



**Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan  
April 2012 County Council Group**

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**Completed: 05/25/12**

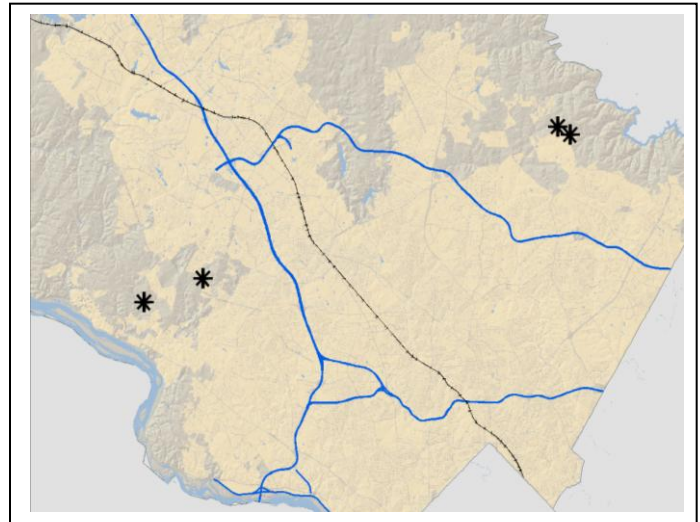
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### Description

Council Sewer and Water Category Change Requests are:

- Referred to the Planning Board for a determination of consistency with relevant master and sector plans with recommendations to the County Council for final action.

The accompanying map shows the existing sewer envelope in tan. The properties requesting to be served are shown as asterisks. More detailed information on zoning, existing and proposed uses, and recommendations of other agencies are shown in the attached packet from the County Executive.



### Summary

The Planning Board is required by State law to make a Master Plan determination for consistency on each case. Staff has found that all four cases are not supported by their respective Master Plans and recommends denial of sewer service:

- 11A – TRV-06: Getachew and Wubet
- 11A-TRV-08 Kapoor
- 11A-TRV-06 Glenstone Foundation
- 11A-CLO-01: Shri Mangal Madir

## Category Change Requests

### **11A-PAX-01: Getachew & Wubet (Circle 9 of the attachment)**

#### **Requests a change from S-6 to S-1**

This two acre, RC-zoned property is located in the Patuxent River watershed. This outlot could not obtain a successful septic test when it was platted in 1974 and has remained vacant since that time.

The 1997 Cloverly Master Plan states on page 91 that “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 River watershed in order to control water quality in the reservoir.” Because the Master Plan recommends no sewer service to any uses in the Patuxent River watershed staff finds this application inconsistent with the Cloverly Master Plan.

Sewer Category Recommendation: Deny S-3

### **11A-TRV-08: Kapoor (Circle 36 of the attachment)**

#### **Requests a change from S-6 to S-3**

This 2-acre, RE-1 zoned property is outside the Potomac Master Plan sewer service envelope and it is within the Piney Branch Special Protection Area. The 2002 Potomac Master Plan confirms the Piney Branch restricted sewer access policy in the Montgomery County Comprehensive Water Supply and Sewerage System Plan. This property does not meet six specific service condition within that policy (Circle x of the attachment) and is therefore excluded from public sewer service.

Sewer Category Recommendation: Deny S-3

### **11A-TRV-06: Glenstone Foundation (Circle 12 of the attachment)**

#### **Requests a change from S-6 to S-3**

#### Recommendation

The category change application should be denied as inconsistent with the 2002 Potomac Subregion Master Plan and contrary to the land use and environmental considerations that are integral to the Plan as a whole. The proposed new museum does not meet the PIF approval threshold, and the applicant has not demonstrated the need for sewer for the existing museum.

#### Background

Glenstone constitutes five contiguous properties and an area of 127 acres on the south side of Glen Road, a designated rustic road in the Potomac Subregion. All five properties are outside the approved sewer service envelope within the Potomac Subregion Master Plan (See Attachment 2). The applicant seeks approval for public sewer service under the Water Supply and Sewerage Systems Plan’s private

institutional facility (PIF) policy, and proposes construction of a 3,000-foot pressure sewer to serve a non-profit museum building. The extension is proposed to cross the Greenbriar Branch stream valley and floodplain.

This section of the staff report addresses the following three items:

1. Master Plan sewer service policies in Potomac
2. An explanation of the County Council's sewer service policy for Private Institutional Facilities (PIFs) and its relationship to this case
3. Conclusion

#### Sewer Service Policies in Potomac- Historical Perspective (From the 1980 Potomac Master Plan)

The area covered by the Potomac Subregion Master Plan has a long and complex history regarding the provision of public sewer. In order to fully understand the present policies guiding sewer service, it is essential to understand the underlying philosophy and actions of past Montgomery County Councils.

In the 1970's, the philosophy changed from one of supporting continued unlimited expansion of sewer service, to the withdrawal of service in the major portions of the Muddy, Watts and Rock Run Basin. In 1971, the Montgomery County Council, through their regulatory authority in the Water Supply and Sewerage Systems Plan, designated certain areas in these basins as ineligible for sewer service. These basins were interwoven with sewer trunks, but mains and lateral service were not available to development unless a public health problem was identified by the County's Department of Environmental Protection, or whenever the County Council found other compelling reasons to exempt specific properties from the general withholding of service to an area.

In 1980, the Potomac Subregion Master Plan established many of the zoning densities that were confirmed with the adoption of the 2002 Plan update. For the residential properties generally between Piney Meetinghouse Road and Travilah Road, south of Boswell Lane and continuing south to River Road, the 1980 Plan envisioned this area as a low density residential wedge in which the applied zoning would better protect the natural environment by minimizing the negative effects of development to the streams and natural ecosystem. The rationale was that these zoning densities would follow the General Plan and protect the environment, even with the provision of sewer to selected areas. (Sewers typically increase unit yield beyond that which can be achieved with septic systems).

The 2002 Potomac Subregion Master Plan referenced the sewer policies of the 1980 Potomac Master Plan. The 2002 Plan acknowledged that the extension of sewer service to low density residential zones (RE-1 and RE-2) was a deliberate goal of the 1980 Plan to "...take maximize advantage of the allowable density in lower density zones (RE-1 and RE-2) where it was appropriate". (p.22) The 1980 Plan established a "logical, economical and environmentally acceptable test" to evaluate individual sewer category changes on a case by case basis. The extension of sewer service into these low density zones was acknowledged to be contrary to the general sewer extension policies of the Comprehensive Water Supply and Sewerage Systems Plan.

The 2002 Plan stated "A comprehensive evaluation indicates that providing community sewer service to areas zoned for one and two acre development, and contrary to smart growth policies, has undermined the environmental emphasis of zoning areas for low density development, especially where septic suitability is marginal" (p.22). The sewer policy in the 1980 Plan resulted in environmental damage to

the local stream systems. The damage resulted from the physical construction, maintenance and repair of sewer lines, (running parallel to and across streams), from increased densities and impervious areas, and the tendency for sewer lines to leak and to contaminate streams and groundwater.

The 2002 Plan recognized the deleterious impacts of the former Plan's sewer extension policies and sought to align itself more with the sewer service policies in the Comprehensive Water Supply and Sewerage Systems Plan. The current Plan significantly curtails extensions of sewer outside the service area (envelope) and established a "peripheral service policy." The peripheral sewer policy eliminated the "logical, economical and environmentally acceptable test" and applied a more restrictive test to a more limited area within the master plan area.

The peripheral service policy allows limited sewer service outside the sewer envelope to properties zoned RE-1 and RE-2 but the focus is for properties, "which abut existing or proposed mains" and "on properties which can be served by sewer extensions within public rights-of-way." The policy also states that, "Main extensions that would disrupt streams and their undisturbed buffers should be avoided." (See page 23, Potomac MP)

On page 23 of the 2002 Potomac Subregion Master Plan, the plan makes specific sewer recommendations. Two of the four recommendations apply to the area zoned RE-2 between Piney Meetinghouse Road and Travilah Road and are as follows:

- *Provide community sewer service in the Subregion generally in conformance with the 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 sewer service envelope. 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 in page 24, which will evaluate whether this exclusion should continue in the future). Emphasize the construction of sewer extension, if needed, along roads rather than through stream valleys.*

The first bullet above provides a general exclusion of continued sewer service to RE-1 and RE-2 zoned properties. The second bullet establishes the peripheral service policy for RE-1 and RE-2 zoned properties but specifically excludes from this policy certain areas defined within the Master Plan. The peripheral service policy applies directly to the property under discussion.

The objective of the peripheral policy was to curtail the large-scale expansion of the sewer envelope that occurred over the previous 20 years. The policy sets criteria for which extensions of mains can be considered both within the prescribed sewer envelope but also to properties "at the periphery" of the envelope. The language preceding the bulleted recommendations in the Plans stipulates that the policy be applied with a "focus" on properties that already abut existing or proposed sewer mains, that can be constructed within public rights-of-way and avoid disruption to streams and their undisturbed buffers.

### Private Institutional Facilities (PIFs)

The following discussion cites *Bethel World Outreach Council v. Montgomery County, Maryland*, Court of Special Appeals of Maryland, September Term 2007, No. 03082. This particular PIF applied for public sewer service in an area specifically excluded for such by a local area Master Plan (The Preservation of Agriculture and Open Space, 1980). The application included a request for a “limited access sewer.” (Glenstone’s application is for a single, user-dedicated pressure sewer extension.)

In 2001, an application for public sewer by Bethel in the RDT Zone in an area categorized as S-6 prompted the County Council to review certain provisions in the Sewerage Systems Plan known, collectively, as the Private Institutional Facilities (PIF) policy. The Plan defines PIFs as “buildings constructed for an organization which qualifies for a federal tax exemption under the provisions of Section 5012 of the U.S. Code (Internal Revenue Service).” PIFs include churches, schools and museums. Of particular concern to the County was the proliferation of large PIFs, “outside of the acknowledged water and/or sewer envelope.”

In 2003, the Council formed an interagency working group to study the issue. As noted by Council staff, one of the key concerns of the working group and the M-NCPPC was the “large impervious area that results from PIF approvals.” (Staff notes that the Glenstone proposal is not a typical PIF application and the proposed maximum impervious surface is 15 percent).

In January 2005, the Council formed another working group (the PIF Working Group) that further studied the PIF issue. The PIF Working Group presented a report, dated August 29, 2005, to the Council. The Group reiterated the Planning Board’s “concerns regarding the PIF Policy... and the fact that this policy allows for more intense developments of large lot zoned properties than was envisioned in area Master Plan.” Council staff noted that the State of Maryland had advised that it may deny future water and sewer plan amendments that were not consistent with the Master Plan. The PIF Working Group noted that PIFs “tend to be much more intense developments” that create greater impervious area, and that “Increased impervious area correlates to lower water quality.” They also observed that the “extension of sewer to serve a property can lead to future pressure to hookup additional properties causing additional environmental impacts.”

On November 29, 2005, with the adoption of Resolution No. 15-1234, the Council amended the Sewerage Systems Plan, in part, to state:

“For existing PIF uses, service area category amendments may be approved for sites only where required 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 where required sewer main extensions will abut only properties which are otherwise eligible for community service under the general policies of this plan.”

(Glenstone has an existing museum on one lot and proposes a new museum on an adjacent lot. For the existing museum, the proposed sewer extension would not threaten to open undeveloped land to development. For the new museum, on an adjacent property, the proposed sewer extension does not abut properties eligible for community service).

On November 29, 2005, the Council denied Bethel's application for water and sewer service. Bethel argued that the Council could not, under the Water Supply and Sewerage Systems Plan, consider Master Plan recommendations or traffic impacts when reviewing an application for a category change. The Court of Special Appeals found that argument to be directly and unequivocally refuted by the plain language of the Plan. The Court found that that the Council had substantial justification to deny the application. "The (Water Supply and Sewerage Systems) Plan incorporates the Master Plan which recommends against the extension of public sewer."

The Council renders decisions on applications initiated by private property owners within the context of the Water Supply and Sewerage Systems Plan. The Court of Appeals has determined that "all amendments to a Master Water and Sewer Plan are, by definition, comprehensive planning actions." *Appleton v. Cecil County*, 404 Md. 92, 104, 945 A.2d 648, 655 (2008). A water and sewer service plan has "a broad or comprehensive land use planning basis." *Id.* (quoting *Gregory v. Board of County Commissioners of Frederick County*, 89 Md. App. 635, 640, 599 A.2d 469, 472 (1991)). A "legislative body's focus" in such a planning action:

Is not on a single piece of property, but rather on a considerable number of properties as they relate to each other and to the surrounding area.... These are not adjudicative determinations affecting one property owned by one person, but instead are classically legislative determinations designed to affect local and regional needs and all property owners within the planning area. *Gregory*. 89 Md. App. At 640-641, 599 A.2d at 472 (internal citations omitted).

The *Gregory* court noted that the "adoption of a particular amendment to the plan cannot be isolated from the context of the plan as a whole." 89 Md. App at 643-644, 599 A. 2d at 473. The *Gregory* court was "unable to conceive of a situation in which the adoption of an amendment to a county's water and sewerage plan would lack a comprehensive planning basis."

In the Bethel case, the Court of Special Appeals stated that "The Council acted consistently with the Master Plan (which recommends against public sewer extensions in the RDT Zone) and in furtherance of the land use and environmental considerations that are integral to the Plan."

If this is true for the public sewer service restrictions in The Preservation of Agriculture and Open Space Master Plan of 1980, it is equally true of the public sewer service restrictions in the Potomac Subregion Master Plan of 2002.

### Conclusion

The Potomac Subregion Master Plan is a comprehensive plan, based on a detailed 2-year environmental inventory study, with sewer service policies and recommendations decided in advance of zoning and land use policies. The Master Plan identified one of the greatest challenges facing the Potomac Subregion to be the development of sewer service recommendations to protect the Subregion's environmental quality and water resources.

The Glenstone Property is 127 acres in area, and would therefore constitute a very significant island intrusion into the area outside the sewer service envelope. The applicant has also acquired the entire Three Sisters subdivision, (8 developed lots) and an additional 7 undeveloped lots in the abutting Stoney Creek Farms subdivision. The applicant has thus assembled a contiguous area of 203.88 acres, with

access from two rustic roads (Glen Road and Stoney Creek Road). The purpose in acquiring the additional acres is unclear, as the furthest lot is well over a half mile away from the present museum. The additional acreage is not part of the current application, but there is nothing to prevent multiple future applications based on additional museum buildings.

The applicant proposes that a pressure sewer extension cross a stream valley and floodplain. The Applicant's engineers have proposed several methods to minimize risk and to rapid resolve any leakage (P35, Executive packet). They do not rule out the possibility of a pipe leakage and the prospect of raw sewage leaking into the stream, and ending up in the Watts Branch, flowing into the Potomac just upstream of the WSSC water intake.

The 382-mile long Potomac, classed as a Heritage River, provides water for 4 million people in Maryland, Virginia, and the District of Columbia. It used to be so polluted that it was once called "a national disgrace." Thanks in large part to the Clean Water Act, water quality has dramatically improved. But according to a report released by American Rivers on May 15, 2012, the Potomac is now threatened by polluted rainwater -- wastewater overflowing from sewers and agricultural waste, and is one of the nation's most endangered rivers.

The adopted sewer service policy in the Potomac Master Plan set three criteria for which extensions of mains could be considered within the sewer envelope but also to properties "at the periphery," i.e., the provision of service would be considered if:

1. Properties abutted existing or proposed sewer mains
2. Mains could be constructed within public rights-of-way, and;
3. Mains avoided disruption to streams and their undisturbed buffers.

Glenstone meets none of these criteria.

The objective of the peripheral policy was to curtail the large-scale expansion of the sewer envelope that occurred over the previous 20 years. The applicant has not demonstrated the need for public sewer. Construction of a new museum building on 127 acres would not be precluded by the use of a maximum 6 acres for septic fields.

The Ten Year Comprehensive Water Supply and Sewerage Systems Plan approved by the Maryland Department of the Environment, and the Potomac Subregion Master Plan are in agreement that the Glenstone property is not intended to be served by public sewer. (Category S-6)

The Council's PIF policy states that for existing PIF uses, service area category amendments may be approved for sites only where required sewer main extensions do not threaten to open undeveloped land to development contrary to the intent of the relevant local area Master Plan. For the existing Glenstone museum, an extension would not threaten undeveloped land.

However, the Council's PIF policy also states that for new PIF uses, service area category amendments may be approved for sites where required sewer main extensions will abut only properties which are otherwise eligible for community service under the general policies of this plan. Glenstone's new museum does not meet this threshold for approval. The abutting properties are not eligible for community service.

Staff believes that the Bethel case offers guidance where a PIF application is at odds with the underlying Master Plan recommendations. The proposed new museum does not meet the PIF approval threshold, and the applicant has not demonstrated the need for sewer for the existing museum. In order to be consistent with the Potomac Subregion Master Plan and in furtherance of the land use and environmental considerations that are integral to the Plan as a whole, the category change application should be denied.

Sewer Category Recommendation: Deny S-3

**11A-CLO-01: Shri Mangal Mandir (Circle 1 of the attachment)  
Requests a change from S-6 to S-3**

Master Plan Recommendation

This 16.5 acre, RE-2 zoned property is outside the 1998 Sandy Spring/Ashton Master Plan designated sewer envelope. The Master Plan recommends on page 83 that community service be provided consistent with the Water Supply and Sewerage Systems Plan, which does not recommend extension of sewer to densities of less than ½ acre. The Master Plan recommends extension of sewer to only three other types of development:

- RNC zoned properties using the optional method
- Properties within the Rural Village Overlay Zone
- Properties with demonstrated health problems

This request does not meet these criteria.

In addition, the plan states on page 85, “wherever possible, sewer main alignments should be carefully planned, selected and constructed to minimize stream crossings and disturbance to stream buffers, and to avoid wetlands and other natural resources.” The first proposed WSSC sewer extension alignment for this site extends 4,500 feet along a forested stream valley. The second would cross existing forest conservation easements on Montgomery County Revenue Authority land.

With regard to the PIF policy discussed in the Glenstone Foundation application, it states that “for new or relocating uses, service area category amendments may be approved for sites . . . 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.” Since both of the proposed WSSC sewer alignments will bring sewer lines past undeveloped properties, the property is not eligible for the Private Institutional Facility (PIF) policy contained in the Water Supply and Sewerage Systems Plan.

Background

The Shri Mangal Mandir Temple has been located just north of the subject property since the late 1980's. With this category change request, the applicant seeks to build a new congregation center near the corner of Ednor and New Hampshire Avenue (see circle 7 & 8). Planning staff are currently reviewing a forest conservation plan associated with a sediment control plan. This plan proposes the construction of a parking lot and playground. The parking lot is connected to and will serve the existing temple site. The new congregation center will take the place of the playground if sewer service can be obtained. A preliminary plan would be required prior issuance of a building permit to construct the new center.

Sewer Category Recommendation: Deny S-3



**CONCLUSION**

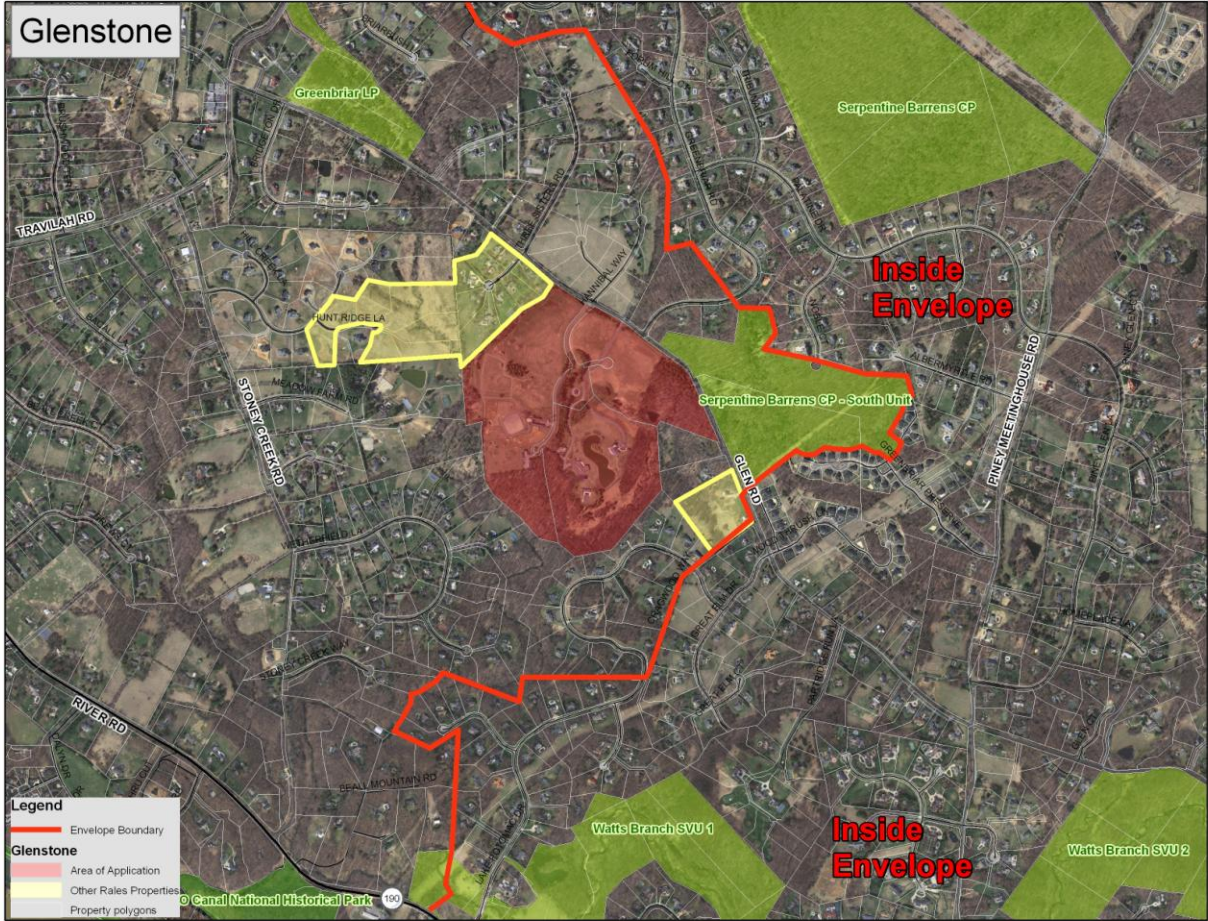
Staff recommends denial of these four sewer and water category change requests.

**NEXT STEPS**

The Planning Board's recommendations will be transmitted to County Council during a public hearing on June 21, 2012. The County Council T&E Committee will subsequently discuss these cases before bringing them to the full Council for final decision.

Attachments

Attachment 1






OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

MEMORANDUM

April 24, 2012

TO: Roger Berliner, 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 four 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 four 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 cases, which both involve proposals for private institutional facilities (PIFs), will likely generate significant public testimony and worksession discussions.

**Shri Mangal Mandir Religious Educational and Charitable Trust**

In the case of **WSSCR 11A-CLO-01 (Shri Mangal Mandir Trust)**, the applicant has requested a category change to allow the extension of public sewer service for the expansion of facilities for the existing Shri Mangal Madir Temple. The site is located at 17110 New Hampshire Avenue, Cloverly. The proposal includes the construction of a new congregation community building and additional parking for the new building and the existing temple. Because the site is located outside the recommended public sewer envelope, the applicant is seeking the approval for public sewer service under the Water and Sewer Plan's PIF policy.

The applicant has demonstrated that this project can satisfy the PIF policy requirements for the extension and provision of public sewer service. That service will be restricted to the PIF user's specific development proposal only. The level of impervious area proposed, while greater than might occur with a residential development, is consistent with the Council's approach to projects located outside the Patuxent River watershed. The request is recommended for conditional approval pending confirmation

Roger Berliner  
April 24, 2012  
Page 2

by the Planning Board that the formal development plan is in conformance with the proposals presented to the Executive staff and the County Council.

### **Glenstone Foundation Art Museum**

**WSCCR 11A-TRV-06 (The Glenstone Foundation)** proposes the extension of public sewer service to serve the planned expansion of an art museum located on Glen Road in Potomac. The existing museum is currently served by a septic system; however, a second, larger facility is planned. Both buildings would be connected to the public sewerage system by a single, user-dedicated pressure sewer extension. This site is also located outside the recommended public sewer envelope, and the applicant is seeking the approval for public sewer service under the Water and Sewer Plan's PIF policy. Executive staff have confirmed that this use qualifies for consideration under the PIF policy.


The proposed extension of public sewer service is consistent with PIF policy requirements. This case is somewhat different from the typical PIF policy request, especially with regard to ownership of the property, which will remain with the applicant, Mitchell Rales, and not his foundation which operates the museum. To ensure conformance with the PIF policy, sewer service will be strictly limited to the museum's facilities only. The attached recommendation also includes limitations on the area of Mr. Rales' property holdings that can be approved for and receive public sewer service. The extent of the applicant's property acquisitions around the museum site has raised concerns about the extent of development and sewer service within an area not generally intended for public service. The request is filed only for the properties in the immediate vicinity of the museum's facilities; no other properties will be considered at this time for category changes and eventual public sewer service.

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

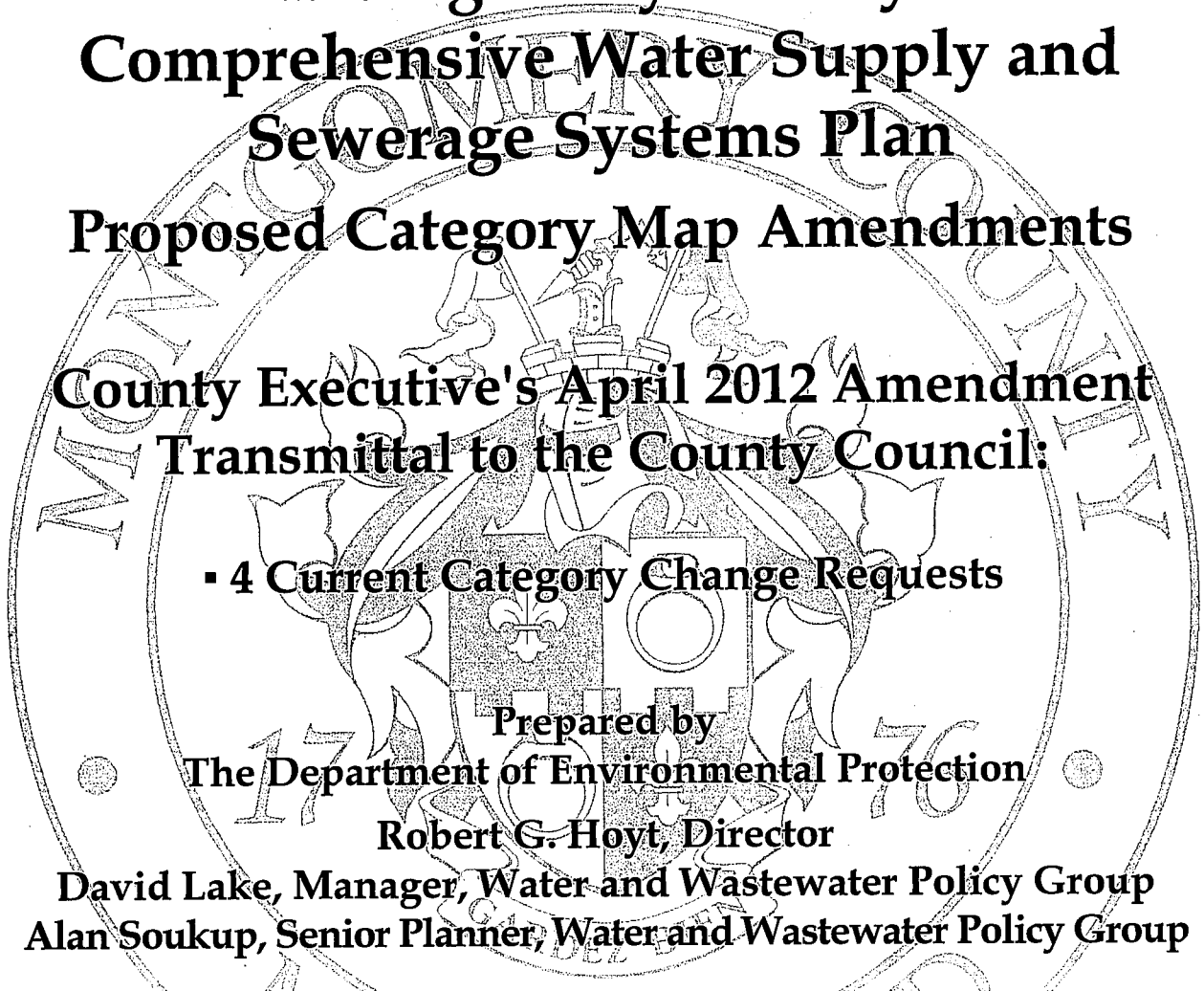
cc: Jay Sakai, Director, Water Management Administration, Maryland Department of the Environment  
Richard Eberhart Hall, Secretary, Maryland Department of Planning  
Françoise Carrier, Chair, Montgomery County Planning Board  
Jerry Johnson, General Manager, Washington Suburban Sanitary Commission  
Robert G. Hoyt, Director, Department of Environmental Protection  
Diane Schwartz Jones, 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" at the top and "MARYLAND" at the bottom. The year "1776" is also visible within the seal's design.

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

**County Executive's  
April 2012 Amendment Transmittal  
to the County Council**

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



**Montgomery County  
Comprehensive Water Supply and  
Sewerage Systems Plan**

**Proposed Category Map Amendments**

**County Executive's April 2012 Amendment  
Transmittal to the County Council:**

- **4 Current 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 APRIL 2012 TRANSMITTAL PACKET**

**EXECUTIVE SUMMARY: PROPOSED AMENDMENTS AND RECOMMENDATIONS**

<b>Plan Amendment No. &amp; Applicant Location - Zoning - Acreage - Proposed Use</b>	<b>Requested Change</b>	<b>Executive Recommendation &amp; Policy Summary</b>	<b>Packet Page No.</b>
<b>CLOVERLY – NORWOOD PLANNING AREA</b>			
<b>WSSCR 11A-CLO-01</b> <b>Shri Mangal Mandir Religious Educational and Charitable Trust</b> 17100 Block of New Hampshire Ave. (MD 650), Cloverly RE-2 Zone; 16.53 ac. Use: Congregation center for existing, adjacent house of worship	W-1 (no change) S-6 to S-3	<b>Conditionally approve S-3, requiring the Planning Board's approval of a preliminary plan consistent with the impervious area and sewer alignment proposals presented to and considered by the County Council. Service is limited to the proposed PIF use only.</b> <i>Sewer service is consistent with the Water &amp; Sewer Plan's PIF policy.</i>	Report: Pgs. 1-3 Maps: Pgs. 4-5
<b>PATUXENT WATERSHED CONSERVATION PLANNING AREA</b>			
<b>WSSCR 11A-PAX-01</b> <b>Samson Getachew &amp; Solomon Wubet</b> 16900 Block of New Hampshire Ave. (MD 650). Cloverly RC Zone: 2.00 ac. Use: one proposed single-family house	W-1 (no change) S-6 to S-1	<b>Deny the request for S-1; maintain S-6.</b> <i>Sewer service is inconsistent with Water and Sewer Plan sewer service policies and with service recommendations in the 1997 Cloverly Master Plan.</i>	Report: Pg. 9 Map: Pg. 10
<b>TRAVILAH PLANNING AREA</b>			
<b>WSSCR 11A-TRV-06</b> <b>Mitchell Rales for the Glenstone Foundation</b> 12002, 12204, & 12702 Glen Rd., Potomac RE-2 Zone; 127.7 acres Use: expansion of existing museum use (residential and agricultural uses to remain)	W-6 (no change) S-6 to S-3	<b>Approve S-3 for the proposed PIF use only. Additional restrictions will apply to the on-site use of public sewer service to maintain conformance with the PIF policy. The proposed sewer extension meets the PIF policy requirements.</b> <i>Sewer service is consistent with the Water &amp; Sewer Plan's PIF policy.</i>	Report: Pgs. 12-15 Maps: Pgs. 16-17
<b>WSSCR 11A-TRV-08</b> <b>Ravinder &amp; Ritu Kapoor</b> 10401 Boswell La., Potomac RE-1 Zone; 2.00 ac. Use: sewer service for the existing house.	W-1 (no change) S-6 to S-3	<b>Deny the request for S-3; maintain S-6.</b> <i>Sewer service is not consistent with Water and Sewer Plan sewer service policies, including the Piney Branch restricted sewer service policy. The property site is not within the sewer service envelope recommended in the 2002 Potomac Subregion Master Plan.</i>	Report: Pgs. 36-37 Map: Pg. 38

**Additional Packet Items:**

Water/Sewer Service Area Category Information .....	Pg. ii
Map Amendment Locator .....	Pg. iii
Status Update: Category Change Requests Recently Deferred by the County Council .....	Pgs. iv-v
Deferred Map Amendment Locator .....	Pg. vi
Water & Sewer Plan Excerpts (2003):	
• Private Institutional Facilities Policy .....	Pgs. vii-ix
• Piney Branch Restricted Sewer Service Area Policy .....	Pgs. x-xi

**PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
COUNTY EXECUTIVE'S APRIL 2012 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**

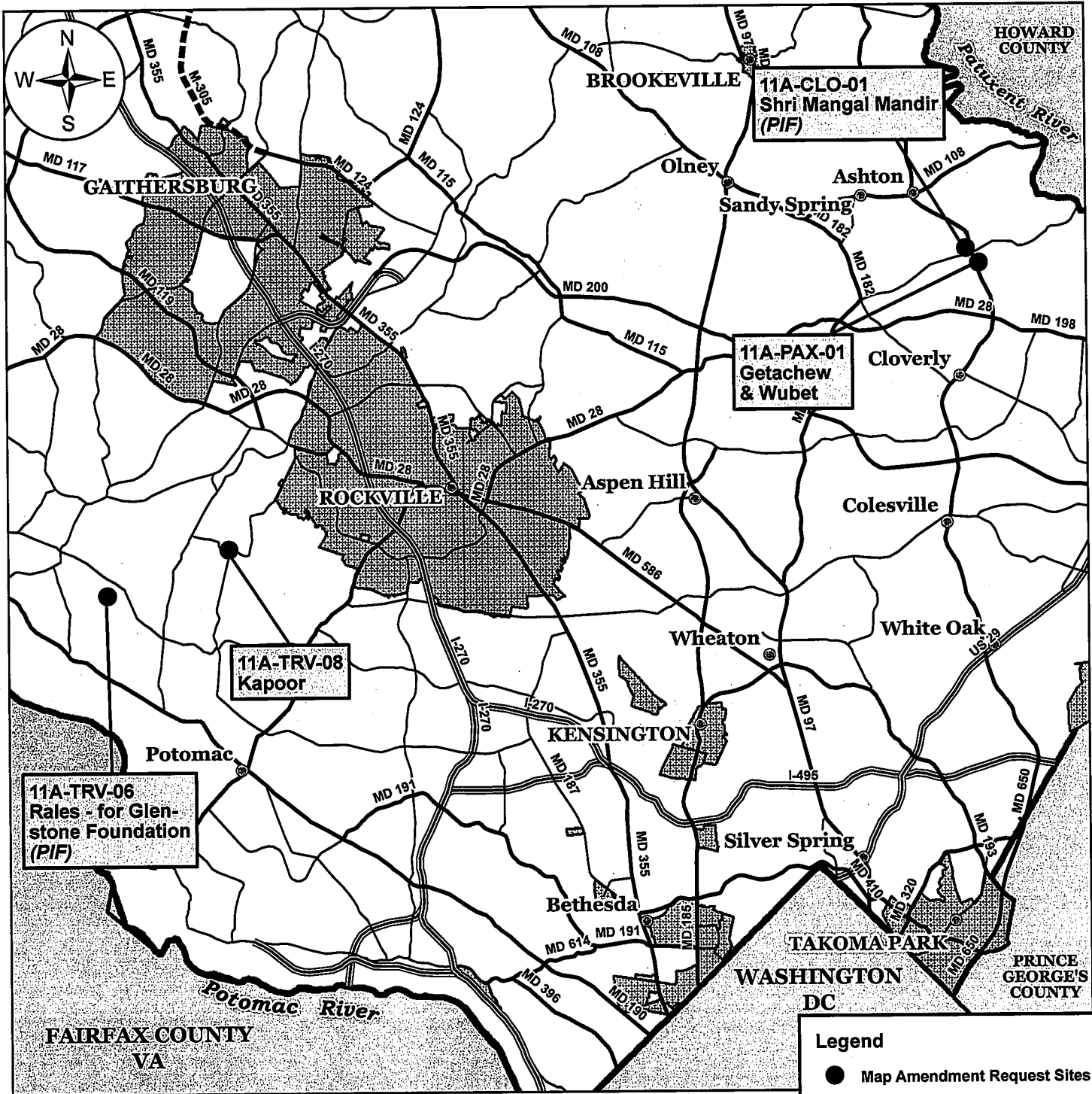
Service Area Categories	Category Definition and General Description	Service Comments
W-1 and S-1	Areas served by community (public) systems which are either existing or under construction. <ul style="list-style-type: none"> <li>This may include properties or areas for which community system mains are not immediately available or which have not yet connected to existing community service.</li> </ul>	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	<b>Categories W-2 and S-2 are not used in the Montgomery County Water and Sewer Plan.</b> (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.	
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"> <li>This includes areas generally requiring the approval of CIP projects before service can be provided.</li> </ul>	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.)
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"> <li>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.</li> </ul>	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.  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-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"> <li>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.</li> </ul>	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.

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.



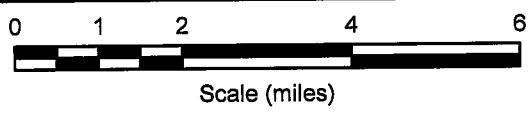

# Water and Sewer Plan Map

## April 2012 Transmittal: Map Amendment Locator




**Legend**

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

**DEP**  
Water and Wastewater  
Policy Group



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



**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's April 2012 Transmittal Packet**

**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
<b>WSSCR 06A-BEN-03</b> <b>Maurice Gladhill</b> Bethesda Church Rd., Damascus RDT Zone: 41.44 ac. Use: water service for approved child lots	W-6 to <b>W-1</b> (Keep S-6)	<u>CR 15-1588 (8/1/06)</u> : Deferred pending recommendations on child lots from the Ad Hoc Agriculture Working Group. <b>Status:</b> Awaiting Council consideration and decision on child-lot policy issues, including a proposed amendment on water service policy to the Water and Sewer Plan.
<b>WSSCR 06A-TRV-07</b> <b>Carole &amp; Donald Dell</b> 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 <b>S-3</b>	<u>CR 15-1588 (8/1/06)</u> : Deferred pending the Council's review of the Potomac peripheral sewer service policy in the next update of the Water and Sewer Plan. <b>Status:</b> Awaiting completion of the 2012 update of the Comprehensive Water and Sewer Plan.
<b>WSSCR 07A-CLO-05</b> <b>Julian Patton</b> Norwood Rd. at Norbeck Rd. (MD 28) RE-2 Zone: 27 ac. Use: proposed place of worship for the <b>Sts. Constantine and Helen Greek Orthodox Church</b> (on an unimproved site)	(Keep W-3) S-6 to <b>S-1</b>	<u>CR 16-500 (4/8/08)</u> : Deferred for submittal and review of the church's site development plan. <b>Status:</b> The church has proposed to locate on the RE-2C portion of the property, which is already approved for public water and sewer service without restriction. The Planning Board approved the church's preliminary plan (120100240) for the new site on July 29, 2012 (opinion issued Oct. 4, 2010). DEP will contact the church, now the owner of the entire property, and request withdrawal of the deferred category change application.
<b>WSSCR 07A-DAM-08 <sup>C</sup></b> <b>Bethel World Outreach Ministries</b> Brink Rd., Germantown RDT Zone: 119.4 ac. Use: proposed house of worship for the owner (existing farm house may remain). <sup>C</sup> Goshen – Woodfield – Cedar Grove Planning Area	W-6 to <b>W-6 <sup>D</sup></b> S-6 to <b>S-6 <sup>D</sup></b> <sup>D</sup> multi-use system	<u>CR 16-500 (4/8/08)</u> : Deferred for a development proposal that conforms with RDT Zone requirements for properties with agricultural preservation easements. <b>Status:</b> Awaiting the applicant's submittal of a revised development plan. (Note: Litigation <sup>E</sup> in federal court between the applicant and the County continues over zoning and multi-use sewer system issues. <sup>E</sup> The church's prior suit over denial of public water and sewer service is resolved in favor of the County.
<b>WSSCR 09A-CKB-01</b> <b>Windridge Farm (for Orchard Run)</b> Ridge Rd. (MD 27) & Brink Rd., Clarksburg RE-2 Zone: 54.37 ac. Use: Proposed senior/retire community for 225 units and community center	W-1 (no change) S-3 (PIF use only) to <b>unrestricted S-3</b>	<u>CR 17-217 (7/19/11)</u> : Deferred for a decision on the request for rezoning from RE-2 to PRC. <b>Status:</b> Awaiting the applicant's notice that the rezoning request is moving forward towards consideration by the Planning Board and the County Council.
<b>WSSCR 09A-PAX-06</b> <b>Burtonsville Associates (for New Hope Korean Church)</b> 16100 Block of Old Columbia Pike (former U.S. 29), Burtonsville RC Zone: 9.52 ac. Use: Proposed place of worship with 1,700-seat sanctuary, gym, kitchen, and classrooms	W-6 to <b>W-3</b> S-6 to <b>S-3</b>	<u>CR 17-217 (7/19/11)</u> : Deferred for the applicant's need to: <ul style="list-style-type: none"> <li>• Submit a revised plan more sensitive to recommended impervious limits in the Patuxent watershed</li> <li>• Provide more information of water and sewer extension alignments and their compliance with the PIF policy</li> <li>• Conduct outreach efforts with local homeowner, civic and environmental organizations.</li> </ul> <b>Status:</b> DEP has received tentative notice that the New Hope Korean Church has withdrawn interest in the site and that applicant is working with a new potential user, also a religious use. If correct, the applicant will need to withdraw the existing request and file a new application for this new user. In addition, a staff draft for the Burtonsville Crossroads master plan is pending presentation to the Planning Board. This master plan is intended to specifically address land use and sewer service issues for this property. Any consideration of a water/sewer category change should be deferred pending completion of the master plan.



**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
County Executive's April 2012 Transmittal Packet**

**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
<p><b>WSSCRs 09A-TRV-03 &amp; -03</b>  <b>Ted and Roxanne Smart</b>                      13000 Block of Valley Drive, Rockville                      RE-1 Zone: 2.20 ac. Total                      Use: one new single-family house on each of two existing, unimproved parcels.</p>	<p>W-3 (no change)                      S-6 to S-3</p>	<p>CR 17-217 (7/19/11): Deferred pending the results of the Glen Hills Area Sanitary Study.</p> <p><u>Status:</u> The Glen Hills Area Sanitary Study is currently underway. Phase 1 of the study, the evaluation of the existing on-site system conditions of the neighborhood, will be completed this coming June. If needed, Phase 2 of the study, the consideration of mitigation measures for areas with poor on-site system suitability, will conclude the following October.</p> <p>According to DPS Well and Septic Section staff, the applicant has successfully tested one of these two parcels for a standard trench septic system for a new single-family house.</p>

**Status of additional outstanding category change issues**

**WSSCR 11A-TRV-01** – Christopher and Christina Marshall..... The Council's approval of category S-1 under CR 17-217 (7/19/11) was disallowed by MDE. The Council has requested reconsideration of MDE's decision and is awaiting a response.

**Deferrals resolved since the last update (January 2010 Packet)**

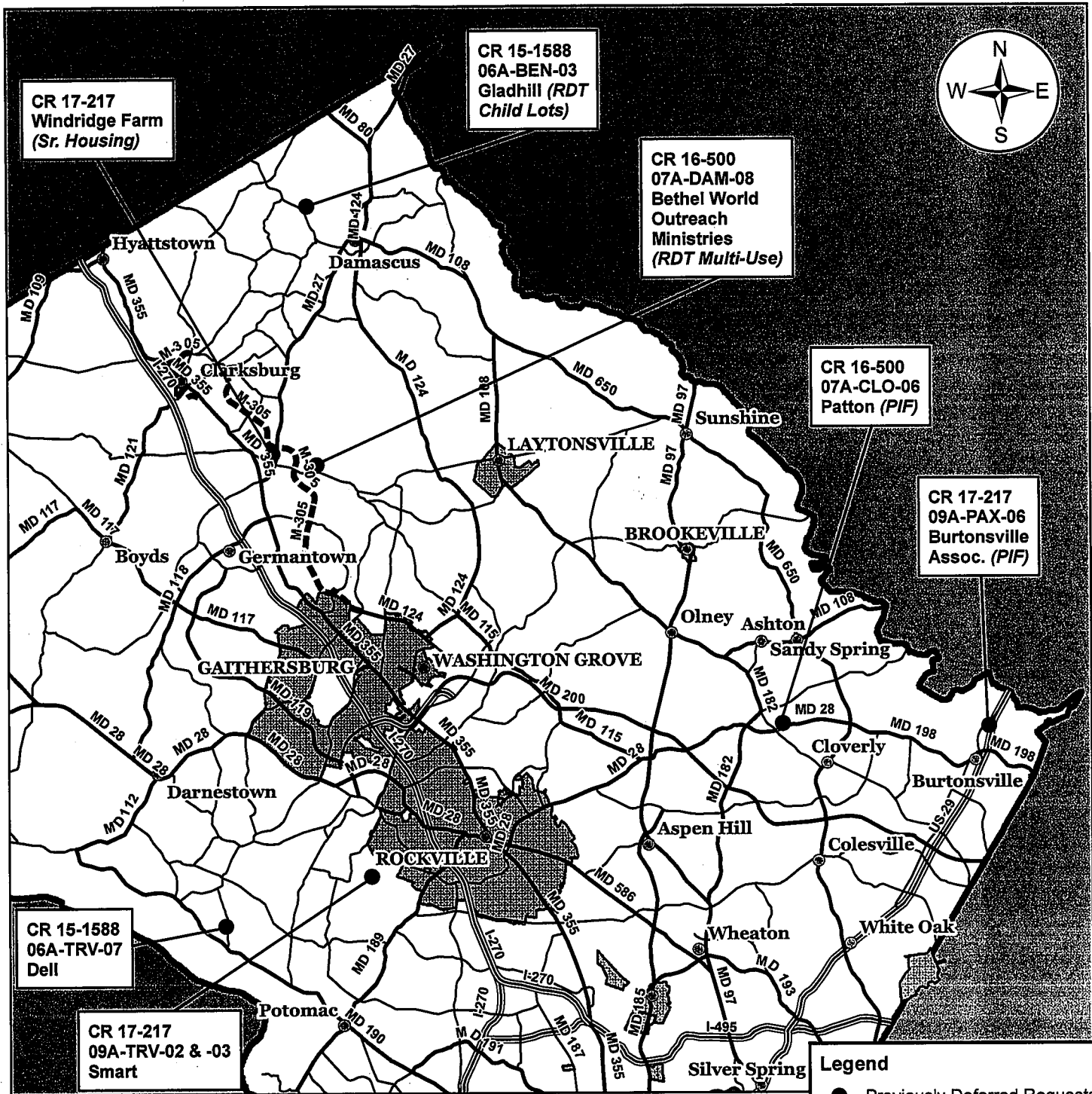
**WSSCR 09A-PAX-01** – Eglise de Dieu de Silver Spring ..... Conditionally approved for S-3 under CR 16-1519 (10/19/10); for this specific PIF use only.

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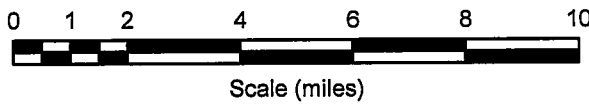
# Water and Sewer Plan Map

## April 2012 Transmittal: Deferred Amendment Locator



**Legend**

- Previously Deferred Requests
- ⊙ Localities
- Major Roads & Highways**
- County Roads
- State Roads & Highways
- ══ US Highways & Interstates
- - - Proposed Roads
- ▨ Municipalities



**DEP**  
Water and Wastewater  
Policy Group

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

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

## II. POLICIES FOR THE PROVISION OF WATER AND SEWERAGE SERVICE

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

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

**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.

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.

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*(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.

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's April 2012 Transmittal Packet**

**CLOVERLY - NORWOOD PLANNING AREA MAP AMENDMENTS**

WSSCR 11A-CLO-01: Pg. 1

**WSSCR 11A-CLO-01: Shri Mangal Mandir Religious Educational and Charitable Trust**

**County Executive's Recommendation: Maintain S-6, with advancement to S-3 conditioned on the planning Board's approval of a preliminary plan that substantially conforms to the plans presented to the Council by the applicant, especially in terms of 1) a maximum impervious level of 24 percent and 2) a sewer main alignment that satisfies the requirements of the PIF policy, as verified by DEP. Sewer service will be limited to the use presented by the applicant, a congregation meeting building; no other use may connect to public sewer service without subsequent consideration and approval by the County Council.**

<p>Property Information and Location                  Property Development</p> <ul style="list-style-type: none"> <li>• 17100 block, New Hampshire Ave.(MD 650), Cloverly</li> <li>• Parcel P491, Snowdens Manor Enl; district 08, acct. no. 00706865</li> <li>• Map file: WSSC – 223NE01; MD – JT61</li> <li>• Northwest quadrant, intersection of New Hampshire Ave. and Ednor Rd.</li> <li>• RE-2 Zone; 16.53 ac.</li> <li>• Sandy Spring Ashton Master Plan (1998)</li> <li>• Northwest Br. Watershed (MDE Use IV)</li> <li>• <u>Existing use</u>: unimproved  <u>Proposed use</u>: congregation center for an existing, adjacent place of worship</li> </ul>	<p>Applicant's Request:                  Service Area Categories &amp; Justification</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center; border-bottom: 1px solid black;"><b>Existing – Requested – Service Area Categories</b></td> </tr> <tr> <td style="width: 50%;">W-1</td> <td style="width: 50%;">W-1 (no change)</td> </tr> <tr> <td>S-6</td> <td><b>S-3</b></td> </tr> </table> <p><u>Applicant's Explanation</u></p> <p>"The property had a previously approved Preliminary Plan (120060920) for 4 single family houses on septic and public water. The property has changed ownership to Shri Mangal Mandir with its existing Temple on the adjacent parcel. Their intended use is to expand its parking lot and build a new Congregation Center to be used for various religious functions. We would like to maintain S-6 [for] the northwest part of the site for the potential to build one single family house on septic.</p>	<b>Existing – Requested – Service Area Categories</b>		W-1	W-1 (no change)	S-6	<b>S-3</b>
<b>Existing – Requested – Service Area Categories</b>							
W-1	W-1 (no change)						
S-6	<b>S-3</b>						

Executive Staff Report:

The applicant, Shri Mangal Mandir Temple, has requested a category change from S-6 to S-3 in order to provide public sewer service to a proposed congregation center on a parcel adjacent to its existing temple at 17110 New Hampshire Ave. The applicant owns the subject property. The parcel would also contain an expansion of the temple's parking lot. The applicant has expressed awareness of the adverse impact of parking on nearby streets when the temple holds large gatherings. Note that the property with the existing temple is not part of this request and would continue to use an existing septic system. The site is zoned RE-2 and is not recommended for public sewer service in the 1998 Sandy Spring Ashton Master Plan. The applicant has requested consideration under the provision of the private institutional facilities (PIF) policy. The provision of sewer service to this site is consistent with the requirements of the PIF policy.

A typical issue of concern in PIF cases involves the alignment of any needed main extension. This case involves the expansion of an existing PIF use, so according to the PIF policy, sewer service can be approved, "... 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." (See circle pgs. vii-ix for the entire PIF policy.) WSSC has proposed two alternate gravity sewer extensions and the applicant has proposed a pressure sewer extension that could serve the project (see circle pg. 5):

- WSSC's first alternative, a 4,500-foot extension to the west to an existing main at Reserve Gate Terr., is not practical from a cost and environmental standpoint. It would create substantial disruption to a stream and stream buffer along its length. This extension could also cross several large parcels which, while already developed, would have the potential for redevelopment with uses such as PIFs. The extension would abut and require easements from an unusually large number of property owners.
- WSSC's second alternative, a 1,200-foot gravity main, would extend from the site along Ford Lane, parallel and cross Endor Road, traverse part of the Hampshire Greens Golf Course, and then run between two existing residential lots to reach the existing main along Harbour Town Drive. It appears

that the extension could satisfy the PIF policy requirements; all of the abutting properties are either developed with single-family houses without much potential for redevelopment or are public lands. The extension would require easements from the County and at least one private property owner. This option would also require the use of an on-site grinder pump for the new building.

- The applicant's alternative is an approximately 1,400-foot extension from the project site south along New Hampshire Avenue to an existing main crossing that street in front of Immanuel's Church. This main would likely be a low-pressure main along its length. If so, it would be a main dedicated to the applicant's use only that would not be available to any other abutting property, and therefore would satisfy the PIF policy as well. Given the pressure sewer extension, the applicant would need to install an on-site grinder pump for the new building.

As with some past projects, WSSC prefers the gravity extension option over one that requires a pressure sewer. While both the second WSSC extension alternative and the applicant's alternative have the potential to satisfy the PIF policy. The applicant's extension, although longer will likely avoid the need for easements affecting other property owners.

The applicant's proposed plan would result in an imperviousness of between 23 and 24 percent, depending on whether or not a proposed house is built on the northern part of the parcel near Cliftonbrook Lane. This is more impervious area than would be expected under a residential plan for the site, but is within a range of impervious levels the Council has found acceptable for other PIF cases outside the Patuxent River watershed. The Planning Board had previously approved a plan for a four-lot residential subdivision on the site which had approximately eight percent impervious area. Those subdivision lots were never recorded.

The applicant is proceeding with plans for the first section of the proposed parking lot, which does not require the approval of any new subdivision plan, only a building permit and stormwater plan. The parking lot's two phases will account for the majority of impervious area on the site. Construction of the proposed congregation center building will require a new preliminary plan and recordation of the site as a building lot.

### **Agency Review Comments**

**M-NCPPC – Area 3 Planning Team:** This property is outside the master plan designated sewer envelope, and the master plan recommends, on page 83 that community service be provided consistent with the Comprehensive Water and Sewerage plan, which does not recommend extension of sewer to densities of less than ½ acre. The plan recommends extension of sewer to only three types of development:

- RNC zoned properties using the optional method
- Properties within the Rural Village Overlay Zone
- Properties with demonstrated health problems

This request does not meet these criteria. In addition, on page 43, the master plan recommends preserving the rural open space along New Hampshire Avenue, siting new buildings and uses to preserve open space along the road and providing for scenic setbacks. The sketch plan submitted by the applicant shows the building and a large parking lot immediately adjacent to New Hampshire Avenue. Therefore this request is not consistent with the master plan. **Recommendation: Deny S-3**

**M-NCPPC – Parks Planning:** No apparent Existing Park impacts. No adjacent Park lands.

**WSSC - Sewer: Basin: Northwest Branch.** The following options are available to serve this property:

- An approximately 4500-foot-long non-CIP sized gravity sewer extension is required to connect to the existing 18-inch sewer near Reserve Gate Ter (contract no. 65-4095). This extension would abut approximately 36 properties in addition to the applicant's. Rights-of-way would be required. Construction of this extension may involve the removal of trees, temporary disruption of stream valley.
- An approximately 1200-foot-long non-CIP sized gravity sewer extension is required to connect to the existing 8-inch sewer in Harbour Town Dr (contract no. 99-2676A). On-site pump station is required. This extension would abut approximately 7 properties in addition to the applicant's. Rights-of-way would be required. Construction of this extension may involve the removal of trees, temporary disruption of stream valley.

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's April 2012 Transmittal Packet**

**CLOVERLY - NORWOOD PLANNING AREA MAP AMENDMENTS**

WSSCR 11A-CLO-01: Pg. 3

Average wastewater flow from the proposed development: 14,400 GPD. Program-sized sewer mains are not required to serve the property. Interceptor capacity is adequate. Treatment capacity is adequate.

DPS – Well & Septic: No comment.

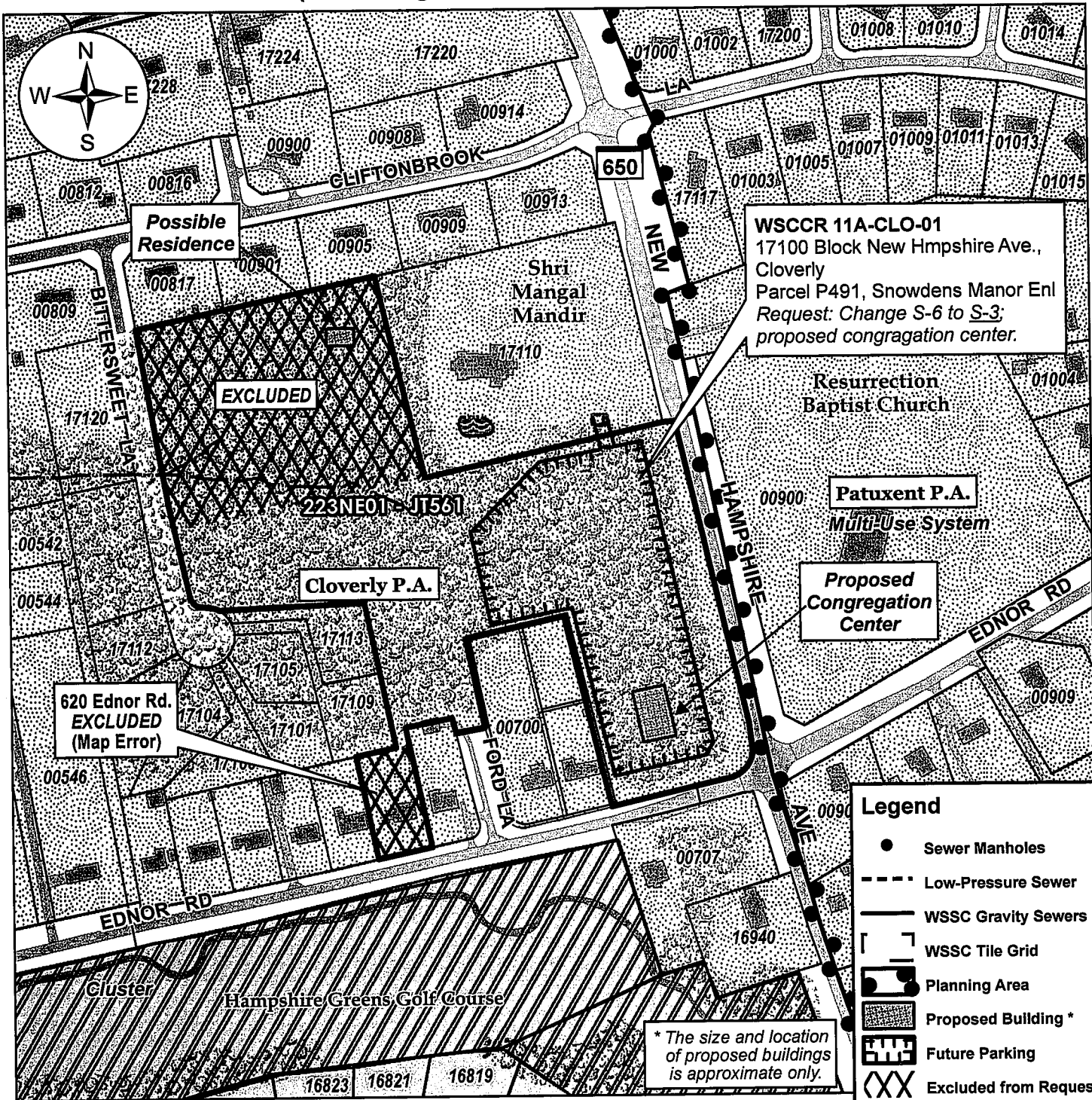
*DEP note: This site was previously approved for four residential lots using septic systems.*

ADS:ads/

R:\Programs\Water\_and\_Sewer\Projects\actions-COUNCIL\packets\2011nov\ce-packet\staff-rpt=11a-clo-01=s.doc

# Sewer Service Area Categories Map

## WSSCR 11A-CLO-01 (Shri Mangal Mandir Religious Educational & Charitable Trust)

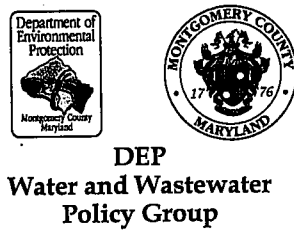
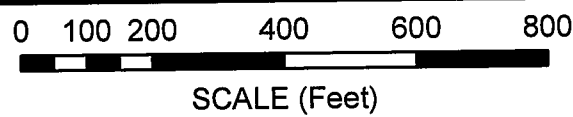


**Legend**

- Sewer Manholes
- Low-Pressure Sewer
- WSSC Gravity Sewers
- ▭ WSSC Tile Grid
- ▭ Planning Area
- ▭ Proposed Building \*
- ▭ Future Parking
- XXX Excluded from Request
- ▨ Existing Parkland
- 🌳 Woodlands

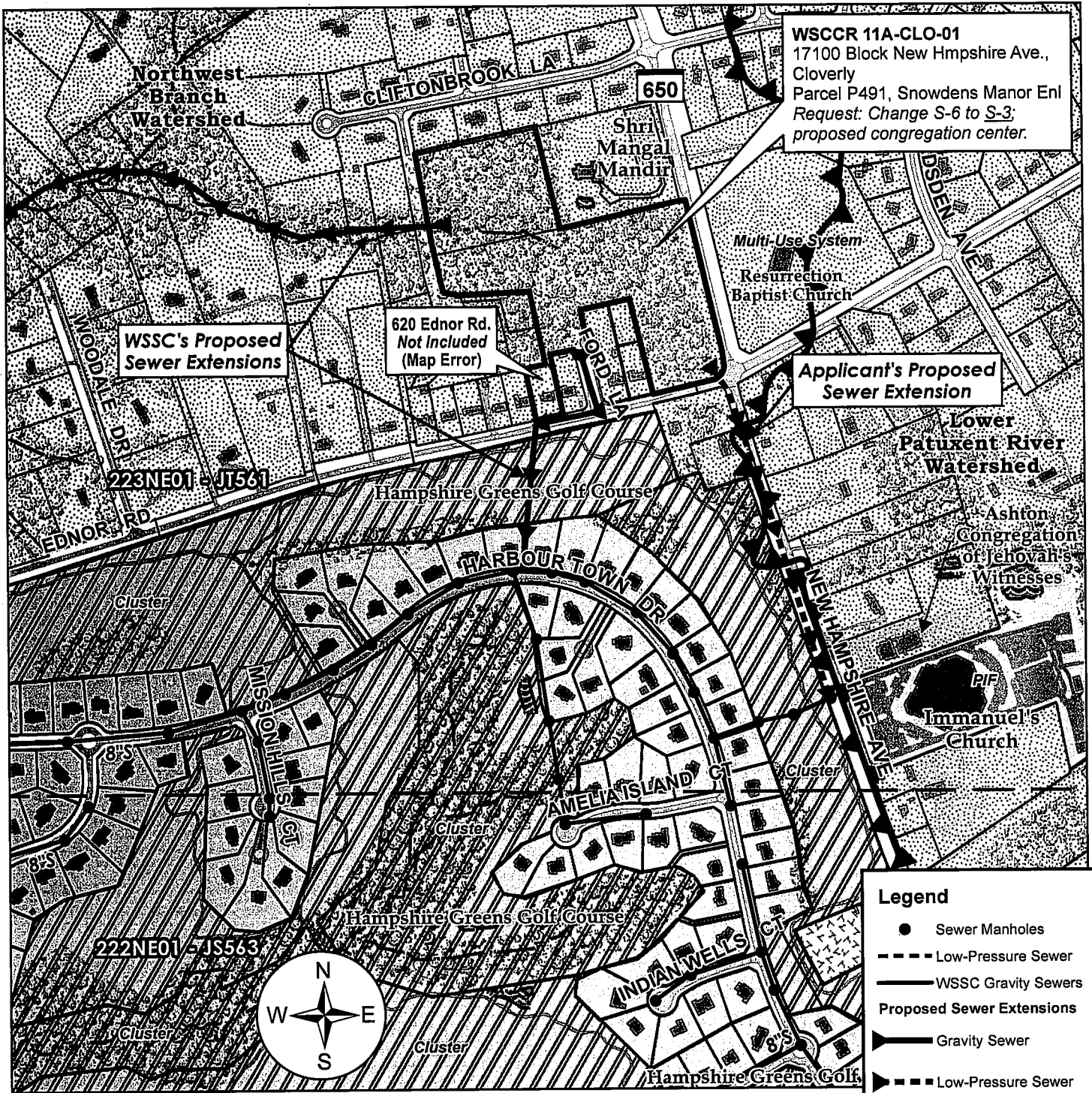
**Sewer Categories**

- ▭ S-1
- ▭ S-3
- ▭ S-6



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

# Sewer Service Area Categories Map: WSSCR 11A-CLO-01 - Proposed Sewer Extension (Shri Mangal Mandir Religious Educational & Charitable Trust)



**WSSCR 11A-CLO-01**  
 17100 Block New Hampshire Ave.,  
 Cloverly  
 Parcel P491, Snowdens Manor Enl  
 Request: Change S-6 to S-3;  
 proposed congregation center.

**WSSC's Proposed Sewer Extensions**

620 Ednor Rd.  
 Not Included  
 (Map Error)

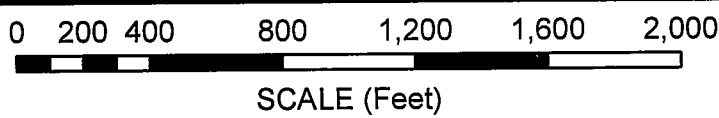
**Applicant's Proposed Sewer Extension**

**Legend**

- Sewer Manholes
- - - Low-Pressure Sewer
- WSSC Gravity Sewers
- Proposed Sewer Extensions
- Gravity Sewer
- - - Low-Pressure Sewer
- WSSC Tile Grid
- ▨ Existing Parkland
- ☁ Woodlands

**Sewer Categories**

- S-1
- ▨ S-3
- ▨ S-6



DEP  
 Water and Wastewater  
 Policy Group

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

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

**2) Property/Site Description and Development:**

Address See Item #1  
Property's TAX ID # (please provide, if known) 00706865  
Property/Site Size 16.53 Acres Identification (ie, Parcel #) P491  
Location/Closest cross-street Ednor Rd. and New Hampshire Ave.

Current Use Vacant Proposed Use Congregation Center and Parking

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](http://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- 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 property had a previously approved Preliminary Plan (120060920) for 4 single family lots on septic and public water. The property has changed ownership to Shri Mangal Mandir with it's existing Temple on the adjacent parcel. Their intended use is to expand it's parking lot and build a new Congregation Center to be used for various religious functions. We would like to maintain S-6 the northwest part of the site for the potential to build one single family house on septic.

Note: Continue on a separate page, if necessary

**DEP Staff Use Only**

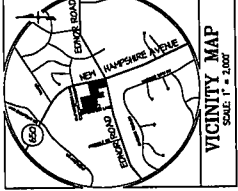
Receipt Acknowledged: \_\_\_\_\_ Email OR \_\_\_\_\_ US Mail

Water \_\_\_\_\_ Sewer \_\_\_\_\_

WSSC Tile \_\_\_\_\_

Tax Map \_\_\_\_\_

Plan No. \_\_\_\_\_



VICINITY MAP  
SCALE: 1" = 200'

**GENERAL NOTES**

1. OTHER CONTRACTORS:  
THE LANDSCAPE AND IRRIGATION DESIGN SHALL BE COMPLETED BY THE ARCHITECT AND ENGINEER.  
2. SOAKAWAY SYSTEMS:  
ARCHITECT LITTLE & WHEELER, P.A.  
3. DRAINAGE SYSTEMS:  
ARCHITECT LITTLE & WHEELER, P.A.  
4. SEWER SYSTEMS:  
ARCHITECT LITTLE & WHEELER, P.A.  
5. THE SITE SHALL BE SAVED FROM 100' TO 150' FOR 10' TO 15' FROM THE ADJACENT PROPERTY.  
6. SUPERVISION: CONCEPT BY: ARCHITECT LITTLE & WHEELER, P.A. 5/11/02; FINAL BY: ARCHITECT LITTLE & WHEELER, P.A. 8/15/02  
7. IRRIGATION: CONCEPT BY: ARCHITECT LITTLE & WHEELER, P.A. 5/11/02; FINAL BY: ARCHITECT LITTLE & WHEELER, P.A. 8/15/02  
8. THE EXISTING WATER AND SEWER LINES ARE 10' TO 15' DEEP AND ARE TO BE MAINTAINED. THE PROPOSED NEW LINES SHALL BE DEVELOPED IN ONE PHASE.  
9. THESE ARE TO BE MAINTAINED OR EXCHANGED AT THE DISCRETION OF THE ARCHITECT AND ENGINEER.  
10. THESE ARE TO BE MAINTAINED OR EXCHANGED AT THE DISCRETION OF THE ARCHITECT AND ENGINEER.  
11. THE EXISTING WATER AND SEWER LINES ARE 10' TO 15' DEEP AND ARE TO BE MAINTAINED. THE PROPOSED NEW LINES SHALL BE DEVELOPED IN ONE PHASE.  
12. FLOODPLAIN DELINEATION BY: ARCHITECT LITTLE & WHEELER, P.A. 8/15/02

- SITE DATA**
- |   |                                   |
|---|-----------------------------------|
| 1. EXISTING PROPERTY:                   | PARCEL #4                         |
| 2. EXISTING ZONING:                     | RS-2                              |
| 3. SITE AREA:                           | 433' Area                         |
| 4. EXISTING USE:                        | VACANT/UNDEVELOPED                |
| 5. PROPOSED USE:                        | PARCEL DEVELOPMENT AND OPEN SPACE |
| 6. PROPOSED NUMBER OF SPACES - PHASE 1: | 200                               |
| 7. PROPOSED NUMBER OF SPACES - PHASE 2: | 200                               |
| 8. TOTAL:                               | 400                               |

- LANDSCAPE STRIP AND ADJACENT TO AN EXISTING DRIVEWAY**
1. NUMBER OF PLANTS BEING DESIGNED: 20
  2. NUMBER OF PLANTS BEING DESIGNED: 20
  3. NUMBER OF PLANTS BEING DESIGNED: 20
  4. NUMBER OF PLANTS BEING DESIGNED: 20
  5. NUMBER OF PLANTS BEING DESIGNED: 20

- LANDSCAPE STRIP ADJACENT TO AN EXISTING DRIVEWAY**
1. NUMBER OF PLANTS BEING DESIGNED: 20
  2. NUMBER OF PLANTS BEING DESIGNED: 20
  3. NUMBER OF PLANTS BEING DESIGNED: 20
  4. NUMBER OF PLANTS BEING DESIGNED: 20
  5. NUMBER OF PLANTS BEING DESIGNED: 20

- INTERNAL LANDSCAPING**
1. AREA OF PLANNING CONCEPT, PHASE 1
  2. INTERNAL LANDSCAPING AREA BEING DESIGNED AND PHASE 2, 400' x 400'
  3. INTERNAL LANDSCAPING AREA BEING DESIGNED AND PHASE 2, 400' x 400'
  4. INTERNAL LANDSCAPING AREA BEING DESIGNED AND PHASE 2, 400' x 400'
  5. INTERNAL LANDSCAPING AREA BEING DESIGNED AND PHASE 2, 400' x 400'

- PLANT LIST - PHASE I**
- | PLANT           | QUANTITY |
|-----------------|----------|
| SHRUB TREES     | 200      |
| EVERGREEN TREES | 200      |
| TOTAL           | 400      |

- PLANT LIST - PHASE I**
- | PLANT           | QUANTITY |
|-----------------|----------|
| SHRUB TREES     | 200      |
| EVERGREEN TREES | 200      |
| TOTAL           | 400      |

- PLANT LIST - PHASE I**
- | PLANT           | QUANTITY |
|-----------------|----------|
| SHRUB TREES     | 200      |
| EVERGREEN TREES | 200      |
| TOTAL           | 400      |

- PLANT LIST - PHASE I**
- | PLANT           | QUANTITY |
|-----------------|----------|
| SHRUB TREES     | 200      |
| EVERGREEN TREES | 200      |
| TOTAL           | 400      |

- PLANT LIST - PHASE I**
- | PLANT           | QUANTITY |
|-----------------|----------|
| SHRUB TREES     | 200      |
| EVERGREEN TREES | 200      |
| TOTAL           | 400      |

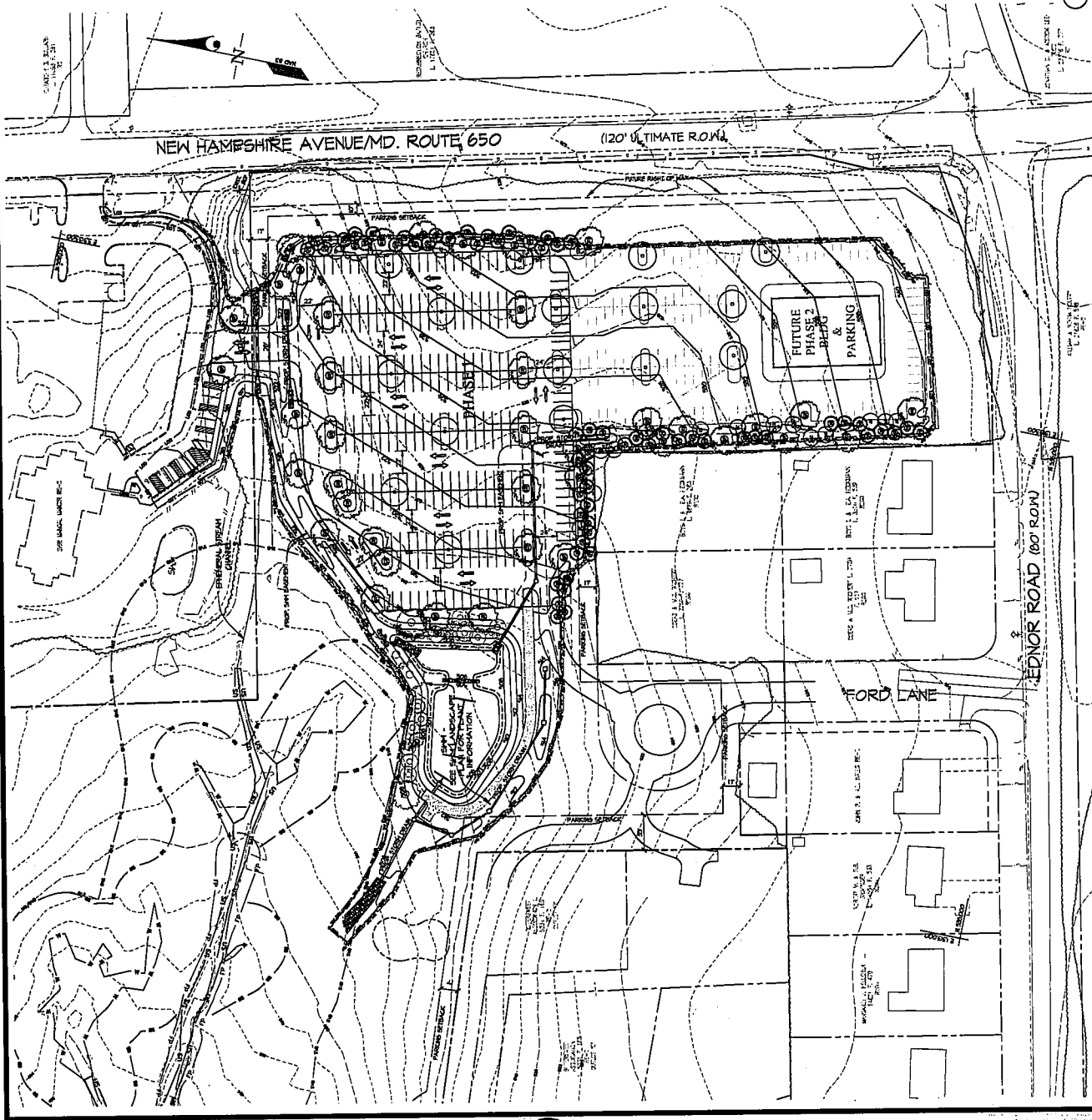
- PLANT LIST - PHASE I**
- | PLANT           | QUANTITY |
|-----------------|----------|
| SHRUB TREES     | 200      |
| EVERGREEN TREES | 200      |
| TOTAL           | 400      |

- PLANT LIST - PHASE I**
- | PLANT           | QUANTITY |
|-----------------|----------|
| SHRUB TREES     | 200      |
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- | PLANT           | QUANTITY |
|-----------------|----------|
| SHRUB TREES     | 200      |
| EVERGREEN TREES | 200      |
| TOTAL           | 400      |

- PLANT LIST - PHASE I**
- | PLANT           | QUANTITY |
|-----------------|----------|
| SHRUB TREES     | 200      |
| EVERGREEN TREES | 200      |
| TOTAL           | 400      |

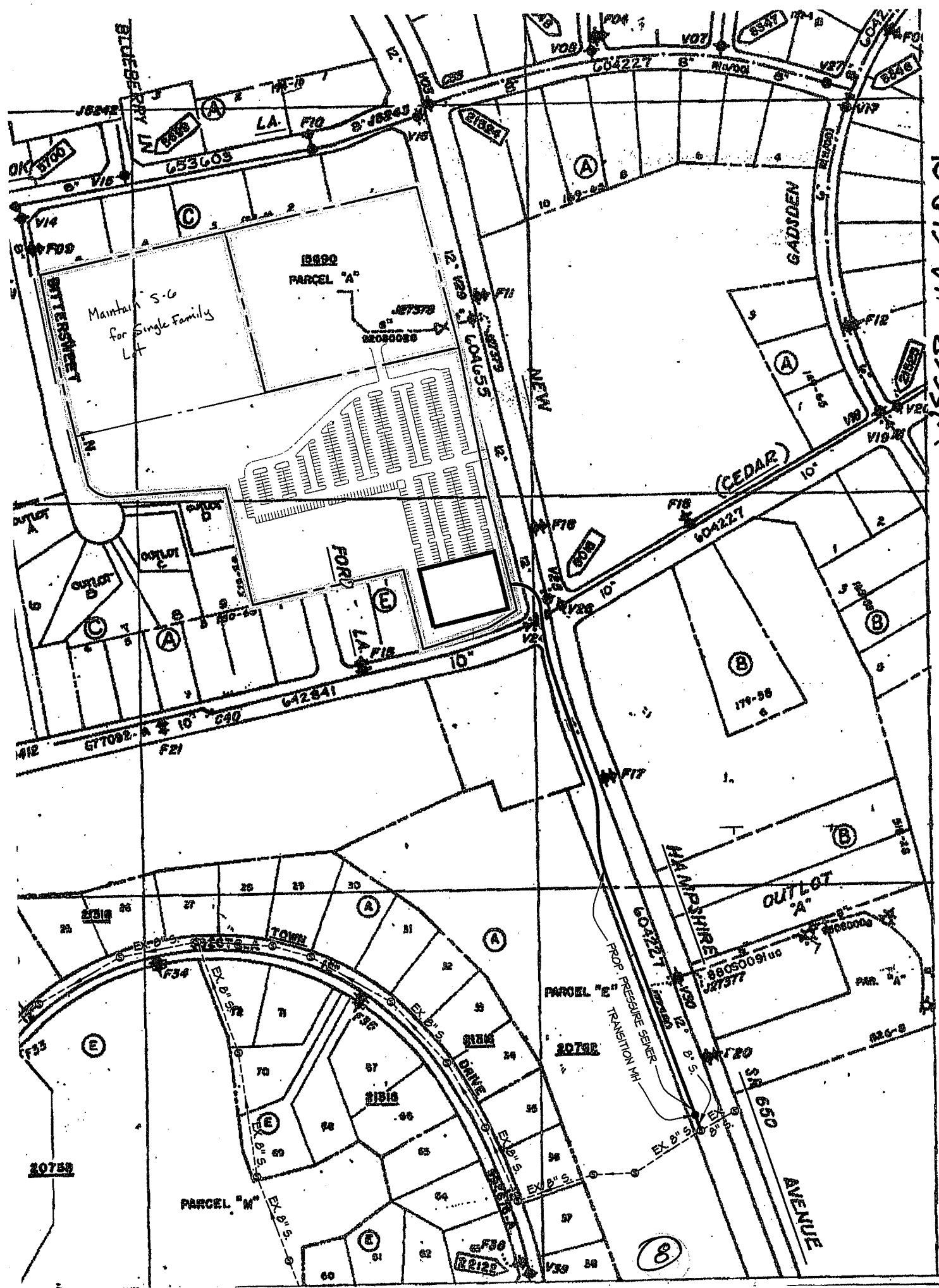
- PLANT LIST - PHASE I**
- | PLANT           | QUANTITY |
|-----------------|----------|
| SHRUB TREES     | 200      |
| EVERGREEN TREES | 200      |
| TOTAL           | 400      |



<p>REGISTERED FOR: NEW HAMPSHIRE PLANING BOARD 1710 NEW HAMPSHIRE AVENUE SALT PETER, NH 03086-1001 301-384-8153</p>	<p>DATE: 11-14-02 SCALE: 1" = 40' DATE: AUG, 2001 JOB # 01</p>	<p>PROJECT: PARKING FACILITY PLAN SHRI MANGAL MANDIR PARCEL #91 L.11889.121</p>	<p>DATE: 11-14-02 SCALE: 1" = 40' DATE: AUG, 2001 JOB # 01</p>	<p>CLIENT: SHRI MANGAL MANDIR 1710 NEW HAMPSHIRE AVENUE SALT PETER, NH 03086-1001 301-384-8153</p>	<p>DATE: 11-14-02 SCALE: 1" = 40' DATE: AUG, 2001 JOB # 01</p>
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APPLICANT'S PROPOSED PLAN (11A-CUD-01)





Maintain S-G  
for Single Family  
Lot

WSCR UA-CLO-01  
APPLICANT'S PROPOSED SEWER EXT.

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's April 2012 Transmittal Packet**

**PATUXENT WATERSHED CONSERVATION PLANNING AREA MAP AMENDMENTS**

WSCCR 11A-PAX-01: Pg. 1

**WSCCR 11A-PAX-01: Samson Getachew & Solomon Wubet**

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

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> <li>• 16900 Block of New Hampshire Ave, Cloverly</li> <li>• Outlot A, Block B, Glencoe</li> <li>• District 05, acct. no. 01680377</li> <li>• Map tile: WSSC – 223NE01; MD – JT61</li> <li>• East side of New Hampshire Ave. (MD 650) south of Ednor Rd.</li> <li>• RC Zone; 2.00 acres</li> <li>• Patuxent Watershed Conservation Planning Area Cloverly Master Plan (1997)</li> <li>• Lower Patuxent River Watershed (MDE Use I)</li> <li>• <u>Existing use:</u> unimproved outlot <u>Proposed use:</u> one single-family house</li> </ul>	<p>Applicant's Request: Service Area Categories &amp; Justification</p> <p>Service Area Categories:</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> </tr> </thead> <tbody> <tr> <td>W-1</td> <td>W-1 (no change)</td> </tr> <tr> <td>S-6</td> <td><b>S-1</b></td> </tr> </tbody> </table> <p><u>Applicant's Explanation</u></p> <p>"Currently the property is a vacant lot with W-1 and S-6. We would like a change to S-1 so we can connect to public sewer system and build a single family dwelling."</p>	Existing	Requested	W-1	W-1 (no change)	S-6	<b>S-1</b>
Existing	Requested						
W-1	W-1 (no change)						
S-6	<b>S-1</b>						

Executive Staff Report: The applicants have requested the approval of category S-1 to allow for the extension of public sewer service to vacant outlot on which they propose to build one single-family house. The site is zoned Rural Cluster (RC) and sewer service is therefore not consistent with either Water or Sewer Plan policies or with Cloverly Master Plan recommendations. Sewer mains are not currently available to the property; providing public sewer would require 400-foot main extension. Existing conditions and service policies do not support approval of the applicants' request; maintain S-6.

**Agency Review Comments**

M-NCPPC – Area 3 Planning Team: The 1997 Cloverly Master Plan states on page 91, "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." Recommendation: Deny S-3.

M-NCPPC – Parks Planning: No apparent park impact.

WSSC - Sewer: Basin: Northwest Branch. A 400-foot-long non-CIP-sized low-pressure sewer extension is required to serve the property. Most, if not all, of this extension would need to be grinder-pump and low-pressure sewer (if a portion is to be gravity sewer, then non-CIP-sized sewer will be used). This extension would connect to an existing 8-inch sewer in New Hampshire Avenue (contract no. 98-2304A) and would abut approximately 3 properties in addition to the applicant's. Rights-of-way may possibly be required. Flow from the proposed development: 300 GPD. Program-sized sewer mains are not required to serve the property. Interceptor and treatment are adequate.

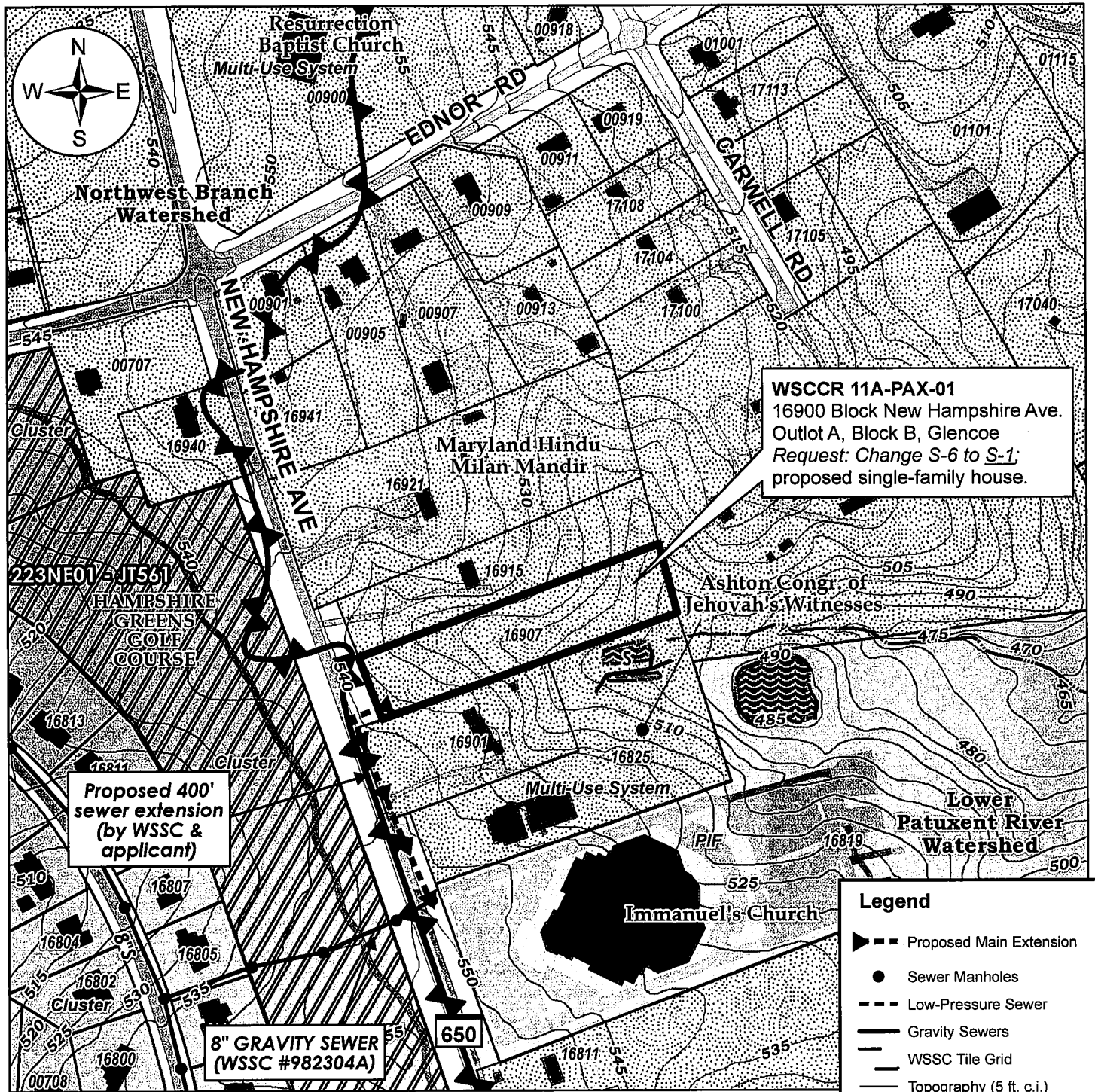
DPS – Well & Septic: The outlot failed perc tests in the 1970's due to a shallow water table. Public sewer is most likely the only way to make the outlot "build-able". Consideration (in the sewer design) should be given to other nearby parcels so that future sewer needs are met.

ADS:ads/

R:\Programs\Water\_and\_Sewer\Projects\actions-COUNCIL\packets\2011\nov\ce-packet\staff-rpt=11A-PAX-01.doc

# Sewer Service Area Categories Map

## WSSCR 11A-PAX-01 (Samson Getachew & Solomon Wubet)



**Legend**

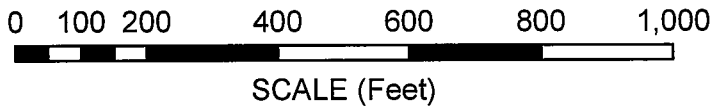
- Proposed Main Extension
- Sewer Manholes
- - - Low-Pressure Sewer
- Gravity Sewers
- WSSC Tile Grid
- Topography (5 ft. c.i.)
- ▨ Existing Parkland

**Sewer Categories**

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



DEP  
Water and Wastewater  
Policy Group



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

**2) Property/Site Description and Development:**

Address 16915 (Block-B) New Hampshire Ave, Silver Spring MD 20905  
Property's TAX ID # (please provide, if known) 01680377  
Property/Site Size 2.0000 Acre Identification (ie, Parcel #) \_\_\_\_\_  
Location/Closest cross-street \_\_\_\_\_  
Current Use Vacant lot Proposed Use Single Family Dwelling  
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](http://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-1 OR No Change  Multi-Use  Shared

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

• Currently the property is a vacant lot. With W-1 and S-6. We would like a change to S-1 so we can connect to public sewer system and build a single family dwelling.

Note: Continue on a separate page, if necessary

**DEP Staff Use Only**

Receipt Acknowledged:  Email OR  US Mail

Water \_\_\_\_\_ Sewer Sewer

WSSC Tile 223NE01

Tax Map JT561

Plan No. \_\_\_\_\_

Process Council

Master Plan ~~Fairland (1997)~~ Clowery (1997)

Planning Area Lower Patuxent

Zoning RC

Zoning Activity \_\_\_\_\_

Watershed Patuxent R.

CSPS Subwatershed \_\_\_\_\_

State Watershed Use Class I

GIS File \_\_\_\_\_

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's April 2012 Transmittal Packet**  
**TRAVILAH PLANNING AREA MAP AMENDMENTS**

WSSCR 11A-TRV-06: Pg. 1

**WSSCR 11A-TRV-06: Mitchell Rales for the Glenstone Foundation**

**County Executive's Recommendation: Approve sewer category S-3 under the private institutional facilities (PIF) policy, with the following conditions and restrictions:**

- **Public sewer service is provided for the specific and exclusive use by the Glenstone Foundation for its existing and proposed museum facilities. No other structures on the site, including the applicant's personal residence and ancillary buildings, will receive public sewer service unless they become part of the non-profit foundation.**
- **Under this action, only those five properties identified in the following table as part of WSSCR 11A-TRV-06 will change from category S-6 to S-3 and will be eligible to receive public sewer service. All other properties in the applicant's holdings adjacent to or near the subject site will retain category S-6 and be excluded from public sewer service. (Other properties owned by the applicant may be considered for future sewer service by the County Council through the appropriate category change processes.)**
- **As a non-residential use, WSSC will require the applicant to pay all sewer extension costs and acquire any necessary sewer easements from other property owners. WSSC will allow access to the new main extension to only the museum; no other properties can connect to the pump/pressure sewer system. Extension costs can include:**
  - **Any odor mitigation measures required by WSSC, including those at and below the pressure sewer outfall point on Great Elm Drive, and**
  - **Any extraordinary sewer construction measures needed to mitigate the effects of sewer construction across Greenbriar Branch.**

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification																		
<ul style="list-style-type: none"> <li>• 12002, 12204, &amp; 12702 Glen Rd., Potomac <i>(See below for additional property information)</i></li> <li>• Map tile: WSSC – 216NW12; MD – EQ63</li> <li>• South side of Glen Rd. opposite Greenbriar Rd.</li> <li>• RE-2 Zone; 127.7 acres</li> <li>• Travilah Planning Area Potomac Subregion Master Plan (2002)</li> <li>• Watts Branch Watershed (MDE Use I)</li> <li>• <u>Existing use:</u> museum, private residence, agricultural <u>Proposed use:</u> expansion of existing museum use (residential and agricultural uses to remain without sewer service)</li> </ul>	<p>Service Area Categories:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Existing</th> <th style="text-align: left; border-bottom: 1px solid black;">Requested</th> </tr> </thead> <tbody> <tr> <td>W-6</td> <td>W-6 (no change)</td> </tr> <tr> <td>S-6</td> <td><b>S-3</b></td> </tr> </tbody> </table> <p><u>Applicant's Explanation</u>  <i>(summarized from applicant's May 6, 2011, letter – attached)</i>  The applicant has proposed an expansion of an existing art museum, with the construction of a second building and additional outdoor exhibits. Public sewer service is being sought to avoid the need for large septic fields that, according to the foundation, could compromise the siting of the museum expansion and landscape and environmental initiatives. Sewer service would be provided by a dedicated low-pressure main extension through the site and along Lake Potomac Dr. to an existing gravity sewer main at Great Elm Dr. The foundation seeks approval of the request under the private institutional facilities (PIF) policy in the Water and Sewer Plan.</p>	Existing	Requested	W-6	W-6 (no change)	S-6	<b>S-3</b>												
Existing	Requested																		
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S-6	<b>S-3</b>																		
<p>Property Listing:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Address</th> <th style="text-align: left; border-bottom: 1px solid black;">Property I.D.</th> <th style="text-align: left; border-bottom: 1px solid black;">Tax Acct. No.</th> </tr> </thead> <tbody> <tr> <td>12002 Glen Rd.....</td> <td>Pt. Lot 3 (Par. N766), Oak Grove .....</td> <td>03039982</td> </tr> <tr> <td>12204 Glen Rd.....</td> <td>Lot 4 (Par. N583), Oak Grove.....</td> <td>03676467</td> </tr> <tr> <td>12703 Glen Rd.....</td> <td>Parcel P527, Belmont.....</td> <td>00390652</td> </tr> <tr> <td>Glen Rd.....</td> <td>Parcel P600, Belmont.....</td> <td>02718853</td> </tr> <tr> <td>Glen Rd.....</td> <td>Pt. Lot 3 (Par. N547), Oak Grove .....</td> <td>03412381</td> </tr> </tbody> </table>	Address	Property I.D.	Tax Acct. No.	12002 Glen Rd.....	Pt. Lot 3 (Par. N766), Oak Grove .....	03039982	12204 Glen Rd.....	Lot 4 (Par. N583), Oak Grove.....	03676467	12703 Glen Rd.....	Parcel P527, Belmont.....	00390652	Glen Rd.....	Parcel P600, Belmont.....	02718853	Glen Rd.....	Pt. Lot 3 (Par. N547), Oak Grove .....	03412381	
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**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's April 2012 Transmittal Packet**  
**TRAVILAH PLANNING AREA MAP AMENDMENTS**

WSSCR 11A-TRV-06: Pg. 2

Executive Staff Report:

The applicant, Mitchell Rales, has requested a sewer category change from S-6 to S-3 on behalf of the Glenstone Foundation in order to provide public sewer service to existing and proposed art museum facilities on the subject site located on Glen Road in Potomac. The applicant is not seeking the provision of public water service. The foundation, which operates the museum facilities, is a non-profit organization and as such, the provision of public sewer service is being sought under the private institutional facilities (PIF) policy in the Water and Sewer Plan. (See circle pgs. vii-ix.)

The site is zoned RE-2 and is located outside the sewer service envelope recommended in the 2002 master plan. However, the provision of public sewer service as proposed by this request is consistent with the requirements of the PIF policy, which does not require the site served to be within the planned public service envelope. No other sewer service policies specified in the Water and Sewer Plan or recommended in the master plan, including the peripheral sewer service policy, apply to the circumstances presented by this request.

This request differs somewhat from most PIF-based category change requests in several aspects:

- The PIF use is cultural, rather than the more-typical religious use; however, this has no bearing on its compliance with the PIF policy. The policy addresses any federally-recognized, not-for-profit use, and is not limited to only houses of worship.
- The property will remain under the ownership of the applicant for the foreseeable future, not the PIF user, which is responsible for the museum facilities and operation. Because of this arrangement, the preceding recommendation specifies that only the museum facilities can receive public sewer service. The applicant's private residence on the site and any associated buildings not directly related to the museum's function cannot be served by the extension of sewer service to the site.
- More than one museum building on the site will be served by the proposed main extension. This is unusual but not without precedent. While most PIF approvals, such as a church or other religious use, have a single structure served by public systems, a single service connection and hookup can serve a sanctuary building and a related structure such as a parish hall or rectory. A single pumping system, whether using one or several pumps, may serve more than one structure on a site. Only one sewer main extension will leave the property to connect with the existing WSSC sewerage system.

The applicant proposes to serve both an existing and a proposed museum building on the site. Both structures are located within the area included in this category change request. (It is reasonable to expect that smaller structures for service and maintenance may also be served.) Additional facilities for parking and a gateway entrance are proposed for locations outside the area included in this request. The applicant has stated that there are no plans to provide sewer service to these facilities. The project engineer has provided information showing that overall the existing and planned site development will result in approximately 16 percent impervious area. The applicant has acquired a number of properties adjacent to and near the project site with the purpose of creating a buffer around the museum site. *Only those properties included in the applicant's request (see the table above) are under consideration for category S-3 and public sewer service at this time.*

The applicant has proposed the use of a 1,500-foot low-pressure sewer main extension to provide sewer service to the site. An on-site pump facility will collect flows from locations on the museum site and pump them into a small-diameter sewer main running southeast and under Greenbriar Branch. The pressure sewer would leave east side of the project site, running between two residential properties to reach Lake Potomac Drive. (The applicant has proposed to run the main extension along an existing equestrian trail easement between two lots fronting on Lake Potomac Drive.) The extension would then follow Lake Potomac Drive southeast to an existing gravity sewer along Great Elm Drive. (See the map on circle pg. 17.) The applicant's project engineer has provided an explanation of the construction techniques planned for the crossing under Greenbriar Branch (see circle pgs. 34-35).

The pressure main extension will be dedicated to the museum's use only; no other properties along the sewer alignment will be allowed access to the main. Neither can other gravity or low-pressure mains be allowed to extend further from the proposed main extension to serve other properties. All of the properties located along the off-site sewer extension alignment are already improved with single-family houses. The proposed sewer main conforms to the PIF policy's requirements for the extension of service to existing PIF uses.

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's April 2012 Transmittal Packet**

**TRAVILAH PLANNING AREA MAP AMENDMENTS**

WSSCR 11A-TRV-06: Pg. 3

The gravity sewer extension alternative presented by WSSC, a 6,400-foot main extension to the existing Watts Branch trunk sewer near River Road and Stoney Creek Road, is not reasonable and would not satisfy the criteria for service in the PIF policy.

**Agency Review Comments**

**M-NCPPC – Area 3 Planning Team Preliminary staff comments:** This application is for public sewer service to serve an existing and future museum and is submitted under the private institutional policy in the County's Ten Year Water Supply and Sewerage Systems Plan. The application does not meet the Potomac Master Plan criteria for extension of sewer service.

The Master Plan recommend against extensions that would disrupt streams and their undisturbed buffer areas. Even if the proposed extension were bored below ground, any future leak, exposure of the pipe through stream relocation, or access for maintenance would disrupt the stream, which flows into the Watts Branch and into the Potomac just upstream of the County's water intake and treatment facility.

**Unresolved Issues:** The proposed sewer extension (the distance from the proposed museum to Great Elm Drive is approximately 3,000 linear feet) is greater in length than any previously approved by the County Council for a private institutional facility. It also differs from typical PIF applications in several other ways:

1. It is not for one specific facility, but for two and possibly more structures.
2. PIF applications typically are accompanied by detailed plans of the facility to be served. This one is not. As of January 23, 2012, the applicant is not in control of all properties depicted in sketch level plans.
3. Typically, PIF applications depend on a category change for construction to proceed. This one does not. The museum expansion can be built with septic fields. The rationale for the application includes the desire for flexibility in locating large and sculptures using heavy equipment.

**Potential Alternative:** Staff believes that the use of a hi-tech biological treatment plant for approximately 7000 gallons per day should be explored. The level of treatment and discharge would be higher than most municipal plants and would require concurrent State and County review. Such a plant would also not take up the space necessary for septic and reserve fields.

*[DEP-note: See circle pgs. 15A-15B for expanded comments from M-NCPPC staff.]*

**M-NCPPC – Parks Planning:** No apparent park impact.

**WSSC - Sewer:** Watts Branch sewer basin, Blue Plains WWTP.

- **Gravity service** to this property would require an approximately 6,400-foot-long non-CIP-sized sewer extension, connecting to the 10-inch sewer near River Road and Stoney Creek Road (contract no. 96-1649A). This extension would abut many properties in addition to the applicant's. Rights-of-way would be required. Construction of this extension may involve the removal of trees, and the temporary disruption of wetlands.
- **Pressure sewer service** would require an approximately 1,500-foot-long extension\*, connecting to the 12-inch sewer in Great Elm Road. The feasibility of the pressure sewer will be evaluated when more information is available. If a pressure sewer is approved, it will be a limited access pressure sewer for this property only. Flow from the proposed development will need to be determined in the future when more information is available. Program-sized sewer mains are not required to serve the property. Interceptor and treatment capacity are adequate.

*\* DEP note: 1,500 feet is the length of the off-site sewer extension. Preceding comments by M-NCPPC staff have noted an extension length of over 3,000 feet. That distance adds the length of the main on the museum site to the 1,500-foot off-site extension.*

**DPS – Well & Septic:** The property has a preliminary plan previously approved for multiple lots for single family dwellings. The septic areas may not be adequate for larger museum facilities. Additional soil testing may be

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's April 2012 Transmittal Packet**

**TRAVILAH PLANNING AREA MAP AMENDMENTS**

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WSCCR 11A-TRV-06: Pg. 4

needed and system design requirements will increase as the size of and activities associated with the museum increase.

ADS:ads/

R:\Programs\Water\_and\_Sewer\Projects\actions-COUNCIL\packets\2011nov\ce-packet\staff-rpt=11a-trv-06=s.doc



This application is for public sewer service to serve an existing and future museum and is submitted under the private institutional policy in the County's Ten Year Water Supply and Sewerage Systems Plan.

The Potomac Master Plan allowed for a very limited extension of sewer service for RE-2 properties at the periphery of the sewer service envelope. It specifically excluded properties adjacent to and in the vicinity of the lower Greenbriar Branch properties. This property confronts the Greenbriar properties, thus would not qualify under the peripheral sewer service policy. If the application had been to serve a residential subdivision, it would thus not have qualified.

The Master Plan does not specifically address private institutional facilities or the Rales property but did recommend against extensions that would disrupt streams and their undisturbed buffer areas. Even if the proposed extension were bored below ground, any future leak, exposure of the pipe through stream relocation, or maintenance access would disrupt the stream. These environmental concerns pertain, regardless of whether or not the application qualifies under the Council's PIF policy.

According to the applicant, septic fields would compromise the location of an additional museum and landscape and environmental initiatives. Community planning staff believes more evidence of need is required as a reasoned justification for such a lengthy extension of sewer service. The total property area is 127.7 acres with large swathes of open land available for septic fields. We understand that the applicant will provide more information regarding this issue.

To staff's recollection, the proposed sewer extension (the distance from the proposed museum to Great Elm Drive is approximately 3,000 linear feet) is greater in length than any previously approved by the County Council for a private institutional facility. It also differs from typical PIF applications in that it is not for one specific facility, but for two and possibly more structures. PIF applications typically are accompanied by detailed plans of the facility to be served. We understand that MCDEP staff will seek more detail on the proposed structure to accurately determine potential flow factors. Planning staff believe that information should also be sought regarding the long term plan for the residence (not owned by the non-profit entity). It should be factored into the flow calculations if it is intended that it be converted into a museum facility in the future.

The following are pertinent extracts from the Sewer Service Policies recommended by the 2002 *Approved and Adopted Potomac Subregion Master Plan*, followed by preliminary staff comments on the proposed category change.

**Sewer Service Policies: Low-Density Areas (pg. 22)**

"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<sup>1</sup> and along its currently-established edge<sup>2</sup>. The focus of this limited service and expansion should be on properties which already abut existing or proposed mains<sup>3</sup> and on properties which can be served by sewer extensions within public rights-of-way<sup>4</sup>. Main extensions that would disrupt<sup>5</sup> streams and their undisturbed buffers areas should be avoided<sup>6</sup>. 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 the Plan<sup>7</sup>."

**Sewer Service Recommendations (pg 23)**

Provide community sewer service in the Subregion generally in conformance with the Water and Sewer Plan service policies<sup>8</sup>. 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-1 within<sup>9</sup> and at the periphery<sup>10</sup> of the proposed sewer service envelope. Exclude from this peripheral service policy properties adjacent to and in the vicinity of the Palatine subdivision and the lower Greenbriar Branch properties<sup>11</sup>, 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 extension, if needed<sup>12</sup>, along roads rather than through stream valleys<sup>13</sup>.

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<sup>1</sup> This property is not within the envelope.

<sup>2</sup> This property is not "along" the edge as currently established.

<sup>3</sup> This property does not abut existing or proposed mains.

<sup>4</sup> It has not been shown if the main could or should be extended entirely within a public right-of-way. Technically it could but it would be expensive and tear up a rustic road.

<sup>5</sup> Some disruption could be avoided by boring under stream.

<sup>6</sup> WSSC notes that a pressure sewer on the subject property would not be a main, but that once it leaves the subject property it will be required to be in either a WSSC easement or public right-of-way which would classify it as a "main". The portion of the pressure sewer within the buffer and stream is on the Rales property but not on the same parcel/lot as the new Museum. Because the pressure sewer will cross the Rales residential lot, will it need to be in an easement and therefore be classified as a main?

<sup>7</sup> The two lots that have already been granted sewer service on Lake Potomac Drive cannot be used to justify this connection.

<sup>8</sup> The PIF policy is incorporated within the Ten Year Water and Sewerage Systems Plan, but should not override environmental issues identified in the Potomac Master Plan.

<sup>9</sup> This property is not within the sewer envelope

<sup>10</sup> Not "at" the periphery, especially if you exclude the two lots given service on Lake Potomac Drive. The Potomac Plan specifically tells us not to use other approvals as justification for expansion.

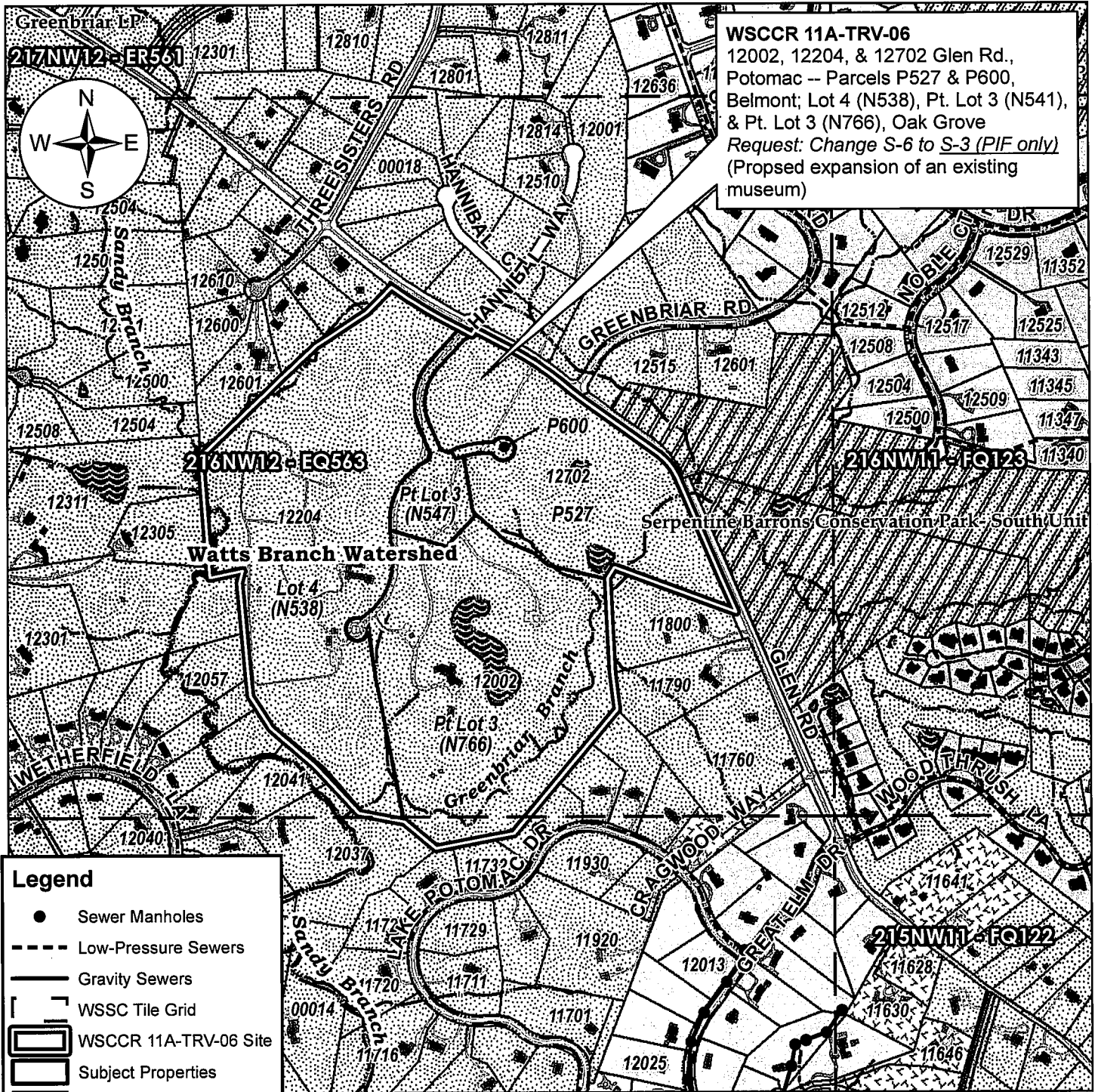
<sup>11</sup> This property confronts the Lower Greenbriar Branch Properties shown on Page 83 of the Potomac Plan. It is therefore excluded from the *Peripheral Sewer Policy*.

<sup>12</sup> Not needed if the septic field option is pursued.

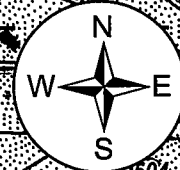
<sup>13</sup> Avoid stream crossings.

ISB

# Sewer Service Area Categories Map WSSCR 11A-TRV-06 (Glenstone Foundation)



**WSSCR 11A-TRV-06**  
 12002, 12204, & 12702 Glen Rd.,  
 Potomac -- Parcels P527 & P600,  
 Belmont; Lot 4 (N538), Pt. Lot 3 (N541),  
 & Pt. Lot 3 (N766), Oak Grove  
 Request: Change S-6 to S-3 (PIF only)  
 (Proposed expansion of an existing  
 museum)

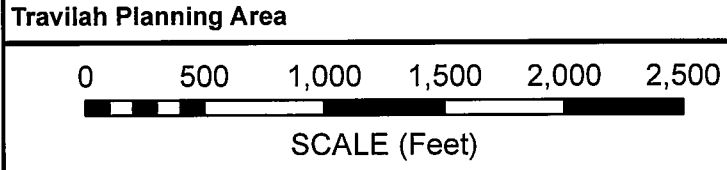


**Legend**

- Sewer Manholes
- Low-Pressure Sewers
- Gravity Sewers
- WSSC Tile Grid
- WSSCR 11A-TRV-06 Site
- Subject Properties
- Existing Parkland

**Sewer Categories**

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



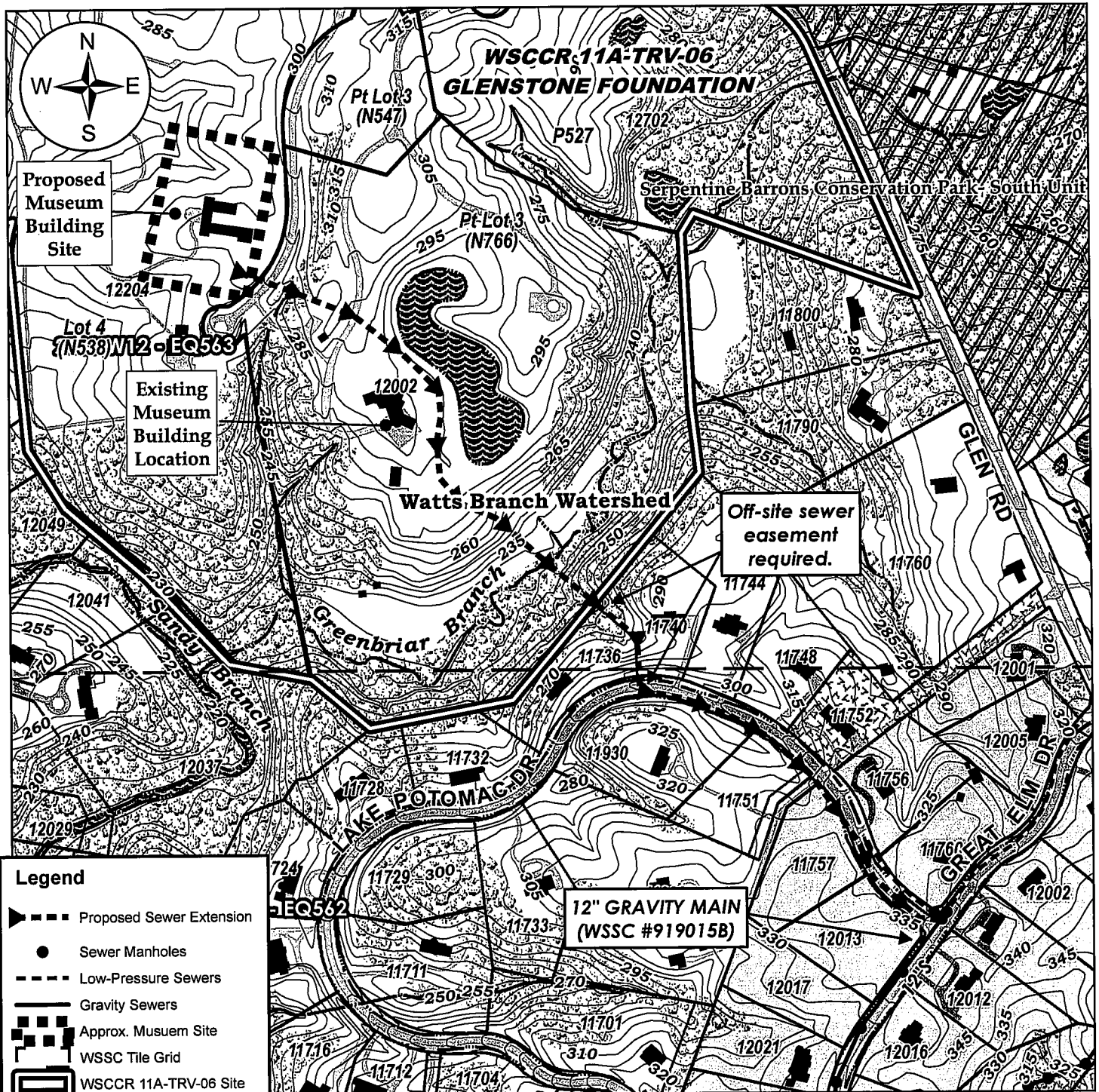
Montgomery County, Maryland  
 Draft 2011 Comprehensive Water Supply  
 and Sewerage Systems Plan



DEP  
 Water and Wastewater  
 Policy Group

# Sewer Service Area Categories Map

## WSCCR 11A-TRV-06 (Glenstone Foundation) - Sewer Extension Proposal

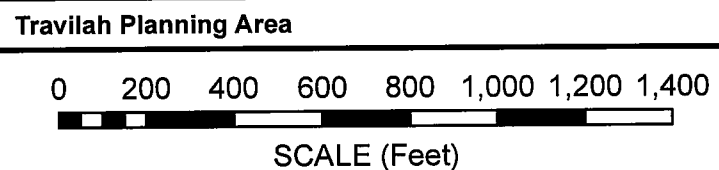


**Legend**

- Proposed Sewer Extension
- Sewer Manholes
- Low-Pressure Sewers
- Gravity Sewers
- Approx. Museum Site
- WSSC Tile Grid
- WSCCR 11A-TRV-06 Site
- Subject Properties
- Topography (5 ft. c.i.)
- Existing Parkland
- Woodlands

**Sewer Categories**

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



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

Department of  
Environmental  
Protection  
Montgomery County  
Maryland

MONTGOMERY COUNTY  
MARYLAND  
1773-1876

DEP  
Water and Wastewater  
Policy Group

**2) Property/Site Description and Development:**

Address 12002, 12702, AND OTHERS GLEN ROAD ROCKVILLE, MD 20854  
Property's TAX ID # (please provide, if known) DISTRICT 06: 03412381, 02718853,  
03676467, 00390652, 03039982  
Property/Site Size 127.7 Ac Identification (ie, Parcel #) N547, P600, N538, P527, N766  
Location/Closest cross-street Greenbriar Road  
Current Use RESIDENTIAL/MUSEUM/AGRICULTURAL Proposed Use SAME  
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](http://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-    OR No Change  Multi-Use  Shared   
Current Sewer Category: S-6 Requested Sewer Category: S-3 OR No Change  Multi-Use  Shared

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

SEE ATTACHED LETTER.

Note: Continue on a separate page, if necessary

**DEP Staff Use Only**

Receipt Acknowledged:  Email OR \_\_\_\_\_ US Mail

Water Sewer  
WSSC Tile 216NN12  
Tax Map EQS63  
Plan No. (PENDING)  
Process COUNCIL  
Master Plan POTOMAC (2002)  
Planning Area TRAVILAH  
Zoning RE-2  
Zoning Activity -  
Watershed Watts Br.  
CSPS Subwatershed \_\_\_\_\_  
State Watershed Use Class I  
GIS File \_\_\_\_\_

# IMPERVIOUS SURFACES CALCULATIONS

GLENSTONE II  
 ULTIMATE IMPERVIOUS AREAS: (PROPOSED & EXISTING TO REMAIN)

THREE SISTERS (SEE NOTE 1):

PROP. ROADWAY:	3.27 AC	20.29 AC
PROP. WALKING PATH:	142,469 SF	18.12%
PROP. BUILDINGS:	9,774 SF	0.22 AC
	18,884 SF	0.39 AC
	195,127 SF	3.88 AC
		19.14%

LOT 4:

PROP. ROADWAY:	48.12 SF	1.12 AC	48.9 AC
PROP. WALKING PATH:	32,175 SF	0.74 AC	2.24%
PROP. BUILDINGS:	45,978 SF	1.09 AC	2.12%
PROP. GREEN ROOF:	50,000 SF	0.89 AC	1.38%
PROP. WATER FEATURES:	21,440 SF	0.59 AC	0.74%
EX. WALKING PATH:	18,577 SF	0.49 AC	0.65%
	4,42 AC	8.85%	

LOT 3 AND PARCEL L. 7447 F. 728:

PROP. ROADWAY:	14,024 SF	0.34 AC	0.44%
PROP. WALKING PATH:	85,382 SF	2.02 AC	2.64%
PROP. BUILDINGS:	9,498 SF	0.22 AC	0.41%
EX. ROADWAY:	89,498 SF	2.05 AC	2.65%
EX. WALKING PATH:	72,759 SF	1.87 AC	2.16%
EX. BUILDINGS:	14,285 SF	0.33 AC	0.42%
	340,622 SF	7.82 AC	10.13%

HUNTS RIDGE (SEE NOTE 2):

EX. & PROP. IMPERVIOUS	0 SF	29.9 AC	0.00%
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TOTAL ULTIMATE IMPERVIOUS AREAS OF PROJECT:  
 702,348 SF 18.12 AC

\*SHOWN THROUGHOUT PROJECT SITE BUT ASSUMED TO GO ON LOTS 3 AND LOT 4 ONLY  
 IMPERVIOUS AREAS TO BE REMOVED

LOT 4:

EX. SURFACES AND STRUCTURES TO BE REMOVED:	87,070 SF	2.00 AC	4.01%
	87,070 SF	2.00 AC	4.01%

LOT 3 AND PARCEL L. 7447 F. 728:

EX. SURFACES AND STRUCTURES TO BE REMOVED:	51,869 SF	1.19 AC	1.54%
	51,869 SF	1.19 AC	1.54%

TOTAL TO BE REMOVED FROM LOT 3 & LOT 4:

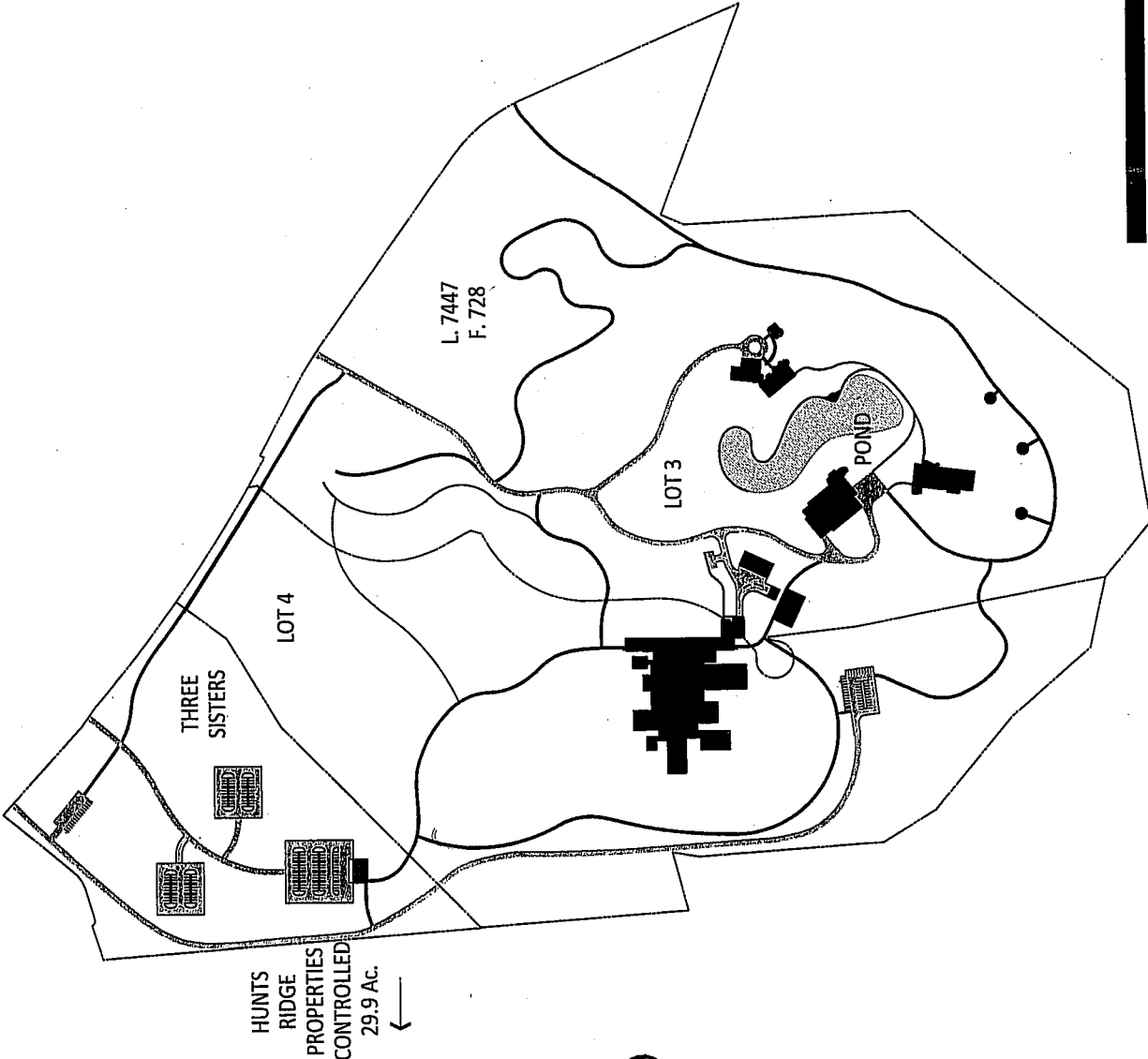
TOTAL IMPERVIOUS	138.91 AC
LOT AREA	18.31 AC
%	10.86% IMPERVIOUS

TOTAL IMPERVIOUS, INCLUDING AREAS TO BE REMOVED ON LOT 3 & 4 (FOR INTERIM CONDITION, TOTAL MAX. AT ANYTIME):

TOTAL IMPERVIOUS	138.91 AC
LOT AREA	18.31 AC
%	10.86% IMPERVIOUS

- NOTES:
- LOT 1 ON THREE SISTERS IS NOT CURRENTLY OWNED BY THE FOUNDATION. CALCULATIONS ASSUME A FUTURE ACQUISITION. LOTS INCLUDED IN THIS CALCULATION ARE LOTS 1 THROUGH 8.
  - INCLUDES LOTS 21, 23-26, 28, 36 & PARCELS B & D
  - CONTINGENCES SHOULD BE APPLIED FOR FINAL DESIGN AND FUTURE DEVELOPMENT NOT CONSIDERED AT THIS TIME.
  - IMPERVIOUS AREAS ABOVE INCLUDE 30,000 SF OF GREEN ROOF ON BUILDINGS AND APPROXIMATELY 11,000 SF OF WATER FEATURES AND POND.

**Glenstone II**  
 Potomac, Maryland  
 Impervious Areas Exhibit



11A-TRV-06  
Glenstone  
Foundation

**LINOWES**  
**AND BLOCHER LLP**  
ATTORNEYS AT LAW

May 20, 2011

Barbara A. Sears  
301.961.5157  
bsears@linowes-law.com

Mr. Alan Soukup  
Montgomery County Department of  
Environmental Protection  
Watershed Management Division  
255 Rockville Pike, Suite 120  
Rockville, MD 20850-4166

Re: Sewer Category Change Request; 127.7 Acres on Glen Road, Potomac, Maryland; Parcel Nos. N547 (Tax Account 3412381), P600 (Tax Account 2718853), N538 (Tax Account 3676467), P527 (Tax Account 0390652) and N766 (Tax Account 3039982) ("Property")

Dear Mr. Soukup:

On behalf of our client, Glenstone Foundation ("Foundation" or "Applicant"), we hereby submit the enclosed application for a Sewer Category Change Request from S-6 to S-3.

**THE PROPERTY**

The Property, containing 127.7 acres, is located on the west side of Glen Road in Potomac, Maryland, is zoned RE-2 and is comprised of the above-referenced parcel and tax account numbers (Exhibit "A"). The Property currently includes a private museum known as Glenstone, which is available to the public by appointment, and the residence of Mitchell and Emily Rales, founders of Glenstone.

Glenstone brings a unique cultural asset to Montgomery County. It provides an exceptional resource and learning experience for those who wish to appreciate art, architecture and landscaping. As expressed in Glenstone's Mission Statement, Glenstone seamlessly integrates art, architecture, and landscape into a serene and contemplative environment to form a unique connection between the art and visitors (Exhibit "B").

**THE APPLICATION**

The existing uses on the Property are served by septic systems. The Foundation proposes to expand the museum with the construction of a new museum building. In connection with the planning of that new facility, the Foundation seeks to connect to the public sewer system to avoid creation of additional large septic fields on the Property that would compromise the siting of the

Glentone  
11A-TRJ-06

**LINOWES**  
AND **BLOCHER LLP**  
ATTORNEYS AT LAW

Mr. Alan Soukup  
May 20, 2011  
Page 2

museum and planned works of sculpture, as well as the landscape and many environmental initiatives. The Property is currently served by an on-site well system. The Applicant is not seeking to change the current water category (W-6) or to hook up to the public water system.

Although not in the existing sewer envelope, the Property is proximate to it and in close proximity to existing sewer mains (Exhibit "C"). The Foundation has retained the civil engineering services of VIKA Maryland, LLC, to investigate the various alternative routes by which the Property could access public sewer service. The preferred route would provide for an on-site pump and low-pressure small diameter sewer main exiting the Property from the south and into Lake Potomac Drive for a distance of approximately 1,000 feet to an existing gravity sewer manhole also located in Lake Potomac Drive (Exhibit "D").

The Foundation has qualified for a federal tax exemption under the provisions of Section 501 of Title 26 of the United States Code (Internal Revenue Service) (Exhibit "E"). It is planned that the Foundation will own the new museum building if the category change is granted and the project goes forward. As such, the Foundation is seeking the subject sewer service category change and access to the public sewer system pursuant to Chapter 1, Section (II) (E) (4), "Community Service for Private Institutional Facilities," of the County's approved Ten Year Comprehensive Water Supply and Sewerage Systems Plan ("Ten Year Plan"). This Section of the Ten Year Plan is typically referred to as the PIF Policy.

**PIF POLICY**

The Application conforms to the terms and provisions of the PIF Policy. The relevant sections of the PIF Policy in part provide as follows:

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.

\* \* \*

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 only where required



11A-TEL-06  
Glenstone

**LINOWES**  
AND **BLOCHER** LLP  
ATTORNEYS AT LAW

Mr. Alan Soukup

May 20, 2011

Page 3

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.

\* \* \*

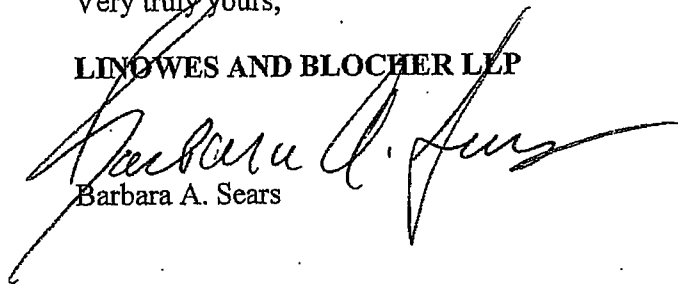
c. **Main Extensions for PIF Uses** – Main extensions outside the acknowledged community service envelopes, where required, shall be designated ‘Limited Access’ consistent with the Limited Access Water and Sewer Mains Policy. Where community sewer service for a PIF use will be provided by low pressure mains, those mains shall be dedicated only to that PIF use and generally not eligible for additional service connections....”

As indicated, Glenstone is located outside the sewer service envelope and is an existing PIF use. The PIF Policy allows for a service area category change where, as in this case, the sewer main extension does “not threaten to open undeveloped land to development, contrary to the intent of the relevant local area master plan.” As you can see from Exhibit “D”, the proposed sewer alignment, as it exits the Property, would progress down Lake Potomac Drive to an existing WSSC gravity sewer manhole. The alignment would not “threaten to open undeveloped land to development” for two important reasons. First, as depicted on Exhibit “D”, the proposed pressure main would abut subdivided lots on Lake Potomac Drive that are already developed with single family homes. Second, the proposed sewer extension would be in the form of low pressure sewer and would, therefore, be dedicated solely to the use of Glenstone as a restricted line. Thus, even if the properties which abut the proposed sewer main extension on Lake Potomac Drive were in fact unimproved and undeveloped, they would not be able to hook into this dedicated low pressure sewer main.

For all of the above reasons, the Foundation respectfully submits that its request for a sewer category change conforms to the provisions outlined in the Ten Year Plan and should, therefore, be granted. Thank you for your assistance in this matter. Should you have any additional questions or concerns, please do not hesitate to contact me. The Applicant looks forward to working with you and the Council as this application undergoes further consideration.

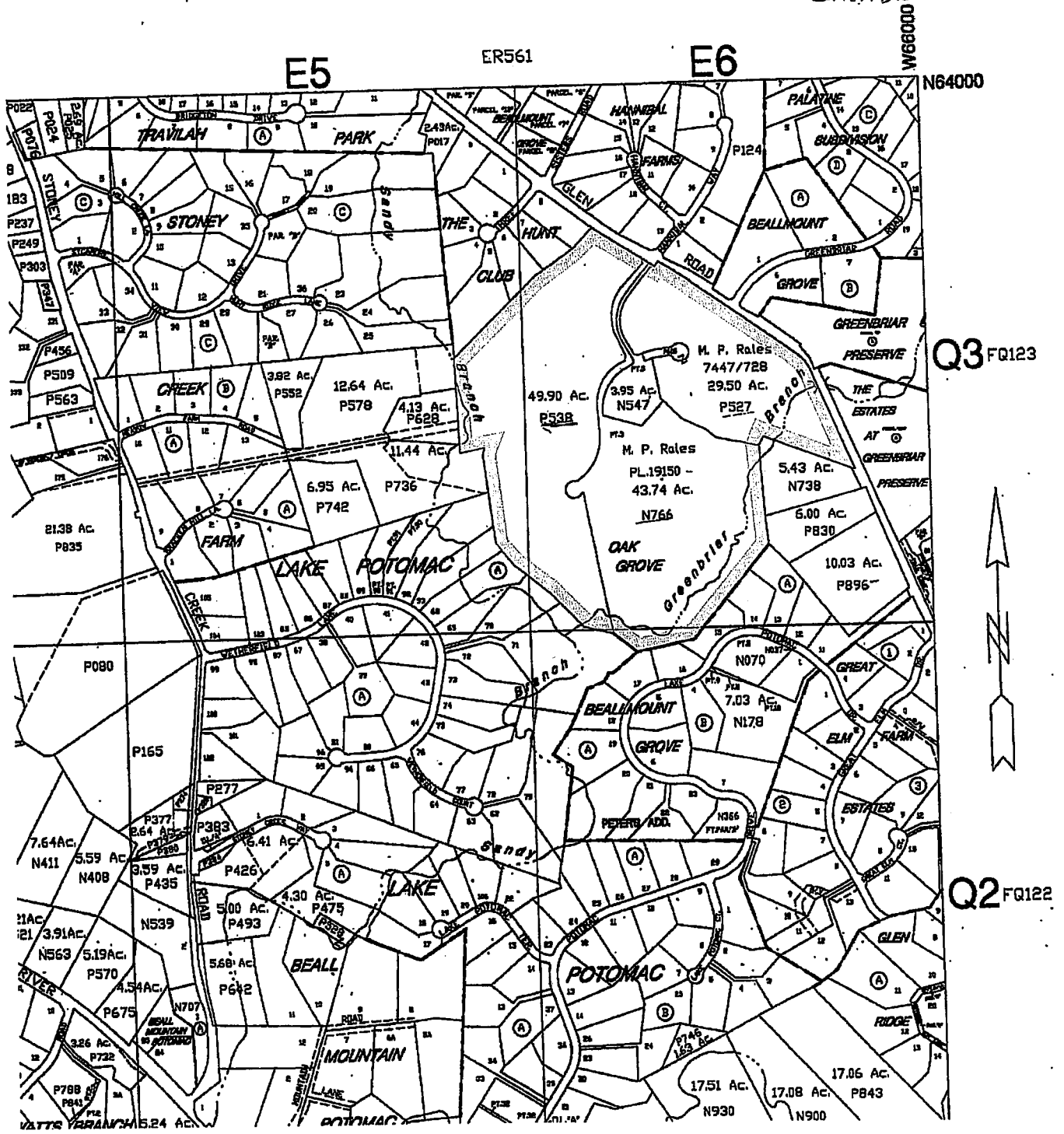
Very truly yours,

**LINOWES AND BLOCHER LLP**



Barbara A. Sears

Enclosures



**MAP EQ**  
MONTGOMERY COUNTY MARYLAND

**Glenstone II**  
Rockville, Maryland

**Exhibit A**

Tax Map  
For Sewer Category Change Request



**Mission**

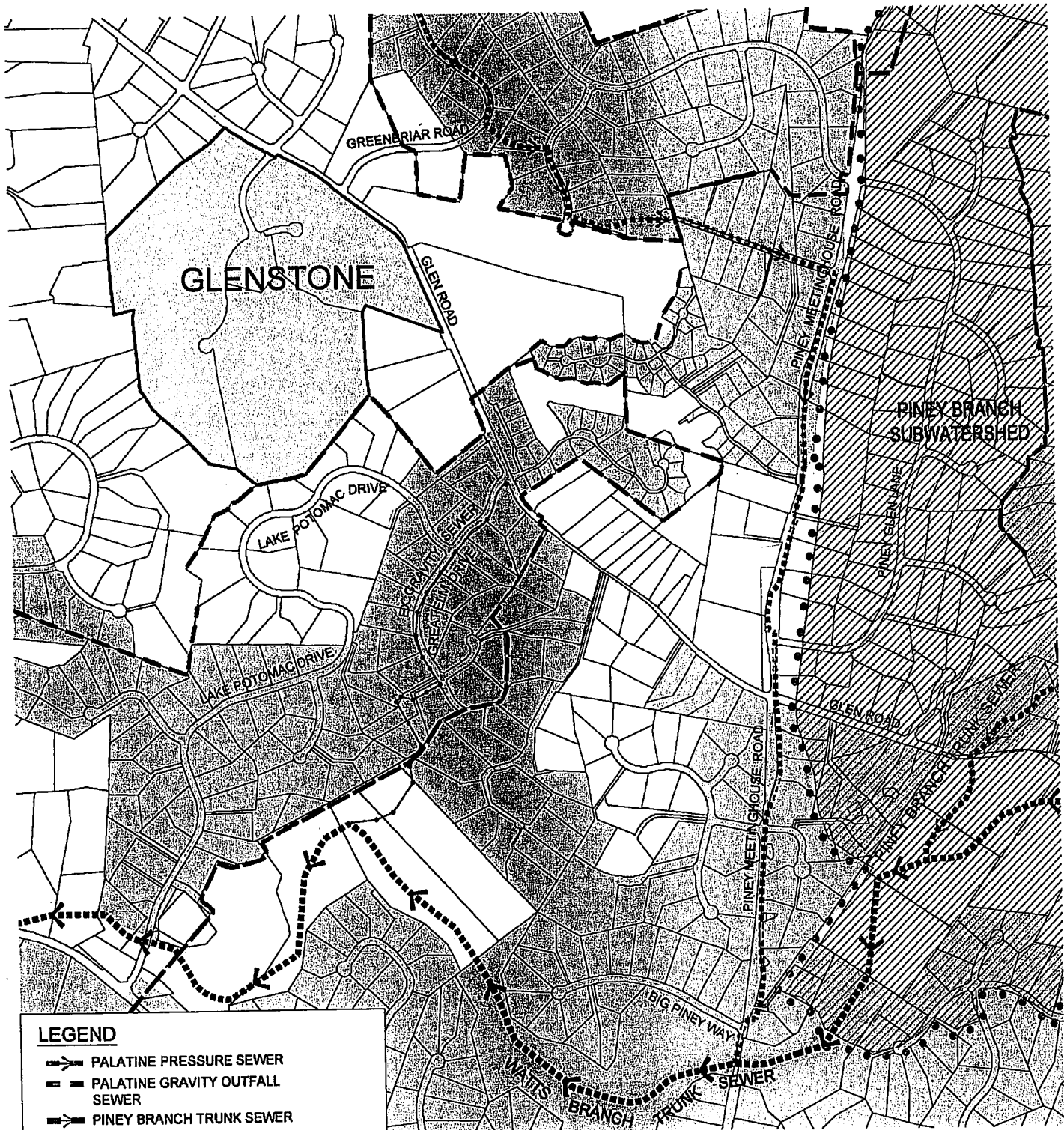
Glenstone seamlessly integrates art, architecture, and landscape into a serene and contemplative environment to form a unique connection between art and visitor. It expresses the personal vision of its founders by assembling and presenting post-World War II art of the highest quality in a series of refined architectural and outdoor spaces. These settings exist to exhibit works of art—created from 1945 through the lifetime of Glenstone's founders—that represent the greatest historical shifts in how art is seen and experienced.

**Core Values**

- Continuous improvement as a way of life
- Connoisseurship in art, architecture, landscape, and aesthetic experiences
- Unequivocal excellence in everything we do
- Intellectual integrity and honesty
- Long-term defines the way we think

**Vision of Glenstone in 25 Years**

- Glenstone will be recognized as having created a new museum model, and will be considered an essential experience for anyone with a serious interest in postwar art.
- While established art museums such as Museum of Modern Art may possess more works, none will surpass Glenstone in its unique combination of consistent quality, thoughtful presentation, and intimacy of the overall experience.
- Every work in Glenstone's collection will be acknowledged as among the very best and most significant examples of the artist's achievement.
- Glenstone's architecture will consist of the most refined physical settings, with each building existing first and foremost in service to the art, and second as a testament to the vision of the architect who created it.
- The landscape will be known as the definitive environment for art outdoors, enhancing the art and architecture and encouraging self-directed exploration and discovery.
- Glenstone will be a living legacy of the vision, connoisseurship, dedication and public-mindedness of its founders.



**LEGEND**

- PALATINE PRESSURE SEWER
- PALATINE GRAVITY OUTFALL SEWER
- PINEY BRANCH TRUNK SEWER
- WATTS BRANCH TRUNK SEWER
- PINEY BRANCH SUBWATERSHED LIMITS
- PINEY BRANCH SUBWATERSHED

**SEWER SERVICE CATEGORY LEGEND**

- AREAS CURRENTLY SERVED OR GIVEN PRIORITY FOR EXTENSION OF PUBLIC SERVICE

\*NOTE: INFORMATION BASED ON MONTGOMERY COUNTY WEB-INTERFACE (GIS) SERVICE.



**Glenstone II**  
Potomac Maryland

**Exhibit C**

Sewer Envelope Information  
For Sewer Category Change Request



OCT 11 2011

Environmental  
Protection

October 7, 2011

Barbara A. Sears  
bsears@linowes-law.com  
301.961.5157

Mr. Callum Murray  
The Maryland-National Capital Park  
and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Re: Category Change Application No. 11A-TRV-06, Glenstone Foundation ("Application")

Dear Callum:

On behalf of the Glenstone Foundation, the purpose of this letter is to respond to your requests for some further information on the Glenstone Application. Below, we have identified your requests and our responses. It is hoped this information will assist you and Staff in your review.

**I. Description of Pressure Sewer Construction and Maintenance Issues**

Enclosed as Attachment "A" please find a Memorandum dated October 5, 2011 from VIKA, Maryland, LLC, describing the construction details and technologies of the pressure sewer line to serve Glenstone. This Memorandum also addresses mitigation of anticipated impacts and future maintenance.

**II. What are the Benefits of Public Sewer when Compared to Possible Septic Service?**

Glenstone's vision is long term. Accordingly, Glenstone is planning a sustainable facility for the next 100-year timeframe. Based upon its Mission and the evaluations of its engineering experts, Glenstone strongly believes that septic is inconsistent with its environmental and long-term planning goals. Initially, septic does not facilitate the many existing and planned environmental initiatives that are part of the Glenstone Mission. These initiatives are summarized below, along with the results of evaluations made by our environmental and civil engineering consultants on the issue of the use of septic.

*A. Specific environmental initiatives Glenstone is currently engaged in or plans to undertake as a part of the project:*

- **Organic Lawn Care.** In 2009, Glenstone began to collaborate with Paul Tukey, recognized as one of the country's leading experts on organic lawn care. Over the past two years, the grounds maintenance program at Glenstone has become a

(26)

Mr. Callum Murray  
October 7, 2011  
Page 2

completely organic program. Currently, no pesticides and no synthetic fertilizers are used on the Glenstone property.

- **Pilot program with University of Maryland.** This program was initiated in July 2011 to study and develop methods for sustainable organic turf. The multi-year program was designed by the SafeLawns Foundation and University of Maryland turf grass specialists. The goal is to emerge with peer-reviewed scientific studies to settle long standing industry debates concerning natural fertilization, as well as weed, insect and disease control. There are currently 30 plots at Glenstone being studied by several graduate students as part of the curriculum for the degree. The study will continue for approximately 30 months, and the reported results will be shared with the greater academic community and local residents in an effort to advance the practices and protocol for sustainable organic turf.
- **Renewable Energy.** Glenstone currently operates on 100% renewable energy. Glenstone is the first museum in the country to offset its full energy use by buying back energy credits for wind power. Glenstone II will be designed with the intention of it too operating on 100% renewable energy.
- **Glenstone II will be Designed to Meet LEED Certification at the Silver Level and to Possibly Achieve the Gold Level.** LEED requirements such as recycling construction material, minimizing water use, capturing and recycling storm water and use of natural daylight will be employed and augmented by use of geothermal wells for heating and cooling. For a museum which necessitates a very high level of indoor environmental control, the project is seeking to achieve some of the most progressive energy reductions yet realized in comparable museum facilities.
- **Construction of a Living Building at Glenstone.** As an example of environmental stewardship, Glenstone plans to incorporate Living Building Challenge Guidelines into one of its proposed buildings. The Living Building Challenge, under the auspices of the International Living Future Institute, is a performance-based standard that incorporates 100% sustainability. A small gallery will be designed and constructed to generate its own energy with renewable resources and capture and treat all of its water, while incorporating efficient operation and high quality architectural design.
- **Compliance with the Sustainable Site Initiative.** Although the program, administered by the American Society of Landscape Architects, is in a pilot phase

Mr. Callum Murray

October 7, 2011

Page 3

until 2013, Glenstone will strive to meet the required prerequisites of the program, such as: limiting development of soils designated as prime farmland, unique farmland, and farmland of statewide importance; protecting floodplain functions; preserving wetlands; preserving endangered species and their habitats; reducing potable water use for landscape irrigation by 50 percent from established baseline; protecting and restoring riparian, wetland, and shoreline buffers; eliminating the use of wood from threatened tree species; restoring soils disturbed during construction; controlling and retaining construction pollutants, and planning for sustainable site maintenance.

- **Preservation of Green Area.** The Glenstone property which is the subject of the Application contains approximately 127 acres and was originally approved for 42 residences located on two-acre lots served by individual septic systems. The 127 acres are now identified as Lots 3 and 4 and an unrecorded Parcel (Parcel L.7447 F.728). Over the years, Glenstone and its founders have purchased approximately 44 acres of contiguous area for visual and buffering purposes<sup>1</sup> and hope to acquire some additional contiguous land that is well related to the existing ownership. In this regard, Glenstone hopes to purchase another three lots (Lots 1, 7 and 8) on Three Sisters Road containing approximately 6 acres if these lots become available for sale. These properties, totaling 177 acres, are shown on Attachment "B", and further addressed below. Glenstone believes that the elements associated with its long term plan will not result in an impervious area that exceeds approximately 15% of this total area as more fully discussed below. Accordingly, connecting to the public sewer as proposed under the PIF Policy will not contribute to an increase in development from that otherwise allowed in the RE-2 Zone on septic, and will best ensure the maintenance of large open space areas.

*B. Specifics of what we have learned from our consultants and others on the environmental impacts of septic fields:*

- A major concern of Glenstone is the environmental impact and long-term viability of septic. It is acknowledged among many leading scientists, policymakers and environmentalists that septic systems negatively impact our streams, lakes and the Chesapeake Bay. Septic tanks were never designed to remove nitrogen. Instead,

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<sup>1</sup> Consisting of 9 lots on Hunt Ridge Road containing approximately 30 acres, and Lots 2, 3, 4, 5 and 6 on Three Sisters Road containing approximately 14 acres.

Mr. Callum Murray  
October 7, 2011  
Page 4

they facilitate the water soluble nutrient's passage into groundwater and into streams, rivers and the Chesapeake. How much nitrogen a septic tank emits compared with a sewage treatment plant depends on its location; but it can be from four to ten times as much according to water quality regulators. Although a newer, more advanced type of septic tank can reduce nitrogen and other unwanted by-products significantly, it still cannot match what a treatment plant can remove. Also, heavy rains or storm surges can overwhelm septic systems, sending contaminants into nearby surface and ground waters.<sup>2</sup>

- Glenstone is working with Buro Happold, an international environmental engineering firm based in New York on environmental design for Glenstone. As the LEED consultant for Glenstone, Buro Happold has studied the water use calculations, blackwater treatment options, and water options for the new building. These studies evaluated all available options for wastewater treatment, including on-site treatment, septic, sewer and combinations of the above. Between all the options, septic resulted in the highest negative impact on the environment due to nitrogen issues. Public sewer was recommended as the best available option in terms of overall sustainability. In this regard, it should be noted that blackwater and on-site treatments are not allowed by the Montgomery County Health Department. However, even if considered to be available, none of the on-site treatments were as effective in removing nitrogen as public sewer.

### **III. How will Use of Septic Fields Potentially Interfere with the Plans for Glenstone?**

- Current County regulations would require Glenstone II to provide a septic field and three reserve fields totaling approximately 6.0 acres. The size of the required septic field and reserved fields restricts a large central area of the grounds in what are logical and potentially preferred areas for walkways, monumental sculptures and geothermal well fields. The probable location of the septic fields in the

---

<sup>2</sup> In February 2011, Governor O'Malley proposed banning the use of septic systems for developments larger than 5 lots. Additionally, Delegate Maggie McIntosh, Chair of the House Environmental Matters Committee, was chosen to lead a Task Force on Sustainable Growth and Wastewater Disposal, and Jon Laria, partner in the law firm of Ballard Spahr, was chosen to serve as vice chair. The Task Force is expected to report its findings by December 2011 to the Governor, the Speaker of the House, the President of the Senate, the House Environmental Matters Committee and the Senate Education, Health and Environmental Affairs Committee.



Mr. Callum Murray  
October 7, 2011  
Page 5

central area is due to the fact that much of the Glenstone grounds are wooded areas or forest. Currently, the most viable locations for septic fields are in open meadows in the center of the site.

- **Monumental Sculptures:** Glenstone currently has 12 monumental sculptures installed on the property, including important works from Richard Serra, Julian Schnabel, Tony Smith and Andy Goldsworthy. The existing footprints of these works range in size from 5 square feet to several hundred square feet and the maximum weight is approximately 165 tons. These works typically require concrete foundations for support, extending 3-6 feet into the earth. Three additional sculptures are planned in the near future on the grounds. A septic field and reserve area would preclude any new works being located in the designated area, creating an artistic “dead zone” in the middle of the site. In addition, monumental sculptures typically require cranes or heavy equipment for installation and maintenance. This means that even if a sculpture could theoretically be installed in and around the septic and reserve field area, access and maintenance would be inhibited, potentially creating further locational limitations.
- **Pathways:** Furthermore, no walkways, roads or trails may be located over a septic field, nor may trees or shrubs be planted over such areas. Therefore, by use of septic, Glenstone would lose the flexibility to initiate landscape improvements or create a different visitor experiences in the future that incorporated the subject 6 acres.
- **Geothermal Wells:** The anticipated green energy initiatives for Glenstone include the use of geothermal wells for heating/cooling. Appropriate and proper implementation of the geothermal wells requires large tracks of land. We believe that the large area needed for the septic and reserve fields may inhibit the placement of these wells as well as Glenstone’s flexibility to utilize other green technologies.

A. *Conflicts in the Vision of Glenstone*

- The vision of Glenstone includes: “The landscape will be known as the definitive environment for art outdoors, enhancing the art and architecture and encouraging self-directed exploration and discovery.” For all of the above reasons, we believe that Glenstone will be unnecessarily hampered in achieving its stated Mission if Glenstone is restricted to septic.

Mr. Callum Murray  
October 7, 2011  
Page 6

#### **IV. What are the conceptual plans for Glenstone?**

##### *Museum Plans*

It is anticipated that Glenstone II will include the following spaces: approximately 45,000 square feet of new gallery and circulation space, 25,000 square feet of art storage space, and 15,000 square feet of administrative space, as well as mechanical and other necessary support areas. Consistent with its Mission, the new building will not include an event space for rent or an auditorium for such matters as musical performances or lectures. In this regard, Glenstone II will be programmed for art viewing only, with supporting functions located in the building as noted above. Further, the art works on display will be curated from the Glenstone collection. Conceptual Plans showing the anticipated layout for Glenstone are attached as Attachments "C-1," "C-2," and "C-3" and further addressed below.

Given Glenstone's remote location and the length of a typical visit, the building program includes a small café containing approximately 4,500 square feet. The café building will include a small kitchen for the preparation of simple soups, salads and sandwiches. The use of the café, currently planned to be located on a path connecting the new museum to the existing museum, will be limited to visitors and staff, and will not be a stand-alone destination.

#### **V. What is the Long Term Master Plan for Glenstone?**

As noted above, Glenstone and its founders have acquired and hope to acquire, depending on availability, land adjacent to the approximate 127 acres that is the subject of this Application. Therefore, Glenstone has provided a concept drawing which shows the desired plan for Glenstone if the land in question is acquired and various necessary regulatory approvals obtained (Attachments "C-1" and "C-2"). The additional elements shown in this larger area are three small parking areas that are well landscaped to create an attractive critical mass of tree canopy, a well designed maintenance building, and a small gallery that would serve as an entry. These design elements are intended to remove cars visually and functionally from the visitors' art and landscape experience while, at the same time, appropriately buffering them from the surrounding area.

#### **VI. What is the Anticipated Operating Policy?**

- **Admission Policy.** While Glenstone will be open and free to everyone, all visitors must be pre-approved for timed entry admission via on-line reservations

Mr. Callum Murray  
October 7, 2011  
Page 7

("Reservations"). In this manner, the number and timing of visits will be controlled.

- **Schedule of Days that Glenstone will be Open.** Over time, it is planned that Glenstone will be open five days per week, including one weekend day (Saturday or Sunday) and closed Monday and either Saturday or Sunday. Achieving this schedule will be incremental. Accordingly, it is anticipated that Glenstone II will initially open two days a week and add additional days over time depending on demand.
- **Hours of Operation.** Museum Hours will be from approximately 11:00 a.m. to 5:00 p.m., or approximately 30 hours per week.
- **Cost of Admission.** Entry to Glenstone will be free of charge.
- **Anticipated Number of Visitors.** In the operation of the existing museum, every effort has been made to eliminate the possibility of crowding. To ensure a contemplative undisturbed environment – the cornerstone of the Glenstone experience – the founders have established an attendance policy based on a determination of the ideal density.

Because a typical tour will include the existing museum, the new museum and the grounds, Reservations will be approved to account for abbreviated, typical and extended tours of Glenstone, lasting an average of 2 hours, 3 hours and 4 hours, respectively. Accordingly, Glenstone intends to limit the overall maximum capacity of visitors on the grounds to 268 at any given time during the course of one day. Please note that these numbers are design maximums, and the typical (weekday) visitor numbers are expected to be significantly lower.

## VII. Evaluation of Existing and Proposed Impervious Area

As requested, we have evaluated the existing and the proposed impervious area on the 127 acres that is the subject of this Application ("Glenstone Proper"), the additional land owned by Glenstone, and the land desired for acquisition if it becomes available. When existing facilities on Glenstone Proper that are proposed for removal are removed and the new planned facilities are constructed, the impervious surface on Glenstone Proper is approximately 13%. If the eight lots on Three Sisters Road are included in the calculations, the existing improvements on these eight lots removed, the Hunt Ridge

Mr. Callum Murray  
October 7, 2011  
Page 8

Road properties owned by Glenstone included, and the planned Glenstone improvements constructed, the total impervious surface area is approximately 11%.

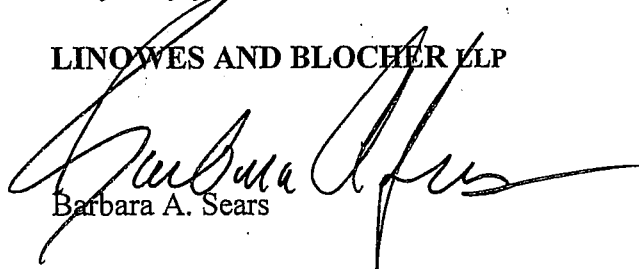
Glenstone believes a 15% impervious limit to accommodate possible future improvements or art works that fall within the impervious surface definition is appropriate for the long term if this larger area (177 acres) is included in the calculation. With regard to this 15% number, we note that the existing two-acre pond was counted as impervious, the same as if it were an asphalt parking lot. In addition, approximately 40,000 square feet of proposed green roofs, which will be contiguous with the landscape and part of the stormwater management, were also included in the impervious number and were counted the same as a membrane roof with gutters. Finally, it should be emphasized that this limited amount of impervious surface is consistent with the Mission and long term goals of Glenstone.

Based on the form of development proposed, including the integration and consolidation of large areas of open space in the project and numerous environmental initiatives to be employed, we find the grant of this Application will achieve superior protection and conservation of the natural landscape.

Thank you for your consideration. Should you have any questions or require further information, please feel free to contact me.

Very truly yours,

**LINOWES AND BLOCHER LLP**



Barbara A. Sears

Attachments

cc: Rollin Stanley  
Mary Dolan  
Katherine Nelson  
✓ Alan Soukup  
Mitchell Rales  
Tony Cerveney  
Anita Ayerbe



## MEMORANDUM

**Date:** October 5, 2011  
**From:** VIKA Maryland, LLC  
**To:** Glenstone Foundation  
**Re:** Glenstone Pressure Sewer Narrative

The new museum to be constructed on the Glenstone Foundation property, Glenstone II, is proposed to be served by a pressure sewer system which will connect to the existing WSSC gravity sewer system located at the intersection of Lake Potomac Drive and Great Elm Drive. This pressure sewer system will consist of a collection station, grinder pumps, approximately 3,000 feet of small (1-1/4" diameter) pressure sewer pipe, and related appurtenances such as flushing valves. The pipe alignment is approximately 1,500 feet on the Glenstone Foundation property, 215 feet through an adjacent property to Lake Potomac Drive, and 1,275 feet along Lake Potomac Drive to the existing WSSC gravity sewer system. Before exiting the Glenstone Foundation property, the pressure sewer pipe will run under an existing Class I stream. The costs of the installation will be fully borne by the Glenstone Foundation.

Construction concerns have been expressed about the construction impact of this system on the environment. These concerns include the potential impact to serpentine soils and the shallow rock associated with this type of soils that would be disturbed with the construction of the sewer line. From the soil survey, it appears that there are no serpentine soils in the alignment currently under consideration. Further, soil investigation performed did not find rock within the anticipated depth of the sewer trench. Additionally questions have been raised about potential damage to the stream, wetlands, and forested areas during the installation.

The County and WSSC are always cautious about approving additional pressure sewer systems due to maintenance concerns, such as the fact that they have been reported to have blockages due to inactivity, complaints from nearby residents regarding odors, and difficulties for property owner's to properly maintain their privately owned grinder pump system. Additionally questions have been asked about how the system could be operated without risk to the environment from a theoretical leak in the system, particularly under the stream.

However, we believe that the proposed pressure sewer system for the Glenstone property can be designed to overcome these concerns and present a better solution than a large septic field.

### **Construction Concerns Addressed:**

While typically sewer lines such as this are installed through an open trench excavation. This conventional trenching methodology temporarily impacts the environment over the sewer route. Typically a construction crew utilizing a backhoe will excavate an open trench approximately three feet wide, install the pipe on appropriate bedding, then backfill the trench and restore the surface to conditions that existed prior to the installation. The backhoe will typically clear a path eight to ten feet wide to allow for the trenching and pipe installation. While this construction method may be used in non-environmentally sensitive areas, it is proposed that the construction in the stream, wetlands and forested areas will be achieved through a *directional boring* system. A horizontal directional drilling machine will begin drilling from a non-environmentally sensitive location on the Glenstone side of the stream. Additionally the installation through the forested areas will be achieved through directional boring.

VIKA Maryland, LLC

20251 Century Boulevard, Suite 400 ♦ Germantown, Maryland 20874 ♦ 301.916.4100 Fax 301.916.2262  
 McLean, VA ♦ Germantown, MD ♦ Washington, DC

www.vika.com

34

Attachment "A"

This boring installation will not disturb the stream, wetlands or forested areas, and will surface on the opposite side of the stream or forest in a predetermined, non-environmentally sensitive location.

Typically, the boring machine will directionally bore a small diameter "pilot hole" from one side to the other of the area to be protected. The directional drill is withdrawn, pulling a mandrel, or "reamer" to enlarge the pilot hole slightly larger than the 1-1/4" diameter pressure sewer pipe. Once the "reamer" is withdrawn, the 1-1/4" pressure sewer pipe is pulled back through the hole thus avoiding impact to environmentally sensitive areas. Construction is reliable because the machine itself uses sophisticated computers and a radio transceiver to constantly monitor the telemetry of the bore as it moves under the ground. ***This construction technique has been approved by the WSSC.***

***Maintenance Concerns Addressed:***

Maintenance concerns are easily eliminated on site as the museum has a full time maintenance staff that is experienced in such requirements. The pump system will include redundant pumps such that replacement of a faulty pump will not affect the performance. The museum, including the grinder pump system, will be served with a back-up power supply such that power failure will not affect performance. The Glenstone staff is also able to monitor the functioning of the system to ensure that it performs without issues to the community or the WSSC. Potential blockages and odors are typically caused by sewage sitting in the line during periods of inactivity resulting in odors from decomposition, and potential blockages over time. These issues will be addressed through monitoring of system such that during periods of inactivity, the system can be flushed with rain water collected on site and stored in cisterns. The pressure pipe system will contain approximately 270 gallons between the pumps and the transition manhole. Accordingly, the system could be flushed with a small volume, less than 5% of the anticipated daily flow, of captured rainwater.

Furthermore, concerns about sewage leaking from the pipe entering the stream will be alleviated through higher than routine levels of system monitoring and the implementation of sophisticated maintenance activities to mitigate possible issues, and/or to identify them before they occur. While the specific techniques will be determined at design approval since they are subject to WSSC approval, it is anticipated that they may include multiple pressure gauges to monitor pressure fluctuations throughout the pressure pipe, periodic isolation and pressure testing (to identify leaks) of critical segments of the pressure line, and potentially a casing pipe between flush valve manholes on either side of the stream as a safety pipe to catch an leakage. Through these techniques, a theoretical leak will be identified and resolved immediately.

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

**TRAVILAH PLANNING AREA MAP AMENDMENT**

WSSCC 11A-TRV-08: Pg. 1

**WSSCC 11A-TRV-08: Ravinder & Ritu Kapoor**

**County Executive's Recommendation: Deny the request for sewer category S-3; maintain category S-6.**

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"> <li>• 10401 Boswell La., Potomac</li> <li>• Parcel P666, Wickham &amp; Pottinger Piney Level</li> <li>• District 04, acct. no. 00053133</li> <li>• Map tile: WSSC – 217NW10; MD – FR31</li> <li>• North side of Boswell La. at Glen Mill Rd.</li> <li>• RE-2 Zone; 2.00 acres</li> <li>• Travilah Planning Area Potomac Subregion Master Plan (2002)</li> <li>• Watts Branch Watershed (MDE Use I) – Piney Branch subwatershed (Mont. Co. SPA)</li> <li>• <u>Existing use</u>: one single-family house (built 2006)</li> <li>• <u>Proposed use</u>: same, sewer service for the existing house</li> </ul>	<p><b>Service Area Categories:</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Existing</th> <th style="text-align: left; border-bottom: 1px solid black;">Requested</th> </tr> </thead> <tbody> <tr> <td>W-1</td> <td>W-1 (no change)</td> </tr> <tr> <td>S-6</td> <td><b>S-3</b></td> </tr> </tbody> </table> <p><b>Applicant's Explanation</b></p> <p><i>(Summarized from the applicant's June 28, 2011, letter – attached)</i>                      The only acceptable location for the existing septic system is at the front of the property which allows for little to no additional parking space for visitors. Guests have to park along Boswell La. and nearby roads, and it is hazardous to walk along these roads to get to the applicant's house. The applicants have asked the County to construct sidewalks along the roads, but have not had success due to lack of support from their neighbors. Providing public sewer would eliminate the need to depend on the septic system, allow for more parking area on the property, and thereby create safer access to the applicant's home.</p>	Existing	Requested	W-1	W-1 (no change)	S-6	<b>S-3</b>
Existing	Requested						
W-1	W-1 (no change)						
S-6	<b>S-3</b>						

**Executive Staff Report:** The applicant has requested a sewer category change from S-6 to S-3 to allow the extension of public sewer service to an existing single-family house. The house has a functioning septic system, but according to the applicant, that system is in a location that prevents guests from parking at the house, requiring a hazardous walk to the house along local roads from where parking is available. The provision of public sewer service to this property is not consistent with either Water and Sewer Plan service policies or with master plan recommendations.

WSSC has proposed to serve the property using a 900-foot gravity main extension east to the Piney Branch Trunk Sewer (see below). This gravity sewer main extension was in part previously considered by the County Council when sewer service was approved for the R.A.M. Investments property site to the west along Boswell Lane. The Council rejected this extension to the R.A.M. site because it would require construction within the Piney Branch stream buffer and potential disruption to the stream itself. The Council instead chose a low-pressure main extension along Boswell Lane from the west to provide sewer service. That low-pressure main, constructed in 2007, does not abut the applicant's property. WSSC prefers a gravity service option for the applicant's property as opposed to a further extension of the existing low-pressure main.

The property is zoned RE-1. Under the Water and Sewer Plan's general service policies the property is ineligible for public sewer service. These policies are supported by the sewer service recommendations included in the 2002 Potomac Subregion Master Plan. The provision of public sewer service in this area is further controlled by the Piney Branch sewer service policy, which limits public sewer service in the Piney Branch watershed to properties which satisfy at least one of a series of six specific service conditions. (See circle pgs. x-xi for the entire policy.) The applicant's property does not satisfy any of the conditions that would allow for public sewer service in this watershed.

**Agency Review Comments**

**M-NCPPC – Area 3 Planning Team:** This property is outside the Potomac master plan sewer service envelope and is within the Piney Branch Special Protection Area. According to the 2002 Potomac master plan and the

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

**TRAVILAH PLANNING AREA MAP AMENDMENT**

WSSCR 11A-TRV-08: Pg. 2

Piney Branch restricted sewer access policy this property is excluded from public sewer service. The policy was established 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. "

Inadequate guest parking on a lot is insufficient reason for amending the Master Plan policy. Area 3 Division staff finds this application for sewer service inconsistent with the Potomac master plan. Recommendation: Deny S-3.

M-NCPPC – Parks Planning: No apparent park impact.

WSSC - Sewer: Basin: Watts Branch. An approximately 900-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to the Piney Branch Trunk Sewer (contract no. 89-8066B) and would abut approximately 5 properties in addition to the applicant's. Construction of this extension may involve the removal of trees, and the temporary disruption of a stream valley and wetlands. Flow from the proposed development: 300 GPD. Program-sized sewer mains are not required to serve the property. Interceptor and treatment capacity are adequate.

DPS – Well & Septic: Although we have no regulations prohibiting cars parking on septic systems we do not recommend it.

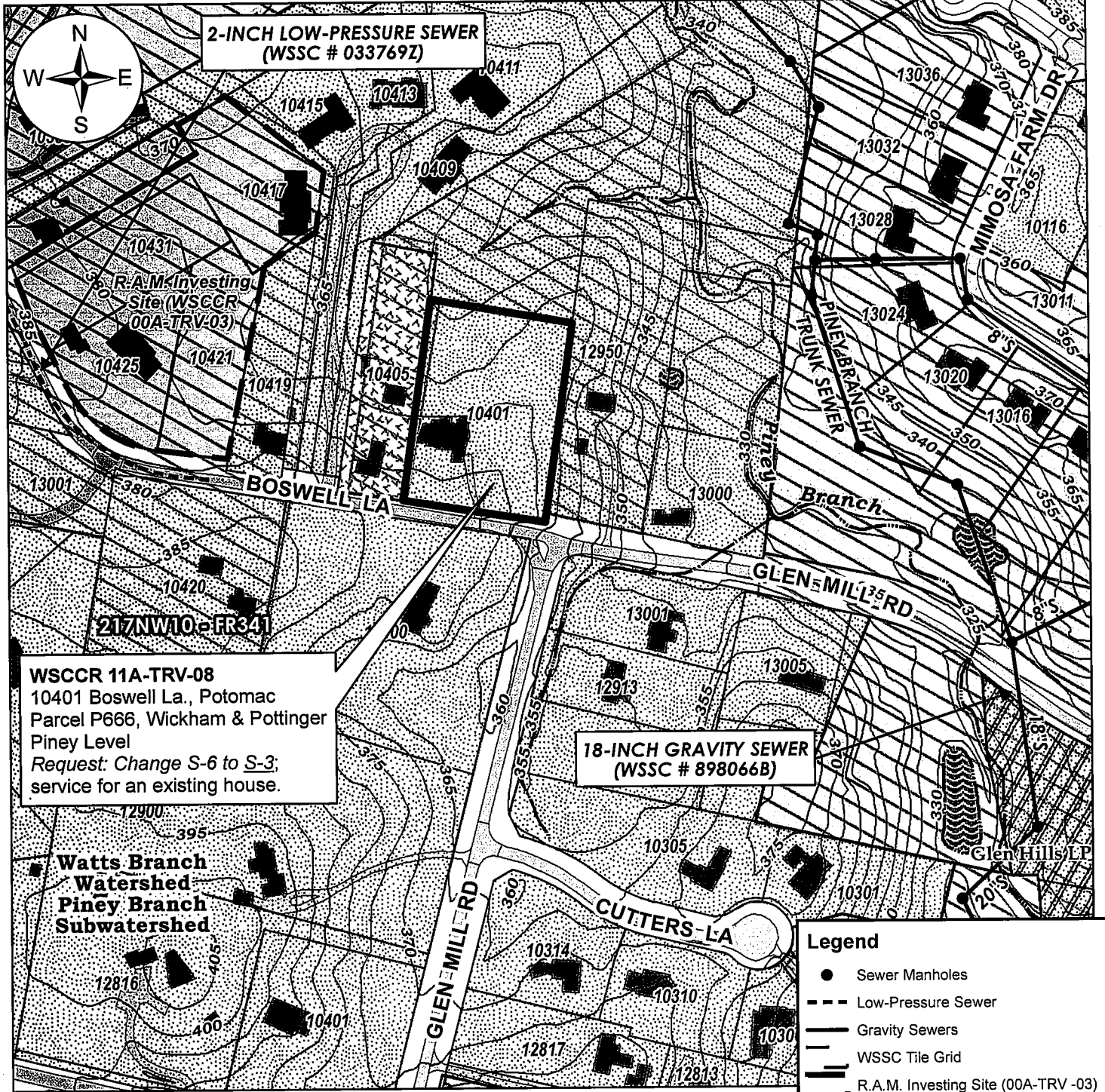
*DEP note: The DPS maintenance tips for septic system owners state, "Avoid compacting the soil over the infiltration areas. Do not drive or park vehicles over the area and don't build a shed or driveway in this area. These activities can also crack pipes and cause the distribution box to settle unevenly, meaning that effluent will only flow into part of the drainfield."*

ADS:ads/

R:\Programs\Water\_and\_Sewer\Projects\actions-COUNCIL\packets\2011nov\ce-packet\staff-rpt=11A-TRV-08=S.doc



# Sewer Service Area Categories Map WSSCR 11A-TRV-08 (Ravinder & Ritu Kapoor)



**WSSCR 11A-TRV-08**  
 10401 Boswell La., Potomac  
 Parcel P666, Wickham & Pottinger  
 Piney Level  
 Request: Change S-6 to S-3;  
 service for an existing house.

**18-INCH GRAVITY SEWER**  
 (WSSC # 898066B)

**2-INCH LOW-PRESSURE SEWER**  
 (WSSC # 033769Z)

**Watts Branch  
 Watershed  
 Piney Branch  
 Subwatershed**

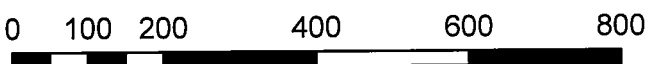
**Legend**

- Sewer Manholes
- Low-Pressure Sewer
- Gravity Sewers
- WSSC Tile Grid
- R.A.M. Investing Site (00A-TRV -03)
- Topography (5 ft. c.i.)
- Existing Parkland
- Existing Public Sewer Envelope

**Sewer Categories**

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

**Travilah Planning Area**



SCALE (Feet)

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 10401 BOSWELL LN., POTOMAC, MD 20854  
Property's TAX ID # (please provide, if known) \_\_\_\_\_  
Property/Site Size ~2 Identification (ie, Parcel #) P666  
Location/Closest cross-street \_\_\_\_\_  
Current Use SFH Proposed Use SFH  
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](http://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-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:**

(please see attached letter)

Note: Continue on a separate page, if necessary

**DEP Staff Use Only**

Receipt Acknowledged:  Email OR \_\_\_\_\_ US Mail

Water Sewer  
WSSC Tile 217NW10  
Tax Map FR341  
Plan No. \_\_\_\_\_  
Process Council  
Master Plan Potomac (2002)  
Planning Area Travilah  
Zoning RE-2  
Zoning Activity -  
Watershed Watts Br. - Pines Br. (SPA)  
CSPS Subwatershed \_\_\_\_\_  
State Watershed Use Class - I  
GIS File \_\_\_\_\_  
CCRFormJuly05.doc

June 28, 2011

Ravinder Kapoor  
10401 Boswell Ln.  
Potomac, MD 20854

Dear Montgomery County Government:

This letter is an attachment to my formal application requesting one public sewer hook up for my property – I wanted more writing space to explain my situation and reason for the request. First of all, I'm a lifelong Montgomery County resident attending elementary, middle and high schools in the county and I have lived at 10401 Boswell Lane for about 5 years now. My father was a long-time employee as a librarian for the Montgomery County Public Schools. When he passed in 1996, we wanted to live close to my mother who is a single widow living in the nearby Potomac Glen neighborhood. So we bought an older house on Boswell Lane, just around the corner from my mother.

Growing up in the county, my parents always bought a home in a traditional neighborhood so building this home was quite an experience for my wife and kids. Being novices at the building process we did not plan everything perfectly, nor did we understand the county permitting process and our builder simply built the house according to design, regulations and codes. For example, when we bought the property back in 2002 our septic field was failing, there were foul odors in the backyard after heavy rains. We were getting nervous if we could even live or rent out the older house that was previously on the lot. I Emailed the county requesting sewer hook up (see attached Emails) and was given the standard response – I got busy in my life and did not pursue further at the time. My neighbor at the time, Mr. Warner, also had a failing septic and he pursued it further and was granted approval for a sewer hook up.

After living with my mother for several years, we saved up enough money to finally build our dream home. We started taking loans, getting plans, we were very nervous weather we could even get the property to perk. Perk tests were attempted ... and finally only the upper, front corner of the property perked to support a septic field. It is located immediately to the right of the house as you face the front. Again, a little short sighted planning on our part I guess because now we have a big problem. Since no one is allowed to drive or park on the septic field, there is simply no place to park when we have social gatherings. People have to park all over the street or other streets and since there is no safe sidewalk for pedestrians this causes a very big safety hazard for our guests and visitors. On two occasions (once a little girl, and another time a guest) almost got ran over because cars go so fast on Boswell and there are no speed bumps !!! We were horrified, thank goodness nothing happened so far.

I have tried everything to make it safer, we even had many of the small trees in front of the house removed in hopes that there will be a safer path and some safe parking but this has not helped because

the parking is not enough and it is still unsafe. I've pleaded with the county to put a safe side walk for my kids and guests but it is virtually impossible to get one because of the approvals required from the home owners. Since we are secluded with no neighbors or a neighborhood we like to have parties often for us and the kids to have company. So if we had a public sewer hook up, people could safely park and drive on the area next to our house for safe parking during our frequent gatherings.

So I would appreciate your approval to change our sewer category from category 6 to category 3 this is our last resort and I hope the county will do the right thing to make it safer for everyone and avoid a disaster waiting to happen. I would like to hook up to sewer for my house only, nothing else. I would imagine there would not be much opposition for my request considering the fact that we are the ONLY house north of Boswell lane that is Category 6. Seriously, EVERYONE ELSE on my street has gotten approval – it doesn't seem fair. If not addressed I may be forced to use that area for parking for safety which would make the septic field fail if it has not already done so and since there is no other area that perks we would eventually have to get hook up anyway.

I really appreciate your consideration on this serious issue. Please do not hesitate to call or email me anytime if you have questions or concerns.

Sincerely,



Ravinder Kapoor  
Montgomery County Resident



**FW: Council Reply**

Monday, July 1, 2002 4:15 PM

**From:** "Kapoor, Ravinder" <Ravinder.Kapoor@jhuapl.edu>  
**To:** "ravinderkapoor@yahoo.com" <ravinderkapoor@yahoo.com>

-----Original Message-----

**From:** COUNTY.COUNCIL@CO.MO.MD.US [mailto:COUNTY.COUNCIL@CO.MO.MD.US]  
**Sent:** Wednesday, March 27, 2002 10:22 AM  
**To:** Ravinder.Kapoor@jhuapl.edu  
**Subject:** Council Reply

--- Received from COUNCIL.MCCMAIL 240-777-7910 02-03-27 11.22

-> [Ravinder.Kapoor@jhuapl.edu](mailto:Ravinder.Kapoor@jhuapl.edu)

Dear Mr. Kapoor:

Thank you for your e-mail concerning sewer service in the Piney Branch Watershed in Potomac. Your e-mail was distributed to the other Councilmembers.

On March 5 the Council voted to approve the final resolution on the Potomac Master Plan. The Council resolution included language regarding exceptions to the Piney Branch Restricted Sewer Access Policy as follows:

Amend the Piney Branch Restricted Access Policy to allow single home sewer hookups in the Piney Branch subwatershed for existing lots that abut and predate an existing sewer main. This exception is for single houses only and shall not be used to allow for multiple sewer hookups for subdivision/resubdivision of existing properties.

If your property meets the requirement for this exception, then you can apply for sewer service; if it does not meet the requirement, your property would not be considered eligible for sewer service. If you are not sure whether your property meets the requirements for the exception, please contact Alan Soukup of the Department of Environmental Protection at (240) 777-7716.

Thank you for sharing your concerns with the Council on this important issue.

Sincerely,

Steven A. Silverman  
Council President

SS:MLM:cge

(42)