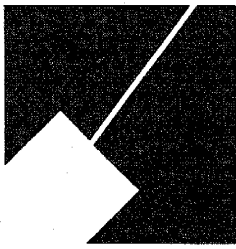


M-NCPPC



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


MCPB
June 22, 2006 18
Item #


June 8, 2006

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Gwen Wright, Acting Chief 
Countywide Planning Division

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

FROM: Mary Dolan for the Department of Park and Planning 
(301) 495-4552

SUBJECT: Proposed Amendments: Montgomery County Comprehensive Water Supply and
Sewerage Systems Plan—May 2006

RECOMMENDATION

Approve as recommended for each case and transmit to the County Council for final action.

DISCUSSION

This staff memorandum contains recommendations for category changes requiring County Council action. The Department of Environmental Protection staff has submitted the attached package of category change requests on behalf of the County Executive.

The staff report only highlights cases where staff recommendations differ from the Executive's recommendation, or where significant comments should be brought to the attention of the Board. Staff's comments on all cases have been incorporated into DEP's packet along with the comments of other agencies. The full packet for administrative hearings and County Council action are attached for your consideration or further comment beyond the staff report.

The County Council will review the packet and your recommendations and schedule a public hearing for sometime in July 2006. The Transportation and Environment Committee will then discuss the cases and send their recommendations to the County Council.

Differences Between Executive and Planning Board Staff Recommendations

- **WSCCR 06A-BEN-02**

Clarksburg Church of God

See circle pages 47-54 of the Executive Packet.

Zone: RDT

Size: 2.37 acres

Proposed Use: Existing house of worship and rectory

Request: W-1

The recent amendments to the Comprehensive Water Supply and Sewerage Plan prohibited extension of water or sewer to Private Institutional Facilities (PIF's) in the RDT zone except in the event of a health problem. Planning staff recommended denial of this case since no health problem had been documented. It now appears that the determination of a health problem would be made through the sanitary survey proposed by the Executive. **Planning staff concurs with the Executive on this case to defer action pending determination of a health problem.**

Planning staff's original comments also indicated that the issue of extending water service to PIF's (especially when service abuts existing uses) deserves to be discussed as part of the update to the Comprehensive Water Supply and Sewerage Plan that will be undertaken later this year. The Planning Board and County Council discussions regarding PIF's in the RDT focused mostly on the extension of sewer service, although the adopted changes included water service as well. The Planning Board may want to indicate to staff if this issue should be pursued further. The Executive makes no comment on the issue.

- **WSCCR 06A-BEN-03**

Maurice Gladhill

See circle pages 1-6 of the Executive Packet.

Zone: RDT

Size: 41.44 acres

Proposed Use: Small farms (farmettes) on child lots

Request: W-1

RDT-zoned properties are guided by the Preservation of Agriculture and Rural Open Space Master Plan (1980), which states:

"Deny public water and sewer services to areas designated for agricultural preservation that utilize the Rural Density Transfer Zone (RDT)," p. 59—emphasis from original.

In addition, the Damascus Master Plan recently approved by the County Council does not recommend extending water to RDT-zoned properties.

Further, when the Planning Board approved this child lot subdivision it indicated service to the lots by wells and septic systems. Based on the guidance from the Master Plan, the Planning Board may have reached a different decision on the subdivision if water service had been proposed.

Finally, because these lots are not currently improved and do not have failing wells, we believe that no public health exception applies.

The Executive recommends approval of this request under the provisions of the Water and Sewer Plan Child Lot Policy. **Planning staff recommends denial** because the subdivision of this property was approved based on well and septic systems, the Master Plan recommends no extension of public water to RDT Zone property except for public health problems, and no health problem can exist if no dwelling exists.

- **WSCCR 06A-OLN-01**
Elizabeth, Thomas & Henry Hyde
See circle pages 16-24 of the Executive Packet.

Zone: RNC

Size: 46.28 acres

Proposed Use: Residential Subdivision 31 Lots

Request: W-3, S-3

Planning staff recommends denial of this request. Development of this property in the RNC zone as a cluster project with sewer service is recommended by the Olney Master Plan, but only if sewer construction in the stream valley can be avoided. This site is located in an area that is difficult to serve by gravity without stream valley disturbance. WSSC has recommended that service be provided via gravity through the stream valley to the east of the site. The review of the pre-preliminary plan is underway and discussion continues with WSSC regarding the potential for sewer service via existing mains to the west of the site. Executive staff proposes that this be negotiated through the subdivision process, granting approval of the category changes once the Planning Board approves a preliminary plan that is consistent with the provisions of the master plan using the cluster method with sewer service provided to the west.

Planning staff recommends denial of this request until a suitable solution for sewer service to the property is approved. The options for sewer service on the property must be determined before a category change is considered.

Glen Hills Neighborhood Cases

The Planning staff concurs with all four recommendations for denial until completion of the Glen Hills study. See circle pages 25-38 of the Executive packet.

One property, WSCCR 06A-TRV-06 (12500 Circle Drive) has a documented health problem and would be eligible for connection to sewer. Earlier Planning staff comments indicated that extension of service was recommended unless an on-site solution could be found that did not require removal of the large stand of trees on the property. Recently, the Department of Permitting Services has indicated it is prepared to approve an on-site innovative system that would not require the removal of tree cover on the property. Planning staff concurs that this is the best option and does not require extension of the community sewer.

All Other Cases

In all other cases, there are no differences between the Executive and Planning staff recommendations.

MD:ss
Attachment



OFFICE OF THE COUNTY EXECUTIVE

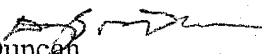
ROCKVILLE, MARYLAND 20850

Douglas M. Duncan
County Executive

MEMORANDUM

May 30, 2006

TO: George L. Leventhal
Montgomery County Council

FROM: Douglas M. Duncan 
County Executive

SUBJECT: Transmittal of and Recommendations on Proposed Amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan

Pursuant to the requirements of the Environmental Article, Sections 9-503 through 9-506 and 9-515 through 9-516, of the Annotated Code of Maryland, I am transmitting my recommendations for proposed amendments to the County's Comprehensive Water Supply and Sewerage Systems Plan. Recommendations addressing nine plan amendments are included in the attached staff report; all nine are service area category change requests. The report includes the following materials for each requested amendment:

- An Executive staff report, including the recommendation summary table
- The amendment application and supporting documents
- GIS-based maps illustrating the amendment

The recommendations for each amendment are consistent with the adopted policies and guidelines included in the Water and Sewer Plan and the appropriate master plans or sector plans. Therefore, they generally have little or no controversy with regard to interagency comments and recommendations. However, the following issues will likely generate discussion at upcoming committee and Council worksessions:

Public Water Service for Child Lots in the RDT Zone

Water and Sewer Plan policies allow for the provision of public water service to support the establishment of residences for children ("child lots") of the owners of properties zoned for rural development. The application of child lots in the RDT zone has been raised as an issue by those concerned with future development in the Agricultural Reserve. The current child lot policy in the Water and Sewer Plan does not recognize any different application of the policy within the RDT zone. Therefore, I support the requested approval of a category change for

George L. Leventhal
May 30, 2006
Page 2

public water service for those properties previously established as child lots. In this case, the applicant is also seeking approval for water service for an additional child lot that is not yet recorded. I have recommended a conditional category change approval for this outlot, pending the Planning Board's confirmation that the property can be recorded as a child lot.

Private Institutional Facility (PIF) Policy – Clarksburg Church of God

The Council recently decided to modify the public service exceptions allowed under the Water and Sewer Plan's policy addressing non-profit, or "private institutional" facilities (PIFs). Under CR 15-1234 (November 29, 2005), the Council removed the policy's application in the cases involving sites located within the Rural Density Transfer (RDT) Zone. This packet contains a water category request, WSCCR 06A-BEN-02, for the Clarksburg Church of God, an existing PIF use just northwest of the Clarksburg Town Center. The site for the church is zoned Rural Density Transfer (RDT), and is therefore affected by the recent changes to the PIF policy, which does not support the provision of public water service in this case. The deferral recommendation for this amendment reflects a need to address the results of a pending sanitary survey intended to evaluate general well and septic related health concerns resulting from failed wells in the vicinity of the church.

DEP staff will be available to discuss the amendments included in this transmittal at the Transportation and Environment Committee and full Council worksessions.

DMD:as

Attachment

cc: Derek Berlage, Chairman, Montgomery County Planning Board
Andrew Brunhart, General Manager, Washington Suburban Sanitary Commission
Robert Hubbard, Director, Department of Permitting Services
James Caldwell, Director, Department of Environmental Protection
Catherine Matthews, Director, Upcounty Regional Services Center
Robert Summers, Director, Water Management Administration, Maryland
Department of the Environment
Audrey Scott, Secretary, Maryland Department of Planning



Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan

County Executive's Amendment Transmittal to the County Council – May 2006

9 PROPOSED WATER AND SEWER MAP AMENDMENTS
■ 9 Current Category Change Requests

Prepared by
The Department of Environmental Protection

James A. Caldwell, Director
David Lake, Manager, Water and Wastewater Policy Group
Alan Soukup, Senior Planner, Water and Wastewater Policy Group
Shelley Janashek, Planner II, Water and Wastewater Policy Group

We acknowledge and appreciate the assistance of the following
agencies in the preparation of this amendment packet:

Washington Suburban Sanitary Commission
Maryland – National Capital Park and Planning Commission
Montgomery County Department of Permitting Services

**PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
COUNTY EXECUTIVE'S TRANSMITTAL PACKET – MAY 2006**

TABLE OF CONTENTS

Packet Item	Page No.
County Executive's Transmittal Memorandum.....	(provided separately)
Table of Contents.....	circle pg. i
Amendment Locator Map.....	circle pg. ii
Packet Recommendations Overview.....	circle pg. iii

PROPOSED WATER/SEWER MAP AMENDMENTS

BENNETT AND LITTLE BENNETT WATERSHEDS PLANNING AREA

Executive Staff Report and Summary Table.....	circle pgs. 1-2
Water and Sewer Plan Excerpt: Child Lot Water Service Policy.....	circle pg. 3
WSSCR 06A-BEN-03: Maurice Gladhill	circle pgs. 4-5
Site Mapping.....	circle pg. 6
<i>[WSSCR 06A-BEN-02: Clarksburg Church of God - refer to the PIF cases, below.]</i>	

DAMASCUS PLANNING AREA

Executive Staff Report and Summary Table.....	circle pg. 7
WSSCR 06A-DAM-04: Daniel & G.M. Pipher	circle pgs. 8-9
Site Mapping.....	circle pg. 15

OLNEY PLANNING AREA

Executive Staff Report and Summary Table.....	circle pgs. 16-17
WSSCR 06A-OLN-01: Elizabeth & H.H. Hyde, Thomas & R.N. Hyde and Henry & S.M. Hyde	circle pgs. 18-20
Site Mapping.....	circle pgs. 23-24

TRAVILAH PLANNING AREA

Glen Hills Neighborhood Cases

Executive Staff Report and Summary Table.....	circle pgs. 25-27
WSSCRs 06A-TRV-02 & -03: Macris, Hendricks & Glascock (for Kevin Smart, George Simmons)	circle pgs. 28-29
Site Mapping.....	circle pg. 31
WSSCRs 06A-TRV-05 & -06: Ahmad Jamshidi & Guita Vafai	circle pgs. 32-35
Site Mapping.....	circle pg. 38

Potomac MP Peripheral Sewer Service Case

Executive Staff Report and Summary Table.....	circle pgs. 39-40
Potomac Subregion Master Plan (2002) Excerpt: Sewer Service Recommendations.....	circle pg. 41
WSSCR 06A-TRV-07: Carole & Donald Dell	circle pg. 42-43
Site Mapping.....	circle pgs. 44-46

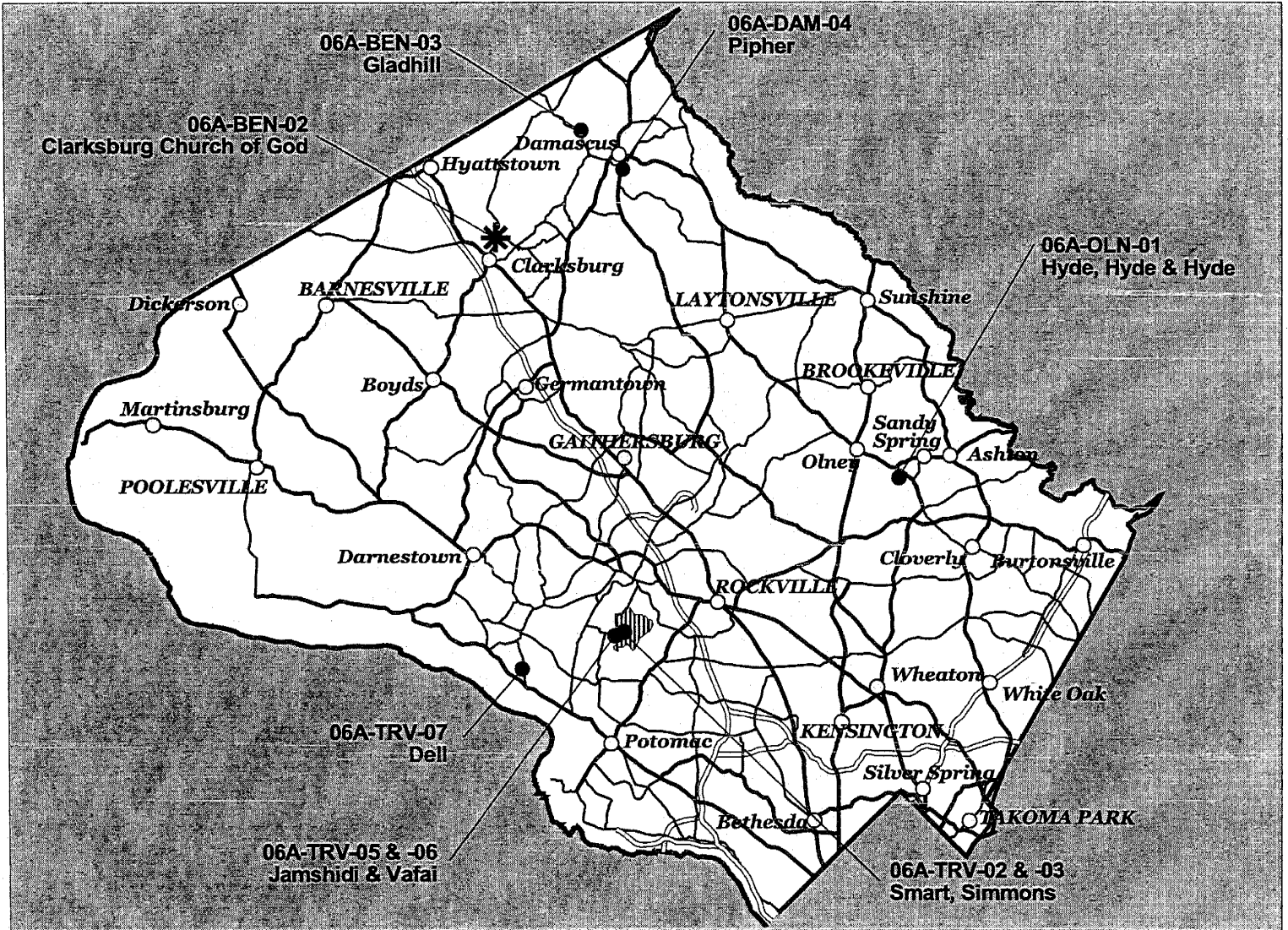
PRIVATE INSTITUTIONAL FACILITY (PIF) CASES

Executive Staff Report and Summary Table.....	circle pg. 47
Water and Sewer Plan Excerpt: Private Institutional Facilities Policy.....	circle pgs. 48-50

BENNETT AND LITTLE BENNETT WATERSHEDS PLANNING AREA

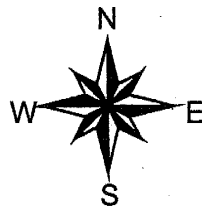
WSSCR 06A-BEN-02: Clarksburg Church of God (The Rev. Calvin Lilliston)	circle pgs. 51-52
Site Mapping.....	circle pg. 54

Water/Sewer Map Amendment Locator County Executive's Transmittal -- May 2006



MAP LEGEND

- Proposed Map Amendments
- ✱ Proposed PIF Map Amendments
- Localities
- ▬ County Roads
- ▬ State Roads
- ▬ US & Interstate Highways
- ▬▬▬ Glen Hills Neighborhoods



Montgomery County, Maryland
2003 - 2012
Comprehensive Water Supply
and Sewerage Systems Plan

