



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
ITEM 3
19 OCT 2002

Date: September 30, 2002

TO: Montgomery County Planning Board
VIA: Jeff Zyontz, Chief
County Wide Planning Division

Nazir Baig, P.E., Supervisor
Environmental Planning

N.B. Jz.

FROM: Dominic Quattrocchi for the Department of Park and Planning
(301) 495 1323

SUBJECT: JULY 2002 County Council Amendments to the *Comprehensive Water Supply and Sewerage Systems Plan*

CASES:

- | | | |
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| WSSCR 02A-BEN-01 | WSSCR 99A-TRV-03 | WSSCR 01A-TRV-12 |
| WSSCR 02A-BEN-02 | WSSCR 99A-TRV-04 | WSSCR 00A-TRV-01 |
| WSSCR 02A-BEN-03 | WSSCR 99A-TRV-07 | WSSCR 01A-TRV-19 |
| WSSCR 01A-CLO-07 | WSSCR 00A-TRV-04 | WSSCR 01A-TRV-20 |
| WSSCR 02A-CLO-03 | WSSCR 00A-TRV-06 | WSSCR 01A-TRV-21 |
| WSSCR 02C-CLO-01 | WSSCR 00A-TRV-11 | WSSCR 01A-TRV-05 |
| WSSCR 02A-CLO-04 | WSSCR 00A-TRV-13 | WSSCR 01A-TRV-13 |
| WSSCR 02C-CLO-02 | WSSCR 01A-TRV-22 | WSSCR 01A-TRV-15 |
| WSSCR 02A-CLO-05 | WSSCR 00A-TRV-03 | WSSCR 00A-TRV-02 |
| WSSCR 02A-CLO-06 | WSSCR 01A-TRV-09 | WSSCR 00A-TRV-05 |
| WSSCR 02A-CLO-08 | WSSCR 00A-TRV-14 | WSSCR 01A-TRV-10 |
| WSSCR 02A-CLO-09 | WSSCR 01A-TRV-18 | WSSCR 01A-TRV-14 |
| WSSCR 02A-DAM-03 | WSSCR 01A-TRV-04 | WSSCR 02A-TRV-02 |
| WSSCR 99A-DNT-01 | WSSCR 01A-TRV-06 | WSSCR 02A-TRV-03 |
| WSSCR 01A-OLN-04 | WSSCR 99A-TRV-11 | WSSCR 02A-TRV-04 |
| WSSCR 01A-POT-03 | WSSCR 00A-TRV-08 | WSSCR 02A-TRV-06 |
| WSSCR 02A-TRV-07 | WSSCR 00A-TRV-16 | |

POLICY: CPTA 02A-CH1-01: Piney Branch Sewer Restricted Access Policy Revision

RECOMMENDATION:

Approval of staff recommendations and transmittal to the County Council and County Executive.

The July 2002 transmittal contains 45 proposed water and sewer map amendments (18 current category change requests and 27 previously deferred Potomac Subregion Master Plan Cases) and 1 proposed plan text amendment for the Piney Branch Sewer Restricted Access

Policy. The JULY 2002 County Council Amendments to the *Comprehensive Water Supply and Sewerage Systems Plan* applications have been reviewed for consistency with water and sewer service recommendations within their respective master plans. Staff recommendations are based on master plan guidance and other policies within the *Comprehensive Water Supply and Sewerage Systems Plan*. Staff is in agreement with the Executive staff's recommendations on all submitted cases.

DISCUSSION:

The attached material contains forty-five water and sewer category change requests under consideration as amendments to the *Comprehensive Water Supply and Sewerage Systems Plan*. Amendment policies are discussed on pages 1-9 through 1-18 of that Plan (see Attachment). The comments and recommendations of the WSSC, MCDEP staff, and Park and Planning staff are incorporated into the Summary Table of Category Change Requests (See "Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Plan; County Executive's Amendment Transmittal to the County Council-July 2002," Attachment).

Unlike applications considered under the Administrative Delegation process, these applications must be forwarded to the County Council for action. The Planning Board is required by state law to provide land use and zoning input on these amendments. Planning Board recommendations will be forwarded to the Council prior to public hearing record closure and in time for the T&E work session on 14OCT2002.

Attachment 1 of this packet is the County Executive's Amendment Transmittal to the County Council-July 2002, containing forty-five applications. **Park and Planning Staff recommendations concur with the Executive staff recommendations for all requested changes.** A discussion and brief summary of the individual applications follows. More detailed information and maps can be found in Attachment 1.

BENNETT AND LITTLE BENNETT PLANNING AREA

WSSCR 02A-BEN-01: Circle Page 12

Route 355 Business Corridor, Concur with Executive's Recommendation; Approve W-4 with advancement to W-3 conditioned on: 1) confirmation from the applicants that the proposed water main extension is financially feasible, and 2) inclusion of the required capital water main project in the WSSC CIP.

WSSCR 02A-BEN-02: Circle Page 12

Linda Polk (for Patricia Buck Trust), Concur with Executive's Recommendation, Approve S-1 for one sewer hookup only.

WSSCR 02A-BEN-03: Circle Page 22

Or Chadash Partners, LLC., Concur with Executive's Recommendation, Maintain W-1 and S-1 restricted to single water and sewer hookups only. Applicant is requesting single hookup use for a proposed 300-seat synagogue for a RDT zoned property. Single sewer service hookup

refers to one residential hookup. Substantive concerns exist with regard to the Water and Sewer Plan's private institutional facilities (PIF) policy. County Executive's recommendations have recently recommended deferral on PIF related cases pending Council action on the PIF policy in the next full Water and Sewer Plan update. Staff recognizes that the Private Institutional Facilities policy has resulted in unintended land use conflicts, particularly in RDT zoned areas. Impacts of the PIF policy include significant expansions of impervious area for some applications, water quality impacts, transportation increases, etc. Staff recommends approval of WSCCR 02A-BEN-03, acknowledging concern regarding PIF policy review.

CLOVERLY - NORWOOD PLANNING AREA

WSCCR 01A-CLO-07: Circle Page 32

Tim Shaw for Mrs. A. Richard Lethbridge.

APPLICATION WITHDRAWN by applicant

WSCCR 02A-CLO-03/02C-CLO-01: Circle Page 34

Leonard Meyers. Concur with Executive's Recommendation; Correct the water category to W1. Defer action on the sewer request pending a sanitary survey of the homes along this section of Ashton Road.

WSCCR 02A-CLO-04/02C-CLO-02: Circle Page 37

Earl and Geneva Clagett. Concur with Executive's Recommendation; Correct the water category to W1. Defer action on the sewer request pending a sanitary survey of the homes along this section of Ashton Road.

WSCCR 02A-CLO-09: Circle Page 42

Warren Derrick. Concur with Executive's Recommendation; Correct the water category to W1. Defer action on the sewer request pending a sanitary survey of the homes along this section of Ashton Road.

WSCCRs 02A-CLO-05/-06: Circle Page 47

Dawg Days, LLC. Concur with Executive's Recommendation; Approve W-1. Deny the sewer request; maintain S-6.

WSCCR 02A-CLO-08: Circle Page 57

Thomas and Janice Valois. Concur with Executive's Recommendation; Approve S-1, restricted to a single sewer hookup only.

DAMASCUS PLANNING AREA

WSCCR 02A-DAM-03: Circle Page 63

Hubert Snapp (for Oliver & M.E. Watkins). Concur with Executive's Recommendation; deny the request ; maintain W-6 and S-6.

DARNESTOWN PLANNING AREA

WSCCR 99A-DNT-01: Circle Page 68

Lawrence Hillman (for Turkey Foot North and South Partnership). Concur with Executive's Recommendation; Deny the request; maintain S-6. The site is outside the

proposed sewer envelope and not adjacent to sewer mains.

OLNEY PLANNING AREA

WSSCR 01A-OLN-04: Circle Page 76

Site Solutions, Inc. (for Wayne Lockwood). Concur with Executive's Recommendation. Maintain W-6 and S-6, with advancement to W-3 and S-1 conditioned on the Planning Board's approval of a preliminary plan using the LDRC cluster development option.

POTOMAC - CABIN JOHN PLANNING AREA

WSSCR 01A-POT-03: Circle Page 83

Simon Kareri (for William Smyth). Concur with Executive's Recommendation; Deny the request; maintain S-6. The site is outside the sewer service envelope.

TRAVILAH PLANNING AREA

Sandy Branch Watershed Cases

WSSCR 02A-TRV-07: Circle Page 91

Elm Street Development (for Edna Fling, Edwin Moreland, Frederick Swain). Concur with Executive's Recommendation; Approve S-3.

Greenbriar Branch Watershed Cases

WSSCR 99A-TRV-03: Circle Page 97

Harry Semmes, *et al.*, (for Harry Semmes, Jr. *et al.*) Concur with Executive's Recommendation. Defer action on the sewer request pending the District Council's action on rezoning the subject site from RE-2 to RNC.

WSSCR 99A-TRV-04: Circle Page 99

Juliana Weihe (for Weihe Family Joint Venture) Concur with Executive's Recommendation. Defer action on the sewer request pending the District Council's action on rezoning the subject site from RE-2 to RNC.

WSSCR 99A-TRV-07: 104

Lawrence Hillman (for Piney Grove Land Company) Concur with Executive's Recommendation. Defer action on the sewer request pending the District Council's action on rezoning the subject site from RE-2 to RNC.

WSSCR 00A-TRV-04: Circle Page 105

Ann Donnelly (for P.T. Huntwork, *et al.*) Concur with Executive's Recommendation. Defer action on the sewer request pending the District Council's action on rezoning the subject site from RE-2 to RNC.

WSSCR 00A-TRV-06: Circle Page 109

Vincent Burnett. Concur with Executive's Recommendation. Deny the request; maintain S-6. The site is outside the proposed sewer envelope and not adjacent to sewer mains.

WSSCR 00A-TRV-11: Circle Page 110

Shawki Al-Attar. Concur with Executive's Recommendation. Deny the request, maintain

S-6.

WSSCR 00A-TRV-13: Circle Page 113

H.W. McCormick. Concur with Executive's Recommendation. Deny the request, maintain S-6.

WSSCR 01A-TRV-22: Circle Page 123

Miller & Smith at Quercus LLC. Concur with Executive's Recommendation. Deny the request, maintain W-6 and S-6. Service extension is inconsistent with Master Plan recommendations.

Piney Branch Watershed Cases

WSSCR 00A-TRV-03: Circle Page 134

R.A.M. Investing & Boswell Lane Ltd. Part. Concur with Executive's Recommendation. Deny the request, maintain S-6. Property does not abut sewer and would involve crossing Piney Branch.

WSSCR 01A-TRV-09: Circle Page 138

Richard and Gail Forman. Concur with Executive's Recommendation. Deny the request, maintain S-6.

WSSCR 00A-TRV-14: Circle Page 147

Vijay Tuli. Concur with Executive's Recommendation. Approve S-1, restricted to one sewer hookup only. The provision of this sewer hookup cannot be used to create more than one lot from this property.

WSSCR 01A-TRV-18: Circle Page 150

Marie Seebode. Concur with Executive's Recommendation. Approve S-3 restricted to one sewer hookup only. Removal of the single service hookup restriction is conditioned on the applicant or property owner providing DEP with a copy of a recorded covenant for the property which includes the Piney Branch Sewer Agreement Recommendations.

WSSCR 01A-TRV-04: Circle Page 151

PMH Joint Venture. Concur with Executive's Recommendation. Defer action on the sewer request pending the District Council's action on rezoning the subject site from RE-2 to RE-2C.

WSSCR 01A-TRV-06: Circle Page 155

Piney Meeting House Investments. Concur with Executive's Recommendation. Defer action on the sewer request pending the District Council's action on rezoning the subject site from RE-2 to RE-2C.

Peripheral Sewer Service Policy Cases

WSSCR 99A-TRV-11: Circle Page 164

Pi-Fuay Chen. Concur with Executive's Recommendation. Deny the request; Maintain S-6

WSCCR 00A-TRV-08: Circle Page 167

Steven Black. Concur with Executive's Recommendation. Deny the request; Maintain S-6

WSCCR 00A-TRV-16: Circle page 170

Mitchell, Best & Visnic (for Andrew Blair). Concur with Executive's Recommendation. Deny the request; Maintain S-6

WSCCR 01A-TRV-12: Circle Page 175

Marvin Mark. Concur with Executive's Recommendation. Deny the request; Maintain S-6.

WSCCR 00A-TRV-01: Circle Page 178

Archana Sodha (for Arthur Keyes). Concur with Executive's Recommendation. Approve S-3.

WSCCRs 01A-TRV-19, -20, & -21: Circle Page 184

Daniel Snyder. Concur with Executive's Recommendation. Approve S-3.

WSCCR 01A-TRV-05: Circle Page 188

Robert Williams, Jr. Concur with Executive's Recommendation. Deny the request; Maintain S-6.

WSCCR 01A-TRV-13: Circle Page 196

Sima Mokhtari. Concur with Executive's Recommendation. Approve W-3. Approve S-3 restricted to one sewer hookup to relieve a documented public health problem.

WSCCR 01A-TRV-15: Circle Page 204

DuMont Oaks Corp. (for Sutton Homes, Inc.). Concur with Executive's Recommendation. Approve W-3. Deny the sewer request; maintain S-6.

Glen Hills Area Cases

WSCCR 00A-TRV-02: Circle Page 210

Henry Wah. Concur with Executive's Recommendation. Deny the sewer request; maintain S-6, pending comprehensive study of Glen Hills area.

WSCCR 00A-TRV-05: Circle Page 219

Douglas and Chris Hatch. Concur with Executive's Recommendation. Deny the sewer request; maintain S-6, pending comprehensive study of Glen Hills area .

WSCCR 01A-TRV-10: Circle Page 225

Eberhard Klein. Concur with Executive's Recommendation. Deny the sewer request; maintain S-6, pending comprehensive study of Glen Hills area. Pending study, staff does not have issue with extension of gravity sewer service to this property.

WSCCR 01A-TRV-14: Circle Page 230

Potomac Highlands Civic Association. Concur with Executive's Recommendation. Deny the sewer request; maintain S-6, pending comprehensive study of Glen Hills area.

WSCCRs 02A-TRV-02, -03, & -04: Circle Page 241

NEMGE Corporation. Concur with Executive's Recommendation. Deny the sewer request; maintain S-6 pending comprehensive study of Glen Hills area.

WSCCR 02A-TRV-06: Circle Page 244

Gerard Brown. Concur with Executive's Recommendation. Deny the sewer request; maintain S-6, pending comprehensive study of Glen Hills area. Property is almost entirely constrained by a forested (high quality) environmental buffer associated with an on-site perennial stream.

POLICY CPTA 02A-CH1-01: Circle Page 124

Piney Branch Sewer Restricted Access Policy Revision

Concur with Executive's Recommendation. Approve the amendments to Chapter 1. The proposed plan text amendment is in conformance with the Potomac Master Plan. See Circle Page 124 for the proposed Piney Branch Sewer Restricted Access Policy Revision text.

Staff appreciates the assistance of the Montgomery County Department of Environmental Protection staff in the preparation of this review.

Attachments

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