



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item # 2
October 9, 2003

October 2, 2003

Memorandum

TO: Montgomery County Planning Board

VIA: ^{JZ} Jeff Zyontz, Chief
County Wide Planning Division

Nazir Baig, P.E., Supervisor
Environmental Planning

RB

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

SUBJECT: **JULY 2003 County Council Amendments to the *Comprehensive Water Supply and Sewerage Systems Plan***

CASES:

WSSCR 02A-BEN-04
WSSCR 02A-BEN-06
WSSCR 02A-CLO-11
WSSCR 02A-CLO-03
WSSCR 02A-CLO-04
WSSCR 02A-CLO-06
WSSCR 02A-CLO-09
WSSCR 02A-CLO-17

WSSCR 02A-CLO-18
WSSCR 02A-CLO-19
WSSCR 02A-CLO-20
WSSCR 02A-CLO-21
WSSCR 02A-CLO-22
WSSCR 03A-CLO-02
WSSCR 03A-CLO-03
WSSCR 01A-PAX-01

WSSCR 02A-POT-06
WSSCR 02A-TRV-17
WSSCR 02A-TRV-30
WSSCR 02A-TRV-31
WSSCR 03A-TRV-02
WSSCR 03G-TRV-01
WSSCR 03A-URC-01

RECOMMENDATION:

Approval of staff recommendations and transmittal to the County Council and County Executive.

The July 2003 transmittal contains 23 proposed water and sewer map amendments (19 current category change requests and 4 previously deferred cases). The JULY 2003 County Council Amendments to the *Comprehensive Water Supply and Sewerage Systems Plan* applications have

been reviewed for consistency with water and sewer service recommendations within their respective master plans. Staff recommendations are based on master plan guidance and other policies within the *Comprehensive Water Supply and Sewerage Systems Plan*. Staff is in agreement with the Executive staff's recommendations on all submitted cases, with one exception.

Maryland National Capital Park and Planning Commission staff does not agree with the Executive Recommendation for WSCCR 02A-BEN-04.

DISCUSSION:

The attached material contains twenty-three water and sewer category change requests under consideration as amendments to the *Comprehensive Water Supply and Sewerage Systems Plan*. Amendment policies are discussed on pages 1-9 through 1-18 of that Plan. The comments and recommendations of the WSSC, MCDEP staff, and Park and Planning staff are incorporated into the Summary Table of Category Change Requests (See "Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Plan; County Executive's Amendment Transmittal to the County Council-July 2003," Attachment).

Unlike applications considered under the Administrative Delegation process, these applications must be forwarded to the County Council for action. The Planning Board is required by state law to provide land use and zoning input on these amendments. Planning Board recommendations will be forwarded to the Council prior to public hearing record closure and in time for the T&E work session on 30OCT2003.

Attachment 1 of this packet is the County Executive's Amendment Transmittal to the County Council-July 2003, containing the 23 applications and supporting materials. **Park and Planning Staff recommendations concur with the Executive staff recommendations for all requested changes, with one exception. Staff recommends denial of WSCCR 02A-BEN-04.** A discussion and brief summary of the individual applications follows. More detailed information and maps can be found in Attachment 1.

Bennett and Little Bennett Planning Area

Executive Staff and Report and Summary Tables Circle Page 1

WSCCR 02A-BEN-04 Terra Brook Clarksburg LC, Public Water and Sewer Service for Institutional/Recreational Development in the RDT Zone Circle Page 3

Staff is recommending denial of this application, counter to the Executive recommendation. Requested sewer service is inconsistent with the master plan and outside of the recommended water and sewer envelope. The service request appears to be for a Private Institutional Facility use. M-NCPPC, in conjunction with pending recommendations in the Water and Sewer Plan 10 Year Draft revision, is requesting no new PIF uses in the RDT.

The applicant, Terrabrook Clarksburg LC, is requesting S1 and W1 for a 72.5 acre property in the RDT currently in S6 and W6. The applicants proposed use for water and sewer

category change is for an intended church, day care facility and an active recreation community park.

The County Executives recommendation is approve W1 and S1 restricted to a single water and sewer hookup from mains that will abut the site (now under or pending construction). The Executive recommendation states that this approval does not include service for private institutional facilities, with such action being deferred pending the Council's adoption of the Water and Sewer Plan update of the PIF policy.

Staff does not feel an appropriate precedent is established by allowing a single water and sewer connection for an RDT zone property under these conditions. This property does not have an existing residence. An existing abutting sewer main has yet to be completed. This application is for an intended PIF uses in the RDT. PIF uses in the RDT are of particular concern in part due to potential land use conflicts with adjacent RDT zones properties. Also, water quality impacts due to potential increased impervious area, are often significantly in excess of the underlying base zone projection. Once a single hookup is granted, few limitations will exist regarding flow limits and thus development potential. Similar cases have been deferred pending either further resolution of the PIF policy or completion of water/sewer infrastructure to allow for abutting mains conditions.

WSCCR 02A-BEN-06 Robert and Patricia Tregoning, Public Water to Support Agricultural Development, Circle Page 8

Applicant is requesting W1. Service would require a 250' main extension that would abut 2 additional properties.

Staff concurs with Executive recommendation: Deny the water category request; maintain W-6. The site lies outside of the existing water service envelope and does not abut existing mains.

Cloverly and Norwood Planning Area

Executive Staff Report and Summary Tables Circle Page 13

WSCCR 02A-CLO-11 Michael Anselmo, Amendment Deferred from Administrative Action. Circle Page 20

Applicant is requesting S3 for a RE-1 zoned 42.3 acre property in the Upper Paint Branch Special Protection Area.

Staff concurs with Executive recommendation: Maintain S6 with advancement to S-3 conditioned on Planning Board approval of a preliminary plan which DEP and M-NCPPC staff concur demonstrates an environmental benefit from the use of public sewer service over the use of individual septic systems. This application is generally consistent with the Cloverly Master Plan.

East Ashton Sanitary Survey Amendments

- WSSCR 02A-CLO-03** Leonard Meyers
- WSSCR 02A-CLO-04** Earl and Geneva Clagett
- WSSCR 02A-CLO-06** Dawg Days LLC
- WSSCR 02A-CLO-09** Warren Derrick
- WSSCR 02A-CLO-17** Sharp Street United Methodist Church
- WSSCR 02A-CLO-18** Kerry and Diana Mayhew
- WSSCR 02A-CLO-19** Mary Awkard
- WSSCR 02A-CLO-20** Beverly Love
- WSSCR 02A-CLO-21** Josephine Challenger
- WSSCR 02A-CLO-22** Tracy Ryan

In 2002, four property owners in east Ashton filed applications seeking public sewer service, based on concerns about failing septic systems and poor septic suitability for replacement systems. These applications were deferred pending a DPS sanitary sewer survey. In the interim, additional property owners in the same area also filed amendments seeking public sewer service.

Staff concurs with the Executive recommendation on these ten East Ashton Sanitary Survey Amendments: Deny the Sewer category request, maintain S6. Staff finds issuance of public water (W1) to WSSCR 02A-CLO-06 and WSSCR 02A-CLO-09 to be acceptable.

Private Institutional Facility (PIF) Amendments

- WSSCR 03A-CLO-02** Emory Patton (for Christ Fellowship Church) Circle Page 44

Applicant proposes to expand church facility and is requesting S1. This connection would require a dedicated 300' main extension.

Staff concurs with the Executive recommendation: Deny the sewer category request, maintaining S6. The request is inconsistent with the 1997 Cloverly Master Plan.

- WSSCR 03A-CLO-03** The Lutheran Church of Saint Andrews (for the Roman Catholic Archdiocese of Washington) Circle Page 59

Applicant proposes to construct a 650 seat house of worship on a 12.79 acre RE-2 zoned property, relocating from existing facilities in Glenmont. Applicant is requesting W1 and S1.

Staff concurs with the Executive recommendation: Deny the water and sewer category request, maintaining W5 and S6. The request is inconsistent with the 1997 Cloverly Master Plan.

Patuxent Watershed Conservation Planning Area

Executive Staff Report and Summary Tables Circle Page 73

WSSCR 01A-PAX-01 Donna Rosenheim (for Lloyd Clark Jr.) Circle Page 74

Applicant is requesting W3 and S3 on a RC zoned 11.1 acre property. Applicant is intending to build a single family house and kennel for animal boarding. Water and sewer line extensions of 2200' and 1400 feet would be required.

Staff concurs with the Executive recommendation: defer action on the category request pending the Board of Appeals decision on the required special exception for the proposed kennel. The request is consistent with the master plan, which recommends that public service may support special exception uses.

Potomac- Cabin John Planning Area

Executive Staff Report and Summary Table

WSSCR 02A-POT-06 Macris Hendricks and Glascock (for Saint Lukes Serbian Orthodox Church) Circle Page 83

Applicant is requesting S3 on a RE-2, 2.75 acre property. Applicant proposes a house of worship, initially using a renovated, existing house. The sewer service extension would run along Fiver Road to an existing 8" diameter main east of the site.

Staff concurs with the Executive recommendation: Approve S3 under the Potomac peripheral sewer service policy. Service is consistent with the Potomac Master Plan's peripheral sewer service policy. Existing sewer infrastructure is adjacent and contiguous properties are served.

Travilah Planning Area

Executive Staff Report and Summary Table Circle Page 86

WSSCR 02A-TRV-17 General Construction Group, Circle Page 89

Applicant is requesting S3 on a RE-2 zoned, 4 acre property. Applicant is intending to build an additional single family house (2 residential lots).

Staff concurs with the Executive recommendation: deny the sewer category request, maintaining S6. The request is inconsistent with the Potomac Master Plan.

WSSCR 02A-TRV-30 Roger and Betty Palmer, Circle Page 94

Applicant is requesting S3 on a RE-2 zoned, 5 acre property. Applicant is intending to build an additional single family house (2 residential lots) or enlarge the existing house.

Staff concurs with the Executive recommendation: deny the sewer category request, maintaining S6. The request is inconsistent with the Potomac Master Plan.

WSSCR 02A-TRV-31 GROUP Request, 22 applicants/property owners, Circle Page 97

Applicants (22 property owners) are requesting S3 on multiple RE-1 zoned properties totaling 32.45 acres. Two properties have an existing home, the remainder are vacant properties. Applicants are intending residential development.

Staff concurs with the Executive recommendation: deny the sewer category request, maintaining S6, for all of the properties included. The requests are inconsistent with the Potomac Master Plan.

WSSCR 03A-TRV-02 Robert and Juying Warner, Piney Branch Restricted Access Policy Health Problem Amendment, Circle Page 127

Applicant is requesting S3 on a RE-1 zoned, 1 acre property. Applicant cites a failing septic system associated with existing home. This application was pulled from a recent Administration Delegation Group packet as the Planning Board wanted confirmation of a failing septic system. DPS Well and Septic issued documentation citing a failing septic system (2/14/03).

Staff concurs with the Executive recommendation: Approve S3, restricted to one sewer hookup only to relieve a public health problem. M-NCPPC further supports DEPs and WSSC's preferred sewer alignment : a main extension along Boswell Lane and Glen Mill Road to the Piney Branch trunk sewer.

WSSCR 03G-TRV-01 M-NCPPC (for Miller and Smith and Montgomery County) Circle Page 128 Miller and Smith at Quercus Serpentine Barrens Sewer Service Restriction.

The proposed use for this 258 acre RE-2 zoned property is a County conservation park, being acquired under the Legacy Open Space program.

Staff concurs with Executive recommendation: Maintain S6 with all public sewer service restricted from the subject property until at least July 01, 2036.

Upper Rock Creek Watershed

Executive Staff Report and Summary Table Circle Page 133

WSCCR 03A-URC-01 Billy Arnwine, Circle Page 134

Applicant is requesting S3 on a RE-2 zoned, 2.5 acre property. Applicant is intending to build a single family house.

Staff concurs with the Executive recommendation: deny the sewer category request, maintaining S6. The request is inconsistent with the master plan and water and sewer service policies.

Staff appreciates the assistance of the Montgomery County Department of Environmental Protection staff in the preparation of this review.

Attachments

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