




**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION


**MCPB**  
**2/21/08**  
**Item # 9**

February 14, 2008

**MEMORANDUM**

**TO:** Montgomery County Planning Board

**VIA:** Mary G. Dolan, Planner Supervisor   
Countywide Planning Division

**FROM:** Katherine Nelson for the Planning Department   
(301) 495-4622

**SUBJECT:** Proposed Amendments: Montgomery County Comprehensive Water Supply  
and Sewerage Systems Plan—January 2008

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**RECOMMENDATION**

**Approve as recommended by the County Executive for each case except:**  
**Patton (07A-CLO-05) - Deny S-3**  
**Doherty Estate (07A-OLN-02) – Defer pending pre-preliminary plan**  
**Transmit Planning Board Comments 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 County Council action is attached for your consideration or further comment beyond the staff report.

**Patton (07A-CLO-05)**

**Report pages 1-3, Graphics pages 12-14**

The 1997 Cloverly Master Plan contains recommendations that continue to support previous efforts to maintain a rural character and protect the environment and existing watersheds. **This application for sewer service is inconsistent with this master plan.**

The Master Plan states (on page 90):

"The RE-2 zoned area bordered by Norwood Road, Northwest Branch, Hampshire Greens, and New Hampshire Avenue is not recommended for sewer service. This recommendation is designed to maintain the rural character that results from low density residential development..."

The Master Plan goes on to state (page 91):

"Provide community sewerage service with the following limitations: Provide sewerage service throughout Cloverly except in the RC and RE-2 zones to maintain a low-density, rural character. The extension of sewer service to residential, institutional, and special exception uses in the RC and RE-2 area (except to relieve public health problems or to address other specific Comprehensive Water Supply and Sewerage Systems Plan policies) is not consistent with this Plan because of potential impacts on the low -density character of both areas." (Emphasis added)

This issue was thoroughly discussed by both the Planning Board and the County Council during the work sessions that led to the adoption of the Cloverly Master Plan. In developing the master plan language, a deliberate decision was made to establish a guideline that would address the proliferation of higher density institutional development that was being built in the low-density residential communities. Simply put, the Board and the Council did not want private institutional development to be used to introduce sewer in the large-lot zones in the Cloverly Master Plan area *except to relieve public health problems*.

**Doherty Estate (07A-OLN-02)**

**Report pages 31-32, Graphics pages 33-36**

This 2005 Olney Master Plan does not recommend this property for community sewer service, and therefore the property is not within the master plan recommended sewer envelope. Provision of community sewer service to this property is inconsistent with the Olney Master Plan.

The master plan recommends minimizing imperviousness in the Batchellors Forest Tributary and maintaining the existing forest cover to protect the stream quality. Given the zoning on this site, imperviousness should not exceed 9% as is normally expected for RNC development.

If the proposed church's ultimate development plans are for less than 1.3 acres of imperviousness and the Planning Board approves a preliminary plan for this proposal, sewer could be provided conditionally.

Any review and analysis of the sewer service application under the PIF policy should be **deferred until a preliminary or a pre-preliminary plan is filed** so that staff can review a site plan and related information regarding the proposed project before commenting on the requested sewer category change.

**Bethel World Outreach Ministries (07A-DAM-08)**  
**Report pages 21-22, Graphics pages 24-27**

Litigation is on-going between the applicant and Montgomery County over the prior denial of the church's requested category changes for public water and sewer service. Staff agrees with the executive recommendation to **defer action on this request pending resolution of the litigation.**

**Pullen (07A-CLO-09)**  
**Report pages 4-5, Graphics pages 18-20**

The applicant seeks sewer service in order to create a three lot subdivision. The Cloverly Master Plan recommends that the approval of community sewer service to properties zoned RE-1 in the upper Paint Branch SPA should be coordinated with the approval of subdivision plans which address the environmental concerns associated with development in these headwaters areas, and which further must demonstrate an environmental benefit resulting from development supported by community sewer service, rather than that supported by septic systems. The property configuration and constraints will make it difficult to meet these guidelines. Staff supports the executive recommendation to **defer action pending further review of the applicant's proposed subdivision plans.**

**Lee-Llacer (08A-TRV-01)**  
**Report pages 51-52, Graphics pages 63-65**

The applicant is requesting sewer service for two houses on this 2.6 acre property. One home was built in 1980. The other pre-existed the subdivision. A condition on the record plat required that the pre-existing home be "removed prior to issuance of building permit for new house". This requirement was never enforced and the property owner has recently been cited with a zoning violation. In an attempt to remedy the situation the applicant filed a special exception for an accessory apartment, which according to Section 59-G-2.00 (a) of the County Code, allows an accessory apartment to be located in an already existing separate structure through a conversion process.

After conversations with various agencies, there appear to be two obstacles to resolving the Lee-Llacer situation apart from the special exception. First, the note on the record plat clearly required that the pre-existing home and well be removed. It further states that "all houses and septic systems shall be constructed as shown on approved preliminary plan", which shows only one septic system on the subject property. Second the site needs public sewer service in order to support both homes since current regulations require more area for two septic systems than is available on the property.

Addressing the second issue, the property does qualify for a single hookup under the abutting mains policy. However WSSC and DEP have stated that under their guidelines a single hookup could service both houses. This is more commonly done in rural areas.

DEP maintains, and staff agrees that the decision to grant public sewer service to both homes on this property is premature. The decision to allow the pre-existing home on this property to be converted to an accessory apartment or guest home should be decided within the special exception process. Staff therefore supports DEP's recommendation to **defer action on this case pending resolution of the special exception.**

## CONCLUSION

There are no other significant differences between agency recommendations in this package. Planning 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 hearing is attached for your consideration or further comment beyond the staff report.

The County Council has scheduled a public hearing for this package of requests on February 26, 2008 at 7:30 pm. The Board's recommendations will be transmitted to the Council at that hearing.

KN:ss  
Attachments




MONTGOMERY COUNTY COUNCIL  
ROCKVILLE, MARYLAND  
MEMORANDUM

MARILYN J. PRAISNER  
DISTRICT 4

January 25, 2008

TO: Robert G. Hoyt, Director  
The Department of Environmental Protection

FROM: Councilmember Marilyn Praisner 

SUBJECT: WSSCR 07A-CLO-05

I am most distressed by the Executive Staff Report for WSSCR 07A-CLO-05, Julian Patton, et al. *Proposed PIF User: Sts. Constantine & Helen Greek Orthodox Church*. In the second paragraph, executive staff notes that "M-NCPPC staff have opposed this request based on language cited in the 1997 Cloverly Master Plan addressing sewer service within this RE-2 zoned area. In two previous PIF-based cases within this same area of Cloverly, the County Council has interpreted this language as allowing for consideration of public sewer service for PIF category change requests. While each PIF case needs to be evaluated on its merits, the Council has clearly set a **precedent** here for that does not automatically reject PIF sewer category change requests based only on the master plan's sewer service recommendations."

I disagree that the previous two cases set a precedent, for the following reasons:

- In the case of the Lutheran Church of St. Andrew, the church was being relocated to make way for the MD 97 (Georgia Avenue) @ Randolph Road interchange. The new site in Cloverly, located at the intersection of Norwood Road and New Hampshire Avenue, had been owned for decades by the Catholic Archdiocese of Washington. Because that ownership predated the Cloverly Master Plan, the drafters of the master plan had to assume that the site would be developed for a church, and that sewer would have to be allowed for that particular institutional use. Therefore, Council did not object when a church applied for a sewer category change, particularly since St. Andrew agreed to an impervious cap of 25% to protect the nearby Bryants Nursery Tributary of the Northwest Branch. It is important to note that another institutional use proposed for that site (an independent senior living facility) was denied approval of a sewer category change by MNCPPC, DEP, and the County Council because it was deemed to be



inconsistent with the Cloverly Master Plan. Approval of St. Andrew was in no way intended to signal that a precedent had been set for allowing further PIF approvals in an area clearly delineated in the master plan for low-density non-sewered residential development.

- In the case of People's Community Baptist Church, the church asked for an expansion of an existing sewer line. After meeting community resistance based on objections that further expansion was inconsistent with the Cloverly Master Plan, the church acquired an adjacent property as a pervious offset to their planned expansion. At the time, I disagreed with DEP's assertion that the previously approved category change for St. Andrew served as a precedent that opened the door for approval of the category change for People's. After the Council approved the category change, the Maryland Department of Planning initially found that the Council's action was inconsistent with the master plan. They subsequently reversed their position after receiving a letter of appeal from then Council President Leventhal. I see no clear-cut precedent in this complicated case.

In summary, I believe that DEP's position that these cases set a precedent for possible approval of 07-A-CLO-5 misconstrues Council action. If we do not reach clarity on this issue, I am afraid that we will undermine the very clear language and intent of the Cloverly Master Plan for the RE-2 zoned land in this area. I would be happy to discuss this further with you and your staff.

Cc: Tim Firestine

## Nelson, Katherine

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**From:** Ginny Barnes [ginnybarnes@juno.com]  
**Sent:** Monday, February 11, 2008 2:48 PM  
**To:** Nelson, Katherine  
**Subject:** Fw: Communication on Sewer Category Change Request 08A-TRV-01

Katherine - I am forwarding to you both my letter to the County Council and the reply from Keith Levchenko. WMCCA is opposed to this Sewer Category Change request for the reasons stated in the letter below. I hope this reaches you in time to be included in the packet you are preparing for the Planning Commission.

thank you,

Ginny Barnes,  
West Montgomery County Citizens Association  
(301) 762-6423

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----- Forwarded Message -----

**From:** "Levchenko, Keith" <[Keith.Levchenko@montgomerycountymd.gov](mailto:Keith.Levchenko@montgomerycountymd.gov)>  
**To:** <[ginnybarnes@juno.com](mailto:ginnybarnes@juno.com)>  
**Date:** Thu, 15 Nov 2007 08:40:19 -0500  
**Subject:** Sewer Category Change Request 08A-TRV-01  
**Message-ID:** <[D1BC389B1D0FB74C88F09C89BF027EF843F1D4@mcg-exb04.mcgov.org](mailto:D1BC389B1D0FB74C88F09C89BF027EF843F1D4@mcg-exb04.mcgov.org)>

Ginny:

Sewer Category Change Request 08A-TRV-01 was deferred pending resolution of the land use and zoning issues associated with the accessory house on the property. For the complete text of the DEP action, please go to <http://www.montgomerycountymd.gov/content/dep/water/20074soa.pdf>.

Thanks,

Keith Levchenko, Senior Legislative Analyst  
Montgomery County Council Staff  
100 Maryland Avenue, 5th Floor  
Rockville, MD 20850  
(work) 240-777-7944  
(fax) 240-777-7888  
[keith.levchenko@montgomerycountymd.gov](mailto:keith.levchenko@montgomerycountymd.gov)

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**From:** Ginny Barnes <[ginnybarnes@juno.com](mailto:ginnybarnes@juno.com)>  
**To:** [councilmember.andrews@montgomerycountymd.gov](mailto:councilmember.andrews@montgomerycountymd.gov),  
[councilmember.berliner@montgomerycountymd.gov](mailto:councilmember.berliner@montgomerycountymd.gov), [councilmember.elrich@montgomerycountymd.gov](mailto:councilmember.elrich@montgomerycountymd.gov),  
[councilmember.ervin@montgomerycountymd.gov](mailto:councilmember.ervin@montgomerycountymd.gov), [councilmember.floreen@montgomerycountymd.gov](mailto:councilmember.floreen@montgomerycountymd.gov),  
[councilmember.knapp@montgomerycountymd.gov](mailto:councilmember.knapp@montgomerycountymd.gov), [councilmember.leventhal@montgomerycountymd.gov](mailto:councilmember.leventhal@montgomerycountymd.gov),  
[councilmember.praisner@montgomerycountymd.gov](mailto:councilmember.praisner@montgomerycountymd.gov),  
[councilmember.trachtenberg@montgomerycountymd.gov](mailto:councilmember.trachtenberg@montgomerycountymd.gov)  
**Cc:** [Shelley.Janashek@montgomerycountymd.gov](mailto:Shelley.Janashek@montgomerycountymd.gov)

**Date:** Tue, 23 Oct 2007 07:22:26 -0400

**Subject:** Sewer Category Change Request 08A-TRV-01

**From :** West Montgomery County Citizens Association

**To:** Montgomery County Council and Montgomery County DEP

**Re:** Administrative Public Hearing Wednesday October 24, 2007

Dear Council President Praisner members of the County Council,

It has come to our attention that Sewer Category Change Request 08A-TRV-01 is scheduled for Administrative Public Hearing tomorrow afternoon at DEP. We do not believe this should be handled as an Administrative Item. We are familiar with the history and the terms of the approved Site Plan that allowed the building of the larger house on the property at 12009 Piney Meetinghouse Rd. in the Watts Branch watershed. It was required that the smaller (guest house) be demolished. That additional structure still remains on the property and this Category Change Request, if approved, essentially functions as 'defacto' subdivision, allowing two houses where only one has been permitted. One hook-up to serve two houses on a property that is to have one house only is inappropriate, possibly precedent setting and strains the conditions dictated on the record plat. This Request should be brought to the County Council for consideration. Via this letter, we are asking that the item be pulled from the Administrative Hearing agenda. We understand that it takes only one member of the Council to make such a request.

Sincerely,

Ginny Barnes, President  
West Montgomery County Citizens Association  
10311 Glen Road  
Potomac, Md. 20854  
(301) 762-6423 -phone / (301) 762-9287 - fax





DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett  
County Executive

Fariba Kassiri  
Acting Director

MEMORANDUM


October 12, 2007

TO: Keith Levchenko, Legislative Analyst  
County Council

Mary Dolan, Acting Chief, County-Wide Planning Division  
Maryland - National Capital Park and Planning Commission

Peg Robinson, Acting Manager, Development Services Group  
Washington Suburban Sanitary Commission

Amy Hart, Manager, Well and Septic Section  
Department of Permitting Services

FROM: Alan Soukup, Senior Planner, Water and Wastewater Policy Group   
Department of Environmental Protection

SUBJECT: Water and Sewer Plan Amendments: AD 2007-4

Please be advised that the Department of Environmental Protection (DEP) has deferred a proposed Water and Sewer Plan amendment for Bethel World Outreach Church (WSCCR 07A-DAM-08) from consideration at the administrative hearing scheduled for October 24, 2007. The request seeks the approval for the use of multi-use, on-site well and septic systems for a proposed 800-seat church. DEP will include this request in the next transmittal of amendments to the County Council, which will occur in November 2007.

During the ongoing review of this request, our research revealed that Zoning Text Amendment (ZTA) 07-07, adopted by the County Council on October 2, 2007, would affect the project proposed by the applicant. Specifically, the text amendment severely limits the allowed uses (either by right or by special exception) on properties zoned RDT that have a TDR easement established. M-NCPPC staff have advised us that the subject property, Parcel P999, has such an easement recorded. The property currently retains only four of the TDRs originally available to it. Under this circumstance, the Zoning Ordinance, as amended, will not allow for the development of a house of worship on this site. The ZTA will be in effect as of October 22, 2007.

Given that the proposed development project requiring Water and Sewer Plan approval of multi-use, on-site systems is prohibited under the site's RDT zoning, DEP cannot justifiably proceed with an administrative action for the multi-use system request. Administrative consideration for

the remaining Plan amendments included in DEP's September 24, 2007, hearing notice will proceed as previously announced.

I apologize for any confusion caused by this change in process. Please feel free to contact me at either 240-777-7716 or [alan.soukup@montgomerycountymd.gov](mailto:alan.soukup@montgomerycountymd.gov) if you have any questions regarding this issue.

cc: Pastor John Cusick, Bethel World Outreach Church  
Marilyn Praisner, President, County Council  
Nancy M. Floreen, Chair, T&E Committee  
Royce Hanson, Chairman, Montgomery County Planning Board  
Katherine Nelson, County-Wide Planning Division/Environmental Unit, M-NCPPC  
Robert Summers, Director, Water Mgt. Admin., Maryland Dept. of the Environment  
Richard Eberhard Hall, Secretary, Maryland Department of Planning  
Fariba Kassiri, Acting Director, DEP  
David Lake, Manager, Water and Sewer Policy Group, DEP  
Cliff Royalty, Office of the County Attorney  
Nathan Greenbaum, Linowes and Blocher  
Brian Donnelly, Macris, Hendricks and Glascock

ADS:ads/Z:\PlannerII(Shell)\2007\2007-4\withdraw-bethel-mmo.doc

DRAGGA, CALLAHAN, HANNON, HESSLER & WILLS, L.L.P.

ATTORNEYS AT LAW

SUITE 300

110 NORTH WASHINGTON STREET

ROCKVILLE, MARYLAND 20850-2223

www.draggacallahan.com

TELEPHONE

(301) 340-9090

FACSIMILE

(301) 340-0725

PATRICK W. DRAGGA \*  
CYNTHIA CALLAHAN \*  
JEFFREY HANNON \*  
KEVIN G. HESSLER  
VINCENT M. WILLS  
HOLLY A. WHITTIER \*  
P. LINDSAY PARVIS  
LILI KHOZEIMEH  
HEATHER S. COLLIER \*  
CHRISTOPHER W. ROBERTS

February 6, 2008

RECEIVED  
0135  
FEB 08 2008

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

\*ALSO D.C. BAR

Honorable Isiah Leggett  
County Executive for Montgomery County  
101 Monroe Street, 2<sup>nd</sup> floor  
Rockville, Maryland 20850

Re: Water and Sewer Category Change Application  
Potomac Oak Center

Dear Mr. Leggett;

I have become aware of my local commercial center's application for a category change that would permit them to connect to both water and sewer service. I live at 11628 Glen Road and as a neighbor and customer of this center, I have long wondered why it has not attracted a more useful assortment of tenants. Considering the limitation imposed by being on well and septic, I now understand that many potential tenants would not lease space that does not allow them to maximize commercial opportunities.

I strongly endorse the idea of extending the sewer and water connections to this location only. The improvement will allow the center to broaden its appeal to a variety of tenants they cannot attract now. Given the convenient location, I envision a coffee shop, another restaurant or a small grocery store. Our community needs all of these. Though the Village of Potomac is near, it is more than twice the distance and the traffic to and from that center grows worse everyday.

I ask that you favorably consider the application filed by the owners of the Potomac Oak Center. Should you have any questions about my support, please feel free to contact me directly.

Very truly yours,

  
Jeffrey Hannon

JH/pc

cc: N. Floreen, A. Soukup, R. Hanson

cc: G. Semmes

RECEIVED  
1417  
NOV 16 2007

Luis J Guevara, Jr  
11304 Dunleith Place  
N Potomac, Maryland 20878

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

November 14, 2007

Royce Hanson  
Planning Board Chairman  
Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Water & Sewer Category Change Application  
Potomac Oak Center (Travilah & Glen Roads; Potomac)

Dear Mr. Hanson:

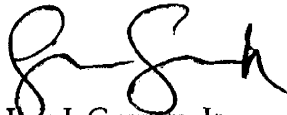
I am writing in support of the approval of the application for water and sewer for the Potomac Oak Center.

I am a resident of North Potomac and live in the Westleigh subdivision. My family and I have enjoyed to convenience of the shops of Center for many years. The access of water and sewer to the site would help improve the services offered and make the center a true neighborhood amenity.

I have also had the opportunity to firsthand understand the limitations of the Center without public water as I am a commercial real estate manager and was responsible for the management of the property for the previous ownership.

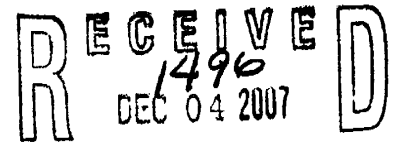
We strongly support the efforts of Guy Semmes' group to improve the Center and look forward to enjoying the benefits and convenience that will be gained by this access to water and sewer.

Very truly yours,



Luis J. Guevara, Jr.

David A. Heywood  
12219 Drews Court  
Potomac, Maryland 20854  
(301) 926-9765 (home)  
(310) 897-6564 (office)



December 3, 2007

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

The Honorable Isaiah Leggett  
County Executive for Montgomery County  
101 Monroe Street, 2<sup>nd</sup> floor  
Rockville, Maryland 20850

**Re: Water & Sewer Category Change Application  
Potomac Oak Center (Travilah & Glen Roads; Potomac)**

Dear Mr. Leggett:

I am writing in support of the application of Guy Semmes on behalf of Hopkins & Porter to extend sewer and water service to the Potomac Oak Shopping Center at Travilah and Glen Roads in Potomac. I understand that they have proposed to build a small pressure sewer line along with a water line extension, at their own expense.

The Center is located near my home on Drews Court, where I have lived since early 1999. It is much closer to my home than other commercial facilities in Potomac Village, and it would be an attractive draw for my family if the Center could offer additional types of establishments that require water and sewer (e.g., a bagel store, additional restaurants, etc.). What we definitely do not need at this location is more bank branches, insurance offices, or realtors. As it is, we must travel down River Road to the Village for most errands. That route has become very congested in the past five to seven years as more homes have been built in Poolesville, North Potomac, and Gaithersburg.

Expansion of the Center would reduce the amount of gas we burn for errands, which now must be run to the Village or points even further away. It would also reduce the impact my family has on the local traffic situation. Finally, I have confidence that the Hopkins & Porter tradition will assure that expansion of the Center will be accomplished in a tasteful, environmentally responsible fashion.

Thank you for considering favorable action on the Hopkins & Porter application.

Very truly yours,

David A. Heywood

cc: Guy H. Semmes  
✓ Royce Hanson, Planning Board Chairman, MNCPPC  
Hon. Marilyn J. Praisner, Council President  
Hon. Nancy Floreen, Chair, Transportation and Environment Committee  
Alan D. Soukup, Senior Environmental Planner

**Robert O. Eisinger**  
11646 Partridge Run Lane  
Potomac, MD 20854  
Cell: 301-370-4197  
Fax 301-208-1303  
[roeisinger@promarkrealestate.com](mailto:roeisinger@promarkrealestate.com)

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OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

November 20, 2007

Royce Hanson  
Planning Board Chairman  
MNCPPC  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Water and Sewer Category Service Request  
Application No: 07A-TRV-10  
Potomac Oak Shopping Center

Dear Royce:

My next door neighbor, Guy Semmes, recently informed me that he had requested a Water and Sewer Service Category change for a small shopping center that he owns at the intersection of Glen Road and Travilah Road in Potomac. Apparently this small retail center has been operating on a Septic System and Well. This completely limits his ability to compete for retail tenants the community needs.

I totally support the Category Change. This small retail center could be a viable small neighborhood convenience center and could take trips off the road, if it could compete for the right retail tenants. Apparently, Mr. Semmes has no plans to enlarge the center and the sewer would serve only his center, so other citizens should have no objections. Honestly, the benefit is that with the right tenants, he could turn and shorten trips originating in the northern portions of Potomac (old Potomac) from going to the Potomac Village Shopping Center, helping the environment by reducing gasoline usage and saving taxpayer's money by reducing the wear and tear on the road system.

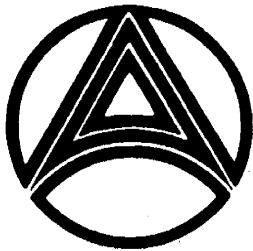
This one is obvious to support. It is effectively what Park and Planning is trying to accomplish through Master Plans, keeping people from traveling too far away from their homes by car, i.e. establishing **successful** and well planned community and neighborhood convenience retail centers.

Please support this Water and Sewer Category Change. Thank you for your help.

Sincerely,



Robert O. Eisinger



## ARTISTS CIRCLE FINE ART

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OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

January 13, 2008

Honorable Isaiah Leggett  
County Executive for Montgomery County  
101 Monroe Street, 2<sup>nd</sup> Floor  
Rockville, MD 20850

Dear Mr. Leggett:

Thank you for the work you do for our county. I am writing today to urge your support for Guy Semmes sewer / water category change allowing improvements to our local retail entity, Potomac Oak Center. As a County citizen of 48 years, I am aware of the balance struck daily between development interests and conservation concerns.

I have reviewed the plans and believe that Guy's improvements, facilitated by changes to the water and sewer situation, will result in a wonderful improvement for the residents of our area of North Potomac. I am also a business owner, operating my art consulting firm from a historic timber frame barn a quarter-mile from Potomac Oak. As County natives, my wife Joanna and I believe deeply in community. We frequently host dances in our barn. I am on the board of the Montgomery County Historical Society and we have 4 children in county schools.

The Potomac Oak Center is already a wonderfully unusual, family oriented entity: the site of the Travilah Oak Park, the Fall Festival, Sunday bicycle congregations and the seasonal garden center. Summers, my children and I often ride our bikes to Potomac Oak for a Snow Cone from the Jed's Ice stand. I believe the defined growth of The Center can only lead to a richer quality of life for all those who already depend on it.

Thank you for listening and I again urge you to lend your support to this well thought out application. I'd be happy to speak with you should it be helpful.

Sincerely,

Jack Devine  
Principal

~~Cc: Royce Hanson~~, Hon. Marilyn Praisner, Hon. Nancy Floreen, Alan D. Soukup,



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

**County Executive's January 2008 Amendment  
Transmittal to the County Council**

**12 PROPOSED WATER AND SEWER PLAN AMENDMENTS**





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

## **County Executive's January 2008 Amendment Transmittal to the County Council**

### **12 PROPOSED WATER AND SEWER PLAN AMENDMENTS**

- 12 Current Category Change Requests ▪

Prepared by  
The Department of Environmental Protection

Robert G. Hoyt, 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 JANUARY 2008 TRANSMITTAL PACKET**

**Executive Summary: Proposed Amendments and Recommendations**

<b>Plan Amendment &amp; Owner Location – Proposed Use</b>	<b>Zoning Acreage</b>	<b>Requested Change(s)</b>	<b>Executive Recommendation &amp; Policy Highlights Summary</b>	<b>Packet Page No.</b>
<b>CLOVERLY – NORWOOD PLANNING AREA</b>				
<b>WSSCR 07A-CLO-05</b> <b>Julian Patton, et al.</b> 701 Norwood Rd., Layhill – Use: place of worship: Sts. Constantine & Helen Greek Orthodox Church	RE-2 32.7 ac.	(Keep W-3) S-6 to S-3 <sup>A</sup> <sup>A</sup> PIF use only	<b>Defer action pending further review of the church's proposed develop- ment plan.</b> <i>Application of the PIF policy in the Cloverly/NW Br. RE-2 Zone; awaiting a site-specific development plan to review.</i>	Report: 1 Map: 12
<b>WSSCR 07A-CLO-07</b> <b>Schrecengost &amp; Spring Lawn Farm HOA</b> 17518 Country View Way, Ashton – Use: 2 single-family homes (1 existing to remain)	RE-2 4.0 ac.	(Keep W-1) S-1 to S-1 <sup>B</sup> <sup>B</sup> 2 hookups only	<b>Deny the request; maintain S-1 for one sewer hookup only.</b> <i>Multiple hookups under the environ- mental provision of the abutting mains policy; lack of septic suitability.</i>	Report: 3 Map: 15
<b>WSSCR 07A-CLO-09</b> <b>Neil &amp; Laura Pullen</b> 1300 Harding La., Cloverly – Use: 3-lot residential subdivision	RE-1 3.67 ac.	(Keep W-1) S-5 to S-1	<b>Defer action pending further review of the applicant's proposed subdivision plans.</b> <i>Sewer service to RE-1-zoned properties in the Upper Paint Branch SPA (Cloverly Master Plan area).</i>	Report: 4 Map: 18
<b>GOSHEN – WOODFIELD – CEDAR GROVE PLANNING AREA</b>				
<b>WSSCR 07A-DAM-08 *</b> <b>Bethel World Outreach Ministries</b> 10715 Brink Rd., Clarksburg – Use: place of worship: Bethel World Outreach Church	RDT 119.37 ac.	W-6 to W-6 <sup>C</sup> S-6 to S-6 <sup>C</sup> <sup>C</sup> for multi-use systems	<b>Defer action pending the outcome of ongoing litigation with the applicant.</b> <i>Multi-use sewerage systems in the RDT Zone; status of the litigation concerning the Council's prior denial of public service.</i>	Report: 21 Map: 24
<b>WSSCR 08A-GWC-01</b> <b>Kirk Canaday</b> 8300 Block, Warfield Rd., Gaithersburg – Use: 1 new single-family house	RE-2 2.71 ac.	(Keep W-3) S-6 to S-3	<b>Deny the requested change to S-3.</b> <i>Sewer service to areas zoned RE-2; inconsistent with existing plans.</i>	Report: 22 Map: 28
<b>OLNEY PLANNING AREA</b>				
<b>WSSCR 07A-OLN-02</b> <b>Francis Doherty Estate</b> 3110 Emory Church Rd., Olney – Use: place of worship: First Baptist Church of Wheaton	RNC 15.0 ac.	W-6 to W-1 S-6 to S-1 <sup>D</sup> <sup>D</sup> PIF use only	<b>Defer action on the request for W-3 and S-3 pending development plan review by agencies.</b> <i>Private institutional facilities (PIF) policy; site concept plan under review.</i>	Report: 31 Map: 33
<b>POTOMAC – CABIN JOHN PLANNING AREA</b>				
<b>WSSCR 07A-POT-03</b> <b>Larry Pingho</b> 10011 Chapel Rd., Potomac – Use: service for the existing single-family house	RE-2 3.50 ac.	(Keep W-1) S-6 to S-3	<b>Deny the requested change to S-3, but flag this neighborhood for a future investigation of septic problems.</b> <i>Potomac Master plan peripheral sewer service recommendation; sewer extension issue.</i>	Report: 37 Map: 41
<b>WSSCR 07A-POT-05</b> <b>Frank Islam &amp; Debbie Driesman</b> 10621 River Rd. & 10111 Norton Rd., Potomac – Use: redevelopment of 2 existing, adjoining residential properties.	RE-2 4.97 ac.	(Keep W-1) S-6 to S-3	<b>Approve S-3.</b> <i>Potomac Master plan peripheral sewer service recommendation.</i>	Report: 39 Map: 43
<b>TRAVILAH PLANNING AREA</b>				
<b>WSSCR 07A-TRV-08</b> <b>Mary Davis</b> 13100 Valley Dr., Rockville – Use: public sewer service for the existing house.	RE-1 1.13. ac.	(Keep W-1) S-6 to S-3	<b>Deny the requested change to S-3.</b> <i>Glen Hills health problem; requires illogical sewer main extensions financially infeasible for the applicant.</i>	Report: 48 Map: 54

**PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
COUNTY EXECUTIVE'S JANUARY 2008 TRANSMITTAL PACKET**

**Executive Summary: Proposed Amendments and Recommendations**

<b>Plan Amendment &amp; Owner Location – Proposed Use</b>	<b>Zoning Acreage</b>	<b>Requested Change(s)</b>	<b>Executive Recommendation &amp; Policy Highlights Summary</b>	<b>Packet Page No.</b>
<b>WSSCR 07A-TRV-10</b> Travilah Oak LLC and Han & J.P.C. Jan Potomac Oak Center: 12940-12960 Travilah Rd., Potomac – Use: service to and expansion of existing commercial retail, service and office center	C-1 5.02 ac.	W-6 to <b>W-3</b> S-6 to <b>S-3</b>	<b>Deny the requested change to W-3 and S-3.</b> <i>Potomac Master plan water and sewer service recommendations; inconsistent with existing plans; illogically long extensions, up to 1 mile.</i>	Report: 49 Map: 58
<b>WSSCR 08A-TRV-01</b> Reynaldo & Zorayda Lee-Llacer 12009 Piney Meetinghouse Rd., Potomac – Use: public sewer service for a primary residence and a guest house (both existing).	RE-2 2.54. ac.	(Keep W-1) S-6 to <b>S-1</b>	<b>Defer action pending resolution of the special exception case.</b> <i>Abutting mains policy under Piney Br. Sewer access policy; special exception (land-use) questions.</i>	Report: 50 Map: 63
<b>WSSCR 08A-TRV-03</b> Sprigg & Christina Lynn 11621 Glen Rd., Potomac – Use: expansion of the existing single-family house	RE-2 2.34 ac.	(Keep W-1) S-6 to <b>S-1</b>	<b>Approve the requested change to category S-3.</b> <i>Potomac Master plan peripheral sewer service recommendation; Watts Br. Direct watershed.</i>	Report: 52 Map: 66

\* Amendment highlighted in the County Executive's transmittal memorandum

**2003 Water & Sewer Plan Excerpts:**

PIF Policy .....	pg. 6
Abutting Mains Policy .....	pg. 9
Multi-Use Systems.....	pg. 23A
Piney Branch Restricted Access.....	pg. 53A

**Issue Background Reports:**

PIF Policy .....	pg. 1	Potomac Peripheral Sewer Service .....	pg. 37
Abutting Mains Policy.....	pg. 2	Glen Hills Sewer Service .....	pg. 48
Multi-Use System Capacity Limits in the RDT Zone .....	pg. 21	Piney Branch Sewer Service ..	pg. 50

**PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
COUNTY EXECUTIVE'S JANUARY 2008 TRANSMITTAL PACKET**

**WATER/SEWER SERVICE AREA CATEGORIES INFORMATION**

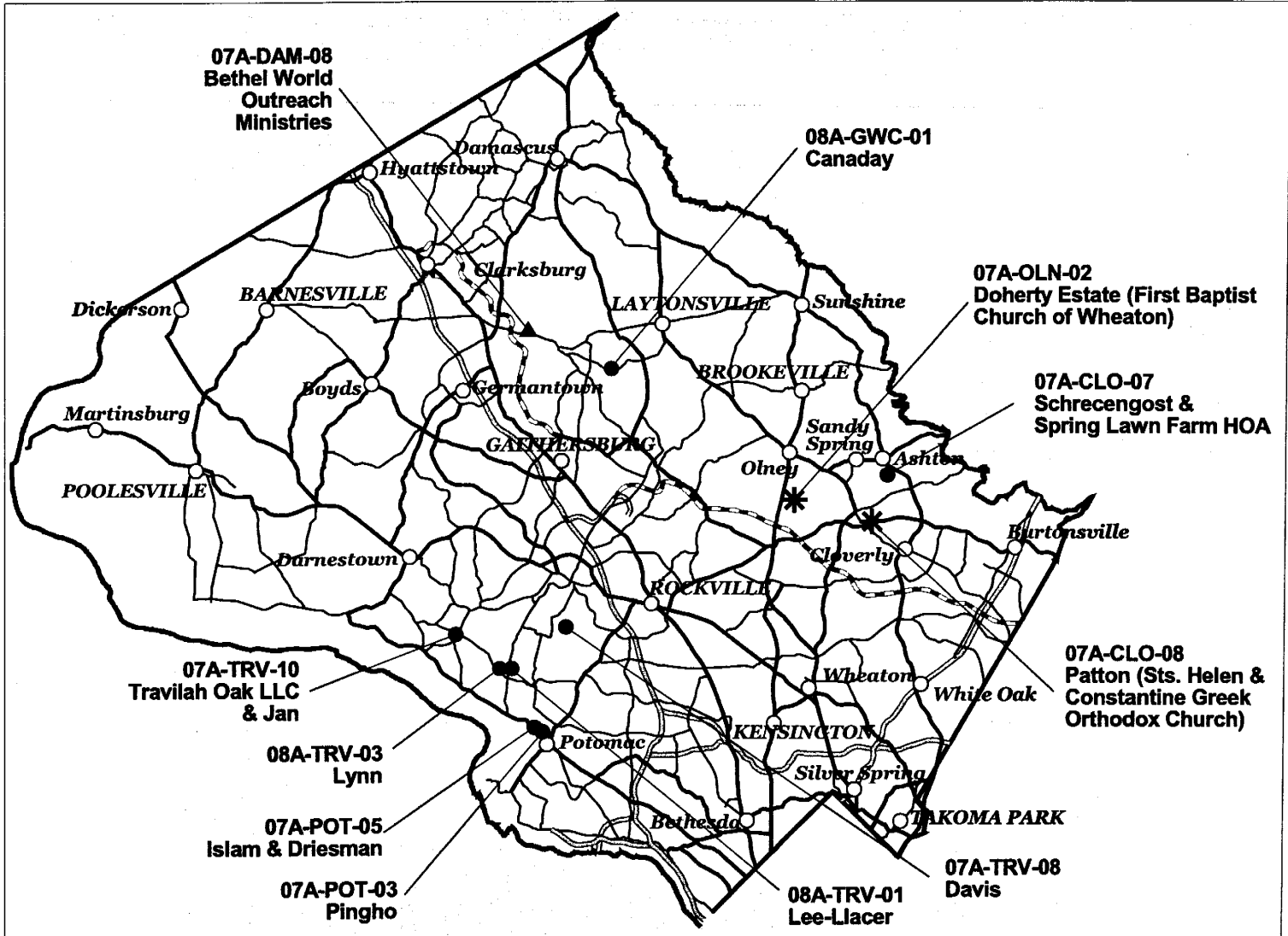
The Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan designates water and sewer service area categories for each property within the county. These service area categories determine a property's eligibility to receive public water and/or sewer service and indicate when the County and the sanitary utility (usually the Washington Suburban Sanitary Commission (WSSC)) should program water and sewerage facilities to serve those properties. (Although the actual provision of public service is often dependent on an applicant's own development schedule.) The Water and Sewer Plan is adopted and amended by the County Council; it is administered by the County Executive through the Department of Environmental Protection (DEP).

**Water and Sewer Service Area Categories Table**

<b>Service Area Categories</b>	<b>Category Definition and General Description</b>	<b>Service Comments</b>
<b>W-1 and S-1</b>	Areas served by community (public) systems which are either existing or under construction. • This may include properties or areas for which community system mains are not immediately available or which have not yet connected to existing community service.	Properties designated as categories 1 and 3 are eligible for to receive public water and/or sewer service.  New development and properties needing the replacement of existing wells or septic systems are generally required to use public service. Properties with wells or septic systems on interim permits are required to connect to public service within one year of its availability.
<b>W-2 and S-2</b>	<b><i>Categories W-2 and S-2 are not used in the Montgomery County Water and Sewer Plan.</i></b> (State's definition: Areas served by extensions of existing community and multi-use systems which are in the final planning stages.)	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for mains abutting these properties unless the property has a functioning well and/or septic system. WSSC provides public water and sewer service throughout the county, except where service is provided by systems owned by the City of Rockville or the Town of Poolesville.
<b>W-3 and S-3</b>	Areas where improvements to or construction of new community systems will be given immediate priority and service will generally be provided within two years or as development and requests for community service are planned and scheduled.	WSSC will not serve properties designated as categories 4 or 5, but will work to program water and/or sewer projects needed to serve these areas. Permits for new wells and/or septic systems for category 4 properties will be interim permits. (See above for further information.) MCDEP may require that development proceeding on interim wells and septic systems in category 4 areas also provide dry water and sewer mains and connections.
<b>W-4 and S-4</b>	Areas where improvements to or construction of new community systems will be programmed for the three- through six-year period. • This includes areas generally requiring the approval of CIP projects before service can be provided.	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for abutting properties designated as category 4 unless the property has a functioning well and/or septic system. WSSC will not assess front foot charges for properties designated as category 5.
<b>W-5 and S-5</b>	Areas where improvements to or construction of new community systems are planned for the seven- through ten-year period. • This category is frequently used to identify areas where land use plans recommend future service staged beyond the scope of the six-year CIP planning period.	WSSC will neither provide service to nor assess front foot benefit charges for properties designated as category 6. Development in category 6 areas is expected to use private, on-site systems, such as wells and septic systems.
<b>W-6 and S-6</b>	Areas where there is no planned community service either within the ten-year scope of this plan or beyond that time period. This includes all areas not designated as categories 1 through 5. • Category 6 includes areas that are planned or staged for community service beyond the scope of the plan's ten-year planning period, and areas that are not ever expected for community service on the basis of adopted plans.	

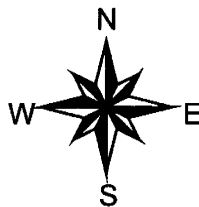
Please note that the County does not necessarily assign water and sewer categories in tandem (i.e. W-3 and S-3, or W-5 and S-5), due to differences in water and sewer service policies or to actual water or sewer service availability. Therefore, it is important to know *both* the water *and* sewer service area categories for a property.

# Water/Sewer Map Amendment Locator County Executive's January 2008 Transmittal



## MAP LEGEND

- Proposed Map Amendments
- \* Proposed PIF Map Amendments
- ▲ Proposed Multi-Use System Amendments
- Localities
- County Roads
- State Roads
- US & Interstate Highways
- Proposed Highways



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



COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
County Executive's January 2008 Transmittal Packet

CLOVERLY – NORWOOD PLANNING AREA MAP AMENDMENTS

PRIVATE INSTITUTIONAL FACILITIES CASES

**Background:** The following map amendment involves a development proposal from a local non-profit group for what the Water and Sewer Plan defines as a private institutional facility (PIF). The PIF policy creates the *limited opportunity* for exceptions to the Plan's general public service policies. It allows for the provision of water and/or sewer for PIF uses outside the public service envelopes where other residential or commercial development could not normally qualify for such service. (See pgs. 6-8 for the policy text.)

The Council's recent practice on PIF cases has been to require that the property owner specify a PIF user for the site, and that the user provide a site-specific development plan for the project in sufficient detail to allow consideration of potential site impacts and impervious surfaces. The Council has restricted approval actions to a specific PIF user, an approval that is not transferable to another PIF user.

Please note that the following case is located within an area zoned RE-2, and is therefore not affected by the Council's PIF policy decision in November 2005 to restrict public water and sewer service from the RDT Zone.

<b>WSSCR 07A-CLO-05: Julian Patton, et al.</b> <b>Proposed PIF User: Sts. Constantine &amp; Helen Greek Orthodox Church</b>							
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"><li>701 Norwood Rd., Cloverly</li><li>Pt. Parcel P915, Snowdens Manor Enlarged (dist.-acct. no. 05-00273546)</li><li>Map tile – MD: JS42; WSSC: 222NW01</li><li>North side of Norbeck Rd. (MD 28) east of Norwood Rd.</li><li>Cloverly Master Plan (1997)</li><li>Northwest Branch Watershed (MDE Use IV)</li><li>RE-2 Zone; approx. 27 ac.</li><li><u>Existing use:</u> vacant <u>Proposed use:</u> place of worship, Sts. Constantine &amp; Helen Greek Orthodox Church relocating to Mont. Co. from Wash., DC</li></ul>	<table border="1"><thead><tr><th colspan="2"><u>Existing – Requested – Service Area Categories</u></th></tr></thead><tbody><tr><td>W-3</td><td>W-3 (no change)</td></tr><tr><td>S-6</td><td>S-3</td></tr></tbody></table> <u>Applicant's Explanation (in summary*)</u> The requested sewer category change is specifically for Sts. Constantine & Helen Greek Orthodox Church, an existing parish in northwest Washington, DC. The church proposes relocating to Montgomery County where the majority of its parishioners now live. The church will use approximately 27 vacant acres of the 47-acre site; this portion is zoned RE-2 and located east of Northwest Br. An existing sewer main crosses this portion of the property providing for a direct sewer connection to the main. Allowing the provision of public sewer service will result in saving more of the forested area from clearing for septic fields. This may also allow more dedication of the property for public use. Consistent with the PIF policy, the church recognizes that a sewer service approval will be for the church only and is not transferable to another user. The church plans to coordinate with M-NCPPC on the development of a conceptual site plan to reasonably address any specific site concerns. (*See pg. 13 for the applicant's full text from the application).	<u>Existing – Requested – Service Area Categories</u>		W-3	W-3 (no change)	S-6	S-3
<u>Existing – Requested – Service Area Categories</u>							
W-3	W-3 (no change)						
S-6	S-3						
<b>Agency Review Comments</b> M-NCPPC Staff The limited availability of water and sewerage service has been used since the 1964 General Plan to protect environmental resources and to control density and timing of development in Cloverly. The 1997 Cloverly Master Plan contains recommendations that continue to support previous efforts to maintain a rural character and protect the environment and existing watersheds. <u>This application is inconsistent with this master plan.</u> The Master Plan states (on page 90): "The RE-2 zoned area bordered by Norwood Road, Northwest Branch, Hampshire Greens, and New Hampshire Avenue is not recommended for sewer service. This recommendation is designed to maintain the rural character that results from low density residential development..." The Master Plan goes on to state (page 91):							

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's January 2008 Transmittal Packet**

**CLOVERLY – NORWOOD PLANNING AREA MAP AMENDMENTS**

**WSSCR 07A-CLO-05: Julian Patton, et al.**

**Proposed PIF User: Sts. Constantine & Helen Greek Orthodox Church**

"Provide community sewerage service with the following limitations: Provide sewerage service throughout Cloverly except in the RC and RE-2 zones to maintain a low-density, rural character. The extension of sewer service to residential, institutional, and special exception uses in the RC and RE-2 area (except to relieve public health problems or to address other specific Comprehensive Water Supply and Sewerage Systems Plan policies) is not consistent with this Plan because of potential impacts on the low -density character of both areas." (Emphasis added)

This issue was thoroughly discussed by both the Planning Board and the County Council during the work sessions that led to the adoption of the Cloverly Master Plan. In developing the master plan language, a deliberate decision was made to establish a guideline that would address the proliferation of higher density institutional development that was being built in the low-density residential communities. Simply put, the Board and the Council did not want private institutional development to be used to introduce sewer in the large-lot zones in the Cloverly Master Plan area *except to relieve public health problems*. **Staff Recommendation: Retain S-6.**

**WSSC** (Note: WSSC main extensions are non-CIP sized unless otherwise specified.)

**Sewer:** Existing sewer mains of varying sizes (8", 10", 21", & 24") traverse the property (#65CT4095 & #951347A) and could provide service for the proposed use.

**DPS-Well & Septic**

Perc tests have been approved for 3 lots, the remaining 2 lots need public sewer due to slope, soil and environmental concerns. (DEP note: the DPS review was based on the original development proposal for 5 residential lots.)

**County Executive Recommendation (WSSCR 07A-CLO-05: Julian Patton, et al)**

**Defer action on the request for S-1, pending interagency and County Council review of a development plan for this specific site provided by the church.**

*Note: Deferred amendments will have time limitations for subsequent action.*

**Executive Staff Report**

The applicant has requested a sewer category change to S-1 for public sewer service to support the relocation of an existing church to this property. Within the context of the Water and Sewer Plan, the request is consistent with the Plan's private institutional facilities (PIF) policy, which can allow for less restrictive access to public water and sewer service for PIF uses than for residential or commercial uses. Although zoned RE-2 and located outside the planned public sewer envelope, the site does have access to existing sewer mains. The provision of public sewer service would not open up service to other properties generally ineligible for sewer service. In addition to the PIF policy requirements, the County Council has required a more-detailed level of review in these cases. PIF users are expected to provide for agency and Council review a site development plan that clearly shows the extent and intensity of the proposed project. The plan provided by the church thus far is for a different, smaller site in which the church had a previous interest. A development plan specifically addressing this property is needed. Given this, we recommend the request for deferral pending review of an updated site concept plan.

M-NCPPC staff have opposed this request based on language cited in the 1997 Cloverly Master Plan addressing sewer service within this RE-2-zoned area. In two previous PIF-based cases within this same area of Cloverly, the County Council has interpreted this language as allowing for the consideration of public sewer service for PIF category change requests. While each PIF case needs to be evaluated on its own merits, the Council has clearly set a precedent here for that does not automatically reject PIF sewer category change requests based only on the master plan's sewer service recommendations.

**PROPERTIES ABUTTING WATER AND SEWER MAINS POLICY**

**Background:** The following request (07A-CLO-07) is based on a provision of the Water and Sewer Plan's abutting mains policy that accounts for the protection of environmental resources as justification for public sewer service that replaces septic service. In most abutting mains cases, the approval of public water and/or sewer

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's January 2008 Transmittal Packet**

**CLOVERY – NORWOOD PLANNING AREA MAP AMENDMENTS**

service is restricted to a single service hookup. This provision of the policy allows for more than one sewer hookup, if the use of public service instead of an on-site septic system provides an environmental benefit (see pages 7 - 11). Prior cases have focused on the preservation of forest stands that would eventually need to be cleared for septic system initial and reserve drain fields. The applicant is expected to provide a reasonable demonstration that the lots receiving the additional sewer service hookups can and would be developed using on-site septic systems, even if public sewer were not available.

<b>WSSCR 07A-CLO-07: Marc Schrecengost &amp; Spring Lawn Farm Homeowners' Association</b>							
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"> <li>17518 Country View Way, Ashton</li> <li>Lot 22, Ashton Manor (dist-acct. no. 08-03134305) – owner: M. Schrecengost; and Outlot F, Ashton Manor (dist-acct. no. 08-03129536) – owner: Spring Lawn Farm HOA</li> <li>Map tiles – MD: JT41; WSSC: 223NW01</li> <li>South side of Country View Way opposite Country View Ct.</li> <li>Sandy Spring – Ashton Master Plan (1998)</li> <li>Northwest Branch Watershed (MDE Use IV)</li> <li>RE-2 Zone; 4.00 ac.</li> <li><u>Existing use</u>: one single-family house (c. 1997) &amp; vacant outlot.</li> <li><u>Proposed use</u>: two single-family houses (existing house to remain)</li> </ul>	<table border="1"> <thead> <tr> <th>Existing -</th><th>Requested – Service Area Categories</th></tr> </thead> <tbody> <tr> <td>W-1</td><td>No Change</td></tr> <tr> <td>S-1*</td><td><b>S-1: allowing for two (2) sewer hookups</b></td></tr> </tbody> </table> <p>* Restricted to one (1) sewer hookup only</p> <p>Applicant's Explanation (in summary**)</p> <p>A change in the existing S-1 single sewer hookup only restriction is desired in order to support the building of a second house on the property. This will require the resubdivision of existing Lot 22 (improved with a single-family house) and Outlot F into 2 building lots. This will allow the applicant's daughter and her family to move onto the site. Using the abutting mains policy, the existing house received a connection to the sewer main traversing the site. The owner has justified the request for a second sewer hookup based on the potential environmental benefit from not constructing a septic system in the wooded area of the existing lot for the second house. The sewer main would traverse both of the new lots, allowing for direct sewer connections and hookups for both. The owners cite a similar category change action for another nearby property located on Crystal Spring Dr. (** See pg. 17 for the applicant's full text from the application.)</p>	Existing -	Requested – Service Area Categories	W-1	No Change	S-1*	<b>S-1: allowing for two (2) sewer hookups</b>
Existing -	Requested – Service Area Categories						
W-1	No Change						
S-1*	<b>S-1: allowing for two (2) sewer hookups</b>						
<b>Agency Review Comments</b>							
M-NCPPC Staff							
<p>This property is outside the planned sewer envelope for Sandy Spring/Ashton. The existing sewer line runs right through the property. However, the master plan recommends no sewer service to lots with densities of ½ acre or less. Only one lot is considered as an abutting main. Staff recommendation: <b>Retain S-1 with single hook-up.</b></p> <p>WSSC (Note: WSSC main extensions are non-CIP sized unless otherwise specified.)</p> <p>Sewer: Service can be provided from an 8" sewer main that traverses the property (no. 735914A)</p> <p>DPS-Well &amp; Septic</p> <p>Previous soil tests revealed that the outlot has a shallow water table. That, and its proximity to a nearby pond, make the outlot unsuitable for on-site sewage disposal.</p>							

**County Executive Recommendation (WSSCR 07A-CLO-07: Schrecengost & Spring Lawn Farm HOA)**

**Deny the request for an additional sewer hookup; maintain S-1 for one sewer connection/hookup only.**

**Executive Staff Report**

The applicant has requested a change to the existing, restricted S-1 sewer category for this property in order to resubdivide it from one into two residential lots. This would require removing the restriction for one sewer hookup only based on a provision of the Water and Sewer Plan's abutting mains policy allowing for multiple sewer hookups in support of protecting environmental conditions (please see the preceding background information). Based on the history and condition of these properties, we judge it highly unlikely that the applicant would be able to achieve the resubdivision of the site based on the use of a septic system for the additional lot. We recommend



COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
County Executive's January 2008 Transmittal Packet

CLOVERY – NORWOOD PLANNING AREA MAP AMENDMENTS

**WSSCR 07A-CLO-07: Marc Schrecengost & Spring Lawn Farm Homeowners' Association**

denial of the applicant's request, maintaining category S-1, restricted to a single sewer hookup only.

In this case, these properties have a long history in the category change process, extending back to 1986. In the original subdivision of the property, the site consisted of two RE-2 zoned outlots (Outlots D and E) with the common property boundary running parallel to the outfall sewer that traverses the site (see page 16). The Council's actions on a category change filed in 1986 (86-SSA-02-A) approved the RE-2-zoned areas of the site for public water service, but not public sewer. In 1993, the County considered a request for approval of public sewer service for a resubdivision of the two outlots into a single building lot, the current Lot 22, and the remainder as Outlot F. Application of the abutting mains policy to the Lot 22, as a remainder of the original parcel abutting the outfall sewer, granted S-1 for Lot 22 with a restriction for a single sewer hookup only.

Developers did not pursue the conversion of original outlots D and E into building lots because of the poor septic suitability of the land. As DPS notes, the land sits low and has a high water table. The site was not developed until 1997, after it was granted access to public sewer service. Another consideration is the feasibility of the applicant's proposed configuration of the site using a septic system. The layout would place the septic system for the new house behind and on the same side of the outfall sewer as the existing house; the new house would sit east of the existing one. This would require that the outfall from the new house to its septic system cross WSSC's right-of-way easement for the exiting sewer main. WSSC would not allow a private easement to cross its own.

**RE-1-ZONED PROPERTIES WITHIN THE UPPER PAINT BRANCH SPA**

**WSSCR 07A-CLO-09: Neil and Laura Pullen**

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"><li>1300 Harding La., Cloverly</li><li>Parcels P317, Snowdens Manor Enl (dist./acct. no. 05-00252203) and P332, Family Cemetery (no. 05-00280484)*</li><li>Map tile: MD – KS22; WSSC – 221NE02</li><li>North side of Harding La., west of Pamela Dr.; either side of Spotswood Dr. at east end</li><li>Cloverly Master Plan (1997)</li><li>Paint Branch Watershed (MDE Use III, Mont. Co. Special Protection Area (SPA))</li><li>RE-1 Zone; 3.67 ac.</li><li>Existing use: 1 single-family house (c. 1933). Proposed use: 3-lot residential subdivision (existing house to be replaced); preappl. plan no. 7-20070210 "Pullen Property".</li></ul> <p><i>* This 2,600 sq. ft. parcel, owned by Edith Turner, contains a cemetery enclosed by the Pullen's parcel. DEP has included it with this request for general sewer planning purposes. No new development is expected on this property.</i></p>	<table><tr><th colspan="2">Existing - Requested - Service Area Categories</th></tr><tr><td>W-1</td><td>No Change</td></tr><tr><td>S-6</td><td>S-3</td></tr></table> <p><b>Applicant's Explanation</b></p> <p>"There is currently a [single-family] home fronting on Harding Lane, on septic. The property is only 165 ft. wide but 1,014 ft. deep. The back of the property will be bisected by Spotswood Drive extended. The proposed [subdivision] will consist of 1 lot fronting Harding and 2 lots fronting on opposite sides of Spotswood Drive. There is an existing 8" sewer line in Harding Lane. Propose to connect all 3 houses to Harding La. sewer. Septic system is not reasonable or practical because of environmental and design limitations imposed by the cemetery (separate ownership and parcel not included in this application. Access easement will be provided.) Septic fields would adversely impact trees on site and raise environmental issues due to Environmental Overlay Zone on property because of Special Protection Area related to the Upper Paint Branch drainage area."</p>	Existing - Requested - Service Area Categories		W-1	No Change	S-6	S-3
Existing - Requested - Service Area Categories							
W-1	No Change						
S-6	S-3						

**Agency Review Comments**

**M-NCPPC Staff**

The Cloverly Master Plan recommends that the approval of community sewer service to properties zoned RE-1 in the upper Paint Branch SPA should be coordinated with the approval of subdivision plans which address the environmental concerns associated with development in these headwaters areas, and which further must demonstrate an environmental benefit resulting from development supported by community sewer service, rather

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's January 2008 Transmittal Packet**

**CLOVERY – NORWOOD PLANNING AREA MAP AMENDMENTS**

**WSSCR 07A-CLO-09: Neil and Laura Pullen**

than that supported by septic systems. Water and Sewer Category Recommendation: **Approve S-3 conditioned on Planning Board approval of a preliminary plan which demonstrates environmental benefit from the use of public sewer service over the use of individual septic systems.**

*WSSC (Note: WSSC main extensions are non-CIP sized unless otherwise specified.)*

**Sewer:** The 8" sewer main in Harding La. (no. 735876A) abuts the southern end of the site and could provide service to the lot fronting the street. Service for the two lots fronting Spotswood Dr. will require a 600' on-site extension north from Harding La. Non-abutting sewer connections for these two lots will not be allowed.

**DEP Note:** WSSC also advises that water service to the 2 proposed dwelling units fronting on Spotswood Dr. will require either an extension from Harding La. or reconstruction of the existing 6" main in Spotswood Dr. The existing Spotswood Dr. water distribution system does not meet current fire flow requirements. The use of non-abutting connections will not be allowed. The property is already designated as W-1 and does not require a category change.

**DPS-Well & Septic**

We have no well or septic system records for this property.

**County Executive Recommendation (WSSCR 07A-CLO-09: Neil and Laura Pullen)**

**Approve S-1 for one sewer connection/hookup only.\*** **Defer action on unrestricted approval for S-1 pending further M-NCPPC and DEP evaluation of the applicants' subdivision plans in light of the master plan's sewer service recommendations.**

*Notes: \*This connection/hookup cannot be used for a private institutional facility without subsequent review and approval by the County Council.*

*Deferred amendments will have time limitations for subsequent action.*

**Executive Staff Report**

The applicant has requested a sewer category change to S-3 to allow for public sewer service in support of a three-lot residential subdivision. The property currently has one single-family house on land zoned RE-1 within the Upper Paint Branch Special Protection Area (SPA). Sewer service recommendations in the 1997 master plan allow for public sewer service in the RE-1-zoned part of the SPA provided that developers demonstrate an environmental advantage of using public sewer service instead of septic systems. The applicant has not yet provided information with regard to that issue. The property does qualify for a single sewer hookup from the abutting sewer main along Harding Lane. We recommend approval of the request for category S-1, but restricted at this time to a single sewer hookup for the property; defer a decision on unrestricted S-1 pending further DEP and M-NCPPC consideration of the applicant's development proposal.

In prior cases involving this specific master plan sewer recommendation, the advantage to providing public sewer instead of septic service is that it allows for clustering of the lots under the RE-1 Zone standards. The cluster option results in a tighter lot layout that reduces imperviousness by reducing the length of streets and generally reducing house sizes. A cluster-type plan may be difficult to achieve on this property given its shape and relatively small size.

The applicant has planned for a sewer main extension running from the existing main at Harding Lane to the two proposed lots fronting on Spotswood Drive. This is consistent with WSSC's concern that these lots be served by a main extension and not by non-abutting sewer connections. The construction of the proposed sewer main could help to provide relief for future septic problems that may occur among the existing lots fronting Spotswood Drive. The majority of these lots are less than 3/4-acre in size and have homes built in the 1960's; characteristics of areas where we have concerns about the long-term viability of septic service in the county.

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.).

<p><b>Water and Sewer Plan Recommendation</b></p> <p>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.</p>
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## **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.

Adopted by the County Council November 18, 2003 (CR 15-396)

## 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.

**3. Community Service for Properties Abutting Existing Mains** -- Under specific and limited circumstances, community water and or sewer service may be provided to properties which abut an existing or approved water and/or sewer main. The provision of community service requires that the property, or a structure on the property must have been established prior to the extension of the abutting main. A residence, business, or institution (church, school, etc.) qualifies as an existing structure; a barn, garage, or other type of outbuilding does not qualify. The provisions of this policy do not include community service for private institutional facilities (PIFs), which must be addressed through the PIF policy (see Section II.E.4.).

Community service must be technically feasible from the abutting main. Major water and sewer transmission mains and sewer force mains cannot support individual service connections and hookups, and therefore do not qualify abutting properties for community service under this policy.

This policy may be used in cases where a property is not otherwise eligible for such service under the general policies of this Plan. Under this policy, the provision of community service is allowed under the following circumstances:

**a. Single Hookups Only** -- A single water and/or sewer hookup only is allowed for an individual property or for a structure which abuts an existing or approved water and/or sewer main. The subject property or structure must predate the abutting main. A change in the property configuration due to the dedication of land for a public use such as a road right-of-way or park land shall not invalidate this allowed single hookup. Neither shall an exchange of land between adjacent, qualifying properties invalidate this allowed hookup, provided the overall number of qualifying lots and therefore allowed hookups remains the same. DEP may grant approval for this single hookup under the administrative delegation policies included in this chapter (Section V.F.2.b.: Properties Abutting Existing Mains).

DEP may direct WSSC to provide an allowed single, residential water and/or sewer hookup upon 1) staff confirmation that the property qualifies for service under this policy, and 2) DEP's receipt a category change request for the property. Only in such cases may DEP approve service from an abutting main in advance of granting the actual service area category approval. Commercial and institutional uses must first receive the required service area change.

**b. Single Hookups for Residual Properties** -- The allowed single-hookup may be assigned to an existing or proposed remainder or residual of a property provided that the following conditions are satisfied:

- i. the original property would have qualified for a single hookup under Section II.E.3.a. above, and the residual site still abuts the existing main; and
- ii. that the allowed hookup has not been used elsewhere on the property; community service provided elsewhere on the subject property consistent with both Water and Sewer Plan policies and master plan recommendations shall not be considered to have used this one allowed hookup.

DEP may grant approval for this single hookup under the administrative delegation policies included in this chapter (Section V.F.2.b.: Properties Abutting Existing Mains) provided that:

- # all of the residual properties involved are still under common ownership, or



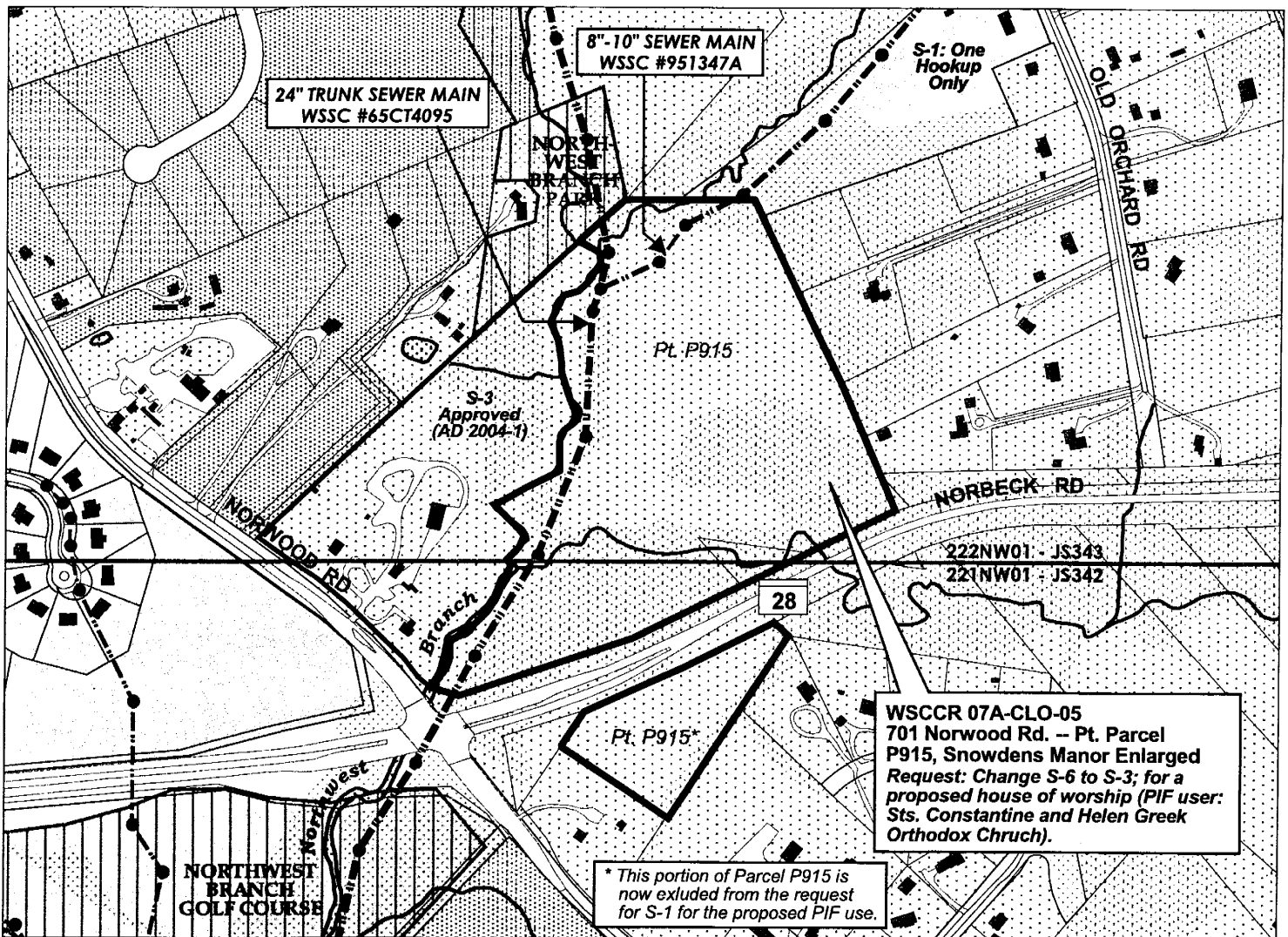
**Water and Sewer Plan Recommendation**

The Council recommends that M-NCPPC and County agency staff pursue appropriate land use restrictions, such as imperviousness limits, in the zoning ordinance and/or subdivision regulations, rather than use wastewater flow or other restrictions in the abutting mains policy as a means of controlling land use.



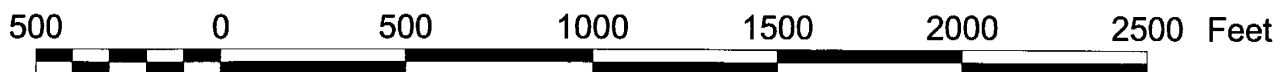
# Sewer Service Area Categories Map

## WSSCR 07A-CLO-05 (Julian Patton, et al.) -- Proposed PIF User: Sts. Constantine and Helen Greek Orthodox Church



Cloverly - Norwood Planning Area

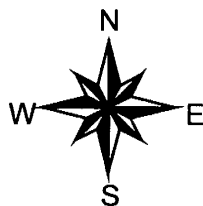
Northwest Branch Watershed



### MAP LEGEND

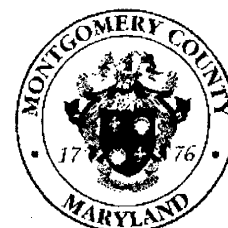
- Property
- WSSC MapTiles
- Sewer Mains**
  - Small-Diameter, Low-Pressure Mains
  - 6\"- to 8\"-Diameter Gravity Mains
  - 10\"- to 14\"-Diameter Gravity Mains
  - 15\"- to 42\"-Diameter (CIP) Trunk Mains
  - 48\"- or Larger-Diameter (CIP) Trunk Mains
- Sewer Manholes
- Buildings
- Roads - Parking
- Streams
- Ponds - Lakes
- Woodlands
- County - State - Federal Parks

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



June 2003 Update  
Service Area Categories Map

Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water and Wastewater Policy Group  
12/10/07 -- GIS Project File:  
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\* 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: Norbeck Road, Silver Spring, MD 20905

Property's TAX ID # (please provide, if known): 05-00273546

Property/Site Size: 47 acres / site apprx. 27 acres Identification (ie, Parcel #): P915

Location/Closest cross-street: Norbeck Road (near Norwood Road)

Current Use: vacant/undeveloped Proposed Use: church (PIF)

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](http://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- 5 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:**

The subject property is located on the north-east corner of Norbeck Road and Norwood Road in Silver Spring, Maryland. The property is currently vacant and in an undeveloped state. The property contains a total of 47 acres of which the subject site (area east of the Northwest Branch stream valley) contains a total of approximately 27 gross acres.

The requested category change for sewer service to the subject property is specifically for use by the Sts. Constantine & Helen Greek Orthodox Church ("Sts. Constantine & Helen"), a non-profit, religious Private Institutional Facility (PIF) that qualifies for tax exemption under the provisions of Section 501 and Title 26 of the United States Code. The church of Sts. Constantine & Helen is an existing parish in northwest Washington, DC with a majority of its parishioners living in Montgomery County in the general vicinity of the subject property. The intended use of the subject property will be for the relocation of the parish to this site in Silver Spring, MD.

The subject portion of the property and proposed use of Sts. Constantine & Helen contains an existing sewer line and thus the property abuts an available sewer connection. We believe that by allowing sewer service to the property more of the forested area could be saved that otherwise would need to be cleared for necessary septic fields. This in turn may allow for more area within the Northwest Branch stream valley to be dedicated to public use.

Consistent with the Councils policy on the provision of sewer service for PIF uses, the request of the property owner for sewer service is limited to the specific Saints Constantine & Helen use and it is recognized that approval will not be transferable. The Sts. Constantine and Helen use of the property will be subject to a site specific conceptual development plan to allow coordination with the M-NCPPC Staff with respect to the site design and to reasonably address any specific site concerns.

Note: Continue on a separate page, if necessary

**DEP Staff Use Only**

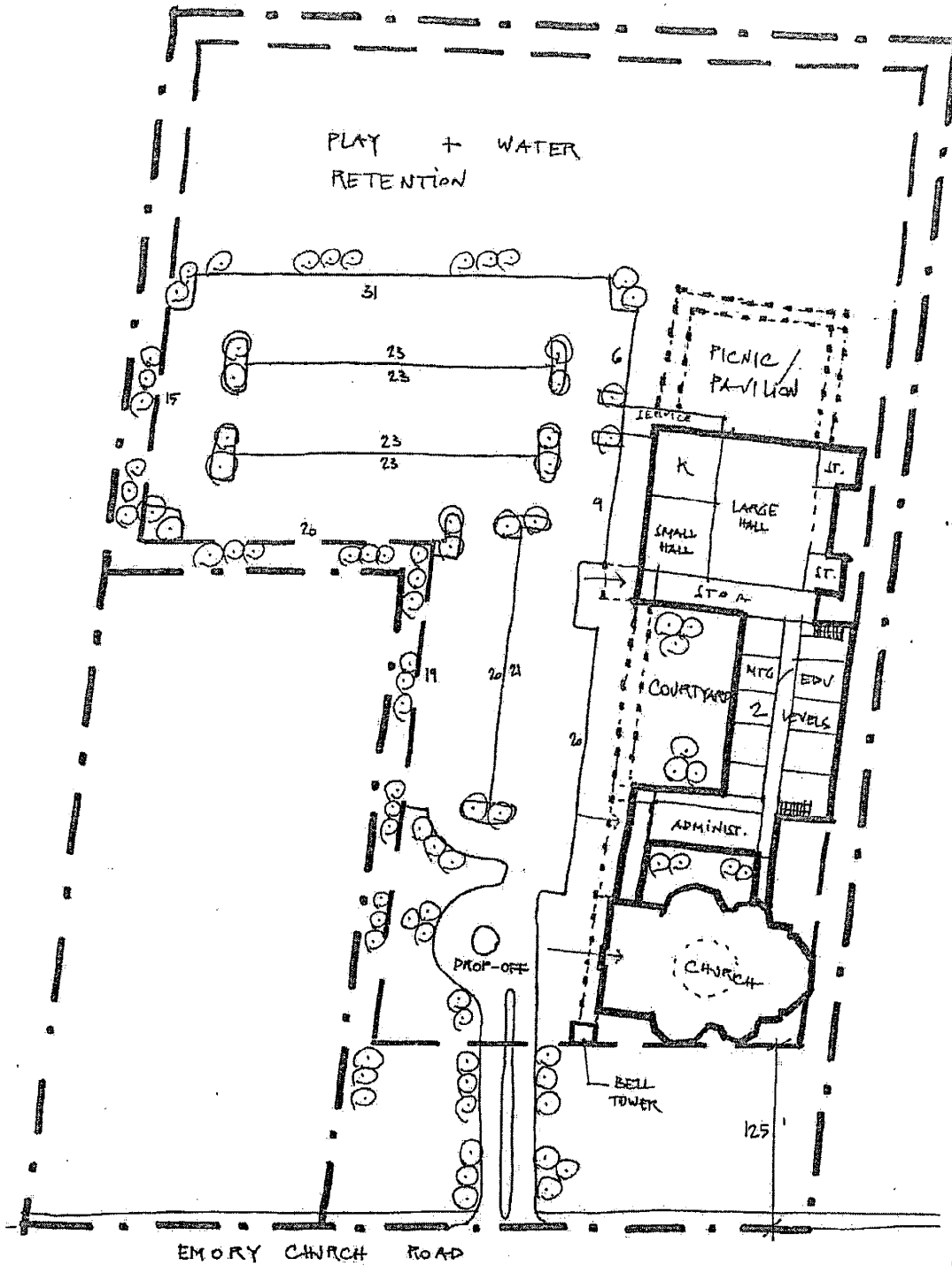
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Water \_\_\_\_\_ Sewer \_\_\_\_\_

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SITE PLAN

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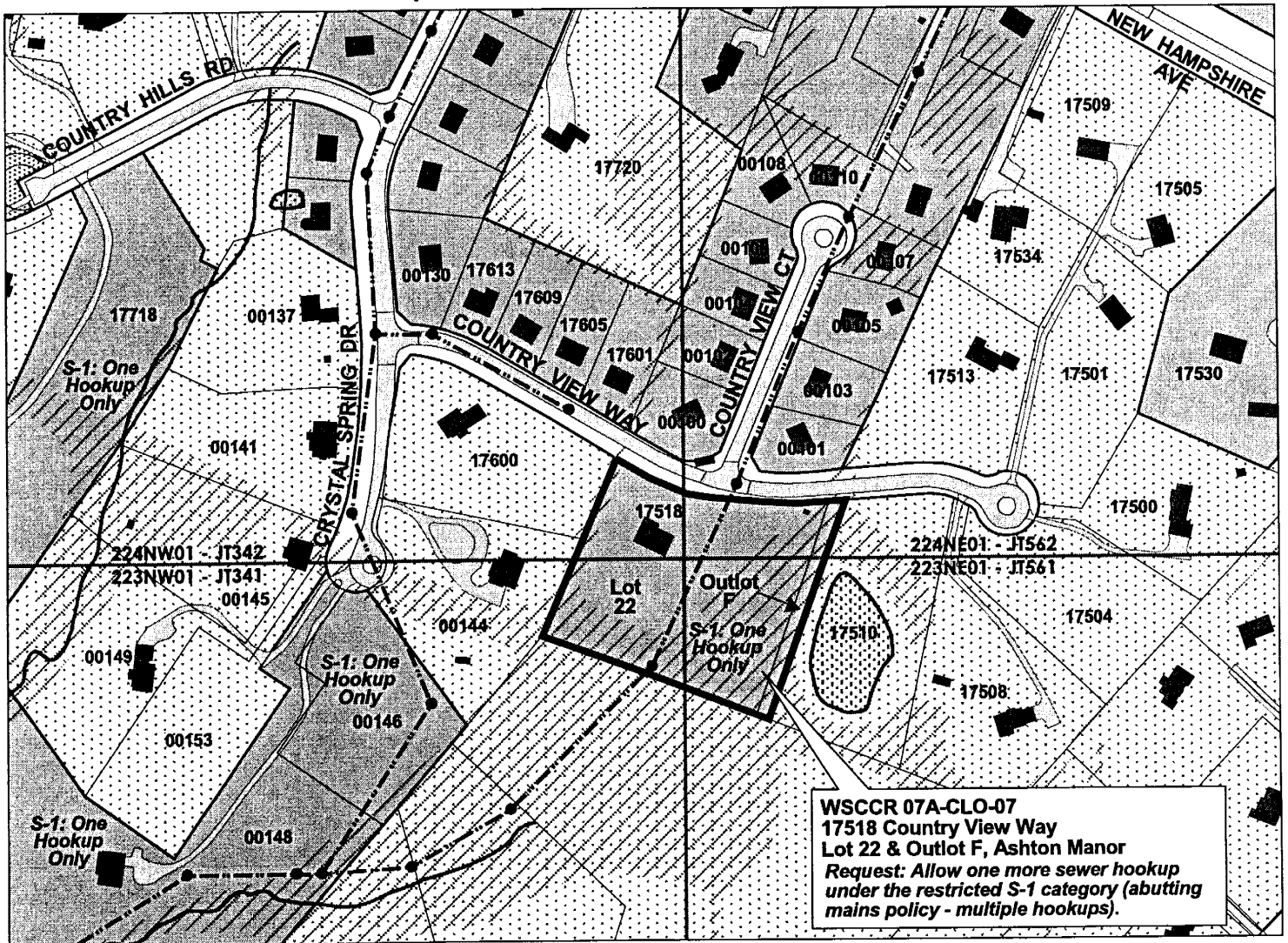


SS CONSTANTINE and HELEN  
GREEK ORTHODOX CHURCH  
WASHINGTON D.C.

June 06, 2007  
Project Number 7554

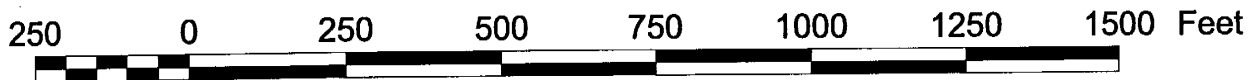
C&amp;C Design © 2007

# Sewer Service Area Categories Map WSSCR 07A-CLO-07 (Marc Schrecengost & Spring Lawn Farm HOA)



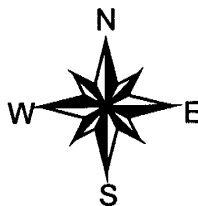
Cloverly - Norwood Planning Area

Northwest Branch Watershed



## MAP LEGEND

- Property
- Sewer Mains
  - Small-Diameter, Low-Pressure Mains
  - 6"- to 8"-Diameter Gravity Mains
  - 10"- to 14"-Diameter Gravity Mains
  - 15"- to 42"-Diameter (CIP) Trunk Mains
  - 48"- or Larger-Diameter (CIP) Trunk Mains
- Sewer Manholes
- WSSC MapTiles
- Buildings
- Roads - Parking
- Streams
- Ponds - Lakes
- Woodlands
- Sewer Service Area Categories (6/03)
  - S-1
  - S-3
  - S-4
  - S-5
  - S-6



June 2003 Update  
Service Area Categories Map

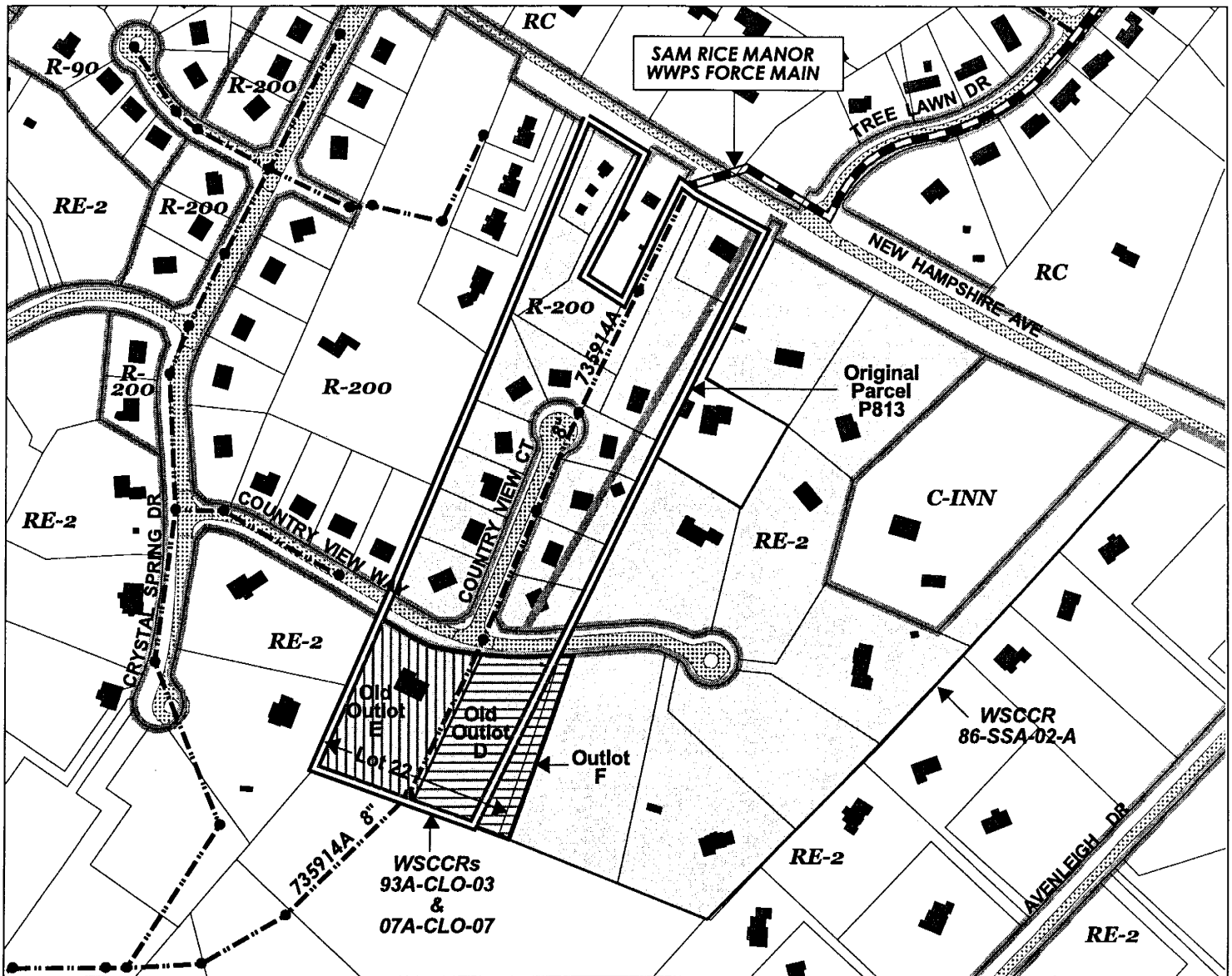
Montgomery County, Maryland  
Comprehensive Water Supply  
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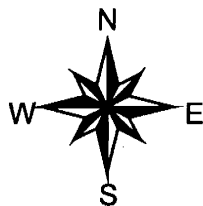
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# Water/Sewer Category Change Request Map WSSCR 07A-CLO-07 (Schrecengost & Spring Lawn Farm HOA)



## MAP LEGEND

- Property
- Sewer Force Main
- Sewer Manholes
- Sewer Gravity Mains
- Zoning
- Buildings
- Roads
- Former Outlots E & D
- Original Parcel P813
- WSSCRs 07A-CLO-07 & 93A-CLO-03
- WSSCR 86-SSA-02-A



## Category Change Requests & Related Properties

- WSSCR 07A-CLO-07: Current Lot 22 & Outlot F
- WSSCR 93A-CLO-03: Former Outlots E & D
- WSSCR 86-SSA-02-A: Original Parcels P813 & P966

Proposed Map Amendment:  
June 2003 Update  
Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water & Wastewater Policy Group  
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**Reason for Sewer Category Change Request**

This request for water and sewer category change is made to support the application for the re-subdivision of Lot 22 and Outlot F into two lots. This re-subdivision is being pursued so the applicant's daughter and her family can move into the existing house and a new home can be constructed on the new lot for the applicant. The applicant is a long-time resident who wishes to remain close to his family and his daughter wishes to raise her family in the same area. If the applicant's daughter cannot take occupancy of the existing family home, financial issues will force her family to move outside of Montgomery County for housing despite the fact that both she and her husband work in Montgomery County.

The Pre-application Concept Plan has been submitted to M-NCP&PC for their review. The plan as submitted proposes a new connection to the public sewer main that bisects the property. This sewer was constructed in 1974 as part of a sewer extension to serve properties east of New Hampshire Avenue on Tree Lawn Drive. The properties immediately across the street are served by this sewer main. The existing house located on Lot 22 qualified for a connection under the single connection for abutting mains policy. The existing sewer will be within a right of way that will be on both proposed lots.

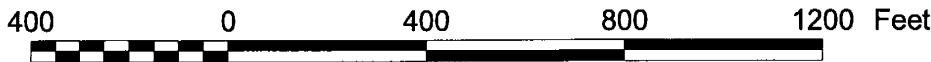
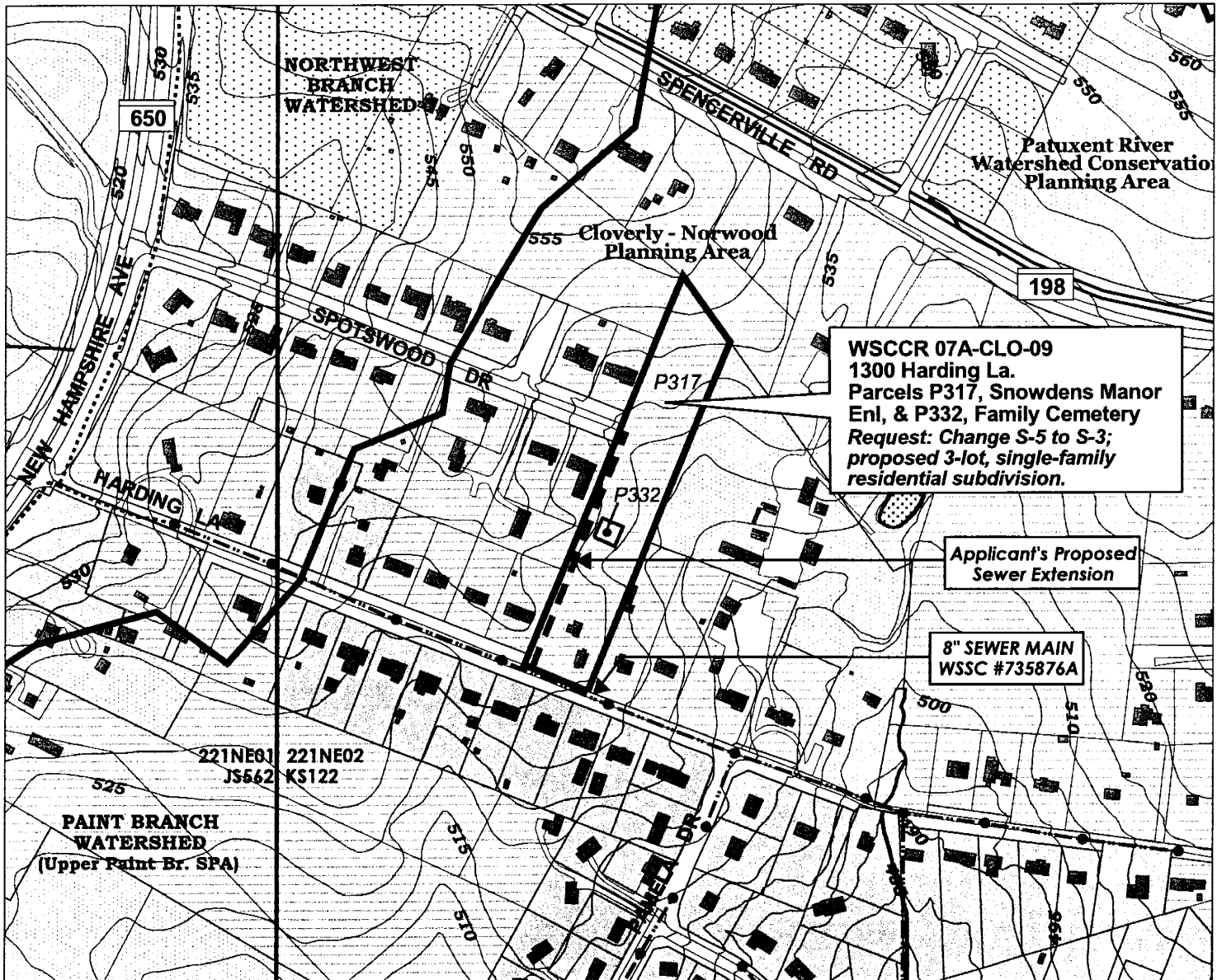
The house on proposed Lot 24 could be served with a private septic system located in the rear of Lot 23. There is sufficient area to locate the septic system in the rear yard while at the same time save the forested area that is located in the most southerly portion of the lot. The plan proposes to create a 100-foot wide Category I Conservation Easement along the rear property line of Lot 23. This area is not now protected by a conservation easement.

We feel very strongly that serving this new lot from the existing sewer main is by far the most environmentally sound solution to septic disposal for this lot. With the public system being on the property there will be only limited disturbance. In this case a new house can be constructed without discharging sewage in the ground. We are also proposing to connect to the public water main located at the intersection of Country View Way and Country View Court. This would also require a connection instead of a public extension. While the drilling of a well does not impose the same environmental effects that of a septic system we feel it is reasonable to connect to the public water system if it is available. This property is one of the few in the area in which a new lot can be created that will be in character with the neighborhood and also has the entire infrastructure required to serve the new lot in place. The property is located on a mature cul-de-sac with sidewalks, curbs and underground utilities. Approving one new sewer and water connection in this specific case would clearly be an example of smart growth.

With this request we request that the water and sewer category for the entire property be changed as noted in the application and that the property be released from the restriction of a single water and sewer connection as now practiced in the abutting mains policy. There is a property located on Crystal Spring Drive that was granted a second connection to a sewer main that had already been granted a connection in accordance with the abutting mains policy. We would also request the same consideration for this property.

The subdivision plans as well as letters of support from the neighborhood have been attached to this request. Please do not hesitate to contact us if you need further information.

# Sewer Service Area Categories Map WSCCR 07A-CLO-09 (Neil & Laura Pullen)

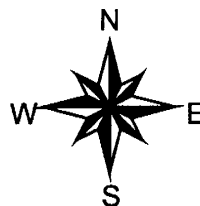


## MAP LEGEND

- Property
- WSSC Map Tiles
- Sewer Manholes
- Sewer Mains**
  - Small-Diameter, Low-Pressure Mains
  - 6"- to 8"-Diameter Gravity Mains
  - 10"- to 14"-Diameter Gravity Mains
  - Applicant's Proposed Sewer Extension
- Buildings
- Roads - Parking
- Topography (C.I. = 5 Feet)
- Watersheds
- Streams
- Ponds - Lakes
- M-NCPPC Planning Areas

### Sewer Service Area Categories (6/03)

- S-1
- S-3
- S-4
- S-5
- S-6



June 2003 Update  
Service Area Categories Map

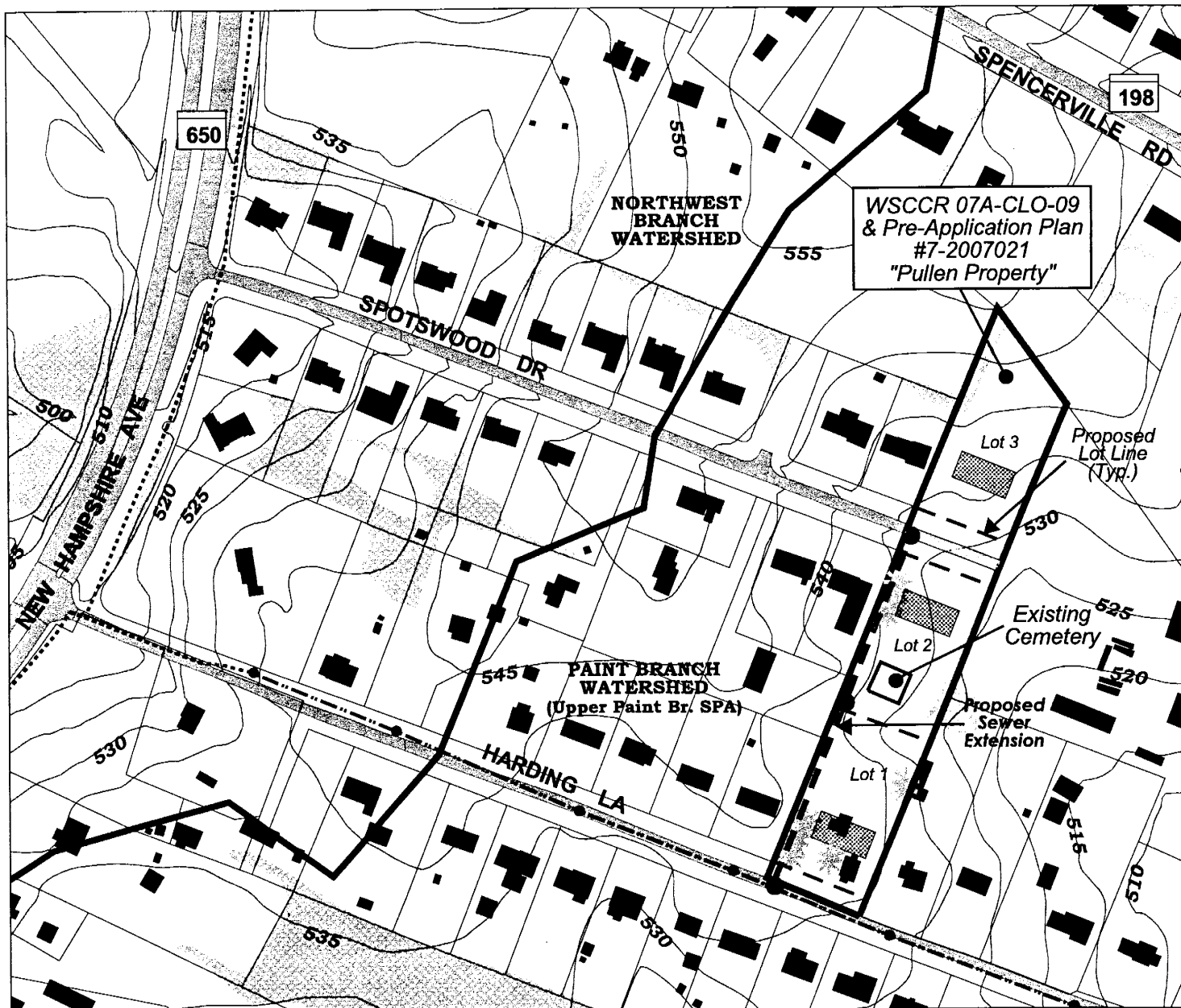
Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water and Wastewater Policy Group  
12/7/07 -- GIS Project File:  
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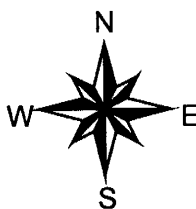
# Service Area Category Change Request Map WSSCR 07A-CLO-09 (Neil & Laura Pullen)



200 0 200 400 600 800 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
  - Proposed Sewer Extension & Manholes
- Major Watersheds
- Proposed Houses (Approx. Footprint Only)
- Existing Buildings
- Proposed Spotswood Dr. Extension
- Roads
- Topography (C.I. = 5 Feet)
- Woodlands / \* Other Trees



Service Area Category Change  
Request Map  
2003 Update

Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water & Wastewater Policy Group  
12/10/07 - GIS Project File:  
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2007ccrs\07a-clo-09=pullen=s.apr



**2) Property/Site Description and Development:**

Address 1300 Harding Lane  
 Property's TAX ID # (please provide, if known) 00252203  
 Property/Site Size 3.67 acres Identification (ie, Parcel #) P317 @ KS12  
 Location/Closest cross-street Pamela Drive  
 Current Use 1 house Proposed Use 3 houses  
 Subdivision Plan No. & Status 720070210 Pending

(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](http://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-1 Requested Water Category: W-    ☒ OR No Change ☐ Multi-Use ☐ Shared ☐  
 Current Sewer Category: S-5 Requested Sewer Category: S-3 ☒ OR No Change ☐ Multi-Use ☐ Shared ☐

**4) Reason for request; state current use of site and intended change in usage, if any:**

There is currently one SFD home fronting on Harding Lane, on septic. The property is only 165 ft. wide but 1,034 feet deep. The back of the property will be bisected by Spotswood Drive extended. The proposed subd. will consist of 1 lot fronting on Harding and 2 lots fronting on opposite sides of Spotswood Drive. There is an existing 8" sewer line in Harding Lane. Propose to connect all 3 houses to Harding La. sewer. Septic system is not reasonable or practical because of environmental and design limitations imposed by cemetery (separate ownership and parcel not included in this application. Access easement will be provided.) Septic fields would adversely impact trees on site and raise environmental issues due to Environmental Overlay Zone on property because of Special Protection Area related to Upper Paint Branch drainage area.

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

*Handwritten notes:*  
 221N202  
 KS22  
 REI  
 Snowden Manor Ent.  
 2nd 3L  
 C-0  
 Dist 05-  
 Snowden Manor Ent.  
 yr. bldg H-1933  
 ZO

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's January 2008 Transmittal Packet**

**GOSHEN – WOODFIELD – CEDAR GROVE PLANNING AREA MAP AMENDMENTS**

**MULTI-USE SYSTEM FLOW CAPACITY LIMITATIONS IN THE RDT ZONE**

**Background:** As part of its efforts to support and protect the County's Agricultural Reserve, the County Council acted in 2006 to limit the size of new private, on-site water and sewerage systems for properties zoned as Rural Density Transfer (RDT). The limitation applies to on-site systems that the Water and Sewer Plan classifies as "multi-use" systems: on-site water supply and wastewater disposal systems with a design capacity of 1,500 or more gallons per day (gpd). Multi-use systems serve a single user, and typically a single structure on one lot or parcel. (Please refer to the multi-use system policies excerpt from the Plan, included at pages 23A – 23B.)

The flow limitation policy bases the allowed multi-use system capacity on a design flow equivalent to the anticipated design flow from the number of single-family houses that an owner could build on the RDT-zoned property. This is affected not only by the overall maximum density of 1 dwelling unit per 25 acres, but also by:

- the number of transferable development rights (TDRs) that the owner has sold, and
- the number of houses to remain on the property.

The policy uses a design flow of 600 gpd per single-family dwelling unit (sfdu). For example: An RDT-zoned property of 160 acres could have as many as 6 single-family houses; the policy would allow multi-use systems of up to 3,600 gpd (6 sfdu x 600 gpd/sfdu). The policy also established a maximum flow limitation of 4,999 gpd for any RDT-zoned property regardless of its acreage. The policy does not regulate the size of private on-site systems with a design flow of less than 1,500 gpd, which are not designated as multi-use systems in the Plan.

**WSSCR 07A-DAM-08: Bethel World Outreach Ministries**

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"><li>• 10725 Brink Rd., Clarksburg</li><li>• Parcel P999, Thomas Hog Pasture Case (dist.-acct. #02-00028903)</li><li>• Map tile – MD: FV122; WSSC: 230NW11</li><li>• North side of Brink Rd., opposite Glendevon Ct.</li><li>• Preservation of Agriculture and Rural Open Space Master Plan (1980)</li><li>• Middle &amp; Upper Great Seneca Creek Watersheds (MDE Uses I &amp; III*)</li><li>• RDT Zone; 119.37 ac.</li><li>• <u>Existing use:</u> farm.</li><li>• <u>Proposed use:</u> 800-seat place of worship; Bethel World Outreach Church, relocating from downtown Silver Spring; plan no. 7-20070240 "Bethel World Outreach Center".</li></ul> <p>* Note: A 10.3-acre portion of the northwest corner of the site lies within the Wildcat Branch subwatershed (MDE Use III) of Upper Great Seneca Creek.</p>	<table><tr><th>Existing</th><th>Requested – Service Area Categories</th></tr><tr><td>W-6</td><td><b>W-6 w/multi-use water system approval</b></td></tr><tr><td>S-6</td><td><b>S-6 w/multi-use sewerage system approval</b></td></tr></table> <p><u>Applicant's Explanation (in summary**)</u></p> <p>The Church continues to pursue its pending legal challenge to the Council's earlier denial of its requested W3, S3 classification for this property. In the interim and without prejudice to its prior request, the Church wishes to proceed on the substantially limited basis that development utilizing well and septic may allow.</p> <p>** summarized from the 1/23/07 Linowes &amp; Blocher letter accompanying the application (see pg. 27).</p>	Existing	Requested – Service Area Categories	W-6	<b>W-6 w/multi-use water system approval</b>	S-6	<b>S-6 w/multi-use sewerage system approval</b>
Existing	Requested – Service Area Categories						
W-6	<b>W-6 w/multi-use water system approval</b>						
S-6	<b>S-6 w/multi-use sewerage system approval</b>						

**Agency Review Comments**

**M-NCPPC Staff**

The subject site is located in the area of the Approved and Adopted Preservation of Agriculture & Rural Open Space Functional Master Plan (1980). The site contains 119.37 acres of RDT zoned land. The property appears to have been farmed recently. One of the goals of the 1980 master plan is to ensure the preservation and protection of agricultural land. Under the existing RDT zoning, the total number of Transfer Development Rights (TDR's) for this site is 23. Research of files indicates that 19 TDR's were severed on the site on June 10, 1997, (Liber 15228, Folio 318). Thus, there are 3 TDR's remaining on the site, not including the 1 TDR that must be retained for the existing dwelling unit.

On October 2, 2007, the Council County adopted Zoning Text Amendment (ZTA) 07-07. This text amendment no longer allows a place of worship as a permitted use in the RDT zone if the property is encumbered by a recorded

# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

## County Executive's January 2008 Transmittal Packet

### GOSHEN – WOODFIELD – CEDAR GROVE PLANNING AREA MAP AMENDMENTS

#### WSSCR 07A-DAM-08: Bethel World Outreach Ministries

transfer of developments rights easement. The text amendment states that, if a property is encumbered by a recorded transfer of developments rights easement, that specific uses such as a church are prohibited. According to the files, the subject site was encumbered in 1997 when 19 of the original 23 TDR's were severed from the property.

#### WSSC

*No comments; the request proposes on-site systems only.*

#### DPS-Well & Septic

A preliminary plan named Brink Road Property (1-02016) is on file. Water table tests were conducted in 2002 and percolation tests were conducted in 2003. The plan has not been approved. (DEP note: DPS staff recently advised that additional on-site septic testing for the proposed church use would take approximately one year to complete.)

#### County Executive Recommendation (WSSCR 07A-DAM-08: Bethel World Outreach Ministries)

**Defer action on the request for multi-use water and sewer system approval, pending a resolution of the ongoing litigation between the applicant and the County (concerning the prior denial of the church's requested category changes for public water and sewer service).**

*Note: Deferred amendments will have time limitations for subsequent action.*

#### Executive Staff Report

The applicants are seeking an approval for multi-use water and sewerage systems (see the preceding background discussion) to support the development of a house of worship on the subject site. The church is, allegedly, pursuing the use of an on-site well and septic system because it was denied a category change request for public water and sewer service for the same site on Brink Road (CR 15-1235 on Nov. 29, 2005, WSSCR 01A-GWC-03). The church has challenged that decision in litigation against the County now pending before the Circuit Court. The church requests approval for the multi-use system in the "interim," meaning, apparently, that the church will only use the multi-use system temporarily. A decision on the approval of multi-use systems should await the resolution of any issue affecting the status of public water and sewer service for the property. The request is recommended for deferral.

In theoretical terms, the multi-use system flow capacity restrictions adopted by the County Council in 2006 (see the preceding background discussion) would limit the church to a peak design flow of 2,400 gpd. This is based on M-NCPPC's report that the property retains 4 TDRs on 119 acres. One house remains on the property. If this structure continues as a residential use, the peak capacity flow available to the church would be reduced by 600 gpd to 1,800 gpd.

Note that the Council recently adopted changes for the RDT Zone in the County's Zoning Ordinance (M-NCPPC staff comments preceding). These changes affect properties within the RDT Zone with agricultural preservation easements recorded for the purpose of selling transferable development rights (TDRs). a place of worship is no longer an Allowed uses for these properties, either by right or by special exception, include only residential, agricultural, or agriculture-related development. Many other uses previously allowed, included places of worship, are no longer permitted.

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
County Executive's January 2008 Transmittal Packet

GOSHEN – WOODFIELD – CEDAR GROVE PLANNING AREA MAP AMENDMENTS

SEWER SERVICE FOR PROPERTIES ZONED RE-2

WSSCCR 08A-GWC-01: Kirk Canaday

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"><li>8300 Block*, Warfield Rd., Gaithersburg</li><li>Parcel P554, Williams Range Near Goshen (dist.-acct. #01-00010841)</li><li>Map tile – MD: GU123; WSSC: 228NW08</li><li>North side of Warfield Rd., west of Doubleland Rd.</li><li>Preservation of Agriculture and Rural Open Space Master Plan (1980)</li><li>Middle Great Seneca Creek Watersheds (MDE Use I)</li><li>RE-2 Zone; 2.71 ac.</li><li>Existing use: vacant</li><li>Proposed use: one new single-family house</li></ul>	<table><tr><th>Existing</th><th>Requested – Service Area Categories</th></tr><tr><td>W-3</td><td>W-3 (no change)</td></tr><tr><td>S-6</td><td>S-3</td></tr></table> <p><u>Applicant's Explanation</u></p> <p>"The property at 8333 Warfield Road* has failed a standard perk test and a sand mound test. Because of previous test failures and the proximity to near by sewer access, I am requesting the category change on an exception basis. I understand that there have been existing requests that have been granted in the general area."</p> <p><i>*DEP Note: The applicant's reported street address, 8333 Warfield Rd., does not yet appear in the State's property tax account records.</i></p>	Existing	Requested – Service Area Categories	W-3	W-3 (no change)	S-6	S-3
Existing	Requested – Service Area Categories						
W-3	W-3 (no change)						
S-6	S-3						

Agency Review Comments

M-NCPPC Staff

Inconsistent with Master Plan. Reason: The applicable master plan for this site, Preservation of Agriculture & Rural Open Space, does not support public sewer for this area.

WSSC (Note: WSSC main extensions are non-CIP sized unless otherwise specified.)

Sewer: Service will require a 950' main extension from the existing 8"-dia. main at Oak Bluff Dr. near Bitterfield Ct. The extension will abut 8 additional properties and may require additional rights-of-way acquisition between Oak Bluff Dr. and Warfield Rd. This extension was conceptually approved for service for a contract purchaser of the property under WSSC contract no. DA4155Z05.

DPS-Well & Septic

Sand mound tests failed 5/27/04.

County Executive Recommendation (WSSCCR 08A-GWC-01: Kirk Canaday)

Deny the request for category S-3; maintain S-6.

Executive Staff Report

The applicant has requested a sewer category change from S-6 to S-3 for public sewer service to support the construction of a single-family house on an existing, vacant parcel. The provision of public sewer service at this location is not consistent with either master plan recommendations or Water and Sewer Plan policies. The property is zoned RE-2 and lies outside the intended public sewer service envelope. We recommend this request for denial, maintaining category S-6.

The applicant has argued that other properties on the same side of Warfield Road have been granted category changes for sewer service. While this is true, those changes have been granted only for cases involving public health problems and properties that abut existing or approved sewer mains. WSSC is constructing a portion of the sewer extension project conceptually approved for the Canaday property in order to relieve a public health problem at 8515 Warfield Rd., the Copeland property, two properties to the west.

The Council previously denied public sewer service for this property under WSSCCR 04A-GWC-02 (CR 12-1229). The property's status with regard to public sewer service has not changed significantly since that action. Given the current circumstances, the only available justification for providing public sewer service to the Canaday property would rest with the abutting mains policy, which the property does not satisfy at this time. Presently, there are no plans for sewer main extensions abutting this property. However, the extension of public sewer mains to other nearby properties identified with health problems may someday make sewer service available.

Adopted by the County Council: November 18, 2003 (CR 15-396)

Revised by the County Council: February 14, 2006 (CR 15-1343)

### III. GENERAL POLICIES FOR WATER SUPPLY AND SEWERAGE SYSTEMS FACILITIES

**B. Individual and Multi-Use On-Site Systems** -- These sanitary systems are primarily groundwater wells and septic disposal systems. Much of the policy discussion concerning individual on-site systems and under what conditions they are appropriate to support development is included in prior sections of this chapter. In cases where a State Water Appropriation and Use Permit issued by MDE is required to establish a well or wastewater disposal system, DEP is responsible for the County's approval of applications for those permits. The following sections address specific types of on-site systems with special policy considerations.

**2. General Policies for Multi-Use Systems** -- All multi-use systems in the County, as defined under the Plan's glossary, shall be approved as formal map and text amendments to this plan. Multi-use systems will be identified in Appendix B of the Plan text [in Chapters 3 and 4], and on the water and sewer category and systems maps. Multi-use systems are generally provided for commercial, public, or private institutional uses in areas not intended to receive community water and sewer service. The provision of such systems shall be consistent with the protection of surface and ground waters and shall require the concurrence of the DPS. In order to ensure this protection, DEP may, upon consultation with the DPS, require hydrogeologic studies of the potential effects of the proposed systems on ground and surface water resources.

**a. Multi-Use System Flow Requirements** -- Multi-use water and sewerage systems are primarily defined by the systems' design capacity. The design capacity of a multi-use water supply system is the maximum water flow the system is designed to deliver in one day. The design capacity of a multi-use sewerage system is the maximum waste flow that the system is designed to collect and either treat or store in one day. Septic tanks—the first stage in the treatment system—are designed to hold twice the design capacity, or two days' worth of flow. The design capacity is sometimes referred to as the "peak capacity" of the system.

The County has adopted a minimum design flow requirement for multi-use systems of 1,500 gallons per day (gpd), which is more stringent than the State's requirement of 5,000 gpd. This lower flow threshold was adopted in order to give the County better information on the location of on-site systems with capacities in excess of those required for strictly residential uses. This will help the County identify areas where multi-use systems together may create cumulative impacts on ground and surface waters which would be difficult to evaluate on a case-by-case basis. The identification of these systems in the plan also allows for a more comprehensive review of proposals for multi-use systems which are typically located in areas where the provision of community service is not anticipated.

For the purposes of this Plan, multi-use systems include the following:

- A single water supply and/or sewerage system serving a single property;
- A single water supply and/or sewerage system serving two or more commonly-owned, contiguous properties with a common function (religious institution, nursing home, etc.); and
- More than one water supply and/or sewerage system serving a single property with a cumulative design capacity of 1,500 or more gpd.

**b. Design Capacity Restrictions in the Rural Density Transfer Zone** -- In order to protect the environmental and agricultural character of Rural Density Transfer (RDT) zone areas, as envisioned by the Agricultural and Rural Open Space Master Plan (1980), the maximum design capacity for new multi-use sewerage systems serving properties in the RDT Zone must not exceed the lesser of the following capacity limits:

- i. 4,999 gallons per day; or
- ii. The equivalent design capacity from the residential development of the site under the current zoning standards. The equivalent residential design capacity calculation shall be based on the design capacity for a four-bedroom single-family house: 600 gallons per day (gpd), or 150 gpd per bedroom. For example, a property in the RDT Zone that could accommodate 8

homes under current zoning standards and 8 TDR's are retained with the site, that property would be allowed to build a multi-use sewerage system with a maximum design capacity of up to 4,800 gpd (or 8 x 600 gpd).

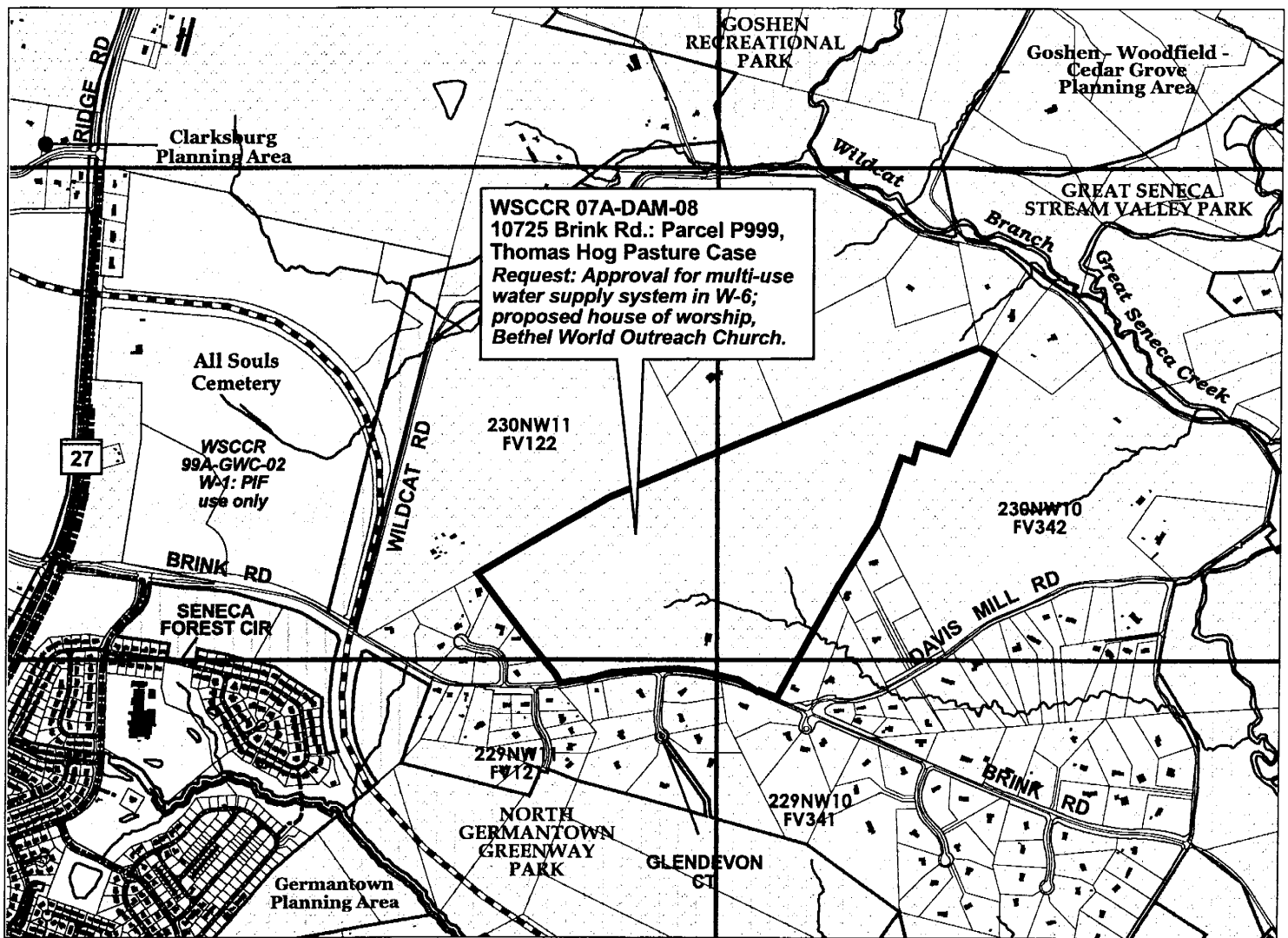
**c. Exemptions from Design Capacity Restrictions** – The following systems and uses are exempt from the design capacity limits established under Section III.B.2.b:

- i. On-site sewerage systems of up to 1,500 gpd design capacity;
- ii. Permitted Agricultural uses – either by right or by special exception;
- iii. Publicly owned or operated uses;
- iv. Existing multi-use sewerage systems and systems not yet built but which are approved and permitted by the Department of Permitting Services prior to February 14, 2006; and
- v. The expansion of existing on-site sewerage systems, provided each of the following criteria are met:
  - (a) The ownership of the property has not changed since February 14, 2006;
  - (b) The property acreage has not been increased since February 14, 2006; and
  - (c) The use of the property as identified in the following documents has not changed since February 14, 2006:
    - (1) Sewage disposal system permit issued by the Approving Authority;
    - (2) Consent agreement or covenant regarding the sewage disposal system approved by the Approving Authority and recorded in the County's land records;
    - (3) In the absence of a consent agreement or covenant regarding the sewage disposal system, any document filed with the Approving Authority contemporaneously with the application for the sewage disposal system permit; and
    - (4) Any other reliable documentation, as determined by the Department of Environmental Protection and Department of Permitting Services, regarding approved use of a parcel or lot when a sewage disposal system permit was issued.

The preceding design capacity restrictions are not intended to obstruct the replacement or repair of multi-use sewerage systems in the RDT Zone. This Plan favors the on-site repair and replacement of multi-use systems in the RDT Zone over the extension of public water and sewer service, provided that the on-site system adequately protects public health and environmental quality.

# Water Service Area Categories Map

## WSSCR 07A- DAM-08 (Bethel World Outreach Ministries)

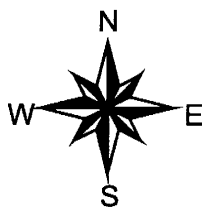


### MAP LEGEND

- Property
- WSSC MapTiles
- Water Mains**
  - 8"- or Smaller-Dia. Mains
  - 10" to 15"-Dia. Mains
  - 16"- to 24"-Dia. (CIP) Mains
  - 30"- to 42"-Dia. (CIP) Mains \*
- Buildings
- Roads
- Proposed Road & Highways
- Streams
- Ponds - Lakes
- M-NCPPC Planning Areas
- County - State - Federal Parks

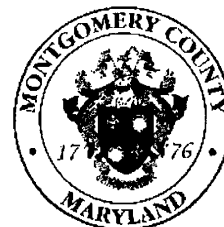
### Water Service Area Categories

- W-1
- W-3
- W-4
- W-5
- W-6
- W-6 Multi-Use System



June 2003 Update  
 Service Area Categories Map

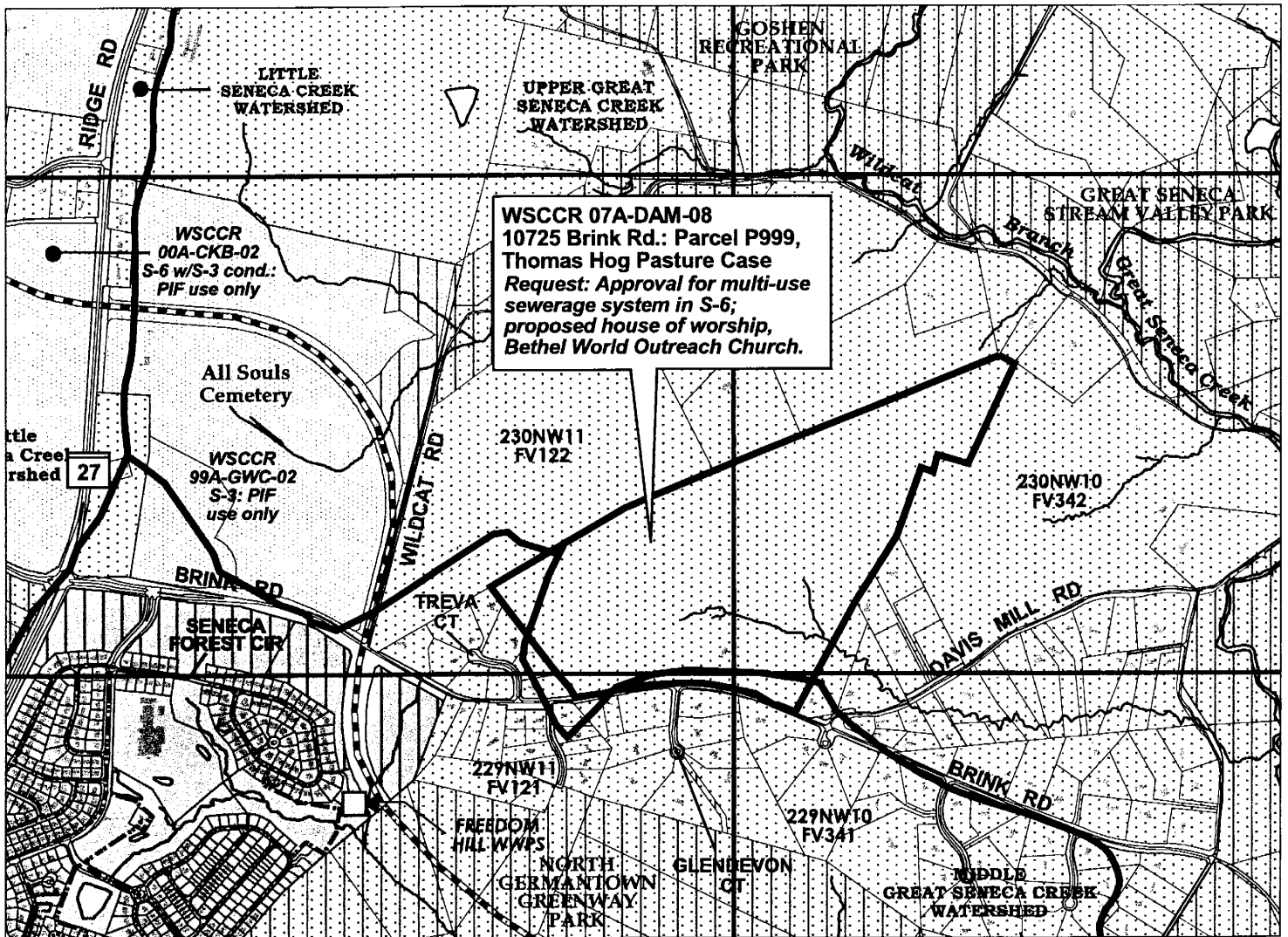
Montgomery County, Maryland  
 Comprehensive Water Supply  
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Water & Wastewater Policy Group  
 12/7/07 -- GIS Project File:  
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# Sewer Service Area Categories Map

## WSSCR 07A-DAM-08 (Bethel World Outreach Ministries)

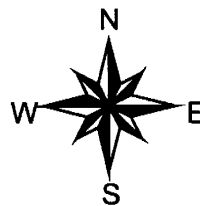


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### MAP LEGEND

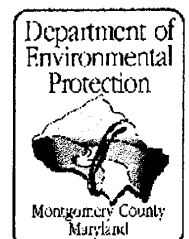
- Property
- WSSC Map Tiles
- Sewer Mains**
  - Small-Diameter, Low-Pressure Mains
  - 6"- to 8"-Diameter Gravity Mains
  - 10"- to 14"-Diameter Gravity Mains
  - 15"- to 42"-Diameter (CIP) Trunk Mains
- Buildings
- Roads
- Proposed Roads & Highways
- Watersheds
- Streams
- Ponds - Lakes
- Parks

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



June 2003 Update  
Service Area Categories Map

Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water & Wastewater Policy Group  
12/7/07 -- GIS Project File:  
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**2) Property/Site Description and Development:**Address 10725 Brink RoadProperty's TAX ID # (please provide, if known) 00028903Property/Site Size 119.37 acres Identification (ie, Parcel #) Parcel 999Location/Closest cross-street Brink Road/Glendevon CourtCurrent Use Vacant Proposed Use Place of WorshipSubdivision Plan No. & Status Pre-Preliminary Plan Pending; MNCPPC Ref #720070240

(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](http://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-6 ☐ OR No Change ☐ Multi-Use ☒ Shared ☐Current Sewer Category: S-6 Requested Sewer Category: S-6 ☐ OR No Change ☐ Multi-Use ☒ Shared ☐**4) Reason for request; state current use of site and intended change in usage, if any:**

Property is currently unimproved. Until property owner is able to secure public water and sewer service, it desires to move forward with the construction of church facilities utilizing on-site well and septic systems.

Note: Continue on a separate page, if necessary

**DEP Staff Use Only**

Receipt Acknowledged: \_\_\_\_\_ Email OR \_\_\_\_\_ US Mail

Water Sewer

WSSC Tile 230 NW 10 & 11Tax Map FV41

Plan No.

Process

Master Plan

Planning Area DAMZoning RDT

Zoning Activity

Watershed UGS

CSPS Subwatershed

State Watershed Use Class

GIS File

**LINOWES  
AND BLOCHER LLP**  
ATTORNEYS AT LAW

WSCL 07A-DAM-08

January 23, 2007

**Nathan J. Greenbaum**  
301.961.5196  
ngreenbaum@linowes-law.com

**BY HAND DELIVERY**

Mr. Alan Soukup  
Montgomery County Department of Environmental Protection  
255 Rockville Pike, Room 120  
Rockville, MD 20850

Re: Bethel World Outreach Ministries; Request for Amendment to Ten-Year Water and Sewer Plan; S-6 and W-6 Use with Multi-Use Systems; 119.37 acres; Tax ID # 0028903

Dear Mr. Soukup:

We are counsel to the Bethel World Outreach Ministries ("Church"). Please accept for filing and further processing the above referenced and enclosed application for a Ten Year Water and Sewer Plan amendment on behalf of the Church. The Church is unable to fully utilize its property without the benefit of public water and sewer service. To that end, the Church continues to pursue its currently pending legal challenge to the Council's earlier denial of its requested W-3 and S-3 Classifications for this property. In the interim, however, the Church cannot afford to let its property continue to go unused. Accordingly, the Church seeks to utilize its property for Church purposes utilizing well and septic systems. The filing of this application is without prejudice to the Church. While the Church looks forward to the full utilization of its property with public water and sewer service, it nevertheless wishes to proceed on the substantially limited basis that development utilizing well and septic may allow.

I understand from our earlier conversations that there is no filing fee for the Church as it is a private institutional facility. If you later determine that a filing fee is required, kindly advise me as soon as possible and we will submit that fee. Thank you very much for your assistance.

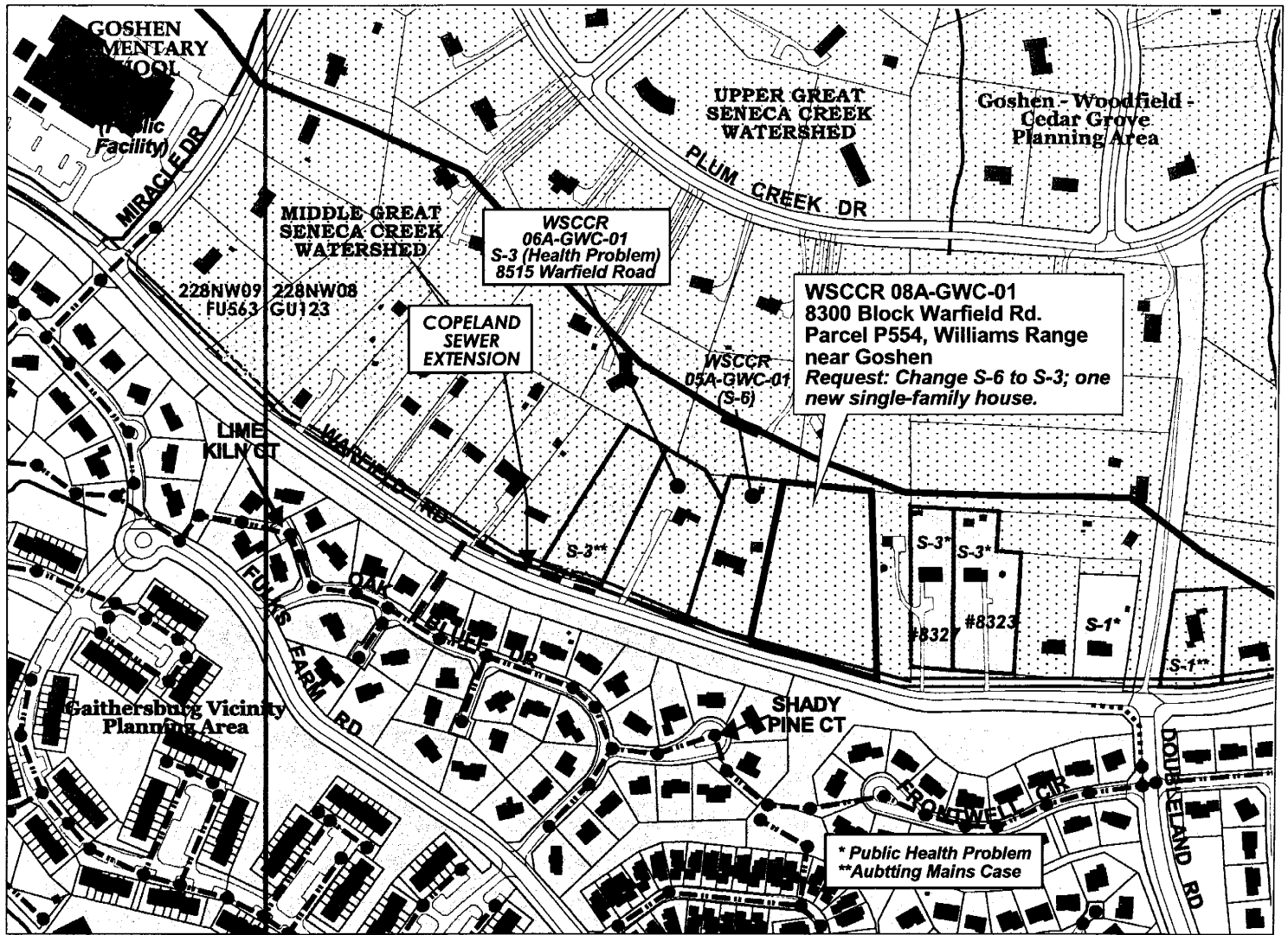
Very truly yours,

**LINOWES AND BLOCHER LLP**



Nathan J. Greenbaum

# Sewer Service Area Categories Map WSSCR 08A-GWC-01 (Kirk Canaday)

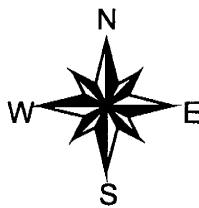


## MAP LEGEND

- 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
  - 20"- to 42"-Dia. (CIP) Mains \*
  - 48"- or Larger-Diameter (CIP) Trunk Mains \*
- \* No Individual Connections
- WSSC/GIS Tile Grid
- Buildings
- Roads - Parking
- Watersheds
- Streams
- Ponds - Lakes
- Woodlands
- M-NCPPC Planning Areas

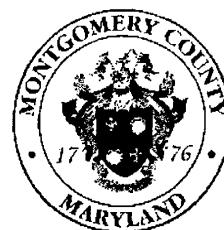
## Sewer Service Area Categories (6/03)

- S-1
- S-3
- S-4
- S-5
- S-6



June 2003 Update  
Service Area Categories Map

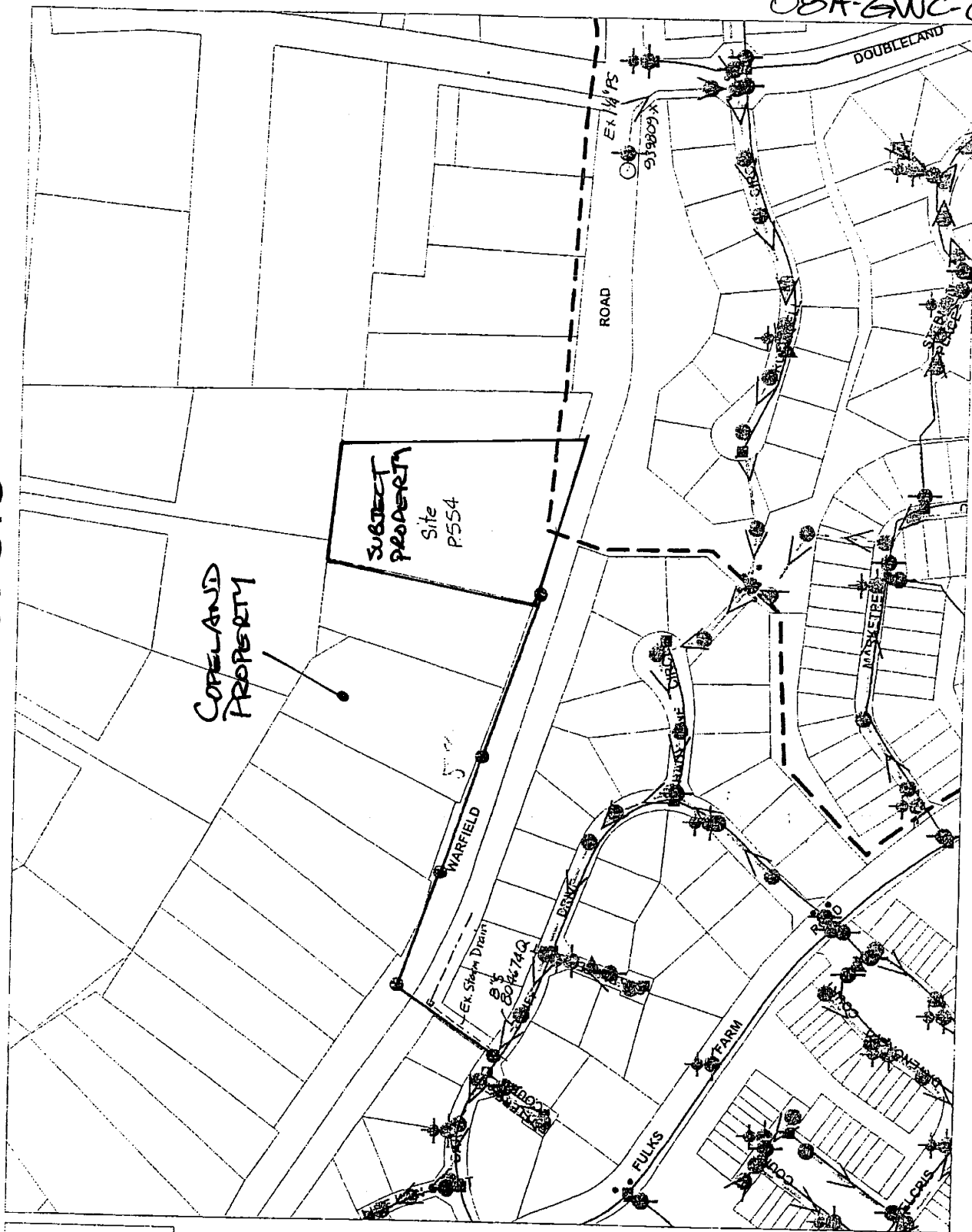
Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water & Wastewater Planning  
12/10/07 -- GIS Project File:  
o:\wwteam\ccrs-pas\goshen-woodfield\  
2008ccrs08a-gwc-01=canaday=s.apr

# WSSC Intranet GIS

Water AS-Built
Water Under Construction
Sewer As-Built
Property
Pressure Zone
Street Names



FILE COPY

APR 26, 2005

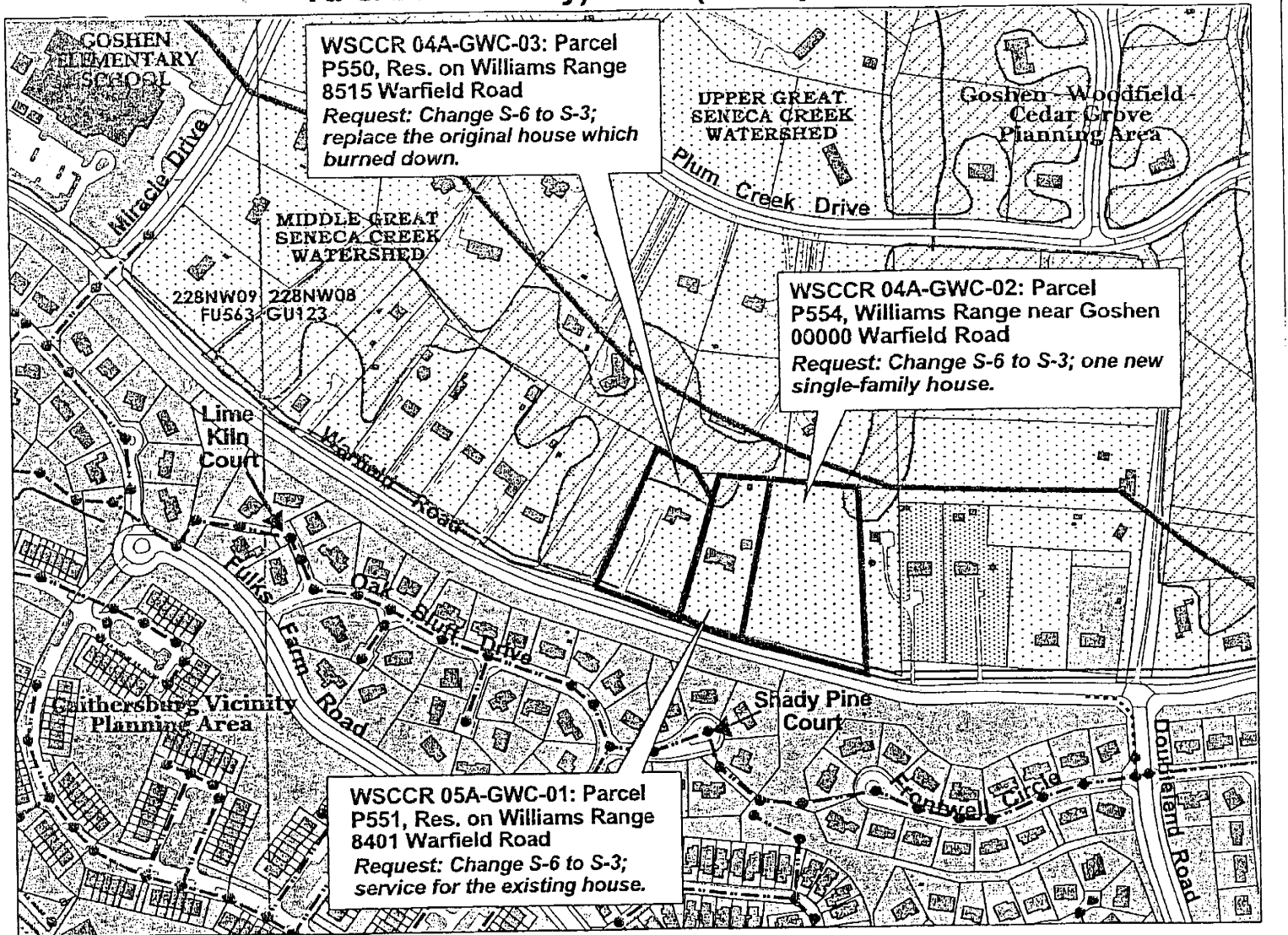
DA4155200  
228NW8

APPLICANT'S  
PROPOSED  
SEWER  
EXTENSION

WSSCR 05A-GWC-01

# Sewer Service Area Categories Map

## WSSCRs 05A-GWC-01 (K. Canaday), 04A-GWC-02 K. & B. Canaday) & -03 (D. Copeland / E. Copeland)

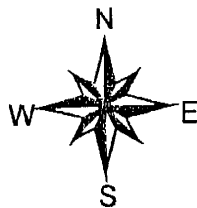


### MAP LEGEND

- 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
  - ==== 20"- to 42"-Dia. (CIP) Mains \*
  - ===== 48"- or Larger-Diameter (CIP) Trunk Mains \*
  - \* No Individual Connections
- WSSC/GIS Tile Grid
- Buildings
- Roads - Parking
- Watersheds
- ~ Streams
- Ponds - Lakes
- Woodlands
- M-NCPPC Planning Areas

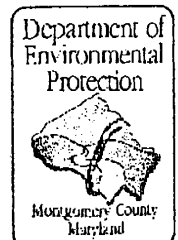
### Sewer Service Area Categories (6/03)

- S-1
- S-3
- S-4
- S-5
- S-6



June 2003 Update  
Service Area Categories Map

Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water & Wastewater Planning  
3/31/05 - GIS Project File:  
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COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
County Executive's January 2008 Transmittal Packet

OLNEY PLANNING AREA MAP AMENDMENTS

PRIVATE INSTITUTIONAL FACILITY (PIF) CASES

**Background:** The following map amendment involves a development proposal from a local non-profit group for what the Water and Sewer Plan defines as a private institutional facility (PIF). The PIF policy creates the *limited opportunity* for exceptions to the Plan's general public service policies. It allows for the provision of water and/or sewer for PIF uses outside the public service envelopes where other residential or commercial development could not normally qualify for such service. (See pgs. 6 - 8 for the policy text.)

The Council's recent practice on PIF cases has been to require that the property owner specify a PIF user for the site, and that the user provide a site-specific development plan for the project in sufficient detail to allow consideration of potential site impacts and impervious surfaces. The Council has restricted approval actions to a specific PIF user, an approval that is not transferable to another PIF user.

Please note that the following case is located within an area zoned RNC, and is therefore not affected by the Council's PIF policy decision in November 2005 to restrict public water and sewer service from the RDT Zone.

WSSCR 07A-OLN-02: The First Baptist Church of Wheaton*						
Property Information and Location Property Development		Applicant's Request: Service Area Categories & Justification				
<ul style="list-style-type: none"><li>• 3110 Emory Church Rd., Olney</li><li>• Parcel P077, Chas &amp; William (dist./acct. #08-00705848)</li><li>• Map tile: WSSC - 223NW03; MD - HS563</li><li>• North side of Emory Church Rd., west of Norbrook Dr.</li><li>• Olney Master Plan (2005)</li><li>• Northwest Branch Watershed (MDE Use IV)</li><li>• RNC Zone; 15.0 ac.</li><li>• <u>Existing use:</u> single-family residence.</li><li>• <u>Proposed use:</u> place of worship (500-seat sanctuary, fellowship hall, classrooms, offices); First Baptist Church of Wheaton, relocating from its existing site on Georgia Ave. in Wheaton</li></ul> <p>* <i>Original owner/applicant: Frances Doherty Estate. The church acquired the property on 7/1/07.</i></p>		<div>Existing – Requested – Service Area Categories</div> <table><tr><td>W-6</td><td>W-1</td></tr><tr><td>S-6</td><td>S-1</td></tr></table>	W-6	W-1	S-6	S-1
		W-6	W-1			
		S-6	S-1			
<div>Applicant's Explanation</div> <p>"The First Baptist Church of Wheaton is the contract purchaser of this property. In order to build a church they require public water and sewer, and therefore, request W-1, S-1 categories in accordance with the PIF policy (10-Year Water &amp; Sewer Plan, Chapter 1, Section II.E.4.b.ii.). A sewer main serving this property would extend to the east 800 feet to an existing 8" main, extending in front of properties within the area recommended for public sewer service in the Olney Master Plan and are thus, eligible for community service."</p>						
Agency Review Comments						
<div>M-NCPPC Staff</div> <p>This 2005 Olney Master Plan does not recommend this property for community sewer service, and therefore the property is not within the master plan recommended sewer envelope. Provision of community sewer service to this property is inconsistent with the Olney Master Plan. The provision of community water service is consistent with the master plan.</p> <p>The master plan recommends minimizing imperviousness in the Batchellors Forest Tributary and maintaining the existing forest cover to protect the stream quality. Given the zoning on this site, imperviousness should not exceed 9% as is normally expected for RNC development. If the proposed church's ultimate development plans are for less than 1.3 acres of imperviousness and the Planning Board approves a preliminary plan for this proposal, sewer could be provided conditionally.</p> <p>Staff recommendation: <b>Approval of the requested community water service (W-1) only. Any review and analysis of the sewer service application under the PIF policy should be deferred until a preliminary or a pre-preliminary plan is filed so that staff can review a site plan and related information regarding the proposed project before commenting on the requested sewer category change.</b></p>						

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's January 2008 Transmittal Packet**

**OLNEY PLANNING AREA MAP AMENDMENTS**

**WSSCR 07A-OLN-02: The First Baptist Church of Wheaton\***

The correct zoning for this site is RNC, not RE-2 as stated in the applicant's submission. The property was rezoned to RNC in the 2005 Olney Master Plan.

WSSC (Note: WSSC main extensions are non-CIP sized unless otherwise specified.)

Water: Service will require a 1,000-foot extension east from an existing 10"-diameter main along Emory Church Rd. (#856476A). The extension would abut approximately 9 additional properties.

Sewer: The proposed use would qualify for a dedicated grinder pump system, requiring a 1,000-foot low-pressure main extension. This extension would connect to an existing 8"-diameter main west of the site along Emory Church Rd. (#856476A). None of the approximately 9 abutting properties the extension would be permitted a connection to this dedicated extension.

Note: With respect to the applicant's sewer proposal, the existing sewer main at the intersection Emory Church Rd. and Norbrook Dr. appears to be at too low an elevation for the grinder pump system to operate properly.

DPS-Well & Septic

DPS has no records for this property.

**County Executive Recommendation (WSSCR 07A-OLN-02: The First Baptist Church of Wheaton)**

**Defer action on the request for W-1 and S-1, pending interagency and County Council review of the site development plan provided by the church.**

*Note: Deferred amendments will have time limitations for subsequent action.*

**Executive Staff Report**

The applicant is seeking the extension of public water and sewer service for the use of the site by the First Baptist Church of Wheaton. The provision of public sewer service for this site can be considered under the Water and Sewer Plan private institutional facilities (PIF) policy. Although the Water and Sewer Plan potentially allows PIF uses less restrictive access to public water and sewer service than residential or commercial uses, the County Council has required a more-detailed level of review in these cases. PIF users are expected to provide for agency and Council review a site development plan that clearly shows the extent and intensity of the proposed project. The plan provided by the church is currently under review by DEP, M-NCPPC, and other agencies. Given this, the request is recommended for deferral pending review of the site concept plan.

The provision of public water service is consistent with the master plan's recommendation for water service in this area. The applicant has not indicated that public water service alone would be of benefit to the efforts to develop the property for the proposed use. Although the existing house on the site uses a septic system, soil conditions in this part of Olney generally do not favor the use of large-scale septic systems for institutional uses.

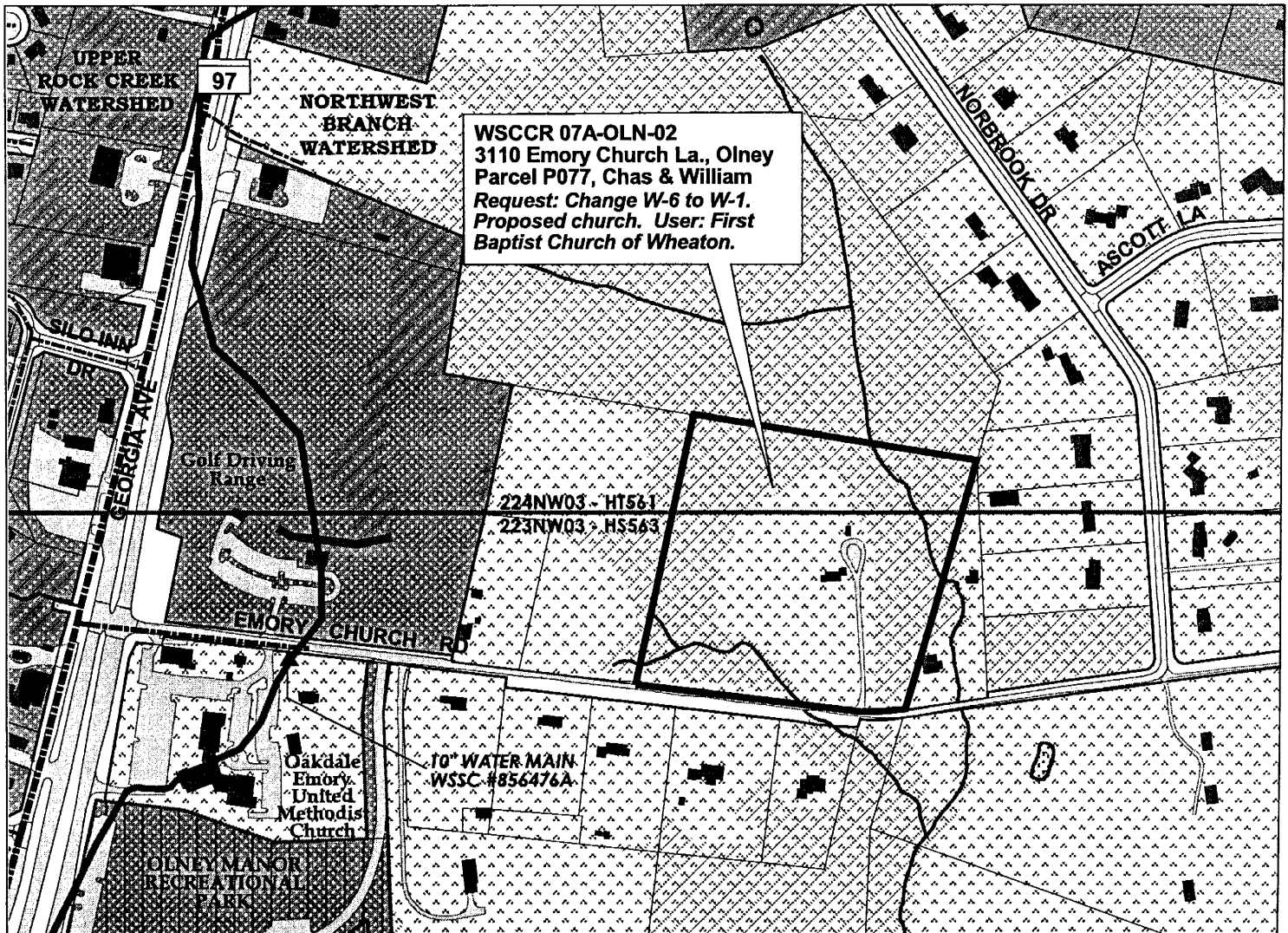
WSSC's comments indicate that public water and sewer service may be provided to the site in conformance with the PIF policy requirements in the Water and Sewer Plan. The master plan allows for water service to properties abutting the propose water main extension. Although generally ineligible for public sewer service, properties abutting the sewer extension along Emory Church Rd. will not be allowed access to the pressure main, which will be dedicated to the church's use only.

This site is located in an area of the Olney Master Plan referred to as Southeast Olney. The master plan calls for relatively low-density development in this area, although some residential development may be tightly clustered under the provisions of the Rural Neighborhood Cluster (RNC) Zone. This is especially directed to areas where public sewer service may be available without the need to construct new main extensions within or along stream valleys.

# Water Service Area Categories Map

## WSCCR 07A-OLN-02 (Francis Doherty Estate)

### PIF User: The First Baptist Church of Wheaton



Olney Planning Area



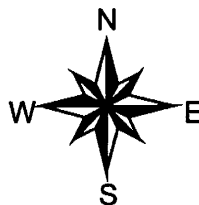
#### MAP LEGEND

- Property
- WSC Map Tiles
- Water Mains**
  - 
  - 
  - 
  - 
  -
- \* No Individual Connections

- Buildings
- Roads - Parking
- Watersheds
- Streams
- Ponds - Lakes
- Woodlands
- County - State - Federal 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



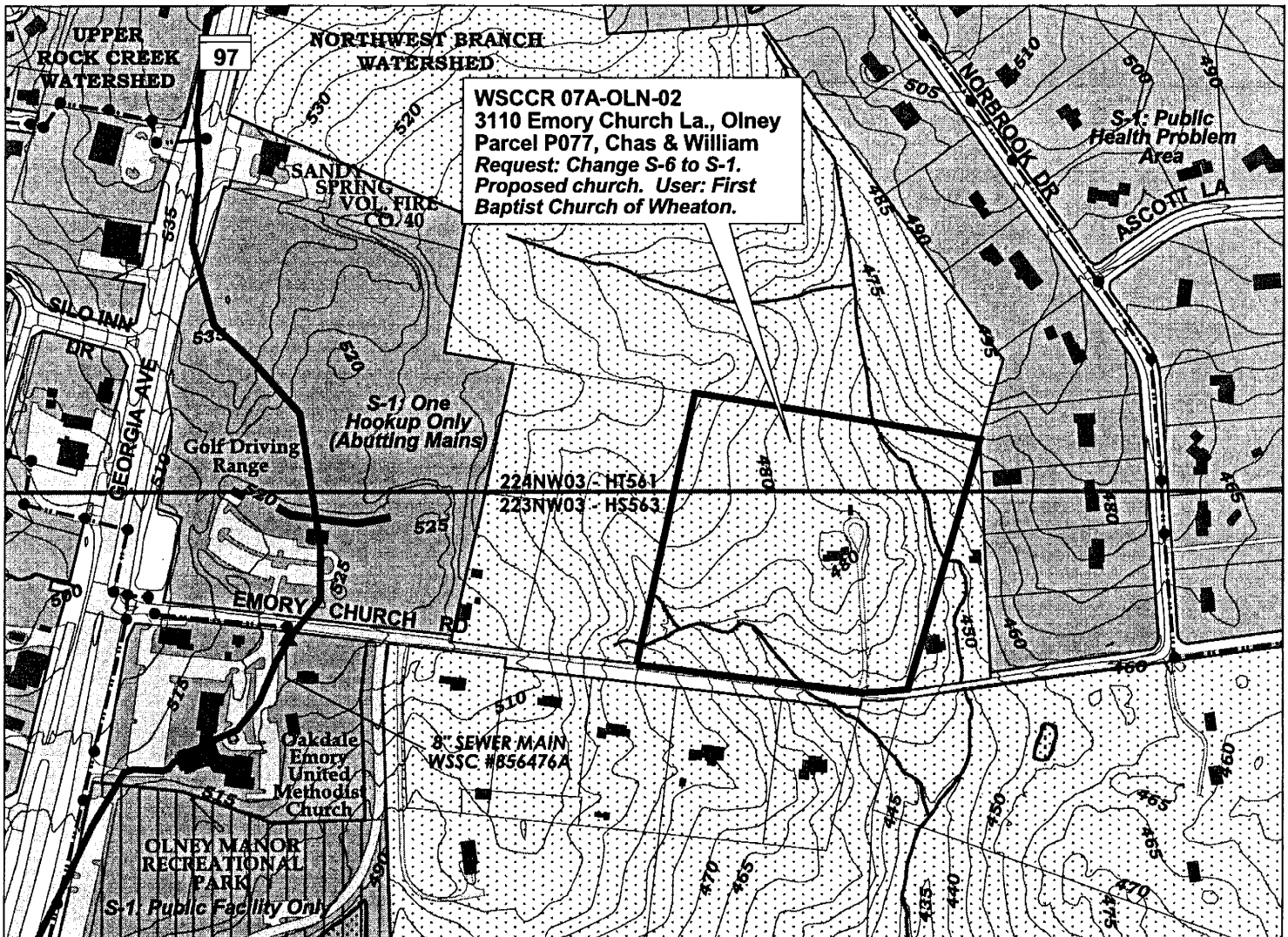
Water & Wastewater Policy Group  
5/7/07 - GIS Project File:  
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# Sewer Service Area Categories Map

## WSSCR 07A-OLN-02 (Francis Doherty Estate)

### PIF User: The First Baptist Church of Wheaton



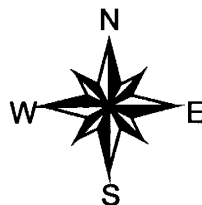
Olney Planning Area



#### MAP LEGEND

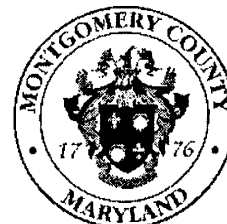
- Property
- WSSC MapTiles
- Sewer Manholes
- Sewer Mains**
  - Small-Diameter, Low-Pressure Mains
  - 6"- to 8"-Diameter Gravity Mains
  - 10"- to 14"-Diameter Gravity Mains
  - 15"- to 42"-Diameter (CIP) Trunk Mains
  - 48"- or Larger-Diameter (CIP) Trunk Mains
  - Topography (C.I. = 5 Feet)
- Buildings
- Roads - Parking
- Watersheds
- Streams
- Ponds - Lakes
- County - State - Federal Parks

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



June 2003 Update  
 Service Area Categories Map

Montgomery County, Maryland  
 Comprehensive Water Supply  
 and Sewerage Systems Plan



Water and Wastewater Policy Group  
 5/7/07 - GIS Project File:  
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 07a-oln-02=doherty-est=pif=ws.apr

corporation, partnership, or LLC. Please note, a contract purchaser may not file a category change application.

**2) Property/Site Description and Development:**

Address 3110 Emory Church Road  
Property's TAX ID # (please provide, if known) 08-00705848  
Property/Site Size 15 ac. Identification (ie, Parcel #) P077  
Location/Closest cross-street Norbrook Drive  
Current Use residence Proposed Use church  
Subdivision Plan No. & Status N/A

*Chad Williams*

(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](http://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:**

The First Baptist Church of Wheaton is the contract purchaser of this property. In order to build a church they require public water and sewer, and therefore, request W-1, S-1 categories in accordance with the PIF policy ( 10-Year Water & Sewer Plan, Section II. E.4.b.ii.). A sewer main serving the property would extend to the east 800 feet to an existing 8" main, extending in front of properties within the area recommended for public sewer service in the Olney Master Plan and are thus, eligible for community service.

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

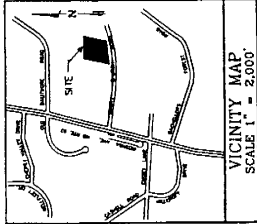
CSPS Subwatershed

State Watershed Use Class

GIS File

*H563 222NW3*  
*RNC ZONE OLN NW3*

# APPLICANT'S DRAFT SITE LAYOUT



## Project Information

Parcel 77  
Church Road  
Lot 14.0218 Acres  
427,369 S.F. or 14.0218 Acres  
RNC - Rural Neighborhood Cluster  
09-00705648  
Single Family Residential  
Church

## Subject Property:

Existing Lot Area:  
Zoning Classification:  
Tax ID Number:  
Existing Use:  
Proposed Use:

## Existed

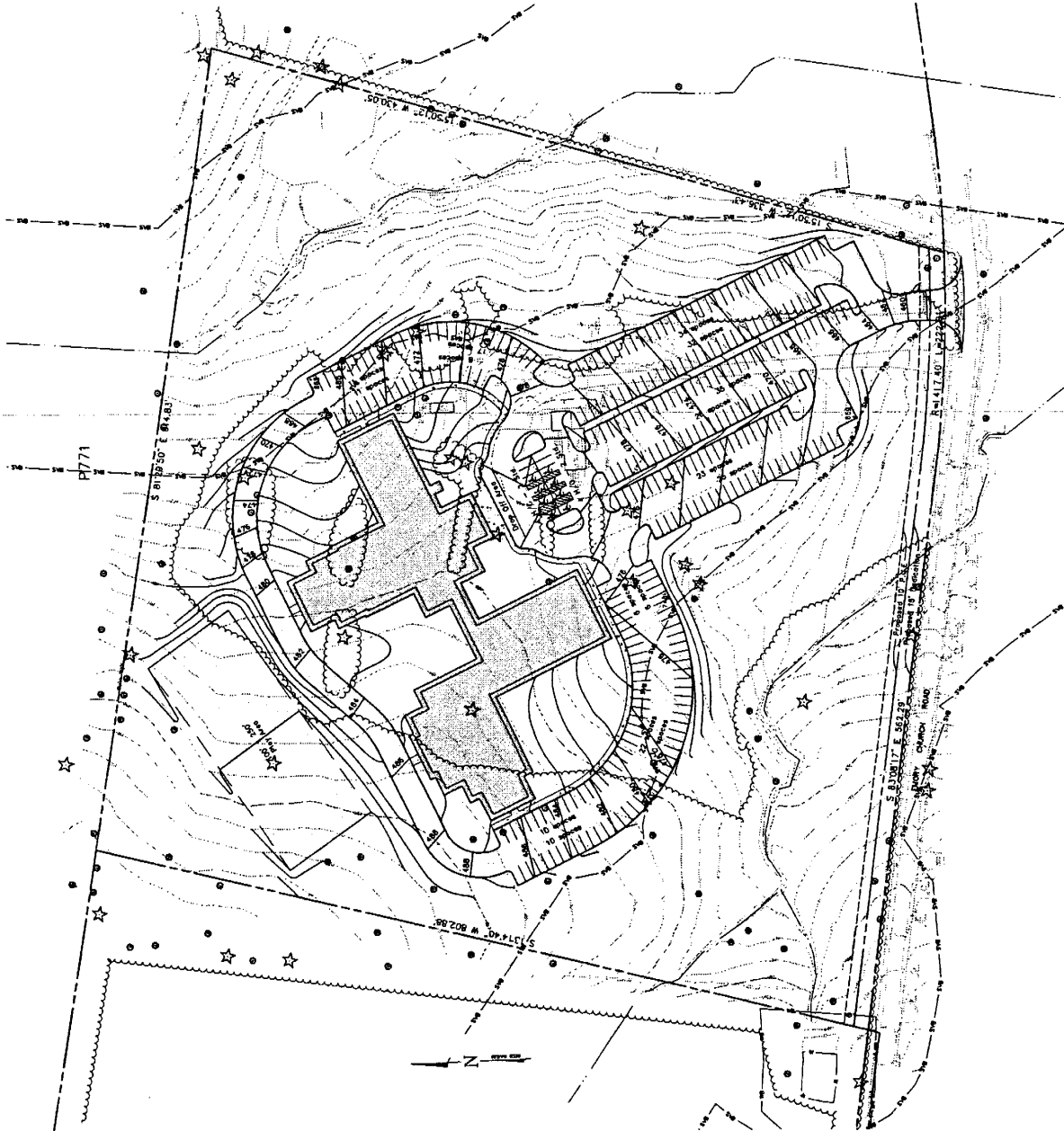
7.3% or 45,500 S.F.  
73.6% or 482,000 S.F.

## Existed/Resulted

10% or 62,798 S.F.  
80% or 378,418 S.F.

## Building Coverage:

Open/Green Space:



TAX MAP H53

WSCR 22H003

## CONCEPT PLAN PARCEL 77

**FIRST BAPTIST CHURCH OF WHEATON**  
3110 EMORY CHURCH ROAD  
8TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND



Morris, Hendricks & Glasscock, P.A.  
Landscape Architects • Surveyors  
2228 Wheaton Road, Suite 100  
Wheaton, Maryland 20840  
Phone: 301.838.6600  
Fax: 301.838.6601  
www.mhgpa.com

Proj.	Map	Design
09-00705648	01	01
Date	Scale	Sheet
10-20-07	1" = 200'	1 of 1
07/15/08	1" = 200'	1 of 1

# COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS

## County Executive's January 2008 Transmittal Packet

### POTOMAC – CABIN JOHN PLANNING AREA MAP AMENDMENTS

#### WSSCR 07A-POT-03: Larry Pingho

at the periphery of the sewer service envelope. However, public sewer service to this property is not feasible via the street as the master plan recommends. It can only be provided via rights-of-way across at least two other private properties, which would also involve significant tree loss. Staff Recommendation: **Deny S-3.**

*WSSC (Note: WSSC main extensions are non-CIP sized unless otherwise specified.)*

**Sewer:** Service will require a 900' main extension from an existing 8" sewer (#662042C) along Gary Rd. to the east. The extension would abut as many as 4 additional properties and require the acquisition of rights-of-way. Construction may require the removal of some trees

Although an existing 8" sewer main (#951191X) is located less than 100' from the property corner, an extension from this main is not feasible. A storm drain pipe, crossing under Chapel Rd., blocks the path of any extension further north along Chapel Rd. from this existing main. In addition, a gravity main extension further along Chapel Rd. may be at too shallow a depth for adequate ground cover over the pipe. *(DEP note: The existing sewer extension along Chapel Rd. from River Rd. "bucks the grade" of the street; meaning that the sewer main slopes upward underneath ground that slopes downward. A gravity sewer must maintain a minimum slope in order to keep flows moving downhill. Eventually, the sewer will rise above the ground elevation, limiting how far the main can be extended.)*

The applicant has proposed sewer service via a grinder pump/pressure connection to the existing main along Chapel Rd. This proposal does not satisfy WSSC's service policies because there is a means of providing gravity service to the property. From a broader perspective, pressure sewer service does not benefit the general provision of sewer service along Chapel Rd., should such service become necessary. The majority of homes sit at too high an elevation to be served by an extension of a pressure sewer main.

#### DPS-Well & Septic

We have no record of a failing septic system on this property. We have a copy of a well abandonment report for a drilled well – the well was abandoned April 2, 2007.

#### County Executive Recommendation (WSSCR 07A-POT-03: Larry Pingho)

**Deny the request for category S-3; maintain S-6. However, DEP will add this block of Chapel Road to its growing list of neighborhoods to examine for septic-based health problems. The need for and feasibility of public sewer service will be re-examined at that time.**

#### Executive Staff Report

The applicant has requested a sewer category to S-3 for public sewer service in order to serve the existing single-family house. The property is located outside, but at the edge of the master plan's recommended public sewer envelope; a situation is addressed by sewer service policy recommendations in the master plan (see the preceding discussion). Although the site could satisfy the policy requirements for service at the periphery of the sewer envelope, WSSC's report on the sewer extension issues creates doubts about the applicant's ability to extend sewer service. WSSC's extension recommendation is well beyond the scope of applicant's intent to connect directly to a nearby sewer main. The other concern in this case is the number of septic failures reported to DEP over the past few years on this block, and in the immediate vicinity of the subject property; an issue that calls for further investigation. We recommend denial of the current category change request for S-3, but recognize the need for a closer examination of the septic failure issues within this neighborhood.

The sewer extension issue in this case affects more than just this individual property. DPS has reported four septic system failures in the vicinity of the subject property. DPS recommended all four cases for relief using public sewer service because of the difficulty in locating adequate replacement drainfields. The sewer extension now along Chapel Rd. was constructed to relieve a public health problem. A sewer extension from Gary Rd., as proposed by WSSC, could be desirable based on what future need there may be for sewer service to relieve septic systems on Chapel Road.

This case again raises the issue of interpretation of the peripheral sewer service policy by DEP and M-NCPPC. DEP is preparing to pursue discussions on this issue with M-NCPPC staff as part of the pending 2008 update of the Water and Sewer Plan.

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's January 2008 Transmittal Packet**

**POTOMAC – CABIN JOHN PLANNING AREA MAP AMENDMENTS**

**SEWER SERVICE FOR PROPERTIES AT THE PERIPHERY OF THE RECOMMENDED SEWER ENVELOPE**

**Background:** The following two cases (07A-POT-03 and -05) are considered under the guidance of the 2002 Potomac Subregion Master Plan, which recommends the use of a "peripheral sewer service policy" in evaluating sewer service area change requests for properties located at the edge of that plan's recommended public sewer envelope. In this, the master plan recognized that the existing public sewer service area in the Potomac Subregion has grown on the basis of individual requests, rather than by comprehensive amendments, creating an irregular and sporadic envelope. The master plan proposes the use of the following criteria in evaluating these requests:

- The subject property should abut or confront the edge of the recommended public sewer envelope; and
- The main extensions needed to serve these properties should avoid streams, stream buffers, and other sensitive environmental features, preferably running within existing or proposed public rights-of-way.

In reviewing these types of cases, DEP staff also considered the following additional criteria relevant to a comprehensive evaluation:

- The number of additional properties, developed and undeveloped, abutting the proposed sewer main extension;
- The extent to which other front-foot benefit assessment (FFBA) payers would subsidize the main extension costs for those abutting properties not required to pay assessments under WSSC's current policies;
- The extent to which the extension opens up service to other abutting properties not otherwise eligible for public sewer service; and
- The actual need for public sewer service.

Note that under the master plan's peripheral sewer service proposal, the approval of any sewer category map amendment does **not** constitute an expansion of the recommended Potomac Subregion public sewer envelope.

Since the adoption of the master plan in 2002, the County has addressed sewer service issues for a number of properties in category S-6 under this recommendation. However, the master plan's policy direction is vague enough that DEP and M-NCPPC staff come to opposite recommendations for some cases, particularly where the properties involved confront the sewer envelope across a road right-of-way. At the Council's request, M-NCPPC and DEP staff will reexamine this issue as part of the pending 2008 Water and Sewer Plan update, with the intent of reaching agreement on the application of this public sewer service policy throughout the master plan area.

<b>WSSCR 07A-POT-03: Larry Pingho</b>							
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"><li>▪ 10011 Chapel Rd.</li><li>▪ Lots 1, Block b, Potomac Farm Estates (dist./acct.: 10-00854471)</li><li>▪ Map tile - WSSC: 213NW10; MD: FP343</li><li>▪ East side of Chapel Rd. north of River Rd.</li><li>▪ Potomac Subregion Master Plan (2002)</li><li>▪ Rock Run Watershed (MDE Use I)</li><li>▪ RE-2 Zone; 3.52 ac.</li><li>▪ <u>Existing use</u>: 1 single-family house (c. 1959).</li><li>▪ <u>Proposed use</u>: Service for the existing house.</li></ul>	<table><tr><th>Existing</th><th><b>Requested</b> – Service Area Categories</th></tr><tr><td>W-1</td><td>No Change</td></tr><tr><td>S-6</td><td><b>S-3</b></td></tr></table> <p><u>Applicant's Explanation</u></p> <p>"Existing house on septic tank. Public sewer extended to lot across Chapel Rd. Request for category change to allow single family grinder pump, force main connection to existing sewer built under WSSC 95AS1191X, 1995 in Chapel Rd."</p>	Existing	<b>Requested</b> – Service Area Categories	W-1	No Change	S-6	<b>S-3</b>
Existing	<b>Requested</b> – Service Area Categories						
W-1	No Change						
S-6	<b>S-3</b>						
<b>Agency Review Comments</b>							
<b>M-NCPPC Staff</b>							
This property is located outside, but adjacent to the Potomac sewer envelope. Although the Potomac master plan generally excludes from public sewer service those areas zoned for low-density development (RE-1, RE-2, and RC), it also allows for the limited provision of community sewer service for areas zoned RE-1 and RE-2 within and							

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
County Executive's January 2008 Transmittal Packet

POTOMAC – CABIN JOHN PLANNING AREA MAP AMENDMENTS

<b>WSSCR 07A-POT-05: Frank Islam &amp; Debbie Driesman</b>							
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"><li>10111 Norton Rd. &amp; 10621 River Rd.</li><li>Lots 5 &amp; 6, Block C, Potomac Farm Estates (dist./acct.: 10-00851637, 10-00859655)</li><li>Map tile - WSSC: 213NW10; MD: FP33</li><li>East corner, intersection of River Rd. (MD 190) and Norton Rd.</li><li>Potomac Subregion Master Plan (2002)</li><li>Watts Branch and Potomac River Watersheds (MDE Use I)</li><li>RE-2 Zone; 8.81 ac.</li><li><u>Existing use</u>: 2 single-family houses (c. 1951 &amp; 1960)</li><li><u>Proposed use</u>: Residential redevelopment of the 2 existing lots</li></ul>	<table border="1"><thead><tr><th>Existing</th><th>Requested – Service Area Categories</th></tr></thead><tbody><tr><td>W-1</td><td>No Change</td></tr><tr><td>S-6</td><td><b>S-3</b></td></tr></tbody></table> <u>Applicant's Explanation</u> "Property owners have purchased two adjoining lots on the sewer envelope and request a sewer category change so that their new primary residence and guest house will have sewer service. Adjacent lots have sewer service on Norton Rd. to the best of the applicant's belief."	Existing	Requested – Service Area Categories	W-1	No Change	S-6	<b>S-3</b>
Existing	Requested – Service Area Categories						
W-1	No Change						
S-6	<b>S-3</b>						
<b>Interagency Review Comments</b>							
<b>M-NCPPC Staff</b>							
Consistent with the Master Plan policy to allow for the limited provision of community sewer service for areas zoned RE-2 within and at the periphery of the proposed sewer service envelope. (master plan pg. 26) Staff recommendation: <b>Approve S-3.</b>							
<u>WSSC (Note: WSSC main extensions are non-CIP sized unless otherwise specified.)</u>							
Sewer: Service will require a 300' main extension from an existing 8" main located within the subdivision west of Norton Rd. (#846092A). The extension would abut 2 additional properties, both designated as category S-1. Construction of the main would occur in the existing WSSC right-of-way easement between these 2 properties, 10100 and 10108 Norton Rd. On-site pumping may be required.							
The applicant has proposed a possible sewer service alternative. Service would require a 700' main extension from a proposed 8" sewer (#DA4069Z05) to be constructed along River Rd. for St. Luke Serbian Orthodox Church. WSSC will require more detailed design information for this proposal to determine its actual feasibility. This extension would need to account for existing 8", 12", and 66" water mains in River and Norton Rds. Of the additional properties that would abut this main, only one is designated as category S-6, 10700 River Rd.							
<b>DPS-Well &amp; Septic</b>							
Well and Septic has septic records for the existing houses at both addresses. We have no reports of recent problem with either septic system.							

**County Executive Recommendation (WSSCR 07A-POT-05: Frank Islam & Debbie Driesman)**

**Approve S-3 (for service at the edge of the recommended Potomac Master Plan public sewer envelope.)**

**Executive Staff Report**

The applicants have requested a sewer category change to S-3 to allow for the provision of public sewer service in order to redevelop two existing, adjoining single-family residential lots. Their primary residence will occupy one and, and a guest house the other. The joined properties abut the sewer envelope at the rear of the Norton Road lot, and confront the envelope across Norton Road. The applicants propose the extension of public sewer service River and Norton Roads, although this alignment requires further review by WSSC. WSSC has also proposed an extension alignment within an existing WSSC easement between two of the properties confronting this site across Norton Rd. M-NCPPC concurs that the request is consistent with the master plan's policy recommendation. We recommend approval of category S-3 for both lots. This approval does not expand or otherwise change the master plan's recommended sewer envelope.

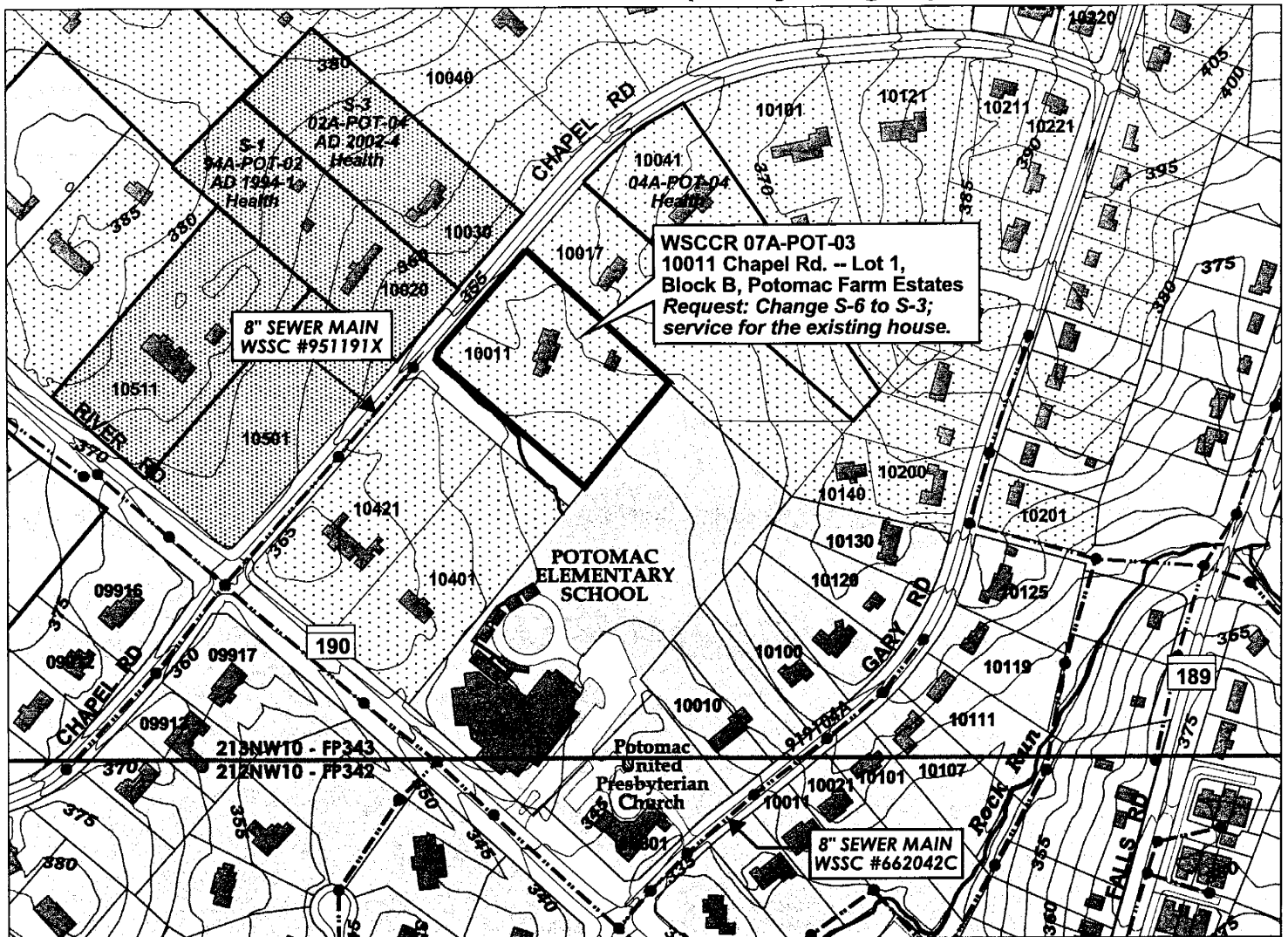
**POTOMAC – CABIN JOHN PLANNING AREA MAP AMENDMENTS**

**WSSCR 07A-POT-05: Frank Islam & Debbie Driesman**

WSSC raised caution about the applicant's proposed sewer extension west along River Road and then north along Norton Rd. Several water mains, including 24" and 66" transmission mains, lie under these roads. These can present significant obstacles to the extension of gravity sewer mains. WSSC will need to review detailed plans for a proposed sewer extension along this alignment to determine its suitability with regard to existing mains. The extension would be made from the existing 8" main (#971861A) near Sts. Peter and Paul Church. A part of this extension is approved for service to the adjacent St. Luke's Serbian Church (#DA4069Z05).

As an alternative to the applicant's proposal, WSSC has identified an existing easement between the properties at 10100 and 10108 Norton Rd., where a 300' extension could be provided from an existing 8" sewer (#846092A) located behind these properties. This extension will not affect any streams or stream buffers.

# Sewer Service Area Categories Map WSSCR 07A-POT-03 (Leroy Pingho)



Potomac - Cabin John Planning Area

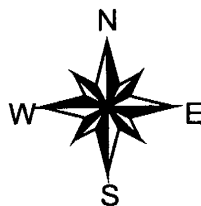
Rock Run Watershed



## MAP LEGEND

- Property
- Sewer Mains
  - Small-Diameter, Low-Pressure Mains
  - 6"- to 8"-Diameter Gravity Mains
  - 10"- to 14"-Diameter Gravity Mains
  - 15"- to 42"-Diameter (CIP) Trunk Mains
- Sewer Manholes
- WSSC MapTiles
- Buildings
- Roads - Parking
- Topography (C.I. = 5 Feet)
- Streams
- Ponds - Lakes

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



June 2003 Update  
Service Area Categories Map

Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water and Wastewater Policy Group  
12/10/07 - GIS Project File:  
o:\wteam\ccrs-pas\potomac-cabinjohn\  
2007ccrs\07a-pot-03=pingho=s.apr



**2) Property/Site Description and Development:**

Address 10011 Chapel Road, Potomac, MD 20854  
 Property's TAX ID # (please provide, if known) 10-00854471 *Block B*  
 Property/Site Size 3.5 AC Identification (ie, Parcel #) Lot 1-18 Potomac Farm Estate  
 Location/Closest cross-street River Road and Chapel Road  
 Current Use Single Family Proposed Use No Change  
 Subdivision Plan No. & Status None

(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](http://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-3 Requested Water Category: W-3 ☒ OR No Change ☒ Multi-Use ☐ Shared ☐  
 Current Sewer Category: S-6 Requested Sewer Category: S-3 ☒ OR No Change ☐ Multi-Use ☐ Shared ☐

**4) Reason for request; state current use of site and intended change in usage, if any:**

Existing house on septic tank. Public sewer extended to Lot across Chapel Road.  
 Request for category change to allow single family grinder pump, force main  
 house connection to existing sewer built under WSSC 95 AS 1191 X, 1995. In  
 Chapel Road; copy attached.  
 WSSC 200 213NW10

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

213NW10

382

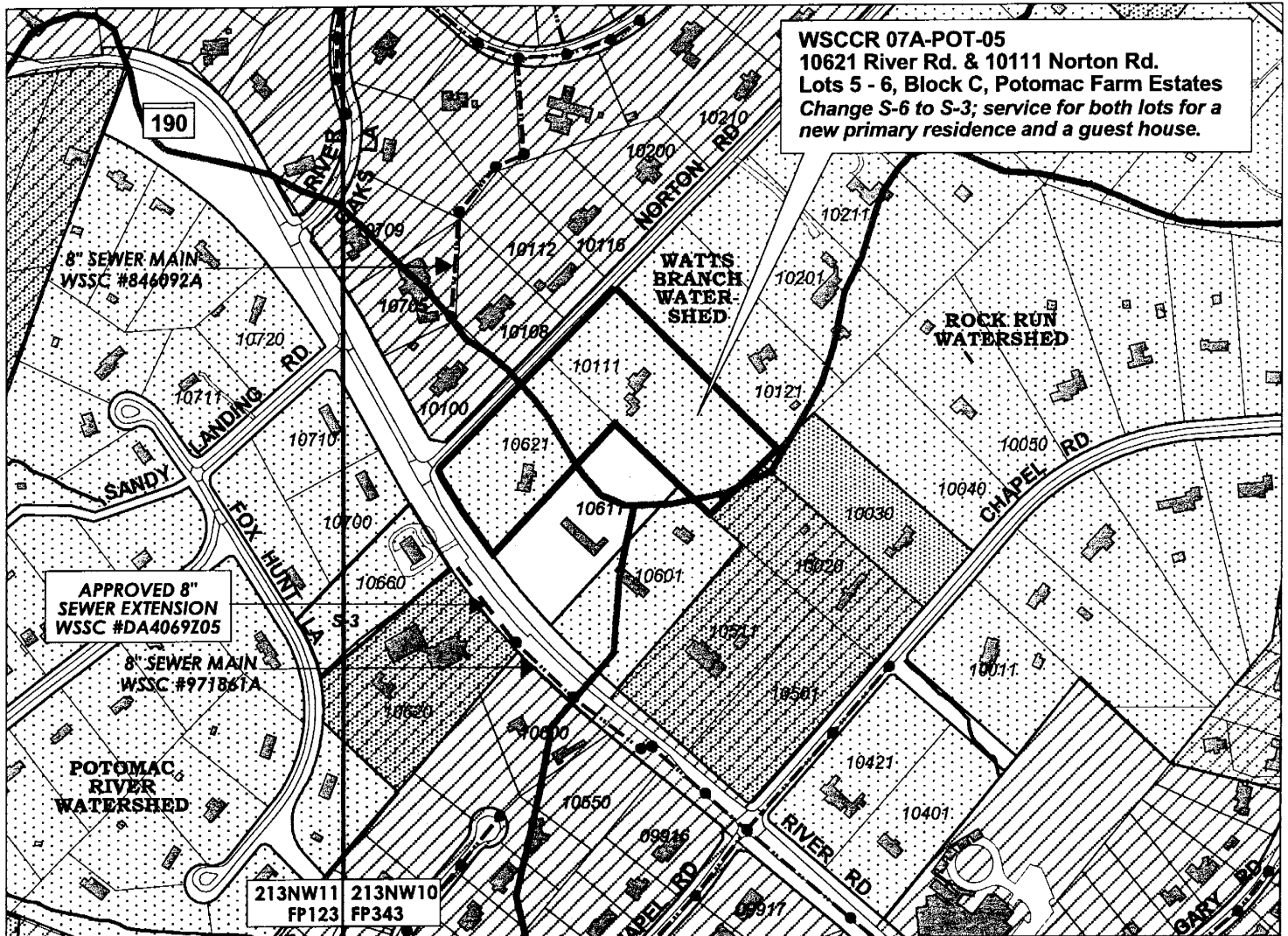
POT-CJ

FP43

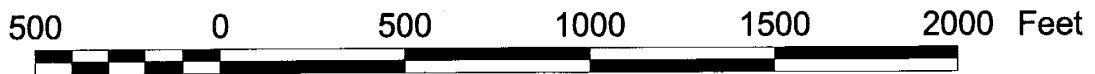
Rock Run

# Sewer Service Area Categories Map

## WSSCR 07A-POT-05 (Frank Islam & Debbie Driesman)

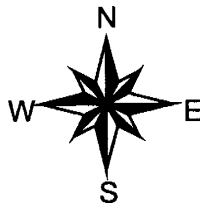


Potomac - Cabin John Planning Area



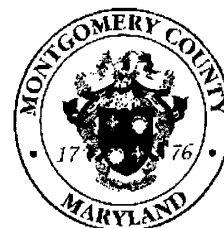
### MAP LEGEND

- |                                      |  |
|--------------------------------------|--|
| Property                             | <b>Sewer Service Area Categories (6/03)</b><br>S-1<br>S-3<br>S-4<br>S-5<br>S-6 |
| WSSC MapTiles                        |  |
| Sewer Manholes                       |  |
| Existing Sewer Mains                 |  |
| Small-Diameter, Low-Pressure Mains   |  |
| 6" - to 8" -Diameter Gravity Mains   |  |
| 10" - to 14" -Diameter Gravity Mains |  |
| Buildings                            |  |
| Roads - Parking                      |  |
| Watersheds                           |  |
| Streams                              |  |
| Ponds - Lakes                        |  |
| 2002 Master Plan Sewer Envelope      |  |



June 2003 Update  
Service Area Categories Map

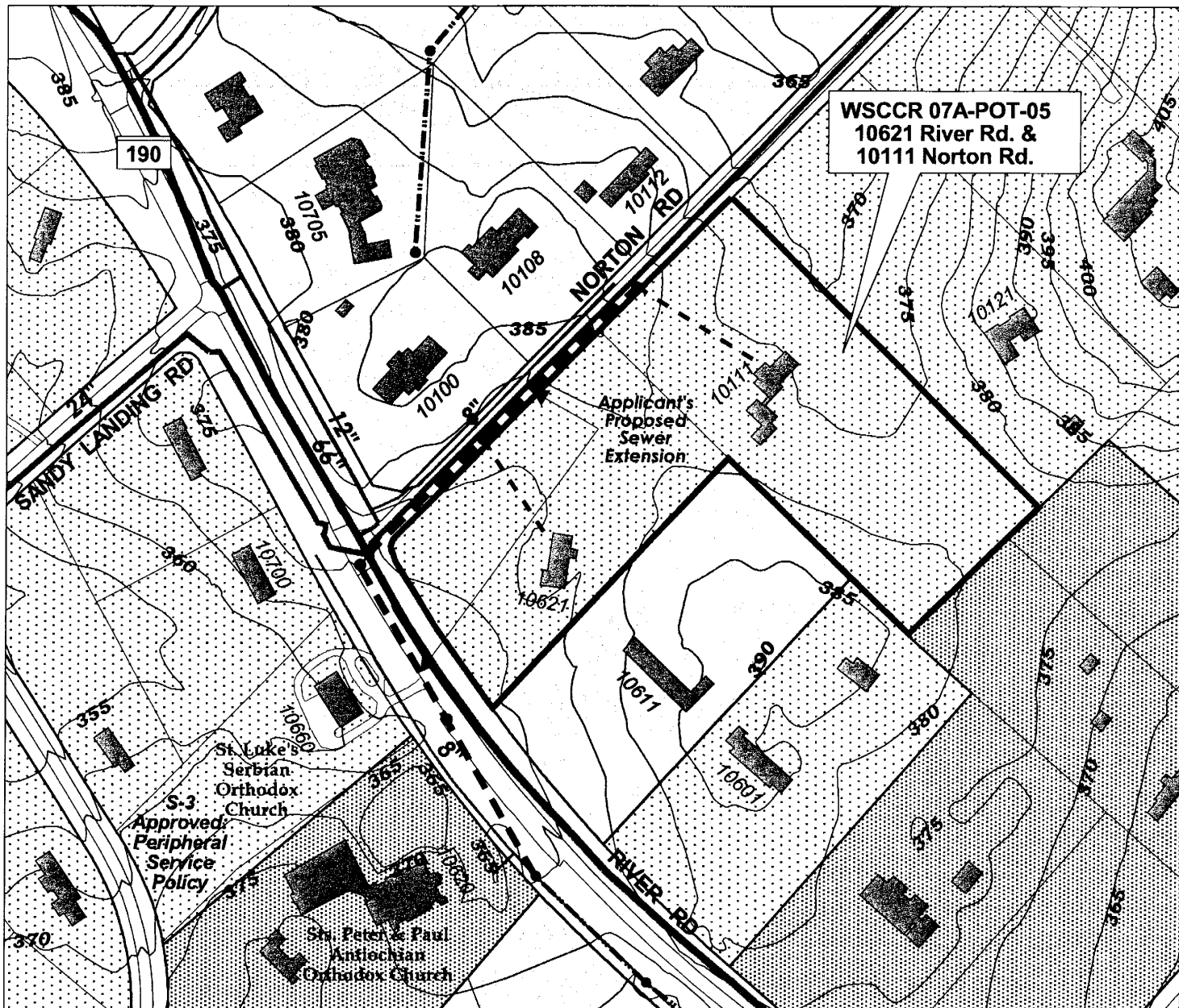
Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water and Wastewater Policy Group  
8/27/07 -- GIS Project File:  
o:\wwteam\ccrs-pas\potomac-cabin john\  
2007ccrs\07a-pot-05=islam=s.apr

# Sewer Service Area Categories Map

## WSSCR 07A-POT-05: Sewer Extension Proposal

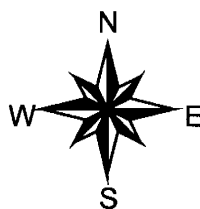


500 0 500 1000 1500 Feet

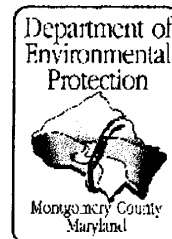
June 2003 Update  
Service Area Categories Map

### MAP LEGEND

- Property
- Sewer Mains
  - Existing 6" - to 8"-Diameter Gravity Mains
  - Proposed 8"-Diameter Gravity Mains
  - Sewer Manholes
- 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
  - Topography (C.I. = 5 Feet)
- Buildings
- Roads - Parking
- Streams
- Sewer Service Area Categories (6/03)
  - S-1
  - S-3
  - S-4
  - S-5
  - S-6



Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water & Wastewater Policy Group  
8/30/07 -- GIS Project File:  
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2007ccrs\07a-popt-05=islam=s.apr

*Law Offices of*  
**William F. Askinazi, Esq., MBA**

EMAIL: WASKINAZI@HOTMAIL.COM

ADMITTED TO BARS OF: MARYLAND, DISTRICT OF COLUMBIA, CONNECTICUT  
U.S. SUPREME COURT

AUG 24 2007

12504 PALATINE COURT  
POTOMAC, MD 20854  
(TEL) (FAX) 301-983-5110

August 22, 2007

Mr. Alan Soukup

Montgomery County Department of Environmental Protection

Office of the Director

255 Rockville Pike, Suite 120

Rockville, Md. 20850

Re: 07A -POT-05 Islam/Dreisman Sewer Reclassification

Dear Alan:

Please accept this letter as an update on the Islam/Dreisman application for a sewer reclassification. The owners have elected to use the River Road option to connect to sewer. This will clarify your ability to assess and evaluate the propriety of this option and potentially aid in your issuance of a staff recommendation supporting the same.

As shown on the attached exhibit, the proposed sewer extension consists of the following:

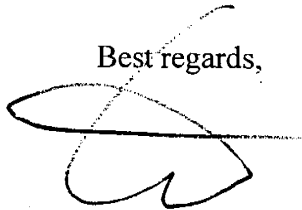
Connection to the existing manhole #3, built under contract 97DS1861 A. The 8" Sewer will be extended approximately 580 feet northwest along River Road to the intersection of River Road and Norton Road. From proposed Manhole #4 the sewer line will extend northeast along Norton Road approximately 630 feet.

From proposed manhole # 6, a sewer house connection will run southeast approximately 200 feet to the house location on Lot 5. From proposed manhole # 10, a sewer house connection will run southeast approximately 230 feet to the house location on Lot 6. Due to the existing sewer elevation and the area topography, the expanding sewer service will be incapable of servicing any undeveloped lots in this area.

As to justification for "need", please note that we would like to connect to the sewer in order to eliminate large drainfields so that we can install ground source heat pump systems for the two proposed houses. These will involve wells drilled at 18'-20' centers in the open areas that would normally be used for drainfields. Also, the rest of the site will be extensively landscaped.

Please contact me with any questions and our capable team of engineers directly.

Best regards,

A handwritten signature in black ink, consisting of a large, stylized 'W' followed by a horizontal line and a small flourish.

William F. Askinazi, Esq., MBA

Cc: Frank Islam and Debbie Dreisman

Leon Chatelain

Chuck Irish

## 545'31'09"E

120. Norton

RIVER RD.

**FOR LOCATION OF UTILITIES CALL**



COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
County Executive's January 2008 Transmittal Packet

TRAVILAH PLANNING AREA MAP AMENDMENTS

GLEN HILLS AREA SEWER CATEGORY CHANGE REQUESTS

**Background:** The following category change request is for a property located in the Glen Hills area, southwest of Rockville. The 2002 Potomac Subregion Master Plan specifically addresses sewer service recommendations in the Glen Hills area, calling for the provision of public sewer service only to relieve documented public health problems, pending a study of the area's septic systems to try to determine:

- The potential extent of septic problems in the area;
- The relief measures needed for areas with existing or anticipated health problems, from either public or private sewerage systems;
- The neighborhood's ability to sustain existing development using on-site septic systems.

Pending the completion of this study, the master plan does not support any other provision of public sewer service in the Glen Hills area, including properties qualifying under the Water and Sewer Plan's abutting mains service policy. DEP anticipates beginning work on the sanitary study with DPS in early 2008. The study for the *entire* neighborhood is expected to take approximately three years.

<b>WSSCR 07A-TRV-08: Mary Giles Davis</b>							
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"><li>• 13100 Valley Dr., Rockville</li><li>• Lot 4, Block 10, North Glen Hills Sect. 2 (dist.-acct.# 04-00079760)</li><li>• Map tile - WSSC: 217NW09; MD: FR61</li><li>• West side of Valley Dr., south of Cleveland Dr.</li><li>• Potomac Subregion Master Plan (2002)</li><li>• Watts Branch Watershed (MDE Use I)</li><li>• RE-1 Zone; 1.12 ac.</li><li>• <u>Existing use:</u> single-family house (c. 1952)</li><li>• <u>Proposed use:</u> service for the existing single-family house to relieve a failed septic system</li></ul>	<table border="1"><thead><tr><th>Existing</th><th><b>Requested</b> – Service Area Categories</th></tr></thead><tbody><tr><td>W-1</td><td>No Change</td></tr><tr><td>S-6</td><td><b>S-3</b></td></tr></tbody></table> <u>Applicant's Explanation</u> "Requesting a change of service from septic system to public sewer system due to health hazard issue with the existing septic system. (please refer to the copy of the letter issued by the Department of Permitting Services)"	Existing	<b>Requested</b> – Service Area Categories	W-1	No Change	S-6	<b>S-3</b>
Existing	<b>Requested</b> – Service Area Categories						
W-1	No Change						
S-6	<b>S-3</b>						
<b>Agency Review Comments</b>							
<u>M-NCPPC Staff</u>							
Proposal is not consistent with sewer service recommendations of the Potomac Subregion Master Plan (2002) as follows (page 24):  "... Until a policy is developed, restrict further sewer service extensions in Glen Hills to properties with documented public health problems resulting from septic system failures."  This property has a documented health problem, however, service to this property would involve damage to a wetland and a stream crossing. It would permit service to approximately 120 other properties. <u>Staff Recommendation:</u> <b>Deny until completion of Glen Hills study as per Master Plan, or serve only through a connection to the pressure sewer to the north (at 13205 Valley Drive) or innovative on-site system.</b>							
<u>WSSC (Note: WSSC main extensions are non-CIP sized unless otherwise specified.)</u>							
<u>Sewer:</u> Gravity sewer service will require a 2,400' main extension from an existing 8" sewer main (#835793A) at Overlea Dr. to the southeast. This extension would abut approximately 5 additional properties and require the acquisition of rights-of-way. Sewer construction will require removing trees and disturbance to wetland and stream buffer areas; stream crossings for the sewer are likely. Further extensions from this sewer main would provide gravity sewer service to approximately 120 other homes or lots in the vicinity.  As an alternative, a pressure sewer extension might be provided to an existing 1-1/4" main located approximately 600' north along Valley Dr. However, the addition of more homes onto the existing sewer system may require upsizing the existing low-pressure mains to accept the increased flows.							



COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
County Executive's January 2008 Transmittal Packet

TRAVILAH PLANNING AREA MAP AMENDMENTS

**WSSCR 07A-TRV-08: Mary Giles Davis**

DPS-Well & Septic

Septic failure confirmed by DPS – see letter dated 12/14/06. (DEP note: The 12/14/07 DPS memo advised DEP that testing had shown that the existing septic system—probably circa 1957—was installed at a depth too close to bedrock. Relief of the problem using conventional technology did not appear possible.)

**County Executive Recommendation: Deny the request for S-3; maintain S-6.**

**Executive Staff Report:** The applicant has requested a sewer category change to allow the extension of public sewer service in order to relieve a failed septic system, as verified by DPS Well and Septic Section. Under the recommendations for the Glen Hills area from the 2002 master plan, this would serve as justification for considering the provision of public service. However, the provision of public sewer service cannot be considered logical, economical, or—in the case of the gravity extension—environmentally acceptable, at least at this time. We recommend denial of the request for category S-3.

The potential effects of constructing the needed 2,400' gravity sewer main on woodlands and stream buffer areas cannot be justified for service to only one lot. Service via a pressure sewer extension may require reconstruction of parts of an existing pressure sewer system. The cost for either alternative is likely well in excess of the financial resources of the owner. The provision of public sewer service will not resolve the failed septic system in this case. DPS will need to look first at alternative/ innovative septic system technologies.

**PUBLIC SEWER SERVICE OUTSIDE THE RECOMMENDED SERVICE ENVELOPE**

**WSSCR 07A-TRV-10: Travilah Oak, LLC; Han & J. Jan**

Property Information and Location  
Property Development

- 12940 – 12960 Travilah Rd., Potomac: Potomac Oak Shopping Center
- \*Lots 1/2, 3, & 4 (N780, N726, & N679), Boylestons Discovery (dist.-acct.# 06-00397857, 06-02232731, & 06-03063708)
- Map tile - WSSC: 217NW13; MD: ER41
- Southwest corner, intersection of Glen and Travilah Rds.
- Potomac Subregion Master Plan (2002)
- Watts Branch Watershed (MDE Use I)
- C-1 Zone; 5.02 ac.
- Existing use: commercial retail shopping center.  
Proposed use: service for the existing shopping center and proposed commercial office space.
- \* The Jans own only Lot 3; all other properties involved are owned by Travilah Oak, LLC.

Applicant's Request:

Service Area Categories & Justification

Existing      **Requested** – Service Area Categories

W-1      **W-3**  
S-6      **S-3**

Applicant's Explanation (in summary\*\*)

The existing commercial retail center consists 5.08 acres zoned C-1; an additional, contiguous 5 acres zoned RE-2 provides area for septic systems and stormwater management. Only the area zoned C-1 is requested for this category change. Existing tenants include a Chinese restaurant, convenience store, offices, and service retail totaling 23,600 sq. ft. The owner has approval for an additional 4,500 sq. ft. of commercial office space.

**\*\* Refer to pages 61 - 62 for the applicants' complete statement.**

**Agency Review Comments**

**M-NCPPC Staff**

Provision of Public sewer service to this property is inconsistent with the *Approved and Adopted Potomac Subregion Master Plan (2002)*. It is located over half a mile from the approved sewer envelope. **Staff Recommendation: Deny W-3 and S-3**

WSSC (Note: WSSC main extensions are non-CIP sized unless otherwise specified.)

Water: Service will require a 3,000', CIP-sized main extension east and north along Travilah Rd. from an existing 16" main (#898406A) near Bacall La. The extension would abut many additional properties.

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**  
**County Executive's January 2008 Transmittal Packet**

**TRAVILAH PLANNING AREA MAP AMENDMENTS**

**WSSCR 07A-TRV-10: Travilah Oak, LLC; Han & J. Jan**

Sewer: Service will require a 5,000' low-pressure main extension east and north along Bissell La. and Travilah Rd. and an on-site grinder pump. The proposed main extension would tie into an existing 8" sewer main (#898406A) near the cul-de-sac end of Bissell La. Rights-of-way may be required. Odor problems can be a concern with grinder/pressure sewer systems. Odor controls measures may be required, such as constructing an additional length of dedicated gravity sewer downstream of the transition manhole, parallel to the existing gravity sewer along Bissell La. Gravity sewer service for this site is not practical; a main extension several miles long would be required.

**DPS-Well & Septic**

This property has had several of failing septic systems over the past 5 years. While reserve septic fields are established for all the properties, it would be best served by public water and sewer. This is due to the high strength nature of the waste generated by the food service facilities located in the shopping center.

**County Executive Recommendation (WSSCR 07A-TRV-10: Travilah Oak, LLC; Han & J. Jan)**

**Deny the request for categories W-3 and S-3; maintain W-6 and S-6.**

**Executive Staff Report**

The applicants have requested water and sewer category changes to W-3 and S-3 to allow for the extension of public water and sewer service for the Potomac Oak Center, a neighborhood-based shopping center at the corner of Glen and Travilah Roads. The provision of water service within this area generally zoned RE-2 could be considered under the master plan's water service recommendations and the Water and Sewer Plan's general water service policies for large lot development. However, the required 3,000' capital-size water main extension cannot be considered a logical extension of the County's public water infrastructure. The 2002 master plan clearly set a new direction with regard to limiting public sewer service in the lower-density areas of Potomac. The shopping center sits in the midst of a region zoned for lower-density, 2-acre development and served exclusively by on-site septic systems. Public sewer service is inconsistent with both the master plan and the Water and Sewer Plan. We recommend denial of the requests for categories W-3 and S-3.

The support and expansion of the Potomac Oak Center using public water and sewer systems was not included in the 2002 master plan update. The commercial center lies within an area clearly intended for private, on-site sanitary systems. We recognize that the center has had difficulties with its septic systems over the years. However, in that regard, we understand that the applicants and DPS have spent considerable time and effort on the design of replacement septic systems that will allow the center to continue to function, and even to add some additional commercial office space. That the center cannot offer all of the amenities and services desired by local residents is unfortunate, but not cause for creating an exception to the County's sewer service policy this area. The applicants need to recognize the inherent constraints of resulting from the state of septic system technology and the acreage limitations at this site and work within those constraints.

**PUBLIC SEWER SERVICE WITHIN THE PINEY BRANCH WATERSHED**

**Background:** The following category change request is located within the Piney Branch Subwatershed of Watts Branch. The County Council has adopted a restricted sewer service policy in the Water and Sewer Plan for this watershed (see pg. 53A). In order to receive public sewer service, a property must satisfy at least one condition for service under the restricted service policy. This case involves the provision of the policy allowing for the restricted approval of public sewer service for properties that abut and predate an existing or approved sewer main.

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
County Executive's January 2008 Transmittal Packet

TRAVILAH PLANNING AREA MAP AMENDMENTS

<b>WSSCR 08A-TRV-01: Reynaldo &amp; Zorayda Lee-Llacer</b>							
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"><li>12009 Piney Meetinghouse Rd., Potomac</li><li>Lot 36, Piney Glen Farm (dist.-acct.# 10-01814620)</li><li>Map tile - WSSC: 215NW11; MD: FQ122</li><li>East side of Piney Meetinghouse Rd., south of Greenbriar Preserve Dr.</li><li>Potomac Subregion Master Plan (2002)</li><li>Watts Branch Watershed (MDE Use I) – Piney Branch subwatershed (Mont. Co. SPA)</li><li>RE-2 Zone; 2.54 ac.</li><li><u>Existing use:</u> single-family house (c. 1980) and guest/caregiver's cottage.</li><li><u>Proposed use:</u> service for the existing residences; special exception (S-2674) pending for continuance of the guest house.</li></ul>	<table border="1"><thead><tr><th>Existing</th><th>Requested – Service Area Categories</th></tr></thead><tbody><tr><td>W-1</td><td>No Change</td></tr><tr><td>S-6</td><td>S-3</td></tr></tbody></table> <u>Applicant's Explanation</u> "We are seeking sewer service for our existing single family house and existing accessory caregiver dwelling/guest house now served by septic systems."	Existing	Requested – Service Area Categories	W-1	No Change	S-6	S-3
Existing	Requested – Service Area Categories						
W-1	No Change						
S-6	S-3						
<b>Agency Review Comments</b>							
<b>M-NCPPC Staff</b>							
Consistent with the master plan. Although this property is outside the sewer service envelope, within the Piney Branch Special Protection Area, and excluded from the peripheral service policy, it qualifies for service under the abutting mains policy.							
<u>WSSC (Note: WSSC main extensions are non-CIP sized unless otherwise specified.)</u>							
<u>Sewer:</u> Service can be provided from an existing 10" sewer main (#908410A) that abuts the property along Piney Meetinghouse Rd. Odor concerns are prevalent in this area, resulting from grinder/pressure systems that feed into the 10" gravity sewer. A gravity connection to the existing main will not be allowed at this location. On-site pumping of wastewater flows from both buildings will be allowed through a single connection to the abutting gravity sewer.							
<b>DPS-Well &amp; Septic</b>							
According to Well and Septic records, only the new house has approved well and septic systems. The "old" house was supposed to be demolished at the time of building permit for the new house, as dictated on the record plat. Currently, the "old" house has no septic reserve area and is being served by a septic system for which we have no record.							

**County Executive Recommendation (WSSCR 08A-TRV-01: Reynaldo & Zorayda Lee-Llacer)**

**Defer action on the request for S-1 pending a resolution of the special exception case (S-2674) for the accessory house on the property.**

**Executive Staff Report**

The applicant has requested a sewer category change to S-1 to allow for public service for both an existing primary residence and an accessory building from an abutting sewer main along Piney Meetinghouse Road. The provision of public sewer service is consistent with the conditions of the Piney Branch Sewer Restricted Access Policy. The applicants are currently pursuing a special exception request for the existing accessory building, the smaller original house on the property now used as a residence for an on-site caregiver. We recommend deferral of the request for category S-1 pending resolution of the issues involved with the special exception case for the accessory building. This is consistent with prior deferral decisions where there is a concern that the Council's action on a Water and Sewer Plan amendment could influence the outcome of another independent decision process.

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS  
County Executive's January 2008 Transmittal Packet

TRAVILAH PLANNING AREA MAP AMENDMENTS

**WSSCR 08A-TRV-01: Reynaldo & Zorayda Lee-Llacer**

A complication in this case is that in order for the accessory building to continue on the property, it needs to be served by the public sewerage system. When the lot was established in 1978, a condition for the construction of the new residence was that the existing house—now the accessory building—was to be demolished. The new residence was to use an approved septic system and there was no available area for a septic system for the old house. DPS has no record of the septic system for the older house. However, the condition affecting the older house was never enforced. The current owners desire to use the accessory building as a residence for an on-site family caregiver.

Providing sewer service for both the primary residence and an accessory building is consistent with the abutting mains policy, including situations where that policy is applied under the Piney Branch Watershed sewer service restrictions. Service will be provided to both structures by a single connection to the abutting sewer main. This will support the requirement under the Piney Branch policy that sewer service to abutting properties cannot be used to promote the creation of additional lots within the watershed.

**SEWER SERVICE FOR PROPERTIES AT THE PERIPHERY OF THE RECOMMENDED SEWER ENVELOPE**

**Background:** Please refer to the discussion of this policy issue for the cases included in the Potomac – Cabin John Planning Area (page 37).

**WSSCR 08A-TRV-03: Sprigg and Christina Lynn**

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"><li>• 11621 Glen Rd., Potomac</li><li>• Parcel P156, Piney Grove Etc (dist.-acct.# 06-00405218)</li><li>• Map tile - WSSC: 215NW11; MD: FQ122</li><li>• Northeast side of Glen Rd., west of Partridge Run La.</li><li>• Potomac Subregion Master Plan (2002)</li><li>• Watts Branch Watershed (MDE Use I)</li><li>• RE-2 Zone; 2.34 ac.</li><li>• <u>Existing use:</u> single-family house (c. 1910). <u>Proposed use:</u> service for the expansion of the existing single-family house; replace aging septic system.</li></ul>	<table><tr><th>Existing</th><th>Requested – Service Area Categories</th></tr><tr><td>W-1</td><td>No Change</td></tr><tr><td>S-6</td><td>S-1</td></tr></table> <p><u>Applicant's Explanation</u></p> <p>"Would like to increase the size of our home and living space and add a bathroom. Currently, we have only 1 bathroom upstairs for 4 people. We would also like to increase the size of our family (more children) and only have 2,000 sq. ft. now. Property <u>does not perc</u> so cannot add new septic field. We do have issues with the septic system which over 50 years old. Our property abuts 11641 Glen Rd. (has S3 category) and Greenbriar Estates has sewer as well as across Glen Rd. (Hannon &amp; Semmes properties)."</p>	Existing	Requested – Service Area Categories	W-1	No Change	S-6	S-1
Existing	Requested – Service Area Categories						
W-1	No Change						
S-6	S-1						

**Agency Review Comments**

**M-NCPPC Staff**

Consistent with sewer service recommendations on page 23 of the *Approved and Adopted Potomac Subregion Master Plan (2002)*. i.e. Allow for the limited provision of community sewer service for areas zoned RE-1 and RE-2 within and at the periphery of the proposed sewer service envelope. The property confronts the sewer service envelope on Great Elm Drive, immediately across Glen Road. Staff Recommendation: **Approve S-1.**

WSSC (Note: WSSC main extensions are non-CIP sized unless otherwise specified.)

Sewer: Service will require an 800' main extension: 400' of gravity sewer and 400' of low-pressure sewer. The extension would connect to an existing 8" main (#919015B) in a right-of-way southwest of Glen Rd. The extension would abut approximately 4 additional properties and require rights-of-way acquisition. Grinder pump/pressure sewer systems may cause odor problems.

**COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS**

**County Executive's January 2008 Transmittal Packet**

**TRAVILAH PLANNING AREA MAP AMENDMENTS**

**WSSCR 08A-TRV-03: Sprigg and Christina Lynn**

**DPS-Well & Septic**

In 2005, owner at the time reported sewage odor and slow draining interior plumbing. We advised that the septic system may be near failure. In July, 2006, Well and Septic conducted a site inspection – we did not observe any sewage overflow at that time.

**County Executive Recommendation (WSSCR 08A-TRV-03: Sprigg and Christina Lynn)**

**Approve S-3 (for service at the edge of the recommended Potomac Master Plan public sewer envelope.)**

**Executive Staff Report**

The applicants have requested a sewer category change to S-3 for public sewer service in order to expand the existing single-family house on this property. The subject property confronts the sewer service envelope for the Great Elm Farm Estates subdivision across Glen Rd. M-NCPPC staff concur that the master plan's policy recommendation supports approval of this request. The extension of sewer service, as proposed by WSSC, will not affect streams or stream buffers. We recommend approval of category S-3. This approval does not expand or otherwise change the master plan's recommended sewer envelope.

The adjacent property to the west, at 11641 Glen Road, was previously approved for public sewer service under this same policy. Although at the time, service to the property was considered via a pressure sewer extension from Great Elm Dr., it appears that the extension for the subject property could also serve this adjacent parcel.

Adopted by the County Council November 18, 2003 (CR 15-396)

**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.

**12. Special and Restricted Community Service Areas** -- In addition to the preceding policies, the County may also designate specific areas for or restrict specific areas from community water and/or sewer service in order to achieve specific development goals, to promote environmental protection, or to address other special concerns. These areas are shown in Figure 1-F3 and are listed below:

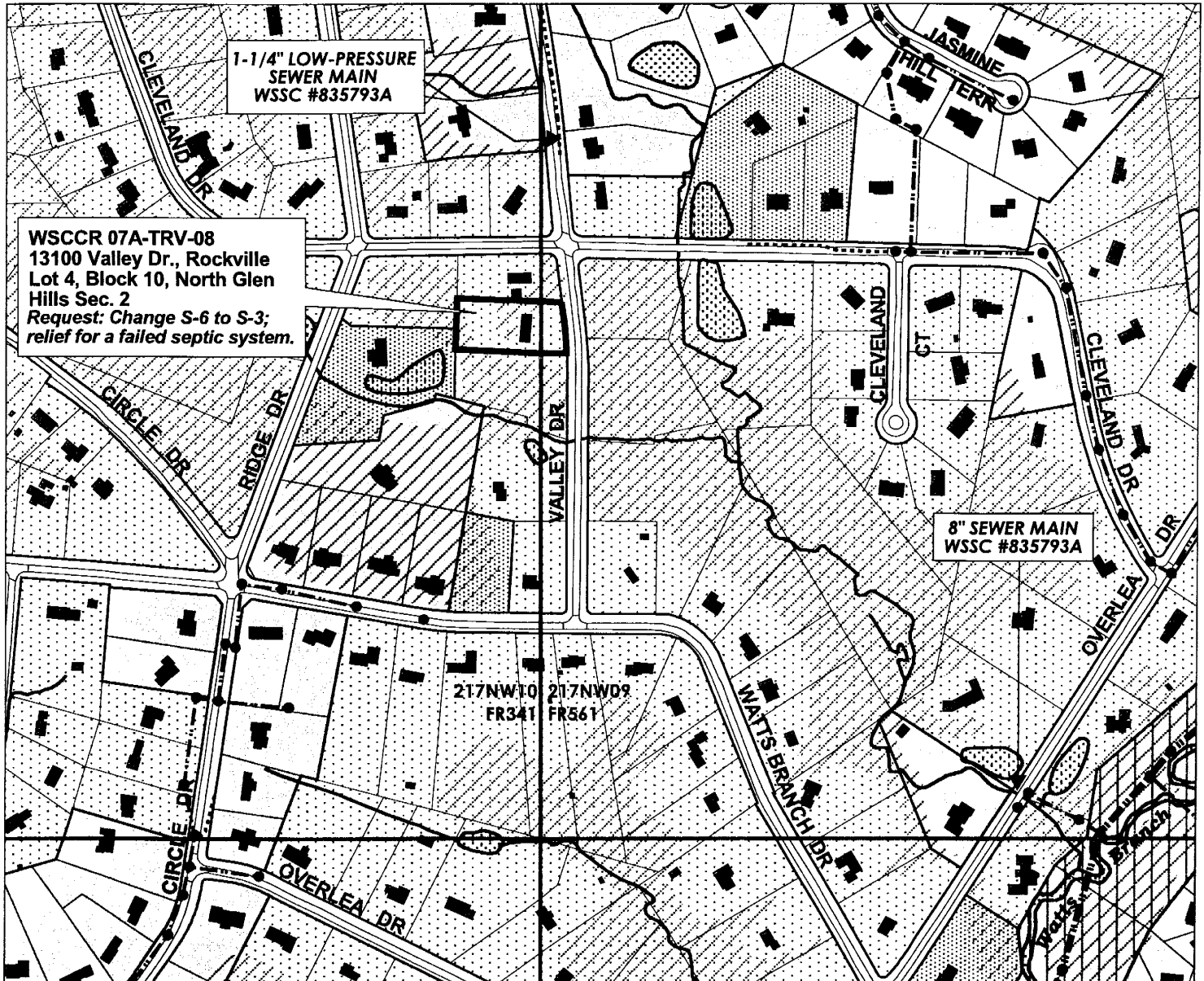
**b. Piney Branch Restricted Sewer Service Area** -- In 1991, the County Council established a policy to restrict the availability of community sewer service in the Piney Branch Watershed, which is designated as one of the county's Special Protection Area watersheds. Through the Piney Branch Sewer Restricted Access Policy, the Council sought to limit the growth of public sewer-dependent development within and near this environmentally-sensitive watershed, particularly within the areas of the watershed zoned for one- and two-acre development. The Council subsequently amended the policy in March 1997 under CR 13-830 and again in October 2002 under CR 14-1481. By these actions, the Council has specifically designated the Piney Branch Trunk Sewer and its tributary mains as **Limited Access** mains (see Section III.A.2.).

This restricted access policy was recently reexamined in the context of interrelated land use, zoning, and sewer service recommendations in the 2002 Potomac Subregion Master Plan; the following conditions reflect the policy changes recommended by the new master plan. In order to be eligible for community sewer service, properties within the Piney Branch watershed must satisfy at least one of the following conditions, i. through vi.:

- i. Properties designated as Sewer Stages I or II in the 1980 Potomac Subregion Master Plan;
- ii. Properties which the Piney Branch Trunk Sewer Right-of-Way either traverses or abuts, including properties adjacent to, and commonly owned with, these abutted or traversed properties as of December 3, 1991;
- iii. Properties with approval or conditional approval for sewer categories S-1 or S-3 as of December 3, 1991;
- iv. Properties with documented public health problems resulting from failed septic systems where the provision of public sewer service is logical, economical, and environmentally acceptable; or
- v. Properties which abut sewer mains and which satisfy the policy requirements for Section II.E.3.a.: Community Service for Properties Abutting Existing Mains -- Single Hookups Only. Applicants shall not use the provision of a single sewer hookup to support subdivision or resubdivision of these properties into more than one lot. (This condition does not restrict sewer service provided to properties satisfying condition ii., preceding.)
- vi. The properties zoned RE-2C located in the southeast corner of the intersection of Boswell Lane and Piney Meetinghouse Road which develop using the cluster method.

All other properties within the Piney Branch watershed are restricted from community sewer service, whether from the Piney Branch sewerage system or from other adjacent sewerage systems.

# Sewer Service Area Categories Map WSSCR 07A-TRV-08 (Mary Davis)



Travilah Planning Area

Watts Branch Watershed

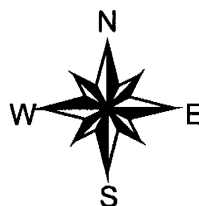
500 0 500 1000 1500 Feet

## MAP LEGEND

- Property
- WSSC MapTiles
- Sewer Mains**
  - Small-Diameter, Low-Pressure Mains
  - 6"- to 8"-Diameter Gravity Mains
  - 10"- to 14"-Diameter Gravity Mains
  - 15"- to 42"-Diameter (CIP) Trunk Mains
- Sewer Manholes
- Buildings
- Roads - Parking
- Streams
- Ponds - Lakes
- Woodlands
- County - State - Federal Parks

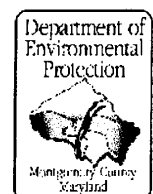
## Sewer Service Area Categories (6/03)

- S-1
- S-3
- S-4
- S-5
- S-6



54

June 2003 Update  
Service Area Categories Map  
Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water and Wastewater Policy Group  
5/11/07 -- GIS Project File:  
o:\wwteam\ccrs-pas\travilah\2007ccrs\07a-trv-08=davis=s-health.apr

**2) Property/Site Description and Development:**

Address: 13100 Valley Dr., Rockville, MD - 20850

Property's TAX ID # (please provide, if own): 160400078760

Property/Site Size: 49156 Sq.ft. Identification (ie, Parcel #): 12690/42

Location/Closest cross-street: Glen Hills / Cleveland Dr.

Current Use: Single Family House Proposed Use: no change

Subdivision Plan No. &amp; Status

(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](http://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-1 Requested Water Category: W- OR No Change ☒ Multi-Use ☐ Shared ☐Current Sewer Category: S-6 Requested Sewer Category: S-3 OR No Change ☐ Multi-Use ☐ Shared ☐**4) Reason for request; state current use of site and intended change in usage, if any:**

*Requesting for a change of service from septic system to Public Sewer system due to health hazard issue with the existing septic system. (please refer the copy of the letter issued by the Department of permitting service)*

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





WSSCR 07A-TRV-08

DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Shahriar Amiri  
Acting Director

MEMORANDUM

December 14, 2006

To: Alan Soukup  
Water and Waste Management  
Montgomery County Environmental Protection

From: John Hancock *JH*  
Well and Septic Section  
Montgomery County Permitting Services

Subject: Request for Sewer Connection  
13100 Valley Dr.  
Tax Map Grid FR 41  
WSSC Grid 217 NW 08

Mary Davis, the owner of the structure noted above, has requested our assistance in obtaining an expedited sewer connection to replace an on-site septic system. The owner reports ongoing problems with the septic system and recent soil tests show that the septic system is installed at a depth too close to bedrock. An onsite correction using conventional technology does not appear possible. The property is in S-6 category and a sewer extension will be necessary. If I can be of further assistance please contact me at 240-777-6318.

Cc: Mary Davis



**Soukup, Alan**

---

**From:** Soukup, Alan  
**Sent:** Wednesday, December 13, 2006 10:25 AM  
**To:** Hancock, John  
**Cc:** Hart, Amy; Janashek, Shelley; Lake, Dave; tGingri@wsscwater.com  
**Subject:** RE: 13100 Valley Dr.

12/13/06

Hi, John -

You're welcome to issue a health hazard letter on 13100 Valley Dr. However, I think that it's likely that we simply won't be able to do much about it from a public sewer standpoint at this time. The options that I see right now (note that I haven't run this case by WSSC yet):

- 2400' gravity extension from Overlea Dr. -- Not likely at all without the support of the sanitary study due to sewer construction impacts on the local , wooded stream valley.
- 500' pressure extension\* from Valley Dr. to the north -- Probably the only remotely possible option.
- 750' pressure extension\* from Cleveland dr. to the east -- Certainly length (cost) of the extension will start to be a problem.
- 1250' pressure extension\* from Watts Branch Dr. to the southwest -- Length (cost) of the extension will certainly be prohibitive.

\* The feasibility of any of the possible pressure sewer extensions will require WSSC verification; my review looked **only at the length** of the needed extension.

Note that none of these options--even if technically and financially feasible--would probably take at least 9 to 12 months to implement. Water service is somewhat closer: only about 150' away at the intersection of Valley Dr. and Cleveland Dr. If the home was using public water instead of a well, would that free up any useable area for a replacement system? Or is this lot just completely unsuited for any type of septic system?

I don't mind DPS sending the health hazard memo to DEP. It and our response may help in this area to remind folks that we can't deal with all of the problems here using public sewer--at least not right now. Just keep in mind that finding the solution, even if just in the short term, will likely fall back to DPS.

Thanks, Alan  
 DEP-WWPG

-----Original Message-----

**From:** Hancock, John  
**Sent:** Tuesday, December 12, 2006 1:11 PM  
**To:** Soukup, Alan  
**Subject:** 13100 Valley Dr.

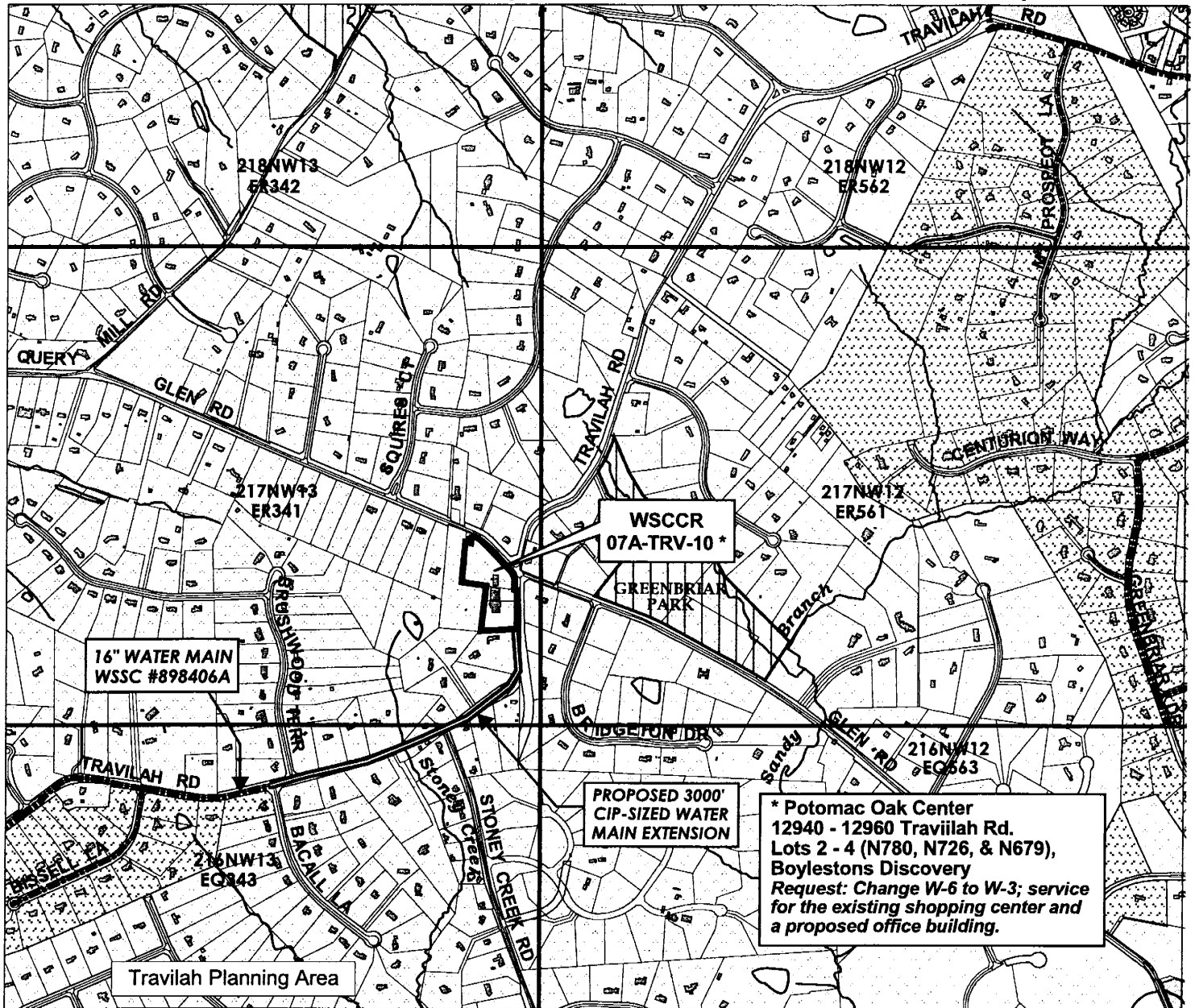
Alan,

FYI, I will be issuing a Health Hazard letter for this property shortly. The septic system is in rock.

Let me know if there are any problems or if I need to hold off.

John P. Hancock  
 Well and Septic Section  
 Department of Permitting Services  
 255 Rockville Pike, 2nd Floor

# Water Service Area Categories Map WSSCR 07A-TRV-10 (Travilah Oak, LLC; Han & J. Jan)



1000 0 1000 2000 3000 4000 Feet

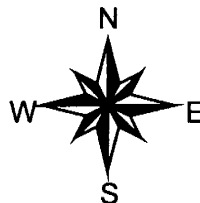
## MAP LEGEND

- Property
- WSSC Map Tiles
- Water Mains**
  - 8"- or Smaller-Dia. Mains
  - 10" to 15"-Dia. Mains
  - 16"- to 24"-Dia. (CIP) Mains
  - 30"- to 42"-Dia. (CIP) Mains \*
  - Proposed CIP-Sized Main Extension
- Buildings

- Roads
- Streams
- Ponds - Lakes
- County - State - Federal Parks

## Water Service Area Categories

- W-1
- W-3
- W-4
- W-5
- W-6



June 2003 Update  
Service Area Categories Map

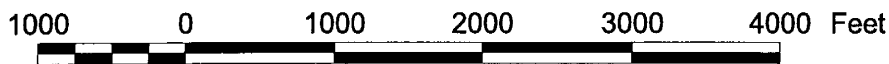
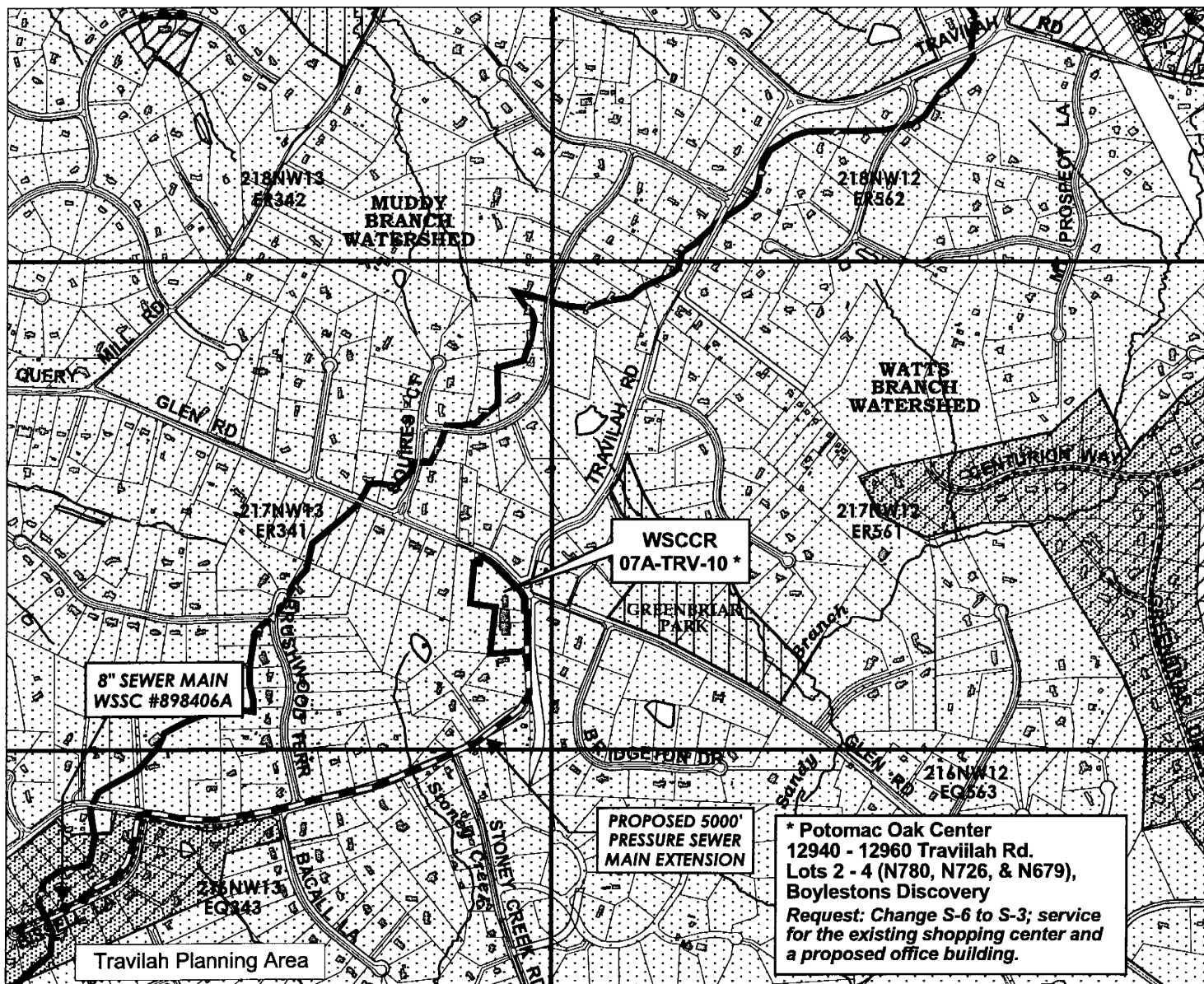
Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water & Wastewater Policy Group  
12/6/07 -- GIS Project File:  
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07a-trv-10=potomac-oak-cntr=ws.apr

# Sewer Service Area Categories Map

## WSSCR 07A-TRV-10 (Travilah Oak, LLC; Han & J. Jan)

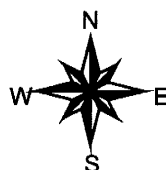


### MAP LEGEND

- Property
- Sewer Manholes
- Sewer Mains
  - Small-Diameter, Low-Pressure Mains
  - 6"- to 8"-Diameter Gravity Mains
  - 10"- to 14"-Diameter Gravity Mains
  - 15"- to 42"-Diameter (CIP) Trunk Mains
  - Proposed Pressure Sewer Extension

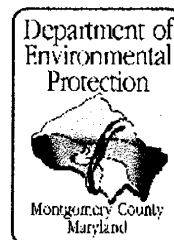
- WSSC MapTiles
- Buildings
- Roads
- Major Watersheds
- Ponds - Lakes
- Streams
- County - State - Federal Parks

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



June 2003 Update  
Service Area Categories Map

Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan

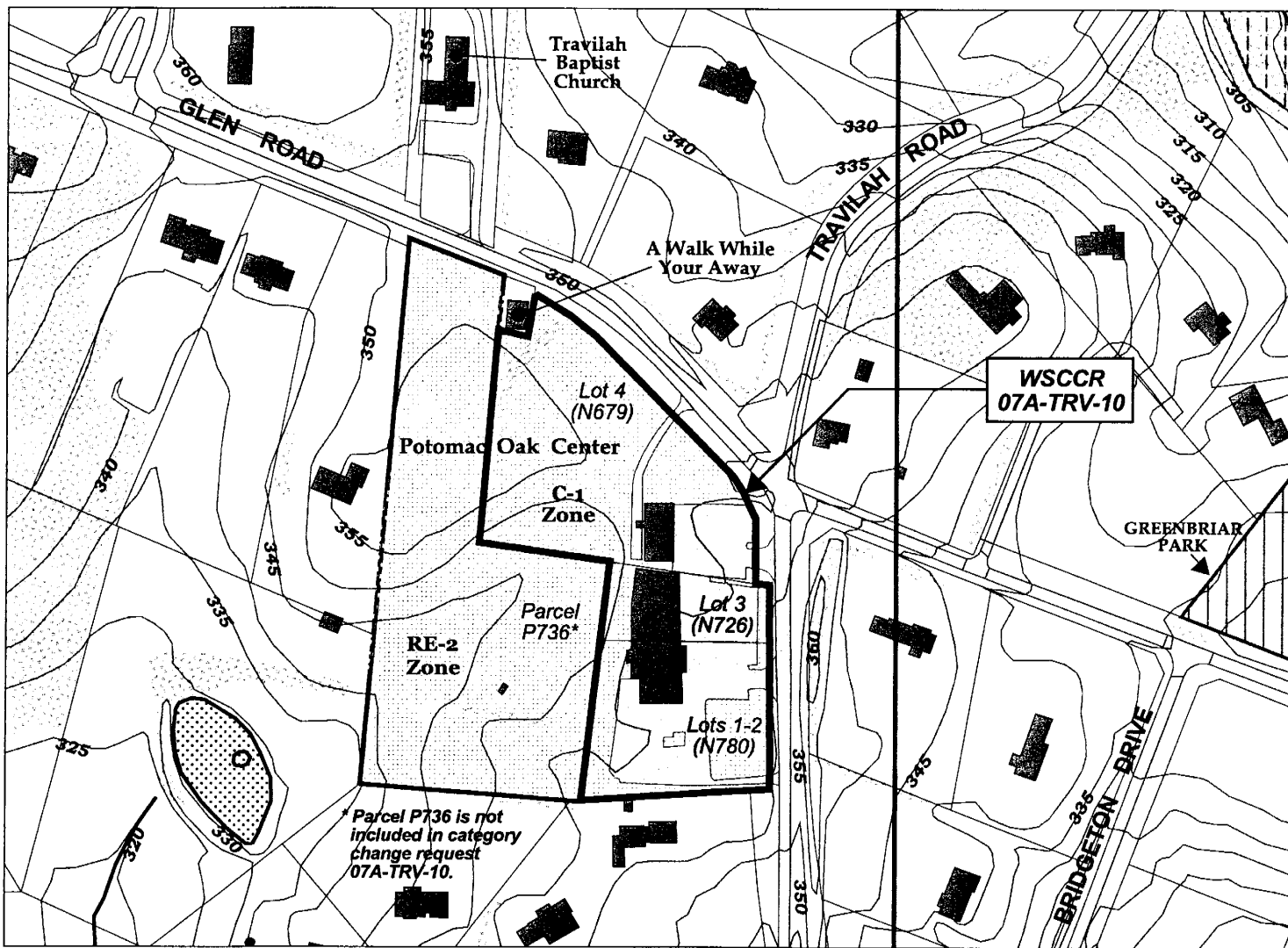


Water and Wastewater Policy Group  
12/6/07 -- GIS Project File:  
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59

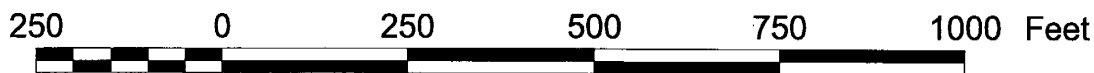
# Water/Sewer Service Area Category Change Request Map

## WSSCR 07A-TRV-10: Potomac Oak Center



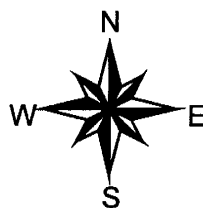
Travilah Planning Area

Watts Branch Watershed



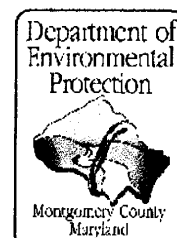
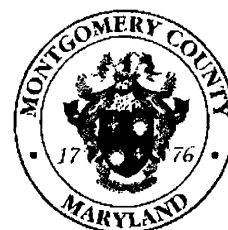
### MAP LEGEND

- Property
- Potomac Oak Center Site
- WSSCR 07A-TRV-10
- WSSC MapTiles
- Buildings
- Roads - Parking
- Topography (C.I. = 5 Feet)
- Streams
- Ponds - Lakes
- Woodlands
- County - State - Federal Parks



### Category Change Request Map

June 2003 Update  
Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water and Wastewater Policy Group  
12/6/07 -- GIS Project File:  
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60

**POTOMAC OAKS CENTER**  
**Water /Sewer Service Area Category Change Request**

The subject property is located in the southwest quadrant of Travilah Road and Glen Road. The property is currently in use as a commercial retail center comprised of four lots totaling approximately 5.08 acres of land. The property is zoned C-1 along the front portion of the property along Travilah Road. The existing retail center is located on the C-1 zone. The remaining area is zoned RE-2. A contiguous outlot consisting of approximately 5.02 acres zoned RE-2 is reserved for septic systems and stormwater management. The attached exhibit outlines the area of the C-1 zone of the subject request.

The existing retail area totals approximately 23,600 square feet of floor area, including a Chinese restaurant, convenience store, offices and service retail. The owner of the property has approval to add an additional 4500 square feet of offices to the center. The proposed office building would bring the Retail Center to 28,100 square feet gross floor area.

The purpose of the C-1 commercial zone is defined in the Zoning Ordinance as follows:

*59-C-4.340. Purpose.*

*It is the purpose of the C-1 zone to provide locations for convenience shopping facilities in which are found retail commercial uses which have a neighborhood orientation and which supply necessities usually requiring frequent purchasing with a minimum of consumer travel. Such facilities should be located so that their frequency and distributional pattern reflect their neighborhood orientation. In addition, such facilities should not be so large or so broad in scope of services as to attract substantial amounts of trade from outside the neighborhood. It is further the intent of this zone that, in order to restrict the size of such facilities, the convenience commercial zone should not be located in close proximity to other commercial areas; and it shall not be applied to land which is located within a central business district as defined in section 59-A-2.1.*

As evidenced by the attached land use plan there are no commercial facilities near the existing center. The size and location of the retail center are in conformance with the intent of the Zoning Ordinance and the Master Plan. The retail center has a neighborhood orientation and minimizes consumer travel. Continuation of this use is consistent with the Master Plan.

Due to the age of the septic system and the loading on the system some previous maintenance and rehabilitation work has been performed on the drainfield area under the guidance of the County Health Department. Preliminary engineering of an aerobic bioreactor prior to the drainfield area has been

investigated. However, the installation of the bioreactor system would entail the continued operation of the drainfield. Connection to a public system would ensure a more reliable long term environmentally sound system. The extension of public water to the property would improve the fire protection for the retail center and the surrounding area. The construction of the water and sewer services would be along public right of ways. There will be no encroachment along stream valleys.

The Master Plan is specific in its intent not to provide public water and sewer to the RE-2 zones. The owner is seeking a Category service change **only** for the area currently zoned **C-1**. This is the only C-1 zoned property in the immediate area. The C-1 zone has a higher density than RE-2 zone, which makes it more suitable for public water and sewer service. The existing stormwater management easement would remain in the RE-2 zone.

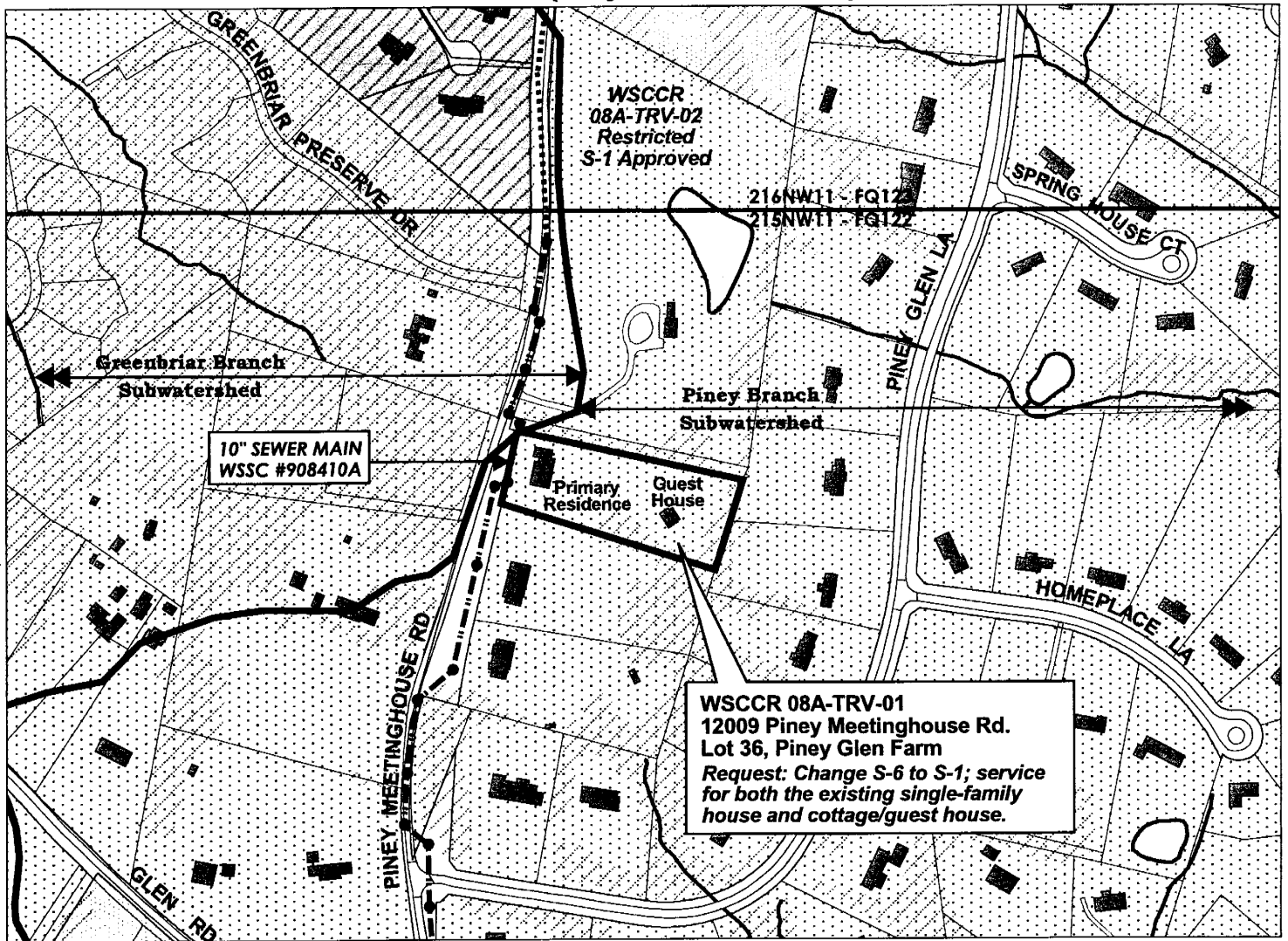
As indicated on the exhibit in the Master Plan, "Potomac Sewer Service Envelope 2002", there are currently several non contiguous sewer envelopes designated in the region. Establishing an envelope around the C-1 zone would be consistent with previous designations that are not contiguous with current service envelopes.

The owner is willing to agree to the following conditions if the Category Change is granted:

- 1) Category service change will be for the C-1 zoned area only
- 2) Restrict development of the C-1 zoned land to 40,000 Square Feet
- 3) Maintain uses that are provided by the C-1 zone.
- 4) Renovate the exterior of the existing Retail Center
- 5) Preserve the Historic 72 inch Oak tree on the property.
- 6) Provide sewer service via pressure system rather than by gravity.
- 7) The water and sewer extensions will be funded by the owner and meet WSSC requirements.

Granting of the category change will provide environmental benefits while maintaining and enhancing an existing use.

# Sewer Service Area Categories Map WSSCR 08A-TRV-01 (Reynaldo & Zorayda Lee-Llacer)



Travilah Planning Area

Watts Branch Watershed

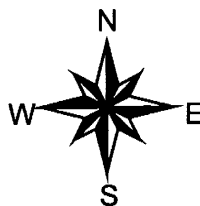
500 0 500 1000 1500 Feet

## MAP LEGEND

- Property
- WSSC Map Tiles
- Sewer Manholes
- Sewer Mains**
  - Small-Diameter, Low-Pressure Mains
  - 6"- to 8"-Diameter Gravity Mains
  - 10"- to 14"-Diameter Gravity Mains
- Buildings
- Roads - Parking
- Watts Branch Subwatersheds
- Streams
- Ponds - Lakes
- Woodlands

## Sewer Service Area Categories (6/03)

- S-1
- S-3
- S-4
- S-5
- S-6



June 2003 Update  
Service Area Categories Map

Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water and Wastewater Policy Group  
12/7/07 -- GIS Project File:  
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2007ccrs\08a-trv01=lee-llacer=s.apr



**2) Property/Site Description and Development:**

Address 12009 PINEY MEETINGHOUSE ROAD, POTOMAC, MD 20854  
 Property/Site Size 2.54 ACRES Identification (ie, Parcel #) LOT # 36  
 Location/Closest cross-street GLEN ROAD  
 Current Use SF Home w/ accessory dwelling Proposed Use - SAME -  
 Subdivision Plan No. & Status PLAT # 11865 (copy attached)

(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](http://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-\_\_ Requested Water Category: W-\_\_ ☐ 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:**

we are seeking sewer service for our existing single family house and existing accessory caregiver dwelling/guesthouse now served by 2 septic systems.

Note: Continue on a separate page, if necessary

**DEP Staff Use Only**

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

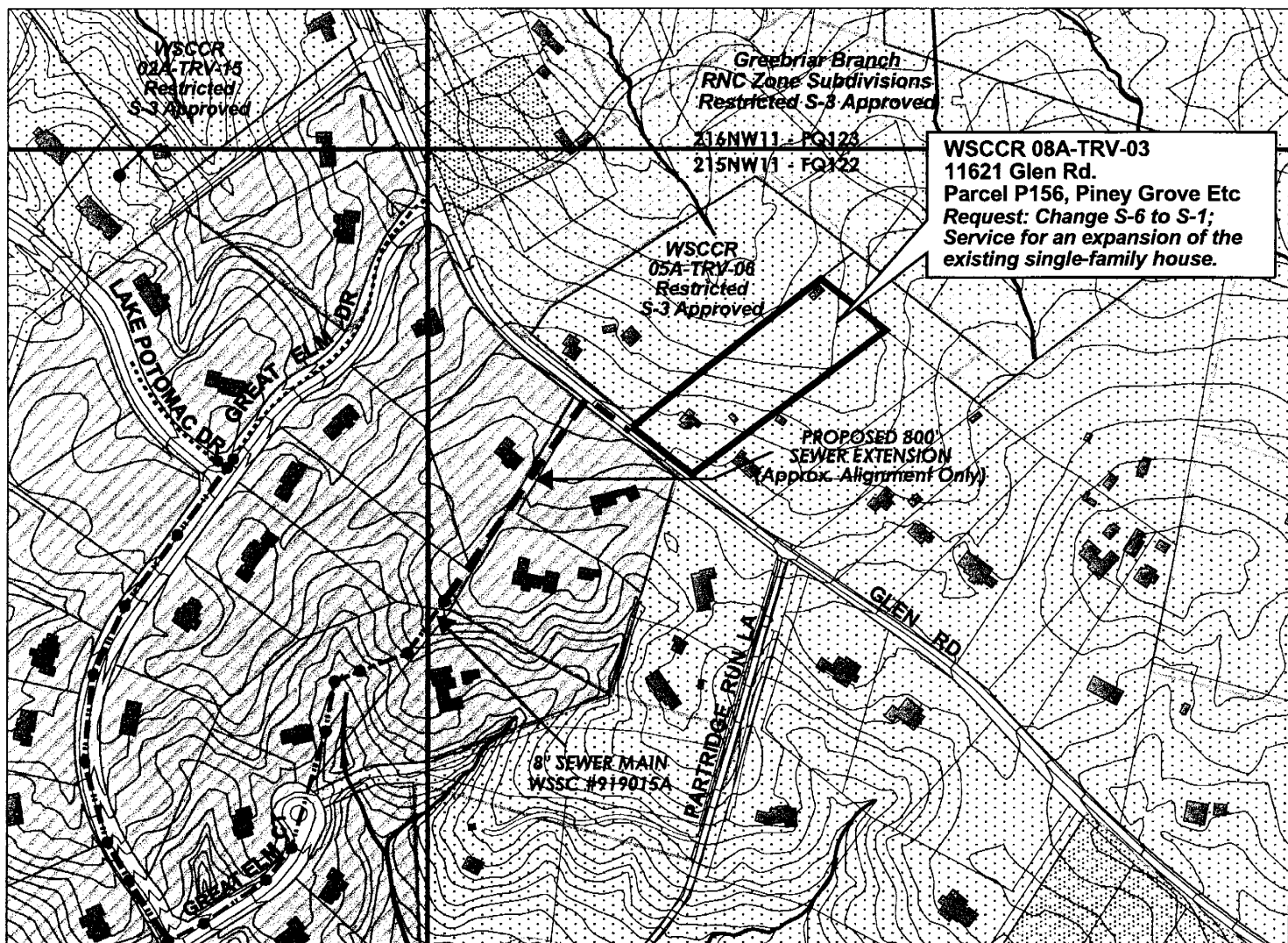
FO22  
 RE2  
 Piney Gutter  
 Trunk Water

# STUDENT LEADERSHIP

65

# Sewer Service Area Categories Map

## WSSCR 08A-TRV-03 (Sprigg & Christina Lynn)



Travilah Planning Area

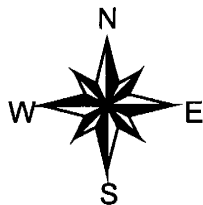
Watts Branch Watershed



### MAP LEGEND

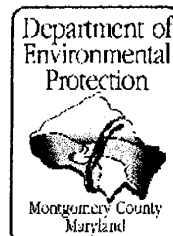
- Property
- WSSC MapTiles
- Sewer Manholes
- Sewer Mains**
  - Small-Diameter, Low-Pressure Mains
  - 6" - to 8"-Diameter Gravity Mains
  - 10" - to 14"-Diameter Gravity Mains
  - Proposed 800' Gravity/Pressure Sewer Main Extension
- Buildings
- Roads - Parking
- Topography (C.I. = 5 Feet)
- Streams
- Ponds - Lakes
- 2002 Potomac Master Plan Recommended Sewer Envelope

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



June 2003 Update  
Service Area Categories Map

Montgomery County, Maryland  
Comprehensive Water Supply  
and Sewerage Systems Plan



Water and Wastewater Policy Group  
12/7/07 -- GIS Project File:  
o:\wwteam\ccrs-pas\travilah\2007ccrs\08a-trv-03=lynn-glen-rd=s.apr

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Shared ☐**4) Reason for request; state current use of site and intended change in usage, if****any:**

Would like to increase the size of our home and living space and add a bathroom. Currently, we have only 1 bathroom upstairs, ~~for~~ <sup>for</sup> 4 people. We would like to also increase the size of our family (more children) and only have 2000 sq. feet now.

- Property does not ~~perc~~ <sup>so</sup> ~~and~~ cannot add new septic field. Do have issues with septic system which is over 50 yrs old.

- Our property abutts 11641 Glen Rd (an S3 category) + Greenbriar Estates(?) has sewer as well as across Glen Rd (Hannon+Semmes properties.)

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

CCRFormJuly05.doc

00405218  
P154

FQ22

Piney Grove etc.  
TRV/11/18  
RE2