

APPLICATION NO. WSCCR 04A-LSN-01 (Toll Brothers, Inc.):

Inconsistent with Master Plan recommendations.

On page 59 of the Functional Master Plan for the Preservation of Agriculture and Rural Open Space in Montgomery County, October 1980, "CHAPTER VI: FARMLAND AND RURAL OPEN SPACE PUBLIC SERVICE GUIDELINES", under the header of "WATER AND SEWERAGE GUIDELINES", the Plan states that:

"Water and sewer service are two of the most significant public services that control the timing of development. The recommended guidelines are designed to permit little, if any, additional service with the Study Area with the exception of the growth areas - Damascus, Clarksburg, Olney, and Poolesville. The selective and limited expansion of public water and sewer service will support and help implement the preservation recommendations expressed in this Plan...."

Recommended Water and Sewerage Guidelines

Consistent with recommendation in the Fifth Annual Growth Policy Report, the entire Study Area (Policy Area I) is not recommended for public sewer service within the next 20 years, with the exception of Clarksburg."

The subject property is zoned R-200 and is located within the Functional Master Plan study area. The property is still outside the County's Ten-year Water Supply and Sewerage Systems Plan envelope, an area not planned for service at this time and at the time of the master plan's adoption in 1980. The extension of water and sewer to the subject property would still be contrary to the intentions of the master plan to control the timing of development and restrict development in the study area.

The subject property is located on Schaeffer Road that is designated in this location as a Rustic Road on the Master Plan of Highways as part of the Rustic Roads Functional Master Plan, December 1996. The legislation that established the rustic roads program in "Sec 49-79. Maintenance of improvements.", states the following:

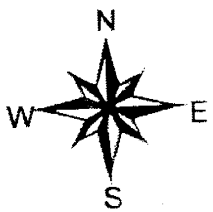
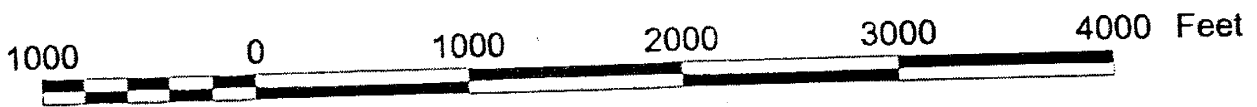
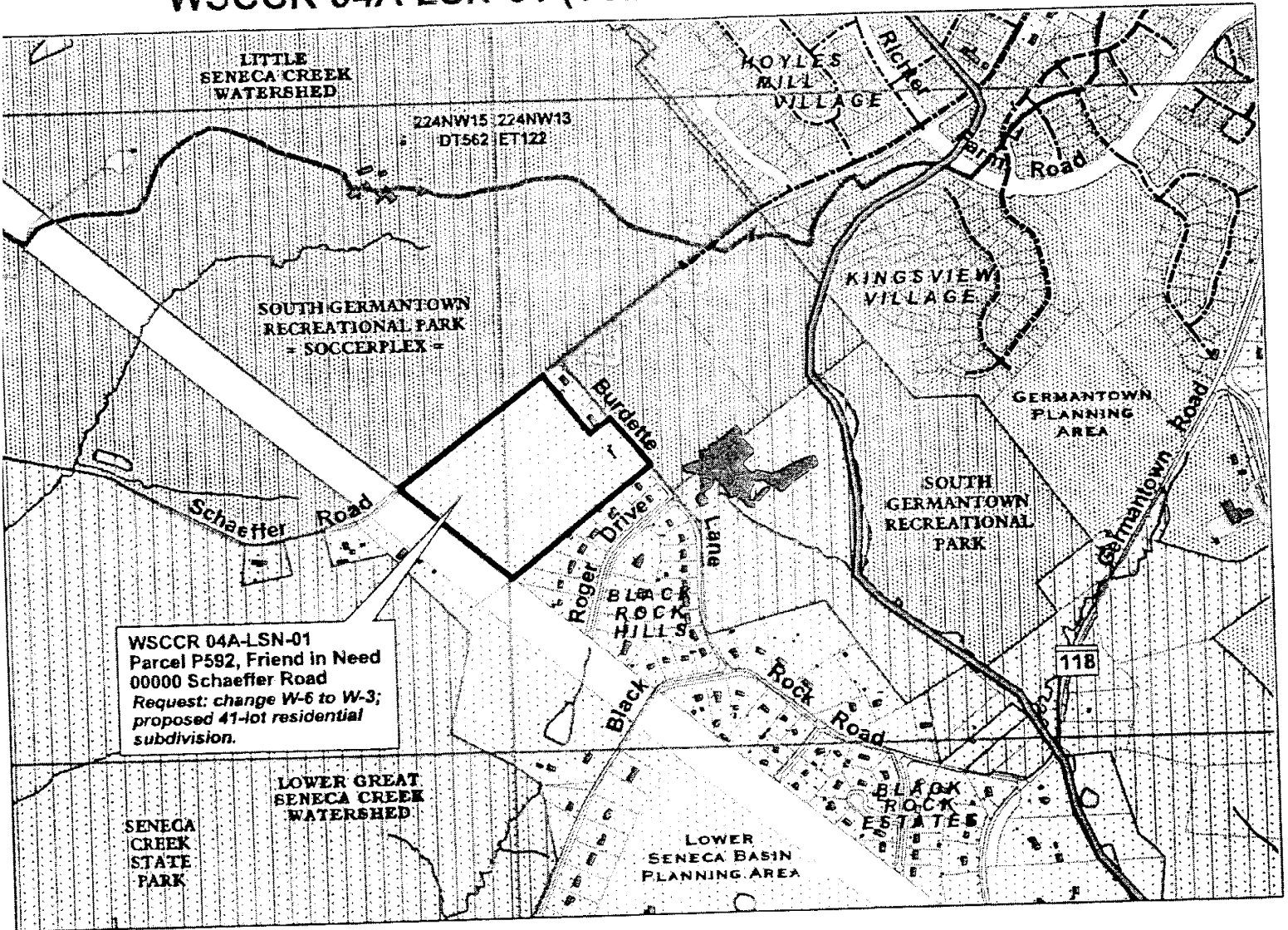
(a) *County roads.* Rustic roads and exceptional rustic roads must be maintained and improved in a manner that preserves the road's significant features identified by the County Council under subsection 49-78(d), but this requirement does not preclude improvements for the purposes of safety or movement of farm equipment. The County Executive must establish guidelines by Executive Regulation under method (2) for maintenance and improvement of rustic roads and exceptional rustic roads.

(c) *Public utilities.* Public utility work on or near a rustic road or exceptional rustic road is limited by this Article only when the work will damage a structure identified as a significant feature of the road under subsection 49-768 (d). A public utility must make all reasonable efforts to limit irreparable damage to such significant features when working on or near a rustic road or exceptional rustic road."

R200 zoning designation appears incorrect. Contact M-NCPPC Community Based Planning (301 495 4518) for clarification).

Water Service Area Categories Map

WSSCR 04A-LSN-01 (Toll Brothers/S. Barmakian)

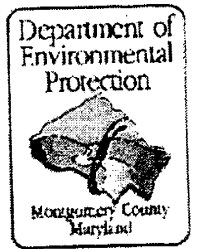


MAP LEGEND

- Properties (3/02)
- WSSC/GIS Tile Grid
- Water Mains**
 - 8"- or Smaller-Dia. Mains
 - 10" to 15"-Dia. Mains
 - 16"- to 24"-Dia. (CIP) Mains
 - 30"- to 42"-Dia. (CIP) Mains *
 - 48"- or Larger-Dia. (CIP) Mains *
 - * No Individual Connections
- M-NCPPC Planning Areas
- Parks & Public Land
- Buildings
- Roads - Parking Areas
- Watersheds
- Streams
- Ponds - Lakes
- Water Service Area Categories**
 - W-1
 - W-3
 - W-4
 - W-5
 - W-6

June 2003 Update
Service Area Categories Map

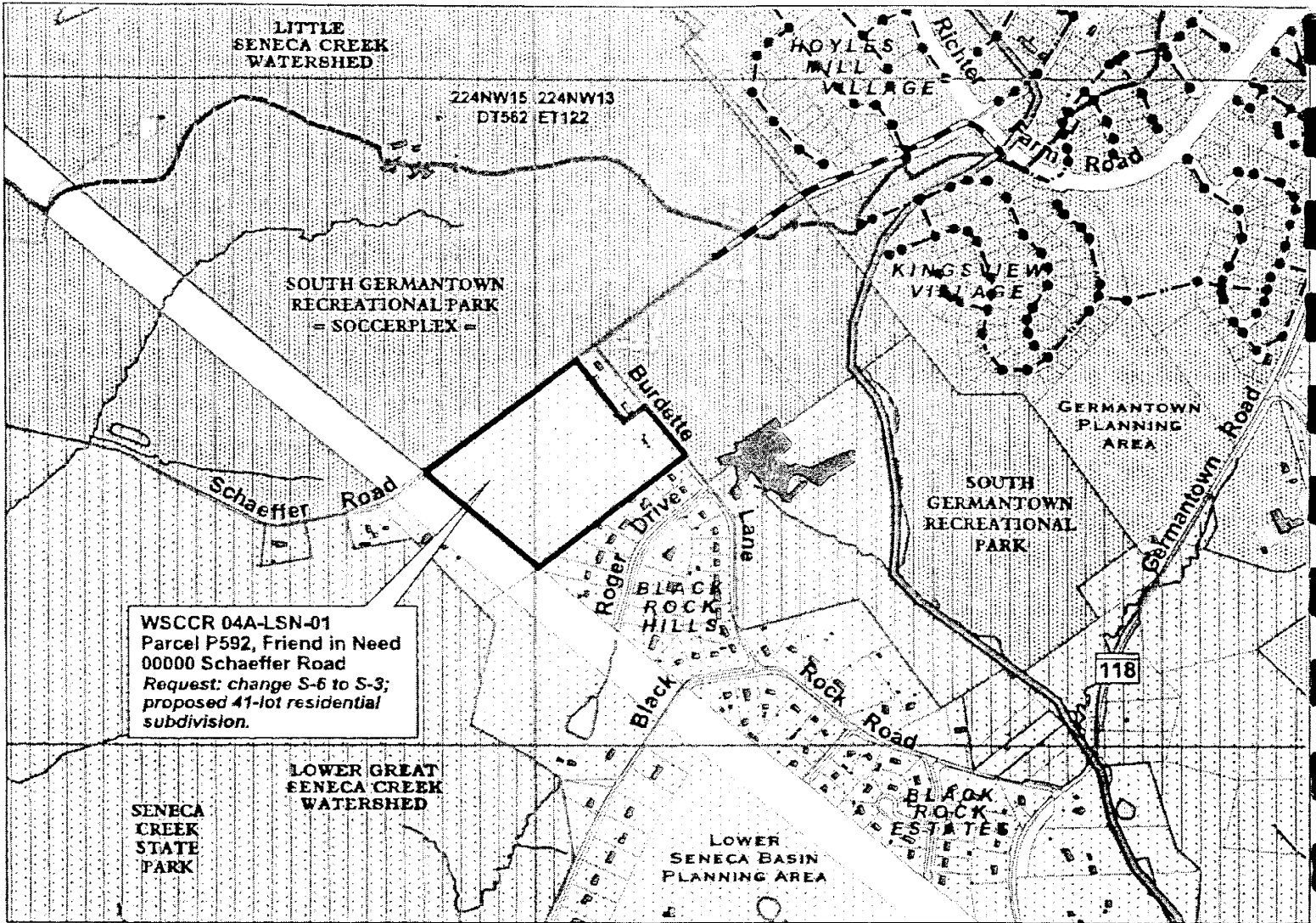
Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



Watershed Management Division
2/25/04 - GIS Project File:
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Sewer Service Area Categories Map

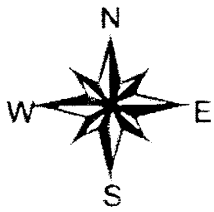
WSCCR 04A-LSN-01 (Toll Brothers/S. Barmakian)



MAP LEGEND

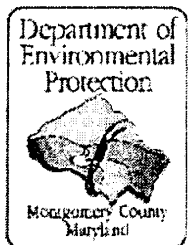
- Properties (3/02)
- WSSC/GIS Tile Grid
- Sewer Manholes
- Sewer Mains**
- Small-Diameter, Low-Pressure Mains
- 6"- to 8"-Diameter Gravity Mains
- 10"- to 14"-Diameter Gravity Mains
- 15"- to 18"-Diameter (CIP) Trunk Mains
- 20"- to 42"-Dia. (CIP) Mains *
- 48"- or Larger-Diameter (CIP) Trunk Mains *
- * No Individual Connections
- Sewer Force Main
- M-NCPPC Planning Areas
- Parks & Public Lands
- Buildings
- Roads - Parking Areas
- Watersheds
- Streams
- Ponds - Lakes

- Sewer Service Area Categories (6/03)**
- S-1
 - S-3
 - S-4
 - S-5
 - S-6



June 2003 Update
Service Area Categories Map

Montgomery County, Maryland
Comprehensive Water Supply
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