



Nov 4, 2005

## MEMORANDUM

TO: Montgomery County Planning Board

VIA: Jeff Zyontz, Chief  
Countywide Planning Division

Jorge A. Valladares, P.E., Chief  
Environmental Planning

FROM: Nazir Baig for the Department of Park and Planning  
301/ 495-4549

SUBJECT: Proposed Amendments: Montgomery County Comprehensive Water Supply  
and Sewerage Systems Plan- Administrative Delegation Group AD2005-4

## RECOMMENDATION

Staff finds the attached twelve category change requests to be consistent with the local master/sector plans and recommend their approval. All cases are in concurrence with Executive recommendations (See attachment 1) and are suitable for DEP administrative delegation action.

## DISCUSSION

The staff memorandum will follow the format set up in the Executive's attached material (See attachment 1) containing various water and sewer category change applications under consideration as amendments to the Comprehensive Water Supply and Sewerage Systems Plan. The Executive Memorandum has listed category requests by planning areas and that format would be followed in this staff memorandum. Staff agrees with all the Executive's recommendations on these cases.

**Aspen Hill Planning Area****WSSCR 06A-APH-01**

Barbara Johnson, et al Trust

Size: 0.95 acres

Zoning: R-200

Aspen Hill Master Plan (1994)

Northwest Branch, Use IV

Existing and proposed use: Single Family House

Existing Category: W-1, S-5

Requested Category: W-1, S-3

This category request is consistent with the Aspen Hill Master Plan (1994). The property is within an older residential area that is currently served. The master plan recommends that these areas be provided service when requested (see master plan page 133).

The service will be provided along the roadway and no significant environmental impacts are anticipated. Service will require a 200-ft main extension.

The staff recommends S-3 for sewer service. The Executive recommends S-3 on circle 1 of the executive package

**Bennett & Little Bennett Watersheds Planning Area**  
**WSSCR 06A-BEN-01**

M-NCPPC – Little Bennett Park Maintenance Facility

Zone: RDT

Size Lot: 144 Acres

Area to be served: 8.8 acres

Master Plan/ Sector Plan: Preservation of Agriculture and Rural Open Space (1980)

Watershed: Little Seneca Creek & Little Bennett Creek

Current Use: Park Maintenance facility

Proposed Use: Park Maintenance facility

Existing Category: W-1, S-6 (Multi Use)

Requested Category: W-1, S-3

This category change is not inconsistent with the area master plan. While the *Preservation of Agriculture and Rural Open Space (1980)* Master Plan prohibits extension of sewer for areas designated for agricultural preservation in the Rural Density Transfer Zone, the plan did not anticipate and is silent on extending water and sewer to public facilities. The land use map clearly shows the parkland distinct from the agricultural preservation area, although it is shown as Rural Density Transfer (RDT) zone on the zoning map. The property is immediately adjacent to the sewer envelope in the Clarksburg Master Plan and line extensions will not pass through any adjacent, unsewered parcels. The *Clarksburg Master Plan and Hyattstown Special Study Area (June 1994)* did not address sewer to this parcel (which is outside the boundaries of that plan).

The Maintenance Facility was included in the 1968 concept plan for Little Bennett Park and was under construction prior to the adoption of the 1980 Master Plan. The *Comprehensive Water Supply and Sewerage Systems Plan (2003)* has a provision for public uses to receive sewer under the "Community Service for Public Facilities" section.

The recent update of the Stormwater Pollution Prevention Plan (SWPPP) associated with the permit for the National Pollutant Discharge Elimination System (NPDES) for the Little Bennett Maintenance Facility called for installation of a vehicle wash system for the site. In communication with the Maryland Department of the Environment, their staff recommends that wastewater discharges from this system be directed to a community sewer system. The service will be provided outside stream buffers and no significant environmental impacts are anticipated.

Staff recommends S-3. The Executive recommends S-3 on circle 6 of the package.

**Cloverly Norwood Planning Area**

**WSCCR 05A-CLO-3**

Michele & Diego Albornoz

Zone: RE-1

Size Lot: 0.70 acres

Master Plan/ Sector Plan: Cloverly Master Plan

Watershed: Northwest Branch, Use IV

Current Use: Single Family House

Proposed Use: Single Family House

Existing Category: W-1, S-5

Requested Category: W-1, S-1

The Cloverly Master Plan recommends sewer service "for RE-1 zoned properties where sewer service can be provided from existing mains within the Northwest Branch or Paint Branch watersheds." DEP states: "Public sewer service is already available to the property from an abutting main along Snider Lane."

No significant environmental impacts are anticipated. This request is consistent with the Cloverly Master Plan.

Staff recommends W-1, S-1. Executive recommends W-1, S-1. See Executive's recommendation circle page 9.

**Darnestown Planning Area**

**WSCCR 05A- DNT-01**

Ida P.Green

Zone: R-200/TDR

Size Lot: 0.51 acres

Master Plan/ Sector Plan: Potomac (2002)

Watershed: Muddy Branch, Use I

Current Use: Single Family House

Proposed Use: Single Family House

Existing Category: W-4, S-6

Requested Category: W-3, S-3

This application is consistent with the *Approved and Adopted Potomac Subregion Master Plan (2002)*. This property is within an older residential area and is within the recommended sewer service envelope (See master plan page 23). The service will be provided along the roadway and no significant environmental impacts are anticipated. The provision of sewer service would require a 220 ft long non-CIP sized sewer extension that would abut 2 houses. The *Water and Sewer Plan* has no policies on the permissible number of abutting properties. This memo recommends Executive staff to develop such policies to ease review.

The planning staff recommends W-1 and S-3. The Executive recommends W1, S-3 on circle 14 of the attachment # 1.

**Gaithersburg Vicinity Planning Area**

**WSSCR 05A-GBG-01**

Wickham's Chance Ea

Zone: R-PT (City's zone, formerly county zoning R-200/TDR)

Size Lot: 13.18 acres

Master Plan/ Sector Plan: Gaithersburg (1997)

Watershed: Muddy Branch, Use I

Current Use: Vacant

Proposed Use: Single Family Residential Subdivision

Existing Category: W-1, S-4

Requested Category: W-1, S-3

Project is consistent with the policies of the 1997 Gaithersburg Master Plan. According to the WSSC note, sewer service would require a 600 ft. off site extension that would run through city parkland along Sam Eig highway. Staff recommends S-3 subject to applicant getting the layout of the sewer approved by the city staff, considering the potential negative environmental impacts. Also this memorandum requests the Executive to develop policies in the *Water and Sewerage Plan* establishing limits of permissible lengths of extension. This would help in the easy review of such cases. Executive recommends S-3 on circle 19 of the administrative package.

**Olney Planning Area**

**WSSCR 05A-OLN-03**

Charles & Benjamin, etc.

Zone: RNC pending

Size Lot: 107.35 acres

Master Plan/ Sector Plan: Olney (2005)

Watershed: Northwest Branch, Use IV

Current Use: Vacant

Proposed Use: Residential Subdivision

Existing Category: W-6, S-6

Requested Category: W-3, S-3

This application is consistent with recommendations of the Olney Master Plan. Staff concurs with the Executive's recommendation of maintaining W-6 and S-6 with advancement to W-3, S-3 on Planning Board approval of preliminary plan using the RNC optional cluster method. The final W-3 and S-3 will be restricted to the area of clustered lots and conservancy lots which M-NCPPC and DEP determine to qualify under the recommendations of the master plan. Executive's recommendation is on circle 23 of this package. A preliminary plan application # 1-05092 for the NWI (Northwest Investment Corp.) property has been filed. It shows an optional method development on community sewer for this property.

**WSSCR 05A-OLN-04**

Charles & Benjamin, etc.

Zone: RNC pending

Size Lot: 91.88 acres

Master Plan/ Sector Plan: Olney (2005)

Watershed: Northwest Branch, Use IV

Current Use: Vacant

Proposed Use: Residential Subdivision

Existing Category: W-6, S-6

Requested Category: W-3, S-3

This application is consistent with the recommendations of 2005 Olney plan. The plan recommends community water and sewer for this property if it develops under the optional method of development in the RNC Zone. Staff concurs with the Executive's recommendation of maintaining W-6 and S-6 with advancement to W-3, S-3 on Planning Board approval of a preliminary plan using the RNC optional cluster method. The final W-3 and S-3 will be restricted to the area of clustered lots and conservancy lots which M-NCPPC and DEP determine to qualify under the recommendations of the master plan. Executive's recommendation is on circle 23 of this package.

A pre-preliminary plan application #7-05062 for the Casey property has been filed, which shows optional method development on community sewer.

Service is to be provided by a single access point through the stream buffer to an existing sewer in the Bachelors Forest Tributary of Northwest Branch. Environmental impacts will be limited and will be mitigated as part of the development plans.

**Patuxent Conservation Planning Area**

**WSSCR 05A-PAX-03**

Mohammed Hasnain

Zone: RE-2

Size Lot: 91.88 acres

Master Plan/ Sector Plan: Cloverly (1997)

Watershed: Lower Patuxent River, Use I

Current Use: Vacant

Proposed Use: Single Family home

Existing Category: W-6, S-6

Requested Category: W-1, S-n/c

The Cloverly Plan recommends the following: "Extend water service in the RC zone on a case-by-case basis to residential properties that meet the recommendations of this plan and use the cluster option of development..." This lot was created as part of a cluster subdivision. Water service is available from an abutting main along Oak Hill Road. No significant environmental impacts are anticipated. Water service to this lot is consistent with the 1997 *Cloverly Master Plan* and with the large lot policies of the *Water and Sewerage System Plan*. Staff agrees with the Executive's recommendation to give W-1 to this lot. See circle 33 for Executive's recommendation.

**Potomac Cabin John Planning Area**

**WSSCR 05A-PO-02**

Bob and Sabina Reilly

Zone: R-200

Size Lot: 1.37 acres

Master Plan/ Sector Plan: Potomac 2002

Watershed: Potomac River, Use I

Current Use: Existing single family home

Proposed Use: Proposed new house and/or 2 lot subdivision

Existing Category: W-1, S-6

Requested Category: W-1, S-3

Request is consistent with the *Approved and Adopted Potomac Subregion Master Plan (2002)*. This property is within an older residential area and is within the recommended sewer service envelope. (See master plan page 23)

The request is proposed to serve re-subdivision of this property into two lots. A pre-preliminary plan (7-2005058) was submitted and staff recommended denial because it did not meet the re-subdivision criteria within the Subdivision Regulations in terms of size and frontage, and the stream valley buffer severely constrains the useable area. It is unlikely that any resubdivision of the property would meet the requirements of the zone, the master plan and the *Environmental Guidelines*. Granting of the category change may be used to provide the service to the existing lot but does not indicate approval for any potential resubdivision of this lot.

The service will be provided along the roadway and no significant environmental impacts are anticipated. Staff recommends S-3. The Executive recommends S-3 on circle 37.

**WSCCR 06A POT-01**

Mary Reese Trust  
Zone: R200  
Size Lot: 0.63 acres  
Master Plan/ Sector Plan: Potomac (2002)  
Watershed: Rock Run, Use I  
Current Use: Finished Lot  
Proposed Use: Single Family home  
Existing Category: W-1, S-6  
Requested Category: W-1

Request is consistent with the *Approved and Adopted Potomac Subregion Master Plan (2002)*. This property is within an older residential area and is within the recommended sewer service envelope. The property abuts sewer line. The staff recommends S-1. The Executive recommends S-1 on circle 37.

**WSCCR 04A-TRV-06**

Charles and Garefo Caggiano  
Zone: R200  
Size Lot: 1 acre  
Master Plan/ Sector Plan: Potomac (2002)  
Watershed: Watts Branch Watershed, Piney Brach Sub watershed, Use I  
Current Use: Existing single family home  
Proposed Use: Single Family home  
Existing Category: W-1, S-1

Request is consistent with the *Approved and Adopted Potomac Subregion Master Plan (2002)*. Property is a verified septic failure by DPS. This property is within an older residential area and is also within the recommended sewer service envelope (see master plan page 23). Service will be provided along the roadway and no significant environmental impacts are anticipated. The planning staff concurs with the Executive in recommending S-1.

**WSCCR 05A-TRV-03**

John & Elizabeth Blick

Zone: R-200

Size Lot: 1.34 acres

Master Plan/ Sector Plan: Potomac (2002)

Watershed: Watts Branch Watershed, Piney Brach Sub watershed, Use I

Montgomery County Special Protection Area

Existing & Proposed Use: Single Family home

Existing Category: W-1, S-6

Requested Category: W-1, S-3

Request is consistent with the *Approved and Adopted Potomac Sub region Master Plan (2002)*. This property is within an older residential area and is within the recommended sewer service envelope (See master plan page 23). Staff concurs with the Executive recommendation on circle 47 of the executive package to approve S-3.

***Note: Section 9-506(a)(1)(ii) of the Maryland Annotated Code, Environment, requires county planning agencies to certify that the plan, revision or amendment is consistent with the county comprehensive plan. Section 9-506(a)(2) provides that the review and comments of the Park and Planning Commission in accordance with Section 9-516 constitute full compliance with the requirement for review of a 10-yr Water and Sewerage Plan.***

ATTACHMENT : Administrative Delegation Group AD-2005-4