M-NCPPC

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue Silver Spring, Maryland 20910-3760 301-495-4500, www.mncppc.org

April 29, 2005

MEMORANDUM

TO:

Montgomery County Planning Board

FROM:

Katherine Nelson, Environmental Planning

Countywide Planning Division - (301) 495-4622

SUBJECT:

Staff Report for Agenda Item #3, for May 5, 2005

Review of Administrative Delegation Water and Sewer Category Change Requests (31) – Transmit comments and recommendations to DEP

The above Planning Board agenda item will be delivered on Monday, May 2, 2005

KN:ss



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Park & Planning, Montgomery County, Maryland 8787Georgia Avenue, Silver Spring, Maryland 20910

MCPB 05/06/2005 Item #3

April 29, 2005

MEMORANDUM

TO:

Montgomery County Planning Board

VIA:

Nazir Baig, Planner Supervisor

Countywide Planning Division

(301) 495-4549

FROM:

Katherine Nelson, Planner Coordinator

Countywide Planning Division

(301) 495-4549

SUBJECT:

Water and Sewer Service Area Category Change Requests

Administrative Delegation Group

RECOMMENDATION

Staff finds the following category change requests to be appropriate for the administrative delegation process and recommends approval:

WSCCR 03A-DAM-05 (Jones) WSCCR05A-DAM-01 (Kessell) WSCCR 04A-FAL-04 (New Hope SDA Church) WSCCR 04A-GMT-02 (O'Dell) WSCCR 04A-CLO-07 (Winchester Homes) WSCCR 04A-CLO-11 (Newman) WSCCR 04A-GMT-03	GWSMA 05A-GMT-01 (Multiple owners identified by DEP Exclude two properties listed below) WSCCR 03A-GWC-01 (Bell) WSCCR 04A-OLN-01 (Cong. of Marian Fathers) WSCCR 04A-PAX-02 (Oak Hill Construction) WSCCR 04A-POT-02 (Safaipour) WSCCR 04A-POT-03 (Antezana)	WSCCR 04A-POT-04 (Salek) WSCCR 04A-POT-05 (Abdala) WSCCR 04A-POT-07 (Mir) WSCCR 04A-PVE-01 (Winchester) WSCCR 04A-TRV-09 (Lee) WSCCR 04A-TRV-11 (Andreassen) WSCCR 04A-TRV -12
WSCCR 04A-GMT-03 (GBI Corp.)	(Antezana)	WSCCR 04A-TRV -12 (Saini)

Staff finds the following category change requests to be appropriate for administrative delegation and recommends **approval with conditions**:

WSCCR 04A-BRK-01

(Scanlon)

Approve W-1 and S-1 the with condition that the connection to existing infrastructure takes place via the mains in Market Street

rather than through Reddy Branch Stream Valley Park.

WSCCR 04A-TRV-07

(Hudgins)

Approve W-3 subject to the finding that the existing septic system

has failed.

The properties of the following category change requests are located in one of the proposed alignments for the Inter County Connector (ICC) and **should not be considered in the administrative delegation process**:

WSCCR 05A-APH-01

(Nucci)

WSCCR 04A-CLO-08

(Mitchell & Best)

WSCCR 04A-CLO-09

(Dunhill Devel)

WSCCR 05A-PAX-02

(Sites)

WSCCR 04A-URC-02

(Winchester)

The following category change requests are **not appropriate for administrative delegation**, as they are either not clearly consistent with guidance from the master
plans or they conflict with other policies. Staff recommends that these cases be
evaluated with the normal process, the final decision being made by the County Council:

WSCCR 04A-CLO-04

(Nieman)

WSCCR 04A-CLO-05

(Tran)

WSCCR 04A-GBG-01

(Campbell)

WSCCR 04A-POT-06

(Manos)

GWSMA 05A-GMT-01

(Jenkins & Love at 19219 Liberty Mill Road and O'Dell at

19120 Mateny Hill Road)

DISCUSSION

The above lists contain the water and sewer change applications under consideration as amendments to the <u>Comprehensive Water Supply and Sewerage Systems Plan</u> using the **administrative delegation process**. Under this simplified process, the Director of the Department of Environmental Protection (DEP) is delegated the authority to approve, with public hearing, community water and/or sewer service changes under limited circumstances. These circumstances may include approving cases that are:

- Located within the approved water or sewer envelope
- Mentioned specifically in the master plan
- Within the bounds of a clear policy guideline with no other conflicting policies

Staff used interpretation of the master plans, guidance from the Planning Board on previous amendments, and limited environmental analysis to develop positions on these cases. Those recommended for approval will continue through the administrative delegation process. Those not recommended for administrative delegation will be reviewed in more detail with the next group of category change requests. The individual applications are available for review in Nazir Baig's office.

Listed below are the individual cases considered inappropriate for the administrative delegation process along with comments to be transmitted to the County Executive:

WSCCR 04A-CLO-04, 05 (Nieman), WSCCR 04A-CLO-05 (Tran)

The Approved and Adopted Cloverly Master Plan (1997) states:

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

In both cases connection to sewer service would likely require forest removal and a stream crossing. More study of the proposed development and potential alignments are needed to make a recommendation for community sewer service for these properties. Staff has no objection to providing community water service to these properties.

WSCCR 04A-GBG-01 (Campbell)

It is unclear from the information provided how community sewer service could be provided to 8200 Warfield Road. There is no sewer service along Warfield Road and the closest available link would be through the adjacent private properties to the west in Montgomery Village. Two single-family homes on Studio Place and one single family home on Rainbowview Place are adjacent to this property on the west side. It seems we do not have enough information to determine whether this category change is a good idea or not. We would like to review this in the context of the adjacent "unsewered" properties to the east. We have also contemplated (but have not finished our analysis as part of the Gaithersburg Vicinity Master Plan update) whether all of these R-200 parcels should remain as such or be rezoned.

WSCCR 04A-POT-06 (Manos)

The Potomac Master Plan recommends 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. This property is 165 outside the approved sewer envelope and 575 feet from an existing sewer main and does not qualify for the administrative delegation.

GWSMA 05A-GMT-01 (19219 Liberty Mill Road and 19120 Mateny Hill Road only) Both of these properties are listed in the Master Plan for Historic Preservation:

19219 Liberty Mill--Upton Bowman House (19/13-6) environmental setting: entire parcel, about 1 acre 19120 Mateny Hill Rd. -- Wallich/Heimer House (19/13-7) environmental setting: entire parcel, 1 acre

More study is needed in order to make a recommendation for community sewer service to these sensitive properties. The remainder of the properties in the Liberty Mill neighborhood is recommended for approval.

MONT. CO. DEP WATER AND SEWER PLAN AMENDMENT REVIEW: February 28, 2005

Beth Forbes, Development Services Group TO: Washington Suburban Sanitary Commission

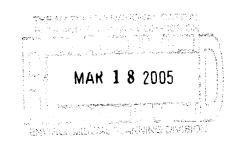
> Katherine Nelson, Environmental Planning Unit Maryland - National Capital Park and Planning Commission

Jay Beatty, Well and Septic Section Department of Permitting Services

George Coakley, Chairman Poolesville Planning Commission

Richard Allan, President

Town of Brookeville Commissioners FROM: Alan Soukup, Water and Wastewater Policy Group Department of Environmental Protection



Attached are (up to) 28 water/sewer service area category change requests (WSCCRs) for review by your agencies. (The Towns of Poolesville and Brookeville will receive only those requests pertaining to their communities.) These requests will be considered as amendments to the County's Comprehensive Water Supply and Sewerage Systems Plan. Your comments regarding the following requests, as well as addressing the specific issues noted below, will be appreciated:

Proposed Amendment	Specific Review Issues for Agencies & DEP General Notes	Probable Action Route
WSCCR 05A-APH-01 Nucci	WSSC, M-NCPPC & DPS – DEP Note: This project was reviewed by the DRC on 1/18/05 under plan no. 1-05060 "Radwick Lane".	Admin. Del. – April '05
WSCCR 04A-BRK-01 Scanlon	WSSC: Your office has previously confirmed that water and sewer service can be provided by the abutting mains. M-NCPPC: Town of Brookeville - No specific concerns or inquiries at this time. DPS: Do you have any records for the existing on-site systems or of any problems with these systems? Brookeville: Please advise DEP as to whether this service is consistent with the Town's master plan. We would also appreciate receiving a copy of the Town's current master plan.	Admin. Del. – April '05
WSCCR 04A-CLO-04 Nieman	WSSC, M-NCPPC, & DPS: No specific concerns or inquiries at this time.	Admin. Del. – April '05
WSCCR 04A-CLO-05 Tran	WSSC: Would the provision of sewer service to this property require a main extension that would assist in the eventual extension of public sewer to the dry sewer outfalls from Redgate Dr. and Redgate Ct.? Would WSSC require the dedication of sewer right-of-way across this site for an eventual extension? M-NCPPC: Would development using the cluster option be encouraged or allowed on this site? DPS: Do you have any records for either the existing on-site systems or any recent testing on these properties?	Admin. Del. – April '05
WSCCR 04A-CLO-08 Mitchell & Best	WSSC, M-NCPPC, & DPS: No specific concerns or inquiries at this time. Note that the request is for public water service only.	Admin. Del. – April '05

roposed		Probable Action Route
VSCCR 4A-CLO-09 Dunhill Devel.	WSSC: No specific concerns or inquiries at this time. M-NCPPC: Could this site, at 4.3 acres, support an RE-1 cluster development? DPS: Do you have any records for either the existing on-site systems or any recent testing on these properties?	Admin. Del. – April '05
WSCCR 04A-CLO-11	DEP Note: The existing house (c. 1971) predates the abutting sewer main (c. 1990). WSSC, M-NCPPC, & DPS: No specific concerns or inquiries at this time.	Admin. Del. – April '05
Newman WSCCR 03A-DAM-05 lones	DEP Note: Public health case involving a failed septic system at 9510 Main St., Damascus. See DEP's Dec. 17, 2003, memo to WSSC. Map correction required. WSSC, M-NCPPC, & DPS: No specific concerns or inquiries at this time.	Admin. Del. – direct
WSCCR 05A-DAM-01 Kessell	WSSC: The applicant has included an excerpt from a development plan which shows an easement access to the water main along Heather Field Court. M-NCPPC: The Damascus Master Plan update in currently in progress. However, it does not appear that the current draft of the plan would affect the recommendations for water service for this site. DPS: Do you have any records for either the existing on-site systems or any recent problems with those systems?	
WSCCR 04A-FAL-04 New Hope SDA Church	DEP Note: WSSC had previously advised DEP that sewer service could be provided by a connection to the existing 8"-dia. main (#856505A) at the southwest corner of the property. At the request of DPS, DEP issued an expedite service memo to WSSC for this site on Sept. 23, 2004, based on concerns about the church's failing septic system. WSSC, M-NCPPC & DPS: No specific concerns or inquiries at this time.	Admin. Del. – April '05
WSCCR 04A-GBG-01 Campbell	WSSC & M-NCPPC No specific concerns or inquiries at this time. DPS: Do you have any records for either the existing on-site systems or any recent problems with those systems?	Pending
WSCCR 04A-GMT-02 O'Dell	DEP Note: For procedural purposes, this request will actually be included in the general map amendment, 05A-GMT-01, cited below. WSSC: We had assumed that this property could receive sewer service from the abutting main to the southwest. However, closer inspection revealed that this is a 36"-dia. main. Will an extension be required in this case? M-NCPPC & DPS: No specific concerns or inquiries at this time.	Admin. Del. – April '05
GWSMA 05A-GMT-01 multiple owners as identified by DEP	DEP Note: This is a general water/sewer map amendment for properties in an older neighborhood in Germantown which has been gradually moving from well and septic service to public water and sewer service. WSSC: Some of the existing mains in this area may have been constructed when WSSC was able to assess front foot benefit charges against properties designated categories 1 or 3 which use wells and/or septic systems. Would you please coordinate with the Assessments Section and advise us of any properties a proposed change to categories 1 or 3 might affect in this way? Please indicate what additional water and sewer extensions will likely be needed to serve the amendment area. M-NCPPC: No specific concerns or inquiries at this time. DPS: Are you aware of any problems with the wells and /or septic systems in this area?	
WSCCR 04A-GMT-03 GBI Corp.	WSSC, M-NCPPC, & DPS: No specific concerns or inquiries at this time.	Admin. Del. April '05

Proposed		Probable Action Route
Amendment	Specific Review Issues for Agencies & DEL General Potter	
WSCCR 03A-GWC-01 Bell	WSSC: Your office has previously confirmed that water service can be provided by the abutting main. Permit Services: Please see our inquiry concerning WSSC water service for other nearby properties abutting this water main. M-NCPPC: The Damascus Master Plan update in currently in progress. However, it does not appear that the current draft of the plan would affect the recommendations for water service for this site. DPS: Do you have any records of the existing well and/or septic systems at this	Admin. Del. April '05
	property? WSSC: WSSC previously reviewed this project under M-NCPPC preliminary plan	Admin. Del.
WSCCR 04A-OLN-01 Cong. of Marian Fathers	no. 1-04030 "Marian Fathers". M-NCPPC: Given the RE-2/TDR zoning here, sewer service would be restricted to a project using TDRs. Since it appears that the institutional use of the site will cease, that sewer service restriction will be removed DPS: No specific concerns or inquiries at this time.	April '05
WSCCR 04A-PAX-02 Oak Hill Construction	WSSC: Vour office has previously confirmed that 1) water service can be	Admin. Del. April '05
WSCCR 04A-POT-02 Safaipour	WSSC: It appears that sewer service can be provided from the existing main along Falls Rd. (#992671A). M-NCPPC: It appears that this property is within the recommended sewer envelope in the Potomac Master Plan. DPS: No specific concerns or inquiries at this time.	Admin. Del. April '05
WSCCR 04A-POT-03 Antezana	WSSC: It appears that service can be provided via an extension from the existing main west of Norton Rd. (#783722A). Please comment on whether a gravity main extension is feasible from the existing 8"-dia. main at Norton Rd. and South Glen Rd. (#877377A). M-NCPPC: This request will likely be considered under the Potomac Master Plan peripheral sewer service recommendations. DPS: Do you have any records of the existing septic system or of any problems with this system?	Admin. Del. April '05
WSCCR 04A-POT-04 Salek	DEP Note: On Sept. 30, 2004, DEP directed WSSC to provide sewer service to this property due to a failing septic system as identified by DPS. WSSC: Your office has indicated proposed water and sewer extensions under project #AW/AS3560X03. Please advise us about the status of this project. M-NCPPC & DPS: No specific concerns or inquiries at this time.	Admin. Del. direct
WSCCR 04A-POT-05 Abdala	WSSC: Your office has previously confirmed that sewer service can be provided by the abutting main. M-NCPPC: To be considered under the abutting mains policy, unless DPS can confirm a health problem. DPS: The applicant notes problems with the existing septic system. Do you have any records of the existing septic system or of any problems with this system? The property across the street at 10725 Stanmore Dr. experienced a septic failure several years ago, requiring the extension of public sewer service. I recall that the problem there was a shallow water table.	Admin. Del. direct

Proposed Amendment		Probable Action Route
WSCCR 04A-POT-06 Manos	WSSC: Is sewer service feasible via an extension from the existing 8"-dia. Main (#815000A) along River Oaks Ln? M-NCPPC: Service to this property would likely be considered under the Potomac Master Plan peripheral sewer service recommendations. The property confronts the recommended envelope across River Rd. Although the site is within the Riverwood Dr. Restricted Sewer Service Area, this restriction prevents sewer service via the Riverwood Dr. sewer main only. DPS: Do you have any records for the existing septic system at this site?	Admin. Del. April '05
WSCCR 04A-POT-07 Mir	WSSC: Your office has previously confirmed that sewer service can be provided by the abutting main. M-NCPPC: It appears that this property is within the recommended sewer envelope in the Potomac Master Plan. DPS: Do you have any records for either the existing on-site system or any recent testing on this site?	Admin. Del. direct
WSCCR 04A-PVE-01 Winchester	WSSC, M-NCPPC & DPS – DEP Note: This request is located within the Town of Poolesville, and would be served by the Town's public systems. Poolesville: Please provide DEP with commentary on whether this proposed project complies with your current master plan and with the direction of your pending master plan. We will also need information with regard to anticipated water supply and sewerage system capacities for this project. We would also appreciate receiving a copy of your most recent master plan – either the most recent draft or an approved version, if already adopted by the Town's Commissioners.	Pending
WSCCR 04A-TRV-07 Hudgins	WSSC: The County Council has directed that public sewer be extended to the RAM Investments site (S-3 restricted, adjacent to the west) via a low-pressure sewer main along Boswell Lane to Maplecrest Dr. Could a further extension of the low-pressure main also serve this property? Also, please include in your comments the feasibility of a gravity sewer extension along Boswell Lane and Glen Mill Road to the Piney Branch Trunk Sewer. M-NCPPC: We will likely consider this case under the public health condition of the Piney Branch Sewer Restricted Access policy, provided that DPS can confirm the septic failure. DPS Please comments on the applicant's contention that the septic system here has failed. Do you have any records to support this proposal?	
WSCCR 04A-TRV-09 Lee	WSSC: It appears that public sewer service can be provided by the 8"-dia. main (#877365A) abutting the property along Travilah Rd. M-NCPPC & DPS: No specific concerns or inquiries at this time.	Admin. Del. – April 05
WSCCR 04A-TRV-11 Andreassen	WSSC, M-NCPPC & DPS – DEP Note: Public health case – septic. DEP directed WSSC to provide sewer service to the property on Oct. 13, 2004. We have assumed that service can be provided from the abutting 8"-dia. sewer main (#919268D).	Admin. Del direct
WSCCR 04A-TRV -12 Saini	WSSC: Your office has previously confirmed that sewer service can be provided	Admin. Del. – April '05

Proposed Amendment	Specific Review Issues for Agencies & DEP General Notes	Probable Action Route
WSCCP	WSSC, M-NCPPC & DPS – DEP Note: This project was previously reviewed by the DRC as preliminary plan no. 1-05038 "Woodlawn Property."	Admin. Del. – April '05
Winchester		

To M-NCPPC, WSSC, and DPS, I apologize for the number of requests included in this transmittal. As you have probably noticed, it has been some time since our last package and we are trying to get caught up on a backlog of category changes. Our plan from now on is to send out to you all the requests received within a given month by the middle to end of the following month. Hopefully this will keep us more on track and make the work load of reviews more manageable for your agencies.

 $ADS: ads/R: \verb|\| CWSP-amend | WSCCR | CCRTRNS | combined_trns | 2005 | agency-review-req = 022805. doc | ads/R: \verb|\| CWSP-amend | wsccr | combined_trns | ads/R: \verb|\| CWSP-amend | ads/R: \verb|\| CWS$

Attachments

cc: Joe Mantua, Development Services Group, WSSC (w/out attachments) Shelley Janashek, DEP-WWPG (w/out attachments)



APPLICANT

MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION WATERSHED MANAGEMENT DIVISION

Rockville Center = 255 Rockville Pike, Suite 120 = Rockville, Maryland 20850-4166 Telephone No.: 240-777-7716/-7735 = FAX No.: 240-777-7715

= MCDEP-WMD Staff Use Only =

WATER/SEWER SERVICE AREA CATEGORY CHANGE REQUEST

PROPOSED AMENDMENT TO THE MONTGOMERY COUNTY, MARYLAND TEN-YEAR COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN

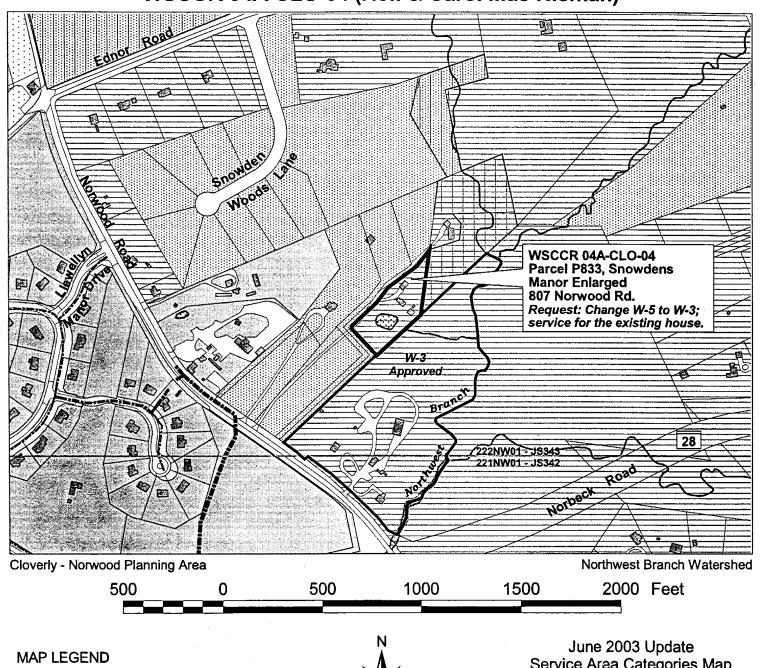
= MCDEP-WMD Receipt Date =

Water Sewer GIS Tile 222NWO/
Type or print all information.
Please read the accompanying instructions
before—or at least as—you fill out this application.

Water Sewer GIS Tile 222NWO/
Tax Map JS3/3
Plan No. —
Process

	Owner's/Purchaser's Authorized Representative* (*see below)
Telephone 301-774-3936	
	Signature Rolf Memor
Fax	Date 6-2304 Carl M. Nieman
e-mail NA	Date <u>6-2007</u>
PROPERTY OWNER	
Name Rolf + Carol Mac Nieman	Property Owner's Authorization: The applicant listed above is
	authorized to pursue a service area category change on my
on above	behalf for the property(jes) described on this application.
Telephone	Signature Carol M. Neeman
Fax	Date 6-23-04
	Date G 27-01
PROPERTY/SITE DESCRIPTION AND DEVELOPMENT	
Note: Attach an 8½"x11" copy of the state tax map with the subject	
Address 807 Norwood Rd	Property/Site Size 2 acres Folio 693,689 Subd 1 Tax Act + 16-05-0024 1302
Liber 4500 Location on Estele of Norwoodfel Letwer Ednor-Lay	
	Proposed Use Residence
Subdivision Plan No. & Status	Proposed ose
WATER AND SEWER SERVICE AREA CATEGORIES	
to the state of th	Requested Water Category W - 3
	Requested Sewer Category S - 3
REASON FOR THIS CATEGORY CHANGE REQUEST	The state of the s
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Planed Service world, may con	nuctin Future
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	Note: Continue on a separate page or attach a letter, if necessary
= MCDEP-WMD Staff Use Only =	
Master Plan CLOVERLY (1987)	
Planning Area CLONBRLY - NORWOOD	
Zoning RE-2C.	
Zoning Activity AUA	
Vatershed Noctaus B2.	j – j
Watershed Nocthwest 152.	
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Water Service Area Categories Map WSCCR 04A-CLO-04 (Rolf & Carol Mae Nieman)



Property 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 Water Service Area Categories **Buildings** W-1 Roads - Parking W-3 Streams W-4 Ponds - Lakes W-5 **Parks**

Service Area Categories Map

Montgomery County, Maryland Comprehensive Water Supply and Sewerage Systems Plan





Watershed Management Division 10/19/04 - GIS Project File: o:\wwteam\ccrs-wsheds\nwbranch\ 2004ccrs\04a-clo-04=nieman=ws.apr

