



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
ITEM 5
20NOV2003

November 13, 2003

TO: Montgomery County Planning Board

VIA: Nazir Baig, P.E., Supervisor Environmental Planning *Nazir Baig*

FROM: *DQ* Dominic Quattrocchi for the Department of Park and Planning
(301) 495 1323

SUBJECT: **Water and Sewer Service Area Category Change Requests,
Administrative Delegation Group 2003-04**

Aspen Hill P.A. WSSCCR 03A-APH-01
Cloverly-Norwood P.A. WSSCCR 03A-CLO-04
Germantown P.A. GWSMA 03G-GMT-01
Travilah P.A. WSSCCR 03A-TRV-13

RECOMMENDATION:

Staff finds the attached four category change requests to be appropriate for administrative delegation review and they are either consistent with guidance from the respective master plans or water and sewer service policy. Staff recommends approval of all four category change requests, provided additional conditional language for WSSCCR 03A-TRV-13. Staff recommends transmittal of the recommendations to the County Executive.

DISCUSSION:

The attached material contains four water and sewer category change applications under consideration as amendments to the Comprehensive Water Supply and Sewerage Systems Plan using the administrative delegation process. Under this process, the Director of the Department of Environmental Protection (DEP) is delegated the authority to approve, with community hearing, community water and/or sewer service under limited circumstances. These policies are discussed on pages 1-9 through 1-18 of the Comprehensive Water Supply and Sewerage System Plan. The administrative delegation policies were used extensively, along with guidance from the Planning Board on previous cases, and interpretation of the relevant master plans by the Department of Park and Planning to develop staff positions on the amendments. This is the 2003-04 set of administrative applications.

The comments and recommendations of the WSSC, MCDEP staff, and M-NCPPC staff are incorporated into the Summary Table of Category Change Requests (See attachment).

Park and Planning Staff recommendations concur with the Executive staff recommendations for all four requested changes provided additional conditional language for WSSCR 03A-TRV-13. M-NCPPC staff requests that connection to Piney Branch Trunk Sewer avoids any crossing of the Piney Branch. Detailed information can be found in the Administrative Delegation Group Summary Tables, which are attached.

ADG 2003-04 Water and Sewer Service Area Category Change Requests

Application	Request	Community Based Planner Comments
WSSCCR 03A-APH-01 Aspen Hill	K2 Development Inc requesting S3 for existing 2.76 acre R-200 Property for proposed four single family homes. Sewer service is available via a eight inch main in Redwick Lane.	Consistent Aspen Hill Master Plan. Property is zoned R-200 and is eligible for sewer.
WSSCCR 03A-CLO-04 Cloverly-Norwood	J.M. Development, LLC requesting W1 for a 26.39 acre RC zoned property. Pre preliminary plan (7-03025) is for 5 single family homes. A 12" water main abuts the property in New Hampshire Ave.	Consistent with Water and Sewer Service Policies. Though water service is inconsistent with the 1998 Sandy Spring/Ashton Master Plan, the Master Plan allows for case-by-case evaluation for RE-2 and rural zones consistent with "Water Without Sewer Policy" in the Ten Year Water and Sewer Plan.
03G-GMT-01 Germantown P.A. GWSMA Kingsview Knolls	Initiated by MCDEP-WMD General Map Amendment to make 47 single family homes (43 acres) in the Kingsview Knolls neighborhood eligible for public water and sewer service.	The proposed Administrative Delegation for the 47 homes contained in this application meets the intent of the Germantown Master Plan, adopted and approved in 1989. Outlot B is not presently subdivided. Subdivision of this outlot would be required to meet subdivision criteria for the base R-200 Zone recommended in the Master Plan.
WSSCCR 03A-TRV-13 Travilah P.A.	Bernard Fulk III requesting S-1 for existing single family Home on 9.5 acre RE-1 property. Proposed use is 5 single family homes.	Consistent with Potomac Subregion Master Plan. M-NCPPC staff request that connection to Piney Branch Trunk Sewer avoid any crossing of the Piney Branch (i.e. utilize 200' extension abutting adjacent Property, requiring a right-of-way agreement).

**ADMINISTRATIVE DELEGATION GROUP 2003-4: WATER/SEWER SERVICE AREA CATEGORY CHANGE REQUESTS (WSCCRs)
SUMMARY TABLE OF PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS 10/31/2003**

Amendment No. Applicant (Owner) Site Description Site Location	Master Plan Basin (Watershed Use) Zoning & Acreage Site Development	Water/Sewer Service Area Categories Existing Requested Reason for Request	WSSC & DPS Report (Main extensions are non-CIP sized unless otherwise noted.)	M-NCPPC Staff and Planning Board Report/Comments	MCDEP Staff Recommendation (With Administrative Policy and Staff Report)	County Council Recommendations - Public Hearing Testimony
ASPEN HILL PLANNING AREA						
WSCCR 03A-APH-01 K2 Development, Inc. Parcel P733, Flint Hill Tax Map HS62; WSSC/GIS Grid 2241NW03 East side of Radwick Ln. 650' south of Norbeck Rd. (Rte. 28)	Aspen Hill Master Plan (1994) Northwest Branch Watershed (MDE Use IV) R-200 Zone: 2.76 ac. Proposed use: 4 single- family houses	W-1 No Change S-6 S-3 <u>Applicant's Reason for Request: (Summarized)</u> Sewer service is already available via an 8" public main in Rad- wick Ln running along the southwest property line. The Aspen Hill Master Plan recom- mends this site for public sewer service on pg. 131. See attached concept for lot layout.	<u>Sewer:</u> An 8"-dia. Sewer main [No. 919227A] abuts the property. This line continues along the southwestern edge of the property [No. 89-8231A]. Service is available via either section. <u>DPS - Well & Septic:</u> An older file for 15721 Radwick Ln. indicates that the property was deemed "unbuildable" in 1964. It appears unlikely that it could support 4 houses on septic.	<u>Planning Staff:</u> (via phone 9/22/2003.) Public sewer service is consistent with recommendations in the Aspen Hill Master Plan. <u>Planning Board:</u> (Pending)	Approve S-1. Policy V.F. 2.d.: Consistent With Existing Policies. <u>Staff Report:</u> Public sewer service to this site is consistent with Aspen Hill Master Plan recommendations and with Water and Sewer Plan policies. Sewer abuts the property.	<u>Council:</u> <u>Testimony:</u>
CLOVERLY - NORWOOD PLANNING AREA						
WSCCR 03A-CLO-04 J.M. Development, LLC (for Charles Lethbridge and Jean Duncan) Parcels P911, P931, P92, and P68, Mt Airy Tax Map JT42/43; WSSC/GIS Grid 224NW01 West side of New Hampshire Ave (Rte. 650) 700' south of Ashton Oaks Ct.	Cloverly-Norwood Master Plan (1997) Hawlings River Watershed (MDE Use IV) RC Zone: 26.39 ac. Proposed use: 5 single- family houses [Pre-application plan 7-03025]	W-6 W-1 S-6 No Change <u>Applicant's Reason for Request:</u> None given.	<u>Water:</u> A 12"-dia. water main [No. DA3284Z02] abuts the site in New Hampshire Ave. (Rte. 650) <u>DPS - Well & Septic:</u> The pre- application plan for this property shows 2 lots with well arcs (100' setback circles) that would extend off the property. This is allowed only with the adjoining owner's permission. Public water would alleviate the need for permission and possibly allow a 5 th lot. Perc tests have not been started.	<u>Planning Staff:</u> (via phone 9/22/2003.) Public sewer service is consistent with Cloverly-Norwood Master Plan. <u>Planning Board:</u> (Pending)	Approve W-1. Policy V.F. 2.d.: Consistent With Existing Policies <u>Staff Report:</u> Public water service is consistent with recommendations in the Cloverly Master Plan and also with Water and Sewer Plan policies. Service is logical and economical since a water main abuts the property.	<u>Council:</u> <u>Testimony:</u>

**ADMINISTRATIVE DELEGATION GROUP 2003-4: WATER/SEWER SERVICE AREA CATEGORY CHANGE REQUESTS (WSCCRs)
SUMMARY TABLE OF PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS - 10/23/2003**

Amendment No. Applicant (Owner) Site Description Site Location	Master Plan Basin (Water:shed Use) Zoning & Acreage Site Development	Water/Sewer Service Area Categories Existing Requested Reason for Request	WSSC & DPS Report (Main extensions are non-CIP sized unless otherwise noted.)	M-NCPPC Staff and Planning Board Report/Comments	MCDEP Staff Recommendation (With Administrative Policy and Staff Report)	County Council Recommendations - Public Hearing Testimony
GERMANTOWN PLANNING AREA						
General Water/Sewer Map Amendment						
<p>GWSMA 03G-GMT-01 Initiated by DEP-WMD Kingsview Knolls Pis. Lots 1, 2, 18, 17, 15; Lots 3, 4, 6-12, Block 1; Pt. Lot 23, Pt. O.L. B, and Lots 16-21, and 24-26, Block 2; Block 3; Pt. O.L. A, Lots 3, 7- 13, Block 4 and Parcels P745, P800 and P401. Tax Map ET123; WSSC/GIS Grid: 225NW14 Kingshill Rd.; Kingsbrook Dr.; and east side of Schaeffer Rd between Kingshill Rd. and Northern Dancer Ln.</p>	<p>Germantown Master Plan (1989) Little Seneca Creek (MDE Use II) and Great Seneca Creek (MDE Use I) Watersheds R-200 Zone: 43.03 ac.* (*incl. public rights-of- way) Existing use: 47 single- family houses; Proposed use: public service for existing and potential new single- family houses</p>	<p>W-6 S-6 W-3 S-3 Reason for General Map Amendment: To make all properties in the Kingsview Knolls neighborhood eligible for public water and sewer service. As can be seen from the accompanying service area maps, DEP has administratively approv- ed many category change requests in this neighborhood since public water and sewer service became available in the area due to the adjacent subdivisions. DEP continues to receive requests in this area. Clearly, this neighbor- hood, originally established on wells and septic systems, is moving incrementally towards public service. Rather than continuing to address these properties on a case- by-case basis, the general amendment provides a more streamlined administra- tive category change process. (Also see the DEP staff report to the right.)</p>	<p>Water: Service will require: 1) a 1215' extension from an existing water main at Kingshill Rd and Maytide Way intersection along Kingshill Rd; 711' of this extension has been conceptually approved. 2) a 388' extension from an existing water main at Kingsbrook Dr. and Schaeffer Rd intersection along Kingsbrook Dr to connect with the proposed main extension at Kingshill Rd and Kingsbrook Dr. and 3) a 5' main extension from Parcel P401 east to an existing water main in the abutting townhouse subdivision. Rights-of-way will be required. Sewer: Service will require: 1) a 400' extension from an existing sewer main at Kingshill Rd and Schaeffer Rd. Intersection along Kingshill Rd.; 260' of this extension has been conceptually approved. 2) a 365' extension north along Kingshill Rd. from an existing sewer at Maytide Wy and Kingshill Rd intersection; a 294' main extension south along Kingshill Rd. from an existing sewer at Maytide Wy. - this extension has been conceptually approved. 3) a 102' extension north along Kingshill Rd. from an existing sewer in Kingsbrook Dr. - this extension has been conceptually approved. 4) a 390' extension along Schaeffer Rd from an existing main north of Bon Haven Ln.; 5) a 1124' extension from an existing sewer in Bon Haven Ln south along Schaeffer Rd - 315' of this has been conceptually approved. 6) a 290' extension from an existing main in Schaeffer Rd. south of Tatani Dr. between Lots 21 and 22 to serve Pt. O.L. B; and 7) a 5' main extension from Parcel P401 east to an existing sewer main in the abutting townhouse subdivision. Rights-of-way will be required.</p>	<p>Planning Staff: (Pending - MCDEP Comments:) Public water and sewer service is consistent with recommendations in the Germantown Master Plan. Planning Board: (Pending)</p>	<p>Approve W-3 and S-3. Policy V.F.2.d.: Consistent With Existing Policies Staff Report: This is a DEP- initiated map amendment for the entirety of the Kingsview Knolls subdivision and adjacent parcels. A comprehensive map amendment for this R-200 zoned neighborhood is appropriate given the interest in public water and sewer service which DEP has observed in recent years, as reflected in the numerous individual sites which have requested and received category changes since 1998. Both public water and sewer service are consistent with master plan recommendations and with Water and Sewer Plan policies. Service to this area is logical and economical since the subdivision is surrounded by new development using public systems.</p>	<p>Council: Testimony:</p>



**ADMINISTRATIVE DELEGATION GROUP 2003-4: WATERSEWER SERVICE AREA CATEGORY CHANGE REQUESTS (WSCCRs)
SUMMARY TABLE OF PROPOSED COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS 10/31/2003**

Amendment No. Applicant (Owner) Site Description Site Location	Master Plan Basin (Watershed Use) Zoning & Acreage Site Development	Water/Sewer Service Area Categories		WSSC & DPS Report (Main extensions are non-CIP sized unless otherwise noted.)	M-NCPPC Staff and Planning Board Report/Comments	MCDEP Staff Recommendation (With Administrative Policy and Staff Report)	County Council Recommendations -- Public Hearing Testimony
		Existing	Requested				
<p>WSCCR 03A-TRV-13 Bernard Fulk III Lot 26, Block A, Hollinridge -- 10311 Lloyd Rd. Tax Map FQ33; WSSC/GIS Grid 215/216NW10 Northwest side of Lloyd Rd. 1600' east of Glen Mill Rd.</p>	<p>Potomac Master Plan (2002) Watts Branch Watershed/Lower Piney Branch Subwatershed (Piney Branch SPA) (MDE Use I) RE-1 Zone: 9.5 ac. Proposed use: 5 single- family houses</p>	<p>W-1 S-6</p> <p>No Change S-1</p> <p>Applicant's Reason for Request: "If current septic system fails we would need to hook up to sewer line. It is working fine now. Already connected to public water."</p>	<p>WSSC-Sewer: The 18" dia. Piney Branch Trunk Sewer [89CT8066B] abuts the northern edge of the site. To avoid crossing the Piney Branch, a 200' extension would be required. This extension would abut 1 other property; rights-of- way would be required. Construction of this extension would impact a forested area.</p> <p>It is unlikely that this extension could serve any existing homes on Lloyd Rd. since it is more than 500' north of Lloyd Rd., with rights-of-way between existing houses required, and homes on the western end are at lower elevations than the site.</p> <p>DPS -- <u>Well & Septic</u>: (Pending)</p>	<p>Planning Staff: (Pending - MCDEP Comments:) Public sewer service is consistent with recommendations in the Potomac Subregion Master Plan and the Piney Branch Restricted Access Policy since the Piney Branch Trunk sewer traverses the site. It is located within the recommended service area of the 2002 Master Plan.</p> <p>Planning Board: (Pending)</p>	<p>Maintain S-6, with advancement to S-3 conditioned on the applicant providing MCDEP with a recorded covenant (with liber and folio number) on the site which includes the Piney Branch Sewer Agreement Recommendations. Policy V.F.2.d.: Consistent With Existing Plans.</p> <p>Staff Report: Service is logical and economical. Sewer Service would be provided by an extension to the Piney Branch Sewerage system. Approval is consistent with master plan recommendations and with Water and sewer Plan policies, including the Piney Branch Restricted Access Policy (PBRAP) since the Piney Branch Trunk Sewer and its right-of-way abut and traverse the site. Any off-site sewer extension will abut only 1 other property which is also eligible for sewer service under the PBRAP.</p>	<p>Council: Testimony:</p>	

3