewer 6
WSSC Tile 222NE02
Tax Map KS123

Plan No.

Process

Master Plan

Planning Area

Zoning

Zoning Activity

Watershed

CSPS Subwatershed

State Watershed Use Class

GIS File

CCRF July 05.doc

Cloverly MP
Patuxent
RE-1 (piece to a New Hampshire) ERC btwn Parish Rd + Timber Ridge
NW + Lower Patuxent

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

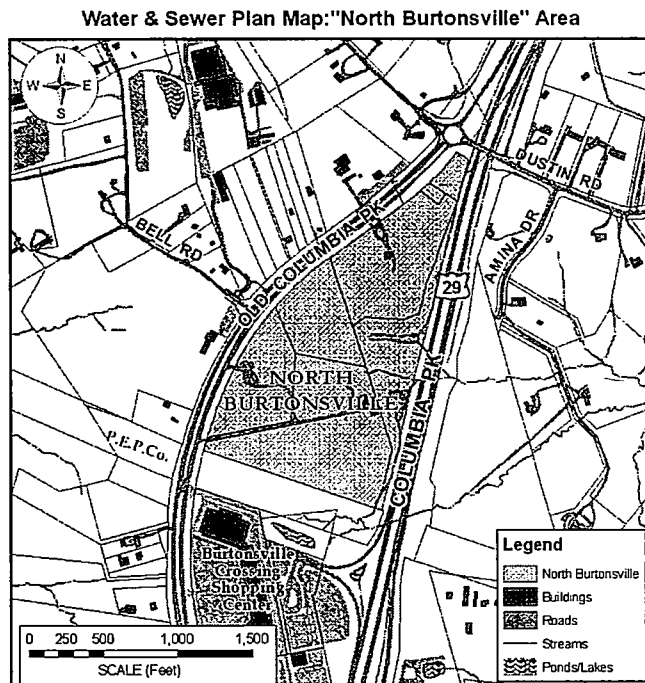
County Executive's March 2011 Transmittal Packet

PATUXENT RIVER CONSERVATION PLANNING AREA MAP AMENDMENTS

WSSCRS 09A-PAX-05 & -06: Pg. 1

NORTH BURTONSVILLE

In this context, North Burtonsville refers to the wedge of land located between Old Columbia Pk. and relocated Columbia Pk. (U.S. 29) north of the Burtonsville Crossing Shopping Center (see illustration at right). The land is zoned for low-density development under the RC Zone. Although the provision of public water service can be considered in this area on a case-by-case basis, it is an area generally unsuited for public sewer service from a policy standpoint. The Fairland Master Plan (1997) does recommend public water and sewer service for the furthest north parcel in North Burtonsville, the Burtonsville Assoc. property. Public service can be considered there for a special exception use.



WSSCR 09A-PAX-05: Burtonsville Crossing, LLC

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

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> ▪ 15800 Block, Old Columbia Pike, Burtonsville ▪ Parcel 365, New Birmingham Manor ▪ Property ID: 05-272438 ▪ Map tile: WSSC – 221NE04; MD – KS562 ▪ RC Zone; 11.14 acres ▪ East side of Old Columbia Pk., north of Burtonsville Crossing Shopping Center ▪ Fairland MP (1997) ▪ Lower Patuxent Watershed (MDE Use I) ▪ Existing use: vacant ▪ Proposed use: senior housing project 	<p>Applicant's Request: Service Area Categories & Justification</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Existing –</th> <th style="text-align: left;">Requested –</th> <th style="text-align: left;">Service Area Categories</th> </tr> </thead> <tbody> <tr> <td>W-6</td> <td>W-3</td> <td></td> </tr> <tr> <td>S-6</td> <td>S-3</td> <td></td> </tr> </tbody> </table> <p>Applicant's Explanation</p> <p>The site is currently vacant. The County has requested that our Senior Housing Project that was previously submitted to the North of this location; be closer to the shopping center.</p> <p><i>DEP Note: The applicant's proposal may require approval of a special exception under the RC Zone.</i></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									

Executive Staff Report: The applicant has proposed use of public water and sewer service for the construction of a senior housing building on this site. This will require changing the existing W-6 and S-6 categories to W-3 and S-3. Both the Fairland Master Plan and the Water & Sewer Plan allow for consideration of public water service on a case-by-case basis, but generally recommend against the provision of public sewer service in the RC Zone. It appears that the provision of public water service alone will not allow the project to proceed as proposed. The request is recommended for denial of W-3 and S-3, maintaining the existing W-6 and S-6.

Another nearby property in North Burtonsville (see WSSC 09A-PAX-06, following) is referenced in the master plan as a possible site for a special exception use that may require public water and sewer service. This may have led to an expectation that public water and sewer would be considered for all of the parcels in the North Burtonsville area. M-NCPPC's most recent comments make it clear that—at least for this specific property—that the master plan does not call for public sewer service here.

The proposed senior housing project is planned to be owned or operated by a for-profit organization. The provision of public water and sewer service cannot therefore be considered under the Water & Sewer Plan's private institutional facilities (PIF) policy.

PATUXENT RIVER CONSERVATION PLANNING AREA MAP AMENDMENTS

Sewer Information Provided as Background Information Only: Under the applicant's proposal, the feasibility of providing public service to this project depends largely on WSSC's take over of existing private water and sewer mains on the site of the Burtonsville Crossing Shopping Center. The applicant's water and sewer service extension proposal calls for connection into existing, private mains on the site of the Burtonsville Crossing Shopping Center. This would shorten the length of water and sewer main needed to serve the project. However, the applicant has indicated that they are prepared to extend new mains to the existing WSSC mains at Sandy Spring Rd. (MD 198), if a takeover of the shopping center's mains is not feasible (see WSSC's comments, following).

Agency Review Comments

M-NCPPC – Area 3 Team:

Initial Comments - The Master Plan recommends community water service only for areas north of MD 198 zoned RC consistent with Water and Sewer plan policies. There is planned sewer services for areas zoned RC north of MD 198 except in this area *to support special exception uses an recommended in the [Master] Plan*. Water and sewer service to *approved special exception uses* will be considered on a case-by-case basis. (10/16/09)

M-NCPPC Follow Up Comments Based on Concept Plan Review - Page 61 and 62 of the Fairland Master Plan reference this property specifically as part of Area #26. The recommendations are as follows:

RECOMMENDATIONS: Area 26: 704 acres, RC, 37 parcels

- Retain RC Zoning.
- Locate stormwater facilities outside regulatory buffers.
- Do not allow uses that result in more than ten percent imperviousness.
- Do not extend sewer service to RC zoned properties; water service to RC zone considered on a case-by-case basis.
- Community water and sewer service for R-200 zone.
- Cluster residential uses away from MD 198 for noise protection.

For this reason, we can't support sewer service to this property although water service may be possible. It does appear that the preliminary design does limit imperviousness to 10% (12/17/10)

M-NCPPC – Parks Planning: There are no park impacts.

WSSC - Water: A 2000-foot-long water extension along Old Columbia Pike is required to serve the property. A portion of this length may have to be CIP-sized depending on the site's layout. This extension would connect to an existing 20" water main in Sandy Spring Road (contract no.57BL0269) and would abut approximately 7 properties in addition to the applicant's. Rights-of-way may be required. Construction of this extension may involve the removal of trees. Local service is adequate. Program-sized water main extensions (16 inches in diameter or greater) may be required to serve the property.

WSSC - Sewer: A preliminary plan, or similar information showing the proposed development, are required before comments can be provided on serving the property. The location of the development and an estimate of the sewage flow are required before low pressure sewer system or Waste Water Pumping Station scenarios can be evaluated. *DEP note: WSSC is reviewing new information from the applicant.*

WSSC Addendum for the applicant's proposal (2/15/11): The sewer onsite system for the "Burtonsville Crossing", onsite # 86OS0105, has sufficient capacity to handle the additional flow from the proposed 80 Senior Housing units and 1726 seats Korean Church. Please note that if WSSC has to take over this onsite system before connection can be made, it will take years for this process. Some 8" sewers are @ 0.5% slope & do not meet our design criteria and this is the reason that WSSC may need to take over the on-site.

DPS – Well & Septic: We have no information on the property; site conditions may limit on-site sewage flow capacity.

WSCCR 09A-PAX-06: Burtonsville Associates (for New Hope Korean Church)

County Executive's Recommendation: *The County Executive has recused himself from making a recommendation on this requested map amendment, as explained in the following executive staff report.*

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> ▪ 16100 Block, Old Columbia Pike, Burtonsville ▪ Parcel P293, Waters Gift ▪ Property ID: 05-00251083 ▪ Map tile: WSSC – 221NE04; MD – KS562 ▪ East side of Old Columbia Pk., south of Dustin Rd, i ▪ RC Zone; 9.52 acres ▪ Fairland MP (1997) ▪ Lower Patuxent Watershed (MDE Use I) ▪ <u>Existing use:</u> farm ▪ <u>Proposed use:</u> Place of Worship – New Hope Korean Church; 1,700+-seat sanctuary, gym, kitchen, classrooms 	<p>Applicant's Request: Service Area Categories & Justification</p> <p><u>Existing – Requested – Service Area Categories</u></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">W-6</td> <td style="width: 50%; text-align: center;">W-3</td> </tr> <tr> <td>S-6</td> <td style="text-align: center;">S-3</td> </tr> </table> <p><u>Applicant's Explanation</u></p> <p>The site is currently being farmed. Now would like it to be developed for use as a place of worship for New Hope Korean Church (c/o Annie Kim.)</p> <p><i>DEP Note: Given the master plan's recommendations for public sewer service for this area, the applicant is not filing for approval under the CWSP's PIF policy. However, the extension of public service to this site has raised significant controversy in the past and will likely do so again. The Council's consideration is warranted.</i></p>	W-6	W-3	S-6	S-3
W-6	W-3				
S-6	S-3				

Executive Staff Report: The applicant has proposed use of public water and sewer service for the relocation of the New Hope Korean Church to this site. This will require changing the existing W-6 and S-6 categories to W-3 and S-3. The County Executive has found it necessary to recuse himself from making a recommendation for this request as he owns property in the nearby Patuxent Heights neighborhood. The following report examines the policies and issues affecting this request for a category map amendment without recommending a specific action to the Council.

Generally, public sewer service would not be considered for a property zoned Rural Cluster (RC); however, the Fairland Master Plan does allow for consideration of public water and sewer service for this specific property for approved special exception uses. Approval or conditional approval of this request would have to rely on that exceptional service recommendation in the master plan. As presented with a proposed capacity of a 1700-plus-seat sanctuary and the accompanying need for 430 parking spaces, the project appears unlikely to proceed without the provision of public water and sewer service.

M-NCPPC staff object to approval of this request on the grounds that the master plan specifically addresses special exception uses and that a house of worship is not a special exception use in the RC Zone. Note that while a house of worship is not strictly speaking a special exception use under the County's zoning ordinance, it is an allowed use under the RC Zone and comparable in terms size, use, and site impact to some special exception uses that could be considered here such as senior housing or a private school. Interpretation of the master plan's recommendations in this regard will need to be addressed first by the Planning Board and ultimately by the County Council.

In the fall of 2008, the Planning Board recommended against a category change request for a senior housing facility on this site (WSCCR 08A-PAX-01). The Board argued that a facility requiring public water and sewer service would be incompatible with the low-density, rural residential nature of the area intended under the zoning. In October 2008, the Council acted to deny this request, but primarily on the grounds that the application was premature. A special exception needed for the proposed use had not yet been filed and the Council lacked a concept plan show how the site would be developed.

In this case, a special exception is not required and he applicant has provided a concept plan for the project. The concept plan does raise an important concern for requests involving non-residential development in low-density zones: imperviousness, hard surfaces that prevent rain water from soaking into the soil. Institutional uses tend to result in levels of impervious surface that substantially exceed levels usually occurring for residential development in the same zone. In this specific case, the applicant has proposed to build no more than the 10 percent

maximum recommended impervious surface within the Patuxent River primary management area (PMA) on the site. However, this project still proposes approximately 40 percent impervious area (building, parking, driveways) within a low-density portion of the Patuxent Watershed.

Impervious surface limitations are not a part of the Water and Sewer Plan's policy formal criteria for evaluating non-residential category change requests, either through the private institutional facilities (PIF) policy or under general service policies. However, the amount of impervious surface that the provision of public water and sewer service can allow in a low-density area such as the RC Zone is an issue that the Council has found important in considering these requests. The Council has not formally established a maximum allowable impervious area for non-residential uses. In prior actions for private institutional uses in lower-density zones, the Council has pursued a maximum imperviousness of approximately 25 percent, and in the Patuxent River watershed less than 25 percent. Deferral of the request would allow the applicant time to significantly reduce the impervious surface shown on the concept plan, if possible.

The feasibility of the applicant's plan for providing public service to this project depends on two external factors:

- The approval and construction of the Burtonsville Crossing senior housing project to the south.
- WSSC's take over of existing private water and sewer mains on the site of the Burtonsville Crossing Shopping Center.

The applicant has proposed using water main and low-pressure sewer extensions along Old Columbia Pk. to the Burtonsville Crossing project site (WSSCC 09A-PAX-05). From there, water and gravity sewer mains serving both projects would extend to and connect with the private mains at the shopping center. WSSC is reviewing this proposal, a critical piece of which is the design, capacity, and condition of the private mains now owned by the shopping center. In the worst case, the senior housing project fails to receive approval and WSSC cannot take over the shopping center's mains. This would require the church to extend new mains further south past the shopping center, to mains closer to Sandy Spring Rd. (MD 198). However, the applicants have indicated that they are prepared to extend new mains to the existing WSSC mains at Sandy Spring Rd, if a takeover of the shopping center's mains is not feasible (see WSSC's comments, following).

The applicant has pursued this request with the concept that public water and sewer service is consistent with the master plan recommendations. Using a different approach, as a non-profit institution the request could be considered under the private institutional facilities (PIF) policy in the Water and Sewer Plan (see pgs. 23-26). The primary concern with the application of the PIF policy to this case would be with regard to the sewer main extension. The current proposal involves both a low-pressure sewer and a gravity sewer extension. The gravity main part of the extension would not be allowed to abut and therefore offer sewer service to properties not already acknowledged as part of the sewer service envelope. A more detailed design of the sewer main extension would be needed for that determination.

Agency Review Comments

M-NCPPC – Area 3 Team: Initial Comments - The Master Plan recommends community water service only for areas north of MD 198 zoned RC consistent with Water and Sewer plan policies. There is planned sewer services for areas zoned RC north of MD 198 except in this area *to support special exception uses as recommended in the [Master] Plan*. Water and sewer service to *approved special exception uses* will be considered on a case-by-case basis. (10/16/09)

M-NCPPC Follow Up Comments Based on Concept Plan Review - Our comments for the proposed Church located within the north remnant of Fairland's "Area #34" (page 68-71) have not changed significantly.

The Master Plan recommends community water service only for areas north of MD 198 zoned RC consistent with the Water and Sewer Plan policies.. No planned sewer services for areas zoned RC north of MD 198, except to support special exception uses as recommended in the Plan. This property is numbered area 34 in the Master Plan and is recommended for special exception uses such as day care or elderly housing in the portion between old US 29 and the new US 29. Water and sewer service to approved special exceptions considered on a case-by-case basis.

The church is not a special exception use and could only receive approval for sewer and water service through the PIF policy. Even that is a stretch with such a lengthy extension.

M-NCPPC – Parks Planning: There are no park impacts.

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's March 2011 Transmittal Packet

PATUXENT RIVER CONSERVATION PLANNING AREA MAP AMENDMENTS

WSCCRS 09A-PAX-05 & -06: Pg. 5

WSSC - Water: A 3,800-foot-long water extension along Old Columbia Pike is required to serve the property. This extension would connect to the existing 20-inch water main on Sandy Spring Road, MD. Rt. 198 (contract no.57BL0269) and would abut approximately 16 properties in addition to the applicant's. PEPCO rights-of-way would be required. Construction of this extension may involve removal of trees. Local service is adequate. Program-sized water main extensions (16 inches in diameter or greater) may be required to serve the property. *DEP note: 2,000 feet of this water main extension would also be needed to serve the nearby senior housing project (WSCCR 09A-PAX-05).*

WSSC - Sewer: A preliminary plan showing the proposed sewer alignment is required. Site topography indicates gravity sewer is not feasible. The proposed building first floor elevation and an estimated sewage flow and or fixture unit counts are required, prior to low pressure sewer system or wastewater pumping station scenarios can be evaluated.

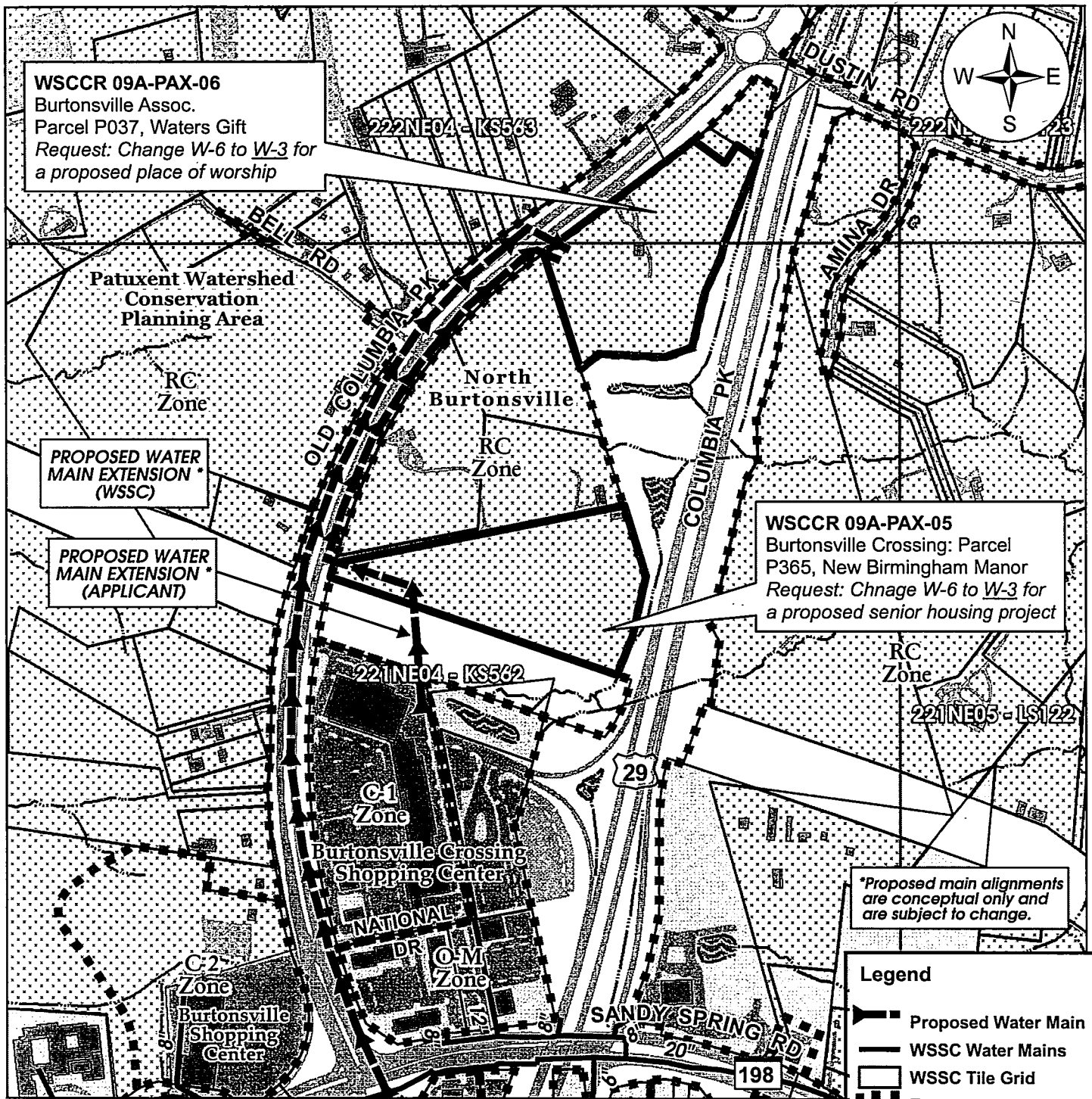
WSSC Addendum for the applicant's proposal (2/15/11): The sewer onsite system for the "Burtonsville Crossing", onsite # 86OS0105, has sufficient capacity to handle the additional flow from the proposed 80 Senior Housing units and 1726 seats Korean Church. Please note that if WSSC has to take over this onsite system before connection can be made, it will take years for this process. Some 8" sewers are @ 0.5% slope & do not meet our design criteria and this is the reason that WSSC may need to take over the on-site.

DPS – Well & Septic: Given the nature of the proposal, an on-site sewage disposal system may not be possible.

ADS:ads/

R:\Programs\Water_and_Sewer\Projects\actions-COUNCIL\packets\2011mar\ce-pckt\final\draft-staff-rpt=09a-pax-05-06=final.doc

Water Service Area Catagories Map: WSSCRs 09A-PAX-05 & -06 (Burtonsville Crossing & Burtonsville Assoc.)



WSSCR 09A-PAX-06
Burtonsville Assoc.
Parcel P037, Waters Gift
Request: Change W-6 to W-3 for
a proposed place of worship

WSSCR 09A-PAX-05
Burtonsville Crossing: Parcel
P365, New Birmingham Manor
Request: Chnage W-6 to W-3 for
a proposed senior housing project

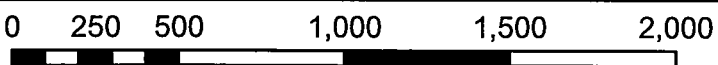
**Proposed main alignments
are conceptual only and
are subject to change.*

Legend

- Proposed Water Main
- WSSC Water Mains
- WSSC Tile Grid
- Zoning Boundaries
- Existing Parkland

Water Categories

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

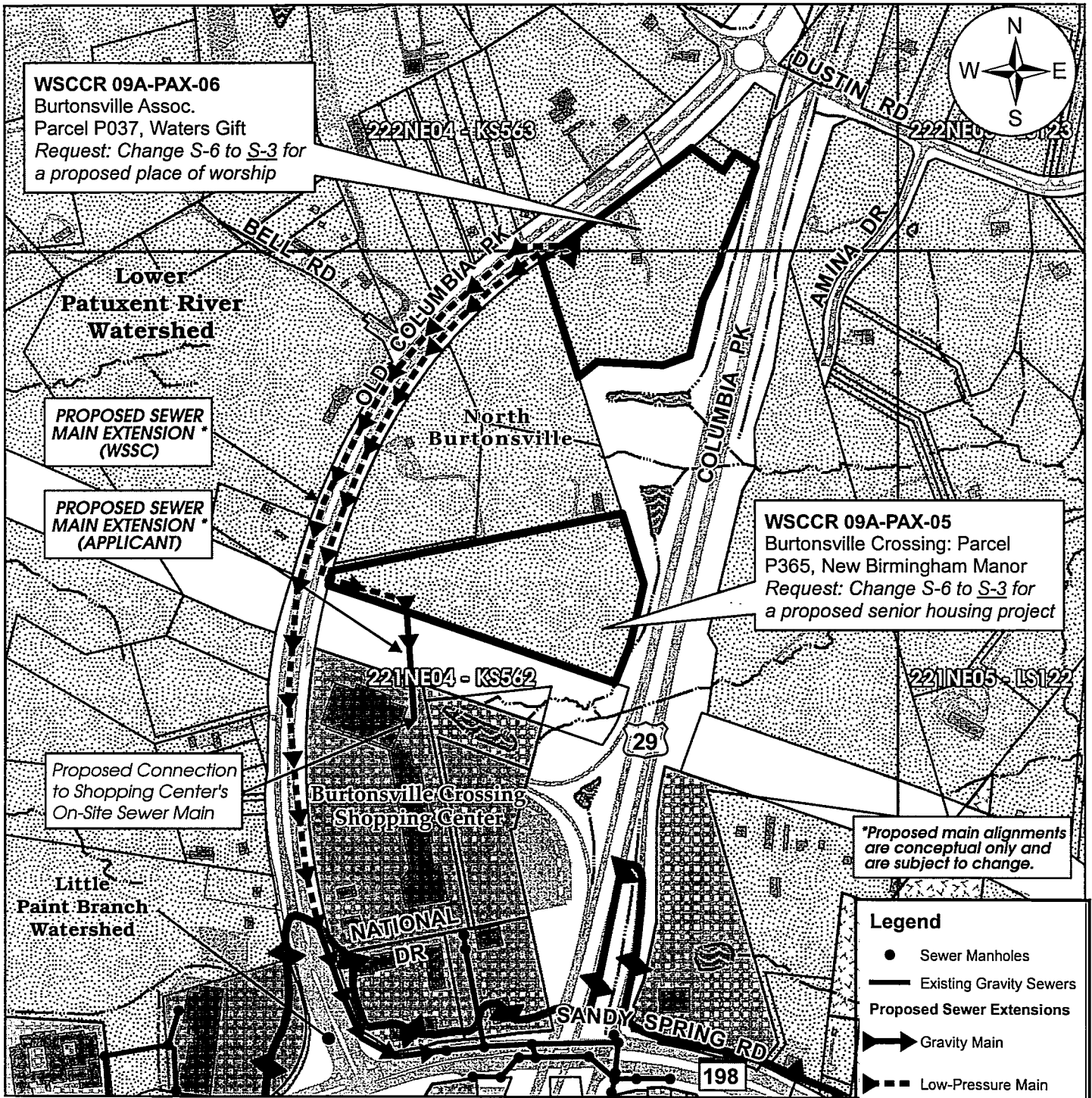


SCALE (Feet)

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

DEP
Water and Wastewater
Policy Group

Sewer Service Area Categories Map: WSSCRs 09A-PAX-05 & -06 (Burtonsville Crossing & Burtonsville Assoc.)



WSSCR 09A-PAX-06
Burtonsville Assoc.
Parcel P037, Waters Gift
Request: Change S-6 to S-3 for
a proposed place of worship

WSSCR 09A-PAX-05
Burtonsville Crossing: Parcel
P365, New Birmingham Manor
Request: Change S-6 to S-3 for
a proposed senior housing project

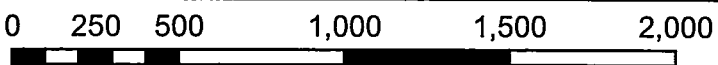
**Proposed main alignments
are conceptual only and
are subject to change.*

Legend

- Sewer Manholes
- Existing Gravity Sewers
- Proposed Sewer Extensions
- ➔ Gravity Main
- ➔ Low-Pressure Main
- ▭ WSSC Tile Grid
- ▭ Major Watersheds
- ▨ Existing Parkland

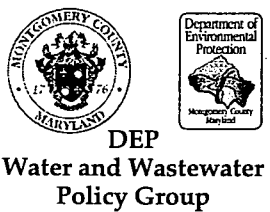
Sewer Categories

- ▨ S-1
- ▨ S-3
- ▨ S-6

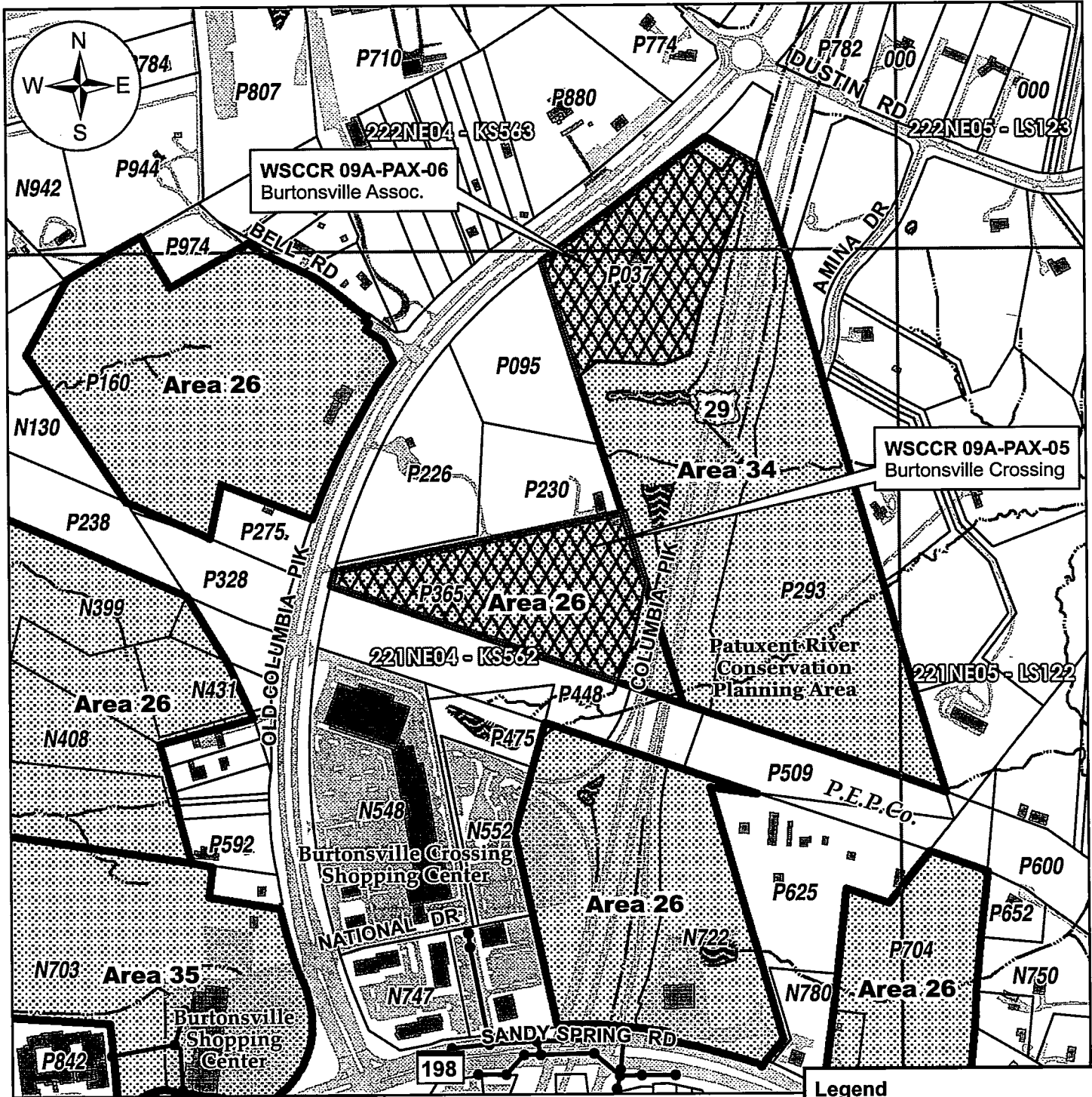


SCALE (Feet)

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

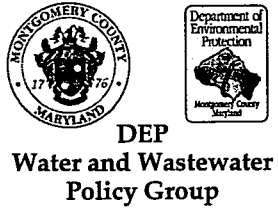
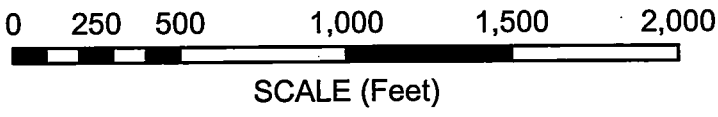


Water/Sewer Service Area Category Change Map: WSSCRs 09A-PAX-05 & -06 -- Fairland Master Plan Recommendations



Legend

- Sewer Manholes
- Low-Pressure Sewer
- WSSC Gravity Sewers
- WSSC Tile Grid
- Streams
- ▨ Subject Sites
- ▤ Master Plan Recommendation Area



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

* If signing as owner's representative, you must state on the Title line the legal capacity in which you are acting, e.g., as attorney-in-fact or trustee, or as president or partner of a corporation, partnership, or LLC. Please note, a contract purchaser may not file a category change application.

2) Property/Site Description and Development:

Address: Columbia Pike, New Birmingham Manor, Map K562
Property's TAX ID # (please provide, if known) 05-272438
Property/Site Size: 11.14 acres Identification: (ie, Parcel #) R365
Location/Closest cross-street: Old Columbia Pike & Route 198
Current Use: vacant Proposed Use: Senior Housing
Subdivision Plan No. & Status _____

(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:

The site is currently vacant. The County has requested that our Senior Housing Project, that was previously submitted to the North, be located closer to the shopping Center.

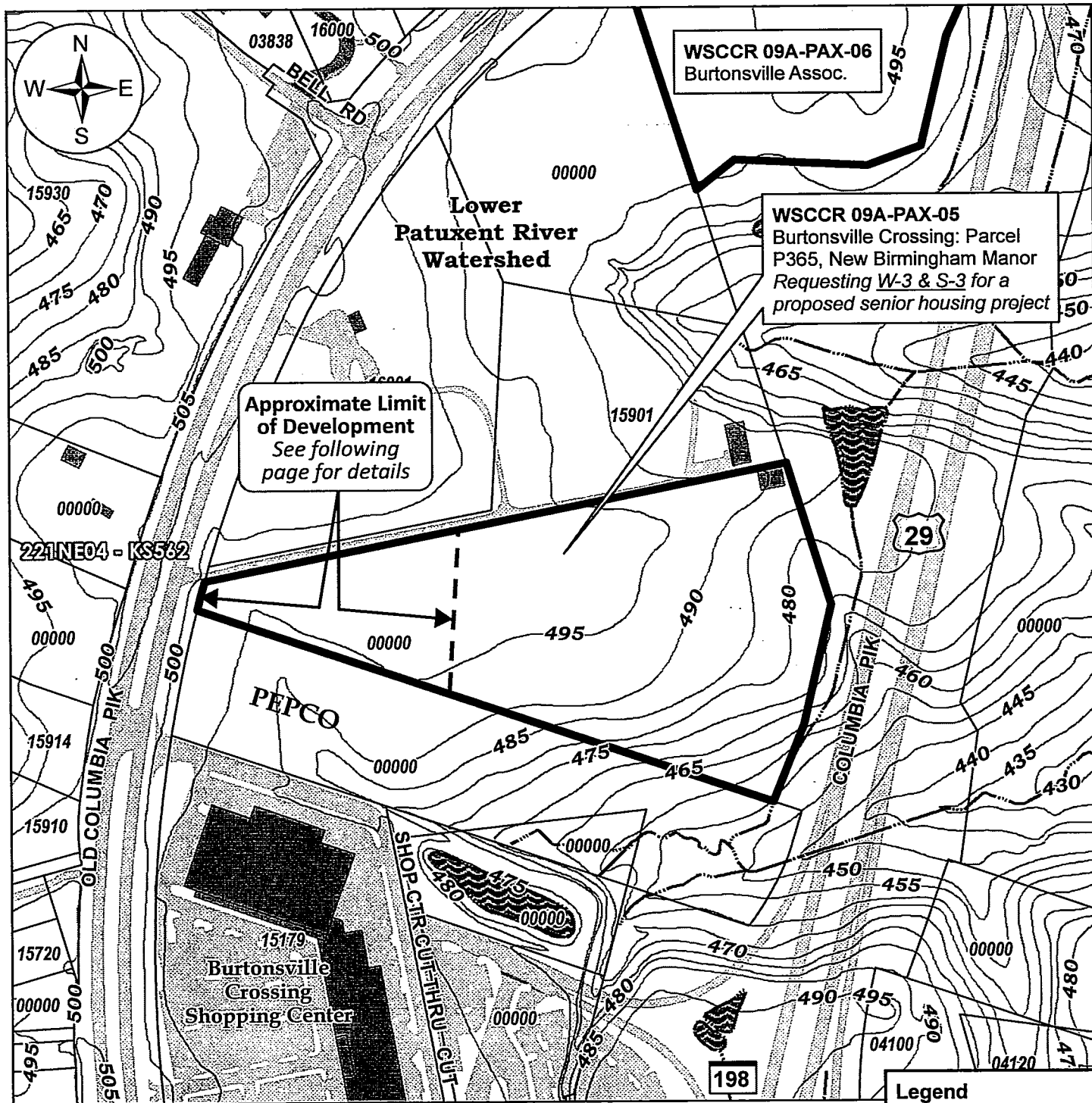
Note: Continue on a separate page, if necessary

DEP Staff Use Only

Receipt Acknowledged: _____ Email OR _____ US Mail

Water 6 Sewer 6
WSSC Tile 221NE04
Tax Map K5562
Plan No.
Process
Master Plan Fairland
Planning Area Patuxent
Zoning RC
Zoning Activity
Watershed Patuxent
CSPS Subwatershed
State Watershed Use Class
GIS File

Water/Sewer Service Area Category Change WSSCRs 09A-PAX-05 (Burtonsville Crossing): Proposed Development Area

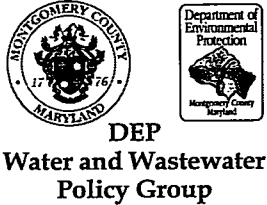
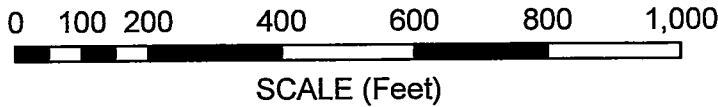


Approximate Limit of Development
See following page for details

WSSCR 09A-PAX-06
Burtonsville Assoc.

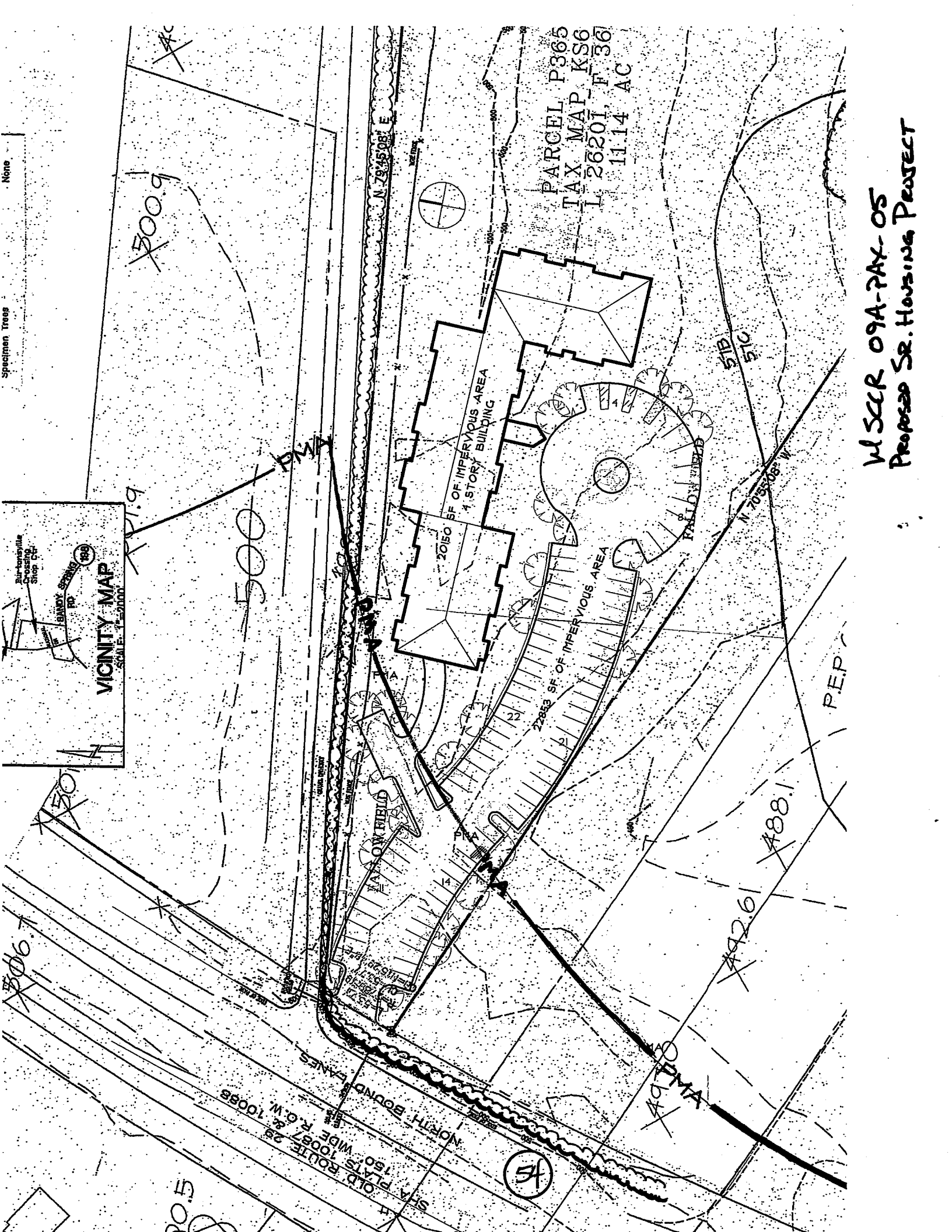
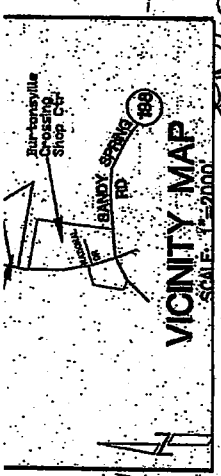
WSSCR 09A-PAX-05
Burtonsville Crossing: Parcel P365, New Birmingham Manor Requesting W-3 & S-3 for a proposed senior housing project

- Legend**
- Sewer Manholes
 - - - Low-Pressure Sewer
 - WSSC Gravity Sewers
 - WSSC Tile Grid
 - Topography (5 ft. c.i.)
 - Streams
 - ▨ Existing Parkland



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

Specimen Trees None



PARCEL P365
TAX MAP KS6
L 26201 F 36
11.14 AC

W SCR 09A-PAY-05
Proposed Sr. Housing Project

corporation, partnership, or LLC. Please note, a contract purchaser may not file a category change application.

2) Property/Site Description and Development:

Address: Columbia Pike, Waters Gift, Map KS62
Property's TAX ID # (please provide, if known) 05-00251083
Property/Site Size: 9.52 acres Identification: (ie, Parcel #) P293
Location/Closest cross-street: Old Columbia Pike & Dustin Road
Current Use: vacant Proposed Use: Church
Subdivision Plan No. & Status _____

(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:

The site is currently being farmed. It is now being developed for use as a place of worship:

New Hope Korean Church, c/o Annie Kim (410-964-0111)
Reaching Hearts International, c/o Pastor Michael Oxentenکو (866-794-3278)
Jain Society of Metropolitan Washington (301-236-4466)

Note: Continue on a separate page, if necessary

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Receipt Acknowledged: _____ Email OR _____ US Mail

Water 6 Sewer 6

WSSC Tile 221 NE04

Tax Map KS 562

Plan No.

Process

Master Plan Fairland

Planning Area Patuxent

Zoning RC

Zoning Activity

Watershed Patuxent

CSPS Subwatershed

State Watershed Use Class

GIS File

CCRFormJuly05.doc

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

County Executive's March 2011 Transmittal Packet

TRAVILAH PLANNING AREA MAP AMENDMENTS

WSSCRs 09A-TRV-02 & -03: Pg. 1

Background – Glen Hills

The following category change requests are for properties located in the Glen Hills area, southwest of Rockville. The 2002 Potomac Subregion Master Plan specifically addresses sewer service recommendations in the Glen Hills area (see pgs. 59-60). 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 either on-site systems or limited sewer service extensions. 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, except only to relieve documented public health problems. Properties otherwise qualifying for sewer service under the Water and Sewer Plan's abutting mains policy are also restricted from sewer approval pending completion of the study.

At present, DEP has placed the Glen Hills septic study on hold, pending work on the following:

- A county-wide evaluation and prioritization of potential health problem areas.
- A 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 adequate long-term operation and maintenance of on-site systems.

DEP will continue to address individual health problems in the Glen Hills area on a case-by-case basis as they are identified by DPS.

WSSCRs 09A-TRV-02 & -03: Ted and Roxanne Smart

County Executive's Recommendation: Deny both requests for S-3; maintain S-6.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification
<ul style="list-style-type: none"> ▪ 13000 Block, Valley Dr., Rockville ▪ <u>-02:</u> Parcel P592, Discover & Younger Brothers; dist & acct no.: 04-00047883 ▪ <u>-03:</u> Parcel P651, Wickham & Pottinger; dist & acct no.: 04-00047894 ▪ Map tile – MD: FR51; WSSC: 217NW09 ▪ Southeast quadrant, intersection of valley Dr. and Cleveland Dr. ▪ Travilah Planning Area Potomac Subregion Master Plan (2002) ▪ Watts Branch Watershed (MDE Use I) ▪ RE-1 Zone; 1.61 & 2.20 acres ▪ <u>Existing use:</u> unimproved ▪ <u>Proposed use:</u> one single-family house on each of two parcels. 	<p><u>Existing – Requested – Service Area Categories</u></p> <p><u>09A-TRV-02</u> W-1 W-1 (no change) S-6 S-3</p> <p><u>09A-TRV-03</u> W-3 W-3 (no change) S-6 S-3</p> <p><u>Applicants Explanation</u></p> <p>"The parcels are exempt from subdivision and public sewer (pressure) is located in Cleveland Dr. Conventional percolation test results have not been successful."</p>

Executive Staff Report: The applicants have requested approval of sewer category S-3 in order to allow the provision of public sewer service to two existing, unimproved parcels in the Glen Hills neighborhoods. The properties are zoned RE-1 and as such are generally ineligible for public sewer service. The 2002 master plan recommendations acknowledge the use of public sewer service to address specific documented health problems in this neighborhood. Although DPS has noted that the parcels are not suited for conventional septic systems, these parcels cannot, as unimproved properties, qualify for service under a health problem policy. The broader issue of an area-wide health problem will need to await a comprehensive septic system study, as recommended in the master plan. (See the preceding background information.) DEP staff cannot find a justification on which to base an approval for category S-3; deny the requests and maintain category S-6.

In rejecting the applicants' proposal to serve these properties from a nearby low-pressure sewer, WSSC's report acknowledges the option of extending a gravity sewer main to serve these and potentially other properties in the

TRAVILAH PLANNING AREA MAP AMENDMENTS

immediate area. That this gravity sewer extension would need to run through a largely wooded tributary valley of Watts Branch raises an increasingly common question addressing the use of gravity versus pressure sewer systems. The results of a comprehensive septic system study will be needed before evaluating the benefits and problems resulting from the proposed use of either a gravity or pressure public sewerage system.

Agency Review Comments

M-NCPPC – Environmental Planning (now Area 3 Planning Team): The 2002 Potomac Subregion Master Plan approved and adopted master plan specifically recommends an interagency study to comprehensively address and recommend sewer solutions for the Glen Hills area. Pending completion of this study, staff recommends denial of these category change requests. Deny S-3.

WSSC - Sewer: An 1,800-foot-long, non-CIP-sized, sewer extension is required to serve the properties. This extension would connect to the 8-inch sewer in Overlea Dr. (contract no. 83-5793A) and would abut approximately 9 properties in addition to the applicant's. Rights-of-way would be required. Construction of this extension may involve the removal of trees. Expected flow: 600 gpd; interceptor and treatment capacity are adequate.

DEP Note: The applicants have proposed an alternate sewer extension which would require an 800-foot low-pressure main extension to an existing 1-1/4-inch pressure sewer along Cleveland Dr. The extension would abut 6 properties in addition to the applicants'. However, WSSC reports that, "An extension to the pressure sewer in Cleveland Dr. would not be approved because there is a feasible gravity alternative."

DPS – Well & Septic: These properties have failed percolation testing and are unsuitable for an onsite waste disposal system.

ADS:ads/

R:\Programs\Water_and_Sewer\Projects\actions-COUNCIL\packets\2011mar\ce-pckt\final\draft-staff-rpt=09a-trv-02-03=final.doc

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.**

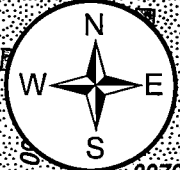
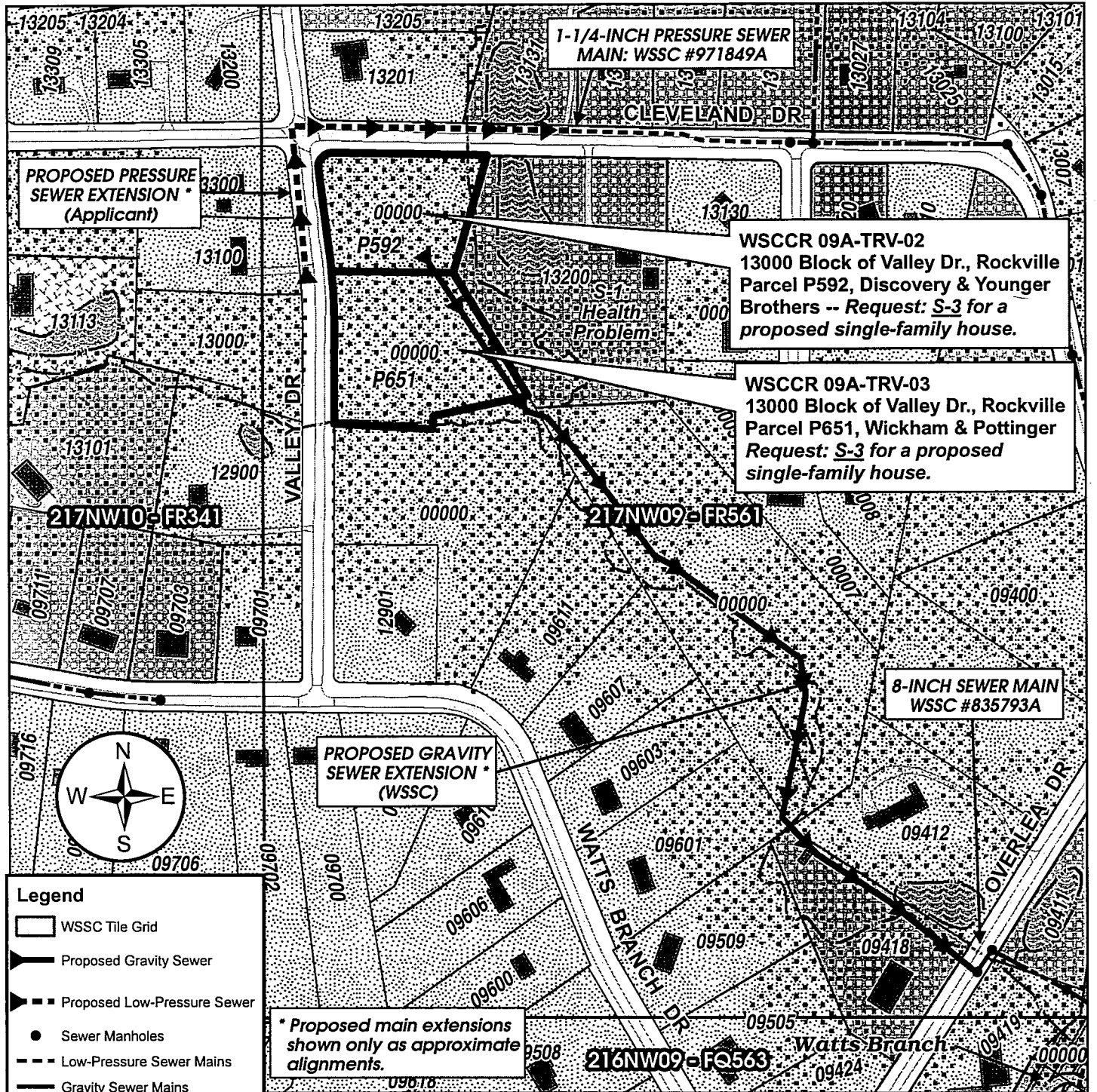
Piney Branch Subwatershed

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



Sewer Service Area Categories Map

WSSCR 09A-TRV-02 & -03 (Ted & Roxanne Smart)



Legend

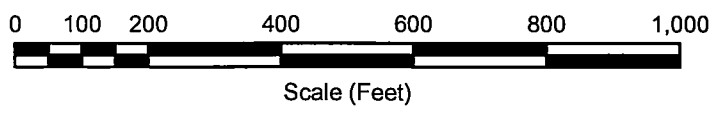
- WSSC Tile Grid
- Proposed Gravity Sewer
- Proposed Low-Pressure Sewer
- Sewer Manholes
- Low-Pressure Sewer Mains
- Gravity Sewer Mains
- Existing Parkland
- Woodlands

Sewer Categories

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

** Proposed main extensions shown only as approximate alignments.*

Travilah Planning Area Watts Br. Watershed



Montgomery County, Maryland
2011 Draft Comprehensive Water Supply and Sewerage Systems Plan

DEP
Water and Wastewater Policy Group

2) Property/Site Description and Development:

Address Valley Drive, Rockville, MD 20850 – Cleveland Drive is nearest cross street
Property's TAX ID # (please provide, if known) _____
Property/Site Size 1.61 acres Identification (ie, Parcel #) P592
Location/Closest cross-street Valley Drive at intersection of Cleveland Drive
Current Use Vacant Proposed Use Residence
Subdivision Plan No. & Status N/A

(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 -1 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:

The parcels are exempt from subdivision and public sewer (pressure) is located in Cleveland Drive. Conventional percolation test results have not been successful.

Note: Continue on a separate page, if necessary

DEP Staff Use Only

Receipt Acknowledged: _____ Email OR _____ US Mail

Water _____ Sewer ✓
WSSC Tile Z17NW09
Tax Map FR561
Plan No. -
Process COUNCIL
Master Plan POTOMAC (2002)
Planning Area TRAVILAH
Zoning RE-1
Zoning Activity -
Watershed WATB BR
CSPS Subwatershed _____
State Watershed Use Class I
GIS File _____

2) Property/Site Description and Development:

Address Valley Drive, Rockville, MD 20850 – Cleveland Drive is nearest cross street
Property's TAX ID # (please provide, if known) _____
Property/Site Size 2.2 acres Identification (ie, Parcel #) P651
Location/Closest cross-street Valley Drive at intersection of Cleveland Drive
Current Use Vacant Proposed Use Residence
Subdivision Plan No. & Status N/A

(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 -1 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:

The parcels are exempt from subdivision and public sewer (pressure) is located in Cleveland Drive. Conventional percolation test results have not been successful.

Note: Continue on a separate page, if necessary

DEP Staff Use Only

Receipt Acknowledged: _____ Email OR _____ US Mail

Water _____ Sewer
WSSC Tile Z17NW09
Tax Map FR561
Plan No. _____
Process COUNCIL
Master Plan POTOMAC (2002)
Planning Area TRAVILAN
Zoning RE-1
Zoning Activity _____
Watershed WATS BR.
CSPS Subwatershed _____
State Watershed Use Class I
GIS File _____



WSSCRs 09A-TRV-02
-03

RECEIVED

OCT 07 2009

Environmental
Protection

October 7, 2009

Montgomery County
Department of Environmental Protection
255 Rockville Pike
Suite 120
Rockville, MD 20850-4166

Attn: Mr. Alan Soukup

Re: WSSCR 09A-TRV-02 & 09A-TRV-03

Dear Alan,

Pursuant to our telephone conversation, I am writing you to request that the referenced sewer category change applications be further deferred until the Spring 2010 first package to the County Council for their review and later public hearing. This last deferral request represents an approximate one year deferral and I do not see any reason why this would be a problem or some kind of burden on the county.

Although the Glen Hills septic study is way later than county residents were told, it was to be accomplished and now may never happen and the county 3 year sewer plan hasn't been updated in 6 years, neither are reasons for my request for deferral. As I explained on our call, the last two years have been extremely tough on our business. All our companies have filed for chapter 11 protection and we have struggled just to survive. It is likely I have developed and built on our last lots ever in Montgomery County and our family business of over 40 years will be completely wiped out. I've been focused solely on surviving and watching out for my family's interest with little time to pursue the sewer category changes as I intended

The main reason for the deferral request is to continue collecting data, understanding the issues and to meet with not only county agency personnel, local residents and interested parties, but county council members as well. I have yet to obtain all of the information we would like from the county health department and WSSC. I need time to put together some exhibits and then I may be fully informed and prepared to meet with the power that be. I should not be denied my rights to pursue the issue in this manner, even if it takes a little longer than is customary.

If you still find reason to deny my request for a deferral, as an alternative or compromise, I would agree to withdrawal my applications conditioned upon waiver of the application fees we have paid at upon a re-application within 18 months or an immediate refund of those fees upon withdrawal.

I thank you in advance for your fair consideration.

Sincerely,

Ted N. Smart
President

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COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

County Executive's March 2011 Transmittal Packet

TRAVILAH PLANNING AREA MAP AMENDMENTS

WSCCR 11A-TRV-01: Pg. 1

Background – Glen Hills & Piney Branch Watershed

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 pgs. 59-60). 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 either on-site systems or limited sewer service extensions. 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, except only to relieve documented public health problems. Properties otherwise qualifying for sewer service under the Water and Sewer Plan's abutting mains policy are also restricted from sewer approval pending completion of the study.

At present, DEP has placed the Glen Hills septic study on hold, pending work on the following:

- A county-wide evaluation and prioritization of potential health problem areas.
- A 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 adequate long-term operation and maintenance of on-site systems.

DEP will continue to address individual health problems in the Glen Hills area on a case-by-case basis as they are identified by DPS.

The request is also located within the Piney Branch Subwatershed of Watts Branch, where the Water and Sewer Plan also restricts the provision of public sewer service to properties that qualify under one of six conditions (see pgs. 67-68).

WSCCRs 11A-TRV-01: Christopher & Christina Marshall

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

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> ▪ 12805 Spring Dr., Rockville ▪ Property ID: Lot 22, Block 2, Sect. 3, Glen Hills; district 04, acct. no.00078632 ▪ Map tile: WSSC – 217NW10; MD – FR41 ▪ East side of Spring Dr., north of Circle Dr. ▪ RE-1 Zone; 44,802 sq.ft. (1.03 ac.) ▪ Potomac Subregion Master Plan (2002) ▪ Watts Branch Watershed (MDE Use I), Piney Branch subwatershed (Mont. Co. SPA) ▪ <u>Existing use:</u> 1 single-family house (built 1964) ▪ <u>Proposed use:</u> same 	<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%;">Existing –</td> <td style="border-bottom: 1px solid black; width: 50%;">Requested –</td> <td style="border-bottom: 1px solid black;">Service Area Categories</td> </tr> <tr> <td>W-1</td> <td>W-1 (no change)</td> <td></td> </tr> <tr> <td>S-6</td> <td>S-1</td> <td></td> </tr> </table> <p><u>Applicant's Explanation</u></p> <p>"Our house (12805 Spring Dr.) was purchased on March 29, 2010. As part of the purchase, the septic system was pumped, inspected and approved. Within a few weeks we began to smell odors in several places on the property. Using the information left behind by the previous owner we called the two former septic companies that have done work on the property. This led us to contact the county for the property's background and history.</p> <p><i>(continues below)</i></p> <p>"We have learned that the previous owner has an extensive history of trying to make septic work on a property that is not well suited for septic. In short, our water table is high, and consequently, our septic field has to be dug shallow and cast wide so that they must cover much of our property. We have been informed that our septic system is minimally adequate and when it fails we will need to hook up to public sewer.</p> <p>"As a family with two young children (5 and 7 years old), it would be a mistake for us to wait for this kind of emergent situation to act. We understand that septic systems are most likely to fail in weather that is not conducive to the extensive plumbing work that would be required for us to connect. Additionally, we do not want to worry about these odors as our children run freely about in their new yard.</p> <p>"We respectfully request that the council consider acting proactively for our case and approve our request to connect to public sewer. Our neighbors on either side are connected to public sewer and we have been informed that the sewer line is available in front of our house."</p>	Existing –	Requested –	Service Area Categories	W-1	W-1 (no change)		S-6	S-1	
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WSSCC 11A-TRV-01: Pg. 2

Executive Staff Report: The applicants have requested approval of sewer category S-1 in order to allow the provision of public sewer service to the existing single-family house at this location. The property is zoned RE-1 and as such is generally ineligible for public sewer service. The 2002 master plan recommendations acknowledge the use of public sewer service to address documented health problems in this neighborhood. DPS has noted general problems for septic system suitability in this area, and believe that providing a connection to public sewer service now will prevent a future public health problem. However, they have not confirmed an existing public health problem. The Glen Hills sewer service restrictions supersede the application of the abutting mains policy for this property, which would ordinarily allow for a single sewer hookup from the abutting main along Spring Dr. (This would also have applied under the Piney Branch restricted sewer access policy.) Between the service restrictions imposed by both the Glen Hills and Piney Branch sewer policies (see the preceding background information), DEP staff cannot justify an approval for category S-1; deny the request and maintain category S-6.

Agency Review Comments

M-NCPPC – Environmental Planning (now Area 3 Planning Team): 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 within the Piney Branch watershed is for failing systems that are considered public health problems. There is no documented health problem with this property. Pending completion of the Glen Hills study, staff recommends denial of this category change request. Recommendation: Deny S-3

M-NCPPC – Parks Planning: No existing Park impact.

WSSC - Sewer: An 8-inch sewer line in Spring Dr. abuts the property (contract no. 04-3976X). Average wastewater flow from the existing unit: 302 GPD. Program-sized sewer mains are not required to serve the property. Interceptor and treatment capacity are adequate.

DPS – Well & Septic: The area is well known as a “shallow groundwater” area; and the present septic system was “pumped” to the highest portion of the lot - allowing no area for future replacement. Properties to either side already have sewer service[*] and the connection of this house will only serve to eliminate a certain public health issue in the future. We support the connection.

**DEP Note – Clarification of DPS Comments:* According to WSSC permit records, the adjacent property at 12801 Spring Dr. is not served by public sewer.

ADS:ads/

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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.

(Referenced abutting mains policy follows on the next page)

Referenced Abutting Mains Policy (Chapter 1, Section II.E.3.a.)

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

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

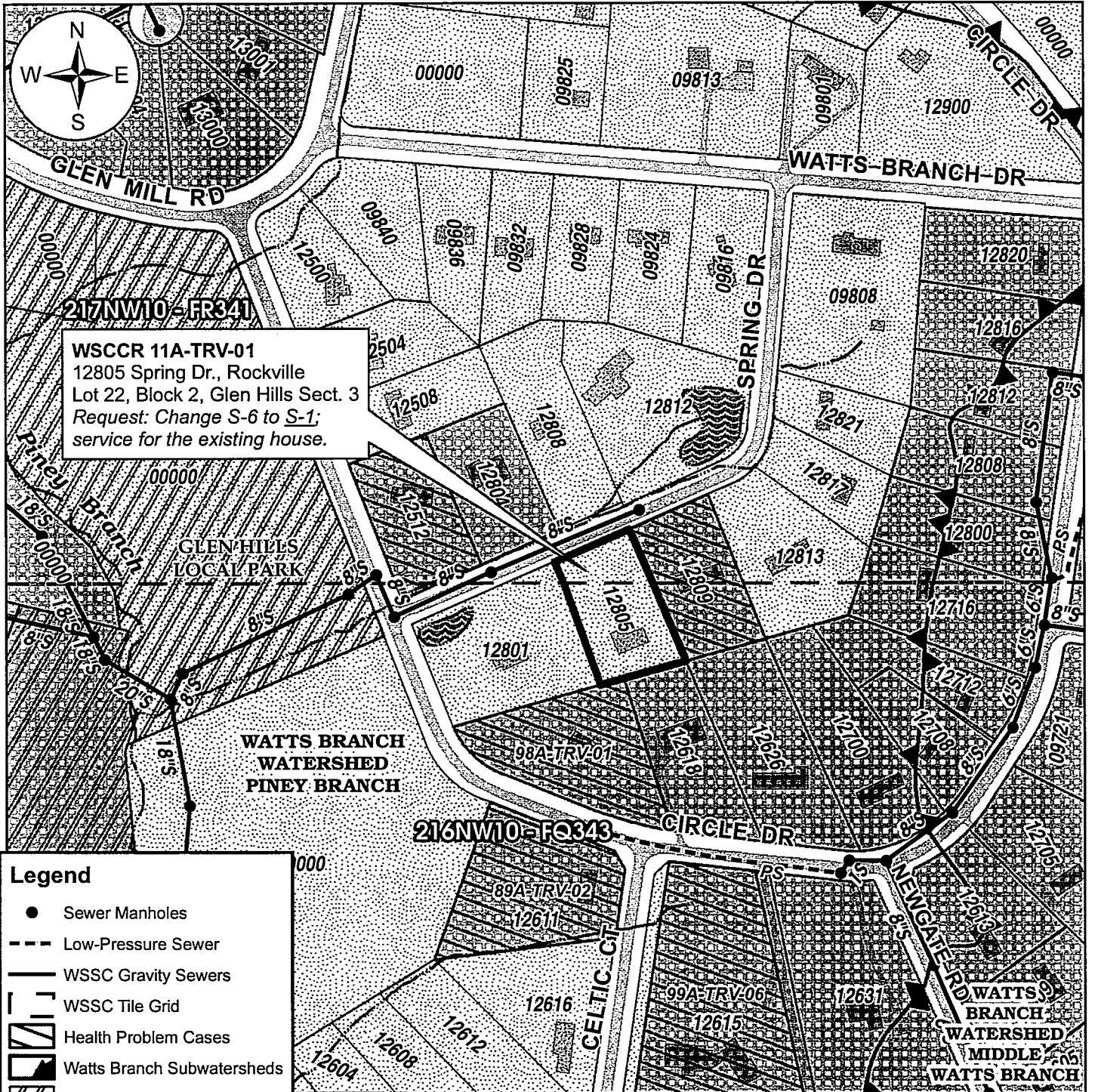
This policy may be used in cases where a property is not otherwise eligible for such service under the general policies of this Plan. Under this policy, the provision of community service is allowed under the following circumstances:

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

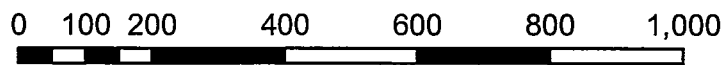
DEP may direct WSSC to provide an allowed single, residential water and/or sewer hookup upon 1) staff confirmation that the property qualifies for service under this policy, and 2) DEP's receipt a category change request for the property. Only in such cases may DEP approve service from an abutting main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

Sewer Service Area Categories Map

WSSCR 11A-TRV-01 (Christopher & Christina Marshall)

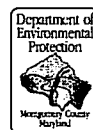


Travilah Planning Area



SCALE (Feet)

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



DEP
 Water and Wastewater
 Policy Group

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Property's TAX ID # (please provide, if known) 00078532
Property/Site Size 44802 ft² Identification (ie, Parcel #) Sec 3 Glen Hills,
subdivision 6, Block 2, Lot 22
Location/Closest cross-street Circle Drive
Current Use Single Family House Proposed Use No change

Subdivision Plan No. & Status

(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-___ Requested Water Category: W-___ OR No Change X Multi-Use Shared
Current Sewer Category: S-6 Requested Sewer Category: S-1 OR No Change Multi-Use Shared

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

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As a family with two young children (5 and 7 years old), it would be a mistake for us to wait for this kind of emergent situation to act. We understand that septic systems are most likely to fail in weather that is not conducive to the extensive plumbing work that would be required for us to connect. Additionally, we do not want to worry about these odors as our children run freely about in their new yard.

We respectfully request that the council consider acting proactively for our case and approve our request to connect to public sewer. Our neighbors on either side are connected to public sewer and we have been informed that the sewer line is available in front of our house.

DEP Staff Use Only

Receipt Acknowledged: _____ Email OR _____ US Mail
Water Sewer
WSSC Tile 217NW10
Tax Map FR41
Plan No. -
Process COUNCIL
Master Plan POTOMAC (2002)
Planning Area TRAVILAH
Zoning RE-1
Zoning Activity -
Watershed WATTS BR - PINNEY BR.
CSPS Subwatershed
State Watershed Use Class I (SPA)
GIS File
CCRFFormJuly05.doc