

Public Health Problem Area – Lakewood Estates/Travilah Planning Area

Background: Residents of the neighborhood in the vicinity of Cherrydale and Silver Brook Drives in the Lakewood Estates neighborhood contacted DEP with concerns about their septic systems. Since the 2002 update of the Potomac Subregion Master Plan, the County has granted numerous sewer service category changes to properties in this area. This master plan recommended changes to the Piney Branch Restricted Sewer Access Policy which now allows for public sewer service to these lots. (Under the prior policy, new development in the neighborhood could receive public sewer service, but older lots could only receive public sewer based on an existing or anticipated public health problem.) The owners of the older properties in Lakewood Estates expressed concern about their ability to replace their aging septic systems, especially given the size of their lots, many of which are approximately one-half acre in size.

Although now eligible for public sewer service without the need to establish a septic-based health problem, a number of residents in the community have sought a general health problem designation in the Water and Sewer Plan to both reflect their serious concerns regarding their existing conditions and to gain the benefits normally granted to such areas. These benefits include priority for sewer service connections and main extensions and health subsidies for main extensions. DEP initiated and DPS conducted the requested sanitary survey of 32 lots in the neighborhood in Spring/Summer 2005. The survey area totaled 19.57 acres, excluding public roads. DEP selected the survey area to specifically address those older properties in the neighborhood that had initially developed on septic systems, and that previously had been denied general access to public sewer service. The properties north of Valley and Cherrydale Drives are zoned R-200; the properties to the south are zoned RE-1.

County Executive's Recommendation: Establish a public health problem area in the Water and Sewer Plan that includes the Lakewood Estates sanitary survey area. DEP will work with the neighborhood on a general category map amendment (from S-6 to S-1 or S-3) to make all properties within the designated health problem area eligible for public sewer service. The map amendment will be addressed via the administrative delegation process.

Executive Staff Report: The DPS Well and Septic Section performed a file search of existing septic permit records and conducted field surveys and inquiries with residents in the course of the survey. DEP staff evaluated the results of the sanitary survey conducted by the DPS. DEP staff assigned a "level of health concern" based factors such as survey results, property characteristics, and recently documented health problems. Those properties identified as having a high concern have had recent septic system failures that have required the provision of public sewer service. Those identified as "moderate" have some combination of factors that raise a concern about the feasibility of replacing the existing septic system. These include:

- Small property size (close to one-half acre),
- Lack of existing septic testing or permit records
- 1960's-era systems which have no septic reserve areas identified, and
- Close proximity to a recent, documented septic failure that required public service relief.

Properties with a "low" level of concern generally lacked the preceding concerns, and had either relatively larger lot areas in which to site a replacement system, or a more modern septic system repair or replacement which was more likely to meet current on-site system regulations. These issues are identified for each property in the survey area in the table stating at circle pg. 42. DEP's interpretation of the survey results shows that 25 of the 32 surveyed properties, or approximately 78 percent, have a moderate or high level of health concern. This reflects a sufficient concern about existing and anticipated health problems to warrant the designation of these properties collectively as a public health problem area.

Recent cases involving public health problem areas have addressed properties located outside of the acknowledged public water or sewer service envelopes: e.g. The Corral Drive (Potomac), Tune Avenue (Damascus). In these cases, the establishment of health problem designation allowed properties outside the envelope access to public water or sewer service where such service would not generally be provided. In the case of Lakewood Estates, all of the surveyed properties can be considered suitable for public sewer service. Many of these properties have received sewer category changes from S-6 to S-3 through the administrative delegation process. Health problem area cases have typically been coupled with a general category map

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County Executive's Transmittal Packet – January 2006: Map Amendment Summary Information Table

amendment which proposes to change the service area categories of the affected properties to allow public service. Because this health problem area does not have a pending category change request, and because the properties can be considered for sewer service without the health designation, we have not yet prepared a sewer category change amendment for these properties. DEP will begin work with the neighborhood on a general category map amendment which will move these properties from S-3 and S-6 to S-1 and S-3, as appropriate. This category change will be handled through an upcoming administrative delegation group.

Existing mains can provide sewer service to approximately half of the properties in the survey area. The existing main extension along Aqua Lane and Lakewood Court was constructed in response to septic system failures on those streets. A proposed sewer extension project along Cherrydale and Silver Brook Drives, WSSC #AS3576Z03, will provide service to all of the remaining properties.

Survey Results and DEP Evaluation: The following table and the neighborhood map at circle pg. 45 summarize the survey's findings:

Lakewood Estates – R-200 Properties: DEP/DPS Sanitary Survey Results						
Key to "Level of Health Concern":		LOW		MODERATE		HIGH
Street Address	Lot & Block Date Built - Size	Categories		Owner(s)	DEP Comments	DPS-Well & Septic: Survey Results and Comments – Level of Health Concern
		Water	Sewer			
Aqua Lane Properties						
#13600	Lot 5; Block 4 1965 – 0.67 ac.	W-1	S-6	Steven & A.S. Kohn	Sewer abuts.	1964 lagoon system. Repair: No reserve area established; testing for a drip or trench system may be possible.
#13601	Lot 7, Block 5 1999 – 0.49 ac.	W-1	S-1	Yital Hu	Sewer abuts. Using sewer; served in error.	No septic records.
#13604	Lot 6, Block 4 1965 – 0.52 ac.	W-1	S-6	Leonid Podrabinnik & Marian Gaivoronskaia	Sewer abuts; adjacent to recent failure.	1983 trench system (replaced 1964 lagoon). Repair: a drip or trench system may be possible.
#13605	Lot 8, Block 5 1974 – 0.54 ac.	W-1	S-3	Sandor Boyson & Margarita Rodriguez	Using sewer; public health case..	Prior health problem case.
#13609	Lot 9, Block 5 1973 – 0.48 ac.	W-1	S-6	Ho & J.H. Kim	Sewer abuts; adjacent to recent failure.	1973 trench system. Repair: No reserve area established; testing for a drip or trench system may be possible.
#13613	Lot 10, Block 5 1962 – 0.46 ac.	W-1	S-6	Victor Stekoll & Susan Levi	Sewer abuts; connection installed; adjacent to recent failure.	1962 lagoon system. Repair: No reserve area established; testing for a drip or trench system may be possible, but owner planning for public sewer when system fails.
Cherrydale Drive Properties						
#13600	Lot 3, Block 5 1962 – 0.53 ac.	W-1	S-3	George & Sharon Smithwick	Sewer on Valley Dr. abuts.	No septic records; may have been repaired once. Repair: No reserve area established; testing for a drip or trench system may be possible.
#13601	Lot 2, Block 2 1977 – 1.16 ac.	W-1	S-6	David & K. Anderson	1+-acres; more area for on-site repair	No septic records. Repair: No reserve area established; testing for a drip or trench system may be possible.
#13604	Lot 2, Block 5 1962 – 0.47 ac.	W-1	S-3	Robert & D. Reiderer		1961 trench system. Repair: No reserve area established; testing for a drip or trench system may be possible.
#13605	Lot 3, Block 2 1961 – 0.93 ac.	W-1	S-3	Judith Knight, <i>et al.</i>	1+-acres; more area for on-site repair	1983 trench system. Repair: drip or trench system may be possible.

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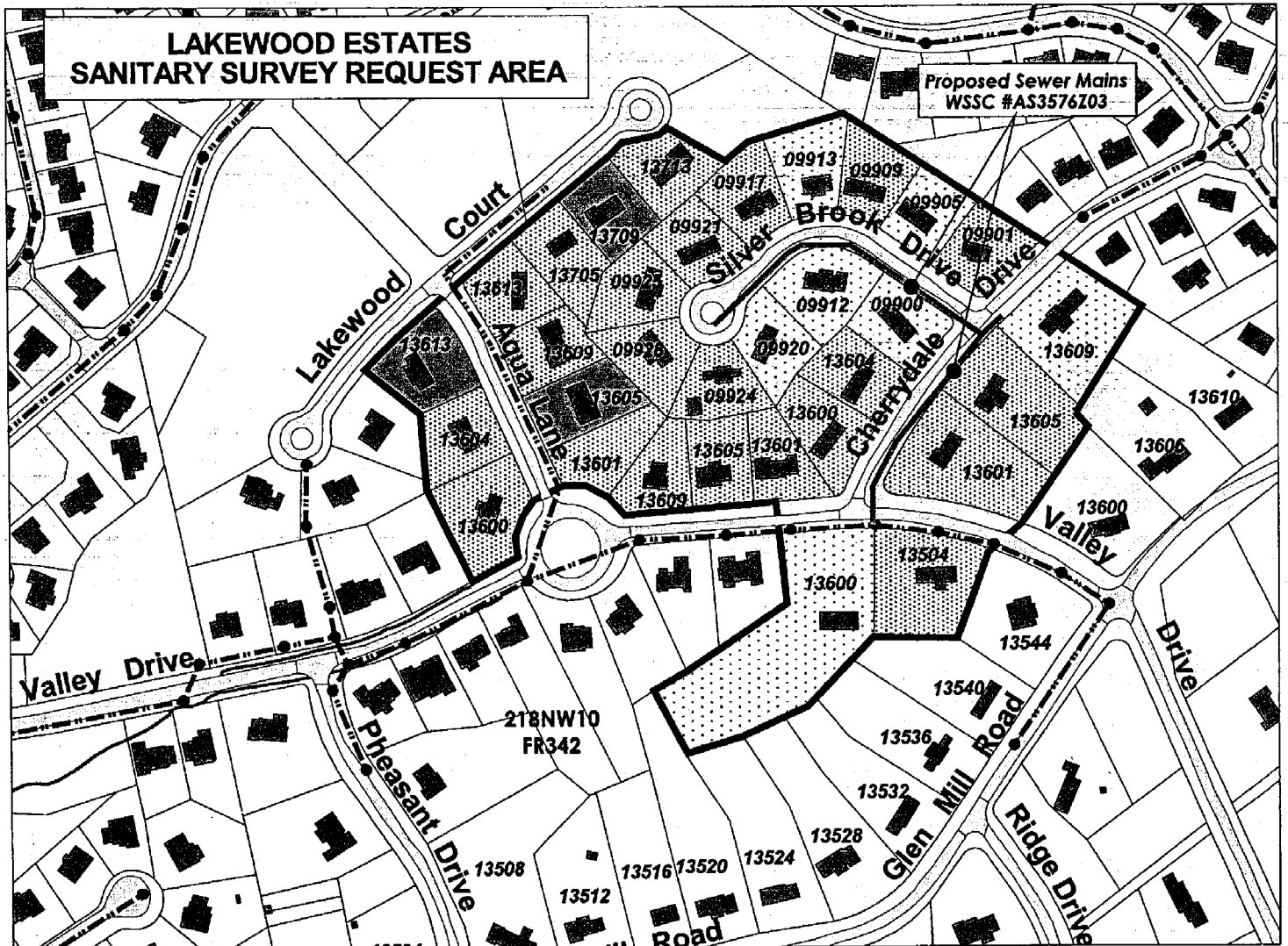
Lakewood Estates – R-200 Properties: DEP/DPS Sanitary Survey Results						
Key to "Level of Health Concern":		LOW		MODERATE		HIGH
Street Address	Lot & Block Date Built - Size	Categories		Owner(s)	DEP Comments	DPS-Well & Septic: Survey Results and Comments – Level of Health Concern
		Water	Sewer			
#13609	Lot 4, Block 2 1961 – 0.92 ac.	W-1	S-3	Paul & Laura Yazge	1-acre; more area for on-site repair	1983 trench system. Repair: drip or trench system may be possible.
Lakewood Court Properties						
#13613	Lot 7, Block 4 1976 – 0.63 ac.	W-1	S-6	Joseph & Linda Kobylski	Sewer abuts.	1975 trench system. Repair: No reserve area established; testing for a drip or trench system may be possible. Jan. 2005 update: existing system has failed; owner seeking sewer from abutting main.
#13705	Lot 11, Block 5 1962 – 0.51 ac.	W-1	S-6	Edward Atkins, <i>et al.</i> Trust	Sewer abuts; connection installed; adjacent to recent failure.	1962 trench system. Repair: drip or trench system may be possible, but owner planning for public sewer when system fails.
#13709	Lot 12, Block 5 1962 – 0.46 ac.	W-1	S-3	Brent & Lisa Goodman Goldstein	Sewer abuts; public health case	1962 trench system. Repair: No reserve area established; public sewer service recommended. Prior public health case.
#13713	Lot 13, Block 5 1972 – 0.49 ac.	W-1	S-6	Mitchell & P.M. Belzer	Adjacent to recent failure.	1970 trench system. Repair: No reserve area established; testing for a drip or trench system may be possible.
Silver Brook Drive Properties						
#9900	Lot 1, Block 5 1961 – 0.50 ac.	W-1	S-3	John & Lois McInnes		1988 trench system (replaced 1960 drywells). Repair: pump to drip, trench or sand mound system in front yard may be possible.
#9901	Lot 1, Block 6 1961 – 0.48 ac.	W-1	S-6	E. Valerie Newkirk, <i>et al.</i>		1961 drywell system. Repair: No reserve area established; testing for a pumped drip or trench system may be possible.
#9905	Lot 2, Block 6 1961 – 0.47 ac.	W-1	S-3	Frederick & P.M. Evans		1989 trench system (replaced 1963 drywells). Repair: a pumped drip or trench system may be possible.
#9909	Lot 3, Block 6 1961 – 0.47 ac.	W-1	S-3	Elizabeth Tennery, <i>et al.</i>		1961 drywell system. Repair: No reserve area established; testing for a drip or trench system in back yard may be possible.
#9912	Lot 21, Block 5 1961 – 0.60 ac.	W-1	S-3	Kenneth Kofsky & Lora Green		1982 & 2003 trench systems (replaced 1961 drywells). Repair: trench system in front yard, or drip system in back yard.
#9913	Lot 4, Block 6 1961 – 0.51 ac.	W-1	S-3	John & L.S. Sheehan		1991 trench system (replaced 1963 drywells). Repair: trench system in back yard, or drip system in front yard.
#9917	Lot 5, Block 6 1961 – 0.53 ac.	W-1	S-6	Edward & Sylvia Sasnett		1962 drywell system. Repair: drip or trench system in back yard may be possible.
#9920	Lot 10, Block 6 1961 – 0.46 ac.	W-1	S-3	Stephen & E.R. Cohen		1984 trench system (repair of 1962 drywells). Repair: drip or trench system may be possible.
#9921	Lot 6, Block 6 1961 – 0.48 ac.	W-1	S-3	William & M.H. Druckenbrod	Adjacent to recent failure.	1962 drywell system. Repair: No reserve area established; testing for pumped drip or trench system may be possible.

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Lakewood Estates – R-200 Properties: DEP/DPS Sanitary Survey Results						
Key to "Level of Health Concern":		LOW		MODERATE		HIGH
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		Water	Sewer			
#9924	Lot 9, Block 6 1961 – 0.46 ac.	W-1	S-3	Gerald & D.L. Silbert		1979 trench system (replaced 1962 drywells). Repair: drip system over existing trenches may be possible. Topographic constraints on site.
#9925	Lot 7, Block 6 1961 – 0.51 ac.	W-1	S-3	John & K.M. Connors	Adjacent to recent failure.	1980 trench system (replaced 1962 drywells). Repair: drip or trench system may be possible.
#9928	Lot 8, Block 6 1961 – 0.50 ac.	W-1	S-3	Jay & Sherri Eichberg	Adjacent to recent failure.	2003 tank and 1980 trench system (replaced 1962 drywells). Repair: drip or trench system may be possible. Topographic constraints on site.
Valley Drive Properties						
#13504	Lot 11, Block 1 1961 – 0.92 ac.	W-1	S-6	John & D.E.J. Phelan	1-acre; more area for on-site repair. Sewer abuts.	1961 drywell system. Repair: drip or trench system in may be possible. Owner prefers to repair septic when necessary..
#13600	Lot 12, Block 1 1978 – 2.02 ac.	W-1	S-6	Aura Sanchez, <i>et al.</i> Trust	1+-acre; more area for on-site repair. Sewer abuts.	1977 trench system. Repair: drip or trench system in may be possible, but owner has tap and will connect to sewer when system fails..
#13601	Lot 4, Block 5 1962 – 0.46 ac.	W-1	S-6	Joshua Korsower	Sewer abuts.	1962 drywell system. Repair: No reserve area established; testing for a drip or trench system is likely.
#13605	Lot 5, Block 5 1962 – 0.48 ac.	W-1	S-6	John Hoff, <i>et al.</i> Trust	Sewer abuts.	1962 drywell system. Repair: No reserve area established; testing for a drip or trench system is likely.
#13609	Lot 6, Block 5 1962 – 0.46 ac.	W-1	S-6	Timothy & A.A. Gilbert	Sewer abuts.	1962 drywell system. Repair: No reserve area established; testing for a drip or trench system is likely.

Sanitary Survey Results: Lakewood Estates



**LAKWOOD ESTATES
SANITARY SURVEY REQUEST AREA**

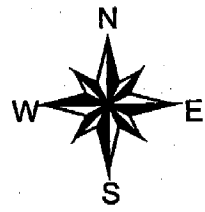
Proposed Sewer Mains
WSSC #AS3576Z03

Travilah Planning Area Watts Branch Watershed

500 0 500 1000 1500 Feet

MAP LEGEND

- Property
- 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
- Buildings
- Roads
- Streams
- Ponds
- Sanitary Survey Area
- Sanitary Survey Results: Level of Health Concern**
 - High
 - Moderate
 - Low



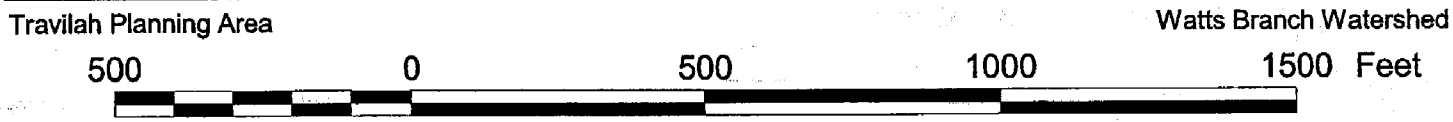
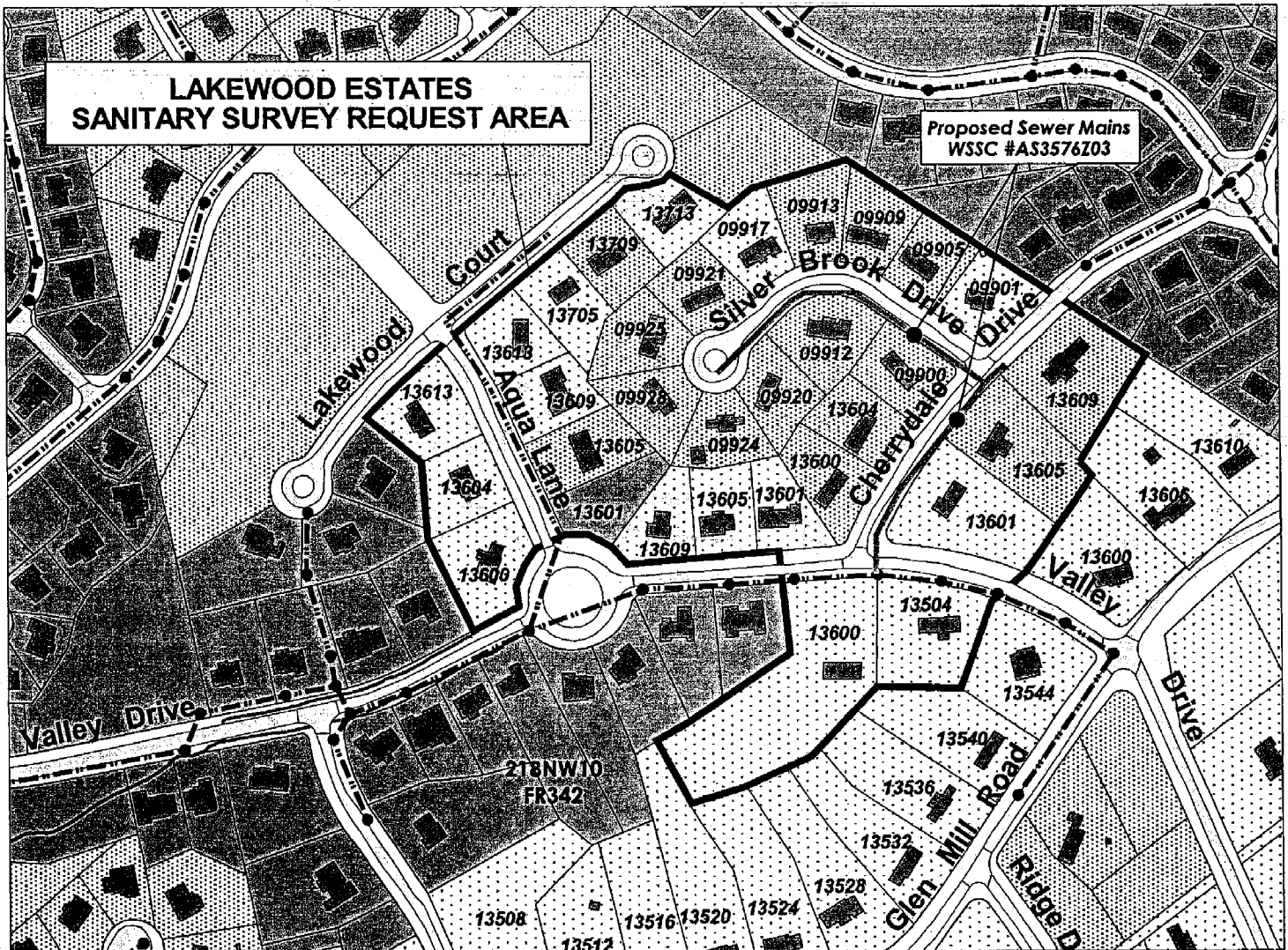
**JUNE 2003 UPDATE
SERVICE AREA CATEGORIES MAP**
Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



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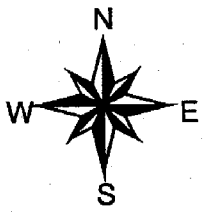
Water and Wastewater Policy Group
1/9/06 – GIS Project File:
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Sewer Service Area Categories Map: Lakewood Estates and Vicinity

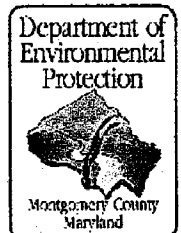


MAP LEGEND

- Property
- Sanitary Survey Area
- 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
- Buildings
- Roads
- Streams
- Ponds
- Sewer Service Area Categories**
 - S-1
 - S-3
 - S-4
 - S-5
 - S-6



JUNE 2003 UPDATE
SERVICE AREA CATEGORIES MAP
Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan



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Watershed Management Division
1/9/06 -- GIS Project File:
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COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

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Private Institutional Facility (PIF) Cases – Background: The following map amendment involves a proposal from a non-profit group, or what the Water and Sewer Plan defines as private institutional facility (PIF). The PIF policy in the Plan creates the *limited opportunity* for exceptions to the Plan's general public service policies, allowing the provision of public water and/or sewer service for PIF uses where other residential or commercial development could not normally qualify for such service. However, recent category change amendments addressed under the PIF policy have raised questions about the use of this special service policy, especially in the rural areas of the county. (See circle pgs. 49-51 for the text of the PIF policy.)

The County Council recently reviewed the recommendations of an interagency working group formed to address the Council's concerns such as public water and sewer service, imperviousness and watershed protection, and land use priorities with regard to private institutional uses. The Council chose to amend the PIF policy based on the working group's recommendation. However, the changes to the policy—which prohibit the provision of public service for PIFs in the County's agricultural reserve area—do not affect the disposition of this request for property zoned Rural Cluster (RC).

PRIVATE INSTITUTIONAL FACILITY (PIF) CASES – OLNEY PLANNING AREA		
Amendment No./Applicant (Owner) Property Location & Information Proposed/Existing Development	Applicant's Request/Explanation Service Area Categories: Existing Requested	Reviewing Agency Comments (WSSC Main extensions are non-CIP sized unless specified.)
<p>WSSCR 05A-OLN-02 Parker Memorial Baptist Church (for R. Jones Estate)</p> <ul style="list-style-type: none"> • 1601 Norbeck Rd. – Parcels P905, P907, & P909, Batchellors Forest Etc • Map tile: 222NW02; JS123 • North side of Norbeck Rd. (MD 28) west of Layhill Rd. (MD 182) • Olney Master Plan (2004) • Northwest Branch Watershed (MDE Use IV) • RC Zone; 8.39 ac. • Existing use: existing single-family house and two vacant parcels • Proposed use: house of worship (a plan for the site has not yet been provided) 	<p>W-6 W-3 S-6 S-3</p> <p><u>Applicant's Explanation (summarized*):</u></p> <p>1) The applicant is applying under the PIF policy in the Water and Sewer Plan</p> <p>2) The property confronts areas developed using public water and sewer service south of Norbeck Rd. The surrounding area is within the Southeast Quadrant of the Olney Master Plan, where much of the area is recommended for public water and sewer service.</p>	<p>M-NCPPC Staff: The 2004 Olney Master Plan does not include this property in its proposed sewer envelope. The applicant is proposing a private institutional facility (PIF). Because no preliminary plan has been filed, the compatibility of the use with adjacent low-density residential areas cannot be determined. The master plan recommends minimizing imperviousness in the Batchellors Forest Tributary and maintaining the existing forest cover to protect the stream quality. Approve W-1, S-1 under the PIF policy, conditioned upon a preliminary plan that minimizes imperviousness to approximate that expected with the underlying zone, maintains a significant amount of the existing forest and buffers adjacent residential uses.</p> <p><u>WSSC-Water:</u> Service will require a 500' main extension east from the existing 12" main near the intersection of Norbeck Rd. and Whitehaven Rd. (#825314A). The extension will abut one additional property; rights-of-way may be required. Construction will involve work along Norbeck Rd. (A 42" transmission main abuts the site; however, direct service connections to mains of this size are not allowed.)</p> <p><u>WSSC-Sewer:</u> Service will require a 500' main extension west from the existing 10" main located north of intersection of Norbeck and Layhill Rds. The extension will abut one additional property; rights-of-way will be required.</p> <p><u>DPS-Well & Septic:</u> Previous percolation tests on these parcels were unsatisfactory. The construction of a church without sewer is not a possibility.</p>
<p>3) The site satisfies the abutting mains policy in the Water and Sewer Plan for public water service. A 42" water main abuts the site along Norbeck Rd. (A 10" sewer main is located 500' east on County-owned land.)</p> <p>4) A private 500' sewer extension could not be used to serve any adjacent property. Lots to the west and north are recorded and developed using septic systems (c. 1981). The property to the east is County-owned and not subject to private development. None of the properties surrounding the site would need service from an extension to the church.</p> <p>* see circle pg. 53 for the applicant's full text</p>		

County Executive's Recommendation: Defer action of the W-3/S-3 water and sewer category request, pending the church's presentation of a development concept plan for the subject site. This plan must at least provide a general layout of the structures and driveway/parking areas to allow an estimate of the impervious surface proposed.

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PRIVATE INSTITUTIONAL FACILITY (PIF) CASES – OLNEY PLANNING AREA

Executive Staff Report: The applicant has requested a water and sewer category change in support of a proposed relocation and expansion of an existing religious institution. Given the recommendations of the recently updated Olney Master Plan (2004), this request needs to be considered under the Water and Sewer Plan's PIF policy, as public water and sewer service would not be generally available to the site, which is zoned Rural Cluster (RC). At this time, the applicant has not provided a plan which shows their proposal for development of the subject site. As the Council considers each PIF request on a case-by-case basis, the opportunity for the Councilmembers to review at least a general site concept for a PIF project has become an important part of the evaluation of these requests. Absent any plan for this project, the request for public water and sewer service should be deferred until the applicant provides a plan for the Council's review.

In other regards, the provision of public water and sewer is consistent with the PIF policy requirements. Public service can be extended to the site without opening up service to any property not otherwise eligible for such service. Under the PIF policy, the approval of public service must be restricted to a PIF use, and specifically to the applicant's use.

The required water main extension will abut only properties approved for and with access to public water service. A mapping error incorrectly identifies the properties located along Whitehaven Rd. as category W-6; the correct category is W-1. (Note: The applicant's assumption that service could be provided from the 42-inch water main along Norbeck Road under the Plan's abutting mains policy is not correct. WSSC does not allow direct connections to transmission mains of this size.)

The required sewer mains extension would abut or traverse only one property designated as category S-6: County-owned property recently acquired as a Legacy Open Space (LOS) site. The extension would cross a tributary of Northwest Branch; this part of the LOS site is largely open fields without many trees. The recommendation for this amendment does note that M-NCPPC will likely need to issue a permit for the sewer to cross County park land. M-NCPPC would also consider the sewer alignment as part of the preliminary plan review. The remaining properties in the vicinity of the sewer extension are already designated as category S-1.

At this time, the Water and Sewer Plan and the PIF policy do not contain any specific direction with regard to impervious surface restrictions for private institutional land uses. The Council recently rejected a proposed zoning text amendment which would have established broad based impervious limits by zone in the County's rural and rural estate zones. Instead, the Council request that agency staff to investigate establishing watershed-based impervious limits. However, in two recent cases—the Lutheran Church of St. Andrew and the People's Community Baptist Church—also within the Northwest Branch watershed, the Council has indicated a preference for a voluntary impervious limit of 25 percent.

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.



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

REQUEST FOR WATER/SEWER SERVICE AREA CATEGORY CHANGE

Proposed Amendment to the Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan

Type or print all information. Please read the accompanying instructions before filling out this application.

WSSCR No. OSA-OLN-02
CWSP 10/97 Map Panel
GIS/WSSC Tile 222NW102
Tax Map JS23
State Watershed Use Class IV
Plan No.
= MCDEP-WMD Staff Use Only =

= MCDEP-WMD Received Date =

- 1. APPLICANT: Parker Memorial Baptist Church... OWNER: Robert F. Jones...
3. PROPERTY DESCRIPTION...
4. LAND USE, ZONING, AND SUBDIVISION...
5. WATER AND SEWER SERVICE AREA CATEGORIES...
6. REASON FOR THIS CATEGORY CHANGE REQUEST...

See attachment

7. APPLICANT'S AUTHORIZATION - Check one of the following as applicable: [] Property Owner [X] Contract Purchaser [] Owner's or Purchaser's Authorized Representative
Signature: [Signature]
Date: 04/01/05

8. PROPERTY OWNER'S AUTHORIZATION - The applicant is authorized to pursue a service area category change on my behalf for the property(ies) described on this application.
Signature: [Signature]
Date: 4/1/05

AGENT: JIM HOFFMAN (HOFFMAN & Co)
ENG.: PAUL PERRINE (PPE)

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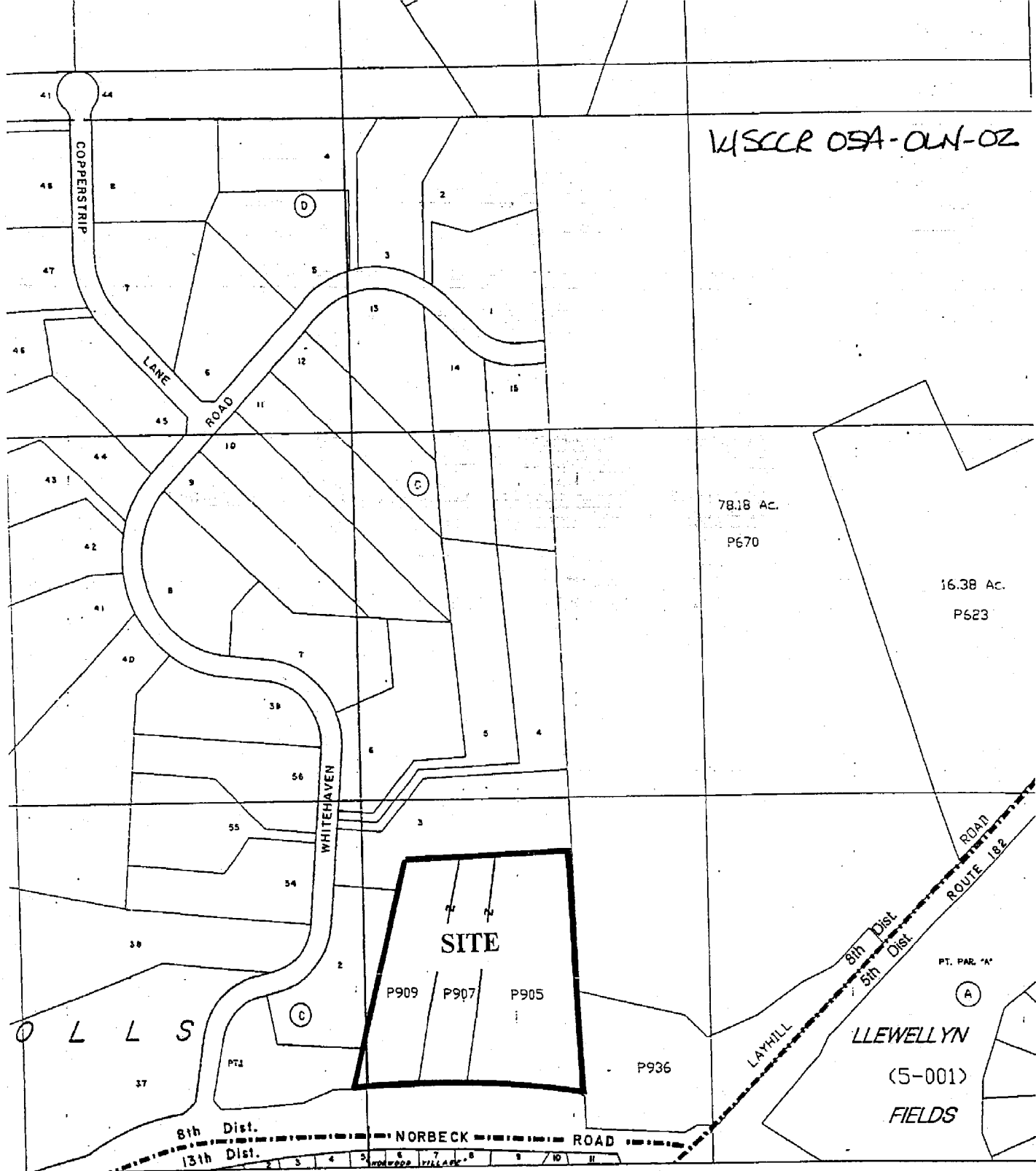
= MCDEP-WMD Staff Use Only =

Parker Memorial Baptist Church
NW Quadrant Norbeck Road and Layhill Road

Reason for Category Change Request

- 1) The applicant is applying under the Private Institutional Facilities policy, Section II, E.4. Community Service for Private Institutional Facilities, of the approved 2003-2013 Comprehensive Water Supply and Sewerage Systems Plan.
- 2) The property is located on the north side of Norbeck Road approximately 350 feet west of Layhill Road. The entire area south of Norbeck Road is within the public water and sewer service envelope and, in fact, has been developed with residences served by public water and sewer. The area north of the subject property includes the Southeast Quadrant of the Olney planning area, the majority of which is included in the public sewer service envelope as noted in the Olney Master Plan.
- 3) The subject property is in accordance with Section II, 4. b. i. Sites Abutting Water and/or Sewer Mains. A 42" water main is located directly in front of the property in Norbeck Road and a 10" sewer main is located 500 feet to the east within the county-owned land adjacent to the subject property.
- 4) A private sewer connection would extend 500 feet from the existing sewer main and, since it would be a private connection, could not be extended to serve any adjacent property. The adjacent lots on the west and north side of the subject property are recorded and developed with single-family detached homes served by septic systems approved in 1981. Property to the east is recently acquired, county-owned land and is not available for private development. Thus, none of the properties surrounding the subject property would need to be served by public sewer as a result of providing public sewer to this property.

WSSCR 05A-OLN-02



3 122

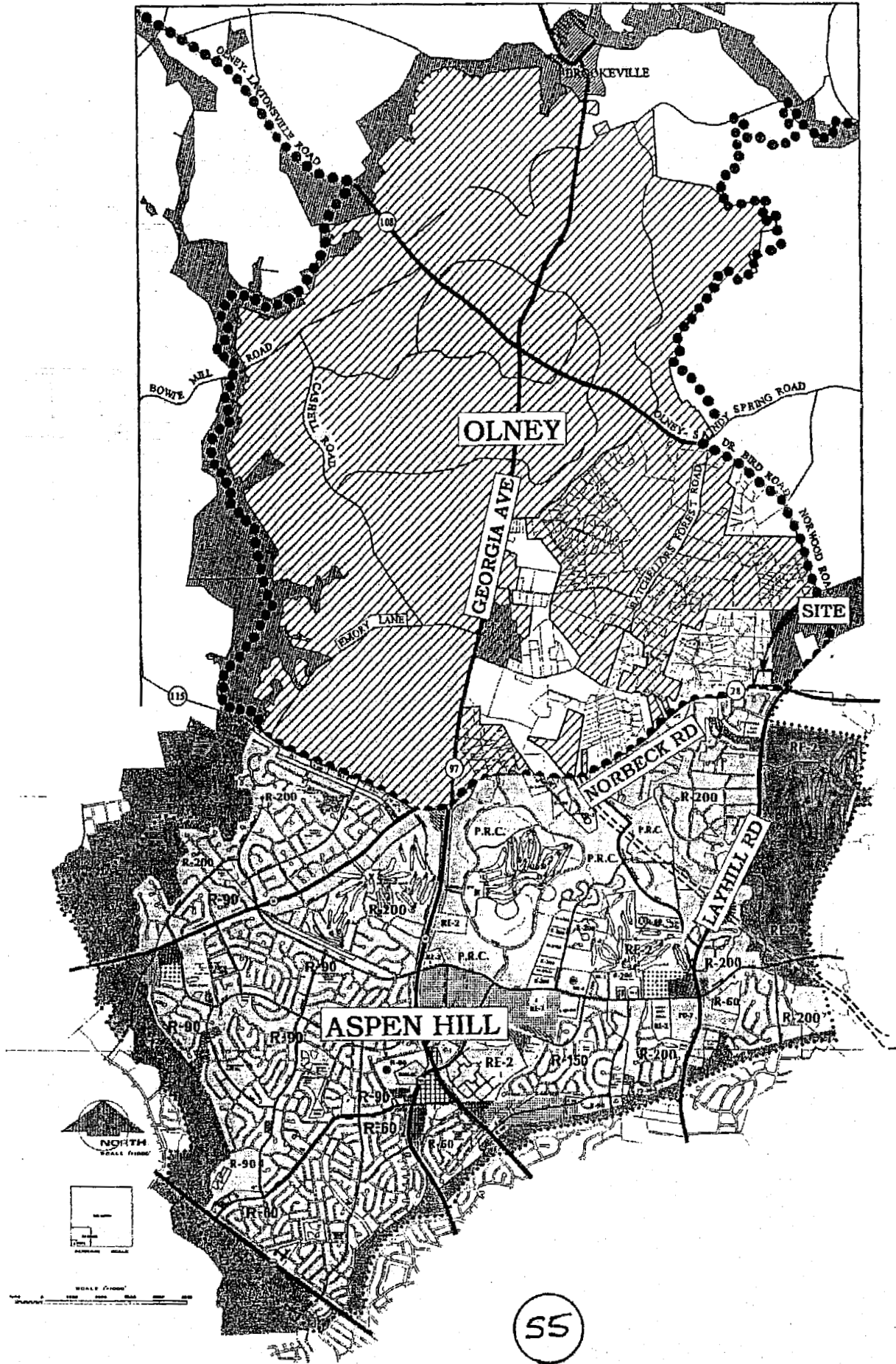
J 2

MONTGOMERY CO.,
MARYLAND

MAP JS
W.S.S.C. 222
Location: NORBI

PROPERTY LINE	-----
ELEVATION BOUNDARY	-----
TOWN BOUNDARY	-----
PRIVATE ROAD	-----
STRAIGHT LINE	-----
CONTINUING CURVE	-----
PARCEL NUMBER - P. 900 (ASSIGNED TO EIGHTY OWNERSHIP - MAY BE PRECEDED BY A MAP NUMBER)	-----
SCALE 1"=200' (RF 1:2480)	-----
DCR	LAST P. NO.
QUARTER-SUBDIVISION	DATE OF PHOTO
SHA 978	

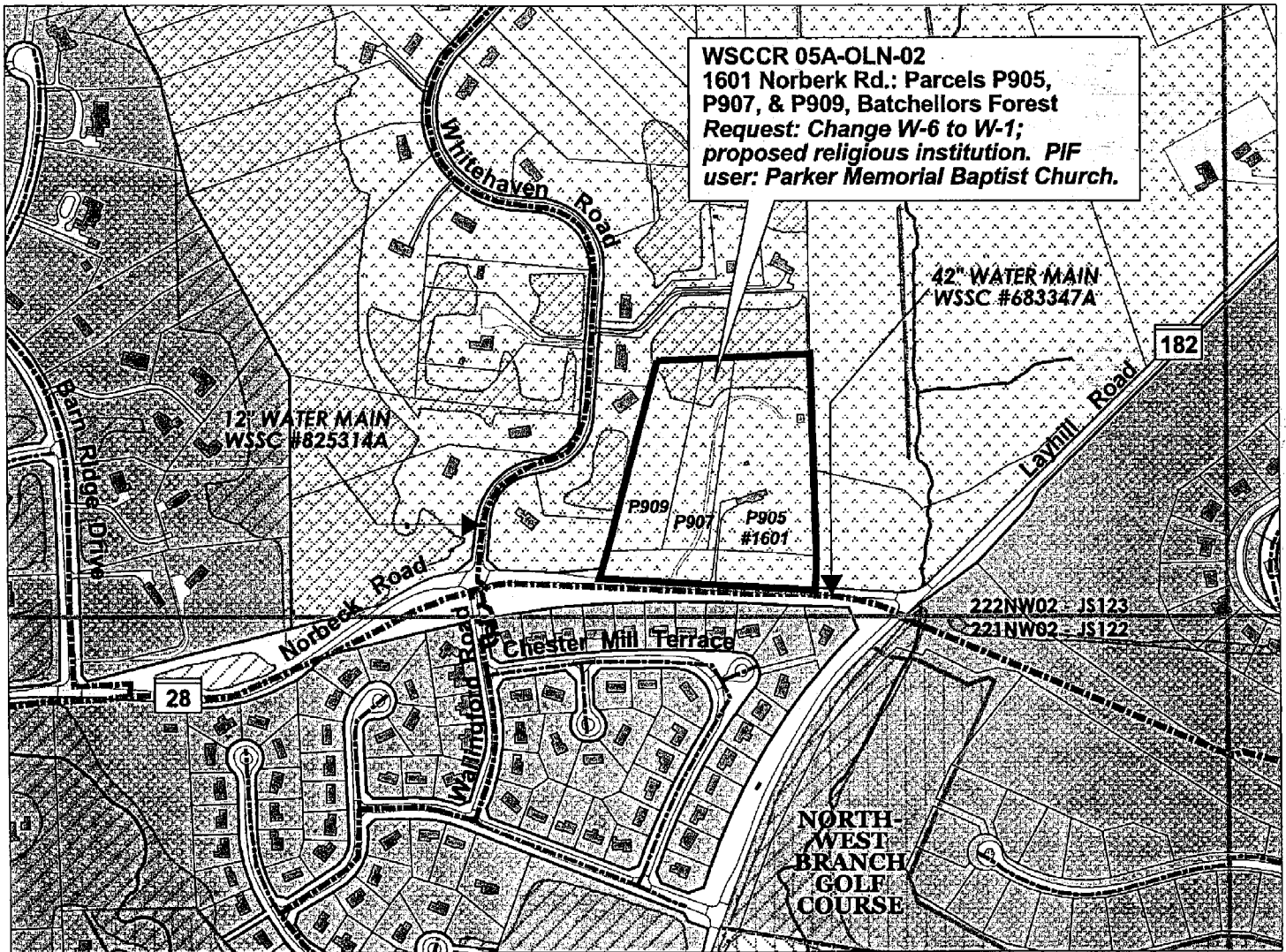




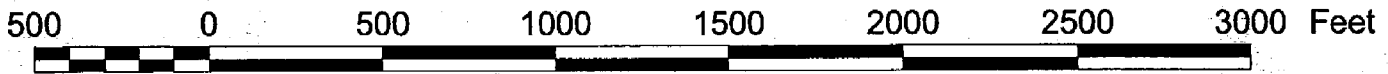
EXISTING & MASTER PLANNED SEWER SERVICE AREAS



Water Service Area Categories Map: WSCCR 05A-OLN-02 (Parker Memorial Baptist Church / Robert Jones)



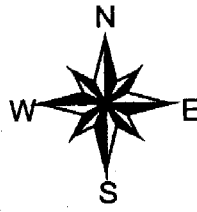
WSCCR 05A-OLN-02
 1601 Norberk Rd.: Parcels P905, P907, & P909, Batchellors Forest
 Request: Change W-6 to W-1;
 proposed religious institution. PIF
 user: Parker Memorial Baptist Church.



MAP LEGEND

- Property (Apr. 2005)
- WSSC/GIS 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
- Buildings
- Roads
- Streams
- Ponds
- Woodlands
- Parks

- Water Service Area Categories (06/03)**
- W-1
 - W-3
 - W-4
 - W-5
 - W-6



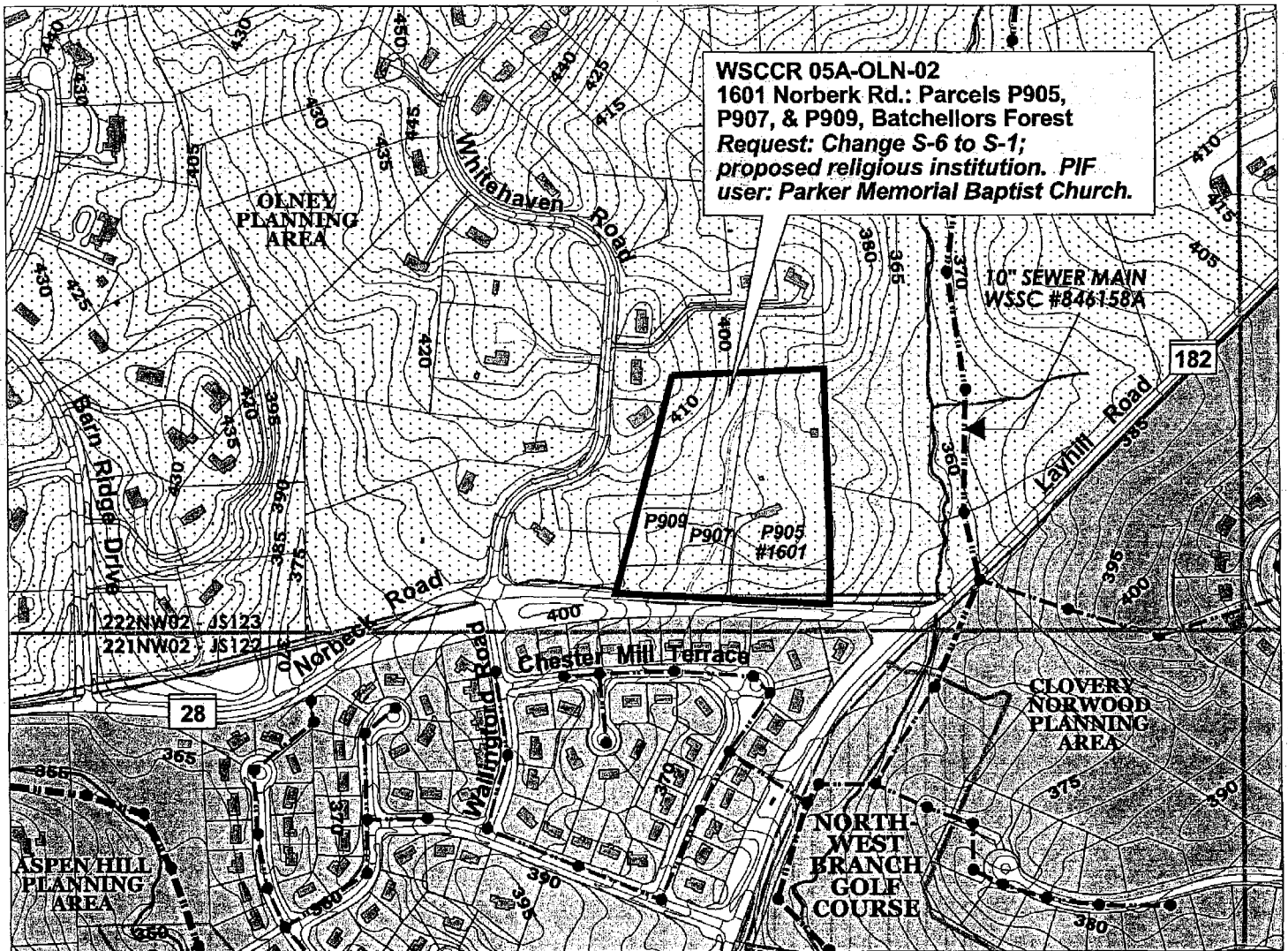
JUNE 2003 UPDATE
SERVICE AREA CATEGORIES MAP
 Montgomery County, Maryland
 Comprehensive Water Supply
 and Sewerage Systems Plan



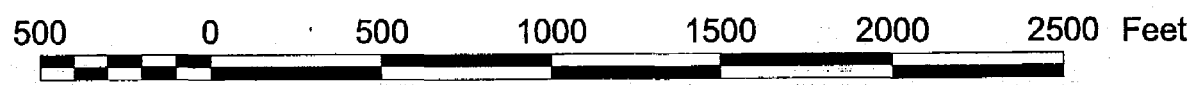
56

Water and Wastewater Policy Group
 7/28/05 - GIS Project File:
 o:\wwteam\wscrs-pas\olney\2005ccrs\
 05a-oln-02=parker_mem_bap_church=ws.apr

Sewer Service Area Categories Map: WSCCR 05A-OLN-02 (Parker Memorial Baptist Church / Robert Jones)

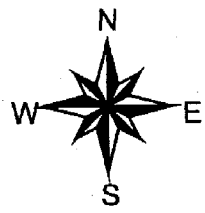


WSCCR 05A-OLN-02
 1601 Norberk Rd.: Parcels P905,
 P907, & P909, Batchellors Forest
 Request: Change S-6 to S-1;
 proposed religious institution. PIF
 user: Parker Memorial Baptist Church.

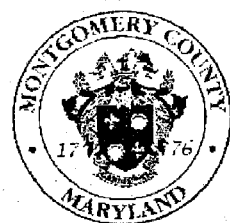


MAP LEGEND

- Property (Apr. 2005)
 - WSSC/GIS 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_pressure_sewer_as_built.shp
 - Topography (C.I. = 5 Feet)
 - Buildings
 - Roads
 - Streams
 - Ponds
 - Parks
 - M-NCPPC Planning Areas
-
- Sewer Service Area Categories (06/03)**
- S-1
 - S-3
 - S-4
 - S-5
 - S-6



JUNE 2003 UPDATE
SERVICE AREA CATEGORIES MAP
 Montgomery County, Maryland
 Comprehensive Water Supply
 and Sewerage Systems Plan





DEPARTMENT OF ENVIRONMENTAL PROTECTION

Douglas M. Duncan
County Executive

James A. Caldwell
Director

MEMORANDUM

December 28, 2005

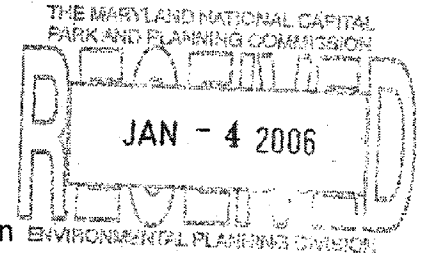
TO: Keith Levchenko, Senior Legislative Analyst
County Council

Jeff Zyontz, Chief, County-Wide Planning Division
Maryland - National Capital Park and Planning Commission

Joe Mantua, Group Leader, Development Services Group
Washington Suburban Sanitary Commission

Jay Beatty, Manager, Well and Septic Section
Department of Permitting Services

FROM: Shelley Janashek, Environmental Planner II
Water and Wastewater Policy
Department of Environmental Protection



SUBJECT: Public Hearing for Water and Sewer Plan Administrative Delegation Group:
AD 2006-1

This is to notify you that the Montgomery County Department of Environmental Protection (DEP) will hold an administrative public hearing on the following four amendments to the County's Comprehensive Water Supply and Sewerage Systems Plan as specified above.

Damascus Planning Area

CCR06A-DAM-02: J. Spangenberg Trust; 26713 Ridge Rd (00941443), 0.49 ac, Zoned RZ; requesting W-1 and S-1. Staff recommends approval of this request.
CCR06A-DAM-03: J. Spangenberg Trust; 26713 Ridge Rd (00929337), 1.39 ac, Zoned RZ; requesting W-1 and S-1. Staff recommends approval of this request.

Germantown Planning Area

GWSMA 05G-GMT-02: DEP-initiated map amendment for 30 properties in the Germantown Estates neighborhood; 13401-13425 Accent Way, 18920-19100 Liberty Mill Rd (even only), 13300-13324 Pepper Ct. 23.8 acres, Zoned R200; proposed: W-1 and W-3, S-1 and S-3. Staff recommends approval of this request.

Travilah Planning Area

CCR 06A-TRV-04: M. & S. Jawad; 13600 Glen Mill Rd (00111158).; 0.97 ac. Zoned ~~RE-1~~; requesting S-1 for one existing single-family house. Staff recommends approval of this request.



Office of the Director

The public hearing will be held on Tuesday, January 31, 2006, at 2:30 p.m. in DEP's Meeting Room, 255 Rockville Pike, Suite 120. DEP will close the hearing record on February 8, 2006. We invite you to attend and participate in this hearing.

To assist with your review of these proposed amendments, we have provided:

- Copies of this memorandum providing a brief summary of each amendment
- Summary information tables with the DEP staff recommendation and report
- Packets containing a copy of each proposed amendment with supporting information

We ask that Council staff provide the attached materials to the Councilmembers for their review. If there is interest in DEP staff meeting with Council staff regarding the proposed amendments, we request that said meeting be scheduled prior to the public hearing. We request that the Council submit any comments on the proposed amendments to this office no later than the closing date of February 8; otherwise, we will assume that the Councilmembers agree with administrative approval of the proposed amendments. *Please note that I will be on leave from January 5-20; during that time, please refer any questions or meeting requests to Alan Soukup via Outlook/Email or 240-777-7716.*

We would appreciate the efforts of M-NCPPC staff to schedule time with the Board for this packet prior to February 8. Please advise DEP as soon as possible if additional time will be required.

Attachments

cc: George Leventhal, President, County Council (memo only)
Nancy M. Floreen, Chair, T&E Committee (memo only)
Derick Berlage, Chairman, Montgomery County Planning Board (memo only)
Mary Dolan/Nazir Baig, County-Wide Planning Division/Environmental Unit, M-NCPPC
Robert Summers, Director, Water Management, MDE
Audrey Scott, Secretary, Maryland Department of Planning

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*Anthony
Main*

DEP Staff Use: CCR#: 06A-DAM-02
Received Date: _____ Fee Paid: _____

MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION
255 Rockville Pike, Suite 120, Rockville, Maryland 20850-4166
alan.soukup@montgomerycountymd.gov
shelley.janashek@montgomerycountymd.gov
240-777 7716/-7735 ; FAX: 240-777 7765

WATER/SEWER SERVICE AREA CATEGORY CHANGE REQUEST
Proposed amendment to the Montgomery County Ten-Year Water Supply
and Sewerage Systems Plan.

Please read the accompanying information and instruction sheet, which contains a fees-chart. The fee is non-refundable. The application and appropriate fee must be submitted together.

1) Property Owner:

Name Jessie Spangenberg Trust

Mailing Address 7105 Nodwood Rd, Derwood, MD 20855

PROPERTY Address: (if same as above, leave blank):

26713 Ridge Road

Derwood, Md. 20855

Email* Jim Spangenberg @ comcast.net } adjoining

Phone 201-963-4784

FAX None

If you would like an engineer or attorney advised of the status of this request, please list name, company name, job title, address, and Email* address here:

***Please provide an Email address for all parties: Email is our standard method of communication and notification. If you don't have access to Email, please provide complete mailing address and weekday phone number.**

Applicant's Authorization:

I am the:

- Property Owner
- Owner's Authorized Representative*

Signature James A. Spangenberg
Title* Trustee

RECEIVED
OCT 18 2005
BY: D.E.P.

Date Sept 29, 2005

* If signing as owner's representative, you must state on the Title line the legal capacity in which you are acting, e.g., as attorney-in-fact or trustee, or as president or partner of a corporation, partnership, or LLC. Please note, a contract purchaser may not file a category change application.

60

2) Property/Site Description and Development:

Address 26713 Ridge Road, Damascus, Md. 20872 *adjoint*
Property's TAX ID # (please provide, if known) Acct # 00941493
Property/Site Size 49 acres Identification (ie, Parcel #) Lot 3, to Harley's Addition
Location/Closest cross-street Ridge Road + Hyburn Ave *to Damascus*
Current Use Vacant Proposed Use sale possible house
Subdivision Plan No. & Status N/A *Dist 12*

(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; 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-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:

Lot is vacant and will be sold by trust as soon as possible. Buyer could build house that would hook into public water and sewer. Lines already installed in front of lot which serves some of the adjoining houses. WSSC has been informed, contacted and indicated service is available and can be hooked up on property and has not indicated any impediments to service when category change is approved.

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. _____

Process _____

Master Plan _____

Planning Area _____

Zoning _____

Zoning Activity _____

Watershed _____

CSPS Subwatershed _____

State Watershed Use Class _____

GIS File _____

(61)

Anthony Harris

DEP Staff Use: CCR#: 06H-DAM-03
Received Date: _____ Fee Paid: _____

MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION
255 Rockville Pike, Suite 120, Rockville, Maryland 20850-4166

www.montgomerycountymd.gov/dep
240-777 7716/7735 ; FAX: 240-777 7765

WATER/SEWER SERVICE AREA CATEGORY CHANGE REQUEST
Proposed amendment to the Montgomery County Ten-Year Water Supply
and Sewerage Systems Plan.

Please read the accompanying information and instruction sheet, which contains a fees-chart. The fee is non-refundable. The application and appropriate fee must be submitted together.

1) Property Owner:

Name Jessie Spangenberg Trust

Mailing Address 7105 Needwood Rd., Derwood Md. 20855

PROPERTY Address: (if same as above, leave blank):

26713 Ridge Rd.
Damascus, Md. 20872 *Adjoining*

Email* jmspa00@comcast.net

Phone 301-963-9794

FAX none

If you would like an engineer or attorney advised of the status of this request, please list name, company name, job title, address, and Email* address here:

**Please provide an Email address for all parties: Email is our standard method of communication and notification. If you don't have access to Email, please provide complete mailing address and weekday phone number.*

Applicant's Authorization:

I am the:

- Property Owner
- Owner's Authorized Representative*

Signature James A. Spangenberg
Title* Trustee

RECEIVED
OCT 18 2005
BY: D.E.P.

Date Sept 29, 2005

* If signing as owner's representative, you must state on the Title line the legal capacity in which you are acting, e.g., as attorney-in-fact or trustee, or as president or partner of a corporation, partnership, or LLC. Please note, a contract purchaser may not file a category change application.

2) Property/Site Description and Development:

Address 26713 Ridge Rd, Damascus Md. 20872 - Vicinity
Property's TAX ID # (please provide, if known) 00 929337
Property/Site Size _____ Identification (ie, Parcel #) Parcel # 88 - District 12
Location/Closest cross-street Highview Ave + High Street
Current Use vacant Proposed Use sale + possible house
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; 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- 1 OR No Change Multi-Use Shared
Current Sewer Category: S- 1 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:

Lot is vacant and will be sold by trust as soon as possible. Buyer could ^{build} house that could hook into public sewer and water. Lines for water ~~was~~ installed on easement granted. WSSC on the property. Park + planning has indicated that this property is eligible for construction of single family residential dwelling (copy of letter enclosed). WSSC has been informally contacted and indicated service is available and can be hooked up at property, and has not indicated there are any ~~applicants~~ ^{applicants} to hookup ~~with~~ which category charger's sewer line goes down Highview Ave and ^{several homes are hooked up. Sewer line could be connected through fee" pot also connected to Highview.}

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. _____
- Process _____
- Master Plan _____
- Planning Area _____
- Zoning _____
- Zoning Activity _____
- Watershed _____
- CSPS Subwatershed _____
- State Watershed Use Class _____
- GIS File _____