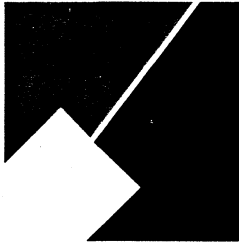


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org


MCPB
October 19, 2006
Item # _____


October 5, 2006

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Gwen Wright, Acting Chief
Countywide Planning Division 

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

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

SUBJECT: Proposed Amendments: Montgomery County Comprehensive Water Supply and
Sewerage Systems Plan—Administrative Cases AD 2006-4

RECOMMENDATION

Approve as recommended for each case in the attached packet and transmit to the County Executive for final action.

DISCUSSION

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

The staff reports for administrative cases only highlight those cases where staff recommendations differ from the Executive's recommendation, or where significant comments should be brought to the attention of the Board. Since there are no significant differences between our recommendations, this staff report simply transmits the attached package for consideration of the Planning Board. 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 hearings is attached for your consideration or further comment beyond the staff report.

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

The Department of Environmental Protection has scheduled a public hearing for October 26, 2006. The Board's recommendations will be transmitted to the Executive for that hearing. The County Executive will then take final action on the category changes unless the Planning Board has recommended some cases be taken to the County Council.

In all cases, the Planning staff recommends that the Planning Board concur with the Executive and transmit these recommendations.

MD:kf
Attachment

MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIRECTOR'S OFFICE ■ WATER AND WASTEWATER POLICY
Rockville Center, 255 Rockville Pike, Suite 120, Rockville, Maryland 20850-4166

September 28, 2006

NOTICE OF ADMINISTRATIVE PUBLIC HEARING

TO: Keith Levchenko, Legislative Analyst
County Council

Gwen Wright, Acting Chief, County-Wide Planning Division
Maryland - National Capital Park and Planning Commission

Zohreh Movahed, Group Leader, Development Services Group
Washington Suburban Sanitary Commission

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

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

SUBJECT: Water and Sewer Plan Amendments: AD 2006-4

TIME: **Thursday, October 26, 2006 at 2:30 p.m.**

LOCATION: **DEP's Lobby Conference Room, 255 Rockville Pike, Suite 120,
Rockville**

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

06A-CLO-03 (Kernan/Butson):

Owner's statement: "Current use is 1 residence. A subdivision plat will be prepared for 5 lots."

Property information: 513 Olney-Sandy Spring Rd, Sandy Spring: Bloomfield, P344. 4.78 acres. 00703202. JT42. RE-1.

Planning Area and Watershed: Cloverly. Hawlings.

Current and Requested Category/Categories: S-6 to S-3.

WSSC: An 8-inch diameter sewer line in MD 108 abuts the property's southern boundary (contract no. 70-4196A). Nonetheless, a 180-foot-long non-CIP-sized sewer extension is required to serve the property since the property is at lower elevations than the existing main. The extension would connect to an existing 8-inch diameter sewer in a right-of-way between Branchwood Lane and Skymeadow Way (contract no. 83-5795B) and would abut approximately 2 properties in addition to the applicant's. Rights-of-way would be required. Program-sized sewer mains are not required.

M-NCPPC: The property lies within the sewer envelope shown in the Sandy Spring-Ashton Master Plan and in the Sandy Spring-Ashton Rural Village Overlay Zone (RVO). Section 59-C-18.183 of the Overlay Zone states: "Lots developed under this overlay zone must be connected to a community water and sewerage system..." Approve.

DPS: Property has Glenelg soil, which many times will support on-site systems. However, the 4.78 acres would most likely NOT yield 5 approved lots with septic. Older homes to the north, on Bentley, could benefit from the extension of sewer service. DPS would ask DEP to consider a requirement that the developer extend a sewer out the proposed interior street, with a "terminal" manhole at the intersection of Bentley- thereby setting the stage for a future extension, or pressure sewer connection for off-site properties.

DEP Recommendation: Maintain S-6, with advancement to S-3 conditional upon the Planning Board's approval of a subdivision plan that meets the requirements of the Rural Village Overlay Zone. Policy V.F.1.a, Consistent with Existing Plans.

DEP Staff Report: The provision of public sewer service is consistent with water and sewer plan policies and with master plan recommendations. The Sandy Spring-Ashton Master Plan recommends the use of public water and sewer service to support development under the RVO Zone standards. An existing sewer main abuts the property along Route 108. However, depending on the development layout, extensions to existing mains near Branchwood Lane or Skymeadow Way may be required to serve the lower part of this property at the rear.

06A-CLO-05 (Maloo):

Owner's statement: "Property will be constructed on vacant lot; I spoke to someone in Well and Septic and he said I can't build unless water & sewer is provided because of size." States that existing building will be demolished or used as toolshed/outbuilding.

Property information: 1221 Briggs Chaney Rd., Silver Spring: Briggs Chaney Estates, Lot 8, Block A. 1.15 acre. 02034528. KS11. 220NE02. RE2C.

Planning Area and Watershed: Cloverly. Paint Branch.

Current and Requested Category/Categories: S-5 to S-1.

WSSC: An 8-inch sewer line in Briggs Chaney Road abuts the property (contract no. 73-5784A); its in-service date is May 17, 1974. Program-sized sewer mains are not required to serve the property.

M-NCPPC: This property abuts both water and sewer and would not involve environmental impacts. Eligible for one dwelling unit under the zone. Approve.

DPS: No records of septic system. DPS is not aware that this is a problem area, although systems are older and no reserve areas are established.

DEP Recommendation: Approve S-1. Policy V.F.1.a, Consistent with Existing Plans.

DEP Staff Report: The provision of public sewer service is consistent with water and sewer plan policies and with master plan recommendations. Although zoned RE-2C, this site is too small, at 1.15 acres, for any subdivision potential. Master plan recommendations and water and sewer plan policies allow for the provision of sewer service for older, grandfathered properties that cannot satisfy current zoning standards, provided that the extension of service is logical, economical, and environmentally

acceptable. An existing sewer main along Briggs Chaney Rd. will provide service, satisfying the preceding requirements.

06A-DAM-05 (Hughes):

Owner's statement: "Failing septic system repair requires abandoning well and attaching to public water supply." DPS failure certificate (05/02/06) provided. Expedite letter (Soukup to WSSC: 05/05/06) provided.

Property information: 9819 Hawkins Creamery Rd., Damascus: Southview, Lot 2, Block A. .46 acre. 00932426. FX41. 235NW10. RE-2C.

Planning Area and Watershed: Damascus. Upper Great Seneca.

Current and Requested Category/Categories: W-6 to W-1.

WSSC: A 10-inch water line in Hawkins Creamery Road abuts the property (contract no. 64-2579). Local service is adequate. Program-sized water main extensions (16 inches in diameter or greater) are not required.

M-NCPPC: The Approved and Adopted Damascus Master Plan (2006) states the following: "The County's water and sewer policy allows for the provision of community water service throughout the majority of the Master Plan area except for the area zoned RDT." The applicant is seeking requested change to repair onsite failing septic system on a small lot and therefore, will need to abandon existing on-site well and connect to public water supply. The requested water category change is consistent with Approved and Adopted Damascus Master Plan (2006) for water only. Approve.

DPS: Owner's statement is correct.

DEP Recommendation: Approve W-1. Policy V.F.1.a, Consistent with Existing Plans.

DEP Staff Report: The provision of public water service is consistent with water and sewer plan policies for service to areas zoned for large lot development, and with master plan recommendations. The application was prompted by a request for service from the Department of Permitting Services, which had documented a public health problem due to a failing septic system. DPS is seeking public *water* service to allow the property owners to abandon their existing well, providing a greater area on the property for a replacement septic system. At the request of DPS, DEP directed WSSC on May 5, 2006, to expedite a water service connection to the existing main abutting the property along Hawkins Creamery Rd.

06A-DAM-06 (Bethany Homes Inc):

Owner's statement: "Request will allow use of public water to serve new lots in an RE2C cluster subdivision consistent with similar existing or approved pending developments adjacent to the property. Public water will be extended into the property from the adjacent subdivision projects." 1-20061180.

Property information: 9190 Damascus Rd., Damascus: Rays Chance, 00932357 (P588) and 01614178 (P915); Seneca Springs, 03278352. 29 acres~. 236NW09. FX62. RE-2C.

Planning Area and Watershed: Damascus. Upper Great Seneca.

Current and Requested Category/Categories: W-6 to W-3.

WSSC: A 12-inch water line in Bonny Brook Lane abuts the property (contract no. 97-2017A). Adequate service to this property will be dependent on the installation of a pressure reducing valve. This pressure reducing valve has been conceptually approved for service to the Damascus Hills Subdivision (job no. DA4117Z05). The WSSC cannot guarantee that this work will be completed. Program-sized water main extensions (16 inches in diameter or greater) are not required.

M-NCPPC: The Adopted and Approved Damascus Master Plan (2006), "The County's water and sewer policy allows for the provision of community water service throughout the majority of the Master Plan area except for the area zoned RDT." The subject request is consistent with the recommendations contained in the Master Plan for the provision of community water service only. Approve.

DPS: Configuration of property with nearby septic areas and streams indicates public water will be required in order to achieve desired lot yield.

DEP Recommendation: Approve W-3. Policy V.F.1.a, Consistent with Existing Plans.

DEP Staff Report: The provision of public water service is consistent with water and sewer plan policies for service to areas zoned for large lot development, and with master plan recommendations. The Damascus Master Plan allows for the provision of public water service to support the use of the cluster development option under the RE-2C zone in this area. Because of the dependency on septic service in this area, it is unlikely that new lots will be able to achieve the minimum lot size allowed under the cluster option. This is more than acceptable, as DEP prefers larger lot sizes in this cluster to prevent excessive clustering of septic systems on smaller lots. Water service is available to the site, requiring onsite extensions. WSSC has noted that this project will have a dependency on the Damascus Hill project.

06A-DAM-07 (Causey):

Owner's statement: "Public water abuts the site in Woodfield Rd; request allows for use of public water for the proposed subdivision of up to 6 lots, including 2 existing houses, both of which are already connected to water. The use of wells is not consistent with what is already occurring on the property." 1-20061170.

Property information: 23420 Woodfield Rd., Gaithersburg: Trouble Enough, P206. 12 acres. 01760982. 232NW09. FW61. RE-2.

Planning Area and Watershed: Damascus. Upper Great Seneca.

Current and Requested Category/Categories: W-6 to W-1.

WSSC: A 20-inch water line in Woodfield Road abuts the property (contract no. 64-2479). Program-sized water main extensions (16 inches in diameter or greater) are not required.

M-NCPPC: The Adopted and Approved Damascus Master Plan (2006), "The County's water and sewer policy allows for the provision of community water service throughout the majority of the Master Plan area except for the area zoned RDT." The requested water change is consistent with the recommendations in the Master Plan. Approve.

DPS: DPS does have an indication of a well yield and sediment problem at 23409 Woodfield Rd., which now appears to be 23420.

DEP Recommendation: Approve W-3. Policy V.F.1.a, Consistent with Existing

Plans.

DEP Staff Report: The provision of public water service is consistent with water and sewer plan policies for service to areas zoned for large lot development, and with master plan recommendations. Water service is available from an abutting main along Woodfield Rd.; onsite extensions will be required.

07A-DAM-03 (Lefebvre):

Owner's statement: "Updating of existing septic system to current standards."

Property information: 10600 Bethesda Church Rd and TBD Bethesda Church Rd, Damascus: Stoney Ridge, P868, 00940916; Trouble Enough Indeed, P915, 00940927. 1.52 acres total. 237NW10. TX43. RE2C.

Planning Area and Watershed: Damascus. Little Bennett.

Current and Requested Category/Categories: W-6 to W-1.

WSSC: 12-inch water line in Bethesda Church Rd abuts the property (contract no. 66-2309-A). Program-sized water main extensions (16 inches in diameter or greater) are not required.

M-NCPPC: The Adopted and Approved Damascus Master Plan (2006) states the following for community water service. "The County's water's water and sewer policy allows for the provision of community water service throughout the majority of the Master Plan area except for the area zoned RDT." Based on the owner's statement to update existing septic system and abandon existing well and size of the site, the requested water change is consistent with the recommendations contained in the Master Plan.

DPS: We have no records on septic system or of perc tests.

DEP Recommendation: Approve W-1. Note: the owner should contact DPS for a permit for the intended work on the septic system. Policy V.F.1.a, Consistent with Existing Plans.

DEP Staff Report: The provision of public water service is consistent with water and sewer plan policies for service to areas zoned for large lot development, and with master plan recommendations. The combined properties total 1.52 acres, a size consistent with the provision of water service to large lot development in the water and sewer plan. In addition, the RE-2C zoning also provides for public water service. Water service is available from an abutting main along Bethesda Church Rd.

07A-GAI-01 (Crown Village Farm LLC):

Owner's statement: Cover letter provided which states request relates to Crown Property development; no details provided. Payment rendered for 40+ dwelling units.

Property information: Fields Rd.: 10000, 9600, 9410, 9800, & P600: Wickham's Chance. P445, P820, P600, P905, & P833. 180 acres. 00777372, 00769292, 00769270, 00769268, 00769304. 221NW09 & 10. FS62. R200.

Planning Area and Watershed: Gaithersburg. Muddy Branch.

Current and Requested Category/Categories: S-4 & S-5 to S-3.

WSSC: 8-, 10- and 15-inch sewer lines in abut the property (contract nos. 89-8385A, 80-4802B, and 80-4549A). Program-sized sewer mains are not required to serve the property. Interceptor capacity is adequate based on the 40 DUs stated in the

application. If denser development is proposed, as reported in the *Gazette* newspaper last month, some relief will be required.

M-NCPPC: The 1990 Shady Grove Study Area Master Plan recommended that the entire Study Area be eligible for sewer and water service within six years of adoption. (page 129). Approve.

DPS: n/c.

City of Gaithersburg: *Summary:* In annexing the property, the Mayor and Council found that development on public sewer was consistent with the City of Gaithersburg 2003 Master Plan. Approval for Gaithersburg to place the property in the MXD Zone for the permitted development upon annexation was granted by the Montgomery County Council by resolution R-15-1428. The City concurs with the approval of S-3.

DEP Recommendation: Approve S-3. Policy V.F.1.a, Consistent with Existing Plans.

DEP Staff Report: The provision of public sewer service is consistent with water and sewer plan policies and with master plan recommendations for the City of Gaithersburg. According to the City, development on the site will be comparable to that under the County's MXPD Zone. Typically, mixed-use development of this type requires public water and sewer service. WSSC has noted that, depending on the final density of development on the site, relief sewers may be required. This may not be fully evaluated until the developer is ready to pursue service under WSSC's System Extension Permit (SEP) process.

06A-GMT-01 (Shaw & Wagner):

Owner's statement: Redevelop property into 9 single family residential lots under current zoning.

Property information: Neelsville Church Rd.: 11400 & 11410; New Holland & Neelsville Estates. P017 & N015. 2.10 acres. 00778753 & 01840402. 229NW11. FU13. R60.

Planning Area and Watershed: Germantown. Middle Great Seneca.

Current and Requested Category/Categories: W-6 to W-1. S-6 to S-1.

WSSC: *Water:* A 12-inch water line in Neelsville Church Road abuts the property (contract no. 97-931A). Program-sized water main extensions (16 inches in diameter or greater) are not required. *Sewer:* Extension would connect to existing 8-inch diameter sewer on Neelsville Church Road (contract no. 97-1931A) and would abut approximately 8 properties in addition to the applicant's. Rights-of-way would be required.

Construction of this extension may involve the removal of trees. Extra-depth sewer may be required. Sewer extension along Neelsville Church Road to provide service to this property, as described in the application, does not meet the WSSC's Grinder System Policy (Standard Procedure No. EN 04-10) since gravity service is available. Program-sized sewer mains are not required.

M-NCPPC: The Germantown Master Plan shows this area as already served and zoned for a density requiring sewer and water service. The request is consistent with the recommendations of the Germantown Master Plan (pages 156, 157). Approve.

DPS: n/c.

DEP Recommendation: Approve W-1 & S-3. Policy V.F.1.a, Consistent with Existing Plans.

DEP Staff Report: The provision of public water and sewer service is consistent with water and sewer plan policies and with master plan recommendations. Areas zoned for R-60 development need public water and sewer service to achieve intended lot sizes. WSSC advises that water service is available from an abutting main along Neelsville Church Rd. WSSC also advises that sewer service will require an offsite sewer extension that is different than that proposed by the project engineer, due to technical and policy constraints.

06A-GWC-01 (Copeland) – Direct Approval Process:

Owner's statement: Rebuild house that was burned down; lot is vacant. Expedite letter (Soukup to WSSC: 02/28/06) provided.

Property information: 8515 Warfield Rd, Gaithersburg: Res on Williams Range. P550. 1.65 acres. 00001813. 229NW08. GU123. RE-2.

Planning Area and Watershed: Goshen-Woodfield-Cedar Grove. Middle Great Seneca.

Current and Requested Category/Categories: S-6 to S-3.

WSSC: A 550-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to the 8-inch sewer in Oak Bluff Drive (contract no. 80-4674Q) and would abut approximately 9 properties in addition to the applicant's. Rights-of-way would be required. This extension has been conceptually approved for service to job no. DA4155Z05. Program-sized sewer mains are not required.

M-NCPPC: The property is located in the 1980 *Master Plan for Presentation of Agricultural and Rural Open Space*. The plan does not have any specific recommendations or comments about sewer service to this property, however, it states: "Endorse existing policy to relieve public health problems beyond the sewer envelope by permitting publicly-sponsored individual or community systems installation under controlled conditions." This property has a documented public health problem with no on-site solution. Gravity sewer can be extended largely within the road ROW without environmental constraints, and could serve other properties that have similar circumstances. Provision of public sewer service to this property would be consistent with the master plan. Approve.

DPS: DPS issued expedite letter for water and sewer due well and septic problems.

DEP Recommendation: Approve S-3, restricted to a single sewer hookup.

Policy V.F.2.a., public health problems.

DEP Staff Report: Based on a request from the Department of Permitting Services, DEP directed WSSC on February 28, 2006, to begin and expedite the process necessary to provide public sewer service to this property. DPS had advised DEP that replacing the house, which had burned down, could not be accomplished using any on-site sewerage system (standard septic, sand mound) allowed for new construction. DEP and DPS consider this situation as one that constitutes a public health problem. The extension of sewer service to the property will require a main extension that will abut as many as nine additional properties, of which four are RE-2. Because it provides relief for a public health problem, and will abut properties zoned RE-2, this main extension will be considered a "limited access" sewer. Abutting RE-2 properties will be allowed only single sewer hookups to the new main.

07A-OLN-01 (Freeman):

Owner's statement: DEP Summary: This is a 13 acre property proposed to contain 22 SFH attached and detached developed under the MPDU provisions of the R-200/TDR-4 zoning category. Site is unused & mostly wooded; has gas transmission line ROW bi-secting; contains substantial stream, stream valley buffer, and flood plain areas traversing. Layout designed to use TDRs, provide MPDUs, and retain compatibility w/ neighboring sites on challenging and segmented site.

Property information: Georgia Ave: P103. Brooke Grove. 13 acres. 00707073. 225NW03. HU61. RE-2/TDR-4.

Planning Area and Watershed: Olney. Hawlings.

Current and Requested Category/Categories: W-6 to W-3. S-6 to S-3.

WSSC: *Water:* A 200-foot-long non-CIP-sized water extension across Georgia Avenue is required to serve the property. This extension would connect to contract number 67BL2938A on the western side of Georgia Avenue and would abut no other properties in addition to the applicant's. Construction of this extension may require tunneling a state highway. Local service is adequate. Program-sized water main extensions (16 inches in diameter or greater) are not required. *Sewer:* A 100-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an 8-inch sewer in Owens Road (contract number 95-1359A) and would abut approximately 1 property in addition to the applicant's. Rights-of-way may be required. Program-sized sewer mains are not required.

M-NCPPC: The property is located in the 2005 Olney Master Plan. The master plan does not have any specific recommendations or comments about this property. The property is located within the recommended sewer service area. Provision of public sewer to this property would be consistent with the master plan. Extensive stream buffers and a major gas line will limit development of this property. The sewer line extension to serve the developable portion on Georgia Avenue should be restricted to the road rights-of-way on Georgia Avenue and Owens Road. Approve.

DPS: n/c.

DEP Recommendation: Approve W-3. Maintain S-6, with advancement to S-3 conditioned on the Planning Board's approval of a subdivision plan that uses the TDR development option. Policy V.F.1.a, Consistent with Existing Plans.

DEP Staff Report: Provision of public water service is consistent with Water and Sewer Plan polices and Master Plan recommendations. Water service can be provided by extensions from the mains that abut the property along Georgia Ave and along Owens Rd. With a base zoning of RE-2, this site would not normally be considered for public sewer service. However, if the TDR development option is used for this project (as proposed by the applicant's concept plan), water and sewer plan policies support the use of public sewer service, as do recommendations in the current master plan. The application of TDRs to this site as part of the proposed development plan helps to support the preservation of rural and agricultural properties elsewhere in the county. Therefore, the approval of S-3 will require the approval of a development plan that uses the TDR option. WSSC reports that service will require an offsite sewer extension of approximately 100' and that a right of way may be required.

07A-PAX-01 (Athey/Eader):

Owner's statement: DEP summary: Cluster option, 12 lots surrounded by open space.

(Plan # 1-20061160, Athey property).

Property information: Near Antler Ridge & Santini, Burtonsville. New Birmingham Manor: P879, P128, P935. 14 acres. 00258233, 00249934, 002499945. 221NE04. KS62. RE-1.

Planning Area and Watershed: Fairland. Lower Patuxent.

Current and Requested Category/Categories: **W-6 to W-3. S-6 to S-3**

WSSC: *Water:* A 12-inch water line in Spencerville Road (MD 198) and an 8-inch water line in Santini Road abut the property (contract numbers 57-0267 and 66-2557A, respectively). The 500-foot-long extension to serve this property has been conceptually approved (Athey Property Subdivision, job no. DA4535Z06). Rights-of-way will be required. Program-sized water main extensions (16 inches in diameter or greater) are not required. *Sewer:* Extension would connect to contract number 69-2585B and would abut approximately 2 properties in addition to the applicant's. Rights-of-way will be required. Construction across MD 198 will be necessary. The extensions to serve this property have been conceptually approved (Athey Property Subdivision, job number DA4535Z06). Program-sized sewer mains are not required.

M-NCPPC: The property is within the sewer envelope as shown on page 150, Figure 50 of the 1997 Approved and Adopted Fairland Master Plan. The property is described as Area 33 on page 71 in the master plan and is specifically recommended for public or community water and sewer. Approve.

DPS: n/c.

DEP Recommendation: Approve W-3. Maintain S-6, with advancement to S-3 conditioned on the Planning Board's approval of a subdivision plan that uses the cluster development option and is consistent with the Master Plan's specific recommendations for the development of this site. Policy V.F.1.a, Consistent with Existing Plans.

DEP Staff Report: The provision of public water service is consistent with water and sewer plan policies for service to areas zoned for large lot development, and with master plan recommendations. The provision of public sewer service is also recommended in the master plan, under development conditions specifically identified for this site. The conditional approval for sewer service will help to ensure that the development recommendations included in the master plan are implemented. WSSC has previously reviewed and tentatively approved water and sewer design for this project under contract # DA4535Z06.

06A-URC-03: (M-NCPPC): Direct Approval Process:

Owner's statement: DEP Summary: Park property, failing septic, no change to use of building (classes & meetings). (Expedite letter: Soukup to WSSC, 02/09/06).

Property information: 5107 Muncaster Mill Rd, Rockville. Bradford's Rest, P860. 37.68 acres. 00713622. 222NW05. No tax map ID listed. RE-1.

Planning Area and Watershed: Upper Rock Creek. Upper Rock Creek.

Current and Requested Category/Categories: **S-6 to S-1.**

WSSC: A 200-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would probably connect to contract number 66-2396-A and may abut approximately 1 property in addition to the applicant's. Rights-of-way may be required. Construction of this extension will involve the removal of trees, may require crossing North Branch, and will require construction within North Branch Stream Valley Park. Program-sized sewer mains are not required.

M-NCPPC: This property's sewer service request is designed to alleviate an existing public health problem. The property is also in public use, which means that it is eligible for service even though it is outside the sewer envelope. This request is consistent with the 2004 Upper Rock Creek Master Plan, which states: "While all public facilities are permitted to receive community water and sewer service as prescribed by the Comprehensive Water Supply and Sewerage System Plan, these facilities are included in this Plan to highlight the need to serve these uses. *Other public uses proposed in the future for areas outside the sewer envelope are eligible to be served under the existing sewer and water plan policy.*" (emphasis added) Environmental concerns lead us to prefer that sewer service be provided from the West along Muncaster Mill Road. This would avoid crossing of the North Branch and disturbance of the biodiversity area of the park. In any case, the disturbance should be kept as close to the road as possible to reduce impact to the forest and park resources. Approve.

DPS: DPS issued sewer expedite letter Jan. 24, 2006.

DEP Recommendation: Approve S-1. Policy V.F.2.a., public health problems.

DEP Staff Report: The provision of public sewer service is consistent with water and sewer plan policies for service to public-use facilities, and with master plan recommendations. The area is within the environmentally sensitive North Branch Stream Valley Park.

07A-URC-01 (Montgomery County Government):

Owner's statement: DEP Summary: Property is vacant; County intends to construct a 40,000SF Animal Shelter on this site; shelter site is 4 acres of 31 acre site. Remaining property is planned by M-NCPPC for the Laytonia Recreational Park, to include ballfields, etc.

Property information: Intersection of Airpark & Muncaster Mill, Rockville. Brooke Grove Cook's Inheritance, P162. 31.1 acres. 00000614. 224NW07. GT42. RE-1.

Planning Area and Watershed: Upper Rock Creek. Upper Rock Creek.

Current and Requested Category/Categories: W-5 to W-3. S-6 to S-3.

WSSC: *Water:* A 12-inch water line in Muncaster Mill Road (MD 115), abuts the property (contract no. 49-069). Construction of the connection to the existing water in Muncaster Mill Road will require crossing and/or tunneling within a state road. Local service is adequate. Program-sized water main extensions (16 inches in diameter or greater) are not required. *Sewer:* Construction of the connection to the existing sewer in Muncaster Mill Road will require crossing and/or tunneling within a state road. On-site pumping may be required. Program-sized sewer mains are not required to serve the property.

M-NCPPC: This proposal is consistent with the 2004 Upper Rock Creek Master Plan, which indicates this area for planned public uses requiring public sewer service. The

Plan states: "While all public facilities are permitted to receive community water and sewer service as prescribed by the Comprehensive Water Supply and Sewerage System Plan, these facilities are included in this Plan to highlight the need to serve these uses." Approve.

DPS: Proposed use would require public facilities.

DEP Recommendation: Approve W-3 and S-3. Policy V.F.1.c: Public Facilities.

DEP Staff Report: The provision of public water and sewer service is consistent with water and sewer plan policies for service to public-use facilities, and with master plan recommendations.

To assist with your review, a PDF has been created and posted to our website: <http://www.montgomerycountymd.gov/waterworks>, which is comprised of the following information:

- This memorandum, which summarizes each amendment
- Mapping of proposed amendments (for the public hearing applications only), with supporting information where needed

We ask that Council staff provide the posted materials to the Councilmembers for their review. If there is interest in DEP staff meeting with Council staff regarding the proposed amendments, we request that said meeting be scheduled prior to the public hearing. We request that the Council submit any comments on the proposed amendments to this office no later than the closing date; otherwise, we will assume that the Councilmembers agree with administrative approval of the proposed amendments.

Your attendance at this hearing is optional; all requests will be considered at that time whether or not you or a representative is present. If you wish to comment on the referenced amendment or on the staff recommendations, you may testify at the public hearing. You may also submit written testimony to James A. Caldwell, Director, DEP; 255 Rockville Pike, Suite 120; Rockville, MD 20850-4166.

Please note that the hearing record will close at 4:30 p.m. on November 2, 2006.

The Director will then act on the amendments, and this office will notify you of that action by Email.

The Montgomery County Planning Board will also consider the proposed amendments in a public forum. For further information and their schedule, please contact the County-Wide Planning Division, Environmental Unit, at 301-495-4540, or review their site: <http://www.mc-mncppc.org/board/index.shtm>.

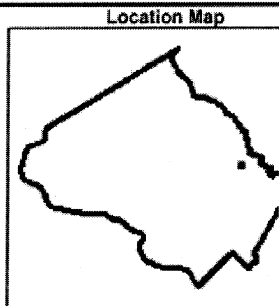
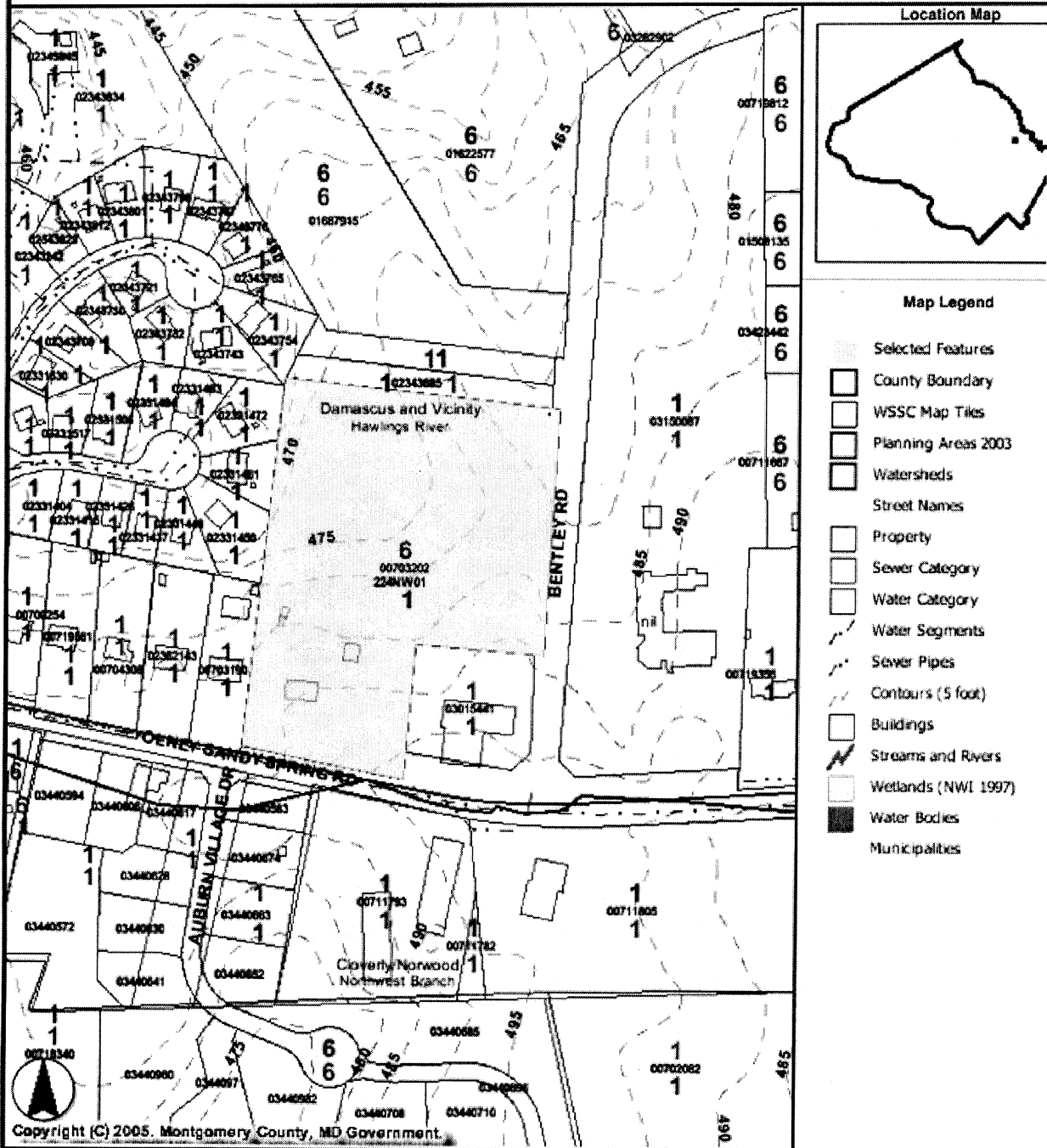
If you have questions concerning the upcoming public hearing, please contact me via Email, shelley.janashek@montgomerycountymd.gov, or 240-777-7735.

CC: Property Owners and designated interested parties
George Leventhal, President, County Council (memo only)

Nancy M. Floreen, Chair, T&E Committee (memo only)
Royce Hanson, Chairman, Montgomery County Planning Board (memo only)
Greg Ossont, City of Gaithersburg
Mary Dolan, County-Wide Planning Division/Environmental Unit, M-NCPPC
Robert Summers, Director, Water Mgt. Admin., Maryland Dep't. of the
Environment
Audrey Scott, Secretary, Maryland Department of Planning

R:\Programs\Water_and_Sewer\Projects\Shelley\2006\AD2006-4\2BOct26.doc

06A-CLO-03: Kernan/Butson



Map Legend

- Selected Features
- County Boundary
- WSSC Map Tiles
- Planning Areas 2003
- Watersheds
- Street Names
- Property
- Sewer Category
- Water Category
- Water Segments
- Sewer Pipes
- Contours (5 foot)
- Buildings
- Streams and Rivers
- Wetlands (NWI 1997)
- Water Bodies
- Municipalities

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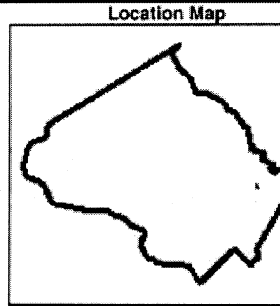
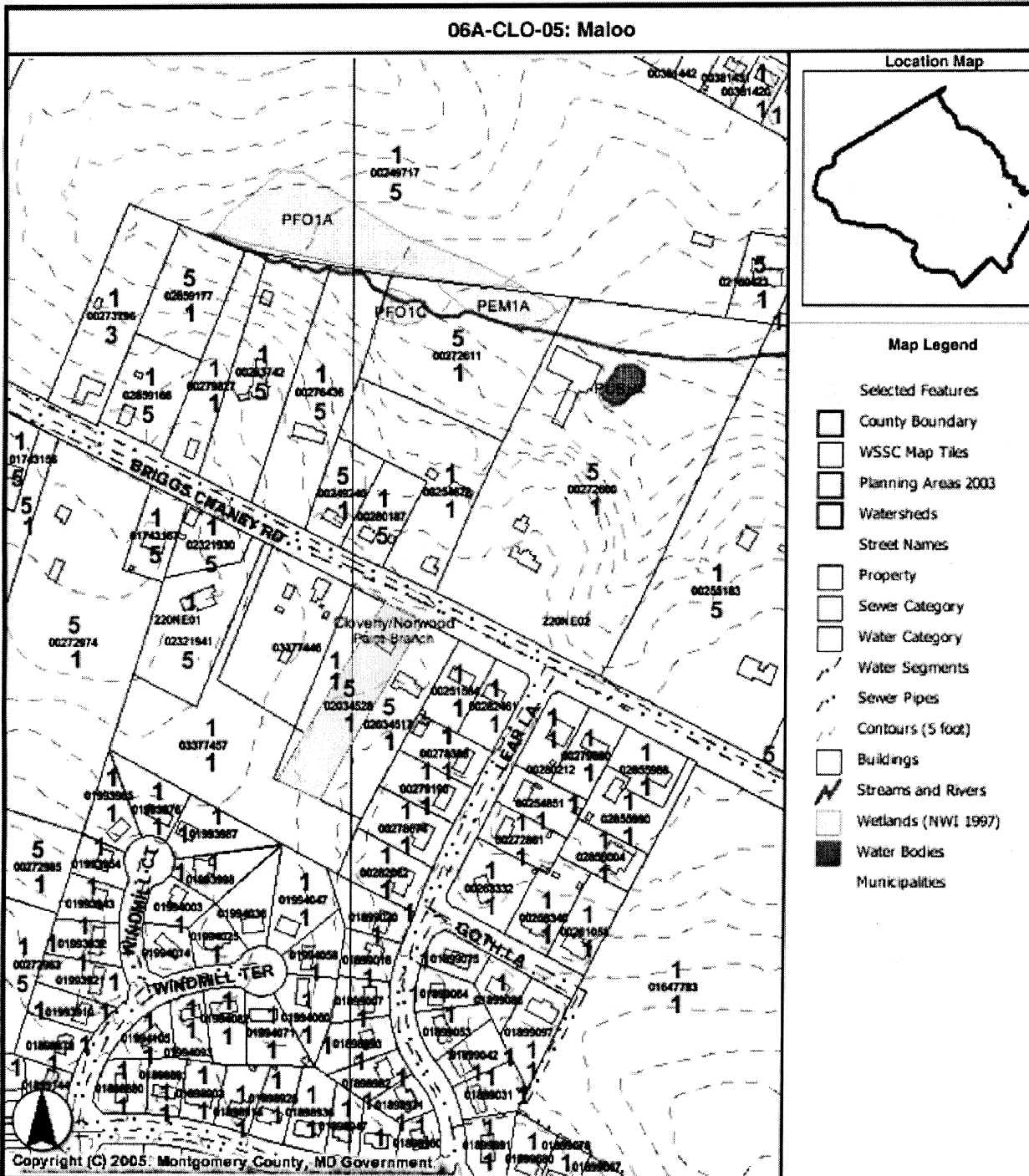
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 Montgomery County, Maryland
 Department of Technology Services
 Geographic Information Systems
 Date: 9/28/2006
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Data Sources: Montgomery County DTS-GIS, Maryland National Capital Park and Planning Commission, U.S. Census Bureau, and Vargis, LLC. (Orthophotos).

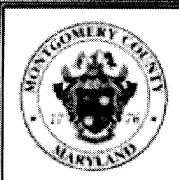
DISCLAIMER: This is a product of the Montgomery County Government. The data presented on this map are believed to be accurate. However, the Montgomery County Government and its data suppliers do not guarantee

06A-CLO-05: Maloo

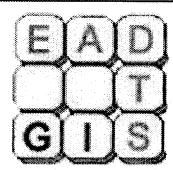


Map Legend

- Selected Features
- County Boundary
- WSSC Map Tiles
- Planning Areas 2003
- Watersheds
- Street Names
- Property
- Sewer Category
- Water Category
- Water Segments
- Sewer Pipes
- Contours (5 foot)
- Buildings
- Streams and Rivers
- Wetlands (NWI 1997)
- Water Bodies
- Municipalities



Map Source:
 Montgomery County, Maryland
 Department of Technology Services
 Geographic Information Systems
 Date: 7/3/2006
 Scale: 1 Inch = 354 Feet

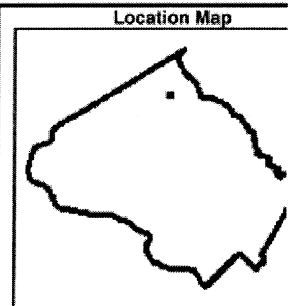
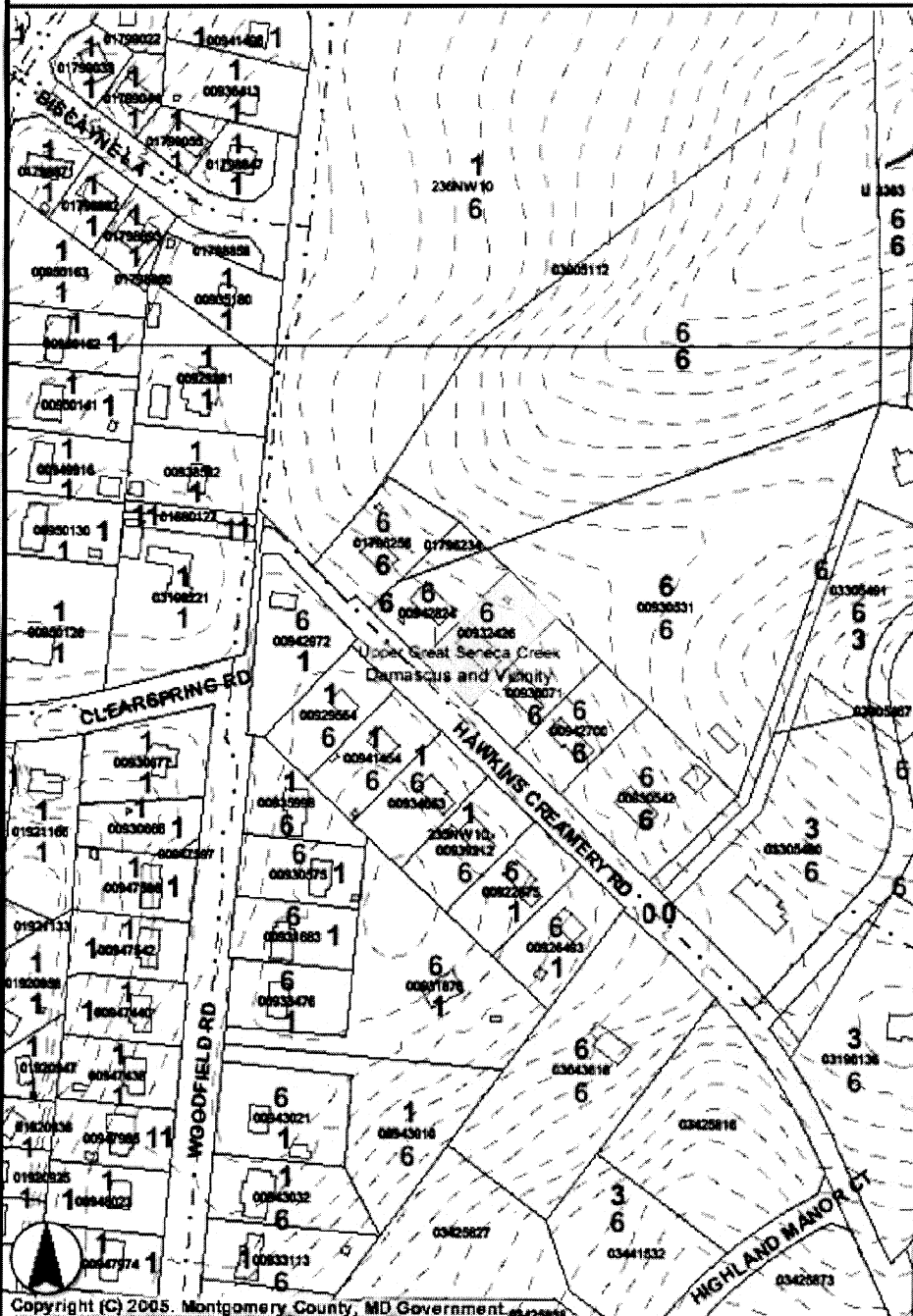


Data Sources: Montgomery County DTS-GIS, Maryland National Capital Park and Planning Commission, U.S. Census Bureau, and Vargis, LLC. (Orthophotos).

DISCLAIMER: This is a product of the Montgomery County Government. The data presented on this map are believed to be accurate. However, the Montgomery County Government and its data suppliers do not guarantee

14

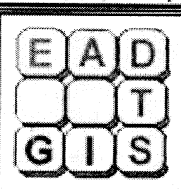
06A-DAM-05: Hughes



- Map Legend**
- Selected Features
 - County Boundary
 - WSSC Map Tiles
 - Planning Areas 2003
 - Watersheds
 - Street Names
 - Property
 - Sewer Category
 - Water Category
 - Water Segments
 - Sewer Pipes
 - Contours (5 foot)
 - Buildings
 - Streams and Rivers
 - Water Bodies
 - Municipalities



Map Source:
 Montgomery County, Maryland
 Department of Technology Services
 Geographic Information Systems
 Date: 5/11/2006
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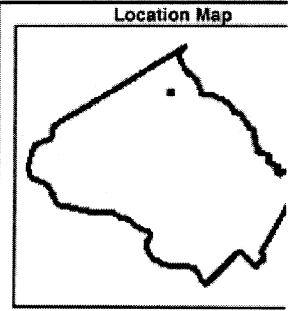
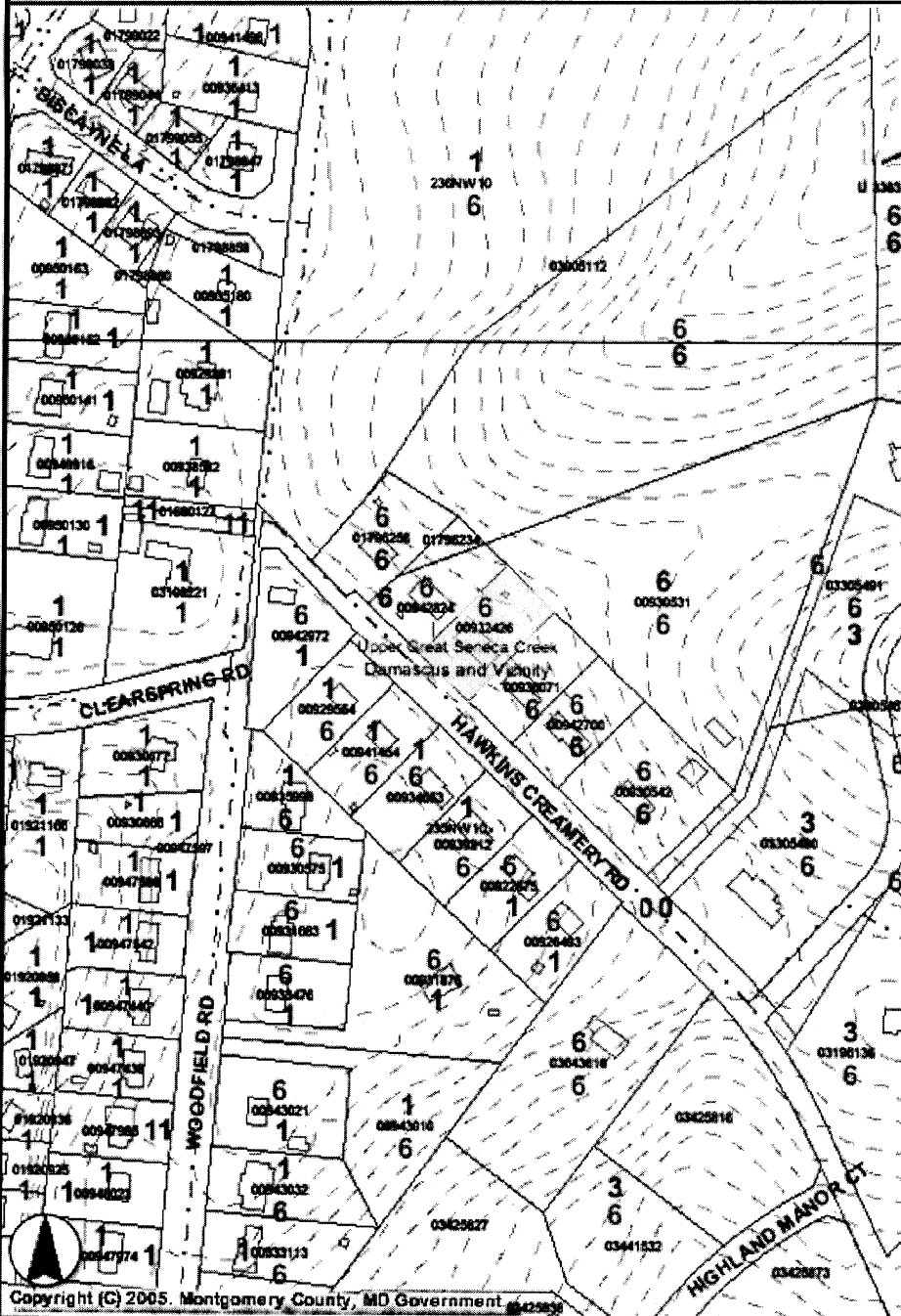


Data Sources: Montgomery County
 DTS-GIS, Maryland National Capital
 Park and Planning Commission, U.
 Census Bureau, and Vargis, LLC.
 (Orthophotos).

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15

06A-DAM-05: Hughes



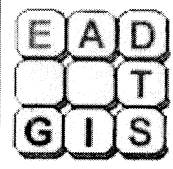
Map Legend

- Selected Features
- County Boundary
- WSSC Map Tiles
- Planning Areas 2003
- Watersheds
- Street Names
- Property
- Sewer Category
- Water Category
- Water Segments
- Sewer Pipes
- Contours (5 foot)
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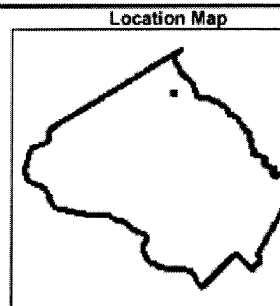
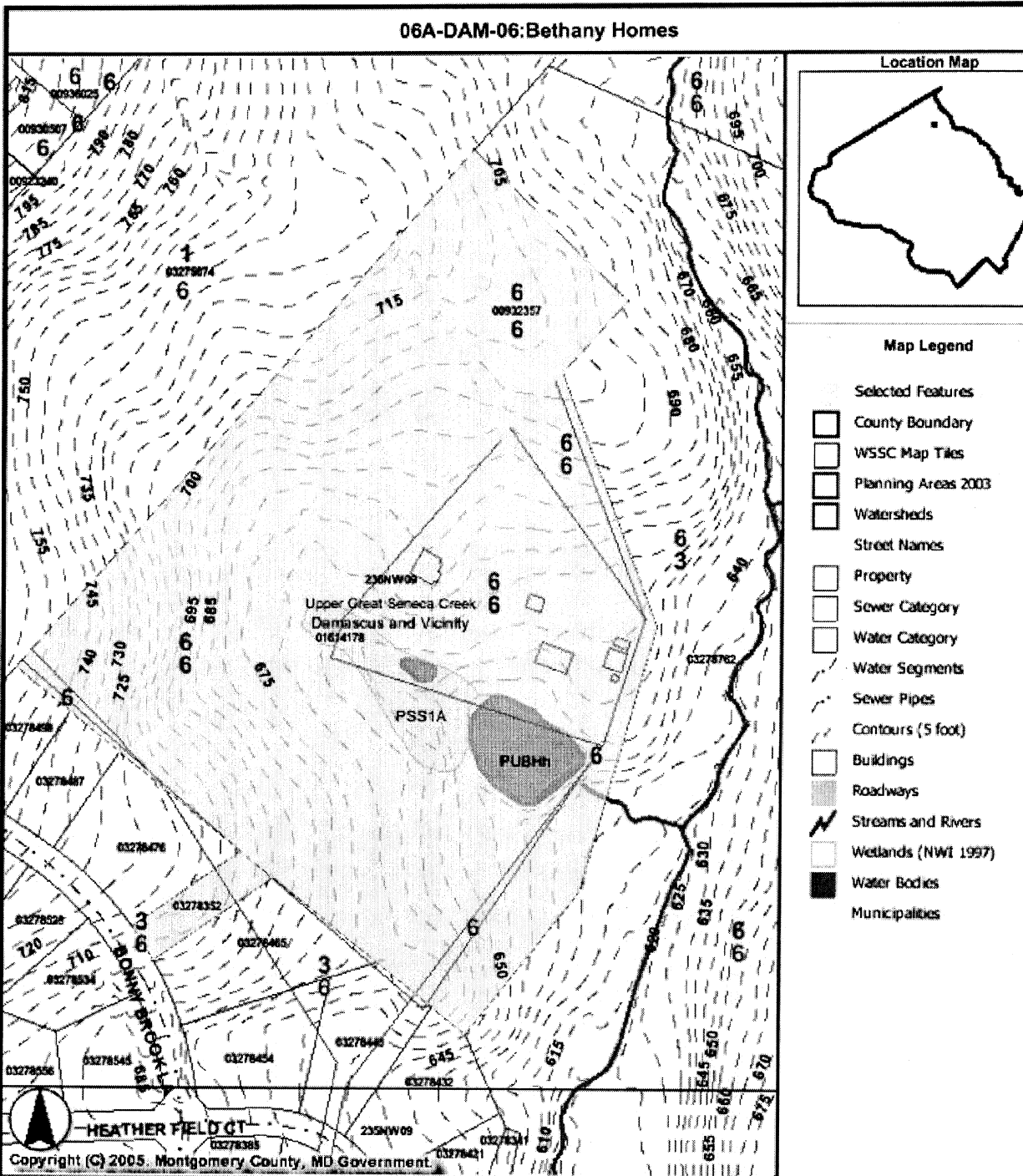
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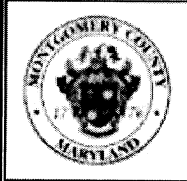
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 Park and Planning Commission, U.
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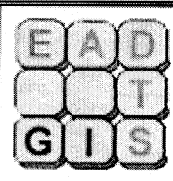
16



- Map Legend**
- Selected Features
 - County Boundary
 - WSSC Map Tiles
 - Planning Areas 2003
 - Watersheds
 - Street Names
 - Property
 - Sewer Category
 - Water Category
 - Water Segments
 - Sewer Pipes
 - Contours (5 foot)
 - Buildings
 - Roadways
 - Streams and Rivers
 - Wetlands (NW1 1997)
 - Water Bodies
 - Municipalities



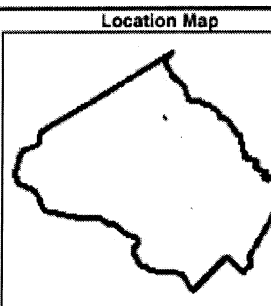
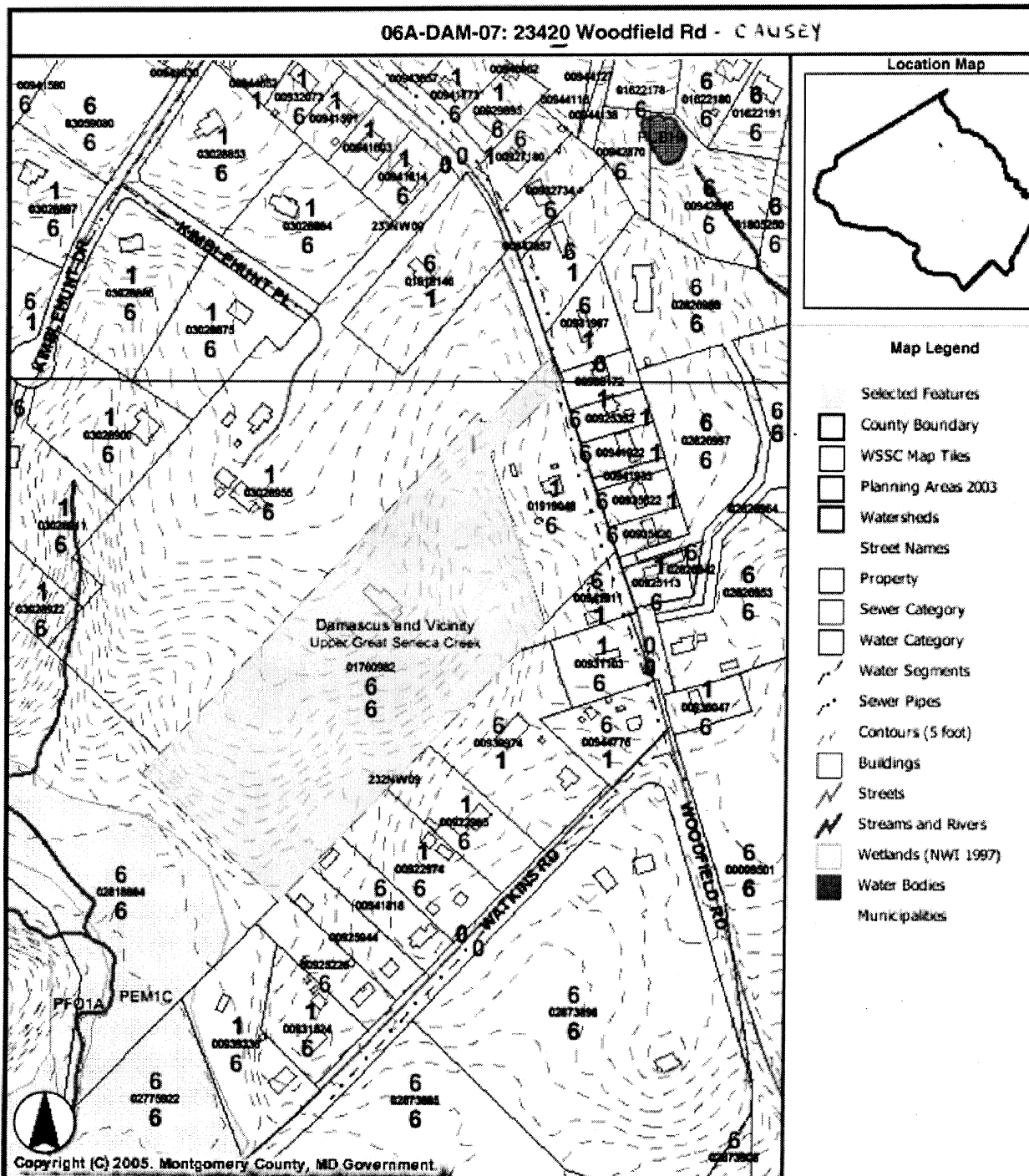
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Data Sources: Montgomery County DTS-GIS, Maryland National Capital Park and Planning Commission, U.S. Census Bureau, and Vargis, LLC. (Orthophotos).

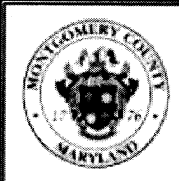
DISCLAIMER: This is a product of the Montgomery County Government. The data presented on this map are believed to be accurate. However, the Montgomery County Government and its data suppliers do not guarantee

17

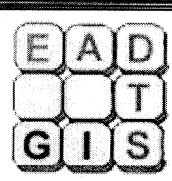


- Map Legend**
- Selected Features
 - County Boundary
 - WSSC Map Tiles
 - Planning Areas 2003
 - Watersheds
 - Street Names
 - Property
 - Sewer Category
 - Water Category
 - Water Segments
 - Sewer Pipes
 - Contours (5 foot)
 - Buildings
 - Streets
 - Streams and Rivers
 - Wetlands (NWI 1997)
 - Water Bodies
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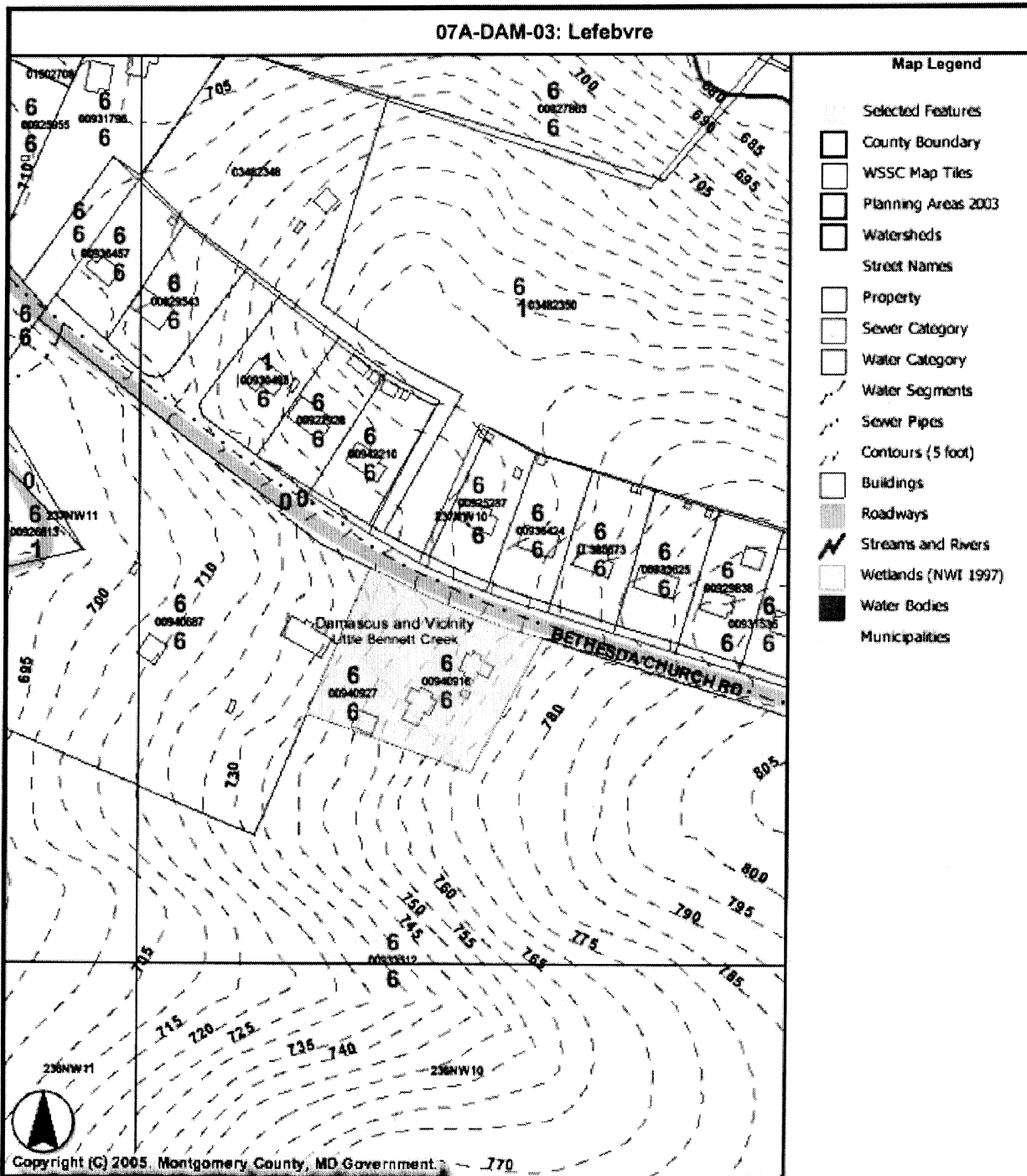
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 Montgomery County, Maryland
 Department of Technology Services
 Geographic Information Systems
 Date: 6/6/2006
 Scale: 1 Inch = 362 Feet



Data Sources: Montgomery County DTS-GIS, Maryland National Capital Park and Planning Commission, U.S. Census Bureau, and Vargis, LLC. (Orthophotos).

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18

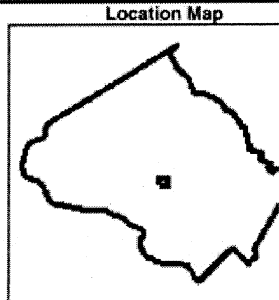
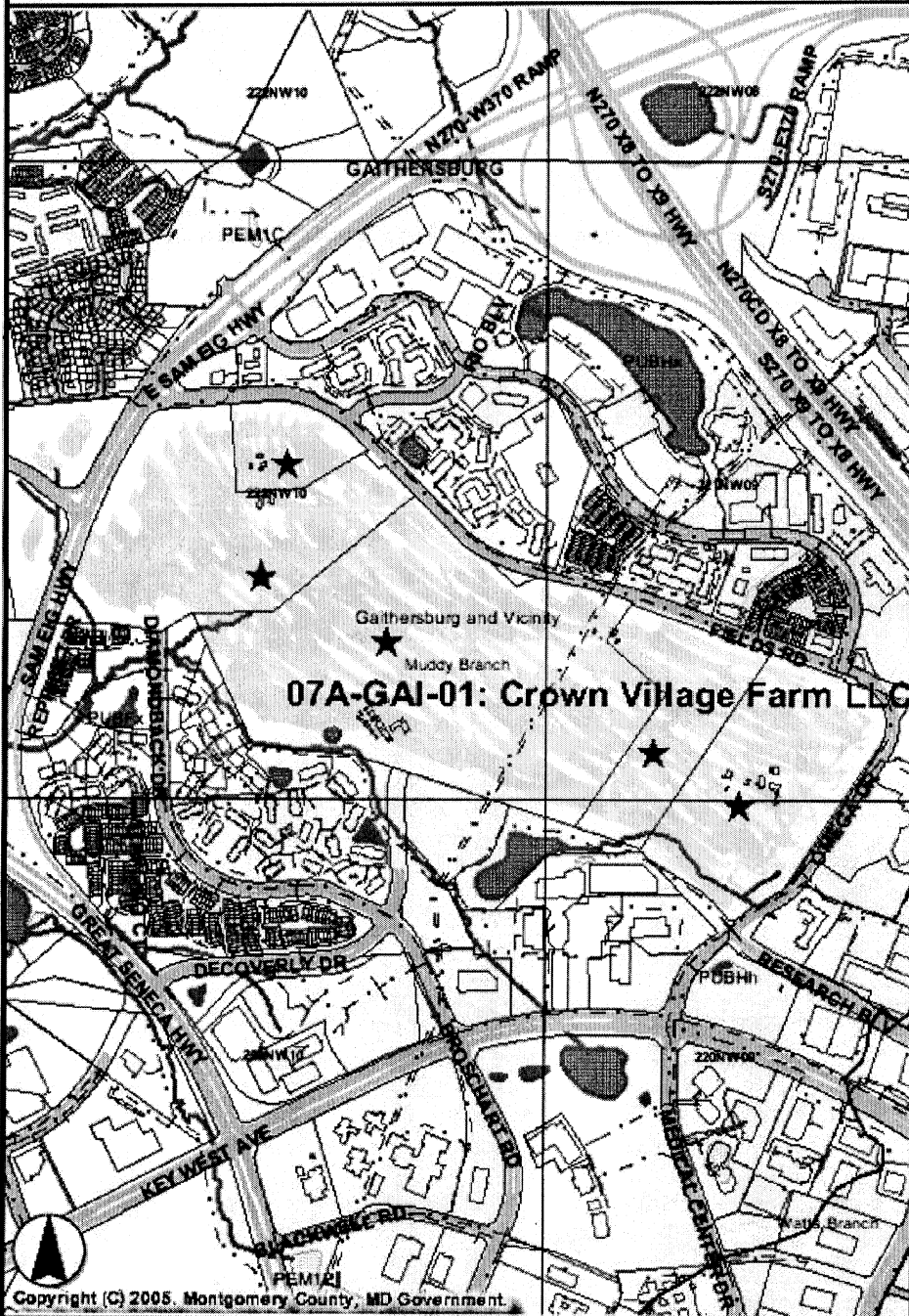


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07A-GAI-01: Crown Village Farm LLC

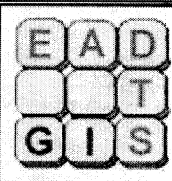


Map Legend

- County Boundary
- WSSC Map Tiles
- Planning Areas 2003
- Watersheds
- Street Names
- Property
- Sewer Category
- Water Category
- Water Segments
- Sewer Pipes
- Buildings
- Roadways
- Streams and Rivers
- Wetlands (NWI 1997)
- Water Bodies
- Municipalities



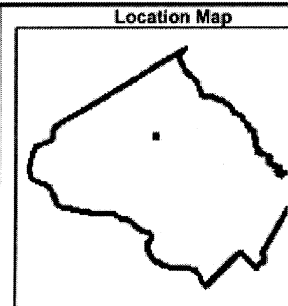
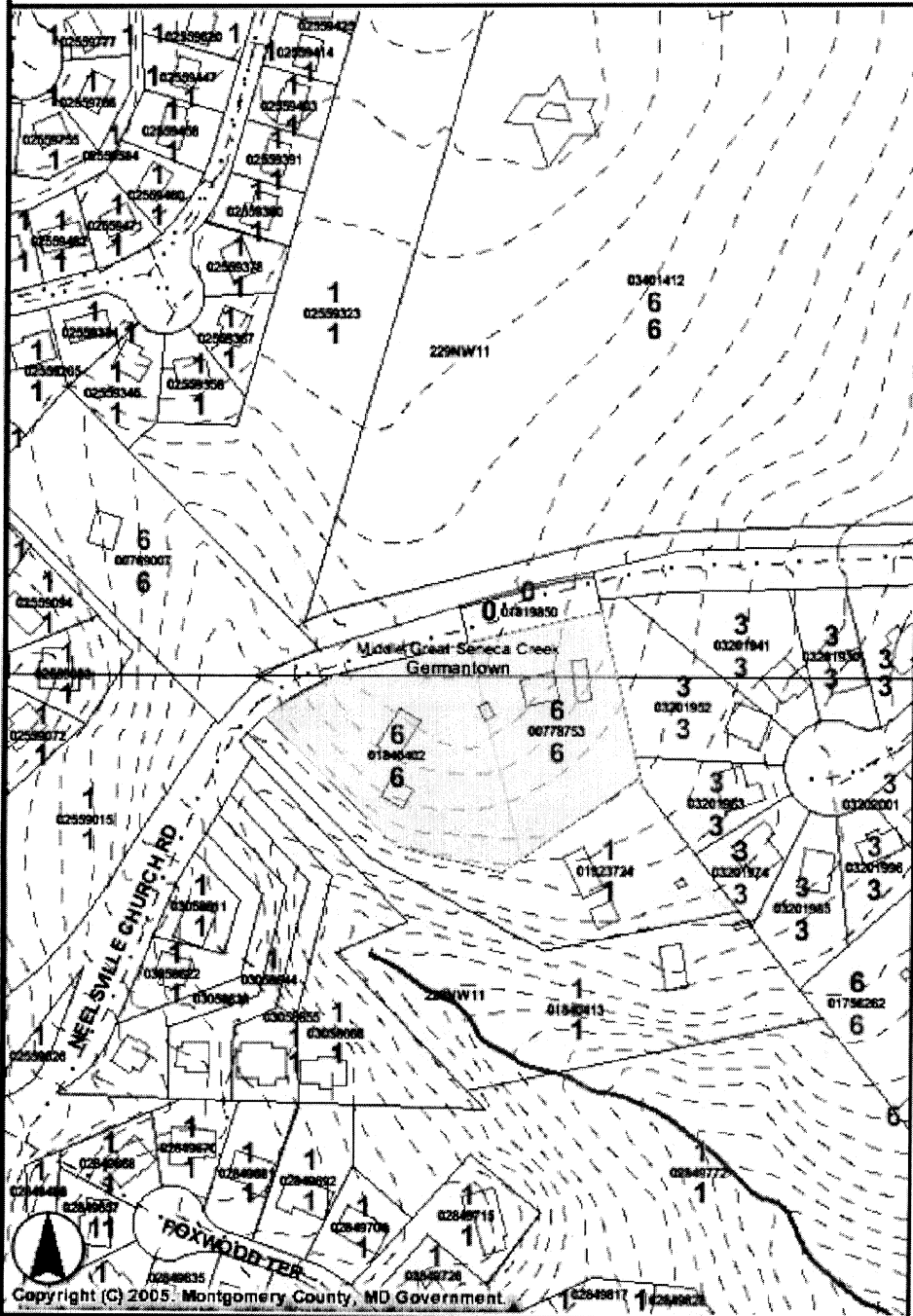
Map Source:
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 Department of Technology Services
 Geographic Information Systems
 Date: 7/20/2006
 Scale: 1 Inch = 1076 Feet



Data Sources: Montgomery County
 DTS-GIS, Maryland National Capital
 Park and Planning Commission, U.
 Census Bureau, and Vargis, LLC.
 (Orthophotos).

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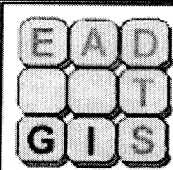
06A-GMT-01: 11400 & 11410 Neelsville Church Rd (SHAW & WAGNER)



- Map Legend**
- Selected Features
 - County Boundary
 - WSSC Map Tiles
 - Planning Areas 2003
 - Watersheds
 - Street Names
 - Property
 - Sewer Category
 - Water Category
 - Water Segments
 - Sewer Pipes
 - Contours (5 foot)
 - Buildings
 - Streams and Rivers
 - Water Bodies
 - Municipalities



Map Source:
 Montgomery County, Maryland
 Department of Technology Services
 Geographic Information Systems
 Date: 6/6/2006
 Scale: 1 Inch = 198 Feet

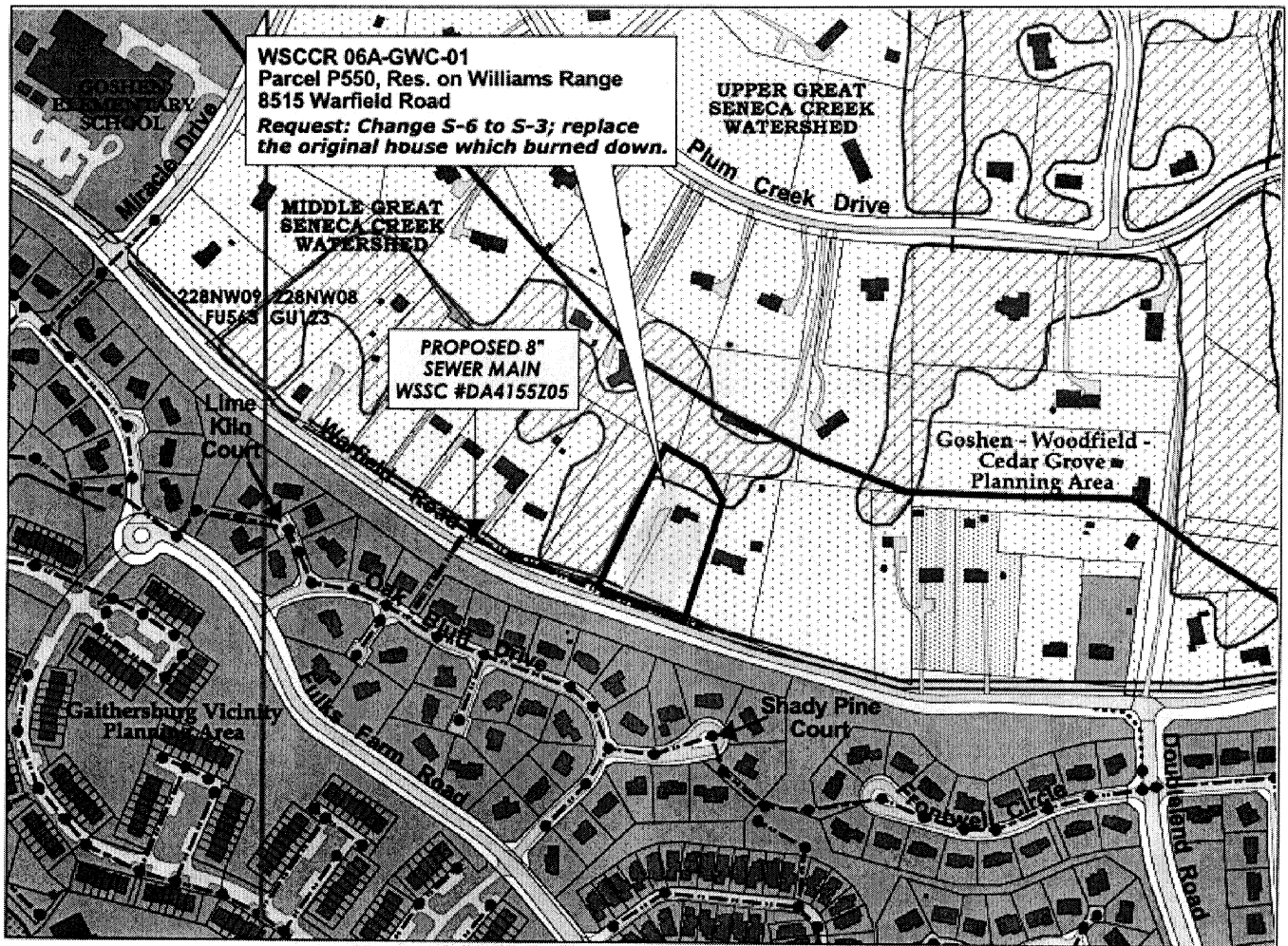


Data Sources: Montgomery County DTS-GIS, Maryland National Capital Park and Planning Commission, U.S. Census Bureau, and Vargis, LLC. (Orthophotos).

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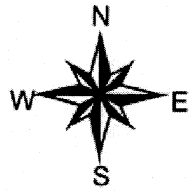
21

Sewer Service Area Categories Map WSSCR 06A-GWC-01 (Copeland)



MAP LEGEND

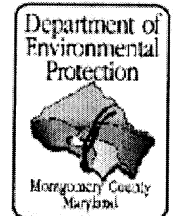
- Property
- Sewer Manholes
- Sewer Mains**
 - Small-Diameter, Low-Pressure Mains
 - 6"- to 8"-Diameter Gravity Mains
 - 10"- to 14"-Diameter Gravity Mains
 - 15"- to 18"-Diameter (CIP) Trunk Mains
 - 20"- to 42"-Dia. (CIP) Mains *
 - 48"- or Larger-Diameter (CIP) Trunk Mains *
 - * No Individual Connections
- WSSC/GIS Tile Grid
- Buildings
- Roads - Parking
- Watersheds
- Streams
- Ponds - Lakes
- Woodlands
- M-NCPPC Planning Areas



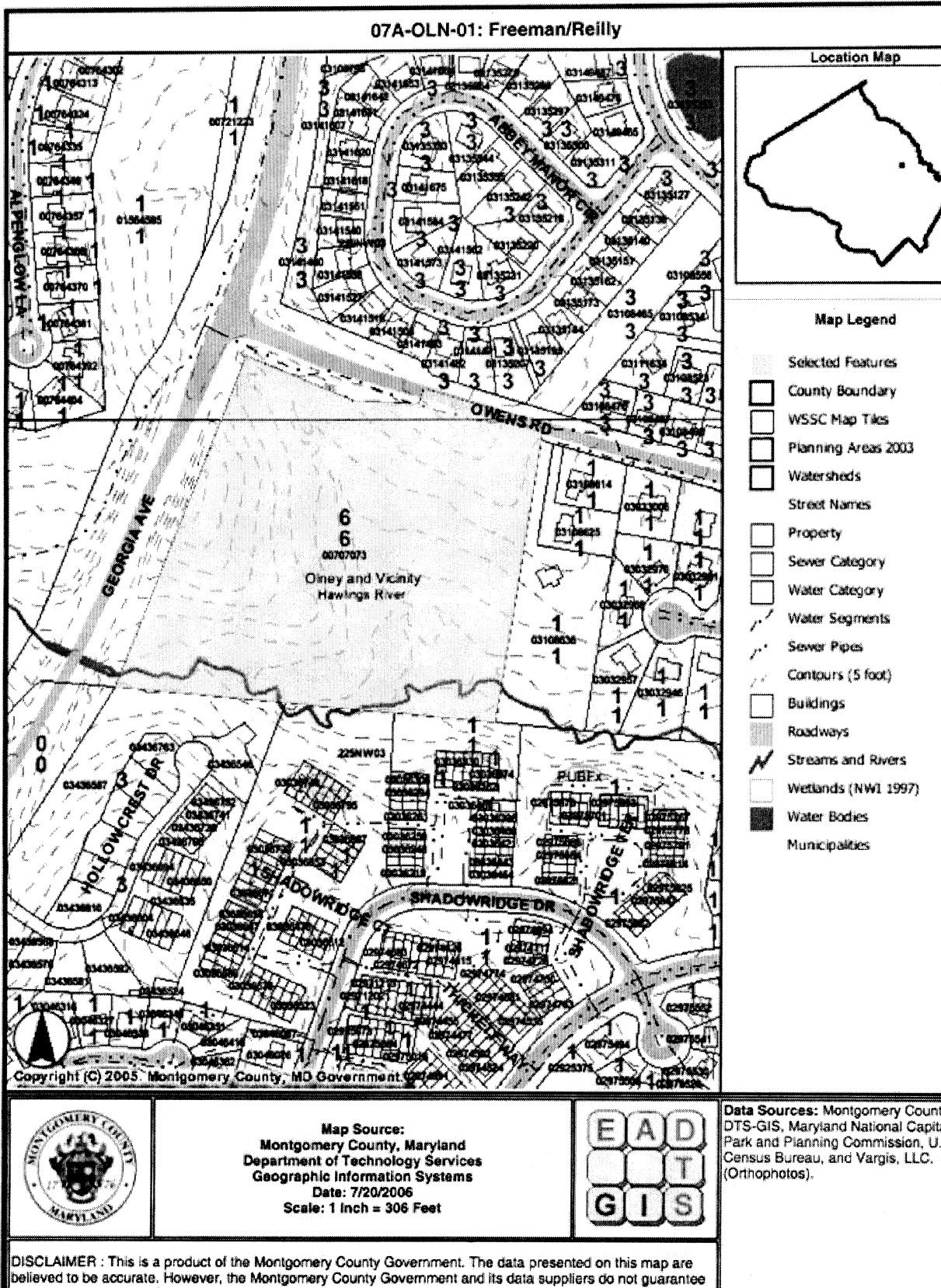
- Sewer Service Area Categories (6/03)**
- S-1
 - S-3
 - S-4
 - S-5
 - S-6

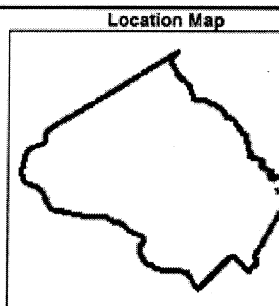
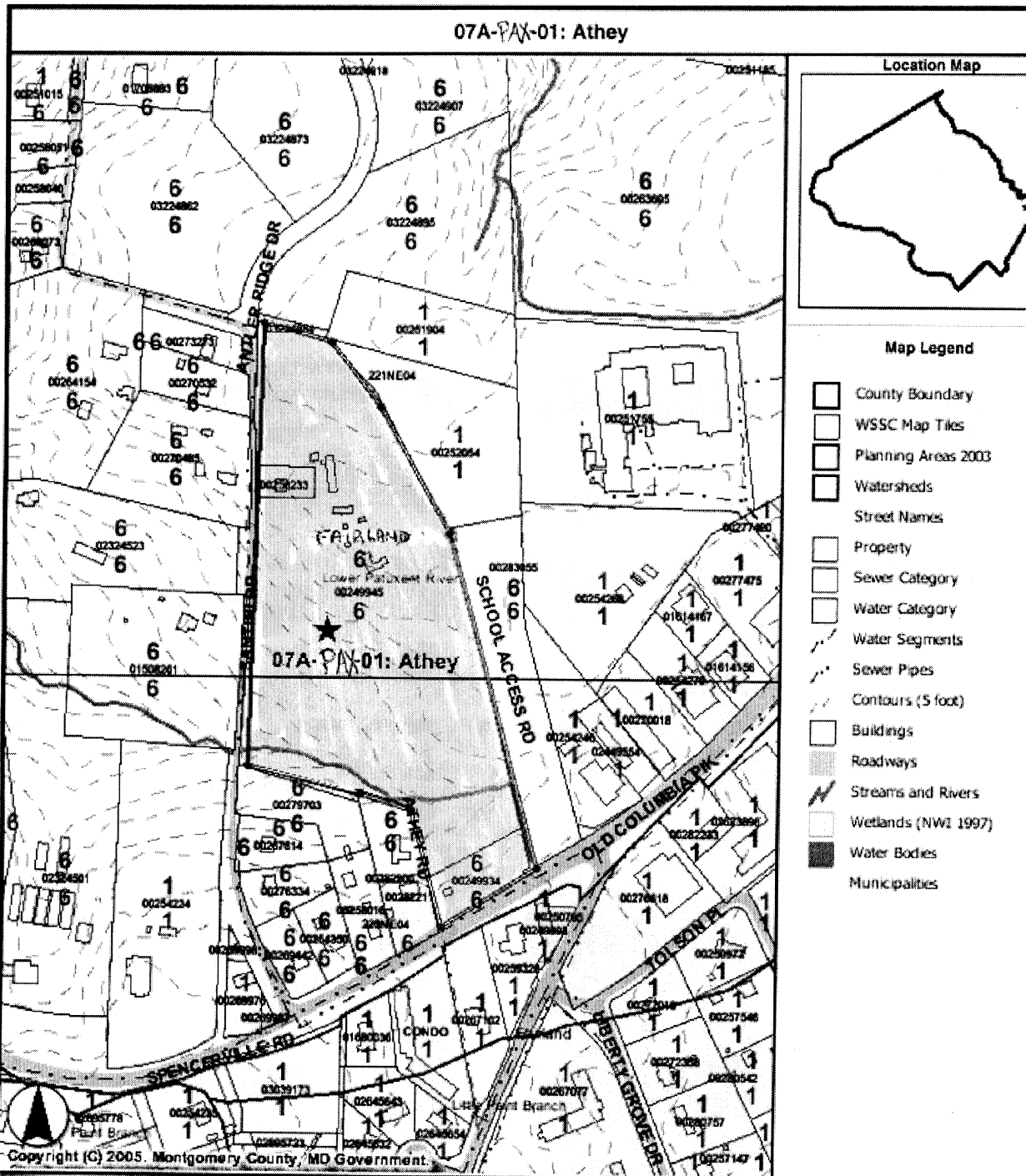
June 2003 Update
Service Area Categories Map

Montgomery County, Maryland
Comprehensive Water Supply
and Sewerage Systems Plan

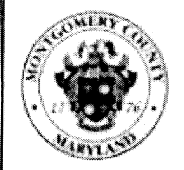


Water & Wastewater Planning
2/10/06 - GIS Project File:
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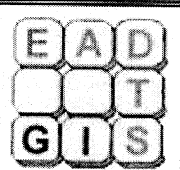




- Map Legend**
- County Boundary
 - WSSC Map Tiles
 - Planning Areas 2003
 - Watersheds
 - Street Names
 - Property
 - Sewer Category
 - Water Category
 - Water Segments
 - Sewer Pipes
 - Contours (5 foot)
 - Buildings
 - Roadways
 - Streams and Rivers
 - Wetlands (NW1 1997)
 - Water Bodies
 - Municipalities



Map Source:
 Montgomery County, Maryland
 Department of Technology Services
 Geographic Information Systems
 Date: 7/20/2006
 Scale: 1 Inch = 391 Feet

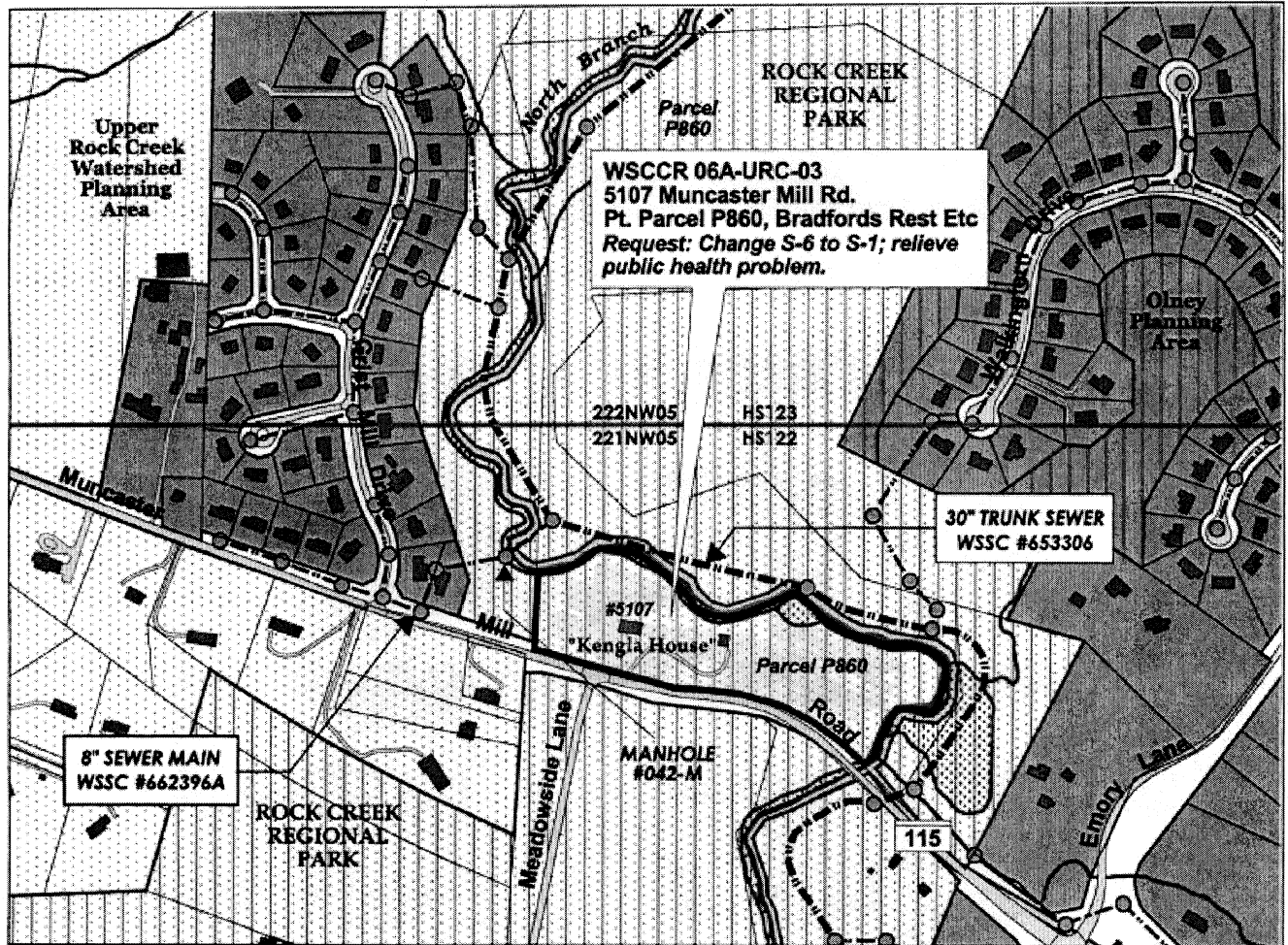


Data Sources: Montgomery County DTS-GIS, Maryland National Capital Park and Planning Commission, U.S. Census Bureau, and Vargis, LLC. (Orthophotos).

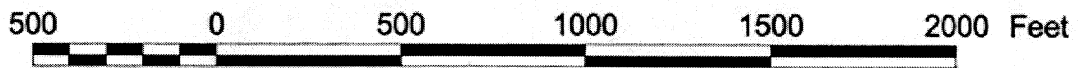
DISCLAIMER: This is a product of the Montgomery County Government. The data presented on this map are believed to be accurate. However, the Montgomery County Government and its data suppliers do not guarantee

24

Sewer Service Area Categories Map WSSCR 06A-URC-03 (M-NCPPC - Parks)

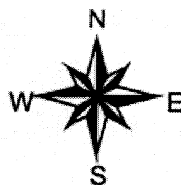


Upper Rock Creek Watershed



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
 - 48" - or Larger-Diameter (CIP) Trunk Mains
- WSSC Map Grid
- Buildings
- Roads
- Streams
- Ponds - Lakes
- M-NCPPC Planning Areas
- County - State - Federal Parks

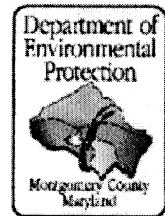
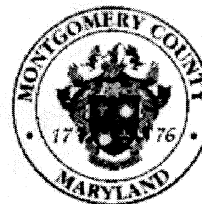


Sewer Service Area Categories (6/03)

- 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
7/14/06 -- GIS Project File:
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