





MCPB
7/24/08
Item #

July 11, 2008

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Stephen D. Federline , Master 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—Administrative Cases AD 2008-3

RECOMMENDATION

Approval for the three cases in the attached packet.
Transmit recommendations to the County Executive for final action.

DISCUSSION

This staff package contains recommendations for category changes requiring action by the County Executive (CE). Administrative cases are generally well within established policies and guidelines for community water and sewer service and therefore do not go before the County Council for action. The Department of Environmental Protection (DEP) staff has submitted the attached package of category change requests on behalf of the CE.

The staff report for administrative cases only highlight those cases where recommendations differ from the Executive's recommendation, or where significant comments should be brought to the attention of the Board. There are no differences between agency recommendations in this package.

CONCLUSION

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.

If the Planning Board believes that any of these cases requires County Council action, such action should be requested at this time.

The Department of Environmental Protection held a public hearing on July 23, 2008 at 2:30 pm. The Board's recommendations will be transmitted to the Executive during the period of open record. The County Executive will take final action on the category change requests.

KN:ss
Attachment

**DEP Interagency Water/Sewer Map Amendment Review
E-Mail Transmittal**

June 12, 2008

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

Katherine Nelson, Environmental Planning Unit, County-Wide Planning
Maryland – National Capital Park and Planning Commission

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

FROM: Alicia Youmans, Planner
Water and Wastewater Policy Group, Department of Environmental Protection

SUBJECT: WATER/SEWER CATEGORY CHANGE REQUEST REVIEW

For your agency's review and comments we have posted to www.montgomerycountymd.gov/waterworks today a PDF that includes the following 4 water/sewer service area category change requests (CCRs). These requests will be considered as proposed amendments to the County's Comprehensive Water Supply and Sewerage Systems Plan. Although we have grouped the requests into *probable* action paths for either administrative or Council consideration, these assignments are tentative at this time and will depend in part on your review comments.

Requests being considered for DEP administrative delegation action:

Administrative hearing AD 2008-3 will be held July 23, 2008, at DEP's offices at 255 Rockville Pk., Rockville.

WSSCR 08A-DAM-02: Fredric Zedler							
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"> ▪ 24417 Woodfield Road ▪ Parcel P510, Hope Improved (district/acct. #00943134) ▪ Map tile: WSSC – 234NW10; MD – FW43 ▪ Located on Woodfield Road (Rt 124) north of Low Meadow Drive ▪ Damascus MP ▪ Upper Great Seneca Creek ▪ R200; 0.5 acres ▪ <u>Existing use:</u> Single Family Home ▪ <u>Proposed use:</u> one single-family house, using public water and septic service 	<table border="1"> <thead> <tr> <th colspan="2"><u>Existing – Requested – Service Area Categories</u></th> </tr> </thead> <tbody> <tr> <td>W-6</td> <td>W-1</td> </tr> <tr> <td>S-6</td> <td>S-6 (No change)</td> </tr> </tbody> </table> <p><u>Applicant's Explanation</u></p> <p>"Desire public water, both neighbors have public water, and mine has yet to be hooked up." There is a 10 inch water line that passes the property along Woodfield Road. The applicant is requesting public water for an existing house.</p> <p><i>DEP Note: Qualifying abutting mains case, as verified by DEP. DEP sent note to WSSC to proceed with water service for one connection only on Feb. 6, 2008.</i></p>	<u>Existing – Requested – Service Area Categories</u>		W-6	W-1	S-6	S-6 (No change)
<u>Existing – Requested – Service Area Categories</u>							
W-6	W-1						
S-6	S-6 (No change)						

Agency Review Comments

M-NCPPC: County Master Plan Consistency Statement:*

The 2006 Damascus Master Plan states that properties zoned for one- and two-acre development can be considered for community water service if provision of service resolves drinking water quality issues, improves fire safety or is economically feasible. The availability of community water service from existing lines abutting the property strongly indicates economic feasibility. This request is consistent with the plan.

Water and Sewer Category Recommendation: Approval

WSSC: Property abuts a water main and can be served by connections.

DPS: We support the availability of public water to this property; this will facilitate future septic system repairs and replace a well that does not meet current standards.

DEP Staff Recommendation and Report: Approve S-1. Policy V.F.1.a Consistent with Existing Plans. The provision of public sewer service is consistent with County Water and Sewer Plan policies and with master plan service recommendations. The property abuts existing sewer lines.

WSSCR 08A-DAM-03: William and Anne Mullis							
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"> ▪ 9200 Damascus Road ▪ Parcel P303, (dist.-acct. no. 12-00930187) ▪ Map tile – MD: FX52; WSSC: 236NW09 ▪ South of Howard Chapel Drive ▪ Damascus and Vicinity MP ▪ Upper Great Seneca Watershed ▪ RE2-C Zone; 15.28 Acres ▪ <u>Existing use</u>: Single Family House ▪ <u>Proposed use</u>: one single-family house, using public water and septic service 	<table border="1"> <thead> <tr> <th colspan="2"><u>Existing – Requested – Service Area Categories</u></th> </tr> </thead> <tbody> <tr> <td>W-6</td> <td>W- 1</td> </tr> <tr> <td>S-6</td> <td>S-6 (No change)</td> </tr> </tbody> </table> <p><u>Applicant's Explanation</u></p> <p><i>"The well has been inspected and determined to be dry and unable to produce suitable water yield..."</i></p> <p><u>DEP Note</u>: Health Issue, failing well, documented by Well and Septic Section Feb 29, 2008. DEP sent note to WSSC to expedite water service (one connection only) on April 2, 2008.</p>	<u>Existing – Requested – Service Area Categories</u>		W-6	W- 1	S-6	S-6 (No change)
<u>Existing – Requested – Service Area Categories</u>							
W-6	W- 1						
S-6	S-6 (No change)						

Agency Review Comments

M-NCPPC: County Master Plan Consistency Statement:*

The 2006 Damascus Master Plan states that properties zoned for one- and two-acre development can be considered for community water service if provision of service resolves drinking water quality issues, improves fire safety or is economically feasible. The availability of community water service from existing lines abutting the property strongly indicates economic feasibility. This request is also designed to alleviate a public health problem, in this case a failing well. This request is consistent with the plan.

Water and Sewer Category Recommendation: *Approval*

WSSC: Property abuts a water main and can be served by connections.

DPS: Our inspector's findings in February 2008 indicate the well is of substandard construction, going dry and there are water quality concerns due to the presence of a buried fuel tank on the property.

DEP Staff Recommendation and Report: Approve S-1. Policy V.F.1.a Consistent with Existing Plans. The provision of public sewer service is consistent with County Water and Sewer Plan policies and with master plan service recommendations.

DEP NOTE: *The property has also experienced public health problems. The extension of public water service to this property to relieve a failed well system is authorized under the Water and Sewer Plan's policies addressing public health problems for individual properties. DEP sent on April 2, 2008 a notice to WSSC to expedite service.*

WSSCR 08G-DNT-03: MCPS					
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification				
<ul style="list-style-type: none"> ▪ 15030 Turkey Foot Rd ▪ Parcels 570, 678 & 680(dist.-acct. no. 06-00388476, 06-00388465 & 06-00388512) ▪ Map tile – MD: ES21; WSSC: 220NW14 ▪ On Turkey Foot Rd across (west) of Golden Fields Court ▪ Darnestown Master Plan ▪ Muddy Branch Watershed (MDE Use) ▪ RE-2 Zone; 7.2 acres ▪ <u>Existing use:</u> Darnestown Elementary School. ▪ <u>Proposed use:</u> Replace failing septic system for the existing school (no facility expansion is proposed) 	<p><u>Existing – Requested – Service Area Categories</u></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">W-1</td> <td style="width: 50%;">W-1 (no change)</td> </tr> <tr> <td>S-6</td> <td>S-6, with multi-use sewer system approval</td> </tr> </table> <p><u>Background</u></p> <p>The septic system at Darnestown Elem. was inspected by Clarksburg Depot staff Dec. 2007, and it was determined that the existing system was not functioning well, and a replacement system was needed.</p>	W-1	W-1 (no change)	S-6	S-6, with multi-use sewer system approval
W-1	W-1 (no change)				
S-6	S-6, with multi-use sewer system approval				

Agency Review Comments

M-NCPPC: Our staff have no objection to a multi-use system on the elementary school on Turkey Foot Road.

WSSC: A 9000-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to the Muddy Branch Trunk Sewer (contract no. 73-5718A) and would abut many properties in addition to the applicant's. Rights-of-way would be required. Construction of this extension would involve the removal of trees, would temporarily impact wetlands, and would require construction within MNCPPC property.

DPS: 'Water table' and percolation testing was conducted on the property in March, 2008, to establish sufficient septic area to install at least one replacement septic system so that the existing drywells could be replaced and properly abandoned. DPS met with the designer, MCPS and MDE in May, 2008, to discuss the plans for septic system replacement and all associated County and State requirements and permits.

DEP Staff Recommendation and Report: Approve Replacement Multi-use Septic System. Approval for multi-use sewerage systems under W-1 and S-6. Policy V.F.2.d, Larger-capacity multi-use systems. Darnestown Elementary school has been functioning on a small capacity multi-use system that has been inspected and shows to be failing. The Montgomery County Public Schools would like to replace the system with a large-capacity multi-use system. The existing multi-use system was never identified and DEP will amend plan text to include this multi-use system in its inventory. The school system is working the well and septic section with this replacement system.

****DEP NOTE:** Darnestown Elementary School is not seeking public sewer service. The comments WSSC provided demonstrate the extensive efforts that would be involved to do so.*

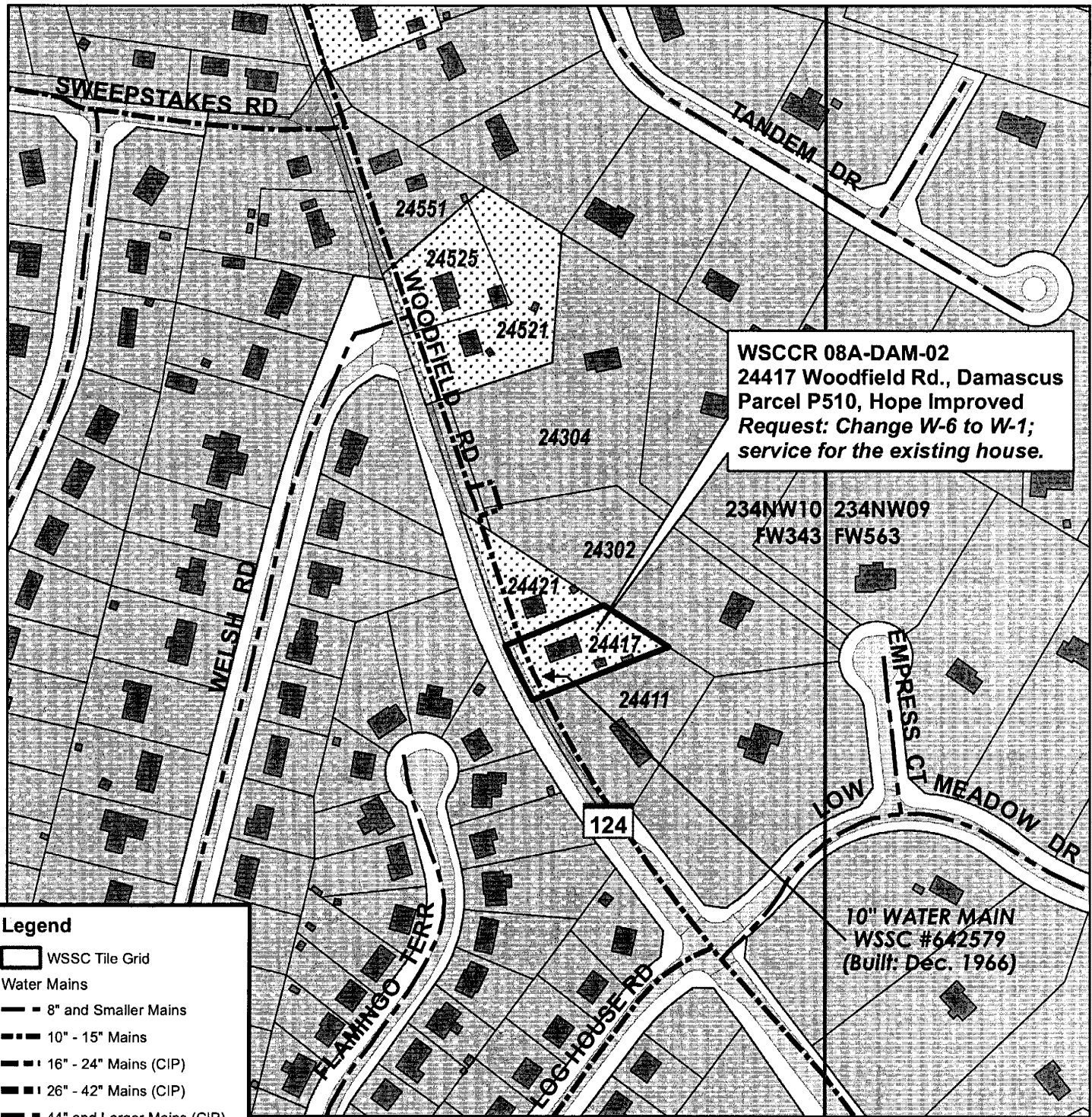
If you have any questions concerning the category change requests in this packet, please contact me via e-mail at alicia.youmans@montgomerycountymd.gov, or by calling 240-777-7738.

Attachments

cc: Peg Robinson, Development Services Group, WSSC
 Keith Levchenko, County Council

cc/fyi: Property owners and interested parties
 Civic and environmental groups

Water Service Area Categories Map WSSCR 08A-DAM-02 (Fredric Zedler)



Legend

- WSSC Tile Grid
- Water Mains**
- 8" and Smaller Mains
- 10" - 15" Mains
- 16" - 24" Mains (CIP)
- 26" - 42" Mains (CIP)
- 44" and Larger Mains (CIP)
- Buildings
- Water Categories**
- W-1
- W-3
- W-4
- W-5
- W-6

Damascus Planning Area
Upper Great Seneca Creek Watershed

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



DEP
Water and Wastewater
Policy Group



DEPARTMENT OF ENVIRONMENTAL PROTECTION

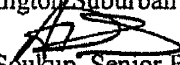
Isiah Leggett
County Executive

Robert Hoyt
Director

MEMORANDUM

April 2, 2008

TO: Peg Robinson, Acting Group Leader, Development Services Group
Washington Suburban Sanitary Commission

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

SUBJECT: Public Health Problems

We request WSSC's assistance in expediting the provision of public water service to the following property:

9200 Damascus Road, Damascus

Property I.D.:	Parcel P303, Noles Inheritance (SDAT tax map: FX52)]		
Owner:	William Mullis	Service Areas:	W-6, S-6
WSSC grid:	236NW09	Zoning/Size:	RE-2C; 15.28 ac.
Planning Area:	Damascus	Watershed:	Upper Great Seneca Creek

The Department of Permitting Services (DPS), Well and Septic Section, has advised this office of a public health problem, a well failure, at the subject property (see the attached memorandum). DPS recommended relief of this problem by connecting the site to public water service, due to in part to the presence of an abutting 10"-dia. water main (WSSC #693963A).

Although this property is designated as category W-6 in the County's Water and Sewer Plan, DPS acknowledgement of a public health problem is sufficient justification to warrant the expedited provision of public water service, regardless of the existing service area category. DEP has initiated the process to have the property owner file a request for a service area change from W-6 to W-1 (WSSCC 08A-DAM-03).

Given these conditions, it is reasonable to relieve this public health hazard by expediting the provision of public water service. **WSSC should not wait for the approval of a Water and Sewer Plan amendment to provide public service; public water service via the WSSC's system should be provided as soon as possible.** We would appreciate your assistance in this matter.

If you have any questions, or if there are significant problems related to provision of water service, please contact me at alan.soukup@montgomerycountymd.gov or 240-777-7716.

Attachments

Office of the Director

Peg Robonson
April 2, 2008

Page 2

cc: Luis Tapia, Acting Unit Leader, Permit Services Unit, WSSC
Kathy Maholtz, Development Services Group
David Lake, Manager, Water and Wastewater Policy Group, DEP
Amy Hart and Kim Beall, Well and Septic Section, DPS
Katherine Nelson, Community-Based Planning/Environmental Unit, M-NCPPC
William Mullis (c/o Carol Carr-Smith)

ADS:ads/R:\Programs\Water_and_Sewer\Projects\WELLSEPT\HEALTHAZ\EXPDOCS-alpha\D\damascus-rd-9200=mullis=w doc



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid Joyner
Director

February 29, 2008

TO: Alan Soukup
Department of Environmental Protection
255 Rockville Pike
Rockville, Maryland 20850

FROM: Kim Beall, R.S.
Well and Septic Section
Department of Permitting Services
255 Rockville Pike, 2nd floor
Rockville, Maryland 20850

SUBJECT: Request for water connection

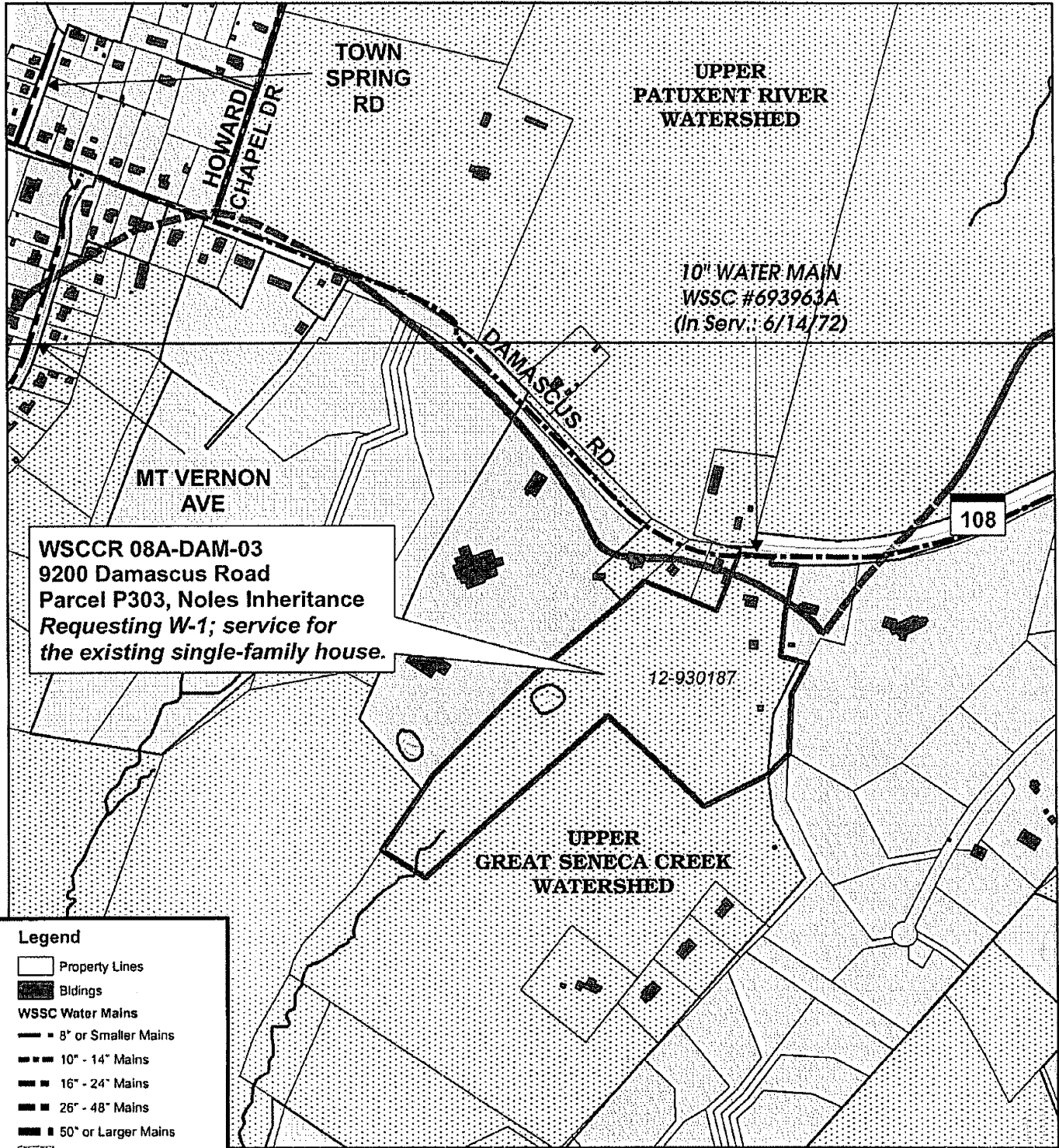
LOCATION: 9200 Damascus Road
Tax Map Grid: FX 52
WSSC Grid: 236 NW 8

Mr. William Mullis, the owner of the above referenced property, has requested our assistance in getting an expedited water connection. Jared Sluzalis, an inspector in the Well and Septic section, has confirmed that the existing water well is in disrepair and is nearly dry. The subject property is in water category W-6 and needs a category change. A water line abuts the property.

If I can be of further assistance, please contact me at 240-777-6315.

cc: Mr. William Mullis

**Water Service Area Categories Map
WSSCR 08A-DAM-03 (Willian and Anne Mullis)**

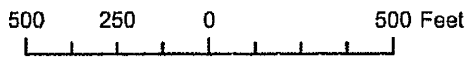


WSSCR 08A-DAM-03
 9200 Damascus Road
 Parcel P303, Noles Inheritance
*Requesting W-1; service for
 the existing single-family house.*

Legend

- Property Lines
- Buildings
- WSSC Water Mains**
- 8" or Smaller Mains
- 10" - 14" Mains
- 16" - 24" Mains
- 26" - 48" Mains
- 50" or Larger Mains
- Parks
- WSSCR 08A-DAM-03
- Major Watersheds
- Water Categories**
- W-6
- W-3
- W-1

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



DEP Water & Wastewater
 Policy Group